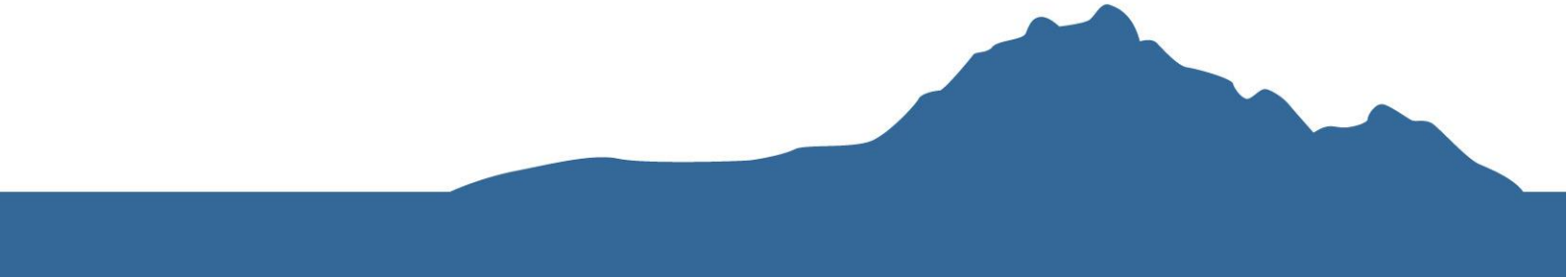




Agenda Ordinary Council Meeting

25 October 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 19th day of October 2023.



Warren Groves
GENERAL MANAGER

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FLINDERS COUNCIL ORDINARY MEETING – AGENDA

WEDNESDAY 25 OCTOBER 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 Sue Mythen Executive Officer (minute taker) Jacci Smith Development Services Coordinator Richard Harley Acting Infrastructure and Airport Manager

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 27 September 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:

- 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. 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.

5. LATE AGENDA ITEMS

6. 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.

7. 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.

8. WORKSHOPS & INFORMATION FORUMS

File No. COU/0205

Council Workshop – 27 September 2023

Council held a workshop on the following subjects:

- Item 1 Customer Service Charter Review
- Item 2 General Manager's Update
- Item 3 Waste Management Update
- Item 4 Whitemark Tennis Courts Housing Discussion

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

Staff and Consultants	In Attendance
Warren Groves General Manager	Items 1-4
Sabrina Carter Waste Supervisor	Item 3
Sue Mythen Executive Officer (Note Taker)	Item 1-4

Council Workshop – 11 October 2023

Council held a workshop on the following subjects:

- Item 1 Flinders Island School Community Gym Bank Account
- Item 2 Visit Northern Tasmania Presentation
- Item 3 A/General Manager's Update
- Item 4 Eden's Road Upgrade
- Item 5 Pine Scrub Signage
- Item 6 Christmas Leave
- Item 7 Maintenance/Capital/Roads Discussion

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

Staff and Consultants	In Attendance
Jacci Smith A/General Manager and Development Services Coordinator	(Item 1-7)
Richard Harley Acting Infrastructure Manager	(Item 3-7)
Tracey Mallett CEO, Visit Northern Tasmania	(Item 2)
Sue Mythen Executive Officer (Note Taker)	(Item 1-7)

RECOMMENDATION

That the Council Workshops held on 27 September and 11 October 2023 be noted.

9. PUBLICATIONS AND REPORTS TABLED FOR COUNCIL INFORMATION

10. REPORTS TO BE RECEIVED

10.1 FLINDERS COUNCIL AUDIT PANEL

File Reference	FIN/0401
Annexures	10.1.1 Flinders Council Audit Panel meeting 5 October 2023 Confirmed Minutes

OFFICER'S REPORT (Warren Groves | General Manager)

The confirmed minutes of the Flinders Council Audit Panel meeting held 5 October 2023 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be accepted by Council.

RECOMMENDATION

That the confirmed minutes of the Flinders Council Audit Panel meeting held 5 October 2023 be accepted.

