



# Agenda Ordinary Council Meeting 17<sup>th</sup> March 2016



## 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 11<sup>th</sup> day of March 2016.



Raoul Harper  
**GENERAL MANAGER**

# FLINDERS COUNCIL ORDINARY MEETING

## AGENDA

**DATE:** Thursday 17<sup>th</sup> March 2016  
**VENUE:** Furneaux Arts and Entertainment Centre, Whitemark  
**COMMENCING:** 1.00 pm

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### PRESENT

Mayor Carol Cox  
Deputy Mayor Marc Cobham  
Cr Chris Rhodes  
Cr Peter Rhodes  
Cr Ken Stockton  
Cr David Williams  
Cr Gerald Willis

### APOLOGIES

Nil

### STAFF IN ATTENDANCE

Raoul Harper - General Manager  
Sophie Pitchford - Corporate Services Manager  
Jacci Viney - Development Services Coordinator  
Vicki Warden - Executive Officer

### CONFIRMATION OF MINUTES

That the Minutes from the Ordinary Council Meeting held on the 18<sup>th</sup> February 2016 and the Minutes from the Special Ordinary and Closed Council Meetings held on 3<sup>rd</sup> March 2016 be confirmed.

### PUBLIC QUESTION TIME

*In accordance with Section 31 (1) of the Local Government (Meeting Procedures) Regulations 2015 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 2015, 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 2015.*

#### **LEAVE OF ABSENCE**

Nil

#### **PETITIONS**

Nil

#### **POLICIES**

No Council policies were under review during this period.

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

**Council Workshop held on 3<sup>rd</sup> March 2016**

Council held a workshop on the following subjects:

- Item 1: Trek Tours Australia
- Item 2: Rating Policy
- Item 3: TasWater
- Item 4: Broad discussion on community events/grants
- Item 5: Northern Tasmania Development – Review of Regional Bodies in Northern Tasmania
- Item 6: New Polices

**Councillors Present:**

Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr Gerald Willis and Cr David Williams.

**Apologies:**

Nil

**Staff and Consultants Present:**

Raoul Harper (General Manger), Sophie Pitchford (Corporate Services Manager), Nicolas Scharm (Business Development Manager, Trek Tours Australia) (Item 1 only), Greg Brown (Deputy Director, Local Government Division, Department of Premier and Cabinet) (Item 2 only), Pat Cullinane - TasWater (Item 3 only) and Jacci Viney (Development Services Coordinator (Item 3 only).

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

**VOTING REQUIREMENTS:**

Simple Majority

**RECOMMENDATION:**

That the Council Workshop held on 3<sup>rd</sup> March 2016 be noted.

**DECISION:**

## **PUBLIC MEETINGS**

Nil

## **COUNCILLOR'S QUESTIONS ON NOTICE**

Nil

## **COUNCILLOR'S QUESTIONS WITHOUT NOTICE**

*Regulation 29 of the Local Government (Meeting Procedures) Regulations 2015 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**

**Flinders Council Audit Panel**  
**File No: FIN/1300**  
**Annexure 1:** *Confirmed Minutes Flinders Council Audit Panel meeting 10<sup>th</sup> December 2015*

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

The confirmed minutes of the Flinders Council Audit Panel meeting held Thursday 10<sup>th</sup> December 2015 have been provided for consideration. The minutes outline what the committee has been working on to date and can now be accepted by Council.

**OFFICER’S RECOMMENDATION**

That the confirmed minutes of the Flinders Council Audit Panel meeting held Thursday 10<sup>th</sup> December 2015 be accepted.

**DECISION:**

**Flinders Council Audit Panel**  
**File No: FIN/1300**  
**Annexure 2:** *Unconfirmed Minutes Flinders Council Audit Panel meeting 23<sup>rd</sup> February 2016*

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

The unconfirmed minutes of the Flinders Council Audit Panel meeting held Thursday 23<sup>rd</sup> February 2016 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 Flinders Council Audit Panel meeting held Thursday 23<sup>rd</sup> February 2016 be noted.

**DECISION:**

**Lady Barron Hall and Recreational Special Committee**

**File No: AME/0503**

**Annexure 3:** *Unconfirmed Minutes Lady Barron Hall and Recreational Special Committee meeting 1<sup>st</sup> February 2016*

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

The unconfirmed minutes of the Lady Barron Hall and Recreational Special Committee meeting held on Monday 1<sup>st</sup> February 2016 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 Lady Barron Hall and Recreational Special Committee meeting held on Monday 1<sup>st</sup> February 2016 be noted.

**DECISION:**

**Lady Barron Hall and Recreational Special Committee**

**File No: AME/0503**

**Annexure 4:** *Unconfirmed Minutes Lady Barron Hall and Recreational Special Committee special meeting 15<sup>th</sup> February 2016*

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

The unconfirmed minutes of the Lady Barron Hall and Recreational Special Committee special meeting held on Monday 15<sup>th</sup> February 2016 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 Lady Barron Hall and Recreational Special Committee special meeting held on Monday 15<sup>th</sup> February 2016 be noted.

**DECISION:**



**Furneaux Group Aviation Special Committee**

**File No: COM/0104**

**Annexure 5:** *Unconfirmed Minutes Furneaux Group Aviation Special Committee meeting 16<sup>th</sup> February 2016*

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

The unconfirmed minutes of the Furneaux Group Aviation Special Committee meeting held Tuesday 16<sup>th</sup> February 2016 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 Furneaux Group Aviation Special Committee meeting held Tuesday 16<sup>th</sup> February 2016 be noted.

**DECISION:**

**Furneaux (Emita) Hall and Recreation Ground Special Committee**

**File No: AME/0502**

**Annexure 6:** *Unconfirmed Minutes Furneaux (Emita) Hall and Recreation Ground Special Committee meeting 16<sup>th</sup> February 2016*

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

The unconfirmed minutes of the Furneaux (Emita) Hall and Recreation Ground Special Committee meeting held Tuesday 16<sup>th</sup> February 2016 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 Furneaux (Emita) Hall and Recreation Ground Special Committee meeting held Tuesday 16<sup>th</sup> February 2016 be noted.

**DECISION:**

## COUNCILLORS' REPORTS

### Report from Councillor Gerald Willis as the Flinders Council Representative on TasWater

File No: COU/0312

The previous report was dated 18<sup>th</sup> February 2016 and the last correspondence reported was dated 5<sup>th</sup> February 2016.

### CORRESPONDENCE IN:

DATE	WHO	SUBJECT
21/01/16	Email from Ailsa Sypkes, General Manager Legal and Governance	Progress update to 31 <sup>st</sup> December 2015 to owners' representatives. (This item was omitted from the previous report, but the report was copied to all Councillors on 21 <sup>st</sup> January by the Mayor who receives a copy of the report as a matter of course.)
03/02/16	Various emails between Carol Cox, Mayor, Gerald Willis, Councillor, and Alison Turner, Department Manager Strategic Policy and Government Relations, TasWater	Breakdown in process in implementing level 2 water restrictions for the Whitemark town water supply. (This item was omitted from the previous report.)
02/03/16	Email from Kimbra Constantine, Executive Assistant to Ailsa Sypkes	Requesting an RSVP to attend a General Meeting of TasWater at Riverside on Thursday 12 <sup>th</sup> May. Attendance has been confirmed.
02/03/16	Email from Kimbra Constantine	Requesting an RSVP to attend an Annual General Meeting of TasWater at Riverside on Thursday 10 <sup>th</sup> November. Attendance has been confirmed.

### RECOMMENDATION:

That the report from Councillor Gerald Willis as the Flinders Council Representative on TasWater be received.

