

COUNCIL AGENDA

MONDAY, 23 JANUARY 2017



GLENORCHY CITY COUNCIL

* *The General Manager certifies that the reports contained in this Agenda have been written by qualified persons under Section 65 of the Local Government Act 1993.*

Hour: 3.00 p.m.

Present:

In attendance:

Leave of Absence:

**Workshops held since
last Council Meeting**

Date: Monday, 9 January 2017

Purpose: To discuss:

- Parking Strategy Review

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1. APOLOGIES

2. CONFIRMATION OF MINUTES

That the minutes of the Council Meeting held on 19 December 2016 be confirmed.

3. ANNOUNCEMENTS BY THE CHAIR

4. PECUNIARY INTEREST NOTIFICATION

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

6. PUBLIC QUESTION TIME (15 MINUTES)

7. PETITIONS/DEPUTATIONS

COMMUNITY

8. ANNOUNCEMENTS BY THE MAYOR

Author: Mayor (Ald. Kristie Johnston)
Qualified Person: Acting General Manager (Emilio Reale)
ECM File Reference: Mayoral Announcements

Community Plan Reference:

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

Strategic or Annual Plan Reference:

Annual Plan Reference *4.2.4.03 Implement the Governance Strategy*.

Reporting Brief:

To receive the announcement of events by the Mayor.

Proposal in Detail:

The following is a list of events the mayor has attended during the period 14 December 2016 to 17 January 2017.

Wednesday, 14 December 2016

- Meeting with resident
- Attended the Children’s University Graduation Ceremony
- Attended the Holy Rosary Primary School Thanksgiving Liturgy and Grade 6 End of Year Celebration

Thursday, 15 December 2016

- Attended and presented awards at the Collinsvale Primary School Student Celebration Assembly
- Attended the Defence Force Veteran’s Men’s Shed Christmas function
- Attended Scott Bacon, Craig Farrell, and Carol Brown Christmas BBQ
- Attended the Worker Ready Business and Work Readiness Job Seeker Presentation

Friday, 16 December 2016

- Guest Speaker at the Ogilvie High School Alumni Assembly
- Attended the Hobart District Nurses Diamond Jubilee Gala Dinner

Saturday, 17 December 2016

- Volunteered for the Salvation Army Gift Wrapping Service at Northgate Shopping Centre
- Attended the YMCA Christmas Function

Monday, 19 December 2016

- Hosted the Anglicare Christmas Giving Tree Presentation
- Chaired an Extra Council Workshop
- Chaired the Council Meeting

Tuesday, 20 December 2016

- Attended the Red Decker Multilingual Tours Launch
- Attended and presented awards at the Cosgrove High School Prize Giving Celebration
- Attended the Ogilvie High School Presentation Evening

Wednesday, 21 December 2016

- Attended and presented awards at the Windermere Primary School Grade 6 Leavers Assembly
- Attended the farewell celebration for CHAPS Nurse at the Chigwell Child and Family Centre
- Attended Christmas function at the Glenorchy District Football Club

Thursday, 22 December 2016

- Attended the Multicultural Spaces Announcement by Elise Archer
- Attended GIG in the Gardens
- Attended a Local Government Reform Steering Committee Meeting

Wednesday, 4 January 2017

- Attended meeting with a resident

Thursday, 5 January 2017

- Attended a meeting with community representative

Monday, 9 January 2017

- Attended a meeting with the Audit Panel Chair, Paul Oxley
- Chaired a Council Workshop

Thursday, 12 January 2017

- Attended a meeting with a community representative
- Officially opened the Glenorchy Open Art Exhibition at the MAC

Thursday, 13 January 2017

- Attended a meeting with Ald Branch-Allen and Ald King regarding Audit Panel Selection
- Attended a meeting with a community representative
- Attended the Love Your Sister Ball

Saturday, 15 January 2017

- Officially opened the 38th Canathon for the Australian Beer Can Collectors Association
- Attended the Claremont Summer Flower Show

Monday, 16 January 2017

- Attended the Brooker Highway Liaison Committee Meeting
- Chaired the Glenorchy Planning Authority Meeting

Tuesday, 17 January 2017

- Attended a meeting with MONA
- Attended the Moonah and Glenorchy Business Association Committee meeting

Numerous internal meetings and administrative duties were also undertaken. Council Offices were closed from noon 23 December 2016 to Monday 2 January 2017 inclusive.

Consultations:

Nil.

Human Resource / Financial and Risk Management Implications:

Nil.

Community Consultation and Public Relations Implications:

Nil.

Recommendation:

That Council:

RECEIVE the announcements about the activities of the Mayor's office for the period 14 December 2016 to 17 January 2017.

ECONOMIC

9. INFILL DEVELOPMENT PILOT PROJECT

Author: Acting Director, Community, Economic Development and Business (Tony McMullen)

Qualified Person: Acting General Manager (Emilio Reale)

ECM File Reference: Infill Development Consultancy

Community Plan Reference:

City of Glenorchy Community Plan 2015-2040

We will work actively to revitalise our CBD areas – making them places that are distinctive, vibrant, walkable and well-connected

Strategic or Annual Plan Reference:

Glenorchy City Council Strategic plan 2016-2025

2.1 Stimulate a prosperous economy

2.1.1 Foster an environment that encourages investment and jobs

Reporting Brief:

The purpose of this report is to inform Council of the outcomes of the Infill Development Pilot Project and to seek Council's endorsement to release the report to the landowners of the 3 priority sites identified in Glenorchy.

Proposal in Detail:

Glenorchy City Council has taken part in the Infill Development Pilot Project (**IDPP**). The IDPP is a joint undertaking with the Department of State Growth and the Hobart City Council to identify priority sites for infill development within the cities of Glenorchy and Hobart and to undertake a strategic planning process around the development of these sites for infill development.

