



Confirmed Minutes Ordinary Council Meeting

17 August 2021

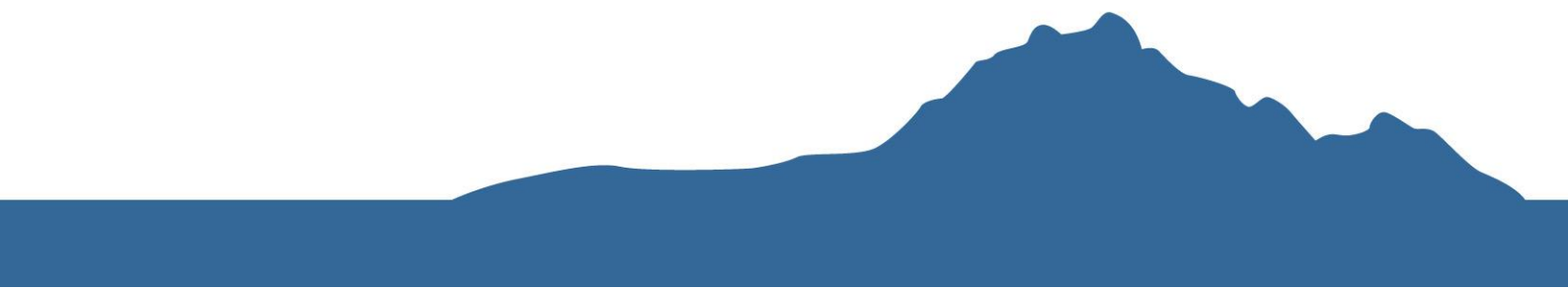


Table of Contents

1	Acknowledgement of Country	1
2	Confirmation of Minutes	1
3	Public Question Time	1
4	Councillors Questions on Notice	1
5	Councillors' Questions Without Notice	2
6	Late Agenda Items.....	2
7	Declaration of Pecuniary Interest	2
8	Conflict of Interest.....	2
9	Policies	3
10	Workshops & Information Forums	4
11	Publications/Reports Tabled for Council Information	6
12	Reports to be Received.....	6
12.1	Whitemark Community Gym Special Committee.....	6
13	Councillors' Reports	7
14	Mayor's Report.....	10
15	Development Services and Planning Applications.....	12
15.1	Development Information Report	12
16	Infrastructure and Airport Report	13
16.1	Infrastructure and Airport Report – July 2021.....	13
17	Accidents and Incidents Report	14
17.1	Accidents and Incidents Report.....	14
18	Notice of Motions.....	15
18.1	Notice of Motion - Flinders Boating Special Committee.....	15
18.2	Notice of Motion – Islander Way Project	19
18.3	Notice of Motion – Rescind Council Houses – Maintenance Policy	22
18.4	Notice of Motion - Whitemark Community Gym.....	24
19	Governance.....	28
19.1	Review Waiver of Fees Policy.....	28
19.2	Review Writing Off Bad Debts Policy	30
19.3	Council to manage additional road asset – Cattle Track	32
19.4	TasWater Quarterly Report to Owners Representatives 30 June 2021	35
19.5	Quarterly Report on the Northern Tasmania Development Corporation Ltd.	36
19.6	Councillor Resolution Report	38

Flinders Council Ordinary Meeting – Confirmed Minutes Tuesday 17 August 2021

Venue	Furneaux Arts and Entertainment Centre, Whitemark
Commencing	2:02pm
Attendees – Councillors	Mayor Annie Revie Deputy Mayor David Williams Aaron Burke Vanessa Grace Peter Rhodes Rachel Summers
Apologies	Sharon Blyth
Attendees - Staff	Warren Groves General Manager Chris Wilson Infrastructure and Airport Manager Jacci Smith Development Services Coordinator Rowena Gill Administrative Services Officer (minute taker)

1 Acknowledgement 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 Council Meeting held 20 July 2021 be confirmed.

DECISION

136.08.2021 Moved: Cr A Burke Seconded: Cr P Rhodes

That the Minutes from the Ordinary Council Meeting held 20 July 2021 be confirmed.

CARRIED UNANIMOUSLY (6-0)

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

3 Public Question Time

Nil

4 Councillors Questions on Notice

None received.

5 Councillors' Questions Without Notice

Nil

6 Late Agenda Items

Nil

7 Declaration of Pecuniary Interest

Nil

8 Conflict of Interest

Nil

9 Policies

The Asset Management Policy was rescinded at the 28 June 2021 Special 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 Asset Management Policy can now be rescinded.

RECOMMENDATION

That Council notes that the Asset Management Policy is rescinded.

DECISION

137.08.2021 Moved: Deputy Mayor D Williams Seconded: Cr V Grace

That Council notes that the Asset Management Policy is rescinded.

CARRIED UNANIMOUSLY (6-0)

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

10 Workshops & Information Forums

Council Workshop – 20 July 2021

Council held a workshop on the following subjects:

- Item 1 Strategic (Town) Planning – LPS – Mick Purves
- Item 2 Whitemark tennis courts
- Item 3 Costings regarding Cattle Track
- Item 4 Industrial Estate Palana Road
- Item 5 General Managers Update
- Item 6 Fire TFS and Parks
- Item 7 Islander Way Project

Councillors in Attendance

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

Apologies

Nil

Staff and Consultants in Attendance

Warren Groves	General Manager
Chris Wilson	Manager Infrastructure and Airport (Item 5)
Mick Purves	Town Planner (Item 1)
Jacci Smith	Development Services Coordinator (Item 1-4)
Nicole Kennedy	Development Services Administration Officer (Item 1)
Sammi Gowthorp	Community Development / Council Engagement Officer (Item 7)
Rowena Gill	Administrative Services Officer

Council Workshop – 3 August 2021

Council held a workshop on the following subjects:

- Item 1 Skate Park Presentation with Carlos Cassan
- Item 2 Whitemark Tennis Courts
- Item 3 General Manager Update
- Item 4 Islander Way Project - 11:30am (Zoom)
- Item 5 Policies, Writing off Bad Debts, Waiving of Fees, Dog Management.
- Item 6 Jo Klug – Chalky Lane Stage 2
- Item 7 Draft Householder for Forum
- Item 8 Whitemark Gym Building Project

Councillors in Attendance

Mayor Annie Revie	Cr Vanessa Grace
Deputy Mayor David Williams	Cr Rachel Summers (Item 1,2 & 8)
Cr Aaron Burke	