### DECISION:

**Deputy Mayor's Monthly Report**

File No: COU/0600

**ACTIVITIES:**

DATE	ITEM
11/02/16	Council Workshop
16/02/16	Furneaux (Emita) Hall and Recreation Ground Special Committee Meeting
18/02/16	Council Meeting
18/02/16	Resident enquiry re poor Telstra internet service
19/02/16	Resident enquiry re TasWater infrastructure
20 & 21/02/16	Elected Members' Professional Development Workshop - Hobart (see report below)
21/02/16	Informal meeting with King Island Mayor re NBN rollout concerns
25/02/16	Resident enquiry re renaming proposal -Emita area
26/02/16	Resident enquiry re provision of Rural Alive and Well services in our Municipality
26/02/16	Attended Flinders Island Aboriginal Association Inc. Food Forage Event in Whitemark
26/02/16	Resident enquiry re poor Telstra internet service
27/02/16	Food Forage Event at Emita Hall, volunteer bar work
03/03/16	Council Workshop
03/03/16	Special Council Meeting
03/03/16	Resident enquiry re Badger Corner boat ramp
07/03/16	Resident enquiry re Safe Harbour project
08/03/16	Resident enquiry re poor Telstra internet service

**Elected Members' Professional Development Weekend 20<sup>th</sup> and 21<sup>st</sup> February 2016:**

I attended this two day workshop which was part of an ongoing programme conducted by the Local Government Association of Tasmania (LGAT) of "Making the Most of Life in Local Government" and found the content useful and very relevant. The networking opportunities that these events provide with other elected members from throughout Tasmania are also very useful and productive.

A variety of sessions were provided and I attended all of them.

- Burying the Hatchet - providing strategies to help enable Councillors to work together for the benefit of the community.
- Community Engagement Skills for Councillors - this session provided information on the benefits of engaging with the local community, strategies and then an interactive component with all the participants sharing experiences, strategies etc.

- What the new Tasmanian Planning Scheme will mean for you - a general background to the planning reform process, update on the current progress being made and some of the implications for Local Government.
- The General Manager and You: Making it Work - this was a very good session exploring the relationship between councillors, Councils (as boards) and their General Manager. Common issues, dealing with potential conflict, responding to problems and ensuring fair outcomes and scope of relevant roles and managing for best and effective performance.
- Public Duty: Private Interest – Managing Conflicts of Interest on Council - this session was presented by staff from the Integrity Commission and was an interactive session using various scenarios highlighting issues such as reality vs perception.

I would encourage my fellow Councillors to take advantage of any upcoming development/training workshops that are provided by LGAT.

**RECOMMENDATION:**

That the Deputy Mayor's report be received.

**DECISION:**

**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>	Nil

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

12/02/16	Meeting with the Flinders Island Tourism & Business Inc. President, Vice President, Cr C Rhodes and General Manager
14/02/16	Book launch for local writer - Fran Bryson
15/02/16	Lady Barron Hall and Recreation Special Committee meeting
16/02/16	Furneaux Group Aviation Special Committee meeting
17/02/16	Phone meeting with I Rattray, NAB Bank re banking situation on the Island
17/02/16	Furneaux Community Health Special Committee meeting
18/02/16	Council Meeting
19/02/16	Gillian Woods's musical evening - fund raising for the Royal Flying Doctor Service
24-29/02/16	Off island
01/03/16	Meeting with COTA about age friendly communities
01/03/16	J Loudon (MPC) and S Dwyer (School) re Work for the Dole scheme
03/03/16	Council Workshop
04/03/16	Northern Tasmania Development Local Government Committee meeting (by phone)
08/03/16	Meeting with the Flinders Island Tourism & Business Inc. President, Vice President, Cr C Rhodes and General Manager
09/03/16	Councillors' site visit to proposed development in Lady Barron

**Banking**

As the date of losing our only bank on the Island approaches due to the Westpac Instore closing in September of this year, Council, through the Manager of Corporate Services, Sophie Pitchford, has been liaising with Bendigo Bank encouraging the setting up of an Agency on the Island.

To further the process and gauge public interest and support Bendigo Bank is holding a Public Meeting on the 16<sup>th</sup> March, 5.30 pm at the Flinders Island Sports & RSL Club. Councillors please encourage as many people as possible to attend, in recognition of Council's position that having a bank on the Island is extremely important to the growth and sustainability of the Island's Community.

### **Road Sealing**

The Community has been giving positive feedback on the quality and length of road sealing that the Works Department has completed this summer. The new Bitumen Truck and Roller have had a very positive impact on the quality of the bitumen work, which is very visible to road users.

It has been a really busy year for the Works employees and with further work on the long runway scheduled, it will remain busy. Thank you to Works & Services Manager, Brian Barnewall, and his crew for all the great work.

### **Staff**

To the General Manager and all the staff, I would like to put on record a high appreciation for the work that has been achieved over the past twelve months when maternity leave, paternity leave and illness have impacted highly on the availability of the small workforce. Work programs have continued and staff have supported each other, taken on the challenge and achieved the delivery of work programs as required.

### **Airport**

As reported in the Island News of the 22<sup>nd</sup> February 2016:

“I would like to acknowledge the work of Jeff Grace as the Airport Manager and his commitment to Council for his many years in this position. I wish him all the best for his retirement.

The Airport Manager’s position is not being refilled at this time, with further consideration being given to how the airport is operated into the future. The General Manager is assisting Airport Operations Officer, Ben Foot, with the high level running of the airport and Works staff have been trained as reporting officers.

Discussions with the State and Federal Government are ongoing as to the long term solution for replacement of the long runway which is coming to the end of its useful life. A runway with a new alignment, slightly different to the long runway is a possible solution that would cause much less disruption to air traffic than rebuilding the current long runway. The re-sited runway may also allow for instrument approach capability at a future date.

Either rebuilding the existing runway or building a new runway on a different alignment is estimated to cost in the vicinity of \$20 plus million. The Minister for Infrastructure, The Hon Rene Hidding, MP, has recently visited the airport and is very supportive of implementing a long term solution. The issue is that by having a depreciable asset with a value of around \$20 million plus that must be depreciated, Council will never be able to budget for or achieve an operational surplus. Thus the business case being developed is also looking at other

ownership and operating models for the airport. Ownership of the airport was forced on the Council in 1992 by the then Federal Government.”

Council will have more information on how the upgrade of the runway may occur, where the dollars might come from, operating and ownership models and their effect on the economic sustainability of the Council once the Preliminary Business Plan is complete.

### **Telecommunications - National Stronger Regions Fund**

The current National Stronger Regions Fund round is targeted at rural and remote communities whereby every \$1 of own source funding may receive up to \$3 from the Federal Government. Council is working with Telstra to submit an application to fund a proposal for a major upgrade of telecommunications infrastructure on the Islands. The State Government is also supportive of the application. Making the application has required a huge commitment of time from Council staff, in particular the General Manager, who will be the first to celebrate should the application be successful. Successful applicants are due to be announced in July.

### **Health - Community Consultation Forum by Video Conference - ‘Draft Healthy Tasmania 5 Year Plan’**

In February I was contacted by Melanie Pastoor, the Health Adviser to the Minister for Health, the Hon Michael Ferguson MP, regarding the Community being involved in the Healthy Tasmania Five Year Strategic Plan – community consultation. It was advised that the teleconferencing facilities of the MultiPurpose Centre (MPC) could be used to facilitate the consultation.

