



The City with Spirit

NOTICE OF MEETING

Notice is hereby given that an **Ordinary Council** meeting of the Devonport City Council will be held in the Council Chambers, 17 Fenton Way, Devonport on Monday 27 June 2016, commencing at 6:30pm.

The meeting will be open to the public at 6:30pm.

QUALIFIED PERSONS

In accordance with Section 65 of the *Local Government Act 1993*, I confirm that the reports in this agenda contain advice, information and recommendations given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.

Paul West
GENERAL MANAGER

22 June 2016

July 2016

Meeting	Date	Commencement Time
Governance & Finance	18 July 2016	Time to be confirmed
Council Meeting	25 July 2016	Time to be confirmed

**AGENDA FOR AN ORDINARY MEETING OF DEVONPORT CITY COUNCIL
HELD ON MONDAY 27 JUNE 2016 AT THE COUNCIL CHAMBERS AT 6:30PM**

Item	Page No.
1.0	APOLOGIES..... 1
2.0	DECLARATIONS OF INTEREST 1
3.0	PROCEDURAL..... 2
3.1	CONFIRMATION OF MINUTES 2
3.1.1	Council meeting - 23 May 2016 2
3.2	PUBLIC QUESTION TIME..... 3
3.2.1	Responses to questions raised at prior meetings 3
3.2.2	Questions on notice from the public 6
3.2.3	Question without notice from the public 14
3.3	QUESTIONS ON NOTICE FROM ALDERMEN..... 14
4.0	PLANNING AUTHORITY MATTERS 15
5.0	REPORTS 16
5.1	Certificate of Election (D421476) 16
5.2	Rates and Charges Policy (D415418) 20
5.3	Annual Plan and Budget Estimates - 2016/17 (D415419) 28
5.4	LIVING CITY Finance Approval (D419920) 42
5.5	LIVING CITY Quarterly Update - June 2016 (D423973) 46
5.6	Minutes of the Sport and Recreation Strategic Special Committee Meeting - June 2016 (D418859) 53
5.7	Unconfirmed Minutes of Meeting - Audit Panel - 14 June 2016 (D423789) 58
5.8	Appointment to Committees (D421460) 62
5.9	Meeting Arrangements (D421484) 65
5.10	Cradle Coast Authority - Future Governance (D423756) 67
6.0	INFORMATION 76
6.1	General Manager's Report - June 2016 (D408093) 76
6.2	Workshops and Briefing Sessions held since the last Council Meeting (D423809) 85
6.3	Mayor's Monthly Report (D424190) 86
7.0	SECTION 23 COMMITTEES 88
7.1	Infrastructure Works and Development Committee Meeting - 14 June 2016 (D423783) 88
7.2	Planning Authority Committee Meeting - 20 June 2016 (D424397) 94
7.3	Community Services Committee Meeting - 20 June 2016 (D424524) 98
8.0	CLOSED SESSION - CONFIDENTIAL MATTERS 105
	Out Of Closed Session 106
9.0	CLOSURE 106

Council meeting Agenda 27 June 2016

Agenda of an ordinary meeting of the **Devonport City Council** to be held at the Council Chambers, 17 Fenton Way, Devonport on Monday, 27 June 2016 commencing at 6:30pm.

PRESENT

		Present	Apology
	Ald S L Martin (Mayor)		✓
Chair	Ald A L Rockliff (Deputy Mayor)		
	Ald C D Emmerton		
	Ald G F Goodwin		
	Ald A J Jarman		
	Ald L M Laycock		
	Ald J F Matthews		✓
	Ald T M Milne		
	Ald L M Perry		

IN ATTENDANCE

All persons in attendance are advised that it is Council policy to record Council Meetings, in accordance with Council's Audio Recording Policy. The audio recording of this meeting will be made available to the public on Council's website for a minimum period of six months. Members of the public in attendance at the meeting who do not wish for their words to be recorded and/or published on the website, should contact a relevant Council Officer and advise of their wishes prior to the start of the meeting.

1.0 APOLOGIES

THE FOLLOWING APOLOGIES WERE RECEIVED FOR THE MEETING.

ALD S L MARTIN	LEAVE OF ABSENCE
ALD J F MATTHEWS	LEAVE OF ABSENCE

2.0 DECLARATIONS OF INTEREST

3.0 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

3.1.1 COUNCIL MEETING - 23 MAY 2016

RECOMMENDATION

That the minutes of the Council meeting held on 23 May 2016 as circulated be confirmed.

3.2 PUBLIC QUESTION TIME

Members of the public are invited to ask questions in accordance with the following resolution of Council (Min Ref 54/16):

1. Public participation shall take place at Council meetings in accordance with Regulation 31 of the *Local Government (meeting Procedures) Regulations 2015*.
 2. Public participation will be the first agenda item following the formal motions; Apologies, Minutes and Declarations of Interest.
 3. A maximum period of time of 30 minutes in total will be allowed for public participation.
 4. A maximum period of time of 3 minutes will be allowed for each individual.
 5. A member of the public may give written notice to the General Manager 7 days before an ordinary meeting of Council of a question to be asked at that meeting.
 6. A member of the public will be entitled to ask questions relating to the activities of Council, giving an explanation that is necessary to give background to the question and ask supplementary or follow up questions relating to that specific matter that may come to light as a result of the answer.
 7. Questions do not have to be lodged prior to the meeting, however they would be preferably provided in writing.
 8. A question by any member of the public and an answer to that question are not to be debated.
 9. The Chairperson may refuse to accept a question. If the Chairperson refuses to accept a question, the Chairperson is to give reason for doing so.
-

3.2.1 Responses to questions raised at prior meetings

Meeting held 23 May 2016

Reproduced below is the response dated 26 May 2016 to Mr Bob Vellacott's question:

"I write to confirm the verbal response provided by the Mayor to yourself at Council's meeting on Monday, 23 May 2016.

The State Government have publically committed to retaining Devonport as the home of the Spirits of Tasmania. This has also been advised to Council in private meetings with Government representatives.

Whilst unable to foresee decisions of future governments, Council is satisfied with the current status and at this point in time do not consider it necessary to take further action."

Meeting held 23 May 2016

Reproduced below is the response dated 26 May 2016 to Mr Malcolm Gardam's question:

"I write to confirm the verbal response provided to the questions you raised at Council's meeting last Monday night.

It is noted that you continue to have concerns with the decisions Council has taken in regard to LIVING CITY and whilst acknowledging there maybe more than one path to achieving the desired outcomes, Council is satisfied with the approach currently being implemented. There is little that can be added to Council's previous responses to most of the questions you raise, however I can confirm the following which has not been previously provided to you in writing:

1. *The quantity surveying firm that Council is using for LIVING CITY is Lifecycle Cost Management Pty Ltd.*
2. *Council advertised publically for community members on the LIVING CITY Community Reference Group and as a result the following people were selected:*
 - *Jodi Wilkinson*
 - *Andrew Billing*
 - *Tim Hess*

The president of the Devonport Chamber of Commerce and Industry, Stacey Sheehan has also been invited by Council to be a member of the Group as a representative of local business.

Generally fit out of the food tenancies within LIVING CITY will be the responsibility of the tenants. However as with any commercial leasing arrangements the actual extent and finer details will form part of the lease negotiations."

Meeting held 23 May 2016

Reproduced below is the response dated 26 May 2016 to Mr Trevor Smith's question:

"I refer to the questions you asked at the Council Meeting on Monday, 23 May 2016 and provide the following responses:

- Q1** *I noticed recently, at the Roundabout, Stoney Rise Road and Middle Road Devonport, road repairs are marked out to be done!! This Roundabout has just been completed in the last 16 months. Why will the Ratepayers of Devonport, have to pay again for this work so soon, after completion?? Surely the Devonport Council has Australian Road Standards to abide by?? Isn't this another case of wasting Devonport Ratepayers Money!!*
- A.** The roundabout in question is owned by the State Government and the recent works were fully funded by the Government, without any contribution from Council.
- Council is aware that the contractor is about to undertake works to rectify defects as part of the maintenance period relating to the roundabout construction.
- Q2** *Could you please tell me the total cost to the Devonport ratepayers, to purchase the properties at 26,28,30 and 32 Steele Street and part of 15-19 King Street, Devonport? What costs will this add to the ratepayers huge interest bill already outstanding, on properties purchased in the CBD? What inducements did Council offer TasWater to relocate to Devonport?*
- A.** Council has a contract to purchase the properties for \$1M. No financial incentive has been provided by Council to TasWater to move into the Southern Precinct of the CBD.
- Q3** *Could you please tell me how old is the Devonport Entertainment Centre, compared to the Devonport Council administration buildings? Do you intend to demolish the Entertainment Centre as it is over 35 years old?*
- B.** Some parts of the Entertainment Centre would be in the order of one hundred years old with the building being significantly modified during its life for various uses. Council have no plans to demolish the Entertainment Centre."

Meeting held 23 May 2016

Reproduced below is the response dated 30 May 2016 to Mr Bob Vellacott's question:

"Thank you for your question concerning my Senate candidacy for the upcoming Federal Election 2 July 2016 in regards to my Role as Mayor.

Similar questions were asked at Council's March meeting by Mr Trevor Smith, with the written response to Mr Smith publicly recorded on pages 10/11 of Council's Agenda for its April meeting, which was also attended by yourself. Please find attached a copy of the letter sent to Mr Smith.

Your question as to my feeling guilty in receiving allocated allowances during my Leave of Absence, my answer is no. Having been on Council for near seven years; only five weeks of personal leave have been taken during this time; I work on average around 70 hours per week; I self-funded a Sister City visit to Japan to represent the City of Devonport; due to those points I harbour no guilt in taking four weeks off and receiving the allocated allowance, for which I am entitled to.

As to the Mayor's vehicle and mobile telephone, arrangements have already been made to hand over the vehicle to Acting Mayor Annette Rockliff; the mobile telephone is on a plan and is linked to me personally and as Mayor – as the device is on a set plan, I will be keeping this device during this time and have made arrangements with Council to reimburse any additional cost, above the plan, that may be incurred. There is also an iPad device which is already in Council's hands."

RECOMMENDATION

That the responses to questions taken on notice at the May Council meeting be noted.

3.2.2 Questions on notice from the public

MR RAY CHAPLIN - LIVING CITY

The following question on notice was received from Mr Ray Chaplin on 29 May 2016:

"I refer to your letter of May 25th 2016 and the public personal denigration of my professional credibility of honesty and integrity contained therein.

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

62/16 RESOLUTION

MOVED: Ald Goodwin
 SECONDED: Ald Rockliff

That in relation to the correspondence received from Mr Ray Chaplin (Brand Focus) regarding the LIVING CITY Project, Council note the response proposed outlined in the agenda report and authorise its release.

	For	Against		For	Against
Ald Martin	✓		Ald Laycock	✓	
Ald Emmerton	✓		Ald Matthews	✓	
Ald Goodwin	✓		Ald Perry	✓	
Ald Jarman	✓		Ald Rockliff	✓	
Ald Keay	✓				

CARRIED UNANIMOUSLY

For the purpose of completing a factual evidence trail of all Living City related correspondence between Council and myself please include this letter and Council's response to same in the agenda and minutes of the Monday June 27, 2016 meeting of the Devonport City Council.

Your letter of May 25th 2016 was in response to the following specific questions put to Council in my previous correspondence of April 26th 2016.

Questions

A Council statement made in section (5) reads "Unfortunately there will always be differing views when embarking on a project of this size and scale and trying to get a consistent and factual message out into the community can be challenging"

I ask Council to explain to rate payers why, if Council is confident it has completed all due diligence, has been totally transparent with its constituents and has factual evidence to support the statements it makes, would there be any challenge to "trying to get a consistent and factual message out to the community?"

I also ask Council what was the criteria used to arrive at the conclusion it has passed the due diligence test in regards to Living City business investment risk mitigation standards?

Council has not provided specific answers to either question in your reply of May 25th and I again request that it does so.

Council's reply also included the following personal attacks with the obvious intent of denigrating my professional credibility despite every concern I have raised (initially in confidence) being in the best interests of the Devonport ratepayers who will become responsible for the borrowings Council have decided to incur and being based on facts which to date Council have been unable to refute.

To quote the Mayor and Alderman in respective of comments in regards to the Food Pavilion, "Council decision is not based on precedents and it is regrettable you have chosen to draw this inference in your correspondence".

Council obviously does not read its own literature.

The following details from a Council published document proves that this is a Council inference and one I have only referred to as misleading the community.

Please note the words **MARKET PRECEDENTS** at the bottom of the page.



BESIKITTAS FISH MARKET, ISTANBUL



QUEEN VIC NIGHT MARKET, MELBOURNE



KINGSTON MARKET, CANBERRA



SOMERSET VINTAGE & CLASSIC TRACTOR SHOW MAIN HALL



NEW AMSTERDAM MARKET, BROOKLYN



TORVEHALLERNE, COPENHAGEN

Would Council in its response please explain the reasons why these examples were included in Council materials promoting the Food Pavilion" concept, when their inclusion clearly infers "market precedents" to ratepayers, yet Council now states, its decision to proceed "is not based on precedents"?

Council's personal attack on my reputation for honesty and transparency continued in the following statement:-

Council further takes exception to your allegations that the team supporting Council lacks "proven experience".

This statement does not factually represent what Alderman have described as my "allegations".

The following excerpt from my letter of April 26th 2016 proves this point and demonstrates Council's propensity to selectively rather than factually quote in its

attempts to denigrate those raising concerns in regards their decision making process.

(4) Failure of Council to validate evidence cited that the Living City Project team had proven expertise by way of successful examples of comparable size, complexity and level of risk as the Living City Project.

“Council response only referred to previous projects undertaken by their lead project consultants as providing such evidence by way of proven examples of project management success (a number of which verified this).

However the only two Projects referred to **that were of any comparable nature** but were significantly smaller, of less complexity and a fraction of the estimated \$250 million cost of Living City cited by Council were the Moree Gateway and Forbes Homemaker Centre Projects conceived, developed and managed by the lead project consultants engaged by Council.

Both of these projects have not met the expectations of the Councils and Communities concerned and therefore cannot be claimed to be verified examples of proven expertise and competencies to deliver successful projects of comparable size, scale, complexity and risk as Living City”.

Let me be clear that there can be no doubt that the reference made in relation to “proven experience” was directly and unequivocally related to citing evidence of project management success relating to projects that were comparable with Living City and that it was acknowledged that the Consultants had demonstrated project management “proven experience” but not in projects directly comparable in size, complexity and cost as this urban renewal project.

Council's latest claims that their lead consultants successful achievements in Victoria's Prison Project, the Collins Class submarine project, and Westfield Shopping Centres, whilst admirable, provided examples comparable with the Living City Project are debatable.

I strongly refute Council's false and unsubstantiated accusation that I have ever “alleged” that the team supporting Council lacks “proven experience”.

As I have previously conveyed in writing to the Mayor and Alderman the underlying Governance culture of the Devonport City Council, specifically in regards to the Living City project is disturbing.

There are many people in the Devonport Community who have genuine concerns in regard to the process Council has adopted to advance the Living City concept.

This process has transpired into a Living City Project different to, far more expensive than originally predicted, with less private investment than indicated and significantly more public borrowings that originally communicated to and endorsed by ratepayers.

But rather than work collaboratively with those expressing concerns Council has deliberately and knowingly attempted to belittle many of the rate payers who wish to question Council's decisions (e.g. labelling those as “a noisy minority”).

More recently Council voted to restrict rate payer's basic democratic right to persistently raise serious questions in regards due diligence, transparency, risk mitigation, financial modelling and other concerns when Council's previous responses related to the core essence of the specific questions comprise only “opinions” which are not supported by facts or evidence.

This decision again demonstrates Council's lack of commitment to strict standards of Governance when it relates to the Living City Project.

When Council has a vested interest in the Project and assigns the right to determine which ratepayer questions are vetoed, to an employee, irrespective of that responsible person's impeccable reputation for honesty and professionalism, the fact remains that this policy does not meet the most basic standards of arms length independence and unquestionable transparency on behalf of Council.

For this reason the previous motion of Council resolution number 72/16 (f) should be rescinded if it wishes to demonstrate it abides by the strict Governance codes required of local government.

Given that Council repeatedly states that there is "Significant risk" associated with the Living City Project and now around \$59 million of this risk liability is to be carried by ratepayers any reasonable person would assume Council would welcome and act appropriately on all of the substantiated genuine concerns of ratepayers.

For some inexplicable reason the Mayor and Alderman have rejected this professional reconciliatory approach to discharging their "duty of care" responsibilities to those who in good faith elected them.

*One can only assume that unfortunately this somewhat narrow minded approach is driven by Council's self interest published statement that "**Council risks enormous reputational damage if the Master Plan is not implemented**".*

As previously advised studies conducted by Paul C Nutt, Professor of Business Sciences at Ohio State University found that seven in ten of 400 major executive management business investment decisions based upon a single option strategy (i.e. Living City) failed.

I would ask Council that given the chances of Living City succeeding being around three in ten, if this Project fails, what plan B strategy has Council in place to ensure that ratepayers will not ultimately be adversely affected with increased rates and/or any reduction in services and how then will the future economic and social prosperity of Devonport be achieved?"

DISCUSSION

Mr Chaplin has provided a significant amount of correspondence to Council previously, all of which has been responded to. Mr Chaplin continues to raise concerns about Council's decisions in relation to LIVING CITY.

In relation to his latest correspondence dated 29 May 2016 it is proposed that Mr Chaplin be advised of the following:

"In reply to your letter dated 29 May 2016, which you requested be listed on the Council agenda on 27 June the following response is provided.

Firstly, Council assures you that there was no intention on its behalf for you to interpret its responses to your questions as a personal attack on your reputation, and it is unfortunate that you have chosen to do so.

Council takes its responsibilities to its ratepayers seriously. In preparing the funding models for LIVING CITY an "as planned" and a "worst case" scenario were presented. Council has previously indicated to the community that it believes that LIVING CITY will succeed and that there is sufficient capacity within the modelling that will ensure that ratepayers will not be adversely affected with increased rates and/or reduction in services as a direct result.

The decision of Council referred to in your letter (72/16 (f)) provides only that if in the General Manager's opinion, inward correspondence has already substantially been dealt with regarding Stage 1 of Living City, no further resources should be expended responding. As the General Manager advised at that particular meeting any correspondence received will be dealt with in accordance with Council's Customer Service Charter, a copy of which is available on the website.

To specifically answer your questions the following is provided:

Question 1

I ask Council to explain to ratepayers why, if Council is confident it has completed all due diligence, has been totally transparent with its constituents and has factual evidence to support the statements it makes, would there be any challenge to "trying to get a consistent and factual message out to the community?"

Response

There is an element within the community that is not prepared to accept any of the information and/or responses on matters relating to LIVING CITY. Despite Council responding to numerous questions and statements about LIVING CITY and defending the path it has determined, there continues to be those that will not accept the course Council has chosen.

A recent example was that in a Southern Cross Television news broadcast a member of the Advance Devonport Interest Group suggested that every ratepayer's rates would increase by \$400 a year to pay for LIVING CITY. This assertion was made despite Council on numerous occasions categorically stating that it has no intention for LIVING CITY to adversely impact on the rates charged.

Question 2

I also ask Council what was the criteria used to arrive at the conclusion it has passed the due diligence test in regards to LIVING CITY business investment risk mitigation standards?

Response

Council has relied on the advice of the Projects & Infrastructure Group (P+i); the Hill PDA Report; the success of its application for funding through the competitive Federal Government Stronger Regions Fund; the independent review of the funding model by KPMG; and continues to receive reports on other aspects of the project including the recently completed independent review of the Waterfront Hotel concept by Horwath HTL.

Council is comfortable that it has completed sufficient due diligence in relation to risk mitigation and will be progressing with LIVING CITY."

MR MALCOLM GARDAM - LIVING CITY

The following question on notice was received from Mr Malcolm Gardam on 6 May 2016:

"Reference my previous questions and Devonport City Council (DCC) responses regarding Living City due process, and in particular my questions dated 23rd May 2016 as included in those Minutes of the even date.

What is obvious is DCC's uncomfortableness in answering questions relating to due diligence and the Living City concept risk assessment as evidenced by responses that only seek to answer selective aspects of questions or not answer the question at all. This is further evidenced by the Aldermen's attempted motion to "gag" any further questioning of Living City primarily by the ratepayers.

To conclude this series of questions and in the absence of a response to all questions dated 23 May 2016, I note the following for the record.

Follow up questions to DCC responses to questions dated 13 & 16 May 2016

- Q1** In the DCC response to my Q3 (pg. 21 of current meeting Agenda) regarding the undertaking of a truly independent review of the Living City concept suitability to achieve the primary objective is it correct to assume this has not taken place? **(M Gardam Comment - as DCC has not offered up any truly independent review documentation of this single concept approach then no such review has taken place)**
- Q2** In the DCC response to my Q5 (Pg. 21 of current meeting Agenda) regarding the existence of a previous version of the P+i Devonport Living City Risk Matrix and Risk Register is it correct to assume that no such document existed prior to the Risk Register dated 10 March 2016 and issued with the Report to Council dated 22 February 2016? **(M Gardam Comment - as DCC has not offered up any evidence of an ongoing documented risk and opportunity process then it is assumed that no such documented process existed and the P+i Risk Register was developed for the sole purpose of trying to smooth the acceptance of the amended funding model; whereby ratepayers pick up the shortfall in the previously budgeted State and Federal funding plus overruns in the construction delivery costs amounting to \$50m. It is also noted that the P+i Risk Register does not include significant risks that should have been included and addressed but moreover simply resembles a delivery document devoid of any potential showstoppers?)**

New Living City questions to Council Meeting 23 May 2016.

- Q7** Council has put an emphasis on the number of consultants it has engaged for different areas of developing Living City with HillPDA being one such example touted as a highly regarded and reputable company in its field of expertise. On that basis, at what point in time and by what process were the Aldermen consulted on the decision to ignore the recommendation to undertake a further series of business case studies and an independent review ("independent" being a review and written report undertaken by an appropriately qualified entity that will not benefit commercially from the Living City project proceeding) to assess likely success of the Living City concept? **(M Gardam Comment - as DCC has not offered up any response then it is assumed that the recommendations were not raised by the Aldermen or the decision to ignore those recommendations was presented to the Aldermen.)**
- Q8** Assuming the Aldermen were consulted in making the decision to ignore undertaking an independent review of the Living City concept, by who and in what format was the advice/recommendation (written or otherwise) put to the Aldermen to ignore a most critical phase of the Living City risk management process? **(M Gardam Comment - as DCC has not offered up any response to this question then it is assumed that no such written advice was received or provided to the Aldermen)**
- Q9** At some point prior to the February 2016 Public Meeting Council became aware of a \$50m shortfall in the funding of its \$70.5m Living City Stage 1 project (assume \$20m from increased delivery costs for the construction phase and \$30m shortfall in State and Federal grants identified in the former funding model) and accordingly at what point in time and in what format was this presented to the Mayor and Aldermen? **(M Gardam Comment - as DCC has**
-

not offered up any response to this question then it is assumed that Aldermen relied on the P+i Risk Register and the KPMG report which essentially checked DCC funding models and assumptions provided by HillPDA and P+i (assumptions which are estimates and not products of market research). Nowhere does it appear that KPMG were asked to consider worst case scenarios or even a less than optimum outcome and the effects that would have on future DCC finances. It is also noted that both the HillPDA and KPMG reports included subtle warnings (qualified opinions) on aspects of Living City that Aldermen may or may not have considered carefully)

Q10 Further to Q3 and in arriving at the decision to simply allocate an additional \$11m from cash reserves plus add \$39m to the already approximate \$20m of costs and borrowings for Living City to date, what due diligence processes were undertaken with the Mayor and Aldermen to assess the obviously massive change in the project's financial risk profile prior to release of the new funding model in February 2016? **(M Gardam Comment - reference assumptions made in Item 9 above and note that the only financial risk mitigation strategy included in the P+i Risk Register at Item 10 is that P+i has access to external debt markets and how Council can make payments over a longer term. In addition where a risk assessment is based on anything other than known examples or quantitative analysis it is based on assumptions and therefore remains purely subjective)**

For the sake of ratepayers I truly hope that the Living City concept delivers its primary objective but on the finer points of expected due diligence and risk assessment we will have to agree to disagree because I remain unassured of those aspects and that DCC may just be running on little more than hope as well."

