



**FLINDERS**  
**COUNCIL**

Agenda  
Ordinary Council Meeting  
21<sup>st</sup> November 2013

## CERTIFICATION

"I certify that with respect to all advice, information or recommendation provided to Council with this agenda:

1. The advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation, and;
2. Where any advice is given directly to Council by a person who does not have the required qualifications or experience that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person.

Note: S65(1) of the *Local Government Act 1993* requires the General Manager to ensure that any advice, information or recommendation given to the Council (or a Council Committee) is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation. S65(2) forbids Council from deciding any matter which requires the advice of a qualified person without considering that advice."

Dated this 15<sup>th</sup> day of November 2013.



Raoul Harper  
**GENERAL MANAGER**

## FLINDERS COUNCIL ORDINARY MEETING

### AGENDA

**DATE:** Thursday 21<sup>st</sup> November 2013  
**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 Peter Rhodes  
Cr Mary-Anne Roberts  
Cr Gerald Willis  
Cr Ronald Wise

#### APOLOGIES

Nil

#### STAFF IN ATTENDANCE

Raoul Harper - General Manager  
Vicki Warden - Executive Assistant

#### CONFIRMATION OF MINUTES

That the Minutes from the Ordinary Council Meeting and the Closed Council Meeting held on the 17<sup>th</sup> October 2013 be confirmed.

#### PUBLIC QUESTION TIME

In accordance with *Section 31 (1) of the Local Government (Meeting Procedures) Regulations 2005* and the Flinders Council Policy the following procedures be adhered to at public question time:-

It is the policy of the Flinders Council to allow a 'Question Time' at Ordinary Council Meetings, during which members of the public may ask questions of the Council relating to Flinders Council matters.

The basis on which questions may be asked is:

1. All questions will be addressed through the Chair (being the Mayor in normal circumstances) who will answer them as she/he sees fit. Under no circumstances will members of the gallery be permitted to address or question either elected members or officers of the Council. The Chair may delegate answers to the appropriate Councillor or staff member if appropriate.

2. Persons addressing the Chair must pay the respect due to that office. Failure to do so may mean their address is terminated without notice.
3. Where the answer cannot be provided immediately, it will be provided in writing within 14 days and tabled at the following Ordinary Council Meeting.
4. All questioners are encouraged to register their intent to question with the General Manager before the meeting. Preference will be given to those who have so registered.
5. Question time shall not extend longer than 30 minutes and may be divided into two 15 minute sessions.
6. The actual timing of the session(s) is to be immediately after the opening of the meeting and advertised with the notice of meeting.

#### **LATE AGENDA ITEMS**

Nil

#### **DECLARATION OF PECUNIARY INTEREST**

*In accordance with Part 2 Regulation 8 (7) of the Local Government (Meeting Procedures) Regulations 2005, the Chairman of a meeting is to request Councillors to indicate whether they have, or are likely to have, a pecuniary interest in any item on the agenda.*

*Accordingly, Councillors are requested to advise of a pecuniary interest they may have in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Council has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the Local Government (Meeting Procedures) Regulations 2005.*

#### **LEAVE OF ABSENCE**

Nil

#### **PETITIONS**

Nil

**WORKSHOPS & INFORMATION FORUMS**  
File No: COU/0205

**Council Workshop held on 13<sup>th</sup> November 2013**

Council held a Workshop on the following subjects:

- Item 1: Flinders Island Sports & RSL Club Project Redevelopment Brief
- Item 2: NRM Staffing Discussion
- Item 3: Update on Learn to Swim Program
- Item 4: Summer Camp Shed Demolition
- Item 5: Waste Water Scoping Study
- Item 6: Asset Management & Financial Management Reforms
- Item 7: Function of Hall Special Committees

**Councillors Present:**

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

**Apologies:**

Cr Marc Cobham and Cr Peter Rhodes.

**Staff and Consultants Present:**

Raoul Harper (General Manager), Kim Hossack (Corporate Services Manager), Jana Harper (Community Development Coordinator) (Item 3 only) and Jacci Viney (Development Services Coordinator) (Items 1, 2, 4 & 5).