The State Department of Health & Human Services will be holding a community consultation session via video conference to give the Flinders Community an opportunity to have a say on local priorities, barriers and opportunities in regard to preventative health, and to comment on the key elements of the Healthy Tasmania 5 Year Strategic Plan Consultation Draft. This session will be held Tuesday 15<sup>th</sup> March, 9:30am – 11am in the MPC, Physiotherapy Room.

### **CORRESPONDENCE IN:**

<b>DATE</b>	<b>WHO</b>	<b>SUBJECT</b>
09/02/16	Brand Tasmania	Survey on health of brand
10/02/16	Northern Tasmania Development (NTD)	Review of Regional Bodies in Northern Tasmania Report
11/02/16	Ben Marquis Project Officer, NTD	Resignation from Northern Tasmania Development and new position
11/02/16	Mariah Vieceili, Project Manager, Department of State	Implementing the Tasmanian Government’s free public Wi-Fi initiative across the state

	Growth	
11/02/16	Edwina Hogarth	Examiner article re amalgamation
11/02/16	Department of State Growth	Digital Ready is back for 2016
11/02/16	Georgia Palmer, Local Government Association of Tasmania (LGAT)	Governance Essentials for Local Government - professional development course
11/02/16	Georgia Chapman, Australian Bureau of Statistics	Help Requested: 2016 Census Job Opportunity in Flinders
12/02/16	P Gutwein MP, Minister for Planning & Local Government	Modification of Planning Directive No 1 – The Format and Structure of Planning Schemes
12/02/16	Katrena Stephenson, LGAT	Notice of LGAT General Meeting
12/02/16	Tony Griggs & Linda Nicol	Australia Day
15/02/16	Tracey Clark, Admin and Comms Manager, NTD	Invitation – NTD Local Government Committee Meeting – 4 March
15/02/16	LGAT	The Pulse - enewsletter
15/02/16	P Gutwein MP	Consideration of amalgamation modelling
15/02/16	James Hamilton, University of Tasmania (UTAS)	Flinders Island Power System – community response
16/02/16	P Gutwein MP	Transfer of land
16/02/16	Ben Marquis, NTD	Media Release: Northern Tasmania Regional Futures Plan
17/02/16	ipSCAPE	Webinar – are you ready for the digital customer?
17/02/16	Biosecurity Tasmania	Biosecurity Advisory 4/2016 - Pacific Oyster Mortality Syndrome (POMS) in Tasmania - Update
18/02/16	Michael Ferguson	Conversations about suicide
19/02/16	Guy Barrett MP, Parliamentary Secretary to the Premier	Tasmanian Volunteering Awards
19/02/16	Melanie Pastoor, Health Adviser, Office of the Hon Michael Ferguson MP,	Healthy Tasmania Five Year Strategic Plan – community consultation



	Minister for Health	
19/02/16	Fiona Madigan, LGAT	Mayor's Professional Development Day
19/02/16	Rural Alive and Well (RAW)	Rotary Claremont's Corporate Golf Day
22/02/16	Dale Williams	Council's approach to celebrating Australia Day on the Island
23/02/16	Richard Atkinson Councillor, Kingborough Council	Furneaux Festival and Australia Day
23/02/16	Australian Local Government Association (ALGA)	2016 National General Assembly of Local Government - call for motions
23/02/16	J Rockliff, MP, Deputy Premier	National drought programme reform
24/02/16	Audrey Holloway	Example of petition for celebration of Australia Day
24/02/16	P Gutwein MP	Interim Planning Directive No 1. - Bushfire Prone Areas Code
24/02/16	Scripture Union Tasmania	Invitation to Information session on School Chaplaincy - apology sent
25/02/16	Regional Australia Institute	Regional Futures eNews
25/02/16	West Coast Council	Invite to NBN Forum in Queenstown - apology sent
25/02/16	NTD	News Update
26/02/16	Biosecurity Tasmania	Biosecurity Advisory 5/2016 - Import of five new species to Tasmania
29/02/16	Jim Everett	Furneaux Islands Festival
29/02/16	Jude Cazaly	Furneaux Islands Festival
29/02/16	J & W Lipski	Australia Day
29/02/16	Phillip Hoysted - Director of Local Government	Response to queries regarding auditing of financial report
29/02/16	Ben Marquis, NTD	Agenda for Local Government Committee Meeting - 4 March
01/03/16	Heather Cambridge	2015 Gunn Bequest Acquittal - Flinders Island Pony and Riding Club
01/03/16	Sandro Donati & Judy Jacques	Furneaux Islands Festival and Australia Day
01/03/16	Dyan Summers	Furneaux Islands Festival and Australia Day
01/03/16	Marilyn Roach, Tasmanian Young Achiever Awards	Invitation to Tasmanian Young Achiever Awards 2016 - Gala Presentation Dinner

01/03/16	Tracey Clark, NTD	Tour schedule for Local Government Committee meeting
02/03/16	Coalition of community organisations concerned against gambling	Poker machines in local government areas
02/03/16	Guy Barnett, MP	Harmony Week 14 - 21 March
02/03/16	Phillip Hoysted	Gazettal notice of land transfer
03/03/16	Georgia Palmer, LGAT	Additional Good Governance Training for Elected Members
03/03/16	Mark Brown, Tasmanian Director Australian Christian Lobby	Hobart parliamentary screening and panel discussion - poker machine documentary
03/03/16	Alan Robinson	Death notice for Bess Larner
07/03/16	Alderman Heather Chong, Conference Chair	Australian Local Government Women's Association Tasmanian Branch Inc. biennial National Conference 2017
07/03/16	Australian Red Cross	Red Cross Calling Campaign
08/03/16	John Dick	Flinders Council Audit Panel Minutes December 2015
08/03/16	Christine Agostinelli, LGAT	Local Government Service Awards
08/03/16	Jana Harper	Healthy Tasmania Five Year Strategic Plan
09/03/16	John Dick	Flinders Council Audit Panel Minutes February 2016
10/02/16	E Ramsay, UTAS	Education Ambassadors update

#### **CORRESPONDENCE OUT:**

<b>DATE</b>	<b>WHO</b>	<b>SUBJECT</b>
15/02/16	Ben Marquis, NTD	Congratulations on new position
15/02/16	Eleanor Ramsay	Re Education Ambassadors Update
15/02/16	Edwina Hogarth	Comment on amalgamation for Examiner article
23/02/16	Dale Williams	Australia Day celebrations
23/02/16	Sarah McDonald	Request for official update on NBN Co
24/02/16	P Gutwein MP	Response regarding amalgamation modelling
04/03/16	Maxine Roughley, Flinders Island Aboriginal	Furneaux Festival

	Association Inc.	
03/03/16	Alan Robinson	Condolences on the death of Bess Larner

**VOTING REQUIREMENTS:**

Simple Majority

**RECOMMENDATION:**

That the Mayor's report be received.