MR BOB VELLACOTT - LIVING CITY

The following questions on notice were received from Mr Bob Vellacott on 20 June 2016:

"Questions in regard to some of the statements that were included in Council's funding submission to the Federal Government National Stronger Regions Fund (November 2014)

Statement 1

*"The project is **guaranteed** to unlock \$270 million in private investment"*

Question 1

*What evidence did the Council rely upon in support of the written claim "**the project is guaranteed to unlock \$270 Million in private investment**" signed by then Chairman of The Living City Task Force, Mr Royce Fairbrother?*

Statement 2

*"The North West Regional Produce Market (NWRPM) is underpinned by a **commitment** to take up space from the major producers and food organisations in the area."*

Question 2

At this point in time how many bona-fide commitments have been made to Council to take up leases in The Northwest Regional Produce Market?

Question 2a

*If Council has not received all of the necessary commitments for the NWRPM will Council provide the evidence on which they based their statement that the market "**is underpinned by a commitment**"?*

Statement 3

"Convention spaces are typically the volatile aspect of civic development from a viability perspective in this project however the convention space is basically underwritten by its regular twice weekly meeting by City First."

Question 3

How is the investment in convention space now underwritten?

Please include all of the above statements and answers in the meeting agenda."

DISCUSSION

In relation to the questions dated 20 June 2016 it is proposed that Mr Vellacott be advised of the following:

"I write in reply to your questions in regard to statements that were included in Council's funding submission to the Federal Government National Stronger Regions Fund, in November 2014.

Question 1

What evidence did the Council rely upon in support of the written claim "the project is guaranteed to unlock \$270 Million in private investment" signed by then chairman of the Living City Task Force, Mr Royce Fairbrother?

Answer

The \$270m figure quoted in the letter from the LIVING CITY Taskforce is taken from a 2014 report by consulting firm Hill PDA into the regional benefits of LIVING CITY. Page 30 of the report states:

"The construction cost of the Project is estimated at approximately \$268 million. Demolition costs are estimated to be in the region of \$2 million, resulting in a total development value of almost \$270 million"

Question 2

At this point in time how many bona-fide commitments have been made to Council to take up leases in The Northwest Regional Produce Market?

Answer

Council's Development Managers are currently in various stages of negotiations with numerous parties regarding tenancies within the food pavilion, however Council are not in a position to make any announcements at this point in time.

Question 2a

If Council has not received all of the necessary commitments for the NWRPM will Council provide the evidence on which they based their statement that the market "is underpinned by a commitment"?

Answer

Refer Q2.

Question 3

How is the investment in convention space now underwritten?

Answer

Council has determined that at least initially it will own and operate the new Convention Centre. This was reported in the quarterly LIVING CITY updated in the December 2015 Council agenda.

RECOMMENDATION

That Council:

1. in relation to the correspondence received from Mr Ray Chaplin (Brand Focus) and Mr Bob Vellacott, note the responses proposed outlined in the agenda report and authorise their release; and
2. receive and note the correspondence from Mr Malcolm Gardam.

3.2.3 Question without notice from the public

3.3 QUESTIONS ON NOTICE FROM ALDERMEN

At the time of compilation of the agenda no questions on notice from Aldermen were received.

4.0 PLANNING AUTHORITY MATTERS

There are no items in this agenda to be considered by Council in its capacity as a Planning Authority.

5.0 REPORTS

5.1 CERTIFICATE OF ELECTION

File: 22947 D421476

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.2.3 Encourage community action and participation that results in increased well-being and engagement

SUMMARY

This report is provided to advise Council of the outcome of recount to replace former Ald Keay who resigned her position on Council effective 26 May 2016. .

BACKGROUND

Ald Keay provided her resignation to the General Manager effective 26 May 2016. As a result and in accordance with the *Local Government Act 1993*, the Tasmanian Electoral Office was advised of the resignation and requested to undertake a recount to fill the casual vacancy until the next general election in October 2018.

STATUTORY REQUIREMENTS

The relevant sections of the *Local Government Act 1993* are:

47. Resignations

- (1) A councillor may resign from office at any time.
- (2) A resignation is to be made in writing and forwarded to the general manager.
- (3) Except as provided in *subsection (6)*, on the date of receipt by the general manager of the resignation of a councillor –
 - (a) the resignation takes effect; and
 - (b) the office of councillor becomes vacant.
- (3A) On receipt of a resignation, the general manager is to advise the council and the Electoral Commissioner of the resignation.

307. Casual vacancies

- (1) A casual vacancy in the office of a councillor is to be filled by a recount, carried out under *Schedule 8*, of the ballot papers of the election at which the councillor causing the vacancy was elected.
- (2) For the purpose of a recount, only the ballot papers containing the votes of the vacating councillor are to be counted for candidates who remain eligible and who consent to be included when the recount is carried out.

321. Declaration of office

- (1) Any person elected as councillor must make a prescribed declaration in a prescribed manner.
- (2) A person elected as a councillor who has not made a declaration must not–
 - (a) act in the office of councillor, mayor or deputy mayor; or
 - (b) take part in the proceedings of any meeting of the council or a committee.

- (3) A council is to acknowledge the making of a declaration at its meeting and the general manager is to record that fact in the minutes of that meeting.

DISCUSSION

CERTIFICATE OF ELECTION

A Certificate of Election for the recount was provided by the Electoral Commissioner with the following information.

ALDERMAN POSITION

Tammy MILNE

There is a requirement that prior to an Alderman assuming that office he/she is to formally undertake a declaration of office. Ald Milne has complied with this requirement of the Act.

COMMUNITY ENGAGEMENT

The community was provided with an opportunity to participate in the election process through a postal ballot system for all persons included on the Devonport Electoral Roll.

FINANCIAL IMPLICATIONS

The cost of the election is not known at this time. It is expected that Council will receive an account from the Tasmanian Electoral Commission in due course.

RISK IMPLICATIONS

No risks have been identified in relation to this report.

CONCLUSION

The report is provided as a formality to officially recognise the election of Ald Milne.

ATTACHMENTS

1. Certificate of Election
2. Declaration of Office - Ald Milne

RECOMMENDATION

That Council:

1. note the outcome of the recount to replace former Alderman Keay as advised in the Certificate of Election.
2. note that Alderman Milne has complied with the requirement of the *Local Government Act 1993* and completed her Declaration of Office.

Author:	Paul West
Position:	General Manager



Devonport City Council

CERTIFICATE OF ELECTION BY RECOUNT

I have conducted a recount in accordance with section 307 of the *Local Government Act 1993*.

I have this day declared

Tammy MILNE

elected to fill the vacant office of councillor
to serve until the next ordinary election
of the Council.

A handwritten signature in blue ink, appearing to read "A.H.", with a long horizontal flourish extending to the right.

Andrew Hawkey
ELECTORAL COMMISSIONER
2 June 2016



**DEVONPORT CITY COUNCIL
ALDERMAN**

FORM 4
REGULATION 40

DECLARATION OF OFFICE

I, Tammy Milne, having been elected as Alderman to the Devonport City Council, do solemnly declare that I will faithfully carry out the functions and exercise the powers vested in me by virtue of that office to the best of my ability and in accordance with the law.


.....
(Tammy Milne)

Made before me at Devonport in Tasmania on the 7th day of June 2016.


.....
Paul West - General Manager

5.2 RATES AND CHARGES POLICY

File: 27321 D415418

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.2.1 Review policies and implement initiatives to ensure meaningful, two-way communication and consultation with the community

SUMMARY

This report is provided to assist Council in formally adopting an updated Rates and Charges Policy (see attachment).

BACKGROUND

Council is required under legislation to have a Rates and Charges Policy. A Rates and Charges Policy was adopted by Council in June 2015 (Min 113/15 refers).

STATUTORY REQUIREMENTS

The *Local Government Act 1993* requires that Council:

86B. Rating and charging policies to be made available to public

- (1) A council must adopt a rates and charges policy by 31 August 2012.
- (2) A council's rates and charges policy must contain –
 - (a) a statement of the policy that the council intends to apply in exercising its powers, or performing its functions, under this Part; and
 - (b) a statement of policy in respect of prescribed matters, if any.
- (3) A council's rates and charges policy in relation to the making or varying of a rate must take into account the principles referred to in [section 86A\(1\)](#).
- (4) A council must review its rates and charges policy –
 - (a) by the end of each successive 4-year period after 31 August 2012; and
 - (b) at the same time as, or before, making a type of rate, charge or averaged area rate in respect of a financial year, if a rate, charge or averaged area rate of that type was not made in respect of the previous financial year; and
 - (c) at the same time as, or before, making under section 107 a variation of a rate or charge in respect of a financial year, if such a variation of that rate or charge was not made in respect of the previous financial year; and
 - (d) at the same time as, or before, setting a minimum amount under this Part; and
 - (e) at the same time as, or before, altering the circumstances in which a rate, charge or averaged area rate, or a variation of a rate or charge, is to apply to rateable land.
- (5) A council, as soon as reasonably practicable after adopting or altering its rates and charges policy, must make copies of the policy as so adopted or altered available to the public –
 - (a) in paper form, on payment of a reasonable charge; and
 - (b) in electronic form, at a website of the council, free of charge.
- (6) A rate, averaged area rate or charge is not invalid by reason only that it does not conform to the council's rates and charges policy.

DISCUSSION

Council is required to maintain a publicly available Rates and Charges Policy.

The purpose of the Rates and Charges Policy is to outline Council's approach to determining and collecting rates from its ratepayers. The Policy has been broken down under specific headings including:

1. Introduction
2. Legislative Requirements
3. Strategic Focus
4. Rates and Charges
 - (i) Property Valuation Base
 - (ii) General Rate
 - (iii) Rate Cap
 - (iv) Service Rates and Charges
5. Objections to Rate Notices
6. Rebates and Remissions
7. Payment of Rates
8. Late Payment of Rates
9. Sale of Property if Rates Remain Unpaid
10. Postponement of Rates

The Act requires that the Rates and Charges Policy is to be reviewed at a minimum each four years. Other significant changes to the way in which Council administers its rates may also trigger the necessity for the review of the Policy.

There has been a change made to the Policy effective from the 2016/17 rating year. Specifically this relates to those properties classified as "multiple residential".

Previously properties in this category paid the full general rate, with the waste management rate being based on a multiple of the assessed annual value. It is proposed that in future multiple residential properties will be charged the waste management charge which applies to single residential properties multiplied by the number of tenements as advised by the Valuer-General. To ensure that this alteration does not materially impact on the majority of multiple residential properties the general rate has been varied accordingly. The revised policy reflects this outcome.

A 'marked-up' version of the revised policy is provided as an attachment to this report.

COMMUNITY ENGAGEMENT

The purpose of having a Rates and Charges Policy available is to ensure that the public have ready access to a document that outlines the specifics relating to the processes undertaken by Council in setting and administering the collection of rates and charges.

FINANCIAL IMPLICATIONS

Property rates are the primary source of income for Council and as such it is imperative that the collection and administration of rates is clearly articulated.

RISK IMPLICATIONS

Council is statutorily required to have in place a Rates and Charges Policy.

CONCLUSION

The Rates and Charges Policy attached to this report meets the statutory obligations of Council and also provides a clear and concise outline of the processes Council will use to set, collect and administer the imposition of rates on the community.


ATTACHMENTS

1. Rates and Charges Policy

RECOMMENDATION

That Council adopt the Rates and Charges Policy as attached to this report with immediate effect.

Author:	Paul West
Position:	General Manager

	RATES AND CHARGES POLICY		
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM):
Council	27 June 2016	??	D373170
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
General Manager	General Manager	5.5.3 – Ensure revenue modelling meets Council's funding requirements to provide equitable pricing relevant to services delivered	March 2019
PURPOSE	<p>The purpose of this Policy is to outline the Council's approach to determining and collecting rates from its ratepayers.</p> <p>This Policy also ensures that Council meets its legislative responsibilities under the provisions of the <i>Local Government Act 1993</i> inasmuch as Council is required to prepare and adopt a Rates and Charges Policy.</p>		
SCOPE	<p>This policy covers:</p> <ul style="list-style-type: none"> • revenue raising powers under the provisions of the <i>Local Government Act 1993</i>; • strategic focus; • the valuation basis for rating purposes; • the use of differential rates where appropriate; • setting of a fixed charge and rate capping; • objections to rate notices; • rebates and remissions; • payment of rates; • late payment of rates; • sale of property for unpaid rates; and • postponement of rates. 		
POLICY	<p>1. Introduction</p> <p>Council rates are a form of property tax and are the primary source of income for the delivery of local government services to the community. Rates are administered in line with the provisions of the <i>Local Government Act 1993</i>.</p> <p>2. Legislative Requirements</p> <p>The rating and valuation methods available to local government are covered under various pieces of legislation. In particular Part 9 of the <i>Local Government Act 1993</i> and the <i>Valuation of Land Act 2001</i> are the most relevant to Council in securing rate revenues.</p> <p>The General Principles in relation to making or varying rates are outlined at Section 86A of the <i>Local Government Act 1993</i> as follows:</p> <p>(1) A council, in adopting policies and making decisions concerning the making or varying of rates, must take into account the principles that –</p> <p style="padding-left: 40px;">(a) rates constitute taxation for the purpose of local</p>		

government, rather than a fee for a service; and
 (b) the value of rateable land is an indicator of the capacity of the ratepayer in respect of that land to pay rates.

- (2) Despite subsection (1), the exercise of a council's powers to make or vary rates cannot be challenged on the grounds that the principles referred to in that subsection have not been taken into account by the council.

Council will as required not earlier than 1 June and not later than 31 August in any year determine its rates and charges to apply for the financial year.

3. Strategic Focus

Council is constantly faced with balancing its service levels, the needs and expectations of the community and setting appropriate tax (rate) levels to adequately resource and fulfil its roles and responsibilities. In determining its rating policies Council gives consideration to the:

- Strategic Plan;
- Long Term Financial Strategy and Plan;
- *Local Government Act 1993*;
- Current economic climate;
- Consumer Price Index changes;
- Local Government Cost Index; and
- Likely impacts on the community.

4. Rates and Charges

- (i) Property Valuation Base

Council has three choices under the Act for determining its rate charges:

- Land Value;
- Capital Value; and
- Assessed Annual Value (AAV)

The Office of the Valuer-General provides the valuations to Council on a cyclical basis (usually each six (6) years). Council was last subject to a municipal wide revaluation with an effective date of 1 July 2015. Under the Act Council is mandatorily required to use the valuations provided to it in setting its rates each year. Council has no role in determining the valuation of properties and all ratepayers are able to dispute their valuation direct with the Valuer General's Office.

Council is also provided with adjustment factors for the various classes of property in the municipal area by the Valuer-General each two years. Council is required to consider these adjustment factors in determining the rates and charges to apply.

Following the most recent revaluation Council determined that the use of AAV per rateable property provided the fairest and most equitable method for the levying of rates on the basis that:

- Rates constitute a system of taxation and the equity principle of taxation requires that ratepayers of similar wealth pay similar

taxes and ratepayers of greater wealth pays more tax than ratepayers of lesser wealth; and

- Property value is a generally accepted indicator of wealth.

The AAV represents an independent assessment of the rental value of a property or a 4 per cent minimum of the capital value (whichever is the greater).

(ii) General Rate

Council sets a General Rate which is to apply to all properties in the municipal area unless varied based on a differential model determined by Council. Council has also determined that a General Rate Fixed Charge per property is to apply as this is the most fair and equitable means of ensuring that all ratepayers contribute equally to the administration of Council's services and the development and maintenance of community infrastructure.

The General Rate is to be varied on a differential basis, based on land use, for the following purposes:

- Single Residential;
- Multiple Residential; and
- Primary Production.

Single Residential Assessments

Single residential properties generally have available to their owners and occupiers the same services as other ratepayers. However, in most cases other classes of assessments such as commercial and industrial users have a greater impact on the main services such as road maintenance and generally derive a greater benefit from the services provided.

Multiple Residential Assessments

In conjunction with a change to the way in which waste management is charged for multiple residential properties, the general rate has been varied to reduce the overall financial impact on the majority of affected properties.

Primary Production Assessments

Primary production properties tend to be more remote from some of the services provided by Council in terms of infrastructure including but not limited to sealed or formed roads, footpaths and street lighting.

(iii) Rate Cap

Council will annually consider the use of rate capping to ensure that the increases applied to the various categories of ratepayers are appropriate.

Council will only apply rate capping if in its opinion it is justifiable in order to provide relief against what would otherwise amount to a substantial change in rates payable by a ratepayer due to rapid changes in valuation and other factors beyond the ratepayer's control.

(iv) Service Rates and Charges

Waste Management Service Rate – Council provides a waste collection and disposal service throughout the city. Council also provides a domestic recycling service to all residences and a cardboard collection service in the Central Business District and Fourways commercial area. For this service Council applies a service rate based on the AAV for the property with a minimum amount payable.

Waste Management Service Charge – Council applies a service charge for waste management services to all single residential properties instead of applying the Waste Management Service Rate. In 2016 Council will introduce a similar arrangement for multiple residential properties based on the number of tenements as advised by the Valuer-General.

Fire Protection Service Rate - Council is required by the provisions the *Fire Services Act 1979* to collect fire service contributions on behalf of the State Fire Commission. The amount of this rate and the minimum charge which is to apply is determined independent of Council by the State Fire Commission.

5. Objections to Rate Notices

Council will consider any objections to rate notices in accordance with Section 123 of the *Local Government Act 1993*.

6. Rebates and Remissions

Any individual application for a rebate and/or remission from payment of rates is to be provided to Council in writing and is to comply with the adopted policies from time to time in operation.

Council will annually consider whether to provide any rebate or remission to not-for-profit community organisations where they own or are responsible for the payment of rates. Any not-for-profit organisation that wishes to be considered for either a rebate or remission is required to make a formal application for Council to consider.

Council may also from time to time determine to provide a remission to a ratepayer, group of ratepayers or a class of ratepayers where it has determined that special circumstances exist.

Pensioner Rate Remissions are provided to eligible concession card holders pre-approved by the State Revenue Office. Concessions are only available on a ratepayer's principal residence at an amount predetermined by the State Government. Ratepayers seeking a rate concession are not to withhold payment pending assessment by the State Revenue Office of their eligibility. In circumstance where a concession is approved after payment has been received a refund will be provided to the ratepayer.

7. Payment of Rates

Rates are due and payable in full by 31 August each year. However, ratepayers can elect to pay their rates in four equal instalments on 31

	<p>August, 31 October, 28 February and 30 April each year.</p> <p>Ratepayers who have difficulty in paying their rates either in full or by the instalment due dates are encouraged to contact Council's Rates Office to make an alternative payment plan. Such enquiries are treated confidentially by Council.</p> <p>Instalment payments must be made on or before the due date as failure to do so will result in the full outstanding amount becoming due and payable immediately.</p> <p>8. Late Payment of Rates</p> <p>Council has determined that penalties will apply for late payment of any rate or instalment which remains outstanding on the due date. The penalty percentage rate is determined by Council each year in line with the provisions of the <i>Local Government Act 1993</i>.</p> <p>Rates which remain unpaid for a period exceeding 30 days from the due date of an instalment will be subject to recovery action through either a recognised Debt Collection Agency and/or Magistrates Court. Prior to initiating recovery action Council will provide the ratepayer with 14-days' notice in writing advising of its intention to commence legal action.</p> <p>9. Sale of Property if Rates Remain Unpaid</p> <p>The <i>Local Government Act 1993</i> provides that a Council may sell any property where the rates have been in arrears for a period of three (3) years or more. Council is required to:</p> <ul style="list-style-type: none"> (a) notify the owner of the land of its intention to sell the land; (b) provide the owner with details of the outstanding amounts; and (c) advise the owner of its intention to sell the land if payment of the outstanding amount is not received within 90 days. Except in extraordinary circumstances, Council will enforce the sale of land for arrears of rates. <p>10. Postponement of Rates</p> <p>An application for a postponement of payment of rates on the grounds of hardship must be made in writing addressed to the General Manager.</p>
LEGISLATION AND RELATED DOCUMENTS	<p><i>Local Government Act 1993</i> <i>Fire Services Act 1979</i> <i>Valuation of Land Act 2001</i></p>
ATTACHMENT/S (IF APPLICABLE)	N/A

5.3 ANNUAL PLAN AND BUDGET ESTIMATES - 2016/17

File: 32155 D415419

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.5.1 Provide financial services to support Council's operations and meet reporting and accountability requirements

SUMMARY

The purpose of this report is to present Council with the Annual Plan and Budget Estimates for the 2016/17 financial year.

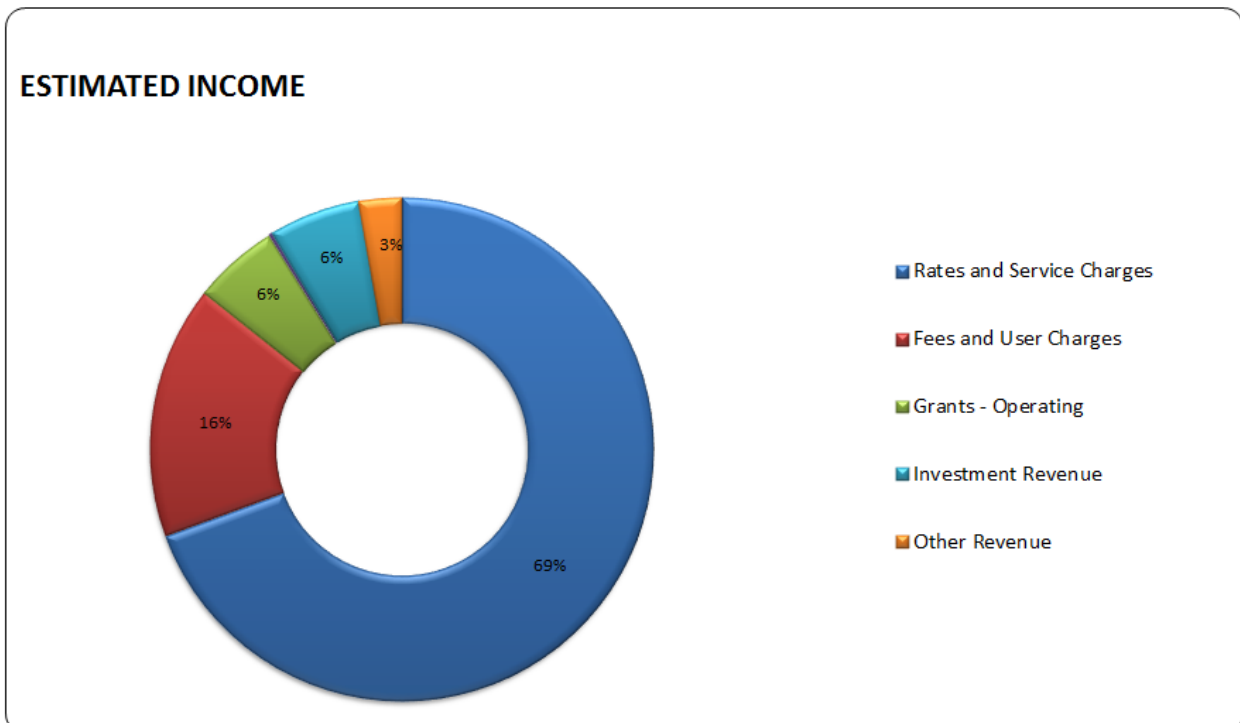
The recommendations provided as part of this report will set the rates and charges that are to apply for the 2016/17 financial year.