The IDPP stems from the recommended actions in the Infill Development within Greater Hobart Report commissioned by the Department of State Growth as part of the Transit Corridor Project in 2011. Its objective was to facilitate increased density (residential and employment) in close proximity to major public transport corridors and activity centres with the following benefits:

- improve people's access to employment, education and training, by increasing residential density and housing diversity in close proximity to activity centres
- maximise government's investment in existing services and infrastructure such as roads, public transport, schools, water, sewerage and energy networks, and
- agglomeration benefits by creating an economy of scale and increasing the city's productivity and attractiveness as a place to invest.

The IDPP was undertaken by Emma Riley and Associates in association with Knight Frank and was jointly funded by the Department of State Growth (\$50,000 contribution) and the Hobart (\$10,000) and Glenorchy City Councils (\$5,000). A copy of the project brief is provided in Attachment 1.

The IDPP was conducted in 2 stages.

Stage 1 of the IDPP identified 6 priority sites suitable for infill development including residential and/or mixed use in the Study Area based on the following criteria:

- Zone status
- Adjacent land use
- Vacancy
- Heritage Listing
- Contamination
- Flood-prone land
- Ownership
- Proximity of public transport
- Proximity to open space
- Accesses and frontage
- Real estate financial viability

Three (3) of the priority sites were located in the Glenorchy City Council area and 3 in the Hobart City Council area.

The priority sites were to represent realistic, achievable infill development opportunities as well as a variety in the type and scale of development outcomes.

The consent of each of the landowners was sought prior to proceeding with the more detailed appraisal of each site in Stage 2 of the report.

Stage 2 of the IDPP involved the development of high-level structure plans for the 6 priority sites to enable a more detailed appraisal of project viability. The structure plans take into account site context, site characteristics including land capability, site opportunities and infrastructure. They also detail desired future use and outline appropriate levels of development form, e.g. density, height and siting.

The Stage 2 report (Attachment 2) also identifies the need for changes to planning controls and provides advice on the feasibility of developing sites including market advice on the type of development and development options. It also aims to encourage land owners to consider redevelopment of their land for infill residential purposes.

The Stage 2 report aims to encourage land owners to consider redevelopment of their land for infill residential purposes. Each site development plan therefore presents a realistic and practical option or vision for its redevelopment taking into account:

- existing land use, development and tenure
- infrastructure capacity
- market and demand considerations for its location
- environmental, heritage or urban design considerations, and

- existing planning scheme requirements, including what could be achieved through a discretionary pathway.

The 6 priority sites identified are:

- 60-62 Hopkins Street (including 18 Sunderland Street), Moonah
- 97A Grove Road, Glenorchy
- 22 Wrights Avenue, Glenorchy (also known as McKays Timber Mill site)
- 27-35 Tasma Street, North Hobart
- 66 Burnett Street, North Hobart, and
- 143-145 New Town Road, New Town.

The Glenorchy sites would all require planning scheme amendments to facilitate infill residential development and possible financial returns are generally marginal at present.

The report found that there would be interest in the market for the completed product in Glenorchy. However, projects would be infeasible for the development sector without staging.

Potential ways of improving project feasibility were innovative design solutions based on low-cost materials, or incorporating social housing as a proportion of the products delivered.

The IDPP provides a useful methodology for the identification of sites suitable for infill development and demonstrates that in Glenorchy there is some potential for appropriate infill residential development in the medium term that would require a level of planning and facilitation by Council in the event of a landowner-initiated proposal.

Proposal and Implementation

It is proposed that Council note the outcomes of the Infill Development Pilot Project and endorse the release of the report to the landowners of the 3 priority sites identified in Glenorchy.

The Stage 2 report recommends a four step process:

1. Formal Council endorsement of the Study
2. Landowner engagement
3. Strategic Planning Action – e.g. planning scheme amendments, and
4. Other Facilitation Strategies e.g. Council/TasWater fee concessions, involvement of social housing providers.

At this stage, it is proposed that Stage 2 landowner engagement be progressed. Strategic planning action on the priority sites in Glenorchy will be a matter for landowner initiation, given the imminent requirement for organisational resources to be concentrated on the development of local planning provisions to complement the State Planning provisions.

Consultations:

The Project Steering Committee was made up of the following people:

- David Laskey (Chairman), Department of State Growth
- James McIlhenny (Project Manager), Hobart City Council
- Tony McMullen, Glenorchy City Council
- Sarah Poortenaar, Department of State Growth
- Sandra Hogue, Tasmanian Planning Commission, and
- Michael Kerschbaum, Master Builders Association.

Owners of potential Study sites, including the priority site owners, were approached to determine their willingness to participate in the Study.

Draft concept reports were also vetted by Council's Planning and Property Sections.

Human Resource / Financial and Risk Management Implications:

The Infill Development Pilot Project reports are being issued with the following disclaimer:

"While every responsible effort has been made to ensure that this document is accurate and complete, Emma Riley & Associates, Knight Frank, Cumulus Studio, Playstreet Landscape Architecture & Urban Design and WT Partnership, Department of State Growth, Glenorchy City Council and Hobart City Council do not warrant or represent that the information contained is free from errors or omissions and disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance or upon the whole or any part of this document."

The onus is on the landowners or future applicants to undertake their own investigations to determine the feasibility or otherwise of the development concepts suggested in the report.

Any future amendment requests from landowners will be subject to the provisions of the *Land Use Planning and Approvals Act 1993* (LUPAA). Applications for development of the sites identified in the report will be subject to the provisions of LUPAA and the *Glenorchy Interim Planning Scheme 2015* or a subsequent planning scheme.

