

# STATEMENT OF MINISTERIAL EXPECTATIONS

August 2022

## MACQUARIE POINT DEVELOPMENT CORPORATION

This Statement of Ministerial Expectations is approved by:

A handwritten signature in black ink, appearing to read 'Guy Barnett', is positioned above a horizontal line.

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The Hon Guy Barnett, MP

Minister for State Development, Construction and Housing

## Contents

1. Introduction .....	3
2. Strategic expectations.....	3
3. Performance and operating expectations .....	4
3.1 Financial Performance .....	4
3.2 Performance expectations.....	4
3.3 Commercial activities.....	5
3.4 Capital Asset Management.....	5
3.5 Compliance with Government policies.....	5
3.6 Risk Management .....	6
3.7 Significant Developments .....	6
4. Reporting requirements.....	6
4.1 Corporate Plan .....	6
4.2 Annual Report .....	6
4.3 Quarterly Activity Report .....	6
5. Other operating and statutory requirements.....	6
5.1 Corporation appointment and responsibilities.....	6
5.2 Employee relations .....	7
5.3 Workplace Health and Safety .....	7
5.4 Integrity and ethics .....	7

## 1. Introduction

This Statement of Expectations (Statement) has been prepared by the Minister for State Development, Construction and Housing (the Minister) for the Macquarie Point Development Corporation Board (the Board).

The *Macquarie Point Development Corporation Act 2012* (the Act) governs the operation of the Macquarie Point Development Corporation (the Corporation), and the Statement of Expectations is an important part of this governance framework.

This Statement sets out the Tasmanian Government's broad policy expectations and requirements of the Corporation, as provided for in the Act. This Statement should be read in conjunction with this Act and:

- i. The Intergovernmental Agreement (IGA) – Schedule L, Macquarie Point Railyards Precinct Remediation Project (National Partnership agreement on Specific Projects) signed in 2012 between the Tasmanian and Australian Governments
- ii. The Hobart City Deal, signed on 24 February 2019
- iii. The Tasmanian Government's capital funding requirements.

This Statement takes effect from the date signed until 30 June 2023.

The Board is to make this Statement publicly available, by publishing on the Corporation's website.

## 2. Strategic expectations

The principal objectives and functions of the Corporation are prescribed in sections 6 and 7 of the Act.

In undertaking its principal objectives and functions, the Minister expects the Corporation to:

- i. prioritise the effective remediation of the Macquarie Point site.
- ii. establish key enabling infrastructure and site-wide guidelines and parameters to provide clear requirements and guidance to developers, to support the coordinated delivery and development of the site.
- iii. support community events and commercial interim uses of the Macquarie Point site, to the extent that it can be safely and effectively managed around the remediation and civil works priorities onsite, whilst ensuring they do not inhibit longer term and permanent development of the site.
- iv. support the implementation of the Hobart City Deal, in particular working collaboratively with the Department of State Growth, TasPorts, and TasWater, and through active engagement in related intergovernmental governance structures to plan and prepare for the establishment of an Antarctic and Science Precinct.
- v. drive and deliver the redevelopment of the Macquarie Point site that:
  - (a) is in accordance with:
    - i. State Government policy objectives
    - ii. 30-Year Greater Hobart Plan
    - iii. Macquarie Point Masterplan 2017-2030 as set out in the *Sullivans Cove Planning Scheme 1997*

- (b) complements, and does not impede, the working Port of Hobart.
- (c) considers and supports circulation and access to, around and through the site for:
  - i. public transport infrastructure
  - ii. the movement of, and provision of parking for, vehicles, bicycles, scooters and provision for other passenger transport, and
  - iii. pedestrians and wayfinding.
- vi. work collaboratively with key stakeholders, including but not limited to, State Growth and other government agencies, TasPorts, TasWater, prospective anchor tenants for the Antarctic and Science Precinct, and Hobart City Council, to deliver development at Macquarie Point that is informed by and is complementary to the surrounding areas.
- vii. ensure procurement activity, including staged land release strategies and land leasing and sales, are undertaken in keeping with Tasmanian Government policy, Treasurer's Instructions and in accordance with the Act.

