



Confirmed Minutes Ordinary Council Meeting

16 April 2019



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Flinders Council Ordinary Meeting – Confirmed Minutes

Tuesday 16 April 2019

Venue	Flinders Arts and Entertainment Centre, Whitemark
Commencing	9.00am
Attendees - Councillors	Mayor Annie Revie Deputy Mayor David Williams Sharon Blyth Aaron Burke Vanessa Grace Peter Rhodes Rachel Summers
Apologies	Nil
Attendees - Staff	Bill Boehm General Manager Samantha Gowthorp Community Development Officer Jacci Viney Projects, Assets and Environmental Health Officer Vicki Warden Executive Officer (minute taker)

1 Confirmation of Minutes

DECISION

89.04.2019 Moved: Cr A Burke Seconded: Cr V Grace

That the Minutes from the 19 March 2019 Ordinary Council Meeting, open and closed sessions, and the 28 March 2019 Special Council Meeting, be confirmed.

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

2 Public Question Time

Question 1: Frances Henwood

The purpose, as recorded on the council's website, for The Lady Barron Hall & Recreation Special Committee is "*To act as caretakers of Lady Barron Hall, Holloway Park, and the Tennis Courts on Lady Barron, so they may be enjoyed by the local community and visitors alike*". Given the building at Holloway Park has been unable to be enjoyed by the local community and visitors for some time because it is being used for storage, I ask the following:

Has the Lady Barron Hall & Recreation Special Committee set a date by which the goods stored in the building at Holloway Park will be removed and if not why not? If not, what date does the Special Committee expect the building to be cleared of extraneous matter?

Has the Special Committee taken any action to recover a portable barbeque which has been removed from the building at Holloway Park, and if so, what action has been taken?

Mayor's Response

The question was taken on notice.

3 Responses to Public Questions

19 March 2019 Meeting

Question 1: Roy McCormick

The current closure of the Lady Barron Transfer Station to green waste is becoming an increasing problem with the increase in development in the area. Council has directed the community to take green waste to the Whitemark tip, however instead it is being disposed of in the bush around Lady Barron, increasing the fire hazard. Would Council consider clearing a large area of land (approximately 1 km²), separate from the Transfer Station, for green waste disposal? The area would need good drainage so it doesn't become a swamp in wet weather and green waste could be dumped in the centre and when burnt off, ashes would fall on barren ground. The volunteer fire brigade would also be able to use the burn off as an exercise.

Mayor's Response:

The suggested solution to provide an alternative green waste site would increase the waste disposal costs to Council, both in set up and operations. The site would still be unmanned and open 24/7. As such, there is still the possibility of all types of waste being dumped that Council would need to sort. In any event, the compilation of green waste constitutes a fire risk to Council, as in the past it has been regularly lit without Council scheduling a burn of the pile or knowing it will occur. Council is liable for any fires that may escape Council land and therefore all efforts must be taken to ensure that stockpiling of combustible material is kept to a minimum. The suggested solution merely places the problem in another location. Overall the issue of illegal dumping of green waste in and around Lady Barron, is one that reflects on some individuals of the Lady Barron Community.

RECOMMENDATION

That the response to the public question from 19 March 2019 Council Meeting be noted.

DECISION

90.04.2019 Moved: Cr P Rhodes

Seconded: Cr A Burke

That the response to the public question from 19 March 2019 Council Meeting be noted.

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

4 Councillor's Questions on Notice

None received.

5 Councillor's Questions Without Notice

Question 1: Deputy Mayor David Williams

With reference to the North East river subdivision and Edens Road, would it be possible (budget considerations aside) for Council to build the southern end of the road in sections to enable the relevant stages of the development to be sold, thereby allowing us to charge rates? The sale of the southern lots would enhance the visual aspect of the area.

Mayor's Response

The question was taken on notice.

Question 2: Cr Rachel Summers

Can Council please investigate installing a baby changing facility in the Flinders Arts and Entertainment Centre?

Mayor's Response

The question was taken on notice.

Question 3: Cr Sharon Blyth

Can we please have an explanation as to why there has not been a response to the Klugs' question re the block of land just out of Whitemark? I understand the land in question has been sold, however, I feel that the Klugs are still entitled to a response.

General Manager's Response

An investigation was completed, and a response prepared, but unfortunately the response was not sent. The Klugs will receive a response directly with apologies for the delay.

Question 4: Cr Vanessa Grace

Where are we situated with responding to Jo Willis re the signage at Lady Barron store directing tourists to the public toilets at the wharf?

Mayor's Response

The question was taken on notice.

6 Late Agenda Items

Nil

7 Declaration of Pecuniary Interest

No pecuniary interest was declared.

8 Conflict of Interest

Cr Rachel Summers declared an interest RS in Item 20.5 Flinders Island Sports and RSL Club – Tennis / Netball Court.

9 Leave of Absence

Nil

10 Petitions

Nil

11 Workshops & Information Forums

File Reference: COU/0205

Council Workshop – 19 March 2019

Council held a Workshop on the following subjects:

- Item 1. Gums Quarry
- Item 2. Telecommunication Project Update
- Item 3. Airport Facilities
- Item 4. Operations Update

Councillors in Attendance

Mayor Annie Revie	Cr Aaron Burke
Deputy Mayor David Williams	Cr Vanessa Grace (Items 2 – 4)
Cr Sharon Blyth	Cr Rachel Summers

Apologies

Cr Peter Rhodes

Staff in Attendance

Bill Boehm	General Manager	
Brian Barnewall	Works Airport Manager	
Jacci Viney	Projects, Assets and Environmental Health Officer	Items 1 – 3
Heidi Marshall	Accountant	
Vicki Warden	Executive Officer	Items 1 – 3

Council Workshop – 26 March 2019

Council held a Workshop on the following subject:

- Item 1. Local Provisions Schedule

Councillors in Attendance

Mayor Annie Revie	Cr Aaron Burke
Deputy Mayor David Williams	

Apologies

Cr Vanessa Grace	Cr Peter Rhodes
Cr Sharon Blyth	Cr Rachel Summers

Staff in Attendance

Bill Boehm	General Manager
Robyn Cox	Manager Strategic Planning and Development Services
Kara Hallas	Development Services Administration

Council Workshop – 28 March 2019

Council held a Workshop on the following subject:

- Item 1. Marine Access & Safe Harbour Project

Councillors in Attendance

Mayor Annie Revie	Cr Aaron Burke
Deputy Mayor David Williams	Cr Peter Rhodes
Cr Sharon Blyth	

Apologies

Cr Vanessa Grace

Cr Rachel Summers

Staff and Consultants in Attendance

Bill Boehm	General Manager
Brian Barnewall	Works and Airport Manager
Vicki Warden	Executive Officer
Heidi Marshall	Accountant
James Burbury	Burbury Consulting
Chris Fenner	Lady Barron Safe Harbour Woking Group
Andrew Thompson	Lady Barron Safe Harbour Woking Group

Council Workshop – 2 April 2019

Council held a Workshop on the following subjects:

- Item 1. Development Services Process Improvement
- Item 2. Airport Overview Update
- Item 3. Strategic Land Review
- Item 4. Furneaux Islands Festival Report
- Item 5. Waste Management Update Report

Councillors in Attendance

Mayor Annie Revie

Cr Vanessa Grace

Deputy Mayor David Williams

Cr Peter Rhodes

Cr Sharon Blyth

Apologies

Cr Aaron Burke

Cr Rachel Summers

Staff and Consultants in Attendance

Bill Boehm	General Manager	
Kara Hallas	Development Services Administration	Item 1
Michael Hay	Plumbing Surveyor West Tamar Council	Item 1
Barry Magnus	Building Surveyor West Tamar Council	Item 1
Karin Van Straten	Planner West Tamar City Council	Item 1
Vicki Warden	Executive Officer	Items 1, 2 & 5
Heidi Marshall	Accountant	Item 2
Brian Barnewall	Works and Airport Manager	Item 2, 3, 4 & 5
Jacci Viney	Projects, Assets and Environmental Health Officer	Item 2, 3, 4 & 5
Debbie Steer	Community Economic Development Officer	Item 4

