

COUNCIL AGENDA

MONDAY, 17 DECEMBER 2018



GLENORCHY CITY COUNCIL

QUALIFIED PERSON CERTIFICATION

The General Manager certifies that, in accordance with section 65 of the *Local Government Act 1993*, any advice, information and recommendations contained in the reports related to this agenda have been prepared by persons who have the qualifications or experience necessary to give such advice, information and recommendations.

A handwritten signature in blue ink, likely belonging to Tony McMullen.

Tony McMullen
General Manager

12 December 2018

Hour: 6.00 p.m.

Present:

In attendance:

Leave of Absence:

**Workshops held since
last Council Meeting**

Date: Monday, 3 December 2018

Purpose: To discuss:

- Waste Management
- Economic Development Strategy

Date: Wednesday, 5 December 2018

Purpose: To discuss:

- City Deal

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1. APOLOGIES

2. CONFIRMATION OF MINUTES (OPEN MEETING)

That the minutes of the Council Meeting held on 26 November 2018 be confirmed.

3. ANNOUNCEMENTS BY THE CHAIR

4. PECUNIARY INTEREST NOTIFICATION

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

James Bryan, Montrose

(from 24 September 2018 Council meeting)

Q: The new figure given for depreciation of the DEC is \$186,000 which, we were told, is based on a valuation of \$18.6m. That doesn't seem to be correct and the depreciation on that amount should be significantly higher. What is the figure of \$186,000 for depreciation on the DEC based on and how is it calculated?

[Extract from the Mayor's letter to Mr. Bryan]

A:

1. Prior to its revaluation at 30 June 2018, the Derwent Entertainment Centre (DEC) was valued for accounting purposes at \$34,590,048. Accumulated depreciation at that time totalled \$23,294,129 and the Centre's 'written down value' was therefore \$11,295,918 (being \$34,590,048 minus \$23,294,129).

2. While Council refers generically to the DEC building as a single entity, again for mandatory accounting (and asset management) purposes, it is broken down into a number of asset components, such as sub-structure, super-structure, roof and others. This is required to be done to recognise that the various components which comprise the DEC building have differing 'useful lives' (being the concept on which accounting depreciation is based).
3. During the final quarter of the 2017-18 financial year, Council was provided with revaluations of its land, building and other assets (including the DEC) as at 30 June 2018 by its commissioned valuer, Knowledge Asset Management Services.
4. The valuer's report valued the DEC's 'Depreciated Replacement Cost at 30 June 2018, (which is the valuer's assessment of the cost to replace the DEC), adjusted for the already consumed or expired future economic benefits of the asset (that is, adjusted for its age) at \$38,499,000. In accordance with the requirements Australian Accounting Standard AASB 116 - Property Plant and Equipment (which is the applicable accounting standard), the accumulated depreciation as at that date was restated based on this valuation at \$25,891,021 and the Centre's written down value increased to \$12,607,979.
5. In accordance with the requirements of Australian Accounting Standard AASB 13 - Fair Value Measurement, an assessment of the fair value of Council's assets was then undertaken. Such an assessment is undertaken at least annually during compilation of Council's Statutory Financial Statements.
6. During this assessment, it was determined that the provisions of the Standard relating to the making of a fair value adjustment for 'economic obsolescence' may apply to the DEC valuation. An analysis of DEC patronage for the last six calendar years versus its seating capacity was undertaken and supplied to the valuer. Based on this analysis, the valuer agreed that a 51.53% reduction in valuation for economic obsolescence was appropriate and the DEC's valuation as at 30 June 2018 was reduced to \$18,606,567. Accumulated depreciation as at that date was again restated based on this reduced valuation to \$12,513,130 and the Centre's written down value decreased to \$6,093,436.
7. As a consequence of these adjustments, the DEC's depreciation expense for the 2018-19 and subsequent financial years has decreased. This has occurred for two reasons:

- a) as noted in paragraphs 1 and 6 (above), the DEC's written-down value has decreased from \$11,295,918 to \$6,093,436. As written-down value is the residual 'depreciated replacement cost' to be expensed over the remaining useful lives of the asset components which constitute the DEC (see paragraph 2), a reduction in that value will cause a decrease in the depreciation expense.
- b) as noted by the General Manager at both Council's September 2018 and October 2018 meetings, there are a number of asset components at the DEC which will become fully depreciated this financial year. Irrespective of the restatements which have occurred (and are described above), a point will be reached during the year where the sum of all depreciation expense recorded against these particular asset components will equal the component's valuation and there will be no value left to depreciate.

Doug Richardson, 30 Amiens Avenue, Moonah

(from 26 November 2018 Council meeting)

Q. In the Mayor's letter dated 20 November 2018 regarding existing traffic control measures on Amiens Avenue, Moonah, it was stated that only one crash had occurred in the last five years. Does this mean council does not count side morrows and minor body damage as in approximately last 12 months I have counted eleven.

A: Crash records were sourced from Tasmania Police. Council was not involved in collecting this data.

Q. The new 'no stopping' line was installed at the northern chicane not the southern end. When will the southern No Stopping line be updated.

A: Council has installed a 'no stopping' line adjacent to the southern-most chicane.

Q. As it is not infrequent, as suggested, that vehicles pass on the wrong side of islands, does this mean council accepts that it is ok to break the law?

A: As mentioned in the previous response, Council was concerned to hear of these alleged breaches of traffic regulations by Council vehicles, and does not accept or condone this behavior or any breaches of any law. Any Council staff member who is found to intentionally contravene traffic laws will face potential disciplinary action.

Janine Foley, 5 Bethune Street, Chigwell

(from 26 November 2018 Council meeting)

Q. Why does GCC appear to be 'developing' a Facebook presence in isolation? Why not develop an integrated social media strategy/presence and include twitter, Instagram and other relevant business support platforms at the same time?

A: Council's Communication Strategy, was adopted at the October 2018 Council meeting. It outlines a number of key goals and strategies for Council to pursue in communicating effectively with the community. Council officers are now developing policy and protocols for the implementation of a Facebook page and, importantly, the process for managing that page. Social media involves several interactive online environments. However, Glenorchy City Council will concentrate on Facebook because it is the most widely used among the demographics that Council needs to engage with.

While there are a myriad of social media platforms that Council could utilise, including those mentioned in the question, Council currently has one officer working in this area and the use of this resource must be balanced with the other operational requirements of the organisation.

Q. Would the following be an accurate account of the way in which verge management operates across the Glenorchy LGA?

- **Households are responsible for mowing, whipper—snipping, weeding and all other activities associated with maintaining areas that could be described as the verge. Households are expected to commit their own time, energy and resources for this purpose.**
- **Households are then responsible for transporting (own transportation) any green waste materials to a waste transfer station.**
- **Households are expected to meet any cost associated with dropping off waste materials.**
- **Households are expected to meet all costs associated with cleaning, maintenance and wear and tear of their own equipment when maintaining the verge.**

A: Households are responsible for maintaining the nature strips in front of their properties. There are some verge areas that Council maintain including areas adjoining highway areas but these sites have never been under the care of a householder.

Q. In relation to the above question:

- **what happens when people lack appropriate resources, equipment and skills?**
- **what happens when people cannot afford to transport materials and meet associated costs at drop off?**
- **how do household communicate their particular situation / requirements to GCC? How does GCC manage this data?**
- **Is council aware that households use a variety of methods to dispose of waste materials e.g. placing grass clippings into household waste / landfill stream? This would provide a data gap in estimating the amount of waste generated by verge household verge managers.**

- If no data mapping happens how has a green waste strategy been developed that is based on accurate, timely and known data?
- Does council acknowledge that if the household model is accurate then it places front line staff in a potentially high stress and vulnerable position?
- Does council acknowledge that if the household model is accurate then it has inadvertently invented and invested in a variety of ways that default to untidy, overgrown, unmanaged, unkempt landscapes?
- How does council intend to improve the aesthetic qualities of community and begin to manage sites so that the great work that front-line staff performs can occur in a more systematic, resource appropriate, community building, collegiate, cooperative and less stressful way?

A: There are some verges mowed by Councils volunteer program. To either request assistance or volunteer please contact Council's customer service area.

Green waste is currently disposed of in the general waste bin, through home compost, or by taking material to the Jackson Street land fill. Council estimates this is around 10% of all waste generated in Glenorchy.

Council is currently investigating the introduction of a Food Organics Garden Organics kerbside collection service. Available data being used in this investigation includes:

- Kerbside collection general waste tonnages
- Bin survey and audit data, showing percentages of organic waste in general waste collection
- Green waste tonnages at Jackson Street Waste Management Centre

Council staff take care in the work they do within the limited resources they have and continue to look for new and improved ways of building city pride, appearance, and reputation.

Eddie Steenbergen, 128 Marys Hope Road, Rosetta

(from 26 November 2018 Council meeting)

Q. Is there any way that I can be informed of when those ceremonies are taking place so that I can attend?

A: Council officers will contact you to advise when future citizenship ceremonies are being held.

Q: The Project Reference Group being created for the CBD Revitalisation Project comprises only with representatives of business. Why are Glenorchy residents as customers and certainly stakeholders not represented?

- A: The CBD upgrade is a significant investment in our local traders and businesses. Research shows that enhanced public space and increased pedestrian movement has a positive effect on the surrounding businesses; encouraging local people to buy goods and services in their own neighbourhoods and attracting more customers from elsewhere.

The CBD Project Reference Group will not be involved directly in the management of the project. The group's members' role is to assist as a conduit of information, both from customers to Council and sharing information that they know about the CBD project with their fellow business people and customers. Representatives are from business, schools, Metro, Emergency services and Council, and those with significant ongoing operations and investments in the area whose activities will likely be impacted by the project on an ongoing basis.

Customers are encouraged to speak with their local business people about the project. Of course, if customers using the CBD are impacted or have ideas or concerns, there are a number of ways to get in contact with Council directly (e.g. through our Customer Service Centre, email or via the CBD Project Facebook page that will launch in early 2019).

- Q: The Terms of Reference of the newly created Healthy Communities Advisory Committee mentions observers of meetings. Does that imply that members of the public will be permitted to observe its meetings?**

- **what are the protocols for doing so? and**
- **which other committees may the public observe?**

- A: That is not the intention of the Terms of Reference. The only reference is in clause 3.3, which provide that "Meeting observers will not have voting rights." This is referring to any invited attendees to a meeting such as, for example other council staff and/or active recreation organisation representatives who have been invited to address specific issues.

This is the situation for all the special committees of Council.

The only Council Committee which is open to the public is meetings of the Glenorchy Planning Authority. No other Council committees or special committees generally open their meetings to the public. While there is no express prohibition on public attendance, it is not current practice to advertise meetings and invite members of the public to attend, nor does Council intend to adopt this practice.

6. PUBLIC QUESTION TIME (15 MINUTES)

Please note:

- the Council Meeting is a formal meeting of the Aldermen elected by the Glenorchy community. It is chaired by the Mayor
- public question time is an opportunity in the formal meeting for the public to ask questions of their elected Council representatives about the matters that affect ratepayers and citizens
- question time is for asking questions and not making statements (brief explanations of the background to questions may be given for context but comments or statements about Council's activities are otherwise not permitted)
- the Chair may permit follow-up questions at the Chair's discretion, however answers to questions are not to be debated with Council
- the Chair may refuse to answer a question, or may direct a person to stop speaking if the Chair decides that the question is not appropriate or not in accordance with the above rules
- the Chair has the discretion to extend public question time if necessary

Questions on Notice - Eddie Steenbergen, 128 Marys Hope Road, Rosetta

Q: In relation to the council AGM held on December 3:

- **Will the audio recording of the AGM be made available on the council website? If so, when?**

A: The audio of the Annual General Meeting is available on the website now and has been since 6 December 2018 (it is located in the 'December 2018' folder on the audio recordings page). Audio recordings are generally uploaded the day after the relevant meeting, however it can sometimes take a bit longer depending on staff workloads.

- **The Local Government Act says minutes must be recorded. Who recorded the minutes of the AGM?**

A: Council staff member recorded the minutes of the AGM, however the minutes were not projected on the screen due to the different format for the minute document that is used for AGMs. Council staff will also refer to the Audio recording of the meeting to confirm the accuracy of the minutes that were taken.

- **Why are there no historical AGM agendas or minutes on the Council website?**

A: This is an administrative oversight. Due to the different format that the AGM minutes are in, it is difficult (and requires technical assistance) to upload them to the usual platform that Council uses as its minutes database. The need for an AGM page on the website appears to have been overlooked when Council redeveloped its website. Staff are working to address this and hope to have the minutes of past AGMs on the website by the date of the Council meeting.

Q: In relation to the enforcement of parking time limits in Glenorchy.

- a) **How much did it cost council in 2017 to enforce parking time limits, including staff time, equipment and other resources?**
- b) **How many infringements did council staff issue in 2017? What income did those infringements generate?**

A: Answers to these questions will be tabled at the Council meeting.

