



Agenda
Ordinary Council Meeting
16th June 2016



CERTIFICATION

"I certify that with respect to all advice, information or recommendation provided to Council with this agenda:

1. The advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation, and;
2. Where any advice is given directly to Council by a person who does not have the required qualifications or experience that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person.

Note: S65(1) of the *Local Government Act 1993* requires the General Manager to ensure that any advice, information or recommendation given to the Council (or a Council Committee) is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation. S65(2) forbids Council from deciding any matter which requires the advice of a qualified person without considering that advice."

Dated this 10th day of June 2016.



Sophie Pitchford
ACTING GENERAL MANAGER

FLINDERS COUNCIL ORDINARY MEETING

AGENDA

DATE: Thursday 16th June 2016
VENUE: Furneaux Arts and Entertainment Centre, Whitemark
COMMENCING: 1.00 pm

PRESENT

Mayor Carol Cox
Deputy Mayor Marc Cobham
Cr Chris Rhodes
Cr Peter Rhodes
Cr Ken Stockton
Cr David Williams
Cr Gerald Willis

APOLOGIES

Nil

STAFF IN ATTENDANCE

Sophie Pitchford - Acting General Manager
Jacci Viney - Development Services Coordinator
Vicki Warden - Executive Officer

CONFIRMATION OF MINUTES

That the Minutes from the Ordinary Council Meeting and the Closed Council Meeting held on the 19th May 2016 be confirmed.

PUBLIC QUESTION TIME

In accordance with Section 31 (1) of the Local Government (Meeting Procedures) Regulations 2015 and the Flinders Council Policy the following procedures be adhered to at public question time:-

It is the policy of the Flinders Council to allow a 'Question Time' at Ordinary Council Meetings, during which members of the public may ask questions of the Council relating to Flinders Council matters.

The basis on which questions may be asked is:

- 1. All questions will be addressed through the Chair (being the Mayor in normal circumstances) who will answer them as she/he sees fit. Under no circumstances will members of the gallery be permitted to address or question either elected members or officers of the Council. The Chair may*

- delegate answers to the appropriate Councillor or staff member if appropriate.*
- 2. Persons addressing the Chair must pay the respect due to that office. Failure to do so may mean their address is terminated without notice.*
 - 3. Where the answer cannot be provided immediately, it will be provided in writing within 14 days and tabled at the following Ordinary Council Meeting.*
 - 4. All questioners are encouraged to register their intent to question with the General Manager before the meeting. Preference will be given to those who have so registered.*
 - 5. Question time shall not extend longer than 30 minutes and may be divided into two 15 minute sessions.*
 - 6. The actual timing of the session(s) is to be immediately after the opening of the meeting and advertised with the notice of meeting.*

RESPONSE TO PUBLIC QUESTIONS

19th May 2016 Council Meeting

Question 1: Cr P Rhodes – on behalf of Margaret Wheatley

Can Council include the issue of our telecommunications difficulties on a “wish list” for the forthcoming federal election?

Mayor’s Response:

Council has not waited for the election to come around to lobby for improved communications on the Islands. Lobbying has been ongoing for some time, raising the awareness of politicians of the poor state of communications to and within the Islands.

Andrew Nikolic has made an election promise of minor funding under the blackspot program, if the Liberals are elected. We need to elicit the same promise or better from the Labour Party.

Council has also made a major funding application to the Stronger Regions Fund, with both Telstra and State Government support, which would provide for a major upgrade to communications.

Council’s efforts are made stronger by the public also pressuring candidates for improvements.

LATE AGENDA ITEMS

Nil

DECLARATION OF PECUNIARY INTEREST

In accordance with Part 2 Regulation 8 (7) of the Local Government (Meeting Procedures) Regulations 2015, the Chairman of a meeting is to

request Councillors to indicate whether they have, or are likely to have, a pecuniary interest in any item on the agenda.

Accordingly, Councillors are requested to advise of a pecuniary interest they may have in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Council has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the Local Government (Meeting Procedures) Regulations 2015.

LEAVE OF ABSENCE

Nil

PETITIONS

Nil

POLICIES

No Council policies were under review during the reporting period.

WORKSHOPS & INFORMATION FORUMS File No: COU/0205

Council Workshop held on 19th May 2016

Council held a Workshop on the Draft 2016-2017 Annual Plan.

Councillors Present:

Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Gerald Willis, and Cr David Williams.

Apologies:

Cr Ken Stockton

Staff and Consultants Present:

Rolph Vos (Acting General Manager) and Vicki Warden (Executive Officer).

