



Confirmed Minutes Ordinary Council Meeting

22 September 2020



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Flinders Council Ordinary Meeting – Confirmed Minutes

Tuesday 22 September 2020

Venue	Flinders Arts and Entertainment Centre, Whitemark
Commencing	9.30am
Attendees – Councillors	Mayor Annie Revie Deputy Mayor David Williams Sharon Blyth Aaron Burke Vanessa Grace Rachel Summers
Apologies	Peter Rhodes
Attendees – Staff	Warren Groves General Manager (9.30 – 11.48am) Brian Barnewall Works & Services Manager (9.46 – 10.32am) Vicki Warden Executive Officer (minute taker) (9.30 – 11.48am)

1 Acknowledgment of Country

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

2 Confirmation of Minutes

RECOMMENDATION

That the Minutes from the Ordinary and Closed Council Meetings held 25 August 2020 and the Minutes from the Special and Closed Council Meetings held on 8 September 2020 be confirmed.

DECISION

171.09.2020 Moved: Cr S Blyth Seconded: Deputy Mayor D Williams

That the Minutes from the Ordinary and Closed Council Meetings held 25 August 2020 and the Minutes from the Special and Closed Council Meetings held on 8 September 2020 be confirmed.

CARRIED UNANIMOUSLY (6-0)

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

3 Public Question Time

Question 1: Chris Fenner

Will Council gauge the desire of the community to hand the project over to the State Government as per the statement above, alleviating Council of the concern over construction, operating costs, maintenance and depreciation of the breakwater and marina?

Mayor's Response

This question is taken on notice, other than to note that the TasPorts came about because Flinders Island Business Inc. and the Safe Harbour Action Group took the Safe Harbour Project to the government and asked the government to take on the project. As a result of this request, we now have the TasPorts proposal. The proposal was put together very quickly. If the motion is agreed to by Council, all the issues brought up by the Community will be addressed before the proposal is finalised. Council will not be handing the decision over to the Community as there are too many factors that need to be considered.

Question 2: Senior Sergeant Chris Parr

After reviewing the TasPorts Flinders Island Project overview document, I have concerns that the proposed changes may impact our ability to launch and recover the Police vessel during emergency operations.

It is therefore requested that, before any decisions are made to reduce or change current access arrangements to the Lady Barron Wharf, Tasmania Police be offered an opportunity to provide comment, to ensure operational police activities / responsibilities are considered in the design and implementation process.

Mayor's Response

If the Safe Harbour motion regarding the TasPorts proposal is voted in by Council, then yes, Council will ensure Tasmania Police will be consulted during the design development stage.

Brian Barnewall joined the meeting at 9.46am.

Question 3: Carol Cox

Regarding Agenda Item 17.2 and Annexure 17.2.1 - Minister Ferguson's letter, Annexure 17.2.1, identifies that "TasPorts undertook to seek further information from Burbury Consulting regarding the water depth in the Lady Barron Port, the shelter available from the prevailing conditions and the extent of any sand build up occurring in the Port, as a result of the construction of a breakwater at the proposed Safe Harbour location. I look forward to sharing this advice once received."

Have Councillors seen this report? If not, then why are Councillors being asked to make a decision without relevant information? If so, then why has the report not been shared with ratepayers?

Mayor's Response

A letter received from the government this morning states that TasPorts and Burbury Consulting plan to meet this week. When they have met and we receive that advice, we will consider it and share the information with the Community. Council has received lots of relevant information verbally, but, as yet there hasn't been a report received. Will see what happens in the meeting

Question 4: Carol Cox

Regarding Agenda Item 17.2 - The Notice of Motion by the Mayor, as outlined in Agenda Item 17.2, proposes a change to the "Safe Harbour Project", designed for that purpose, to a few extra berths at the Lady Barron Port, claiming this to be a safe harbour.

Have Councillors been fully briefed on how exposed the current port facility is to wave action and winds originating from the south-east to south-west directions?

Mayor's Response

Councillors have been briefed on the weather and wave action at the Port but, depending on how today's decision goes for Agenda Item 17.2, there will be more briefing. The original Burbury Consulting Report summarised all the different proposed locations for the project and stated that both the original location and the Port have difficult approaches.

Question 5: Carol Cox

Regarding Agenda Item 17.2 - The Notice of Motion by the Mayor, as outlined in Agenda Item 17.2, proposes the development of more public facilities, i.e. pleasure vessel berths, in close proximity to the operations of the Commercial Port at Lady Barron which is already constricted by lack of space and by sharing a working area with a public access facility.

Has the impact, both current and long term, on the commercial activities of the wharf, of such a proposal been discussed by council with port users prior to this motion coming to council?

Mayor's Response

No, the proposal has not been discussed with Port users, as, up until now, Council has been bound by confidentiality requirements. Council has assumed that TasPorts knows about running the port and will take this into consideration.

Question 6: Michelle Hirschfield

As the "community representative" for council's existing Furneaux Group Shipping Special Committee, I believe council should hold off on voting for or against this notice of motion until the motion itself is a lot more specific in nature. It would seem on the surface that TasPorts will be in total control of all decisions going forward instead of the Flinders Island Community itself.

Mayor's Response

If Council votes for the TasPorts proposal, Council will be working with TasPorts and stakeholders will be consulted.

Question 7: Michael Grimshaw

Could the Mayor please articulate if the financial position of Flinders Council is affecting the decision-making undermining a project (the Lady Barron Safe Harbour) that has community support and is fully funded and has amazing benefits going forward for the Island and specifically Lady Barron?

Ostensibly this council appears to be doing its job, but the underlying budgetary issues are actually having a devastating affect around rates, planning and now infrastructure upgrades. If the project is undermined further away from the original format, I question the representation of the ratepayers by this organisation.

Mayor's Response

The project has never been fully funded. The project was costed at \$4.8 million in 2017. Costs go up with time. By 2019, Burbury Consulting re-costed the project at \$5.3 million plus GST. Every decision that Council makes is based on many things but is dependent on financial circumstances - we'd be irresponsible if that was not the case. When this Council came in, Council was in a very poor financial state. Council also didn't understand where the priority projects fitted in. At the last meeting of the previous Council, the Long-Term Financial Plan was adopted, with the Safe Harbour Project having been removed, as Council did not have the funds to undertake the project. However, it was not removed from the priority projects list.

