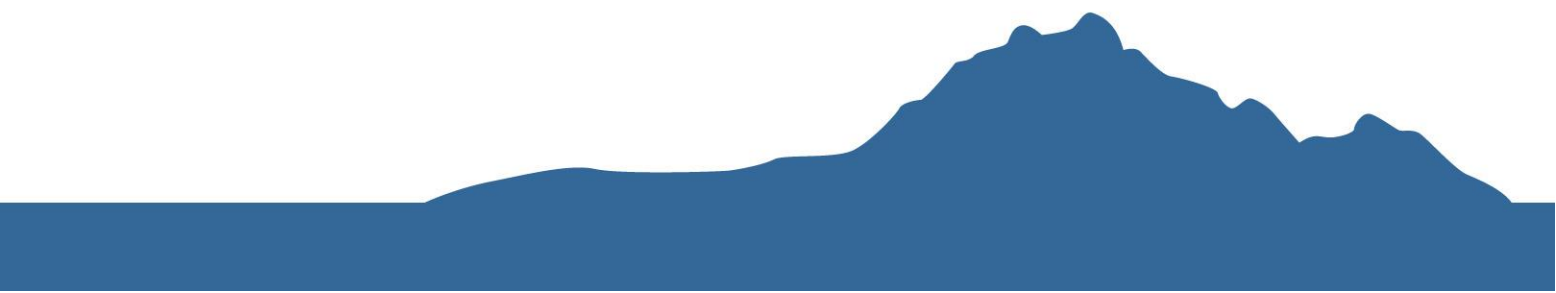




Confirmed Minutes
Ordinary Council Meeting
20th April 2017



FLINDERS COUNCIL ORDINARY MEETING

CONFIRMED MINUTES

DATE: Thursday 20th April 2017
VENUE: Furneaux Arts and Entertainment Centre, Whitemark
COMMENCING: 1.00 pm

PRESENT

Mayor Carol Cox 1.00pm – 4.41pm
Deputy Mayor Marc Cobham
Cr Chris Rhodes
Cr Peter Rhodes
Cr Ken Stockton
Cr David Williams
Cr Gerald Willis

APOLOGIES

Nil

STAFF IN ATTENDANCE

Bill Boehm - General Manager 1.00pm – 4.49pm
Sophie Pitchford - Corporate Services Manager 1.00pm – 4.49pm
Kelly Blundstone - Finance Officer/Reception (Minute Taker) 1.00pm – 4.49pm

CONFIRMATION OF MINUTES

63.04.2017 Moved: Deputy Mayor M Cobham **Seconded:** Cr K Stockton

That the Minutes from the Ordinary Council Meeting and the Closed Council Meeting held on the 23rd March 2017 be confirmed.

CARRIED UNANIMOUSLY (7-0)

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

PUBLIC QUESTION TIME

Question 1: Cr Gerald Willis on behalf of Michael Buck

I ask on behalf of Michael Buck, would the Council consider relocating the War Memorial from its current location adjacent to the Lady Barron Police Station to the grounds of the Lady Barron Hall?

Mayor's Response

The question was taken on notice.

RESPONSE TO PUBLIC QUESTIONS

23rd March 2017 Council Meeting

Question 1: Deputy Mayor Marc Cobham on behalf of Anne Matthews

Can Council address the issue of the degraded track access to White Beach i.e. section that Council acquired from Shirley Holloway's land. The track needs additional gravel works. Vehicles are getting stuck.

Mayor's Response:

The Works and Services Department has been extremely busy with one of the largest sealing programs undertaken in recent years, including resealing the short runway, major patching of the long runway and extra road works including restabilisation and sealing of sections of the Coast and Port Davies gravel roads. The access to White Beach is important to Council and the Works and Services Manager has advised that it will be attended to as soon as there is capacity within his staff to enable them to do so.

I thank you for bringing the matter to Council's attention and would also like to alert you to the option you and any member of the public has for bringing such infrastructure issues to Council's attention, and that is through submitting a "Service Request". The service request process is in place to provide community members such as yourself with an avenue to bring infrastructure issues, that might otherwise go unnoticed for a period of time, to the attention of staff. A Service Request can be made through the front office or Council's webpage under the heading "Live" (<https://www.flinders.tas.gov.au/service-request>).

Question 2: Deputy Mayor Marc Cobham on behalf of Bill LaGrue

Can Council please address the issue of the degraded nature of some of the internal access tracks within the boundaries of the Whitemark Tip?

Mayor's Response:

The Works and Services Department has been extremely busy with one of the largest sealing programs undertaken in recent years, including resealing the short runway, major patching of the long runway and extra road works including restabilisation and sealing of sections of the Coast and Port Davies gravel roads. The access tracks within the boundaries of the Whitemark tip are important to Council and the Works and Services Manager has advised that they will be attended to as soon as there is capacity within his staff to enable them to do so.

I thank you for bringing the matter to Council's attention and would also like to alert you to the option you and any member of the public has for bringing such infrastructure issues to Council's attention, and that is through submitting a "Service Request". The service request process is in place to provide community members such as yourself with an avenue to bring infrastructure issues, that might otherwise go unnoticed for a period of time, to the attention of staff. A Service Request can be made through the front office or Council webpage under the heading "Live" (<https://www.flinders.tas.gov.au/service-request>).

64.03.2017 Moved: Deputy Mayor M Cobham **Seconded:** Cr D Williams

That the public questions from the 23rd March 2017 Council Meeting and their answers be noted.

CARRIED UNANIMOUSLY (7-0)

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

COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Nil

RESPONSE TO COUNCILLOR'S QUESTIONS WITHOUT NOTICE

23rd March 2017 Council Meeting

Question 1: Deputy Mayor Marc Cobham

Although discussed at a workshop, the Whitemark Structure Plan needs to come to a formal Council Meeting for a decision. When will this happen?

Mayor's Response:

The Whitemark Town Centre Structure Plan Consultancy Submission was introduced to Councillors at the 9th March workshop and then placed on the Agenda for discussion in the presence of the Consultants at the 5th April workshop. A report on the Town Centre Structure Plan and how it relates to other compatible projects in and around Whitemark will be on the April Ordinary Meeting Agenda for Council Consideration.

Question 3: Deputy Mayor Marc Cobham

Regarding the recent state grant approval for infrastructure projects, the funds allocated to the Whitemark Entrance/Wetland's project did not include a component for a Whitemark Storm Water/Flood Study. At the last workshop the General Manager flagged that a considerable component of the grant would be used for this purpose. When will Councillors get the opportunity to formally vote on this change and if approved, would it need the approval of the State Government?

Mayor's Response:

A report on the Whitemark Coastal Vulnerability and Overland Flow / Flood study / Rehabilitation and how it relates to other compatible projects in and around Whitemark will be on the April Ordinary Meeting Agenda for Council Consideration.

65.04.2017 Moved: Cr G Willis **Seconded:** Deputy Mayor M Cobham

That the responses to Councillor's questions without notice be noted.

CARRIED UNANIMOUSLY (7-0)

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

LATE AGENDA ITEMS

Nil

DECLARATION OF PECUNIARY INTEREST

Mayor Carol Cox declared pecuniary interest in Closed Council Item E1.

LEAVE OF ABSENCE

Nil

PETITIONS

Nil

POLICIES

The Public Question Time – Council Meetings Policy was available for public consultation for 28 days. No submissions were received therefore, as per the Flinders Council Policy Manual Policy, the policy can now be considered as adopted.

DECISION:

66.04.2017 Moved: Cr G Willis **Seconded:** Deputy Mayor M Cobham

That it be noted that the Public Question Time Policy is now adopted.

CARRIED UNANIMOUSLY (7-0)

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

WORKSHOPS & INFORMATION FORUMS

File No: COU/0205

Council Workshop held on 5th April 2017

Council held a Workshop on the following subjects:

- Item 1: RSL and Sports Club
- Item 2: Whitemark Structure Plan Proposal
- Item 3: Ross Hart – Labour Member for Bass
- Item 4: Code of Tender & Contracts Policy & Procedures
- Item 5: Telecommunications
- Item 6: Proposal for recognition of first Warden
- Item 7: Rating Information Paper
- Item 8: Corporate Credit Card Policy
- Item 9: Waiver of Fees Policy and Procedure
- Item 10: General Manager's Update

Councillors Present:

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

Apologies:

Cr Chris Rhodes, Cr Ken Stockton and Cr David Williams.

Staff and Consultants Present:

Bill Boehm	General Manager
Chris Fenner	Flinders Island RSL & Sports Club (Item 1)
Mick Grimshaw	Flinders Island RSL & Sports Club (Item 1)
Jacci Viney	Development Services Coordinator (Item 1 & 2)
Robyn Cox	Strategic Planner (Item 1 & 2)
Giles Newstead	Dock 4 Architects (Item 1 & 2)
Richard Brenchley	Dock4 Architects (Item 1 & 2)
Ross Hart	Labor Member for Bass (Item 3)
Michael Patterson	Area Manager Tasmania Telstra (Item 5)
Andy Hitchen	Regional Sales and Service Director – Victoria and Tasmania (Item 5)
Michael Ackland	Executive Director Telstra Countrywide (Item 5)
Alan Robinson	(via teleconference) (Item 6)
Dianne Walsh	Finance Officer (Item 7)
Sophie Pitchford	Corporate Services Manager (Item 7 - 9)

Council Workshop held on 11th April 2017

Council held a Workshop on the Draft 2017-18 Annual Plan

Councillors Present:

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

Apologies:

Cr Chris Rhodes

Staff and Consultants Present:

Bill Boehm (General Manager), Sophie Pitchford (Corporate Services Manager) and Kelly Blundstone (Finance Officer/Reception).

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

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATION:

That the Council Workshops held on 5th and 11th April 2017 be noted.

DECISION:

67.04.2017 Moved: Cr P Rhodes **Seconded:** Deputy Mayor M Cobham
That the Council Workshops held on 5th and 11th April 2017 be noted.