Apologies

Cr Sharon Blyth
Cr Peter Rhodes

Staff and Consultants in Attendance

Warren Groves	General Manager
Chris Wilson	Manager Infrastructure and Airport (Item 1,2,6,8)
Carlos Cassan	Ramp Wizard (Item 1)
Holly Barnewall	Flinders Island District High School (Item 1)
Lucas Cook	Flinders Island District High School (Item 1)
Asher Macqueen	Flinders Island District High School (Item 1)
Xander Groves	Flinders Island District High School (Item 1)
Jacci Smith	Development Services Coordinator (Item 2,3,6,8)
Sammi Gowthorp	Community Development/Council Engagement Officer (Via Zoom) (Item 4)
Paul Seaman	Chair Visit Northern Tasmania (via Zoom) (Item 4)
Sarah Lebski	Annapurna P/L (via Zoom) (Item 4)
Diana Dredge	The Tourism Colab (via Zoom) (Item 4)
Michael Buck	Flinders Island Business Incorporated Board (Item 4)
Jana Monnone	Flinders Island Business Incorporated Board (Item 4)
Clem Newton-Brown	Flinders Island Business Incorporated Board (via Zoom) (Item 4)
Diana Droog	Flinders Island Business Incorporated Board (via Zoom) (Item 4)
Ian James	Flinders Island Business Incorporated Board (Item 4)
Joanna Klug	(Item 6)
John Riddle	(Item 6)
Rowena Gill	Administrative Services Officer

RECOMMENDATION

That the Council Workshops held on 20 July and 3 August 2021 be noted

DECISION

138.08.2021 Moved: Cr V Grace Seconded: Cr R Summers
That the Council Workshops held on 20 July and 3 August 2021 be noted

CARRIED UNANIMOUSLY (6-0)

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

11 Publications/Reports Tabled for Council Information

Nil

12 Reports to be Received

12.1 Whitemark Community Gym Special Committee

File Reference	CDV/0702
Annexures	<i>12.1.1 Minutes of Whitemark Community Gym Special Committee Meeting 21 June 2021</i> <i>12.1.2 Unconfirmed Minutes of the Whitemark Community Gym Special Committee Meeting 26 July 2021</i> <i>12.1.3 Unconfirmed Minutes of the Annual General Meeting 26 July 2021</i>

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

The unconfirmed minutes of the Whitemark Community Gym Special Committee meetings held Monday, 21 June and 26 July 2021 have been provided for consideration, along with the Unconfirmed Minutes of the Annual General Meeting 26 July 2021. 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 meetings held 21 June and 26 July 2021 and Unconfirmed Minutes of the Annual General Meeting 26 July 2021 be noted.

DECISION

139.08.2021 Moved: Cr R Summers Seconded: Cr V Grace

That the unconfirmed minutes of the Whitemark Community Gym Special Committee meetings held 21 June and 26 July 2021 and Unconfirmed Minutes of the Annual General Meeting 26 July 2021 be noted.

CARRIED UNANIMOUSLY (6-0)

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

13 Councillors' Reports

Mayor Annie Revie - ON LGAT CONFERENCE 5TH & 6TH AUGUST 2021

LOCAL GOVERNMENT ASSOCIATION OF TASMANIA CONFERENCE

Along with Councillors Rachel Summers and Vanessa Grace, and General Manager, Warren Groves, I attended the LGAT Conference on 5th and 6th of August. I enjoyed the event and learned a lot. Due to the COVID-19 travel restrictions, some of the speakers delivered their work by Zoom.

LOCAL GOVERNMENT NEEDS MORE FAGS

There was an address via Zoom from the President of the Australian National Committee for Local Government, Linda Scott. She spoke of an impending Commonwealth Government Election and urged Councils to have their priorities ready for lobbying. She also informed us that Australian Local Government Association (ALGA) is lobbying hard for raised funding provision for Local Government – **Local Government provides 80% of infrastructure across the nation.** This includes roads, bridges, halls and other buildings. The infrastructure must be maintained and funds need to be budgeted for depreciation. **But Local Government across the country receives only 3.6% of Taxes raised!**

SCHOOL TO WORK TRANSITION

There was a very stimulating Zoom address from a New Zealand Mayor, Dale Williams. He spoke of the Local Government role in advocating for the trades sector, including a need to support our youth in different ways from the past. Dale told of the growing percentage of older population compared to young population, of which Tasmania has the highest in the country. This in turn means that possibly Flinders has the nation's highest ratio of old to young as we have a significantly higher ratio than the State. There is a resulting need for support for young people on our Island taking up trades – or we may have an enormous shortage in the not-too-distant future.

Dale Williams spoke of how the approach to attract today's youth to trades needs to be changed from how it used to work. He asserted, they are more interested in the 'Why!' The 'Why' comes before the 'What!' and the 'How!' They are interested primarily in the underlying purpose of things – this is what motivates them to act. Dale Williams used a BBQ analogy – the young people of today are attracted by the **Sizzle** rather than the **Sausage!**

They also need to be actively supported so we need Trade Apprentice Coordinators to keep in touch with them locally – to support them through at least the first year of their apprenticeships – it was suggested up until they are around 20 years old. The local community must 'own' them and show they care as well as celebrate their achievement. Dale proposed a 'Youth to Work' strategy is one way to introduce these changes. Dale also identified the main issues that keep our youth awake at night:

- Climate change
- The environment
- The need for housing people appropriately
- Equity
- Work / life balance

Dale urged us to encourage youth to make their own portfolios that include photos and references by people demonstrating the things they do well.

We live in a very changed world – young people are interested in being as productive as possible in as short a time as possible.

Dale finished with, *'The better we support and treat our youth, the longer they stay with us and the quicker they return'*.

DOES OUR ISLAND HAVE GOOD DAY TO DAY WALKABILITY?

Dr Kim Jose and Dr Verity Cleland, from Menzies Institute for Medical Research, gave an interesting talk regarding a Walkability in Rural Communities project they are working on.

The project has double aims:

- To increase population health by improving community capability to walk – thus increasing physical fitness; and
- To lower carbon emissions and infrastructure costs from transport fueled by petrol and diesel.

As part of the project, community members gathered information about the walkability of the place they live: e.g. Are there footpaths? Are there many hilly stretches? Are 'doggy poo' bags supplied? What about the views when you walk? Can most age groups walk easily to key service centers – Doctor? Clinics? Local shops? Post Office? Are there walking groups? Cycle paths?

Not a project for every community but certainly important for many, given the aims!

HOW ARE WE GOING WITH GOVERNANCE?

Dr Kathy Alexander gave a presentation via Zoom on good governance practices and why it matters.

I found it pleasing to see we are on the right track but it also was a great reminder– after all we never do all things well!

Kathly highlighted the following:

- Be frank and fearless in leadership.
- Be prepared to be unpopular by sticking to the rules – e.g. in chairing meetings put debate before discussion.
- Respect is cheap but disrespect is costly.
- People do not have to like each other but Councillors and staff are required to get along and behave respectfully to everyone if possible.
- Sweeping bad stuff under the carpet makes a very dirty floor.