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

**PUBLIC MEETINGS**

Nil

**COUNCILLOR'S QUESTIONS ON NOTICE**

Nil

**COUNCILLOR'S QUESTIONS WITHOUT NOTICE**

*Regulation 29 of the Local Government (Meeting Procedures) Regulations 2005 specifies that in putting a Question Without Notice a Councillor must not offer an argument or opinion, draw any inference or make any imputations except so far as may be necessary to explain the question. The Chairperson must not permit any debate of a Question without Notice or its answer.*

**PUBLICATIONS/REPORTS TABLED FOR COUNCIL INFORMATION**

Nil

**REPORTS TO BE RECEIVED**

Nil

**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:****ACTIVITIES:**

17/10/13	Council Meeting
17/10/13	Book Launch - "Flinders Island Ian Rolfe Photography"
18/10/13	Flinders Island Show including presentation of Community Awards
19/10 - 2/11/13	Deputy Mayor as Acting Mayor
24/10/13	Acting Mayor: C8 Summit
26/10/13	Acting Mayor: FITA Dinner for King Island Visitors
29/10/13	Acting Mayor: Regional Arts Dinner
30/11/13	Presentation to Thriving Neighbourhoods Conference (Melbourne)
3/11/13	Tour de Flinders
3/11/13	Museum - Opening of Music Exhibition
11/11/13	School Association Meeting
12/11/13	Furneaux Group Health Special Committee Meeting
13/11/13	Council Photos
13/11/13	Councillor Workshop

**Book Launch**

Ian Rolfe, a well-travelled photographer and longtime visitor to the island has produced a book of his photographs of Flinders Island. Ian is a Fellow of the Australian Photographic Society (FAPS) and has been awarded the distinction "artiste" from the International Society of Photographic Art. His panoramic photographs are currently used in a European Image Library and in one South East Asian Stock Library. He also conducts up to 12 Photographic Workshops each year both locally and to overseas destinations. Ian has been bringing photographic groups to Flinders for many years. The book was launched at Vistas on the 17<sup>th</sup> of October and is available at island outlets.

**Flinders Island Show: Community Awards**

Firstly I would like to congratulate the Works & Services Staff whose speedy instigation of temporary solutions to supply water to toilets etc. allowed the Show to go on. A major breakage in the town water supply pipe under the pavilion was discovered early show morning.

Just as importantly on behalf of the community I would like to thank all the show organisers, their assistants and stewards, stall holders and pavilion contributors and anyone else I have missed, it is your combined effort that makes the show so successful.

Ruby Blyth was awarded with a well-earned Life Membership to the Show Society in recognition of her contribution over many years to the running of the show.

Congratulations to Chloe Picket being awarded the Lions Young Citizen of the Year.

The Flinders Municipality has the highest volunteer participation rate in Australia. The 2011 census identifies Flinders volunteer participation rate for the 2011 census at 39%. The Australian average is less than 18% and Tasmania less than 20%.

The Flinders Council this year recognised the contribution this voluntary work adds to the social structure of the islands awarding the **Citizenship Award** to two worthy recipients whom you the community have identified as worthy of receiving this very public recognition.

Kim Murphy, a lady who quite often goes under the radar but who is continually giving here time to assist community groups in a myriad of ways. Kim is totally committed to ensuring the Catholic Church remains a strong presence in the community, was an early member of the Volunteer Ambulance assisting with both the recruitment drive and those famous cabarets. Beneficiaries of her assistance are the Lady Barron Exercise Group, Lady Barron Hall Committee, Fitness on Flinders and many causes for which Kim organises novel fundraising events. With her husband Spud's company, Kim has camped at the top of the mountain in all-weather as marshals for the Three Peaks Race and been caretakers at the Deal Island National Park.

Colleen Patterson in recognition, not just for her continuing contribution to community groups, but also for the huge amount of work that she did with the youth on the island way back when this award did not exist. Colleen's other contributions include freely given service as a Justice of the Peace for 30 years, A member of the Island Rate-Payers Association that was instrumental in getting power to Lady Barron, an active supporter of the Anglican Church, Hospital Auxiliary, Lady Barron Hall Committee, Lapidary Club and other good causes.

A Special Award was also made to Kathleen Ives-Heap and David Heap for outstanding services to the community's health and well-being. Arriving on the



island seven years ago David and Kathleen have worked as a team to inspire, encourage and support a large proportion of the community to become considerably more health conscious through increasing physical activity, changing attitudes towards diet and increasing an enjoyment of music.