CARRIED (6-1)

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

Against: Cr Chris Rhodes (abstained)

PUBLIC MEETINGS

Nil

PUBLICATIONS/REPORTS TABLED FOR COUNCIL INFORMATION

Nil

REPORTS TO BE RECEIVED

Lady Barron Hall and Recreational Special Committee

File No: AME/0503

Annexure 1: *Lady Barron Hall and Recreational Special Committee Special Meeting 6th March 2017 Unconfirmed Minutes*

OFFICER'S REPORT (Bill Boehm, General Manager):

The unconfirmed minutes of the Lady Barron Hall and Recreational Special Committee Special Meeting held Monday 6th March 2017 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be received by Council.

OFFICER'S RECOMMENDATION

That the unconfirmed minutes of the Lady Barron Hall and Recreational Special Committee Special Meeting held Monday 6th March 2017 be accepted.

DECISION:

68.04.2017 Moved: Cr D Williams **Seconded:** Cr P Rhodes

That the unconfirmed minutes of the Lady Barron Hall and Recreational Special Committee Special Meeting held Monday 6th March 2017 be noted.

CARRIED UNANIMOUSLY (7-0)

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

General Manager's Performance Review Committee

File No: PER/1500

Annexure 2: *General Manager's Performance Review Committee Meeting 12th April 2017
Unconfirmed Minutes*

OFFICER'S REPORT (Bill Boehm, General Manager):

The unconfirmed minutes of the General Manager's Performance Review Committee Meeting held Wednesday 12th April 2017 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

OFFICER'S RECOMMENDATION

That the unconfirmed minutes of the General Manager's Performance Review Committee Meeting held Wednesday 12th April 2017 be noted.

DECISION:

69.04.2017 Moved: Cr D Williams **Seconded:** Cr P Rhodes

That the unconfirmed minutes of the General Manager's Performance Review Committee Meeting held Wednesday 12th April 2017 be noted.

CARRIED UNANIMOUSLY (7-0)

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

COUNCILLORS' REPORTS

Deputy Mayor's Monthly Report

File No: COU/0600

ACTIVITIES:

DATE	ITEM
12.03.17	Phone call from a local resident re the re-surfacing of Port Davies Rd
19.03.17	Phone discussion re local ongoing telecommunications issues
21.03.17	Attended "Ten Days on the Island" event at Furneaux Arts and Entertainment Centre
23.03.17	Council Meeting
27.03.17	Attended Premier Hodgman's funding announcement at Lagoon Rd site
29.03.17	Assisted with set up of Emita Hall venue for "Croon" performance
31.03.17	Attended "Croon" performance at Furneaux Arts and Entertainment Centre
01.04.17	Attended "Croon" performance at Emita Hall, assisted with bar sales and ticket sales, assisted with "bump-out" after the performance
05.04.17	Council workshop
10.04.17	Phone discussion re future potential coastal inundation with local resident
11.04.17	Council Annual Plan Workshop

RECOMMENDATION:

That the Deputy Mayor's report be received.

DECISION:

70.04.2017 Moved: Cr D Williams **Seconded:** Cr K Stockton

That the Deputy Mayor's report be received.

CARRIED UNANIMOUSLY (7-0)

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

Report from Councillor Gerald Willis as the Flinders Council Representative on TasWater Owners' Committee
File No: COU/0312

CORRESPONDENCE IN:

DATE	WHO	SUBJECT
14.03.17	Lynn Luckock, Executive Assistant to Mike Brewster, Chief Executive Officer, TasWater	Notes prepared by Miles Hampton, Chairman, TasWater as preparation for an interview on ABC radio on Tuesday 14 March
15.03.17	Lynn Luckock, Executive Assistant to Mike Brewster, Chief Executive Officer, TasWater	Media release from TasWater responding to Treasurer's media release
15.03.17	Simon Pilkington, TasWater media contact	Media release from TasWater re water levels at Whitemark
15.03.17	Juliette Mercer, GM Corporate and Community Relations, TasWater	Email to Willis at request from Mike Brewster, Chief Executive Officer, TasWater re Whitemark water supply
16.03.17	Christine Agostinelli, Executive Officer, Local Government Association of Tasmania	Email with media release from TasWater responding to Treasurer's media release (Note that this is the same release as advised by Lynn Luckock on 15 March 2017)
20.03.17	Lynn Luckock, Executive Assistant to Mike Brewster, Chief Executive Officer, TasWater	Email to the Mayor, copied to Willis, of letter of offer by Miles Hampton, Chairman, TasWater to visit the council and provide a briefing on matters relating to the endorsement or otherwise of the transfer of ownership of TasWater to the State Government
20.03.17	Juliette Mercer, GM Corporate and Community Relations, TasWater	Email to Willis with responses to issues raised by him in a telephone conversation initiated by the emailer
20.03.17	Lynn Luckock, Executive Assistant to Mike Brewster, Chief Executive Officer, TasWater	Email with media release to undisclosed recipients on data collected by the Bureau of Meteorology re the performance of 86 water utilities servicing 20 million Australian customers
20.03.17	Stephanie Watson, Communications Manager, Local Government Association (LGAT)	Media release issued by David Downie, Chief Representative of TasWater, re the Bureau of Meteorology's National Performance Report of Urban Water Utilities which compares the performance of 86 water utilities servicing 20 million Australian customers
21.03.17	Christine Agostinelli,	Email to the Mayor, copied to Willis, with a letter

DATE	WHO	SUBJECT
	Executive officer, Local Government Association of Tasmania	to the Treasurer from Doug Chipman, President, Local Government Association of Tasmania
22.03.17	Juliette Mercer, GM Corporate and Community Relations, TasWater	Email to Bill Boehm, copied to Willis, reporting that the Mayor had been advised that TasWater is required to shut off the Whitemark water supply from 1:00 pm to 4:00 pm Thursday 23 March
23.03.17	Christine Agostinelli, Executive Officer, Local Government Association of Tasmania	Email from Katrena Stephenson, CEO of LGAT, with copy of letter from Brian Wightman, Executive Director Property Council of Australia to Commissioner Taylor, Huon Valley Council re TasWater
27.03.17	Ron Sanderson, General Manager, Brighton Council	Email with copy of letter to Brian Wightman, Executive Director Property Council of Australia from Tony Foster, mayor of Brighton re TasWater
29.03.17	Lynn Luckock, Executive Assistant to Mike Brewster, Chief Executive Officer, TasWater	Email with media release to undisclosed recipients of TasWater media release on the State of the Industry Report from the Tasmanian Economic Regulator
29.03.17	Ron Sanderson, General Manager, Brighton Council	Email with opinion piece by Mayor Tony Foster which was printed in today's Mercury
30.03.17	Carol Cox, Mayor, Flinders Council	Email from LGAT with media release (as from Lynn Luckock on 29 March 2017) plus an advertisement run by TasWater in undisclosed print media
31.03.17	Ailsa Sypkes, General Manager Legal and Governance for TasWater	Email with draft Corporate Plan 2018-2020 attached to be discussed at General Meeting 11 May 2017

RECOMMENDATION:

That Councillor Willis' report be received.

DECISION:

71.04.2017 Moved: Deputy Mayor M Cobham **Seconded:** Cr C Rhodes
That Councillor Willis' report be received.

CARRIED UNANIMOUSLY (7-0)

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

MAYOR'S REPORT

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

REPORT:

APPOINTMENTS:

21.03.17	Ten Days on the Island Event – Portraits in Motion
22.03.17	Lady Barron Hall and Recreation Special Committee Meeting – Re Gym use
23.03.17	Council Meeting
27.03.17	Visit of the Premier the Honourable Will Hodgman and Parliamentary Secretary, The Hon Sarah Courtney MP - meeting and promotion of island developments related to the Northern Economic Development Stimulus Package
27.03.17	Launch of the island's Destination Action Plan
27.03.17	Dinner with the Premier, the Hon. Will Hodgman, the Hon Sarah Courtney, Tourism Northern Tasmanian and Flinders Island Tourism and Business Inc. committee representatives
29.03.17	Furneaux Community Health Special Committee members Cr Willis, John Loudon and I met with representatives of the Commonwealth Department of Health who are reviewing funding for the Royal Flying Doctor Service.
29.03.17	Funeral of Mr Peter Corbould
30.03.17	Brian Carlton - Tasmania talks interview
31.03.17	Croon Show and Matthew Ives Big Band
01.04.17	Swing Ball at Emita
05.04.17	Met with Michael Patterson, Area Manager Tasmania Telstra; Andy Hitchen – Regional Sales and Service Director – Victoria and Tasmania and Michael Ackland – Executive Director Telstra Countrywide
05.04.17	Council Workshop
06.04.17	Local Government Association of Tasmania (LGAT) Mayors' Professional Development Day
06.04.17	LGAT Mayors' Dinner
07.04.17	LGAT General Meeting
11.04.17	Council Workshop on the Annual Plan
12.04.17	Radio Interview with Sarah Gilman - ABC
12.04.17	Furneaux Community Health Special Committee Meeting
12.04.17	General Manager's Performance Review Committee Meeting

Building Better Regions Funding Application:

Michael Patterson and his colleagues visited to obtain a feel for the communications service on the Island. The meeting with myself and the General Manager focused around a lobbying process to raise the focus of the project in the Federal arena. Telstra and the State Government have partnered the Council in the application.

The Mayors' Professional Development Day:

Included was a session on Mental health, recognising the status of one's mental health and methods to improve it at times when it is low. Mayors shared experiences and the current events in their Council areas.

LGAT General Meeting:

The focus was on the transfer of TasWater from ownership by the 29 Tasmanian Councils to the State Government and what it would mean for Councils. The Treasurer addressed the meeting, the outcome being that more information is required, especially around financial modelling. A Special Meeting of LGAT is being held on the 11th May, following the General Meeting of TasWater scheduled for that day. Mr Miles Hampton, Chair of the TasWater Board will address the LGAT Meeting.