### 3. Performance and operating expectations

#### 3.1 Financial Performance

The Minister expects the Corporation to:

- i. act with a high level of fiscal responsibility and use the allocated capital and operational funding, and any self-generated revenue, to complete the remediation of Macquarie Point and deliver on the capital works program.
- ii. ensure development activities of the Corporation align with its principal objectives.
- iii. keep accounting records that correctly record and explain its transactions and financial position and, in accordance with section 40 of the Act observe compliance with the necessary Treasurers Instructions as they apply to the Corporation.
- iv. prepare and forward to the Auditor-General a copy of its financial statements for each financial year in accordance with the [Audit Act 2008](#).
- v. prepare an Annual Report in accordance with the Act which includes the financial statements of the Corporation for the financial year to which the annual report relates, and
- vi. keep the Minister informed of any significant issues, or potential risks that may affect the Corporation's financial performance or capacity to deliver its capital works program.

#### 3.2 Performance expectations

In keeping with the strategic expectations in 2022-23, the Minister expects the Corporation to:

- i. continue works to remediate the site and for key enabling infrastructure to be in place to support development, specifically:
  - a. divert the existing sewer main line, which currently intersects parcel B in the north- east corner of the site
  - b. complete the pilot remediation works at Audit Area 6, at the south-west corner of the site, and
    - i. If the pilot is successful, procure a contractor to progress the remediation of Audit Area 6; or.

- ii. If the pilot is not successful or identifies areas that require further work, resolve an alternative approach and timeline to complete the works.
- c. work with TasWater to provide access to the site to support the works program that will be developed to decommission and demolish the Macquarie Point Sewage Treatment Plant.
- d. complete remediation on parcel C in preparation for use for the Antarctic and Science Precinct.
- e. process the archaeological digs being undertaken on site to inform development and next steps, specifically to complete:
  - i. stage 2 – a dig to undertake additional works after Aboriginal Heritage was identified in stage 1; and
  - ii. stage 3 – commence the remaining sites in the high sensitivity area.
- ii. continue consultation and develop a proposed approach for The Park.
- iii. develop a strategic outlook and timeline for the next stage of land release.
- iv. respond to ad hoc and emerging requests for information from the Minister.

### 3.3 Commercial activities

The Minister expects the Corporation to only carry out commercial activities that are:

- i. consistent with the Corporation’s principal objectives and functions.
- ii. appropriately costed and carefully managed with the objective that, in the absence of a higher priority, the activities deliver a commercial return acceptable to the Board; and
- iii. compliant with the Government’s competitive neutrality principles.

### 3.4 Capital Asset Management

The Minister expects the Corporation to:

- i. develop and maintain an Asset Register that reflects the current stage of remediation and development
- ii. regularly review its asset holdings and undertake necessary works to support the remediation, activation, and permanent development of the site.

The Minister is to be made aware of any material capital investments and development activity.

### 3.5 Compliance with Government policies

In pursuing the strategic expectations detailed in section 2, the Minister expects the Corporation to comply and undertake its activities with reference to, and in accordance with:

- i. Treasurer’s Instructions issued under the [Financial Management Act 2016](#)
- ii. Any applicable legislative responsibilities, Tasmanian Government policies, guidelines and/or other requirements applying to the Corporation, including but not limited to workplace health and safety, environmental, budget and finance, regulatory reform, and employee relations obligations; and
- iii. direction/s given by the Minister in accordance with section 36 of the Act.

The Corporation must obtain any necessary legal advice from Crown Law, unless otherwise agreed by Crown Law.