Yes, the project has community benefits, but financial issues are critical to decision-making and Council will always strive to maintain positive financial responsibility and solvency. This Municipality is the smallest in the state. We receive approximately \$2 million annually from rates, another \$2.5 million in grants from the government. Council must look at every dollar very carefully. In July, Auditor's reports of all Tasmanian councils showed that Flinders Council was not the lowest financially. This Council is working hard to improve our financial position and, I believe, is representing the rate payers very well.

Question 8: Carol Cox

The Mayor's Notice of Motion is to "approve the TasPort's Safe Harbour proposal" and yet the Mayor's answers to public questions all say discussion on relevant information will be considered after the motion is decided. Isn't this too late for Councillors to make a considered decision, as required by legislation?

Mayor's Response

Council will probably suspend meeting regulations in order to discuss the motion and Council will decide whether to vote for, against or to defer the motion.

Question 9: Norman Hunt

We hear that the Council is broke and can't afford the project. The government has offered money to build the project. We should go back to the original design and build the whole project. Why can't we give the project back to the government and let them build the whole project as per the original design and let them run it?

Mayor's Response

FIBI wrote to the government asking them to take the project over and this is the proposal that State Government has offered. The only money available to this Council for this project is \$3 million. The reason it's not \$4.8 million is that Council worked with Bridget Archer to transfer \$1.8 million from the Safe Harbour allocation to the airport, which was agreed to. The airport was about to be closed by CASA and all agreed that the airport was the priority.

Question 10: Chris Fenner

The Community voted for a breakwater and whatever else we could get for \$3 million. An Expression of Interest was sent out and two responses were received. What were the results of these responses? Has council considered the outcomes of these? Will stakeholders be given the opportunity to evaluate these?

Mayor's Response

Council received two Expressions of Interest for the project. Both appeared to have the capacity to move forward to a tender process and both said they would utilise Burbury Consulting as part of the process. This gave us the confidence that they would both have the capacity to complete the project. The Expressions of Interest will not be shared with stakeholders as they are commercial-in-confidence.

Question 11: Garry Blenkhorn

Can we recommend to TasPorts that they build the original project, give them the \$3 million and Council has nothing to do with it?

Mayor's Response

TasPorts will not put additional money into the project so they will not build the original project. They will also possibly be against a rock wall being built without further explorations of silt movement.

4 Responses to Public Questions

25 August 2020 Meeting

Question 1 – Lyndon Evans

Would the Council please consider moving the speed limit signs at the northern entrance/exit of Lady Barron, in order to provide greater safety to the increasing number of children in the area?

Mayor Response:

The Lady Barron Rd is owned by the Department of State Growth and an application to them is required in order to change a speed limit sign. Council has previously unsuccessfully applied to the Department of State Growth to change a speed limit sign on a State-owned road on behalf of a resident. Council will discuss the matter and if Councillors deem this application appropriate, Council Officers will make an application to the Department of State Growth.

Question 2 – Robert Holloway

Could Council please give a degree of urgency to the grading of Vinegar Hill Road, coordinating with Telstra as appropriate?

Mayor Response:

Unfortunately, Vinegar Hill Rd is not a Council-owned road. The Council road finishes approximately 30 metres past the Holloway Park boundary on Barr St. However, Council does intend to improve its rideability when the appropriate machinery and personnel are in the area. There are currently other higher priority roads that require maintenance before a non-Council-owned asset. This request is the subject of Flinders Council Service Request No. 015/2019 and has been scheduled for attention as described on a priority basis.

Question 3 – Ronald Wise

Is Council aware that the roadsides north of Whitemark airport and neighbouring properties, including the airport, have been aerial sprayed with herbicide, illegally and in contravention of the rules which permit that activity to occur, which has resulted in male she oaks (*Alocas.verticillata*), blue gums (*E.globulus*) and the listed vulnerable species of swamp gum (*E.ovata*) dying or permanently poisoned?

Mayor Response:

Council has been made aware of an incident of aerial based overspray and its potential impact on the roadside vegetation, as described. This matter has been reported to the Program Manager of Agvet Chemicals, Registrar of Chemical Products, Biosecurity Tasmania. The complaint has been accepted by Biosecurity, who has undertaken to investigate this matter. As roadside managers, post-investigation, Council will take responsibility for the safety of the road and will monitor and address any issues the trees present to the roadside and road users.

RECOMMENDATION

That the responses to the public question from the 25 August 2020 Council Meeting be noted.

DECISION

172.09.2020 Moved: Cr R Summers Seconded: Cr V Grace

That the responses to the public question from the 25 August 2020 Council Meeting be noted.

CARRIED UNANIMOUSLY (6-0)

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

5 Councillors' Questions on Notice

None received.

6 Councillors' Questions Without Notice

Question 1: Cr Aaron Burke on behalf of Chris Rhodes

Regarding the TasPorts new boat ramp for local users - is there going to be any wave protection of the new boat ramp as it is exposed to seas from south-west around to east south-east?

Is there going to be an access wharf or pontoon as access to board boats after launching? Of the new wharf development, it looks as if there will be no vehicle access to the wharf for loading and unloading. Also, it looks like there is no wave protection to be put in place offering no safe access for visiting boats.

Mayor's Response

There will be wave attenuation and a jetty that goes out to the pontoon. The proposal is a very basic draft and the drawings will be developed further, if the motion is approved by Council.

Question 2: Mayor Annie Revie on behalf of David Grutzner

Given the current level of interest, concern and confusion in the Community at present, would Council please arrange a public meeting as soon as possible to clarify why a planning permit has been granted for the dwelling on Pot Boil Rd?

Response

This question was taken on notice.

7 Late Agenda Items

Nil

8 Declaration of Pecuniary Interest

Nil

9 Conflict of Interest

Pursuant to Part 2 (6) of the *Local Government (Model Code of Conduct) Order 2016*, Cr Aaron Burke declared a conflict of interest in closed council item 19.1 Volunteer of the Year Award.