As workshops and information sessions are for information and discussion purposes only, no decisions are made or foreshadowed at these proceedings.

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATION:

That the Council Workshop held on 19th May 2016 be noted.

DECISION:

Council Workshop held on 26th May 2016

Council held a Workshop on the following items:

- Item 1: 2016-2017 Annual Plan
- Item 2: Toilet/BBQ facilities at NE River/East Coast/Badger Corner
- Item 3: 2016-2017 Annual Budget
- Item 4: Councillors' Resolution Report
- Item 5: November Council Workshop

Councillors Present:

Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes (10.45am – 2.45pm) (Item 2, 3 and 4 only), and Cr Gerald Willis.

Apologies:

Cr Ken Stockton
Cr Peter Rhodes
Cr David Williams

Staff and Consultants Present:

Sophie Pitchford (Acting General Manager) and Vicki Warden (Executive Officer) (Items 1 and 2 only).

As workshops and information sessions are for information and discussion purposes only, no decisions are made or foreshadowed at these proceedings.

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATION:

That the Council Workshop held on 26th May 2016 be noted.

DECISION:

Council Workshop held on 2nd June 2016

Council held a Workshop on the following items:

- Item 1: Marketing Strategy
- Item 2: Australia Day Petition and Furneaux Islands Festival
- Item 3: Annual Plan KPIs
- Item 4: 2016-2017 Annual Budget/Fees and Charges
- Item 5: Airport Security
- Item 6: Visitor Information Report
- Item 7: November/December Council Workshop dates

Councillors Present:

Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Ken Stockton, Cr Peter Rhodes, Cr David Williams and Cr Gerald Willis.

Apologies:

Cr Chris Rhodes

Staff and Consultants Present:

Sophie Pitchford (Acting General Manager), Michael Buck (Flinders Island Tourism and Business Incorporated (FITBI)) (Item 1 only), Jo Youl (FITBI) (Item 1 only) and Vicki Warden (Executive Officer) (Item 3 only).

As workshops and information sessions are for information and discussion purposes only, no decisions are made or foreshadowed at these proceedings.

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATION:

That the Council Workshop held on 2nd June 2016 be noted.

DECISION:

PUBLIC MEETINGS

Nil

COUNCILLOR'S QUESTIONS ON NOTICE

Nil

COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Regulation 29 of the Local Government (Meeting Procedures) Regulations 2015 specifies that in putting a Question Without Notice a Councillor must not offer an argument or opinion, draw any inference or make any imputations except so far as may be necessary to explain the question. The Chairperson must not permit any debate of a Question without Notice or its answer.

PUBLICATIONS/REPORTS TABLED FOR COUNCIL INFORMATION

Nil

REPORTS TO BE RECEIVED

General Manager's Performance Review Committee

File No: PER/1500

Annexure 1: General Manager's Performance Review Committee meeting 31st May 2016 Confirmed Minutes (For Elected Members only)

OFFICER'S REPORT (Sophie Pitchford, Acting General Manager):

The confirmed minutes of the General Manager's Performance Review Committee meeting held Tuesday 31st May 2016 are provided for consideration. The minutes outline what the Committee has been working on to date and can now be accepted by Council.

OFFICER'S RECOMMENDATION

That the confirmed minutes of the General Manager's Performance Review Committee meeting held Tuesday 31st May 2016 be accepted.

DECISION:

General Manager's Performance Review Committee

File No: PER/1500

Annexure 2: General Manager's Performance Review Committee meeting 8th June 2016 Unconfirmed Minutes (For Elected Members only)

OFFICER'S REPORT (Sophie Pitchford, Acting General Manager):

The unconfirmed minutes of the General Manager's Performance Review Committee meeting held Wednesday 8th June 2016 are provided for consideration. The minutes outline what the Committee has been working on to date and can now be accepted by Council.

OFFICER'S RECOMMENDATION

That the unconfirmed minutes of the General Manager's Performance Review Committee meeting held Wednesday 8th June 2016 be accepted.

DECISION:

Furieux Group Aviation Special Committee

File No: COM/0104

Annexure 3: Furieux Group Aviation Special Committee meeting 8th June 2016 Unconfirmed Minutes

OFFICER'S REPORT (Sophie Pitchford, Acting General Manager):

The unconfirmed minutes of the Furieux Group Aviation Special Committee meeting held Wednesday 8th June 2016 are provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

OFFICER'S RECOMMENDATION

That the unconfirmed minutes of the Furieux Group Aviation Special Committee meeting held Wednesday 8th June 2016 be noted.

DECISION:

COUNCILLORS' REPORTS

Report from Councillor Gerald Willis as the Flinders Council Representative on TasWater

File No: COU/0312

The previous report was presented 28th April 2016.

