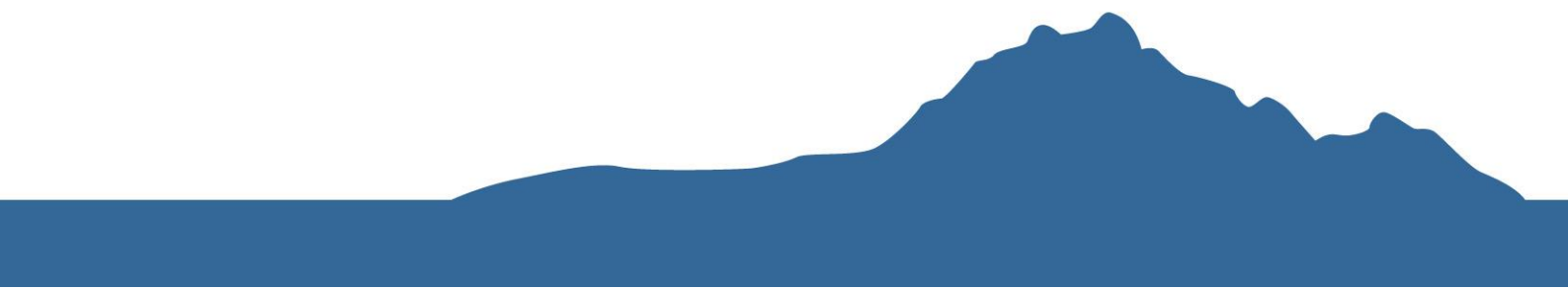




Confirmed Minutes  
Ordinary Council Meeting  
21<sup>st</sup> August 2014



## FLINDERS COUNCIL ORDINARY MEETING

### CONFIRMED MINUTES

**DATE:** Thursday 21<sup>st</sup> August 2014  
**VENUE:** Flinders Art and Entertainment Centre, Whitemark  
**COMMENCING:** 1.00 pm

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#### PRESENT

Mayor Carol Cox  
Deputy Mayor David Williams  
Cr Marc Cobham  
Cr Mary-Anne Roberts  
Cr Gerald Willis  
Cr Ronald Wise

#### APOLOGIES

Cr Peter Rhodes

#### STAFF IN ATTENDANCE

Brian Barnewall	- Works & Services Manager	1.22pm – 1.44pm
Jeff Grace	- Airport Manager	1.00pm – 1.18pm
Jana Harper	- Community Development Coordinator	1.00pm – 2.38pm
Raoul Harper	- General Manager	1.00pm – 3.12pm
Vicki Warden	- Executive Officer	1.00pm – 3.12pm

#### CONFIRMATION OF MINUTES

**856.07.2014 Moved:** Cr M Roberts      **Seconded:** Deputy Mayor D Williams  
That the Minutes from the Ordinary Council Meeting and the Closed Council Meeting held on the 17<sup>th</sup> July 2014 be confirmed.

#### CARRIED UNANIMOUSLY (6-0)

**For:** Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts, Cr Gerald Willis and Cr Ronald Wise.

#### PUBLIC QUESTION TIME

Nil

#### LATE AGENDA ITEMS

Nil

#### DECLARATION OF PECUNIARY INTEREST

Nil

## LEAVE OF ABSENCE

Nil

## PETITIONS

Nil

## WORKSHOPS & INFORMATION FORUMS

File No: COU/0205

### Council Workshop held 17<sup>th</sup> July 2014

Council held a Workshop on the following subjects:

- Item 1 Consideration of Local Government Association of Tasmania (LGAT) Motions
- Item 2 Review of the Council Annual Plan
- Item 3 Island's Water Supplies - TasWater

#### **Councillors Present:**

Deputy Mayor David Williams, Cr Mary-Anne Roberts, Cr Gerald Willis, and Cr Ronald Wise.

#### **Apologies:**

Mayor Carol Cox  
Cr Marc Cobham

#### **Leave of Absence:**

Cr Peter Rhodes

#### **Staff and Consultants Present:**

Cam Crawford – General Manager, strategy & Stakeholder Management, TasWater (Item 3 only), Raoul Harper - General Manager, Andrew Moir - General Manager, Asset Management, TasWater (Item 3 only) and Jacqui Viney - Development Services Coordinator (Item 3 only).

### Council Workshop held 7<sup>th</sup> August 2014

Council held a Workshop on the following subjects:

- Item 1 Investment Strategy – SED Advisory
- Item 2 Airport Surveyor's Report
- Item 3 Furneaux Festival
- Item 4 Whitemark Foreshore Landscape Plan
- Item 5 Australian Small Islands Forum Update
- Item 6 Audit Panel – update and proposed action - Raoul Harper

**Councillors Present:**

Mayor Carol Cox, Deputy Mayor David Williams and Cr Mary-Anne Roberts.

**Apologies:**

Cr Marc Cobham  
Cr Gerald Willis  
Cr Ronald Wise

**Staff and Consultants Present:**

Raoul Harper - General Manager, Nick Byrne - Director – SED Advisory (Item 1), Robyn Cox - Strategic Planner (Item 1), Jeff Grace - Airport Manager (Item 2), Jana Harper - Community Development Coordinator (Items 1, 3, 4 & 5), Tony Irish - Partner – SED Advisory (Item 1) and Vicki Warden - Executive Officer (Item 5).

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

**DECISION:**

**857.07.2014 Moved:** Deputy Mayor D Williams      **Seconded:** Cr M Roberts  
That the Council Workshops held on the 17<sup>th</sup> July and 7<sup>th</sup> August 2014 are noted.

**CARRIED UNANIMOUSLY (6-0)**

**For:** Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts, Cr Gerald Willis and Cr Ronald Wise.

**PUBLIC MEETINGS**

Nil

**COUNCILLOR'S QUESTIONS ON NOTICE**

Nil

**COUNCILLOR'S QUESTIONS WITHOUT NOTICE****Question 1 from Deputy Mayor David Williams:**

Could the General Manager please update us on the current status of Council's position with regard to the Sports & RSL Club?

**General Manager's Response:**

The budget passed last month contains an allocation for the preparation of a business case. The project has been discussed with two architects and a meeting with the golf club committee will be called to discuss an agreed approach to the project before a final project plan is presented to Council for consideration.

**Question 2 from Cr Gerald Willis:**

Is there any reason why the bike track on Lady Barron Road is locked?

**Mayor's Response:**

Council locked the site for insurance reasons. Discussions with community members who have previous experience with the site have taken place and Council now awaits a formal proposal that may allow the site to be reopened.

**PUBLICATIONS/REPORTS TABLED FOR COUNCIL INFORMATION**

Nil

## REPORTS TO BE RECEIVED

### Lady Barron Hall and Recreational Special Committee AGM

File No: AME/0503

*Annexure 1: Lady Barron Hall and Recreational Special Committee AGM  
Unconfirmed Minutes and Reports 11<sup>th</sup> July 2014*

### OFFICER'S REPORT (Raoul Harper, General Manager):

The president and treasurer's reports and unconfirmed minutes of the Lady Barron Hall and Recreational Special Committee AGM held on Saturday 11<sup>th</sup> July 2014 have been provided for consideration. The minutes outline what the committee has been working on to date and can now be noted by Council.

### OFFICER'S RECOMMENDATION

That the president and treasurer's reports and unconfirmed minutes of the Lady Barron Hall and Recreational Special Committee AGM held on Saturday 11<sup>th</sup> July 2014 be received and noted.

### DECISION:

**858.07.2014 Moved:** Deputy Mayor D Williams      **Seconded:** Cr M Cobham

That the president and treasurer's reports and unconfirmed minutes of the Lady Barron Hall and Recreational Special Committee AGM held on Saturday 11<sup>th</sup> July 2014 be received and noted.

**CARRIED UNANIMOUSLY (6-0)**

**For:** Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts, Cr Gerald Willis and Cr Ronald Wise.

**Lady Barron Hall and Recreational Special Committee General Meeting**

**File No: AME/0503**

***Annexure 2: Lady Barron Hall and Recreational Special Committee  
Unconfirmed Minutes 11<sup>th</sup> July 2014***

**OFFICER'S REPORT (Raoul Harper, General Manager):**

The unconfirmed minutes of the Lady Barron Hall and Recreational Special Committee general meeting held on Saturday 11<sup>th</sup> July 2014 have been provided for consideration. The minutes outline what the committee has been working on to date and can now be noted by Council.

**OFFICER'S RECOMMENDATION**

That the unconfirmed minutes of the Lady Barron Hall and Recreational Special Committee general meeting held on Saturday 11<sup>th</sup> July 2014 be received and noted.

**DECISION:**

**859.07.2014 Moved:** Deputy Mayor D Williams      **Seconded:** Cr G Willis  
That the unconfirmed minutes of the Lady Barron Hall and Recreational Special Committee general meeting held on Saturday 11<sup>th</sup> July 2014 be received and noted.

**CARRIED UNANIMOUSLY (6-0)**

**For:** Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts, Cr Gerald Willis and Cr Ronald Wise.

**Furneaux Group Shipping Special Committee**

**File No: COM/0403**

*Annexure 3: Furneaux Group Shipping Special Committee Unconfirmed Minutes 1<sup>st</sup> August 2014*

**OFFICER'S REPORT (Raoul Harper, General Manager):**

The unconfirmed minutes of the Furneaux Group Shipping Special Committee held on Friday 1<sup>st</sup> August 2014 have been provided for consideration. The minutes outline what the committee has been working on to date and can now be noted by Council.

**OFFICER'S RECOMMENDATION**

The unconfirmed minutes of the Furneaux Group Shipping Special Committee held on Friday 1<sup>st</sup> August 2014 be received and noted.

**DECISION:**

**860.07.2014 Moved:** Cr G Willis

**Seconded:** Cr M Cobham

The unconfirmed minutes of the Furneaux Group Shipping Special Committee held on Friday 1<sup>st</sup> August 2014 be received and noted.

**CARRIED UNANIMOUSLY (6-0)**

**For:** Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts, Cr Gerald Willis and Cr Ronald Wise.



## Furneaux Municipal Emergency Management Committee

File No: CSV/0400

*Annexure 4: Furneaux Municipal Emergency Management Committee  
Unconfirmed Minutes 2<sup>nd</sup> July 2014*

### OFFICER'S REPORT (Raoul Harper, General Manager):

The unconfirmed minutes of the Furneaux Municipal Emergency Management Committee held on Wednesday 2<sup>nd</sup> July 2014 have been provided for consideration. The minutes outline what the committee has been working on to date and can now be noted by Council.

### OFFICER'S RECOMMENDATION

The unconfirmed minutes of the Furneaux Municipal Emergency Management Committee held on Wednesday 2<sup>nd</sup> July 2014 be received and noted.

### DECISION:

**861.07.2014**                      **Moved:** Cr M Cobham                      **Seconded:** Cr G Willis

The unconfirmed minutes of the Furneaux Municipal Emergency Management Committee held on Wednesday 2<sup>nd</sup> July 2014 be received and noted.