WORKING WITH BRAND TASMANIA

I presented a short session with Todd Babiak, CEO of Brand Tasmania. We spoke of the work with the Flinders Community in the creation of the Flinders Brand Story, the Islander Way. The journey to the story was built around the Flinders Community members being concerned that their values and fears would not be listened to. Todd invited me to read the 'Brand Story' to the audience. Story reading and telling are part of what I have done over my life and we received positive feedback on the presentation.

HARNESSING THE POWER OF THE COMMUNITY TO IMPROVE THINGS

Owen Tilbury, a Launceston Consultant, described a Launceston Council Project to make Launceston a Great City.

The aims include:

- To make the city a community of interest.
- To base the project on Purpose – make the purpose of each project obvious!
- Start with the WHY and work backwards to the WHAT and the HOW.
- Make the city more livable! More diverse! Yet more connected!
- Mobilise the Community to identify, design and implement projects that will inspire.
- Encourage a mind shift from **Critic to Citizen!**

These were the highlights for me. If you would like to discuss further feel free to suggest a workshop.

DECISION

140.08.2021 Moved: Cr V Grace Seconded: Cr R Summers

That the Mayor's report on the 5th and 6th August 2021 Local Government Association of Tasmania Conference be received.

CARRIED UNANIMOUSLY (6-0)

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

14 Mayor's Report

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

APPOINTMENTS

DATE	DIARY ACTIVITY
15/7/21	Meeting with Michael Buck
15/7	Administration
16/7	Catch up meeting with Warren Groves
16/7	Meeting with Warren Groves and Heidi Marshall
16/7	Attended funeral of community member
19/7	Meeting with Warren Groves
19/7	Administration
19/7	Flinders Island Business Incorporated Board meeting with Warren Groves
20/7	Council Workshop and Ordinary Meeting
21/7	Administration
21/7	Meeting with members of Boating Community
22/7	Catch up meeting with Warren Groves
22/7	Meeting with Community member
23/7	Radio interview – Tasmania Talks
23/7	Zoom meeting Sarah Lebski & Dianne Dredge
29/7	Catch up meeting with Warren Groves
29/7	Meeting with Michael Buck
30/7	Zoom meeting about the Islander Way Project
3/8	Council Workshop
4/8	Flight to Hobart – Local Government Association of Tasmania (LGAT) Conference
5/8	LGAT Conference
6/8	LGAT Conference and return drive to Launceston
7/8	Meeting with Sarah Lebski
8/8	Flight to Whitemark

CORRESPONDENCE IN

DATE	FROM	SUBJECT
4/8	Minister Jaensch	Performance Improvement Direction Compliance
4/8	Craig Limkin	Workplace Safety
3/8	Amanda Aitken Department of State Growth (DSG)	Draft Deed Islander Way Project
3/8	LGAT	Foreshadowed Motions
30/7	LGAT	Premier's Economic and Social Recovery Advisory Council (PESRAC) update
28/7	Graeme Heald	Nature Based Tourism
28/7	Zali Steggal	Value of Volunteering
27/7	Warren Groves	Kate Warner's project
27/7	Ross Hart	Future meeting

27/7	Ross Hart	Future meeting
27/7	Kate Warner	Pathways to Truth Telling and Treaty
22/7	Anthony Mitchell	Invitation to attend Regional Visioning
22/7	Parks and Wildlife	Response to a safety issue
21/7	Local Roads and Community Infrastructure	Funding Report
21/7	Anthony Mitchell	Regional Visioning
20/7	Graeme Heald	Nature Based Tourism
18/7	Peter Rhodes	Response to Graeme Heald
14/7	Dennis Cooper	Informal Petition
14/7	Craig Limkin	Information for Councillors

CORRESPONDENCE OUT

DATE	TO	SUBJECT
10/8	Graeme Heald	Regarding Shearwater Birds
10/8	Chandra Kalidindi TasPorts	Attending Furneaux Group Shipping Special Committee meeting
10/8	Chandra Kalidindi TasPorts	Lady Barron Port
7/8	Todd Babiak	Letter of appreciation
22/7	Amanda Aitken DSG	Island Way Project Deed
13/7	Esther Nunn	The Docks

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Mayor's report be received.

DECISION

141.08.2021 Moved: Cr V Grace

Seconded: Deputy Mayor D Williams

That the Mayor's report be received.

CARRIED UNANIMOUSLY (6-0)

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

15 Development Services and Planning Applications

15.1 Development Information Report

Action	Information
Proponent	Council Officer
Officer	Jacci Viney Development Services Coordinator
File Reference	PLN/0105
Annexures	15.1.1 <i>Development Information Report – July 2021</i>

INTRODUCTION

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

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

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

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

PREVIOUS COUNCIL CONSIDERATION

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

OFFICER'S REPORT

Refer to Annexure 15.1.1, *Development Information Report – July 2021*.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Development Information Report – July 2021 be received.

DECISION

142.08.2021 Moved: Cr R Summers Seconded: Cr P Rhodes
That the Development Information Report – July 2021 be received.

CARRIED UNANIMOUSLY (6-0)

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

16 Infrastructure and Airport Report

16.1 Infrastructure and Airport Report – July 2021

Action	Information
Proponent	Council Officer
Officer	Chris Wilson Manager Infrastructure and Airport
File References	WOR/3000
Annexures	16.1.1 Manager Infrastructure and Airport Report – August 2021

INTRODUCTION

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

OFFICER'S REPORT

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

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Infrastructure and Airport Report – August 2021 be received and accepted by Council.

DECISION

143.08.2021 Moved: Cr V Grace

Seconded: Cr A Bourke

That the Infrastructure and Airport Report – August 2021 be received and accepted by Council.

CARRIED UNANIMOUSLY (6-0)

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

Note:

Cr Vanessa Grace has received good feedback from community members on work being done well generally and that the tip is being run well and looking neat and tidy lately.

Deputy Mayor David Williams thanked Officers for putting gravel on the Bluff Track.

Mayor Annie Revie passed on her thanks to Rosie for her work at the Tip.

17 Accidents and Incidents Report

17.1 Accidents and Incidents Report

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	RMS/0100
Annexures	17.1.1 Accidents and Incidents Report April to June 2021 (Elected Members only)

INTRODUCTION

The Accidents and Incidents Report was previously reviewed by Council quarterly as part of the Quarterly Financial Reports and discussed at Workshops. The Report will be presented to Council for consideration quarterly at Council Meetings as from August 2021.

