



Unconfirmed Minutes Ordinary Council Meeting

23 August 2023



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FLINDERS COUNCIL ORDINARY MEETING – UNCONFIRMED MINUTES WEDNESDAY 23 AUGUST 2023

Venue	Flinders Island Arts and Entertainment Centre
Commencing	1.00pm
Attendees – Councillors	Deputy Mayor Vanessa Grace Aaron Burke Carol Cox Peter Rhodes Ken Stockton
Apologies	Mayor Rachel Summers Garry Blenkhorn
Attendees- Staff	Warren Groves General Manager (1.00pm – 2.29pm) Chris Wilson Infrastructure Manager (1.00pm – 2.29pm) Sue Mythen Executive Officer (minute taker) (1.00pm – 2.29pm) Kyra Newman Executive Assistant (1.00pm – 2.29pm)

1. ACKNOWLEDGEMENT OF COUNTRY

The Deputy Mayor began by acknowledging the Traditional Owners of the land on which we met 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 26 July 2023 and the Special Council Meeting held 1 August 2023 be confirmed.

DECISION

237.08.2023 Moved: Cr C Cox

Seconded: Cr A Burke

That the Minutes from the Ordinary and Closed Council Meetings held 26 July 2023 and the Special Council Meeting held 1 August 2023 be confirmed.

CARRIED UNANIMOUSLY (5-0)

For: Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Carol Cox, Cr Peter Rhodes and Cr Ken Stockton.

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3. PUBLIC QUESTION TIME

In accordance with Section 31 (1) of the Local Government (Meeting Procedures) Regulations 2015 and the Flinders Council Public Question Time – Council Meeting Procedure, the following are to be adhered to at public question time.

Public Question Time is permitted at Ordinary Council Meetings, during which, members of the public may ask questions of the Council relating to Flinders Council matters.

The basis on which questions may be asked is:

- 1. All questions will be addressed through the Chair (being the Mayor in normal circumstances) who will answer them as she/he sees fit. Under no circumstances will members of the gallery be permitted to address or question either elected members or officers of the Council. The Chair may delegate answers to the appropriate Councillor or staff member if required.*
- 2. Persons addressing the Chair must pay the respect due to that office. Failure to do so may mean their address is terminated without notice.*
- 3. Where the answer cannot be provided immediately, it will be provided in writing within 14 days and tabled at the following Ordinary Council Meeting.*
- 4. All questioners are encouraged to register their intent to question with the General Manager before the meeting. Preference will be given to those who have so registered.*
- 5. Question time shall not extend longer than 30 minutes and may be divided into two 15 minute sessions.*
- 6. The actual timing of the session(s) is to be immediately after the opening of the meeting and advertised with the notice of meeting.*

Public Questions Received

Question 1: Wendy Jubb-Stoney

Will the Council initiate an amendment to Clause FLI-S3.7.2 of the Coastal Areas SAP to insert Performance Criteria so that compliance with the objective of the SAP can be demonstrated?

Mayor's Response

The General Manager provided the following information:

The matters you have raised were workshopped as advised. The Coastal SAP was a topic of discussion. The mapping and ordinance were both examined. Whilst no amendment to this SAP is proposed in the Badger Corner area at this time, as detailed in the response to your questions at the May 2023 Council Ordinary Meeting, Council will undertake a review of the Local Provision Schedule including the four Specific Area Plans.

Question 2: Wendy Jubb-Stoney

If Council proceeds to initiate an amendment described in my previous question, what is the timeframe within which it would advertise the amendment?

Mayor's Response

The General Manager provided the following information:

No amendment is currently proposed.

Question 3: Wendy Jubb-Stoney

If a Council development was to be affected by the 300 sq m site coverage imposition, and there are no performance criteria for Clause FLI-S3.7.2 of the SAP, what would Council do?

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Mayor's Response

The General Manager provided the following information:

Council is subject to the planning scheme – just like any developer. An amendment may be justified if the planning scheme affected critical infrastructure for example. Each case would be assessed on its merit.