Council Workshop – 8 April 2019

Council held a Workshop on the following subject:

- Item 1. Whitemark Structure Plan

Councillors in attendance

Mayor Annie Revie

Cr Peter Rhodes

Cr Aaron Burke

Cr Rachel Summers

Cr Vanessa Grace

Apologies

Deputy Mayor David Williams

Cr Sharon Blyth

Staff and Consultants in Attendance

Bill Boehm	General Manager
Brian Barnewall	Works and Airport Manager
Richard Brenchley	Director Dock4 Architects
Ryan Lees	Community Economic Development Officer
Giles Newstead	Director Dock4 Architects
Debbie Steer	Community Economic Development Officer
Jacci Viney	Projects, Assets and Environmental Health Officer
Vicki Warden	Executive Officer

RECOMMENDATION

That the Council Workshops held on 19, 26 and 28 March and 2 and 8 April 2019 be noted.

DECISION

91.04.2019 Moved: Cr A Burke Seconded: Deputy Mayor D Williams

That the Council Workshops held on 19, 26 and 28 March and 2 and 8 April 2019 be noted.

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

12 Public Meetings

Nil

13 Publications/Reports Tabled for Council Information

Nil

14 Reports to be Received

14.1 Furneaux (Emita) Hall and Recreation Special Committee

File Reference AME/0502

Annexure 14.1.1 Furneaux (Emita) Hall and Recreation Special Committee Meeting 12 March 2019 Unconfirmed Minutes

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

The unconfirmed minutes of the Furneaux (Emita) Hall and Recreation Special Committee Meeting held Tuesday, 12 March 2019 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

RECOMMENDATION

That the unconfirmed minutes of the Furneaux (Emita) Hall and Recreation Special Committee Meeting held 12 March 2019 be noted.

DECISION

92.04.2019 Moved: Cr R Summers Seconded: Cr P Rhodes

That the unconfirmed minutes of the Furneaux (Emita) Hall and Recreation Special Committee Meeting held 12 March 2019 be noted.

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

14.2 Flinders Council Audit Panel

File Reference FIN/0401

Annexure 14.2.1 Flinders Council Audit Panel meeting 18 March 2019 Unconfirmed Minutes

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

The unconfirmed minutes of the Flinders Council Audit Panel Meeting held Monday, 18 March 2019 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

RECOMMENDATION

That the unconfirmed minutes of the Flinders Council Audit Panel Meeting held 18 March 2019 be noted.

DECISION

93.04.2019 Moved: Deputy Mayor D Williams Seconded: Cr R Summers

That the unconfirmed minutes of the Flinders Council Audit Panel Meeting held 18 March 2019 be noted.

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

15 Councillors' Reports

File Reference: COU/0204

15.1 Cr Rachel Summers' Report - Elected Members' Professional Development Weekend

On Saturday, 23 March, I attended, along with Councillors Blyth, Burke and Grace, the Local Government Association of Tasmania's (LGAT) Elected Members' Professional Development Weekend. It was day one of a two-day workshop that delved into such topics as the relationship between Councillors and the General Manager, Rates, Audit Panels and managing conflicts of interest – plus an insightful presentation by Graeme Lynch (CEO, Heart Foundation) on how Councils can influence community wellbeing.

Day two featured a review of changes that are being proposed as part of the review of the *Local Government Act 1993*, by the Director of Local Government, Alex Tay. There are changes that will have a positive effect on Council and Councillors – hopefully making our job easier and giving the Community more input into how things are done.

On the topic of community, our final session was "Engaging the Community in Strategic Planning". Our strategic plan defines where Council will be in the future and how we will get there. It is something that affects every person in our community in some way, shape, or form, and as such, it is of vital importance that we find ways to include the Community in that planning. Melinda Maddock from MadFinch Consulting showed us a number of ways that we can engage with ratepayers, stakeholders and the Community in this process.

As a "newbie" Councillor, I found the presentations to be full of useful information – if a little dry at times. We have walked away with a number of tools to help us better serve our community and a greater understanding of some of the crucial aspects of being an elected member.

One of the highlights of the workshop was the opportunity to meet Councillors from other municipalities – many also new like ourselves, but some with considerable experience, including the current Vice President of LGAT, Darryl Quilliam, who has been a sitting Councillor for 33 years! It was great to be able to pick their brains, and also see how other councils operate. It is heartening to see that across the board, so many Councillors are wanting more transparency, accountability and greater community involvement. On the flipside, we discovered that many of the problems we face here on the Island, are common across the state; our remoteness may make finding answers more difficult, but ultimately, by forging strong networks, we can share solutions rather than each Council re-inventing the wheel.

Whilst I cannot speak on behalf of my colleagues who also attended, I would like to thank Council and LGAT for providing the opportunity for us to attend.

15.2 Cr Rachel Summers' Report – Engagement Champions

At the end of March, I travelled to Hobart to complete the third and final session of a course titled "Engagement Champions" being run through the Local Government of Tasmania by OurSay. OurSay was established to develop and advance the way all three levels of government engage with their communities on decisions that affect them. The aim of the program is to develop participants' capacity to drive high quality and innovative public participation processes in their organisations.

Effective community engagement allows us to gain perspectives from a wider audience and source information and solutions to improve decisions and services. It also provides the basis for improved discussion and consensus and promotes productive relationships.

The course was broken into three intensive workshops covering subjects such as managing local government reputation, engagement in the era of digital empowered citizens and online communities, evaluating community engagement processes as well as assessing over 25 different methods of engaging the Community - kitchen tables, world cafés, citizen juries, surveys, newsletters, briefings and committees - just to name a few. Decisions these days are no longer made just by Councillors in a formal meeting with little interaction from others – municipalities around the country are giving over annual budget approval to the people, long-term strategic plans are developed in collaboration with the public and working groups partner with council on major projects.

Councils are now developing robust Community Engagement frameworks and policies, defining when and how they will engage with the Community.

I look forward to sharing the knowledge and skills learned throughout this course with my fellow Councillors.

RECOMMENDATION

That Cr Rachel Summers' reports on the Elected Members' Professional Development Weekend, March 2019, and the Engagement Champions course, be noted.

DECISION

94.04.2019 Moved: Deputy Mayor D Williams Seconded: Cr A Burke

That Cr Rachel Summers' comprehensive reports on the Elected Members' Professional Development Weekend, March 2019, and the Engagement Champions course, be noted.