**DECISION:**

## OPERATIONAL BUSINESS OF COUNCIL

### A. DEVELOPMENT SERVICES AND PLANNING APPLICATIONS

Item A1: Development Application – (Cohen & Associates)

File No: DSV/0300

Annexure 7: *Plan of Subdivision Boundary Adjustment*

Annexure 8: *BAL exemption*

Item A2: Development Application Report

Annexure 9: *Planner's Information Report – February 2016*

### B. NOTICE OF MOTIONS

Item B1: Notice of Motion from Mayor Carol Cox – Recommendations from the Furneaux Group Aviation Special Committee

File No: COM/0104

Annexure 10: *Draft Aviation Policy*

Item B2: Notice of Motion from Mayor Carol Cox – Feasibility Study for the Flinders Island Sports and RSL Club

File No: CSV/1500

Annexure 11: *Dock 4 Architects proposal (for elected members only)*

Item B3: Notice of Motion from Mayor Carol Cox – Policy Name Change

File No: PER/0500

Item B4: Notice of Motion from Cr Ken Stockton – Freeze on Councillor Stipend

File No: COU/0204

Item B5: Notice of Motion from Cr Gerald Willis – Shipping Containers

File No: COM/0403

### C. CORPORATE SERVICES

Item C1: Investment Policy

File No: FIN/0501, ADM/0900

Annexure 12: *Investment Policy*

**D. GOVERNANCE**

**Item D1: New Policies**

**File No: FIN/0501, ADM/0900**

*Annexure 13: DRAFT Postponement of Rates and Charges Policy*

*Annexure 14: DRAFT Remission or Rebate of Rates and Charges*

*Annexure 15: DRAFT Write Off of Bad Debts Policy*

**ItemD2: Councillor Resolution Report**

**File No: COU/0600**

*Annexure 16: Councillor Resolution Report March 2016*

**Meeting Closed**

## **A. DEVELOPMENT SERVICES AND PLANNING APPLICATIONS**

*Pursuant to Section 25 of the Local Government (Meeting Procedures) Regulations 2005 the Council will now act as a Planning Authority under the Land Use Planning and Approvals Act 1993.*

### **Item A1: Development Application – (Cohen & Associates)**

<b>ACTION</b>	Decision
<b>PROPONENT</b>	Cohen & Associates
<b>OFFICER</b>	James Ireland (Consultant Town Planner)
<b>APPROVED BY</b>	Karin van Straten (Senior Consultant Town Planner)
<b>FILE REFERENCE</b>	DA2016/002
<b>ASSOCIATED PAPERS</b>	<i>Annexure 7: Plan of Subdivision Boundary Adjustment Annexure 8: BAL exemption</i>

Proposal: Reconfiguration of two existing lots  
Location: Corner of Lackrana Road and Memana Road, Memana (CT: 165959/1 and 168513/3)  
Applicant: Cohen & Associates  
Zoning: Rural Zone  
Special Areas: Shorelines, water bodies and watercourses (part)  
Buffer Attenuation: Part  
Schedules: Schedule 7 Development in Bushfire Prone Areas  
Representations: None

### **INTRODUCTION:**

This report considers an application for the reconfiguration of two existing lots located at the corner of Lackrana and Memana Roads, Memana (CT:165959/1 and 168513/3).

### **Subject Site**

The subject site comprises two contiguous lots on the south east corner of the junction of Lackrana Road and Memana Road in Memana. The northern lot is an irregular 235.7ha. It is almost entirely to pasture and is vacant of development. The southern lot which shares a 1562.85m boundary is an irregular 207.4 ha lot. It is also almost entirely to pasture and is occupied by a house. Leventhorpe Creek runs along the eastern boundary of the subject site. In all directions are large rural lots.

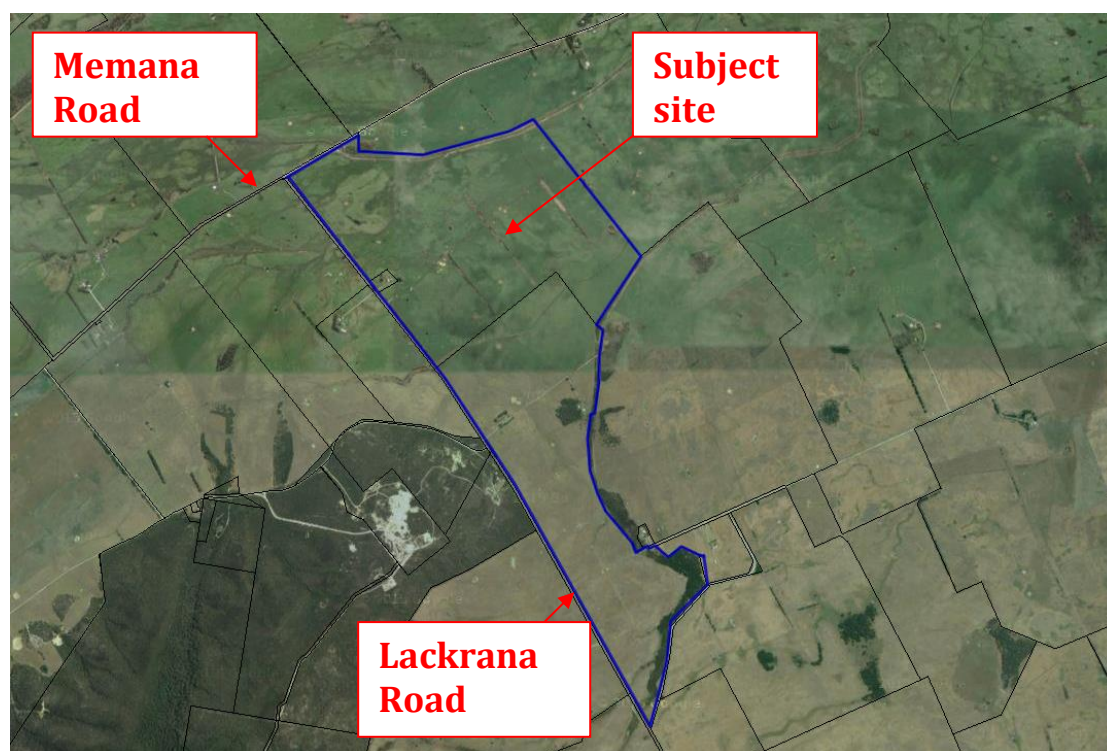
### Zoning

The subject property is located within the Rural Zone, pursuant to the *Flinders Planning Scheme 2000*.

### Special Areas

A buffer attenuation area affects approximately 7.5ha of the site, and projects into it from the west a maximum distance of 120m. The southern part of Leventhorpe Creek is also affected by the shorelines, water bodies and watercourses special area.

Neither of these is considered to be strictly relevant to the application as no development is proposed and the proposed reconfiguration of lots is not affected.



### Statutory Timeframes

Date Received: 2/2/16

Advertised: 10/2/16

Closing date for representations: 24/2/16

Request for further information: NA

Information received: NA

Extension of time granted: Yes

Extension of time expires: 17/3/16

Decision due: 17/3/16

## OFFICER'S REPORT:

### General

It is proposed to adjust the boundary between the lots a significant amount. The northern lot (CT: 165959/1) will grow from 235.7 ha to 441.1ha and the southern lot (CT: 168513/3) will shrink from 207.4ha to 2ha and will contain the existing house on this lot. This new lot will be rectangular, with frontage of 89m and a depth of 259m.

### Assessment:

Pursuant to Section 81 of the *Local Government (Building and Miscellaneous) Act 1993*, subdivision requires a discretionary application.

### 4.1 Plans of Subdivision

#### *4.2.2 Reconfiguration of Existing lot(s)*

*Notwithstanding the provisions for minimum lot dimensions specified in this scheme and the provisions of Sub-clause 4.3.1, Council may approve an application for subdivision, whether or not the lots are wholly or partially within the same zone to enable the relocation of a boundary(s) to allow the reorganisation or consolidation of lot(s) provided that:*

- (a) no additional lots are created;*
- (b) the reorganisation or consolidation is primarily to enable better management of the land for the purpose consistent with the intent, objectives and policies of the zone(s), and where the new boundaries give consideration to:*
  - (i) existing fencing;*
  - (ii) topography;*
  - (iii) perennial water courses and other bodies of water;*
  - (iv) the provision of reasonable vehicular access to each lot;*
  - (v) other natural and artificial features.*

**COMMENT:** This clause is the primary consideration for the proposal and either overrides or includes the provisions of the rural zone.