Community Consultation and Public Relations Implications:

The community benefits of encouraging of infill residential development include improving people's access to employment, education and training and making more effective use of existing services and infrastructure such as public transport and schools.

The concept of bringing people closer to services has been a consistent theme of Council's work on the Interim Land Use Planning Strategy, the Regional Planning Project and is a concept underpinning the development of the Glenorchy Interim Planning Scheme 2015. All of these documents were subject to significant community consultation.

Any future proposals for planning scheme amendments or planning permit applications arising from the Infill Development Consultancy will be subject to the public consultation requirements of the *Land Use Planning and Approvals Act 1993*.

Recommendation:

That Council:

- (a) NOTE the outcomes of the Infill Development Pilot Project as detailed in this report, and
- (b) ENDORSE the release of the project reports, prepared by Emma Riley and Associates Pty Ltd, to the landowners of the 3 priority sites identified in Glenorchy.

Attachments/Annexures

- 1  Project Brief
- 2  Stage 2 Final Report

GOVERNANCE

10. COUNCIL POLICY REVIEW UPDATE

Author: Senior Internal Compliance Advisor (Bryn Hannan)
Qualified Person: Director, Corporate Governance and General Counsel (Seva Iskandarli)
ECM File Reference: Council Policy

Community Plan Reference:

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

Strategic or Annual Plan Reference:

Annual Plan Reference *4.1.3.04 Implement the Governance Strategy*

Reporting Brief:

This report provides an update on the current status of the ongoing Council Policy Review, including details of the expected completion date for the review of each policy and the actions to be taken in respect of each.

Proposal in Detail:

Since the Aldermanic workshops were held 25 May and 12 October 2015, departmental managers have been working with the Corporate Governance directorate to review and update all relevant policies, and rescind policies that are no longer relevant or are superfluous.

The following is an update to Council on the progress of the review.

Current Status

Attachment 1 to this report is the latest copy of Council’s Master Policy Register, updated following the Council meeting on 23 December 2016 (at which 9 policies were updated and 7 rescinded).

The current overall status of the policy, as outlined in the Register is as follows:

- there are 123 policies currently listed on the register
- 80 policies are current
- 32 policies remain to be reviewed, and
- 11 policies have been reviewed and are likely to be rescinded at a future date (following the implementation of other policies or strategies).

Of the 32 policies still to be reviewed, the majority are from the Business and Finance, and Legal and Property departments. The reasons for the delay in the review of those departments' policies are discussed below.

Business and Finance Policies

The nineteen (19) Business and Finance policies are all undergoing a comprehensive review as part of the development of the Financial Management Strategy (FMS). It is expected that nine (9) of those will be rescinded and rolled into that strategy.

The FMS is currently targeted to be presented to Council by 20 March 2017.

It is also impractical to review and update the remaining Business and Finance policies until the FMS is complete or at least further advanced. However, 31 March 2017 has been targeted as the review date for most of the policies that are unlikely to be rescinded, on the basis that the FMS is likely to be relatively advanced by that date.

Legal and Property Policies

The review of the twelve (12) outstanding policies under the responsibility of the Legal and Property department has been delayed due to vacancy of the position of Manager, Legal and Property, and the consequent strain on resources in that area (with the need to focus on higher priority day-to-day matters).

Council's recently appointed Manager, Legal and Property has commenced the review of the policies. It is expected that four (4) of those will be rescinded and rolled into Council's new Property Strategy which is targeted for adoption by 30 June 2017. The review of the remaining eight (8) Legal and Property policies is targeted for completion by 30 April 2017.

Other Outstanding Policies

In relation to the remaining policies that are yet to be reviewed, the updated register provides updates on their progress, reasons they are outstanding and an estimated date for the review of each.

Rescinded Policies

In addition to the policies listed in the register, a further 40 policies have been rescinded since October 2015. Attachment 2 to this report is a table providing the details of the rescinded policies.

Consultations:

Director, Corporate Governance and General Counsel
Departmental managers
Senior Internal Compliance Advisor

Human Resource / Financial and Risk Management Implications:

There are no material human resource or financial risk implications. In relation to Risk Management implications:

Risk Identification	Consequence	Probability	Rating	Risk Mitigation Treatment
Current and outdated policies must be reviewed and updated to ensure that governance control effectiveness is optimal and not adversely affected by policies which are outdated and do not reflect current practice and or procedure.	Minor	Almost Certain	Medium	Council notes the status of the policy review.

Community Consultation and Public Relations Implications:

The Executive Leadership Team and their respective departmental managers were consulted and provided input into the above policies.

Recommendation:

That Council:

NOTES the progress of the Council Policy Review as set out in Council's Master Policy Register.

Attachments/Annexures

- 1  Master Policy Register
- 2  Rescinded Policies

11. COUNCIL'S GOOD GOVERNANCE FRAMEWORK

Author: Manager, Governance and Risk (Simon Scott)

Qualified Person: Director, Corporate Governance and General Counsel (Seva Iskandarli)

ECM File Reference: Governance

Community Plan Reference:

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

Strategic or Annual Plan Reference:

Annual Plan Reference 4.2.4.03 *Implement the Governance Strategy*.

Reporting Brief:

This Report is to brief Council of the recommended Good Governance Framework and supporting policy for consideration and adoption by Council.

Proposal in Detail:

Introduction

As part of developing and implementing Council’s ongoing governance strategy, it is considered prudent to encapsulate a Council Good Governance Framework. The Framework will provide a basis for sound governance with respect to Council’s service delivery and the ‘proper use’ (effective, efficient, economical and ethical) of public monies entrusted to Council.

‘Governance’ can be defined as ‘those high-level processes and behaviours that ensure an organisation performs by achieving its intended purpose, and conforms by complying with all relevant laws, codes and directions while meeting community expectations of probity, accountability and transparency’ (Source: Audit Office of New South Wales: Governance Lighthouse – a strategic early warning signal, February 2015).