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

16 Mayor Annie Revie's Report

File Reference: GOV/0900

DIARY ACTIVITY

DATE	DETAILS
12/03/19	Council Workshop
20/03/19	Furneaux Community Health Special Committee meeting
19/03/19	Ordinary Council Meeting
25/03/19	Deliver letter of support to grade 9 & 10 students at school re applying for a hydro grant for war on waste
26/03/19	Council Workshop
26/03/19	Administration and phone calls
26/03/19	Short meeting with Councillors
27/03/19	Meeting with Chris Fenner & Andrew Thomson
27/03/19	Meeting with Susan Banks - Our Health Our Future
27/03/19	Briefing re Safe Harbour – General Manager
28/03/19	Administration – Executive Officer
28/03/19	Forum re Our Health Our Future
28/03/19	Council Workshop
28/03/19	Special Council Meeting
01/04/19	Visit Duck Pond
01/04/19	Meeting with General Manager
02/04/19	Council Workshop
04/04/19	War on Waste meeting

CORRESPONDENCE IN

DATE	FROM	SUBJECT
08/03/19	Northern Tasmania Development Corporation (NTDC)	Key Points re Election Campaign
13/03/19	Northern Tasmania Development Corporation (NTDC)	Re clarification of election key points
13/03/19	Local Government Association of Tasmania (LGAT)	Media Release on Council Cost Index
13/03/19	LGAT	Monthly report
13/03/19	Disability Voices	Calling for support for disabled people to connect with key issues
14/03/19	Primary Health Tasmania	Info on a new program to support those with Mental Health Issues
14/03/19	LGAT	Digital copy of 'Pulse'
19/03/19	Helen Carnell	Asking for letter of support re application for Hydro Grant
20/03/19	LGAT	Re next Mayor's Workshop - Brand Tasmania
21/03/19	NTDC Chair	Re key election points
21/03/19	NTDC Chair	hydrogen economy opportunity
21/03/19	Susan Banks – University of Tasmania	Interview re health systems on Flinders Island
25/03/19	G Willis	Lady Barron Safe Harbour Project
25/03/19	Mike Tucker, Mayor, Break o' Day Council	Asking for support for his nomination as LGAT President

26/03/19	Bryony Edwards	Council Climate Emergency Campaign
27/03/19	Mayor Holmdahl, West Tamar Council	Seeking support re president of LGAT
27/03/19	NTDC	ABS growth population showing Flinders with highest % North
28/03/19	NTDC	Thanks for supporting key election points
28/03/19	Primary Health Tasmania	New framework supporting young Tasmanians with Chronic conditions
31/03/19	Patricia Nugent	Requesting yellow lines & Island News on line
01/04/19	Hon Guy Barnett MP	Update re Queensland Fruit Fly in Tasmania
01/04/19	Mark Redmond	Invitation to National Reconciliation Week Breakfasts
02/04/19	Mayor D Chipman	Seeking support for Brendan Blomely as LGAT President
04/04/19	Hon Michael McCormack MP	Re additional funds for roads with safety issues
05/04/19	Graeme Gardner, Tasmania Aboriginal Land Council	Seeking to meet with me
20/03/19 & 05/04/19	Ken Stockton	Some suggestions re budget
05/04/19	Will Hodgman MP	Release of Agenda 2019

CORRESPONDENCE OUT

DATE	TO	SUBJECT
11/03/19	NTDC	Council response re election key points
12/03/19	Flexible & Agile Conf	Will not be attending conference
14/03/19	Disability Voices	Response
14/03/19	NTDC	Next meeting
21/03/19	Helen Carnell & students	Letter of support re grant application
21/03/19	Susan Banks – University of Tasmania	Response re interview
21/03/19	NTDC Chair	Response re hydrogen economy project

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Mayor's report be received.

DECISION

95.04.2019 Moved: Cr R Summers Seconded: Cr A Burke

That the Mayor's report be received.

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

17 Development Services and Planning Applications

17.1 Development Application Report

Action	Information
Proponent	Council Officer
Officer	Kara Hallas Development Services Administration
File Reference	PLN/0105
Annexures	17.1.1 Planner's Information Report – March 2019

INTRODUCTION

This report provides Councillors with an overview of the applications for the current period as per motion 249.09.2015, passed at the 24 September 2015 Council Meeting when Council requested monthly data from the West Tamar Council planning consultancy service.

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

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

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

PREVIOUS COUNCIL CONSIDERATION

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

OFFICER'S REPORT

Refer to Annexure 17.1.1, Planner's Information Report – March 2019, provided by West Tamar Council.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Planner's Information Report – March 2019 be received.

DECISION

96.04.2019 Moved: Cr S Blyth Seconded: Cr A Burke
That the Planner's Information Report – March 2019 be received.

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

18 Notice of Motions

18.1 Notice of Motion – Cr Vanessa Grace – Relocation of Council Vehicles

Action	Decision
Proponent	Councillor V Grace
Officer	Bill Boehm General Manager
File Reference	Nil
Associated Papers	Nil

NOTICE OF MOTION

That Council moves the two vehicles parked behind the Flinders Arts and Entertainment Centre to the Council Works Depot until they are disposed of.

COUNCILLOR'S REPORT

It is not a good look publicly for grass to be growing up through two council owned vehicles. Members of the public have commented to me frequently. The perception in the Community seems to be that the Council is wasting money. It would be best to dispose of them as soon as possible.

PREVIOUS COUNCIL CONSIDERATION

Nil. Not relevant as it relates to an operational matter.

PREVIOUS COUNCIL DISCUSSION

Not relevant

OFFICER'S REPORT

The proposed Notice of Motion concerns an operational matter that falls within the statutory functions and powers of the General Manager, which are outlined in the *Local Government Act 1993* as follows:

“62. Functions and powers of general manager

- (1) The general manager has the following functions:*
 - (a) to implement the policies, plans and programs of the council;*
 - (b) to implement the decisions of the council;*
 - (c) to be responsible for the day-to-day operations and affairs of the council;*
 - (d) to provide advice and reports to the council on the exercise and performance of its powers and functions and any other matter requested by the council;*
 - (e) to assist the council in the preparation of the strategic plan, annual plan, annual report and assessment of the council's performance against the plans;*
 - (f) to coordinate proposals for the development of objectives, policies and programs for the consideration of the council;*
 - (g) to liaise with the mayor on the affairs of the council and the performance of its functions;*
 - (h) to manage the resources and assets of the council;*
 - (i) to perform any other function the council decides.*
- (2) The general manager may do anything necessary or convenient to perform his or her functions under this or any other Act.”*

I understand the sentiments expressed by the proposed Notice of Motion, but a direction by the Council of this nature unnecessarily overlaps with the statutory responsibilities of the General Manager.

Motions that seek to take a hand in the day-to-day operations and affairs of the Council have the potential to impact negatively on the confidence and morale of Council's staff.

The Community expect elected members to operate in accordance with their statutory responsibilities and leave it to Council staff to carry out the 'day-to-day' operations of the Council without direct influence.

The request set out in the motion could have easily been made by way of an email or put as a question on notice. These approaches would have avoided the time and cost associated with addressing a formal notice of motion.

STATUTORY REQUIREMENTS

Local Government Act 1993. Specifically, Section 62 of the Act relating to the functions and powers of the General Manager.

POLICY/STRATEGIC IMPLICATIONS

Nil

BUDGET AND FINANCIAL IMPLICATIONS

Council's resources are limited so that any additional costs and time involved that take away from the core operating responsibilities will always have some adverse impact.

RISK/LIABILITY

There is risk to Council's reputation in circumstances where elected members attempt to take a hand in the 'day-to-day' operations of the Council.

VOTING REQUIREMENTS

Simple Majority

MOTION

Moved: Cr V Grace Seconded: Deputy Mayor D Williams

That Council moves the two vehicles parked behind the Whitemark Hall, to the Council Works Depot until they are disposed of.

AMENDMENT

97.04.2019 Moved: Deputy Mayor D Williams Seconded: Cr P Rhodes

That Council moves the two vehicles parked behind the Whitemark Hall, to the Council Works Depot until they are disposed of in a timely manner.

CARRIED (6-1)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes

Against: Cr R Summers

SUBSTANTIVE

98.04.2019

That Council moves the two vehicles parked behind the Whitemark Hall, to the Council Works Depot, until they are disposed of in a timely manner.

CARRIED (6-1)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes

Against: Cr R Summers

18.2 Notice of Motion – Cr Vanessa Grace – Accommodation Costs

Action	Decision
Proponent	Councillor V Grace
Officer	Bill Boehm General Manager
File Reference	FIN/1300
Annexures	18.2.1 F8 Travel and Accommodation Policy

NOTICE OF MOTION

That Council investigates and implements more cost-effective accommodation for Councillors and staff in both Launceston and Hobart.