### 3.6 Risk Management

Consistent with the relevant Government policies and strategic expectations cited in sections 2 and 3.5 of this Statement, the Minister expects the Board and Corporation to adopt risk management strategies that appropriately balance the delivery of the stated expectations and fiscal outcomes and the provision of appropriate quality of developments, products, and services.

### 3.7 Significant Developments

The Minister expects to be notified in a fulsome and timely manner of any developments or issues which may, or have the potential to significantly:

- i. impact on or impede the Corporation's capacity to deliver on its principal objectives, functions or expectations contained in this Statement
- ii. impact on the Corporation's capacity to function, meet operational objectives and obligations, and maintain financial viability.
- iii. affect outcomes for the community.
- iv. impact on Government policy, stakeholder relations or environmental issues or that have a wider public interest.

## 4. Reporting requirements

The Minister expects the Corporation to comply with the relevant planning and reporting requirements specified in any guidelines issued by the Government and the requirements of the Act, including the development of the Corporate Plan and Annual Report.

The Board may seek advice on the draft corporate plan and annual report from the Department of State Growth to support the development or review of those documents, before providing a copy of the proposed Corporate Plan and Annual Report to the Minister for approval.

### 4.1 Corporate Plan

The Board is to develop a Corporate Plan that is consistent with the requirements identified in section 38 of the Act.

### 4.2 Annual Report

The Board is to develop an Annual Report consistent with the requirements identified in section 50 of the Act.

### 4.3 Quarterly Activity Report

A quarterly update on the work and activity undertaken to activate and develop the site consistent with section 3.2 performance expectation of this Statement is to be provided to the Minister, within 45 days after the end of each financial quarter. Once approved, a summary of the report is to be published on the Corporation's website. The Minister may request additional reporting criteria or seek advice as required from time to time.

## 5. Other operating and statutory requirements

### 5.1 Corporation appointment and responsibilities

Pursuant to the Act, the Corporation's board of directors comprises:

- the Chairperson of the Board; and
- the Chief Executive Officer; and

- not less than 3, and not more than 6, other persons as directors.

The Board is responsible to the Minister for the performance of the functions of the Corporation, the achievement of the Corporation's principal objectives, and ensuring that the site is redeveloped in accordance with the site master plan and that the business and affairs of the Corporation are appropriately managed.

The appointment of the Chief Executive Officer of the Corporation is referenced in section 15 of the Act and is appointed by the Premier under the provisions of *State Service Act 2000*. The chief executive officer is subject to the direction of and accountable to the Board and undertakes the functions and duties acting in the best interests of the Corporation and the State and, subject to the State Service Act, consistently with applicable Government policy.

The Chair, in consultation with the Minister shall establish objectives and assessment criteria for the performance of the chief executive officer annually. The Chair shall, in consultation with the Minister:

- ensure a performance agreement is in place within 3 months of appointing a Chief Executive Officer.
- conduct an annual performance review (or more regularly if required) of the Chief Executive Officer, against the objectives for the role and the current performance agreement.

## 5.2 Employee relations

The Minister expects the Corporation to:

- provide and maintain a safe and healthy work environment for all employees, visitors, and contractors.
- foster a strong health and safety culture for its employees.
- uphold and maintain the State Service principles and foster a positive, high performing workplace for all employees of the Corporation.
- adhere to any Government policy guidelines relating to senior executive remuneration including performance pay or other forms of rewards.
- be cognisant of any Government policy relating to employee remuneration, consistent with contemporary public sector wages policy.

## 5.3 Workplace Health and Safety

The Corporation is to develop an annual Work Health Safety and Wellbeing Plan and conduct regular reviews of its existing WHS policy, to ensure a healthy and safe work environment for all staff, visitors, and contractors.

## 5.4 Integrity and ethics

The Minister expects the Board, management, and employees of the Corporation to exhibit the highest level of integrity and professionalism in undertaking their duties and to comply with and uphold the State Service Principles and Code of Conduct.