CORRESPONDENCE IN:

DATE	WHO	SUBJECT
21.04.16	Ailsa Sypkes, General Manager Legal and Governance	Draft Quarterly Report to Owners' Representatives – Progress Update to 31 March 2016 and a resent Notice of General Meeting to be held at 10:30 am on Thursday 12 May 2016 at Windsor Community Precinct, 1 Windsor Drive, Riverside with papers to follow.
23.04.16	Ailsa Sypkes, General Manager Legal and Governance	Papers for a General Meeting to be held at 10:30 am on Thursday 12 May 2016 at Windsor Community Precinct, 1 Windsor Drive, Riverside.
13.05.16	Ailsa Sypkes, General Manager Legal and Governance	Requesting confirmation that Thursday 9 June would be a suitable date for a meeting of Owners' Representatives as discussed at the General Meeting of Taswater on Thursday 12 May 2016. I responded that the date is suitable and that I would attend in person. Refer below for my report.
13.05.16	Ailsa Sypkes, General Manager Legal and Governance	Letter from Miles Hampton, Chairman, setting out matters in relation to funding being sought from the state and federal governments in order that shortcomings can be addressed.
15.05.16	Kimbra Constantine, Executive Assistant to Ailsa Sypkes, General Manager Legal and Governance	Requesting confirmation that I will attend a General Meeting on Thursday 9 June at Windsor Community Hall, Riverside, West Tamar. I responded that I would attend in person.
20.05.16	Kimbra Constantine, Executive Assistant to Ailsa Sypkes, General Manager	Advising that the proposed General Meeting is confirmed for Thursday 9 June at Windsor Community Hall, Riverside, West Tamar.

	Legal and Governance	
03.06.16	Ailsa Sypkes, General Manager Legal and Governance	Papers for a General Meeting to be held Meeting on Thursday 9 June at Windsor Community Hall, Riverside, West Tamar along with a paper presented at the General Meeting held Thursday 12 May 2016.

Meetings Attended:

General Meeting - Thursday 12th May 2016 at Windsor Community Precinct, Riverside.

The agenda and papers have previously been distributed to Councillors.

Matters to report from the meeting are:

- Chief Representative's report; noted by the meeting.
- Chairman's update; noted by the meeting.
- Chief Executive Officer's report; noted by the meeting.
- Corporate Plan; noted by the meeting.
- External funding and proposed extension of distribution freeze.
 - This matter was dealt with at the Flinders Council meeting on 19th May.
- Proposed legislative changes.
 - The executive of TasWater has discussed matters of a legislative nature with government representatives with a view to simplifying and standardising some matters. This motion was passed.
- Publication of water quality data.
 - The meeting was given a presentation by management on issues associated with publishing data on water quality testing. As it was put to the meeting, there are 15,000 tests performed each month. To publish this data in the public arena and monitor subsequent enquiries would be expensive and require a large team. Management recommended that data not be published. The meeting agreed.
- Quarterly report to Owner's Representatives; noted by the meeting.
- There was no other business.

General Meeting - Thursday 9th June 2016 at Windsor Community Precinct, Riverside.

A report on this meeting will be provided at the July General Meeting of Council.

RECOMMENDATION:

That the report from Councillor Gerald Willis as the Flinders Council Representative on TasWater be received.

DECISION:

Deputy Mayor's Report - Cr Marc Cobham

File No: COU/0600

ACTIVITIES:

DATE	ITEM
11.05.2016	Meeting with resident re loose road gravel damaging car
11.05.2016	Meeting with two residents re poor telecommunication issues
17.05.2016	Phone call from resident re telecommunications issue
19.05.2016	Budget Workshop
19.05.2016	Monthly Council Meeting
19.05.2016	Meeting with Flinders Island Aboriginal Association Inc. board - re future of Furneaux Festival/Australia Day
19.05.2016	Phone call from resident re condition of Port Davies Rd and blocked roadside culverts across the Municipality
26.05.2016	Council Workshop
27.05.2016	Phone call from resident re the need for recycling of waste
02.06.2016	Budget Workshop
02.06.2016	Phone call from resident re future of our airport facility
06.06.2016	Met with Council's Community Economic Development Manager - update on a few issues
07.06.2016	Furneaux (Emita) Hall and Recreation Ground Special Committee meeting
08.06.2016	Meeting with a resident re cyclist signage update

RECOMMENDATION:

That the Deputy Mayor's report be received.