COUNCILLOR'S REPORT

I feel that with our current budget situation, it would be seen as showing we are trying to reduce our costs as well, wherever possible.

PREVIOUS COUNCIL CONSIDERATION

80.03.2015 26 March 2015 (Adoption of Travel and Accommodation Policy)

PREVIOUS COUNCIL DISCUSSION

5 February 2015 Council Workshop

OFFICER'S REPORT

The proposed Notice of Motion concerns an operational matter that falls within the statutory functions and powers of the General Manager which are outlined in the *Local Government Act 1993* as follows:

"62. Functions and powers of general manager

- (3) *The general manager has the following functions:*
- (a) *to implement the policies, plans and programs of the council;*
 - (b) *to implement the decisions of the council;*
 - (c) *to be responsible for the day-to-day operations and affairs of the council;*
 - (d) *to provide advice and reports to the council on the exercise and performance of its powers and functions and any other matter requested by the council;*
 - (e) *to assist the council in the preparation of the strategic plan, annual plan, annual report and assessment of the council's performance against the plans;*
 - (f) *to coordinate proposals for the development of objectives, policies and programs for the consideration of the council;*
 - (g) *to liaise with the mayor on the affairs of the council and the performance of its functions;*
 - (h) *to manage the resources and assets of the council;*
 - (i) *to perform any other function the council decides.*
- (4) *The general manager may do anything necessary or convenient to perform his or her functions under this or any other Act."*

I understand the sentiments expressed by the proposed Notice of Motion, but a direction by the Council of this nature unnecessarily overlaps with the statutory responsibilities of the General Manager.

Motions that seek to take a hand in the day-to-day operations and affairs of the Council have the potential to impact negatively on the confidence and morale of Council's staff.

The Community expect elected members to operate in accordance with their statutory responsibilities and leave it to Council staff to carry out the 'day-to-day' operations of the Council without direct influence.

The request set out in the notice of motion could have easily been made through the budget process or by a review of Council's F8 Travel and Accommodation Policy, which the General Manager, Staff and Elected Members work within.

All staff attempt to work within the accommodation limits set within this policy, which I note were set some 4 years ago. The General Manager and staff have this policy, along with a raft of others, to review, which will in part aim to ensure that Council is getting value for money in terms of accommodation costs.

STATUTORY REQUIREMENTS

Local Government Act 1993. Specifically, Section 62 of the Act relating to the functions and powers of the General Manager.

POLICY/STRATEGIC IMPLICATIONS

Nil

BUDGET AND FINANCIAL IMPLICATIONS

Council's resources are limited so that any additional cost and time involved that takes away from the core operating responsibilities will always have some adverse impact.

RISK/LIABILITY

There is risk to Council's reputation in circumstances where elected members attempt to take a hand in the 'day-to-day' operations of the Council, which, in this case, are attempting to be implemented in accordance with Council's Policy on the subject matter.

VOTING REQUIREMENTS

Simple Majority

MOTION

99.04.2019 Moved: Cr V Grace Seconded: Cr S Blyth

That Council investigates and implements more cost-effective accommodation for Councillors and staff both in Launceston and Hobart.

CARRIED (5-2)

For: Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes

Against: Mayor A Revie and Cr R Summers.

Sammi Gowthorp and Debbie Steer, Community Economic Development Officers, joined the meeting at 9.50am.

18.3 Notice of Motion – Cr Vanessa Grace – Financial Management of Projects

Action	Decision
Proponent	Councillor V Grace
Officer	Bill Boehm General Manager
File Reference	FIN/0701
Annexures	Nil

NOTICE OF MOTION

That all future projects are financially secure and have been satisfactorily assessed by council's accountant and that each projects' manager ensures that the budget is adhered to.

COUNCILLOR'S REPORT

This will ensure that all our projects meet budget and any Council priority projects are shovel-ready and are able to be implemented as soon as funding becomes available.

PREVIOUS COUNCIL CONSIDERATION

Nil. Not relevant as it relates to an operational matter.

PREVIOUS COUNCIL DISCUSSION

Not relevant

OFFICER'S REPORT

The proposed Notice of Motion concerns an operational matter that falls within the statutory functions and powers of the General Manager which are outlined in the *Local Government Act 1993* as follows:

“62. Functions and powers of general manager

- (5) *The general manager has the following functions:*
- (a) *to implement the policies, plans and programs of the council;*
 - (b) *to implement the decisions of the council;*
 - (c) *to be responsible for the day-to-day operations and affairs of the council;*
 - (d) *to provide advice and reports to the council on the exercise and performance of its powers and functions and any other matter requested by the council;*
 - (e) *to assist the council in the preparation of the strategic plan, annual plan, annual report and assessment of the council's performance against the plans;*
 - (f) *to coordinate proposals for the development of objectives, policies and programs for the consideration of the council;*
 - (g) *to liaise with the mayor on the affairs of the council and the performance of its functions;*
 - (h) *to manage the resources and assets of the council;*
 - (i) *to perform any other function the council decides.*
- (6) *The general manager may do anything necessary or convenient to perform his or her functions under this or any other Act.*

I understand the sentiments expressed by the proposed Notice of Motion, but a direction by the Council of this nature unnecessarily overlaps with the statutory responsibilities of the General Manager.

Motions that seek to take a hand in the day-to-day operations and affairs of the Council have the potential to impact negatively on the confidence and morale of Council's staff.

The Community expects elected members to operate in accordance with their statutory responsibilities and leave it to Council staff to carry out the 'day-to-day' operations of the Council without direct influence.

I make the following comments regarding the requests set out in the motion:

1. **All future projects are financially secure**; this is not possible without the Council having set a budget for each individual project and ensuring that the overall budget is appropriately financed.
2. **It is expected that all projects have been satisfactorily assessed by council's accountant**; the allocation of resources is a matter for the General Manager, but aside from that, apart from large scale projects such as the Safe Harbour which has not been developed to a project ready status, the vast majority of projects that Council undertakes have an associated budget that is, as far as practicable, accurate. An economic assessment is usually not required.
3. **Each projects' manager ensures that the budget is adhered to**; given the vagaries of the type of projects this is an impossibility to guarantee. A very conservative approach, with large built-in contingencies, could be undertaken, but this would just distort the reality. When projects are 'green-lit', all necessary steps are taken to ensure adherence to budgets. An issue we continue to face is having the right staff with the right training and experience, a situation that we continually try to improve upon, within our financial and resource constraints.

The request set out in the motion could have easily been made by way of an email or put as a question on notice. These approaches would have avoided the time and cost associated with addressing a formal notice of motion.

STATUTORY REQUIREMENTS

Local Government Act 1993. Specifically, Section 62 of the Act relating to the functions and powers of the General Manager.

POLICY/STRATEGIC IMPLICATIONS

Nil

BUDGET AND FINANCIAL IMPLICATIONS

Council's resources are limited so that any additional cost and time involved that takes away from the core operating responsibilities will always have some adverse impact.

RISK/LIABILITY

There is a risk to Council's reputation in circumstances where elected members attempt to take a hand in the 'day-to-day' operations of the Council.

VOTING REQUIREMENTS

Simple Majority

MOTION

Moved: Cr V Grace Seconded: Cr P Rhodes

That all future projects are financially secure and have been satisfactorily assessed by council's accountant and that each projects' manager ensures that the budget is adhered to.

Mayor Annie Revie passed the Chair to Deputy Mayor David Williams at 9.54am.