The Annual Plan and Budget Estimates document has been circulated under separate cover. It is also available for public viewing on the Council's website at www.devonport.tas.gov.au, the Devonport LINC or at the City Offices.

BACKGROUND

Council has developed the 2016/17 budget, capital works and fees and charges through a Workshop process.

The main revenue source for Council is its rate income, which equates to approximately 69 per cent of total revenue for the financial year.



The following financial statements have been included within the Annual Plan:

- Estimated Statement of Profit or Loss and other Comprehensive Income
- Estimated Statement of Financial Position (Balance Sheet)
- Estimated Statement of Cash Flows

STATUTORY REQUIREMENTS

The *Local Government Act 1993* requires that the General Manager must prepare estimates of Council's revenues and expenditure for each financial year. Estimates are to contain details of the estimated:

- (a) revenue of the council;
- (b) expenditure of the council;
- (c) borrowings by the council; and
- (d) capital works of the council.

Section 71 of the *Act* requires Council to adopt an Annual Plan each year. The Annual Plan is to be:

- (a) consistent with the strategic plan; and
- (b) include a statement of the manner in which the Council is to meet the goals and objectives of the strategic plan; and
- (c) include a summary of the estimates adopted under section 82; and
- (d) include a summary of the major strategies to be used in relation to the Council's public health goals and objectives.

Part 9 of the *Local Government Act 1993* provides Council with the ability to determine the rates and charges that may be applied to properties within its municipal area.

The *Act* requires that rates must be set by Council not earlier than 1 June and not later than 31 August.

Amendments to the *Local Government Act 1993* in 2013 identified the following principles in relation to making or varying rates:

86A. General principles in relation to making or varying rates:

- (1) *A council, in adopting policies and making decisions concerning the making or varying of rates, must take into account the principles that –*
 - (a) *rates constitute taxation for the purposes of local government, rather than a fee for a service; and*
 - (b) *the value of rateable land is an indicator of the capacity of the ratepayer in respect of that land to pay rates.*
- (2) *Despite subsection (1), the exercise of a council's powers to make or vary rates cannot be challenged on the grounds that the principles referred to in that subsection have not been taken into account by the council.*

DISCUSSION

The Annual Plan is an integral part of the reporting requirements of Council. The Annual Plan includes the statutory reporting requirements Council are obliged to meet. It also outlines the Council's plans and aspirations for the ensuing year and is then reported against in the subsequent Annual Report.

Council's 2016/17 budgeted net operating surplus before depreciation expense and capital related income, is estimated to be \$8.904M. This compares to the 2015/16 forecasted result of \$8.548M. The overall estimated result for the 2016/17 year is an operating surplus of \$593K inclusive of depreciation expenses of \$8.310M.

Council has an adopted Financial Management Strategy (FMS). The FMS adopted in June 2015 covers a 10 year planning horizon to 30 June 2025. The FMS is an important part of Council's overall financial management and sustainability framework. The Long Term Financial Plan will be updated in September 2016 following the finalisation of the 2015/16 end of year reporting and audit.

The General Rate increases and the total rating revenue increase in dollars for the past five (5) years is as follows:

Year	% Increase (General Rate only)	Total rates revenue '000	Increase from previous year '000	Adjusted Increase from previous year %
2012/13 (actual)	1.8%	25,019	1,183	4.96%
2013/14 (actual)	1.6%	26,084	1,065	4.25%
2014/15 (actual)	0.0%	26,384	300	1.15%
2015/16 (forecast)	0.0%	26,440	56	0.212%
2016/17 (budget)	0.00%	26,970	586	2.21%

Note: The adjusted increases in 2014/15 and 2015/16 relate to supplementary rate income received. The budgeted adjusted increase for 2016/17 is related to the increase in waste management charges, change cap impact and supplementary valuations.

The Annual Plan includes schedules relating to the proposed 2016/17 capital works program and fees and charges schedule.

Operational Budget

The Estimated Statement of Comprehensive Income has been updated to include the 2015 Actual, 2016 Budget, 2016 Forecast, 2017 Budget and the 2018 and 2019 projections:

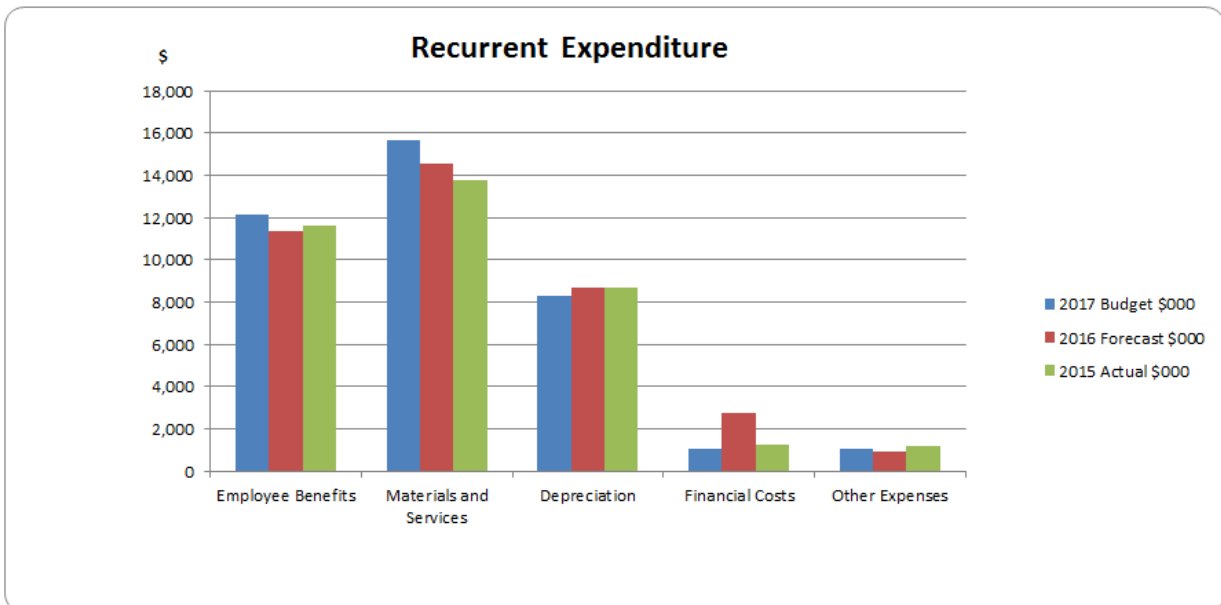
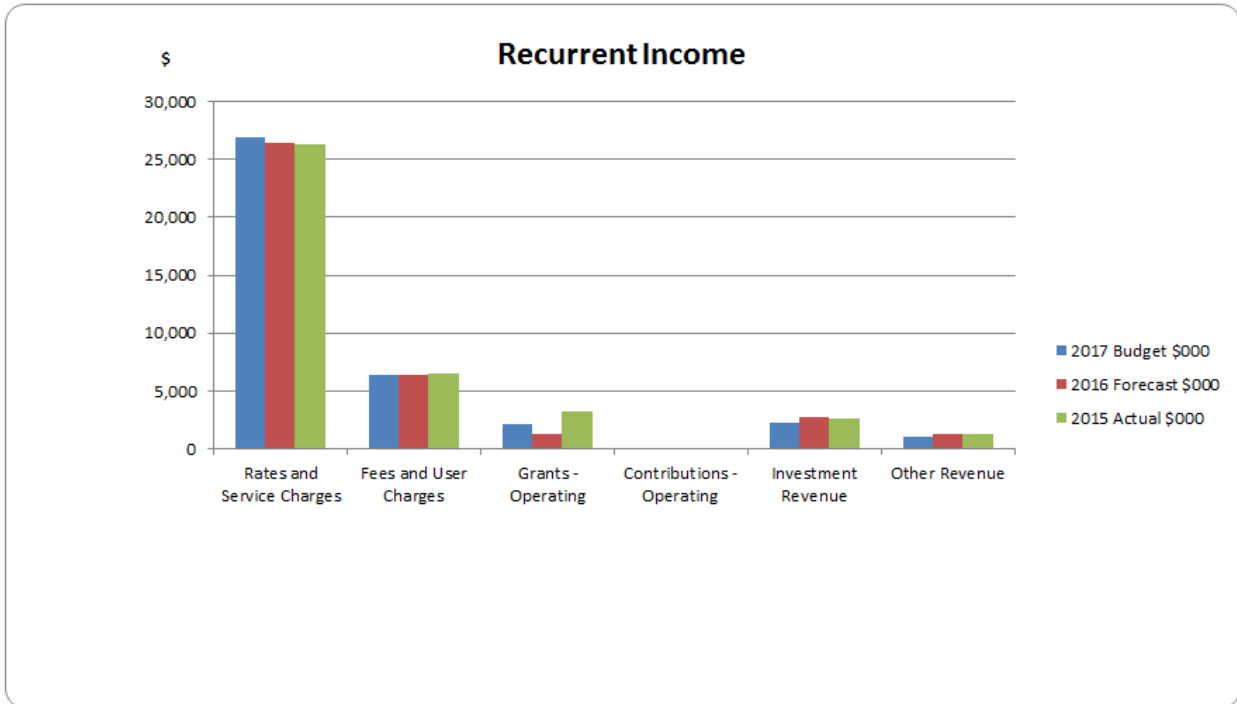
Estimated Statement of Comprehensive Income

Estimated Statement of Comprehensive Income For the year ended 30 June 2017	2015 Actual \$'000	2016 Budget \$'000	2016 Forecast \$'000	2017 Budget \$'000	2018 Plan \$'000	2019 Plan \$'000
Recurrent Income						
Rates and Service charges	26,351	26,384	26,440	26,970	27,225	27,381
Fees and User charges	6,548	6,195	6,414	6,337	6,882	7,446
Grants - Operating	3,281	2,336	1,315	2,127	2,127	2,127
Contributions - Operating	57	3	38	82	82	82
Investment Revenue	2,634	2,256	2,729	2,287	2,217	2,249
Other Revenue	1,306	1,104	1,226	1,059	1,059	1,055
Total recurrent income	40,177	38,277	38,162	38,862	39,592	40,340
Expenses						
Employee Benefits	11,585	12,014	11,385	12,125	12,146	12,157
Materials and Services	13,773	14,920	14,540	15,688	15,842	15,874
Depreciation	8,703	8,813	8,713	8,311	8,926	9,614
Financial Costs	1,211	1,167	2,767	1,077	1,929	1,959
Other Expenses	1,202	1,022	922	1,068	1,023	1,128
Total expenses	36,474	37,936	38,327	38,269	39,866	40,732
Surplus/(Deficit) before capital items	3,703	341	(165)	593	(274)	(392)
Capital & Other Items						
Capital Grant and Contributions	5,596	1,319	3,764	19,128	8,124	624
Loss on disposal of assets/ Donated assets	(1,904)	(380)	(3,661)	(699)	(10,300)	(500)
Share of Profits from Associates	411	105	105	105	105	105
Total Capital Income	4,103	1,044	208	18,534	(2,071)	229
Surplus/(Deficit)	7,806	1,385	43	19,127	(2,345)	(163)

These figures are before elimination of internal charges

It should be noted that the forecast for the 2015/16 financial year is a conservative estimate and it is anticipated that there may be a further improvement on the \$165K estimated operating deficit. It is expected that Council will approve the refinancing of its loan debt with Tascorp prior to 30 June 2016. The market value adjustment required of \$1.6M will likely be expensed in the current year otherwise the expected surplus would have been around \$1.4M.

A graphical representation of the estimated consolidated revenues and expenditures for the 2016/17 financial year, when compared against the forecasted result for 2015/16 and the actual result in 2014/15, is as follows:



Capital Works

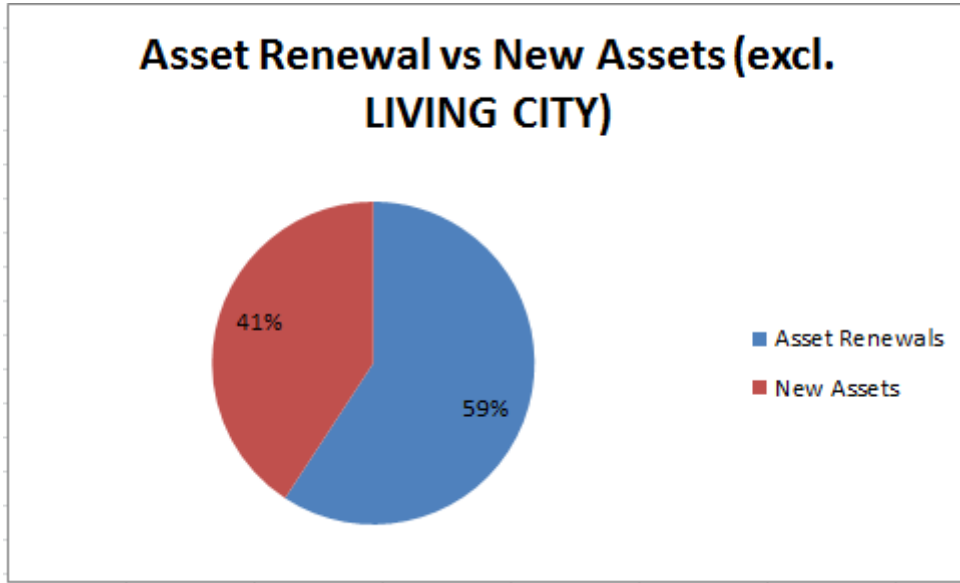
The total capital works budget for 2016/17 is \$41.339M which includes carried forward projects of \$1.481M. The carried forward total is likely to change depending on the progress of projects currently underway by 30 June 2016. A final carried forward amount will be reported to Council following the completion of the year-end audit process.

Council will continue its focus on the LIVING CITY plans in the forthcoming year. The capital budget reflects an allocation of \$30M of new works together with carried forward funds of \$1M. The new funds are for Stage 1 construction and the carried forward amount will mostly be allocated towards finalising the new car park in King Street. Stage 1 construction has commenced onsite with an early works package.

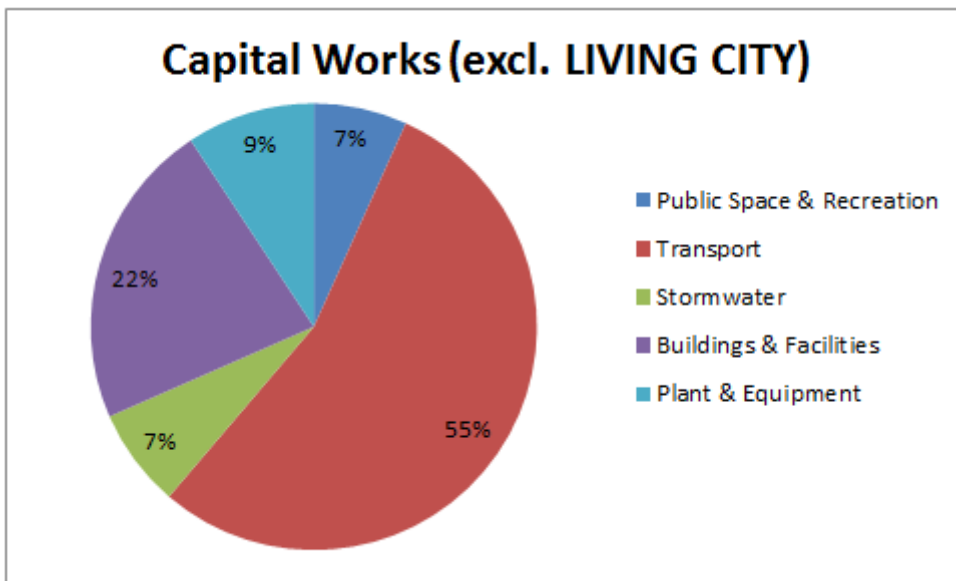
Council is aware that it also has a responsibility to adequately provide funding towards the replacement/renewal of its assets. This year's budget will see \$5.83M invested in

Report to Council meeting on 27 June 2016

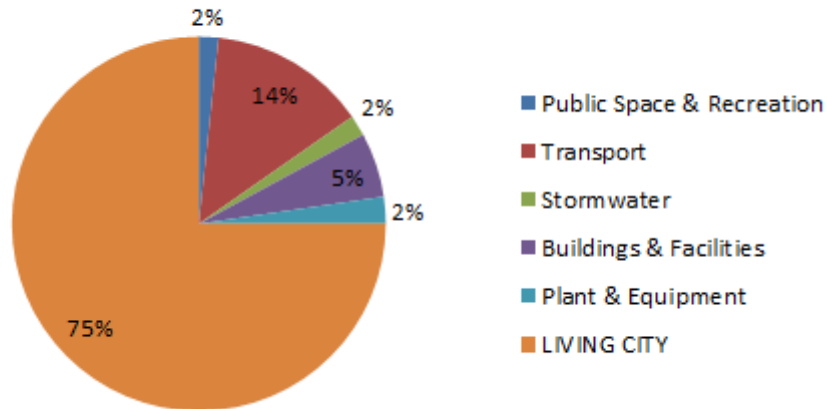
replacement/renewal projects. This amount is approximately 70% of the total value of Council's depreciation expense.



SUMMARY - FUNCTIONAL AREA	Carried Forward '000	New Capital Funding '000	Total Capital Works '000
Public Space & Recreation	286	414	700
Transport	115	5,517	5,632
Stormwater	-	742	742
Buildings & Facilities	80	2,224	2,304
Plant & Equipment & Information Tech.	-	961	961
LIVING CITY	1,000	30,000	31,000
TOTAL PROPOSED NEW CAPITAL WORKS	\$1,481	\$39,858	\$41,339



All Capital Works



Capital works are funded from a number of sources which are identified in the table below.

CAPITAL FUNDING - STATEMENT	\$'000
Carried Forward	1,481
Operational Funds Generated 2016/17	8,311
Retained Earnings	14,619
External Funding	16,928
TOTAL	\$41,339

A 5-year Capital Works Program has also been included within the Annual Plan as an appendix. The 5-year plan provides an indication of the scheduling of capital projects over the current and subsequent budget years, however it is noted that changes may be made depending on priorities identified each year during budget deliberations.

Rates and Charges

In developing its budget Council takes into account the Consumer Price Index and the Local Government Association of Tasmania's (LGAT) Council Cost Index. The CPI increase for the 12 month period ended 31 March 2016 was 1.3% and the LGAT Council Cost Index (CCI) increased by 1.87%. The CCI provides an indication of how council expenditure might change over a period of time where spending "behaviour" remains constant.

Despite these external monitored increases, Council has determined that the overall General Rate will be maintained at the same rate as it was for the 2015/16 financial year.

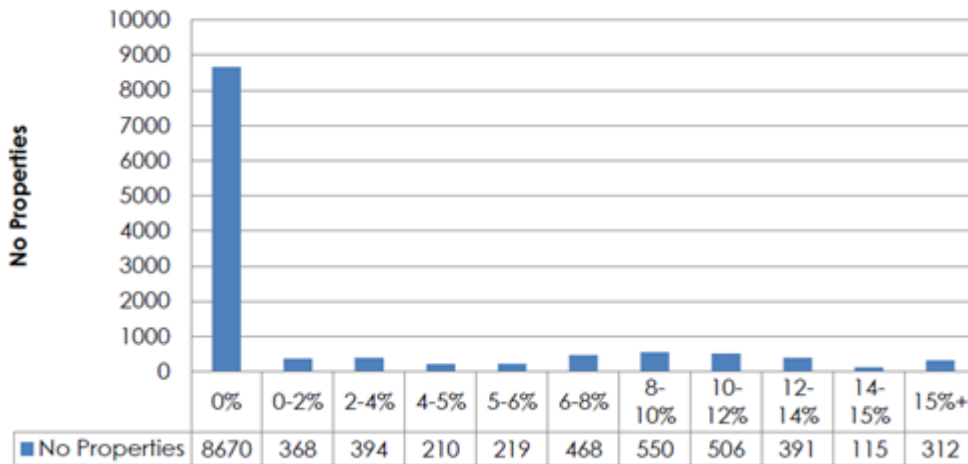
Under the *Valuation of Land Act 2001* a revaluation of the municipal area is required at least once every six (6) years. For Devonport this was completed in 2015 with new values taking effect for rating purposes from 1 July 2015.

To limit the impact on residential ratepayers in 2015/16 Council determined to introduce a 15 per cent change cap. This effectively limited the total increase any residential ratepayer could receive.

The General Rate change cap included in the budget has been limited to 10 per cent. Following the 15 per cent change cap last year there were still 3,533 properties which would otherwise continue to pay under the required rate (based on valuation). In the

subsequent budget (2017/18) there will be 1,324 properties still impacted by the change cap.

Change Cap Impact



Previously multiple residential properties have been paying the waste charge based on their \$AAV. This budget reflects that this be changed to provide that charges are based on the number of tenements (number of bins). This will ensure that multiple residential properties are treated consistently as single residential properties. To reduce the impact of this change multiple residential properties will receive a differential general rate in accordance with their land valuation classification.

The following table describes the impact of the rate redistribution as a result of:

- maintaining the General Rate at a consistent level with that imposed last year, including the \$300 fixed charge. The Fixed Charge provides a mechanism for Council to recover what it believes to be a reasonable contribution from all ratepayers, irrespective of their land use or value of property towards the cost of providing basic local government services to the community. The Fixed Charge is based on every rateable assessment/tenement as per the valuation records provided by the Valuer-General's Office.
- a 10 per cent change cap on General Rate on single residential properties, therefore limiting any increase as a result of the revaluation process in 2015.
- primary production properties will receive a differential rate equivalent to 58.24 per cent of the General Rate.
- All vacant land will continue to receive a \$150 remission in 2016/17 as an offset of the impact of the introduction of the fixed charge.

This year Council will increase its residential household collection charge from the present \$224 to \$237. This increase equates to \$13 per year or 25 cents per week. No increase has been imposed for waste management for the past three budgets however Council's costs have continued to increase. There has been an increase in costs associated with waste delivered to landfill which correlates to an increase in the quantity of rubbish being collected by Council as part of its domestic household collection.

The Fire Service Levy is determined by the State Fire Commission and Council is required under the *Fire Services Act 1979* to collect the levy. There has been an increase in the fire service levies applied across the City. Council is required to collect \$2,536,896 on behalf of the State Fire Commission, an increase of \$112,884 (4.65%) over the previous year.

Report to Council meeting on 27 June 2016

A summary of the rates for 2016/17 in comparison to those charged in the 2015/16 is outlined in the table below:

Rate	Proposed 2016/17	Actual 2015/16	% Change
General Rate – all land	12.2025c	12.2025c	0.00%
General Rate – Fixed Charge	\$300	\$300	0.00%
General Rate varied for land which is used or predominately used for primary production	7.1073c	7.1073c	0.00%
General Rate varied for land separately assessed and is used as a residential dwelling and where the number of dwellings on the land does not exceed one (1)	7.4396c	7.4396c	0.00%
General Rate varied for land separately assessed and is used for residential purposes and where the number of residential dwellings exceed one (1)	9.5771c	12.2025	(21.5%)
Waste Management Service Rate	1.7381c	1.7381c	0.00%
Minimum Charge	\$20	\$20	0.00%
Waste Management Service Charge where the predominant use of the land is for residential purposes.	\$237	\$224	5.8%
Fire Service Levy			
- Devonport Urban Fire District	1.3799c	1.3364c	3.25%
- Forth/Leith Fire District	0.4892c	0.4572c	7.00%
- General Land Fire District	0.3661c	0.3526c	3.82%
- Minimum Levy	\$38	\$38	0.00%

Fees and Charges

All of Council's fees and charges have been reviewed as part of the budget process. There is a mixture of some fee increases while others remain the same as the previous year. Where a fee, charge or fine is linked to State Government legislation (ie parking fines, rate certificates, environmental penalties) Council is required to ensure that it imposes the required fee or charge.