CORRESPONDENCE IN:

DATE	WHO	SUBJECT
14.03.17	Andrew McGown, TasWater	Media release TasWater working to ensure water supply on Flinders
16.03.17	Christina Agostinelli, LGAT	Media Release from Miles Hampton responding to Treasurer's Media Release
17.03.17	Katrena Stephenson, CEO of LGAT	FAGs (Federal Assistance Grants) indexation campaign
17.03.17	Juliet Mercer, TasWater	Water Restrictions - Level 2 Guidelines
17.03.17	Jo Youl, secretary Flinders Island Tourism and Business Inc.	Premier and Cabinet visit to Flinders Island
17.03.17	M Hampton, Chairman, TasWater	Proposed State Government ownership of TasWater
19.03.17	Juliet Mercer, TasWater	Water restriction communications attached
20.03.17	Stephanie Watson, LGAT	Media release, national report shows TasWater getting on with the job
20.03.17	Stephanie Watson, LGAT	Media Release, TasWater tops the nation in terms of lowest water bills for households
20.03.17	Juliet Mercer, TasWater	Lady Barron Bore
21.03.17	C Agostinelli, LGAT	TasWater discussions at LGAT General Meeting on 7 th April
22.03.17	Hon P Gutwein MP, Treasurer	Tasmania's water and sewerage infrastructure
22.03.17	Stephanie Watson, LGAT	LGAT letter to Minister Gutwein
22.03.17	Juliet Mercer, TasWater	Whitemark water supply addition of pressure valve
22.03.17 & 27.03.17	R Sanderson, Brighton Council	Brighton Council rejects TasWater takeover and Brighton letter to Brian Wightman
23.03.17	Lyn Luckock, TasWater	Media Release – Bureau of Meteorology report on performance
27.03.17	K Stephenson, LGAT	Draft changes to the <i>Local Government Act 1993</i> released for comment
27.03.17 & 03.04.17	G Flower, Hexagon	Hexagon draft proposal

DATE	WHO	SUBJECT
28.03.17 & 03.04.17	S Strelan, South Australian (SA) Ombudsman's Office	Roxby Council report & investigation ended
29.03.17	K Stephenson, LGAT	Property Council letter
31.03.17	A Sypkes, TasWater	Draft TasWater Corporate Plan 2018-2020
01.04.17 & 03.04.17	A Robinson	Letter to Council and signatures of support for renaming
02.04.17	M Coles	Sunday Mail Article
03.04.17	M Tetlow, Northern Tasmania Development Corporation (NTDC)	United regional stance re the Australian Maritime College
04.04.17	C Agostinelli, LGAT	General Meeting schedule (revised)
04.04.17	K Stephenson, LGAT	Premier's Address 2017 - Building Tasmania's Future
04.04.17	R Wise	Island News printers
05.04.17	D Lovegrove	Re SA Ombudsman's report
06.04.17	K Stephenson, LGAT	West Tamar and George Town Councils exploring the opportunity of a Tamar Valley Council
06.04.17	K Stephenson, LGAT	Water and Sewerage - State of the Industry Report
10.04.17	K Stephenson, LGAT	LGAT General Meeting - TasWater & Treasurer's presentation
10.04.17	L Kluver, Windward Bound	Opportunities for training sailing for youth
11.04.17	C Agostinelli, LGAT	LGAT Special General Meeting - 11 May
11.04.17	R Price, Men's Health Information & Resource Centre	Men's Health Week

CORRESPONDENCE OUT:

DATE	WHO	SUBJECT
15.03.17	D Butler	Re Boundary fence at Palana
15.03.17	E Stratford	Re possible island project
15.03.17	A McGown, TasWater	Re TasWater Media Release
19.03.17	Juliet Mercer, TasWater	Re Water Restrictions Communication
30.03.17	M Tetlow, NTDC	Re United Regional Stance re the Australian Maritime College
03.04.17	S Strelan, SA Ombudman's Office	Re Report into Roxby Council
03.04.17	G Flower, Hexagon	Re Hexagon Draft Proposal
04.04.15	R Wise	Re Island News printers
06.04.17	D Lovegrove	Re Investigation into Roxby Council
10.04.17	L Kluver, Windward Bound	Re Opportunities
11.04.17	M Tetlow, NTDC	Apology to 3 rd May meeting and Proxy Form
12.04.17	A Matthews	Response to Public Question - White Beach access track

DATE	WHO	SUBJECT
13.04.17	Cr M Cobham	Response to Question Without Notice – Whitemark Structure Plan
13.04.17	Cr M Cobham	Response to Question Without Notice – Whitemark Storm Water/Flood Study
13.04.17	B LaGrue	Response to Public Question – access tracks at Whitemark tip

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATION:

That the Mayor's report be received.

DECISION:

72.04.2017 Moved: Deputy Mayor M Cobham **Seconded:** Cr K Stockton

That the Mayor's report be received.

CARRIED UNANIMOUSLY (7-0)

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

A. DEVELOPMENT SERVICES AND PLANNING APPLICATIONS
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Item A1: Development Application Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Jacci Viney, Development Services Coordinator
FILE REFERENCE	PLN/0105
ASSOCIATED PAPERS	<i>Annexure 3: Development Application Report - March 2017</i>

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of the applications which have been dealt with by the Planning Department for the month of October as per the council motion 249.09.2015, passed at the 24th September 2015 Council Meeting. Council has requested that the planning consultancy service (West Tamar Council) provide this detail to Council on a monthly basis.

Permitted applications are assessed under s58 of the *Land Use Planning and Approvals Act 1993* and as such are not advertised nor are the applicant's details made public. Applicants retain the right to privacy having met all development and use standards applicable within the current planning scheme. Applications made under this section must be granted a permit, with or without conditions. The numbering of applications relates to the allocation provided by the 'Regulatory Applications' (RegApps) electronic filing system. Numbers are allocated in order to Planning (DA), Building (BA) and Plumbing (PA) applications.

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 3 - Development Application Report - March 2017, provided by West Tamar Council.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Development Application Report - March 2017 report be received.

DECISION:

73.04.2017 Moved: Cr G Willis **Seconded:** Cr K Stockton

That the Development Application Report - March 2017 report be received.

CARRIED UNANIMOUSLY (7-0)

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

Item A2: Rescind Land Transfer Policy

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Jacci Viney - Development Services Coordinator
FILE REFERENCE	AER/1100, AER/0902, AER/0402, AER/0501
ASSOCIATED PAPERS	<i>Annexure 4: Land Transfer Policy</i>

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:

The Land Transfer Policy was adopted by Council in August of 2005.

OFFICER'S REPORT:

Council has a policy that states that policies should be reviewed every four years at the beginning of the election cycle or at Council's discretion.

The Land Transfer Policy has been reviewed by Council and found to be no longer relevant to Council's current operations and is no longer required.

The aforementioned policy relates to a period of time relevant to the transfer of aboriginal land to the Aboriginal Land Council of Tasmania. This transfer has now occurred and as such the policy is no longer relevant.

Therefore, I recommend Council rescind the above policy.

STATUTORY REQUIREMENT:

Local Government Act 1993

Local Government (General) Regulations 2015

POLICY/STRATEGIC IMPLICATIONS:

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

RISK/LIABILITY:

Rescinding this policy will not expose Council to risk in these areas.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council rescinds the Land Transfer Policy and allows it to lay on the table for 28 days for public comment.

DECISION:

74.04.2017 Moved: Cr G Willis **Seconded:** Cr P Rhodes

That Council rescinds the Land Transfer Policy and allows it to lay on the table for 28 days for public comment.

CARRIED UNANIMOUSLY (7-0)

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

B. NOTICE OF MOTIONS

Item B1: Notice of Motion – Proposal to rename Emita Beach Coastal Reserve

ACTION	Decision
PROPONENT	Deputy Mayor, Marc Cobham
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	WOR/0900
ASSOCIATED PAPERS	<i>Annexure 5: Proposal to acknowledge first Warden</i>

NOTICE OF MOTION:

That Council provides a formal letter of support to the proponents of the proposal to re-name the Emita Beach Coastal Reserve, i.e. the new name proposed is “Valentine Huitfeldt Coastal Reserve”.

COUNCILLOR’S REPORT:

Given the significant historical contribution that Valentine Huitfeldt made to the Island and especially the Emita area, the family descendants have wanted to acknowledge this contribution, which to date has gone largely unrecognised. They have gathered considerable support, both through the local Emita and wider communities, with a total of 61 signatures to support their renaming proposal; this in addition to the historical background information provided in Appendix 5 makes a strong case for the renaming proposal.

A letter supporting the proposal from Council will assist the proponents in their endeavours.

PREVIOUS COUNCIL CONSIDERATION:

308.11.2015 24th November 2015

310.11.2015 24th November 2015

“Moved: Cr P Rhodes Seconded: Cr K Stockton

That the proponents be advised that Council, taking into consideration responses from the Community, does not support the renaming of Emita Beach (Old Jetty Beach) to Huitfeldt Beach. Furthermore, Council will collaborate with the Huitfeldt descendants and the Furneaux Historical Research Association Inc., on options for a suitable alternative recognition of the contribution made by Valentine Huitfeldt to the Furneaux Community.

CARRIED UNANIMOUSLY (7-0)”

OFFICER’S REPORT:

The renaming (or not) of a coastal reserve is a matter for elected members to deliberate upon. Council has no formal powers in relation to the request to rename and can only provide a recommendation and/or letter of support (or not) to the Department of Primary Industries Parks, Water and Environment. (Refer to motion 97.04.2017)

STATUTORY REQUIREMENTS:

Survey Co-ordination Act 1944

POLICY/STRATEGIC IMPLICATIONS:

Nil

BUDGET AND FINANCIAL IMPLICATIONS:

Council will need to allocate funds for the purchase of a new sign if the name changes.
(Noted at the meeting that the sign change would not be a Council responsibility)

RISK/LIABILITY:

Minimal community consultation on the matter has taken place and as such making an informed decision on the desire of the community for such a change is mostly unknown. Renaming a known landmark and well used area should not be taken lightly and Council should consider if sufficient information has been provided to support such a change and whether sufficient community consultation on the matter has taken place to genuinely inform a decision.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

For Council to decide.

DECISION:

75.04.2017 Moved: Deputy Mayor M Cobham **Seconded:** Cr K Stockton

That Council provides a formal letter of support to the proponents of the proposal to re-name the Emita Beach Coastal Reserve, i.e. the new name proposed is "Valentine Huitfeldt Coastal Reserve".

CARRIED (6-1)

For: Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton and Cr Gerald Willis.

Against: Cr D Williams

***Foreshadowed motion (Cr D Williams):** That Council note the submission made regarding a proposed change in the name of Emita Beach Coastal Reserve and that the matter be taken to a public meeting to assess the overall Community's views.*

Foreshadowed motion lapsed.