DECISION:

MAYOR'S REPORT:

ACTION	Information
PROPONENT	Mayor C Cox
FILE REFERENCE	COU/0600
ASSOCIATED PAPERS	Nil

REPORT:**APPOINTMENTS:**

11.05.16	Lions' market
16.05.16	Flinders Island Tourism and Business Inc. (FITBI) JimJam Marketing Strategy initial display
13.05.16	Mayors' Workshop
13.05.16	Mayors' Dinner
14.05.16	Local Government Association of Tasmania (LGAT) General Meeting
19.05.16	Budget and Annual Plan Workshop
19.05.16	Council Meeting
19.05.16	Met with Flinders Island Aboriginal Association Inc.
24.05.16	Flinders Island District High School AGM
25.05.16	Met with J Cazaly & B Ridgeway with the Deputy Mayor
26.05.16	Council Workshop (including budget)
26.05.16	Dr Alex Johns & family farewell
27.05.16	Funeral of Libby Harper at St Helens
31.05.16	Community member re building & plumbing
31.05.16	General Manager's Performance Review Committee meeting
31.05.16	Met with Council's Strategic Planner re the Flinders Island Structure Plan
01.06.16	Flinders Island Aboriginal Association Inc. (FIAAI) Biggest Morning Tea
02.06.16	Workshop including presentation from FITBI on the Marketing Strategy
03.06.16	Northern Tasmania Development (NTD) Local Government Committee meeting
07.06.16	Attended the Hospital Auxiliary meeting
07.06.16	Met with John Loudon, MPC, to discuss Federal Government cuts to Health Funding
08.06.16	General Manager's Performance Review Committee meeting
08.06.16	Furneaux Group Aviation Special Committee meeting
08.06.16	Furneaux Community Health Special Committee meeting

Local Government Association of Tasmania (LGAT) Meetings:

The Agendas and Minutes of the LGAT meeting are public documents and can be accessed on the LGAT website. Attendance provided another chance to network.

Dr Alex Johns & Family Farewell:

Many community members gathered at the Interstate on short notice to thank Dr Alex for his service to Islanders and Jenny and the girls for their full participation in the Community during their years on the Island. Alex took the opportunity of a change in medical service provider to the Islands to move to the next phase in his, Jenny's and the girls' lives.

Flinders Island Aboriginal Association Inc (FIAAI) Biggest Morning Tea:

This event was typical of fundraising events on the Island raising over \$1300 for Cancer research. Thank you FIAAI, not only for your support of Cancer Research, but for making it an opportunity for community members to get together over a cuppa.

Northern Tasmania Development (NTD) Local Government Committee Meeting

A report has been circulated to Councillors. The meeting considered the expenditure and budget for 2016-17. Councils as part of NTD also supported Ferment Tasmania and the Asia Engagement Strategy as projects that will assist in a rejuvenation of economic activity in the area.

CORRESPONDENCE IN:

DATE	WHO	SUBJECT
09.05.16	T Clark, Northern Tasmania Development (NTD)	Invitation to media event for northern Mayors regarding the northern region's support of the UTAS move to an inner city campus
10.05.16	Department of Premier and Cabinet	Local Government Forum – Health and Wellbeing
12.05.16	G Palmer, LGAT	New Code of Conduct Framework- example motion to dissolve local code of conduct panels
13.05.16	M Hampton, Board Chairman, TasWater	External Funding proposal
13.05.16	S Watson, Local Government Association of Tasmania (LGAT)	2016 LGAT Annual Conference Program and Registration Form
16.05.16	Launceston Chamber of Commerce	Support for new proposed NTD model

16.05.16	Heart Foundation Tasmania	Invite to Fundraising Event 2016
17.05.16	M Tetlow, NTD	Defence Maritime Opportunities - Forum in Launceston
20.05.16	Lions Club of Flinders Island	Invite to Annual Changeover Dinner
20.05.16	T Clark, NTD	Northern Tasmania Councils confirm their support of University of Tasmania (UTAS) Transformation Project - Media Release
20.05.16	Launceston Airport	Northern Midlands Council fails to accept outcome of Commonwealth's independent valuation
24.05.16	P Nugent	Response to resident's proposal to change name of Emita Nature Recreation Area
24.05.16	P Gutwein, Minister for Local Planning and Local Government	Launch of Good Governance Guide for Tasmanian Councils
24.05.16	M Brewster, CEO, TasWater	Response to query re pricing structure
26.05.16	LGAT	State Budget 2016-17 summary
27.05.16	G Barnett MP, Parliamentary Secretary for Small Business	Tasmanian budget 2016-17 media release on Small Business
29.05.16	K Lilly	Survey reminder - Health in Councils
29.05.16	A Nikolic, MP	Minister for Regional Communications announcement
29.05.16	W Summers, A Nikolic's office	Announcement by Minister Fiona Nash
30.05.16	T Clark, NTD	Agenda and documentation for NTD Local Government Committee meeting 3 June
30.05.16	D Grutzner	Response to Code of Conduct letter
30.05.16	Minister for State Growth	Three phase power at Markarna Park
30.05.16	M Ferguson, MP	News for Tasmanians – state budget information
31.05.16	LGAT	Media Release - State Funds for the full implementation of the Planning Schemes Online Project (iPlan)
31.05.16	K Ives-Heap	Thank you on behalf of the Acappelicans for the community grant

