

**Minutes of the Meeting
of the Glenorchy City Council
held at the Council Chambers
on Monday, 29 April 2019 at 6.00 p.m.**



Present: Aldermen Kristie Johnston (Mayor), Matt Stevenson (Deputy Mayor), Peter Bull, Melissa Carlton, Jan Dunsby, Simon Fraser, Steven King, Gaye Richardson and Kelly Sims.

In attendance: Tony McMullen (General Manager), Jenny Self (Director Corporate Services), David Ronaldson (Director Community and Strategy), Sam Fox (Director Development and Customer Service), Ted Ross (Director Infrastructure and Works), Bryn Hannan (Executive Officer), Tina House (Manager Finance and ICT), Alex Woodward (Acting Manager Property, Environment and Waste), Robbie Shafe (Manager Customer Service), Paul Garnsey (Manager Development and Environment), Tara Patmore (Acting Coordinator Environmental Health), Jodi Plunkett (Administrative Support Officer) and June King (Mayoral and Executive Support Officer).

**Workshops held since
last Council Meeting**

Date: Monday, 8 April 2019

Purpose: To discuss:

- Budget update / Long Term Financial Management Plan / Annual Plan
- LVC update
- Community Engagement / Precinct program

Date: Monday, 15 April 2019

Purpose: To discuss:

- Landfill / FOGO implementation

Thirty (30) members of the public attended the open part of the Council Meeting.

The meeting began with a prayer by Sandeep Singh from The Sikh Community.

The Chair acknowledged and paid respect to the Tasmanian Aboriginal Community as the traditional and original owners and continuing custodians of the land.

The Chair read the following two statements:

Statement 1:

In relation to the Audio Recording of the Council Meeting under regulation 33 of the *Local Government (Meeting Procedures) Regulations 2015* and Council's 'Audio Recording of Council Meetings' policy.

Statement 2:

In relation to work health and safety at the Council meeting.

1. APOLOGIES

Alderman Thomas.

2. CONFIRMATION OF MINUTES

Resolution:

RICHARDSON/BULL

That the minutes of the Council Meeting held on Monday, 25 March 2019 be confirmed.

The motion was put.

FOR: Aldermen Bull, Dunsby, King, Stevenson, Johnston, Richardson, Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

3. ANNOUNCEMENTS BY THE CHAIR

There were no announcements.

4. PECUNIARY INTEREST NOTIFICATION

The Chair asked if any Aldermen had, or were likely to have, a pecuniary interest in any items on the Agenda.

Aldermen Richardson and Carlton declared an interest in item 11 (New Food Business Risk Classification System).

Aldermen Richardson, Carlton and Johnston declared an interest in item 19 (Redistribution of Grant Funds to YMCA – Glenorchy Community Park).

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Bob Pettit - Binya Street, Glenorchy (25 March 2019)

Q: What is the position of Glenorchy City Council on the ban on petroleum based single use plastic products (which the City of Hobart recently moved to ban)?

A: During the March Council meeting a motion was moved for officers to prepare a report on the options for and impacts of reducing the use of single-use plastics in our community. This report will be developed and presented to a future Council meeting, to enable Council to have an informed position on this matter.

Q: Does the Council have a policy that dictates whether they use asphalt or concrete to construct footpaths?

A: Council has a Footpath Policy that preferences the construction of concrete footpaths. This includes new development and subdivisions, where Council are replacing the kerb, and in areas of high use (e.g. CBD areas). Asphalt footpaths are still a valid treatment and are specifically used for some repair work and where Council is aligning the lives of a number of assets (for example, a road needs reconstruction within a 20-year time period so asphalt (20+ year life) is used in preference to concrete (80+ year life).

James Bryan - England Avenue, Montrose (25 March 2019)

Q: In relation to the Proposal to Dispose of Public Land – Mill Lane (Existing Car Park), today's agenda says that public submissions will be invited until 11 April 2019, however the advertisement in the papers listed the date as 1 April 2019. Which date is correct?

A: The correct date was 11 April 2019. The listing of 1 April 2019 was a misprint. The notice was re-advertised in the public notices section of The Mercury on 27 March 2019 with the correct date listed and the error expressly noted.