### **Thriving Neighbourhoods Conference**

I made a 20 minute presentation to this Conference on the issues faced in developing a thriving neighbourhood in a small remote community. The presentation on Flinders was a reality check and in direct contrast to the other presentations that focused on developing or renewing urban areas. The presentation was well received and during following questions I was advised by a University Professor that the strength of our community was in our people. Our huge volunteer contingent is an indication of our ability to get in and do and not just ask for it to be done. His analogy was with Adelaide where the Council has spent three years developing street communities and is now withdrawing, hoping the street businesses will take ownership of them. I was surprised at how many of the larger Councils run kindergartens, which I learnt are not the jurisdiction of the Education Department in Victoria. Many are dealing with developing areas of migrants and finding ways to encourage them out of isolation and to link old and new neighbourhoods. Our issues are different but what is not different is that it is LOCAL Government, i.e. Councils are doing the groundwork to make better communities.

### **Tour de Flinders**

The Lions Club bike ride went on, but the strength of the wind hampered the riders and possibly deterred some. This annual event is organised by the Lions Club members and is a welcome contribution to the islands event calendar. A BBQ at Yellow Beach was a welcoming end to the ride.

### **Museum – Music Exhibition**

Around one hundred and forty people were at the Museum on the 4<sup>th</sup> November to witness the opening of the exhibition on music in the islands. The organisers and contributors have put together an exhibition that spans not only the years but the many genres of music and musicians that have shared their skills and love of music over those years. I strongly encourage you to visit the Museum and witness the depth of this exhibition for yourself. Congratulations and thank you to the organisers and museum volunteers on the professionalism of this exhibition.

### **School Association**

The School Association is now incorporated and the Parents and Friends funds are being transferred to the Association in preparation for the closing of the Parents and Friends Group. The purpose of Parents and Friends will now be served by either the Association itself or by specific purpose subcommittees.

A Sun Safe Policy was approved by the Association with the Homework Policy and Grievance Policy to be considered for ratification at the December meeting. Class options for 2014 were previewed and it is expected that student numbers will be in the low 70s.

### **The C8 Summit**

The Acting Mayor represented Flinders Council at the inaugural C8 Summit held in Launceston.

### **Tourism Association**

The Acting Mayor attended the dinner organised by Flinders Island Tourism Association and held at the Furneaux Tavern to welcome 19 King Island visitors.

### **Regional Arts**

The Acting Mayor attended dinner at the Interstate Hotel to thank Kylie Easterly for coming here as an Arts Consultant as part of a professional development project for our local art group.

### **CORRESPONDENCE IN:**

Aussie Merchandise	Australia Day Merchandise
Ecotourism Australia	Global Eco Asia-Pacific Tourism Conference
LGAT - Media Release	Head-works Charges
Taswater	Head-works Charges
Taswater	New General Manager for Legal & Governance
Taswater	Agendas for General Meeting of Taswater and AGM of Ben Lomond Water - 7/11/13
Premier's Physical Activity Council	Medibank Active Tasmania Awards Presentation - 6/7/13
Nick McShane	Role of Local Government Survey - thank you and update
Garage Sale Trail Foundation	Promotional materials for 26 <sup>th</sup> October
Forestry Tasmania	Getting engaged
Community Achievement Awards	Invite to gala presentation dinner - 22/11/13
Launceston Airport	2013 Annual Stakeholder Report Presentation 26/11/13
Hon David O'Byrne MP	Response re lowering speed on gravel roads.
Southern Cross	Young Achiever Awards now open.
Premier Lara Giddings	Bushfire Inquiry now complete - 103 recommendations. Report and government response at <a href="http://www.dpac.tas.gov.au">www.dpac.tas.gov.au</a> .
Quadrant Superannuation	Invite to Navigating Through The Noise - It's

Scheme	Not All About Income - 20/11/12
Hon Brian Green MP	Report available on review into Councillor Numbers.
Royal Flying Doctor Service	2012/13 Annual Report, <a href="http://www.flyingdoctor.org.au/About-Us/Annual-Reports">www.flyingdoctor.org.au/About-Us/Annual-Reports</a> .
Hon Brian Green MP	Invite to participate in proposed 2014 review of Councillor Numbers – by 24/12/13
Taswater	Quarterly report for Owners Representatives
Roads Safety Advisory Council	2013 Community Road Partnership Awards - 22/11/13

#### **CORRESPONDENCE OUT:**

16/10/13	Colleen Patterson	Thank you re Lady Barron Hall & Recreational Special Committee
15/10/13	Robyn Dilger	Flinders Island Show Secretary - Acceptance