**CARRIED UNANIMOUSLY (6-0)**

**For:** Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts, Cr Gerald Willis and Cr Ronald Wise.

### COUNCILLORS' REPORTS

Nil

**MAYOR'S REPORT:**

<b>ACTION</b>	<b>Information</b>
<b>PROPONENT</b>	Mayor C Cox
<b>FILE REFERENCE</b>	COU/0600
<b>ASSOCIATED PAPERS</b>	<i>Nil</i>

**REPORT:****APPOINTMENTS:**

17/07/14	Council Workshop (Mayor apology – lead by the Deputy Mayor)
17/07/14	Council Meeting (Mayor apology – lead by the Deputy Mayor)
23/07/14	Local Government Association of Tasmania (LGAT) AGM and General Meeting (also attended by Deputy Mayor and General Manager)
24 & 25/07/14	LGAT Conference
26/07/14	Rose Garden Pruning and Bird Bath Dedication – Deputy Mayor
27/07/14	Plant a Tree Day – Deputy Mayor
31/07/14	TasPorts and farmers meeting re wharfage & levy
01/08/14	Furneaux Group Shipping Special Committee meeting
01/08/14	Whitemark Foreshore meeting with designer
05/08/14	Multi-Purpose Centre (MPC) Hospital Auxiliary AGM
06/08/14	Furneaux Community Health Special Committee meeting
09/08/14	Multi-Purpose Centre Open day

**LGAT General Meeting and AGM:**

A summary of the voting outcomes in relation to Council motion 849.07.2014 has been distributed to Councillors. The minutes will become available on the LGAT website as a part of the Attachment to the September 2014 Meeting Agenda.

The constitution has been updated to allow the voting for a new president to occur while the current president is in the Chair. This will enable a swift change to a new president, given that the current president has announced he will not be standing in the upcoming Council elections and thus will be ineligible to remain as president.

**C8:**

A meeting of interested Councillors was held to align with elected members being together for the LGAT meetings and conference.

The notes from the meeting have not yet been distributed and will be passed on to Councillors when received.

One of the issues on the discussion table of the C8 group is “event management” and it was advised that developments are occurring in this area that will clarify the size of event for which Place of Assembly Licences are required.

Northern Tasmania Development (NTD) has been approached for the C8 to be a subcommittee (advisory only) of the Local Government Committee of NTD and this is to be discussed at the August meeting of NTD to which an invitation has been extended to all Councillors to attend in an observer capacity.

#### **Rose Garden – Bird Bath Dedication:**

On the 26<sup>th</sup> of July, volunteers again pruned the roses in our Community Rose Garden. This event was made special this year by the dedication of a new bird bath to long-time volunteer of the Rose Garden, Jan Lees. The bird bath was purchased by the Community and Deputy Mayor David Williams spoke of Jan’s keen interest in the establishment of the Rose Garden in 2000 and her many hours of care and maintenance over the following years both as a volunteer and the years Jan worked with Council. The Garden was established with donations in memory of Margaret Aitken and Elaine Iles, designed by Spud Murphy and built through the efforts of a team of community members. The same community has continued to own and nurture the Garden with the assistance of Council and Jan has been a strong driver in the improvements that have occurred. This year many new faces turned up to help on the day too.

Thank you to the CWA for another delicious morning tea.

#### **Multi-Purpose Centre (MPC) public viewing of new facility:**

Thank you to the MPC Staff and the Auxiliary members for inviting the public to view the completed rebuild. The guided tours by staff gave a full picture of the benefits of the project to both the staff and the public.

#### **TasWater:**

The last TasWater quarterly report to owner councils includes the commitment of “the provision of potable water treatment facilities, storage and trunk systems for the townships of Whitemark and Lady Barron”. The project is in the design and tendering phase and is for completion in the 2016 financial year at a cost of \$11 million. The change in cost to users will be minimal, the difference in the cost per kilolitre being between non-potable and potable water, currently 19 cents/kl.

**CORRESPONDENCE IN:**

<b>DATE</b>	<b>WHO</b>	<b>SUBJECT</b>
08/07/14	Tasmanian Audit Office	Annual Audit Arrangements for Flinders Council
09/07/14	Andrew Lea, Dept. Police & Emergency Management	Appointment of Municipal Emergency Management Coordinators
10/07/14	Andrew Nikolic, MP, Federal Member for Bass	New Tasmanian Black Spot Criteria and Chair announced
11/07/14	Malcolm White, President, Royal Flying Doctor Service	Thank you for official launch of patient transfer facility
13/07/14	Department of Premier & Cabinet	State Funeral for His Excellency the Honourable Peter Underwood
13/07/14	Heidi Flood, Department of State Growth	Update from Director of Events Tasmania
17/07/14	Michael Guo, CEO, The Australia International Trade Association & Associates	Trade Missions To China Program, September - November 2014
18/07/14	James McKee, Chairman, Tourism Northern Tasmania	Thanking the Flinders Council team for supporting the Board Retreat on Flinders Island
18/07/14	Steve Whiteley, CEO, Forestry Tasmania	Forestry Tasmania's Three Year Wood Production Plan update
23/07/14	David Bailey	Council motion regarding Lady Barron 'bike track'
23/07/14	Jeff Phillips	Council ratification as Transport Representative on Furneaux Group Special Shipping Committee
24/07/14	Sarah Courtney, MP, Liberal Member for Bass	Invitation to attend a Light Luncheon with the Tasmanian State Cabinet (apology sent)
24/07/14	Michael Kilgariff, Australian Logistics Council	The Economic Significance of the Australian Logistics Industry Report
24/07/14	Andrew Nikolic MP, Federal Member for Bass	Notification of Australian Government's \$11 million Innovation and Investment Fund for Tasmania
28/07/14	Huon Tasmania	Huon Aquaculture Community Grant Program
29/07/14	Andrew Nikolic MP, Federal Member for Bass	Response to letter regarding Federal Budget

29/07/14	Eric Hutchinson MP, Federal Member for Lyons	Changes to the Australian Black Spot Programme to favour Tasmania
29/07/14	Julian Type, Electoral Commissioner, Tasmanian Electoral Commission	Election of President of the Local Government Association of Tasmania
29/07/14	Tim Gardner, Managing Director, Stornoway	Success at the 2014 Telstra Business Awards
29/07/14	University of Tasmania	A Year in Review 2013 - 2014
29/07/14	Department of Premier & Cabinet	Invitation to attend a service marking the centenary of the declaration of the Great War (apology sent)
29/07/14	Peter Gutwein, MP, Minister for Planning & Local Government	Tasmanian Government's Local Government Audit Panels - A Practice Guide
29/07/14	Peter Gutwein, MP	Tasmanian Building Regulatory Framework Review
29/07/14	Mike Gaffney, Mayor, Latrobe Council	Latrobe Council's entry into the Local Government Association of Tasmania Awards for Excellence
05/08/14	Ailsa Sypkes, Acting General Manager Legal & Governance, TasWater	TasWater Quarterly Report to the Owners Representative Group and the Agenda for the Quarterly Briefing for the Northern Region
06/08/14	Dr Robyn Leeson, Net Balance Management Group	Invitation to nominate for the Local Government Sustainability Award - 2014 Banksia Awards
07/08/14	Jen McDonnell, Entura	Community engagement regarding Hydro Renewable Energy Project
08/08/14	Denise Colvin, Natural Resource Management (NRM) North	Invitation to NRM North National Science Week Breakfast
08/08/14	John Ryan, CEO, Penington Institute	International Overdose Awareness Day 2014
08/08/14	Hon Will Hodgman, MP, Premier of Tasmania	Invitation to attend a 'Welcome Home Reception' for the Tasmanian Commonwealth Athletes (apology sent)
11/08/14	Dominic Peel	2014 Regional Wellbeing Survey
12/08/14	Graeme Lynch, CEO, Heart Foundation	Heart Foundation's Big Heart Appeal Fundraiser

12/08/14	Michael Ferguson, MP, Minister for Health	One State, One Health System, Better Outcomes reform package
12/08/14	Peter Gutwein, MP, Minister for Planning and Local Government	Update on the Role of Local Government Project
12/08/14	Rita Marigliani, Medibank	New Reconciliation Action Plan
12/08/14	Doug Chipman, Mayor, Clarence City Council	Nominating for the position of President, Local Government Association of Tasmania
18/08/14	Tracey Clark, Northern Tasmania Development	Local Government Committee Meeting - 27 August 2014

#### **CORRESPONDENCE OUT:**

<b>DATE</b>	<b>WHO</b>	<b>SUBJECT</b>
18/07/14	4 Community grant & Gunn Bequest recipients	Request for outstanding acquittal reports
23/07/14	David Bailey	Ongoing use of the "bike track" near Lady Barron
23/07/14	Jeff Phillips	Confirmation of ratification of Transport Representative position on the Furneaux Group Shipping Special Committee of Council
05/08/14	Jen McDonnell, Entura	Dissemination of information regarding Hydro Renewable Energy Project
07/08/14	Jen McDonnell, Entura	Meeting to discuss Australian Small Island Forum
12/08/14	John O'Dell, Veterinary Officer (Animal Services)	Thank you for addressing Councillors on quarantine issues

#### **VOTING REQUIREMENTS:**

Simple Majority

#### **RECOMMENDATION:**

That the Mayor's report be received.

#### **DECISION:**

**862.07.2014**

**Moved:** Cr M Cobham

**Seconded:** Cr R Wise

That the Mayor's report be received.

**CARRIED UNANIMOUSLY (6-0)**

**For:** Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts, Cr Gerald Willis and Cr Ronald Wise.

*Mayor Carol Cox passed the Chair to Deputy Mayor David Williams at 1.09pm.*

**A. NOTICE OF MOTIONS**

**Item A1: Notice of Motion from Mayor Carol Cox – Nomination of Furneaux Group Shipping Committee Representative**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Mayor Carol Cox (Chair of the Furneaux Group Shipping Special Committee)
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	AME/0403
<b>ASSOCIATED PAPERS</b>	<i>Nil</i>

**NOTICE OF MOTION:**

That Mr David Madden be appointed forthwith as the Commerce Representative and that Mr Scott Woods be appointed forthwith as the Livestock Representative on the Furneaux Group Shipping Special Committee.

**COUNCILLOR'S REPORT:**

At the meeting of the Furneaux Group Shipping Special Committee held on 8<sup>th</sup> March 2014 it was resolved that the vacant position of Commerce Representative be advertised. These minutes were tabled before the April Ordinary Meeting of Council. One expression of interest for the position was received, that of Mr David Madden. At the meeting held on 1<sup>st</sup> August 2014, the Committee voted to recommend Mr Madden's nomination as Commerce Representative to Council (refer Annexure 3).

Also at the August meeting, Livestock Representative Darren Grace resigned from the position and Scott Woods was recommended as his replacement. This recommendation is now provided for Council consideration.

**PREVIOUS COUNCIL CONSIDERATION:**

10<sup>th</sup> April 2014 Unconfirmed Minutes Furneaux Group Shipping Special Committee.

**OFFICER'S REPORT:**

The motion is supported.