10 Policies

The following Council policies were endorsed at the 28 July 2020 Ordinary Council Meeting and no submissions were received throughout the 28-day public consultation period. As per the requirements of the Flinders Council Policy Manual Policy, the following policies can now be adopted:

- Enforcement Policy and Procedure;
- Flinders Council Policy Manual Policy;
- Corporate Credit Card Policy; and
- Rates and Charges Policy.

The Investment Policy and Customer Service Charter Policy were rescinded at the 28 July 2020 Ordinary Council Meeting and no submissions were received throughout the 28 day public consultation period. As per the requirements of the Flinders Council Policy Manual Policy, these policies are now rescinded.

RECOMMENDATION

That Council adopts the Enforcement Policy and Procedure, Flinders Council Policy Manual Policy, Corporate Credit Card Policy, Rates and Charges Policy and rescinds the Investment Policy and Customer Service Charter Policy.

DECISION

173.09.2020 Moved: Cr R Summers Seconded: Deputy Mayor D Williams
That Council adopts the Enforcement Policy and Procedure, Flinders Council Policy Manual Policy, Corporate Credit Card Policy, Rates and Charges Policy and rescinds the Investment Policy and Customer Service Charter Policy.

CARRIED UNANIMOUSLY (6-0)

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

11 Workshops & Information Forums

File No. COU/0205

Council Workshop – 25 August 2020

Council held a Workshop on the following subjects:

- Item 1 General Manager's Report
- Item 2 Council's Risk Appetite
- Item 3 Cape Barren Island Airport Rates
- Item 4 ASPIRE Platform

Councillors in Attendance

Mayor Annie Revie	Cr Aaron Burke
Deputy Mayor David Williams	Cr Vanessa Grace
Cr Sharon Blyth	Cr Rachel Summers

Apologies

Nil

Not in Attendance

Cr Peter Rhodes

Staff and Consultants in Attendance

Warren Groves	General Manager
Vicki Warden	Executive Officer
Heidi Marshall	Finance Organisational Performance Manager (Item 2)
Denise Gardner	Cape Barren Island Aboriginal Association Incorporated (Item 3)
Graeme Gardner	Aboriginal Land Council Tasmania (Item 3)
Annette Peardon	Cape Barren Island Aboriginal Association Incorporated (Item 3)
Jacci Viney	Development Services Coordinator (Item 4)
Sammi Gowthorp	Community Development Officer (Item 4)

Council Workshop – 26 August 2020

Council held a Workshop on the following subjects:

- Item 1 Control mechanisms of Visually Sensitive provisions in the new Planning Scheme, Rural Living Zone and Enterprise Suitability

Councillors in Attendance

Mayor Annie Revie	Cr Vanessa Grace
Deputy Mayor David Williams	Cr Rachel Summers

Apologies

Cr Sharon Blyth
Cr Aaron Burke

Not in Attendance

Cr Peter Rhodes

Staff and Consultants in Attendance

Warren Groves	General Manager
Jacci Viney	Development Services Coordinator
Mick Purves	Consultant Strategic (Town) Planner

Council Workshop – 27 August 2020

Council held a Workshop on the following subjects:

- Item 1 Strategic (Town) Planning Bus Trip
- Item 2 Strategic (Town) Planning Workshop

Councillors in Attendance

Mayor Annie Revie	Cr Vanessa Grace
Deputy Mayor David Williams	Cr Rachel Summers
Cr Aaron Burke	

Apologies

Cr Sharon Blyth

Not in Attendance

Cr Peter Rhodes

Staff and Consultants in Attendance

Warren Groves	General Manager
Jacci Viney	Development Services Coordinator
Mick Purves	Consultant Strategic (Town) Planner

Council Workshop – 1 September 2020

Council held a Workshop on the following subjects:

- Item 1 Reconciliation Tasmania
- Item 2 Airport Cost/Benefit Analysis
- Item 3 Sharp Airlines
- Item 4 Airport Update

Councillors in Attendance

Mayor Annie Revie	Cr Vanessa Grace
Cr Sharon Blyth	Cr Rachel Summers

Apologies

Deputy Mayor David Williams
Cr Aaron Burke

Not in Attendance

Cr Peter Rhodes

Staff and Consultants in Attendance

Warren Groves	General Manager
Vicki Warden	Executive Officer
Sammi Gowthorp	Community Development Officer & Council Engagement (Item 1)
Bill Lawson	Co-Chair Reconciliation Tasmania (Item 1)
Mark Redmond	CEO Reconciliation Tasmania (Item 1)
Karen Smart	Reconciliation Tasmania Board Member (Item 1)
Heidi Marshall	Finance Organisational Performance Manager (Items 2 - 4)
Brian Barnewall	Works & Service Manager (Item 4)
Richard Harley	Airport Operations Manager (Item 4)

Council Workshop – 8 September 2020

Council held a Workshop on the following subjects:

- Item 1 General Manager's Report
- Item 2 Strategic Plan

Councillors in Attendance

Mayor Annie Revie	Cr Vanessa Grace
Deputy Mayor David Williams	Cr Aaron Burke
Cr Sharon Blyth	Cr Rachel Summers

Not in Attendance

Cr Peter Rhodes

Apologies

Nil

Staff and Consultants in Attendance

Warren Groves	General Manager
Vicki Warden	Executive Officer
Sammi Gowthorp	Community Development & Council Engagement Officer (Item 2)

RECOMMENDATION

That the Council Workshops held 25, 26 and 27 August and 1 and 8 September 2020 be noted.

DECISION

174.09.2020 Moved: Cr V Grace Seconded: Cr S Blyth

That the Council Workshops held 25, 26 and 27 August and 1 and 8 September 2020 be noted.

CARRIED UNANIMOUSLY (6-0)

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

12 Publications/Reports Tabled for Council Information

Nil

13 Reports to be Received

13.1 Furneaux Group Shipping Special Committee

File Reference COM/0403

Annexure 13.1.1 Furneaux Group Shipping Special Committee Meeting 19 August 2020 Unconfirmed Minutes

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

The unconfirmed minutes of the Furneaux Group Shipping Special Committee Meeting held Wednesday, 19 August 2020 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

RECOMMENDATION

That the unconfirmed minutes of the Furneaux Group Shipping Special Committee Meeting held 19 August 2020 be noted.