PREVIOUS COUNCIL DISCUSSION

3 August 2021 Council Workshop

OFFICER'S REPORT

Please read Annexure 17.1.1 Accidents and Incidents Report April to June 2021. This report is for the information of Elected Members only as it contains personnel confidential information.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Accidents and Incidents Report April to June 2021 be noted.

DECISION

144.08.2021 Moved: Cr R Summers Seconded: Cr P Rhodes
That the Accidents and Incidents Report April to June 2021 be noted.

CARRIED UNANIMOUSLY (6-0)

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

Note: Cr P Rhodes congratulated council officers on this quarter's report being much smaller than the previous report for the January to March 2021 quarter.

Mayor Annie Revie passed the Chair to Deputy Mayor David Williams at 2.21pm.

18 Notice of Motions

18.1 Notice of Motion - Flinders Boating Special Committee

Action	Decision
Proponent	Mayor Annie Revie
Officer	Warren Groves General Manager
File Reference	COM/0404
Annexures	<i>18.1.1 Boating Committee inception Meeting Minutes</i> <i>18.1.2 G10 Special Committees of Council Policy</i> <i>18.1.3 G10-P Special Committees of Council Procedure</i> <i>18.1.4 Terms of Reference for the Flinders Boating Special Committee</i>

NOTICE OF MOTION

That Council

- a) **Authorises establishment of a Flinders Boating Special Committee. The purpose of the committee is to provide recommendations to Flinders Council on boating matters, specifically Council-owned boat ramps on Flinders Island;**
- b) **Adopts the basic Terms of Reference as detailed in the Special Committees of Council Procedure and shown in Annexure 18.1.4;**
- c) **Approves Mayor Revie as Chairperson of the Special Committee;**
- d) **Appoints a second Councillor if suggested by Council;**
- e) **Approves the nominations for membership of the Flinders Boating Special Committee, nominated and seconded at a meeting held on 21st July 2021, and included in the unconfirmed minutes of that meeting (see Annexure 18.1.1).**

COUNCILLOR'S REPORT

Flinders Council currently has a number of Special Committees that were established to enable community participation in decision-making regarding specific areas of community and Council importance. In the early 2000s there was a Furneaux Boating and Fishing Club. However this club resolved to disband in December 2002. There is currently a number of community members interested in both boating and in the maintenance / possible building of boat ramps, specifically Council-owned boat ramps, to suit the Flinders boating community into the future. Prior to the 2021 State Election, \$120,000 was committed to Flinders Council for this purpose.

Flinders Council resources, particularly its cash resources, are scarce, which emphasizes the need to spend them with due care. Council also has a large list of assets which cost Council, in that they have to be depreciated and maintained. It is noted that the Whitemark Council-owned boat ramp, in particular, is not perceived as meeting the needs of the boating community well. The best way to meet such needs into the future is to enable participation of those interested in boating to participate in related decision-making. To this end a few Councillors, the General Manager Warren Groves, and the Manager of Infrastructure and Airport, Chris Wilson, have met on two occasions with a group of interested community members. As a result, it is proposed that a Flinders Boating Special Committee be set up. The purpose of this Committee would be to provide recommendations to Flinders Council on boating matters, specifically regarding Council-owned boat ramps. This would include recommendations on how to utilise the recently committed \$120,000 by the State Government.

According to the Flinders Council Special Committee Policy (see Annexure 18.1.2):

- 4.1 Council will establish a Special Committee of Council, as and when it sees fit, to assist with identified needs.

- 4.2 When Council establishes a new Special Committee of Council, Council will identify that committee's purpose and membership. The non-negotiable procedures, as detailed in the Special Committees of Council Procedure, have been approved by Council and form the main part of the Terms of Reference of all Special Committees.
- 4.3 Once established, a Special Committee may, if necessary, identify further Terms of Reference, which must be approved by Council.

As stated in the Special Committees Procedure (see Annexure 18.1.3): 'This procedure details the non-negotiable components to be included within the Terms of Reference of all Special Committees of Council.'

Nominations moved and seconded at the meeting on 21st July 2021 are as follows:

Committee Member:	Nominated By:	Seconded:
Anne Rae	Jude Cazaly	Anne-Marie Carnell
Robin Walker	John Langdon	John Holloway
Ken Clarkson	Kevin Haines	Rob Holloway
Kevin Haines	John Holloway	Heather Wagner
Richard Harley	Angela Harley	Ken Clarkson
Rob Holloway	Anne-Marie Carnell	Trevor Montgomery
Norm Hunt	Kevin Haines	Derek Wills
John Holloway	Norm Hunt	Rob Holloway
Dennis Cooper	Ken Clarkson	John Holloway

I respectfully ask Council to approve the Motion.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

Nil

OFFICER'S REPORT

The establishment of a Special Committee to acquit the Liberal Government \$120,000 pre-election promise to, "Invest \$120,000 to upgrade existing boat ramps on Flinders Island", is a transparent, community-lead and collaborative way to achieve this aim.

The ability of the Committee to develop recommendations which are made directly to Council provides strong relevance and connectedness to the Community. Council involvement in the

committee also provides administrative support and guidance through the grant acquittal process.

I believe the proposed process is an appropriate and community focussed way to acquit this community boating funding stream.

STATUTORY REQUIREMENTS

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

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

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

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

BUDGET AND FINANCIAL IMPLICATIONS

Minimal budget implications are anticipated, largely in the area of administration and officer time.

RISK/LIABILITY

Nil

VOTING REQUIREMENTS

Simple Majority

MOTION

145.08.2021 Moved: Mayor A Revie Seconded: Cr V Grace

That Council

- a) **Authorises establishment of a Flinders Boating Special Committee. The purpose of the committee is to provide recommendations to Flinders Council on boating matters, specifically Council-owned boat ramps on Flinders Island;**
- b) **Adopts the basic Terms of Reference as detailed in the Special Committees of Council Procedure and shown in Annexure 18.1.4;**
- c) **Approves Mayor Revie as Chairperson of the Special Committee;**
- d) **Appoints a second Councillor if suggested by Council;**
- e) **Approves the nominations for membership of the Flinders Boating Special Committee, nominated and seconded at a meeting held on 21st July 2021, and included in the unconfirmed minutes of that meeting (see Annexure 18.1.1).**

CARRIED UNANIMOUSLY (6-0)

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

146.08.2021 Moved: Mayor A Revie Seconded: Cr A Burke

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

CARRIED UNANIMOUSLY (6-0)

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

147.08.2021 Moved: Cr V Grace Seconded: Cr P Rhodes

That Council appoints Councillor Aaron Burke to the Flinders Boating Special Committee as a second Councillor.