10.2 LADY BARRON SPECIAL COMMITTEE

File Reference	AME/0503
Annexures	10.2.1 Lady Barron Special Committee meeting 18 September 2023 Unconfirmed Minutes

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

The Unconfirmed Minutes of the Lady Barron Special Committee meeting held Monday 18 September 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 Lady Barron Special Committee meeting held 18 September be noted.

11. MAYOR'S REPORT

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

APPOINTMENTS

DATE	ACTIVITY
18/09/2023	Flinders Boating Special Committee
19/09/2023	Senate Inquiry into Regional Bank Closure Hearing
20/09/2023	Kristy Flint - Regenerative Tourism Project
22/09/2023	Inaugural Mayoral Dinner at Government House
25/09/2023	Early Learning for Three Year Olds - LEG#2 Session 1
27/09/2023	Council Workshop
27/09/2023	Ordinary Council Meeting
02/10/2023	7 News Interview - Leeka Bushfires
03/10/2023	ABC North Radio Interview - Leeka Bushfires
03/10/2023	LAFM Radio Interview - Leeka Bushfires
03/10/2023	ABC News TV Interview - Leeka Bushfires
03/10/2023	ABC Radio Gippsland Interview - Leeka Bushfires
03/10/2023	7 News Interview - Leeka Bushfires
05/10/2023	Meeting with Parks and Wildlife - morning crew briefing and tour of fire
09/10/2023	Whitemark Community Gym Special Committee Meeting
11/10/2023	Council Workshop
12/10/2023	Meeting - Inspector Luke Manhood - Tas Police

CORRESPONDENCE IN

DATE	FROM	SUBJECT
19/09/2023	Pino Migliorino, Managing Director, Cultural Perspectives	2023 Referendum AEC Stakeholder Briefing Session
19/09/2023	William Broadbridge	Confirmation of interest in Whitemark Community Gym Special Committee
19/09/2023	Lynden Leppard, Local Government Association Tasmania (LGAT)	Advice on Reconciliation Action Plans
19/09/2023	Mandy Cooper	Tasmanian Women in Agriculture
20/09/2023	Steve Old, CEO, Tasmanian Hospitality Association (THA)	Invitation - 2023 THA Awards for Excellence
21/09/2023	Sarah Lebski, Islander Way Project	The Islander Way - Flinders Island Regenerative Framework - Draft Report
21/09/2023	Ronald Wise	Contamination from Whitemark Tip
21/09/2023	Antoinette	Letter from Tasmanian Senator on the Referendum: Unethical.... Breach of Privacy
22/09/2023	Clem Newton-Brown	September Agenda 13.2 Personal Information contained in Planning Representations

DATE	FROM	SUBJECT
27/09/2023	Senate Rural and Regional Affairs and Transport References Committee	Inquiry into Bank Closures in Regional Australia
28/09/2023	Ben Staude	RSL Tasmania Employment Evening
29/09/2023	Mike Mogridge, A/Executive Director, Office of Local Government	Councillors' progress in online learning modules
01/10/2023	Libby Smith	Westend Road/Signage
02/10/2023	Rachel Williams - North Eastern Advertiser	Leeka Bushfire
02/10/2023	Rosemary Amos	Concern re: Lack of Action
06/10/2023	Leanne McDougall, Senior Executive Officer (SEO), Office of the Governor	Official visit to the Municipality of Flinders in 2024
06/10/2023	Hon Michael Ferguson Member of Parliament, Minister for Planning	Review of the Landslide Planning Map - Hazard Bands
06/10/2023	Simone Lee, Tasmanian Audit Office	Audit opinion - Audit of Financial Report - 30 June 2023
06/10/2023	Simone Lee, Tasmanian Audit Office	Report to Those Charged With Governance - 30 June 2023 (re-issued)
06/10/2023	Leanne McDougall, SEO, Office of the Governor	Official Visit to Municipality of Flinders in 2024.
06/10/2023	The Hon. Jason Clare MP, Minister for Education.	Regional University Study Hubs
09/10/2023	Rachel Williams, North Eastern Advertiser	Regional Roundup
11/10/2023	The Honourable Jeremy Rockcliff, MP, Premier of Tasmania & The Honourable Barbara Baker AC, Governor of Tasmania	2024 Tasmanian Australian of the Year Awards invitation
11/10/2023	Cr Linda Scott, Australian Local Government Association President	Data collection for 2024 National State of the Assets report
11/10/2023	Lynn Mason	Order of Australia Board
13/10/2023	The Windward Bound Trust	Port Davey 2023