**STATUTORY REQUIREMENTS:**

*Local Government Act 1993*



**POLICY/STRATEGIC IMPLICATIONS:**

4.0 Community Safety, Engagement and Enterprise

4.3 Maintain and develop productive, constructive relationships with the community and organisations involved in delivery of strategic services and activities in the islands.

4.3.1 Engage with, as necessary support and integrate into Flinders Council plans key community based service providers.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Nil

**RISK/LIABILITY:**

Nil

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That Mr David Madden be appointed forthwith as the Commerce Representative and that Mr Scott Woods be appointed forthwith as the Livestock Representative on the Furneaux Group Shipping Special Committee.

**DECISION:**

**863.07.2014 Moved:** Mayor C Cox      **Seconded:** Cr M Cobham

That Mr David Madden be appointed forthwith as the Commerce Representative and that Mr Scott Woods be appointed forthwith as the Livestock Representative on the Furneaux Group Shipping Special Committee.

**CARRIED UNANIMOUSLY (6-0)**

**For:** Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts, Cr Gerald Willis and Cr Ronald Wise.

**Item A2: Notice of Motion from Mayor Carol Cox – Centenary of Red Cross in Australia**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Mayor Carol Cox
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	PUB/0800
<b>ASSOCIATED PAPERS</b>	<i>Nil</i>

**NOTICE OF MOTION:**

That Council acknowledges the outstanding contribution made by the members, volunteers and staff of the Australian Red Cross as they celebrate 100 years of service in Tasmania on 14<sup>th</sup> August 2014.

**COUNCILLOR'S REPORT:**

The Centenary of Red Cross in Australia is being celebrated throughout our nation this year. The Society is seeking support for this milestone from all levels of government and has asked that local Councils formally acknowledge the contribution made by the Red Cross at a Council meeting.

As part of the world's largest humanitarian movement, the Red Cross Society is best known for their immediate response to natural disasters, their blood service, and their everyday work to help vulnerable people. For 100 years they have been making a positive difference to the lives of people in need every day and are worthy of recognition.

In appreciation of the support they have received from local governments over the past 100 years, the Society is gifting Council a Red Cross rose and commemorative plaque. An official planting of this rose in the rose garden is planned for 2<sup>nd</sup> September 2014.

**PREVIOUS COUNCIL CONSIDERATION:**

Nil

**OFFICER'S REPORTS:**

The motion is supported.

**STATUTORY REQUIREMENTS:**

Nil

**POLICY/STRATEGIC IMPLICATIONS:**

4.0 Community Safety, Engagement and Enterprise - Through positive Council-Community partnerships, enhance people's security, inclusion and well-being.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Nil

**RISK/LIABILITY:**

Nil

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That Council acknowledges the outstanding contribution made by the members, volunteers and staff of the Australian Red Cross as they celebrate 100 years of service in Tasmania on 14<sup>th</sup> August 2014.

**DECISION:**

**864.07.2014**            **Moved:** Mayor C Cox            **Seconded:** Cr M Cobham

That Council acknowledges the outstanding contribution made by the members, volunteers and staff of the Australian Red Cross as they celebrate 100 years of service in Tasmania on 14<sup>th</sup> August 2014.

**CARRIED UNANIMOUSLY (6-0)**

**For:** Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts, Cr Gerald Willis and Cr Ronald Wise.

*Deputy Mayor David Williams passed the Chair to Mayor Carol Cox at 1.12pm.*

## **B. AIRPORT**

### **Item B1: Budget Variation to Purchase Excavator**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Jeff Grace, Airport Manager
<b>FILE REFERENCE</b>	PLT/0200
<b>ASSOCIATED PAPERS</b>	<i>Annexure 5: Excavator price comparison chart</i>

#### **INTRODUCTION:**

Due to the extensive breakdown of the airport runway surfaces and the cost of hire of equipment for repairs, Council agreed to purchase a used excavator to facilitate repairs and safety at the airport as part of the budget estimates for 2014/2015.

#### **PREVIOUS COUNCIL CONSIDERATION:**

Council approved an initial request of \$50,000 to purchase a used 5 tonne excavator in the 2014- 2015 budget.

#### **OFFICER'S REPORT:**

Quotations were received from 6 companies through the National Procurement Network for the purchase of machinery for Local Government.

Second hand excavators were priced from \$50,000 to \$70,000 with hours of use ranging from 700 to 2,500 hours. New excavators were priced between \$70,000 and \$73,000 and included a 3 year warranty and delivery to Flinders Island (an approximate saving of \$1,500).

Second hand and new excavator prices were compared and evaluated using the following criteria (refer Annexure 5):

- Performance and reliability
- Service of the provider
- Warranty period

The benefits to Council upon purchasing a new excavator were identified as being quite significant. Therefore a budget variation is submitted to Council for consideration in order to purchase a new Kubota KX057 Excavator for the price of \$71,000 + GST including delivery to Flinders Island.

#### **STATUTORY REQUIREMENT:**

Nil

**POLICY/STRATEGIC IMPLICATIONS:**

2.0 Infrastructure - Efficient and reliable infrastructure that supports and protects production, services and lifestyle.

2.1 Identify infrastructure objectives, standards for assets and develop viable, asset lifecycle management and operational model.

**BUDGET AND FINANCIAL IMPLICATIONS:**

A budget allocation of \$50,000 for the purchase of a used excavator has been assigned in the 2014-2015 Council Budget. A variant amount of \$21,000 will need to be approved for the purchase of a new excavator.

**RISK/LIABILITY:**

Minimal

**VOTING REQUIREMENTS:**

Absolute Majority

**OFFICER'S RECOMMENDATION:**

That Council approves a budget variation request in order to purchase a new Kubota KX057 Excavator for the price of \$71,000 + GST, inclusive of delivery to Flinders Island.

**DECISION:**

**865.07.2014 Moved:** Cr G Willis                      **Seconded:** Cr R Wise

That Council approves a budget variation request of \$21,000 in order to purchase a new Kubota KX057 Excavator for the price of \$71,000 + GST, inclusive of delivery to Flinders Island.

**CARRIED (4-2)**

**For:** Mayor Carol Cox, Cr Mary-Anne Roberts, Cr Gerald Willis and Cr Ronald Wise.

**Against:** Deputy Mayor David Williams and Cr Marc Cobham.

*Jeff Grace, Airport Manager, left the meeting at 1.18pm.*

*Brian Barnewall, Works & Service Manager, arrived at 1.22pm.*

**C. COMMUNITY & ECONOMIC DEVELOPMENT**

**Item C1: Furneaux Festival**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Jana Harper, Community & Economic Development Coordinator
<b>FILE REFERENCE</b>	PUB/0101
<b>ASSOCIATED PAPERS</b>	<i>Nil</i>

**INTRODUCTION:**

The Furneaux Islands' Festival 2014 was held on the Australia Day long weekend incorporating the region's communities, shared cultures and musical history to celebrate being Australian.

Prior to the 2014 Australia Day events, Council workshopped ideas around supporting an Australia Day event or another event that could be delivered on a date that could be less divisive for some members of our community than the 26<sup>th</sup> January.

Elected Members supported the change to celebrate being Australian over the Australia Day long weekend by directing staff to develop and deliver the Furneaux Festival as a discreet event. The 26<sup>th</sup> January 2014 was effectively a day for reflection as no Festival events were held on this day.

Elected Members are asked to reconfirm their commitment to the Furneaux Festival concept as the Council's future commitment to celebrating being Australian and that the 26<sup>th</sup> January remains a free day for our community to undertake their own activities.

**PREVIOUS COUNCIL CONSIDERATION:**

At the Council meeting held on the 21<sup>st</sup> November 2013 Council passed the following motion:

- 1) That the Australia Day Committee be disbanded.*
- 2) That the General Manager direct Council staff to develop and deliver a BBQ on the Australia Day weekend from the existing budget allocation for such events.*

*CARRIED (6-1)*

*For: Mayor C Cox, Deputy Mayor D Williams, Cr M Cobham, Cr M Roberts, Cr G Willis and Cr R Wise*

*Against: Cr P Rhodes*

Previous Council consideration includes the issue of celebrating Australia Day, or having an island celebration on some other date, being discussed by Councillors at Council workshops held on the 4<sup>th</sup> April and the 2<sup>nd</sup> May 2013.

#### **OFFICER'S REPORT:**

The Furneaux Islands' Festival was held on the Australia Day long weekend incorporating the region's communities, shared cultures and musical history to celebrate being Australian.

The festival attracted over 300 people, locals and visitors, who took part in the events that covered the length and breadth of the island from Killiecrankie to Lady Barron.

The community came together to enjoy music from the Furneaux Region, celebrating the greatness of the place in which we live and acknowledging the history that makes this island community what it is today: diverse, strong, resourceful and caring.

Elected Members supported the change to celebrate our communities, shared cultures and being Australian for all of our community members on a day that does not evoke strong feelings – in short, our communities celebrated being Australian on the Australia Day long weekend – however, not on the 26<sup>th</sup> January.

Mayor Carol Cox in the Council Media Release on the Festival events confirmed this:

*“Flinders Council recognises the diverse backgrounds of islanders, Aboriginal and European, and has chosen to support a community initiated event on Saturday the 25<sup>th</sup> January to celebrate being Australian and to celebrate living in the Furneaux Group, a place of unique beauty and fertile land and sea.”*

Council staff worked closely with community members and organisations in the development of the program and planning for the 2015 Furneaux Festival has commenced for the working group (Council staff and community members).

It is envisaged that the 2015 event will bring together other community organisations to contribute to the Festival atmosphere and experience.

The State Department of Premier and Cabinet has contacted Council staff to congratulate and commend Council on the direction Council and the community have taken with our Australia Day celebrations and has invited Council's Community & Economic Development Coordinator, Jana Harper, and Program Curator, Sandro Donati, to present at the Australia Day Conference to

be held in Launceston in August on the Furneaux Festival and Reflection Day: what worked, why and our learnings from our experience.

An excerpt from an email from the Communications and Marketing Unit at the Department of Premier and Cabinet:

*“Australia Day is in many ways far too constrained by both its name and most certainly the date – it’s a very complex beast indeed – and as a country we have a very hard time articulating just what it means to be Australian...it’s about our communities finding solutions that work for them that allow time for both reflection and celebration.... it’s about being respectful of our shared history and doing what’s right for the community. Or better still, communities leading the way and making their own decisions on how they want to mark Australia Day.”*

The positive feedback from community members, visitors and other organisations reiterates & confirms Council’s decision to celebrate the Australia Day weekend and to include a day of reflection on the 26<sup>th</sup> January.

The 2014 – 2015 Council Annual Plan states *“A continued emphasis on supporting community groups, volunteers and events on the island to grow and flourish will be provided”* and a budget allocation has been provided for the Furneaux Festival event that includes Council providing a free BBQ with healthy food options on the Australia Day weekend in an event to encourage residents and visitors to come together, recognising the wonderful community that we live in.