DECISION

238.08.2023 Moved: Cr C Cox

Seconded: Cr P Rhodes

That the responses to the Public Questions from the 23 August 2023 Council Meeting be noted.

CARRIED UNANIMOUSLY (5-0)

For: Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Carol Cox, Cr Peter Rhodes and Cr Ken Stockton.

4. COUNCILLORS' QUESTIONS WITHOUT NOTICE

Nil

5. LATE AGENDA ITEMS

Nil

6. DECLARATION OF PECUNIARY INTEREST

Nil

7. CONFLICT OF INTEREST

Nil

8. POLICIES

The following Council policy was adopted at the 28 June 2023 Ordinary Council Meeting and no submissions were received throughout the 28 day public consultation period. As per the requirements of the Council Policy and Procedure Framework, the following policy is now considered to be adopted:

- Asset Disposal Policy

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9. WORKSHOPS & INFORMATION FORUMS

File No. COU/0205

Council Workshop – 26 July 2023

Council held a workshop on the following subjects:

- Item 1 Development Services Discussion
- Item 2 Waste Strategy Presentation
- Item 3 Local Government Review Submission Discussion
- Item 4 Grants Update
- Item 5 General Manager's Update

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

Staff and Consultants	In Attendance
Warren Groves General Manager	(Items 1 - 5)
Jacci Smith Development Services Coordinator	(Items 1 - 2)
Mick Purves Consultant Planner (via Teams)	(Item 1)
Chris Wilson Infrastructure Manager	(Item 2)
Sabrina Carter Waste Management Supervisor	(Item 2)
Sammi Gowthorp Community Services Coordinator	(Item 4)
Vicki Warden Executive Officer (note taker)	(Items 1 - 5)

Council Workshop – 9 August 2023

Council held a workshop on the following subjects:

- Item 1 Discussion from Flinders Island Aboriginal Association Incorporated representative
- Item 2 Auction Re-run
- Item 3 Oregon Beams Discussion
- Item 4 General Manager's Update
- Item 5 Islander Way Presentation

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

Staff and Consultants	In Attendance
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Warren Groves General Manager	(Items 1 – 5)
Sammi Gowthorp Community Services Coordinator	(Items 1 & 5)
Sue Mythen Executive Officer (Note Taker)	(Items 1 – 5)
Richard Harley Airport Operations Manager	(Item 3)
John Clark Flinders Island Aboriginal Association Incorporated representative	(Item 1)
Dianne Dredge Designing Tourism	(Item 5)
Sarah Lebski Sarah Lebski & Associates Tourism Consultancy	(Item 5)

RECOMMENDATION

That the Council Workshops held on 26 July and 9 August 2023 be noted.

DECISION

239.08.2023 Moved: Cr P Rhodes Seconded: Cr C Cox

That the Council Workshops held on 26 July and 9 August 2023 be noted.

CARRIED UNANIMOUSLY (5-0)

For: Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Carol Cox, Cr Peter Rhodes and Cr Ken Stockton.

10. PUBLICATIONS AND REPORTS TABLED FOR COUNCIL INFORMATION

Nil

11. REPORTS TO BE RECEIVED

11.1 FURNEAUX GROUP SHIPPING SPECIAL COMMITTEE

File Reference COM/0404
Annexures 11.1.1 Furneaux Group Shipping Special Committee meeting 7 August 2023 Unconfirmed Minutes

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

The unconfirmed minutes of the Furneaux Group Shipping Special Committee held Monday 7 August 2023 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

RECOMMENDATION

That the unconfirmed minutes of the Furneaux Group Shipping Special Committee meeting held 7 August 2023 be noted.

DECISION

240.08.2023 Moved: Cr A Burke Seconded: Cr P Rhodes

That the unconfirmed minutes of the Furneaux Group Shipping Special Committee meeting held 7 August 2023 be noted.

CARRIED UNANIMOUSLY (5-0)

For: Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Carol Cox, Cr Peter Rhodes and Cr Ken Stockton.

