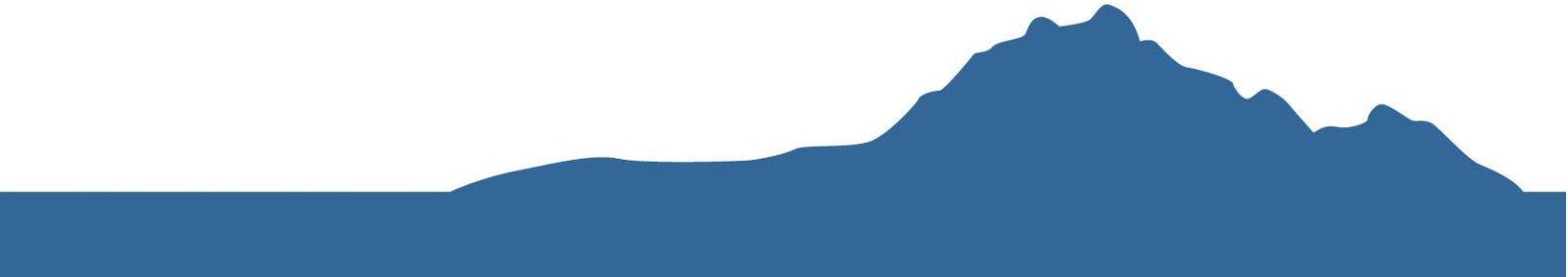




Agenda Ordinary Council Meeting

28 June 2023



CERTIFICATION

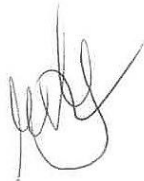
"I certify that with respect to all advice, information or recommendation provided to Council with this agenda:

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 23rd day of June 2023.



Warren Groves
GENERAL MANAGER

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FLINDERS COUNCIL ORDINARY MEETING – AGENDA

WEDNESDAY 28 JUNE 2023

Venue	Flinders Island Arts and Entertainment Centre
Commencing	1.00 pm
Attendees – Councillors	Mayor Rachel Summers Deputy Mayor Vanessa Grace Garry Blenkhorn Aaron Burke Carol Cox Peter Rhodes Ken Stockton
Apologies	Nil
Attendees- Staff	Warren Groves General Manager Sammi Gowthorp Community Services Coordinator Jacci Smith Development Services Coordinator Chris Wilson Infrastructure and Airport Manager Kyra Newman Executive Assistant Sue Mythen Executive Officer (minute taker)

1. ACKNOWLEDGEMENT OF COUNTRY

The Mayor will begin by acknowledging the Traditional Owners of the land on which we meet today, the palawa people of the trawulwai Nation. She will recognise their continuing connection to the land, waters and culture of this island, and pay respects to Elders past, present and emerging.

2. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes from the Ordinary and Closed Council Meetings held 24 May 2023 be confirmed.

3. PUBLIC QUESTION TIME

In accordance with Section 31 (1) of the Local Government (Meeting Procedures) Regulations 2015 and the Flinders Council Public Question Time – Council Meeting Procedure, the following are to be adhered to at public question time.

Public Question Time is permitted 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 required.

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.

4. RESPONSES TO PUBLIC QUESTIONS

24 May 2023

Question 1 - Wendy Jubb-Stoney - DA2023/028

It is twelve months since the planning scheme was introduced and yet landowners are only now discovering the drastic effects the Council's SAP overlay is having on their land.

Can the Mayor explain why landowners were not firstly consulted on this change and why they were not notified by Council in advance of these specific changes to their land?

And I wish to build a modest 3 bedroom home and shed at 158 Badger Corner Road. I have been denied a site inspection and denied permission to address Councillors. The consequences of the SAP, its inconsistencies where some people have more land taken than others, need Council to initiate an amendment that could or would make my application permissible for Site Coverage, and in the meantime, would Council accept my application being placed on hold until the matter is addressed.

Here is the opportunity for Council to fix a very real problem, not of their own making.

In other words, as my planning consultant Dr Richard Barnes writes:

Will the Council initiate an amendment to the Local Planning Scheme at clause FLI-S3.7.2 (site coverage) to insert Performance Criteria to enable the fair, reasonable and equitable implementation of that clause?

Finally, Given the Council have presided over taking 82.5% of my land by the overlaying a SAP, will the Council put in an amendment in order to allow the SAP measurements to be consistent and fair to land holders by removing the 100 m coming from the landowner's boundary or operate with some performance criteria where currently there are none?

Mayor's Response

Council, acting as a Planning Authority has a legislative requirement, under s57 of Land Use Planning & Approvals Act 1993 to provide a decision approving or refusing an application within the applicable timeframe.

Every Council has, or is working towards getting, a Local Provisions Schedule (LPS) that works in tandem with the State Planning Provisions to form the Tasmanian Planning Scheme. The Land Use Planning and Approvals Act 1993 allows Councils to apply Purpose Zones (PPZ), Specific Area Plans (SAP) and Site-Specific Qualifications. All Councils make use of these provisions, however, as they are specific to each area, it is not often that Councils will have the same SAPs, PPZs or Site-Specific Qualifications. Prior to the new Scheme, there were around 70 SAPs and 30 PPZs in operation throughout Tasmania.

The Act limits the circumstances when a particular purpose zone, specific area plan or a site-specific qualification can be approved to those which relate to:

- significant social, economic or environmental benefit to the State, a region or a municipal area; or
- a site which has particular environmental, economic, social or spatial qualities that requires a unique approach to the planning controls.

The Coastal Areas SAP was developed to protect the visual bulk of development around the coast, in response to concerns from the community about the visual impact of development in prominent locations. The Commission assessed the LPS and determined that the SAP met the previous tests. Yours was the first application processed under the SAP, which allows site coverage of up to 300m². Unfortunately, your proposed development was quite substantial, having a site coverage of 500m².

There was substantial notification and consultation with the community throughout the course of the process including utilising Island News, both the Council and Community Noticeboard Facebook pages, posters at businesses around the island, public information sessions, appointments with Council's Consultant Strategic Planner to name a few. There was a 2 month exhibition period where landowners could find what zoning, overlays, SAPs, PPZs and site-specific qualifications were being applied to their properties. Landowners were also able to submit a representation to the Planning Commission should they not agree with what was being proposed.

Council discussed the Coastal Areas SAP at a workshop held on 31st May 2023. There is an opportunity to review operation of the LPS once it has been tested through a few applications and decisions, to see whether it is delivering the intended outcomes or requires revisions.

The Council will develop a program to review the LPS, once it has been tested and the effectiveness of the provisions within the SAP can be properly considered. This will be completed as part of the strategic maintenance of the LPS.

It is not appropriate for the Council to propose to remove the SAP from private properties in response to the refusal of one planning application. The Tasmanian Planning Commission will require consideration of the strategic intent of the provision (to manage the impact of development on the coastal strip around Flinders Island) and considerations of the wider community with any changes.

Property owners who do not wish to wait for this to be completed may apply for an amendment to the LPS to address their concerns. Any such application will need to provide supporting information for the change they seek and an analysis of the impact of those changes.

Question 2 - Wendy Jubb-Stoney - DA2023/028

Will the Council repair the inconsistency of the Coastal Areas SAP overlay currently being calculated and measured from the high tide line in some places and in others from the private land side or a reserved road, causing some landowners to be affected and disadvantaged more than others?

Mayor's Response

The LPS supporting documents identify that the SAP was applied from the High Water Mark, or the closest title boundary for both public and privately owned lands. The 'inconsistency' was identified in the LPS supporting documents. The rules for application of the SAP may be considered as part of the review of the SAP.

Question 3 - Wendy Jubb-Stoney - DA2023/028

Will the Council remove the SAP and reinstate the 100m from high tide?

Mayor's Response

It is unlikely that Council would be able to develop supporting materials that justify removal of the SAP based on the first assessment completed under the SAP for a single development application.

Question 4 – Martin Shaw – Specific Area Plan (SAP)

In regards to SAP

1. Why was it instigated?
2. How much did it cost?
3. How do we challenge the implementation of it on your own property?
4. What were the benefits thought to be behind this for Flinders?
5. Who says that waters are rising & by 2050? (inundation)

Mayor's Response

1. The Coastal Areas SAP was developed to protect the natural appearance of the coastline of Flinders and manage the visual impacts of development around the coast and in response to proposals that were opposed by the community.
2. As the SAP was developed as part of our overall Local Provisions Scheme it is not possible to identify how much it has cost specifically.
3. Property owners who wish to challenge the SAP may seek a planning scheme amendment to remove it from their properties. As noted in response to other questions, that would require supporting information, Council to initiate the amendment process and ultimately be determined by the Tasmanian Planning Commission.
4. There have been a number of developments along the coastline of Flinders Island that have caused considerable concern in the community. Feedback received during the various community sessions highlighted the importance of preventing large developments from happening and maintaining the natural appearance along our coast lines and maintaining visual amenity.
5. The Inundation Overlay is a state-based overlay. They have been applied over all of the state as triggers for developers to address as applicable. Unfortunately, we have no input into any of the State determined overlays.
Looking at your property, the Inundation Overlay is an "investigation area" which would need addressing in regard to the level of your land should you wish to develop. Should you seek any further, please feel free to book a time to discuss this with our staff.