**Criterion (a) is met as no additional lots are created.**

In relation to (b), the reason for the consolidation is not given. The current purpose of the land is agricultural, which is consistent with the the intent, objectives and policies of the zone. Currently the subject site comprises two



200ha+ agricultural lots, one of which has a house on it and one of which does not. As both lots are under the same ownership, this currently enables effective management of the land.

The proposal will allow the sale of the house on what would effectively be a residential lot (2ha in size). This may not occur, but this proposal would make it possible. The use of land would change from agricultural (the house being integral and subservient to this) to residential.

There would then be 440ha of agricultural land without onsite management. The proposal will not enable better management of the land, the test for this clause. Notwithstanding this, the requirements of (ii) to (iv) are met, as the land is generally flat, with no watercourses at the site of the new boundary, and with frontage to Lackrana Road. However the proposed new boundary does not wholly follow existing fence lines and natural features (the new boundary extends past the existing house curtilage to enclose some agricultural land).

An assessment is made below against the relevant parts of the rural zone (zone intent, desired zone character and subdivision standards):

#### 5.8.1 Zone Intent

- (a) *The Rural Zone on Flinders Island is intended to maintain the existing rural character of the island which is typified by a pattern of areas of open farmland, typically with shelter belts of remnant vegetation, interspersed with irregular areas of native vegetation and substantial unspoiled landform. On other islands within the Planning Area the zone is intended to preserve the existing character which displays minimal signs of European occupation.*
- (b) *Use and development in the Rural Zone is intended to accommodate agricultural uses and development predominantly, with some compatible non-agricultural uses and development in appropriate circumstances, including tourist operation and rural industries. Forest plantations may be appropriate where they do not adversely affect the character of an area or detract from important views.*

**COMMENT:** The proposal is not consistent with the zone intent. In relation to (a), the site has a rural character of *'open farmland, typically with shelter belts of remnant vegetation'*. In relation to (b), for a non-agricultural use such as residential to be accommodated it must not compromise this character. This was clearly outlined by the chairman of the Resource Management Planning Appeals Tribunal in his decision of 15 April 2015 relating to another subdivision of sub minimal lots in the rural zone on Flinders Island (117/14S - North East River Road, Palana).

The proposed reconfiguration of lots will create a 2ha lot with a house on it. Such development will not maintain the existing rural character (indeed it will transform it to residential) and therefore the proposal is not consistent with the zone intent.

#### 5.8.2 Desired Zone Character and Zone Guidelines

- (a) *The use or development of small existing rural lots for the purpose of residential living shall only be approved where such use or development is compatible with any existing or potential agricultural use of that land or surrounding lands.*
- (b) *Use or development should enhance the rural character of the zone. Buildings should be substantial distances from the road frontage and apart, unless inappropriate for operational or topographical reasons. Where land clearance is undertaken it should be visually sympathetic; important trees (or stands of trees) should be retained, important hilltop locations should not be cleared and location of trees and shrubs along fence lines, property boundaries, watercourses and at property entrances is encouraged. Buildings and structures for aquaculture should be sited with regard to the protection of coastal scenery and compatibility with recreational use of the coastline.*
- (c) *Land use or development and management practices shall be environmentally appropriate and shall avoid contamination or despoliation of the land, ground water, water courses, shore-lines, lagoons and marshes. Sand-dunes and coastal vegetation and ecologically important areas shall be protected from degradation.*
- (d) *Forestry activities in the zone shall be in accordance with the Forest Practices Code*

**COMMENT:** Criterion (a) is not applicable as this is not a small existing rural lot. It is proposed to create a small rural lot. In relation to (b) the proposal does not enhance the rural character of the zone (see above under zone intent). However the proposed lot reconfiguration does not in itself prevent buildings from being “...*substantial distances from the road frontage and apart.*” The likely future residential use of this subdivision is likely to meet (c). Criterion (d) is not applicable.

#### 5.8.3 Subdivision Standards

- (a) *The minimum lot size is 40 ha*
- (b) *A lot less than 40 hectares may be approved at Council's discretion for the following purposes;*

- (i) *For an intensive agricultural use;*
  - (ii) *For a use, other than agriculture, that is consistent with the zone intent, desired zone character and zone guidelines;*
  - (iii) *For an aquaculture use;*
  - (iv) *For a servicing facility, infrastructure or recreational use;*
  - (v) *For boundary alterations where no additional titles are created and the resultant lots will comply with the intent of the zone.*
- (c) *In considering an application under Clause 5.8.3(b) Council shall require a detailed assessment of the proposal prepared by a suitably qualified, independent, agricultural consultant that demonstrates:*
- (i) *In the case of lots for intensive agricultural use, the capacity of the proposed lot(s)*
  - (ii) *other cases, the agricultural capacity of the proposed lot(s) (including any balance lot) and methods which will be employed to safeguard their agricultural capacity;*
- (d) *Before accepting an application under Clause 5.9.3(b) Council may require the applicant to submit a Development Plan for the land to which the application relates. The Development Plan should show that:*
- (i) *Subdivision will not fragment or diminish the agricultural potential of the land;*
  - (ii) *Subdivision will not result in ribbon development along roads and coastlines;*
  - (iii) *Development will not cause significant adverse impact on the natural environment, flora and fauna, coastal waters, watercourses or skylines;*
  - (iv) *Development or use will not be likely to result in land use conflict with existing land uses in the vicinity.*

**COMMENT:** The proposal must rely on (b) ii) as the proposed lots are smaller than the 40ha minimum at (a). Criterion (b) (v) is also partly applicable, but only insofar as a boundary adjustment is proposed. The resultant lots will not comply with the intent of the zone (see assessment at 5.8.1). In considering an application under criterion (b) (ii), a use must be attached to the subdivision proposal – in this case the use of the newly created lot will change from agricultural (the house being integral and subservient to this) to residential. Criterion (c) (i) is not applicable. The proposal does not meet criterion (c) (ii). Although it is only by a small amount (around half the 2 ha proposed for the new lot, the other half being the existing house), the proposal detrimentally affects

the agricultural capacity of the southern lot. This may be offset somewhat by the enlarging of the remaining lot. Criterion (d) is not applicable as there is no development plan.

### **Clause 3.10 Consideration of Applications for Planning Permits**

Council shall take into consideration the following:

1. *the objectives, the intent of the zone, use and development principles, any development plan affecting the land and any relevant development standards or other relevant requirements of the Scheme;*

Refer to assessment under Clause 4.2.2 (b), above.