31.05.16	LGAT	Media Release - State funds for planning welcomed
31.05.16	Australian Local Government Association (ALGA)	Joint Infrastructure Statement
01.06.16	C Wilson, Tasmania Ports Corporation	TasPorts Schedule of Ports Charges effective 1 July 2016
01.06.16	S, Commons	Tasmanian Community Achievement Awards - Nominations are now open
01.06.16	Tasmanian Volunteer Fire Brigades Association	Reduced speed limits at emergency incidents
02.06.16	Natural Resource Management (NRM) North	Tamar Estuary Report Card launch - apology sent
03.06.16	A Nikolic, MP	Election update eNewsletter
03.06.16	Ten Days on the Island	Ten Days on the Island June 2016 news
03.06.16	Order of Australia Association	Significance of the Order of Australia Awards
06.06.16	K Barrett	Large deposit needed for home loans
06.06.16	T Clark, NTD	Query from NTD meeting re budget clarification
07.06.16	K Stephenson, CEO, LGAT	Information regarding Tasmanian Local Government relief and recovery policy for flood affected councils
07.06.16	University of Tasmania	Update regarding Education Ambassadors Tasmania
07.06.16	K Stockton	Flooding of house
08.06.16	M Easton, Integrity Commission	Assistance with implementing the Model Code of Conduct for Councillors
08.06.16	Biosecurity Tasmania	Biosecurity Advisory 11/2016 - Public comment invited on proposal to import black-headed python
08.06.16	K Stephenson, CEO, LGAT	Clarification of Tasmanian Local Government relief funding
09.06.16	Stornoway	Invitation to 40 th anniversary dinner
09.06.16	K Warner, Governor of Tasmania	Invitation to attend a reception to mark the Journey to Recognition – 27 June
08.06.16	S Akinyi, ALGA	Free ALGA News subscription

CORRESPONDENCE OUT:

DATE	WHO	SUBJECT
11.05.16	M Buck, Flinders Island Tourism and Business Inc. (FITBI)	Notice of Cr Chris Rhodes' resignation FITBI
19.05.16	T Clark, NTD	Inability to attend media event for northern Mayors UTAS move to an inner city campus
20.05.16	Lions Club of Flinders Island	Inability to attend Changeover Dinner
24.05.16	M Buck, FITBI	Council representation on FITBI
24.05.16	10 Community Groups	Results of Community Grant and Gunn Bequest applications
26.05.16	D Grutzner	Disbanding of Code of Conduct Panel
29.05.16	W Summers, A Nikolic's office	Announcement by Minister Fiona Nash
30.05.16	M Ferguson, MP	Thank you for budget information
07.06.16	M Revie	Replacement SES truck
06.06.16	K Barrett	Large deposit needed for home loans
07.06.16	M Wheatley	Response to public question – telecommunications on election wish list
07.06.16	K Stephenson, CEO, LGAT	Thank you for information triggering the Tasmanian Local Government relief and recovery policy
08.06.16	K Stockton	Flooding of house
08.06.16	A Nikolic, MP	Telecommunications access

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATION:

That the Mayor's report be received.

DECISION:

OPERATIONAL BUSINESS OF COUNCIL

A. DEVELOPMENT SERVICES AND PLANNING APPLICATIONS

Item A1: Development Application Report
File No: DSV/0300
Annexure 4: *Planner's Information Report - May 2016*

B. CORPORATE SERVICES

Item B1: Variation to the 2015/16 Budget Review
File No: FIN/0701
Annexure 5: *Capital Works Program Budget*
Annexure 6: *Quotations (For Elected Members Only)*

C. GOVERNANCE

Item C1: Code of Conduct for Elected Members
File No: COU/0603
Annexure 7: *Email received 31.05.16 from P Hoysted*
Annexure 8: *Flinders Council Code of Conduct for Elected Members (version 2)*
Annexure 9: *Flinders Council Code of Conduct for Elected Members - Additional Information*

