

COUNCIL AGENDA

COUNCIL MEETING MONDAY 10 FEBRUARY 2014

COUNCIL AGENDA

Monday 10 February 2014

Notice is hereby given that the Ordinary Meeting of the Launceston City Council will be held at the Council Chambers -

Date: 10 February 2014

Time: 1.00 pm

Section 65 Certificate of Qualified Advice

Background

Section 65 of the Local Government Act 1993 requires the General Manager to certify that any advice, information or recommendation given to council is provided by a person with appropriate qualifications or experience.

Declaration

I certify that persons with appropriate qualifications and experience have provided the advice, information and recommendations given to Council in the agenda items for this meeting.

Robert Dobrzynski General Manager

Cholow aday

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Monday 10 February 2014

- 1 OPENING OF MEETING IN ATTENDANCE AND APOLOGIES
- 2 DECLARATION OF PECUNIARY INTERESTS
- 3 CONFIRMATION OF MINUTES

RECOMMENDATION:

- 1. That the Minutes of the meeting of the Launceston City Council held on 28 January 2014 be confirmed as a true and correct record.
- 2. That the Minutes of the meeting of the Launceston City Council held on 28 January 2014 in closed session be confirmed as a true and correct record.
- 4 DEPUTATION

5 ANSWERS FROM PREVIOUS PUBLIC AND ALDERMEN'S QUESTION TIME

Meeting Date and Item No.	Question	Answer	Officer Responsible
28 January 2014	Mr Robin Smith asked: What has been the procedure in the past, and is the current procedure regarding the issuing of permits for Charity collectors within Brisbane Street Mall?	The current (and past procedure) for issuing permits for Charity collectors within the Brisbane Street mall is: • When a charity requests a permit, the Customer Service Centre (CSC) • Checks that the activity falls within the guidelines (if it doesn't, the request is referred to the nominated Parks & Recreation Department Officer for approval) • Checks the prohibited list (list of customers who have failed to comply with guidelines in the past and have therefore been prohibited from being granted permits for activities in the mall - the list is compiled by the Parks & Recreation and Environmental Services Departments as a result of public concerns) • Checks that the organisation meets the definition of a charity • If it is a permitted charity, CSC checks availability in the Brisbane Street Mall calendar taking into consideration other charity bookings already in place. If there were already two charities booked, CSC would recommend alternate dates • If a designated charity spot is available, the booking date is confirmed, a Customer Service Request created and the permit issued • CSC also advises the charity of the restrictions that apply to their activity (not permitted to move around the Mall, block the entrances to shops or to make forceful approaches whilst selling or collecting for the charity).	Michael Tidey

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Meeting Date and Item No.	Question	Answer	Officer Responsible
28 January 2014	Ald J D Ball asked: Where are we looking at installing solar lighting and if there haven't been uptakes through private enterprise, can we approach aurora for trials in the city?	Infrastructure Services have advised that recently solar edge definition lights were installed along the bike track within Kings Park to delineate the track at night. Previously the track was almost impossible to see given the tree canopy. In respect of solar street lighting, coupling solar panels to particular lights is viable in isolated situations where mains (reticulated) electricity supply is not available or is costly to install. Solar edge definition lights were installed along the bike track within Kings Park to delineate the track at night. Previously the track was almost impossible to see given the tree canopy. Parks some years ago trialled solar lighting at remote public shelters but these were very expensive (particularly battery storage) and failed due to theft of batteries even dug into the ground. Where mains electricity is available, which is most of Launceston, there is no environmental or economic benefit in coupling solar panels to particular lights. Instead, it is more cost efficient to locate solar panels as a cluster in areas where north light is unimpeded, typically roof tops. Further,	Harry Galea
		where mains electricity is available, solar panels can feed directly into the electricity grid, removing the need for battery storage, which is both costly and environmentally problematic. Environmental benefit is can then be measured by weighing up the amount of energy used for street lighting with the amount of energy generated by solar panels, irrespective of where the solar panels are located. In assessing the environmental impact of lighting, the use of energy efficient lights is just as important. Infrastructure Services are in discussions with Aurora Energy about the use of LED lighting	

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6 PUBLIC QUESTION TIME

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7 ANNOUNCEMENTS BY THE MAYOR

7.1 Mayor's Announcements

FILE NO: SF2375

Wednesday 29 January

Attended Newstead College Presentation and Awards Evening

Thursday 30 January

Attended Ricky Ponting Charity event

Officiated at Ricky Ponting Tribute Game Official Function for presentation of Key to the City

Saturday 1 February

Attended Launceston Hazara Community Commemoration Ceremony in Civic Square

Sunday 2 February

Officiated at Theatre North Opening of an Artspace Odyssey (1993-2013)

Thursday 6 February

Attended Official Opening of Festivale 2014

Friday 7 February

Attended Indonesian Buyers Delegation function

Saturday 8 February

Attended Netball Tasmania Breakfast event

Attended Commemoration Service for 50 year anniversary for Church of Jesus Christ of Latter-Day Saints

Monday 10 February

Officiated at Breast Screen Tasmania's 21st Birthday Celebrations

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- 8 ALDERMEN'S/DELEGATES' REPORTS
- 9 QUESTIONS BY ALDERMEN

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10 COMMITTEE REPORTS

10.1 Heritage Advisory Committee Report 5 December 2013

FILE NO: SF2965

AUTHOR: Fiona Ranson (Urban Designer and Heritage Planner)

DIRECTOR: Michael Stretton (Director Development Services)

DECISION STATEMENT:

To consider a report from the Heritage Advisory Committee's meeting held on 5 December 2013.

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

That in respect to the meeting of the Heritage Advisory Committee held on Thursday, 5 December 2013, the Council receives the minutes and resolves that expressions of interest for membership of the Committee as a Community Representative be advertised in the first week of February 2014, with submissions closing three weeks later, for consideration by the Committee at the 27 February 2014 meeting.

REPORT:

The Heritage Advisory Committee met on Thursday 5 December 2013 to discuss the following items.