Item B2: Notice of Motion – TasWater’s Draft Corporate Plan 2008-2020

ACTION	Decision
PROPONENT	Councillor Gerald Willis
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	<i>Nil</i>
ASSOCIATED PAPERS	COU/0312

NOTICE OF MOTION:

That Council instructs Cr Willis, as its Owners’ Representative of TasWater, to vote to approve TasWater’s draft Corporate Plan 2018-2020 when the matter is tabled for consideration at a General Meeting of TasWater, currently scheduled for Thursday 11th May 2017, or at any other time should the meeting be re-scheduled.

COUNCILLOR’S REPORT:

TasWater produces, annually, a Corporate Plan for the next three years. On 31st March 2017 the draft Corporate Plan was released to Owners’ Representatives. It was also released to Mayors and copied to General Managers. I circulated the report to all Councillors and the General Manager on 1st April with the request that the report be kept confidential. Implicit in that request was that the release of the document to the public is the prerogative of TasWater. TasWater has a history of releasing to the public its Corporate Plan once it has been approved by shareholders, but not while it is in draft form.

The Corporate Plan provides information on matters such as but not limited to key achievements, key challenges, performance measurement, organisational risks, financial forecasts and capital projects.

TasWater is governed by considerable legislation and procedural requirements which provide ample opportunity for scrutiny of its operations. TasWater produces quarterly reports for Owners’ Representatives and holds general meetings at which the reports are discussed and, if thought appropriate by those in attendance, approved by formal resolution. TasWater has a formal 10 year Strategic Plan; again this report is open to scrutiny and review by owners. Indeed, there are very few organisations the size of TasWater (assets of \$2.1 billion in the 2017 budget rising to \$2.4 billion in the 2020 forecast) which provide so much information to its shareholders and the public.

TasWater is also controlled by the OTTER (Office of the Tasmanian Economic Regulator) of which Cr Peter Rhodes is a member of the consultative committee. The OTTER sets prices which TasWater must charge for the supply of its services. Once the prices are set there can be no variation. The impost of price setting is a feature which does not apply to most organisations in Australia.

As background to the motion presented it is worth looking at the history of TasWater.

TasWater commenced operations on 1 July 2013. It took over the operations of three former regional Tasmanian water and sewerage corporations, being Ben Lomond Water, Cradle Mountain Water and Southern Water plus a common services provider being Onstream. Prior to the conception of these four companies all of the Tasmanian water and sewerage operations had been owned and managed by the 29 local councils throughout the state.

The merger of the operations and assets owned by the councils and the subsequent transfer of the operations and assets into TasWater was not an easy transition. For example, there were different employment agreements to amalgamate, different pricing structures, different internal communication protocols and different supply agreements, to name a few of the matters which TasWater had to address. I think TasWater would admit that not all the operational issues which emerged upon amalgamation have been resolved.

In summary, the short amount of time since it was constituted and the disparate functions of the operations it has taken over have put severe pressure on the board, management and employees to meld TasWater into a cohesive and efficient enterprise. That TasWater has been able to maintain, with some reservations, a reasonable standard of service throughout the state is a credit to all involved at TasWater.

There has been considerable media attention given to TasWater since the Treasurer advised Owners' Representatives on 24th February that the State Government was considering taking over the ownership of TasWater so that the unsafe or undrinkable water supply of a number of towns and non-compliant wastewater treatment plants throughout the state would be resolved without delay. The board and management of TasWater have disputed the Treasurer's claims that a change of ownership would result in earlier resolution of the matters that have concerned the Treasurer.

The Draft Corporate Plan 2018-2020 may not address the concerns of the Treasurer, but until there is a resolution of the matter of ownership of TasWater I believe the best course is for TasWater to continue as it has proposed. For that reason it is recommended that the motion be supported.

PREVIOUS COUNCIL CONSIDERATION:

As part of the delegated role, Council's appointed Owners' Representative regularly provides reports to Council seeking endorsement of various actions that are required.

OFFICER'S REPORT:

As well as providing good background, the Notice of Motion and accompanying report accurately portray Council's requirements and need to approve TasWater's draft Corporate Plan 2018-2020.

STATUTORY REQUIREMENTS:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

2.0 Infrastructure and Services - An Islands' specific approach to planning and delivery to ensure community and environmental values are maintained.

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

4.1 Remain actively engaged with internal and external stakeholders providing regional leadership.

4.1.1 The Furneaux Islands' unique circumstances, isolated community and specific financial needs are understood by key external stakeholders.

4.1.1.5 Maintain representation and engagement with TasWater and the Office of Tasmania Regulator Consultative Committee.

BUDGET AND FINANCIAL IMPLICATIONS:

Nil

RISK/LIABILITY:

Low

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Notice of Motion be supported.

DECISION:

76.04.2017 Moved: Cr G Willis **Seconded:** Cr P Rhodes

That Council instructs Cr Willis, as its Owners' Representative of TasWater, to vote to approve TasWater's draft Corporate Plan 2018-2020 when the matter is tabled for consideration at a General Meeting of TasWater, currently scheduled for Thursday 11th May 2017, or at any other time should the meeting be re-scheduled.

Mayor Carol Cox passed the chair to Deputy Mayor Marc Cobham at 1.40pm.

AMENDMENT:

Moved: Mayor C Cox **Seconded:**

That Council instructs Cr Willis, as its Owners' Representative of TasWater, to vote to approve TasWater's draft Corporate Plan 2018-2020 when the matter is tabled for consideration at a General Meeting of TasWater or support deferral of approval of the corporate plan recognising that the projections within the corporate plan will need to be adjusted to suit any transfer of Taswater to the State Government.

Amendment lapsed due to want of a seconder.

Mayor Carol Cox resumed the chair from Deputy Mayor Marc Cobham at 1.44pm.

AMENDMENT:

77.04.2017 Moved: Cr D Williams **Seconded:** Cr K Stockton

That Council instructs Cr Willis, as its Owners' Representative of TasWater, to vote to approve TasWater's draft Corporate Plan 2018-2020 or as amended, when the matter is tabled for consideration at a General Meeting of TasWater, currently scheduled for Thursday 11th May 2017, or at any other time.

CARRIED UNANIMOUSLY (7-0)

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

SUBSTANTIVE

78.04.2017 That Council instructs Cr Willis, as its Owners' Representative of TasWater, to vote to approve TasWater's draft Corporate Plan 2018-2020 or as amended, when the matter is tabled for consideration at a General Meeting of TasWater, currently scheduled for Thursday 11th May 2017, or at any other time.

CARRIED UNANIMOUSLY (7-0)

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

Item B3: Notice of Motion - TasWater Ownership

ACTION	Decision
PROPONENT	Mayor Carol Cox
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	COU/0312
ASSOCIATED PAPERS	Nil

NOTICE OF MOTION:

That Council:

- Recognises the intent of the Treasurer, The Hon Peter Gutwein MP, to transfer TasWater away from its 29 Tasmanian council shareholders, into state ownership and;
- in consideration of the information received thus far, that Councillors advise the Mayor and Council's Owners' Representative of any areas or matters that require more information or emphasis so that these aspects can further inform and guide the Council's attendees at future meetings on this matter.

MAYOR'S REPORT:

In his speech to the Local Government Association of Tasmania (LGAT) members at the LGAT Annual General Meeting in July of 2016, (copy of speech notes emailed to Councillors on the 21/07/2016) the Treasurer, in no uncertain terms, put councils on notice that more needed to be done to fix the state's water and sewer issues to maintain the clean green image of the state.

In 2017 prior to the 24th February, the Treasurer made it known through the media that the government would take ownership of TasWater as of the 1st of July 2018, citing that the State Government could use its balance sheet to speed up the implementation of infrastructure improvements for water and sewerage throughout the state, halving the implementation time of the 10 year plan put out by TasWater.

There has been much toing and froing of information between interested parties since then, with Councillors being bombarded with the Mayor and Cr Willis passing on the information received to Councillors. The potential loss of dividend payments is a major issue for some Councils.

The Treasurer made a presentation to councils at the LGAT General Meeting on the 7th of April which shed some further light on the mechanism under which the transfer would take place.

The power point presentation made by the Treasurer has been circulated to Councillors on the 10th of April along with a list of the key new points of interest as understood by the CEO of LGAT.

The councils through LGAT are seeking more information and Miles Hampton is being invited to attend a Special Meeting of LGAT to further inform councils, given the further information divulged by the Treasurer that will impact on TasWater's ability to undertake its infrastructure program going forward.

This is a list of past and future relevant meetings, as known at this point in time, and as well as Councillors having their individual concerns and queries answered, the Mayor and Cr Willis as Council's Owners' Representative, need to understand what those concerns are.

24 th Feb 2017	Treasurer called a meeting of Owners' Representatives in Hobart
24 th Feb 2017	LGAT meeting regarding the Treasure's meeting and outcomes
7 th April 2017	LGAT General meeting – Taswater as an Agenda item
21 st April 2017	Visit by Miles Hampton, Chair of TasWater to Flinders Council
11 th May 2017	TasWater General meeting
11 th May 2017	Special Meeting of LGAT with Miles Hampton invited to attend

Councillors should consider all the information they have so far and the effect it will have on Flinders Council, identifying any areas requiring more information or emphasis to inform the Council's attendees at future meetings.

OFFICER'S REPORT:

The Notice of Motion essentially recognises the Minster's resolve to proceed with taking control of TasWater and highlights a raft of additional information relevant to the matter.

It also provides a formal opportunity for Councillors to bring other relevant information or requests for information to the attention of the Mayor and Council's Owners' Representative so that they can be raised at future meetings on this matter

STATUTORY REQUIREMENTS:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

2.0 Infrastructure and Services - An Islands' specific approach to planning and delivery to ensure community and environmental values are maintained.

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

4.1 Remain actively engaged with internal and external stakeholders providing regional leadership.

4.1.1 The Furneaux Islands' unique circumstances, isolated community and specific financial needs are understood by key external stakeholders.

4.1.1.5 Maintain representation and engagement with TasWater and the Office of Tasmania Regulator Consultative Committee.