Elected Members are asked to reconfirm their commitment that future Australia Day events organised and supported by Council celebrate our own unique culture on a day to be agreed and reserve the 26<sup>th</sup> January as a day for our community to reflect and undertake their own activities.

#### **STATUTORY REQUIREMENT:**

*Local Government Act 1993*

#### **POLICY/STRATEGIC IMPLICATIONS:**

4.0 Community Safety, Engagement and Enterprise - Through positive Council-Community partnerships, enhance people’s security, inclusion and well-being.

4.3 Maintain and develop productive, constructive relationships with the community and organisations involved in delivery of strategic services and activities in the islands.

4.3.2 Build civic engagement and increase civic pride through evidence based research, agreed events, programs and improved communication with the community.



#### **BUDGET AND FINANCIAL IMPLICATIONS:**

A budget allocation for the Furneaux Festival has been assigned in the 2014-2015 Council Budget.

#### **RISK/LIABILITY:**

Minimal

#### **VOTING REQUIREMENTS:**

Simple Majority

#### **OFFICER'S RECOMMENDATION:**

That Council reconfirms their commitment that future Australia Day events organised and supported by Council celebrate our own unique culture on a day to be agreed and reserve the 26<sup>th</sup> January as a day for our community to undertake their own activities.

#### **DECISION:**

**866.07.2014 Moved:** Deputy Mayor D Williams **Seconded:** Cr M Cobham  
That Council reconfirms their commitment that future Australia Day events organised and supported by Council celebrate our own unique culture on a day to be agreed and reserve the 26<sup>th</sup> January as a day for our community to undertake their own activities.

#### **AMENDMENT**

That council supports the holding of the Furneaux Festival including a celebration of being Australian on the 2015 Australia Day weekend.

*Mayor Carol Cox passed the Chair to Deputy Mayor David Williams at 1.25pm.*

*The Chair refused to accept the Amendment.*

*Deputy Mayor David Williams passed the Chair to Mayor Carol Cox at 1.26pm.*

#### **CARRIED (4-2)**

**For:** Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts and Cr Ronald Wise.

**Against:** Mayor Carol Cox and Cr Gerald Willis.

**867.07.2014 Moved:** Cr M Cobham **Seconded:** Cr R Wise

That the 2015 community day celebration will be held on Saturday 24<sup>th</sup> January.

#### **CARRIED (5-1)**

**For:** Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts and Cr Ronald Wise.

**Against:** Cr Gerald Willis

**868.07.2014 Moved:** Deputy Mayor D Williams    **Seconded:** Cr M Cobham  
That Item D1 be brought forward in the Agenda.

**CARRIED UNANIMOUSLY (6-0)**

**For:** Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts, Cr Gerald Willis and Cr Ronald Wise.

## D. WORKS & SERVICES

### Item D1: Exemption from Formal Tender for Used Bulldozer

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Brian Barnewall, Works & Services Manager
<b>FILE REFERENCE</b>	PLT/0200
<b>ASSOCIATED PAPERS</b>	<i>Annexure 7: Flinders Council Used Bulldozer Procurement Plan</i> <i>Annexure 8: Used Bulldozer Assessment - Preliminary Multi-Criteria Analysis Results</i>

#### **INTRODUCTION:**

In the 2014/15 Budget, Council approved a capital allocation of \$150,000 for the purchase of a used bulldozer. In accordance with Council's Code of Tender and Contracts Policy the purchase of an item of this value would normally be required to be purchased through a formal tender process. However, for an item of this nature a formal tender process is not considered the most effective procurement method to deliver value to Council due to the remoteness of our locality and the extenuating circumstances of seeking second hand equipment.

This report has been prepared to seek a formal exemption from Council from a tender and the use of an assessment and shortlisting process, underpinned by multi-criteria analysis, to identify 2-3 preferred bulldozers which Council would inspect and negotiate directly with the vendor on a final sale price.

#### **PREVIOUS COUNCIL CONSIDERATION:**

Council Budget Workshops 19<sup>th</sup>, 21<sup>st</sup> and 22<sup>nd</sup> May 2014.

831.06.2014      19<sup>th</sup> June 2014 – Budget Estimates for Financial Year 1/7/14 to 30/6/15 adopted.

#### **OFFICER'S REPORT:**

##### Background

As part of Council's operations Council frequently requires a bulldozer. Typical tasks include gravel pit development and rehabilitation, compaction and covering of landfill cell at Whitemark Tip and vegetation removal on roadsides along with fire mitigation. Historically Council has hired a local bulldozer on an hourly basis. Following an assessment of the current and future operational requirements and a cost comparison between the hire rates and a Council owned machine, the decision was made to purchase a second hand machine. Subsequently, Council made an allocation of \$150,000 in the 2014/15 financial year budget for the purchase of a used bulldozer.

### Best value procurement process

In accordance with Council's Code of Tender and Contracts Policy, the purchase of an item of this value would normally be required to be purchased through a formal tender process. Council's Works and Services Manager sought some initial advice/input from Council's infrastructure consultant, Tim Phillips, on the purchase.

Following a review of the policy and advice from other owners/operators of a bulldozer fleet, as well as procurement managers from other organisations, Tim advised that, given the nature of the item and the associated market in which they are sold/bought, a formal tender was unlikely to deliver a good value outcome for Council due to the remoteness of our locality and the extenuating circumstances of seeking second hand equipment.

This advice was discussed with Brian Barewall and Tim asked that a formal justification for a tender exemption and an alternate procurement method be put together in a procurement plan (attached). In summary:

The justification for not purchasing the used bulldozer via formal tender is:

- The requirement to advertise and seek detailed submissions in a tender form is not the way these suppliers generally operate. In essence these are either sales people selling used construction equipment or owner operators with a piece of equipment for sale.
- During the tender process there is the possibility the item will actually sell. (If they send in a tender it is likely they will have the item in a yard with a For Sale sign on it).
- The requirement for the supplier to provide a formal tender process potentially removes the ability to negotiate the price following an inspection.
- There is a lot of variability in the items, most notably condition and this is best assessed via a physical inspection, and the outcomes of this inspection used to negotiate a final price.
- Our remote island status requires delivery to be a component of any negotiation; the ability to negotiate outside of a formal tender will deliver a better value outcome for Council.

The alternate procurement methodology includes the following steps:

1. Preliminary market evaluation to understand the range of machines – typical costs, condition, equipment, hours etc.
2. Develop scoping list of bulldozers (up to 10) that sit at or around the nominated budget.
3. Assessment of the scoping list using a weighted multi-criteria analysis to derive a weighted overall score for comparison with cost (i.e. value assessment).
4. Identification of 2-3 shortlisted bulldozers.
5. Visual inspection and testing of shortlisted bulldozers.
6. Direct negotiation with vendor of preferred machine for final sale price and conditions of sale (if any).

Following a review of the procurement plan, Council's General Manager gave in principle approval, subject to final approval from Council as a formal exemption, as per the requirement of the Code of Tender and Contracts Policy and the Local Government (General) Regulations 2005 – Reg. 27 - Non application of public tender process.

As there is an operational need to purchase the item in a timely fashion the General Manager also authorised the commencement of investigations and assessment of a used bulldozer in accordance with the Procurement Plan.

#### Preliminary assessment

An initial assessment of fourteen machines has already taken place with the final seven making it to the multi criteria analysis scoring list. Results from this scoring list typically show the two best machines to suit our price range and requirements. Those two will now go through a further operational inspection by the Works & Services Manager and the Workshop Coordinator.

#### Conclusion

In order to move forward with the purchase and not utilise a formal tender process an exemption is required from Council. The Flinders Council Code of Tender and Contracts Policy and the Local Government (General) Regulations 2005 – Reg. 27 - Non application of public tender process, allows for the approach proposed if the Council resolves by absolute majority and states the reasons for the decision, that a satisfactory result would not be achieved by inviting tenders because of:

- (i) extenuating circumstances; or
- (ii) the remoteness of the locality; or
- (iii) the unavailability of competitive or reliable tenderers.

**STATUTORY REQUIREMENT:**

Local Government (General) Regulations 2005 – Reg. 27 - Non application of public tender process.

**POLICY/STRATEGIC IMPLICATIONS:**

2.0 Infrastructure - Efficient and reliable infrastructure that supports and protects production, services and lifestyle.

2.4 Pursue “best practice” delivery model that balances cost and outcomes

Flinders Council Code of Tender and Contracts Policy – 16 July 2009

**BUDGET AND FINANCIAL IMPLICATIONS:**

Funds required for the purchase are included in the budget estimates for 2014/2015.

**RISK/LIABILITY:**

Moderate. The approach proposed would support the expedient purchase of the required equipment under a best value procurement strategy. A formal tender process would expose Council to unnecessary costs and the potential that the best value capital equipment won't be secured.

**VOTING REQUIREMENTS:**

Absolute Majority

**OFFICER'S RECOMMENDATION:**

1. That Council approves an exemption to the Flinders Council Code of Tender and Contracts Policy and the Local Government (General) Regulations 2005 – Reg. 27 - Non application of public tender process, due to the extenuating circumstances of Council seeking to purchase a second hand piece of equipment, the remote nature of our locality and the need to deliver best value outcomes to our community at all times.
  
2. That Council direct the General Manager, as per the requirements of the Local Government (General) Regulations 2005 – Reg. 27 - Non application of public tender process, to report in the Annual Report the exception approved under sub regulation(1) (h) with the following details:
  - (a) a brief description of the reason for not inviting public tenders;
  - (b) a description of the goods or services acquired;
  - (c) the value of the goods or services acquired;
  - (d) the name of the supplier.

**DECISION:**

**869.07.2014 Moved:** Deputy Mayor D Williams **Seconded:** Cr M Cobham

1. That Council approves an exemption to the Flinders Council Code of Tender and Contracts Policy and the Local Government (General) Regulations 2005 – Reg. 27 - Non application of public tender process, due to the extenuating circumstances of Council seeking to purchase a second hand piece of equipment, the remote nature of our locality and the need to deliver best value outcomes to our community at all times.
2. That Council direct the General Manager, as per the requirements of the Local Government (General) Regulations 2005 – Reg. 27 - Non application of public tender process, to report in the Annual Report the exception approved under sub regulation(1) (h) with the following details:
  - (a) a brief description of the reason for not inviting public tenders;
  - (b) a description of the goods or services acquired;
  - (c) the value of the goods or services acquired;
  - (d) the name of the supplier.

**CARRIED UNANIMOUSLY (6-0)**

**For:** Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts, Cr Gerald Willis and Cr Ronald Wise.

*Brian Barnewall, Works & Services Manager, left the meeting at 1.44pm.*

**Item C2: Flinders Island Fuel Supply Investigation**

<b>ACTION</b>	<b>Information</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Jana Harper, Community & Economic Development Coordinator
<b>FILE REFERENCE</b>	COM/0200
<b>ASSOCIATED PAPERS</b>	<i>Annexure 6: Flinders Island Fuel Supply Study, July 2014</i>

**INTRODUCTION:**

For a number of years there have been concerns regarding the price of fuel on Flinders Island, as compared to Tasmanian and Australian mainland prices.