- Heritage Precinct Project
- Local Level Heritage Listings
- Town Hall 150 year Anniversary Celebrations
- National Trust and Heritage Funding
- History in the Park
- Committee Representation for 2014
- Ideas for Heritage Awards for 2014

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10.1 Heritage Advisory Committee Report 5 December 2013...(Cont'd)

Heritage Precinct Project

Following initial community consultation sessions held in April draft planning provisions and associated documents for the Pilot Heritage Precinct, Cimitiere Street were presented to the Committee and in September they were made available to property owners, residents and the general public for comment. As a result of this process the following were received:

- 2 enquiries;
- 1 expression of support;
- no specific feedback on the provisions; and
- no negative feedback.

Following this consultation the documents were forwarded to the Tasmanian Planning Commission (TPC) for their review and feedback

The documents have also been sent to Heritage Tasmania and the Tasmanian Heritage Council seeking further feedback and formal support for the initiative to back the final submission to the Council and the TPC.

Council approval will now be sought to make amendments to the Local Historic Heritage Code including the final precinct provisions before opening the amendments for public comment.

Town Hall 150 Year Celebrations

Council's Tourism Manager, Eamonn Seddon attended the meeting and provided an update on plans for the celebration of the 150th anniversary of the Town Hall.

The following proposal was presented:

- Directional/promotional signs at public entries from the Customer Service Centre and the elevator lobby.
- Main exhibition drawings, photos, stories and any relics to me mounted in the Town Hall Reception Room.
- Youth participation to be encouraged and Youth Theatre to tell 'Launceston's history in 15 mins' at the opening of the exhibition and in 'street theatre' performances.
- Exhibition to be on display for 4-6 weeks from mid-April 2014
- Exhibition to be designed enable continued use of the Reception Room
- The cost of \$6000 for the celebration will be accommodated within the Council's Heritage budget.

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10.1 Heritage Advisory Committee Report 5 December 2013...(Cont'd)

It is intended the Exhibition would still be on display during Heritage Month and the National Trust Heritage Festival in May 2014. It was also noted the National Conference of Museums Australia will be held in Launceston during this time with up to 400 delegates converging on Launceston. (The exhibition opening is tentatively planned for the evening of Tuesday 15 April 2014 as the actual anniversary (21 April) falls over the Easter holidays).

ECONOMIC IMPACT

N/A

ENVIRONMENTAL IMPACT:

N/A

SOCIAL IMPACT:

N/A

STRATEGIC DOCUMENT REFERENCE:

N/A

BUDGET & FINANCIAL ASPECTS:

N/A

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

Michael Stretten: VDirector Development Services

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11 PETITIONS

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12 PLANNING AUTHORITY

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13 NOTICES OF MOTION - FOR CONSIDERATION

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DIRECTORATE AGENDA ITEMS

14 DEVELOPMENT SERVICES

15 FACILITY MANAGEMENT AND GOVERNANCE SERVICES

15.1 Amendment of Rules of Launceston Flood Authority

FILE NO: SF0030 / SF4493

AUTHOR: Darryl Wright (Legal Adviser)

DIRECTOR: Rod Sweetnam (Director Facilities Management)

DECISION STATEMENT:

To determine to make certain amendments of a technical nature and in respect of substantive amendments to the rules, to commence the procedure required under the Local Government Act 1993, to amend the rules.

The decision requires an absolute majority of Council.

PREVIOUS COUNCIL CONSIDERATION:

Nil.

RECOMMENDATION:

- 1. The rules of Launceston Flood Authority are amended as follows:
 - a) The introductory sentence to rule 36.2 read:
 - "36.2 Accounts shall be established to enable appropriate reporting of the following expenditure."
 - b) In rule 37 the words "The amount of money reasonably required by it for each of the following two financial years" be marked as paragraph d), and that the following two paragraphs be marked as sub-paragraphs i) and ii).
 - c) In existing rule 41.1on the second line, replace the word "of" where secondly appearing, with the word "or".
 - d) Rules 41 and 42 be removed from Part 6 of the rules, and included within Part 7 as rules 42 and 43, and consequent upon that amendment, the existing rule 43 be re-numbered as rule 41.
 - e) Rule 8.4 a) read "The Minister responsible for Crown Lands" in lieu of "The Minister for Crown Lands" and Rule 8.4 b) read "The Minister responsible for water" in lieu of "The Minister for Water".

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15.1 Amendment of Rules of Launceston Flood Authority...(Cont'd)

- 2. Council give public notice as required under the provisions of Division 4 of Part 2 of the Local Government Act 1993, of its intention to amend the rules of Launceston Flood Authority as follows:
 - a. Delete existing sub-rules 6.6, 6.7, 6.9, and 6.10;
 - b. Include new sub-rule 6.6: "To provide to Council at all appropriate times, and when requested by Council, technical information and other relevant advice and information, to assist Council to develop and maintain appropriate emergency management procedures".
 - c. Make resultant amendments to numbering of sub-rules to rule 6;
 - d. Delete existing rule 44;
 - e. Make resultant amendments to numbering of existing rules 45 to 51;

REPORT:

Launceston Flood Authority ("LFA") is a single authority established by Council in 2008 pursuant to the provisions of Division 4 of Part 2 of the Local Government Act, 1993 ("the Act").

Section 38 of the Act deals with rules of Authorities. Subsection (6) provides that "Any amendments of the rules are to be dealt with as if they were proposed rules." However subsection (7) provides:

- (7) Subsection (6) does not apply if the amendment:
- a) is of a technical or administrative nature; or
- b) does not significantly alter the purpose or objectives of the single authority or joint authority; or
- c) does not significantly alter the interaction between the authority and the public.

The amendments proposed in recommendation 1 are of a technical nature and are merely to correct grammatical or drafting errors. The amendments so proposed are therefore effective on Council adopting the recommendation.