Q: At Council's meeting on 17 December 2018 it was decided to provide \$11m of ratepayers funds to the Hobart City Deal over a period of years. Do the following objectives as outlined in the draft *Greater Hobart Act 2018* best describe how Council envisages how this funding will be used:

- 1. to facilitate the efficient flow of transport in the Greater Hobart area**
- 2. to further the maintenance and accessibility of existing and the development of new cultural sporting and recreational and community facilities,**
- 3. to encourage, promote and provide for urban renewal and affordable housing and their creation through higher density housing**

Is this how those funds would be used?

A: The \$11m Council contribution was calculated based on Council's ongoing commitment to infrastructure along the transit corridor. This includes the development of new shared paths, the maintenance and renewal of the existing footpath network, and Council's management of the corridor including vegetation and litter management.

Q: In response to Alderman Fraser's questions about the Hobart City Deal, reference is made to the Glenorchy to Hobart Transport Study prepared by GHD dated October 2016. There are two reports by GHD: The 'Glenorchy to Hobart Public Transport Corridor Study' and the 'Glenorchy to Hobart Public Transit Corridor Value Capture Funding Analysis'. Neither are on the Glenorchy City Council Website. As these could have profound influence over decisions to be made in the future, could this be rectified so that ratepayers are better informed?

A: Officers will examine the contents of the reports and will publish them on Council's website if there is nothing in them that requires they remain confidential.

Q: Does the Council believe that a Special Local Government Rate, a mechanism to extract a portion of the financial benefits realised by local households to support the upfront cost of capital infrastructure investments, will need to be added to the current rate levied on Glenorchy Residents as discussed in the two rail corridor reports? This is to ease the funding burden to Government to provide those services. On page 9 of the report it suggested that Glenorchy City Council may need to provide \$30 to \$35 million in funding to support this project.

A: Council has not yet undertaken any detailed consideration of the conclusions or recommendations of the GHD Report, nor has it endorsed any such recommendations. Council supports the development of the rail corridor but does not have any position on this specific issue.

Janine Foley - Bethune Street, Chigwell (25 March 2019)

Ms. Foley submitted a series of written questions and background information. The questions (as submitted) are extracted below:

Question 1 – Insolvency

Q. Can GCC confirm that it reported (complied) to all relevant oversight (legislative) flow lines their concerns around their financial position in 2018? Did GCC comply with 'duty of care' requirements and expectations to report comprehensively to all relevant markets - in particular those sectors that would have experienced 'market shock' and resulting exposure to potential catastrophic lines/levels of risk from a GCC implosion?

A: Council has fully complied with all financial disclosure requirements in the 2017/18 audited annual report financial statements.

Question 2 – GCC claims around community being able to 'absorb' the 12.5% tax

Q. How does GCC intend to prove that the tax increase has not led to community hardship?

A: Council reviews its rates debt collections monthly. There is no indication that collection percentages have changed since the rates revenue rise on 1 July 2018.

Q What measurable, observable matrix has GCC constructed to monitor and watch for unintended consequences? For example MPES <http://www.justice.tas.gov.au/fines/enforcementsanctios> has a range of sanctions available from "Suspend your driver licence or eligibility to hold a driver licence" to Monetary Penalty Community Service Orders (MPCSOs). Is GCC monitoring any increase in MPES activity that may indicate an increase in hardship and suffering related to the inability to meet the 12.5% tax burden?

A: Council is not aware of any increase in MPES activity this financial year.

Question 3 – Major project failure – Deed of grant framework Derwent Park Water Treatment Plant

Q. Prior to 28 May 2018 how (greenlight report line) did GCC establish (deed milestone release) ownership of asset base valued by GCC at decommission at AUD \$12 million?

A: The Derwent Park Water Treatment Plant related assets, owned by Council prior to 28 May 2018, had a written-down value of approximately \$14.5 million. That value was determined by the extraction of data from Council's asset management system, based on original capitalised cost and depreciation.

Q Does GCC retain any IP rights associated with project/asset?

A. The decommissioning of the Derwent Park Water Treatment Plant has no impact on the status of any IP rights associated with the project or its assets.

Q. When will the release of the business case to stakeholder (ratepayers who were forced to be investor/ stockholder/ shareholder in this project with the expectation of return on investment) take place? What form will this information be presented in? How will stakeholder feedback be harvested and invested into historical risk management review?

A. Council is unable to release the business case in full because it contains commercial in-confidence information. However, the business case was presented to the Australian Government and, through a negotiation process, ultimately accepted, resulting in Council signing an agreement with the Commonwealth to the effect that Council was absolved of the requirement to repay the grant funds, provided Council took certain actions to improve stormwater quality of water to protect the Derwent catchment.