Item C2: Permit Authority Authorisation
File No: DSV/0300

Item C3: Councillor Resolution Report
File No: COU/0600
Annexure 10: *Councillor Resolution Report June 2016*

D. CLOSED COUNCIL

Item D1 - D4 Closed Council Items
File No: COM/0403, AER/0902, PER/1500
Annexures 11-15: *For Elected Members only*

Meeting Closed

A. DEVELOPMENT SERVICES AND PLANNING APPLICATIONS

Item A1: Development Application Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Jacci Viney, Development Services Coordinator
FILE REFERENCE	DSV/0300
ASSOCIATED PAPERS	<i>Annexure 4: Planner's Information Report - May 2016</i>

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of the applications which have been dealt with by the Planning Department for the month of October as per the council motion 249.09.2015, passed at the 24th September 2015 Council Meeting.

Council has requested that the planning consultancy service (West Tamar Council) provide this detail to Council on a monthly basis.

PREVIOUS COUNCIL CONSIDERATION:

Some items may have been considered at meetings of Council while the remainder have been approved under delegation by the General Manager.

OFFICER'S REPORT:

Refer to Annexure 4. Planner's Information Report - May 2016, provided by West Tamar Council.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the report be received.

DECISION:

B. CORPORATE SERVICES

Item B1: Variation to the 2015/16 Budget Review

ACTION	Information
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	FIN/0701
ASSOCIATED PAPERS	<i>Annexure 5: Capital Works Program Budget Annexure 6: Quotations (For elected Members only)</i>

INTRODUCTION:

Three variations to the 2015/16 Capital Works Budget have been identified.

PREVIOUS COUNCIL CONSIDERATION:

99.05.2016 13th May 2016

OFFICER'S REPORT:

1. In line with the ten year Asset Management Plan, a number of problematic areas with drainage have been identified and will require kerb and channels. Second hand kerb and channel machines are extremely rare and Council has an opportunity to purchase one that has become available for \$10,000.

To fund the purchase of the machine, a budget re-allocation from the footpath budget will be required.

2. Council is currently not operating the airport in line with the Transport Security Program due to the gates/doors not locking. As a result, some of the gates have been chained in order to minimise any risk exposure. The airport security system is old and redundant and requires an urgent upgrade.

Along with a new security system, it is in the interest of Council to install closed circuit television (CCTV) in order to protect Council if and when an incident occurs.

A reallocation of funds from the Airport Business Plan budget would allow for the purchase of a new security system for \$11,810.70 and the installation of CCTV for \$3,608.

A new battery every four years at a cost of \$100.00 would be required as ongoing maintenance of the security system.

3. The Flinders Island Harriers applied for a 2016 Community Grant for the purchase of two portable toilets for the annual running festival held in September. Instead of funding the Flinders Island Harriers grant application, at the 13th May Ordinary Council Meeting Council passed the following motion:

*“99.05.2016 Moved: Cr D Williams **Seconded:** Deputy Mayor M Cobham*

That Council purchase two additional portable toilets. These toilets are also to be made available on an as needs basis for significant community events.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr David Williams and Cr Gerald Willis.”

The quote provided as part of the Community Grant was for two portable toilets without trailers. If Council purchased toilets without trailers they would have to be transported in the back of a truck and Council would not allow community members to transport the toilets. Council would always be relied on to deliver them and staff resources are limited. Toilets with trailers would be able to be transported by community members.

The quote for two portable toilets on trailers is more than double the original quote at \$12,135 Exc. GST.

As Council already has one portable toilet, the purchase of one additional toilet would meet community needs rather than the purchase of two. A reallocation of funds from the Public Toilet Upgrade would allow for the purchase of one additional toilet at a cost of \$6067.50. In order to proceed with this recommendation Council would first have to rescind motion 99.05.2016.

STATUTORY REQUIREMENT:

Local Government Act 1993

Environmental Management Pollutions Control Act 1993

POLICY/STRATEGIC IMPLICATIONS:

5. Liveability - Protect, improve and promote the safety, creativity, health and wellbeing of the Islands' communities.
 - 5.2 Support cultural activities that foster social engagement and emotional wellbeing and provide opportunities for creative expression.

BUDGET AND FINANCIAL IMPLICATIONS:

1. Budget reallocation of \$10,000 from the Footpath budget.

2. Budget reallocation of \$15418.70 from the Airport Business Plan budget.
3. Budget reallocation of \$6067.50 from the Public Toilet Upgrade budget.

RISK/LIABILITY:

To not rectify drainage issues will lead to ongoing problems and not address the ten year asset management plan.