7. PETITIONS/DEPUTATIONS

COMMUNITY

8. ANNOUNCEMENTS BY THE MAYOR

Author: Mayor (Ald. Kristie Johnston)
Qualified Person: General Manager (Tony McMullen)
ECM File Reference: Mayoral Announcements

Community Plan Reference:

Under the City of *Glenorchy Community Plan 2015 – 2040*, the Community has prioritised ‘transparent and accountable government’.

Strategic or Annual Plan Reference:

Objective 4.1 Govern in the best interests of the community
Strategy 4.1.1 Manage Council for maximum efficiency, accountability and transparency.

Reporting Brief:

To receive the announcement of events by the Mayor.

Proposal in Detail:

The following is a list of events and external meetings the Mayor has attended during the period Tuesday, 20 November and Monday, 10 December 2018.

Tuesday, 20 November 2018

- Attended the West Moonah Community House Eating with Friends Luncheon
- Attended the St Giles 80th Anniversary Reception

Wednesday, 21 November 2018

- Attended a meeting with a business representative

Saturday, 24 November 2018

- Attended the City of Glenorchy Lions Club Christmas Dinner

Sunday, 25 November 2018

- Attended the Baddiley-Leedham Perpetual Shield Basketball Game

Monday, 26 November 2018

- Attended a meeting with Derwent Valley Mayor, Ben Shaw
- Attended and presented ‘Peace is Possible’ certificates at a Moonah Primary School Assembly
- Attended the Citizen of the Year Award Committee meeting
- Chaired the Council Meeting

Tuesday, 27 November 2018

- Attended as special guest speaker the Dedication of a Park Bench for Ron Marshall at Eureka Claremont Gardens
- Attended a meeting of the metropolitan mayors (Lord Mayor Reynolds, Mayor Winter, and Mayor Chipman)

Wednesday, 28 November 2018

- Attended a meeting with a business representative

Thursday, 29 November 2018

- Attended a meeting with a community member
- Attended and presented at the Dominic College years 6-10 Awards Ceremony
- Attended and spoke at the Council's White Ribbon Day event
- Attended Destination Southern Tasmania's Tips and Tipples event
- Attended Drill Junior Dance Company's performance of Cybernetic at the MAC

Friday, 30 November 2018

- Attended a meeting with community members
- Attended a lunch with Mayor Winter and Editor of the Mercury, Chris Jones
- Attended the Greater Glenorchy Group Christmas function

Saturday, 1 December 2018

- Attended and participated in the Bright Stars Dance performance as part of the International Day of People with a Disability Festival

Monday, 3 December 2018

- Attended and presented at the Rosetta Primary End of Year School Awards Assembly
- Attended a City Deal meeting with Minister Gutwein, Lord Mayor Reynolds, Mayor Winter, Mayor Chipman and General Managers Tony McMullen, Nick Heath, Gary Arnold, and Andrew Paul
- Chaired the Council Workshop
- Chaired the Council's Annual General Meeting

Tuesday, 4 December 2018

- Attended a meeting with a business representative

Wednesday, 5 December 2018

- Chaired a Council briefing from Minister Gutwein on the City Deal
- Attended the Council Staff Achievements Award Ceremony
- Participated in the 2018 Bawdy Panto "Bumblelina" supporting Melanoma Tasmania

Thursday, 6 December 2018

- Attended as panelist and participant in the Local Government Association of Tasmania's Mayor Professional Development Workshop in Launceston
- Attended the Local Government Association of Tasmania's Mayors' Dinner

Friday, 7 December 2018

- Attended the Local Government Association of Tasmania's General Meeting in Launceston
- Attended the Goodwood Community Centre's Christmas Bingo Night

Saturday, 8 December 2018

- Attended and participated in the Glenorchy Carols – A Not So Silent Night

A significant number of other internal Council meetings and administrative duties were also undertaken.

Consultations:

Nil.

Human Resource / Financial and Risk Management Implications:

Nil.

Community Consultation and Public Relations Implications:

Nil.

Recommendation:

That Council:

RECEIVE the announcements about the activities of the Mayor's office during the period from 20 November 2018 to 10 December 2018.

Attachments/Annexures

Nil

The following item was deferred from the Council meeting on 26 November 2018

9. COUNCIL DONATIONS AND SPONSORSHIPS

Author: Coordinator, Community Planning and Engagement (Andrea Marquardt)

Qualified Person: Director, Community and Strategy (David Ronaldson)

ECM File Reference: General Donations and Fundraising

Community Plan Reference:

Making Lives Better

There will be community services and programs for people of all ages and abilities to connect, support and make lives better.

Strategic or Annual Plan Reference:

Making Lives Better

- Objective 1.2 Support our communities to pursue and achieve their goals
- Strategy 1.2.1 Encourage and support communities to express and achieve their aspirations
- Strategy 1.2.2 Build relationships and networks that create opportunities for our communities
- Strategy 1.2.3 Promote creative expression and participation and life-long learning as priorities for our communities.

Reporting Brief:

To brief Council on the current sponsorships and donations made to individuals and community organisations through Council's Community Planning and Engagement section. This report also recommends an additional three (3) year agreement with the Glenorchy Community Fund, and minor updates to the student support/bursary program and the Mayor's Charitable Fund.

Proposal in Detail:

Glenorchy City Council currently delivers donations and scholarships to individual community members and organisations/schools located in the Glenorchy municipality. The donations and scholarships are co-ordinated through the Community Planning and Engagement section within the Community Department, and currently total \$21,500.

Several of the current donations and sponsorships do not have any formal agreements or guidelines and have not been reviewed for a number of years.

Current donations and sponsorships are as follows:

What	Funding	Purpose
Glenorchy Community Fund Contribution	\$4,000 per annum (3-year commitment ending 2019/2020)	to facilitate community-based initiatives in the City of Glenorchy
Student Support/Bursary Program	\$1,500 per annum	to encourage students in the municipality to attend year 11 and 12 and to improve the retention rate of students continuing on from year 10.
Eric Reece Scholarship	\$3,000 per annum (4-year commitment ending 2022)	to support a Glenorchy resident undertaking an engineering or earth sciences degree at the University of Tasmania.
Mayor's Charitable Fund	\$5,000 per annum	to support the achievements of Glenorchy residents in the areas of sporting, academic, cultural or civic events or youth leadership development pursuits.
Glenorchy City Concert Brass	\$7,500 per annum	to support the activities of the Glenorchy City Concert Brass Band

Glenorchy Community Fund

In August 2016, Council resolved to create a small, one-off, grants process to facilitate community-based initiatives based on the funding saved from discontinuing the Community Precinct Program in the form of Attachment 1. It was agreed to redirect funds previously used to support the Community Precinct Program (\$4,000) to the Glenorchy Community Fund (GCF) annually for distribution through their funding program for a period of three years.

The GCF was set up to raise money for the provision of grants to community organisations for projects that benefit the people of Glenorchy City. The GCF provides a growing source of financial support to not for profit groups and organisations for worthy projects that will benefit and strengthen the community of Glenorchy. The GCF is endorsed as a Deductible Gift Recipient.

A Council officer from the Community Department participates in the GCF allocations process once per year. \$4,000 has been donated to the GCF in the 2017-18 and 2018-19 financial years with an agreement to review the allocation after two years.

Funding has been allocated as follows:

Year	Grant Recipient	Grant Amount	Total Grants Approved
2017	Glenorchy Golden Years - building sign	\$935	\$11,764
	Orchard Relocation Project	\$3,250	
	Story Island Project – booklets and t-shirts for Moonah Taste of the World Festival	\$2,109	
	West Moonah Community House Action Group – coffee machine for community café and barista training	\$3,500	
	St Francis Flexible Learning Centre – purchase of equipment for screen printing	\$1,970	
2018	Ten Lives Cat Centre – booklets for use in Glenorchy schools	\$3,500	\$16,464
	Paraquad Glenorchy – accessible kitchen equipment	\$1,257	
	St Johns Ambulance – lifesaving training for multicultural communities	\$2,967	
	YMCA – community garden project	\$1,740	
	Bee Literate – publishing of “bee book” to build community capacity	\$3,500	
	West Moonah Community Centre – web design for a food co-operative	\$3,500	

Through its contribution to the GCF, Council can equitably contribute to a wide range of community-based organisations through established processes. It is recommended that the agreement with the GCF be extended.

Student Support/Bursary Program

The Bursary Program was established in 1991 to encourage students to attend Claremont College with a view to improving the retention rates of students from year 10 to year 11 in the area.

The bursaries were originally provided to the three high schools in the municipality – Cosgrove High, Rosetta High and Claremont High Schools, with \$500 going to each school per year (\$250 per student). The bursaries (including the cash amounts provided) have not been reviewed since they were established, and Claremont High School is no longer open. Rosetta High School is now Montrose Bay High School.

Bursaries are currently awarded to outstanding students (with a high level of academic achievement) - one each from Cosgrove High and Montrose Bay High Schools - going on to Claremont College to a value of \$250 for years 11 and 12, provided the year 11 students have satisfactory progress and continue to year 12.

The \$500 that was allocated to Claremont High School is currently distributed to other local schools for their end of year school awards/assembly programs, with sponsorship ranging from \$50-\$100. There is no formal process in place for this to occur with requests coming in an ad-hoc manner from schools.

A Council officer from the Community Planning and Engagement section oversees this program and liaises with relevant Principals and school office staff as needed.

It is recommended that the current bursary program continues and that a process is established to formally offer all schools in the municipality (other than the two schools already receiving bursaries) an amount to support Council's commitment to lifelong learning. This would take the form of a prize/award at schools' end of year formalities. It is suggested that \$50 be provided to primary schools, and \$100 to high schools/colleges. This amount can be absorbed within the current budget.

Eric Reece Scholarship

The Eric Reece Scholarship provided through the University of Tasmania for a student living in the Glenorchy municipality commencing a course in engineering or earth sciences. The scholarship provides \$3,000 per annum for up to four years.

The next recipient of the Scholarship will commence in 2019 with the scholarship lasting until 2022. This was endorsed at the Council meeting of 30 July 2018 - Attachment 2.

Mayor's Charitable Fund

\$5,000 is available each year through the Mayor's Charitable Fund. Support is provided to assist individuals or teams who reside in Glenorchy and have been selected to represent their state nationally or their country internationally in significant sporting, academic, cultural or civic events or youth leadership development opportunities.

In previous years the following support has been provided:

2017/18	\$2,350 spent with 22 individuals receiving support to represent their state.
2016/17	\$2,900 spent with 25 individuals receiving support to represent their state/country.
2015/16	\$4,700 spent with 37 individuals receiving support to represent their state.
2014/15	full \$5,000 spent with 39 individuals receiving support to represent their state/country.

The Mayor's Charitable Fund is not formally advertised through any existing channels.

Council officers have recently reviewed the eligibility criteria and guidelines for the fund as in [Attachment 3](#) and recommend that the name of the fund be changed to the Mayor's Sporting and Academic Fund, to more accurately reflect the activities that can receive funding.

If the eligibility criteria and guidelines are approved, the fund will be advertised through Council channels including Council's website.

Glenorchy City Concert Brass

Council supports the band through an annual donation of \$7,500 along with in-kind support which includes free use of a room at the Berriedale Community Centre as the band headquarters. The band performs free of charge at Council's Australia Day celebration, ANZAC Day service and Carols by Candlelight event.

The Glenorchy City Concert Brass is currently a Special Committee of Council.

The Glenorchy City Concert Brass has provided a report on their activities over the last financial year which is [Attachment 4](#).

As there is no formal memorandum of understanding with the band, it is recommended that Council staff work with band to develop a formal agreement for the 2018/2019 financial year. It is further recommended that the level of funding provided for the band is reviewed.

Consultations:

Director Community and Strategy
Acting Director Community Department
Community Planning and Engagement staff

Human Resource / Financial and Risk Management Implications:

Financial

Council currently has a budget allocation of \$21,500 towards a variety of support and sponsorship arrangements. Council officers are seeking to maximise best value for these contributions.

Human resources

All the listed sponsorships and donations are administered through the Community Planning and Engagement team. No additional human resources are required.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor (C2)	Possible (L3)	Moderate	Hold discussions with the Glenorchy City Concert Brass to work together to formalise an agreement.
Negative reaction from the Glenorchy City Concert Brass				
Additional requests via the Mayor's Charitable Fund	Minor (C2)	Possible (L3)	Moderate	Criteria and eligibility for funding will be easily available and applicants can be referred to this.
Do not adopt the recommendation	Minor (C2)	Likely (L4)	Moderate	Continue with the existing arrangements.
Negative publicity if any of the current sponsorships/grants are discontinued.				

Community Consultation and Public Relations Implications:Community consultation

None at this stage. If endorsed, discussion would need to take place with the Glenorchy City Concert Brass.

Public relations

There is an opportunity to tell a positive story of Council contributing to the broader community in a variety of ways as outlined in this report.