Statutory Basis

The *Local Government Act 1993 (the Act)* establishes local councils to ‘plan for, develop and manage areas in the interest of their communities’.

Under section 20(1) of the Act, in addition to any functions of a council under any Act, Council has the following functions (emphasis added):

- to provide for the health, safety and welfare of the community
- to represent and promote the interests of the community, and
- to provide for the peace, order and **good government** of the municipal area.

In performing its functions Council is to 'consult, involve and be accountable to the community' (section 20(2)).

Aldermanic Consultations

On 5 December 2016, Management held a Council workshop to assist Aldermen in determining what good governance was and to recognise that good governance:

- sets a clear direction for the organisation, a way to get there and tracks progress
- ensures that there is independent assurance that Council management and staff are achieving this direction in an ethical and legal way
- ensures that risks and opportunities are recognised and addressed as appropriate, and
- ensures that the rights of stakeholders are respected with open and transparent information on organisational activities and performance.

Drawing upon a number of key governance resources (including but not limited to: NSW Audit Office's Governance Lighthouse, Australian Stock Exchange Corporate Governance Principles and Recommendations, and Australia National Audit Office Public Sector Governance – Strengthening Performance through Good Governance), a Good Governance Framework (Attachment 1) has been drafted for Council's consideration and adoption.

Underpinned by the governance elements of accountability, service, integrity and trust, the proposed Governance Framework is based on seven (7) key principles and 16 governance components:

Key Principle	Governance Component
Solid Foundations for Council Management and Corporate Oversight	• Council leadership, strategic vision and business plans • Clear lines of accountability and delegations
Accountable Governance Committees	• Key governance committees • Audit Panel
Ethical and Responsible Actions	• Ethical decision framework • Fraud and corruption control framework • Key compliance framework
Accountable Corporate Reporting	• Annual reporting • Continuous regular reporting against Council plans • Financial reporting
Appropriate Staffing and Resources	• Strategic people management
Recognise and Manage Risk	• Risk oversight and management • Adequate internal controls • Internal and external audit

Recognise and Respect Stakeholders

- Key stakeholder communications
- Complaint management

Upon adoption, management will draft an Action Plan to assist with the prioritisation of ongoing activities to ensure that Council's Good Governance Framework is supported throughout the organisation.

Consultations:

General Manager

All Aldermen

All Directors

Members of the Audit Panel

Human Resource / Financial and Risk Management Implications:

There are no human resources or financial implications.

Risk Identification	Consequence	Probability	Rating	Risk Mitigation Treatment
If Council does not set and articulate its good governance framework, then alignment and support of appropriate decision making across Council is less optimal	Minor	Almost Certain	Medium	Council sets and articulates its good governance framework

Community Consultation and Public Relations Implications:

Nil

Recommendation:

That Council:

- ADOPT the Good Governance Framework (as attached), and
- NOTE that Management will draft an Action Plan to assist with the prioritisation of ongoing activities to ensure that Council's Good Governance Framework is implemented throughout the organisation.

Attachments/Annexures

-  Draft Good Governance Framework

12. ACTIONS LIST - UPDATE REPORT

Author: Senior Internal Compliance Advisor (Bryn Hannan)

Qualified Person: Director Corporate Governance and General Counsel (Seva Iskandarli)

ECM File Reference: Actions List - Council Meetings

Community Plan Reference:

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

Strategic or Annual Plan Reference:

Annual Plan Reference *4.2.4.03 Implement the Governance Strategy*.

Reporting Brief:

To provide Council with the latest Actions List (Open Council Meeting), updated following the 19 December 2016 Council meeting.

Proposal in Detail:

Key actions arising out of Council resolutions and/or throughout the general business of Council meetings are captured as appropriate and distributed throughout Council for completion and update by departmental staff.

The Actions List (Open Council Meeting) ([Attachment 1](#)) highlights the progress of the items on the list following the 19 December 2016 Council meeting.

Consultations:

Relevant Council officers

Human Resource / Financial and Risk Management Implications:

No cost

Community Consultation and Public Relations Implications:

Nil applicable

Recommendation:

That Council:

NOTE the progress of the items on the Actions List (Open Council Meeting), as updated following the 19 December 2016 Council meeting.

Attachments/Annexures

- 1 [Action List \(Open Council Meeting\)](#)

13. CORPORATE PERFORMANCE INDICATORS - NOVEMBER 2016

Author: Reporting Officer (Len Newton)
Qualified Person: Acting Director, Community Economic Development and Business (Tony McMullen)
ECM File Reference: Traffic Lights

Community Plan Reference:

The Communities of Glenorchy will be confident that Council manages the Community's assets soundly for the long term benefit of the Community.

Strategic or Annual Plan Reference:

The Corporate Performance Indicators are provided to Council in accordance with the following strategies:

- 4.1.2 Ensure Council is open and transparent in its communication and dealings with our communities; and
- 4.2.1 Deploy the Council's resources in a way that maximises the effectiveness of the organisation and delivers value for money.

Reporting Brief:

To present the Corporate Performance Indicators as at the end of November 2016 for Aldermens' information.

Proposal in Detail:

The Corporate Performance Indicators are attached ([Attachment 1](#)) along with Appendix B ([Attachment 2](#)). Appendix B outlines expected year-to-date variances within the various Capital Works programs for this financial year.

Please note the Indicators include the 2015-2016 Budget Carry-Forwards as approved at the August 2016 Council Meeting.

For November 2016 we have one red light and five yellow lights, with the remainder being green lights.