Question 5 – Wendy Jubb Stoney – DA2023/028

Will Council assess my previous house & shed application under the previous scheme? as I have attempted to have a shed & house on the same site & Council was in error originally, to deny me a shed extension without full house plans. Given that mistake, will Council accept responsibility & as I have provided full professional house plans TWICE, give me the permit I require.

Mayor's Response

Council was notified on 21st April 2022 that their Local Provisions Schedule would become operational on 28th April 2022. Unfortunately, any Development Approval Application received after this date must be assessed under the new scheme.

We have record of an enquiry that was made in late May of 2022 (after the operational date). It appears you were advised the development would be prohibited, however still chose to submit the same development in April of this year for approval.

Question 6 – Joanna Klug – Specific Area Plan (SAP)

1. The restrictions from SAP overlays are showing unreasonable and simple restrictive restraints on future builds. Why impose such extreme measures?
2. When properties have overlays that make properties unbuildable, where do property owners make complaints? How is this resolved? Who compensates these land owners?

Mayor's Response

1. There have been a number of developments along the coastline of Flinders Island that have caused considerable concern in the community. Feedback received during the various community sessions highlighted the importance of preventing large developments from happening along our coast lines and maintaining visual amenity.

The Coastal Areas SAP was developed to protect the visual bulk of development around the coast, and it has not been determined that this is not achieving the intended outcomes.

The SAP allows site coverage in the SAP area of 300m². Outside of that area, land owners are still free to build as they wish (in line with any zoning, overlays, SAPs etc).

2. As always, please discuss contact our Development Services staff with any questions, comments or issues.

Question 7 – Martin Shaw - Specific Area Plan SAP

How did the sap or where did the sap idea come form And who thought it to be beneficial to the island

Mayor's Response

The Coastal Areas SAP was developed to protect the visual bulk of development around the coast.

There have been a number of developments along the coastline of Flinders Island that have caused considerable concern in the community. Council employed a Strategic Planner, full time for 2 years, who undertook substantial community consultation. Feedback received during this highlighted the importance of preventing large developments from happening along our coast lines and maintaining visual amenity.

Question 9 – Jo Klug – Specific Area Plan SAP

1. Can Flinders Island landowners seek additional consultation time to allow the community to react to the existing overlays?
2. Can these the SAP overlays be removed and what support is required by landowners to see this done?

Mayor's Response

1. There have been a number of opportunities for landowners to engage in the process. The legislated exhibition period was open for 2 months. Council provided their consultant Strategic Planner to everyone to discuss their properties and impacts of the Tasmanian Planning Scheme including the State Planning Provisions and Local Provisions Schedule.

Everyone had the opportunity to submit a representation and attend hearings that were held on the Island, with the Tasmanian Planning Commission attending in person. That process was completed last year and cannot be re-commenced. We will consider organising information sessions for the community.

2. Council discussed the Coastal Areas SAP at a workshop held on 31st May 2023. There is an opportunity to review how the SAP operates and where it is applied once it has been tested through assessments. Removal of the SAP would require demonstration that it is failing to deliver the intended purpose (to manage the impact of development around the coastline of Flinders) through the assessment of applications under the SAP.

Question 10 – Michelle Hirschfield

Can the Flinders Island SAP's be completely reviewed and if so, when?

Mayor's Response

Council discussed the Coastal Areas SAP at a workshop held on 31st May 2023. There is an opportunity to review operation of the LPS once it has been tested through a few applications and decisions, to see whether it is delivering the intended outcomes or requires revisions.

The Council will develop a program to review the LPS, once it has been tested and the effectiveness of the provisions within the SAP can be properly considered. This will be completed as part of the strategic maintenance of the LPS. We are currently negotiating a timeframe for this to occur, and community consultation will form a part of this.

Question 11 – Althea Lambert – Public Questions

When will the responses to the public questions be given?

Mayor's Response

You will receive answers in the next 14 days and published in the next agenda.

RECOMMENDATION

That the response to the Public Questions from the 24 May 2022 Council Meeting be noted.

5. COUNCILLORS' QUESTIONS ON NOTICE

6. COUNCILLORS' 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.

7. LATE AGENDA ITEMS

8. DECLARATION OF PECUNIARY INTEREST

In accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2015, Councillors are required to declare any pecuniary interest that they, or any of their close associates, may have in any matter appearing on the agenda, or any supplementary item to the agenda, before any discussion on that matter.

9. CONFLICT OF INTEREST

In accordance with Part 2, paragraph 6 of the Local Government (Model Code of Conduct) Order 2016, Councillors are required to declare any conflict of interest, be in actual, perceived or potential, that they may have regarding any matter appearing on the agenda, or any supplementary item to the agenda before any discussion on that matter commences.

10. WORKSHOPS & INFORMATION FORUMS

File No. COU/0205

Council Workshop – 24 May 2023

Council held a workshop on the following subjects:

Item 1 Little Dog Island Development Application

Item 2 Local Government Review Discussion

Item 3 Fees and Charges changes to Rationale for Waivers

Item 4 General Manager Update

Councillors	In Attendance
Mayor Rachel Summers	Yes
Deputy Mayor Vanessa Grace	Yes
Councillor Aaron Burke	Yes
Councillor Carol Cox	Yes
Councillor Garry Blenkhorn	Yes
Councillor Peter Rhodes	Yes
Councillor Ken Stockton	Yes

Staff and Consultants	In Attendance
Warren Groves General Manager	(Items 1 – 4)
Jacci Smith Development Services Coordinator	(Item 1)
Sammi Gowthorp Community Services Coordinator	(Item 3)
Heidi Goess Plan Place (via Zoom)	(Item 1)
Laura Small Plan Place (via Zoom)	(Item 1)
Holly Barlow Department of Natural Resources and Environment – Conservation Assessments (via Microsoft Teams)	(Item 1)
Sue Mythen Executive Officer	(Items 1 – 4)
Kyra Newman Executive Assistant	(Items 1 – 5)

Council Workshop – 31 May 2023

Council held a workshop on the following subjects:

Item 1 Local Government Review Discussion

Item 2 General Manager Update

Item 3 Town Planning Solutions

Item 4 Marc Edwards from Page Seagar

Item 5 Flinders Island Business Inc. Budget Presentation

Item 6 General Manager Update Continued

Councillors	In Attendance
Mayor Rachel Summers	Yes
Deputy Mayor Vanessa Grace	Yes
Councillor Aaron Burke	Yes
Councillor Carol Cox	Yes (absent in item 5)

Councillor Garry Blenkhorn	Yes (absent in item 5)
Councillor Peter Rhodes	Yes
Councillor Ken Stockton	Yes

Staff and Consultants	In Attendance
Warren Groves General Manager	(Items 1 – 6)
Jacci Smith Development Services Coordinator	(Items 3 - 4)
Mick Purves Town Planning Solutions	(Items 3 – 4)
Marc Edwards Page Seager	(Item 4)
Sue Mythen Executive Officer	(Items 5 – 6)
Kyra Newman Executive Assistant	(Items 1 – 5)
Heidi Smith Flinders Island Business Inc	(Item 5)
Diana Droog Flinders Island Business Inc	(Item 5)

Council Workshop – 14 June 2023

Council held a workshop on the following subjects:

Item 1 Little Dog Development Application

Item 2 General Manager Update

Item 3 Budget Discussion

Item 4 Long-Term Financial Management Plan

Item 5 Rates Resolution

Item 6 Communication Policy

Item 7 Gunn Bequest

Item 8 Community Grants

Item 9 Asset Disposal Policy and Procedure

Councillors	In Attendance
Mayor Rachel Summers	Yes
Deputy Mayor Vanessa Grace	Items 1-6, 9
Councillor Aaron Burke	Apology
Councillor Carol Cox	Apology
Councillor Garry Blenkhorn	Items 3-8
Councillor Peter Rhodes	Items 2,3,4,9
Councillor Ken Stockton	Yes

Staff and Consultants	In Attendance
Warren Groves General Manager	Items 1-9
Jacci Smith Development Services Coordinator	Item 1
Sammi Gowthorp Community Services Coordinator	Items 6-8
Marissa Walters Contract Accountant (via Microsoft Teams)	Items 3-5
Heidi Goess Plan Place (via Zoom)	Item 1
Sue Mythen Executive Officer	Items 1-9

RECOMMENDATION

That the Council Workshops held on 24 and 31 May and 14 June 2023 be noted.

11. PUBLIC MEETINGS

File Reference COU0203

Annexures 11.1 Scalefish Public Meeting Unconfirmed Minutes 19 May 2023

OFFICER'S REPORT (Warren Groves | General Manager):

The Unconfirmed Minutes of the Scalefish Public Meeting held on Friday 19th May 2023 have been provided for consideration. The minutes outline the proceedings, questions from the community, responses provided by Natural Resources and Environment (NRE) representatives and a copy of the NRE Presentation.