Recommendation:

That Council:

1. APPROVE the continuation of financial support provided to the Glenorchy Community Fund for an additional three (3) years, concluding in 2022/2023
2. APPROVE the extension of the Student Support/Bursary program to provide a standard donation to all the schools in the municipality for their end of year awards
3. APPROVE the reviewed Mayor's Sporting and Academic Fund criteria/guidelines, including the proposed name change (from the Mayor's Charitable Fund), and

4. APPROVE Council staff to commence discussions with the Glenorchy City Concert Brass regarding a formal agreement and review of the annual donation amount.

Attachments/Annexures

- 1 Council Resolution - Community Grant Processes 13-6-2017



- 2 Council Resolution Eric Reece Scholarship 30-7-2018



- 3 Mayor's Charitable Fund Updated Guidelines and Funding Criteria



- 4 Glenorchy City Concert Brass Report 2017-2018



10. HEALTHY COMMUNITIES ADVISORY COMMITTEE

Author: Director, Community and Strategy (David Ronaldson)

Qualified Person: Director Community and Strategy (David Ronaldson)

ECM File Reference: Sport and Recreation Advisory Committee (SARAC)

Community Plan Reference:

Leading Our Community

We will be a progressive, positive community with strong council leadership, striving to make Our Communities Vision a reality.

Strategic or Annual Plan Reference:

Leading Our Community

Objective 4.1 Govern in the best interests of our community

Strategy 4.1.1 Manage Council for maximum efficiency, accountability and transparency

Strategy 4.1.2 Manage the City's assets soundly for the long-term benefit of the community

Objective 4.3 Build Strong relationships to deliver our communities goals

Strategy 4.3.1 Foster productive relationships with other levels of government, other councils and peak bodies to achieve community outcomes

Reporting Brief:

To advise Council on the recent recruitment process to fill vacant committee positions and to update Council on the recent actions of the Healthy Communities Advisory Committee

Proposal in Detail:

At the Council meeting on 30 July 2018, Council appointed Aldermen Thomas and Sims as the two aldermanic representatives on the Healthy Communities Advisory Committee (which at the time was called the Sport and Recreation Advisory Committee) (**the Committee**).

After a review with the new Aldermen, updated terms of reference for the Committee were adopted by Council on 24 September 2018 (Attachment 1).

The Committee's terms of reference provide for membership to include six (6) appropriately skilled community representatives to be members. The terms of reference state that it is desirable that the community representatives are Glenorchy residents, or that they have active recreation organisation affiliation, networks or local knowledge.

Application and Selection Process

The terms of reference set out the following process for the appointment of community representatives:

“Community members will be appointed by Alderman and the nominated Officer following advertisement for nominations in the local newspaper and on Council’s website. Nominations are to be made in writing. The committee will not be involved in the evaluation or selection process of committee members.”

In accordance with those requirements, the following process was followed:

An expression of interest process (EOI) was developed to fill the community representative positions. The EOI this was circulated through the Glenorchy Sport, Recreation and Health and Wellbeing E-news, the November edition of the Glenorchy Gazette and through an email to the sport, recreation, health and wellbeing sector.

A total of 24 expressions of interest were received including expressions from the three (3) remaining members of the original Sport and Recreation Advisory Committee.

Following the closure of the EOI on 13 November 2018, a summary of the applications received (and copies of the applications) was forwarded to Aldermen Sims and Thomas for consideration.

Aldermen Sims and Thomas, along with Council’s Health and Wellbeing Development Officer, Len Yeats, reviewed the applications and determined their preferred applicants.

The nominees were presented General Manager for approval. The General Manager approved the appointment of six (6) community members to the Committee for a period of two (2) years.

Under Council’s *Committee Nominations and Appointments Policy*, the appointment of the new committee members does not require the approval of Council, however is being reported to Council for Council’s information.

New committee members

Those appointed to the committee are as follows:

Committee Member	Qualifications / area of expertise
Peter Bradley	Health industry professional, registered Nurse, exercise physiologist and wellness coach. Current chair of Tasmanian Chapter of Exercise Sports Science Australia
Tracy Burn	Masters sport participant, community engagement, playground development, community gardens

Committee Member	Qualifications / area of expertise
Leon Carr	Long standing current member of the Advisory Committee. Respected sports administrator and involvement in numerous sport activities for over 40 years.
Emma Robertson	Karadi Aboriginal Corporation, care coordinator, providing support to Aboriginal clients and addressing social determinants of health
Brittany Szlezak	Social Worker, services and lifestyle in Glenorchy, mental health, community development strategic development and performing arts
Brendan Wilson	Current committee member, participant and sports administrator in Glenorchy for over 15 years, strategic planner

The new committee will be inducted in the new calendar year and commence meeting in February 2019.

Consultations:

General Manager
Alderman Thomas
Alderman Sims
Healthy Communities Development Officer
Acting Manager, Legal Services

Human Resource / Financial and Risk Management Implications:

Financial

There are no financial implications for this report.

Human resources

There have been six (6) members of the community appointed to the committee.

Council officers will contact the eighteen (18) unsuccessful applicants to thank them for their interest and remind them of other opportunities where they may be able to be involved in Council's work (e.g. through sub committees or other special committees of Council).

Risk management

The report is for noting only. There are no material risks in adopting its recommendations.

The six (6) new appointees have been through a selection process and are qualified to fulfil their duties as committee members.

Community Consultation and Public Relations Implications:

Community consultation

As noted above, an EOI process was undertaken to fill community representation on the Committee. The EOI reflected the new terms of reference and this was circulated through the appropriate channels.

Public relations

This is a good news story for the community demonstrating that Council is functioning well again and proactively engaging with members of the community to improve outcomes.

Recommendation:

That Council:

1. NOTE the appointment of the new committee members recruited to the Glenorchy City Council Healthy Communities Advisory Committee and congratulate the new members on their appointment, and
2. THANK all applicants who submitted expressions of interest to join the committee.

Attachments/Annexures

- 1 Terms of Reference - Healthy Communities Advisory Committee



ENVIRONMENT

11. CHANGES TO LANDFILL OPERATIONS FEES AND CHARGES 2018/19

Author: Director, Infrastructure and Works (Ted Ross)

Qualified Person: Director, Infrastructure and Works (Ted Ross)

ECM File Reference: Landfill Fees and Charges

Community Plan Reference:

Open for Business

Our City will be recognised for its economic opportunities and strengths; a place where it is easy to do business.

We will champion education, innovation and new technologies to stimulate creativity and to generate even more jobs for the future.

Leading our Community

The communities of Glenorchy will be confident that Council manages the community's assets soundly for the long-term benefit of the community.

Community and business leaders will be a key part of decision making, enabling the vision to become a reality. The community will be strongly engaged to play an active part in designing our future.

Strategic or Annual Plan Reference:

Open for Business

2.1 Stimulate a prosperous economy.

2.1.2 Build relationships with government and the private sector that create job opportunities for our communities.

Leading our Community

4.1 Govern in the best interests of our community

4.1.2 Manage the City's assets soundly for the long term benefit of the Community.

4.1.3 Maximise regulatory compliance in Council and the community through our systems and processes.

Reporting Brief:

To recommend that Council adopts changes to landfill operations fees and charges from 1 February 2019 to provide the necessary separation and diversion of general waste to deliver on Council's Waste Management Strategy.

Proposal in Detail:

Council is currently reviewing its Waste Management Strategy and considering the future of waste services for the city.

This review is considering key actions including the extension of the life of the current landfill at Jackson Street, the development of a waste transfer station and the introduction of a Food Organics Garden Organics (**FOGO**) kerbside collection service.

The review of the Strategy is due to be considered by Council in March 2019.

The Jackson Street landfill is coming to the end of its life. Council is actively managing the landfill for an anticipated close-out by 2020. While Council is considering the several strategies to extend the life of the landfill, the development of a waste transfer station and the transport of waste to the regional facility at Copping is the long-term plan.

As part of the active management of the landfill close-out and the transition to the long-term plan, Council will need to promote the diversion and separation of waste and valuing of the remaining void-space at the landfill.

Examples of this include the introduction of a FOGO kerbside service to remove organics from landfill and working with commercial operators to separate inert cleanfill material from putrescible waste that would otherwise go to landfill.

Council's acceptance (or otherwise) of mixed waste and our fees for general waste at Jackson Street is part of what will bring about the change required to deliver the Waste Management Strategy.

The current fees are well below the fees charged at the other transfer stations in greater Hobart, located at Mornington and McRobies Gully. The current discount for mixed inert waste at Jackson Street does not encourage separation or divert the waste away from landfill.

While Council supports the provision of waste services for local residents, there is significant use of Council's landfill by commercial operators from both within and outside of Glenorchy.

As the diversion of waste will have a net negative impact on operating expenditure and revenue there is a need for Council to start making structural changes to the way we manage our waste. Without these changes Council will not be able to achieve the goals set out in the Waste Management Strategy.

To offset the anticipated decrease in revenue and increase in expenditure, Council will generate savings through reducing the landfill operating costs. Increases to landfill fees will also help offset the loss in revenue. The difference will be made up by utilising the contingencies within Council's budget.

Council officers are recommending that:

- the separation and diversion of waste is encouraged through increasing commercial fees so that they align with the market and adjusting the landfill operations to leverage greater value from the remaining landfill void, and
- Council reduce the commercial waste going to Jackson Street landfill by half, to actively manage the landfill close-out to November 2020. This will be achieved by:
 - diverting Council waste, including kerbside general waste, to the Derwent Park waste transfer station, and
 - reducing commercial waste by incentivizing the separation of mixed waste.

Changes to fees

In May 2018, Council adopted the Waste Management Fees and Charges for the 2018/19 financial year.

Proposed fee and changes for landfill operations as of 1 February 2019 focus on prioritising services to local residents over commercial customers, the latter of which have the ability to tip at other land fill locations and waste transfer stations.

The proposed changes include:

- removing the ability for double axle trailers and small trucks to tip general and green waste loads greater than 3 cubic metres for a nominal \$50 fee
- reclassifying weighbridge loads from those greater than 3 tonnes G.V.M to all commercial vehicles and those with loads greater than 3.5 cubic metres
- increasing pricing on general waste for commercial vehicles from \$90 per tonne to \$100 per tonne to reflect market pricing
- managing the diversion of large quantities of commercial waste by limiting the acceptance from large waste generators who are better able to divert to alternative waste transfer centres
- encouraging the separation of waste through the refusal to accept commercial quantities of mixed waste (e.g. cleanfill mixed with putrescible waste).

Council will maintain the existing rates for light vehicle users (residential landfill customers) for both general and green waste. Recycling will continue to also be provided at Jackson Street at no cost.

The proposed fee changes to landfill operations as of 1 February 2019 are as follows:

Description	Additional Info	May 2018 Waste Management Fees and Charges 2018/19 (including GST)	Proposed Changes 2018/19 (including GST)
Light Vehicles with or without trailers – charges per load to be replaced with Cars with or without single axle trailers up to 3 cubic metres – charges per load	Loads greater than 3 cubic metres (general waste)	\$50	Line item to be deleted. Considered in weighbridge fees
	Green waste load greater than 3 cubic metres	\$50	Line item to be deleted. Considered in weighbridge fees
Weighbridge (3 tonne G.V.M. or greater) to be replaced with Weighbridge (Commercial and other loads up to 3.5 cubic metres)	General waste (conditions apply*)	\$90 per tonne	\$100 per tonne
	Mixed Inert	\$75 per tonne	Line item to be deleted.

* Loads greater than 3.5 cubic metres will only be accepted at the landfill by negotiation. Council reserves the right to not accept any quantity of mixed waste.

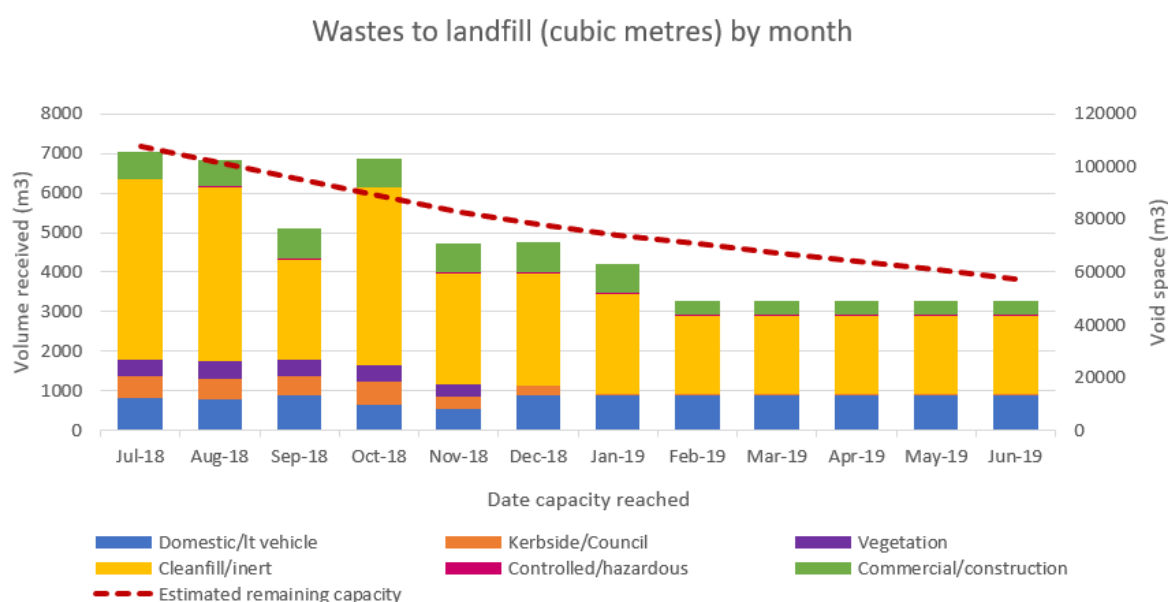
The proposed fee changes are consistent with charges at other Tasmanian city transfer stations and landfills including McRobie's Gully and Mornington:

Council	General Waste (including GST)
Launceston	\$97 / tonne
Hobart (McRobie's Gully)	\$95 / tonne
Clarence (Mornington)	\$104 / tonne
Kingborough	\$115 / tonne

Council	General Waste (including GST)
Devonport	\$128 / tonne
Glenorchy	\$90 / tonne
Glenorchy (proposed)	\$100 / tonne

Jackson landfill close-out

Below is a plot showing how Council proposes to actively manage the close-out of Jackson Street landfill to November 2020. This will be done through the reduction in commercial/construction waste, cleanfill, and the diversion of kerbside and Council waste.