DECISION

175.09.2020 Moved: Cr A Burke Seconded: Cr V Grace

That the unconfirmed minutes of the Furneaux Group Shipping Special Committee Meeting held 19 August 2020 be noted.

CARRIED UNANIMOUSLY (6-0)

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

13.2 Whitemark Community Gym Special Committee

File Reference CDV/0702

Annexures 13.2.1 Whitemark Community Gym Special Committee Meeting 10 August 2020 Unconfirmed Minutes
13.2.2 Whitemark Community Gym Special Committee Meeting 27 August 2020 Unconfirmed Minutes

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

The unconfirmed minutes of the Whitemark Community Gym Special Committee meetings held Monday, 10 and 27 August 2020 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 Whitemark Community Gym Special Committee meeting held 10 and 27 August 2020 be noted.

DECISION

176.09.2020 Moved: Cr R Summers Seconded: Deputy Mayor D Williams

That the unconfirmed minutes of the Whitemark Community Gym Special Committee meeting held 10 and 27 August 2020 be noted.

CARRIED UNANIMOUSLY (6-0)

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

14 Mayor's Report

Action	Information
Proponent	Mayor A Revie
File Reference	COU/0600
Annexures	Nil

APPOINTMENTS

DATE	DIARY ACTIVITY
20/8	Meeting Emita Hall Tasmania Fire Service and State Emergency Service
22/8	Councillors' community engagement sausage sizzle at Emita Hall
24/8	Administration
25/8	Ordinary Council Meeting and Council Workshop
26/8	Council Workshop
27/8	Council Workshop
28/8	Administration
1/9	Council Workshop
2/9	Meeting with Bill Lawson from Reconciliation Tasmania and Radio Interview
3/9	Meeting with Warren Groves General Manager
4/9	Catch-up Warren Groves General Manager
7/9	Administration
8/9	Council Special Meeting and Council Workshop
9/9	Administration and appointment with community member
10/9	Administration
13/9	Administration
15/9	Waste Team Meeting
17/9	Radio Tasmania Talks

CORRESPONDENCE IN

DATE	FROM	SUBJECT
18/8	Minister Mark Shelton	Letter regarding Tasmanian Councils Local Government Association Review
19/8	Mark Barker, Northern Tasmanian Development Corporation (NTDC)	Flinders Council and Northern Tasmanian Development Corporation working together
27/8	Local Government Association Tasmania (LGAT)	Regarding webinar 16 September
27/8	Mhairi Revie , State Emergency Service (SES)	Bushfire Information Booklet
28/8	Hon Michael McCormack MP	Support for COVID-19 hit Agricultural Field Days
28/8	Australian Local Government Association (ALGA)	Newsletter
31/8	Russell Hunter	Regarding Animal Welfare
31/8	Premier Peter Gutwein	Letter regarding domestic violence
1/9	Federal Government	Financial Assistance Grant program payment
2/9	Community member	Patient Travel Assistance
2/9	TasWater	Corporate Plan
3/9	TasWater	Notice of Meeting on 24 September 2020
4/9	ALGA	Newsletter
5/9	Michael Grimshaw	Planning decisions

7/9	NTDC	Special Members' meeting
7/9	Gerard Willis	Development Application 2019/027
9/9	Minister Bridget Archer	Telstra launch
9/9	Launceston Airport	Appointment of new Chief Executive Officer
10/9	Minister Rebecca White	Vision for Bass
10/9	TasWater	Papers for meeting on 24 September
11/9	ALGA	Newsletter

CORRESPONDENCE OUT

DATE	TO	SUBJECT
9/9	Minister Sarah Courtney	Patient Travel Assistance Scheme
10/9	Gerard Willis	Regarding Development Application 2019/027
17/9	R Holloway	Public question response - Vinegar Hill Road
17/9	R Wise	Public question response - Roadside trees
17/9	L Evans	Public question response - Speed limit signage

In the last month there have been quite a few emails out some of a confidential nature, a simple thank you, or inconsequential.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Mayor's report be received.

DECISION

177.09.2020 Moved: Cr S Blyth Seconded: Cr R Summers

That the Mayor's report be received.

CARRIED UNANIMOUSLY (6-0)

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

15 Development Services and Planning Applications

15.1 Development Application Report

Action	Information
Proponent	Council Officer
Officer	Jacci Viney Development Services Coordinator
File Reference	PLN/0105
Annexures	15.1.1 Planner's Information Report – August 2020

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 planner's report for that application is considered by Council. Discretionary applications where no submissions are received, as well as applications with a Permitted pathway, are approved under delegation to the General Manager.

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

PREVIOUS COUNCIL CONSIDERATION

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

OFFICER'S REPORT

Refer to Annexure 15.1.1, Planner's Information Report – August 2020, provided by West Tamar Council.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Planner's Information Report – August 2020 be received.

DECISION

178.09.2020 Moved: Cr S Bourke Seconded: Deputy Mayor D Williams
That the Planner's Information Report – August 2020 be received.

CARRIED UNANIMOUSLY (6-0)

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

16 Works and Services

16.1 Works & Services Manager's Report – September 2020

Action	Information
Proponent	Council Officer
Officer	Brian Barnewall Works and Services Manager
File Reference	WOR/3000
Annexures	16.1.1 Works and Services Report - September 2020

INTRODUCTION

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

OFFICER'S REPORT

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

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Works and Services Report – September 2020 be received and accepted by Council.

DECISION

179.09.2020 Moved: Cr S Blyth

Seconded: Cr V Grace

That the Works and Services Report – September 2020 be received and accepted by Council.

CARRIED UNANIMOUSLY (6-0)

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

Brian Barnewall left the meeting at 10.32am.

Mayor Annie Revie passed the Chair to Deputy Mayor David Williams at 10.32am.