While it is reasonable that in a remote island location like Flinders Island, transport costs are always going to impact on final wholesale and retail prices, Council and the community have struggled to understand why the price differential is so high, often as much as 40 cents/litre.

Following a Notice of Motion put forward by Mayor Carol Cox at the December 2013 Council meeting, Council's infrastructure consultant Resonance Consulting, was engaged to undertake an investigation into the fuel supply so as to identify, at a high level, opportunities to reduce the cost of fuel on the Island.

This report has been finalised and following a process of review with TasPorts is now available for release.

**PREVIOUS COUNCIL CONSIDERATION:**

At the Council meeting held on the 19<sup>th</sup> December 2013, Council passed the following motion:

*"That Council engage with TasPorts to investigate if the cost of distribution of fuel to Flinders Island can be reduced and that Council allocates \$10,000 to such a project at the half year budget review.*

*CARRIED (5-2)*

*For: Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts and Cr Gerald Willis.*

*Against: Cr P Rhodes and Cr Ronald Wise.*

**OFFICER'S REPORT:**

The Flinders Island Fuel Supply Investigation Report has been prepared by Resonance Consulting in cooperation with TasPorts. In preparing the report the following activities have been undertaken:



- Develop decision criteria/considerations for assessing current situation and options: financial (cost) and non- financial (safety, environment, security of supply etc.);
- Build a process map (supply chain model) and cost model for the current supply chain, including a visit to site;
- Identify other options for supply;
- Identify opportunities to optimise the existing supply chain;
- Assess current situation and options against criteria; and
- Develop a study report & recommend next steps.

Key findings and recommendations of the Study are listed below.

1. Fuel is sourced by Tasports from Centel Pty Ltd (a BP Group Company) in Burnie, Tasmania.
2. Tasports sources significant volumes of fuel state wide (approximately 12 million litres per annum). There is an opportunity for Tasports to formalise the strategic procurement of fuel which may yield a lower fuel cost to users on the Island.
3. Tasports acquired the Lady Barron bulk fuel facility on the Island from BP on 1 June 1994.
4. There is an opportunity for Tasports to negotiate a new commercial arrangement with the current or new suppliers, and possibly closer to Bridport, such as Bell Bay (to negate road transport costs) that can reduce fuel prices landed on the Island.
5. Pursuit of supply chain optimisation is best placed to yield lower fuel costs landed onto the Island and will allow Tasports to assess trigger points that bring other options (not limited to Option 2 and 3) to be explored without adverse or unintended consequences. The rationale for this is primarily driven by the fuel supply/commodity that represents 81% of the landed cost of fuel to the Island.
6. The fuel (or commodity) is the majority of the cost of fuel on the Island, and represents approximately 81% of the supply chain:
  - Fuel Supply/Commodity: 81.2%
  - Transport (road & sea): 6.3%

- Wholesale (storage & distribution): 6.9%
  - Retail: 5.6%
7. Fuel supplies to the Island in 2013/14 are approximately 2,500,000 Litres (Tasports forecast 2013/14). Low Sulphur Diesel (LSD) fuel accounts for 72% of all fuels imported to the Island.
  8. The bulk of LSD (40%) is used for power generation at the Whitemark Power Station (Power Station) followed by consumption by other commercial (such as Primary production) and domestic uses (approximately 893,000 Litres). The remaining fuel types are Unleaded Petrol (ULP) and Premium Unleaded Petrol (PULP) which are used predominately for passenger vehicles on the Island.
  9. Tasports has long term commitments to maintain LSD bulk supply to Hydro for the Whitemark Power Station. Tasports also has contractual obligations with Hydro Tasmania to maintain 28 days of supply of LSD for power generation use.
  10. Hydro requires diesel fuel to be LSD which is a premium quality fuel. The diesel sourced for other Island users may be in excess or superior to user's needs. There is an opportunity to source lower quality diesel fuel at reduced cost that would benefit Island users.
  11. The generation profile of the Whitemark Power Station significantly influences the profile of fuel supply to the Island, hence the supply chain. Should this alter or change into the future (i.e. reduced demand or addition of new renewable generation capacity through solar, biodiesel or wind projects) there is likely to be a significant impact on fuel supplies to the Island. Council and Tasports should engage Hydro regarding long term capacity and generation forecasts that could have implications for the fuel supply chain.
  12. Cheaper fuel from discount suppliers can be landed on the Island in Intermediate Bulk Containers (IBC) that avoid Tasports' storage costs associated with bulk supply, but as a whole of supply chain solution this method wouldn't satisfy security of supply concerns to the Island in general.
  13. Tasports own and maintain the retail pumps (fuel bowsers) on the Island for both service stations.

14. Retail pump prices on the Island in the week starting 5<sup>th</sup> May 2014 were:

- LSD 206.0 cents per litre (inc GST)
- ULP 203.5 cents per litre (inc GST)
- PULP 207.3 cents per litre (inc GST)

15. Retail LSD pump prices on King Island and Flinders Island are comparable:

- Flinders Island 206.0 cents per litre (inc GST)
- King Island 203.0 cents per litre (inc GST)

16. Average wholesale prices on the Island in the week starting 5<sup>th</sup> May 2014 were:

- LSD 187.1 cents per litre (inc GST)
- ULP 187.3 cents per litre (inc GST)
- PULP 196.7 cents per litre (inc GST)

17. Retail margin of between 10 to 12 cents per litre on the Island reflects a lack of competition and is considered high compared to main-land margins.

18. Tasports could give consideration to publishing to Council its supply prices to give some transparency to wholesale and transportation costs, subject to confidentiality requirements.

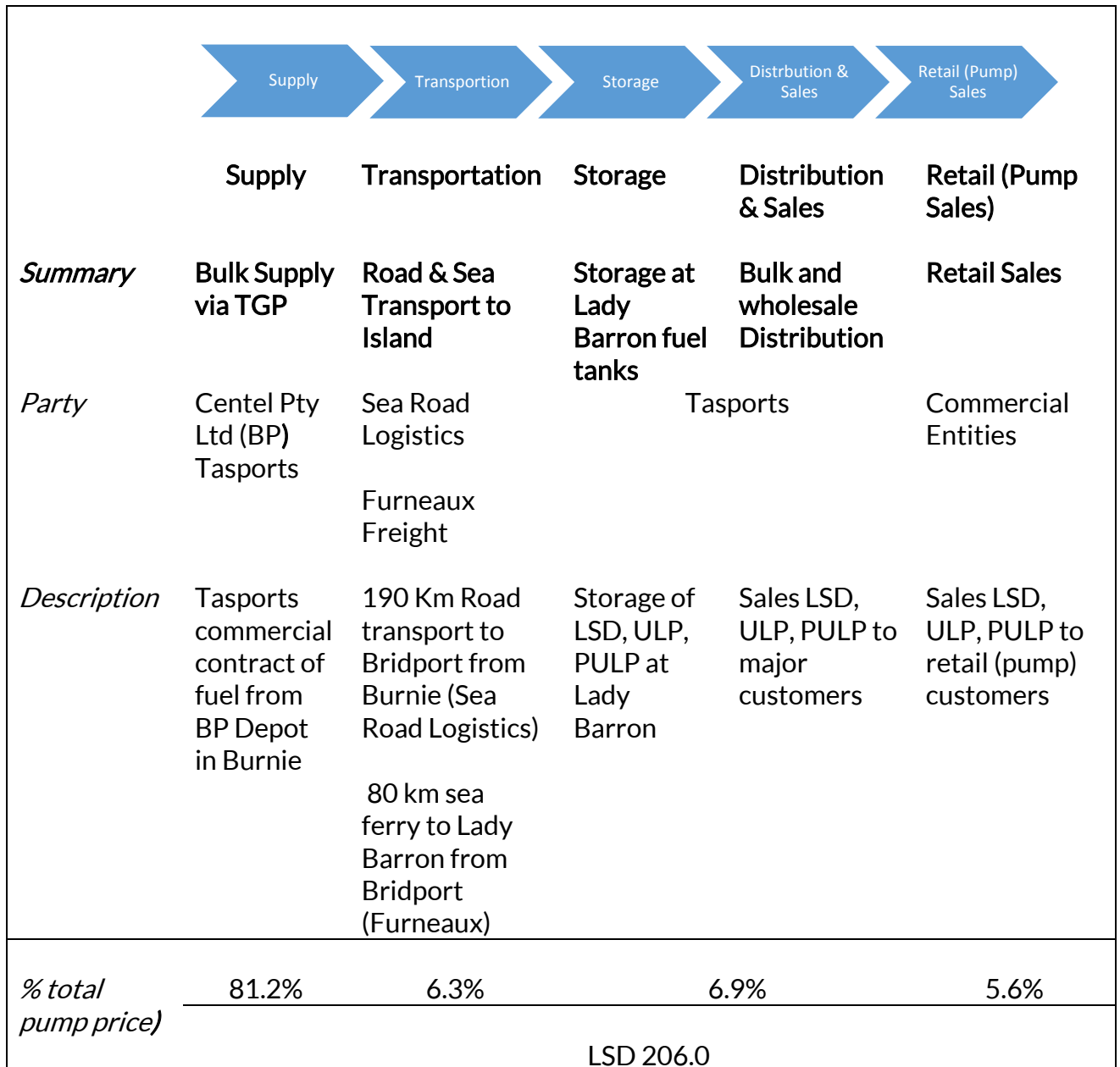
19. Council could benchmark retail and wholesale costs on a regular basis for reporting to Council's Shipping Special Committee. Closer ties with the King Island Council could facilitate this.

20. The supply chain has many parties, such as BP, Centel Pty Ltd, Sea Road Logistics, Furneaux Freight, Tasports, and Retail Supermarkets on the Island. Each party earns a return or margin for their asset, supply or service or material.

21. The supply chain is broadly cost reflective, with each party making a commercial return on investment. The supply chain is inefficient with multiple handling of the fuel to reach the end user.

22. Infrastructure on the Island, particularly Tasports Bulk Fuel Facility at Lady Barron, and associated infrastructure (truck to distribute fuel around the island), is ageing and will require ongoing maintenance (fuel tanks, pumps etc.) and replacement (truck) which may add pressure to the wholesale component of landed fuel on the Island.
23. There are opportunities to “squeeze” the supply chain to yield a lower pump price on the Island, but it is complicated as there are many parties.
24. Tasports have yet to receive revised costings from Furneaux Freight for use of the bulk fuel tanks in vessel. Tasports should inquire of Furneaux Freight as to costing for bulk fuel service.
25. Council is not a party to any of the supply chain commercial arrangements, and has limited ability to reduce the price on the Island other than by lobby or facilitation.
26. The transfer price by Tasports to Hydro for Island power generation is approximately 3 to 4 cents/litre lower than to other users on the Island. In a commercial context this is appropriate given the volumes purchased and equates to an annual cost difference of only \$35,000 per annum.
27. The cost of freight to the Island for LSD amounts to approximately 6.3% or approximately \$212,000 (ex GST). The cost of freight for all fuel to the Island in 2013/14 is expected to be approximately \$294,000 (ex GST).
28. The cost of fuel freight to the Island has been the subject of recent review in 2012 (GHD report to the Department of Infrastructure Energy, Resources, Tasmania; Furneaux Shipping Report).