2. *any relevant proposals, reports or requirements of any public authorities;*

**Not applicable. None were received.**

3. *any representations received following public notification where required under the Act;*

**Not applicable. None were received.**

4. *whether any part of the land is subject to:*
  - (a) *landslip, soil instability, or erosion;*
  - (b) *excessive slope;*
  - (c) *ponding or flooding;*
  - (d) *bush fire hazard;*
  - (e) *a Protected Catchment District under Water Management Act 1999;*
  - (f) *any Special Area Provisions in Part 7;*
  - (g) *pollution; and*
  - (h) *other hazards to safety or health.*

**The land is subject to bushfire hazard. An assessment against *Schedule 7 Development in Bushfire Prone Areas* is made elsewhere in this report.**

5. *whether the proposed use or development is satisfactory in terms of its siting, size or appearance and levels of emissions in relation to:*
  - (a) *existing site features;*

- (b) *adjoining land;*
- (c) *the streetscape and/or landscape;*
- (d) *the natural environment;*
- (e) *items of historic, architectural or scientific interest;*
- (f) *buffer zones, attenuation areas,*
- (g) *easements;*
- (h) *a water supply for firefighting purposes;*
- (i) *any received pollution;*
- (j) *the escape of pollutants into storm drains and watercourses: and*
- (k) *isolation, separation from other lands.*

**An assessment of these is made elsewhere in this report.**

- 6. *whether the proposed use or development will be supplied with an adequate level of infrastructure and services, and if there is any necessity to improve deficient access, roads or road junctions, water, sewerage, electricity or transport services and the like, without detriment to existing users;*

**It is understood that the existing infrastructure including the road network has sufficient capacity to serve the new lots.**

- 7. *whether the proposed use or development would adversely affect the existing and possible future use or development of adjacent land, and vice versa;*

**The creation of a residential lot amongst large agricultural operations is unlikely to affect these operations. However, it is possible that the reverse may happen – the amenity of the residential lot could be affected by the agricultural operations. Future occupiers cannot expect an amenity typical of a residential area here.**

- 8. *the provision of adequate landscaping, amenity facilities and illumination, and the treatment of the site generally;*

**Not applicable.**

- 9. *the sight distances available to and from proposed point(s) of access, together with an estimate of the speed of passing traffic;*

A desk top assessment suggests the site distances available are 500m+, which meet the safe intersection sight distance requirements.

*10. the design and siting of the proposal to enable reduction in energy consumption through alternative energy use or reduction in demand; and*

**Not applicable as no buildings are proposed.**

*11. the safety and well-being of the general public.*

**Complies.**

12. Any other matter which Council is of the opinion is relevant to the particular application.

**None stated.**

### **Part 6 – Use and Development Principles**

An assessment is made below against the relevant principles (those that are not applicable have been omitted for brevity):

6.0 Use and development shall be consistent with the following principles:

#### **6.1 Use**

- (a) Use or development shall not unreasonably impact on any existing or intended use of development of neighbouring land.
- (b) Subdivision of land shall be carried out in accordance with the subdivision provisions for the zone within which the land is located or where that is not appropriate in accordance with:
  - (i) the requirements of the intended use, and
  - (ii) the Zone Intent, or alternatively by
  - (iii) an approved Development Plan that has been adopted by Council and inserted as a provision in the Scheme.

**COMMENT: Refer to assessment under Clause 4.2.2 (b), elsewhere in this report.**

## 6.2 Character

- (a) Use and development shall adequately respect the character of, and future intentions for the area in which it is to be located.
- (b) Subdivision layout, particularly roads, shall take adequate account of land contours and the need to avoid visual scarring.

**COMMENT: Refer to assessment under Clause 4.2.2 (b), elsewhere in this report.**

## 6.3 Amenity

- (a) Adequate public open space shall be provided in areas of new subdivision, to meet the recreational and open space requirements of the community generally and particularly the new owners of the lots created by subdivision.

**COMMENT: No public open space is required as no new lots are proposed.**

## 6.4 Environment

- (a) Use or development shall not be allowed to detrimentally affect the environment. All areas, and sensitive ecological and/or visual areas in particular, shall be developed in a manner and to an extent which is consistent with the protection of the values of the area.
- (b) Use or Development and land management practices shall be directed towards achieving environmental sustainability, biodiversity and ecological balance, and avoiding environmental damage such as soil erosion, coastal dune erosion, loss of important animal and plant species and increases in vermin populations.
- (c) Use or Development shall not be located in areas of unacceptable risk (eg. from fire, flood or landslide). In situations where risk may exist, use and development shall be appropriately sited and designed to provide an acceptable level of protection and safety for future users. In particular :
  - i. Lands subject to flood risk are those subject to a greater than one in a 100 year flood interval (1% probability), and land, the natural surface level of which is below 3 metres Australian Height Datum (AHD); and

- ii. Land which comprises soils of known or suspected instability, has a slope greater than 1 in 4, or is filled or reclaimed land, are deemed to constitute an unstable land hazard; and
- iii. Use and development in bushfire prone areas will comply with the provisions of Schedule 7 Development in Bushfire Prone Areas or some other provisions acceptable to Council and the Tasmania Fire Service.

**COMMENT:** In relation to (a), the proposal is not affected by the special area. In relation to (b), the proposed reconfiguration is unlikely to detrimentally affect the environment. In relation to (c) there is no identified risk from flooding or landslip, i) and ii). In relation to iii), the site is prone to bushfire, so Schedule 7 applies.

#### 6.5 Heritage

**COMMENT:** Not applicable. The subject site is not heritage listed.

#### 6.6 Access and Parking

- (a) All new lots must be provided with satisfactory pedestrian and vehicular access to a public street.
- (b) All Use or Development shall provide satisfactory pedestrian and vehicular access which is suited to the volume and needs of future users.

**COMMENT:** The reconfigured lots will be provided with suitable road access.

#### 6.7 Services

- (a) Use or Development shall be provided with adequate and appropriate services which are suited to the lifestyle requirements of people, the nature of the location, and the ability of the community to provide.
- (b) Lot size and arrangement shall be adequate and appropriate to ensure an acceptable level of servicing, particularly in relation to waste disposal.
- (c) In areas not serviced with water use or development shall provide adequate water supply and effluent disposal systems. Each dwelling shall provide a potable water storage facility (minimum capacity of 40kl) to provide for the anticipated number of occupants, and a wastewater disposal system approved by the Council's Environmental Health Officer



- (d) Use or Development in the bushfire prone areas will provide fire protection features and water supplies which comply with Schedule 7.
- (e) Use or Development shall be appropriately sited, designed and constructed to avoid conflict with service mains (including telephone, power, sewer, water and irrigation channels/pipelines). Buildings shall not be erected over any service main or within any easement providing for same whether utilised or not.
- (f) Servicing systems shall use adequate and appropriate design methods and materials to ensure an acceptable life span and allow for adequate maintenance requirements.
- (g) Use or Development shall optimise efficiency in the use of energy and resources. In particular, land should be subdivided on a generally sequential basis (i.e. one area is substantially developed before the next is subdivided), common trenching should be used for different services where appropriate, and solar access maximised.

**COMMENT: The proposed lots are to be serviced to meet (a) and (c). The lots comply with (b), as the wastewater system is contained in the new lot. Criterion (d) to (f) could be addressed if/when development is proposed. Criterion (g) is not applicable as no new lots are proposed.**

#### 6.8 Social Interest

1. Use or Development should demonstrate how it suits the community interest.
2. Use or Development shall have adequate and appropriate types and levels of access to social facilities and services (eg. shops, government agencies, telecommunication, health services and educational facilities).

**COMMENT: The proposal provides additional choice of lot sizes on Flinders Island which anecdotally is considered to be in the community interest.**

#### 6.9 Administration

- (a) In considering subdivision and/or rezoning proposals, an appropriate balance shall be maintained between current demand and stock available for use or development, and the number of new lots that would be created.

- (b) Use or Development proposals should only be approved where the cost to the public of providing and maintaining services is not exceeded by the economic benefit of the use or development to the community.
- (c) In considering any proposal, Council shall obtain the advice and opinion of other relevant group(s), individual(s) or organisation(s) with direct interest in the proposal.