AMENDMENT

100.04.2019 Moved: Mayor A Revie Seconded: Cr R Summers

That all future projects have been satisfactorily assessed by Council's accountant against the current budget and that all project managers aim for their departmental spending to come in as close to budget as possible.

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

Deputy Mayor David Williams passed the Chair to Mayor Annie Revie at 9.57am.

SUBSTANTIVE

101.04.2019 That all future projects have been satisfactorily assessed by Council's accountant against the current budget and that all project managers aim for their departmental spending to come in as close to budget as possible.

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

18.4 Notice of Motion – Cr Rachel Summers - Furneaux (Emita) Hall and Recreation Ground Special Committee Terms of Reference

Action	Decision
Proponent	Councillor Rachel Summers
Officer	Bill Boehm General Manager
File Reference	AME/0502
Annexures	18.4.1 DRAFT Furneaux (Emita) Hall Special Committee Terms of Reference

NOTICE OF MOTION

That the Terms of Reference recommended by the Furneaux (Emita) Hall and Recreation Ground Special Committee be adopted by Council.

COUNCILLOR'S REPORT

On 12 March 2019, the Furneaux (Emita) Hall and Recreation Ground Special Committee met (minutes provided earlier in this Agenda).

At the meeting, Committee members discussed the relevance and purpose of the Committee and agreed that the Committee is still required.

Members of the Committee believed that terms of reference had been agreed in the past, however with no record of such being found, the Committee felt it prudent to recommend new Terms of Reference.

Presented herewith for approval.

PREVIOUS COUNCIL CONSIDERATION

Unknown

PREVIOUS COUNCIL DISCUSSION

Nil

OFFICER'S REPORT

Section 24 of the *Local Government Act 1993* provides the power to establish, on such terms and for such purposes as it thinks fit, special committees.

In 2018, as part of a modernisation process, Council established a more up to date Terms of Reference template for its Special Committees. The proposed Notice of Motion includes a revamped version in accordance with this standard template.

In this instance, the existing Furneaux (Emita) Hall and Recreation Ground Special Committee has been operating for many years with the membership already well established and operating effectively. This motion does not seek to change this arrangement.

As an aside, we understand that the Community of Emita has, several years ago, established its own Incorporated Association that, in many cases, operates the Hall in a function capacity, raising its own funds for the development of the Hall.

For the most part, membership of this Association and the Special Committee involve the same persons. Other than ensuring that the roles of each committee are not blurred, there is no real conflict of interest for membership of the Special Committee, so long as the Incorporated Association's efforts are purely associated with fund raising for the Hall. Indeed, they have been very active and remain a positive contributor.

The Notice of Motion formalises an improved governance arrangement.

STATUTORY REQUIREMENTS

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

4. Strategic, Efficient and Effective Organisation
- 4.3 Ensure Council meets its statutory obligations and manages corporate and community risk.

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

Nil

VOTING REQUIREMENTS

Simple Majority

MOTION

102.04.2019 Moved: Cr R Summers Seconded: Deputy Mayor D Williams
That the Terms of Reference recommended by the Furneaux (Emita) Hall and Recreation Ground Special Committee be adopted by Council.

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

19 Community Economic Development

19.1 Furneaux Islands Festival 2019 Report

Action	Information
Proponent	Council Officer
Officer	Sammi Gowthorp Community Development Officer
File Reference	CDV/0301
Annexures	Nil

INTRODUCTION

The Furneaux Islands Festival 2019 report is provided to Council as an overview of the project. The draft report was initially discussed at a workshop in April 2019.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

2 April 2019 Council Workshop

OFFICER'S REPORT

The sixth Furneaux Islands Festival was delivered on 17 - 20 January 2019.

Flinders Council continues to grow its reputation as an organisation committed to offering an all-inclusive festival experience for the Flinders Island Community, whilst capitalising on far-reaching economic value and delivering outcomes as outlined in the Council's Strategic Plan.

Council works in collaboration with the Flinders Island Aboriginal Association Inc. (FIAAI) and the Festival invaluable contributes to the arts and cultural landscape of the Island. The annual event brings in participants and visitors that fuel the hospitality, retail and tourism sectors and is a wonderful platform for local producers and providers to take advantage of the increased visitor numbers during January. The resulting economic benefits are there for all to see, but this year we obtained an independent review, based on attendance numbers, as follows:

"The Furneaux Islands Festival generated \$0.13M in related sales. This includes travel, transport, hospitality and retail of which \$0.09M stuck to the Island (after induced / secondary impacts and discounting for imports). Adding the equivalent of 1FTE and 1PTE job to the economy. These figures are based on 50 additional visitors motivated by the Festival. Community Development labour costs and FIAAI labour costs are excluded." Paul Muller – Economist - Institute of Project Management

The popularity of the Festival has brought renowned visiting musicians and chefs to sell-out events on the Festival program. The visitors, alongside our home-grown talent, deliver a cultural experience to our community that is not readily available every day and provide mentoring, upskilling and networking opportunities to our young islanders.

The visitors and participants also promote Flinders Island as a destination in a positive and authentic light to their thousands of followers via Social Media and in turn, complement the existing opportunities within everyday island life.

Furneaux Islands Festival Events

The Festival attracted more than 1,200 attendees over four days at five different events across the Island. There are no signs of demand subsiding for the event, with the 2019 Festival attendances experiencing substantial growth.

I Shed My Skin – Thursday 17 Jan - Furneaux Museum, Emita

- Attendance – approximately 100 guests to exhibition opening.
- **Local community/business opportunities** - Catering was provided by a local business. An excellent opportunity for the Furneaux Museum to host the opening of a travelling exhibition which has strong cultural significance to Flinders Island. Visitation and revenue to the Furneaux Museum increased by 40% throughout the exhibition duration.

Supper & Show – Friday 18 Jan – Emita Hall

- Attendance - 118 guests including performers - **20% increase in attendance from 2018.**
- **Local community/business opportunities** – A hugely popular event that was sold out in 5 days. Bar was run by the Emita Hall Committee who reported sales were up by 25% on last year's takings. Food for the event was purchased from local businesses. The event also offered local musician exposure.

Market Day – Saturday 19 Jan – Whitemark Showground

- Attendance - approximately 400 people - **25% increase in attendance from 2018.**
- **Local community/business opportunities** – Held at the Whitemark Showgrounds with 29 local stalls. Stallholders were happy with sales and stalls were a mix of locally handmade art and craft, local food providers, home grown produce, local business and community groups raising money and or awareness. Local musician exposure and a special segment with Grammy Award Winner Lucky Oceans who played legendary Cape Barren Island Musician 'Neuto Everett's' button accordion. The accordion is an important part of the Furneaux Islands musical heritage and was on-loan from the Furneaux Museum. This segment was made possible via a successful \$3,755 'Great Ideas Australia Day Grant' from the Department of Premier and Cabinet.

Verandah Music – Saturday 19 Jan – Furneaux Tavern, Lady Barron

- Attendance - approximately – **50% increase in attendance from 2018.**
- **Local community/business opportunities** - The event was hosted by the Tavern and helped boost their usual Saturday night trading. It was reported they sold 203 meals on the evening, a 26% increase on last year. Local musicians were given the opportunity to play in front of a crowd, which is fantastic for performers to gain exposure and the chance to play with, and in front of, accomplished musicians.

Festival Finale – Sunday 20 Jan – FIAAI park, Lady Barron

- Attendance - Approximately 350 - **16% increase in attendance from 2018.**
- **Local community and business opportunities** - Great family fun day for the Community to come together. The visiting chefs prepared the Community BBQ assisted by Councillors, a local who is a qualified chef and two local youth. 'Ninja Warrior' Jack Wilson, wellbeing and health advocate, entertained a host of children in an all-in physical challenge obstacle course – this was facilitated by FIAAI and funded under the 'Tackling Smoking' program.