#### **PUBLICATIONS:**

King Island - Courier	Wed 6 <sup>th</sup> November
Tasmanian Community Fund	Annual Report 2012-13
Garage Sale trail	Promotional Materials
Property Australia	Retail Resurrection; Oct/Nov, Vol. 27, No. 9
Big Issue Magazine	What's Cooking; Issue 11, 24/10/13
Federal Group	Inform; Edition 34, 2013
Scouts Australia, Tasmania Branch	Be Prepared; November 2013, Issue 10
Heart Foundation	heart2heart; Spring 2013
Brighton Community News	Vol. 15, 10 <sup>th</sup> Nov 2013
Pitt & Sherry	2013 Sustainability Report

#### **VOTING REQUIREMENTS:**

Simple Majority

#### **RECOMMENDATION:**

That the Mayor's reports be received and accepted.

## OPERATIONAL BUSINESS OF COUNCIL

### A. NOTICE OF MOTIONS

**Item A1:** Notice of Motion from Mayor Carol Cox – Australia Day Weekend 2014 BBQ

**File No:** PUB/0101

**Item A2:** Notice of Motion from Deputy Mayor David Williams – C8 Summit

**File No:** COU/0600

Annexure 1: *C8 Discussion Paper*

**Item A3:** Notice of Motion from Cr Mary-Anne Roberts – Whitemark Footpaths

**File No:** ROA/0302

### B. GOVERNANCE

**Item B1:** Memorandum of Understanding between Flinders Council and Parks & Wildlife Service

**File No:** ENV/1100

Annexure 2: *MOU between Flinders Council & Parks & Wildlife Service*

**Item B2:** Flinders Island Sports & RSL Club Project Redevelopment Brief

**File No:** CSV/1500

Annexure 3: *Flinders Island Sports & RSL Club Project Redevelopment Brief*

**Item B3:** Rescind Private Tenancy Policy

**File No:** AER/0301

Annexure 4: *Private Tenancy Policy*

**Item B4:** Councillor Resolution Report

**File No:** COU/0600

Annexure 5: *Councillor Resolution Report November 2013*

Meeting Closed

## A. NOTICE OF MOTIONS

### Item A1: Notice of Motion from Mayor Carol Cox - Australia Day Weekend 2014 BBQ

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Mayor Carol Cox
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	PUB/0101
<b>ASSOCIATED PAPERS</b>	<i>Nil</i>

#### NOTICE OF MOTION:

That Council provides 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.

The funding for the event to come from the current 2013-14 budget allocation for “community festivals”.

That the Australia Day committee be disbanded.

#### COUNCILLOR'S REPORT:

Since the 26<sup>th</sup> January 2008 Council has held a free BBQ and supporting activities on the Australia Day public holiday, using the day to recognise how fortunate we are in having chosen this corner of the world to live in.

Historically and unusually, the event has been organised by a Councillor or Council Committee with minimal staff assistance. The most recent event was organised by Cr Marc Cobham, with the assistance of fellow Councillors, Gerald Willis and Peter Rhodes. Cr Cobham resigned from the committee in March of this year having played a lead role for the previous 4 years.

Council currently has the staff capability, capacity and budget to manage such an event without the need for a sub committee of Council as an organising committee. The committee as it exists is superfluous, no matter what the outcome of the rest of this Notice of Motion. Thus, I ask for Councillors support to close the Australia Day Committee.

The issue of celebrating Australia Day or having an island celebration on some other date has been discussed by Councillors at workshops on the 4<sup>th</sup> of April and the 2<sup>nd</sup> May 2013, but no motion has been forthcoming to initiate change.

Residents, both permanent and occasional, have come to enjoy the opportunity to meet together each Australia Day to catch up and get together as a community, including visitors to the island.

The Australia Day weekend is only two months away and both the community and the Lions Club, which has traditionally cooked the BBQ at the event, have no expectation that what has become a well attended annual event for the past 5 years will not occur in 2014. A clear decision needs to be made by the elected members as to the holding of the event so that, the Lions Club, the Council staff and the community can be informed.

The 2013-14 Annual Operational Plan on page 3 outlines that there will be a focus on supporting existing events:

*“A renewed focus on supporting community groups, volunteers and existing events on the island to grow and flourish will be provided.”*

This is an existing event.

The Council budget estimates for 2013-14 includes \$20,000 for “community festivals/events” and at five months into the financial year, with no festival or major event yet scoped to utilise this funding, it is not inappropriate to use a small portion of the funding for an event on the Australia Day weekend.