In the above plot, the left hand vertical axis is the volume received and refers to the cubic metres of waste received at the Jackson Street landfill. The coloured bars show the mix of waste received each month. For example, in July 2018, 7000 cubic metres was received.

The right hand vertical axis is the remaining void in the landfill as calculated using drone survey equipment. The red dotted line shows how this space is reducing over time. For example, in November 2018, 80,000 cubic metres of void space was remaining.

Council, through active management of the landfill, will be reducing the volume received at the landfill to around 3,200 cubic metres per month.

This will mean that the existing landfill will be completed by November 2020.

Review of the Waste Management Strategy

Council officers are progressing with the review of the Waste Management Strategy and its associated business cases.

Council will consider the review of the Strategy at the March 2019 Council meeting.

As Council would be aware, a public survey on the introduction of a kerbside FOGO service was recently completed. The FOGO survey received over 1,300 submissions, with 90% of residents highlighting that the service is either important or very important.

Council is currently working through concerns raised by the community and will address these as part of the FOGO business case for consideration by Council in March 2019.

If approved, Council would look to roll out this service in the summer of 2019/20.

The business case for the extension of the Jackson Street landfill is also progressing and will be considered by Council at the March 2019 Council meeting. If approved, the new landfill cell is expected to be operational by September 2020.

At the March 2019 meeting, Council will also consider the development of a waste transfer station.

The Waste Management Strategy, along with the business cases, will consider the future direction of Council in respect to waste.

The active management of the landfill (separation, diversion, and reduction as outlined in this paper) will provide Council with sufficient time to put in place either the extension of the landfill or a waste transfer station to ensure that Council continue to provide waste services to the community.

Consultations:

ELT

Aldermen

Commercial operators

Landfill and waste transfer operators

Human Resource / Financial and Risk Management Implications:Financial

There is not expected to be any change to Council's forecast Total Operating Surplus/(Deficit) for 2018/19 as a result of the proposed changes to landfill fees.

However, Council estimates that the financial impact of the diversion of waste will be up to \$930,000 in 2018/19, to will be managed within the budget as follows:

- a \$660,000 increase in operation costs, including additional fees at Derwent Park waste transfer station, delivery of the communication and education plan, and consultant fees for delivery of the Waste Management Strategy.

- a \$930,000 reduction in operating costs associated using contingency funds for the waste projects.
- a \$270,000 reduction in revenue through a reduction in landfill gate fees as a result of the diversion of commercial general waste and cleanfill, and

the \$270,000 gate fee reduction will be offset by an increase in gate fees through higher fees for commercial operators, and operational savings on the landfill through reduced activity.

Human resources

The resource implications in relation to the reduced activity of landfill operations will be managed as part of the landfill close-out and considered by Council as part of the extension of the landfill business case. No changes are forecast in relation to the number of people employed by Council operations.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Insignificant (C1)	Possible (L3)	Low	Start date of 1 February provides commercial operators with sufficient time to adjust. Council officers working with commercial operators to identify alternative disposal solutions.
Negative impact on commercial operators diverted from land fill				
Negative impact of increasing fees	Insignificant (C1)	Possible (L3)	Low	Fees aligned with market rates set by nearby centres at McRobies Gully and Mornington.
Unable to bring about the necessary diversion and separation of waste necessary to deliver the Waste Management Strategy	Minor (C2)	Unlikely (L2)	Low	Alternative plan to install a temporary transfer station at a cost of \$1m can be set up at Jackson Street landfill within 4 months to divert waste.
Do not adopt the recommendation	Moderate (C3)	Possible (L3)	Moderate	Alternative plan to install a temporary transfer station at a cost of \$1m can be set up at Jackson Street landfill within 4 months to divert waste. Review fees and charges and consider alternative method of waste disposal.
Continue to maintain current operation. Land fill closure brought forward to December 2019.				
Inability to deliver on Waste Management Strategy	Moderate (C3)	Possible (L3)	Moderate	Consider the develop communications plan to respond to concerns raised by the community.

Community Consultation and Public Relations Implications:

Council officers have been in contact with the commercial operators most impacted by the changes to assist with the transition to the new fees and requirements around mixed waste.

By starting in February 2019, Council is also providing commercial operators with time to adjust to the changes in operations.

Changes to operations will include commercial operators separating waste and taking their waste to alternative landfill and waste transfer stations.

Council will maintain the existing rates for light vehicle users (residential landfill customers) for both general and green waste. Recycling will continue to also be provided at Jackson Street at no cost.

Community consultation

Council will continue to consult with the community in relation to elements of the Waste Management Strategy including neighbouring residents and businesses impacted on the proposed extension of Jackson Street landfill.

Council is also in the process of engaging a consultant to develop a communication and education plan to assist with the roll out of the Waste Management Strategy.

Recommendation:

That Council:

1. APPROVE the following changes to the fee schedule as of 1 February 2019:

Description	Additional Info	May 2018 Waste Management Fees and Charges 2018/19 (including GST)	Proposed Changes 2018/19 (including GST)
Light Vehicles with or without trailers – charges per load to be replaced with Cars with or without single axle trailers up to 3 cubic metres – charges per load	Loads greater than 3 cubic metres (general waste)	\$50	Line item to be deleted. Considered in weighbridge fees
	Green waste load greater than 3 cubic metres	\$50	Line item to be deleted. Considered in weighbridge fees

Weighbridge (3 tonne G.V.M. or greater) to be replaced with Weighbridge (Commercial and other loads up to 3.5 cubic metres)	General waste (conditions apply*)	\$90 per tonne	\$100 per tonne
	Mixed Inert	\$75 per tonne	Line item to be deleted.

* Loads greater than 3.5 cubic metres will only be accepted at the landfill by negotiation.
 Council reserves the right to not accept any quantity of mixed waste.

2. APPROVE the following alterations to Council's revenue and expenditure estimates in accordance with Section 82(4) of the *Local Government Act 1993*:
 - a) a \$270,000 decrease in the Total Operating Revenue Estimate from \$59,845,501 to \$59,575,501 as a result of a reduction in 'user charges' revenue from \$9,460,828 to \$9,190,828
 - b) a corresponding \$270,000 decrease in the Total Operating Expenditure Estimate from \$59,796,055 to \$59,526,055, comprised of:
 - administration office costs: a \$930,000 decrease in expenditure from \$8,227,816 to \$7,297,816, and
 - material, contractors & other: a \$660,000 increase in expenditure from \$9,222,924 to \$9,882,924.
3. NOTE that the Net change to Total Operating Surplus/(Deficit) that would result from the resolution in paragraph 2 (above) is NIL and that estimate will remain unchanged at \$49,447.

Attachments/Annexures

Nil.

12. PROPOSAL TO DISPOSE OF PUBLIC LAND - 1 BELLETTE PLACE, CHIGWELL

Author: Acting Manager, Property Assets (Alex Woodward)
Acting Manager, Legal Services (Bryn Hannan)

Qualified Person: Director, Infrastructure and Works (Ted Ross)

ECM File Reference: 1633037

Community Plan Reference:

Leading Our Community

We will be a progressive, positive community with strong council leadership, striving to make Our Community's Vision a reality.

The communities of Glenorchy will be confident that the Council manages the community's assets soundly for the long-term benefit of the community.

Strategic or Annual Plan Reference:

Leading our community

Objective 4.1 Govern in the best interests of our community.

Strategy 4.1.1 Manage Council for maximum efficiency, accountability and transparency.

Strategy 4.1.2 Manage the City's assets soundly for the long-term benefit of the community.

Objective 4.2 Prioritise resources to achieve our communities' goals.

Strategy 4.2.1 Deploy the Council's resources effectively to deliver value.

Reporting brief:

To recommends that Council forms an intention under section 178 of the *Local Government Act 1993* to dispose of public land at 1 Bellette Place, Chigwell.

Proposal in detail:

Under section 178 of the *Local Government Act 1993* (**the Act**), Council can sell, lease, donate, exchange or otherwise dispose of public land owned by it in accordance with the process set out in that section.

This report recommends that Council forms an intention under section 178 to dispose of an 849 m² parcel of public land at 1 Bellette Place, Chigwell (**the Land**).

The land

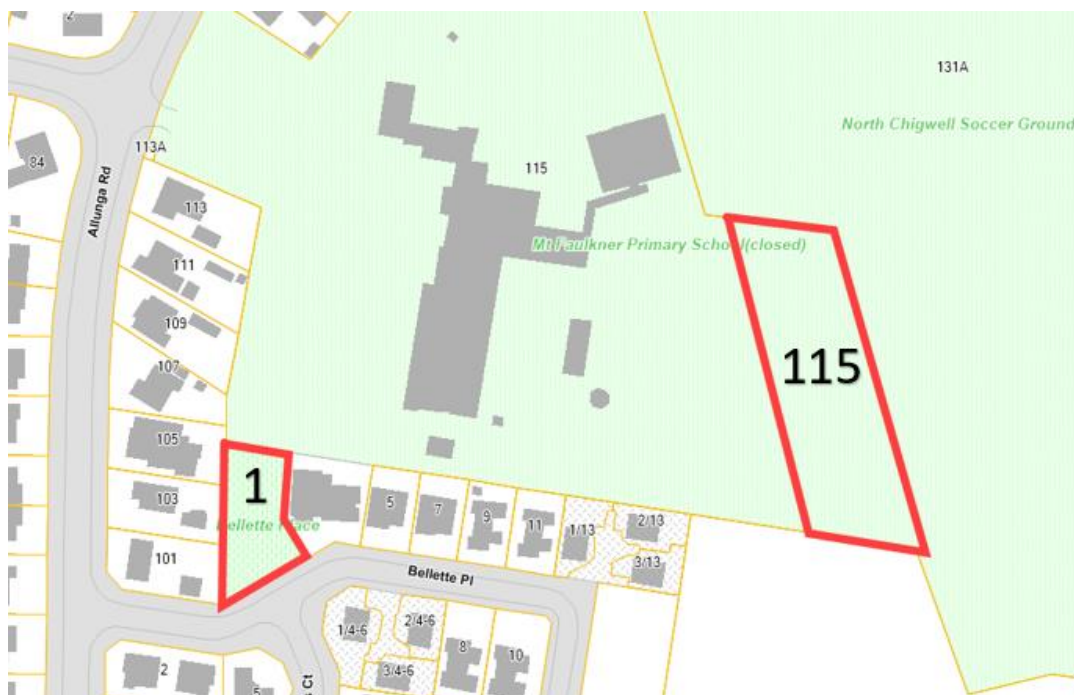
The Land is an irregularly shaped block at the beginning of a cul-de-sac which abuts the boundary of 115 Allunga Road Chigwell, the site of the former Mt Faulkner Primary School, as shown below:



The Land is zoned as General Residential under the Glenorchy Interim Planning Scheme 2015. It is currently vacant block and being used as public open space (although does not have any facilities installed).

Council has no intention or plans to redevelop the site to a playground or local park. The Land serves no strategic purpose for Council and has been identified in Council's property strategy 'no longer needed' and consequently recommended for disposal.

Council has received a proposal from Catholic Care Tasmania (**CCT**) to consider exchanging the Land for a 3,000m² parcel of land which forms part of the 115 Allunga Road, Chigwell, shown on the following plan:



Options for the how Council might dispose of the Land, which may include consideration of CCT's proposal in greater detail, will be presented to Council in a future report if and when public notification and consultation under section 178 is completed and Council has considered any representations received.

Process under section 178

Section 178 of the the Act, sets out the process that must be followed by a council which intends to dispose of public land.

Council's *Disposal of Council Land Policy (the Policy)* deems all land owned by Council to be 'public land' for the purposes of the Act.