The figure below summarises the current fuel supply chain, using diesel as the main fuel type.



**STATUTORY REQUIREMENT:**

*Local Government Act 1993*

**POLICY/STRATEGIC IMPLICATIONS:**

6.0 Furneaux Future

6.4 Encourage catalytic development that is consistent with the strategic objectives and contributes to Council's Vision.

6.4.1 Develop and implement specific projects that will strategically advance economic opportunities for Council and Community.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Nil

**RISK/LIABILITY:**

The report calculates the potential margins typically achieved by fuel retailers on the Island.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

Council receives and notes the report.

**DECISION:**

**870.07.2014**      **Moved:** Cr M Cobham      **Seconded:** Cr M Roberts

Council receives and notes the report.

**CARRIED (4-2)**

**For:** Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham and Cr Mary-Anne Roberts.

**Against:** Cr Gerald Willis and Cr Ronald Wise.

**871.07.2014**      **Moved:** Cr M Cobham      **Seconded:** Cr R Wise

That the Fuel supply study be discussed at an upcoming workshop.

**CARRIED UNANIMOUSLY (6-0)**

**For:** Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts, Cr Gerald Willis and Cr Ronald Wise.

Item C3: 2015 Australian Small Islands Forum

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Vicki Warden, Executive Officer
<b>FILE REFERENCE</b>	PUB/0600
<b>ASSOCIATED PAPERS</b>	<i>Nil</i>

**INTRODUCTION:**

At the February Ordinary Council Meeting, Council resolved to aim to hold the Australian Small Islands Forum (ASIF) in April 2015 and called for a 6 month update on progress, sponsorship support and the likely success of the Forum. This report is provided in response to that motion.

**PREVIOUS COUNCIL CONSIDERATION:**

558.06.2013 20th June 2013  
614.08.2013 15<sup>th</sup> August 2013  
640.09.2013 19<sup>th</sup> September 2013

732.02.2014 13<sup>th</sup> February 2014

*1. The motion 640.09.2013: "That Council reconsiders hosting the Australian Small Islands Forum in the context of the 2014/15 budget deliberations" be rescinded.*

*2. That Council aims to hold an Australian Small Islands Forum over the 22<sup>nd</sup> - 24<sup>th</sup> April 2015 and*

- that a date claimer for the event be promoted at the South East Queensland Small Islands Forum in February;*
- that the Forum theme is 'Remote Solutions';*
- that Council engages ASN Events as the Forum organiser and begins the process of raising interest in and sponsors for the conference;*
- that Council receives an update, for consideration, in 6 months as to the progress and likely success of the Forum, including the sponsorship support; and*
- that an allocation of funding be included in the 2014-15 events budget of a value equal to ASN's quoted costs and actions to support the delivery of the Forum be included in the Flinders Council Annual Plan 2014/2015.*

*CARRIED UNANIMOUSLY (7-0)*

**OFFICER'S REPORT:**

Council has previously considered this matter at length with a series of reports and recommendations provided. In summary, at the June 2013 Ordinary

Council Meeting, Council agreed to explore the practicality and potential costs of hosting the next Australian Small Islands Forum (ASIF) on Flinders Island in 2014. Furthermore at the August 2013 Ordinary Council Meeting, Council resolved to support an application to the ASIF Steering Committee to hold the Forum on Flinders Island in 2014 and asked the General Manager to provide a report to Council on the Annual Plan revisions required in order to make resources available to host the Forum. At the September 2013 Ordinary Council Meeting, the General Manager presented the report on the Annual Plan revisions required to host the Forum in 2014 and Council resolved to reconsider hosting the Australian Small Islands Forum in the context of the 2014/15 budget deliberation.

At the February 2014 Ordinary Council Meeting, Council agreed to rescind the motion passed in September 2013; to aim to hold the Forum over the 22<sup>nd</sup> – 24<sup>th</sup> April 2015 and to engage ASN Events Management (ASN) as the Forum organisers. The Forum budget, provided to Councillors at the February Ordinary Meeting of Council, included all the predicted costs of holding the Forum including staff time and event manager's costs. The expenditure was balanced by income from registration fees and sponsorship support in the vicinity of \$70,000, being \$30,000 major sponsorship generated by ASN and \$40,000 sponsorship generated by the Council Committee.

Since February 2014, Council Officers have been working in conjunction with ASN via teleconference meetings and email to progress the planning of ASIF. To date the following has been achieved.

ASN has established the conference web page which can be viewed at <http://www.asif2015.org/>. A distribution list of approximately 150 people containing previous Forum delegates and others who have expressed an interest in ASIF has been developed. ASN has prepared a marketing plan which will commence in earnest once Council ratifies the decision to host ASIF. The web page and the official call for papers will be promoted through the distribution list, associate websites, on Council's website and Facebook page and via Council email signatures.

A sponsorship prospectus has been developed by ASN detailing four levels of sponsorship and their respective benefits:

1. Gold - \$30,000
2. Silver - \$15,000
3. Bronze - \$7,500
4. Supporter - \$5,000

On 22<sup>nd</sup> July 2014 ASN forwarded the sponsorship prospectus to 38 contacts on their lead list and followed up with phone contact. There was significant interest



amongst the sponsor and exhibitor prospects however as yet, no firm sponsorship has been forthcoming. Hydro Tas committed to recurrent sponsorship of the Flinders Running Festival not long before they received the prospectus from ASN. They have indicated a keenness to support the Forum but to what extent has yet to be determined. Greg Cooper of KUBE Technology™ has also shown positive interest in sponsorship and negotiations are ongoing. ASN has a strong and successful history of delivering events across a range of sectors and they report that based on discussions with prospective sponsors, they anticipate exceeding the income target for trade support.

Council Officers forwarded the sponsorship prospectus to 18 local businesses, 5 businesses closely associated with the island and the Telstra Country Wide General Manager on 22<sup>nd</sup> July 2014, inviting them to partner with Council through sponsoring at the prospectus level or at a lesser negotiated level. Two responses have been received so far:

- Walkers Supermarket has pledged sponsorship at the Supporter Level - \$5,000
- Flinders Island Meats has offered cost price meat for the conference dinner and one lunch, in return for sponsorship recognition and 2 free tickets to the Forum (yet to be confirmed).

We are confident that further sponsorship will be forthcoming from this initial contact and from other businesses on the island that have yet to be approached.

On ASN's recommendation, a decision was made to change the planned dates of the Forum from 22<sup>nd</sup> - 24<sup>th</sup> April to 21<sup>st</sup> - 23<sup>rd</sup> April, to enable additional weekday travel time for delegates.

Upon Council's ratification of the decision to proceed with the Forum, it is expected that Council Officers will be engaged in logistical planning and facilitating community engagement between the months of September and December. Council Officers are currently poised to meet with rental accommodation owners and vehicle hirers to discuss the planned accommodation and intra-island travel strategy; form the program committee to finalise the program and assist ASN to launch the marketing campaign.

Hosting ASIF in 2015 will provide opportunities for Flinders to further promote the Furneaux Group using the theme of "Remote Solutions" whilst also learning from our peers on other islands. Hosting the event would fulfill Council's strategic vision and mission; contribute to the economy of the island by increasing the use of transport, accommodation facilities and food venues as well as adding to the social wellbeing of the community. Many community members have expressed their interest in the Forum and their opinion that the event would be beneficial for the community at many levels.

In ASN's experience there is minimal exposure and risk to the Council as hosts as long as a decision to host the Forum is made now and the marketing can commence unencumbered by delay.

**STATUTORY REQUIREMENT:**

Nil

**POLICY/STRATEGIC IMPLICATIONS:**

6.0 Furneaux Future

6.2 Achieve high recognition of a "Flinders" brand to support product sales, tourism and lobbying.

6.2.1 Develop a strong Flinders Brand to position the Furneaux Group in the community, market and government.

**BUDGET AND FINANCIAL IMPLICATIONS:**

The delivery of the Forum has been included in the Flinders Council Annual Plan 2014/2015 and an allocation of funding has been included in the 2014-15 events budget.

**RISK/LIABILITY:**

Minimal risk if marketing commences immediately.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That Council resolves to hold the Australian Small Islands Forum over the 21<sup>st</sup> – 23<sup>rd</sup> April 2015.

**DECISION:**

**872.07.2014 Moved:** Deputy Mayor D Williams      **Seconded:** Cr R Wise  
That Council do not proceed with the Australian Small Islands Forum originally planned for 21<sup>st</sup> – 23<sup>rd</sup> April 2015.

**LOST (3-3)**

**For:** Deputy Mayor D Williams, Cr G Willis and Cr R Wise.

**Against:** Mayor C Cox, Cr M Roberts and Cr M Cobham.

*The Chair called a break in the meeting at 2.11pm and resumed the meeting at 2.33pm.*

**873.07.2014 Moved:** Cr M Roberts      **Seconded:** Cr M Cobham  
That further discussion on this agenda item be deferred until after Item E4.

**CARRIED UNANIMOUSLY (6-0)**

**For:** Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts, Cr Gerald Willis and Cr Ronald Wise.

*Jana Harper, Community Development Coordinator, left the meeting at 2.38pm.*

## **E. GOVERNANCE**

### **Item E1: Communication between Councillors and the General Manager Policy**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	PER/0300
<b>ASSOCIATED PAPERS</b>	<i>Annexure 9: Communication between Councillors and the General Manager Policy</i>

#### **INTRODUCTION:**

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

#### **PREVIOUS COUNCIL CONSIDERATION:**

Policy Adopted:	14 <sup>th</sup> June 1994	126.06.94
Policy Amended:	13 <sup>th</sup> December 2001	301.12.01
Policy Amended:	23 <sup>rd</sup> September 2010	279.09.10
Communication Principle Adopted:	18 <sup>th</sup> April 2013	521.04.2013
Policy Reviewed	19 <sup>th</sup> June 2014	832.06.2014

#### **OFFICER'S REPORT:**

Council has a policy that states that policies should be reviewed at least every two (2) years. Council's Communication Principle as adopted at the 18<sup>th</sup> April 2013 Ordinary Meeting of Council, has been merged with the Communication between Councillors and the General Manager Policy.

This policy was reviewed at the 19<sup>th</sup> June 2014 Ordinary meeting of Council and lay on the table for 28 days for public comment. No submissions were received. It is now presented to Council for formal adoption.

#### **STATUTORY REQUIREMENT:**

*Local Government Act 1993*

#### **POLICY/STRATEGIC IMPLICATIONS:**

5.0 Corporate Governance and Intergovernmental Relations - decisions are professionally and transparently made, communicated and implemented to achieve defined outcomes in the interest of the community

5.1 Support the capacity and productivity of our organisation and a culture of professionalism, compliance, innovation and service.

**RISK/LIABILITY:**

Low

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That Council formally adopt the Communication between Councillors and the General Manager Policy.