RECOMMENDATION

That the Unconfirmed Minutes of the Scalefish Public Meeting held 19 May 2023 be noted.

12. PUBLICATIONS AND REPORTS TABLED FOR COUNCIL INFORMATION

13. REPORTS TO BE RECEIVED

13.1 FLINDERS COUNCIL AUDIT PANEL

File Reference FIN/0401
Annexures 13.1.1 Flinders Council Audit Panel Meeting 4 April 2023 Confirmed Minutes

OFFICER'S REPORT (Warren Groves | General Manager)

The Confirmed Minutes of the Flinders Council Audit Panel Meeting held 4 April 2023 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

RECOMMENDATION

That the Confirmed Minutes of the Flinders Council Audit Panel Meeting held 4 April 2023 be noted.

13.2 FLINDERS BOATING SPECIAL COMMITTEE

File Reference COM/0404
Annexures 13.2.1 Flinders Boating Special Committee Meeting 17 May 2023 Unconfirmed Minutes

OFFICER'S REPORT (Warren Groves | General Manager):

The Unconfirmed Minutes of the Flinders Boating Special Committee Meeting held Wednesday 17 May 2023 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

RECOMMENDATION

That the Unconfirmed Minutes of the Flinders Boating Special Committee Meeting held 17 May 2023 be noted.

13.3 FURNEAUX GROUP SHIPPING SPECIAL COMMITTEE

File Reference COM/0404
Annexures 13.3.1 Furneaux Group Shipping Special Committee Meeting 15 May 2023 Unconfirmed Minutes

OFFICER'S REPORT (Warren Groves | General Manager):

The Unconfirmed Minutes of the Furneaux Group Shipping Special Committee Meeting held Monday 15 May 2023 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

RECOMMENDATION

That the Unconfirmed Minutes of the Furneaux Group Shipping Special Committee Meeting held 15 May 2023 be noted.

14. MAYOR'S REPORT

Action	Information
Proponent	Mayor R Summers
File Reference	COU/0600
Annexures	Nil

APPOINTMENTS

Date	Description
17/05/2023	Cate Hardman – Freight Issues
17/05/2023	General Manager's Performance Review Committee Meeting
17/05/2023	Flinders Boating Special Committee Meeting
19/05/2023	Aronn Daw – Hydro Tasmania
19/05/2023	Public Meeting: Scalefish Review 2023
22/05/2023	Greg Howard – Mayor, Dorset Council and John Marik – General Manager, Dorset Council
24/05/2023	Council Workshop
24/05/2023	Council Ordinary Meeting
25/05/2023	Office of Local Government: State-wide Learning and Development Framework
29/05/2023	Commander Kate Chambers – Tasmania Police
31/05/2023	Council Workshop
06/06/2023	Visit to Cape Barren Island
14/06/2023	Council Workshop
15/06/2023	Frances Henwood – Local Government Review
16/06/2023	Citizenship Ceremony

CORRESPONDANCE IN

DATE	FROM	SUBJECT
17/05/2023	Senator Richard Colbeck	Inquiry into Bank Closures
18/05/2023	Warren Groves, General Manager	GMPRC Presentation
19/05/2023	Melissa Geard, Office of Honourable Nic Street	Extension of time to Local Government Review Submission Date
22/05/2023	Bill and Marika Godbehere	Water and soil runoff
22/05/2023	Luke Edmunds, Member of Legislative Council (MLC) for Pembroke	Local Government Review
22/05/2023	Neil Duncan	Networking with Ratepayer Association Key Persons
22/05/2023	Dion Lester, Chief Executive Officer (CEO) Local Government Association of Tasmania (LGAT)	LGAT General Meeting remote attendance
22/05/2023	Dr Richard Barnes, Van Diemen Consulting	DA2023_00028 Letter - request to speak

DATE	FROM	SUBJECT
23/05/2023	Shannon Mansell	Firesticks Alliance and Cultural Burnings
23/05/2023	Jana Monnone	Consultation Feedback – Scalefish Review
23/05/2023	Wendy Jubb-Stoney	Planning Permit deferral message
25/05/2023	Ed Beswick – General Manager (GM), Thrive Group	Media
27/05/2023	Maureen Riddle	Coastal Area SAP
28/05/2023	Councillor Kenneth Stockton	Patient Transport Assistance Scheme
29/05/2023	Dion Lester CEO LGAT	Local Government Review - Information Pack release
29/05/2023	Vanessa Grace, Deputy Mayor	General Managers Review
31/05/2023	Kevin Moran, APG Exploration Data Sales Lead	TGS Marine Seismic Survey Offshore Otway
31/05/2023	Linda & Kerry Essex-Evans	SAP in Planning changes
05/06/2023	Anne-Marie Lynch - National Indigenous Australian Agency	NIAA Response - Childcare on Flinders Island
05/06/2023	Jana Monnone	Consultation Feedback – Scalefish Review
06/06/2023	Mel Whittle	Tasmanian Network Multicultural Programs
06/06/2023	Hazel Kleinau	We must have banking services in the regions
07/06/2023	Melissa Geard – Department of Premier and Cabinet	Review of local government compulsory voting
07/06/2023	Brad Stansfield – Font PR	Bass Offshore Wind Energy
07/06/2023	Helmut Ernst	Open Letter to the Deputy Premier
08/06/2023	Dion Lester CEO LGAT	Newest Engagement Opportunities for Local Government Review
09/06/2023	Department of Natural Resources and Environment (NRE) Fishing Tasmania	Confirmation of receipt of submission
09/06/2023	Dianna Christine DPAC	Councillor Participation on online learning modules
09/06/2023	Dion Lester CEO LGAT	Future of LG Review - Online Sessions now available
13/06/2023	Lori Dalton, Project Coordinator, Renew	Renew Council Opportunities for 23-24 FY
14/06/2023	Wendy Jubb-Stoney	Response to public Questions responses
15/06/2023	Dion Lester CEO LGAT	Election Results for President and GMC Members
16/06/2023	Dr. Lynne Davies	Housing

CORRODSPONDANCE OUT

DATE	TO	SUBJECT
22/05/2023	Dion Lester CEO LGAT	LGAT General Meetings Remote Attendance
25/05/2023	Ed Beswick – GM, Thrive Group	Media

24/05/2023	Senator Richard Colbeck	Inquiry into Banking Closures in Regional Australia
30/05/2023	Applicants	Audit Panel recruitment notifications (3)
30/05/2023	Warren Groves, General Manager	General Managers Performance Review
02/06/2023	Dion Lester, Chief Executive Officer, LGAT	Future of Local Government Engagement Sessions
16/05/2023	TGS Energy Data	TGS Marine Seismic Survey Otway Basin
05/06/2023	NRE Fishing Tasmania	Submission – Scalefish Review
07/06/2023	W Jubb-Stoney	Response to Public Questions
07/06/2023	M Hirschfield	Response to Public Question
07/06/2023	M Shaw	Response to Public Questions
07/06/2023	J Klug	Response to Public Questions

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Mayor's report be received.

15. DEVELOPMENT SERVICES

15.1 DEVELOPMENT APPLICATION REPORT

Action	Information
Proponent	Council Officer
Officer	Jacci Smith Development Services Coordinator
File Reference	PLN/0105
Annexures	15.2.1 Development Applications Report – May 2023

INTRODUCTION

This report provides Councillors with an overview of the status of development (planning) applications for the previous month, as per motion 249.09.2015, passed at the 24 September 2015 Council Meeting when Council requested monthly data.

The data aims to provide an opportunity to Councillors to better understand the type and amount of development applications being submitted to Council.

Applications classified as Permitted in the relevant Use Class Table of the applicable Zone that meet all Acceptable Solutions associated with the Zone (without any codes or overlays) are assessed under section 58 of the *Land Use Planning and Approvals Act 1993* (the Act) and do not incur an advertising period.

Discretionary applications are assessed under section 57 of the Act and are publicly exhibited for a 14-day period. During the advertising period, representations may be received from the public. If a representation is received, the application will be tabled at an Ordinary Meeting of Council where Councillors act as the Planning Authority to deliberate the decision. Where representations are not received, the application may be assessed under delegation by the General Manager. The Planning Authority maintains the ability to have planning matters tabled at their discretion.

The numbering applied to each of the applications is automated by the system that manages all stages of the development including building and plumbing. Sequential numbering is of no value to the data, given that the assessment timeframes vary given the details initially provided. Stop clocks may be placed on an application to seek further information. Numbers may be used by building and plumbing files.

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 15.2.1 Development Applications Report – May 2023.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Development Applications Report – May 2023 be received.