CORRESPONDENCE OUT

DATE	TO	SUBJECT
21/09/2023	Sarah Lebski, Islander Way Project	The Islander Way - Flinders Island Regenerative Framework - Draft Report
21/09/2023	Dr. Councillor Julie Sladden	Public Postal Banks
28/09/2023	Megan Tulloch	Whitemark Community Gym Special Committee
28/09/2023	William Broadbridge	Whitemark Community Gym Special Committee
02/10/2023	Rachel Williams - North Eastern Advertiser	Leeka Bushfires
03/10/2023	Councillors and General Manager	Bushfire Update
05/10/2023	Rosemary Amos	Concern re: Lack of Action
09/10/2023	Rachel Williams - North Eastern Advertiser	Regional Roundup
10/10/2023	Hon Michael Ferguson Member of Parliament, Deputy Premier Treasurer Minister for Infrastructure and Transport and Minister for Planning	Visit to Flinders Island

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Mayor's report be received.

12. DEVELOPMENT SERVICES

12.1 DEVELOPMENT APPLICATIONS REPORT

Action	Information
Proponent	Council Officer
Officer	Jacci Smith Development Services Coordinator
File Reference	PLN/0105
Annexures	12.1.1 Development Applications Report – September 2023

INTRODUCTION

This report provides Councillors with an overview of the applications for the current period as per motion 249.09.2015, passed at the 24 September 2015 Council Meeting when Council requested monthly data from the West Tamar Council planning consultancy service. As of July 2020, Flinders Council now generates the data and prepares the Development Applications Report monthly.

Permitted applications are assessed under section 58 of the (*Land Use Planning and Approvals Act 1993*) (the Act) and are not advertised. If applications classified as Permitted meet all development and use standards, they must be granted a permit, with or without conditions.

Discretionary applications are assessed under section 57 of the Act and are exhibited for a two-week period during which submissions may be received from the public. If a submission is received, the planner's report for that application is considered by Council. Discretionary applications where no submissions are received, as well as applications with a Permitted pathway, are approved under delegation to the General Manager.

The numbering of applications relates to the electronic filing system. Numbers are allocated to Planning (DA), Building (BA) and Plumbing (PA) applications as they are received. This may mean that planning numbers are not sequential, if for example, a development requires a building application but is exempt from a planning application.

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 12.1.1 Development Applications Report – September 2023.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Development Applications Report – September 2023 be received.

13. INFRASTRUCTURE

13.1 INFRASTRUCTURE MANAGER'S REPORT – OCTOBER 2023

Action	Information
Proponent	Council Officer
Officer	Richard Harley Acting Infrastructure & Airport Manager
File References	WOR/3000
Annexures	13.1.1 Infrastructure Manager's Report – October 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 – October 2023 be received and accepted by Council.

14. NOTICE OF MOTION

14.1 NOTICE OF MOTION – VISITS CAPE BARREN ISLAND POLICY

Action	Decision
Proponent	Mayor Rachel Summers
Officer	Warren Groves General Manager
File Reference	COU/0600
Annexures	14.1.1 S-07 Visits – Cape Barren Island

NOTICE OF MOTION

That Council adopts the Visits - Cape Barren Island Policy as a strategic document and allows it to lay on the table for 28 days for public comment.

COUNCILLOR'S REPORT

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.

Despite multiple attempts via email and telephone to contact a representative from Cape Barren Island Aboriginal Association Inc. for the Association's input on the Policy, no response or correspondence has been received.

I therefore present the Visits – Cape Barren Island Policy for adoption by Council.

PREVIOUS COUNCIL CONSIDERATION

341.10.2010	21 October 2010
248.05.04	20 May 2004
83.03.2023	22 March 2023
151.05.2023	24 May 2023

PREVIOUS COUNCIL DISCUSSION

Council Workshop 26 April 2023

OFFICER'S REPORT

Council's Policy and Procedure Framework requires that policies are reviewed every four (4) years at the beginning of each new Council term.