By not providing a compliant security system at the airport, Council will be exposed to ongoing risk.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER'S RECOMMENDATION:

That Council rescinds motion 99.05.2016 *"That Council purchase two additional portable toilets. These toilets are also to be made available on an as needs basis for significant community events. "*

And

That Council approves the following three budget variation requests to the 2015/16 Capital Works Program Budget:

1. Reallocation of \$10,000 from the Footpath budget to purchase a kerb and channel machine,
2. Reallocation of \$15,418.70 from the Airport Business Plan budget to purchase new airport security.
3. Reallocation of \$6067.50 from the Public Toilet Upgrade budget to purchase an additional portable toilet with a trailer.

DECISION:

C. GOVERNANCE

Item C1: Code of Conduct for Elected Members

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	COU/0603
ASSOCIATED PAPERS	<i>Annexure 7: Email received 31.05.16 from P Hoysted</i> <i>Annexure 8: Flinders Council Code of Conduct for Elected Members (version 2)</i> <i>Annexure 9: Flinders Council Code of Conduct for Elected Members - Additional Information</i>

INTRODUCTION:

The *Local Government Amendment (Code of Conduct) Act 2015* commenced on 13 April 2016. Under this new legislation, Council is required to follow the new Local Government code of conduct framework for Tasmanian Councillors and to adopt the Model Code of Conduct as its code of conduct for elected members.

PREVIOUS COUNCIL CONSIDERATION:

495.03.2013	28 th March 2013
936.11.2014	13 th November 2014
101.05.2016	19 th May 2016

OFFICER'S REPORT:

The *Local Government Amendment (Code of Conduct) Act 2015* incorporates a number of amendments to the *Local Government Act 1993* including a new Local Government code of conduct framework for Tasmanian Councillors, prescribed under Part 3, Division 3A. The Act is available to view via the Tasmanian legislation website at www.thelaw.tas.gov.au.

Also effective from 13th April 2016 is the Local Government (Model Code of Conduct) Order 2016, made by Order of the Minister for Local Government.

Under the Act, Council must adopt the Model Code of Conduct as its code of conduct relating to the conduct of its Councillors by 12th July 2016. A new Flinders Council Code of Conduct for Elected Members was considered and adopted at the 19th May 2016 Council Meeting. As requested by Phillip Hoysted, Director of Local Government, the adopted document was sent to him for approval.

An email (Annexure 7) was received from Phillip Hoysted, Director of Local Government on the 31st May informing Council that the content of the Flinders Council Code of Conduct for Elected Members did not meet legislative requirements. Council is instructed to adopt the content of the Model Code of Conduct (Schedule 1 of the *Local Government (Model Code of Conduct) Order 2016*) as the Flinders Council Code of Conduct for Elected Members. The accompanying information provided by the Division can be used as a document attached to the Flinders Council Code of Conduct for Elected Members, to provide important information concerning the code of conduct framework and process.

Following the advice received from the Director of Local Government, the second version of the Flinders Council Code of Conduct for Elected Members (Annexure 8) is presented for Council's consideration. Additional information concerning the code of conduct framework and process will be available as a separate document (Annexure 9) to assist with the implementation of the code.

STATUTORY REQUIREMENT:

Local Government Act 1993

Local Government Amendment (Code of Conduct) Act 2015

POLICY/STRATEGIC IMPLICATIONS:

4. Strategic, Efficient and Effective Organisation - Responding to risks and opportunities.

4.3 Ensure Council meets its statutory obligations and manages corporate and community risk.

4.3.4 Code of Conduct reviewed as per S28 2 (c) of the *Local Government Act 1993*.

BUDGET AND FINANCIAL IMPLICATIONS:

Nil

RISK/LIABILITY:

Council is required to adopt the Code of Conduct by 12th July 2016 to be compliant under the Act.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council adopts the Flinders Council Code of Conduct for Elected Members (version 2).

DECISION:

Item C2: Permit Authority Authorisation

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	DSV/0300
ASSOCIATED PAPERS	<i>Nil</i>

INTRODUCTION

This report recommends that Council authorises West Tamar Council as a Permit Authority under the *Building Act 2000*, to allow for the agreement between Flinders Council and West Tamar Council to take effect.

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER'S REPORT:

The *Building Act 2000* defines a Permit Authority as follows: "a person or body authorised for that purpose by the council of the municipal area in which the relevant building work, building, plumbing work or plumbing installation is located or, if the council has not made such an authorisation, the general manager of the council".