The BBQ is an existing event and should be supported as an event that enables community to come together, an action that promotes community wellbeing, enables communication between community members and builds civic engagement.

The event fits with the Council’s Mission by “providing leadership, services and support which contribute to the wellbeing ... of the Furneaux Community” (Flinders Council Strategic Plan 2011).

In 2014 the Australia Day weekend will again be a long weekend with the Monday also being a proclaimed Holiday. It is a time of year when the weather is good and many part-time residents are on the island. It is good timing for Council to provide an opportunity for community members and regular island visitors to come together encouraging communication between community members whose paths do not often cross.

I bring this motion forward as I have had queries from residents relating to aspects of the event they expect will occur in January and I ask Councillors to support this motion.

**PREVIOUS COUNCIL CONSIDERATION:**

4<sup>th</sup> of April and 2<sup>nd</sup> of May 2013 Councillor Workshops.

**OFFICER'S REPORTS:**

Council has for many years played a direct role in organising an event based around the Australia Day celebrations. This has usually been organised by a Committee of Council with Cr Cobham playing a lead role now for many years. The Notice of Motion calls for Council to commit funding to deliver an event on the Australia Day weekend. As outlined a budget allocation to support such an event is already in place. The motion also calls for the Australia Day Committee to be disbanded and for staff to organise and manage the delivery of the event.

Council has previously 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 indigenous community than Australia Day. No formal decision by Council exists to direct staff one way or another at this time. The Australia Day Committee still exists and as such one would expect that an event would be held as usual. Be that as it may, the motion calls for the Committee to be disbanded and for staff to take on the role of organising and managing the event within an existing budget allocation. While the report provided in support of the motion outlines that Council has the capacity at a staff level to deliver such, it would coincide with an exceptionally busy period for the Community Development Staff with the School Holiday Program in full swing. In discussion with staff on the matter, the flexibility provided within the motion at hand is supported and would allow staff to explore what options may be available to partner with other community groups/organisations to deliver an event on the weekend highlighted. Staff have the capacity to deliver an event if the existing Australia Day Committee were to be disbanded although it needs to be said that this will add a significant load to an already very busy time of the year.

With a budget allocation already in place and staff willing and able to assist, the decision to hold an event on the Australia Day weekend and whether or not to disband the Committee are decisions for the elected member group.

**STATUTORY REQUIREMENTS:**

*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 is already in place.

**RISK/LIABILITY:**

Minimal

**VOTING REQUIREMENTS:**

Absolute majority.

**OFFICER'S RECOMMENDATION:**

- 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.



**Item A2: Notice of Motion from Deputy Mayor David Williams – C8 Summit**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Deputy Mayor David Williams
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	COU/0600
<b>ASSOCIATED PAPERS</b>	<i>Annexure 1: C8 Discussion Paper</i>

**NOTICE OF MOTION:**

That Council recognise the possibilities that the C8 Summit offers and agree to support the attendance of an elected member at future meetings as long as it is considered to be beneficial to the island community to do so.

**COUNCILLOR'S REPORT:**

On Friday 24<sup>th</sup> October I represented Flinders Council at the inaugural C8 Summit which was designed to give elected members of the eight Northern Council (C8) the opportunity to have a greater leadership role in our region and provide a forum to develop a better understanding of the challenges and opportunities facing other Municipalities.

This is, of course, an informal network but it is seen as an opportunity for elected members to discuss and work towards finding solutions to regional problems which might otherwise be tackled independently in different ways. Northern Tasmanian Development will work closely with the group.

The timing of this forum was fitting as presently the whole region is facing many difficult challenges and it was interesting to hear that we all face many of the same problems. These include aging population, the loss of the young people to urban centres as well as the uncertainty of the current economic climate.

Obviously the meaningfulness of any such forum in the long term is the ability to achieve its goals. At this first meeting it was agreed that we should set early and achievable goals not only to establish credibility but also to determine how well we can work together.

Overall this was a successful opening event and I believe that it is worthwhile continuing to support this initiative to do our utmost to develop the relationship into a long term asset for the improvement of the region.

**PREVIOUS COUNCIL CONSIDERATION:**

Nil

**OFFICER'S REPORT:**

Engagement with others elected members has the potential to broaden Council's understanding of the issues and opportunities at play in the sector. The C8 Group is a good example of proactive regional collaboration and from all reports was a well attended and positive initiative.