Red light

Lost Time Injury Frequency Rate (LTIFR): Month (MTD) 29.39 LTIFR for November (page 29). There was one LTI for November and the rolling 12 month LTIFR is 33.67. This is up on the October result (31.22) but still lower than for the same time last year which was 39.02. Safety remains a priority for the organisation and all incidents are reviewed to ensure policies and practices are refined to avoid future incidents.

Yellow lights

Capital Expenditure Property (page 18): The capital program for 2016/17 included significant project spends in the middle months, however spending has been well under budget. Forecasts suggest that the program will be completed for the full year. For that to eventuate, spending will need to increase.

Capital Expenditure Stormwater (page 19): The capital program for 2016/17 started slowly and remains well under budget. Forecasts suggest that the program will be completed for the full year. For that to eventuate, spending will need to increase.

Capital Expenditure Other (page 19): The capital program for 2016/17 started slowly and remains well under budget. Forecasts suggest that the program will be completed for the full year. For that to eventuate, spending will need to increase.

Accounts Receivable (page 22): Overdue debtors are above target due primarily to Derwent Park Reuse Scheme Contractor \$1,597k.

Total Salaries and Wages for Capital Projects (page 24): Some capital works that were budgeted to be completed internally are now being provided by external contractors, whilst some other works have been delayed.

Consultations:

Capital and Operational Expenditure Program Leaders
Relevant Staff

Human Resource / Financial and Risk Management Implications:

As outlined in the Corporate Performance Indicators reports.

Community Consultation and Public Relations Implications:

No public relations implications are known at this point, and no community consultation has been undertaken.

Recommendation:

That Council:

ACCEPT the information provided by the Corporate Performance Indicators for November 2016.

Attachments/Annexures

- 1  Corporate Indicators - November 2016
- 2  Appendix B - November 2016

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

14.1 NOTICE OF MOTION - ALDERMAN J. DUNSBY

Author: Acting General Manager (Emilio Reale)

Qualified Person: Acting General Manager (Emilio Reale)

ECM File Reference: Notice of Motion

Community Plan Reference:

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

Strategic or Annual Plan Reference:

The strategic and annual plans are based upon the Community Plan which is outwardly focussed. Since this item discusses a management/governance issue there is no applicable reference to this matter.

Reporting Brief:

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

Proposal in Detail:

Notice of Motion

In accordance with Part 2, Section 2 of the Local Government (Meeting Procedures) Regulations 2005, I hereby request that the following motion be included on the Agenda of the upcoming meeting of Glenorchy City Council on Monday 23 January.

Australia Day community celebrations

That Council auspice a working party to enable planning to commence for community celebrations to mark Australia Day in 2018 and beyond.

Rationale

Following the demise of the precinct program, the community no longer has an event in this City to engage in celebrations to mark Australia Day, outside of the Citizenship ceremony that incorporates the announcement of the citizen and young citizen of the year. I have been contacted by community members expressing their disappointment at the loss of the community celebrations this year.

The former Greater Claremont Precinct undertook to organise a community event over the past few years and successfully engaged hundreds of residents in activities on the Village Green at Claremont each year. The event was run on a minimal budget and received support from Denison politicians, Claremont Guides, Lion's Club of Glenorchy, plus various other parties. Council staff were involved in convening planning meetings and they also provided support on the day.

Earlier this year a working party met to plan for the 2017 event, but following the demise of the community precinct program, the group folded. I believe many participants of this group, along with representatives of groups, such as Guides and Lions, would again step up to assist in the planning of future events.

A vision to see citizenship, announcement of citizen and young citizen of the year and a community event as one activity has the capacity to engage the families who take citizenship and would also have the potential to showcase the announcement of our Citizen/Young Citizen of the Year to a greater audience.

The current format of the civic event at the DEC does not have the capacity to draw members of the general public. I believe consideration of a combined event would benefit our City, allowing us to appropriately mark Australia Day.

Recommendation:

That Council auspice a working party to enable planning to commence for community celebrations to mark Australia Day in 2018 and beyond.

14.2 NOTICE OF MOTION - ALDERMAN M. STEVENSON 5

Author: Acting General Manager (Emilio Reale)

Qualified Person: Acting General Manager (Emilio Reale)

ECM File Reference: Notice of Motion

Community Plan Reference:

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

Strategic or Annual Plan Reference:

The strategic and annual plans are based upon the Community Plan which is outwardly focussed. Since this item discusses a management/governance issue there is no applicable reference to this matter.

Reporting Brief:

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

Proposal in Detail:***Instructions to General Manager – Jackson Street Landfill***

- (a) That Council instructs the General Manager to provide all aldermen by Friday 27 January 2017 with:
 - a. All reports provided to the Audit Panel in relation to the Jackson Street Landfill site.

Recommendation:

- (a) That Council instructs the General Manager to provide all aldermen by Friday 27 January 2017 with:
 - a. All reports provided to the Audit Panel in relation to the Jackson Street Landfill site.

14.3 NOTICE OF MOTION - ALDERMAN M. STEVENSON 6

Author: Acting General Manager (Emilio Reale)

Qualified Person: Acting General Manager (Emilio Reale)

ECM File Reference: Notice of Motion

Community Plan Reference:

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

Strategic or Annual Plan Reference:

The strategic and annual plans are based upon the Community Plan which is outwardly focussed. Since this item discusses a management/governance issue there is no applicable reference to this matter.

Reporting Brief:

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

Proposal in Detail:***GMPRC***

That this Council does not allow any Council employee to provide any advice, secretarial or administrative support to General Manager's Performance Review Committee.

Recommendation:

That this Council does not allow any Council employee to provide any advice, secretarial or administrative support to General Manager's Performance Review Committee.