Since the *Building Act 2000* became legislation, Flinders Council has delivered the permit authority functions under a range of different service provider and staffing models. The Permit Authority function, if done to the level required by the legislation and regulatory bodies, requires expert staff and/or contractors. Council does not have the financial ability to employ such people on a permanent basis nor does the work load evident in this area on the Islands justify full-time staff coverage. Outsourcing such functions is a cost effective and prudent approach to delivering a high standard of service while minimising risk to Council.

Outsourcing of the permit authority function aligns with objectives and actions within the current Annual Plan (see Policy/Strategic Implications below).

STATUTORY REQUIREMENT:

Building Act 2000

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

1. Population Growth - Focusing on strategies, projects and policy initiatives that support the community, economic development, innovation and investment attraction.

1.4 Foster and support entrepreneurial activity.

1.4.1 Streamlined and customer focused development application and assessment processes, including pre-lodgement information and advisory services.

1.4.1.1 Improve access to accurate planning and building pre-lodgement advice for applicants.

1.4.1.2 Develop pre-lodgement information packs for building and planning.

1.4.1.3 Undertake a review of current processes and procedures with the existing service provider to identify and prioritise improvements.

4. Strategic, Efficient and Effective Organisation - Responding to risks and opportunities.

4.3 Ensure Council meets its statutory obligations and manages corporate and community risk.

4.3.1 Development undertaken in accordance with relevant development standards and legislative requirements.

4.3.2 Regulatory building processes comply with Department of Justice requirements.

BUDGET AND FINANCIAL IMPLICATIONS:

Potentially minimise operational costs and improve service standards.

RISK/LIABILITY:

The proposal to outsource the permit authority function has been developed to mitigate known risks and deficiencies within the existing service delivery model.

The risks of not proceeding with the project are as follows:

- Flinders Council has shown areas of substandard performance in the Department of Justice Audits of permit authority functions. Continued poor performance exposes Council to unacceptable risk.
- The Department of Justice intends to legislate for permit authorities to have minimum qualifications and standards. Flinders Council would likely not meet these standards and the cost of doing so would be unsustainable.
- If Flinders Council were not to meet the required standards of the Department of Justice then outsourcing of permit authority functions would be required.
- Unqualified advice to applicants continues to expose Flinders Council to unacceptable risk. The project has the potential to mitigate this.
- Flinders Council must deliver an underlying operational surplus in the near term. Outsourcing regulatory functions has the potential to minimise operational costs and improve service standards. Such an

approach supports the delivery of a positive operating position in the near term and the sustainability of the organisation as a whole.

- Resource sharing arrangements, such as that proposed with this project, are a key directive of the State Government's Local Government reform goals.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council authorises West Tamar Council to act as Flinders Council's Permit Authority for Building Permits.

DECISION:

Item C3: Councillor Resolution Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	COU/0600
ASSOCIATED PAPERS	<i>Annexure 10: Councillor Resolution Report June 2016</i>

INTRODUCTION:

This report identifies the actions taken and actual costs associated with implementing resolutions passed by elected members up to June 2016.

PREVIOUS COUNCIL CONSIDERATION:

The report is presented on a monthly basis.

OFFICER'S REPORT:

Please read Annexure 10 – Councillor Resolution Report June 2016.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Councillor Resolution Report June 2016 be noted.

DECISION:

D. CLOSED COUNCIL

Item D1 – D4 Closed Council Items

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	COM/0403, AER/0902, PER/1500
ASSOCIATED PAPERS	<i>Annexures 11-15: For Elected Members only</i>

PREVIOUS COUNCIL CONSIDERATION:

287.10.2015	22nd October 2015
50.03.2016	17th March 2016
231.08.2015	20 th August 2016
262 – 270.09.15	24 th September 2015
74.04.2016	28 th April 2015
936.11.2014	13th November 2014
Councillor Workshop	26th November 2014
Council Meeting (motion lost)	22 nd January 2015
40.02.2015	19 th February 2015
131.04.2015	30 th April 2015
183-185.06.2015	18 th June 2015
322.11.2015	24 th November 2015
106.05.2016	19th May 2016
322.11.2015	24 th November 2015
76.04.2016	28 th April 2016
77.04.2016	28 th April 2016
78.04.2016	28 th April 2016

REASON FOR CLOSED COUNCIL:

Item D1 and D2 are **CONFIDENTIAL** in accordance with Section 15(2)(c)(i) of the *Local Government (Meeting Procedures) Regulations 2005*.

Items D3 and D4 are **CONFIDENTIAL** in accordance with Section 15(2)(a) of the *Local Government (Meeting Procedures) Regulations 2005*.

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION:

That Council move into Closed Council.

DECISION:

Meeting Closed