12. COUNCILLORS' REPORTS

Nil

13. MAYOR'S REPORT

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

APPOINTMENTS

DATE	ACTIVITY
19/07/2023	Meeting with King Island Council
26/07/2023	Council Workshop and Meeting
01/08/2023	Special Council Meeting: Local Government Review Submission
02/08/2023	Citizenship Ceremony
07/08/2023	Furieux Group Shipping Special Committee
09/08/2023	Council Workshop
10/08/2023	Flinders Council Governance Meeting

CORRESPONDENCE IN

DATE	FROM	SUBJECT
15/07/2023	Ciaran Condron	Childcare
16/07/2023	Catherine Mooney	Forced Amalgamations
16/07/2023	Holly Barnewall	Childcare
16/07/2023	Esther Nunn	Childcare
17/07/2023	Savannah Shaw	Childcare
17/07/2023	Gabbi and Mikey Yeo	Childcare
17/07/2023	Lauren, Platinum Pest Control	Platinum Pest Control
17/07/2023	Amanda Banks, Office of the Governor	Invitation to Local Government Representatives Dinner
17/07/2023	Kim Humphries, Australian Services Union	Letter from Branch Secretary, Lisa Darmanin requesting time at council Future of Local Government Review hearing
17/07/2023	Rhianna Barnewall	Childcare
18/07/2023	Kate Posch	Childcare
18/07/2023	Carol Baines	Senior Accommodation
18/07/2023	Dion Lester, Chief Executive Officer, Local Government Association Tasmania (LGAT)	Changes to Councils' Role as a Planning Authority
18/07/2023	Donna Adams, Chair, Fire Service Act Reform Steering Committee	Reform of the <i>Fire Service Act 1979</i>
19/07/2023	Hon Nic Street, Minister for Local Government	Confirmation of announcement re: no forced amalgamations

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DATE	FROM	SUBJECT
19/07/2023	Kate Mauric, General Manager (GM) – King Island Council	Working relationship
20/07/2023	Michelle Morgan	Inter-municipal cooperation and Local Government perspectives on health and wellbeing
20/07/2023	Melinda Pearce	Workplace Health and Safety Review of Elected Representatives
20/07/2023	Premier Jeremy Rockliff	Planning
21/07/2023	Matt Balfe, TasWater	TasWater Stakeholder Survey
21/07/2023	Ed Beswick, General Manager, Thrive Group	Family Information Sessions
24/07/2023	Hon Sue Smith AM, Chair Local Government Board	Stage 3 Update
24/07/2023	Mayor Marcus Blackie, King Island Council	Statement of Intent
24/07/2023	Judy Treloar, Remote Australians Matter	Invitation to attend
25/07/2023	Jennifer Collins, Lean Waste	Products
27/07/2023	Vica Bailey, Aboriginal Land Council Tasmania (ALCT)	Resignation from ALCT
28/07/2023	Peter Devine, Department of Natural Resources and Environment (NRE)	Mapping
31/07/2023	Dr Richard Barnes	Development Application - House at 158 Badger Corner
01/08/2023	Maree McCabe, CEO, Dementia Australia	Dementia Australia update
03/08/2023	Kate Mauric, GM – King Island Council	King Island Council Submission to Stage 2 Interim Report
03/08/2023	Jacci Smith	Examiner Article – Dorset councillors stood down
04/08/2023	Mayor Marcus Blackie, King Island Council	Advocate News Article
04/08/2023	Peter Wright – FOLGR	Agenda for North-East Public Hearing
04/08/2023	Dion Lester, Chief Executive Officer, LGAT	Remote Attendance at LGAT General Meetings
04/08/2023	Sarah Lebski, The Islander Way Project	Sunday 'thank you' event
05/08/2023	Michael Ferguson, MP, Deputy Premier	TasPorts contribution to bolster Flinders Island's Safe Harbour Project
05/08/2023	Lola Cowle, Tasmanian Community Fund	Board Vacancy
07/08/2023	Louise, Smalley, Health Promotions Manager	Consultation: Tasmanian Drowning Prevention Plan