COMMUNITY ENGAGEMENT

Council during March/April invited the community to participate in the budget process through an online engagement tool. A report on the feedback received during the consultation process was provided to Council at its meeting on 27 April 2016.

A public budget drop-in session was conducted by Council on Wednesday 8 June 2016.

An information pamphlet will be included with the rates notice to outline proposed works and budget details for ratepayers.

A detailed media release will be issued following Council's adoption of the budget alerting the community to the setting of the rates and detailing projects and programs which underpin the budget.

FINANCIAL IMPLICATIONS

The development and adoption of the Budget Estimates and Annual Plan is an essential function of Council. To retain the current operating result, any subsequent reduction in income or increase in expenditure must be balanced by a corresponding adjustment in other items.

RISK IMPLICATIONS

Should the Budget Estimates not be approved within the anticipated timeframe, it may not be possible to issue the rates notices in sufficient time to comply with the normal

deadline for the first instalment. This would likely adversely impact both upon anticipated interest receivable and the cash flow.

There are multiple parts to the recommendation provided to Council for adoption.

Should there not be support for particular aspects of the budget, which will impact on the Council's capacity to deliver programs or capital works, decisions will need to be made on 'what to cut' to ensure that there are sufficient funds to undertake the desired works.

CONCLUSION

Council must continue to develop strategies to ensure that its future operational budgets and capital programs are sufficient to meet the demand for the delivery of services to the community.

Council must adapt to an ever-changing environment to effectively and efficiently meet the current and future demands of its community. The Annual Plan provides a benchmark on which the Council's performance can be measured.

ATTACHMENTS

Nil

RECOMMENDATION

A. ANNUAL PLAN

That in accordance with Section 71 of the *Local Government Act 1993* (as amended) Council adopts the Annual Plan for the 2016/2017 financial year and instructs the General Manager to:

- (a) make a copy of it available for public inspection at the Council's Offices and on the website; and
- (b) provide a copy of it to the Director of Local Government and to the Director of Public Health.

B. ANNUAL ESTIMATES (REVENUE AND EXPENDITURE)

That:

- (a) in accordance with Section 82 of the *Local Government Act 1993* the Council by absolute majority adopts the estimates of revenue and expenditure (excluding estimated capital works) for the 2016/2017 financial year as detailed in the Annual Plan;
- (b) in accordance with section 82(6) of the *Act* the Council, by absolute majority, authorises the General Manager to make minor adjustments up to \$50,000 to any individual estimate item as he deems necessary during the 2016/2017 financial year provided that the total of the Estimates remains unaltered.

C. RATES AND CHARGES 2016/17

That Council makes the following General Rate, Service Rates and Service Charges under the provisions of the *Local Government Act 1993*, and the *Fire Services Act 1979* for the financial year 1 July 2016 to 30 June 2017 in respect to land in the municipal area which is separately valued under the *Valuation of Land Act 2001*.

Definitions and Interpretations

Unless the context otherwise requires, in the following resolutions, words and expressions defined in the *Local Government Act 1993* have the same meaning as they have in that Act.

Unless the context otherwise requires, in the following resolutions, the following words and expressions have the meaning set out below:

“**Act**” means the *Local Government Act 1993*;

“**AAV**” means the assessed annual value as determined by the Valuer-General under the *Valuation of Land Act 2001*;

“**land**” means a parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*;

“**land used for primary production**” means all land used or predominantly used for primary production and includes all land coded “L” in the valuation list;

“**land used for residential purposes**” means all land used or predominately used for residential purposes and includes all land coded “R” in the valuation list;

“**municipal area**” means the municipal area of Devonport;

“**non-used land**” means all land coded “V” in the valuation list;

“**supplementary valuation**” means a supplementary valuation made under the *Valuation of Lands Act 2001*.

“**tenement**” means land where the Valuer-General has separately determined the assessed annual value of those portions of the land which are capable of separate occupation; and

“**valuation list**” means, in respect of the financial year, the valuation list, supplementary valuation list or particulars provided to the Council by the Valuer-General under Section 45 of the *Valuation of Land Act 2001*.

1. RATES RESOLUTION- PART 1 (A)

Pursuant Sections 90 and 91 of the *Local Government Act 1993* the Council makes a General Rate (“the General Rate”) in respect of all rateable land (except land which is exempt pursuant to Section 87 of the *Local Government Act 1993*) consisting of two components being:

- (a) 12.2025 cents in the dollar of assessed annual value (the AAV component);
- (b) A fixed charge of \$300 per property or tenement as separately identified by the Valuer-General.

2. RATES RESOLUTION – PART 1(B)

Pursuant to Section 107 of the *Local Government Act 1993*, the Council by absolute majority hereby varies the AAV component of the General Rate (as previously made) for land within the municipal area which is used or predominantly used for primary production to 7.1073 cents in the dollar of assessed annual value of such rateable land.

3. RATES RESOLUTION – PART 1(C)

Pursuant to Section 107 of the *Local Government Act 1993*, the Council by absolute majority hereby varies the AAV component of the General Rate (as previously made) for land within the municipal area which is separately assessed and is predominantly used as a residential dwelling, and where the number of residential dwellings does not exceed one (1) on such land, to 7.4396 cents in the dollar of assessed annual value of such rateable land.

4. RATES RESOLUTION – PART 1(D)

Pursuant to Section 107 of the *Local Government Act 1993*, the Council by absolute majority hereby varies the AAV component of the General Rate (as previously made) for land within the municipal area which is separately assessed and is land used for residential purposes and where the number of residential dwellings exceed one (1) on such land, to 9.5771 cents in the dollar of assessed annual value of such rateable land.

5. RATES RESOLUTION – PART 1(E)

Pursuant to Section 88A of the *Local Government Act 1993*, Council by absolute majority sets a maximum percentage increase in the General Rate for land within the municipal area which is separately assessed and is land used for residential purposes, and where the number of residential dwellings does not exceed one (1) and fixes conditions which apply in order for a ratepayer to qualify for the maximum percentage increase as follows:

- (a) the maximum percentage increase is 10 per cent above the amount which was payable in respect of that land in the 2015/2016 financial year; and
- (b) to qualify for the maximum increase in sub-paragraph (a), the rateable land must not have increased in value by reason of the undertaking of improvements during the period from 1 July 2015 to 30 June 2016.

6. RATES RESOLUTION – PART 1(F)

Pursuant to Section 129(4) of the *Local Government Act 1993*, the Council determines by absolute majority to grant a remission of \$150 to each member of the class of ratepayers who are liable to pay rates in respect of non-used land within the municipal area.

7. RATES RESOLUTION – PART 2

Pursuant to Sections 93, 94 and 95 of the *Local Government Act 1993*, the Council makes the following service rates and service charges for land within the municipal area (including land which is otherwise exempt from rates pursuant to Section 87, but excluding land owned by the Crown to which Council does not supply any of the following services) for the period 1 July 2016 to 30 June 2017:

- (a) A service rate for waste management upon all land to which Council supplies or makes available a kerbside collection service of 1.7381 cents in the dollar of the assessed annual value of the land. Pursuant to Section 93(3) Council sets a minimum amount payable in respect of this rate of \$20.
- (b) pursuant to Section 107 of the Act the Council, by absolute majority declares that the service rate for waste management is varied by reference to the use or predominant use of land as follows:
 - i) for all land which is separately assessed and which is predominantly used for residential purposes, *excluding land classified as R6 in the list of valuations prepared by the Valuer-General*, vary the service rate to 0.00 cents in the dollar of the assessed annual value of the land and vary the minimum amount payable to \$0.00.
- (c) in addition to the service rate for waste management, the Council makes a separate service charge for waste management for each tenement on land used for residential purposes, *excluding land classified as R6 in the list*

of valuations prepared by the Valuer-General, and to which Council supplies or makes available a garbage removal service of \$237, whether the service is used or not.

- (d) pursuant to Sections 94(3) and 107 of the Act, the Council declares by absolute majority that the service charge for waste management (garbage removal) is varied to \$0.00 for all land which is liable to pay the service rate for waste management (as previously made at Part (a) of this resolution).

8. RATES RESOLUTION – PART 3

Pursuant to Section 93A of the *Local Government Act 1993* and the provisions of the *Fire Service Act 1979* (as amended), the Council makes the following rates for land within the municipal area for the period 1 July 2016 to 30 June 2017:

- (a) a Devonport Urban Fire District Rate of 1.3799 cents in the dollar of assessed annual value, subject to a minimum amount of \$38 in respect of all rateable land within the Devonport Urban Fire District.
- (b) a Forth/Leith Fire District Rate of 0.4892 cents in the dollar of assessed annual value, subject to a minimum amount of \$38 in respect of all rateable land within Forth/Leith Fire District.
- (c) a General Land Fire Rate of 0.3661 cents in the dollar of assessed annual value, subject to a minimum amount of \$38 in respect of all rateable land within the municipal area, which is not within the Devonport Urban Fire District, or the Forth/Leith Fire District.

9. SEPARATE LAND

In relation to all rates and charges for the 2016/2017 year, as previously made, for the purpose of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*.

10. PAYMENT OF RATES AND CHARGES

Pursuant to Section 124 of the *Local Government Act 1993* the rates for 2016/2017 shall be payable in four instalments, the dates by which the rates are due to be paid are:

First Instalment	31 August 2016
Second Instalment	31 October 2016
Third Instalment	28 February 2017
Fourth Instalment	30 April 2017

Where a ratepayer fails to pay any instalment within 21 days from the date on which it is due, the ratepayer must pay the full amount owing.

Penalties

Pursuant to Section 128 of the *Local Government Act 1993* if any rate or instalment is not paid on or before the date it falls due, a penalty of 5% of the unpaid instalment or part thereof, shall be applied except:

- (a) where the ratepayer has adhered to an approved payment arrangement plan and the total rates are paid in full by 30 April 2017; and

- (b) where the ratepayer has authorised an approved bank direct debit payment arrangement and the total rates are paid in full by 30 June 2017.

Supplementary Rates

- (a) Pursuant with Sections 89A, 92 and 109N of the *Local Government Act 1993* if a supplementary valuation is made of any land prior to 30 June 2017, the General Manager may at his discretion adjust the amount payable in respect of any or all rates for that land for that financial year in line with the new valuation; and
- (b) If a rates notice is issued by the General Manager under sub-clause (a), the amount shown as payable on that notice is due to be paid within 30 days of the date on which that notice is issued.

D. CAPITAL WORKS PROGRAM

That Council:

- (a) pursuant to Section 82 of the *Local Government Act 1993* adopts the Capital Works Program for the 2016/2017 financial year as detailed in the Annual Plan
- (b) notes the draft Capital Works programs proposed for financial years 2017/18, 2018/19, 2019/20 and 2020/21 as detailed in the Annual Plan, which remain subject to change depending on other priorities being identified and financial resources which may be available at the time.

E. FEES AND CHARGES

That in accordance with Section 205 of the *Local Government Act 1993* Council adopts the Fees and Charges Schedule for the 2016/2017 financial year as detailed in the Annual Plan.

Prepared By:	Paul West
Position:	General Manager

5.4 LIVING CITY FINANCE APPROVAL

File: 32161 D419920

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 2.4.1 Develop and implement a CBD Master Plan aligned to the key LIVING CITY principles based on community engagement outcomes

SUMMARY

This report seeks Council approval to accept an offer from the ANZ to finance loan borrowings for Stage 1 of LIVING CITY and to refinance Council's existing debt.

BACKGROUND

Since the adoption of the LIVING CITY Master Plan in September 2014, Council has been focused on starting Stage 1, which is the catalyst for the strategy, releasing land for later stages and seeking to attract millions of dollars in new private investment.

Stage 1 consists of four major elements:

1. Four level multi-purpose civic building including a new LINC over two floors, Service Tasmania, Council offices and a multi-functioned conference facility;
2. Food Pavilion specialising in local products;
3. Multi-level carpark with approximately 530 spaces; and
4. Market Square and precinct landscaping.

A report to Council in February 2016 examined the financial implications of LIVING CITY at three distinct levels; firstly, as a stand-alone project to assess the financial viability of the Stage 1 development in its own right; secondly the impact of Stage 1 on Council's long term financial position; and finally the overall economic impact on the local economy.

Assumptions within Council's long term financial plan indicate that Council has the financial capacity to implement Stage 1. Even under a worst case, assuming future stages do not occur, modelling indicates that the Strategy can be implemented without negatively impacting on rate revenue.

The estimated total cost of Stage 1 is a maximum of \$70.5M, made up of both equity and debt (45:55). The equity consists of \$10M from the Federal Government, \$10.5M from the State Government and \$11M from Council. The balance of capital funding (up to \$39M) is proposed to be sourced from loan borrowings.

The project model is based on Stage 1 generating sufficient new revenue to fund interest on the borrowings.

It should be noted that the value management process currently underway is progressing well and it is most likely the project budget and the quantum of debt will reduce in coming weeks.

At a meeting on 15 March 2016, Council considered a report on the financial implications of LIVING CITY Stage 1 and determined (Ref. Min. 38/16):

"That Council receive the report regarding the LIVING CITY Stage 1 funding model and:

1. note the feedback provided during the community consultation period; and

2. adopt the Funding Model for LIVING CITY Stage 1 as presented including the authority for loan borrowings of up to \$39M."

This report presents an offer from the ANZ bank to provide the loan borrowings to Council.

STATUTORY REQUIREMENTS

The predominant legislation to which Council must comply in undertaking LIVING CITY is the *Local Government Act 1993*.

Section 78(2) of the *Local Government Act 1993* states that "A council may not raise a loan in any financial year exceeding any amount the Treasurer determines for that financial year."

Following a request from Council, the Department of Treasury and Finance provided its formal advice to Council on 24 December 2015 that the Treasurer had approved for Council to borrow up to an additional \$40M for the purposes of funding Stage 1 of LIVING CITY.

DISCUSSION

The major banks and the State Government's lending institution, Tascorp were approached regarding the financing of LIVING CITY Stage 1. The ANZ has offered the best option in relation to providing finance for Stage 1 of LIVING CITY. The facility is being offered over a term of 30 years. A confidential attachment is provided which outlines the details of the ANZ proposal. To ensure the most cost effective rates from ANZ, Council will need to provide security over a number of properties subject to development during Stage 1 in addition to a charge over rates.

Projects and Infrastructure (P+i) as Council's Development Managers have worked with the ANZ to develop a lending strategy which provides Council with a number of pricing options.

These include fully variable at one extreme through to 10 year fully fixed with no capacity for early payments. The most prudent option involves a balance of certainty and flexibility with fixed components over a range of terms. It is recommended that rather than a "set and forget" approach, Council actively manage its debt financing with regular reviews ensuring a mix of variable and fixed rates to match its current business needs.

The establishment of a loan facility with ANZ will also require the refinancing of Council's existing loan portfolio with Tascorp.

Council currently have eight loans with Tascorp paying a range of interest rates from 3.93% to 7.10%. The total value of these loans is approximately \$21M, with a range of maturity dates through until June 2028. The new facility is offered over a term of 20 years. Security over these loans is currently provided to Tascorp through a charge over rates.

Once the Tascorp loans are discharged, ANZ will require a charge over rates as additional security. Given the current low interest rate environment the refinancing provides Council with a significant annual interest saving (approx. \$380,000 in 2016/17). Whilst an arrangement has been made with Tascorp to waive any break fee, Council will be required to make a market value adjustment payment of approximately \$1.68M.

COMMUNITY ENGAGEMENT

Council held a two week consultation period on the financial implications of Stage 1 in February/March 2016. This included a public forum, on-line and social media engagement and various traditional media formats.

FINANCIAL IMPLICATIONS

The proposed Stage 1 project funding model includes loan borrowings of up to \$39M at an average interest rate of 3.67%.

Council's existing loan portfolio is valued at approximately \$21M with interest rates ranging from 3.93% to 7.10%.

ANZ's letter of offer (confidential attachment) provides Council with a facility to an upper limit of \$61,400,000 (which exceeds the amount required). Determining the mix of fixed and variable components will impact the interest cost, however based on fixing two thirds for ten years with the remainder variable, the weighted average annual interest cost will be in the range of 3.0% to 3.2%, below the parameters of Council's adopted funding model.

A market value adjustment payment will be required to be paid to Tascorp. The actual amount will be calculated based on rates on the day of payment but will be approximately \$1.68M. Given Council's current interest commitments will be reduced as soon as the Tascorp loan is refinanced it is recommended that the market adjustment payment is made as soon as possible. Finalising prior to 30 June 2016 will allow the fee to be expensed during this current financial year and will reduce the risk of further interest rate decreases negatively impacting on the final adjustment value. Including the expense in the current financial year will impact on the actual result.

The interest savings as a result of refinancing the existing debt is expected to be approximately \$400,000 in 2016/17 and it is anticipated that the full market value adjustment payment will be recouped in around 5 years.

RISK IMPLICATIONS

The LIVING CITY strategy is not without risk. The scale of what Council is embarking upon is unprecedented for a Tasmanian Local Government Authority.

The Stage 1 financial model is based on a range of assumptions and projections which may not be realised to the extent projected. In particular, variances to anticipated project income and interest rate assumptions will dictate the impact LIVING CITY has on Council's long term financial position.

The Master Plan requires significant investment upfront by Council, to facilitate Stage 1 as the catalyst for private investment in Stages 2 and 3. Council at this point in time have no contractual commitments for any development or private investment in Stages 2 or 3.

CONCLUSION

An attractive offer has been received from ANZ to provide project funding for Stage 1 of LIVING CITY and also to refinance Council's existing debt.

The actual interest rate will vary depending on the mix of fixed and variable amounts, but estimated to be an average between 3.0 and 3.2%, resulting in a saving of approximately \$380,000 in the first year on Council's existing loans.

Refinancing the Tascorp loan requires payment of a market adjustment fee of approximately \$1.68M.

ATTACHMENTS

- | | | |
|----|-----------------------------------------------------------------|--------------|
| 1. | 160506 LIVING CITY Stage 1 - Interest Rate Risk Management | Confidential |
| 2. | 160506 LIVING CITY Stage 1 - Finance Strategy Update | Confidential |
| 3. | Devonport Presentation - Managing Your Interest Rate Risk - ANZ | Confidential |

4. Draft Letter of Offer - Devonport City Council

Confidential

RECOMMENDATION

That Council receive and note the report regarding its debt financing and authorise the General Manager to:

1. accept the offer from the Australia and New Zealand Banking Group Limited (ANZ) to refinance Council's existing TASCORP debt of approximately \$21 million;
2. solely execute the necessary Refinance Loan and security documentation with ANZ;
3. authorise the payment to TASCORP of a market adjustment fee of approximately \$1.68 million on payout;
4. accept the offer from ANZ to provide finance for LIVING CITY Stage 1 up to a maximum of \$39 million;
5. solely execute the necessary Project Loan and security documentation with ANZ; and
6. determine and modify, as required, the mix of variable and fixed components of the total borrowings, based on anticipated business needs, noting that at least three quarters of the Refinance Loan will be at fixed interest rates for periods of up to 10 years.

Author:	Matthew Atkins	Endorsed By:	Paul West
Position:	Deputy General Manager	Position:	General Manager

5.5 LIVING CITY QUARTERLY UPDATE - JUNE 2016

File: 32161 D423973

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 2.4.1 Develop and implement a CBD Master Plan aligned to the key LIVING CITY principles based on community engagement outcomes

SUMMARY

Construction of Stage 1 of LIVING CITY has begun. This quarterly report provides an update to Aldermen and the community on the current status of LIVING CITY.

BACKGROUND

LIVING CITY is an urban renewal project that will transform Devonport and revitalise Tasmania's North West region. Council adopted the LIVING CITY Master Plan in September 2014.

The Plan is underpinned by key principles which involve creating the following distinct precincts within the CBD:

1. Retail Precinct linking the existing shopping centres and preventing further fragmentation;
2. Business and Professional Services Precinct giving purpose to the Southern CBD; and
3. Cultural Waterfront Precinct opening the City up to the river and creating a new City heart.

An independent regional benefits study undertaken on the LIVING CITY Master Plan concluded that the strategy will result in:

- 2,943 direct and indirect construction job years;
- 830 direct full time jobs once operational and significantly more indirect jobs;
- \$650M in construction phase economic multiplier effects;
- \$112M annually in additional output to the North West region.

With the planning phases complete, the focus has now moved to implementation of the plan. Implementation will be multi-faceted, with sub-projects progressively rolling out over the next decade and beyond.

Council has entered into a four year agreement with Projects and Infrastructure (P+i) to act as Development Managers and assist with the implementation.

Quarterly reports are provided to Council to keep Aldermen and the community updated on progress.

STATUTORY REQUIREMENTS

The predominant legislation to which Council must comply in undertaking LIVING CITY is the *Local Government Act 1993*.

DISCUSSION

Key activities in recent months have concentrated on ensuring the progression of Stage 1, including negotiating a finance offer for Stage 1, a Value Management Process with the preferred building contractor and planning for additional car parking in the southern CBD.

Finance secured Stage 1 – Council has received a letter of offer from the ANZ bank to finance the loan component of Stage 1 LIVING CITY. A separate report on this finance offer is contained within this agenda for Council's approval.

Value Management Process Stage 1 Construction – Council and its Preferred Contractor, Fairbrother have been working through a value management process, to ensure that the construction contract represents the best value for money within the budget parameters. The Value Management Process is progressing well and is expected to be finalised within a month. A confidential attachment from Fairbrother confirming the current results of the Value Management Process is provided. Once the Value Management Process is complete, a report will be presented to Council for the approval of the final construction contract.

Early Works Package Stage 1 – An early works package has been granted to Fairbrother, to enable the contractor to start works on site. The early works package consists of:

- Site establishment, mobilization and fencing;
- Preparation and implementation of traffic management plan;
- Completion of dilapidation survey and report;
- Demolition of Council Chambers, former Repco and community house; and
- Termination of electrical and hydraulic services.

The early works package has a value of \$383,335 (ex gst). Work began onsite on 13 June 2016.

Stage 3 EOI – Architect - The tender for Master Planning/Concept Design for the LIVING CITY Waterfront Precinct has been carried out as a two stage process in accordance with Council's Code of Tenders and Contracts. Expressions of interest were publically advertised with a closing date of 18 March 2016. Fourteen submissions were received as part of this first stage, following which, on the basis of their credentials, a shortlist of five organisations were invited to prepare detailed submissions.

An assessment of the second round of submissions has occurred and a report will be provided to Council in July.

Southern CBD – TasWater have announced they are creating a North West headquarters in King Street, within the LIVING CITY Business and Professional Precinct. The new office will offer long term secure employment opportunities on the North West Coast with up to 130 employees set to be working from the site.

The 2,000 square metre office building in Steele Street is undergoing a total revamp. The site will also be home to TasWater's statewide Customer Service and Network Operations Centre. The King Street office is expected to open in late 2016.

To boost car parking capacity within the Southern CBD, given the current high occupancy rate of Council's Wenvoe Street car park and the extra demand being created by TasWater, Council will develop a new 96 space on-grade public car park between King and Steele Streets. The additional parking capacity is also expected to be an incentive that will attract further businesses into the southern precinct.

To facilitate the car park development Council has purchased the properties at 26, 28 & 30-32 Steele Street, as well as part of 15-19 King Street at a cost of \$1 million from Devonport Central Pty Ltd. A tender for the construction of the car park is expected to be released imminently.

Ben Milbourne Ambassador Update – Projects and Infrastructure have provided the following summary of Ben's work as ambassador over the past quarter:

“Assessment and discussions with potential tenants - As and when we request it, Ben provides support and advice to potential interested operators. This is particularly helpful to provide comfort to parties who have questions as to the model.