The principal learnings that Council identified and which were presented in the Business Case were:

1. the need for improved scoping and business case development to ensure that projects meet satisfactory thresholds before selection, and
2. the need for improved project management of major projects.

Improved practices to address the above are currently being implemented as part of new projects including the CBD Revitalisation and the Waste Management Strategy and associated projects.

Question 4 – Return to market – Sale of public asset – Wilkinsons Point including DEC

- Q. Where is the information brief relating to a comprehensive analytic of DEC financial position (2016 — current) that will anchor discussion around performance, capacity/capability, and reputation of the DEC that the Mercury article is based on? This document should clearly explain how much ratepayers have invested in the DEC and how that return on investment will be realised? It must also honestly and with organisational integrity explain that the current extensive community usage will cease unless council negotiates continued usage patterns remain after this public commons is lost to future generations of Tasmanians.**
- A. It is not clear which Mercury article is being referred to. However, the information on which Council based its decision to dispose of the DEC and the land on which it is situated was contained in the reports to the special Council meetings of 9 July and 20 August 2019.**

Question 5 – Internal audit and emergent risk management – GCC assumptions around underwriting of unacceptable and high-level risk practice

- Q. Can GCC assure stakeholder community that it is confident that it can rigorously and robustly defend current practice regime, conduct, and risk management and organisational infrastructure against likely claims which may be constructed in relation to unacceptable/problematic risk in relation to herbicide usage across GCC LGA?**
- Q. Is GCC confident of robust organisational hygiene practice which will allow an ability to defend against potential claim from agricultural sector about use including incompetent, non— compliant usage, monitoring and audit of herbicide driving herbicide resistance that may threaten agricultural practice and result in loss or damage?**
- Q. Is GCC confident/ secure in assumptions around stakeholder ability and willingness to underwrite risk around emergent and historical areas of concern relating to herbicide usage across the GCC LGA?**
- Q. Is GCC confident that it is managing emergent / historical risk in relation to workplace applicators? This includes practice relating to container disposal — reinstate — provision of laundry facility— regular health monitoring, recording and audit of work based practice to limit exposure (ingestion, inhalation and absorption) to applicators?**
- Q. Is GCC confident that it is managing emergent/historical risk in relation contract applicators? This includes practice relating to container disposal — reinstate — provision of laundry facility - regular health monitoring, recording and audit of work based practice to limit exposure (ingestion, inhalation and absorption) to contract applicators ?**

- Q. Is GCC confident that it is managing emergent and historical risk in relation members of the public? This includes practice relating to educating, informing, managing exposure (ingestion, inhalation and absorption) related health risk? This involves pathways of mitigation offered to and data management around preventing exposure to vulnerable and at risk population i.e. children, pregnant women, elderly, chronic illness, cancer diagnose, cancer remission, cancer treatment, environment and so on. This includes information management and audit process around mitigation (e.g. Do Not Spray, Adverse Effects and so on) to prevent exposure of self-selecting population who have conducted personal risk assessment around GCC use of herbicide across GCC LGA.
- Q. Has GCC sought input consultation in relation to use of herbicide and emergent and historic risk e.g. The Cancer Council - RCGP - and so on?
- A. Answers to these questions will be provided at a future Council meeting.

6. PUBLIC QUESTION TIME (15 MINUTES)

James Bryan - England Avenue, Montrose

Proposed disposal of Wilkinsons Point:

In relation to Council's proposed disposal of public land at Wilkinsons Point, Mr Bryan asked the following questions:

- Q. How much of the development for GASP is on Crown Land? What area?
- Q. Has this area been specifically excluded from the maps/plans of the area offered for disposal?
- Q. Excluding the cantilevered section of the pavilion which is on Crown Land, is the rest of the pavilion and associated works (toilets etc) included in this proposal to dispose of land?
- Q. Was the license to GASP to operate granted by Crown Land Services?
- Q. Can Road Reserves be sold as part of this disposal and built upon?
- Q. Exactly how much of this land is available for development (the road reserve seems to carve up the space into small sectors)?
- A. The questions were taken on notice.

Proposed disposal of public land at Barry and Regina Streets, Glenorchy:

In relation to Council's proposed disposal of a car park at Barry Street on the corner of Barry and Regina Streets, Glenorchy, Mr Bryan noted that:

- on page 32 of The Mercury on Wednesday 20th March there were two advertisements for the disposal of land, the above mentioned and 29 Stourton Street, Rosetta, and
- the area of land in both ads is the same 418²m. This can't be correct for both parcels. The area of the parking lot on the corner of Barry and Regina streets is listed as 745²m in the Council agenda of 25 February 2019.