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DATE	FROM	SUBJECT
	Royal Life Saving Service	
07/08/2023	Mayor Marcus Blackie, King Island Council	Flinders Island Safe Harbour Project in the news
08/08/2023	Suzanne Purdon, Department for Education, Children and Young People (DECYP)	Follow up workshop for Early Learning for three year olds
09/08/2023	Lesley King, Department of Premier and Cabinet (DPAC)	Regional Drought Resilience – Local Government Association Session
09/08/2023	Alison Ward, TasHealth	Lift Local Grant Workshop
09/08/2023	Sarah Lebski, The Islander Way Project	Islander Way Draft Framework
10/08/2023	Dion Lester, Chief Executive Officer, LGAT	Media Training Practical Session

CORRESPONDENCE OUT

DATE	TO	SUBJECT
16/08/2023	Catherine Mooney	Amalgamation
17/07/2023	Carol Baines, Director of Nursing, Flinders Island Multi Purpose Centre	Senior accommodation
18/07/2023	Lauren, Platinum Pest Control	Platinum Pest Control
01/08/2023	Ed Beswick, GM, Thrive Group	Letter of Support
02/08/2023	FOLGR Board	Flinders Council FOLGR Submission
02/08/2023	FOLGR Board	Community Submission - FOLGR
02/08/2023	FOLGR Board	Community Submission - FOLGR
02/08/2023	FOLGR Board	Community Submission - FOLGR
02/08/2023	FOLGR Board	Community Submission - FOLGR
02/08/2023	FOLGR Board	Community Submission - FOLGR
04/08/2023	Amanda Banks, Office of the Governor	Dinner Invitation Acceptance
07/08/2023	Mayor Marcus Blackie, King Island Council	Safe Harbour Project
10/08/2023	Dion Lester, Chief Executive Officer, LGAT	Changes to Council's Role as a Planning Authority

VOTING REQUIREMENTS

Simple Majority

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RECOMMENDATION

That the Mayor's report be received.

DECISION

241.08.2023 Moved: Cr K Stockton Seconded: Cr P Rhodes
That the Mayor's report be received.

CARRIED UNANIMOUSLY (5-0)

For: Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Carol Cox, Cr Peter Rhodes, Cr Ken Stockton.

15. INFRASTRUCTURE

15.1 INFRASTRUCTURE MANAGER'S REPORT – AUGUST 2023

Action	Information
Proponent	Council Officer
Officer	Chris Wilson Infrastructure Manager
File References	WOR/3000
Annexures	15.1.1 Infrastructure Manager's Report – August 2023

INTRODUCTION

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

OFFICER'S REPORT

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

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Infrastructure Manager's Report – August 2023 be received and accepted by Council.

DECISION

243.08.2023 Moved: Cr P Rhodes Seconded: Cr K Stockton
That the Infrastructure Manager's Report – August 2023 be received and accepted by Council.

CARRIED UNANIMOUSLY (5-0)

For: Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Carol Cox, Cr Peter Rhodes, Cr Ken Stockton.

Cr P Rhodes thanked the Infrastructure Manager for his comprehensive report and his time with Council. Cr C Cox supported Cr P Rhodes statement.

Deputy Mayor, Vanessa Grace, passed the Chair to Councillor A Burke at 1:22pm.

16. NOTICE OF MOTION

16.1 NOTICE OF MOTION – D/MAYOR VANESSA GRACE - TIMEFRAME, ELECTED MEMBERS EXPENSE CLAIMS

Action	Decision
Proponent	Deputy Mayor Vanessa Grace
Officer	Warren Groves General Manager
File Reference	AME/0503
Annexures	16.1.1 S-G6 Elected Members' Allowances, Reimbursements and Equipment Policy

NOTICE OF MOTION

That claims for Councillor expenses shall be submitted not later than three (3) months, and within 14 days after the close of the financial year, after the expenses have been incurred.