School Holiday Program tie-in

In collaboration with Tasmanian Parks & Wildlife (PWS), the award winning 'Discovery Ranger Program' was brought to the Island during the Festival weekend as part of the Summer School Holiday program. The activities consisted of a guided 'bush food' walk around Trousers Point Beach, a dolphin rescue workshop and an evening cultural talk with local elders, observing the Mutton Birds flying in at Settlement Point. The activities were extremely well attended with interest from PWS for the program to be involved in next year's Festival.

Festival Feedback

A few quotes:

"I went to all the events and loved them all. Great to see art, food and music that we don't normally have on the Island. The events were well organised with very good attention to detail. You could see the amount of planning that had gone in to bring the Community a great event."

"Respect given to the music history of the Islands. I also like the fact that it's a community festival that is affordable by all families. The food was superb!"

"I think the organisers have done an amazing job. It was a very professionally run event and gets better every year. Well done."

"Passion for music, storytelling, connection to the Community, real to the Island and people, for and by the Community. It's a very busy weekend - could it be spread out over, say, 10 days...."

"I loved that there are a number of different types of events that cater to different types of people over a number of days. Also, that the events are spread around - not all in Whitemark. Exhibition opening at the museum was a great addition this year. I went to the supper show for the first time this year which was mostly a good experience. I wish I could have attended more but I ran out of energy."

In addition, feedback from FIAAI has been extremely positive with an indication of a willingness to continue. They are extremely supportive of the current weekend format.

Budget

Alongside Council's \$25,000 contribution, FIAAI contributed \$22,000 and a further \$15,000 was raised by the Community Economic Development team through local sponsorship, a successful grant application, event ticket sales and Festival merchandise to deliver a successful four-day event.

EXPENSE	COUNCIL SPEND	COUNCIL COMPONENT SPENT ON LOCAL BUSINESS	FIAAI DIRECT SPEND
PERFORMERS	\$11,300.00	\$1,150.00	\$15,900.00
FLIGHTS	\$6,156.14		\$4,754.00
CAR & ACCOMM	\$4,212.50	\$4,212.50	\$1,385.00
MATERIALS	\$11,924.36	\$8,170.09	
MARKETING	\$3,884.40	\$3,188.40	
	\$37,477.40	\$16,720.99	\$22,039.00

FESTIVAL INCOME	
Council	\$25,000.00
Supper Sales & Merchandise	\$9,876.00
Great Ideas Grant	\$3,755.00
Local Sponsorship	\$1,500.00
	\$40,131.00

Where To

Going forward, there are a number of events held in January that could be brought together, under the one Furneaux Islands Festival marketing banner, at little or no additional cost e.g. Erita Sports Day and the Killiecrankie Regatta Days. Additional events could also be added to create an extended Festival in January. This idea will be explored further by the Furneaux Islands Festival Special Committee.

STATUTORY REQUIREMENT

Workplace Health & Safety Act 2012

POLICY/STRATEGIC IMPLICATIONS

1. Population Growth.
- 1.3 Value-add to local commodities.
 - 1.3.3.1 Provide support for events and activities that promote Flinders Island produce including the Furneaux Islands Festival.
 - 1.3.3 Promote Flinders Island as a high-quality food producing region with a clean, green image.
 - 1.3.5 A strong Flinders Island Brand that underpins growth and development of local commodities.
- 1.4 Foster and support entrepreneurial activity.
 - 1.4.2 Build local entrepreneurial capability.
5. Liveability.
 - 5.1 Improve the health and wellbeing of the Island communities through leadership and co-ordination.
 - 5.1.1.1 Engage with community and external stakeholders to support and deliver health and wellbeing activities to the Community.
 - 5.2 Support cultural activities that foster social engagement and emotional wellbeing and provide opportunities for creative expression.
 - 5.2.1 Arts and cultural activities are encouraged and supported cultural activities.
 - 5.2.2 Community events and activities are supported, encouraged and delivered.
 - 5.2.1.1 Support community groups, businesses and organisations to foster and support arts and cultural activities.
 - 5.2.2.1 Deliver the Furneaux Islands Festival.
 - 5.2.2.2 Develop a policy, manage, coordinate and deliver the Furneaux Islands Festival.

All the above strategic objectives have been met, providing the Community with an important event which celebrates the diverse social fabric of the Flinders Island Community.

The Furneaux Islands Festival could now be considered as our preeminent Flinders Festival.

BUDGET AND FINANCIAL IMPLICATIONS

The \$25,000 budget allocation is low risk with great outcomes from an economic viewpoint for the Island. Conversely, if the event did not continue to deliver, there would now be a significant potential adverse impact on Council's reputation.'

RISK/LIABILITY

The Festival is now in its sixth year and Council staff and community have progressively learnt how to manage and improve this event, such that it is now a low risk operation, with the skills developed an additional benefit for other events managed by Council.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council receives and accepts the Furneaux Islands Festival 2019 Report.

DECISION

**103.04.2019 Moved: Cr S Blyth Seconded: Deputy Mayor D Williams
That Council receives and accepts the Furneaux Islands Festival 2019 Report.**

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

Sammi Gowthorp and Debbie Steer, Community Economic Development Officers, left the meeting at 10.13am.

Mayor Annie Revie called a break in the meeting at 10.13am and resumed the meeting at 10.19am.

20 Governance

20.1 Office Closure – Easter – ANZAC Day 2019

Action	Information
Proponent	Council Officer
Officer	Bill Boehm General Manager
File Reference	COU/0600
Annexures	Nil

INTRODUCTION

This year the Easter and ANZAC Day public holidays occur in the same week, leaving only two working days in the week. There is also the added complication of the two scheduled working days not being consecutive.

This report is to inform Council that, in the circumstances, the Council Offices will be closed for the week of 22 – 26 April 2019.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

Nil

OFFICER'S REPORT

During the week 22 – 26 April 2019, public holidays are scheduled on Monday 22 and Tuesday 23 April (Easter Holidays) and Thursday 25 April (ANZAC Day). This leaves Wednesday 24 April and Friday 26 April as the only working days in the week.

The decision has been made to close the council office for the week of 22 – 26 April inclusive, reopening the office on 29 April. Arrangements are in place to ensure that appropriate leave and/or accrued rostered days off are taken for Wednesday 24 April and Friday 26 April. The outdoor staff have rescheduled their fortnightly rostered day off to coincide with Friday 26 April. All staff welcome the opportunity for an extended break, especially as these days coincide with school holidays, which, for some, involve placing children in child care.

Council staff will be available if any emergency situations arise and emergency contact numbers will be advertised on Council's website and on social media. Staff will, as always, ensure that sufficient visitor information material is available at selected business houses during this period.

STATUTORY REQUIREMENT

Nil

POLICY/STRATEGIC IMPLICATIONS

Nil

BUDGET AND FINANCIAL IMPLICATIONS

There is a saving in staff costs as staff are using their own leave for the two days required.

RISK/LIABILITY

Low Risk

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council notes that the Council Offices will be closed for the week of 22 – 26 April 2019.

DECISION

104.04.2019 Moved: Cr P Rhodes

Seconded: Deputy Mayor D Williams

That Council notes that the Council Offices will be closed for the week of 22 – 26 April 2019.

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

20.2 Use of the Flinders Council Common Seal

Action	Information
Proponent	Council Officer
Officer	Bill Boehm General Manager
File Reference	GOV/1000
Annexures	Nil

INTRODUCTION

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

PREVIOUS COUNCIL CONSIDERATION

216.09.2016 22 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.

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.

The Flinders Council Common Seal was not used during the quarter January to March 2019.

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

RECOMMENDATION

That the report on the non-use of the Flinders Council Common Seal from January to March 2019 be noted.