Mr. Bryan asked the following questions:

- Q. Has this been corrected or does it need to be re-advertised?
- Q. Were Aldermen informed that the plans available at the office indicate that this exchange would be to provide car spaces and entry to a 5 story apartment block that the Council has received plans to build at 2 Regina Street?
- Q. In the spirit of openness and transparency isn't this information important?
- A. The questions were taken on notice

Council service levels

On page 333 of last month's Council Meeting Attachments (March 25 2019) is a list of Glenorchy City Council Service Levels. The list includes items such as Animal Management, Bus Interchange Maintenance, Parks and Recreation and Waste Management. There does not appear to be mention of Public Toilets or Playgrounds.

- Q. Could these be added to the above list with levels of service outlined?
- Q. As this is important information, if it is not already, could this document be added to the Council Website?
- A. The questions were taken on notice.

Shane Alderton, 296 Main Road, Austins Ferry

- Q. In relation to Council's decision to adopt a fortnightly FOGO waste collection service from 2020, how many thousand of tonnes of commercial and non-household waste are going to Council's landfill site each year?
- A. The question was taken on notice.

Martin Watkins - 4 Dunedin Close, Claremont

- Q. Mr Watkins noted that Aldermens' contact details were not available on Council's website. How are members of the public able to contact Alderman?
- A. (Mayor) Aldermen' details are available on Councils website by clicking on a link at the top of the Aldermen page, which opens a PDF document. There was recently a technical glitch with this page which is in the process of being rectified, so the information was temporarily unavailable.

Q. Will Council consider an opt out/opt in option for the new FOGO waste service?

A. (Mayor) There is an item on tonight's agenda in which Council is asked to consider an opt out option for the service. This matter will be discussed later at tonight's meeting.

Maree (surname not provided) - Lutana

Q. How do people get their opinions across to Council when they don't use or have access to technology?

A. (Mayor) There are many ways to contact Aldermen. Anyone can Contact Council's Customer Service Centre, who can provide details and can also pass on the information.

Q. Who made the decision to install concrete seats out the front of the Council chambers and expressed dissatisfaction with the design. She asked whether there can be more consultation on decisions made for Council projects?

A. The question was taken on notice. However, the Mayor noted that extensive community consultation had been undertaken for the CBD Revitalisation Project.

Geoff Corrigan, 10 Fleming Street, Glenorchy

Q. What consideration is being given when approving units or major developments to the stormwater and sewerage systems and whether these systems can handle the additional use.

A. The question was taken on notice.

Rachel Kitson - 3 Rosanna Court, Claremont

Q. Is Council looking into implementing educational programs for the Glenorchy residents with regards to waste sustainability and the FOGO service?

A. (Mayor) The General Manager and I met with the Hobart City Council's Lord Mayor and GM to discuss collaborating on the FOGO service. There will be an education campaign associated with Council's Waste Management Strategy with further details to be provided soon.

Q. I am interested in being a part of a cleanup group, but am unable to find any information about groups in Glenorchy. Where can I find this information?

A. (Mayor) I run a Clean up Glenorchy taskforce either on the 3rd or 4th Sunday of every month. There is also a similar group based at Lutana that is held on regular basis. If you provide us with your contact details we can put you in touch with those community groups.

Q. How are Council going to approach becoming a more sustainable city and act on all the strategies.

A. The question was taken on notice.

Q. Management of the DEC: who manages the food and beverage side. I believe that the Red Hot Chilli Peppers concert was really badly miss managed. Tried to provide feedback, would like to provide feedback and receive a response.

A. The question was taken on notice.

Angela Strk - 17 Walker Street, Rosetta

Q. Given the significance and importance of green space in cities for mental health, and that Glenorchy has some concerning statistics around mental health, and also in relation to the aboriginal community, is it true Council was offered \$4m to develop the site as an interest free loan and why was that not taken up as opposed to disposing of the site?

A. (Mayor) In our budget discussions for last year we consulted with the Treasurer and the State Government had offered a \$4m loan for the specific purpose of Council constructing the infrastructure to develop it for sale. The offer was for an interest-free loan that was repayable on the sale of Wilkinsons Point or five years, whichever occurred first. Council did not take that up as we have done further work and are considering whether it is better to sell the land undeveloped (if we decide to sell the land at tonight's meeting).