**COMMENT: As no new lots are proposed, this is not strictly relevant.**

**Part 8 - Schedules**

**Schedule 7 – Development in Bushfire Prone Areas**

The subdivision is within a bushfire prone area. An assessment against the schedule is made below:

<b>S7.1.0 ISSUE</b> Subdivision design and layout	<b>INTENT</b> - The design, siting and layout of subdivisions in bushfire prone areas should minimise fire risks and the potential for loss of life.	
<b>ACCEPTABLE SOLUTIONS</b>	<b>PERFORMANCE CRITERIA</b>	
<p><b>S7.1.1a</b> Subdivisions are designed so that buildings are separated from the bushfire hazard by Building Protection Zones (BPZ) and Fuel Modified Buffer Zones (FMBZ) and</p> <p><b>S7.1.1b</b> A BPZ surrounds a building and is separated from the fire hazard by a FMBZ and</p> <p><b>S7.1.1c</b> BPZ and FMBZ can be constructed to the width measured along the ground as shown in Table 7.1 and</p> <p><b>S7.1.1d</b> If the required width of the BPZ is exceeded, the width of the FMBZ may be reduced by that additional width, thus maintaining the same total width of fuel reduced areas. (Note the width of the BPZ cannot be reduced).</p>	Subdivisions are designed to have lots of sufficient size and appropriate shapes to provide building envelopes located within sufficient fuel reduced areas so buildings are not subject to threatening levels of flames and radiation during a bushfire.	
<b>COMMENT: BPZs and FMBZs are not provided so the performance criterion must be</b>		

met. The Bushfire Site Assessment by Cohen & Associates states that the reconfigured lots are of sufficient size and appropriate shapes to provide building envelopes located within sufficient fuel reduced areas so buildings are not subject to threatening levels of flames and radiation during a bushfire.

**S7.1.2a** FMBZ are within the boundaries of the subdivision and BPZ are within the boundaries of each lot or

**S7.1.2b** In reticulated water supply areas, the width of the FMBZ may be reduced if it can be shown that other fire protection measures acceptable to the Tasmania Fire Service and Council are to be incorporated into the development or

**S7.1.2c** Where the subdivision does not provide either sufficient BPZ or FMBZ for individual lots, a multi-lot solution may be proposed which may be acceptable to the Tasmania Fire Service and Council.

Subdivisions provide all lots with sufficient fuel reduced areas around building envelopes so buildings are not subject to threatening levels of flames and radiation during a bushfire.

BPZs and FMBZs are not provided so the performance criterion must be met. The Bushfire Site Assessment by Cohen & Associates states that the reconfigured lots are able to accommodate sufficient fuel reduced areas around building envelopes so buildings are not subject to threatening levels of flames and radiation during a bushfire.

<b>S7.2.0 ISSUE</b> Access in subdivisions	<b>INTENT</b> - Subdivisions are designed to provide safe access for emergency and other vehicles to all lots and buildings.
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<b>ACCEPTABLE SOLUTIONS</b>	<b>PERFORMANCE CRITERIA</b>
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**S7.2.1a** Subdivisions have two access roads to low bushfire hazard areas or

**7.2.1b** Dead end roads must not exceed 200 metres in length or service more than 8 lots or

**S7.2.1c** Where only one road is available, the Tasmania Fire Service and Council may approve a local area development plan which provides for the eventual linking of a dead end road to a connective road network or

**S7.2.1d** The Tasmania Fire Service and

Subdivisions should have safe alternative routes to low bushfire hazard areas for emergency and other vehicles.

<p>Council may approve a non through road provided it is linked to a formed fire trail to the requirements of the Tasmania Fire Service and Council.</p>	
<p><b>COMMENT: Lackrana Road is a through road, meeting the acceptable solution.</b></p>	
<p><b>S7.2.2a</b> Access must be of all-weather construction and</p> <p><b>S7.2.2b</b> Road structures (including bridges) must have a minimum load limit of 20 tonnes and</p> <p><b>S7.2.2c</b> There must be vertical clearance to a height of 4 metres above the trafficable width of the access and</p> <p><b>S7.2.2d</b> There must be horizontal clearance from 4 metres of the centre line of any trafficable road for a height of 4 metres above the trafficable width.</p>	<p>Safe access roads shall be provided at all times.</p>
<p><b>COMMENT: Without having technical details the performance criterion must be met. As a public road, it is understood that Lackrana Road is a safe access road.</b></p>	
<p><b>S7.2.3a</b> A maximum gradient of 1 in 8 (12.5%) is specified. However, where a topographic difficulty occurs, an absolute maximum grade of 1 in 5 (20%) for a distance no greater than 50 metres may be approved by the Tasmania Fire Service and Council. The average maximum grade must therefore not exceed 1 in 7 (14.4%) and</p> <p><b>S7.2.3b</b> Curves must have a minimum inner radius of 10 metres and</p> <p><b>S7.2.3c</b> Dips must have no more than a 1 in 8 (12.5%) entry and exit angle and</p> <p><b>S7.2.3d</b> All roads must have a maximum cross fall alignment of 1 in 33 (3%).</p>	<p>The horizontal and vertical alignments, crossfall and turning areas reflect physical characteristics and major drainage functions for the site as well as satisfying design requirements for emergency vehicles.</p>
<p><b>COMMENT: Without having technical details the performance criterion must be bet. As</b></p>	

<b>a public road, it is understood that Lackrana Road is a safe access road.</b>	
<p><b>S7.2.4a</b> At the end of all roads or access ways there must be a court bowl or cul de sac of a minimum trafficable radius of 10 metres (shoulders, seal or other consolidated edges may be acceptable) or</p> <p><b>S7.2.4b</b> At the end of all roads or access ways there must be hammerhead “T” or “Y” turnarounds with minimum 4 metres width and total length of 16 metres.</p>	Suitable turning areas for fire suppression and other vehicles must be provided at the end of all roads and access ways.
<b>COMMENT: Not applicable to this assessment – Lackrana Road is a through road.</b>	
<p><b>S7.2.5a</b> The minimum trafficable width for access is 6 metres which may include consolidated, formed, surfaced and drained shoulders or</p> <p><b>S7.2.5b</b> Where 8 or less lots are being serviced, an access with trafficable width of 4 metres for a maximum of 90 metres length may be provided or</p> <p><b>S7.2.5c</b> Where the access is less than 6 metres trafficable width, passing bays of a minimum length of 20 metres must be provided every 200 metres along the access. The combined width of the access and the passing bay must be a minimum 6 metres. fire suppression and other vehicles</p>	Access should be of sufficient width to allow simultaneous access and egress for emergency and other vehicles.
<b>COMMENT: No access within the lots is proposed as part of this application.</b>	
<p><b>S7.2.6a</b> An access road forms the perimeter of the development or</p> <p><b>S7.2.6b</b> A fire trail connected to an access road forms the perimeter of the development.</p>	Access to the perimeter of the development must be provided.
<b>COMMENT: There is no access to the perimeter of the development. The performance criterion is not met.</b>	
<p><b>S7.2.7a</b> Fire trails are constructed to 4WD standard and</p> <p><b>S7.2.7b</b> Fire trails have a formed width of 4</p>	Fire trails must be safe for use fire suppression.

metres and		
<b>S7.2.7c</b> Fire trails must have vertical clearance to a height of 4 metres above the trafficable and		
<b>S7.2.7d</b> Fire trails must have horizontal clearance from 3 metres of the centre line for a height of 4 metres above the trafficable width and		
<b>S7.2.7e</b> Fire trails will have a maximum gradient of 1 in 6 (17%).		
<b>COMMENT: Not applicable. No fire trails are proposed.</b>		
<b>S7.3.0 ISSUE</b> Water supplies for fire suppression in subdivisions	<b>INTENT</b> - To ensure adequate water supplies are available in a subdivision for landowners or emergency services to defend properties from bushfire	
<b>ACCEPTABLE SOLUTIONS</b>	<b>PERFORMANCE CRITERIA</b>	
<b>S7.3.1a</b> Subdivisions have a reticulated water supply with a minimum flow rate as specified by Australian Standard AS 2419 for the intended class of development as required under the Building Code of Australia or 600 litres per minute (whichever is greater) or	Subdivisions have an adequate size of water supply.	
<b>S7.3.1b</b> Subdivisions have a static water supply to comply with AS 2419 for the intended class of development as required under the Building Code of Australia for fire suppression or		
<b>S7.3.1c</b> For developments not specified in the Building Code of Australia in S7.3.1 b), subdivisions for lots less than 2500 square metres will have 10 000 litres of stored water for fire suppression and for lots 2500 square metres or larger, 20 000 litres of stored water for fire suppression.		
<b>COMMENT: The Bushfire Site Assessment by Cohen &amp; Associates states dams will provide the water supply in accordance with the performance criteria.</b>		
<b>S7.3.2a</b> In areas where the water supply complies with S7.3.1 a), the building	The water supply for fire suppression will be available at all times.	