16. INFRASTRUCTURE

16.1 INFRASTRUCTURE MANAGER’S REPORT – JUNE 2023

Action	Information
Proponent	Council Officer
Officer	Chris Wilson Infrastructure Manager
File References	WOR/3000
Annexures	16.1.1 Infrastructure Manager’s Report – June 2023

INTRODUCTION

The purpose of this report is to provide Councillors with an update of monthly activities undertaken by the Works and Services and Airport departments.

OFFICER’S REPORT

This report is provided on a monthly basis at the request of Council.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Infrastructure Manager’s Report – June 2023 be received and accepted by Council.

17. NOTICE OF MOTION

17.1 NOTICE OF MOTION – RESOLUTIONS FROM FURNEAUX GROUP SHIPPING SPECIAL COMMITTEE MEETING

Action	Decision
Proponent	Mayor Rachel Summers
Officer	Warren Groves General Manager
File Reference	COM/0404
Annexures	13.3.1 Furneaux Group Boating Special Committee 15 May 2023 Unconfirmed Minutes

Notice of Motion

That Council approves Nicholas Campion as Farming Sector representative on the Furneaux Group Shipping Special Committee.

Councillor’s Report

Under the terms of reference of the Furneaux Shipping Special Committee of the Flinders Council, membership should include a representative from the Farming Sector.

After the resignation of Grant Hall in late 2022, nominations from the public were called for the position of Farming Sector representative on the Furneaux Group Shipping Special Committee of Council.

At a committee meeting held on Monday 15 May 2023, members considered applications for the position of Farming Sector representative. The Committee discussed the nomination of Nicholas Campion and unanimously carried the recommendation ‘That Council approves Nicholas Campion as Farming Sector representative on the Furneaux Group Shipping Special Committee’.

Previous Council consideration

Nil

previous council Discussion

Nil

Officer’s Report

At the Furneaux Group Shipping Special Committee of Council held Monday 15th May 2023 the Committee members considered the application of Nicholas Campion to the position of Farming Sector representative. The recommendation falls in line with the terms of reference of the Furneaux Group Shipping Special Committee and is a decision for Council.

Statutory Requirements

Nil

Policy/Strategic Implications

2. Accessibility/Infrastructure and Services - Quality infrastructure and services for community benefit.

2.2 Safe and reliable air and sea access to the islands.

2.2.2 Engage with key stakeholders to support and improve commercial and community sea access.

Budget and Financial Implications

Nil

Risk/Liability

Any recommendations of the Special Committee require the approval of a Council motion.

Voting Requirements

Simple Majority

MOTION

Mayor R Summers

That Council approves Nicholas Campion as Farming Sector representative on the Furneaux Group Shipping Special Committee.

17.2 NOTICE OF MOTION – FLINDERS BOATING SPECIAL COMMITTEE

Action	Decision
Proponent	Mayor Rachel Summers
Officer	Warren Groves General Manager
File Reference	COM/0404
Annexures	13.2.1 Flinders Boating Special Committee meeting 17 May 2023 Unconfirmed minutes

NOTICE OF MOTION

That Council accepts the verbal resignations of membership from the Flinders Boating Special Committee verbally tendered on 17 May 2023 from the following community members and letters of thanks be sent to them:

- **Norman Hunt;**
- **John Holloway; and**
- **Robert Holloway.**

COUNCILLOR'S REPORT

At a Committee Meeting held at the Whitemark boat ramp on Wednesday 17th May 2023, the General Manager advised of the verbal resignation of Norm Hunt and Robert Holloway. John Holloway then tendered his verbal resignation. A motion was put forward by Cr Carol Cox and seconded by Aronn Daw 'That the verbal resignations of membership from Norm Hunt, John Holloway and Robert Holloway from the Flinders Boating Special Committee be accepted and thank you letters sent to members', the motion was carried.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

Nil

OFFICER'S REPORT

In the lead up to the 2021 State election, the Tasmanian Liberal party released a number of election commitments relevant to the Flinders Municipality including, "Invest(ing) \$120,000.00 to upgrade existing boat ramps on Flinders Island".

The Flinders Boating Special Committee has a diverse cross section of the Community with 13 community members, the resignation of the three members should not be detrimental to the ongoing functioning of the committee to achieve the funding objectives.

Irrespective of the representative nature of special committees, wider consultation and collaboration will be ongoing through stakeholder engagement. This is especially relevant to the boating community, to ensure the best Community outcomes within the funding for the Island's boating facilities.

STATUTORY REQUIREMENTS

Nil

POLICY/STRATEGIC IMPLICATIONS

2. Accessibility/Infrastructure and Services - Quality infrastructure and services for community benefit.

2.2 Safe and reliable air and sea access to the islands.

2.2.2 Engage with key stakeholders to support and improve commercial and community sea access.

AP-11 Support the Flinders Boating Special Committee to improve the Whitemark Boat Ramp

BUDGET AND FINANCIAL IMPLICATIONS

NIL

RISK/LIABILITY

VOTING REQUIREMENTS

Simple Majority

MOTION

Mayor R Summers

That Council accepts the verbal resignations of membership from the Flinders Boating Special Committee verbally tendered on 17 May 2023 from the following community members and letters of thanks be sent to them:

- **Norman Hunt;**
- **John Holloway; and**
- **Robert Holloway.**

17.3 NOTICE OF MOTION – CAPE BARREN ISLAND FUNDING RESERVE

Action	Decision
Proponent	Council Officer
Officer	Rachel Summers Mayor
File Reference	COU/0600
Annexures	Nil

NOTICE OF MOTION

That Council allocates \$30,000 in the Budget 2023/2024 for works to be undertaken specifically to benefit Cape Barren Island residents. Appropriate works to be defined in collaboration with Cape Barren Island Community.

COUNCILLOR'S REPORT

Council representatives visited Cape Barren Island on 6 June 2023 to undertake stakeholder engagement with Island delegates and residents. Unfortunately, delegates were off the Island attending to 'Sorry Business', however residents were consulted and forthcoming regarding works that Council could undertake to improve facilities for residents on the Island.

During the visit it was suggested that Cape Barren Island residents develop a priority list and provide this to Council for consideration.

Consultation and communication has proved challenging in the past and Council would welcome the opportunity to 'develop stronger connections with the Cape Barren Island Community through the undertaking of projects that are of direct benefit to and desired by the residents'.

Projects suggested during the visit to Cape Barren Island by local residents included:

- Rubbish bins for private rental properties;
- Another public toilet would be nice, near the Community Hall in town;
- Upgrades to the Community gym which currently has no power;
- Relocation and fencing of the waste facility away from the township; and
- Giving shed to be erected at the waste facility.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

14 June 2023 Council Workshop

OFFICER'S REPORT

Council encourages open communication with Cape Barren Island residents and representative bodies in an effort to have a better understanding of Cape Barren Island issues and be proactive in addressing these matters.

Rates revenue from Cape Barren Island for the 2022 – 2023 financial year was estimated at \$74,470 (excluding fire levy) and no works have been undertaken directly on the Island in the past financial year by Council.

Following on from the Cape Barren Island visit on 6 June 2023, it would be opportune to build on the good will afforded by the residents through collaborative engagement to identify the needs on the Island and the allocation of funds and resources to address agreed matters.

STATUTORY REQUIREMENTS

Nil

POLICY/STRATEGIC IMPLICATIONS

1. Liveability - To protect and build upon our islands' way of life.

1.1 A viable population that enables the necessary services and activities required for the Community to prosper.

BUDGET AND FINANCIAL IMPLICATIONS

Fund allocation of \$30,000. in the Budget 2023/2024 reserved for works on Cape Barren Island. Funds not expended in the 223/2024 financial year to be carried over into next financial year 2024/2025.

RISK/LIABILITY

A proportion of the Furneaux Island Community will continue to feel undervalued by Council.

VOTING REQUIREMENTS

Absolute Majority

MOTION

Cr Rachel Summers

That Council allocates \$30,000 in the Budget 2023/2024 for works to be undertaken specifically to benefit Cape Barren Island residents. Appropriate works to be defined in collaboration with Cape Barren Island Community.

18. FINANCE

18.1 LONG-TERM FINANCIAL MANAGEMENT PLAN 2024-2033

Action	Decision
Proponent Officer	Council Officer Marissa Walters Contract Accountant
File Reference	FIN/0701
Annexures	18.1.1 DRAFT Long-Term Financial Management Plan 2024-2033

INTRODUCTION

This year has completed a full review of the Long-Term Financial Management Plan (LTFMP), with a new 10-year plan presented to Council for adoption. The LTFMP has been discussed with both Council and the Flinders Council Audit Panel Committee in recent months. Recently Council adopted the revised Financial Management Strategy 2023-2033, this LTFMP has been prepared in line with the new strategy.

The purpose of the LTFMP is to express, in financial terms, the activities that Council proposes to undertake over the medium to longer term to achieve its stated objectives. It is a guide for future action. Without a LTFMP Council would have insufficient data to determine sustainable service levels, affordable asset management strategies, appropriate revenue targets or appropriate treasury management.