Q. In the report to the last Council meeting, it was stated that "the terms of arrangements with GASP 's licence would need to be resolved as part of any disposal process". Can Council give assurance that GASP will continue, given the recent concerning comments about GASP on ABC Radio?

A. It is important to note that there are two different entities: GASP Inc. which has a licence to use the GASP facilities is an incorporated body which is independent of Council. Whether they wish to continue is a matter for them. The GASP infrastructure, the boardwalk and the pavilion, is very important infrastructure for our community. Council built, owns and maintains that infrastructure and there is no threat to that infrastructure whatsoever.

Eddie Steenbergen - Rosetta

Q. Council was going to make a decision last year on proposal from MONA on Tolosa Reservoir, what is the delay.

A. Council is still in discussions with TasWater re decommissioning that and there will be more information in the coming months.

Q. Why is the item called 'Redistribution of Grant Funds' in the closed section of the Agenda?

A. The information that's been provided to Council in that report is on the condition it be kept confidential under Regulation 15. Once Council has made a decision more information will be disclosed. The information that's been provided forms part of the report on the requirement that it be kept confidential.

Q. Will there be an open Council report in relation to that matter?

A. (Mayor) Yes there will be a detailed report presented in open Council.

Q. Can you confirm that there will be a Citizenship Ceremony on Wednesday, are the public invited and why has it not been advertised?

A. (Mayor) Yes, the ceremony is at 5:50pm and the public is welcome to attend. It is intended to advertise the ceremony on Council's Facebook page tomorrow.

Q. Woolworths, according to the media, said that they are going to shut 30 Big W stores. Has council contacted Big W in relation to the Glenorchy store.?

A. (Mayor) Efforts have been made to contact Big W, but no information has been provided.

7. PETITIONS/DEPUTATIONS

Petition

A petition presented by Janiece Bryan of 14 England Avenue, Montrose, was tabled.

The petition opposed the sale of the Derwent Entertainment Centre and the offer of a \$4m loan from the State Government to develop land at Wilkinsons Point.

KING/CARLTON

That Council:

1. RECEIVE and NOTE the petition titled *Proposed Sale of the Derwent Entertainment Centre and Development of Adjacent Land* lodged by Janiece Bryan of 14 England Avenue, Montrose (**the Petition**)
2. NOTE the concerns of the 594 signatories to the Petition in relation to the proposed sale of the Derwent Entertainment Centre (**DEC**) and the potential loan from the State Government to assist with the development of Wilkinson's Point, and

3. RESOLVE that the objection dated 17 April 2019 from Janiece Bryan entitled "*Objection re: Intention to DISPOSE OF LAND Wilkinsons Point, 601A and 601B Brooker Highway Glenorchy*" and the accompanying Petition be treated as a public submission in Council's consideration of the proposed disposal of the public land, being the land in Certificate of Title Volume 157350 Folios 1 and 2, more commonly known as Wilkinsons Point (Item 9 on the agenda), and considered accordingly.

The motion was put.

FOR: Aldermen Bull, Dunsby, King, Stevenson, Johnston, Richardson,
Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

Deputations:

Shane Alderton (Austins Ferry)

Council received a deputation from Shane Alderton of 296 Main Road Austins Ferry.

Mr. Alderton spoke in opposition to Council's decision to implement a FOGO kerbside collection service from February 2020 and raised concerns about the affordability of the service and concerns about hygiene and environmental impacts.

Kaye Smith (Glenorchy) and Carolyn McGrath (Chigwell)

Council received a deputation From Kaye Smith (Glenorchy) and Carolyn McGrath (Chigwell).

Mrs Smith and Ms McGrath spoke in opposition to Council's decision to implement a FOGO kerbside collection service from February 2020 and raised concerns about the affordability of the service and the potential impacts on elderly and disadvantaged residents, and called for Council to implement an 'opt out' option.

COMMUNITY

Community goal: “Making lives Better”

8. ANNOUNCEMENTS BY THE MAYOR

File Reference: Mayoral Announcements

Reporting Brief:

To brief Council on the activities of the Mayor for the period from Tuesday, 19 March 2019 to Monday, 22 April 2019.

Resolution:

FRASER/BULL

That Council:

RECEIVE the announcements about the activities of the Mayor during the period from Tuesday, 19 March 2019 to Monday, 22 April 2019.