Council has an existing budget allocation that could be used to support attendance. Council should consider selecting a Councillor to attend the meetings and report back to Council as and when required.

The notice of motion is supported.

**STATUTORY REQUIREMENTS:**

*Local Government Act 1993*

**POLICY/STRATEGIC IMPLICATIONS:**

- 5.0 Corporate Governance and Intergovernmental Relations
  - 5.2 Develop and maintain an influential network of external stakeholders who understand the needs and direction of Flinders Council and are supportive
    - 5.2.1 Identify key external stakeholders and decision makers and actively introduce Flinders opportunities, issues and proposals to them in a timely and professional manner

**BUDGET AND FINANCIAL IMPLICATIONS:**

Minimal. An allocation for elected member training and travel is in place and often under utilised.

**RISK/LIABILITY:**

Low

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That Council recognise the potential of the C8 Group to build and foster regional collaboration and agree to support the attendance of an elected member at future meetings.

**Item A3: Notice of Motion from Cr Mary-Anne Roberts – Whitemark Footpaths**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Councillor Mary-Anne Roberts
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	ROA/0302
<b>ASSOCIATED PAPERS</b>	<i>Nil</i>

**NOTICE OF MOTION:**

That Council recognise the difficulties faced by disabled and elderly members of the community in relation to the condition of footpaths around Whitemark and requests staff to review and prioritise particular problem areas for upgrade as soon as possible.

**COUNCILLOR'S REPORT:**

Members of the community have reported problems arising from Whitemark footpaths. Ratepayers are experiencing limited mobility due to the steepness of the angle of many driveway crossovers and the narrowness of paths when having to manoeuvre around power poles. This is a problem that is likely to increase over time as our population ages.

**PREVIOUS COUNCIL CONSIDERATION:**

Nil

**OFFICER'S REPORTS:**

Section 65(1) of the *Local Government Act 1993* requires the General Manager to ensure that any advice, information or recommendation given to the Council (or a Council Committee) is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation. Section 65(2) forbids Council from deciding any matter which require the advice of a qualified person without considering that advice. A detailed audit of the compliance (or otherwise) of the current footpath network with the requirements of the Building Code of Australia, the *Disability Discrimination Act 1992* and all applicable Australian Standards is required if the Councillors Notice of Motion is to be considered with all of the required information. No budget allocation or direction from Council has been provided to undertake such an assessment to date.

In short, Council can direct the General Manager to engage an Engineer with specific experience in footpath design and disabled access to undertake a basic assessment of the existing footpath network and provide a series of recommendations for formal Council consideration.

Access is an important issue for our residents and will only become more so in the future. Council continues to strive to improve disabled access to our facilities and infrastructure but does have a legacy of very aged facilities in many cases assets in a poor condition. All decisions at this point in relation to infrastructure and asset upgrades should be based on clear and solid evidence and the Council's (and communities) capacity to fund.

An evidence based approach to the motion at hand is supported and would be a valuable contribution to the impending development of the Council's Long Term Financial and Asset Management Strategies. If and when this evidence is collected the quantum of funds required to improve disabled access around the township of Whitemark can be assessed against the requirements of other critical community assets and infrastructure across the island and a risk assessment of the benefits (or otherwise) of undertaking the work completed.

#### **STATUTORY REQUIREMENTS:**

*Local Government Act 1993*

*Disability Discrimination Act 1992*

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

2.0 Infrastructure

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

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

An estimated allocation of \$5,000 is required to undertake a full and detailed assessment. A budget variation would need approval to facilitate such.

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

*Moderate.* A footpath comes under the definition of 'premises' and is therefore covered by Section 23 of the *Disability Discrimination Act 1992*:

premises *includes*:

- (a) a structure, building, aircraft, vehicle or vessel; and*
- (b) a place (whether enclosed or built on or not); and*
- (c) a part of premises (including premises of a kind referred to in paragraph(a) or (b)).*

The question of whether or not a local government authority is permitting discrimination requires some evidence they actually have the authority to address the problem and that a significant barrier to access exists.

Any person or organisation subject to a complaint may have a defense if the removal of the barrier would cause an unjustifiable hardship.

Council is unaware that any significant barriers to access exist at this time and hence a detailed, qualified audit is required to ensure any risk is known and actions are taken (if possible) to mitigate.

**VOTING REQUIREMENTS:**

*Absolute Majority*

**OFFICER'S RECOMMENDATION:**

Council directs the General Manager to engage an Engineer with specific experience in footpath design and disabled access to undertake a basic assessment of the existing footpath network in Whitemark and provide a series of recommendations for formal Council consideration.