A resolution of the Council to dispose of public land is required to be passed by an absolute majority of Council. If such a resolution is passed:

- the intention must be advertised on two (2) occasions in a daily newspaper circulating in the municipal area, and
- a copy of the notice must be displayed on any boundary of the public land that abuts a highway and notifies the public that objection to the proposal may be made to the General Manager within 21 days of the date of the first publication.

The Policy also provides that, in addition to the notification requirements in section 178, Council is required to:

- display a plan and relevant property information on the community notice board in Council's chambers (near the chambers' rear public entrance), and

- notify the owners of neighbouring and affected properties advising of the proposed disposal.

If Council resolves to commence the public notification and consultation process, officers will ensure that the requirements of section 178 and the Policy are complied with.

Following the completion of the notification, Council is required to consider any objections lodged and provide objectors with an opportunity to appeal a decision to dispose of the land. This will be provided in a future report to Council.

Specific requirements of the Policy

The Policy requires that the initial report to Council under section 178 contains information about how the matters set out below have been considered and addressed.

While all these matters are relevant and need to be considered as part of any decision to dispose, officers are of the view that consideration of some them is not appropriate until after the community has had the opportunity to comment on the potential disposal and Council has considered any representations received. Officers will consider whether to recommend changes to the Policy to improve the process for disposals of public land at a future Council meeting.

In the meantime, the matters to be considered, and officers' comments on them, are as follows:

1. *The Council Land can be disposed of in a way which:*

- ***transparently demonstrates achievement of the best value for the community, and***
- ***does not expose Council or the community to unacceptable risks around the process or the outcome.***

Council is following the process set out in section 178 of the Act, and the additional requirements over and above that process which are set out in the Policy.

Council has obtained a valuation for the Land which will be considered in any future decision as to whether to proceed with the disposal.

Council has disclosed that it has received a proposal from CCT, however will not be able to consider that proposal further until the public has had the opportunity to make submissions about any potential disposal and Council has considered them.

2. *Any transaction can be justified if questions are asked about market testing and competition*

The method or terms of any disposal have not yet been determined and will not be until public consultation under section 178 is complete.

3. *The community is given the opportunity to provide feedback about any potential alienation of Public Land*

The community will be given the opportunity to comment through the section 178 public notification and consultation process.

4. *The disposal of the Council Land would be consistent with Council's Open Space Strategy*

As noted above, the Land serves no strategic purpose for Council and has been identified in Council's property strategy 'no longer needed' and consequently recommended for disposal.

5. *Access to areas to and connectivity with any adjacent Public Land is maintained to a level that is acceptable and in keeping with reasonable community expectations*

This is not able to be fully addressed until the method and terms of any disposal have been determined. Any future recommendation to Council will be required to ensure that this is addressed.

6. *Any cost associated with creating saleable parcels of land is considered*

The Land is already a distinct allotment meaning there will be no cost to Council in creating a saleable parcel of land.

7. *Compliance with all applicable planning requirements is achieved, and*

This is not able to be considered until the method and terms of disposal are determined.

8. *Any other relevant matters are considered.*

All relevant matters at the current stage of the process have been considered. There will be other matters of relevance at the point at which Council is required to consider whether it wishes to proceed with the disposal, which will be after consideration of any representations received during the s. 178 process.

Consultations:

Manager City Strategy and Economic Development
Coordinator Planning Services

Human Resource / Financial and Risk Management Implications:

Human Resources

Council staff will facilitate the statutory twenty-one (21) day advertising period as part of their normal duties.

Financial

The cost of advertising the proposal will be approximately \$700. Financial details on the proposed exchange will be provided in the Council report after the statutory advertising period.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation Adverse public reaction of decision to advertise Council's intention of disposal.	Moderate (C3)	Possible (L4)	Moderate	Council gives consideration to all objections received during the statutory consultation process, as required under s. 178 of the Act.
Council does not achieve best value for the community on disposal of the land.	Moderate (C3)	Possible (L4)	Moderate	An independent valuation has been obtained by Council and will be considered following the completion of public notification and as part of any decision to proceed with a disposal.
Do not adopt the recommendation Council will delay the opportunity to potentially dispose of surplus land that serves not strategic purpose and may be able to be disposed of for money or land with greater strategic benefits.	Moderate (C3)	Almost Certain (L5)	Notable	Council gives consideration to a strategy for realising land assets that are not required for strategic purposes. Council articulates any issues with the proposed disposal and instructs officers to address these in a future report.

Community Consultation and Public Relations Implications:

The intention to dispose and purchase the Land will be advertised in accordance with section 178 of the *Local Government Act 1993*.

Recommendation:

That Council:

1. RESOLVE under section 178 of the *Local Government Act 1993 (the Act)* to form an intention to dispose of public land, being 1 Bellette Place, Chigwell (Certificate of Title Volume 118963 Folio 24)
2. AUTHORISE the General Manager to take all actions necessary to complete public notification of Council's intent to exchange of the land in accordance with section 178 of the Act and Council's *Disposal of Council Land Policy*, and
3. AUTHORISE the General Manager to consider and acknowledge any objection received pursuant to section 178(6) of the Act and report to a future Council meeting.

Attachments/Annexures

Nil

GOVERNANCE

13. GREATER HOBART BILL 2018

Author: General Manager (Tony McMullen)

Qualified Person: General Manager (Tony McMullen)

ECM File Reference: Hobart City Deal

Community Plan Reference:

Leading Our Community

We are a proud city; a city of arts; of opportunity; of partnerships; a city that makes exciting things happen.

We will be a progressive, positive community with strong council leadership, striving to make Our Community's Vision a reality.

Strategic or Annual Plan Reference:

Leading Our Community

Objective 4.3 Build strong relationships to deliver our communities' goals.

Strategy 4.3.1 Foster productive relationships with other levels of government, other councils and peak bodies to achieve community outcomes.

Reporting Brief:

To brief Council on the *Greater Hobart Bill 2018* and to seek Council's in-principle support for a Greater Hobart Act in those general terms.

Proposal in Detail:

Introduction

On 6 November 2018, the Minister for State Growth wrote to the Mayor inviting comment on a draft Greater Hobart Bill. That letter is Attachment 1.

At its meeting on 26 February 2018, Council resolved to participate in the Hobart City Deal process, along with the Federal and State Governments and Hobart and Clarence City Councils and Kingborough Council.

One of the key initiatives of the City Deal was the development of a Greater Hobart Act to improve co-operation between and among the 4 inner metropolitan councils (the 'Greater Hobart Councils') and the State Government in planning and infrastructure co-ordination for Greater Hobart.

Features of the Greater Hobart Bill

The draft *Greater Hobart Bill 2018* (the draft Bill) is Attachment 2.

The clause notes are Attachment 3.

Key features of the Bill include:

Citation

The Bill provides for:

An Act to require councils in the Greater Hobart area to better collaborate with each other and the State Government in the making of decisions that will affect provision of transport, cultural, sporting, recreational, economic and social infrastructure, and affordable housing, in the Greater Hobart area, and for related purposes.

Establishment of Objectives

The Bill provides objectives for the furtherance of metropolitan planning and infrastructure co-ordination in Greater Hobart, as follows:

Objects of the Act

4(1) The object of this Act is to require the Greater Hobart area councils and the State Government to better co-ordinate, across the Greater Hobart area –

(a) the efficient use of infrastructure; and

(b) strategic planning, and other actions for the future of land use and development in the Greater Hobart area –

so as to enable the Greater Hobart Objectives to be achieved in the Greater Hobart area.

Greater Hobart Objectives

5 For the purposes of this Act, the Greater Hobart Objectives are –

(a) to encourage and promote strategic planning decisions, and decisions about land use, that consider potential benefits and implications across the Greater Hobart area; and

(b) to facilitate the efficient flow of transport in the Greater Hobart area; and

(c) to further the maintenance and accessibility of existing, and the development of new, cultural, sporting, recreational and community facilities that complement, link to, and contribute to, the cultural experiences able to be provided in, the Greater Hobart area; and

(d) to encourage, promote and provide for urban renewal and affordable housing and the creation, through higher density housing, of community clusters that enhance amenity, liveability, ease of access to places and facilities and the provision of passenger transport; and

- (e) to encourage, promote and provide for the development of hubs for specialised purposes such as science, sport, recreation, social activity, economic activity, technology, industry, education or the arts; and*
- (f) to encourage, promote and provide for, where suitable, the efficient and effective integration and co-location of the transport infrastructure, cultural, sporting, recreational and community facilities, community clusters, and hubs for specialised purposes, referred to in the other paragraphs of these objectives; and*
- (g) any other prescribed objectives.*

Establishment of Statutory Bodies

The Bill provides for the setting up of a Greater Hobart Committee, made up of the 4 inner metropolitan Mayors and the Ministers with primary responsibility for economic development, infrastructure, housing and community development respectively. The Committee would be chaired by the Minister with primary responsibility for economic development.

The Bill provides for establishment of a Greater Hobart Advisory Group, made up of the 4 inner metropolitan General Managers, 4 Departmental Secretaries, including those associated with planning, community development, State Growth and another as nominated by the Minister, the Director of Housing and the CEO of Infrastructure Tasmania. The Group would be chaired by the Secretary of the Department of State Growth.

Establishment of a Work Program

The Bill provides for the creation of a Work Program containing specific actions to be undertaken by one of more of the Greater Hobart area councils; an adjunct council (another Council to which the Southern Tasmanian Regional Land Use Strategy who is invited to participate) or the State Government to further the Greater Hobart Objectives.

The actions would be intended to enable better co-ordination between Greater Hobart area councils of decisions about infrastructure, strategic planning and land use.

The work program would include a map identifying key transport corridors and activity areas and may propose their expansion or propose new corridors or activity areas.

The work plan would be required to identify persons or bodies responsible for ensuring specific actions are carried out.

The Greater Hobart Advisory Group would draft a work program and would be required to:

- further the sustainable development objectives of the Resource Management and Planning System (as set out in Part 1 of Schedule 1 of the *Land Use Planning and Approvals Act 1993*;
- consider the Southern Regional Land Use Strategy; and
- be consistent with any applicable State Policies.

Approval and Implementation of a Work Program

When a draft work program is submitted to it, the Greater Hobart Committee must approve it, approve it with amendments or refuse to approve it.

If an approval of a draft work program is not unanimous, the Chairperson of the Committee must consult with the Greater Hobart area councils before approving it with or without amendment.

Once approved, the work program comes into effect and must be provided to Greater Hobart area councils.

The Greater Hobart area councils and the State Government must take reasonable steps to ensure that the work program is implemented. Similarly, adjunct councils are required to take reasonable steps to implement any actions assigned to them.

Consistency between the work program and the Southern Tasmanian Regional Land Use Strategy

If the Chairperson of the Greater Hobart Committee is of the opinion that amendments of the Southern Tasmanian Regional Land Use Strategy are required in order for consistency between the Greater Hobart Objectives to be implemented in the work program and the strategy, he or she is to request the Planning Minister to consider whether amendments to the Strategy are required.

The Planning Minister may, if he or she considers there is inconsistency, advise the Chairperson of the Greater Hobart Committee of the extent of inconsistency and give reasons why he or she intends or does not intend to amend the Strategy to achieve consistency between it and the work program.

The Chairperson is to provide the advice to the Greater Hobart Committee, which is required to consider whether amendments to the work program are required to achieve consistency with the Strategy.

Specification of a use or development in a work program does not authorise the use or development under the *Land Use Planning and Approvals Act 1993*.

Review, Amendment or Revocation of a Work Program

Work Programs are to be reviewed every three years, with the Greater Hobart Advisory Group to prepare a report considering the manner and extent of actions undertaken and any recommendations for other actions. The report is to be provided to the Greater Hobart Committee within a six month timeline.

A draft amendment to a work program or draft revocation of a work program may be prepared by the Greater Hobart Advisory Group. Either are required to undergo the same approval process as a draft work program.

Comments on the Draft Bill

A Partnership Approach to the Infrastructure and Planning of Metropolitan Hobart

The Bill would create a structured opportunity to increase and formalise cooperation among and between the Greater Hobart area councils and the State Government around planning and infrastructure for the Hobart metropolitan area.

The importance of such a potential partnership cannot be understated because the metropolitan area is shaped by infrastructure created or managed by both tiers of government – and hence, the metropolitan area would itself be more effectively managed by both tiers of government working in concert.

This is a significant step forward from past legislative approaches such as the Southern Metropolitan Planning Authority and the Southern Metropolitan Master Planning Authority which foundered in the 1970s and 80s because of their voluntary nature.

Potential for Improved Access to Federal Funding

While the Commonwealth would not be a party to a Greater Hobart Act, history suggests that funding proposals to the Federal Government which are supported within and between tiers of government are more likely to be successful.

Maintenance of the Southern Tasmanian Regional Land Use Strategy

The Southern Tasmanian Regional Land Use Strategy was largely created through the co-operative endeavours of the STCA and the Southern councils and carries statutory weight. The Regional Strategy is not a “point in time” document and there is a statutory obligation to keep it under “regular and periodic review”.