COUNCILLOR'S REPORT

Presently, Councillors are asked to submit claims not later than two (2) months and within one (1) month after the close of the financial year, after the expenses have been incurred. I ask for Councillors' support on this matter in changing the claims to three monthly, in view of having less paperwork commitment every month.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

Nil

OFFICER'S REPORT

The motion to submit expense claims not later than three (3) months after the expenses have been incurred and within 14 days after the close of the financial year, can be accommodated by Council's finance team. Expense claims are required to be submitted no later than 14 days after the end of financial year, to meet Council's statutory deadlines as per the *Local Government Act 1993*.

Council's Elected Members' Allowances, Reimbursements and Equipment Policy defines the expense claim reimbursement process. Any changes to the timeframes for expense claim reimbursement approved by Council at this meeting will need to be amended in the Policy. This policy was last reviewed in October 2020. Given that a new Council was elected in November 2022, it is timely to reconsider the policy as a whole, therefore the Policy will be brought to the September Council Meeting for review, regardless of the Council's decision on this motion.

STATUTORY REQUIREMENTS

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

Elected Members' Allowances, Reimbursements and Equipment Policy

4. Good Governance – Effective, efficient and transparent management and operations.
 - 4.1.1 Ensure Council meets its statutory obligations to manage risk, achieve financial sustainability and model good governance.

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BUDGET AND FINANCIAL IMPLICATIONS

Council's finance team is able to accommodate a three monthly expense claim process, and within 14 days after the close of the financial year.

RISK/LIABILITY

Nil

VOTING REQUIREMENTS

Simple Majority

244.08.2023 MOTION

Moved: D/Mayor V Grace Seconded: Cr K Stockton

That claims for Councillor expenses shall be submitted not later than three (3) months, and within 14 days after the close of the financial year, after they have been incurred.

Carried (3-2)

For: Deputy Mayor Vanessa Grace, Cr Aaron Burke and Cr Ken Stockton .

Against: Cr Carol Cox and Cr Peter Rhodes.

AMENDMENT

Moved: Cr C Cox

The decision on the timeframe on councillor timeframes be deferred and considered with the upcoming policy review.

The motion lapsed due to no seconder.

Councillor A Burke passed the Chair back to Deputy Mayor, Vanessa Grace, at 1:29pm.

17. GOVERNANCE

17.1 REVIEW OF FLINDERS COUNCIL DRAFT 2021-2031 STRATEGIC PLAN

Action	Decision
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	FIN/0100
Annexures	17.1.1 Draft Flinders Council 2021-2031 Strategic Plan – revised August 2023

INTRODUCTION

Section 66 of the *Local Government Act 1993* requires Council to prepare a Strategic Plan for the municipal area in respect of at least a ten year period. Each year, Council reports progress on meeting its strategic objectives via the Annual Plan and the Annual Report.

The 2021 - 2031 Strategic Plan was developed with community consultation throughout the 2020 year and formally adopted by Council in December 2020. With a new council being elected in November 2022, it was determined timely to review the 2021 – 2031 Strategic Plan to embrace new opportunities and to confirm that Council is on track and meeting community expectations.

PREVIOUS COUNCIL CONSIDERATION

Council Meeting 26 July 2023

PREVIOUS COUNCIL DISCUSSION

11 February 2020	Council Workshop
10 March 2020	Council Workshop
24 March 2020	Council Workshop
5 May 2020	Council Workshop
12 May 2020	Council Workshop
19 May 2020	Council Workshop
2 June 2020	Council Workshop
9 June 2020	Council Workshop
23 June 2020	Council Workshop
30 June 2020	Council Workshop
14 July 2020	Council Workshop
4 August 2020	Council Workshop
8 September 2020	Council Workshop
6 October 2020	Council Workshop
10 November 2020	Council Workshop
1 December 2020	Council Workshop
3 May 2023	Council Workshop
12 April 2023	Council Workshop
12 July 2023	Council Workshop

OFFICER'S REPORT

At the 26 July 2023 Ordinary Council Meeting, Council adopted the Draft 2021-2031 Strategic Plan – revised July and allowed it to lay on the table until 8 August 2023 for public inspection, consideration and comment. One submission was received as per the comments below:

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17.2 ANNUAL PLAN 2023-24

Action	Decision
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	ADM/0200
Annexures	17.2.1 Annual Plan 2023-24

INTRODUCTION

Section 71 of the *Local Government Act 1993* requires Council to prepare an Annual Plan for the municipal area each financial year. An Annual Plan is to be consistent with the Strategic Plan and include a statement of the manner which Council is to meet the goals and objectives of the Strategic Plan. A summary of the major strategies to be used in relation to its public health goals and objectives, is also required.