Growers Meeting - A growers meeting was held at the Milbourne house and this has been followed by further meetings with potential parties. This is a slow process but continues to build momentum. We have together identified further targets who are being met over the week to come.

Mainland Contacts - Ben continues to raise the profile of the pavilion and has discussed the prospect with a major seafood supplier in Sydney. That group has expressed interest and we will meet them shortly.

Other operators - Ben has introduced us to a major restaurateur in Hobart and discussions continue at this stage. He is also organizing a meeting for us with a major seafood supplier.

Food Education - Ben has met with our team and commenced further development on the food education model to be considered in the pavilion. We plan to develop this further for presentation to Government.

Ben is also undertaking additional TAFE accreditations so that he is able to develop the curriculum for such a venture with Sally (also from the Education sector). This is a significant task that will ensure basic courses are relevant for students to gain entry into the workforce. Ben plans to carry out some of these teaching courses to set the standards and direction.

Public Support - Ben attended the public forum held in recent months and continues to be a vocal supporter of the development.

Commitment to open his restaurant - Although not technically part of the ambassadorship, Ben has confirmed publicly his intention to pursue opening a restaurant, television studio, bar and tourism office in the pavilion. This was broadcast on radio. This has been very well received by those aware of it in the market.

This proposal has continued to strengthen with Ben creating his own production company and being very close to commencing filming of another new show. The TV studio is looking likely to be operating for many months of the year, including the quieter winter months. This will become a significant additional drawcard during the slower winter months.

Seeking out the right model/team to operate the Pavilion - Ben has assisted us in identifying potential models to drive the success of the pavilion. We continue that process at present to engage with experienced operators who will help to deliver an all year round experience.”

Car parking – Car parking at the northern end of the CBD will be affected during the construction period of Stage 1 of LIVING CITY. Rooke Street Car Park will be closed in two parts, the first half in the week commencing 20 June and the remaining section approx. 6-8 weeks afterwards.

Table 1 below shows that car parking supply significantly exceeds demand under the current arrangements. The table shows the average occupancy for the busiest times of the day (10am and 2pm).

Report to Council meeting on 27 June 2016

	Total Spaces	Average Occupancy	Vacant Spaces
Fenton Way	34	20%	29
Rooke Street	191	53%	73
Best Street	127	31%	84
Edward Street	59	71%	11
Payne Ave (non Res)	58	38%	33
Wenvoe Street	119	82%	23
Fourways	91	57%	27
Formby Road	171	68%	71
Victoria Parade	103	25%	70
Totals	953	49%	421

Table 1: Car Parking Demand at peak periods in Nov/Dec 2015.

Rooke Street currently has a peak demand of 118 cars that would need to be spread around the other car parks in the northern CBD. The table below shows that there were on average 229 spaces remaining in the other car parks in the northern CBD at peak times (10am and 2pm). This is more than adequate to cater for current demand. In addition, there is also currently capacity on meters throughout the CBD.

	Total Spaces	Average Occupancy Nov/Dec	Vacant Spaces
Fenton Way	34	20%	29
Best Street	127	31%	84
Edward Street	59	71%	11
Formby Road	171	68%	35
Victoria Parade	103	25%	70
Totals	953	49%	229

Table 2: Northern CBD minus Rooke Street (10am and 2pm)

It is acknowledged that car parking for 100 - 250 construction workers will place additional demand on current parking arrangements. Further discussion is required with Fairbrother to determine what percentage of this will occur outside the construction space. Depending on construction demand, alternative car parking arrangements such as park and ride may be required during busy construction periods.

Traditionally the week prior to Christmas has the highest demand for parking and is likely to be the only time when demand maybe greater than the available spaces.

Alternative strategies may be required to park construction workers in this period. It is recommended that Council work with Fairbrother to determine the best method for this.

In order to minimise car parking congestions Council is undertaking the following minor works:

- Realigning car parks within the Fenton Way Car Park to create additional spaces.
- Installing additional lighting in the Victoria Parade Car Park to enable safe parking at night for DECC patrons.
- A map has been produced to assist the public with identifying alternative car parking options once Rooke Street is fully closed.
- Constructing a new 96 space car park between King/Steele Street adjacent to the new TasWater office.

COMMUNITY ENGAGEMENT

Public consultation has been a significant and important part of LIVING CITY since its inception. Council continues to provide regular updates to the public throughout a variety of forums.

A drop in session was held between 4pm and 6pm on Wednesday 22 June for retailers and businesses within the vicinity of the Stage 1 site. The session was an opportunity for these stakeholders to meet the builder and project representatives and discuss any specific concerns they had in regard to the construction works.

A new website was launched in April, and several electronic newsletter updates have been sent out.

A brochure outlining the project and its benefits was sent to every household in Devonport in May 2015.

The project has received regular newspaper coverage.

Communication will be especially important during the construction phase, with a communication plan involving immediate neighbours, tenants, CBD business owners and the general public being implemented. This will involve both communications from both Council and Fairbrother to a wide range of recipients.

FINANCIAL IMPLICATIONS

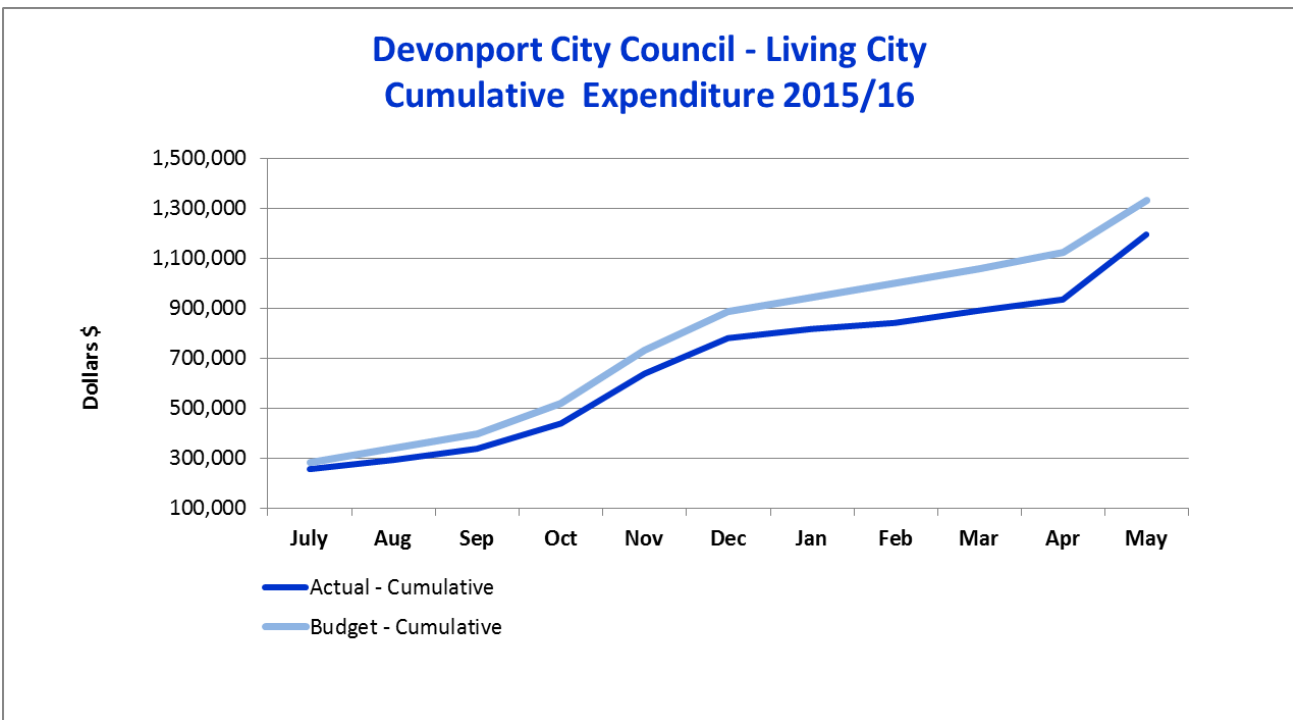
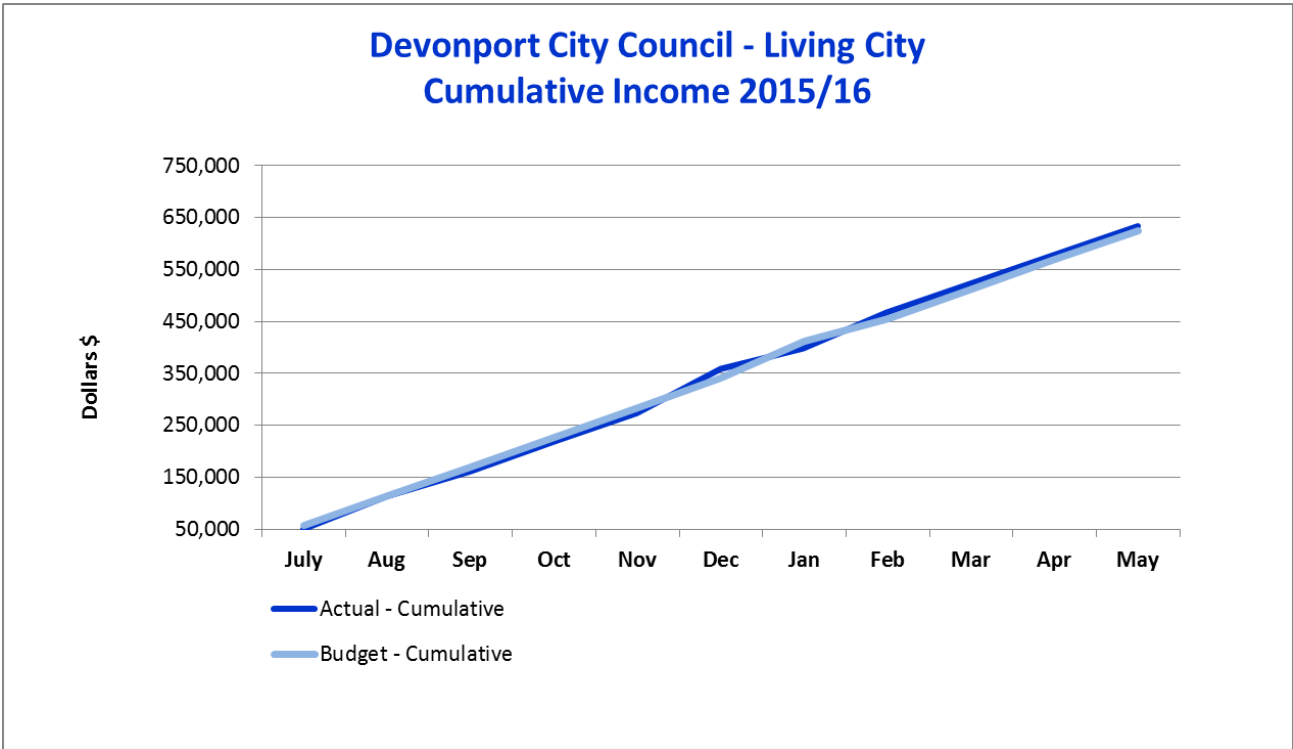
Council's 2015/16 Operational Budget has an allowance for income and expenditure associated with LIVING CITY. This includes the rent, and outgoings of commercial properties purchased by Council to facilitate the implementation of LIVING CITY. It also includes staff resources, consultants, advertising and general materials along with finance related items such as depreciation, interest charges, internal charges and land tax.

Below is the operational budget detail at cost centre level along with graphs that indicate current year to date actual income and expenditure in comparison to the budget allocation.

Devonport City Council - Living City Financial Report					
YTD to May 2016	YTD		YTD Variance		Full Budget
	Budget	Actual	\$	%	2016
INCOME					
Rates & Service Charges					
Fees & Charges	625,533	632,489	6,955	1.1%	682,400
Grants					
Contributions					
Investment Revenue					
Other Income					
TOTAL INCOME	625,533	632,489	6,955	1.1%	682,400
EXPENSES					
Employee Benefits	169,222	194,002	(24,780)	-14.6%	184,729
Materials & Services	332,420	186,106	146,313	44.0%	387,076
Depreciation	94,050	77,675	16,375	17.4%	102,600
Finance Costs	498,974	498,974	0	0.0%	498,974
Levies & Taxes	205,880	197,038	8,842	4.3%	205,880
Other Expenses	-	1,000	(1,000)	0.0%	0
Internal Charges	29,399	42,871	(13,471)	-45.8%	32,072
TOTAL EXPENSES	1,329,945	1,197,666	132,279	9.9%	1,411,331
NET OPERATING SURPLUS / (DEFICIT)	(704,412)	(565,177)	139,235	-19.8%	(728,931)

Report to Council meeting on 27 June 2016

The following graphs indicate current year to date actual income and expenditure in comparison to the budget allocation.



As of 30 May 2016, income is tracking in line with budget. Some funds allocated under materials and services for consultants are unlikely to be spent.

Capital Expenditure

So far in the 2015/2016 year, \$3,768,381 of a total capital budget of \$5,496,000 (inc's carried forward amount) has been spent. More than half of the capital money has been spent progressing the design for the new multi-purpose building, food pavilion and car park. The remainder was used to purchase 74 Rooke Street, the last major property to be

Report to Council meeting on 27 June 2016

secured within the LIVING CITY footprint. Within the 2015/26 financial year \$500,000 has been expended on the partial acquisition of property in Steele Street, with a further \$300,000 on design work and early works for Stage 1 of LIVING CITY. \$1,000,000 of the capital budget for 2015/2016 is expected to be carried forward to the following year.

Actual capital expenditure (primarily for the acquisition of strategic properties) on LIVING CITY related items over the last four financial years is summarised below:

Year	Actual Expenditure
2012/13	\$7,683,282
2013/14	\$4,579,594
2014/15	\$770,268
2015/16 (YTD)	\$3,768,381
Total	\$16,801,525

RISK IMPLICATIONS

Council has prepared a risk register specifically for LIVING CITY. With Stage 1 works about to commence the register is due to be reviewed and updated in the near future.

CONCLUSION

LIVING CITY will create a transformed city that will revive the region. With the Master Plan now formally adopted by Council, the focus has moved from planning to implementation.

Progress on Stage 1 has been significant over the past three months, with Council securing finance, initiating a value management process and awarding an early works package.

The highest priorities in coming months are finalising tenancies and grant agreements for Stage 1, signing the construction contract for Stage 1, and building a new car park in the Southern CBD.

ATTACHMENTS

- Value Management Update 16 May 2016

Confidential

RECOMMENDATION

That the report on the progress of LIVING CITY be received and noted.

Author: Position:	Rebecca McKenna Project Officer Economic Development	Endorsed By: Position:	Matthew Atkins Deputy General Manager
----------------------	------------------------------------------------------------	---------------------------	------------------------------------------

5.6 MINUTES OF THE SPORT AND RECREATION STRATEGIC SPECIAL COMMITTEE MEETING - JUNE 2016

File: 30161 D418859

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.4 Ensure effective administration and operation of Council's committees

SUMMARY

To present the Minutes of the Sport and Recreation Strategic Special Committee (SRSSC). This Committee provides the conduit between a number of local sporting organisations and Council.

BACKGROUND

Council has formed three Strategic Special Committees namely the Community Development, Arts, Culture and Tourism, and Sport and Recreation Committees. These Committees include representatives from the community together with three Aldermen.

STATUTORY REQUIREMENTS

Under Section 24 of the *Local Government Act, 1993*, a Council may establish Special Committees on such terms and for such purposes as it thinks fit.

DISCUSSION

The Sport and Recreation Strategic Special Committee met on Wednesday 15 June 2016. Key points discussed during the meeting included:

- The Committee discussed the idea of a virtual Sporting Hall of Fame
- The Committee was briefed on future sporting events held in the Devonport region
- The Committee is concerned with negative feedback received in regards to the Devonport Oval specifically relating to the length of grass during cricket season. Similar concerns were raised about Valley Road Soccer grounds. The committee would like further investigation to be undertaken in regards to this matter.

COMMUNITY ENGAGEMENT

Committees allow Council to engage with the community at a level of collaboration. This means the public are partners in decision-making including the development of alternatives and identifying the preferred solution.

FINANCIAL IMPLICATIONS

There are no financial implications which relate to this report.

RISK IMPLICATIONS

There are no risk implications which relate to this report.

CONCLUSION

The minutes of the Sport and Recreation Strategic Special Committee are provided for Council's consideration.

ATTACHMENTS

1. SSRSC 15 June 16

RECOMMENDATION

That the minutes of the Sport and Recreation Strategic Special Committee meeting held on 15 June 2016 be received and noted.

Author:	Stuart Jones	Endorsed By:	Shane Crawford
Position:	Marketing, Tourism and Recreation Manager	Position:	Executive Manager Corporate, Community & Business Services

**MINUTES OF THE SPORT AND RECREATION STRATEGIC SPECIAL COMMITTEE
HELD AT DEVONPORT CITY COUNCIL
ON WEDNESDAY, 15 JUNE 2016 COMMENCING AT 5.00PM**

DISTRIBUTION LISTCommittee Members

Deputy Mayor Rockliff
Ald Matthews
Ald Perry
Tim Blair
David De Cani
Matthew Cock
David Mullett
Robert Rodman
Ted Van Overmeeren

Council Officers

Shane Crawford
Stuart Jones
Fabio Pizzirani
Nikita Hillier

PRESENT

Deputy Mayor Rockliff, David De Cani, Matthew Cock, Shane Crawford, Stuart Jones, Fabio Pizzirani, Ald Perry, David Mullett, Ted Van Overmeeren & Nikita Hillier.

1.0 APOLOGIES

Ald Matthews, Tim Blair & Robert Rodman

2.0 DECLARATION OF INTEREST

Nothing to declare.

3.0 CONFIRMATION OF PREVIOUS MINUTES

The Committee recommends to the Community Services Committee that the previous minutes of the meeting held 6 April 2016 be received and noted.

4.0 GENERAL BUSINESS**4.1 Sporting Hall of Fame**

Stuart presented a discussion paper on the Sporting Hall of Fame. Stuart explained that a virtual concept would be preferred and if the Committee was happy further investigations into a virtual concept would be explored.

The Committee agreed that a virtual option with a physical presence would be preferred.

The Committee agreed to keep this on as a future agenda item for further discussion.

4.2 Masters Games

Fabio informed the committee that Scott Wade president of Masters Games has arranged a meeting of Local Government Sport and Recreation officers on Monday 4 July to discuss the sporting venues which will be used for the Masters Games.

All sporting clubs that grounds could be used for the games have completed an expression of interest.

Stuart informed the committee that an advisory board for the Masters Games has been announced (media release attached to the minutes)

Shane informed the committee that a formal submission has been completed by Council for the Opening ceremony. A YouTube Link of the submission has been attached to this email.

4.3 Financial Assistance

Shane informed the committee that a review of the financial assistance has been undertaken and will be presented to Council on Monday. Within the review it has been recommended that the categories for financial assistance change. Rate Remissions would stay the same, Community Small Grants would change to Minor Grants, Economic Development & Events Sponsorship would change to Major grants, Sports Travel Assistance Grants will change to Individual Development Grants & Donations will stay the same. Once Council has adopted the changes it will be communicated to sporting clubs.

4.4 Budget Update

Shane gave an update on the budget process. No formal budget has been adopted by Council yet. Feedback from the committee has been taken on board with budget deliberations. Once the budget is adopted it will be tabled again.

Fab informed the committee that the funding submission for the shade infrastructure at Byard Park was unsuccessful, but feedback has been received from Sport & Recreation Tasmania to re submit the grant as the Major Grant Program will be reassessed after 1 July.

4.5 Update on sporting events past and future

Fab gave an update on sporting events in April the Devonport Recreation Centre held two futsal tournaments. With the senior event being locked in for the next 3 years. The Devonport Cup was also held 10-12 June.

Upcoming events include Brixhibition, NWBU junior and senior grand finals, Tasmanian Squash Open tournament and Council has secured the Football Federation Tasmania National Soccer Skills Carnival in Devonport for a further 3 years.

4.6 General Business

Ted raised that Maidstone park have secured the NWFL finals with a 5-year contract. Maidstone Park has also made an offer to the Forth football club to use Maidstone Park Oval as a home ground free of charge while the flood cleanup continues of the forth oval.

David raised that Cricket North West will be writing to inform Council that future finals will be allocated through a tendering process as Devonport Oval conditions were a concern for last year's final.

The Committee is concerned with this feedback and would like investigations to be undertaken, specifically into the Grass length at Devonport Oval & Valley Road Soccer grounds.

Moved: T Overmeeren/ D De Cani

CARRIED

5.0 AGENDA ITEMS FOR THE NEXT MEETING

- The 2017 Master games to be a standing agenda item.
- The Devonport Sporting Hall of fame to be a standing agenda item.
- Update on the decision of financial assistance report to Council.

NEXT MEETING: TO BE HELD WEDNESDAY, 27 JULY 2016 COMMENCING AT 5PM IN THE COMMITTEE ROOMS

MEETING CLOSED 6.05PM

UNCONFIRMED

5.7 UNCONFIRMED MINUTES OF MEETING - AUDIT PANEL - 14 JUNE 2016

File: 30196 D423789

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.6.4 Provide internal and external audit functions to review Council's performance, risk management, financial governance and reporting

SUMMARY

To report the unconfirmed minutes of the Audit Panel meeting held on 14 June 2016.

BACKGROUND

The Audit Panel is in place to assist Council in fulfilling its oversight responsibilities by providing independent advice and assurance in regard to the Council's financial management, risk management, internal control and compliance framework.

In late 2014, Council determined to establish a shared Audit Panel arrangement with Central Coast Council.

The Audit Panel of each Council comprises two elected members and two independent members. The independent members are appointed jointly by both Councils to be shared between each Council's Audit Panel. As part of the transition to a joint Audit Panel, current member Ken Clarke's existing three year term on the Devonport City Council Audit Panel will be honoured until its expiry scheduled for July 2016.

STATUTORY REQUIREMENTS

All Councils must have Audit Panels that operate in accordance with Part 8 of Division 4 of the *Local Government Act 1993* (the Act) and the *Local Government (Audit Panels) Order 2014*.

DISCUSSION

The unconfirmed minutes of the Audit Panel meeting held on 14 June 2016 are attached for Aldermen's information. These minutes are for the Devonport City Council specific section.

The Devonport City Council Audit Panel discussed the following:

- The Financial performance report for the period ending 30 April was noted by the Panel;
- The Panel discussed the highest ranking strategic risks in the Risk Register;
- The LIVING CITY funding model;
- Proposed 2016/17 Budget; and
- Tasmanian Audit Office Interim Audit Update.

COMMUNITY ENGAGEMENT

There was no community engagement undertaken as a result of this report.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

RISK IMPLICATIONS

- Risk Management Practices
The Audit Panel plays a key oversight role in Council's Risk Management activities providing elected members with an extra level of comfort that the systems in place are adequate. Within its charter, the primary objectives of the Audit Panel are to consider whether:
 - the annual financial statements of the Council accurately represent the state of affairs of the Council;
 - the Strategic Plan, Annual Plan, long-term financial management plan and long-term strategic asset management plans of the Council are integrated and the processes by which, and assumptions under which, those plans were prepared are sound and justified;
 - the accounting, internal control, anti-fraud, anti-corruption and risk management policies, systems and controls that the Council has in relation to safeguarding its long-term financial position are appropriate;
 - the Council is complying with the provisions of the Act and any other relevant legislation;
 - all strategic and business risks affecting the Council are identified and assessed, and the effectiveness of mitigation controls evaluated; and
 - the Council has taken any action in relation to previous recommendations provided by the Audit Panel to the Council.

CONCLUSION

The information contained in the report and the minutes of the Audit Panel meeting held on 14 June 2016 are presented to the Aldermen as per the recommendation below.