PREVIOUS COUNCIL CONSIDERATION

120.06.2021 28 June 2021

PREVIOUS COUNCIL DISCUSSION

12 April 2023 Council Workshop
13 June 2023 Council Workshop

OFFICER'S REPORT

The Long-Term Financial Management Plan 2024-2033 (LTFMP) seeks to inform the reader about how Council intends to govern the financial aspects of its strategic framework. Underpinning this is Council's goal of managing its operations in a financially sustainable manner now and into the future.

This plan has been developed with Council's key financial strategies at its core: aiming for moderate underlying surpluses, sufficient liquidity and cash flow, minimisation of debt, and asset renewal requirements being satisfactorily funded.

Council recently considered its Long-Term Asset Management Plan and Strategy 2021-2031, acknowledging the need to focus capital spending on asset renewals over the next ten years. Both the Long-Term Financial Management Plan and the Long-Term Asset Management Plans are to be reviewed regularly.

The forecasts contained within this LTFMP and which are necessarily based upon certain assumptions, produce the following outcomes over the 10-year horizon of this plan: -

- The achievement of target to breakeven by the end of the 10-year period, excluding airport depreciation. Over the next 10-year period, Council is forecast to achieve

underlying surpluses in the range of -16% to -4% of revenue and averaging -9%. It is important that Council generates sufficient revenue to cover all of its cash and non-cash costs.

- Council has taken the strategic position of not funding airport depreciation as funding required for airport renewals has historically been secured through Federal capital grants and is currently unachievable by Council during the life of the plan.
- Long term borrowings are currently at low levels, and these will decrease to nil by 2025-26
- Cash balances over the 10-year period are at moderate levels. Balances will reduce as grant funds are spent and works on maintaining assets are completed in 2023-24 and then remain steady over the remaining period of the 10-year plan.
- 100% funding of forecast asset renewal requirements will be achieved over the life of the plan, which is a key financial sustainability indicator. An appropriate benchmark is considered to be 90-100%. Renewal forecasts are continually being refined and the funding level monitored.

These outcomes, together with the underpinning assumptions of revenue and cost growth indicate annual rate increases in the order of 10% in the short term, and then decreasing to 7.5-8% toward the end of the 10-year period. This is exclusive of the State Government fire levy, any redistributive effects of revaluations, Assessed Annual Value (AAV) indexation or changes to Council rating policy.

These outcomes ensure a return to a financially sustainable position for the Council, thus ensuring the ability to deliver services into the future. It will ensure an equitable distribution of costs between current and future generations.

The LTFMP is a guiding document to consider when developing Budget Estimates, rather than documents that dictate the future decisions of Council. The LTFMP will be revised and updated regularly to reflect strategies that arise from the Council planning process.

STATUTORY REQUIREMENT

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

Financial Management Strategy 2023-2033

Long-Term Asset Management Plan and Strategy 2021-2031

Budget Estimates 2023-24

BUDGET AND FINANCIAL IMPLICATIONS

The Long-Term Financial Management Plan 2024-2033 provides a guide for Council to make informed financial decisions.

Long-term financial sustainability can only be said to have been achieved when Council is providing expected services at defined levels to its community that is adequately funded, not only on an annual basis, but over the long term. This includes infrastructure asset renewal funding requirements.

In financial terms, it will result in: -

- A manageable and affordable level of debt.
- The funding of 100% of forecast asset renewal requirements over the Plan period.
- Cash balances maintained above estimated minimum levels over the plan period.

The Budget Estimates 2023-24 have been prepared in conjunction with the Long-Term Financial Management Plan and represent year 1 of the 10-year plan.

RISK/LIABILITY

The Long-Term Financial Management Plan establishes a guide under which sound and sustainable financial decisions can be made. Failure to adhere to the Plan and other associated strategies and plans could expose Council to financial risk.

Section 10 of the LTFMP demonstrates the sensitivity of the LTFMP to changes in assumptions for some of the key categories of income and expenditure.

VOTING REQUIREMENTS

Absolute majority

RECOMMENDATION

That Council adopts the Long-Term Financial Management Plan 2024-2033 and authorises the General Manager to:

- 1. Make a copy of the Long-Term Financial Management Plan 2024-2033 available on the Council Website and for public inspection at the Council office during ordinary business hours; and.**
- 2. Provide the Director of Local Government with a copy of the Long-Term Financial Management Plan 2024-2033.**

18.2 RATES AND CHARGES FOR 2023-24

Action	Decision
Proponent	Council Officer
Officer	Contract Accountant
File Reference	FIN/0701 and FIN/1205
Annexures	18.2.1 Rates-Resolution-2023-24

INTRODUCTION

The rates resolution has been prepared in line with the draft Long Term Financial Management Plan 2024-2033 and the Budget Estimates 2023-24.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

12 April 2023	Council Workshop
10 May 2023	Council Workshop
14 June 2023	Council Workshop

OFFICER'S REPORT

In line with the draft Long Term Financial Management Plan 2024-2033 and the Budget Estimates 2023-24, both presented for adoption at this meeting, the increase in total rate revenue required is 10% on last year's (2022-23) Budget.

Taking into account natural growth it is proposed to increase the rate in the dollar for all rating categories equally by 9% and the fixed general rate by \$40 (9.5%), from \$420 to \$460 which applies equally to all rateable land.

The Fire Levy minimum has been increased by the State from \$44 to \$48 per rateable property.

The average increase across all rateable land in the total rates payable (general rates and fire levy) will be 9.2%, with the average residential house increase being \$125 per annum, or \$2.40 per week. Any increase at a property level will vary depending on the valuation of that property.

This year there are no adjustment factors to apply to property valuations. The municipal wide revaluations are due to come into effect from 1 July 2024.

STATUTORY REQUIREMENT

In accordance with s90 of the *Local Government Act 1993* (the Act), Council is required to set the rates by 31 August of each year.

POLICY/STRATEGIC IMPLICATIONS

S-F6 Rates and Charges Policy
Long-Term Financial Management Plan 2024-2033

4. Good Governance - Effective, efficient and transparent management and operations
 - 4.1 An organisation that provides good governance, effective leadership and high-quality services, within our means.
 - 4.1.1 Ensure Council meets its statutory obligations to manage risk, achieve financial sustainability and model good governance.

BUDGET AND FINANCIAL IMPLICATIONS

The rates presented in the Rates Resolution are in line with the draft Budget 2023/24 presented to Council for consideration at this meeting and are also in line with the draft Long-Term Financial Management Plan for consideration at this meeting.

RISK/LIABILITY

If Council does not adopt the Rates Resolution at this meeting, the item will need to be deferred until the July or August meeting to adopt an alternative resolution no later than by 31 August 2022 to comply with the requirements of the Act.

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That Council, by absolute majority, adopts the Rates Resolution for 2023/24, as detailed in Annexure 18.2.1.

18.3 BUDGET ESTIMATES 2023-24

Action	Decision
Proponent	Council Officer
Officer	Contract Accountant
File Reference	FIN/0701 FIN/1207
Annexures	18.3.1 Budget Estimates 2023-24

INTRODUCTION

This year Council has reviewed its Long-Term Financial Management Plan and the draft is presented at this meeting for consideration. The Budget has been prepared in line with the draft Long-Term Financial Management Plan 2024-2033.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

10 May 2023	Council Workshop
14 June 2023	Council Workshop

OFFICER'S REPORT

This past year has seen another year of increased inflation on Council's costs. It is forecast that this will continue into the coming year with hopefully an improving position over the coming years.

The forecast position for the current year is expected to be an operating loss of \$758k, which is a significant improvement from the budgeted loss of \$1.8m. This turn around is due to a number of factors but primarily the improved position in employment costs, however this is largely due a number of vacancies during the year and increased user fees which was largely driven by an increase in airport income. This increase in user fees is two-fold with a temporary increase in avgas sales, offset largely by high fuel purchases shown in material costs and an increase in landing charges on a conservative budget due to Covid. The forecast position is based on the assumption that 50% of the 2023-24 Financial Assistance Grants will be received in advance in line with what has occurred in previous years, however this is not confirmed at this stage.

Like other councils, businesses and households, Council is impacted by inflationary pressures across almost all cost areas. In preparing the budget for 2023-24 a number of assumptions have been made:

- User fees to increase generally by 8%, however income from user fees is expected to decrease overall due to the one-off avgas sales mentioned above and lower activity expected in development applications.
- A new contract with State Growth to complete works on their behalf is expected to commence in August 2023.
- Increase in Financial Assistance Grants of 11.65%, with 50% expected to be received in advance each year.
- CPI reducing to 6%, which is expected to impact many materials and services costs.
- Insurance increases of 15%.
- Increases in current Information Technology (IT) expenses of 10% with new additional IT requirements in the order of \$28,500, an overall increase of 39%.
- Increase in contractor and consultant costs in the order of 8%.
- An average increase in employee wages of 6% coming into effect from 1st October (2023-24 budget impact 4.5%), plus an additional two positions to work on the State

Growth works. A number of vacancies have recently been filled and a full complement of 29FTE staff have been budgeted for. Taken together this is still a \$175k decrease on the 2022-23 budget.