CARRIED UNANIMOUSLY (6-0)

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

148.08.2021 Moved: Cr V Grace

Seconded: Cr A Burke

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

CARRIED UNANIMOUSLY (6-0)

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

18.2 Notice of Motion – Islander Way Project

Action	Decision
Proponent	Mayor Annie Revie
Officer	Warren Groves General Manager
File Reference	CSV/1706
Annexures	18.2.1 Draft Short Form Deed - Flinders Island Regenerative Tourism Living Lab (Elected Members only)

NOTICE OF MOTION

That Council approves the signing of the Deed for the Islander Way Project, by General Manager Warren Groves, under the authority of the Flinders Council Common Seal.

COUNCILLOR'S REPORT

In April, 2021, the Premier of Tasmania, Honourable Peter Gutwein, committed funding of \$300,000 to the Flinders Council Islander Way Project. The project is included in the Destination Action Plan and in the Flinders Council Annual Plan (2021/22). In a letter to Council, 1st June 2021, the Premier confirmed his support for the Project - with Council and Visit Northern Tasmania (VNT) in partnership roles.

At the 15 June 2021 Ordinary Meeting, Council approved the following motion:

*“103.6.2021 Moved: Mayor Annie Revie Seconded: Cr S Blyth
That Council engages the Tourism Colab Consultancy, Principal Dr
Dianne Dredge and Associate Sarah Lebski, to develop a project brief to
support the ‘Islander Way’ funding application.”*

The Project Brief was completed and submitted to Contact Officer, Amanda Aitken, of the Department of State Growth. A copy of the brief was made available to Flinders Councillors and appropriate Council Officers, as well as to Chris Griffin, Chief Executive Officer of Visit Northern Tasmania (VNT), Paul Seaman, Chairman of the VNT Board, and Michael Buck Chair of the Flinders Island Business Incorporated (FIBI), and Destination Action Plan (DAP) co-partner with Council. On 22nd July 2021, the Deed Terms and Conditions were sent to Council for confirmation. The Deed Terms and Conditions were considered by General Manager, Warren Groves, to be operationally appropriate and the Contact Officer with the Department of State Growth, Amanda Aitken, was so notified. The Project Contact Officer subsequently drafted a Funding Deed and returned it to Council for confirmation on 4th August. The Draft Deed was confirmed and returned to the Department of State Growth Contact Officer, Amanda Aitken, on 10th August. It is proposed that the final Deed will be returned for signing to Flinders Council in next week or so and will be signed by General Manager, Warren Groves, under the Flinders Council Common Seal, if approved by Council. The Draft Deed (see Annexure 18.2.1) outlines the schedule for provision of Project funding (total \$300,000), Terms and Conditions for Reporting on Project Achievement, and other relevant terms and conditions.

At 3rd August 2021 Council Workshop, Councillors and FIBI Board Members met with Paul Seaman, Dianne Dredge (Principal of Tourism Colab), and Sarah Lebski (Principal of Sarah Lebski and Associates) by Zoom. The purpose of the meeting was for initial introductions amongst key stakeholders, and for the leaders of the Project to provide an update of the main Project direction. The Project itself is scheduled to begin from 1st September 2021. Dr Dianne Dredge and Sarah Lebski are totally committed to the success of the project and have engaged in the preparation of Project documents for many months prior to submission of the Project Brief. The Islander Way is viewed by these leaders as a journey, with the principles of regenerative tourism and the Flinders Brand Story, the Islander Way, at its centre.

I urge Council to approve the signing of the Deed.

PREVIOUS COUNCIL CONSIDERATION

103.6.2021 15 June 2021

PREVIOUS COUNCIL DISCUSSION

30 March 2021 Council Workshop
3 August 2021 Council Workshop

OFFICER'S REPORT

There has been much discussion within the Community over recent months about both what acceptable visitor levels to the Island might be and also what type of tourism or visitation the community is comfortable with.

The recent State Government funding offering of \$300,000 enables the proposed project to specifically examine these issues, developing an Island-centric and inclusionary visitation model that benefits all stakeholders.

On the 15 June 2021 at the Ordinary Council Meeting, Council agreed to engage the Tourism Colab Consultancy, Principal Dr Dianne Dredge and Associate Sarah Lebski, to develop a project brief for the 'The Islander Way' funding application.

STATUTORY REQUIREMENTS

Nil

POLICY/STRATEGIC IMPLICATIONS

1. Liveability - To protect and build upon our island's way of life.
- 1.4 Our natural environment protected and enhanced through land management activities -
 - 1.4.1 Promote and support sustainable activities to conserve the islands' natural and agricultural environments.

BUDGET AND FINANCIAL IMPLICATIONS

Limited

RISK/LIABILITY

Low

VOTING REQUIREMENTS

Simple Majority

MOTION

149.08.2021 Moved: Mayor A Revie Seconded: Cr V Grace

That Council approves the signing of the Deed for the Islander Way Project, by General Manager Warren Groves, under the authority of the Flinders Council Common Seal.

CARRIED UNANIMOUSLY (6-0)

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

150.08.2021 Moved: Cr P Rhodes Seconded: Cr V Grace

That the Islander Way Project will produce the following outcomes amongst others:

- **Identification of the needs, wants, desires and values of community, beginning with Tourism;**
- **Identification of potential projects for the community benefit;**
- **Individual or group coaching to support community members enact their projects; and**
- **A quarterly report including project expenditure is provided to Council.**

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, 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 3.25 pm.

18.3 Notice of Motion – Rescind Council Houses – Maintenance Policy

Action	Decision
Proponent	Rachel Summers
Officer	Warren Groves General Manager
File Reference	ADM/0600, AME/0900
Annexures	18.3.1 G3 Council Houses Maintenance 2012.11.15

NOTICE OF MOTION

That Council rescinds the Council Houses – Maintenance Policy and allows it to lay on the table for 28 days for public comment.

COUNCILLOR’S REPORT

An audit report presented by Ruddicks Chartered Accountants (on behalf of the Tasmanian Audit Office) in December 2017 noted that Council had “an inordinately large number of policies” and that many were now outdated as they had not been reviewed in the required time-frame.

The issue has been carried forward through subsequent audits and even though some works have been done to rectify this, there are still more than 20 policies that were due for review prior to 1st April 2021 – some having last been reviewed in 2009.

Our policies and procedures define our culture and values. They detail our standards and provide consistency to our decisions and practices. Policies outline not just what we expect from our employees and what they can expect from us, but what our customers and community can expect from Council.

It is crucial that all our policies remain up to date, including any changes to legislation and incorporating current best practice. Failure to do so could result in serious consequences for Council.

The Council Houses – Maintenance Policy outlines, briefly, that Council needs to maintain its assets, that funds be allocated for maintenance and in an emergency, empowers the General Manager to approve works required. It also instructs that any such work needs to be ratified at the next Council meeting.