4.5 Build financial and organisational resilience and maximise returns from Council's capital resources.

BUDGET AND FINANCIAL IMPLICATIONS:

Under the Minster's announcement:

- (a) The Government will fund annual payments to councils from its budget, not from TasWater;
- (b) The Government will reinvest all returns it receives to assist with the ongoing infrastructure program;
- (c) Guaranteed annual payments of \$20 million from 2018-19 to 2024-25 - exactly what Council would have received under TasWater's 10 year plan;
- (d) Guarantee that, after these payments cease, councils will receive one half of the total value of returns annually from the corporation in perpetuity;

- (e) Transfer all the rights, assets, liabilities and obligations (including all staff) of TasWater to a new Government Business Enterprise, to begin operation on or before 1 July 2018;

Council's current budgeted dividend from TasWater for 2016/17 is \$53,999. Depreciation of assets is not included in Council's accounts. On the balance sheet, Council's Investment in TasWater is worth \$3,307,000.

The dividend represents around 3.5% of rate income.

Notwithstanding points (c) and (d) above, if the dividend is reduced or eliminated into the future, then this amount will either be recovered from rate payers through increased rates or services reduced slightly. This would be manageable over the projected timetable

Removal of the assets from Council's accounts will not impact on the performance ratios that we use as this amount is now not factored into them. The only ratio that may be affected ever so slightly if the dividend is reduced or eliminated into the future is the underlying surplus ratio which will be slightly less as this recurring income will be less without the dividend.

Like all other councils, decisions to write off the assets will need to be undertaken with the knowledge and consent of Council's Auditors.

RISK/LIABILITY:

Low risk to budget. Liability not affected.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER'S RECOMMENDATION:

Council's decision.

DECISION:

Mayor Carol Cox passed the chair to Deputy Mayor Marc Cobham at 1.50pm.

79.04.2017 Moved: Mayor C Cox **Seconded:** Cr P Rhodes

That Council:

- Recognises the intent of the Treasurer, The Hon Peter Gutwein MP, to transfer TasWater away from its 29 Tasmanian council shareholders, into state ownership and;
- in consideration of the information received thus far, that Councillors advise the Mayor and Council's Owners' Representative of any areas or matters that require more information or emphasis so that these aspects can further inform and guide the Council's attendees at future meetings on this matter.

CARRIED UNANIMOUSLY (7-0)

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

Mayor Carol Cox resumed the chair at 1.55pm.

Item B4: Notice of Motion - Councillor Professional Development

ACTION	Decision
PROPONENT	Mayor Carol Cox
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	CDV/0400
ASSOCIATED PAPERS	<i>Annexure 6: Flinders Council Development Proposal (For Elected Members only)</i>

NOTICE OF MOTION:

That Council:

- makes the appointment of Graeme Flower of Hexagon to undertake a Professional Development Program as outlined in the proposal annexured to this agenda item; and
- applies an appropriate budget variation to support the provision of the program.

COUNCILLOR'S REPORT:

When Councillors are elected there is an expectation that the skills they have acquired during their lifetime and that have been evident to the Community that elected them will equip them to carry out their roles as Councillors.

The current day demands and breadth of legislation that Councillors are exposed to can make it difficult for Councillors to fulfil their role as an individual, as a team and as an important cog in the Council wheel.

People working in other roles are exposed to professional development and in many cases required to commit to professional development as a part of their working life.

The provision of Professional Development to our Councillor Group has been identified by the General Manager as an area that has the potential to improve the performance of this Council.

The General Manager was tasked with identifying a suitable professional development consultant and following discussions through the Local Government Association of Tasmania, Graeme Flower of Hexagon Consulting was identified as the type of small experienced operator suited to our needs. Both the General Manger and I have spoken to Graeme Flower, to enable him to develop some small understanding of the Council, its performance and internal relationships. Significantly, Graeme has visited Flinders previously and has a good appreciation of our unique Island.

Graeme has developed the attached proposal as a program that will provide professional development to:

1. Ensure there is a clear, shared sense of our collective Purpose and Priorities as a combined Councillor and Management Team;
2. Clarify the central role(s) of the Council, distinguishing between 'Governance' and operational involvement;
3. Develop and reinforce a cohesive, collaborative Council team based on a shared commitment to a clear set of behaviours as part of a Council 'Charter';
4. Build a highly effective Management Team that makes full use of its collective capabilities to achieve the best possible outcomes; and

5. Agree how we want the relationship to work between Councillors and General Manager/Managers.

The proposal is supplied to Councillors as a Confidential Annexure and, while this Agenda item is presented in the open Agenda, any discussion of the information within the proposal should be undertaken in Closed Council, especially the costings. The proposal is provided on a Commercial in Confidence basis.

I ask that Councillors consider and support this proposal.

“Teamwork is the ability to work together towards a common vision; the ability to direct individual accomplishments toward organisational objectives. It is the fuel that allows common people to attain uncommon results.”

Andrew Carnegie

PREVIOUS COUNCIL CONSIDERATION:

February 2017 Council Workshop

OFFICER'S REPORT:

The proposal as attached has significant merit. Graeme comes highly recommended and his understanding of our circumstances and his background and expertise have great synergies. From discussions, he has good abilities to engage collegiately and the program offered is the type of program that will allow all to develop a better understanding on a personal level, as well as at the Councillor Board level. The rapport that he was able to engender with me warranted referral to the Mayor who has also had positive discussions.

Importantly, as a small but experienced operator, the personal attention approach is well suited to our small operation and to improving the culture of our operation. This engagement is strategically important.

STATUTORY REQUIREMENTS:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

No policy exists on this matter.

BUDGET AND FINANCIAL IMPLICATIONS:

Budget is modest and affordable. The rates charged are at the low end for this type of engagement.

RISK/LIABILITY:

Engagement is a low risk action. Not engaging will make it difficult to proactively improve the organisational and leadership culture and community as the skill sets required will not be enhanced.

VOTING REQUIREMENTS:

Simple majority.

OFFICER'S RECOMMENDATION:

That the Notice of Motion be supported.

DECISION:

Mayor Carol Cox passed the chair to Deputy Mayor Marc Cobham at 1.56pm.

80.04.2017 Moved: Mayor C Cox **Seconded:** Cr G Willis

That Council:

- makes the appointment of Graeme Flower of Hexagon to undertake a Professional Development Program as outlined in the proposal annexured to this agenda item; and
- applies an appropriate budget variation to support the provision of the program.

LOST (1-6)

For: Mayor C Cox

Against: Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

81.04.2017 Moved: Cr P Rhodes **Seconded:** Cr K Stockton

That Council strongly considers making an allocation for Professional Development (program for team building) activities in the 2018-19 budget.

CARRIED UNANIMOUSLY (7-0)

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

Mayor Carol Cox resumed the chair at 2.05pm.

Item B5: General Manager's Probation Performance Review

ACTION	Decision
PROPONENT	Mayor Carol Cox - Chair General manager Performance Review Committee
OFFICER	Sophie Pitchford, Corporate Services Manager
FILE REFERENCE	PER/1500
ASSOCIATED PAPERS	<i>Nil</i>

NOTICE OF MOTION:

That the Council accepts the recommendation of the General Manager's Performance Review Committee and uses the following process to undertake a performance review during the probation period:

1. That a confidential survey process is undertaken, using a survey document based on the Manager's Performance Evaluation document;
2. That Councillors, management level staff and staff who work in the council office be invited to complete the confidential survey;
3. That the completed surveys be sent directly to Sanjib Roy of the Searchlight Group for correlation and summary back to the General Manager's Performance Review Committee;
4. That the process is completed for consideration in Closed Council at the June 15th 2017 Ordinary Meeting; and
5. That the General Manager's Performance Review Committee manage the process.

COUNCILLOR'S REPORT:

This Notice of Motion is put forward by the Chair of the General Manager's Performance Review Committee (GMPRC) to fulfil the requirement of Council motion 58.03.2017 to recommend to Council a process to undertake the performance review of the General Manager, Bill Boehm, prior to the completion of his probationary period.

The GMPRC met on the 12th April 2017 with the unconfirmed minutes presented at this Council Meeting for Councillor's information.

The following were passed as recommendations by the committee:

1. *"That the Committee recommends that subject to review by Searchlight as to its suitability to this situation, the Manager's Performance Evaluation, as attached, forms the basis for the performance review of Bill Boehm during the six month probation period ending the 3rd of July 2017";*
2. *"That the Committee recommends that Councillors and staff be involved in the survey process for the performance review"; and*
3. *"That the committee recommends the following process for the probationary review:*
 1. *That a confidential survey process is undertaken, using a survey document based on the Manager's Performance Evaluation document;*
 2. *That Councillors, management level staff and staff who work in the council office be invited to complete the confidential survey;*

3. *That the completed surveys be sent directly to Sanjib Roy of the Searchlight Group for correlation and summary back to the General Manager's Performance Review Committee;*
4. *That the process is completed for consideration in Closed Council at the June 15th 2017 Ordinary Meeting; and*
5. *That the General Manager's Performance Review Committee manage the process. "*

During the committee meeting discussion was held with Jason Vuddamaly, of the Searchlight Group, regarding the process proposed by the Committee and the extent that the Committee believed there needed to be external assistance and ways to encourage confidence in the confidentiality of the process for those involved. Jason confirmed that Searchlight would be able to assist in the minor way requested, i.e. correlation of surveys and report to the Committee.

I ask that Councillors consider the process proposed by the Committee and approve the GMPRC to undertake the review and have a report to the June 15th Ordinary Meeting of Council.

Motion 58.03.2017 also required the GMPRC to develop performance indicators to be included in Schedule 3 of the General Manager's contract. Council should note the following motion as recorded in the unconfirmed minutes of the GMPRC meeting of the 12th of April 2017.

"That the Committee seeks more information on Key Performance Indicators, and holds discussion with Bill Boehm prior to making a recommendation to Council on the KPI's to be applied to Schedule 3 of the General Manager's contract."

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER'S REPORT:

The General Manager's Performance Review Committee has been asked to recommend a process(s) for Council to undertake the required performance review prior to the end of the 6 month probation period and to assist in the development of performance indicators for inclusion in the relevant schedule to the employment contract. This is a normal process of Council in line with the requirements of the contract.

It is crucial that all relevant parties are involved in the review process by way of confidential surveys to allow the General Manager's Performance Review Committee to establish a clear understanding of how to proceed with their recommendations back to Council.

STATUTORY REQUIREMENTS:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

No policy exists on the matter.

BUDGET AND FINANCIAL IMPLICATIONS:

Minimal cost with Searchlight as Jason confirmed he had agreed that they could assist Council with this review if required.