- Increase in depreciation due to higher construction costs and new assets of 11%.
- Other employee cost increases of 2.5%; and
- Other cost increase of 2%

Other factors impacting the Budget for 2023-24 are:

- Some operating grants will carry forward from 2023-2024
- A significant amount of Capital Grants included in 2022-23 budget, some of these funds have been received, will carry forward to 2023-24. Some projects are expected to be completed over multiple years and some projects are behind due to the challenge in sourcing contractors and materials within budget constraints.
- Increasing resources required in the area of waste management with the need to better manage waste produced on the Island in an environmentally approved manner; and
- Increased building and facilities maintenance costs.

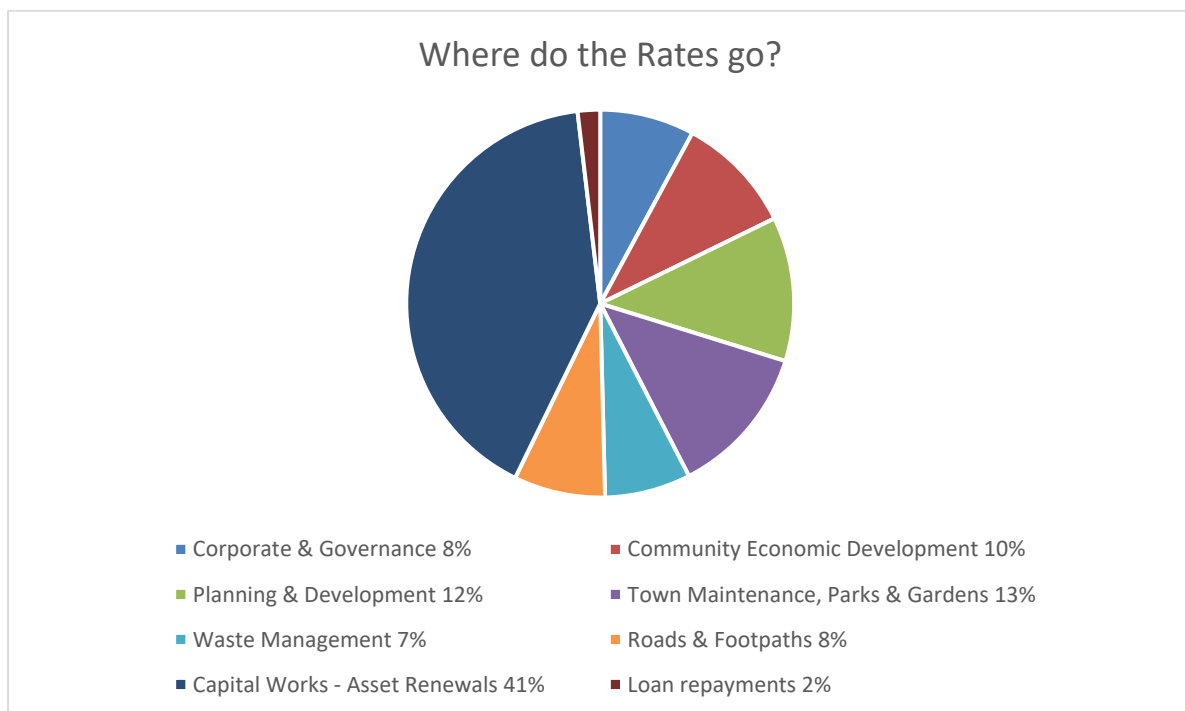
Overall, the estimated operating result (not including Capital Revenue) is a loss of \$1.115m, and the net profit (including Capital Revenue) is \$3.54m.

No new loan borrowings are budgeted for in 2023/24.

A total Capital Works program of \$10.922m will be primarily funded by Capital Grant revenue of \$8.85m and Council funds of \$2.0m.

Council's cash position at 30 June 2023 is expected to be \$7.28m; with cash reserves being used to fund current principal loan repayments and Council-funded Capital Works projects, including road works and upgrades to waste management facilities; leaving an estimated cash position at 30 June 2024 of \$4.65m.

Below is snapshot of where Rate Revenue will be spent



STATUTORY REQUIREMENT

In accordance with s82 of the *Local Government Act 1993* (the Act), Council is required to set the budget estimates by 31 August of each year.

POLICY/STRATEGIC IMPLICATIONS

Long-Term Financial Management Plan 2024-2033

Long-Term Asset Management Plan and Strategy 2021-2031

4. Good Governance - Effective, efficient and transparent management and operations

4.1 An organisation that provides good governance, effective leadership and high-quality services, within our means

4.1.1 Ensure Council meets its statutory obligations to manage risk, achieve financial sustainability and model good governance.

BUDGET AND FINANCIAL IMPLICATIONS

The budget has been prepared in line with the Long-Term Financial Management Plan 2024-2033.

RISK/LIABILITY

There are a number of internal and external factors that influence the budget which are highly uncertain in the current times, like CPI and cost of fuel, materials and services. It is therefore expected that a midyear budget review may be required, along with close monitoring of Council's financial performance to budget and cash position during the year.

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That by absolute majority, Council adopts the Budget Estimates 2023/24, as presented in Annexure 18.3.1.

19. GOVERNANCE

19.1 SUBMISSION ON COMMUNICATIONS POLICY

Action	Decision
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	COM/0800
Annexures	19.1.1 Public Submission 19.1.2 Communications Policy - revised

INTRODUCTION:

At the April Council meeting, Council resolved to adopt the Communications Policy as a strategic document and allowed it to lay on the table for 28 days for public comment. Submissions in relation to this policy closed on 9 June 2023. One submission was received (Annexure 19.1.1).

PREVIOUS COUNCIL CONSIDERATION

06.01.2016	21 January 2016
114.04.2023	26 April 2023

PREVIOUS COUNCIL DISCUSSION

05 July 2022	Council Workshop
12 April 2023	Council Workshop
14 June 2023	Council Workshop

OFFICER'S REPORT

The Communications Policy was adopted by Council to provide clear guidelines for elected members and officers when communicating Council matters in the media.

One public submission on the Policy has been received which questions the need for the Policy; whether the Policy has been designed to prohibit free speech and discussion of contentious issues; and whether Community members can continue to ask questions of Councillors.

Council considered the submission at Council Workshop on 14 June 2023 and believes the Policy is necessary to guide Councillors when communicating via all forms of media. S27 (1)(e) of the *Local Government Act 1993* deems the Mayor to be the spokesperson of the Council. It is for this reason that Councillors are unable to speak on behalf of Council. However, S28 (1)(c) of the Act requires Councillors to facilitate communication by the Council with the Community. Therefore, the policy does not prohibit free speech and discussion of contentious issues, but rather enables Community members and Councillors to engage in meaningful dialogue and open communication on Community issues via social media and face-to-face at any time.

Council related matters will be communicated via Councillor profiles or Councillors may include a disclaimer after personal comments on any community platforms.

It was acknowledged that the purpose of the Policy may need clarification - being that it relates to communication in the media. A revised purpose statement has been added to the Policy – see Annexure 19.1.2.

STATUTORY REQUIREMENT

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

4. Good Governance - Effective, efficient and transparent management and operations.

4.1 An organisation that provides good governance, effective leadership and high-quality services, within our means.

4.1.1 Ensure Council meets its statutory obligations to manage risk, achieve financial sustainability and model good governance.

RISK/LIABILITY

Adoption of this Policy and ensuring that Management, Staff and Councillors are aware of and follow this policy will help to reduce Council's exposure to risk in this area.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council adopts the amended Communications Policy as a strategic document, it having lain on the table for 28 days from 26 April 2023.

19.2 ASSET DISPOSAL POLICY AND PROCEDURE

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	ASM/0400
Annexures	19.2.1 O3 Asset Disposal Policy 19.2.2 O3-P Asset Disposal Procedure

INTRODUCTION:

Council's Policy Manual is an important document of Council as it provides direction to Staff, Management and Councillors. Many of the policies are required by, or relate to, legislation and in most instances, help manage Council's exposure to risk.

PREVIOUS COUNCIL CONSIDERATION

181.09.2022 Council Meeting

PREVIOUS COUNCIL DISCUSSION

06 September 2022 Council Workshop
14 June 2023 Council Workshop

OFFICER'S REPORT

Council previously recognised the need to establish a formal policy and procedure for Council assets and disposal. This Policy and Procedure apply to all assets owned by Council, except real property (land and buildings) which is prescribed by Part 12, Division 1 of the *Local Government Act 1993*.

The intent of the Asset Disposal Policy and Asset Disposal Procedure is to achieve asset disposal methods that are:

- a) consistent with the standard expected of a responsible, accountable and transparent public body;
- b) fair and equitable;
- c) value for money; and
- d) in accordance with community expectations.