Alderman Stevenson left the meeting at 7:18 pm.

Alderman Stevenson returned to the meeting at 7:19 pm.

The motion was put.

FOR: Aldermen Bull, Dunsby, King, Stevenson, Johnston, Richardson, Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

ECONOMIC

Community goal: “Open for business”

9. PROPOSAL TO DISPOSE OF PUBLIC LAND - WILKINSONS POINT

File Reference: DEC Proposals

Reporting Brief:

To recommend that, in relation to Council’s proposed disposal of public land at 601A and 601B Brooker Highway, being the land in Certificate of Title Volume 157350 Folios 1 and 2, more commonly known as Wilkinsons Point (**the Land**), Council:

- (a) considers the objections lodged during the public notification and consultation period, and
- (b) approves the disposal of the Land, subject to the conditions that public access to the entire foreshore is maintained and an appropriate community consultation process is undertaken.

Resolution:

FRASER/SIMS

That Council:

1. NOTE the responses to the section 178 process and thank all responders for their time and consideration of the issue
2. Having considered all of the submissions, RESOLVE to dispose of the public land, namely at 601A and 601B Brooker Highway, being the land in Certificate of Title Volume 157350 Folios 1 and 2, more commonly known as Wilkinsons Point (**the Land**) in whole or in part, on the condition that Council must not consider any proposal to purchase or lease the Land that does not provide for the maintenance of access to the entire Elwick Bay foreshore and road access via Loyd Road by the public
3. AUTHORISE the General Manager to actively pursue opportunities to give effect to resolution 2 (above)
4. REQUIRE that any proposal to purchase the subject land that is being actively considered by Council be subject to a community consultation process to ensure that any proposal that is accepted by Council is generally satisfactory to the community, and
5. WRITE to all responders to the section 178 process for whom sufficient address details are available advising them of Council’s decision and the right of any person who lodged an objection to appeal against the decision of the Council under section 178(6).

The motion was put.

FOR: Aldermen Bull, Dunsby, King, Stevenson, Johnston, Richardson, Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

10. PROPOSAL TO DISPOSE OF PUBLIC LAND - STOURTON STREET, ROSETTA

File Reference: Stourton Street

Reporting Brief:

To recommend that Council approves:

- (a) The disposal of public land at 29 Stourton Street, Rosetta (in accordance with the process under section 178 of the *Local Government Act 1993*), and
- (b) the method of disposal being by sale to the owner of 31 Stourton Street Rosetta.

Resolution:

BULL/RICHARDSON

That Council:

1. APPROVE the Disposal of a 418 m² section of 29 Stourton Street, Rosetta, being part of CT239438/1 (**the Land**) by way of sale to the owner of 31 Stourton Street, and
2. AUTHORISE the General Manager to take all actions necessary to complete the transaction.

Alderman Fraser left the meeting at 7.41 pm.

The motion was put.

FOR: Aldermen Bull, Dunsby, King, Stevenson, Johnston, Richardson, Carlton and Sims

AGAINST:

The motion was CARRIED.

GOVERNANCE

Aldermen Richardson and Carlton declared an interest in the following item and left the meeting at 7.42 pm.

11. NEW FOOD BUSINESS RISK CLASSIFICATION SYSTEM

File Reference: Food Businesses

Reporting Brief:

To inform Council of the new Food Business Risk Classification System required under the *Food Act 2003* and seek Council's approval of a proposed new fee structure.

Resolution:

KING/BULL

That Council:

ADOPT the new food business risk classification system and the associated fee structure (option 3 in the report) effective 1 July 2019 in accordance with the following table:

Category	Proposed fee (GST exempt) 2019-2020
P1	\$422 (2 x base fee)
P2	\$317 (1.5 x base fee)
P3	\$211 (1 x base fee)
P3N and P4 EXISTING (notification only)	\$0
P3N and P4 NEW (notification only)	\$30
Charitable	\$106 (0.5 x base fee)

The motion was put.

FOR: Aldermen Bull, Dunsby, King, Stevenson, Johnston and Sims

AGAINST:

The motion was CARRIED.

Alderman Fraser returned to the meeting at 7:43 pm.

Alderman Carlton returned to the meeting at 7:43 pm.

Alderman Richardson returned to the meeting at 7:43 pm.

12. COUNCIL POLICY - TRAFFIC CALMING DEVICES

File Reference: Council Policy

Reporting Brief:

To present a proposed new Traffic Calming Devices Policy to Council for adoption.