Since its creation, the Southern Tasmanian Regional Land Use Strategy has not been significantly reviewed.

The work program created under a Greater Hobart Act would provide a mechanism and impetus for the critical task of maintaining the Strategy.

Influence

It needs to be recognised that local government would be in the minority on both the Greater Hobart Committee and the Greater Hobart Advisory Group. There is scope for the State Government to impose its will upon local government through the mechanisms in the Act. Therefore, for local government interests to be effectively advanced, there will be a need for effective advocacy from the Greater Hobart area councils.

In addition, the secretariat function would lie with the Department of State Growth under the Bill. It is considered that there would be a need for a dedicated local government role to ensure the momentum for advancement of local government interests are adequately advanced in the formulation and implementation of work plans. This could be achieved through a contribution from the Greater Hobart area councils.

Scope of the Act in relation to Infrastructure

While “infrastructure” has not been precisely defined in the Bill, most, if not all references in the draft Bill focus on social, transport and economic infrastructure.

For example, in the citation, the reference is only to:

the making of decisions that will affect provision of transport, cultural, sporting, recreational, economic and social infrastructure.

It is critical for the scope of the Act to be clarified to include basic physical infrastructure because urban growth is most profoundly shaped, in the first instance by the availability of water and sewerage infrastructure, in addition to transport infrastructure before higher order social infrastructure comes into play.

Without this clarification of scope, the efficacy of the Act in achieving its purported objectives would be greatly diminished.

Onus on Councils Alone in Some Provisions

In the citation of the draft Bill and in clause 8(2), it is the Greater Hobart area councils who are the subject of the provision - and who therefore bear the onus. This is not, of itself, a concern. The concern is that, in those provisions, the Bill as drafted places the sole onus upon local government.

This runs counter to the Heads of Agreement between the Prime Minister and the Premiers signed on 16 January 2018 which sought to, among other things:

*Establish a Greater Hobart Act, to provide a strategic framework **for local councils in the region and the State Government to work together** to implement the objectives of the Hobart City Deal and complementary land use planning outcomes.*

It is important that the draft Bill reflects the shared onus between local government and State Government which is an object of the original heads of agreement.

The citation should be amended in that respect as follows:

An Act to require councils in the Greater Hobart area and the State Government to better collaborate with each other ~~and the State Government~~ in the making of decisions that ...

Clause 8 sets out the contents of a work program.

Clause 8(2) provides for actions to allow for better co-ordination between Greater Hobart area councils but does not provide for such actions to also enable better co-ordination between those councils and the State Government. The following change is recommended:

Without limiting the generality of subsection (1), a work program may include actions to enable the better coordination between Greater Hobart area councils and the State Government of decisions about infrastructure, strategic planning decisions, and decisions about land use.

Powers of the Chairperson of the Greater Hobart Committee

The Chairperson is the Minister with primary responsibility for economic development.

Clause 10(2) allows the Chairperson to amend a work program after it has been approved by the Greater Hobart Committee.

In the event that the decision of the Committee is not unanimous, the Chairperson has the power under 10(2)(b) to amend an approved work plan, following consultation with the Greater Hobart area councils “as he or she thinks fit”. This provision may well be a measure intended to enable the Chairperson to tweak the work program to satisfy unhappy councils. However, as drafted, it would permit the unintended effect of allowing the Chairperson to amend the work program without constraint.

It is considered the provision ought to be modified to provide for amendments to be subject to the agreement of a minimum of 3 of the 4 member councils on the Greater Hobart Committee.

Clause 13(3) provides for the Chairperson to give a notice to the Planning Minister if the Chairperson is of the opinion that amendments to the Southern Tasmanian Regional Land Use Strategy are required to ensure consistency with the Greater Hobart Objectives as implemented through the work program.

It is considered that service of the notice to the Planning Minister ought to be triggered by the majority view of the Greater Hobart Committee rather than being solely based upon the opinion of the Chairperson.

Consultations:

A Working Group, comprised of senior State Government officials and the General Managers of the 4 inner metropolitan councils was convened as part of the City Deal process to assist in the development of a draft Bill.

The progress of this initiative has also been reported to the Joint Ministerial Council (which comprises the Federal and State Ministers and the inner metropolitan Mayors) and the Senior Officials Group (made up of senior Federal and State officials and the 4 inner metropolitan General Managers).

Human Resource / Financial and Risk Management Implications:

Financial

There are no direct financial consequences of Council considering making comment on the draft Bill.

Human resources

There are no direct human resources consequences of Council considering making comment on the draft Bill.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor (C2)	Possible (L3)	Moderate	Prepare comments in consultation with the 3 other inner metropolitan councils.
Comments provided to the State Government on the draft Bill do not influence changes in the draft Bill.				
Do not adopt the recommendation	Minor (C2)	Likely (L4)	Moderate	Rely upon officer influence and comments provided by other inner metropolitan councils.
Council does not provide comments to the State Government on the draft Bill and does not influence changes in the draft Bill.				

Community Consultation and Public Relations Implications:

Community consultation

Community consultation on the draft Bill is a matter for the State Government.

Public relations

The Greater Hobart Act forms part of a broader package of potential City Deal announcements for which public relations are being centrally-managed by the Federal and State Governments.

Recommendation:

That Council, through the Mayor, WRITE to the Minister for State Growth making comment on the draft Bill, in the terms set out in this report.

Attachments/Annexures

- 1** Letter to Mayor from Minister for State Growth inviting comment on
 draft Greater Hobart Bill
- 2** Draft Greater Hobart Bill 2018

- 3** Draft Clause Notes to Greater Hobart Bill 2018


14. APPOINTMENT OF DEPUTY REPRESENTATIVE ON WELLINGTON PARK MANAGEMENT TRUST

Author: Director Development and Customer Services (Sam Fox)

Qualified Person: General Manager (Tony McMullen)

ECM File Reference: 2018 Committees

Community Plan Reference:

Leading our Community

We will be a progressive, positive community with strong council leadership, striving to make Our Community's Vision a reality.

Strategic or Annual Plan Reference:

Leading our Community

Objective 4.1 Govern in the best interests of our community.

Strategy 4.1.1 Manage Council for maximum efficiency, accountability and transparency.

Strategy 4.1.2 Manage the City's assets soundly for the long-term benefit of the community.

Strategy 4.3 Build strong relationships to deliver our communities' goals.

Strategy 4.3.1 Foster productive relationships with other levels of government, other councils and peak bodies to achieve community outcomes.

Reporting Brief:

The purpose of this report is to recommend that Council confirms the appointment of Ted Ross, Director Infrastructure and Works, as Council's deputy representative on the Wellington Park Management Trust.

Proposal in Detail:

Background

To assist Council to achieve its goals and objectives and comply with its statutory responsibilities, Council has established and maintains representation on several statutory bodies. The nomination and appointment process is set out in Council's *Nominations and Appointments to Committees and Other Bodies Policy (the Policy)*. By convention, and in accordance with Council policy, Council elects Aldermen to represent Council these bodies following a Council election.

The Wellington Park Management Trust is a statutory body established under the *Wellington Park Act 1993* to oversee and administer the Wellington Park Management Plan. Council has previously appointed an Alderman to the Trust, and a member of the management team as deputy.

In February 2018, Council elected Alderman Melissa Carlton to the Wellington Park Management Trust. No change was made to the deputy, Paul Garnsey, Acting Director City Services and Infrastructure who was appointed to that position on a temporary basis by the then Minister for Environment & Parks in September 2017.

Following the recent changes to the organisational structure of Council, it is recommended that Ted Ross, Council's Director Infrastructure and Works, is formally appointed as the deputy to the Wellington Park Management Trust.

The appointment of the deputy is subject to confirmation by the Minister.

Committee Information

Relevant information about the Wellington Park Management Trust is provided below.

Wellington Park Management Trust	
Committee type	External body (as defined in the Policy)
Committee composition	Under section 10 of the <i>Wellington Park Act 1993 (WP Act)</i> , the Trust consists of – (a) the chairperson (appointed by the Minister) (b) the Director-General of Lands or a person nominated by the Director-General (c) the Director of National Parks and Wildlife or a person nominated by the Director (d) the chief executive officer of Tourism Tasmania or a person nominated by that chief executive officer (e) two persons nominated by the Hobart City Council (f) a person nominated by the Glenorchy City Council, and (g) a person nominated by the Hobart Regional Water Board
No. of Aldermanic positions	1 committee member (Alderman Melissa Carlton)
Meeting frequency	As required. The Trust typically meets approximately once every 3-4 months.
Ex-officio appointments	n/a
Proposed term of appointment	3 years
Role and purpose of Committee	The Wellington Park Management Trust is a statutory body established under the <i>Wellington Park Act 1993</i> to oversee and administer the Wellington Park Management Plan.

Wellington Park Management Trust	
	The Trust meets when required to transact business, generally around 5 times per year. The functions of the trust are set out in section 11 of the Act, as follows: (a) to provide for the management and maintenance of Wellington Park in a manner that is consistent with the purposes for which it is set aside; (b) to give effect to any management plan in force for Wellington Park (c) to prepare plans with a view to their submission to the Governor for approval as management plans for Wellington Park and to keep under review the provisions of management plans (d) to ensure that any development undertaken in Wellington Park is consistent with the purposes for which it is set aside and with any management plan (e) when required to do so by the Minister, to advise on any development proposed for Wellington Park (f) to carry out, or arrange for the carrying out of, research and other activities that appear to it to be desirable in connection with the administration of this Act (g) to be the managing authority of Wellington Park, and (h) to perform such other functions as are imposed on it by or under this or any other Act.
Nature of duties to be undertaken	The duties of a committee member, including (but not limited to): • attending meetings of the Trust, and • discharging the roles and functions of the Trust.
Extent of delegated authority	No delegated authority.

Policy considerations

Council's *Committee Nominations and Appointments Policy* does not apply to a situation where a Council staff member is to be appointed as a representative on an external body. Compliance with the policy's requirements for nominations to external bodies (which only apply to Aldermen and independent persons) is therefore not required.

Nevertheless, Council's approval of Mr Ross' nomination is sought on the basis that Council's committee's framework contemplates, more broadly, that Council has oversight of and formally approves its nominees for positions external bodies.

Ultimately the Trust itself will need to approve Mr Ross' appointment as Deputy if Council resolves as recommended.

Recommendation:

That Council:

APPOINT Ted Ross, Director Infrastructure and Works, as Council's deputy representative on the Wellington Park Management Trust.

Attachments/Annexures

Nil.

15. 2018 AGM MOTION: OPEN COUNCIL WORKSHOPS

Author: Acting Manager, Legal Services (Bryn Hannan)

Qualified Person: General Manager (Tony McMullen)

ECM File Reference: AGM

Community Plan Reference:

Under the *City of Glenorchy Community Plan 2015 – 2040*, the Community has prioritised 'transparent and accountable government'.**Strategic or Annual Plan Reference:**

Objective 4.1 Govern in the best interests of our community.

Strategy 4.1.1 Manage Council for maximum efficiency, accountability and transparency.

Strategy 4.1.3 Maximise regulatory compliance in Council and the community through our systems and processes.

Reporting Brief:

To consider a motion passed at Council's 2018 Annual General Meeting in accordance with Section 72B(6) of the *Local Government Act 1993*.

Proposal in Detail:

The 2018 Glenorchy City Council Annual General Meeting was held at Council's Chambers on Monday, 3 December 2018 at 6:00 pm.

At the AGM, the following motion, moved by George Burrows of Granton and seconded by Alderman Fraser, was passed by majority:

"That from the beginning of 2019, starting with the Rates Workshops, progressively all Council Workshops be open to citizens."

A copy of Mr Burrows' notice of motion is Attachment 1.

Section 72B(6) of the *Local Government Act 1993* (**the Act**) requires that Council considers any motion passed at an Annual General Meeting at the next meeting of Council. This report provides commentary on the relevant issues and recommends that Council Workshops remain closed to the public.

Purpose of Council workshops

Council workshops are typically held approximately twice per month. Their purpose is to allow Aldermen to be given information and briefings on operational matters which assist them in making decisions.

Attendance by Aldermen is not compulsory, but is encouraged to ensure that all Aldermen have been briefed with and are privy to the same information.

The practice of holding workshops provide information to Aldermen is common in Councils in Tasmania.

Council's workshops are relatively informal and typically involve a presentation or briefing by Council officers with responsibility or technical expertise in the matter being considered, followed by an open and informal discussion by Aldermen during which Aldermen can ask questions and obtain information without being bound by the regulations which apply to formal meetings of Council.

The utility of workshops is to enable consistent, and often sensitive or confidential, information to be presented to Aldermen as a group. While Aldermen could obtain that information through individual discussions or briefings from Council officers or the General Manager (for which there could be no reasonable expectation that members of the public would attend), it is far more beneficial and efficient to hold a single briefing session, at which Aldermen can also benefit from the insights of other elected members in addition to Council officers.