RISK/LIABILITY:

Confidentiality must be upheld at all times to allow for a thorough review to provide clear direction to the General Manager Performance Review, otherwise there is a risk that the recommendations put to Council are not a true reflection of the General Manager's performance.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

The motion as written.

DECISION:

Mayor Carol Cox passed the chair to Deputy Mayor Marc Cobham at 2.06pm.

82.04.2017 Moved: Mayor Carol Cox **Seconded:** Cr D Williams

That the Council accept the recommendation of the General Manager's Performance review Committee and uses the following process to undertake a performance review during the probation period:

1. That a confidential survey process is undertaken, using a survey document based on the Manager's Performance Evaluation document;
2. That Councillors, management level staff and staff who work in the council office be invited to complete the confidential survey;
3. That the completed surveys be sent directly to Sanjib Roy of the Searchlight Group for correlation and summary back to the General Manager's Performance Review Committee;
4. That the process is completed for consideration in Closed Council at the June 15th 2017 Ordinary Meeting; and
5. That the General Manager's Performance Review Committee manage the process.

Deputy Mayor Marc Cobham moved that Council take a 10 minute break at 2.08pm.

Deputy Mayor Marc Cobham resumed the meeting at 2.20pm.

AMENDMENT

83.04.2017 Moved: Cr G Willis **Seconded:** Cr K Stockton

That the Council accept the recommendation of the General Manager's Performance review Committee and uses the following process to undertake a performance review during the probation period:

1. That a confidential survey process is undertaken, using a survey document;
2. That Councillors, management level staff and staff who work in the council office be invited to complete the confidential survey;
3. That Sanjib Roy of the Searchlight Group be engaged to undertake the performance review and a budget allocation be made to achieve the outcome;
4. That the process is completed for consideration in Closed Council at the June 15th 2017 Ordinary Meeting; and
5. That the General Manager's Performance Review Committee manage the process.

CARRIED (6-1)

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

Against: Cr P Rhodes

Mayor Carol Cox resumed the chair at 2.31pm.

SUBSTANTIVE

84.04.2017 That the Council accepts the recommendation of the General Manager's Performance review Committee and uses the following process to undertake a performance review during the probation period:

1. That a confidential survey process is undertaken, using a survey document;
2. That Councillors, management level staff and staff who work in the council office be invited to complete the confidential survey;
3. That Sanjib Roy of the Searchlight Group be engaged to undertake the performance review and a budget allocation be made to achieve the outcome;
4. That the process is completed for consideration in Closed Council at the June 15th 2017 Ordinary Meeting; and
5. That the General Manager's Performance Review Committee manage the process.

CARRIED (6-1)

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

Against: Cr P Rhodes (abstained)

C. CORPORATE SERVICES

Item C1: Quarterly Financial Report for January to March 2017

ACTION	Information
PROPONENT	Corporate Services Manager
OFFICER	Sophie Pitchford
FILE REFERENCE	FIN/0100
ASSOCIATED PAPERS	<i>Annexure 7: Financials – January to March 2017</i> <i>Annexure 8: Summary Portfolio Valuation</i> <i>Annexure 9: Detailed Portfolio Valuation</i>

INTRODUCTION:

Presented to Council is the third Quarterly Financial Report for the period commencing 1st January 2017 and ending 31st March 2017.

PREVIOUS COUNCIL CONSIDERATION:

Council considers the Quarterly Financial Report on a quarterly basis.

OFFICER'S REPORT:

The report structure provides a summary of income and expenditure for the third quarter across all departmental divisions as individual finance reports. The Statement of Comprehensive Income includes actuals from the previous financial year, for comparison against current actuals, as well as the 2016/17 Annual Budget.

The Capital Works Report highlights each project and the expenditure incurred to date as well as projects carried forward as Works in Progress arising from the previous financial year.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

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

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

BUDGET AND FINANCIAL IMPLICATIONS:

Annual Plan – all areas

RISK/LIABILITY:

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Quarterly Financial Report for the period commencing 1st January 2017 and ending 31st March 2017 be received and accepted.

DECISION:

85.04.2017 Moved: Deputy Mayor M Cobham

Seconded: Cr P Rhodes

That the Quarterly Financial Report for the period commencing 1st January 2017 and ending 31st March 2017 be received and accepted.

CARRIED UNANIMOUSLY (7-0)

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

D. GOVERNANCE

Item D1: Rescind Aboriginal Reconciliation Policy

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	CUL/0101
ASSOCIATED PAPERS	<i>Annexure 10: Aboriginal Reconciliation Policy</i>

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:

12 th December 1995	243.12.95
13 th December 2001	301.12.01

OFFICER'S REPORT:

Council has a policy that states that policies should be reviewed every four years at the beginning of the election cycle or at Council's discretion.

The Aboriginal Reconciliation policy has been reviewed by Council. It is a vision statement and does not represent a policy which can be followed. Council works cooperatively with the aboriginal communities on the islands.

Therefore, I recommend Council rescind this above policy.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

No policy exists on this matter.

RISK/LIABILITY:

Nil

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council rescinds the Aboriginal Reconciliation Policy and allows it to lay on the table for 28 days for public comment.

DECISION:

86.04.2017 Moved: Cr G Willis **Seconded:** Cr D Williams

That Council rescinds the Aboriginal Reconciliation Policy and allows it to lay on the table for 28 days for public comment.

CARRIED (6-1)

For: Mayor Carol Cox, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

Against: Deputy Mayor Marc Cobham

Item D2: Rescind Tasmanian Tidy Town Competition Policy

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	PUB/0103
ASSOCIATED PAPERS	<i>Annexure 11: Tasmanian Tidy Town Competition Policy</i>

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:

13 th December 2001	301.12.01
25 th August 2005	486.08.05
23 rd September 2010	297.09.10
15 th November 2012	346.11.12

OFFICER'S REPORT:

Council has a policy that states that policies should be reviewed every four years at the beginning of the election cycle or at Council's discretion.

The Tasmanian Tidy Town Competition Policy has been reviewed by Council and found to be no longer relevant to Council's current operations and no longer required.

Therefore, I recommend Council rescind the above policy.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

No policy exists on the matter.

RISK/LIABILITY:

Nil

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council rescinds the Tasmanian Tidy Towns Competition Policy and allows it to lay on the table for 28 days for public comment.

DECISION:

87.04.2017 Moved: Cr P Rhodes **Seconded:** Cr G Willis

That Council rescinds the Tasmanian Tidy Towns Competition Policy and allows it to lay on the table for 28 days for public comment.

CARRIED UNANIMOUSLY (7-0)

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

Item D3: Use of the Flinders Council Common Seal

ACTION	Information
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	GOV/1000
ASSOCIATED PAPERS	<i>Annexure 12: Common Seal Register 11.01.17 - 12.04.17</i>

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 22nd September 2016 Council Meeting.

PREVIOUS COUNCIL CONSIDERATION:

216.09.2016 22nd September 2016
From January 2017, 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 26th 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 12 details the use of the Flinders Council Common Seal from the 11th January – 12th April 2017.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

No policy exists on this matter.

BUDGET AND FINANCIAL IMPLICATIONS:

Nil

RISK/LIABILITY:

Minimum

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the report on the use of the Flinders Council Common Seal from 11th January – 12th April 2017 be received.

DECISION:

88.04.2017 Moved: Cr G Willis **Seconded:** Cr P Rhodes

That the report on the use of the Flinders Council Common Seal from 11th January – 12th April 2017 be received.

CARRIED UNANIMOUSLY (7-0)

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

89.04.2017 Moved: Cr D Williams **Seconded:** Deputy Mayor M Cobham

That Council defer Item D4 to the last item on the Council open agenda.

CARRIED (6-1)

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

Against: Cr P Rhodes

Mayor Carol Cox called for a break at 2.48pm.

Mayor Cox resumed the meeting at 2.53pm.

90.04.2017 Moved: Deputy Mayor M Cobham **Seconded:** Cr P Rhodes

That Council considers Item E2 and then Item E1.

CARRIED UNANIMOUSLY (7-0)

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

91.04.2017 Moved: Deputy Mayor M Cobham **Seconded:** Cr G Willis

That Council moves into Closed Council.

CARRIED UNANIMOUSLY (7-0)

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

Council moved in to Closed Council at 2.55pm.

Council moved out of Closed Council at 3.02pm.

*Council moved to **Item D5**.*

Item D5: Municipal Rating

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	FIN/1204
ASSOCIATED PAPERS	<i>Annexure 14: Flinders Rating Information Paper April 2017</i>

INTRODUCTION:

The Local Government Division of the Department of Premier and Cabinet has formally raised the matter of a change in rating methodology with Council on previous occasions.

This report essentially supports this recommended course of action for the 2017/18 year as part of a six-year revaluation of Council's land base. It also identifies a raft of justifications and actions for an improved policy that will facilitate an orderly transition in order to improve and modernise Council's rating strategy.

PREVIOUS COUNCIL CONSIDERATION:

Under the *Local Government Act 1993* Council must consider and adopt a rating policy as part of its budget adoption as part of declaring its rates and charges. Inter alia this policy must consider the general principles in relation to making or varying rates; namely that *"rates constitute taxation for the purposes of local government, rather than a fee for service and that the value of rateable land is an indicator of the capacity of the ratepayer in respect of that land."*

This report further informs and is a part of this annual consideration.

The Local Government Division of the Department of Premier and Cabinet also formally raised the matter of a change in the rating methodology with Council on 23rd October 2012 with a view to transition by 1st July 2016. A detailed presentation to Council by the Department was subsequently undertaken at the February 2017 Workshop when it was then foreshadowed that Council consider a change for the 2017/18 year as part of the six-year revaluation of Council's land base.

At the February 2017 Workshop the matter was highlighted with all Councillors being forwarded two detailed policy review papers on 14 March 2017.

OFFICER'S REPORT:

The matter of rating in the Local Government Act is a somewhat vested topic with a myriad of options and considerations that are open to interpretation and review. Council staff have researched and viewed a raft of available literature and attached to this Report is a Rating Information Paper April 2017 which explains in detail relevant matters that all councils need to consider with applicable nuances that apply to Flinders Council.