On adoption of recommendation 2, a notice giving details of the proposed amendments will be advertised, and the public given notice that submissions as to the proposed amendments may be made to Council. After a period of twenty-one days has lapsed, Council is to consider any submissions made, and then to determine whether to make the proposed amendments or any of them.

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15.1 Amendment of Rules of Launceston Flood Authority...(Cont'd)

The object of the proposed amendments (recommendation 2) is to remove from LFA requirements of it in relation to public education and emergency management. It is considered appropriate that Council, which has historically undertaken these tasks, continue in that role. The proposed new sub-rule 6.6 is included as a requirement of the Premier (letter of the Premier of 23 September, 2013 is an attachment to this report).

LFA approves of these amendments.

It was a condition of the funding agreement between Council and the State Government that the Authority have these powers and responsibilities relating to emergency management. The State Government offers no objection to the proposed amendments.

Turning again to the technical amendments in recommendation 1 and following the lettering therein:

- a) Rule 36.2 now reads: "Accounts, shall be established to enable appropriate reporting of the with the following expenditure:
 - a. Capital upgrading of the levee system;
 - b. Maintenance of the levee system;
 - c. Dredging of the rivers; and
 - d. General administration."

The amendment removes the words "with the" from the second line to correct the grammatical error.

- b) Rule 37 now relevantly provides: "the Authority shall prior to 30 March in that year advise Council:
 - a) The amount of money it reasonably needs to complete the works and other undertakings as set out in its operational plans for the forthcoming financial vear:
 - b) The amounts it reasonably requires to meet other expenditure for the forthcoming financial year, and details of that expenditure;
 - c) In respect of a. above, detail of respective amounts for each item of work."

The amount of money reasonably required by it for each of the following two financial years:

- a) to meet its expenditure associated with proposed works and undertakings as set out in its operational plans adopted by it and as may be amended from time to time.
 - b) to meet operational and any other expense.

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15.1 Amendment of Rules of Launceston Flood Authority...(Cont'd)

It is proposed to mark the sentence beginning "The amount of money" as paragraph d. and the sub-paragraphs following as sub-paragraphs i) and ii), to better set out the provisions of the rule.

- c) Rule 41.1 now reads "The common seal of the Authority shall be kept by the Authority in the custody of the Chief Executive Officer, or if a Chief Executive Officer is not appointed, the General Manager." The amendment is to correct the grammatical error so that the rule reads "or if a Chief Executive officer is not appointed".
- d) The heading to Part 6 of the rules is "Financial Matters". The heading to Part 7 is "Miscellaneous". Existing rules 41 (dealing with the Common Seal of the Authority) and 42 (dealing with rezoning of land or development outside Council area) should more appropriately be within the miscellaneous section and removed from the financial matters section.
- e) Rule 8 refers to the "Minister for Crown Lands" and also the "Minister for Water". There is no Minister of the Crown so titled. The Deputy Premier is also the Minister for Primary Industries and Water. The Minister for Environment Parks and Heritage deals with Crown lands issues. It is suggested the amendments more properly describe the relevant Minister.

It is an appropriate time to bring these proposed amendments of a technical or administrative nature to Council so as to be considered simultaneously with the proposed substantive amendments dealing with responsibility for emergency management matters.

ECONOMIC IMPACT:

Nil. Council has historically dealt with emergency management matters and it is proposed to continue to do so.

ENVIRONMENTAL IMPACT:

Nil

SOCIAL IMPACT:

Nil (see economic impact)

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15.1 Amendment of Rules of Launceston Flood Authority...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

Annual Plan 5.1.9. - Efficient delivery of services to our community.

BUDGET & FINANCIAL ASPECTS:

Council has budgeted \$12,000 for Flood Education in the current financial year.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

Rod Sweetnam: Director Facilities Management

ATTACHMENTS:

- 1. Letter Premier to the Mayor 23 September 2013.
- 2. Letter General Manager (LFA) to General Manager (LCC) regarding emergency management and flood education.

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Attachment 1 - Letter Premier to Mayor 23 September 2013 (1 page)

Premier

Level II, I5 Murray Street, HOBART TAS 7000 Australia GPO Box I23, HOBART TAS 7001 Australia Ph: +61 3 6233 3464 Fax: +61 3 6234 1572 Email: Premier@dpac.tas.gov.au



23 SEP 2013

Ald Albert van Zetten Mayor Launceston City Council PO Box 396 LAUNCESTON TAS 7250

Web: www.premier.tas.gov.au

Dear Mayor Albert

I am writing in relation to your Council's correspondence seeking my consent to amendments to the Launceston Flood Authority Rules that would relieve the Launceston Flood Authority of responsibility in relation to the matters of emergency management and public education. I apologise for the delay in providing your Council with a response.

Provided that the Launceston Flood Authority retains responsibility for providing technical and other advice to assist Council with developing appropriate emergency management procedures, I agree to the Council assuming its responsibility for public education regarding flood risk, preparedness and response.

The proposed changes to the Rules may require a corresponding amendment to the Launceston Flood Risk Management Deed. To progress any necessary amendments to the Deed it would be appreciated if the relevant Council officer could contact Mr Chris Lock, Director of the Economic Policy Branch, Department of Treasury and Finance. Mr Lock can be contacted by telephone on 6233 2646 or by email at Chris.Lock@treasury.tas.gov.au.

I understand that the Launceston Flood Authority has requested that the Council amend the Rules and has advised that the changes do not conflict with proposed legislation (*Launceston Flood Risk Management Bill 2013*). If the amendments are in accordance with my comments above, I do not object to the Council amending the rules in accordance with Division 4 of Part 3 of the *Local Government Act 1993*.

I would like to thank your Council for its correspondence on this matter and I trust that the new arrangements will result in more effective emergency management and public education arrangements.