Workshops are not provided for or regulated under *the Local Government Act 1993 (the Act)*, nor are they provided for in or governed by the *Local Government (Meeting Procedures) Regulations 2015 (the Regulations)*. Council is free to determine its own process for conducting workshops.

The need for confidentiality

The nature of Council workshops means that it is not practical for them to be open to the public.

The information presented at workshops often concerns matters that are either not appropriate for public release (such as the details of commercial negotiations), or will be released to the public in due course but are still in the preliminary stages (such as business cases for upcoming projects or future challenges).

Even where a workshop relates to a matter that is already known to the public, and may not necessarily be sensitive, the workshop environment enables Aldermen (both individually and as a group) to ask frank questions and hold open discussions without the risk of their comments being taken out of context or being mistaken for a formal position on a matter.

While the Regulations do not provide for or govern workshops, they clearly contemplate that the business of Council will require consideration of matters that are not appropriate for the public domain. They provide for this by giving Council the ability to close meetings to the public when it is considering a matter that falls under one of the categories in regulation 15(2). It follows that there is an expectation that to properly perform its duties, Council must will be required to discuss certain matters behind closed doors.

Officers are of the view that opening workshops to the public would hinder Aldermens' ability to obtain all of the information they require by restricting their access to confidential or commercial information and potentially discouraging them from asking questions in a confidential and collegiate environment.

It would be an unusual outcome, given that the Regulations require Council to close a meeting if a confidential item is being discussed, if Council decided that it was discuss the same types of confidential matters in an open workshop because of a policy decision it made. In practice, this would be likely to lead to one of two scenarios:

- workshops either deliberately avoiding the discussion of any confidential or sensitive information, leading to their utility as a tool to provide information to Aldermen being diminished and Aldermen not being appropriately briefed as a result, or
- workshops having 'open' and 'closed' sections, which would inevitably lead to large parts of the workshops being closed to the public, this would defeat the purpose of the motion being considered

It is unlikely that opening workshops would lead to an unacceptable risk of the disclosure of confidential information because, in practice, that information would simply not be shared at workshops if it was subject to public release. In practice, the risks of opening workshops would be related to Aldermen not being properly informed of the issues that allow them to effectively perform their roles.

For those reasons, officers do not support the view (captured in the motion) that all workshops should eventually be open to the public.

The need for transparency

Despite not supporting open Council workshops, officers recognise the need for Council to be open and transparent in its dealings and to consult with and engage the community in its decision-making processes.

The purpose of Council workshops is not to act as an informal Council meeting at which decisions are made outside of the formal meeting requirements. Rather, they are informal briefing and information sessions, which assist Aldermen in their decision making. Indeed, Council's Board of Inquiry report cautioned against "*using workshops to conduct debate on agenda items to come before council*". However, it found no evidence to suggest that Council decisions were being made in workshops.

The Board of Inquiry found that that "*the reliance on workshops to deal with important council matters behind closed doors contributed to the perception that there was lack of transparency and accountability in council's governance procedures include detail about how this is addressed*". While it is unfortunate that that perception was formed, the Board's findings needs to be viewed in the context of the dysfunction that was present in the Council at that time, and the concerns, even among some in the Aldermanic body at the time, that critical information was not being appropriately shared and that important decisions were being 'rubber stamped' without being properly considered or debated.

To the extent possible, Council is transparent in its dealings about Council workshops. This includes:

- publishing a workshop calendar on its website (the calendar of 2019 workshops has been adopted and will be published shortly), and
- listing the topics of recent Council workshops in Council meeting agendas, which gives the public the opportunity to question Council about what was discussed

Ministerial Directions relating to workshops

As noted above, the Board of Inquiry report raised some concerns about Council workshops. A copy of section A.7.8 (Council workshops) of the Board's report is Attachment 3. Relevantly, the Board's concerns were centred around the perception that important decisions were being debated outside of formal processes, and that Aldermen were not being provided with adequate information. The report did not recommend that Council abandon the practice of workshops or open them to the public but did make recommendations to improve their governance and processes.

The Ministerial Directions issued to Council in November 2017 following the Board of Inquiry report made the following recommendations in relation to Council workshops.

"3)...Council commit to transparent and appropriate policies and processes by:

...

- (c) Developing...an appropriate policy and protocols for Council workshops to ensure a clear separation between matters considered at workshops and Council meetings, that specifically include:*
 - i) a policy on attendance of staff at Council workshops (and meetings) to ensure that efficient use of staff time is balanced with assisting Council to make decisions;*
 - ii) a policy on the provision of information to Aldermen and attendees including timeframes to ensure aldermen are sufficiently prepared*
- (d) developing and publishing a calendar of Council meetings and workshops, including adequate provisions for workshops on setting the annual budget and determining the capital works and spending program.*
- (e) publishing the calendar of Council meetings and workshops on the Council website within 2 months."*

Council has taken steps to comply with those directions and the Minister has confirmed that the arrangements taken by Council are satisfactory.

Among the actions taken by Council was the development of the *Council Meetings and Aldermanic Workshops Directive* in September 2018 (Attachment 3) which specifically addresses direction 3d).

Further commentary around ensuring adequate provision for workshops on setting the annual budget and determining the capital works and spending program is provided below.

Background to motion

Mr Burrows notice of motion identifies concerns around the process for setting rates (and particularly Council's recent 12.5% rates revenue increase), and the associated need for transparency and accountability and transparency.

The notice also centres around Mr Burrows desire to see annual Council rates set by a 'citizens jury', or for a citizens jury to be incorporated as part of the rates setting process.

Council officers share Mr Burrows views about the need for Council to be open and transparent, and for the public to have appropriate input into the decision-making process. However, the following should be noted:

- due to the time frames involved in formulating Council's current budget, it was not possible for Council to consult with the public to the extent that it intends to in the future, and
- despite that, Council held a comprehensive public budget forum prior to voting on the proposed rates revenue increase, at which any member of the public was invited to ask questions, all of which were answered personally by the Mayor.

Nevertheless, Aldermen may wish to take note of the context in which Mr Burrows moved the above motion and consider what steps to take to address concerns about transparency in relation to the budget process.

Consultations:

Mayor

General Manager

Manager, Governance and Executive Support.

Human Resource / Financial and Risk Management Implications:

Human Resources / Financial

There are no material human resources or financial implications

Risk Management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor (C2)	Possible (L3)	Moderate	Council considers how to increase transparency around workshops. This Council include releasing more detailed information about the matters discussed at each workshop.
Concern among some community members about a lack of transparency around Council workshops, leading to a perception that workshops are being used as de facto Council meetings where upcoming agenda items are debated				
Do not adopt the recommendation	Moderate (C3)	Likely (L4)	Notable	Alternative means of providing confidential information to Aldermen are explored, noting that this would result in inefficiency when compared to the current open forum style of workshops.
If an alternative motion is moved to open Council workshops, a loss of utility of workshops caused by a need to maintain confidential information, leading to Aldermen not being properly briefed on important issues, with associated negative impacts on decision making				
If an alternative motion is moved to open Council workshops, the disclosure of commercially sensitive or confidential information in Council workshops that detrimentally impacts Council's legal and commercial positions on a range of issues.	Major (C4)	Possible (L3)	Notable	Council adopts clear protocols for the handling of and confidential sensitive information to ensure that this is not inadvertently released.

Community Consultation and Public Relations Implications:

Community consultation has not been undertaken, but may be in relation to any future decisions about how public engagement and involvement in future budget processes.

There are unlikely to be any material public relations implications if the recommendations are adopted.

Recommendation:

That Council:

1. RECEIVE the motion, moved by George Burrows and passed at Council's 2018 Annual General Meeting, regarding opening Council workshops to the public

2. Having considered the motion, ENDORSE Council's current practice of Council workshops being closed to the public, to allow open and frank discussion of sensitive and confidential information by the Aldermanic body to assist in decision making and ensure Aldermen are properly informed, and
3. NOTE the need to be open and transparent and include an appropriate level of community engagement in developing Council's 2019/20 annual budget.

Attachments/Annexures

- 1 George Burrows Notice of Motion



- 2 Board of Inquiry Extract



- 3 Directive: Council Meetings and Aldermanic Workshops



16. 2018 AGM MOTION: FORMER ALDERMEN AND STAFF

Author: Acting Manager, Legal Services (Bryn Hannan)

Qualified Person: General Manager (Tony McMullen)

ECM File Reference: AGM

Community Plan Reference:

Under the *City of Glenorchy Community Plan 2015 – 2040*, the Community has prioritised 'transparent and accountable government'. **Strategic or Annual Plan Reference:**

Objective 4.1 Govern in the best interests of our community.

Strategy 4.1.1 Manage Council for maximum efficiency, accountability and transparency.

Strategy 4.1.3 Maximise regulatory compliance in Council and the community through our systems and processes.

Reporting Brief:

To consider a motion passed at Council's 2018 Annual General Meeting in accordance with Section 72B(6) of the *Local Government Act 1993*.

Proposal in Detail:

Background

The 2018 Glenorchy City Council Annual General Meeting (**AGM**) was held at Council's Chambers on Monday, 3 December 2018 at 6:00 pm.

At the AGM, the following motion, moved by Phil Butler of Glenorchy and seconded by Kaye Smith of Glenorchy, was passed by majority:

"That this Annual General Meeting if the Glenorchy City Council requires its elected Council to petition the Premier, The Minister for Local Government, and the Attorney General calling upon them to vigorously pursue the further laying of charges against former Aldermen and former Staff of this Council who have been adversely referred to in the Board of Inquiry and the Integrity Commission Reports."

A copy of Mr Butler's Notice of Motion is Attachment 1.

Section 72B(6) of the *Local Government Act 1993* (**the Act**) requires that Council consider any motion passed at an AGM at the next meeting of Council. This report provides commentary on the motion for consideration by Council.

Considerations

The reports of the Board of Inquiry into Glenorchy City Council (**BoI Report**) and the Integrity Commission (**Integrity Commission Report**) both examined issues related to governance and dysfunction at Council during the period from (approximately) 2013 to 2016.

The Integrity Commission Report in particular identified various instances of misconduct by former senior Council staff and some Aldermen related to conflicts of interest and attempts to improperly obtain pecuniary benefits.

The Integrity Commission referred the report findings to the Director of Local Government and recommended that the Director give consideration to whether offences had occurred under the *Local Government Act 1993*.

There are currently prosecution proceedings before the Magistrates Court against two former Aldermen related to their alleged failure to declare a conflict of interest on a matter which they voted on. It is Council's understanding that the Director of Local Government has declined to begin prosecutions against any of the other parties names in the report. Council has not been privy to the advice that the Director may have received that led to those decisions.

Council has exhausted its legal options for taking action against anyone named in the reports itself.

In determining whether to accept the motion from the AGM, Council needs to balance the following considerations:

- the desire for the Glenorchy Community to see the actions that that may constitute an offence to be properly tested in the Courts,
- the merits of using more of Council's time and resources to pursue an outcome that is unlikely to be realised, and which would provide no tangible benefits to the community other than a sense of justice.

Council has previously made representations on behalf of the community to authorities conveying concern that some individuals named in the report have not faced further action. In view of that, it is recommended that in response to the motion, Council writes to the Premier, the Minister for Local Government, and the Attorney General advising them of the motion at the AGM and that they reconsider their previous decision in light of the concerns raised on behalf of the Glenorchy Community at Council's AGM

Officers do not recommend that Council commits to taking any further steps beyond this, at the very least until Council has given further consideration to the merits of pursuing that outcome and whether it is in the community's interests to do so.

Consultations:

Mayor

General Manager

Manager, Governance and Executive Support

Human Resource / Financial and Risk Management Implications:Human Resources / Financial

There are no material human resources or financial implications

Risk Management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor (C2)	Unlikely (L2)	Low	Aldermen consult with constituents to determine the extent to which the community considers it appropriate to continue to pursue a legal outcome.
Widespread community dissatisfaction with Council's response and further pressure to lobby authorities.				
Do not adopt the recommendation	Minor (C2)	Possible (L3)	Moderate	Aldermen commit to taking specific actions and to abandoning attempts if they are not successful after a certain time period
The commitment of time and resources to pursuing an outcome that is unlikely to achieve the desired result, and criticism from the community for an inappropriate use of resources.				

Community Consultation and Public Relations Implications:

The Community has not been consulted on Council's proposed response to the motion.

There is the potential for the recommended resolutions to receive some media attention, given the general public interest in the events surrounding the previous Council and former staff.

Recommendation:

That Council:

1. RECEIVE the motion, moved by Phil Butler and passed at Council's 2018 Annual General Meeting (**AGM**), requesting that Council petition the Premier, The Minister for Local Government, and the Attorney General to pursue charges against former staff and Aldermen named in the Board of Inquiry and Integrity Commission reports
2. NOTE the concerns of Mr Butler and community members that charges have not been pursued against some former Aldermen and staff named in the Board of Inquiry and Integrity Commission Reports, and

3. RESOLVE to write to the Premier, Minister for Local Government, and Attorney General advising of the motion and requesting that they reconsider their previous decision in light of the concerns raised on behalf of the Glenorchy community at Council's AGM.