17 Notice of Motions

17.1 Notice of Motion – Reconsideration of Closed Council Agenda Item Confidentiality Requirement

Action	Decision
Proponent	Mayor Annie Revie
Officer	Warren Groves General Manager
File Reference	DA02019/027
Annexures	Nil

NOTICE OF MOTION

That the following part of Motion 163.8.2020, passed at the Closed Meeting of Council on 25 August 2020, be rescinded:

“That agenda item 18.1 Resolution of Appeal - Development Application 2019/027 for the dwelling on Lot 4, Pot Boil Road, White Beach, CT 153145/4 that discussions held and the motions passed remain confidential...”;

And that Council reconsiders the confidentiality requirement for this agenda item.

COUNCILLOR’S REPORT

In September 2019, planning recommendation (DA027/2019) was submitted to Council, with the recommendation being for approval. The building was considerably above the maximum height. Council refused approval under the following clause of the Flinders Local Planning Scheme:

“5.8.4 (a) The maximum height of buildings is 8.0 metres unless it can be satisfactorily demonstrated that a higher structure is required for operations, topographical or other justified purposes.”

Council did not accept that there was an identified, justified purpose for the height of the proposed building. The applicant made an appeal to the Planning Tribunal, offering justification that the height was necessary because:

- The proposed building was off grid; and
- The above regulation height was required to operate the proposed wind and solar devices.

Council was against approving the building and sought legal opinions.

Further discussion regarding the legal advice took place at later meetings. These meetings were deemed to be closed meetings, for that reason. Such a reason is valid under regulation 15(2) (i) of the *Local Government (Meeting Procedures) Regulations 2015*:

“Matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council.”

In recent days, there has been significant community commentary on social media regarding the decision to address this matter in closed meeting, even though the decision was permitted according to the regulations.

At a recent workshop, Councillors discussed the matter. I am now of the belief that the Community has the right to know the underlying reasons for Council’s decision.

PREVIOUS COUNCIL CONSIDERATION

140.7.2020 28 July 2020 (closed council)
162 and 163.8.2020 25 August 2020 (closed council)

PREVIOUS COUNCIL DISCUSSION

14 July 2020 Council Workshop
18 August 2020 Council Workshop
8 September 2020 Council Workshop

OFFICER'S REPORT

Given the level of community interest in this matter and the importance of transparency in decision making, I believe this matter is best determined by Councillors, after due consideration of the relative merits of confidentiality and transparency in these circumstances.

STATUTORY REQUIREMENTS

Local Government (Meeting) Regulations 2015

POLICY/STRATEGIC IMPLICATIONS

Nil

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

Nil

VOTING REQUIREMENTS

Absolute Majority

180.09.2020 Moved: Cr V Grace Seconded: Cr R Summers

That Council suspends the operation of Regulation 22 of the Local Government (Meeting Procedures) Regulations 2015, in accordance with Regulation 22 (9) for the remainder of the meeting.

CARRIED UNANIMOUSLY (6-0)

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

MOTION

181.09.2020 Moved: Mayor A Revie Seconded: Cr R Summers

That the following part of Motion 163.8.2020, passed at the Closed Meeting of Council on 25 August 2020, be rescinded:

“That agenda item 18.1 Resolution of Appeal - Development Application 2019/027 for the dwelling on Lot 4, Pot Boil Road, White Beach, CT 153145/4 that discussions held and the motions passed remain confidential...”;

And that Council reconsiders the confidentiality requirement for this agenda item.

CARRIED UNANIMOUSLY (6-0)

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

Deputy Mayor D Williams passed the Chair to Mayor Annie Revie at 10.42am.

182.09.2020 Moved: Cr R Summers Seconded: Deputy Mayor D Williams
That for agenda item 18.1 held on 25 August 2020 in closed council regarding the Resolution of Appeal - Development Application 2019/027 for the dwelling on Lot 4, Pot Boil Road, White Beach, CT 153145/4, the annexures remain confidential and that all discussions held and motions passed be made public.

CARRIED UNANIMOUSLY (6-0)

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

The motion passed at the 25 August 2020 Closed Council Meeting is as follows:

“162.8.2020 Moved: Deputy Mayor D Williams Seconded: Cr R Summers
That Council overturns motion 140.7.2020, thereby agreeing to dispose of the appeal in relation to DA2019/027 (a single dwelling on land known as Lot 4, Pot Boil Road, White Beach, CT 153145/4), by executing a consent memorandum seeking orders that:

- (a) Council’s refusal is substituted with an approval;***
- (b) the approval is subject to the conditions set out in Annexure A to this report plus advisory notes; and***
- (c) each party bears their own costs of, and incidental to, the appeal.***

CARRIED (6-1)

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

Against: Cr P Rhodes”

Mayor Annie Revie passed the Chair to Deputy Mayor David Williams at 10.43am.

17.2 Notice of Motion – Safe Harbour Project - TasPorts Proposal

Action	Decision
Proponent	Mayor Annie Revie
Officer	Warren Groves General Manager
File Reference	COM/0402, ASM/0200
Annexures	17.2.1 Letter from Minister Ferguson 16 September 2020 17.2.2 Letter from the Hon. Michael McCormack 19 December 2019 17.2.3 TasPorts Safe Harbour Project Proposal

NOTICE OF MOTION

1. That Council rescinds the remaining portion of motion number 250.09.2019:

“That Council:

- 1. Rescinds parts 1 & 2 of Motion 88.03.2019 (to reject Council ownership of the Safe Harbour) and agrees to the Council ownership and responsibility for the Safe Harbour site and proposed breakwater and boat ramp, subject to the determination of a sustainable, low-risk, management model that addresses Council’s maintenance and depreciation concerns.*
- 2. Creates and supports a Project Advisory Group (Management Committee), with appropriate Terms of Reference and membership to oversee, monitor and advise the management of the project, that reports to the Council on a regular basis regarding project implementation”;*

2. That Council approves the TasPorts Safe Harbour proposal, as per (Annexure 17.2.3) and confirmed in the letter from the Hon Michael Ferguson, received 16 September 2020 (Annexure 17.2.1). The outcome of the approval will mean that:

- Council will apply for a Federal Government Community Development Grant, as outlined in a letter from the Hon Michael McCormack, Deputy Prime Minister dated 19 December 2019 (Annexure 17.2.2); and
- Council will work with TasPorts in bringing the project to fruition.