DECISION

105.04.2019 Moved: Cr P Rhodes Seconded: Deputy Mayor D Williams
That the report on the non-use of the Flinders Council Common Seal from January to March 2019 be noted.

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

20.3 Audit Panel Membership

Action	Decision
Proponent	Council Officer
Officer	Bill Boehm General Manager
File Reference	FIN/0401
Annexures	Nil

INTRODUCTION

At the February 2019 Council Meeting, as part of a decision in relation to Audit Panel membership, Council resolved to advertise for a suitable person to replace John Dick as Council's other independent panel member.

This report updates Council on the progress.

PREVIOUS COUNCIL CONSIDERATION

76.03.2015 26 March 2015
38.02.2019 2 February 2019

PREVIOUS COUNCIL DISCUSSION

Nil

OFFICER'S REPORT

Section 3 - Composition and Tenure of the Audit Panel Charter, adopted on 19 February 2019, states that *"The Audit Panel will comprise of a minimum of 3 members which shall be made up of an independent Chairperson, who may be located remote from Flinders Island, plus at least two independent members"*.

Following Council's resolution in February 2019, advertisements for the vacant position on the Panel were placed in the Launceston Examiner and Island News. When applications closed, Council had received no applications.

Whilst Council could readvertise the position, it could also seek out suitable expertise through the Local Government industry, as this is the one element that Council is lacking, i.e. a finance person experienced in local government. One such avenue could be via an existing or recently retired previous practitioner. There are no legislative obstacles with this suggestion.

I have made preliminary enquiries and there is, on the surface, a potential willingness to provide some resource-sharing through the region.

Should Council wish, I can pursue this action. Otherwise, Council will need to re-advertise.

STATUTORY REQUIREMENT

Local Government Act 1993
Local Government (Audit Panels) Order 2014

POLICY/STRATEGIC IMPLICATIONS

- 4. Strategic, Efficient and Effective Organisation
- 4.3 Ensure Council meets its statutory obligations and manages corporate and community risk.
 - 4.3.5 Flinders Council Audit Panel functions effectively and efficiently.
 - 4.3.5.1 Support the functions of the Flinders Council Audit Panel.

BUDGET AND FINANCIAL IMPLICATIONS

Nil. Budget has already been factored in.

RISK/LIABILITY

There is a high risk to Council if the Audit Panel does not function effectively with experienced personnel, given the important role that they have in providing independent advice.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

For Council to decide.

DECISION

106.04.2019 Moved: Cr P Rhodes

Seconded: Cr A Burke

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

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

107.04.2019 Moved: Cr P Rhodes

Seconded: Cr A Burke

That Council re-advertises locally in the Island News, and on Council's website and Facebook page, for an independent member of the Audit Panel, closing 14 days after advertising.

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

20.4 Tasmanian Economic Regulator's Customer Consultative Committee - Representation

Action	Decision
Proponent	Council Officer
Officer	Bill Boehm General Manager
File reference	CSV/1403
Annexures	20.4.1 Letter from Tasmanian Economic Regulator 22 March 2019

INTRODUCTION

Flinders Council has been a member organisation of the Tasmanian Economic Regulator's Customer Consultative Committee (the OCCC) since 1 May 2007. The Office of the Tasmanian Economic Regulator has requested advice as to whether Council wishes to seek reappointment to the OCCC for a further three years, and if so, who will be Council's representative.

This report provides an opportunity for Council to formally decide.

PREVIOUS COUNCIL CONSIDERATION

10 March 2005	Noted
22 April 2010	108.04.10
21 January 2016	09.01.2016 and 10.01.2016

OFFICER'S REPORT

The Tasmanian Economic Regulator's Customer Consultative Committee plays an important part in the regulatory frameworks for electricity, natural gas and the water and sewerage sectors and provides advice to the regulator on issues that are important to customers from the perspective of the member organisations.

Flinders Council is a current member organisation of the Tasmanian Economic Regulator's Customer Consultative Committee, appointed for a three-year period until 30 April 2019. The Office of the Tasmanian Energy Regulator seeks advice, by 17 April 2019, as to whether Flinders Council would like to continue to have representation on the OCCC for the next three years.

The Treasurer and/or the Minister is responsible for appointing organisations to serve as members of the OCCC under the *Electricity Supply Industry Act 1995*, the *Water and Sewerage Industry Act 2008* and/or the *Gas Act 2000*. Once member organisations' intentions are known, ministerial appointment will be sought.

If Council wishes to seek re-appointment as a member organisation of the Tasmanian Economic Regulator's Customer Consultative Committee (the OCCC) for a period of three years, it must also nominate the specific person to represent the organisation at the committee meetings. Council's current representative is Cr Peter Rhodes.

STATUTORY REQUIREMENT

Nil

POLICY/STRATEGIC IMPLICATIONS

4. Strategic, Efficient and Effective Organisation.
- 4.1 Remain actively engaged with internal and external stakeholders providing regional leadership.

BUDGET AND FINANCIAL IMPLICATIONS

Travel and accommodation expenses to attend meetings, usually in Hobart.

RISK/LIABILITY

Low

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

For Council to decide.

DECISION

108.04.2019 Moved: Cr P Rhodes Seconded: Cr S Blyth

That Flinders Council responds to the office of the economic regulator by 17 April thanking them for the invitation and declining the offer.

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

109.04.2019 Moved: Cr R Summers Seconded: Cr P Rhodes

That Council returns to standard meeting procedures.

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

Cr Rachel Summers declared a conflict of interest in Item 20.5 and left the meeting at 10.41am.

20.5 Flinders Island Sports and RSL Club - Tennis / Netball Court Request

Action	Decision
Proponent	Council Officer
Officer	Bill Boehm General Manager
File Reference	FIN/0401
Annexures	20.5.1 Flinders Island Sports & RSL Club Tennis / Netball Court Funding Request 20.5.2 Revised Master Concept Plan

INTRODUCTION

The Flinders Island Sports and RSL Club has written to Council (Annexure 20.5.1) requesting financial assistance towards the netball component of a Tennis / Netball Court that is being constructed on Sports Club land, with the aid of funding from the State Government.

This report addresses this request in context of it being interrelated with Council having previously provisionally and conditionally earmarked the existing netball court site at the Showgrounds for a future Community Shed.

PREVIOUS COUNCIL CONSIDERATION

Council previously considered this matter in part as an interrelated issue associated with the potential establishment of a Community Shed at the Showgrounds.

*285.10.2018 Moved: Cr D Williams Seconded: Cr K Stockton
That the Council:*

- 1. Receives and notes the Furneaux Community Shed formal proposal dated 29 September 2018 and the Officer's Report; and*
- 2. Favorably supports the Furneaux Community Shed's desire to relocate their operation to the Whitemark Showgrounds, as identified in the proposal, subject to further evaluation and a successful relocation of the existing netball operation to the Flinders Island Sports and RSL Club.*

PREVIOUS COUNCIL DISCUSSION

Nil

OFFICER'S REPORT

The following extract is from the Officer's Report presented to the October 2018 Council Meeting, as part consideration of a request from the Furneaux Community Shed, to potentially relocate to the Showgrounds on the existing netball court site.

"Following an initial rejection of the potential use of an existing building at the Whitemark Showgrounds, members of the Community Shed have looked at potential new building sites at the Showgrounds with the preferred site being more or less over the existing netball courts, close to the main entrance to the site.

In the normal course of events this would not be suitable as it would mean that the netball courts would become redundant. However, the Community Shed and council staff are aware of a strong proposal to relocate the netball courts to the Flinders Island Sports and RSL Club site as part of the Club's Tennis / Netball Court development, which is separately funded in part through a State Government Grant.