ATTACHMENTS

1. Audit Panel Minutes 14 June 2016 - DCC

RECOMMENDATION

That the unconfirmed minutes of the Audit Panel meeting held on 14 June 2016 be received and noted.

Author: Position:	Kym Peebles Executive Manager Organisational Performance	Endorsed By: Position:	Paul West General Manager
----------------------	----------------------------------------------------------------	---------------------------	------------------------------

DEVONPORT CITY COUNCIL**AUDIT PANEL****Unconfirmed minutes of meeting held Tuesday 14 June 2016
at Devonport City Council commencing at 2.00pm****Attendance**

Members – Sue Smith (Chair), John Howard, Ald Charlie Emmerton, Ald Grant Goodwin

Officers - Paul West (General Manager), Kym Peebles (Executive Manager Organisational Performance)

Apologies

Ken Clarke

1. Confirmation of the minutes

It was moved by Ald Grant Goodwin, seconded John Howard, and resolved unanimously that the Minutes of the meeting held on 7 March 2016 be confirmed as true and correct.

2. Declarations of Interest

John Howard declared that he had recently been appointed as a Director of the Dulverton Regional Waste Management Authority.

3. Matters arising from previous meeting

EM Organisational Performance provided an update on the Work in Progress status as requested at the previous meeting.

4. Risk Management

The Panel were provided with an update on current insurance claims, potential claims and an overview of the impact of the recent storm event. DCC were requested to open the evacuation centre at the East Devonport Recreation Centre and 33 people registered at the facility. The Panel were advised that a debrief of the response was scheduled to occur on 15 June.

Action 16/2015:

The General Manager provided an overview of the existing LIVING CITY Risk Matrix and Register. The Panel discussed the various aspects of the Risk Register raised by John Howard. The General Manager advised that the document will be updated following completion of the construction contract and approval of the finance proposal.

Action: Risk Manager

5. Financial Report

The Panel were provided with an overview of the April 2016 Financial Report, including the projected forecast surplus as at 30 June and the variance between the forecast amount and the actual result to 30 April 2016.

6. Budget

The General Manager provided an overview of the 2016/17 budget process. Council expects to deliver an operating surplus before capital items of approximately \$593,000. The 2016/17 capital program will include \$30,000,000 of expenditure in relation to construction of Stage 1 of the LIVING CITY project.

The Panel discussed the following matters in relation to setting the rates for 2016/17:

- The change cap has been set at 10% to limit the impact of the 2015/16 revaluation. Following this year, approximately 1,300 ratepayers will still face potential increases from the phasing in of the impact of the revaluation;
- It is proposed to withdraw the remission provided to operators of residential independent living units over the next 5 years. The 2016/17 year will see 80% of the rates continue to be remitted. The change will impact two providers and the total impact is around \$12,000 for the coming financial year;
- Multiple residential properties will now be treated consistently with all other residential properties in relation to waste management charges applied as a flat fee per tenancy. To reduce the impact of this change on this class a variation of the general rate will be applied.

The Panel discussed the projected surplus and noted the rating methodology.

7. Major Projects

EM Organisational Performance provided an overview of the proposal to refinance Council's existing debt of \$20,507,000 with ANZ bank. The existing debt consists of eight separate facilities with Tascorp with interest rates ranging from 7.1% to 3.93% and varying repayment terms. The offer to refinance will establish one facility with ANZ on a 20 year term with interest rates ranging from approximately 2.75% to 3.2%. The proposal requires Council to incur a Market Value Adjustment payment of approximately \$1,600,000 which will impact on the forecast surplus for 2015/16.

8. General Business

- 8.1 The Panel discussed and noted the Review of Revaluation Methodology document.
- 8.2 The Panel noted the Interim Audit Management Letter received from the Tasmanian Audit Office.
- 8.3 The Chairperson acknowledged the contribution of Ken Clarke to both the DCC and Shared Audit Panels and extended the thanks of the Panel. The Panel will review its membership arrangements at year end.

Meeting closed at 3.48pm

5.8 APPOINTMENT TO COMMITTEES

File: 22947 D421460

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.2.3 Encourage community action and participation that results in increased well-being and engagement

SUMMARY

This report is provided to assist Council in considering appointment to Section 23 Committees, Section 24 Special Committees and Special Interest Groups as a result of the resignation of former Alderman Keay and the subsequent appointment of Alderman Milne.

BACKGROUND

Ald Keay provided her resignation from Council effective 26 May 2016. As a result and in accordance with the *Local Government Act 1993* the Tasmanian Electoral Office was advised of the resignation and requested to undertake a recount to fill the casual vacancy until the next general election in October 2018.

STATUTORY REQUIREMENTS

23. Council committees

- (1) *A council may establish, on such terms as it thinks fit, council committees to assist it in carrying out its functions under this or any other Act.*
- (2) *A council committee consists of councillors appointed by the council and any councillor who fills a vacancy for a meeting at the request of the council committee.*
- (3) *A meeting of a council committee is to be conducted in accordance with prescribed procedures.*

24. Special committees

- (1) *A council may establish, on such terms and for such purposes as it thinks fit, special committees.*
- (2) *A special committee consists of such persons appointed by the council as the council thinks appropriate.*
- (3) *The council is to determine the procedures relating to meetings of a special committee.*

DISCUSSION

The Electoral Commissioner advised on 2 June 2016 that Tammy Milne had been elected to the Council for the balance of Alderman Keay's term.

Council at a Workshop on 14 June discussed the appointment of replacements to Committees. As a result Council now formally needs to confirm appointments discussed.

The following table outlines current membership by Aldermen to the Section 23 Committees:

Report to Council meeting on 27 June 2016

Planning Authority (PAC)	Governance & Finance (GFC)	Infrastructure, Works & Development (IWDC)	Community Services (CSC)
Ald Emmerton	Ald Emmerton	Ald Emmerton	Ald Goodwin
Ald Goodwin	Ald Goodwin	Ald Goodwin	Ald Jarman
Ald Martin	Ald Keay	Ald Jarman	Ald Keay
Ald Matthews	Ald Martin	Ald Laycock	Ald Laycock
Ald Perry	Ald Perry	Ald Matthews	Ald Martin
	Ald Rockliff	Ald Perry	Ald Rockliff

The appointed Chairs for each of the Committees are currently:

Planning Authority (PAC)	Governance & Finance (GFC)	Infrastructure & Works (IWC)	Community Services (CSC)
Ald Martin	Ald Keay	Ald Perry	Ald Rockliff

It was informally agreed that Alderman Milne would be appointed to both the Governance & Finance Committee and the Community Services Committee. Alderman Goodwin was proposed as the replacement for the Chair of the Governance & Finance Committee.

The table below outlines those Committees where a replacement was to be identified for former Alderman Keay:

Section 23 Committees	Proposed Replacement
Governance & Finance Committee (Member)	Ald Milne
Community Services Committee (Member)	Ald Milne
Governance & Finance Committee (Chair)	Ald Goodwin
Section 24 Special Committee	
Arts Cultural & Tourism Strategic Special Committee	Ald Milne
General Manager's Performance Review Committee	Ald Goodwin
Special Interest Groups	
Public Art Advisory Special Interest Group	Ald Milne
Building Families Special Interest Group	Ald Rockliff
Learning Communities Special Interest Group (Ald Jarman current proxy)	Ald Milne
Other	
Financial Assistance Working Group	Ald Emmerton

COMMUNITY ENGAGEMENT

There is no community engagement required in relation to this report. Following finalisation of appointments any notifications required external to Council will be provided.

FINANCIAL IMPLICATIONS

The review of membership of its committees and Council representatives on external organisations has no new financial implications for Council except in the case where the number of appointments are increased.

RISK IMPLICATIONS

No risks have been identified in relation to this report.

CONCLUSION

Specifically there is a requirement to provide replacement representatives for positions held by former Alderman Keay.

ATTACHMENTS

Nil

RECOMMENDATION

That Council make the following appointments replacing former Alderman Keay:

Section 23 Committees	Appointment
Governance & Finance Committee (Member)	Ald Milne
Community Services Committee (Member)	Ald Milne
Governance & Finance Committee (Chair)	Ald Goodwin
Section 24 Special Committee	
Arts Cultural & Tourism Strategic Special Committee	Ald Milne
General Managers Performance Review Committee	Ald Goodwin
Special Interest Groups	
Public Art Advisory Special Interest Group	Ald Milne
Building Families Special Interest Group	Ald Rockliff
Learning Communities Special Interest Group (Ald Jarman current proxy)	Ald Milne
Other	
Financial Assistance Working Group	Ald Emmerton

Author:	Paul West
Position:	General Manager

5.9 MEETING ARRANGEMENTS

File: 22947 D421484

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.2.3 Encourage community action and participation that results in increased well-being and engagement

SUMMARY

As a result of the resignation of Ald Keay and the appointment of Ald Milne it is opportune for Council to review the meeting arrangements it has in place.

BACKGROUND

Currently Council's Section 23 Committees usually meet on Monday evenings commencing at 6:00pm. The exception being the Planning Authority Committee which only meets when required (usually at 11:00am on a Monday).

Council ordinary meetings are usually held on the fourth Monday of each month commencing at 6:30pm.

Previously Council provided a meal prior to Council meetings which led to the later starting times for those particular meetings. In October 2015 Council ceased the practice of providing a meal.

Further the later meeting times were originally agreed to allow for Ald Keay's working requirements.

STATUTORY REQUIREMENTS

The *Local Government (Meeting Procedure) Regulations 2005* states:

6. Times of meetings

- (1) A meeting is not to start before 5:00pm unless otherwise determined by the council by absolute majority or by the council committee by simple majority.
- (2) After each ordinary election, a council and a council committee are to review the times of commencement of meetings.

DISCUSSION

The Council may determine the most appropriate timing for ordinary meetings. The only provision included within the *Regulations* is that an ordinary meeting is to be conducted at least once per month. All meetings are to commence after 5:00pm unless determined otherwise by the Council by absolute majority.

Meetings have traditionally been held on a Monday evening unless there is a public holiday in which case the next available working day is substituted.

Following a recent discussion with Aldermen it was proposed that the following will apply to meetings moving forward:

Report to Council meeting on 27 June 2016

Meeting Type	Day / Week of the Month	Commencement Time
Ordinary Council	Monday 4 th week	5:30pm
Workshop	Monday 1 st week	5:30pm
Infrastructure and Works Committee	Monday 2 nd week (bi-monthly)	5:30pm
Governance & Finance Committee	Monday 3 rd week (bi-monthly)	5:30pm
Community Services	Monday 3 rd week (bi-monthly)	5:30pm
Planning Authority Committee	Monday (when required)	11:00am

COMMUNITY ENGAGEMENT

Council through its public meetings are essentially engaging with the community insofar as notification requirements and the ability for anyone interested to attend.

FINANCIAL IMPLICATIONS

The conduct of all Council meetings has costs associated with them which are budgeted.

RISK IMPLICATIONS

No risks have been identified in relation to the content of this report.

CONCLUSION

The recommendation provided accords with the general consensus reached by Aldermen at a recent Workshop session.

ATTACHMENTS

Nil

RECOMMENDATION

That the report of the General Manager in relation to the meeting arrangements be received and noted and that Council determines:

- (a) ordinary meetings will usually be held on the fourth Monday of each month with a commencement time of 5:30pm;
- (b) all Section 23 Committee (apart from the Planning Authority) meetings will in future commence at 5:30pm unless otherwise determined; and
- (c) to authorise the General Manager in consultation with the Mayor to alter any meeting night/time or to convene Special Meetings from time to time when considered necessary.

Author:	Paul West
Position:	General Manager

5.10 CRADLE COAST AUTHORITY - FUTURE GOVERNANCE

File: 31710 D423756

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.1.3 Represent and promote Council at Regional, State and National forums

SUMMARY

This report is provided to assist Council in considering proposed changes to the governance arrangements in place for the Cradle Coast Authority (CCA).

BACKGROUND

The CCA for some time have been undertaking a review of the governance arrangements for the Authority. The review commenced as an outcome of a meeting of mayors of the member councils.

A workshop of the mayors with an external facilitator was undertaken and resulted in a number of scenarios being discussed. A further workshop with the mayors, general managers and other CCA representatives was conducted in April 2016 which led to a proposal being provided formally to the May 2016 Representatives Meeting.

Although Council has provided notice of its intention to withdraw from the Authority, at present it remains a member. The resignation is due to become effective from 30 June 2017 unless Council determines otherwise.

STATUTORY REQUIREMENTS

The CCA is a Joint Authority created under the provisions of Section 30 of the *Local Government Act 1993*.

DISCUSSION

At the CCA Representatives meeting a report was tabled relating to the 'Review of Governance of the Cradle Coast Authority'. This report (refer attachment) outlines the approach undertaken in reaching the conclusion and the recommendations provided.

Following debate at the Representatives meeting, the Authority advised its member councils of the following:

*That the Representatives **ENDORSE** the following proposition for consideration by Participating Councils:*

1. *The Mayor and General Manager from each participating council be the representatives on the Cradle Coast Authority;*
2. *Two Mayors be appointed as Directors on the Board of the Authority;*
 - a. *one from Devonport, Central Coast or Burnie; and*
 - b. *one from Latrobe, Kentish, West Coast, Waratah-Wynyard, King Island or Circular Head;*
 - c. *that Board Fees not be paid to Mayors on the Board*
3. *That General Managers nominate a Director for the Board from within their ranks and that Board Fees not be paid;*

Report to Council meeting on 27 June 2016

4. *The Chief Executive Officer will prepare the Agenda for Representatives Meetings in collaboration with the Chief Representative;*
5. *General Managers will prepare a briefing paper for Mayors to distribute to elected members on the: CCA Strategic Plan; Annual Plan and Budget; and an Agenda Overview within seven days of receiving the Agenda;*
6. *Consideration be given to modifying the Rules to one vote per participating council;*
7. *A review of the Board, with regard to process of appointments, adequacy and spread of skill sets and frequency of board meetings, be undertaken by the Representatives; and*
8. *That, in addition to the implementation of the proposed governance arrangements, the governance review be extended to include an engagement process with individual councils to understand the Council expectation of its Authority and to identify any changes to the rules, strategy, annual plan and/or governance to best deliver on their expectations.*

In addition the Representatives determined:

That the Representatives:

- a) *appoint a small sub-committee to review the Board, with regard to process of appointments, adequacy and spread of skill sets and frequency of board meetings, be undertaken by the Representatives.*
- b) *to meet the first week of July for a special meeting to endorse the motion from all councils.*
- c) *That the Sub-Committee include CCA Chairman Cheryl Fuller, CCA CEO Brett Smith, General Manager Andrew Wardlaw Burnie City Council, General Manager Sandra Ayton Central Coast Council, General Manager Waratah/Wynyard Council Michael Stretton and Mayor Peter Freshney Latrobe Council.*

The recommendations emanating from the Representatives meeting are to be considered by the member councils prior to 30 June to allow a special meeting of the Authority to be convened in July to determine whether the changes will be implemented.

Whether the proposed changes will provide the desired results in relation to improved governance of the CCA is difficult to speculate. Council has also been requested by the CCA to reconsider its withdrawal. While the proposed changes are not a direct impact of Council's resignation, it certainly may have contributed to a period of reflection and review of how the Authority operates and how the owner councils can assert a greater level of control and influence over the activities.

COMMUNITY ENGAGEMENT

There has not been any community engagement undertaken in relation to the subject of this report. The governance arrangements of the CCA are a matter for the owner council to determine.

FINANCIAL IMPLICATIONS

There will be no added financial implications to Council in accepting the proposed changes to the governance arrangements of the CCA.

RISK IMPLICATIONS

The changes proposed may or may not lead to an improvement in how the CCA is governed.

CONCLUSION

Council is still a member of the CCA and therefore has a current stake in the proposal to change the governance arrangements. The Representatives have proposed to member councils that a new governance model be adopted which will result in members councils being able to exert greater control over the activities of the Authority.

ATTACHMENTS

1. Review of Governance of Cradle Coast Authority

RECOMMENDATION

That the report relating to the Review of Governance of Cradle Coast Authority be received and noted, and that Council endorse the proposed changes as follows:

1. *The Mayor and General Manager from each participating council be the representatives on the Cradle Coast Authority;*
2. *Two Mayors be appointed as Directors on the Board of the Authority;*
 - a. *one from Devonport, Central Coast or Burnie; and*
 - b. *one from Latrobe, Kentish, West Coast, Waratah-Wynyard, King Island or Circular Head;*
 - c. *that Board Fees not be paid to Mayors on the Board*
3. *That General Managers nominate a Director for the Board from within their ranks and that Board Fees not be paid;*
4. *The Chief Executive Officer will prepare the Agenda for Representatives Meetings in collaboration with the Chief Representative;*
5. *General Managers will prepare a briefing paper for Mayors to distribute to elected members on the: CCA Strategic Plan; Annual Plan and Budget; and an Agenda Overview within seven days of receiving the Agenda;*
6. *Consideration be given to modifying the Rules to one vote per participating council;*
7. *A review of the Board, with regard to process of appointments, adequacy and spread of skill sets and frequency of board meetings, be undertaken by the Representatives; and*
8. *That, in addition to the implementation of the proposed governance arrangements, the governance review be extended to include an engagement process with individual councils to understand the Council expectation of its Authority and to identify any changes to the rules, strategy, annual plan and/or governance to best deliver on their expectations.*

Author:	Paul West
Position:	General Manager



**PAPER FOR DECISION
REPRESENTATIVES MEETING - 26 MAY 2016**

AGENDA ITEM: 3.3

AGENDA SUBJECT: REVIEW OF GOVERNANCE OF CRADLE COAST AUTHORITY

DRAFT RESOLUTION: That the Representatives **NOTE** this report and **ENDORSE** the following proposition for consideration by Participating Councils:

1. The Mayor and General Manager from each participating council be the representative on the Cradle Coast Authority;
2. Two Mayors be appointed as Directors on the Board of the Authority;
 - a. one from Devonport, Central Coast or Burnie; and
 - b. one from Latrobe, Kentish, West Coast, Waratah-Wynyard, King Island or Circular Head;
 - c. that Board Fees not be paid to Mayors on the Board
3. That General Managers nominate a Director for the Board from within their ranks and that Board Fees not be paid;
4. The Chief Executive Officer will prepare the Agenda for Representatives Meetings in collaboration with the Chief Representative;
5. General Managers will prepare a briefing paper for Mayors to distribute to elected members on the: CCA Strategic Plan; Annual Plan and Budget; and an Agenda Overview within seven days of receiving the Agenda;
6. Consideration be given to modifying the Rules to one vote per participating council; and
7. A review of the Board, with regard to process of appointments, adequacy and spread of skill sets and frequency of board meetings, be undertaken by the Representatives.

ISSUE

Representatives following receipt of the report prepared by Graham Sansom on the review of regional governance need to form a position on the future of the Cradle Coast Authority.

BACKGROUND

The Representatives at their meeting in November 2015, resolved to:

- **NOTE** the benefits and achievements provided through the Cradle Coast Authority to the region since its establishment by the Councils in 2000
- **AGREE** that collaboration and solidarity between the Councils at a regional level is required to progress the economic and social development of the region
- **AGREE** to conduct an independent review of the current regional governance and management framework and funding and resourcing arrangements. This will include reviewing the role of the Cradle Coast Authority in supporting Council collaboration and shared objectives for the region with consideration being given to current

19/05/2016 D420342

Page 54

community, economic and political environment and an appropriate future governance model.

Since this time, the Mayors engaged Graham Sansom Pty Ltd to work with them to complete the review and the resultant recommendations are outlined in the attached briefing note.

Following the completion of the review the Representatives considered the matter at their meeting on 25 February 2016 and resolved as followed:

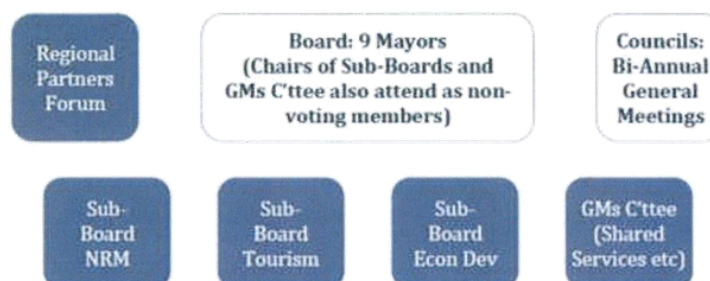
- That the CCA Representatives provide in principle support to present Option 1 (with possible variations) to member Councils for further consideration and report back by 30 April.
- That the Representatives authorise the preparation of a briefing paper for Councils that outlines the basis for Option 1 and key issues that need to be considered
- That the Chief Representative and Board Chair develop a communication strategy to promote the matter.

Since the February meeting the report from Graham Sansom has been provided to elected members, via the Mayors, with the purpose of canvassing feedback on the report to gauge support for Option 1.

The Mayors and General Managers met to discuss this feedback on 27 April 2016.

ANALYSIS

The preferred model from Graham Sansom report was Option 1 and is best described by the following diagram:



This model proposed that the nine Mayors replace the existing Board with the addition of the Chairs of the three sub-Boards. A variation for consideration was that an independent chair be appointed.

The feedback provided to the meeting on 27 April 2016 was that there is not sufficient support from Participating Councils to pass the necessary resolution to enact the rules changes and adopt Option 1.

It was however agreed that that to do nothing was not an option and changes to the governance arrangements are necessary to strengthen the regional authority and ensure it has sufficient ownership of the Participating Councils to be sustainable into the future.

It was generally agreed that for the model to work the agenda needs to be more forcefully driven by the Representatives and that a stronger voice of local government needs to be included in the decision making process undertaken by the Board. It was also suggested that the Chief Representative needs to have greater control of the Agenda for Representatives Meeting by working more closely with the Chief Executive Officer.

Mayors and elected members also need to be provided with professional advice on the Strategic Plan along with the Annual Plan and Budget and any items for decision in a representatives agenda.

It is also suggested that a review of the process involved in appointing members of the skills based Board be undertaken to ensure there is the necessary ownership of any appointments by the Representatives.

- **Representatives**

The proposition is that Participating Councils appoint the Mayor and General Manager as its representatives.

The Rules in Part 4, Clause 9 allow a Participating Council to appoint two representatives, generally this has been two elected members, normally the Mayor and one other, however Latrobe currently appoint the General Manager and this is permissible under the Rules.

If this proposition is supported and each participating Council voluntarily appoints the Mayor and General Manager there is no need for any immediate changes to the Rules. Changes should be considered in any future Rule amendments.

- **Mayor Appointment to Board**

The proposition is for two Mayors to be appointed Board.

The Rules in Part 6, Clause 23 prescribe the appointment of Directors. The Board is to exist of at least five and be no more than 11, however there is further limitation of 8 unless representatives by a special resolution determine otherwise. There are currently 6 Directors on the Board with a general manager's representative vacancy and a Director vacancy to represent Agriculture / Industry / Commerce.

If the proposition was to proceed there would be a need to either replace the two existing participating representative nominations or alternatively increase the number of Directors by Special Resolution to allow two Mayors to be appointed. It is recommended that the Board be increased to nine, by special resolution, to accommodate the appointment of two Mayors. It is proposed that the ongoing need for two local government representatives (in addition to two Mayors) be undertaken as part of the review of the Board.

The Representatives would need to determine a process as to how the two Mayors are to be selected under this proposition. It is not recommended that Board Fees be paid to Mayors appointed to the Board

If at least seven Participating Councils are supportive of proposition 2, then notification of a Special Resolution at a General Meeting should be called to allow the maximum numbers of Directors to be increased to nine.

Note: If a Mayor is appointed onto the Board they would be ineligible to be a Representative and therefore it is suggested that the Deputy Mayor be the Representative. The Mayor would be able to attend General Meetings as an observer.