Maintenance and emergency repairs are covered under our Asset Management Policy. It seems excessive to have a policy relating specifically to houses only. All Council assets should be maintained to a suitable standard. They should all have funds allocated for maintenance and there are systems in place for emergency repairs.

I ask that Council rescinds this policy.

PREVIOUS COUNCIL CONSIDERATION

341.11.12	15 November 2012
280.09.10	23 September 2010
301.12.01	13 December 2001
021.02.95	14 February 1995

PREVIOUS COUNCIL DISCUSSION

Nil

OFFICER'S REPORT

Council has a policy that states that policies should be reviewed every four years at the beginning of the election cycle or at Council's discretion. Councillor Summers has been reviewing the Council Houses – Maintenance Policy and found the Policy to be no longer required for the following reason.

Section 70C of the Local Government Act 1993 requires Council to maintain an Asset Management Policy. In June 2021 Council Officers prepared the Long-Term Financial and Asset Management Plans, Strategies and Policy. This document incorporates an Asset Management Policy as addressing the requirements of *Section 70C of the Local Government Act 1993*. This Policy addresses the maintenance requirements on all Council owned assets.

Therefore, I recommend that Council rescinds the above policy.

STATUTORY REQUIREMENT

Local Government Act 1993

Local Government (General) Regulations 2015

POLICY/STRATEGIC IMPLICATIONS

Nil

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

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

VOTING REQUIREMENTS

Simple Majority

MOTION

151.08.2021 Moved: Cr R Summers Seconded: Cr P Rhodes

That Council rescinds the Council Houses - Maintenance Policy and allows it to lay on the table for 28 days for public comment.

CARRIED UNANIMOUSLY (6-0)

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

18.4 Notice of Motion - Whitemark Community Gym

Action	Decision
Proponent	Councillor Rachel Summers
Officer	Warren Groves General Manager
File Reference	CDV/0702
Annexures	18.4.1 Letters of Support

NOTICE OF MOTION

That Council:

1. **Approves the Whitemark Community Gym Special Committee's recommendation to investigate the development of a new fit for purpose gym facility in Whitemark; and**
2. **Approves the Committee to commence investigation including drafting of a design; and**
3. **Accepts that costs incurred by this investigation, including drafting of a design, will be borne by the Whitemark Community Gym Special Committee.**

COUNCILLOR'S REPORT

Flinders Council took on the ownership and management of the Whitemark Community Gym in 2018 following a successful trial period that commenced in August 2017. Since then, over 300 community members have been inducted and the gym averages around 400 visits per month. Our membership is diverse representing all age groups and abilities.

The gym is home to the Royal Flying Doctor Service (RFDS) program that targets chronic conditions including cardiopulmonary issues, mental illness and dementia. Flinders Island has been identified as having a high rate of chronic and preventable disease. We have the highest hospitalisation rate for cardiovascular disease and dementia¹ and one of the highest cancer rates in Tasmania – especially for prostate and lung cancer. Lastly, our Island has one of the highest mortality rates for chronic diseases.

It is an accepted fact that regular exercise is one of the most important preventative measures that a person can undertake to reduce the incidence of many of the chronic conditions.^{2,3}

Whitemark Community Gym also houses equipment for on-Island rehabilitation that has allowed for residents to return from Launceston and Melbourne to continue their recovery here. Clinical evidence shows patients achieve better recovery outcomes at home, where they avoid the physical deterioration, sleep disruption and social isolation often experienced with hospital stays.

The Committee receives feedback from members with many suggestions, complaints and compliments. The one issue that seems to frustrate most people is the size of the gym. It is just too small. A recent survey has shown that there have been many instances where people have turned up to the gym but been unable to use it and gone home, or that the facility becomes crowded, and people are unable to use the equipment.

Another issue is heating and cooling. The gym becomes very cold in the winter and very hot in the summer. Unfortunately, due to the design and construction materials, heat pumps are not a viable option for temperature control.

There is a stage space in the gym which presents a safety risk for users. We have tried both cardio machines and weights, but neither are appropriate for that area.

It also has become obvious that people are not following the rules for the use of the gym. Some are not signing in, some have not been inducted. There have been times where there

are 6 people in the gym and only two names in the book. Unfortunately, some are not even paying. This all impacts on the viability of the gym and we are having to look at implementing ways to ensure that everyone does the right thing.

Lastly, the building that currently houses the gym is quite old. It has numerous maintenance issues that require time and money to repair – either by Council or Lions.

The Whitemark Community Gym Committee started some research into extending the current gym or constructing a new fit-for purpose building in Whitemark to alleviate space issues and address security and safety issues.

The committee approached Lions to gauge interest in leasing the other room in their building. However, the space is used by several groups, so the idea was turned down. Lions did suggest that we could build out from the current gym, but the wastewater system would prevent this from happening.

The committee has assessed the risks of the current site, the need to retrofit to make it fit for purpose and the fact that it is a short-term lease. With this in mind, we felt the best step forward would be to recommend the construction of a new purpose-built gym that will allow for increased and varied use. Like it or not people are moving to Flinders Island. We need to be looking 5-10 years into the future and planning for that now.

We envisage a facility that will have defined areas – cardio, weights, stretching/classes, a rehab area and disabled access. There could be a toilet/shower/change room, plus an entrance area with lockers and even a couch or some form of seating as sometimes “buddies” are not participating, or you are waiting on someone to finish etc. Currently there is no seating in the gym, nor any room.

Ideally, we would like something that is sustainably built, that is energy efficient and blends into its environment.

We have looked at potential sites and have decided on a few suitable choices – Whitemark foreshore – between the ‘exercite’ area and the new toilets or perhaps the Flinders Island RSL and Sports club. They have had a gym in their plan for years as part of the sports hub. A long-term lease for a portion of land may be arranged, ensuring that Council remained in control of the Gym and its operation.

Funding – the most important thing. Who is going to pay for this building, the construction and on-costs. The Committee is committed to fund-raising the entire amount for the design, permits, purchase, construction, fit-out etc. Basically, everything up to the point of the doors opening and people being allowed in. After that, it will be a Council asset and maintenance, depreciation, cleaning etc. being the responsibility of Council. The Committee will continue to fund-raising to purchase/replace equipment and other requirements.

Flinders Council Strategic Plan – Our vision is *“A vibrant, welcoming and sustainable community, full of opportunity, celebrating and preserving our unique way of life and natural environment.”*

Under the first focus area of LIVEABILITY, Council wants to achieve a viable population that enables the necessary services and activities required for the Community to prosper; and a harmonious and healthy community actively engaged in recreation, volunteering, arts and culture.

They plan to do it by providing recreational facilities and assist community groups to encourage an active and healthy lifestyle, ensuring our residents are more physically active and recreational facilities are well patronised.⁴

A purpose-built facility meets this plan.