COUNCILLOR’S REPORT

The Flinders Island Marine Access and Safe Harbour Project (FIMASH) was the second item on the Flinders Council Priority Projects List, updated late 2018. In the lead-up to the Federal Election in 2019, then Senator for Tasmania, Steve Martin, announced that the FIMASH project would be funded \$4.8 million. He also announced at that time that Flinders would receive \$1.8 million from the Federal Government as half of the cost of upgrading the main runway at Whitemark Airport. The two grants were not enough to complete either project. As the Airport provides vital access to the Island, it was considered the priority.

Council successfully applied to the Federal Government to have \$1.8 million of the original FIMASH grant transferred to the airport upgrade, so that this necessary project could be completed without financial stress to Council. The airport runway was upgraded in February 2020, leaving \$3 million to build a modified Safe Harbour. Council must make a successful, formal application to the Federal Government Community Development Grant program in order to access this funding.

Flinders Council is the smallest in Tasmania and has a very small rate income. In addition, Council’s Long-Term Financial Management and Asset Management Plans demonstrate that Council’s ability to fund major projects would put Council’s financial status at high risk.

Nonetheless, Council engaged in the process leading up to formal application for the grant of \$3 million:

- A community survey showed that approximately 58% of the community wanted the modified Safe Harbour Project to proceed; and
- Expressions of Interest for the design and building of a modified Safe Harbour were sent out and two were received as a result.

The Board of the Flinders Island Business Incorporated submitted a report to the State Government which stated, “that Flinders Council is not well placed to deliver, own, manage, or operate FIMASH”, and requested that the State Government take over the project. As a direct result of this submission, TasPorts, at the request of State Minister for Infrastructure, the Hon Michael Ferguson, proposed an alternative model situated in the port of Lady Barron (Annexure 17.2.3).

The proposed model is directly in line with everything that Council seeks from the project. It uses the current structure of the Port instead of a rock breakwater. If / when this proposal comes to fruition, it will provide Flinders Island with many benefits, including:

- A safe harbour, owned, maintained and operated by TasPorts, and without the possibility of additional financial risks to Council;
- Economic, business and social benefits that will support the Island’s economy;
- Safe berths for visiting and local vessels;
- Marine access to Flinders Island and the rest of the Furneaux Islands Group;
- Toilets, fresh water, parking, lighting and security;
- A boat ramp in the shelter of the Port;
- Improved access and egress for trucks bringing freight, including cattle, to and from the port;
- An improved surface for the port pavement;
- Wave attenuation structure; and
- Potential for future extension.

As proposer of this motion, I assert that the TasPorts option provides the best way forward for an appropriate Safe Harbour to benefit the Flinders Community, as well as Tasmanian and interstate mariners. In conclusion, the TasPorts model will enable the Flinders Council to remain financially responsible and solvent.

PREVIOUS COUNCIL CONSIDERATION

57.02.2011	17 February 2011
120.04.2011	21 April 2011
128.04.2011	21 April 2011 Closed Council
598.07.2013	18 July 2013
232.09.2017	21 September 2017
300.12.2017	14 December 2017
292.10.2018	11 October 2018
33.02.2019	19 February 2019
76.03.2019	19 March 2019
77.03.2019	19 March 2019
88.03.2019	28 March 2019
117. 04.2019	16 April 2019
118.04.2019	16 April 2019
250.09.2019	17 September 2019
58.3.2020	24 March 2020
93.5.2020	19 May 2020
135.7.2020	28 July 2020

PREVIOUS COUNCIL DISCUSSION

6 July 2017	Council Workshop
31 August 2017	Council Workshop
28 March 2019	Council Workshop
28 June 2019	Council Workshop
11 September 2019	Council Workshop
25 February 2020	Council Workshop
12 May 2020	Council Workshop
7 July 2020	Council Workshop
6 August 2020	Council Workshop
25 August 2020	Council Workshop

OFFICER'S REPORT

The first part of the motion proposed by Mayor Revie will overturn motion number 250.09.2019 in its entirety.

The motion to be rescinded, motion 250.09.2019, directed Council to rescind parts of motion 88.03.2019 and to agree to take on ownership and responsibility for the Safe Harbour Project. Council had completed these actions and the Councillor's Report above clearly details all actions taken to date in relation to this motion. Motion 250.09.2019 also directed Council to create a Project Advisory Group. No action has been taken to date on this part of the motion.

If the second part of Mayor Revie's proposed motion is resolved in the affirmative, Council will be agreeing to:

- No longer taking ownership and responsibility for the Safe Harbour site, inclusive of the breakwater and boat ramp;
- No longer creating and supporting a Project Advisory Group (Management Committee);
- Approve the TasPorts Safe Harbour proposal;
- Continue with the Federal Government Community Development Grant application to fund the project; and
- Work with TasPorts to bring the project to fruition.

Given the current financial and resource constraints of Council, the TasPorts proposal represents a potential mutually beneficial opportunity for achieving Council's aims whilst securing a significant marine asset for the Furneaux Islands and Tasmania.

STATUTORY REQUIREMENTS

Local Government Act 1993

Local Government (General) Regulations 2015

POLICY/STRATEGIC IMPLICATIONS

Access and Connectivity - Maintain or better the standard of sea access to the Islands - Economic viability of developing an all-weather recreational and leisure vessel harbour investigated - AP1920-17 Work with the State Government to facilitate the Flinders Island Marine Access and Safe Harbour Project.

BUDGET AND FINANCIAL IMPLICATIONS

This proposal sees TasPorts assisting with the funding application, project managing, constructing, owning and managing the completed infrastructure. The budget and financial risks are therefore significantly mitigated by the expertise of TasPorts during the project phase and their ownership of the infrastructure, along with its attendant operational, maintenance and capital costs, once built.

RISK/LIABILITY

The risks and liabilities associated with this project are also significantly mitigated by TasPorts' management of the project and resultant ownership of the infrastructure.