Resolution:

KING/BULL

That Council:

ADOPT the updated Traffic Calming Devices Policy in the form of Attachment 1.

Alderman Stevenson left the meeting at 7:44 pm.

Alderman Stevenson returned to the meeting at 7:45 pm.

The motion was put.

FOR: Aldermen Bull, Dunsby, King, Stevenson, Johnston, Richardson, Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

13. QUARTERLY REPORT

File Reference: Corporate Reporting

Reporting Brief:

To provide Council with the Quarterly Report for the quarter ending 31 March 2019.

Resolution:

RICHARDSON/SIMS

That Council:

RECEIVE and NOTE Council's Quarterly Report and the Quarterly Annual Plan Progress reports for the quarter ending 31 March 2019.

The motion was put.

FOR: Aldermen Bull, Dunsby, King, Stevenson, Johnston, Richardson, Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

14. MINISTERIAL DIRECTIONS - MONTHLY AND FIFTH QUARTERLY REPORT

File Reference: Ministerial Directions

Reporting Brief:

To inform Council of the progress towards completing the action items out of the Ministerial Directions Implementation Plan for the period ending 23 April 2019 and recommend that Council endorses the fifth quarterly report to the Minister.

Resolution:

DUNSBY/BULL

That Council:

1. NOTE the progress satisfying the Ministerial Directions as at 24 April 2019
2. RECEIVE the Ministerial Directions Implementation Report for April 2019 in the form of Attachment 1
3. ENDORSE the fifth Ministerial Directions Quarterly Report to the Minister of the progress of actions taken to comply with the Ministerial Directions in the form of Attachment 2 and approve the report being provided to the Minister, and
4. NOTE that the fifth quarterly report will be made publicly available on Council's website.

The motion was put.

FOR: Aldermen Bull, Dunsby, King, Stevenson, Johnston, Richardson,
Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

15. PROCUREMENT AND CONTRACTS - MONTHLY REPORT

File Reference: Procurement

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 19 March 2019 to 19 April 2019 and provide updates on other relevant procurement matters.

Resolution:

FRASER/RICHARDSON

That Council:

RECEIVE and NOTE the Procurement and Contracts Monthly Report for the period from 19 March 2019 to 19 April 2019.

The motion was put.

FOR: Aldermen Bull, Dunsby, King, Stevenson, Johnston, Richardson,
Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

16. NOTICES OF MOTIONS – QUESTIONS ON NOTICE / WITHOUT NOTICE

Question without notice - Alderman Dunsby

- Q. Alderman Dunsby noted that at the March Council meeting Council resolved to consult with other southern councils to attempt to establish a shared FOGO service. Alderman Dunsby asked for an update on the progress of those negotiations given the very tight timeframe involved.**
- A.** (Mayor) The Mayor and General Manager met with Lord Mayor and General Manager of Hobart today to progress Council's discussions. Hobart City Council will be taking a recommendation to their council meeting on Monday of next week (6 May 2019) requesting that the Lord Mayor be given authority to join Council in a working group to look at this issue. If that motion is successful, we will then contact officer from Hobart the following day to establish terms of reference, after which we will approach the other Councils. It is currently looking unlikely that we will be able to meet the original 8 week time frame specified in the motion, because Hobart's decision won't be made until late. However, there are still significant advantages to establishing a working group, so we hope that we will have a report at the May Council meeting which, if need be, can vary the terms of that particular working group.

Question without notice - Alderman Sims

- Q. In relation to Ald. Dunsby's question, what other councils has the Mayor met and liaised with?**
- A.** (Mayor) The motion was that required us to contact Hobart City Council and if they agreed to join the working group then to contact all the other southern councils. Following Monday's meeting and resolution of Hobart City Council, if they resolve to join the working group then we will immediately write to all the other southern councils and ask them to also join.

16.1. NOTICE OF MOTION - ALDERMAN DUNSBY - FOGO OPT-OUT OPTION

File Reference: Waste Services

Reporting Brief:

To consider a notice of motion by Alderman Jan Dunsby submitted in accordance with the requirements of Regulation 16(5) of the *Local Government (Meeting Procedures) Regulations 2015*.

Motion:**FOGO Services roll out**

That residents who can demonstrate significant hardship by the introduction of the FOGO service can opt-out by way of submission of a statutory declaration.

Resolution:

DUNSBY/KING

That residents who can demonstrate significant hardship by the introduction of the FOGO service can opt-out by way of submission of a statutory declaration.