Yours sincerely

Lara Giddings MP

Premier

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Attachment 2 - Letter LFA to LCC 14 December 2012 (4 pages)



Town Hall, St John Street PO Box 396, LAUNCESTON TAS 7250 T 03 6323 3220 F 03 6323 3396

File No: SF4493 AF:cb

14 December 2012

Robert Dobrzynski General Manager Launceston City Council PO Box 396 LAUNCESTON TAS 7253

Dear Robert

Re: Changes to the Authority's Rules

At the Authority's Board meeting on 24 October 2012 amendments to the Authority's Rules were considered and a resolution, as follows, was carried adopting the amendments:

- That the Board notes the report and endorses the amendments to the Launceston Flood Authority Rules as noted in Rod Sweetnam's memorandum of 7 September 2012 with the exception of Rule 6.11 which shall be retained.
- 2. That the Board submits the amended Rules to the Council in accordance with Rule 46 and requests the Council amend the Rules.

Accordingly, I request you arrange for the amendments to be presented to Council for adoption at your earliest convenience.

Please contact me on ext. 3308 should you require further information.

Yours sincerely

Andrew Fullard GENERAL MANAGER

Monday 10 February 2014

LAUNCESTON CITY COUNCIL

MEMORANDUM

DATE:

7 September 2012

TO:

Andrew Fullard

Launceston Flood Authority

CC:

Robert Dobrzynski

General Manager, LCC

SUBJECT:

Changes to LFA Rules

Dear Andrew

Please find attached amended copy of the LFA Rules. A summary of the changes are listed below. If the Authority agrees with the general thrust of the changes, it can be reviewed by Darryl Wright to ensure that the changes are consistent with the proposed intent.

6.6 Publish papers and conduct public information sessions, and take such other action as it considers reasonably desirable, to educate inform the public of Launceston as to the attributes of the flood protection system. —risks—of flooding, and recommended action to be taken both prior to and after a flood event, so as to mitigate loss and damage.

Following items are deleted

- 6.7 To implement a public education strategy to increase public awareness of the flood risks in the Invermay area and the desirability for effective measures to reduce these risks.
- 6.9 Review and revise all relevant emergency management procedures and documents so as to have in place effective emergency management plans and procedures at all times clause 44.1.
- 6.10 To develop key performance indicators so as to assess the ongoing effectiveness of plans and procedures, and the preparedness of persons to adequately deal with the effects of a major flood.
- 6.11 To do all other things reasonably necessary or convenient to enable the Authority to better carry out or perform its functions.
- 6.22 To take ownership of and to take control and management of all land vested in

Limitation on Powers

8.1 The Directors will obtain written consent of Council prior to the exercise of any power to acquire ownership of any land, and will, if required by Council, and subject to making arrangements with Council as to payment, register — ownership of land acquired in the name of Council.

MEMORANDUM

The words in bold have been inserted as follows:

- 8.2 Not sell any land vested in it, or acquired by it, nor to lease any land for a term in excess of 5 years, without the prior written approval of each of:
 - a) The Minister responsible for Crown Lands;
 - b) The Minister responsible for Water;
 - c) Council.

16. Meetings

Subject to these Rules, Directors may meet together for any dispatch of business, and may adjourn or otherwise regulate their meetings as they think fit. All meetings of Directors shall be closed to the public at the discretion of the Authority.

Typo corrected below

41. Seal

41.1 The common seal of the Authority shall be kept by the Authority in the custody of the Chief Executive Officer, of or if a Chief Executive Officer is not appointed, the General Manager.

Deletions and amendments as marked:

42 Activities Outside Council Area

If the Authority shall become aware of a rezoning of land or development proposed in an area either inside or outside of the municipal area of Council, and the Authority forms a view that:

- a) an area of land should not be rezoned because if it was rezoned, a subsequent development of that land would be likely to have a serious negative impact on the integrity of the levee system; or
- b) a proposed development would, if it proceeded, have a serious negative impact on the integrity of the levee system; or
- a parcel of land should be purchased to protect the interest of the levee system; or
- d) a parcel of land;
- e) as to some other matter or matters which might materially effect the integrity of the levee system or the work of the Authority.

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LAUNCESTON CITY COUNCIL

MEMORANDUM

(cont'd next page)

The Authority shall immediately on the event occurring advise Council:

- a) of the view or views taken by the Authority;
- b) actions planned to be taken by the Authority;
- c) when each of such actions has been taken.

Part 7 - Miscellaneous

Emergency Management

- 44.1 The Authority shall, as soon as practicable following its establishment, review and revise all relevant emergency management procedures and documents held by Council, or any other relevant body to whose records it may have access, so as to put in place effective emergency management plans and procedures.
- 44.2 The Authority shall develop key performance indicators to assess the ongoing effectiveness of the Emergency Management plans and level of preparedness of residents and persons otherwise occupying the flood risk area.
- 44.3 The Authority will liaise with and work with Council, the State Government, and any other party or body of persons which, in the opinion of the Directors, may make available to the Authority Council technical or other assistance to assist the Authority Council in developing and maintaining emergency management procedures and documents.
- 44.4 The Directors of the Authority must ensure that:
 - a) emergency management plans are kept relevant and up to date at all times;
 - Such plans relate not only to the flood risk area, but also relate to all areas
 of the City of Launceston which may be subject to flooding;

Rod Sweetnam

DIRECTOR FACILITY MANAGEMENT & GOVERNANCE SERVICES

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16 QUEEN VICTORIA MUSEUM AND ART GALLERY

Monday 10 February 2014

17 INFRASTRUCTURE SERVICES

17.1 Infrastructure Services Directorate - Appointments as Authorised Officers

FILE NO: SF0113

AUTHOR: Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To appoint officers in the Infrastructure Services Directorate as 'Authorised Officers' for the purposes of various Legislation and Council By-Laws.

PREVIOUS COUNCIL CONSIDERATION:

Council Item 16.1 - 12 September 2011

Changes to the previous Approval of 'Authorised Officers' in the Infrastructure Services Directorate.

RECOMMENDATION:

- That Council, pursuant to the provision of the section and Act of Parliament or By-Law as specified in column 3 in the schedule below, resolves to appoint or grant power as indicated in column 4 to persons holding the positions identified in column 5 of the function described in column 6 but subject to the conditions identified in column 7.
- 2. That the Instrument of Delegation, if required by the Act, be the schedule within the Minutes of the meeting certified as a true and correct record by the Council to the Officer(s) given Functions and/or Power but subject to the Conditions as specified in columns 5, 6 and 7 respectively.