VOTING REQUIREMENTS

Absolute Majority

MOTION

Moved: Mayor Annie Revie Seconded:

1. That Council rescinds the remaining portion of motion number 250.09.2019:

“That Council:

1. *Rescinds parts 1 & 2 of Motion 88.03.2019 (to reject Council ownership of the Safe Harbour) and agrees to the Council ownership and responsibility for the Safe Harbour site and proposed breakwater and boat ramp, subject to the determination of a sustainable, low-risk, management model that addresses Council's maintenance and depreciation concerns.*
2. *Creates and supports a Project Advisory Group (Management Committee), with appropriate Terms of Reference and membership to oversee, monitor and advise the management of the project, that reports to the Council on a regular basis regarding project implementation”;*

2. That Council approves the TasPorts Safe Harbour proposal, as per (Annexure 17.2.3) and confirmed in the letter from the Hon Michael Ferguson, received 16 September 2020 (Annexure 17.2.1). The outcome of the approval will mean that:

- Council will apply for a Federal Government Community Development Grant, as outlined in a letter from the Hon Michael McCormack, Deputy Prime Minister dated 19 December 2019 (Annexure 17.2.2); and
- Council will work with TasPorts in bringing the project to fruition.

The motion lapsed for want of a seconder.

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

183.09.2020 Moved: Cr V Grace Seconded: Cr A Burke

That Council defers making a decision on the Safe Harbour so that the recent community concerns can be worked through with the State Government and TasPorts and that Council organises a meeting with key stakeholders to seek the best outcome possible for the community.

Mayor Annie Revie passed the Chair to Deputy Mayor David Williams at 10.49am.

AMENDMENT

184.09.2020 Moved: Mayor A Revie Seconded: Cr S Blyth

That Council defers making a decision on the Safe Harbour so that the recent community concerns can be worked through with the State Government and TasPorts and that Council organises meetings with key stakeholders as a matter of priority to seek the best outcome possible for the Community.

CARRIED UNANIMOUSLY (6-0)

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

Deputy Mayor David Williams passed the Chair to Mayor Annie Revie at 10.52am.

SUBSTANTIVE MOTION

183.09.2020

That Council defers making a decision on the Safe Harbour so that the recent community concerns can be worked through with the State Government and TasPorts and that Council organises meetings with key stakeholders as a matter of priority to seek the best outcome possible for the Community.

CARRIED UNANIMOUSLY (6-0)

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

18 Governance

18.1 Quarterly Report on the Northern Tasmania Development Corporation Ltd.

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	COU/0305
Annexures	18.1.1 Northern Tasmania Development Corporation's Quarterly Progress Report April to June 2020

INTRODUCTION

As permitted under Section 21 (c), Enterprise Powers of the *Local Government Act 1993*, Flinders Council become a member of the Northern Tasmania Development Corporation LTD (NTDC) on 1 January 2017. The *Local Government Act 1993* also requires the General Manager to provide a quarterly report to Council on the activities of the NTDC and any adverse developments that may affect the entity's financial viability.

Annexure 18.1.1, NTDC's Quarterly Progress Report provided to all member councils, incorporates the update for the quarter April to June 2020.

PREVIOUS COUNCIL CONSIDERATION

This is the final formal report for financial year 2019/2020 provided to all member Councils from NDTDC.

OFFICER'S REPORT

As permitted under Section 21 (1c), Enterprise Powers of the *Local Government Act 1993*, Council became a member of NTDC as from 1 January 2017. The NTDC was officially formed in March 2017 with the following primary objectives:

- a) provide pro-active, engaged and strategic regional economic leadership;
- b) consolidate an agreed vision for the development, sustainability and prosperity of the geographic region that the Organisation's Members encompass;
- c) implement a strategic economic action plan based on the Northern Regional Futures Plan framework or similar; and
- d) to provide effective representation and advocacy to State and Federal Government and other stakeholders.

Section 21 (5) of the *Local Government Act 1993* states the following:

"The general manager is to report to the council –

- a) at least once every 3 months in respect of the performance of any activities carried out pursuant to (section 21 (1)) and any strategic issues related to those activities; and*
- b) any adverse developments that significantly affect or are likely to significantly affect the financial viability, the operating viability or any other aspect of any of those activities.*

NTDC provided the Quarterly Progress Report to member councils and asked that it be tabled as the update for the quarter April to June 2020.

Council recently undertook significant engagement with NTDC in relation to their strategic direction and plans and how that translated to Flinders Council. At the conclusion of that engagement, Council resolved to continue their membership of NTDC for a period of three

years. The Quarterly Progress Report summarises activities undertaken for the quarter with NTDC making positive progress. There are no financial viability issues or adverse developments. Whilst a reasonable proportion of the focus is concentrated in mainland Northern Tasmania, the focus on the Furneaux Group has developed in line with current expectations.

STATUTORY REQUIREMENT

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

Nil

RISK/LIABILITY

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council notes the Northern Tasmania Development Corporation Quarterly Progress Report April to June 2020.

DECISION

185.09.2020 Moved: Cr A Burke Seconded: Cr R Summers

That Council notes the Northern Tasmania Development Corporation Quarterly Progress Report April to June 2020.

CARRIED UNANIMOUSLY (6-0)

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

18.2 Policies to be Reviewed – Uniform Policy, Flying of Flags at Council Property Policy and Employee Outside Work Activities Policy

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	PUB/0800
Annexures	18.2.1 Existing Uniform Policy 18.2.2 Draft Uniform Policy 18.2.3 Existing Flying of Flags at Council Property Policy 18.2.4 Draft Flying of Flags at Council Property Policy 18.2.5 Existing Employee Outside Work Activities Policy 18.2.6 Draft Employee External Employment Policy

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 review dates for the policies are listed at the beginning of each policy (refer Annexures).

PREVIOUS COUNCIL DISCUSSION

Nil

OFFICER'S REPORT

Council has a policy that states that policies should be reviewed every four years. Council is in the process of reviewing the Policy Manual in its entirety in order to ensure all policies are relevant, up-to-date, and as concise and readable as possible. As policies are reviewed, they are being reformatted to a new policy template. Existing policies have been provided as Annexures for comparison purposes with draft policies.

Uniform Policy

Council Officers have reviewed this policy and minor changes to the wording were affected to improve clarity of intent and readability. Additions to the policy have been made in section 4.1 (c), (e) and (g) for council consideration.

Flying of Flags at Council Property Policy

Council Officers have reviewed this policy and have only one change to recommend.