1. SoPI 2018-19 Supplementary Paper II – Chronic Disease Risk Factors – *Department of Health and Human Services, Tasmanian Government*
2. Lack of exercise is a major cause of chronic diseases – *Comprehensive Physiology*, Apr 2013 Frank W. Booth, Ph.D; Christian K. Roberts, Ph.D; and Matthew J. Laye, Ph.D
3. Australian Institute of Health and Welfare 2017: Impact of physical inactivity as a risk factor for chronic conditions – *Australian Burden of Disease Study*.
4. Flinders Council Strategic Plan 2021-2031– *Flinders Council*

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

3 August 2021 Council Workshop

OFFICER'S REPORT

The Whitemark Community Gym Special Committee is seeking approval to investigate and draft designs for a new, fit for purpose, Gym at Whitemark, financed through their own resources. Appropriate physical activity clearly has Community wide health and welfare benefits. The investigation phase of this exercise is highly likely to identify the viability or otherwise and practical scope of this project.

There is little risk to Council in the Committee conducting this process and all parties will likely be better informed by the result of this investigation. Should a further stage of this project be supported by the investigation, this will be a matter for further Council consideration upon application by the Committee.

STATUTORY REQUIREMENTS

Nil

POLICY/STRATEGIC IMPLICATIONS

1. Liveability - To protect and build upon our island's way of life.
- 1.4 Our natural environment protected and enhanced through land management activities -
 - 1.4.1 Promote and support sustainable activities to conserve the islands' natural and agricultural environments.

BUDGET AND FINANCIAL IMPLICATIONS

Limited

RISK/LIABILITY

Low

VOTING REQUIREMENTS

Simple Majority

MOTION

152.08.2021 Moved: Cr R Summers Seconded: Deputy Mayor D Williams

That Council:

- 1. Approves the Whitemark Community Gym Special Committee's recommendation to investigate the development of a new fit for purpose gym facility in Whitemark; and**
- 2. Approves the committee to commence investigation including drafting of a design; and**
- 3. Accepts that costs incurred by this investigation, including drafting of a design, will be borne by the Whitemark Community Gym Special Committee.**

CARRIED UNANIMOUSLY (6-0)

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

19 Governance

19.1 Review Waiver of Fees Policy

Action Officer	Decision Warren Groves General Manager
File Reference	FIN/0701
Annexures	19.1.1 <i>Waiver of Fees Policy</i> 19.1.2 <i>Rationale for Waiver of Fees (Elected Members only)</i>

INTRODUCTION:

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

Council has a policy that states that policies should be reviewed at least every four (4) years by the then elected members.

This report continues the process of Council reviewing its policies and procedures as part of a continuous review process.

PREVIOUS COUNCIL CONSIDERATION

The review date for the policy is listed at the beginning of the policy (refer Annexure 19.1.1).

21 st May 2015	144.05.2015
25 January 2018	03.01.2018

PREVIOUS COUNCIL DISCUSSION

25 th October 2017	Council Workshop
3 rd August 2021	Council Workshop

OFFICER'S REPORT

This Policy has previously been the subject of Council staff and Councillor discussion and review in August 2021. Council Officers have reformatted and reviewed the Waiver of Fees Policy and have no changes to recommend.

STATUTORY REQUIREMENTS

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

Flinders Council Policy Manual Policy

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

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

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council approves the Waiver of Fees Policy and allows the Policy to lay on the table for 28 days for public comment.

DECISION

153.08.2021 Moved: Deputy Mayor D Williams Seconded: Cr R Summers
That Council approves the Waiver of Fees Policy and allows the Policy to lay on the table for 28 days for public comment.

CARRIED UNANIMOUSLY (6-0)

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

Jacci Viney, Development Services Coordinator, joined the meeting at 3.27pm.

19.2 Review Writing Off Bad Debts Policy

Action Officer	Decision
File Reference	Warren Groves General Manager
Annexures	FIN/0501
	19.2.1 Writing Off Bad Debts 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.

Council has a policy that states that policies should be reviewed at least every four (4) years by the then elected members.

This report continues the process of Council reviewing its policies and procedures as part of a continuous review process.

PREVIOUS COUNCIL CONSIDERATION

17 March 2016 53.03.2016

PREVIOUS COUNCIL DISCUSSION

3 August 2021 Council Workshop

OFFICER'S REPORT

This Policy has previously been the subject of Council staff and Councillor discussion and review in August 2021. Council Officers have reformatted and reviewed the Writing off Bad Debts Policy and have minimal changes to recommend.

STATUTORY REQUIREMENTS

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

Flinders Council Policy Manual Policy

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

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

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council approves the Writing Off Bad Debts Policy and allows the Policy to lay on the table for 28 days for public comment.

DECISION

154.08.2021 Moved: Cr R Summers Seconded: Cr A Burke

That Council approves the Writing Off Bad Debts Policy and allows the Policy to lay on the table for 28 days for public comment.

CARRIED UNANIMOUSLY (6-0)

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

19.3 Council to manage additional road asset – Cattle Track

Action	Decision / Information
Proponent	Council Officer
Officer	Jacci Smith – Development Services Coordinator
File Reference	ROA/0210
Annexures	19.3.1 Request from road users

INTRODUCTION

Council is in receipt of correspondence from ratepayers who utilise the “Cattle Track” as their primary access.

The Cattle Track is not maintained by Council and therefore provides no ‘legal’ access to any lots serviced by it. The Cattle Track is a ‘road reserve’ and therefore owned by the Crown. The correspondence seeks to have Council take over maintenance of the Cattle Track, thus allowing them a legal access and also the ability to develop their lots without having to enter into an agreement with the Crown for the legal use of the road to service each lot.

There are eight lots that adjoin this road reserve with potential for more in the draft local provisions schedule.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

20 July 2021 Council Workshop

OFFICER’S REPORT

All roads in Tasmania are regulated under *Local Government (Highways) Act 1982* (the Act). The Act outlines two main types of roads that are applicable to this situation. They are:

Section 21 General responsibilities of corporations

- (1) Subject to this Act, the corporation of a municipality is charged with the duty of maintaining the local highways in the municipality that are maintainable by the corporation as shown on its municipal map, and, in any particular case, it shall discharge that duty in such manner as, having regard to all the circumstances of the case, it considers practicable and appropriate.*
- (2) For the purposes of the discharge of its duties under this section in respect of a highway, a corporation may carry out such works as it considers necessary for the maintenance or renewal of any bridge, embankment, or other work carrying, or otherwise associated with, the highway.*
- (3) The local highways in a municipality that are maintainable by the corporation vest in the corporation and, for the purpose of the exercise of its functions in respect of those highways, the corporation has, subject to the Traffic Act 1925 and the Vehicle and Traffic Act 1999, the care, control, and management of those highways.*
- (4) Except as otherwise provided in this Act, a corporation is not liable for any injury or loss arising from the condition of a highway unless that condition results from the improper carrying out of highway works that are carried out by, or at the direction of, the corporation.*