This Information Paper has essentially been prepared now in response to previous work by Council where it was foreshadowed that the 2017 General Municipal Property Revaluation presented the ideal opportunity to modernise Council's rate methodology to move from the current minimum rate and AAV method to a fixed charge and Capital Value methodology.

Essentially all available advice indicates that if a Council does alter its rating methodology, then it is prudent to do so when there is a municipality wide revaluation when, given the 6-year revaluation cycle that exists in Tasmania, large variations in changes to property valuation and their relativity between property classifications can be expected and need to be managed. Indeed, if a change is not adopted, in the normal course of events it will be 6 years till the matter can be realistically again considered.

The Information Paper presents sound, logical, “principle” based reasons for the change to be implemented for the 2017/18 financial year. It also highlights a large array of other factors and options for Council to use that will assist in a transition, improve the 2017/18 rate modelling, and also provide the basis for improved public education on this vexed topic.

This view is further supported by the current practice and direction of the Valuer General who has indicated that once most councils move away from AAV towards Capital Value as a valuation base, the AAV will not be provided. When this occurs, revaluation costs to all Councils will reduce.

Council staff sought advice from other councils who have successfully implemented such a change. For instance, Sorell Council had a very positive reaction from the public with very few enquiries. Clarence Council also had a positive transition but also indicated that it was unwise to introduce such a change unless it was carried out at the time of a municipal wide revaluation when relativities of property value are often shaken up.

We have also reviewed relevant administrative considerations associated with Council’s Property Wise data base and with the support of Brighton Council, who provide us with technical support and training, and others within the Local Government Industry, there are no more technical issues than would otherwise be the case that would apply at any normal revaluation year.

Significantly, Council staff have already developed our own internal rate modelling system which will supplement that provided by our own Property Wise data base which can be an additional useful tool for what is a very small property base.

The attached Rating Information Paper and other documents which will be developed, will improve public education.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

- 4.3 Ensure Council meets its statutory obligations and manages corporate and community risk.
 - 4.3.8 Municipal revaluation and valuation adjustment factors.
 - 4.3.8.1 Monitor the uptake of capital based rating systems by other Councils.
 - 4.3.21 An integrated and strategic approach to financial and asset management.
 - 4.3.23 Create annual rates invoice, supplementary valuation and annual adjustment factors processed.

BUDGET AND FINANCIAL IMPLICATIONS:

This report will guide the rate revenue raising component of the budget but have no financial implications as the parameters will be set by Council.

RISK/LIABILITY:

As with any change there is expected to be some public reaction. However, provided adequate public education is undertaken, then this aspect can be minimised, in part as the changes that follow result from an improvement in the application of the relevant taxation principles that underpin rating in Local Government.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

1. That in light of a council wide revaluation, Council implements the following changes for the 2017/18 rating year:
 - (a) Abolition of a minimum rate to be replaced by a fixed charge per property assessment;
 - (b) Change from the AAV method of rating to Capital Value method;
 - (c) Remove waste levy as it is currently applied and incorporate this into the fixed charge; and
 - (d) Foreshadow the future use of the waste levy as a service charge for a kerbside waste collection, should this additional service be provided in the future.
2. That as part of the rates modelling for the 2017/18 year, the following aspects be considered:
 - (a) Review and introduction of differential rates per specific land use categories;
 - (b) Review and introduction of differential rates per specific locations for each island in the Furneaux Group and other locations that Council considers appropriate;
 - (c) Endeavour to ensure that the entire amount of any increase in rates associated with natural growth is delivered through rates modelling; and
 - (d) Review and benchmark our current level of rating.

DECISION:

94.04.2017 Moved: Cr G Willis **Seconded:** Cr P Rhodes

That Council suspends the provisions of section 22 in accordance with Section 22 (9) of the Local Government (Meeting Procedures) Regulations 2015.

CARRIED UNANIMOUSLY (7-0)

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

95.04.2017 Moved: Cr G Willis **Seconded:** Cr D Williams

That in light of a council wide revaluation and subject to receiving and reviewing reports on rate comparison using AAV and CV and modelling the effects of a fixed charge Council considers the following changes for the 2017/18 rating year:

- (e) Abolition of a minimum rate to be replaced by a fixed charge per property assessment;
- (f) Change from the AAV method of rating to Capital Value method;
- (g) Remove waste levy as it is currently applied and incorporate this into the fixed charge and foreshadows that there may be a future introduction of a waste levy as a service charge for a kerbside waste collection.

CARRIED UNANIMOUSLY (7-0)

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

96.04.2017 Moved: Cr P Rhodes **Seconded:** Deputy Mayor M Cobham

That as part of the rates modelling for the 2017/18 year, the following aspects be considered:

- (a) Review and introduction of differential rates per specific land use categories;
- (b) Review and introduction of differential rates per specific locations for each island in the Furneaux Group and other locations that Council considers appropriate;

Endeavour to ensure that the entire amount of any increase in rates associated with natural growth is delivered through rates modelling; and

- (c) Review and benchmark our current level of rating.

CARRIED UNANIMOUSLY (7-0)

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

Item B1 - new information

97.04.2017 Moved: Cr G Willis **Seconded:** Cr C Rhodes

That due to further information being received we revisit Item B1 and change the reference to the Tasmanian Nomenclature Board to reference Department of Primary Industries Parks, Water and Environment.

CARRIED UNANIMOUSLY (7-0)

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

Item D6: Whitemark Redevelopment

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	CSV/1500, PLN/0108, PLN/0103, ROA/0302
ASSOCIATED PAPERS	<i>Annexure 15: Whitemark Town Centre Structure Plan Outline</i>

INTRODUCTION:

There are various interwoven parts to the redevelopment of Whitemark as follows:

- (a) Flinders Island Sports and RSL Club Project;
- (b) Whitemark Coastal Vulnerability and Overland Flow / Flood Study / Rehabilitation; and
- (c) Whitemark Town Centre Structure Plan.

This Report essentially formally coordinates and unifies all three developments to provide a path to their continued advancement.

PREVIOUS COUNCIL CONSIDERATION:

- (a) Flinders Island Sports and RSL Club Project

13th November 2013 Council Workshop
21st February 2013 456.02.2013

"That Council directs resources to assist the Flinders Island Sports Club Committee to investigate ways to ensure future sustainability of the Club, with a view to ensuring the long-term viability of this important community asset."

21st November 2013 693.11.2013

"Council receives the Flinders Island Sports & RSL Club Project Redevelopment Brief and supports, in principle, the objectives of the club outlined in the brief provided to Council as follows:

- 1. As a minimum requirement, the Club continues to provide the same services to the community as it currently provides relating to golf, bowls, a venue for community functions and a base for the Flinders Island RSL.*
- 2. That the existing golf course is retained.*
- 3. That in the future the Club is not dependent on voluntary labour for its annual and ongoing asset maintenance and or any future capital works projects.*
- 4. Redevelopment could present an opportunity for a 'state of the art' recreational, community facilities and housing hub that could position Flinders Island at the forefront of the provision of such facilities for isolated communities.*

Council directs the General Manager to continue working with the Flinders Island Sports & RSL Club to further explore opportunities relating to the development of a recreational, community facilities and housing hub at the site."

14th April 2016 Council Workshop
28th April 2016 69.04.2016

"That Council allocates the required funding for the General Manager to engage Dock 4 Architects to deliver a feasibility study for the Flinders Island Sports and RSL Club as per the project proposal provided by Dock 4 Architects."

OFFICER'S REPORT:

There are various interwoven parts to the redevelopment of Whitemark as follows:

(a) Flinders Island Sports and RSL Club Project

Over the past 12 months or so following an approach from the Flinders Island Sports and RSL Club, Council has been leading an investigation into options for the potential mixed use recreational and residential redevelopment of the Club. This proposal arose as an outcome from a previous approach by the Club in 2013, who then indicated that due to the then worsening economic climate they were under-resourced and in a position that was impacting on their future financial viability.

Dock4 Architects was engaged by Council and have been actively working with the Club. A final concept plan and report, which has been informally viewed by Council and the Sports Club Steering Committee, will be soon be presented to the Club Committee for "in principle" endorsement.

The final concepts represent a good outcome and together the Sports Club Working Party and Council Officers continue to advance the project with the Councillors and the Flinders Island Sports and RSL Club, keeping all parties updated regularly with respect to potential final directions.

Ultimately a detailed development proposal that addresses all planning and development criteria will be scoped up to be project-ready and able to be used to attract a private investor. The proposal will strive to keep as its foundation the community outcome that Council originally intended.

Although still in the pre-development stage there seems great momentum and the Club is looking at in principle support from Council along these lines to inform its members before the matter is made public.

(b) Whitemark Coastal Vulnerability and Overland Flow / Flood Study / Rehabilitation

As part of (a) there is a real need to address current climate change / flood risk associated with the drain / wetland to the east of the town. If nothing else building floor levels need to be determined for the entire township and there will likely be a planning condition concerning this inundation with any new abutting development and this will apply to the Sports and RSL Club Project which cannot advance much until these unknowns are determined.

A flood mapping exercise will need to be undertaken as well as potential mitigation measures. Council's proposal to develop land at the entrance to Whitemark, by way of boardwalks around the wetlands, will be impacted by this work

(c) Whitemark Town Centre Structure Plan

The need to prepare a planning regime around the town of Whitemark is well understood but this planning exercise will have limited benefit unless there is a wider analysis that examines matters such as business and tourism development opportunities, traffic control, streetscape developments, urban design issues, sewerage disposal and potential service

relocations. Preliminary discussions with the Flinders Island Tourism and Business Inc. Executive also concur.

Given the expertise and successful local experience through the Sports and RSL Club Redevelopment and other island works, Dock 4 Architects has been engaged and has commenced preliminary fact finding analysis work. The project will consider previous beautification work in this space but also provide an independent consultative opportunity that will have the advantages of not only shaping eventual rezoning but also stimulating discussions with various organisations, businesses and the Community.