Foreshadowed motion:

Alderman Stevenson foreshadowed the following motion:

1. Council understands that some community members from time to time will find themselves under significant financial difficulty, and acknowledges it always needs to address and review how it can compassionately and appropriately support these members of our community
2. The provision of a universal FOGO service is being implemented to affect a community wide behavioral shift, without creating a divide between the wealthy and poor
3. Council wishes to ensure it strengthens its ability to support those in the community under significant financial difficulty, not just from the provision of the proposed FOGO service, but in dealing with the payment of all general Council rates and fees for services
4. Council requests that Council officers develop a draft **Hardship Policy**, for consideration by the Council at its June Meeting, or prior, that includes:
 - The review and incorporation of Council's current policies for financial and medical consideration in payment of fees and rates
 - That residents who can demonstrate significant hardship, under the new Hardship Policy due to the introduction of the FOGO service, or other circumstances considered within the policy, can apply for consideration, and
 - That as a principle, where a service is broadly a universal offering across Council, we look to ensure community members are not excluded based on financial capacity.

The original motion was put.

FOR: Aldermen Dunsby and King

AGAINST: Aldermen Bull, Stevenson, Johnston, Richardson, Fraser, Carlton and Sims

The motion was LOST.

The foreshadowed motion was moved:

Resolution:

STEVENSON/FRASER

1. Council understands that some community members from time to time will find themselves under significant financial difficulty, and acknowledges it always needs to address and review how it can compassionately and appropriately support these members of our community
2. The provision of a universal FOGO service is being implemented to affect a community wide behavioral shift, without creating a divide between the wealthy and poor
3. Council wishes to ensure it strengthens its ability to support those in the community under significant financial difficulty, not just from the provision of the proposed FOGO service, but in dealing with the payment of all general Council rates and fees for services
4. Council requests that Council officers develop a draft **Hardship Policy**, for consideration by the Council at its June Meeting, or prior, that includes:
 - The review and incorporation of Council's current policies for financial and medical consideration in payment of fees and rates
 - That residents who can demonstrate significant hardship, under the new Hardship Policy due to the introduction of the FOGO service, or other circumstances considered within the policy, can apply for consideration, and
 - That as a principle, where a service is broadly a universal offering across Council, we look to ensure community members are not excluded based on financial capacity.

The motion was put.

FOR: Aldermen Bull, Dunsby, King, Stevenson, Johnston, Richardson,
Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

Resolution:

KING/BULL

That the meeting be closed to the public to allow discussion of matters that are described in Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*.

The motion was put.

FOR: Aldermen Bull, Dunsby, King, Stevenson, Johnston, Richardson,
Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

The meeting was adjourned for a short break at 8.47 pm.

The meeting resumed at 9.05 pm.

CLOSED TO MEMBERS OF THE PUBLIC

17. CONFIRMATION OF MINUTES (CLOSED MEETING)

Resolution:

DUNSBY/SIMS

That the minutes of the closed part of the Council meeting held on Monday, 25 March 2019 be confirmed.

The motion was put.

FOR: Aldermen Bull, Dunsby, King, Stevenson, Johnston, Richardson,
Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

18. APPLICATIONS FOR LEAVE OF ABSENCE

None.

Aldermen Richardson Carlton and Johnston declared an interest in the following item and left the meeting at 9:05 pm

Having a conflict of interest in the following item Mayor Johnston vacated the chair and Deputy Mayor Stevenson took the chair at 9:05 pm.

GOVERNANCE

19. REDISTRIBUTION OF GRANT FUNDS TO YMCA - GLENORCHY COMMUNITY PARK

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).

Alderman Richardson, Carlton and Johnston returned to the meeting at 9:35 pm.

Mayor Johnston resumed the chair at 9:35 pm.

20. WRITE OFF OF DOUBTFUL DEBT - LVC CONTRACT DAMAGES STORMWATER HARVESTING AND REUSE PROJECT

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)(i) (Matters relating to actual or possible litigation taken, or to be taken, by or involving the Council or an employee of Council).

21. 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).

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

Resolution:

STEVENSON/FRASER

That the meeting be re-opened to the public.

The motion was put.

FOR: Aldermen Bull, Dunsby, King, Stevenson, Johnston, Richardson, Fraser, Carlton and Sims.

AGAINST:

The motion was CARRIED.

The meeting closed at 9:44 p.m.

Confirmed,

CHAIR