14.4 NOTICE OF MOTION - ALDERMAN M. STEVENSON 2

Author: Acting General Manager (Emilio Reale)

Qualified Person: Acting General Manager (Emilio Reale)

ECM File Reference: Notice of Motion

Community Plan Reference:

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

Strategic or Annual Plan Reference:

The strategic and annual plans are based upon the Community Plan which is outwardly focussed. Since this item discusses a management/governance issue there is no applicable reference to this matter.

Reporting Brief:

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

Proposal in Detail:

KGV Redevelopment and Hydrotherapy Pool Project

Concerns have been highlighted in past meetings and directly to the General Manager about the ongoing delays surrounding project management, building completion, lease execution, compliance to the grant deed and adherence to the project budget of the King George V sports and community precinct.

It is recommended that:

- (a) Council commissions as a matter of urgency a comprehensive independent external project audit, including but not limited to the financial and governance arrangements, projected and delivered outcomes, and a full probity investigation reporting directly to the Council (via the Mayor) on the KGV Redevelopment and the Hydrotherapy Pool Project;
- (b) The General Manager is instructed to provide without delay any and all information required by the external auditors and investigators in the course of their investigations.

Recommendation:

It is recommended that:

- (a) Council commissions as a matter of urgency a comprehensive independent external project audit, including but not limited to the financial and governance arrangements, projected and delivered outcomes, and a full probity investigation reporting directly to the Council (via the Mayor) on the KGV Redevelopment and the Hydrotherapy Pool Project;
- (b) The General Manager is instructed to provide without delay any and all information required by the external auditors and investigators in the course of their investigations.

14.5 NOTICE OF MOTION - ALDERMAN M. STEVENSON 4

Author: Acting General Manager (Emilio Reale)

Qualified Person: Acting General Manager (Emilio Reale)

ECM File Reference: Notice of Motion

Community Plan Reference:

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

Strategic or Annual Plan Reference:

The strategic and annual plans are based upon the Community Plan which is outwardly focussed. Since this item discusses a management/governance issue there is no applicable reference to this matter.

Reporting Brief:

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

Proposal in Detail:***Instructions to General Manager – KGV***

- (a) That Council instructs the General Manager to provide all aldermen by Friday 27 January 2017 with:
- a. a detailed original budget for KGV, together with any iterations where changes were made (e.g. addition of the initial and subsequent Hydro pool details), and a copy of the expenditure that can be cross referenced on those figures;
 - b. the actuals against budget as they apply for each of the three tenancies functions/floors and also the hydrotherapy pool; and
 - c. the original and any amended specifications for the construction and operation of the hydrotherapy pool.

Recommendation:

- (a) That Council instructs the General Manager to provide all aldermen by Friday 27 January 2017 with:
 - a. detailed original budget for KGV, together with any iterations where changes were made (e.g. addition of the initial and subsequent Hydro pool details), and a copy of the expenditure that can be cross referenced on those figures;
 - b. the actuals against budget as they apply for each of the three tenancies functions/floors and also the hydrotherapy pool; and
 - c. the original and any amended specifications for the construction and operation of the hydrotherapy pool.

14.6 NOTICE OF MOTION - ALDERMAN M. STEVENSON 1

Author: Acting General Manager (Emilio Reale)

Qualified Person: Acting General Manager (Emilio Reale)

ECM File Reference: Notice of Motion

Community Plan Reference:

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

Strategic or Annual Plan Reference:

The strategic and annual plans are based upon the Community Plan which is outwardly focussed. Since this item discusses a management/governance issue there is no applicable reference to this matter.

Reporting Brief:

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

Proposal in Detail:***Derwent Park Stormwater Project***

There have been many questions about the financial performance of the Derwent Park Stormwater Project. Council invested significant financial resource over and above the original project scope for flood mitigation, extending the project to a commercial operation. Thus far it appears that gaining a return on investment is highly unlikely given little water sales to commercial operators.

It is recommended that:

- (a) Council commissions as a matter of urgency a comprehensive independent external project audit and operational review, including but not limited to the financial and governance arrangements, projected and delivered outcomes, and a full probity investigation reporting directly to the Council (via the Mayor) on the Derwent Park Stormwater Project;
- (b) The General Manager is instructed to provide without delay any and all information required by the external investigators in the course of their investigations.

Recommendation:

It is recommended that:

- (a) Council commissions as a matter of urgency a comprehensive independent external project audit and operational review, including but not limited to the financial and governance arrangements, projected and delivered outcomes, and a full probity investigation reporting directly to the Council (via the Mayor) on the Derwent Park Stormwater Project;
- (b) The General Manager is instructed to provide without delay any and all information required by the external investigators in the course of their investigations.

14.7 NOTICE OF MOTION - ALDERMAN M. STEVENSON 3

Author: Acting General Manager (Emilio Reale)

Qualified Person: Acting General Manager (Emilio Reale)

ECM File Reference: Notice of Motion

Community Plan Reference:

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

Strategic or Annual Plan Reference:

The strategic and annual plans are based upon the Community Plan which is outwardly focussed. Since this item discusses a management/governance issue there is no applicable reference to this matter.

Reporting Brief:

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

Proposal in Detail:***Instructions to General Manager – CT Management***

- (a) That Council instructs the General Manager to provide all aldermen by Friday 27 January 2017 with:
 - a. all instructions, any accompanying documents, and any correspondence that has been provided to, and received from, Page Seager or any other solicitor or barrister briefed in relation to a request for legal advice on the issue of the CT Management contract exemptions (the subject of Questions on Notice from Ald Stevenson); and
 - b. all internal advice and correspondence to and from the General Manager regarding the application of the tender code (both old and new) to the CT Management projects.