**DECISION:**

**874.07.2014**    **Moved:** Cr G Willis    **Seconded:** Deputy Mayor D Williams  
That Council formally adopt the Communication between Councillors and the General Manager Policy.

**CARRIED UNANIMOUSLY (6-0)**

**For:** Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts, Cr Gerald Willis and Cr Ronald Wise.

**Item E2: Fraud Prevention and Control Policy**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	PER/0500; COU/0603
<b>ASSOCIATED PAPERS</b>	<i>Annexure 10: Fraud Prevention and Control Policy</i>

**INTRODUCTION:**

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

**PREVIOUS COUNCIL CONSIDERATION:**

Policy Reviewed 19<sup>th</sup> June 2014 832.06.2014

**OFFICER'S REPORT:**

The REPORT OF THE AUDITOR-GENERAL No. 1 of 2013-14, Fraud Control in Local Government, was presented to the Parliament of Tasmania in August 2013. The focus of the report, as a means of limiting and reducing incidences of fraud and corruption, was on the existence of internal controls and implementation and maintenance of a sound ethical culture within organisations. The Report recommends a series of actions that if implemented would assist in mitigating fraudulent actions and behaviour, embed an anti-fraud culture, and establish internal controls so that staff have the confidence that when raising genuine fraud-related concern internally, appropriate management action will follow.

In response to this Report, many Councils have adopted a Fraud Prevention and Control Policy. The policy presented is based upon the requirement to at all times protect public funds and other assets, protect the integrity, security and reputation of the Council and its employees and to assist in maintaining a high level of service to the community.

The policy was adopted at the 19<sup>th</sup> June 2014 Ordinary meeting of Council and lay on the table for 28 days for public comment. No submissions were received. It is now presented to Council for formal adoption.

**STATUTORY REQUIREMENT:**

N/A

**POLICY/STRATEGIC IMPLICATIONS:**

5.0 Corporate Governance and Intergovernmental Relations - decisions are professionally and transparently made, communicated and implemented to achieve defined outcomes in the interest of the community

5.1 Support the capacity and productivity of our organisation and a culture of professionalism, compliance, innovation and service

**RISK/LIABILITY:**

The policy will ensure that Management, Staff and Councillors are aware of the importance of fraud control and prevention and allow management to embed internal controls and an anti-fraud culture within the organisations activities and functions. Council's exposure to risk within this area will be reduced.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That Council formally adopt the Fraud Prevention and Control Policy.

**DECISION:**

875.07.2014    **Moved:** Cr G Willis                      **Seconded:** Cr M Cobham

That Council formally adopt the Fraud Prevention and Control Policy.

**CARRIED UNANIMOUSLY (6-0)**

**For:** Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts, Cr Gerald Willis and Cr Ronald Wise.

**Item E3:                    Audit Panels**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	LEG/0600, FIN/0400
<b>ASSOCIATED PAPERS</b>	<p><i>Annexure 11: Local Government Audit Panels – A Practice Guide</i></p> <p><i>Annexure 12: DRAFT Template Annual Work Plan</i></p> <p><i>Annexure 13: DRAFT Template for Meeting Procedures</i></p> <p><i>Annexure 14: Draft FC Audit Panel Charter July 2014</i></p> <p><i>Annexure 15: Extract from Dorset Council Meeting Agenda 21 July 2014</i></p> <p><i>Annexure 16: Extract from Dorset Council Meeting Unconfirmed Minutes 21 July 2014</i></p> <p><i>Annexure 17: Extract from Meander Valley Council Agenda - Audit Panel</i></p> <p><i>Annexure 18: Extract from Meander Valley Council Minutes - Audit Panel</i></p> <p><i>Annexure 19: Flinders Council Letter to Premier - Draft Orders</i></p> <p><i>Annexure 20: Ministerial Orders AGR Volume 5 2013_141</i></p> <p><i>Annexure 21: Tas Govt LG Audit Panels</i></p>

**INTRODUCTION:**

The purpose of this report is to present Council with a detailed summary and recommendation in relation to the Local Government (Audit Panels) Order 2014 which came into effect in February 2014 and specified the requirements for the establishment of an audit panel for councils under Section 85 of the *Local Government Act 1993*.

Flinders Council has an existing Audit and Finance Special Committee that performs many of the functions proposed within the Orders but does not have an independent Chair.

Flinders Council has an existing resolution that expressed “*grave concern and opposition to the proposed Draft Ministerial Orders under Section 70F, 84(2A) and 85B of the Local Government Act 1993.*” Letters to the then Premier outlining these concerns went unanswered and the Orders came into effect with no consultation or consideration of our specific circumstances.



The position of Council now that the Orders have formally come into effect is yet to be tested and to that end Council staff have been involved with the Audit Panel Working Group which has representation from Break O'Day, Dorset, Meander Valley, George Town and West Tamar Councils. The group has met on a regular basis with meetings coordinated by Northern Tasmanian Development (NTD). A common approach has been developed to appoint Audit Panels, their composition and functionality.

The Audit Panel Charter was presented and discussed at the August 2014 workshop.

Council is required to comply with Section 85 of the *Local Government Act 1993*. That said, at its July 2014 Ordinary Council Meeting, Dorset Council passed the following resolution:

*"That Council advise the Minister for Local Government and the Auditor General of its intention not to establish an Audit Panel under Section 85 of the Local Government Act 1993."*

Meander Valley Council also passed the following resolution at its August 2014 Ordinary Council Meeting:

*Mayor Perkins moved and Cr Mackenzie seconded "that Council ask the Local Government Association of Tasmania to write to the Minister for Local Government requesting the removal of the mandatory requirement for councils to have an audit panel, unless there is an express reasoning by the Auditor General and supported by the Minister for Local Government in relation to an identified and ongoing issue with a Council."*

#### **PREVIOUS COUNCIL CONSIDERATION:**

Flinders Council has an existing Audit and Finance Special Committee.

Flinders Council formally considered the Draft Ministerial Orders at its Ordinary meeting on the 20<sup>th</sup> December and the following decision was ratified:

#### **DECISION:**

*713.12.2013 Moved: Deputy Mayor D Williams Seconded: Cr M Cobham*

- 1. That Council expresses its grave concern and opposition to the proposed Draft Ministerial Orders under Section 70F, 84(2A) and 85B of the Local Government Act 1993.*
- 2. That the General Manager's summary as tabled at the meeting be included in the submission to LGAT.*

3. *That Council writes to the Premier, the Minister for Local Government and the relevant opposition parliamentarians expressing our grave concerns. While the Draft Orders may be best practice for larger Councils, the cost of implementation and compliance will be a significant burden on our financial and human resources, detracting from Council's ability to supply services to the community.*
4. *Council also requests that if the Draft Ministerial Orders are supported extra ongoing funding be provided for the implementation and ongoing compliance.*

**CARRIED UNANIMOUSLY (7-0)**

*For: Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts, Cr Peter Rhodes , Cr Gerald Willis and Cr Ronald Wise.*

No response was received from the Premier to this correspondence and the Orders came into effect on the 10<sup>th</sup> February 2014.

#### **OFFICER'S REPORT:**

On the 20<sup>th</sup> December 2013, Council wrote to the then Premier Lara Giddings expressing our grave concern as to the financial implications the Ministerial Orders would have on our small Council. In the correspondence to the Premier, Council stated

*" While the Draft Orders may be best practice for larger Councils, the cost of implementation and compliance will be a significant burden on our financial and human resources, detracting from Council's ability to supply services to the community."*

No response was received from the Premier and in the last weeks before the election on 10<sup>th</sup> February, the Local Government (Audit Panels) Order 2014 came into effect which specified requirements for the establishment of an Audit Panel for councils under Section 85 of the *Local Government Act 1993*.

Council has previously questioned establishing an Audit Panel on the basis that it does not see commensurate value in the Audit Panels to justify the associated cost to the community. At a time when all government expenditure should provide genuine value to the communities we serve, the value of implementing the Audit Panel directive when the proposed functions of the Audit Panel are already regularly monitored by Council through either the Council meeting or workshop processes, has to be questioned. The General Manager has met with the Minister for Local Government to reiterate our concerns in relation to the cost and lack of perceived value of Audit Panels and while the Minister has a

level of understanding it is clear that no change to the Orders will be forthcoming in the near future.

The letter sent to the then Premier in February of this year outlined a considered and reasoned position. Since this time, little has been provided in the way of extra information or reasoning from the State Government as to what value these Audit Panels will bring to a remote community such as ours. In the interests of reporting clearly to Council and the community I resubmit an excerpt from the original argument put forward by Council to the then Premier in February of this year:

*“Premier, Flinders Council has in place a Long Term Financial Management Plan, Long Term Asset Management Plan, Transport Infrastructure Strategy and a range of other policies and procedures that assist Council in its decision making processes. At issue is the highly prescriptive nature of the Draft Orders.*

*The Draft Orders, as presented, are best practice for a large urban Council with the staff capacity and financial resources to comply. For small rural and remote Councils this level of direction, oversight and compliance will be a major impost at a staff and cost level and will need to be funded through decreased on ground services and standards. Put simply, this “gold plated” approach is beyond our community’s needs or capacity to fund without significant and ongoing financial assistance from the State.*

*As an example, the Audit Panel directive put forward in the Draft Orders is of a high level of concern to Flinders. While access to trained professional panel members may well be a relatively simple matter in urban areas, there are few if any locally based individuals that would have the requisite skills or experience to fill these roles on island nor manage the complexities of the suite of requirements these panels will now be charged with delivering. Flinders will be exposed to flying these experts in quarterly, paying for them and no doubt accommodating and providing meals as the work required will not be possible in the time available to fly in and out in a day. To meet four times per year, an estimate of cost for travel alone would be in the vicinity of some \$6,500. Add travel and sitting fees and the cost of the directive equates to potentially over \$15,000. Staff time and secretarial support would conservatively add a further \$5,000. As the requirement for the Auditor General to continue his role has not been diminished under the Draft Orders, Council can expect a further \$23,000 in audit fees plus staff time which conservatively equates to around some \$20,000. Combined, the audit process proposed under the Draft Orders could conceivably cost around \$63,000 annually. In our case this figure equates to nearly 6.25% of our*

*total rate revenue. Clearly this level of expenditure, when no known risk exists with the current system, is not sustainable.*

*Small Councils such as Flinders have little if any extra capacity to add further State based requirements to what is already a very onerous workload. Little understanding seems to exist with the State Government of the specific place based challenges we face. That said, many studies and reports from other remote parts of Australia clearly outline that place based approaches ARE required if remote communities are to be sustainable in either the short or long term. Specifically, the Australian Centre for Excellence in Local Government (ACELG) has published two reports specifically referenced to isolated and remote Council entities: *Fixing the hole in Australia's Heartland – How Government needs to work in remote Australia* and *Role and Expectations of Rural-Remote and Indigenous Local Government*. The reports are part of ACELG's broader strategy to build the capacity of small rural-remote and Indigenous Councils across Australia through its Rural-Remote and Indigenous Local Government Program.*