PREVIOUS COUNCIL CONSIDERATION

Annually

PREVIOUS COUNCIL DISCUSSION

3 May 2021	Council Workshop
2 August 2022	Council Workshop
3 May 2023	Council Workshop
12 July 2023	Council Workshop

OFFICER'S REPORT

The Annual Plan is the document upon which Council's operations and service delivery will be based for 2023/2024. The Plan sets out actions, tasks and projects to be undertaken in the year ahead and how these relate to Council's Strategic Plan.

Of utmost importance is that this document forms part of the budget process. The Annual Plan identifies Council's significant service delivery activities and provides the link between the budget, strategic objectives and measurement tools to track achievements towards these outputs.

The 2023/2024 year will see Council continue to provide cost-effective and community-focused service provision, through grant-funded projects and waste management strategy outcomes, as well as the future of local government and information technology improvements.

Council has a statutory requirement to align its services and operations with a Strategic Plan. This Plan is critical to ensuring that the goals and aspirations of the Municipality are taken into account when Council sets its annual priorities, operational plans and budget allocations.

Adoption of the Annual Plan is recommended.

STATUTORY REQUIREMENT

Local Government Act 1993

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247.08.2023 SUBSTANTIVE

Moved: Cr C Cox

Seconded: Cr P Rhodes

That Council receives and adopts the Flinders Council Annual Plan 2023/2024 with amendments and authorises the General Manager to:

- 1. Make a copy of the Annual Plan available for public inspection at the Council office during ordinary business hours; and**
- 2. Provide the Director of Local Government and the Director of Public Health with a copy of the Annual Plan**

CARRIED UNANIMOUSLY (5-0)

For: Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Carol Cox, Cr Peter Rhodes, and Cr Ken Stockton.

17.3 REVIEW CODE FOR TENDERS AND CONTRACTS

Action	Decision
Proponent Officer	Council Officer Warren Groves General Manager
File Reference	ADM/0900, WOR/0300
Annexures	17.3.1 F2- Code for Tenders and Contracts August 2023

INTRODUCTION:

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

In this instance the subject matter relates to the Code for Tenders and Contracts which all Councils are required to develop under Division 2A of the *Local Government Act 1993 (Act)* and the Local Government Regulations 2015.

Council has a policy that states that policies should be reviewed at least every four (4) years but under s.333B(2)(d) of the Act, Council is also required to review the Code once every 4 years.

PREVIOUS COUNCIL DISCUSSION:

02 February 2017	Council Workshop
05 April 2017	Council Workshop
06 July 2017	Council Workshop
03 August 2017	Council Workshop
07 September 2021	Council Workshop

PREVIOUS COUNCIL DECISION:

16 November 2021	227.11.2021
16 July 2009	263.07.2009
21 January 2016	05.01.2016
17 August 2017	204.08.2017

OFFICER'S REPORT:

The presented Code for Tenders and Contracts has been reviewed and updated to ensure that a streamlined methodology is adopted which is both efficient and suitable. Other updates, such as legislative alignment and formatting issues have also been addressed.

The Code has been reviewed by Staff and the General Manager to ensure it aligns with other policies and processes and is presented for the consideration of Councillors.

STATUTORY REQUIREMENT:

Division 2A of the *Local Government Act 1993 (Act)*
Local Government (General) Regulations 2015

POLICY/STRATEGIC IMPLICATIONS:

4. Good Governance – Effective, efficient and transparent management and operations.

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RISK/LIABILITY:

Adoption of a Code for Tenders and Contracts is a mandatory requirement under the Act and will help to reduce Council's exposure to risk in this area.