- **General Manager Appointment to Board**

The proposition is for a current General Manager to be appointed to the Board.

The Rules in Part 6, Clause 23 allow for this to occur, however in more recent times the General Managers have nominated a representative that is not an active general manager. There is currently a Board vacancy and therefore an appointment could be made following a nomination from the General Managers. It is recommended that Board Fees not be paid to any General Managers appointed to the Board.

It is suggested that the nomination from General Managers be called following the appointment of two Mayors so that consideration can be given to avoiding a nomination from a participating Council that already has representation on the Board.

Note: If a General Manager is appointed onto the Board they would be ineligible to be a Representative and therefore it is suggested that the Deputy Mayor be the Representative.

- **Representatives Agenda**

The proposition is for the Chief Representative to take a more active role in the preparation and direction of the Agenda for General Meetings.

The Rules are silent on the preparation of the Agenda, however good governance would suggest that is fair and reasonable for the presiding officer at a meeting to make a contribution to the preparation and direction of the Agenda.

- **Advice from General Managers**

The proposition is that the General Managers collectively provide professional advice to the Mayors' for distribution to elected members on corporate documents and general matters for decision at General Meetings.

The Rules in Part 4, Clause 13(3) provide the power for Representatives to obtain advice from any or all of the General Managers who are not directors.

It is proposed that this advice is particularly important for the Strategy, Annual Plan and Council Contribution Budget, however also with regard to any items on an agenda for General Meetings.

This would need to be coordinated by a designated General Manager and provided to Mayors within 7 days of the issuing of an agenda.

- **Review of Board Appointment Process**

This proposition is for the Representatives to undertake a review of Board members with regard to process of appointments, adequacy and spread of skill sets, and frequency of Board meetings.

19/05/2016 D420342

Page 57

It has been suggested that the process used to appoint Board members to the Authority be reviewed to ensure that it is effective and that the appointments meet the needs of the region and have broad ownership of the participating councils. With the addition of two Mayors and a General Manager the adequacy and spread of skills sets and the frequency of board meetings should be reviewed.

CONCLUSION

It was evident from the meeting with Mayors and General Managers on 27 April 2016 that feedback from the Participating Councils was that Option 1 in the report prepared by Graham Sansom did not have sufficient support to implement.

This meeting concurred that doing nothing was not an option, and that the proposition in this report may provide impetus to address areas of concern that resulted in the governance review being undertaken.

The objectives for the adjustments of the Authority and the governance review were listed by Graham Sansom as:

- To re-assert council control over CCA's operations
- To get 'on the front foot' with a clear, consistent focus on a limited number of key issues
- To focus more strongly on economic development
- To strengthen partnerships with a broader range of key regional stakeholders
- To reduce meetings and governance costs
- To make better use of staff time
- To strengthen regional cooperation between councils as an alternative to mergers

This proposition will provide greater control over the Authority's operation with at least three Councils having direct representation on the Board via two Mayors and a General Manager. There is also an expectation that the Chief Representative is to ensure that the Agenda presented by the Chief Executive Officer to General Meetings is relevant and that Representatives are provided with professional advice from General Managers to assist with decision making.

It is proposed that the progress to change will be that the Representatives receive the Briefing Note for Member Councils titled "*Future Governance of the Cradle Coast Authority*" and then endorse the six propositions presented to the meeting.

Following this meeting the Chief Representative is to write to the nine Participating Councils seeking support for the proposal by 30 June 2016. Assuming there is sufficient support a General Meeting is then to be called in accordance with Part 5, Clause 21 for the purpose of passing a Special Resolution to increase the number of Directors. This meeting will need to determine a process for selecting the Mayor appointments to the Board, and also needs to implement a process to undertake the review of the Board.

In preparing this report consultation has been undertaken with the Mayors' and General Managers' of the participating councils. There was general consensus that the paper reflects the current thinking, however there is some opposing views that can be found in any democracy.

19/05/2016 D420342

Page 58

Some concern was expressed with respect to the imposition of the two Mayors' and the General Manager on the Board being unable to be a representative, this could be addressed by modification to the Rules, one vote per participating council and this could be held by the Mayor or the General Manager. There was a suggestion that the Mayor appointments to the Board be on a rotational basis. A comment was also provided regarding concern with the role General Managers' have in preparing a briefing paper for the Mayors. It is proposed that this would be a collaborative paper from a regional perspective and not designed to address any localised issues.

After the passing of the Special Resolution the Participating Councils should be requested to review their two representatives with the view of appointing the Mayor and General Manager. The General Managers will need to consider a process for reviewing the Agenda of General Meetings.

RECOMMENDATION

That the Representatives **NOTE** this report and **ENDORSE** the following proposition for consideration by Participating Councils:

1. The Mayor and General Manager from each participating council be the representative on the Cradle Coast Authority;
2. Two Mayors be appointed as Directors on the Board of the Authority on a rotational basis;
 - a. one from Devonport, Central Coast or Burnie; and
 - b. one from Latrobe, Kentish, West Coast, Waratah-Wynyard, King Island or Circular Head;
 - c. that Board Fees not be paid to Mayors on the Board
3. That General Managers nominate a Director for the Board from within their ranks and that Board Fees not be paid;
4. The Chief Executive Officer will prepare the Agenda for Representatives meeting in collaboration with the Chief Representative;
5. General Managers will prepare a briefing paper from a regional perspective for Mayors to distribute to elected members on the: CCA Strategic Plan; Annual Plan and Budget; and an Agenda Overview within seven days of receiving the Agenda;
6. Consideration be given to modifying the Rules to one vote per participating council; and
7. A review of the Board, with regard to process of appointments, adequacy and spread of skill sets and frequency of board meetings, be undertaken by the Representatives.

6.0 INFORMATION

6.1 GENERAL MANAGER'S REPORT - JUNE 2016

File: 29092 D408093

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.8.2 Ensure access to Council information that meets user demands, is easy to understand, whilst complying with legislative requirements

SUMMARY

This report provides a summary of the activities undertaken by the General Manager, 19 May to 22 June 2016. It also provides information on matters that may be of interest to Aldermen and the community.

BACKGROUND

The report is provided on a regular monthly basis and addresses a number of management and strategic issues currently being undertaken by Council. The report also provides regular updates in relation to National, Regional and State based local government matters as well as State and Federal Government programs.

STATUTORY REQUIREMENTS

Council is required to comply with the provisions of the *Local Government Act 1993* and other legislation. The General Manager is appointed by the Council in accordance with the provisions of the *Act*.

DISCUSSION

1. COUNCIL MANAGEMENT

- 1.1. Attended and participated in a number of internal staff and management meetings.
- 1.2. Attended Workshops, Section 23 Committee and Council Meetings as required.
- 1.3. Met with the Deputy Auditor General to discuss matters relating to the interim audit recently completed. The Tasmanian Audit Office is the Council's appointed auditors. The auditors will attend Council again in early August to finalise the 2016 audit process.
- 1.4. Attended a meeting of Council's Audit Panel. The minutes from this meeting are provided on this agenda under a separate report.
- 1.5. Met with new Ald Tammy Milne to commence the induction process following her election to serve the balance of former Ald Keay's term. An induction program has been developed.
- 1.6. A budget drop-in session was held on Wednesday 8 June 2016. Although there was limited attendance those that did attend appeared to find the information provided of interest.
- 1.7. An internal debrief on the Council's response to the recent rain/flood event was undertaken.

2. LIVING CITY

- 2.1. Council has relocated its operational activities from 44-48 Best Street to the former Harvey Norman building at 17 Fenton Way. This location will be the temporary offices for approximately 18 months or more until the multi-purpose building is completed.
- 2.2. Participated in a number of meetings relating to LIVING CITY with Council's appointed Development Managers, P+i Group,
- 2.3. Met with representatives of the Co-Ordinator General's office to discuss aspects relating to the State Government's commitment to LIVING CITY in particular arrangements for the colocation of LINC and Service Tasmania into the multi-purpose building.

3. COMMUNITY ENGAGEMENT (RESIDENTS & COMMUNITY GROUPS)

- 3.1. Met with a resident to discuss an issue relating to dog registrations. The issue was satisfactorily resolved.
- 3.2. Met with a local resident interested in Council affairs regarding the provision of information including, charts and attachments for agendas. Issues regarding footpath matters were also raised.
- 3.3. Met with representatives of the Devonport Tennis Club to discuss concerns that they have with the open drain at the western side of their courts.

4. NATIONAL, REGIONAL AND STATE BASED LOCAL GOVERNMENT

- 4.1. Attended a Cradle Coast General Managers' meeting. Items included on the agenda were:
 - Visitor Services Update
 - Regional Waste Management Initiatives
 - Shared Services Review
 - Statewide Planning Scheme
 - Cradle Coast Authority – Governance Review
 - TasWater – proposal to further extend the moratorium on distributions to owner councils
 - Rating of Independent Living Units
- 4.2. With the CEO of Cradle Coast Authority and the General Manager, Waratah-Wynyard Council met with representatives from the Hobart and Clarence Councils to discuss the process followed by those councils in undertaking the local government reform program. Cradle Coast Councils have agreed to a shared services study and tenders have recently been called. Tenders will be assessed in the near future by the appointed Steering Committee.

5. STATE AND FEDERAL GOVERNMENT PROGRAMS

- 5.1. Council will recall that at its meeting on 27 April 2015 it determined (Min 71/15 refers):

'That Council write to the Minister for Infrastructure requesting the installation of traffic management solution including the consideration of a slip lane off the access ramp from the highway to Middle Road in order for traffic to turn left'.

Follow up correspondence was forwarded to the Minister in April 2016 as follows:

INSTALLATION OF SLIP LANE – MIDDLE ROAD OVERPASS (DEVONPORT)

I refer to previous correspondence sent to you regarding the installation of a slip lane on the Middle Road Overpass at Devonport.

The issue continues to be raised with Council by concerned road users that something needs to be done at this location to avert a potential road fatality.

Council staff has identified the following:

- *the main community concern is congestion – delays in making a right turn due to traffic on middle road but also delays in turning left due to the queue of right turning traffic;*
- *the main engineering concern is road safety – at times queue length exceeds the ramp length, meaning stationary traffic is queued on the through lane of the Bass Highway, which is a risky situation in a 110km/h zone. There has not been a crash as a result of this yet, but if one occurred it would probably be serious;*
- *the site has been discussed with Department of State Growth (DSG) on a number of occasions. DSG's focus is on a holistic solution to all issues, which possibly involves signals and would be at a significant cost; and*
- *some traffic modelling of ramp widening has indicated it would be reasonably effective in reducing queue lengths in the short to medium term - the cost of the ramp widening project is estimated at \$75,000 or less.*

A plan of what is proposed is as follows:



This cost effective option certainly has strong community support and Council would appreciate your support in pursuing this interim solution.

Subsequently Council received correspondence from the Minister dated 26 May 2016 advising:

“The Department of State Growth (the Department) has reviewed the proposal and is supportive of the installation of a left turn slip land at this location. Preliminary modelling suggests that this will reduce the delay for vehicles wishing to turn left on to Middle Road and provide a reduction in the overall queue length. It is noted that whilst the project does have

short term benefits it does not resolve the underlying problem with traffic on the off-ramp seeking to turn right on to Middle Road. Future upgrade of this intersection will still be necessary in the medium term. However, the relatively low cost of the works (\$75,000 Council estimate) justifies the case for the Council's proposal.

Accordingly, the Department is prepared to fund the works from its Capital Improvement Programme for 2016-17 to the value of \$75,000 via a Deed of Agreement. From the Department's perspective, Council is better geared to cost effectively manage projects on this scale so a Deed of Agreement is considered the best mechanism for delivering this project.

The slip lane will need to be designed in consultation with the Department's Traffic Engineering Branch, with the design ensuring that it accommodates future upgrade requirements. A Works Permit will also need to be sought from the Department to operate within the State Road Reserve."

- 5.2. Attended the Treasurer's Budget Dinner in Devonport. The Treasurer briefed the attendees on the State Budget handed down on 26 May 2016.
- 5.3. Met with the Leader of the Opposition, Hon Bryan Green to provide him with an update on LIVING CITY.

6. OTHER

- 6.1. As storm and flood activities escalated on Sunday 5 June, it became apparent that there were affected residents in Devonport, Forth and Railton that needed relocation, and an evacuation centre needed to be established for a short period, that would also include residents from the Latrobe area.

To avoid duplication of effort and to utilise the Mersey/Leven Emergency Management and support/resource sharing arrangements, and to assist neighbouring municipalities of Kentish, Latrobe and Central Coast, who were already extended with tasks, a decision was made to request the activation of the evacuation centre at East Devonport Recreation Centre.

The request to activate the centre came through at approximately 11.30pm on Sunday, 5 June. The message was authorised by State Emergency Service. The centre remained open until 12.30pm on Tuesday 7 June.

There were thirty three registrations at the centre with seventeen of those requiring accommodation for Monday night and the other sixteen passed through the centre and made their own accommodation arrangements.

Evacuated From	Tourist	Resident	Total
Latrobe	12	13	25
Wegeena		2	2
Don		2	2
Devonport		2	2
Forth	2		2
Total	14	19	33

- 6.2. As a result of the recent floods the State and Federal Governments have activated their natural disaster assistance program. Council will be pursuing some reimbursements for costs incurred in addressing infrastructure damage.

Full details of the assistance to which Council may be eligible is yet to be determined.

- 6.3. The State Government is coordinating a Regional Recovery Committee. The Acting Mayor and Infrastructure Manager attended a meeting in Burnie to discuss the floods and the regional response. It was determined that the Mayor of Latrobe would Chair the Regional Committee made up of representatives from councils, State Health, State Growth and DPIWE. The main objective of the Regional Recovery Committee is to ensure that there is a process for prioritising critical tasks to be undertaken to ensure that there is a coordinated approach across the region.
- 6.4. Assessment of works required as a result of damage caused by the floods continues. A number of Council assets were damaged including a landslips (most significant - Durkins Road), road seal and pavement washouts, drain blockages and pontoons.

COMMUNITY ENGAGEMENT

The information included above details any issues relating to community engagement.

FINANCIAL IMPLICATIONS

Any financial or budgetary implications related to matters discussed in this report will be separately reported to Council.

There is not expected to be any impact on the Councils' operating budget as a result of this recommendation.

RISK IMPLICATIONS

Any specific risk implications will be outlined in the commentary above. Any specific issue that may result in any form of risk to Council is likely to be subject of a separate report to Council.

CONCLUSION

This report is provided for information purposes only and to allow Council to be updated on matters of interest.

ATTACHMENTS

1. Action Report on Council Resolutions - June 2016
2. CONFIDENTIAL - Action Report on Council Resolutions - June 2016 Confidential

RECOMMENDATION

That the report of the General Manager be received and noted.

Author:	Paul West
Position:	General Manager

DEVONPORT CITY COUNCIL
ACTION REPORT ON COUNCIL RESOLUTIONS - JUNE 2016

OPEN SESSION							
MEETING DATE	RESOLUTION NO	TOPIC	RESOLUTION/ITEM	STATUS	COMMENTS	RESPONSIBLE OFFICER	
May 2016	86/16	Questions on Notice from the Public	Responses to correspondence from Mr Ray Chaplin (Brand Focus) and Mr Malcolm Gardam regarding the LIVING CITY Project, authorised to be released.	Completed	Responses emailed 25 May 2016	GM	
	87/16	Independent LIVING UNITS - Rating Arrangements	Withdraw remission/exemption from general rates for independent living units managed by not-for-profit/charitable institutions, phased in at 20% over 5 years, commencing from 2016/17 financial year. Any future proposed or units under construction to be charged full general rate from time of valuation.	Completed	Letters forwarded on 26 May 2016 advising of Council's decision.	GM	
	88/16	Land - 260 Steele Street - Application from Devonport Choral Society	Offer subjectively Devonport Choral Society Inc and Devonport Repertory Society joint occupancy of storage space located on 260 Steele Street.	In progress	Both organisations have confirmed their acceptance of the lease conditions. Awaiting approval from Crown Lands Services regarding the sub-lease.	DGM	
	91/16	TasWater - External Funding Proposal - Freezing of Dividends	Confirm conditional support for moratorium on increases in dividends for an additional seven years provisional on TasWater securing grant funding commitment from State & Federal Governments over a ten year period.	Completed	Letter forwarded to the Chairman of TasWater	GM	
	93/16	Building Material Salvage	Grant Devonport Surf Lifesaving Club building material salvage rights to Council offices and residential dwelling located at 151 Rooke Street.	Completed	Surf Club obtained access to building on 17 June 2016.	DGM	
	98/16	Governance & Finance Committee - 16 May 2016	GFC 13/16	Parking along Victoria Parade Implement two hour metered parking in Victoria Parade as outlined in the report	In progress	Organising Equipment	EM(C&B)
			GFC 15/16	Local Government Model Code of Conduct adopted.	Completed	Available on Council's website	

MEETING DATE	RESOLUTION NO	TOPIC	RESOLUTION/ITEM	STATUS	COMMENTS	RESPONSIBLE OFFICER
23 May 2016	98/16 (cont.)		GFC 16/16 Customer Service Charter - revised Charter adopted.	Completed	Available on Council's website	
			GFC 17/16 Annual Luncheon for 50+ Year Ratepayers Agree to host luncheon as part of Seniors Week 2016 program and allocate \$3,500 in 2016/2017 budget for event and promotion.	Completed	Budget allowance provided.	
			GFC 18/16 Targeted Review of the Local Government Act - Consultation Paper Provide a response in line with report and discuss at next available Workshop.	Completed	Response prepared and provided to Chairperson of the Steering Committee, Targeted Review of Local Government Act 1993	

Previous Council Resolutions - still being actioned						
MEETING DATE	RESOLUTION NO	TOPIC	RESOLUTION/ITEM	STATUS	COMMENTS	RESPONSIBLE OFFICER
April 2016	64/16	Future Provision of Parking - Larger Vehicles - NOM - Ald Jarman	Staff to report on future provision of parking for larger vehicles, including caravans and motorhomes in close proximity to Devonport and East Devonport business districts.	Completed	Report provided to Infrastructure Works & Development Committee 14 June 2016	DGM
	78/16	Community Services Committee Meeting - 18 April 2016	Reallocation of Capital Expenditure - Sister Cities 20 Year Anniversary Commemorative Seat CP0120 be modified to allow purchase and planting of 20 high (mature) cherry blossoms along Formby Road, commemorating 20 years of friendship between Minamata and Devonport.	In progress	Sourcing suitable trees.	EM (CC&B)
March 2016	47/16	Tiagarra - Lease to Six Rivers Aboriginal Corporation	Authorised to finalise a 20 year lease (incl sub-lease) to SRAC. Authorised General Manager to finalise the transfer of built assets to SRAC once lease agreement is finalised.	In progress	Draft lease with SRAC for feedback. Arrangements made to meet SRAC in early July to discuss terms of agreement.	GM
	54/16	Governance and Finance Committee Meeting - 15 March 2016	Public Wi-Fi Expansion Agreed to proceed with provision of free Wi-Fi services to include the Fourways, East Devonport Shopping Precinct, expanded CBD area and Mersey Bluff within existing budget allocation.	In progress	Equipment on order.	EM(CC&B)
December 2015	255/15	State Government Contribution LIVING CITY Stage 1	Authorise General Manager to finalise negotiations with the State Government generally in accordance with its offer received on 7 December 2015 and sign the grant deed and lease agreement once negotiations are complete.	In progress	Discussions continuing.	DGM
November 2015	233/15	Harbourmaster's Cafe	Authorise a twelve month licence agreement for the extended operation of the Harbourmaster's Café in the area directly north of the Café.	In progress	12 month licence to use land with appropriate conditions prepared and provided to applicant to consider. With finalisation of Lease from Crown the applicant will be followed up to determine if he still wishes to proceed.	DGM

MEETING DATE	RESOLUTION NO	TOPIC	RESOLUTION/ITEM	STATUS	COMMENTS	RESPONSIBLE OFFICER
October 2015	220/15	Community Services Committee Meeting - 19 October 2015	Consideration in 2016-2017 budget of installation of: <ul style="list-style-type: none"> signs to deter unauthorized driving in Pioneer Park and consider implementing infringement process. 	Completed	Sign to be considered as part of Signage Strategy.	EM (CS)
July 2015	145/15	East Devonport Public Art Project Proposal	Seek expressions of interest for the project in line with project brief - further report to be provided to Council once expressions of interest have been received and evaluated.	Completed	Report provided to Community Services meeting.	EM (C&B)

6.2 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING

Council is required by Regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015* to include in the Agenda the date and purpose of any Council Workshop held since the last meeting.

Date	Description	Purpose
14/06/2016	Welcome to Alderman Tammy Milne	As a result of the recount following Ald Key's resignation, Ald Tammy Milne was elected to serve out the balance of Ald Key's term.
	Committee Membership Replacement	As a result of Ald Milne's election there was a need to consider appointments to Committees that former Ald Key was on.
	Financial Assistance	A proposed Community Financial Assistance model for 2016-2017 has been developed and was presented to Aldermen for discussion.
	Partnership Agreements	A number of Council's partnerships will expire on 30 June 2016. A discussion on proposed new agreements was undertaken.
	Service Tasmania	Discussion on opportunities in the future for the delivery of customer service.
	Meeting Arrangements	With the election of Ald Milne it was appropriate for the commencement times for meetings to be reviewed.
	Cradle Coast Governance	Discussion on the proposal endorsed by the CCA Representatives for the future governance of the Authority.
	TasWater	Ald Goodwin as Council's representative on TasWater provided an update on the recent special meeting relating to the freezing of dividends.

RECOMMENDATION

That the report advising of Workshop/Briefing Sessions held since the last Council meeting be received and the information noted.

Author:	Robyn Woolsey	Endorsed By:	Paul West
Position:	Administration Officer	Position:	General Manager

6.3 MAYOR'S MONTHLY REPORT

File: 22947 D424190

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.2 Provide appropriate support to elected members to enable them to discharge their functions

SUMMARY

This report details meetings and functions attended by the Mayor.

BACKGROUND

This report is provided by the Mayor to provide a list of meetings and functions attended by him for the month of May 2016.

STATUTORY REQUIREMENTS

There are no statutory requirements which relate to this report.

DISCUSSION

In his capacity as Mayor, Alderman Steve Martin attended the following meetings and functions during the month of May 2016 prior to Ald Martin commencing leave of absence:

- Resident meetings
- Planning Authority Committee
- Council Workshop
- Media – 2016 Charity Gala
- Cameron McLeod - NMFC
- Lori Hocking – TAS Tafe
- Margaret Shearer - St Brendan Shaw College class
- Radio 7AD interviews
- Zonta Club – guest speaker
- Mersey Rowing Club - Annual Dinner
- Media – Launch Trade Challenges 23/8/16
- DCC Budget meeting
- Rotary Club of Devonport – guest speaker
- Devonfield – National Volunteer Week
- Home Hill
- Bapcare Orana – National Volunteer Week
- Bass Strait Maritime Centre - DCC National Volunteer Week
- Housing Choices grant announcements & presentations
- Don College – 2016 Charity Gala
- Mayor's Charity Trust – wheelchair for resident
- Regional Gallery Exhibition Opening – NW Arts Circle
- DECC - Addams Family
- Devonport Girl Guides
- LIVING CITY Workshop
- Governance & Finance Committee
- International Day against Homophobia, Transphobia & Biphobia morning tea – The Junction
- Royal Flying Doctor Service – Official Opening new passenger shelter Wynyard

Report to Council meeting on 27 June 2016

- Learning Communities Committee
- East Devonport Shopping Centre – pop up consultation “Village”
- Southern Cross Television interview – LIVING CITY
- Devonport High School – National Volunteer Week
- 2016 Charity Gala
- Coastal FM interview
- Council Ordinary Meeting
- East Devonport Primary School – National Volunteer Week
- Building Families Committee
- Devonport LINC – National Simultaneous Reading
- East Devonport Family & Child Centre – On the Couch meeting
- Cradle Coast Authority Representatives Meeting – Burnie
- GM's Performance Review Committee
- Arts, Culture & Tourism Strategic Special Committee
- Advocate Newspaper interview – State Budget
- Tasmanian Logistic Committee – Launceston
- TAS Tafe Students – drug & alcohol event
- State Budget Dinner – Gateway
- State College & Secondary School Basketball Championships
- 2016 Charity Gala meeting
- Mr Bob Vellacott
- Community Development Strategic Special Committee

2016 National Volunteer Week Certificates of Appreciation individually signed and distributed

2016	891 Certificates	40 Organisations
2015	697 Certificates	28 Organisations

ATTACHMENTS

Nil

RECOMMENDATION

That the Mayor's monthly report be received and noted.