And

Section 50 Management of local highways not maintainable by the corporation

- (1) *The corporation has the care, control, and management of the local highways that are not maintainable by it and, if it thinks fit, may carry out in that highway any highway works that it is by this Act authorized to carry out in a local highway maintainable by the corporation.*
- (2) *Where under this section a corporation carries out any highway works in a highway that is not maintainable by it, the provisions of this Part apply in relation to the exercise of those powers as if it were a highway so maintainable.*
- (3) *A corporation that carries out under this section any highway works in a highway that is not maintainable by it does not, by reason of carrying out those works, incur any liability to maintain the highway.*

The “Cattle Track” is currently classified under section 50 of the Act. In essence the request put to Council asks that the road become a section 21 road under the Act.

In Council workshop discussions, it was highlighted that the road would also require an official name *if* the road status were to change. This would enable each lot that is accessed off the road, to obtain a legal address. Each lot is currently addressed as Palana Road.

Converting the Cattle Track to a section 21 road provides benefits to occupiers for many reasons, such as emergency services, bank loans, connection of services and making further subdivision of land possible.

Should Council support taking over maintenance obligations for the road, the suggested official name would be “Cattle Track” as it maintains the history associated with the Track. This name is available as an official road name with the nomenclature authority.

STATUTORY REQUIREMENT

Local Government (Highways) Act 1982

The statute for the management of the road would be contained within the above Act but there is no statutory requirement to have a road status changed.

POLICY/STRATEGIC IMPLICATIONS

The draft Local Provisions Schedule identifies land fronting the Cattle Track as Landscape Conservation, Rural Living and Rural zones.



Land to the north of the Cattle Track is in the rural zone and could be rezoned if road frontage was provided. A rural living zone is proposed for the northern side of the eastern end of the road. Natural values have been identified in the area and some of the land is proposed to be

landscape conservation zone. Despite this, the zoning development of each lot is currently inhibited as there is no legal access or road frontage for the lots.

BUDGET AND FINANCIAL IMPLICATIONS

There are 4 financial options with regard to changing the status of the road to a section 21 under the Act:

- | | |
|---|--------------------|
| 1. Upgrade the road to a modern road design | \$80,000 |
| 2. Upgrade the road to remove potholes etc. | \$10,000 |
| 3. Change status of road but do no work | \$0 + depreciation |
| 4. Do nothing | \$0 |

RISK/LIABILITY

Road responsibilities are laid out in the *Local Government (Highways) Act 1982*, which states Council's road liability as low.

Budget implications for initial upgrade works etc. are to be decided by Council. The request to amend the status of the road does not seek any pavement improvement.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council agrees to accept the road reserve known as the Cattle Track as a section 21 road under *Local Government (Highways) Act 1982* under the premise that no road works or pavement improvement works are to be done to the road.

That Council agrees to officially name the road "Cattle Track".

Deputy Mayor David Williams left the meeting at 3.39pm and returned at 3.40pm.

DECISION

155.08.2021 Moved: Cr A Burke Seconded: Deputy Mayor D Williams

That Council agrees to accept the road reserve known as the Cattle Track as a section 21 road under *Local Government (Highways) Act 1982* under the premise that no road works or pavement improvement works are to be done to the road.

That Council agrees to officially name the road "The Cattle Track".

CARRIED UNANIMOUSLY (6-0)

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

Jacci Viney, Development Services Coordinator, left the meeting at 3.47pm.

19.4 TasWater Quarterly Report to Owners Representatives 30 June 2021

Action	Decision
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	COU/0312
Annexures	<i>19.4.1 TasWater Quarterly Report to Owners Representatives 30 June 2021</i>

INTRODUCTION

Taswater has presented its last quarter (Q4) FY 2020-21 Quarterly Report to Owners' Representatives in accordance with the requirements of the Shareholder's Letter of Expectations.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

Nil

OFFICER'S REPORT

The report outlines key aspects of the performance for the quarter ending 30 June 2021. These are followed by scorecards reflecting the status of the performance against key performance indicators outlined in the FY2019–23 Corporate Plan and the financial performance compared to the FY2020–21 Budget.

POLICY/STRATEGIC IMPLICATIONS

Nil

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Taswater Quarterly Report to Owners' Representatives fourth quarter report ending 30 June 2021 be noted.

DECISION

156.08.2021 Moved: Cr P Rhodes

Seconded: Cr R Summers

That the Taswater Quarterly Report to Owners' Representatives fourth quarter report ending 30 June 2021 be noted.

CARRIED UNANIMOUSLY (6-0)

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

19.5 Quarterly Report on the Northern Tasmania Development Corporation Ltd.

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	COU/0305
Annexures	19.5.1 Northern Tasmania Development Corporation's Quarterly Progress Report - April to June 2021

INTRODUCTION

As permitted under Section 21 (c), Enterprise Powers of the *Local Government Act 1993*, Flinders Council became a member of the Northern Tasmania Development Corporation LTD (NTDC) on 1 January 2017. The *Local Government Act 1993* 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 19.5.1 NTDC's Quarterly Progress Report for the April to June 2021 quarter has been provided to all member councils.

PREVIOUS COUNCIL CONSIDERATION

Nil

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.*

Annexure 19.5.1 NTDC's Quarterly Progress Report, details the activities of the Corporation for Council's last quarter as members of the organization. No adverse developments affecting the entity's financial viability are known.

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's Quarterly Progress Report – April to June 2021, provided to all member councils.

DECISION

157.08.2021 Moved: Cr R Summers Seconded: Cr P Rhodes

That Council notes the Northern Tasmania Development Corporation's Quarterly Progress Report – April to June 2021, provided to all member councils.

CARRIED UNANIMOUSLY (6-0)

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

19.6 Councillor Resolution Report

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	GOV/0300
Annexures	19.6.1 Councillor Resolution Report August 2021

INTRODUCTION

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

PREVIOUS COUNCIL CONSIDERATION

The Report is presented on a monthly basis.

OFFICER'S REPORT

Please read Annexure 19.6.1 – Councillor Resolution Report August 2021.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Councillor Resolution Report August 2021 be noted.

DECISION

158.08.2021 Moved: Cr V Grace Seconded: Cr R Summers

That the Councillor Resolution Report August 2021 be noted.

CARRIED UNANIMOUSLY (6-0)

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

Mayor Annie Revie declared the meeting closed at 3.54 pm.

Meeting Closed 3.54 pm