Attachments/Annexures

Nil

17. MINISTERIAL DIRECTIONS - MONTHLY REPORT

Author: Manager, Corporate Governance (Simon Scott)

Qualified Person: Director, Corporate Services (Jenny Self)

ECM File Reference: Ministerial Directions

Community Plan Reference:

Under the *City of Glenorchy Community Plan 2015 – 2040*, the Community has prioritised 'transparent and accountable government'.

Strategic or Annual Plan Reference:

Leading our Community

- | | |
|----------------|---|
| Objective 4.1 | Govern in the best interests of our community |
| Strategy 4.1.1 | Manage Council for maximum efficiency, accountability and transparency |
| Strategy 4.1.3 | Maximise regulatory compliance in Council and the community through our systems and processes |

Reporting Brief:

To inform Council of the progress towards completing the action items out of the Ministerial Directions Implementation Plan for the period ending 7 December 2018.

Proposal in Detail:

At its meeting of 26 November 2018, Council was informed of the progress of satisfying the Ministerial Directions (as at 19 November 2018).

As per Attachment 1, there are 58 Ministerial Direction actions that are required to be undertaken by Council.

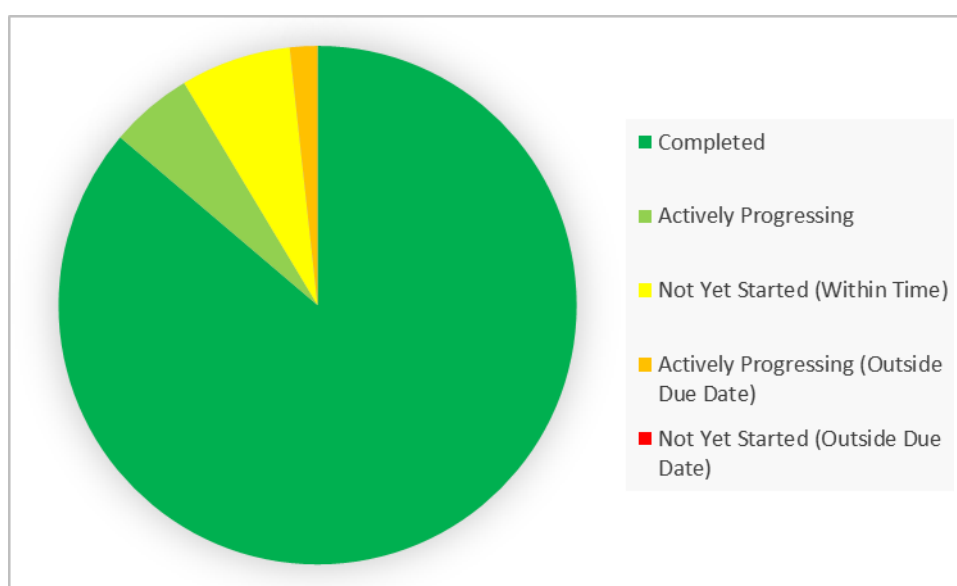
As at the date of this Report, Council had completed the following two (2) additional action over the reporting period, meaning that the total actions completed to date has increased to 50:

- reviewing, and amending if appropriate, within the 2018-19 budget period: the Strategic Plan, and
- reviewing, within six (6) months, the membership of the Council's Audit Panel including considering the merits of all members being independent (non-Aldermen). Where aldermanic appointments are made to the Audit Panel, the Council is to ensure that the appointed Aldermen have relevant professional skills for the effective functioning of the Audit Panel.

Council's progress of actions required to comply with the Directions is summarised as follows:

- Actions completed 50
- Actions being actively progressed 3
- Actions not yet started but within time 4
- Actions being actively progressed and outside due date, and 1
- Actions not yet started and outside due date 0

58



It is noted that since reporting against the Ministerial Directions commenced in March 2018, over 86% of the identified actions have been completed, with another 7% being actively progressed to completion. The Minister for Local Government Peter Gutwein MP has expressed his pleasure with the progress Council has made to date in fulfilling the Ministerial Directions ([Attachment 2](#)).

With respect to the directions not having been started (but within time), it is anticipated that the financial management strategy, long-term strategic asset management plan and asset management strategy (No's. 11, 12 and 14 respectively) will be reviewed and presented for Council's consideration before 30 June 2019. The remaining direction (No. 21) with respect to implementing a professional development program for all Aldermen (as a result of the first annual review as specified in Direction 5(a)) is unlikely to commence until the result of the Audit Panel review in February 2019 is known.

Consultations:

Mayor
General Manager
Director, Corporate Services

Human Resource / Financial and Risk Management Implications:

There are not considered to be any material financial or human resources implications.

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Do not adopt the recommendation If Council does not comply with the Ministerial Directions as provided under section 225(2) of the <i>Local Government Act 1993</i> there is potential for a complaint to be lodged for non-compliance under section 339E and further scrutiny and sanction by the Director of Local Government	Major (C4)	Likely (L4)	Significant	Council continues to progress actions required to comply with these Directions

Community Consultation and Public Relations Implications:

There has been no community consultation due to the nature of the document.

Recommendation:

That Council:

NOTE the progress satisfying the Ministerial Directions in the form of Attachment 1 as at 7 December 2018.

Attachments/Annexures

- 1 Ministerial Directions Implementation Progress Report (December 2018)
- 2 Response to Letter Dated 1 November 2018 - Glenorchy City Council - Ministerial Directions

18. FINANCIAL PERFORMANCE REPORT TO 31 OCTOBER 2018

Author: Reporting Officer (Allan Wise)
Qualified Person: Director, Corporate Services (Jenny Self)
ECM File Reference: Corporate and Financial Reporting

Community Plan Reference:

Leading Our Community

We will be a progressive, positive community with strong council leadership, striving to make Our Community's Vision a reality.

Strategic or Annual Plan Reference:

Leading Our Community

Objective 4.1	Govern in the best interests of our community
Strategy 4.1.1	Manage Council for maximum efficiency, accountability and transparency
Action 4.1.1.04	Implement the performance reporting system for corporate strategic planning
Objective 4.2	Prioritise resources to achieve our communities' goals
Strategy 4.2.1	Deploy the Council's resources effectively to deliver value
Action 4.2.1.07	Develop the annual budget estimates in line with the Financial Management Strategy and provide regular reporting of actuals to budget

Reporting Brief:

To provide the monthly Financial Performance Report to Council for the year-to-date, ending 31 October 2018.

Proposal in Detail:

The Financial Performance Report (**Report**) for the period 1 July to 31 October 2018 is Attachment 1.

In summary, the Report highlights that as at 31 October 2018 the operating result is \$135k behind the budgeted position. However, based on the overall revenue and expenditure figures contained in the Report, it is considered no intervention is required at this point in time.

In summary:

Revenue

- revenue is \$145k above budget representing a favourable variance of 0.30%
- the forecast end of year position is a favourable variance of \$36k above budget

Expenditure

- expenditure is \$280k above budget representing an unfavourable variance of 1.49%
- the forecast end of year position is a favourable variance of \$34k below budget

Capital Works

- capital works are \$1.129m underspent, representing 24.5% of the overall YTD programs budget of \$4.603m
- the underspend is compared against the initial budget estimate predicted in February 2018. Council officers have since revised the estimate and are tracking well against the revised figure
- Council spend is increasing as projects requiring detailed design like the CBD Revitalisation and flood damage projects commence construction over the summer period
- a number of waste management projects are on-hold pending the outcome of the review of Council's Waste Management Strategy and its associated business cases in March 2019. These funds are estimated to be spent in June 2019 and it is possible that some may be carried over to the 2019/20 financial year
- technology projects at the Work Centre to provide improved mobility are pending approval of a business case and rely on integration with existing systems. These funds are predicted to be spent in June 2019 and may also carry over to the 2019/20 financial year
- the total estimate of the potential carry-over is around \$1.5 million
- a more detailed review will be undertaken as part of the mid-year review in February 2019.

Reporting Format

At the meeting of 26 February 2018, Council adopted the format currently used for the Financial Performance Report. In addition to approving the new format, Council also resolved to undertake a review of the Corporate Reporting Framework in January 2019.

This review is particularly important as it enables Council to evaluate whether the level of detail can be more precisely delivered at a summarised level rather than at the detailed level. This will allow Council to recommend changes that enhances the qualitative and quantitative content of reporting moving forward.

Consultations:

General Manager
Executive Leadership Team
Acting Chief Financial Officer
Capital and Operational Budget Responsibility Officers

Human Resource / Financial and Risk Management Implications:

There are no material risk management or human resources implications.

Community Consultation and Public Relations Implications:

No public relations implications have been identified, and no community consultation has been undertaken.

Recommendation:

That Council:

RECEIVE and NOTE the Financial Performance Report for the year-to-date, ending 31 October 2018.

Attachments/Annexures

- 1 Attachment 1 - Financial Performance to 31 October 2018



19. PROCUREMENT EXEMPTIONS - MONTHLY REPORT

Author: Acting Manager, Legal Services (Bryn Hannan)

Qualified Person: Director, Corporate Services (Jenny Self)

ECM File Reference: Procurement

Community Plan Reference:

Leading our Community

The communities of Glenorchy will be confident that Council manages the community's assets soundly for the long-term benefit of the community.

Strategic or Annual Plan Reference:

Leading our Community

- | | |
|----------------|---|
| Objective 4.1 | Govern in the best interests of our community |
| Strategy 4.1.1 | Manage Council for maximum efficiency, accountability and transparency |
| Strategy 4.1.2 | Manage the City's assets soundly for the long-term benefit of the community |
| Strategy 4.1.3 | Maximise regulatory compliance in Council and the community through our systems and processes |

Reporting Brief:

To inform Council of exemptions that have been applied to the procurement requirements under Council's Code for Tenders and Contracts for the period 20 November to 6 December 2018.

Proposal in Detail:

Council's Code for Tenders and Contracts (**Code**) has been made and adopted by Council as required under section 333B of the *Local Government Act 1993*.

Under clause 10.2 of the Code, the General Manager is required to provide a regular report to Council on exemptions that have been authorised to the procurement requirements under the Code. Clause 10.2 relevantly provides:

*In accordance with Regulation 28(j), the General Manager will establish and maintain procedures for reporting to Council **at the first ordinary meeting of Council after the event** in relation to the procurement of goods and/or services **in circumstances where a public tender or quotation process is not used**. Such report will include the following details of each procurement:*

- a) a brief description of the reason for not inviting public tenders or quotations (as applicable);
- b) a brief description of the goods or services acquired;
- c) the approximate value of the goods or services acquired; and
- d) the name of the supplier.

A copy of an extract from Council's Purchasing Exemption Register (**Exemption Report**), which is delivered to Council as required under clause 10.2 is Attachment 1 to this report.

The Exemption Report covers the period from 20 November to 6 December 2018. There have been two exemptions approved for the period totalling \$105,633.19 in budgeted operational expenditure.

Consultations:

Executive Leadership Team

Human Resource / Financial and Risk Management Implications:

Human resources

There are no material human resources implications.

Financial

The Exemption Report identifies \$105,633.19 in budgeted operational expenditure that has been approved.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor (C2)	Unlikely (L2)	Low (4)	Council notes the reasons identified for the exemptions and satisfies itself that each is sound and in accordance with approved procedures.
Criticism of Council's acceptance of procurement process exemptions and associated expenditure.				
Do not adopt the recommendation	Moderate (C3)	Possible (L3)	Moderate (9)	Council communicates reasons for refusal and identifies preferred practices and information required for future exemptions.
Council officers less likely seek exemptions in accordance with approved processes, leading to business inefficiency and excessive administrative burden on staff and suppliers.				

Community Consultation and Public Relations Implications:

Community consultation was not required or undertaken.

There is unlikely to be any material public relations impact.

Recommendation:

That Council:

RECEIVE and NOTE the monthly Procurement Exemptions Report for the period from 20 November to 6 December 2018.

Attachments/Annexures

Nil

**20. NOTICES OF MOTIONS – QUESTIONS ON NOTICE / WITHOUT
NOTICE**

CLOSED TO MEMBERS OF THE PUBLIC

21. CONFIRMATION OF MINUTES (CLOSED MEETING)

22. APPLICATIONS FOR LEAVE OF ABSENCE

GOVERNANCE

23. AUDIT PANEL - SELECTION OF CHAIR

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Regulation 15(2)(g) (Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential).

24. AUDIT PANEL MINUTES

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Regulation 15(2)(g) (Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential).

25. HOBART CITY DEAL

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Regulation 15(2)(g) (Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential).

26. KGV SPORTS AND COMMUNITY PRECINCT - PROJECT UPDATE

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Regulation 15(2)(b) (Information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the Council is conducting, or proposes to conduct, business.) and 15(2)(g) (Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential).

27. NOTICES OF MOTIONS – QUESTIONS ON NOTICE / WITHOUT NOTICE (CLOSED)