The Visits - Cape Barren Island Policy has been reformatted and is now presented for Councillors' consideration.

At the 22 March 2023 Ordinary Council Meeting, Council resolved the following motion:

MOTION

*83.03.2023 Moved: Cr C Cox Seconded: Cr P Rhodes
That Council defers consideration of the Visits - Cape Barren Island Policy until Cape Barren Island Aboriginal Association has been asked for input.*

CARRIED UNANIMOUSLY (7-0)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Garry Blenkhorn, Cr Aaron Burke, Cr Carol Cox, Cr Peter Rhodes and Cr Ken Stockton.'

At the 24 May 2023 Ordinary Council Meeting, Council resolved the following motion:

'MOTION

151.05.2023 Moved: Deputy Mayor V Grace Seconded: Cr P Rhodes

That for Agenda Item 20.4 Visits to Cape Barren Island Policy be deferred to the 28th June 2023 Council Ordinary Meeting to allow consultation with the Cape Barren Island Aboriginal Association Incorporated and community during a visit by the Mayor Rachel Summers, Deputy Mayor Vanessa Grace and General Manager Warren Groves on the 6th of June 2023.

CARRIED UNANIMOUSLY (7-0) For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Garry Blenkhorn, Cr Aaron Burke, Cr Carol Cox, Cr Peter Rhodes and Cr Ken Stockton.'

Attempts to contact a representative for comment and/or input have resulted in no response being received. As the Visits - Cape Barren Island Policy forms part of Council's Policy Manual it is an important document that provides direction to Staff, Management and Councillors and therefore the Visits – Cape Barren Island Policy is now represented to Council for adoption.

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

MOTION

Mayor Rachel Summers

That Council adopts the Visits - Cape Barren Island Policy as a strategic document and allows it to lay on the table for 28 days for public comment.

15. FINANCE

15.1 QUARTERLY FINANCIAL REPORT – SEPTEMBER 2023

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	FIN/0100
Annexures	15.1.1 Quarterly Financial Report – September 2023

INTRODUCTION

On a quarterly basis, Council is presented with a Financial Report.

This report, and the attached Quarterly Financial Report (Annexure 15.1.1) have been prepared based on changes made to formatting and presentation that were adopted as part of the 2023-2024 Council budget and include high level operational reports for Council's information.

PREVIOUS COUNCIL DECISION

Not applicable.

OFFICER'S REPORT

Annexure 15.1.1 with overview provides a summary of income and expenditure for the Council at the end of the first quarter at 30 September 2023.

The report includes Profit & Loss, Balance Sheet, Cash Flow Statement, Capital Works and Department reports. Where there are variances greater than 10% and \$50,000, commentary is provided by way of notes.

Overall, performance for the quarter is generally in line with the budget forecast. The operating revenue is down 7%, non-operating revenue (i.e. capital grants) is down 6% and operating expenditure is down 20%. Overall the operating profit is up 28% and the Net Profit (including non-operating revenue) is up 4%. Some of the variances are due to timing and seasonality and will smooth out as the year progresses.

This report is for information only.

STATUTORY REQUIREMENT

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

No policy exists on this matter.

BUDGET AND FINANCIAL IMPLICATIONS

Budget affects all areas in Council's Annual Plan with the budget implications identified.

RISK/LIABILITY

No foreseen risks or legal obligations identified as a result of the financial report.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council receives and notes the Quarterly Financial Report – September 2023.

16. GOVERNANCE

16.1 CUSTOMER SERVICE CHARTER REVIEW

Action	Decision
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	COU/0303
Annexures	16.1.1 Customer Service Charter – revised October 2023

INTRODUCTION

Council's Customer Service Charter is an important document of Council as it defines and formalises Council's approach to managing our customer's requests, enquiries and complaints.

OFFICER'S REPORT

Council is required to maintain a Customer Service Charter to meet the requirements of Section 339F of the *Local Government Act 1993*. The Act requires the Council to review its Customer Service Charter within 12 months after a council election.