## **B. GOVERNANCE DEPARTMENT**

### **Item B1: Memorandum of Understanding between Flinders Council and Parks & Wildlife Service**

<b>ACTION</b>	<b>Information</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	ENV/1100
<b>ASSOCIATED PAPERS</b>	<i>Annexure 2: MOU between Flinders Council &amp; Parks &amp; Wildlife Service</i>

#### **INTRODUCTION:**

The Memorandum of Understanding between Flinders Council and the Parks & Wildlife Service describes the arrangements for the operation of a non commercial agreement between the two organisations.

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

Nil

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

This Memorandum of Understanding (MOU) has been prepared in order to formalise an existing arrangement between Flinders Council and the Parks & Wildlife Service. The MOU specifies and outlines the roles of each organisation in relation to the upkeep and general maintenance of the public BBQ areas on Flinders Island, assistance in the maintenance of tracks on an as requested basis and the development of mutually beneficial priority projects.

Council and the local Parks & Wildlife Staff have a long history of collaboration and working together to maximise benefit to the local community. Much of this work has been undertaken previously without any formal arrangement being in place. The General Manager and Ranger in Charge have worked closely to develop the MOU presented for consideration. Councillors will note that the upkeep and general maintenance of public BBQ's would be formalised under the proposed MOU as would Council support at times of a genuine emergency for the Parks and Wildlife Service until such time as assistance can be flown to the island. Other areas of interest include assistance on an as needs basis with works on some Parks & Wildlife maintained tracks. While Council would assess any works on a project by project basis, there are times where staff and equipment may be in a given area and their assistance in delivering works would add value to both organisations and the community at large.

The agreement will commence from 1<sup>st</sup> December 2013 and continue for a period of 24 months if approved by Council.

**POLICY/STRATEGIC IMPLICATIONS:****1.0 Environment and Natural Asset Management**

1.3 Enhance access to and use of environmental assets to ensure values are recognised

1.3.2 Provide residential, tourism and recreational opportunity adjacent to environmental assets where the necessary balance can be achieved

**BUDGET AND FINANCIAL IMPLICATIONS:**

The MOU will allow for the continued sharing of resources which minimises expenditure.

**RISK/LIABILITY:**

While resource sharing arrangements have been ongoing between local Parks and Wildlife staff and Council for many years it is seen as an important risk minimisation measure to formalise the relationship.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That the Mayor be authorised to sign the Memorandum of Understanding (MOU) between Flinders Council and the Parks & Wildlife Service.

**Item B2: Flinders Island Sports & RSL Club Project Redevelopment Brief**

<b>ACTION</b>	<b>Information</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	CSV/1500
<b>ASSOCIATED PAPERS</b>	<i>Annexure 15: Flinders Island Sports &amp; RSL Club Project Redevelopment Brief</i>

**INTRODUCTION:**

The purpose of this report is to table the Flinders Island Sports & RSL Club Project Redevelopment Brief (recently approved by the Club for presentation to Council) and to seek formal direction as to what role Council should seek to play from this point.

**PREVIOUS COUNCIL CONSIDERATION:**

21<sup>st</sup> February 2013 Ordinary Council Meeting:

**456.02.2013 Moved: Deputy Mayor D Williams    Seconded: Cr G Willis**

*That Council direct resources to assist the Flinders Island Sports Club Committee to investigate ways to ensure future sustainability of the Club, with a view to ensuring the long term viability of this important community asset.*

**CARRIED UNANIMOUSLY (7-0)**

**OFFICER'S REPORT:**

On 17<sup>th</sup> January 2013, Council met with representatives of the Flinders Island Sports and RSL Club to discuss the future of the Club and its associated assets. Post this meeting a formal motion was passed by Council directing resources (staff) to assist the Club to explore options that may bring long term sustainability to the Club and its assets. At a further meeting between the parties on 15<sup>th</sup> May it was agreed that the first step would be to establish an initial project brief for consideration. Staff have since worked in partnership with a Committee of the Club and the brief provided for Council consideration stems from the work undertaken by the group. The brief has now been approved by the Club itself for formal Council consideration.

In summary, the brief outlines that the basic objective of any redevelopment at the site would be based on generating sufficient funds to cover the annual and ongoing asset maintenance costs of the Club and the associated infrastructure and in turn securing the Sports Club's ongoing viability. The brief also recognises that any redevelopment should be undertaken with the needs of the



wider community in mind and with an understanding of what the full development potential of the site might be.