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATION:

That Council adopts the F2 - Code for Tenders and Contracts - August 2023.

Decision

249.08.2023 Moved: Cr C Cox

Seconded Cr A Burke

That Council takes the Code for Tenders and Contracts - August 2023 to a workshop prior to further consideration.

CARRIED UNANIMOUSLY (5-0)

For: Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Carol Cox, Cr Peter Rhodes, and Cr Ken Stockton.

17.4 REVIEW OF ASSET DISPOSAL PROCEDURE

Action	Decision
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	ASM/0400
Annexures	17.4.1 O-O3-P Asset Disposal Procedure 2023.08.16

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION

181.09.2022	Council Meeting
187.06.2023	Council Meeting

PREVIOUS COUNCIL DISCUSSION

6 September 2022	Council Workshop
14 June 2023	Council Workshop
09 August 2023	Council Workshop

OFFICER'S REPORT

Council previously recognised the need to establish a formal policy and procedure for Council assets and disposal. This Procedure applies to all assets owned by Council, except real property (land and buildings) which is prescribed by Part 12, Division 1 of the Local Government Act 1993.

The intent of the Asset Disposal Procedure is to achieve asset disposal methods that are:

- a) consistent with the standard expected of a responsible, accountable and transparent public body;
- b) fair and equitable;
- c) value for money; and
- d) in accordance with community expectations.

To address concerns of transparency and fairness relating to Councillors and Council Staff having the ability to bid on assets being disposed of and to provide transparency to the Community, the Procedure was reviewed and adopted at the 28 June Council Meeting. Council Officers have further reviewed the Asset Disposal Procedure to include a communication plan.

The Amended Asset Disposal Procedure is presented for council consideration.

STATUTORY REQUIREMENT

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

2. Accessibility/Infrastructure and Services - Quality infrastructure and services for community benefit.
- 2.3 Council assets/land maintained and utilised effectively.

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2.3.2 Finalise and implement the Asset Management Plan, maintenance schedules and disposal procedures to meet audit and governance requirements.

AP-3 Identify Council land/assets for potential sale and improved land utilisation.

RISK/LIABILITY

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

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council adopts the amended Asset Disposal Procedure at annexure 17.4.1.

DECISION

250.08.2023 Motion: Cr C Cox

Seconded: Cr P Rhodes

That the reference to discussion at the 09 August 2023 Council Workshop be removed from the agenda item.

CARRIED UNANIMOUSLY (5-0)

For: Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Carol Cox, Cr Peter Rhodes, and Cr Ken Stockton.

DECISION

251.08.2023 Motion: Cr R Rhodes

Seconded: K Stockton

That Council adopts the amended Asset Disposal Procedure at annexure 17.4.1.

Carried (4-1)

For: Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Ken Stockton and Cr Peter Rhodes.
Against: Cr Carol Cox

17.5 EXPRESSION OF INTEREST – OREGON BEAMS

Action	Decision
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	REA/0101
Annexures	Nil

INTRODUCTION

As part of the Lady Barron Port Redevelopment in 2011, 'materials of interest' from the demolition of the Lady Barron Fish Factory building were identified by Council. The materials from the demolition became the property of the demolisher, however a quantity of oregon beams were donated back to Council with the intent that it be used for beneficial community projects.

The beams have been stored at the Council Depot in Whitemark since that time.

PREVIOUS COUNCIL CONSIDERATION

367.12.2012 13 December 2012 (Closed)

PREVIOUS COUNCIL DISCUSSION

09 August 2023	Council Workshop
14 December 2022	Council Workshop
06 September 2022	Council Workshop
16 August 2022	Council Workshop

OFFICER'S REPORT

The beams are currently stored at the Council's Whitemark Depot under tarpaulins and consist of a range of sizes and lengths up to 15 metres. The timber has original fittings, nails and fastenings in situ and the structural integrity of the timber is unknown.

Interest has been received from community groups for some or all of the timber for local projects.