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17.1 Infrastructure Services Directorate - Appointments as Authorised Officers...(Cont'd)

The Schedule

1	2		3	4	5		6	7
						Description of Function		
#	Short Title	Section	oling Legislation Act	Authority Bestowed	Officer(s)	Section	and/or Power Description	Conditions
	Authorised	41(1)	Local Government	Appointment	• DIS	41	as an Authorised	Nil
'	Officer	41(1)	(Highways) Act	Appointment	• MIA	41	Officer to administer the	INII
	0111001		1982		• MIO		provisions where traffic is	
			.002		• RAM		likely to cause damage to	
					RHM		a highway.	
					• RAE			
2	Authorised	46(2)	Local Government	Appointment	• DIS	46(1)	as an Authorised	Nil
	Officer		(Highways) Act		• MIA		Officer enabled to grant	
			1982		• MIO		permission for a person to	
					• RAM		do various works within a highway.	
					RHM		Tilgriway.	
					EO-DRSS			
					• RSS			
3	Authorised	43(1)	Traffic Act 1925	Appointment	• DIS	43	as an Authorised	Nil
	Person	10(1)	774111071011020	, пропилоги	MIA		Person enabling the	
					• MIO		removal of things	
					• RAM		obstructing public streets.	
					RHM			
					 WCSM 			
					<u>CSS</u>			
					• RSS			
4	Corporation's		Local Government	Appointment	RAE DIS	All	to the position of the	Nil
-	Engineer		(Highways) Act	Арропшнен	Dio	/\li	Corporation's Engineer or	I NII
	3		1982				'engineer' for purposes	
							under the Act	
5	Authorised	4	Private Works on	Appointment	• DIS	All	as an Authorised	Nil
	Officer		Roads By-Law No 2 of 2000		• MIA		Officer for the purposes of enforcing the provisions of	
			2 01 2000		• MIO		the By-Law.	
					RAMEO-R		the by Law.	
					• RAE			
5	Authorised	20 A	Local Government	Appointment	• <u>DIS</u>	20 A	a person authorised to	for the
٦	Officer		Act 1993		• MIA		enter land.	purposes
					• <u>MIO</u>			of the
					• <u>RHM</u>			<u>Urban</u>
					• <u>EO-R</u>			<u>Drainage</u>
					• <u>RSS</u>			Act 2013
Ļ	A cathering to		Kataba B 7	A	• <u>CSS</u>	A !!	A	NI"
6	Authorised Officer	4	Kerbside Refuse Collection By-Law	Appointment	• DIS	All	as an Authorised Officer for the purposes of	Nil
	Cilicei		No 8 of 2003		MIOSWMO		enforcing the provisions of	
					SVVIVIO		the By-Law.	
L_	Authoric		Defuse Discosal	Annoisteres	DIC	۸.,	•	NI:
'	Authorised Officer	3	Refuse Disposal Area By-Law No	Appointment	• DIS	All	as an Authorised Officer for the purposes of	Nil
			21 of 2004		• MIO		enforcing the provisions of	
							the By-Law.	
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17.1 Infrastructure Services Directorate - Appointments as Authorised Officers...(Cont'd)

LEGEND:

CSS	City Services Supervisor	MIO	Manager Infrastructure Operations
DIS	Director Infrastructure Services	RHM	Road and Hydraulics Manager
EO-D	Engineering Officer - Development	RAE	Road Assets Engineer
EO-R	Engineering Officer - Roads	RSS	Road Services Supervisor
MIA	Manager Infrastructure Assets	<u>SWMO</u>	Senior Waste Management Officer

REPORT:

Various legislation relating to infrastructure services tasks require that Council or the General Manager to appoint officers as an Authorised Officer to fulfil the powers and functions of the Acts.

A major review was undertaken of the Infrastructure Services Directorate in 2010 following the transfer of staff to Ben Lomond Water (now TasWater). The schedule of Authorised Officers was further refined in February 2011 following an internal restructure which merged Hydraulic Assets into the Road Assets section and when Parks and Recreation Department became a department of Infrastructure Services Directorate.

It is necessary to make further changes to the Authorised Officers schedule given the introduction of *Urban Drainage Act* 2013 and the repeal of the *Private Works on Roads Bylaw No 2 of 2000*.

All changes to the approved September 2011 delegations are shown <u>underlined</u> or <u>strike</u> out.

ECONOMIC IMPACT:

Not relevant to this motion.

ENVIRONMENTAL IMPACT:

Not relevant to this motion.

SOCIAL IMPACT:

Not relevant to this motion.

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17.1 Infrastructure Services Directorate - Appointments as Authorised Officers...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

The goal within Council's Stragetic Plan (2008-2013) which is considered relevant is: 5.9 - Enhance efficient delivery of services to our community.

BUDGET & FINANCIAL ASPECTS:

N/A.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

Harry Galea: Director Infrastructure Services

Monday 10 February 2014

18 CORPORATE SERVICES

18.1 Conferring the Honour of Honorary Freedom of the City and Key to the City of Launceston Policy (05-PI-004)

FILE NO: SF0981

AUTHOR: Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To conduct a review of the Council's Conferring the Honour of Honorary Freedom of the City and Key to the City of Launceston Policy (05-PI-004).

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

The Conferring the Honour of Honorary Freedom of the City and Key to the City of Launceston Policy (05-PI-004) be adopted as follows.

Conferring the Honour of Honorary Freedom of the City and Key to the City of Launceston Policy (05-PI-004)

PURPOSE:

To determine the principles for the conferring Honorary Freedom of the City and Key to the City.

SCOPE:

This Policy applies to Council's decision making in relation to conferring Honorary Freedom of the City and Key to the City.