To address concerns of transparency and fairness relating to Councillors and Council Staff having the ability to bid on assets being disposed of, the Policy and Procedure were discussed at the 14 June 2023 Council Workshop and Council Officers have reviewed the Asset Disposal Policy and Asset Disposal Procedure to reflect the proposed amendments.

The Asset Disposal Policy and Asset Disposal Procedure are presented for council consideration.

STATUTORY REQUIREMENT

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

2. Accessibility/Infrastructure and Services - Quality infrastructure and services for community benefit.

2.3 Council assets/land maintained and utilised effectively.

2.3.2 Finalise and implement the Asset Management Plan, maintenance schedules and disposal procedures to meet audit and governance requirements.

AP-3 Identify Council land/assets for potential sale and improved land utilisation.

RISK/LIABILITY

Adoption of this Policy and Procedure will make Management, Staff, Councillors and the Community aware of the transparency of asset disposal and will help to reduce Council's exposure to risk in this area.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council accepts the Asset Disposal Policy and Asset Disposal Procedure and allows the Policy to lay on the table for 28 days for public comment.

19.3 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA - ANNUAL GENERAL MEETING MOTIONS

Action	Decision
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	COU/0303
Annexures	19.3.1 30 June 2023 AGM Agenda and Attachments

INTRODUCTION

The Local Government Association of Tasmania (LGAT) Annual General Meeting will be held on the 30 June 2023. The meeting's Agenda and attachments are provided for elected members at Annexure 19.3.1 and can be accessed at the LGAT website at the following link: <https://www.lgat.tas.gov.au/news-and-events/meetings/lgat-annual-general-meeting>

PREVIOUS COUNCIL CONSIDERATION

Nil

OFFICER'S REPORT

The LGAT Annual General Meeting Agenda was released on Friday, 15th June 2023 with the meeting being held 30th June 2023.

A number of items for decision are included in the LGAT General Meeting Agenda. Council provides direction to the Mayor in relation to voting on these matters. These matters are for Council to decide.

STATUTORY REQUIREMENTS

Nil

POLICY/STRATEGIC IMPLICATIONS

- 4. Governance – Effective, efficient and transparent management and operations.
- 4.1 An organisation that provides good governance, effective leadership and high quality services within our means.
- 4.1.1 Ensure Council meets its statutory obligations to manage risk, achieve financial sustainability and model good governance.

BUDGET AND FINANCIAL IMPLICATIONS

No known budget implications at this time.

RISK/LIABILITY

Minimal

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council notes the Local Government of Tasmania 30th June 2023 Annual General Meeting Agenda and provides the Mayor with direction in relation to the following items listed for a decision:

1	MINUTES OF 110TH ANNUAL GENERAL MEETING
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	That the Minutes of the 110th Annual General Meeting, held 1 July, 2022 be confirmed.
2	PRESIDENT'S REPORT
	i. That the President's report be received.
3	FINANCIAL STATEMENTS TO 30 JUNE 2022
	That the Financial Statements for the period 1 July 2021 to 30 June 2022 be received and adopted.
4	2023-2024 LGAT BUDGET AND SUBSCRIPTIONS
	That Members endorse the 2023/2024 LGAT Budget and Subscriptions, with an overall 3% subscription increase for councils.
5	PRESIDENT AND VICE PRESIDENT HONORARIUMS
	That the President's and Vice President's allowance for the period 1 July 2023 to 30 June 2024 be adjusted in accordance with the movement in the Wages Price Index.
6	LGAT ANNUAL PLAN
	That Members note the report against the LGAT Annual Plan.
7	REPORTS FROM BOARD REPRESENTATIVES
	(a) That the reports from representatives on various bodies be received and noted. (b) That Members acknowledge the time and effort put in by all Association representatives on boards, working parties, advisory groups and committees etc.

19.4 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA - GENERAL MEETING MOTIONS

Action	Decision
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	COU/0303
Annexures	19.4.1 30 June 2023 GM Agenda and Attachments combined

INTRODUCTION

The Local Government Association Tasmania (LGAT) General Meeting will be held on the 30 June 2023. The meeting's Agenda and attachments are provided for elected members at Annexure 19.4.1 and can be accessed at the LGAT website at the following link: www.lgat.tas.gov.au/news-and-events/meetings/lgat-general-meetings

PREVIOUS COUNCIL CONSIDERATION

Council considers the LGAT General Meeting Agenda at the Ordinary Council meeting prior to the LGAT General Meeting to allow Council to inform the Mayor of what position it wishes the Mayor to take in relation to voting on specific matters.

OFFICER'S REPORT

The LGAT General Meeting Agenda was released on Friday, 15th June 2023 with the meeting being held 30th June 2023.

A number of items for decision are included in the LGAT General Meeting Agenda. Council provides direction to the Mayor in relation to voting on these matters. These matters are for Council to decide.

STATUTORY REQUIREMENTS

Nil

POLICY/STRATEGIC IMPLICATIONS

- 4. Governance – Effective, efficient and transparent management and operations.
- 4.1 An organisation that provides good governance, effective leadership and high-quality services within our means.
- 4.1.1 Ensure Council meets its statutory obligations to manage risk, achieve financial sustainability and model good governance.

BUDGET AND FINANCIAL IMPLICATIONS

No known budget implications at this time.

RISK/LIABILITY

Minimal

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council notes the Local Government of Tasmania 30th June 2023 General Meeting Agenda and provides the Mayor with direction in relation to the following items listed for a decision:

2.1	RESTRICTIVE COVENANTS ON USE OF LAND AND PROPERTY
	That LGAT lobby the State Government urging legislative change to outlaw the creation of covenants which place restrictions on the use of land and property for:

	<p>a. public, social or affordable housing; or</p> <p>b. tenants or occupants based on their source of income, or social or financial circumstances.</p>
2.2	COUNCIL LEAVE OF ABSENCE PROVISIONS
	<p>That LGAT and Member Councils support Clarence City Council’s position which:</p> <p>A. Recognises that the current process for requests for leave of absence by councillors is inappropriate as it does not reflect the rights and responsibilities applicable in contemporary work environments.</p> <p>B. Authorises the Chief Executive Officer to write to the Minister for Local Government on behalf of Council to request the Tasmanian Government to introduce updated regulations as soon as practicable to provide for the following:</p> <p>ii. That a councillor be able to advise the relevant council of a leave of absence ‘as of right’, subject to conditions being met (as set out below).</p> <p>iii. A councillor’s request for leave may be for a cumulative period of up to three months in any 12-month period in ordinary circumstances or up to six months in any 12-month period should a councillor or their spouse or domestic partner—</p> <p>(a) become the natural parent of a child (including any period during pregnancy); or</p> <p>(b) adopt a child under the age of 16 years— and the councillor has responsibilities for the care of the child during that period.</p> <p>iv. Any application for extended leave that is greater than three or six months, whichever is applicable, must be supported by evidence that would satisfy a reasonable person that the absence is reasonable in the circumstances, and be approved by the relevant council.</p> <p>v. Should a council have concerns regarding a councillor leave of absence, (other than for parental leave), by an absolute majority decision, a council may refer any request for leave of absence to the Minister for Local Government / Director of Local Government for review and determination”.</p>
2.3	SHORT STAY
	<p>That LGAT convene an expert reference group from member councils to develop recommendations for the sector to consider on:</p> <ul style="list-style-type: none"> • What further data and support is required to assist local government in responding to the housing crisis. • What changes are required to manage short stay accommodation’s contribution to housing availability, local amenity, economic development and equitable rating. • What tools are available to encourage owners of unoccupied dwellings to make their properties available as long term rentals.

19.5 SIGNATORIES TO THE USE OF THE COMMON SEAL

Action	Decision
Proponent Officer	Council Officer Warren Groves General Manager
File Reference	GOV/1000
Annexures	Nil

INTRODUCTION

This report has been prepared for the purpose of updating the current administrative arrangements regarding the keeping and use of Council's Common Seal.

PREVIOUS COUNCIL CONSIDERATION

203.08.2017	17 August 2017
343.12.2018	18 December 2018
344.12.2018	18 December 2018
39.02.2019	19 February 2019

PREVIOUS COUNCIL DISCUSSION

5 February 2019	Council Workshop
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OFFICER'S REPORT

Councils have and use common seals by virtue of the fact that they are bodies corporate. It is common practice for councils to authorise their General Manager under section 19(3) and section 19(5) of the *Local Government Act 1993* to keep, use and witness the affixing of the common seal as and when required in order to give effect to Council's decision making. Such authorisation can also be extended to other council officers.

These authorisations are not delegations but rather documented authorisations which remain in force unless amended or revoked. As such, these authorisations must be granted to positions (e.g. General Manager) rather than named individuals. The authorisation only extends to matters where the document being signed and sealed is in accordance with a Council decision or one delegated to the General Manager.

For practical purposes, in case the General Manager is absent, other delegates should be identified.