A sound communication and community engagement strategy for all projects is essential.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

- 1.1 Increase the supply of affordable housing.
 - 1.1.1 Land use planning policy that provides an enabling environment for housing and investments.
 - 1.1.2 A strategy and action plan that identifies affordable housing options.
- 1.4 Foster and support entrepreneurial activity
 - 1.4.6 A place based strategy around housing, living and niche non-grazing types of primary production.
- 1.5 A Planning Scheme that facilitates population growth.
 - 1.5.1 Planning Scheme provides facilitating environment for population growth.
- 2.1 Plan deliver and operate community infrastructure to provide levels of service that align with community needs and demand.
 - 2.1.1 Recreational and community facilities upgraded as recommended by the Recreational and Community Facilities Assessment and Infrastructure Plan.
 - 2.1.1.2 Complete a masterplan and business case for the Flinders Island Sports and RSL Club.
 - 2.1.6 Stormwater Management Plan developed.
 - 2.1.7 Lagoon Road Recreational Facility and Stormwater management are established.
- 5.3 Land use planning conserves natural and cultural values and addresses natural hazards and climate adaption.
 - 5.3.1 Municipal climate change strategy.
 - 5.3.2 Hazard management and climate adaption integrated into specific areas.
 - 5.3.4 Planning scheme enhances livability and protects distinctive local characteristics.

BUDGET AND FINANCIAL IMPLICATIONS:

The Flinders Island Sports and RSL Concept Development will be completed within this year's budget. Future stages will be subject to further consideration and budget allocation but work associated with preparing any development application to facilitate a project-ready development is expected to be largely completed in-house with in-house resources.

Costs for the Coastal Vulnerability and Overland Flow / Flood Study / Rehabilitation are estimated at around \$15,000 for each element i.e. flood study and mitigation works. These need to be finalised but will likely apply to the 2017/18 financial year.

Budget for the Whitemark Town Centre Structure Plan has been established at \$30,000 and is already incorporated into this financial year.

Cost for implementation of any outcomes will need to be determined by Council and allocated in future budgets as separate decisions.

RISK/LIABILITY:

The future redevelopment potential of Whitemark including the Flinders Island Sports and RSL Clubs will be compromised if these projects are not undertaken.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council authorises the General Manager to continue to proceed with options to potentially redevelop Whitemark for Council consideration through the following identified projects:

- (a) Flinders Island Sports and RSL Club Project;
- (b) Whitemark Coastal Vulnerability and Overland Flow / Flood Study / Rehabilitation; and
- (c) Whitemark Town Centre Structure Plan.

DECISION:

98.04.2017 Moved: Cr G Willis **Seconded:** Cr D Williams

That Council authorises the General Manager to continue to proceed with options to potentially redevelop Whitemark for Council consideration through the following identified projects:

- (a) Flinders Island Sports and RSL Club Project;
- (b) Whitemark Coastal Vulnerability and Overland Flow / Flood Study / Rehabilitation; and
- (c) Whitemark Town Centre Structure Plan.

Mayor Carol Cox passed the chair to Deputy Mayor Marc Cobham at 4.01pm

AMENDMENT

99.04.2017 Moved: Mayor C Cox **Seconded:** Cr D Williams

That Council authorises the General Manager to undertake the following studies to inform the future development opportunities for the Whitemark area.

- (a) Flinders Island Sports and RSL Club Project;
- (b) Whitemark Coastal Vulnerability and Overland Flow / Flood Study / Rehabilitation; and
- (c) Whitemark Town Centre Structure Plan.

CARRIED UNANIMOUSLY (7-0)

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

Mayor Carol Cox resumed the chair at 4.02pm.

SUBSTANTIVE MOTION

100.04.2017 That Council authorises the General Manager to undertake the following studies to inform the future development opportunities for the Whitemark area.

- (a) Flinders Island Sports and RSL Club Project;
- (b) Whitemark Coastal Vulnerability and Overland Flow / Flood Study / Rehabilitation; and
- (c) Whitemark Town Centre Structure Plan.

CARRIED UNANIMOUSLY (7-0)

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

Item D7: Councillor Resolution Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	COU/0600
ASSOCIATED PAPERS	<i>Annexure 16: Councillor Resolution Report April 2017</i>

INTRODUCTION:

This report identifies the actions taken and actual costs associated with implementing resolutions passed by elected members up to April 2017.

PREVIOUS COUNCIL CONSIDERATION:

The report is presented on a monthly basis.

OFFICER'S REPORT:

Please read Annexure 16 – Councillor Resolution Report April 2017.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Councillor Resolution Report April 2017 be noted.

DECISION:

101.04.2017 Moved: Deputy Mayor M Cobham **Seconded:** Cr K Stockton

That the Councillor Resolution Report April 2017 be noted.

CARRIED UNANIMOUSLY (7-0)

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

Item D8: Council's 3rd Quarterly Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	COU/0600
ASSOCIATED PAPERS	<i>Annexure 17: Council's 3rd Quarterly Report (Jan - March 2017)</i>

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of the various actions taken by the whole of Council for the fourth quarter of the financial year.

PREVIOUS COUNCIL CONSIDERATION:

Previously provided as a departmental monthly reports then departmental quarterly reports.

OFFICER'S REPORT:

Please read Annexure 17 – Council's 3rd Quarterly Report (Jan - March 2017).

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Council's 3rd Quarterly Report (Jan - March 2017) be received and accepted by Council.

DECISION:

102.04.2017 Moved: Deputy Mayor M Cobham **Seconded:** Cr K Stockton
That the Council's 3rd Quarterly Report (Jan - March 2017) be received and accepted by Council.

CARRIED UNANIMOUSLY (7-0)

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

*Council moved to **Item D4.***

Item D4: Local Government Act Review

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	LEG/0600
ASSOCIATED PAPERS	<i>Annexure 13: Summary of Proposed Amendments</i>

INTRODUCTION:

The Local Government Division of the Department of Premier and Cabinet has released details of proposed amendments to the *Local Government Act 1993*. The department and Local Government Association of Tasmania are seeking feedback from Councils. This report essentially outlines details of the changes to inform and guide Council should it wish to make a submission.

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER'S REPORT:

Advice has been received from the Local Government Division of the Department of Premier and Cabinet concerning proposed amendments to the Local Government Act and seeking comments on the draft by 5 May 2017. A similar letter from the Local Government Association of Tasmania (LGAT) has also been received requesting Council's comments by 1 May 2017 so that these can be incorporated into a fully representative sector wide submission. Council can therefore respond directly to the department and /or also to LGAT.

Briefly, the following summary changes are proposed:

1. The introduction of powers to make Ministerial Orders to expand and clarify matters in relation to the function of the Mayor, functions of Councillors, appointment and performance monitoring of the General Managers, functions of the General Manager, liaison between Mayors and General Managers. There are no draft orders at this stage and it should be noted that they must be developed in consultation with the sector;
2. The role of the Mayor has been expanded;
3. There are detailed provisions in relation to gifts and benefits. These were not part of the original consultation or the Steering Committee report but appear to align with the requirements of State Government;
4. There is clarification that qualified advice must be provided in writing;
5. Model Financial Statements are introduced with a transitional period;
6. The scope of the Local Government Board review has been broadened to include matters such as governance and performance;
7. The Director would be provided the power to issue Performance Improvement Directions following an investigation possibly preventing the need for a Board of Inquiry or Local Government Board Review;
8. The Minister would have the power to suspend individual Councillors prior to or during a Board of Inquiry Process. Individual Councillors (as opposed to the whole council only) may be dismissed following a BoI process;
9. Election timeframes have been increased to allow for longer postal delivery times;

10. Electoral advertising is to include internet based advertising; and
11. Minor boundary adjustments can be made without a Local Government review process.

LGAT has developed a detailed summary of all changes, a copy of which is attached. It is open to Council to provide a submission or not.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

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

(Various legislative implications addressed by proposed legislative amendment.)

BUDGET AND FINANCIAL IMPLICATIONS:

Nil. Different compliance aspects will apply if the Act is amended.

RISK/LIABILITY:

Nil

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council suspends the provisions of section 22 in accordance with Section 22 (9) of the Local Government (Meeting Procedures) Regulations 2015 to discuss this item.

DECISION:

103.04.2017 Moved: Cr P Rhodes **Seconded:** Cr G Willis

That Council suspends the provisions of section 22 in accordance with Section 22 (9) of the Local Government (Meeting Procedures) Regulations 2015 for the remainder of the meeting

CARRIED UNANIMOUSLY (7-0)

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

104.04.2017 Moved: Cr G Willis **Seconded:** Cr D Williams

That Flinders Council is not supportive of the legislation giving so much power to the Minister to issue ministerial orders. i.e. in relation to the function of the Mayor, functions of Councillors, appointment and performance monitoring of the General Managers, functions of the General Manager, liaison between Mayors and General Managers.

CARRIED (6-1)

For: Mayor Carol Cox, Cr Chris Rhodes, Cr P Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

Against: Deputy Mayor Marc Cobham

Mayor Carol Cox called for a short break at 4.29pm.

Mayor Carol Cox resumed the meeting at 4.34pm.

*Council returned to Closed Council **Items E2 then E1.***

E. CLOSED COUNCIL

Item E1 & E2: Closed Council Items

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	WOR/0601, WAT/0102 LEG/001
ASSOCIATED PAPERS	<i>Nil</i>

PREVIOUS COUNCIL CONSIDERATION:

15th December 2016 Closed Council 332.12.2016
23 March 2017 Closed Council 57.03.2017

188, 189, 194.08.2016 Special Council Meeting 1st and 4th August 2016
202, 203.08.2016 Closed Council Meeting 18th August 2016
230.09.2016 Closed Council Meeting 22nd September 2016
333.12.2016 Closed Council Meeting 15th December 2016

REASON FOR CLOSED COUNCIL:

Item E1 Land Purchase is **CONFIDENTIAL** in accordance with Section 15(2) (f) of the *Local Government (Meeting Procedures) Regulations 2005*.
Item E2 General Manager's Separation from Council - Mediation is **CONFIDENTIAL** in accordance with Section 15(2) (a) of the *Local Government (Meeting Procedures) Regulations 2005*.

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION:

That Council move into Closed Council.

DECISION:

105.04.2017 Moved: Cr P Rhodes **Seconded:** Cr D Williams
That Council moves in to Closed Council.

CARRIED UNANIMOUSLY (7-0)

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

*Council moved in to Closed Session at 4.35pm.
Council moved out of Closed Council at 4.48pm.
Note: Mayor Carol Cox left the meeting at 4.41pm*

Meeting Closed

Deputy Mayor Marc Cobham declared the meeting closed at 4.49pm.