POLICY:

- 1. Recipients should either be Launceston born or more importantly have lived in the Launceston area for significant part of their life.
- 2. The title "Freeman of the City" is an historic one and may be conferred on women and men.
- 3. Honorary Freedom of the City should not be conferred more than once every five years, except in exceptional circumstances.

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18.1 Conferring the Honour of Honorary Freedom of the City and Key to the City of Launceston Policy (05-PI-004)...(Cont'd)

4. The recipient must have given outstanding service to the City of Launceston in at least two of the following areas:

Government Bodies Community Service

Federal Government Charitable
State Government Business
Local Government Sporting
Semi-Government Authorities Cultural
Other

The only exception to this would be in the case of those who have held high political office in the State or Commonwealth.

- 5. Recipients should have played a significant role in Australia wide or Tasmania wide organisations.
- 6. The normal military protocol applies for the conferring of the Freedom of the City to a military unit.
- 7. The Key to the City is a symbolic gesture to recognise outstanding achievement in
 - a) Defence or peace keeping services;
 - b) Sporting or cultural excellence;
 - c) Community service, humanitarian work including charitable activities; or
 - d) Commercial activity or economic benefit to the region.

PRINCIPLES:

Council's Organisational Values apply to all activities.

RELATED POLICIES & PROCEDURES:

Guidelines for the Holding of Civic Events (05-HLPr-006) Honorary Citizens of Launceston Policy (05-Pl-005)

RELATED LEGISLATION:

N/A

REFERENCES:

N/A

DEFINITIONS:

N/A

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18.1 Conferring the Honour of Honorary Freedom of the City and Key to the City of Launceston Policy (05-PI-004)...(Cont'd)

REVIEW:

This policy will be reviewed no more than <u>5 years</u> after the date of approval (version) or more frequently, if dictated by operational demands and with Council's approval.

REPORT:

Honorary Freedom of the City is the highest honour that Council can confirm on an individual. It is recommended that the policy be confirmed to allow Council a mechanism to recognise individuals who have provided exemplary service.

Previous recipients of Honorary Freedom of the City are:

- The late Sir Wilmot Hudson Fysh KBE, DFC 28 October 1966.
- The late Hon Sir Norman Henry Denham Henry KBE 4 November 1970.
- The late Hon L H Barnard AO 24 July 1975.
- The late Sir Raymond Alfred Ferrall CBE 10 June 1981.
- The late Dame Marjorie Alice Collett Parker DBE 12 November 1984.
- The late Mrs D E A Edwards CBE 12 November 1984.
- Sir Geoffrey James Foot 12 November 1990.
- The late Mr Thomas Dudley Room AM 12 November 1990.
- Mrs Barbara Tweed Payne AM OBE 2 October 1996.

Military recipients of Freedom of the City in accordance with normal military protocol are:

- 6th field Regiment, Royal Regiment of Australia Artillery 6 June 1970
- LCDR CCR Rex RAN and Ships Company HMAS Launceston 11 May 1982
- 12th Independent Rifle Company Royal Tasmanian Regiment 22 November 1986
- Ship's Company of HMAS Dechaineux 26 May 2001

The Key to the City is presented to recognise outstanding achievement in sport, or humanitarian work at an international level. The granting of the Key to the City is a symbolic presentation with no privileges.

Previous recipients of Key to the City are:

• Mr Ken Gourlay – 1 September 2007

This policy has been reviewed as part of the systematic review of Council policies. Minor changes were required as underlined. The review period has been extended to five years.

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18.1	Conferring the Honour of Honorary Freedom of the City and Key to the City of Launceston Policy (05-PI-004)(Cont'd)
ECON	IOMIC IMPACT:
N/A	
ENVIE	RONMENTAL IMPACT:
N/A	
SOCIA	AL IMPACT:
Comm	nunity building through public recognition of significant people in the community.
STRA	TEGIC DOCUMENT REFERENCE:
N/A	
BUDG	SET & FINANCIAL ASPECTS:
N/A	
DISCI	LOSURE OF INTERESTS:
The of	fficer has no conflict of interest in this item.
	I certify that I have reviewed and approved this advice and recommendation.
	Michael Tidey: Director Corporate Services

Monday 10 February 2014

18.2 Community Member Recognition and Civic Functions Policy (05-Pl-006)

FILE NO: SF0207

AUTHOR: Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To consider a policy, that provides the framework for the Council to recognise significant contributions by community members.

PREVIOUS COUNCIL CONSIDERATION:

Item 4.6 - SPPC 4 February 2013 - Investigate appropriate honour and recognition for Francis Bassett Emms (SF0207)

Item 4.7 - SPPC 3 February 2014 - It was resolved that the policy go to the Council for a decision

RECOMMENDATION:

The Community Member Recognition and Civic Functions Policy (05-PI-006) be adopted as follows.

Community Member Recognition and Civic Functions Policy (05-PI-006)

PURPOSE:

To establish the framework for the recognition by the Council for significant contributions to the municipality and the region by community members (including former residents).

SCOPE:

The policy applies to requests to hold a civic event in recognition of a significant contribution or achievement by a community member.

The policy applies to the Mayor and or Council approving the holding of Civic events.

POLICY:

This policy seeks to complement the existing conferring of Honorary Freedom of the City, Honorary Citizens and the Volunteers Recognition Policies by providing a framework for the recognition of significant achievement by members of the community.

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18.2 Community Member Recognition and Civic Functions Policy (05-PI-006)...(Cont'd)

Recognition provided:

On the decision of the Mayor

- 1. Informal Mayoral function and gift
- 2. Formal Civic Reception.

On the decision of the Council

- 3. Public plaque, sculpture or art work.
- 4. Other.

Areas of significant service or achievement:

- 1. Defence or peace keeping services
- 2. Sporting or cultural excellence.
- 3. Community service including charitable activities.
- 4. Commercial activity or economic benefit to the region.

Pre-requisites for recognition:

- 1. Significantly contributed to the City in one of the areas of significant service or achievement.
- 2. Viewed as promoting or identified with the City.
- 3. Support from relevant reference organisations (e.g. RSL Club, sporting bodies etc).