At the 19 February 2019 Council Meeting, Council passed the following Motion No. 39.02.2019:

"That Council:

- 1. authorises the General Manager, Executive Officer and Finance Officer to witness the use of the Flinders Council Common Seal; and*
- 2. that all persons with this authorisation receive suitable training in the exercise of that authority.*

The Council governance team now also includes an Executive Assistant position. It is considered prudent to extend the authorisation to witness the use of the Flinders Council Common Seal to include the Executive Assistant.

STATUTORY REQUIREMENT

Local Government Act 1993, s19

Local Government (Building and Miscellaneous Provisions) Act 1993, s89

POLICY/STRATEGIC IMPLICATIONS

No policy exists on this matter.

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

Minimum

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

- 1. authorises the General Manager, Executive Officer, Executive Assistant and Finance Officer to witness the use of the Flinders Council Common Seal; and**
- 2. that all persons with this authorisation receive suitable training in the exercise of that authority.**

19.6 RISK MANAGEMENT FRAMEWORK

Action	Decision
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	RMS/0600
Annexures	19.6.1 Draft Risk Management Framework June 2023

INTRODUCTION

Flinders Council operates within the framework of Local Government defined by the *Local Government Act 1993* and provides service, compliance and regulatory functions to the Community.

As part of this regulatory function, Flinders Council has developed a Risk Management Framework that consists of an integrated suite of documents that demonstrates a commitment to Risk Management best practice.

PREVIOUS COUNCIL CONSIDERATION

24 May 2023	154.05.2023 (Risk Management policy)
24 May 2023	131.05.2023 (Work Health and Safety Policy)
14 June 2022	120.06.2022 (Business Continuity Plan)

PREVIOUS COUNCIL DISCUSSION

31 May 2023	Council Workshop
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OFFICER'S REPORT

The Risk Management Framework has been designed to create a risk aware culture that applies logical and systematic risk management processes to all stages of the life cycle of any decision, activity, function, project or operation that includes the potential for risk.

The philosophy behind the Framework is that all Council's risk management processes are articulated within the one, tiered and integrated system that represents the methodology and structure around how the various meetings, policies, procedures and registers compliment and support each other to mitigate risks through maximum understanding, consideration, recording, communicating, continuous improvement and reviewing of Council's risks holistically.

The Risk Management Framework is comprised of the following documents:

- Section 1. Introduction
- Section 2. Risk Appetite Statement
- Section 3. Risk Management Policy
- Section 4. Risk Management Framework Guidelines
- Section 5. Forms
- Section 6. Business Continuity Plan
- Section 7. Work Health and Safety Policy
- Section 8. Municipal Emergency Management Plan

The Council has previously considered and adopted the Risk Management Policy, Work Health and Safety Policy and Business Continuity Plan as individual documents.

At the 13 June 2023 meeting of the Flinders Council Audit Panel, the Risk Management Framework was considered in its entirety and the Panel commended the work done and considered it contributed toward satisfying external requirements and building an internal risk-based culture.

The Risk Management Framework is presented in its entirety to the Council for consideration.

STATUTORY REQUIREMENT

AS/NZS ISO 31000 Risk Management

Local Government Act 1993

Work Health and Safety Act 2012

Work Health and Safety (Transitional and Consequential Provisions) Act 2012

Work Health and Safety Regulations 2012

Work Health and Safety (Transitional) Regulations 2012

POLICY/STRATEGIC IMPLICATIONS

All areas of the Flinders Council Strategic Plan 2021-2031.

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council adopts the Flinders Council Risk Management Framework June 2023.

19.7 FLINDERS ISLAND BUSINESS INC. REQUEST FOR FUNDING

Action	Decision
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	COU/0305
Annexures	19.7.1 Flinders Island Business Inc Council Funding Presentation - Elected Members Only 19.7.2 Flinders Island Business Inc Council Funding Final - Elected Members Only

INTRODUCTION

Flinders Island Business Inc. (FIBI) is a not-for-profit incorporated association. FIBI has a volunteer Board elected by members and aims to maximise the economic potential of the Furneaux Islands. It is a member of the peak business body in the State, the Tasmanian Chamber of Commerce & Industry (TCCI).

During the Council Workshop of 31 May 2023, FIBI's treasurer Diana Droog and Business Development Officer (BDO), Heidi Smith presented to Council regarding FIBI's purpose and funding application for both the BDO role on an ongoing basis and "future marketing and promotion of the Island both as a destination for visitors as well as a place to live". In addition to the presentation, Councillors were provided with an attachment titled "FIBI Request for Funding" see annexure 19.7.1. The request contained a funding proposal, BDO role description, BDO Project list and visitor economy strategy.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

31 May 2023 Council Workshop

OFFICER'S REPORT

Council and FIBI have worked collaboratively over a significant period to greater and lesser extents at various junctures in time. Previously, there has been funding arrangements between Council and FIBI. Currently and for the last few years, there has been none.

The current working relationship between the two entities with respect to roles, responsibilities and potentially mutually beneficial outcomes is ill-defined. Conceptually, there are likely to be a number of efficiencies and mutually beneficial outcomes for both organisations and the Community if the strategic goals, resources and areas of responsibility for both parties were agreed and aligned.

In the attachment provided by FIBI, they are currently seeking, "... help from Council to fund on an ongoing basis:

- A Business Development Officer; and
- The Marketing of the Island"

Specifically, FIBI is seeking, "As a minimum ... \$33,250 from Council in 2023-24", to co-fund the BDO role. In the same document, they have also stated that, "We could request more than this to either cover:

- Marketing of the Island as a place to live, or
- Reducing the contribution from the FIBI reserves, or
- Both".

With respect to the proposed ongoing nature of the funding, FIBI also states, under the heading of “**What do we need from Council?** The amount required from Council beyond 2023-24 will be determined during the first 12 months of the BDO position and in consultation with Council. It will depend as well on the funding available from other sources.”

Additionally, FIBI have outlined the following, under the heading, “**What do we give them in return –**

Collaboration and engagements for the duration of the funding within the scope of the BDO role in the following areas:

- Business development;
- Marketing; and
- Training and employment”

Initially, it may be advantageous to both parties to establish a strong working relationship with a clearly agreed and formalised structure of roles and responsibilities prior to evaluating what a financial contribution to this partnership may look like.

Irrespective of what a well-defined and documented future relationship between the two organisations may be able to achieve, essentially this funding request requires a current value proposition assessment by Councillors based on the information and offered services provided by FIBI.

STATUTORY REQUIREMENT

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

1. Liveability - To protect and build upon our islands’ way of life.

1.1 A viable population that enables the necessary services and activities required for the Community to prosper.

3. Economy / Business – An environment where a variety of businesses can thrive and integrate.

3.1 Ongoing opportunities across all business sectors.

BUDGET AND FINANCIAL IMPLICATIONS

This application for financial support is currently un-budgeted and is made on the basis that it is ongoing. There are also indications within the attachments that ongoing support may exceed the initial request for \$33,250.00 on an annual basis. If supported, due to the proposed ongoing nature of the request, this will have a measurable impact on the Long-Term Financial Management Plan 2024-2033.

RISK/LIABILITY

The financial impact of this request may be offset by the offered services provided by the BDO and realisation of potential operational efficiencies generated by a collaborative and structured working relationship between both organisations.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

This is a matter for Council to decide.

19.8 COUNCILLOR RESOLUTION REPORT

Action	Information
Proponent	Council Officer
Officer Warren	Groves General Manager
File Reference	GOV/0300
Annexures	19.8.1 Councillor Resolution Report June 2023

INTRODUCTION

The Councillor Resolution Report identifies resolutions passed by elected members and the actions taken to implement the decisions.

PREVIOUS COUNCIL CONSIDERATION

The Report is presented on a monthly basis.

OFFICER'S REPORT

Please read Annexure 19.8.1 – Councillor Resolution Report June 2023.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Councillor Resolution Report June 2023 be noted.

20. CLOSED COUNCIL

- 20.1 COUNCILLOR CLOSED RESOLUTION REPORT
- 20.2 COMMUNITY GRANTS
- 20.3 GUNN BEQUEST
- 20.4 HOUSING WORKING GROUP REPORT – JUNE 2023
- 20.5 GENERAL MANAGER CONTRACT EXTENSION

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager (Items 20.1, 20.2, 20.3, 20.4) Mayor Rachel Summers (Item 20.5)

REASON FOR CLOSED COUNCIL

Item 20.1 is **CONFIDENTIAL** in accordance with Section 15(2)(a)(b)(c)(d)(f)(g) and (i) of the Local Government (Meeting Procedures) Regulations 2015.

Items 20.2 and 20.3 are **CONFIDENTIAL** in accordance with Section 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015.

Item 20.4 is **CONFIDENTIAL** in accordance with Section 15(2)(a)(b)(c) and (f) of the Local Government (Meeting Procedures) Regulations 2015.

Item 20.5 is **CONFIDENTIAL** in accordance with Section 15(2)(a) of the Local Government (Meeting Procedures) Regulations 2015.

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That Council moves into Closed Council.

MEETING CLOSED