Employee Outside Work Activities Policy

Council Officers have reviewed and rewritten much of this policy to improve clarity of intent and readability. Changes and additions have been made to all sections of the Policy including the title, which has been changed to the Employee External Employment Policy.

STATUTORY REQUIREMENT

Local Government Act 1993

RISK/LIABILITY

Adoption of these policies and ensuring that Management, Staff and Councillors are aware of and follow these policies will help to reduce Council's exposure to risk in these areas.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council approves the Uniform Policy, Flying of Flags at Council Property Policy and the Employee External Employment Policy and allows them to lay on the table for 28 days for public comment.

DECISION

186.09.2020 Moved: Cr R Summers

Seconded: Deputy Mayor D Williams

That Council approves the Uniform Policy, Flying of Flags at Council Property Policy and the Employee External Employment Policy and allows them to lay on the table for 28 days for public comment.

CARRIED UNANIMOUSLY (6-0)

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

18.3 Cape Barren Island Airport – Request to Review Rateable Status

Action	Decision
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	FIN/1206
Annexures	Nil

INTRODUCTION

In 2005, the State Government handed all Crown Land on Cape Barren Island to the Aboriginal Land Council of Tasmania (ALCT). Prior to then, and for a period following the handover, the Department of Energy Infrastructure and Resources (DIER) paid for the rates applicable to the airport and airstrip. In 2017, DIER determined that it should not have been responsible for payment of these rates from 2005. As ownership of the airport was held by ALCT, Council then sought payment of rates from them.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

25 August 2020 Council Workshop

OFFICER'S REPORT

ALCT wrote to Council's then General Manager in 2018, requesting Cape Barren Island airstrip rates be remitted. This request was not supported by the General Manager at that time.

In 2020, ALCT initiated a further request for consideration of this matter, including written, telephone discussion and an in-person presentation to Councillors at the 25 August workshop, along with senior representatives of the Cape Barren Island Aboriginal Association Incorporated (CBIAAI).

The basis of these representations is that the land in question is Aboriginal land, that operates principally to provide access to an Aboriginal community and levies no fees or charges to any user to do so. It has been further asserted by ALCT and confirmed by The Office of Aboriginal Affairs (OAA), that the land in question is the only Aboriginal land in Tasmania that has rates levied against it by a Council. The legislative basis of this application is found at sections 87 and 129 of the *Local Government Act 1993*.

"Section 87. Exemption from rates

- (1) *All land is rateable except that the following are exempt from general and separate rates, averaged area rates, and any rate collected under section 88 or 97 ...*
 - (da) *Aboriginal land, within the meaning of the Aboriginal Lands Act 1995, which is used principally for Aboriginal cultural purposes"*

"Section 129. Remission of rates

- (1) *A ratepayer may apply to the council for remission of all or part of any rates paid or payable by the ratepayer or any penalty imposed or interest charged under section 128.*
- (2) *An application is to be –*
 - (a) *made in writing; and*
 - (b) *lodged with the general manager.*
- (3) *A council, by absolute majority, may grant a remission of all or part of any rates, penalty or interest paid or payable by the ratepayer.*

- (4) *A council, by absolute majority, may grant a remission of any rates, penalty or interest paid or payable by a class of ratepayers.*
- (5) *The general manager is to keep a record of the details of any remission granted under this section."*

I consider this to be a reasonable request and, as per section 129 (3), a council, by absolute majority, may grant a remission of all or part of any rates, payable by the ratepayer.

STATUTORY REQUIREMENT

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

Rates and Charges Policy

BUDGET AND FINANCIAL IMPLICATIONS

Council levied annual rates of \$1,214.33 against the Cape Barren Island Airport for the 2020/21 financial year.

RISK/LIABILITY

Low

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That Council agrees to grant a remission of all rates payable on the Cape Barren Island Airstrip, PID 6431557, from the 2020/21 financial year onwards.

DECISION

187.09.2020 Moved: Deputy Mayor D Williams Seconded: Cr R Summers

That Council agrees to grant a remission of all rates payable on the Cape Barren Island Airstrip, PID 6431557, from the 2020/21 financial year onwards.

CARRIED UNANIMOUSLY (6-0)

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

18.4 Councillor Resolution Report

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	GOV/0300
Annexures	18.4.1 Councillor Resolution Report September 2020

INTRODUCTION

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

PREVIOUS COUNCIL CONSIDERATION

The Report is presented on a monthly basis.

OFFICER'S REPORT

Please read Annexure 18.4.1 – Councillor Resolution Report September 2020.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Councillor Resolution Report September 2020 be noted.

DECISION

188.09.2020 Moved: Cr R Summers Seconded: Cr A Burke
That the Councillor Resolution Report September 2020 be noted.

CARRIED UNANIMOUSLY (6-0)

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

19 CLOSED COUNCIL

19.1 Closed Council Item – Volunteer of the Year Award

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager

PREVIOUS COUNCIL CONSIDERATION

Considered annually

REASON FOR CLOSED COUNCIL

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

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That Council moves into Closed Council.

DECISION

189.09.2020 Moved: Deputy Mayor D Williams Seconded: Cr R Summers
That the meeting breaks for a short period of time.

CARRIED UNANIMOUSLY (6-0)

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

Mayor Annie Revie called a break in the meeting at 11.02am and resumed the meeting at 11.25am.

Cr Aaron Burke left the meeting at 11.02am.

190.09.2020 Moved: Deputy Mayor D Williams Seconded: Cr R Summers
That Council moves into Closed Council.

CARRIED UNANIMOUSLY (6-0)

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

Council moved into Closed Session at 11.26am.

Council moved out of Closed Session at 11.48am.

The following motion for the Open Minutes was passed in Closed Council:

“192.09.2020 Moved: Deputy Mayor D Williams Seconded: Cr S Blyth
That for agenda item 19.1 Volunteer of the Year, discussions held and motions passed remain confidential except that Council decided on the recipient of the 2020 Flinders Council Volunteer of the Year Award and that the award will be presented at the beginning of the 20 October 2020 Council Meeting.

CARRIED UNANIMOUSLY (5-0)

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

Mayor Annie Revie declared the meeting closed at 11.48am.

Meeting Closed 11.48am