With the foregoing in mind the Committee on behalf of its members has now adopted the following objectives to begin planning for the future redevelopment of the site:

1. As a minimum requirement, the Club continues to provide the same services to the community as it currently provides relating to golf, bowls, a venue for community functions and a base for the Flinders Island RSL.
2. That the existing golf course is retained.
3. That in the future the Club is not dependent on voluntary labour for its annual and ongoing asset maintenance and or any future capital works projects.
4. Redevelopment could present an opportunity for a 'state of the art' recreational, community facility and housing hub that could position Flinders Island at the forefront of the provision of such facilities for isolated communities.

With these objectives in mind the minimum redevelopment option will be one that produces sufficient additional income to cover the operational and ongoing asset maintenance costs of the club, its buildings and grounds. A clear vision for the future is now required which is one that is also based on a strong and realistic business plan that meets the wider needs of the Flinders Island community and provides a pathway to the long term viability of the Club.

The Club is keen to now work in partnership with Council to explore if a "shared vision" for the site and its ongoing operation/maintenance can be agreed between both parties and then this be used to build a considered business case to inform future collective efforts.

The site and its future development should be viewed in a holistic manner with other projects and growth plans for the township of Whitemark and to that end further engagement with the Club and Council is required to refine the ideas presented in the brief before any final position is agreed by both parties.

**STATUTORY REQUIREMENT:**

Nil

**POLICY/STRATEGIC IMPLICATIONS:**

## 4.0 Community Safety, Engagement and Enterprise

4.3 Maintain and develop productive, constructive relationships with the community and organizations 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

4.3.1.9 Identify and assist to provide further community engagement with the Flinders Island Sports & RSL Club.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Minimal

**RISK/LIABILITY:**

Low

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

Council receives the Flinders Island Sports & RSL Club Project Redevelopment Brief and supports, in principle, the objectives of the club outlined in the brief provided to Council as follows:

1. As a minimum requirement, the Club continues to provide the same services to the community as it currently provides relating to golf, bowls, a venue for community functions and a base for the Flinders Island RSL.
2. That the existing golf course is retained.
3. That in the future the Club is not dependent on voluntary labour for its annual and ongoing asset maintenance and or any future capital works projects.
4. Redevelopment could present an opportunity for a 'state of the art' recreational, community facilities and housing hub that could position Flinders Island at the forefront of the provision of such facilities for isolated communities.

Council directs the General Manager to continue working with the Flinders Island Sports & RSL Club to further explore opportunities relating to the development of a recreational, community facilities and housing hub at the site.

**Item B3: Rescind Private Tenancy Policy**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	AER/0301
<b>ASSOCIATED PAPERS</b>	<i>Annexure 4: Private Tenancy 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:**

Adopted 20 <sup>th</sup> May 2004	248.05.04
Amended 23 <sup>rd</sup> September 2010	286.09.10

**OFFICER'S REPORT:**

The Private Tenancy Policy has been in place since 2004 and was last reviewed in 2010. While the concept of supporting the provision of housing in the first instance to Council workers is reasonable it does create an issue around the flexible use of Council houses for other, potentially more important uses/needs such as Doctor's accommodation if required.

While the intention of the policy would still be supported and considered if and when decisions on tenancy are made, the existing policy does not allow for operational flexibility and hence the General Manager requests the policy be rescinded.

**STATUTORY REQUIREMENT:**

Nil

**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
    - 5.1.3 Achieve a sustainable balance of income, investment and recurrent expenditure

**RISK/LIABILITY:**

By rescinding this policy, Council policies will be in line with the current legislation.

**VOTING REQUIREMENTS:**

Absolute Majority

**OFFICER'S RECOMMENDATION:**

That Council rescinds the Private Tenancy Policy and allows it to lay on the table for 28 days for public comment.

**Item D4: 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 5: Councillor Resolution Report November 2013</i>

**INTRODUCTION:**

This report identifies the actions taken and actual costs associated with implementing resolutions passed by elected members up to November 2013.

**PREVIOUS COUNCIL CONSIDERATION:**

The report is presented on a monthly basis.

**OFFICER'S REPORT:**

Please read Annexure 5 – Councillor Resolution Report November 2013.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That the Councillor Resolution Report November 2013 be noted.

**Meeting Closed**