The Customer Service Charter has been reviewed by staff and Councillors and updated accordingly. It is now presented as Annexure 16.1.1 for Council consideration.

PREVIOUS COUNCIL CONSIDERATION

142.04.06	13 April 2006
264.06.08	12 June 2008
289.09.10	23 September 2010
329.12.2019	17 December 2023

PREVIOUS COUNCIL DISCUSSION

27.09.2023 Council Workshop

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

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

Low

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council adopts the Customer Service Charter – revised October 2023.

16.2 LOCAL GOVERNMENT OF TASMANIA (LGAT) GENERAL MEETING

Action	Decision
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	COU/0303
Annexures	16.2.1 LGAT General Meeting Agenda 1 November 2023 16.2.2 LGAT General Meeting Attachments

INTRODUCTION

The LGAT General Meeting will be held on 1 November 2023. The meeting's agenda and attachments are provided as Annexures 16.2.1 and 16.2.2 and can be accessed at the LGAT website at the following link: <https://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 / Proxy of what position it wishes the Mayor / Proxy to take in relation to voting on specific matters.

OFFICER'S REPORT

A number of items for decision are included in the LGAT General Meeting Agenda. Councillors are respectfully requested to provide guidance and direction to the Mayor / Proxy in relation to voting on these matters.

STATUTORY REQUIREMENT

Nil

POLICY/STRATEGIC IMPLICATIONS

Nil

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 Association of Tasmania 1 November 2023 General Meeting Agenda and provides the Mayor / Proxy with direction on how to vote in relation to the following items listed for a decision:

General Meeting - Motions Requiring Decision			Decision
2.1	PARKS AND WILDLIFE SERVICE AND CROWN LAND SERVICES	That LGAT lobby the Tasmania Government to undertake a review of the administrative activities of the Tasmanian Parks and Wildlife Service (PWS) and Crown Land Services (CLS) with a particular focus on ensuring that the	

General Meeting - Motions Requiring Decision			Decision
	REVIEW AND RESOURCING	required level of resources are available to assess applications and deal with enquiries in a timely manner.	
2.2	ROAD LINE MARKING RESPONSIBILITIES	That LGAT undertake advocacy on behalf of Councils to have road line marking responsibilities legislated and additional funding provided by the State Government.	
2.3	DIVERSITY AND INCLUSION STATEMENT	That the Members note the Diversity and Inclusion Statement developed by Kingsborough Council and agree to consider developing and adopting a similar statement to support safe, welcoming and inclusive communities across Tasmania.	
2.4	REVIEW OF 42 DAY PLANNING APPLICATION TIMEFRAME	<p>That LGAT be requested to convene a reference group from member Councils to develop options and recommendations for the sector to:</p> <ol style="list-style-type: none"> 1. Assess the impact of the 42-day rule on planning outcomes across local Councils in Tasmania (including both qualitative and quantitative data). 2. Identify what practices and delegations councils currently utilise to manage the 42-day rule, including the impact of those practices and delegations on representor objections. 3. Review equivalent 'deemed approval' and timeframe extension mechanisms of other jurisdictions to compare with Tasmania's arrangements. 4. Based on the findings of points 1, 2 and 3 above, identify whether the 42-day rule operates in a manner that is fair and equitable to all parties to a development application; that is both applicants and representors. 5. Recommend changes be implemented to ensure development applications are not required to be resolved under delegation because an applicant refuses to grant an extension of time for an application to be considered at a Council meeting. 	

16.3 QUARTERLY ACCIDENT AND INCIDENT REPORT JULY TO SEPTEMBER 2023

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	RMS/0100
Annexures	16.3.1 Quarterly Accident and Incident Report July to September 2023 (Elected Members Only)

INTRODUCTION

The Accident and Incident Report was previously reviewed by Council quarterly as part of the Quarterly Financial Reports and discussed at Workshops. As from August 2021, the Report will be presented to Council for consideration on a quarterly basis at Council Meetings.

PREVIOUS COUNCIL CONSIDERATION

Provided as quarterly reports to Council as from August 2021.