Council staff have also looked at several alternatives, as well as the suggested location, which is preferred. On this basis, Council expenditure to resurface the netball courts and provide ongoing maintenance funds into the future would not be required.”

The request from the Flinders Island Sports and RSL Club for financial assistance towards the netball component of a Tennis / Netball Court that is being constructed on Sports Club land, with the aid of funding from the State Government, is consistent with the initial intention to facilitate a future Community Shed at the Showgrounds. Indeed, if the court is not relocated, the Furneaux Community Shed’s request will have to be revisited.

The request essentially recognises that a netball court is slightly greater in size than the tennis court for which the Sports Club is receiving funding. As the netball court will become the Sports Club’s asset, Council will benefit through a reduction in long-term maintenance and rehabilitation costs for the existing netball court, that would have been required without the Clubs actions; hence the request.

There is also no current tennis court in Whitemark and has not been so for some time. The Sports and RSL Club development addresses this element and assists “politically” should Council decide to develop the former tennis court site in Walker Street for residential purposes.

In these circumstances, the Club’s request is considered worthy of support.

STATUTORY REQUIREMENT

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

2. Infrastructure and Services – Placed based approach to planning and delivery to ensure community and environmental values are maintained.
 - 2.1 Plan deliver and operate community infrastructure to provide levels of service that align with community needs and demand.
 - 2.1.1 Recreational facilities upgraded as recommended by the Recreational and community Facilities Assessment and Infrastructure Plan.
 - 2.1.1.3 Continue to assist in the implementation of the master plan in line with the business case for the Flinders Sports and RSL Club Site.
5. Liveability – Protect, improve and promote the safety, creativity, health and wellbeing of the Islands’ communities.
 - 5.2 Support cultural activities that foster social engagement and emotional wellbeing and provide opportunities for creative expression.

BUDGET AND FINANCIAL IMPLICATIONS

A \$20,000 contribution is requested. This compares favourably with the costs that Council would have to spend long-term if it were to continue to maintain the existing Showground site as a dedicated netball court. Given the timing of the works, the matter will need to be included in the 2019/20 budget.

RISK/LIABILITY

There is a high risk to Council’s strategy to assist the Community Shed and the Sports and RSL Club if the project is not supported. Ongoing liability for the maintenance of the netball court will also be eliminated.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council advises the Flinders Island Sports and RSL Club that it agrees to its request for a contribution of \$20,000 towards the construction of a new Tennis / Netball Court at the Sports and RSL Club and makes the necessary budget allocation in the 2019/20 budget.

DECISION

Moved: Deputy Mayor D Williams Seconded: Cr P Rhodes

That Council advises the Flinders Island Sports and RSL Club that it agrees to its request for a contribution of \$20,000 towards the construction of a new Tennis / Netball Court at the Sports and RSL Club payable in the 2019/2020 financial year.

FORESHADOWED AMENDMENT – Mayor A Revie

Mayor Annie Revie passed the Chair to Deputy Mayor David Williams at 10.44am.

Cr Sharon Blyth left the meeting at 10.45am and returned at 10.46am.

AMENDMENT

109.04.2019 Moved: Mayor A Revie Seconded: Cr V Grace

That Council defers a decision to contribute \$20,000 to the development of a netball/tennis court and considers it further in the context of council budget discussions. In that context, the request can be compared to the alluded-to maintenance savings.

LOST (3-3)

For: Mayor A Revie, Cr S Blyth and Cr V Grace.

Against: Deputy Mayor D Williams, Cr A Burke and Cr P Rhodes.

Deputy Mayor David Williams passed the Chair to Mayor Annie Revie at 10.50am.

SUBSTANTIVE MOTION

110.04.2019

That Council advises the Flinders Island Sports and RSL Club that it agrees to its request for a contribution of \$20,000 towards the construction of a new Tennis / Netball Court at the Sports and RSL Club payable in the 2019/2020 financial year.

LOST (3-3)

For: Deputy Mayor D Williams, Cr A Burke and Cr P Rhodes.

Against: Mayor A Revie, Cr S Blyth and Cr V Grace.

111.04.2019 Moved: Deputy Mayor D Williams Seconded: Cr S Blyth

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

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

112.04.2019 Moved: Cr D Williams Seconded: Sr S Blyth

That Council advises the Flinders Island Sports and RSL Club that it agrees to its request for a maximum contribution of \$20,000 towards the construction of a new

Tennis / Netball Court at the Sports and RSL Club, payable in the 2019/2020 financial year.

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

Cr Rachel Summers returned to the meeting at 11.03am.

20.6 Councillor Resolution Report

Action	Information
Proponent	Council Officer
Officer	Bill Boehm General Manager
File Reference	COU/0600
Annexures	<i>20.6.1 Councillor Resolution Report April 2019</i>

INTRODUCTION

This report identifies the actions taken and actual costs associated with implementing resolutions passed by elected members up to April 2019.

PREVIOUS COUNCIL CONSIDERATION

The report is presented on a monthly basis.

OFFICER'S REPORT

Please read Annexure 20.6.1 – Councillor Resolution Report April 2019.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Councillor Resolution Report April 2019 be noted.

DECISION

113.04.2019 Moved: Cr P Rhodes Seconded: Cr A Burke
That the Councillor Resolution Report April 2019 be noted.

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

21 CLOSED COUNCIL

21.1 Closed Council item – Disposal of Land Update

21.2 Closed Council Item – Notice of Motion – Cr Sharon Blyth - Staffing Matter

21.3 Closed Council Item – Deputy Prime Minister’s Correspondence

Action	Decision
Proponent	Council Officer
Officer	Bill Boehm General Manager

REASON FOR CLOSED COUNCIL

21.1 **CONFIDENTIAL** in accordance with Section 15(2) (f) of the *Local Government (Meeting Procedures) Regulations 2015*.

21.2 **CONFIDENTIAL** in accordance with Section 15(2) (g) of the *Local Government (Meeting Procedures) Regulations 2015*.

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

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That Council moves into Closed Council.

DECISION

113.04.2019 Moved: Cr R Summers Seconded: Cr A Burke
That Council moves into Closed Council.

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.

Council moved into Closed Session at 11.24am.

Council moved out of Closed Session at 12.45pm.

The following motions for the Open Minutes were passed in Closed Council:

“116.04.2019 Moved: Cr R Summers Seconded: Deputy Mayor D Williams
That for Agenda Item 21.1 Disposal of Land Update, the discussions held, and motions passed in Closed Council remain confidential.

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.”

**“118.04.2019 Moved: Cr A Burke Seconded: Cr V Grace
That for Agenda Item 21.2 Deputy Prime Minister’s Correspondence, the discussions held, and motions passed in Closed Council remain confidential except to note the Council passed the following:**

“That Council:

- 2. Receives and notes the Officer’s Report in relation to the Flinders Island Marine Access and Safe Harbour Project and the preliminary progress with the Commonwealth and State Governments and stakeholders TasPorts and Marine and Safety Tasmania (MAST), to potentially deliver the project.**
- 3. That the General Manager discusses with stakeholders, Commonwealth and State Governments, TasPorts and Marine and Safety Tasmania (MAST), and brings options to Council as soon as possible to allow for all aspects of a recommendation to be properly considered and explored, prior to a decision being made.”**

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.”

**“121.04.2019 Moved: Cr R Summers Seconded: Cr V Grace
That for Agenda Item 21.3 Notice of Motion – Cr Sharon Blyth – Staffing Matter, the discussions held, and motions passed in Closed Council remain confidential, except to note that Council passed the following motion:**

“That council reviews the current planning process flow chart in order to improve communications with the public on this matter.”

CARRIED UNANIMOUSLY (7-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.”

The Mayor closed the meeting at 12.45pm.

Meeting Closed 12.45