*Prepared by Alan Morton of Morton Consulting Services, the report builds on ACELG's work on this area from 2011, *Capacity Building Strategy for Rural-Remote and Indigenous Local Government* which noted that the current demands and expectations placed on rural-remote and Indigenous local government are unsustainable, especially if they are left to grow unchecked.*

*ACELG's Assistant Director, Melissa Gibbs noted:*

*"Rural-remote and Indigenous councils play an important role in local communities. They provide a broader range of services than their urban counterparts as they are required to fill service gaps usually provided by other spheres of government. Yet the councils face tremendous challenges in recruiting and retaining skilled staff, managing assets and their dependency on grants mean they have limited control over revenue sources.*

*"The Centre prepared this report to gain a clearer picture of some of these financial challenges and to assist in developing capacity to provide sustainable local governance for local communities."*

*Some of the key observations from the report are:*

- *Identifying service priorities is a matter for each council to determine, rendering it almost impossible to propose a core set of local government services.*

- *Councils need to base decisions about the scope and scale of services on a robust community, corporate and strategic planning process that links to long term financial planning.*
- *The ability for rural-remote and Indigenous councils to choose what services they deliver is limited because of their lack of own source revenue or untied grants.*
- *The regulatory and administrative burden imposed on local governments and how this constrains Councils from what should be their core focus of delivering services that meet constituents' needs and expectations.*

*From a researched perspective, the directives proposed under the Draft Orders, while no doubt best practice for our large urban Council entities are simply unsustainable for small isolated Councils such as Flinders. To that end we would implore the Tasmanian State Government to abandon the Draft Orders as presented and engage with the Local Government sector further to design a system that enhances the sustainability of ALL Councils in the State, recognising that small Councils require a very different approach in relation to oversight, compliance and support than our larger counterparts.*

*This legislative reform process, if implemented, will simply see a large percentage of our small revenue base spent on more plans, reports and office staff rather than delivering essential on ground services to our community. At a time when money is tight and our community continues to be challenged by cost of living pressures, I trust that you as Premier will do your best to ensure that such an outcome does not occur or at the very least that further consultation occurs with the local government sector to design an approach that supports the ongoing sustainability, particularly of small and remote municipalities, as opposed to actively adding risk, complexity and cost. "*

Clearly at issue is the cost and commensurate value that complying with the Orders will bring a small and remote Council such as ours. Diverting the minimal funding we have from on ground works and activities into yet more compliance activities and cost is exceptionally difficult to justify. A far more reasoned approach would see the removal of the prescriptive nature of the current Orders, with the State working with and providing support to smaller Council's to encourage a place based approach to auditing requirements and oversight. An example of this is the existing Flinders Council Audit and Finance Special Committee. This Committee could well function in a similar fashion to that proposed under the Orders but would exclude the need for a paid independent Chair. To date this Committee has worked well for Council but utilizing many of the aspects of the Orders, such as an agreed Charter, annual work plan and reporting mechanisms has the potential to see it function in a more organised

manner which could add genuine value to the organisation and the community at large while still being affordable.

Under the current prescriptive nature of the Orders, Council is expected to comply in full with the directives of the legislation. To that end, the General Manager has been involved in discussions on the establishment of a regional Audit Panel process whereby the Independent Chair person would be shared across Councils. These discussions have been very positive and a draft Charter has been developed for Council consideration if it so chooses to establish an Audit Panel as per the Act. The cost of supporting such an approach is estimated to be between \$20,000 and \$30,000. Council has allocated funds for the establishment of the Audit Panel and its functions in the 2014/2015 budget estimates.

As the regional group of Councils, albeit with the exception of Dorset Council, have agreed in principle to the shared engagement of an independent Chairperson and overarching Charter, Flinders now needs to make a formal decision and provide clear direction to the General Manager as to its preferred approach to complying (or not) with the Orders at this time.

An alternate approach to full compliance is proposed for Council consideration. If Council was to simply maintain the existing Audit and Finance Special Committee; ensure community representation is maintained; exclude the Mayor and General Manager from being members and adopt a Charter and annual work plan; the core requirements of the Orders would be met with the exclusion of an independent Chair and its associated costs.

Council has a range of options for consideration. In summary these include:

1. Working with the Regional group of Councils to develop a shared charter and engage a shared independent Chairperson. This would see full compliance with the Act but would come at high cost.
2. Maintain but restructure the existing Audit and Finance Special Committee of Council - the Mayor and General Manager to be removed from membership and/or direct involvement, community representation maintained, an agreed Charter developed and an annualised work plan developed, agreed by Council and implemented with a clear reporting structure put in place.
3. Write to the Minister of Local Government and the Auditor General stating that Flinders Council does not support the mandatory directive to establish Audit Panels contained within Section 85 of the *Local Government Act 1993*. While the Orders may be best practice for larger Councils, the cost of implementation and compliance will be a significant burden on the financial and human resources of Council and will materially detract from Council's ability to supply services to the

community. The commensurate value of the directive to establish an Audit Panel is insufficient at this time to warrant support.

In conclusion, the mandatory nature of the orders is the key issue. Flinders Council has its own unique set of challenges, provides services to our community that are place based and often very different to those that other Councils are required to provide and the approach required to ensure these are sustainable into the long term is materially different to many other municipalities. Council should have the freedom, within reason, to establish its own approaches to governance, compliance and oversight based on value and need and not be subjected to homogenised legislative direction from the State Government based on the latest “trends” in corporate governance that bear little if any relevance and add little to no value to a remote and isolated community such as ours.

#### **STATUTORY REQUIREMENT:**

Section 85 of the *Local Government Act 1993*

#### **POLICY/STRATEGIC IMPLICATIONS:**

5.0 Corporate Governance and Intergovernmental Relations

5.1 Support the capacity and productivity of our organisation and a culture of professionalism, compliance, innovation and service

#### **RISK/LIABILITY:**

Not establishing an Audit Panel would see Council in non-compliance with Section 85 of the *Local Government Act 1993* and Local Government (Audit Panels) Order 2014. There are however no prescribed penalties for non-compliance with the Act. Council is required to be in compliance with all legislative directives. Being compliant with the Act will see potentially some 6.5% of our total rate revenue diverted to compliance costs and audit fees. At a time when the Auditor General regularly reports that Council is financially unsustainable it would seem counter intuitive to add further unsustainable compliance costs on to our ratepayers for no perceived net benefit. Non-compliance or an alternative approach is proposed to mitigate the risk of unsustainable financial costs.

#### **VOTING REQUIREMENTS:**

Absolute Majority

#### **OFFICER'S RECOMMENDATION:**

1. Council notes the report from the General Manager and the proposed Charter from the Northern Regional Group of Council's.
2. Council directs the Mayor to write to the Minister for Local Government and the Auditor General stating the following:

*Flinders Council does not support the mandatory directive to establish Audit Panels contained within Section 85 of the Local Government Act 1993. While the Orders may be best practice for larger Councils, the cost of implementation and compliance will be a significant burden on the financial and human resources of Council and will materially detract from Council's ability to supply services to the community. The commensurate value of the directive to establish an Audit Panel is insufficient at this time to warrant support. To that end Council will not be establishing an Audit Panel in full compliance with the Act but will continue to operate its existing Audit and Finance Special Committee.*

3. The Flinders Council Audit and Finance Special Committee be directed to develop an agreed Charter, annual work plan and reporting mechanisms to present to Council for consideration post the October Council election.

**DECISION:**

**876.07.2014 Moved:** Cr M Cobham **Seconded:** Deputy Mayor D Williams

1. Council notes the report from the General Manager and the proposed Charter from the Northern Regional Group of Council's.
2. Council directs the Mayor to write to the Minister for Local Government and the Auditor General stating the following:  
*Flinders Council does not support the mandatory directive to establish Audit Panels contained within Section 85 of the Local Government Act 1993. While the Orders may be best practice for larger Councils, the cost of implementation and compliance will be a significant burden on the financial and human resources of Council and will materially detract from Council's ability to supply services to the community. The commensurate value of the directive to establish an Audit Panel is insufficient at this time to warrant support. To that end Council will not be establishing an Audit Panel in full compliance with the Act but will continue to operate its existing Audit and Finance Special Committee.*
3. The Flinders Council Audit and Finance Special Committee be directed to develop an agreed Charter, annual work plan and reporting mechanisms to present to Council for consideration post the October Council election.

**CARRIED UNANIMOUSLY (6-0)**

**For:** Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts, Cr Gerald Willis and Cr Ronald Wise.



**Item E4: Councillor Resolution Report**

<b>ACTION</b>	<b>Information</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	COU/0600
<b>ASSOCIATED PAPERS</b>	<i>Annexure 22: Councillor Resolution Report August 2014</i>

**INTRODUCTION:**

This report identifies the actions taken and actual costs associated with implementing resolutions passed by elected members up to August 2014.

**PREVIOUS COUNCIL CONSIDERATION:**

The report is presented on a monthly basis.

**OFFICER'S REPORT:**

Please read Annexure 22 – Councillor Resolution Report August 2014.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That the Councillor Resolution Report August 2014 be noted.

**DECISION:**

**877.07.2014 Moved:** Cr M Cobham **Seconded:** Deputy Mayor D Williams  
That the Councillor Resolution Report August 2014 be noted.

**CARRIED UNANIMOUSLY (6-0)**

**For:** Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts, Cr Gerald Willis and Cr Ronald Wise.

**C. COMMUNITY DEVELOPMENT (continued)**

**Item C3: 2015 Australian Small Islands Forum (Continued)**

**878.07.2014 Moved:** Cr R Wise **Seconded:** Deputy Mayor D Williams  
That Council resolves to hold the Australian Small Islands Forum over the 21<sup>st</sup> – 23<sup>rd</sup> April 2015.

**AMENDMENT**

**879.07.2014 Moved:** Cr M Roberts **Seconded:** Cr M Cobham  
That Council resolves to hold the Australian Small Islands Forum over the 21<sup>st</sup> – 23<sup>rd</sup> April 2015 on the firm understanding that no further financial commitment be made beyond the allocation of \$92,000.

**LOST (3-3)**

**For:** Mayor C Cox, Cr M Roberts and Cr M Cobham.  
**Against:** Deputy Mayor D Williams, Cr G Willis and Cr R Wise.

**SUBSTANTIVE MOTION**

That Council resolves to hold the Australian Small Islands Forum over the 21<sup>st</sup> – 23<sup>rd</sup> April 2015.

**LOST (3-3)**

**For:** Mayor C Cox, Cr M Roberts and Cr M Cobham.  
**Against:** Deputy Mayor D Williams, Cr G Willis and Cr R Wise.

**879.07.2014 Moved:** Cr G Willis **Seconded:** Deputy Mayor D Williams  
That this meeting, having not resolved to hold the Australian Small Islands Forum, records its appreciation for the efforts made by the General Manager and staff in investigating the possibility and initial development work involved in holding a Forum.

**CARRIED UNANIMOUSLY (6-0)**

**For:** Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts, Cr Gerald Willis and Cr Ronald Wise.

**Meeting Closed at 3.12pm**