OFFICER'S REPORT

Please read Annexure 16.3.1 Accident and Incident Quarterly Report July - September 2023. This report is for the information of Elected Members only as it contains confidential personnel information.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Quarterly Accident and Incident Report July - September 2023 be noted.

16.4 QUARTERLY FLINDERS COUNCIL COMMON SEAL REPORT JULY TO SEPTEMBER 2023

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	GOV/1000
Annexures	16.4.1 Common Seal Register July to September 2023

INTRODUCTION

The purpose of this report is to provide Councillors with an update on the use of the Flinders Council Common Seal, as per the council motion 216.09.2016 passed at the 22 September 2016 Council Meeting.

PREVIOUS COUNCIL CONSIDERATION

Considered quarterly.

OFFICER'S REPORT

The use of the Flinders Council Common Seal binds the Council to act in accordance with the provisions of the document to which it is attached, and it is important that Councillors know the details of those documents so that they are aware of commitments to which the Council has become obligated.

The Flinders Council Common Seal Register was created on 26 September 2016 and is available to Councillors on request at any time. A report on the use of the Flinders Council Common Seal will be included in Council Meeting Agendas on a quarterly basis.

Annexure 16.4.1 details the use of the Flinders Council Common Seal from July to September 2023. The register is held by the Governance Department and is available for scrutiny at any time.

STATUTORY REQUIREMENT

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

No policy exists on this matter.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the report on the use of the Flinders Council Common Seal from July to September 2023 be received.

16.5 QUARTERLY CONTINUOUS IMPROVEMENT REPORT JULY TO SEPTEMBER 2023

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	GOV/1004
Annexures	16.5.1 Continuous Improvement Register July to September 2023

INTRODUCTION

This register identifies the continuous improvement that Council has implemented and documented as part of the organisational continuous improvement program.

PREVIOUS COUNCIL CONSIDERATION

The report is presented on a quarterly basis.

OFFICER'S REPORT

Continuous improvement is essential within an organisation and this has been ongoing within Council for many years. A continuous improvement program was formally developed in 2022. Continuous improvement activities are documented in a register which is brought to Council on a quarterly basis.

Please read Annexure 16.5.1 Continuous Improvement Register for the period of July - September 2023.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Quarterly Report - Continuous Improvement Register July - September 2023 be noted.

16.6 QUARTERLY GRANTS REPORT JULY TO SEPTEMBER 2023

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	COU/0601
Annexures	16.6.1 Quarterly Grants Report July to September 2023

INTRODUCTION

This report provides Councillors with an overview of grants received by Council and the progress towards grant acquittal, along with those grants that have been applied for and awaiting a result.

PREVIOUS COUNCIL CONSIDERATION

Provided as quarterly reports.

PREVIOUS COUNCIL DISCUSSION

3 May 2022 Council Workshop

OFFICER'S REPORT

At the 3 May 2022 Council Workshop, Councillors requested a quarterly report on grants. Please read Annexure 16.6.1 Quarterly Grants Report July - September 2023.

STATUTORY REQUIREMENT

Nil

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

BUDGET AND FINANCIAL IMPLICATIONS

As with all capital projects there will be long-term financial implications which will need to be incorporated into Council's Long-Term Financial and Asset Management Plans.

RISK/LIABILITY

No foreseen risks

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Quarterly Grants Report July - September 2023, be received.

16.7 QUARTERLY REPORT AGAINST THE ANNUAL PLAN JULY TO SEPTEMBER 2023

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	COU/0600
Annexures	16.7.1 Quarterly Report Against the Annual Plan July to September 2023

INTRODUCTION

The purpose of this report is to provide Councillors with progress updates on the various Annual Plan actions undertaken by the whole of Council for the first quarter of the 2023 – 2024 financial year.

PREVIOUS COUNCIL CONSIDERATION

Provided as quarterly reports.

OFFICER'S REPORT

Please read Annexure 16.7.1, Quarterly Report July - September 2023.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Quarterly Report Against the Annual Plan July - September 2023 be received and accepted by Council.