Officer's Response:

It is noted that with respect to the Questions of Notice from Alderman Stevenson Alderman Johnston (Items 25.2 and 25.3 respectively – 19 December 2016 Council Meeting) the following response was provided by the Director, Corporate Governance and General Counsel (Seva Iskandarli):

Any correspondence between any Council officer and external lawyer is an operational matter and it is not the function of the Aldermen under section 28 of the Local Government Act 1993 (Tas) to involve themselves in the operational business of Council and its officers.

It is normal practice that any legal advice from any law firm refers to the instructions that a client provides to a lawyer. The legal advice from Page Seager Lawyers will follow as usual the normally accepted practice. However, the instructions to Page Seager Lawyers are enclosed below for Council's information:

- 1. Whether the engagement of consulting services company CT Management Group Pty Ltd (**CT Management**) in FY15/16 (reported in Council Meeting Agenda dated 26/9/16 valued at \$445,515.84 (inc. GST) in total) were compliance with public tender requirements under the Local Government Act 1993 (Tas) (**Act**) and Local Government (General) Regulations 2015 (**Regulations**);*
- 2. Whether there is a requirement under the Act and Regulations to include the arrangements between Council and CT Management in Council's annual report for FY15/16; and*
- 3. If there has been any non-compliance with the legislative framework, what steps may be taken by Council to rectify the non-compliance.*

In addition, with respect to a Question on Notice from Alderman Stevenson (Item 25.4 – 19 December 2016 Council Meeting), Council were informed to the effect that once the Council has received advice it will be provided to Council.

Recommendation:

- (a) That Council instructs the General Manager to provide all aldermen by Friday 27 January 2017 with:
 - a. all instructions, any accompanying documents, and any correspondence that has been provided to, and received from, Page Seager or any other solicitor or barrister briefed in relation to a request for legal advice on the issue of the CT Management contract exemptions (the subject of Questions on Notice from Ald Stevenson); and
 - b. all internal advice and correspondence to and from the General Manager regarding the application of the tender code (both old and new) to the CT Management projects.

14.8 NOTICE OF MOTION - ALDERMAN M. STEVENSON 7

Author: Acting General Manager (Emilio Reale)

Qualified Person: Acting General Manager (Emilio Reale)

ECM File Reference: Notice of Motion

Community Plan Reference:

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

Strategic or Annual Plan Reference:

The strategic and annual plans are based upon the Community Plan which is outwardly focussed. Since this item discusses a management/governance issue there is no applicable reference to this matter.

Reporting Brief:

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

Proposal in Detail:***Tip Open Day***

That the Council provide one Waste Management Facility open weekend per year, free to Glenorchy Residents for domestic waste only for cars, utes and trailers. This is estimated to cost between \$40,000 - \$48,000 per year in forgone revenue.

Recommendation:

That the Council provide one Waste Management Facility open weekend per year, free to Glenorchy Residents for domestic waste only for cars, utes and trailers. This is estimated to cost between \$40,000 - \$48,000 per year in forgone revenue.

14.9 QUESTION ON NOTICE - ALDERMAN M. STEVENSON - 3

Author: Acting General Manager (Emilio Reale)

Qualified Person: Acting General Manager (Emilio Reale)

ECM File Reference: Question on Notice

Question on Notice:

To consider a Question on Notice by Alderman Matt Stevenson submitted in accordance with the requirements of Regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015*.

Question on Notice:

Board of Inquiry

Has the Board of Inquiry been provided all requested information and documents by Council? If not, what have they not been provided and why?

Answer:

As at the date of publication of the Agenda (18 January 2017), all information requested by the Board of Inquiry has, to the best of management's knowledge, been provided.

14.10 QUESTION ON NOTICE - ALDERMAN K. JOHNSTON - 3

Author: Acting General Manager (Emilio Reale)

Qualified Person: Acting General Manager (Emilio Reale)

ECM File Reference: Question on Notice

Question on Notice:

To consider a Question on Notice by Alderman Kristie Johnston submitted in accordance with the requirements of Regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015*.

Question on Notice:**Berriedale Caravan Park:**

May the General Manager please provide advice to Council on the consequences of the recent Resource Planning and Appeals Tribunal decision for the development of the proposed Berriedale Caravan Park site?

Answer:**Summary**

The consequence of the recent decision of the Resource Management and Planning Appeals Tribunal (**the Tribunal**) in *Claremont Partners Pty Ltd v Glenorchy City Council and Anor [2016] TASRMPAT 38* is that the applicant for the proposed Berriedale Caravan Park will need to comply with Council's additional information request dated 15 June 2016 (made under the *Land Use Planning and Approvals Act 1993*) before Council can assess its application any further.

The additional information request required the applicant to provide an odour modelling assessment and proposed mitigation measures to Council in relation to the adjacent Cameron Bay Sewerage Treatment Plant.

Background

Council is currently assessing an application for the redevelopment of the former Berriedale Caravan Park Site. The application seeks approval for a total of 109 accommodation units including pods, camping sites and mobile homes.

The statutory controls that apply to that site under the *Glenorchy Interim Planning Scheme 2015 (Planning Scheme)* require, amongst other things, that the application is assessed under the Planning Scheme's Attenuation Code.

The purpose of the Attenuation Code is set out in clause 9.1.1 of the Planning Scheme, and provides as follows:

“The purpose of this provision is to:

- (a) minimise adverse effect on the health, safety and amenity of **sensitive use from uses with potential to cause environmental harm**; and*
- (b) minimise likelihood for sensitive use to conflict with, interfere with or constrain uses with potential to cause environmental harm.”* (emphasis added)

The proposed caravan park is a ‘sensitive use’, as defined in the Planning Scheme (clause 4.1). The adjacent Cameron Bay Sewerage Treatment Plant is a ‘use with the potential to cause environmental harm’, as defined in the Planning Scheme (table 9.2).

The Sewerage Treatment Plant has an Attenuation Area of 400 metres under the Planning Scheme (see table 9.2), which more or less covers the entire site of the proposed development.