In determining the recognition provided the Council will consider the significance of the service in the context of the activity. Possible factors would include the period of service (e.g. 20 years), the standard reached (national or international) or the funds raised.

The Council will consider any other recognition from other levels of government and consider whether further recognition would complement or duplicate this.

PRINCIPLES:

The policy objective is to recognise significant or outstanding achievement through public acknowledgement. The application of the policy must ensure that the thresholds for the different types or levels of recognition appropriately acknowledge the achievements.

If applied inappropriately or inconsistently then the importance of the recognition may be diminished.

Recognition activities may only be approved by the Mayor if the date of the reception or function falls within the Mayor's current term or three months after the end of his/her current term of office. All other requests are to be decided upon by the Council.

Monday 10 February 2014

18.2 Community Member Recognition and Civic Functions Policy (05-Pl-006)...(Cont'd)

The Council's organisational values apply to all activities.

RELATED POLICIES & PROCEDURES:

Conferring the Honour of Honorary Freedom of the City Policy 05-Pl-013 Honorary Citizen of Launceston Policy 05-Pl-005 Volunteers Recognition Policy 04-Pl-003 Guidelines for the holding of Civic Receptions 05-HLPr-006 Mayoral Communication Flowchart 17-HLPr-002 Authorised Speech Sign Offs Procedure 05-Pr-009 Community Grants (Non Individuals) Policy 05-Pl-010 Conference, conventions and Championships Incentive Policy 05-Pl-013 Events Sponsorship Policy 05-Pl-012

RELATED LEGISLATION:

N/A

REFERENCES:

N/A

DEFINITIONS:

Civic Events - activities organised in the name of the Council and presided over by the Mayor or Council delegate.

Community Member - Includes current and former residents of the municipality and may include the region.

REVIEW:

This policy will be reviewed no more than 5 years after the date of approval (version) or more frequently, if dictated by operational demands and with Council's approval.

REPORT:

This policy has been drafted following discussion about who the Council would consider providing recognition.

The Council has some other policies related to the recognition that need to be considered in the overall framework.

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18.2 Community Member Recognition and Civic Functions Policy (05-PI-006)...(Cont'd)

ECONOMIC IMPACT:

ENVIRONMENTAL IMPACT:

N/A

SOCIAL IMPACT:

Community building through public recognition of significant people in the community.

STRATEGIC DOCUMENT REFERENCE:

N/A

BUDGET & FINANCIAL ASPECTS:

Will be determined by the number and scale of the recognition activities.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

Michael Tidey: Director Corporate Services

Monday 10 February 2014

18.3 Property Debt (Small Charge) Remission Policy (23-PI-006)

FILE NO: SF0523

AUTHOR: Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To conduct the scheduled review of the Council's Property Debt (Small Charge) Remission Policy (23-PI-006).

PREVIOUS COUNCIL CONSIDERATION:

Item 17.1 - Council 24 November 2008 - It was resolved that the policy be reaffirmed with no changes

RECOMMENDATION:

That the Council adopt changes (underlined) to the existing Property Debt (Small Charge) Remission Policy as set out below.

Property Debt (Small Charge) Remission Policy

PURPOSE:

To define the circumstances under which Council will remit small penalty and interest charges raised in respect to property debts for rates and charges.

SCOPE:

Applies to property debts.

Does not apply to the correction of calculation or processing errors.

POLICY:

Objectives

To provide policy parameters under which Council authorises the Director Corporate Services to remit small penalty and interest charges.

General

Council imposes a penalty on unpaid instalments of rates and interest on outstanding debtor balances. These charges are raised at the start of each month after allowing posting and payment agency transfer times.

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18.3 Property Debt (Small Charge) Remission Policy (23-PI-006)...(Cont'd)

On occasions, raising these charges can overlap with discussions with a ratepayer or a particular payment arrangement.

Parameters

Where after considering all the circumstances, the Director Corporate Services believes the remission of a small penalty or interest charge is appropriate and will assist in the eventual payment of the debt, he may authorise the remission of monthly amounts of less than \$75, with a maximum \$150 per property per annum.

Any adjustments made under this policy will be presented, at least annually, to Council for ratification.

PRINCIPLES:

The Director Corporate Services is not permitted to use this authorisation just for the reason that a ratepayer is unhappy that penalty or interest has been imposed because of a late payment.

RELATED POLICIES & PROCEDURES:

N/A

RELATED LEGISLATION:

Local Government Act 1993, Section 129 (Remission of Rates)

REFERENCES:

N/A.

DEFINITIONS:

Small Balance Write-Off

Part of the annual maintenance of the rates debtors ledger has involved the writing-off in June or July of each year of rates balances of less than \$10.00. This process has been treated as a reversal of minor charges rather than a remission of debts and so not subject to Council decision.

REVIEW:

This policy will be reviewed no more than 5 years after the date of approval (version) or more frequently, if dictated by operational demands and with Council's approval.

Monday 10 February 2014

18.3 Property Debt (Small Charge) Remission Policy (23-PI-006)(Cont'd)						
REPORT:						
This policy is due for a scheduled review. It is recommended that the remissions be increased to monthly amounts less than \$75 (currently \$50), with a maximum \$150 (currently \$100) per property per annum.						
ECONOMIC IMPACT:						
N/A						
ENVIRONMENTAL IMPACT:						
N/A						
SOCIAL IMPACT:						
N/A						
STRATEGIC DOCUMENT REFERENCE:						
N/A						
BUDGET & FINANCIAL ASPECTS:						
N/A						
DISCLOSURE OF INTERESTS:						
The officer has no conflict of interest in this item.						

I certify that I have reviewed and approved this advice and recommendation.