16.8 OFFICE CLOSURE – CHRISTMAS SEASON 2023 – 2024

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	COU/0600
Annexures	Nil

INTRODUCTION

The festive season associated with Christmas and the New Year's celebrations will soon be upon us. In the past, Council has closed its offices over the period between Christmas and the New Year as only limited (if any) transactions occur. Staff are available via the after hours mobile number if any emergency situations arise. This is a common practice for Tasmanian Councils.

This report provides a specific update for the 2023 - 2024 Christmas to New Year Period.

PREVIOUS COUNCIL CONSIDERATION

Annually

OFFICER'S REPORT

Public holidays are scheduled on Monday 25 December (Christmas Day), Tuesday 26 December 2023 (Boxing Day), and Monday 1 January 2024 (New Year's Day).

Council will close its offices for the Christmas and New Year season from close of business Thursday 21 December 2023 to Friday 5 January 2024 inclusive, reopening the office on Monday 8 January 2024. Staff members have expressed a desire to close the Thursday before Christmas to allow for arrangements to be made prior to the holiday season. Arrangements are in place to ensure that appropriate leave and/or accrued rostered days off are taken for Friday 22 December 2023.

The 2019-2024 Enterprise Bargaining Agreement provides that the three workdays between the Christmas and New Year public holidays are paid as grace days to all ongoing and fixed-term employees that would normally attend on those days. Employees who may be required to attend to duties in this period will have an additional rostered day off or annual leave day added to their balance for each day worked.

Council Staff will, as always, ensure that sufficient visitor information material is available at selected business houses during this period.

STATUTORY REQUIREMENT

2019-2024 Enterprise Bargaining Agreement

POLICY/STRATEGIC IMPLICATIONS

Nil

RISK/LIABILITY

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council notes that the Council Offices will be closed from close of business Thursday 21 December 2023 and will reopen on Monday 8 January 2024.

16.9 HOUSING WORKING GROUP REPORT – SEPTEMBER 2023

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	GOV/1102
Annexures	Nil

INTRODUCTION

At the 25 January 2023 Council Meeting, Council resolved to form a Housing Working Group with the membership being D/Mayor Vanessa Grace, Cr Garry Blenkhorn, Cr Peter Rhodes, Cr Ken Stockton, the General Manager, and the Development Services Coordinator. At this meeting, Council also requested a monthly report from the working group.

PREVIOUS COUNCIL CONSIDERATION

18.01.2023	25 January 2023
32.02.2023	22 February 2023
91.03.2023	22 March 2023

A report will be presented monthly.

PREVIOUS COUNCIL DISCUSSION

25 January 2023 Council Workshop

STATUTORY REQUIREMENT

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

1. Liveability - To protect and build upon our island's way of life.
 - 1.1 A viable population that enables the necessary services and activities required for the Community to prosper.
 - 1.1.1 Encourage and support an increased supply of affordable accommodation for long-term residential rental and purchase.
- AP-3 Residential accommodation for long-term rental and purchase developed.

OFFICER'S REPORT

There were no meetings of the Housing Working Group during September 2023, therefore no report has been provided for this agenda item.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council notes that no report has been provided for the Housing Working Group for September 2023.

16.10 QUARTERLY SERVICE REQUEST REGISTER REPORT JULY TO SEPTEMBER 2023

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	RSM/0200
Annexures	16.10.1 Quarterly Service Request Register Report July to September 2023

INTRODUCTION

This register identifies the service requests received, recommended actions and resolutions actioned by staff for the period ending 30 September 2023.

PREVIOUS COUNCIL CONSIDERATION

The report is presented on a quarterly basis.

OFFICER'S REPORT

Please read Annexure 16.10.1 - Service Request Register Report July - September 2023.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Service Request Register Report July - September 2023 be noted.

16.11 COUNCILLOR RESOLUTION REPORT

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	GOV/0300
Annexures	16.11.1 Councillor Resolution Report October 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 16.11.1 – Councillor Resolution Report October 2023.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Councillor Resolution Report October 2023 be noted.

17. CLOSED COUNCIL

17.1 COUNCILLOR CLOSED RESOLUTION REPORT

17.2 WHITEMARK TENNIS COURT – OCTOBER 2023

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager

REASON FOR CLOSED COUNCIL

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

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

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That Council moves into Closed Council.

MEETING CLOSED