Council’s Information Request

As part of an additional information request made to the applicant in accordance with the provisions of the *Land Use Planning and Approvals Act 1993* dated 15 June 2016, Council requested the applicant provide an odour modelling assessment in relation to the Sewerage Treatment Plant in order to assess potential impact on sensitive uses, as well as any mitigation options. The applicant appealed Council’s request to Tribunal (appeal no. 64/16P).

Tribunal Decision

In its decision of 13 December 2016, the Tribunal affirmed the validity of Council’s information request, noting that the odour assessment requirements would be consistent with practices in other municipalities throughout Australia. The applicant will therefore need to provide the requested information to Council before its application can be further considered.

Council is unable to determine whether the proposal is appropriate for the site until Council has reviewed and considered the odour modelling assessment and any proposed mitigation works.

Any new proposal located within the Attenuation Area of the Sewerage Treatment Plant which includes sensitive uses, such as accommodation, would also need to provide similar information to determine the appropriateness of the use in that locality, and be assessed against all the relevant provisions of the Planning Scheme.

14.11 QUESTION ON NOTICE - ALDERMAN J. DUNSBY

Author: Acting General Manager (Emilio Reale)

Qualified Person: Acting General Manager (Emilio Reale)

ECM File Reference: Question on Notice

Question on Notice:

To consider a Question on Notice by Alderman Jan Dunsby submitted in accordance with the requirements of Regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015*.

Question on Notice:

A recent query to the General Manager in relation to water levels of the Tolosa Park dam noted that the reduced levels are as a result of concerns about the dam wall.

What are the ongoing plans for this water storage facility in the site rehabilitation to be funded by Taswater? Will the wall be repaired to enable a water facility to remain, or will park users continue to view the reduced water capacity?

Answer:

TasWater has begun rationalising and upgrading drinking water storages in the Glenorchy area. This has resulted in the long-planned decommissioning of the 1890 constructed Tolosa Dam, and construction of two new 20 megalitre water storage tanks, due for completion in March 2017. The dam has not been utilised as a potable drinking source for some time.

Council will continue to work with TasWater to ensure that its works to remediate the site, during and after construction, is in line with future plans for the site. Glenorchy City Council will conduct a community consultation process, to assist with the future elements to be located on site.

14.12 QUESTION ON NOTICE - ALDERMAN K. JOHNSTON - 2

Author: Acting General Manager (Emilio Reale)

Qualified Person: Acting General Manager (Emilio Reale)

ECM File Reference: Question on Notice

Question on Notice:

To consider a Question on Notice by Alderman Kristie Johnston submitted in accordance with the requirements of Regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015*.

Question on Notice:**Draft Tolosa Park Master Plan:**

May the General Manager please provide an update on the draft Tolosa Park Master Plan including, but not limited to:

- The features of the draft plan;
- The reason for its delay;
- Details of any negotiations with TasWater; and

An outline of how the master plan will be progressed?

Answer:

TasWater has begun rationalising and upgrading drinking water storages in the Glenorchy area. This has resulted in the long-planned decommissioning of the 1890 constructed Tolosa Dam, and construction of two new 20 megalitre water storage tanks, due for completion in March 2017. The dam has not been utilised as a potable drinking source for some time.

Council will continue to work with TasWater to ensure that its works to remediate the site, during and after construction, is in line with future plans for the site. Glenorchy City Council will conduct a community consultation process, to assist with the future elements to be located on site.

14.13 QUESTION ON NOTICE - ALDERMAN M. STEVENSON - 1

Author: Acting General Manager (Emilio Reale)

Qualified Person: Acting General Manager (Emilio Reale)

ECM File Reference: Question on Notice

Question on Notice:

To consider a Question on Notice by Alderman Matt Stevenson submitted in accordance with the requirements of Regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015*.

Question on Notice:

Internal Staff Survey:

In April and August 2015, the General Manager was asked how he was both measuring and managing the cultural impact of the corporate restructure of the organisation. He answered that he was having meetings with all staff to manage this impact.

It is understood that an internal staff survey has been conducted recently. May the General Manager please provide a full report on the results of the survey, particularly focussing on staff satisfaction and engagement?

Answer:

Following Council's decision on 16 March 2015 to proceed with the Corporate restructure, the General Manager held a number of meetings with the staff members of all departments. However, no staff survey was conducted specifically in relation to the impact of the CT Management review.

14.14 QUESTION ON NOTICE - ALDERMAN K. JOHNSTON - 1

Author: Acting General Manager (Emilio Reale)

Qualified Person: Acting General Manager (Emilio Reale)

ECM File Reference: Question on Notice

Question on Notice:

To consider a Question on Notice by Alderman Kristie Johnston submitted in accordance with the requirements of Regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015*.

Question on Notice:

Sponsorship

May the General Manager please provide details of any sponsorship arrangements that Council has entered into during the 15/16 and 16/17 financial years?

Answer:

Under Regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015* an answer to this question will be tabled at the Council Meeting in writing.

CLOSED TO MEMBERS OF THE PUBLIC

15. APPLICATIONS FOR LEAVE OF ABSENCE

GOVERNANCE

16. APPOINTMENT OF ACTING GENERAL MANAGER

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

17. AUDIT PANEL - INDEPENDENT MEMBERS SELECTION

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

18. MINUTES AND CHAIR'S REPORTS OF AUDIT PANEL MEETING - 23 NOVEMBER AND 6 DECEMBER 2016

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

19. ACTIONS LIST - UPDATE REPORT

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

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

20.1. QUESTION ON NOTICE - ALDERMAN M. STEVENSON - 2

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

20.2. QUESTION ON NOTICE - ALDERMAN M. STEVENSON

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