At a workshop on ~~16~~ 09 August 2023, Council discussed recent informal expressions of interest (EOI) from local community groups and proposed ~~resolved~~, as per Council's Asset Disposal Policy, to advertise via a formal EOI process for local community groups or individuals to apply for an amount of the timber within the following recommended conditions:

- The original intent was for the beams to remain on the Island and be used for community purposes;
- Storage needs to be taken into account as some beams are up to 15m in length;
- Timber is expected to be free-of-charge for community use; and
- The original intention was that the beams would not be for commercial gain, however if an applicant elects to submit a financial bid for all or part of the timber it will be considered.

STATUTORY REQUIREMENT

Local Government Act 1993

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POLICY/STRATEGIC IMPLICATIONS

Asset Disposal Policy and Procedure

BUDGET AND FINANCIAL IMPLICATIONS

The beams have an unknown financial value.

RISK/LIABILITY

Ongoing Council storage conditions run the risk of damage or deterioration to the integrity of the timber.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

Council approves the advertising of an Expression of Interest (EOI) for Oregon Beams salvaged from the Lady Barron Fish Factory for projects beneficial to the local community per the following guidelines:

- That the Oregon beams remain on the Island and be used for community purposes;
- Storage needs to be taken into account;
- Timber is expected to be free-of-charge if for community use; and
- Whilst the original intention was that the beams would not be for commercial gain, if an applicant elects to submit a financial bid for all or part of the timber it will be considered.

DECISION

251.08.2023 Moved: Cr C Cox

Seconded: Cr P Rhodes

That the word 'resolved' be replaced with the word 'proposed' in the Officers report. That the date in the officers' report be amended from 16 August 2023 to 09 August 2023.

CARRIED (4-1)

For: Deputy Mayor Vanessa Grace, Cr Carol Cox, Cr Peter Rhodes Cr and Cr Ken Stockton.

Against: A Burke

DECISION

252.08.2023 Moved: Cr P Rhodes

Seconded: Cr K Stockton

Council approves the advertising of an Expression of Interest (EOI) for Oregon Beams salvaged from the Lady Barron Fish Factory for projects beneficial to the local community per the following guidelines:

- That the Oregon beams remain on the Island and be used for community purposes;
- The proposed community use will be taken into account including proposals;
- Timber is expected to be free-of-charge if for community use; and
- Whilst the original intention was that the beams would not be for commercial gain, if an applicant elects to submit a financial expression of interest for all or part of the timber it will be considered.

CARRIED UNANIMOUSLY (5-0)

For: Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Carol Cox, Cr Peter Rhodes, and Cr Ken Stockton.

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17.5 HOUSING WORKING GROUP REPORT – JULY 2023

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

INTRODUCTION

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

PREVIOUS COUNCIL CONSIDERATION

18.01.2023 25 January 2023

A report will be presented monthly.

PREVIOUS COUNCIL DISCUSSION

25 January 2023 Council Workshop

STATUTORY REQUIREMENT

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

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

OFFICER'S REPORT

There have been no meetings during July 2023. No report has been provided for this agenda item.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

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

DECISION

253.08.2023 Moved: Cr C Cox

Seconded: Cr A Burke

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

CARRIED UNANIMOUSLY (5-0)

For: Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Carol Cox, Cr Peter Rhodes, and Cr Ken Stockton.

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17.6 COUNCILLOR RESOLUTION REPORT

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	GOV/0300
Annexures	17.7.1 Councillor Resolution Report August 2023

INTRODUCTION

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

PREVIOUS COUNCIL CONSIDERATION

The Report is presented on a monthly basis.

OFFICER'S REPORT

Please read Annexure 17.7.1 – Councillor Resolution Report August 2023.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Councillor Resolution Report August 2023 be noted.

DECISION

254.08.2023 Moved: Cr A Burke Seconded: Cr P Rhodes

That the Councillor Resolution Report August 2023 be noted.

CARRIED UNANIMOUSLY (5-0)

For: Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Carol Cox, Cr Peter Rhodes, and Cr Ken Stockton.

At 2.29pm, Deputy Mayor Vanessa Grace declared that the meeting was closed.

MEETING CLOSED 2.29PM