7.0 SECTION 23 COMMITTEES

7.1 INFRASTRUCTURE WORKS AND DEVELOPMENT COMMITTEE MEETING - 14 JUNE 2016

File: 29528 D423783

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.2 Provide appropriate support to elected members to enable them to discharge their functions

SUMMARY

The purpose of this report is to receive the minutes and endorse the recommendations provided to Council by the Infrastructure Works and Development Committee meeting held on Tuesday, 14 June 2016.

ATTACHMENTS

1. Minutes - IWDC - 14 June 2016

RECOMMENDATION

That the minutes of the Infrastructure Works and Development Committee meeting held on Tuesday, 14 June 2016 be received and the recommendations contained therein be adopted.

- IWC 13/16 Road Network Strategy - Year 1 Status
- IWC 14/16 Subdivision Maintenance Bond Policy
- IWC 15/16 Subdivision outstanding works bond policy
- IWC 16/16 Large Vehicle Parking - Devonport CBD and East Devonport
- IWC 17/16 Bushfire Fuel Reduction
- IWC 18/16 Cradle Coast Waste Management - Annual Plan
- IWC 19/16 Devonport Weed Strategy - Year Four Progress
- IWC 20/16 Infrastructure and Works Report
- IWC 21/16 Development and Health Services Report

Author:	Robyn Woolsey	Endorsed By:	Paul West
Position:	Administration Officer	Position:	General Manager

Page 1 of 7

**MINUTES OF AN INFRASTRUCTURE WORKS AND DEVELOPMENT COMMITTEE MEETING OF THE
DEVONPORT CITY COUNCIL HELD IN THE COUNCIL CHAMBERS
ON TUESDAY, 14 JUNE 2016 COMMENCING AT 6:00PM**

PRESENT: Ald L M Perry (Chairman)
Ald C D Emmerton
Ald G F Goodwin
Ald A J Jarman

Aldermen in Attendance:
Ald T M Milne
Ald A L Rockliff

Council Officers:
General Manager, P West
Infrastructure and Works Manager, K Lunson

Audio Recording:
All persons in attendance were advised that it is Council policy to record Council meetings, in accordance with Council's Audio Recording Policy. Due to technical difficulties the audio recording of this meeting failed.

1.0 APOLOGIES

The following apologies were received for the meeting.

Ald Laycock	Leave of Absence
Ald Matthews	Leave of Absence

2.0 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

3.0 PROCEDURAL

3.1 PUBLIC QUESTION TIME

3.1.1 QUESTIONS ON NOTICE FROM THE PUBLIC

Nil

3.1.2 QUESTION WITHOUT NOTICE FROM THE PUBLIC

DOUGLAS JANNEY - 23 WATKINSON STREET, DEVONPORT

Page 84 and 85 of the agenda, tables have been rotated clockwise, rather than anti clockwise and do not take up full page.

The Chairman acknowledged Mr Janney's comments.

3.2 QUESTIONS FROM ALDERMEN

Nil

3.3 NOTICES OF MOTION

Nil

4.0 TENDERS

Nil

5.0 INFRASTRUCTURE AND WORKS REPORTS**5.1 ROAD NETWORK STRATEGY - YEAR 1 STATUS (D390376)****IWC 13/16 RESOLUTION**

MOVED: Ald Goodwin

SECONDED: Ald Jarman

That it be recommended to Council that the report of the City Engineer be received and that the status of actions listed in the Road Network Strategy 2016 be noted.

	For	Against		For	Against
Ald Perry	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

5.2 SUBDIVISION MAINTENANCE BOND POLICY (D416334)**IWC 14/16 RESOLUTION**

MOVED: Ald Goodwin

SECONDED: Ald Jarman

That the report of the City Engineer be noted and that it be recommended to Council that the Subdivision Maintenance Bond Policy be adopted with immediate effect.

	For	Against		For	Against
Ald Perry	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

5.3 SUBDIVISION OUTSTANDING WORKS BOND POLICY (D416729)**IWC 15/16 RESOLUTION**

MOVED: Ald Goodwin

SECONDED: Ald Jarman

That it be recommended to Council that the report of the City Engineer be noted and the Subdivision Outstanding Works Bond Policy be adopted with immediate effect.

	For	Against		For	Against
Ald Perry	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

Page 3 of 7

5.4 LARGE VEHICLE PARKING - DEVONPORT CBD AND EAST DEVONPORT (D418626)**IWC 16/16 RESOLUTION**

MOVED: Ald Jarman
 SECONDED: Ald Emmerton

That it be recommended to Council that it note the report regarding parking in Devonport CBD and East Devonport Shopping Precinct and:

1. explore caravan, campervan and trailer parking options for post LIVING CITY Stage 1 in accordance with the timeframes contained within the Parking Strategy;
2. update all marketing and promotional material in relation to large vehicle parking within the Devonport CBD and East Devonport and ensure online content is accurate;
3. explore partnerships with the trans Mersey Ferry to promote RV parking in East Devonport and utilise the ferry transport to the Devonport CBD; and
4. approach the owner of the property at 41 Oldaker Street to allow Council to provide signage opportunities which encourages RV vehicles to access this car park for short term parking purposes.

	For	Against		For	Against
Ald Perry	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

5.5 BUSHFIRE FUEL REDUCTION (D418088)**IWC 17/16 RESOLUTION**

MOVED: Ald Goodwin
 SECONDED: Ald Emmerton

That it be recommended to Council that the report of the Executive Officer Community Services relating to Bushfire Fuel Reduction be received and noted.

	For	Against		For	Against
Ald Perry	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

5.6 CRADLE COAST WASTE MANAGEMENT - ANNUAL PLAN (D422372)**IWC 18/16 RESOLUTION**

MOVED: Ald Emmerton
 SECONDED: Ald Jarman

That it be recommended to Council that:

1. the Cradle Coast Waste Management Group's Annual Plan and Budget for the 2016/17 financial year be received and endorsed; and
2. the unconfirmed minutes of the Cradle Coast Waste Management Group meeting held on 9 May 2016 be received and noted.

Page 4 of 7

	For	Against		For	Against
Ald Perry	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

5.7 DEVONPORT WEED STRATEGY - YEAR FOUR PROGRESS (D418312)**IWC 19/16 RESOLUTION**

MOVED: Ald Goodwin

SECONDED: Ald Emmerton

That it be recommended to Council that the report of the Executive Officer Community Services be received and Council note the status of actions listed in the Devonport Weed Strategy.

	For	Against		For	Against
Ald Perry	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

6.0 INFRASTRUCTURE AND WORKS MONTHLY UPDATE**6.1 INFRASTRUCTURE AND WORKS REPORT (D419076)****IWC 20/16 RESOLUTION**

MOVED: Ald Emmerton

SECONDED: Ald Jarman

That it be recommended to Council that the Infrastructure and Works report be received and noted.

	For	Against		For	Against
Ald Perry	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

6.2 DEVELOPMENT AND HEALTH SERVICES REPORT (D422040)**IWC 21/16 RESOLUTION**

MOVED: Ald Goodwin

SECONDED: Ald Jarman

That it be recommended to Council that the Development and Health Services report be received and noted.

	For	Against		For	Against
Ald Perry	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

7.0 CLOSED SESSION**IWC 22/16 RESOLUTION**

MOVED: Ald Goodwin

SECONDED: Ald Jarman

That in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015* the following items be dealt with in Closed Session:

Item No	Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
7.1	160B Sheffield Road stormwater - Update	15(2)(i)

	For	Against		For	Against
Ald Perry	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

The Chairman adjourned the meeting at 6:33pm to reconvene in Closed Session at 6:33pm.

The Council moved out of Closed Session at 6:46pm.

Council resumed in open session at 6:46pm

CLOSURE

There being no further business the Chairman declared the meeting closed at 6:46pm.

7.2 PLANNING AUTHORITY COMMITTEE MEETING - 20 JUNE 2016

File: 29133 D424397

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.2 Provide appropriate support to elected members to enable them to discharge their functions

SUMMARY

The purpose of this report is to receive the minutes and note the decisions by the Planning Authority Committee at its meeting held on Monday, 20 June 2016.

ATTACHMENTS

1. Minutes - Planning Authority Committee - 20 June 2016

RECOMMENDATION

That the minutes of the Planning Authority Committee meeting held on Monday, 20 June 2016 be received and the recommendations contained therein be noted.

PAC 05/16 Planning Applications approved under Delegated Authority 1 April - 31 May 2016

PAC 06/16 PA2016.0069 - Residential (multiple dwellings x 4) - assessment against performance criteria for setback and building envelope and Local Heritage Code design and development - 8 Ronald Street Devonport (**approved under delegated authority**)

Author: Position:	Robyn Woolsey Administration Officer	Endorsed By: Position:	Paul West General Manager
----------------------	-----------------------------------------	---------------------------	------------------------------

**MINUTES OF A PLANNING AUTHORITY COMMITTEE MEETING OF THE DEVONPORT CITY
COUNCIL HELD IN THE COUNCIL CHAMBERS, 17 FENTON WAY, DEVONPORT
ON MONDAY, 20 JUNE 2016 COMMENCING AT 11:00AM**

PRESENT: Ald A L Rockliff (Acting Mayor) in the Chair
Ald C D Emmerton
Ald G F Goodwin
Ald L M Perry

Council Officers:

Deputy General Manager, M Atkins
Manager Development and Health Services, B May
Planning and Environmental Health Coordinator, S Warren
Cadet Planner, A Mountney

Audio Recording:

All persons in attendance were advised that it is Council policy to record Council meetings, in accordance with Council's Audio Recording Policy. Due to technical difficulties the audio recording of this meeting failed.

1.0 APOLOGIES

The following apologies were received for the meeting.

Ald Martin	Leave of Absence
Ald Matthews	Leave of Absence

2.0 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

3.0 DELEGATED APPROVALS

3.1 PLANNING APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY - 1 APRIL - 31 MAY 2016 (D423650)

PAC 05/16 RESOLUTION

MOVED: Ald Perry
SECONDED: Ald Goodwin

That the list of delegated approvals be received.

	For	Against		For	Against
Ald Rockliff	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Perry	✓	

CARRIED UNANIMOUSLY

4.0 DEVELOPMENT REPORTS**4.1 PA2016.0069 - RESIDENTIAL (MULTIPLE DWELLINGS X 4) - ASSESSMENT AGAINST PERFORMANCE CRITERIA FOR SETBACK AND BUILDING ENVELOPE AND LOCAL HERITAGE CODE DESIGN AND DEVELOPMENT - 8 RONALD STREET DEVONPORT (D423313)****PAC 06/16 RESOLUTION**

MOVED: Ald Perry
SECONDED: Ald Goodwin

That Council pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2016.0069 and grant a Permit to use and develop land identified as 8 Ronald Street, Devonport for the following purposes:

- Residential (multiple dwellings x 4) – assessment against performance criteria for setback and building envelope and Local Heritage Code design and development.

Subject to the following conditions:

1. Unless otherwise specified by a condition of this permit, the use and development is to proceed generally in accordance with the submitted plans referenced as Drawing Numbers 215149-01 – 215149-022 and dated December 2015 by Yaxley Design and Drafting copies of which are attached and endorsed as documents forming part of this Planning Permit;
2. The developer is to comply with the conditions specified in the *Roads and Stormwater – In Principle Agreement* with the Devonport City Council. A copy of this agreement is attached.
3. The developer is to comply with the conditions contained in the Submission to Planning Authority Notice which TasWater has required to be included in the planning permit, pursuant to section 56P(1) of the *Water and Sewerage Industry Act 2008*.

Note: The following is provided for information purposes.

THIS IS NOT A BUILDING PERMIT.

You need to provide a copy of this planning permit to a registered Tasmanian Building Surveyor. WORK CANNOT COMMENCE UNTIL BUILDING AND PLUMBING PERMITS ARE ISSUED.

During the construction and subsequent use of the building, all reasonable measures are to be taken to minimise off-site environmental effects that may result in a nuisance. This includes air, noise, and water pollution with such matters subject to the provisions and requirements of the *Building Regulations 2014* and/or the *Environmental Management and Pollution Control Act 1994*.

No burning of any waste is to be undertaken on site. Any such waste materials are to be removed and disposed of at a licensed refuse disposal facility.

The developer is to dispose of any asbestos found during demolition in accordance with the Workplace Tasmania *Guidelines for the Safe Disposal of Asbestos*.

With respect to street numbering of the new units and in accordance with *AS/NZS 4819.2011 Rural and Urban Addressing* the Council makes the following suggestions:

- As the existing access for the existing residence will remain it is appropriate for it to retain the existing street address of 8 Ronald Street; and
- Unit 2 on the site plan becomes 1/8A Ronald Street and Unit 3 becomes 2/8A Ronald Street

In regard to the conditions prescribed in the *Roads and Stormwater – In Principle Agreement*, the applicant/developer should contact the Council's City Infrastructure Department – Ph 6424 0511 with any enquiries.

Enquiries regarding other conditions can be directed to Council's Development & Health Services Department – Ph 6424 0511.

	For	Against		For	Against
Ald Rockliff	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Perry	✓	

CARRIED UNANIMOUSLY

5.0 CLOSURE

With no further business on the agenda the Chairman declared the meeting closed at 11:10am.

Confirmed

Chairman

7.3 COMMUNITY SERVICES COMMITTEE MEETING - 20 JUNE 2016

File: 29530 D424524

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.2 Provide appropriate support to elected members to enable them to discharge their functions

SUMMARY

The purpose of this report is to receive the minutes and endorse the recommendations provided to Council by the Community Services Committee meeting held on Monday, 20 June 2016.

ATTACHMENTS

1. Minutes - Community Services Committee - 20 June 2016

RECOMMENDATION

That the minutes of the Community Services Committee meeting held on Monday, 20 June 2016 be received and the recommendations contained therein be adopted.

- CSC 28/16 Minutes of the Community Development Strategic Special Committee Meeting
- CSC 29/16 Minutes of the Arts Culture and Tourism Strategic Special Committee Meeting - 26 March 2016
- CSC 30/16 Community Financial Assistance - Review 2015/2016
- CSC 31/16 Community Financial Assistance 2016/2017
- CSC 32/16 Financial Assistance Request - Devonport High School Centenary Celebrations
- CSC 33/16 Splash Aquatic Centre - Fees and charges
- CSC 34/16 CCTV Strategy
- CSC 35/16 Partnership Agreements
- CSC 36/16 Devonport Food and Wine Festival 2016 Review
- CSC 37/16 East Devonport Public Art Project
- CSC 38/16 Devonport Food Connection Project Status
- CSC 39/16 Community Services Report - June 2016

Author:	Robyn Woolsey	Endorsed By:	Paul West
Position:	Administration Officer	Position:	General Manager

**MINUTES OF A COMMUNITY SERVICES COMMITTEE MEETING OF THE DEVONPORT CITY
COUNCIL HELD IN THE COUNCIL CHAMBERS, 17 FENTON WAY, DEVONPORT
ON MONDAY, 20 JUNE 2016 COMMENCING AT 6:00PM**

PRESENT: Ald A L Rockliff (Chairman)
Ald C D Emmerton (Proxy)
Ald G F Goodwin
Ald A J Jarman

Aldermen in Attendance:
Ald T M Milne

Council Officers:
General Manager, P West
Executive Manager, Corporate, Community & Business, S Crawford
Community and Cultural Development Manager, B de Jong
Marketing, Tourism and Recreation Manager, S Jones

Audio Recording:

All persons in attendance were advised that it is Council policy to record Council meetings, in accordance with Council's Audio Recording Policy. The audio recording of this meeting will be made available to the public on Council's website for a minimum period of six months.

1.0 APOLOGIES

The following apologies were received for the meeting.

Ald Laycock	Leave of Absence
Ald Martin	Leave of Absence

2.0 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

3.0 PROCEDURAL

3.1 PUBLIC QUESTION TIME

3.1.1 QUESTIONS ON NOTICE FROM THE PUBLIC

Nil

3.1.2 QUESTION WITHOUT NOTICE FROM THE PUBLIC

Nil

3.2 QUESTIONS FROM ALDERMEN

Nil

3.3 NOTICES OF MOTION

Nil

4.0 COMMUNITY SERVICES REPORTS**4.1 MINUTES OF THE COMMUNITY DEVELOPMENT STRATEGIC SPECIAL COMMITTEE MEETING (D413256)****CSC 28/16 RESOLUTION**

MOVED: Ald Goodwin
 SECONDED: Ald Emmerton

That it be recommended to Council that the minutes of the Community Development Strategic Special Committee meetings held on 19 April and 31 May 2016 be received and it be noted that both recommendations raised by the Committee have been addressed.

	For	Against		For	Against
Ald Rockliff	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

4.2 MINUTES OF THE ARTS CULTURE AND TOURISM STRATEGIC SPECIAL COMMITTEE MEETING - 26 MARCH 2016 (D418861)**CSC 29/16 RESOLUTION**

MOVED: Ald Jarman
 SECONDED: Ald Goodwin

That it be recommended to Council that the minutes of the Arts, Culture and Tourism Strategic Special Committee meeting held on 24 March 2016 be received and noted and that:

1. Council support the Devonport Maritime and Heritage Special Interest Group submitting an Expression of Interest to be the host location for the Australia Maritime Museums Council bi-annual conference, either pre or post the Australian Wooden Boat Festival 2019.

	For	Against		For	Against
Ald Rockliff	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

4.3 COMMUNITY FINANCIAL ASSISTANCE - REVIEW 2015/2016 (D386069)**CSC 30/16 RESOLUTION**

MOVED: Ald Goodwin
 SECONDED: Ald Emmerton

That it be recommended to Council that the report of the Community and Cultural Development Manager outlining community financial assistance outcomes be received and noted.

	For	Against		For	Against
Ald Rockliff	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

4.4 COMMUNITY FINANCIAL ASSISTANCE 2016/2017 (D423060)**CSC 31/16 RESOLUTION**

MOVED: Ald Goodwin
 SECONDED: Ald Emmerton

That it be recommended to Council that:

- a. The report regarding proposed changes to the 2016/2017 Community Financial Assistance be received and noted;
- b. Council endorse the proposed grant structure.

	For	Against		For	Against
Ald Rockliff	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

4.5 FINANCIAL ASSISTANCE REQUEST - DEVONPORT HIGH SCHOOL CENTENARY CELEBRATIONS (D422394)**RESOLUTION**

MOVED: Ald Emmerton
 SECONDED: Ald Goodwin

That it be recommended to Council that the financial assistance request from Devonport High School relating to their Centenary Celebrations be supported with \$5,000 to be paid within the 2015/16 financial year.

	For	Against		For	Against
Ald Rockliff		✓	Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman		✓

LOST

CSC 32/16 RESOLUTION

MOVED: Ald Goodwin
 SECONDED: Ald Jarman

That it be recommended to Council that the financial assistance request from Devonport High School relating to their Centenary Celebrations be supported with Council's original offer of \$2,500 to be paid within the 2015/16 financial year.

	For	Against		For	Against
Ald Rockliff	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

4.6 SPLASH AQUATIC CENTRE - FEES AND CHARGES (D422724)**CSC 33/16 RESOLUTION**

MOVED: Ald Goodwin

SECONDED: Ald Jarman

That it be recommend to Council that it agrees to the proposed increase in membership and admission charges at Splash Aquatic Centre providing they are implemented from September 2016.

	For	Against		For	Against
Ald Rockliff	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

4.7 CCTV STRATEGY (D416400)**CSC 34/16 RESOLUTION**

MOVED: Ald Emmerton

SECONDED: Ald Jarman

That it be recommended to Council that the CCTV Strategy be adopted.

	For	Against		For	Against
Ald Rockliff	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

4.8 PARTNERSHIP AGREEMENTS (D416401)**CSC 35/16 RESOLUTION**

MOVED: Ald Emmerton

SECONDED: Ald Goodwin

That it be recommended to Council that partnership agreements are finalised with:

- Devonport Community House
- City of Devonport Brass Band
- Carols by Candlelight
- Tasmanian Arboretum

	For	Against		For	Against
Ald Rockliff	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

4.9 DEVONPORT FOOD AND WINE FESTIVAL 2016 REVIEW (D419929)**CSC 36/16 RESOLUTION**

MOVED: Ald Goodwin

SECONDED: Ald Jarman

That it be recommended to Council that the report relating to the Devonport Food and Wine Festival 2016 be received and noted, and that Council

endorse the suggested changes to the operational delivery model of the Festival, including an October timeframe.

	For	Against		For	Against
Ald Rockliff	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

4.10 EAST DEVONPORT PUBLIC ART PROJECT (D422212)

CSC 37/16 RESOLUTION

MOVED: Ald Jarman

SECONDED: Ald Emmerton

That it be recommended to Council that the update report be received and noted.

	For	Against		For	Against
Ald Rockliff	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

4.11 DEVONPORT FOOD CONNECTION PROJECT STATUS (D423016)

CSC 38/16 RESOLUTION

MOVED: Ald Emmerton

SECONDED: Ald Jarman

That it be recommended to Council that the report of the Executive Officer Community Services be received and Council note the outcomes of the Devonport Food Connection Project and recommend a revised Devonport Food Security Network be established to address food security challenges with progress reported to the Community Development Strategic Special Committee.

	For	Against		For	Against
Ald Rockliff	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

4.12 COMMUNITY SERVICES REPORT - JUNE 2016 (D419085)

CSC 39/16 RESOLUTION

MOVED: Ald Goodwin

SECONDED: Ald Jarman

That it be recommended to Council that the Community Services report be received and noted.

	For	Against		For	Against
Ald Rockliff	✓		Ald Goodwin	✓	
Ald Emmerton	✓		Ald Jarman	✓	

CARRIED UNANIMOUSLY

5.0 CLOSURE

There being no further business on the agenda the Chairman declared the meeting closed at 6:55pm.

Confirmed

Chairman

8.0 CLOSED SESSION

RECOMMENDATION

That in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*, the following be dealt with in Closed Session.

Item No	Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
8.1	Application for Leave of Absence	15(2)(i)
8.2	Unconfirmed Minutes - Cradle Coast Authority Board Meeting held 10 May 2016	15(2)(g)
8.3	Closed Session - Infrastructure Works and Development Committee Meeting - 14 June 2016	15(2)(f)
8.4	General Manager's Performance Review 2016	15(2)(a)

OUT OF CLOSED SESSION

RECOMMENDATION

That Council:

- (a) having met and dealt with its business formally move out of Closed Session; and
- (b) resolves to report that it has determined the following:

Item No	Matter	Outcome
8.1	Application for Leave of Absence	
8.2	Unconfirmed Minutes - Cradle Coast Authority Board Meeting held 10 May 2016	Noted
8.3	Closed Session - Infrastructure Works and Development Committee Meeting - 14 June 2016	Noted
8.4	General Manager's Performance Review 2016	

9.0 CLOSURE

There being no further business the Acting Mayor declared the meeting closed at <insert time> pm.