Michael Tidey: Director Corporate Services

Monday 10 February 2014

19 GENERAL MANAGER

19.1 QVMAG and MGAB Recommendations

FILE NO: SF2244

GENERAL MANAGER: Robert Dobrzynski

DECISION STATEMENT:

- 1. That the Council confirms strong advocacy in the lead up to the 2014 State Elections aimed at achieving a more equitable funding model for QVMAG.
- 2. That the Council determines its support for recommendations from the QVMAG Governance Advisory Group.

PREVIOUS COUNCIL CONSIDERATION:

Council endorsed the QVMAG MGAB formation and Charter at the Council meeting 14 June 2011

Council adopted the recommendation to receive the MMC-Link report at the Council meeting on 9 December 2013.

RECOMMENDATION:

- That the Council notes the Mayor and General Manager have formally written to the major political parties seeking a commitment to increased annual funding for QVMAG in the lead up to the 2014 State elections.
- That the Council notes the General Manager has commissioned an economic assessment of the value of QVMAG to northern Tasmania which will provide evidence to support the negotiations for an increase in State Government funding for QVMAG operating costs.

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19.1 QVMAG and MGAB Recommendations...(Cont'd)

- 3. That Council supports the following three recommendations of the MGAB as part of the process to re-position QVMAG as a contemporary museum which will involve consultation with a range of stakeholders:
 - Explore options and opportunities open to the QVMAG as a 21st century institution with Tasmanian, national and international standing;
 - Identify an appropriate governance model that delivers on the scope and purpose of QVMAG as a Regional Community Cultural Enterprise;
 - Identify weaknesses and threats inherent in various future funding models.
- 4. That the Mayor and General Manager continue advocacy and representations aimed at achieving a more equitable level of financial support from the State Government for QVMAG relative to State Government funding provided to TMAG annually.

REPORT:

The purpose of the recent presentation by the Chairman, Mr Neil MacKinnon, to the Strategic Planning and Policy Committee (3 February meeting) was to update Aldermen on the QVMAG Museum Governance Advisory Board and to advise the Aldermen of developments since the presentation of the MMC-Link report on 9 December 2013.

The first two-year term of the Board expired in October 2013. Key achievements of the Board in that time includes the completion of the QVMAG 5-year Strategic Plan, revised financial reports and process and a contribution to the MMC-Link review of QVMAG.

On 9 December 2013 Council determined to receive the MMC-Link report and incorporate the recommendations into the Future Directions Plan for prioritised action. The Council also requested the General Manager to provide a report considering the implementation of five further recommendations from the MGAB.

The General Manager and QVMAG Director met with the Chairman of the MGAB, Neil MacKinnon, on 8 January 2014 to discuss the five recommendations raised by the MGAB. It was noted that the key issue at the moment is to secure a funding commitment from the Tasmanian primary political parties for QVMAG in the lead up to the State elections. The current 5-year funding agreement expires on 30 June 2014 and it is vital that this is confirmed for a further 5 years with an increased contribution from the State Government.

It was agreed that securing a new funding agreement must take precedence as the timing is critical. The economic assessment recommended by the MGAB will be an important step in this process. Following this the fifth dot point recommendation will be incorporated within answering the previous three recommendations that look at options & opportunities, appropriate governance models and strengths & weaknesses in future funding models.

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19.1 QVMAG and MGAB Recommendations...(Cont'd)

The recommendations from the Museum Governance Advisory Board were as follows:

- Commission an assessment of the economic, social and environmental value of QVMAG;
- Explore options and opportunities open to the QVMAG as a 21st century institution with Tasmanian, national and international; standing;
- Identify an appropriate governance model that delivers on the scope and purpose of QVMAG as a Regional Community Cultural Enterprise;
- Identify weaknesses and threats inherent in various future funding models;
- Engage the QVMAG's Community of Ownership and Interest * in the evolution of the QVMAG to determine its scope and purpose as a Community Cultural Enterprise;

*Definition: Community of Ownership and Interest: an all-inclusive collective/community of people, individuals and groups, who in any way have multi layered relationships with a place or cultural landscape and/or the operation of an institution, organisation or establishment – typically a network.

Usage and context: cultural geography; civic and environmental planning; and community administration. Reference: Dr Bill Boyd, SCU et al

Context note: Used in opposition to 'stakeholder': one who has a legitimate interest, stake and/or pecuniary interest in an enterprise, endeavour or entity, to demonstrate inclusivity as opposed to the exclusive implications attached to 'stakeholder'.

ECONOMIC IMPACT:

Potential major impact on the contribution of QVMAG to the region's economy.

ENVIRONMENTAL IMPACT:

N/A

SOCIAL IMPACT:

QVMAG functions as an iconic social institution which forms part of the cultural heritage of Northern Tasmania.

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19.1 QVMAG and MGAB Recommendations...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

Annual Plan 2013/14

Priority Area: 4 Cultural Environment

Goal: 4.1 Supporting and developing arts and cultural activities

Priority Area: 5 Governance Services

Goal: 5.1 Engaging our community and delivering responsible management.

BUDGET & FINANCIAL ASPECTS:

Renegotiation of the funding agreement with the State Government as at 30 June 2014 will potentially have major implications for the Council's budget.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

Robert Dobrzynski: General Manager

Monday 10 February 2014

20 URGENT BUSINESS

That Council pursuant to Clause 8(6) of the Local Government (Meeting Procedures) Regulations 2005.

21 WORKSHOP REPORT(S)

Nil

Monday 10 February 2014

- 22 INFORMATION / MATTERS REQUIRING FURTHER ACTION
- 22.1 Information / matters requiring further action

FILE NO: SF3168

AUTHOR: Leisa Hilkmann (Committee Clerk / Administration Officer)

This report outlines requests for information by Aldermen when a report or agenda item will be put before Council or a memorandum circulated to Aldermen.

It will be updated each Agenda, with items removed when a report has been given.

No information currently in table.

Monday 10 February 2014

- 23 ADVICE OF FUTURE NOTICES OF MOTION
- 24 REPORTS BY THE MAYOR
- 25 REPORTS BY THE GENERAL MANAGER
- 26 CLOSED COUNCIL ITEM(S)

Nil

27 MEETING CLOSURE