<p>envelope must not be more than 130 metres from the nearest fire hydrant. The hydrant must comply with Tasmania Fire Service and Council requirements or</p> <p><b>S7.3.2b</b> In areas where the water supply does not comply with S7.3.1 a), a static supply complying with S7.3.1 b) or c) will be located within the subdivision to be accessible by emergency vehicles at all times. The supply may be from a single source or a combination of storages for either individual lots or for the entire subdivision. Storages must be accessible from all the lots they are intended to serve.</p>	
<p><b>S7.3.3a</b> All water storage tanks are constructed of non-combustible and non-rust materials such as galvanised steel and concrete and</p> <p><b>S7.3.3b</b> All above ground pipelines and fittings are either constructed of non-combustible and non-rust materials such as galvanised steel and copper, or protected from the effects of heat and flame by lagging or other means and</p> <p><b>S7.3.3c</b> All below-ground water pipelines are installed to a depth as specified in the National Plumbing Code AS 3500 (generally 300 mm).</p>	<p>The water supply pipelines, fittings and storages are designed, located and fitted to ensure reliability of the water supply during a fire.</p>
<p><b>COMMENT: The Bushfire Site Assessment by Cohen &amp; Associates states dams will provide the water supply in accordance with the performance criteria.</b></p>	
<p><b>S7.3.4a</b> If the storage is accessible and above ground, a male 64 mm 5V thread coupling to Tasmania Fire Service specifications must be installed on the storage to supply water or</p> <p><b>S7.3.4b</b> If the storage is accessible and below ground, there must be sufficient hard standing beside or adjacent to the storage to allow an emergency vehicle access for draughting from the storage or</p>	<p>Access to static supplies will be suitable for emergency vehicles.</p>

**S7.3.4c** If the storage is not directly accessible, a remote access point may be provided which must deliver water at a minimum flow rate of 270 litres per minute at the delivery point through a male 64 mm 5V thread coupling to Tasmania Fire Service specifications.

**COMMENT:** The Bushfire Site Assessment by Cohen & Associates states dams will provide the water supply in accordance with the performance criteria.

### Referrals

None required.

### **STATUTORY REQUIREMENT:**

The application was advertised for 14 days in accordance with the Act.

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

The relevant strategic focus area of the *Flinders Council Strategic Plan 2015* is:

*Strategic Focus Area 2: Infrastructure and Services - An Islands' specific approach to planning and delivery to ensure community and environmental values are maintained.*

**COMMENT:** The proposal is not consistent with the rural character as it does not ensure that community and environmental values are maintained. The proposal is therefore not consistent with the plan.

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

Not applicable.

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

That the application for the reconfiguration of existing lots in the rural zone, by Cohen & Associates for land located at Lackrana Road, Memana (CT: 168513/3 and 165959/1) be **REFUSED** for the following reasons:

1. the proposal does not meet the requirements of Clause 4.2.2 Reconfiguration of Existing Lot(s) of the *Flinders Planning Scheme 2000*, and
2. the proposal does not meet the performance criterion at clause S7.2.6 Perimeter Access of the *Flinders Planning Scheme 2000*.

### **DECISION:**



*The Council will now conclude its meeting as a Planning Authority under Section 25 of the Local Government (Meeting Procedures) Regulations 2015.*

**Item A2: Development Application Report**

<b>ACTION</b>	<b>Information</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Development Services Coordinator
<b>FILE REFERENCE</b>	DSV/0300
<b>ASSOCIATED PAPERS</b>	<i>Annexure 9: Development Application Report - February 2016</i>

**INTRODUCTION:**

The purpose of this report is to provide Councillors with an update of the applications which have been dealt with by the Planning Department for the month of February as per the council motion 249.09.2015, passed at the 24<sup>th</sup> September 2015 Council Meeting.

Council has requested that the planning consultancy service (West Tamar Council) provide this detail to Council on a monthly basis.

**PREVIOUS COUNCIL CONSIDERATION:**

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

**OFFICER'S REPORT:**

Refer to Annexure 9 Development Application Report - February 2016, provided by West Tamar Council.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That the report be received.

**DECISION:**

That Council receives the Development Applications Report for February 2016.

## **B. NOTICE OF MOTIONS**

### **Item B1: Notice of Motion from Mayor Carol Cox – Recommendations from the Furneaux Group Aviation Special Committee**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Mayor Carol Cox (Chair, Furneaux Group Aviation Special Committee)
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	COM/0104
<b>ASSOCIATED PAPERS</b>	<i>Annexure 10: Draft Aviation Policy</i>

#### **NOTICE OF MOTION:**

That Council approves the following as recommended by the Furneaux Group Aviation Special Committee at the meeting held on the 16<sup>th</sup> February 2016.

1. That Council ratifies the Terms of Reference for the Furneaux Group Aviation Special Committee of Flinders Council.
2. That Council adopts the Aviation Policy and allows it to lie on the table for 28 days for public comment.

#### **COUNCILLOR'S REPORT:**

The unconfirmed minutes of the Furneaux Group Aviation Special Committee of Flinders Council held on the 16<sup>th</sup> February 2016 meeting, which have been approved by one other attendee at the meeting (as per the Special Committees of Council Policy), were presented earlier in this meeting.

1. At the Meeting of the Furneaux Group Aviation Special Committee of Flinders Council on the 16<sup>th</sup> February 2016 the Terms of Reference as printed below were considered and the following motion was passed unanimously:

*"Moved: Cr P Rhodes Seconded: M Buck*

*That the draft Terms of Reference, as per Attachment 2, be presented to the next Ordinary Meeting of Council for consideration.*

*CARRIED"*

---

Adopted < Date >

FURNEAUX GROUP AVIATION SPECIAL COMMITTEE TERMS OF REFERENCE

INTRODUCTION

The Furneaux Group Aviation Special Committee (the Committee) has been established under Section 24 of the *Local Government Act 1993*. This Terms of Reference, approved by Flinders Council (the Council) on the < insert date > supersedes all previous versions.

#### PURPOSE

The purpose of the Furneaux Group Aviation Special Committee is to provide recommendations to Flinders Council on aviation matters with the involvement of members (see below) that represent the Municipality.

The Furneaux Group Aviation Special Committee may provide recommendation on matters relating to the airport and associated infrastructure where these matters apply to and affect aviation.

#### AUTHORITY

The Furneaux Group Aviation Special Committee has no authority to make announcements to the public.

The Furneaux Group Aviation Special Committee does not have authority to bind Flinders Council.

#### MEMBERSHIP

Membership of the Aviation Special Committee shall be:-

- Mayor as Chairperson (non-voting)
- Councillors (2) (excluding the Chairperson)
- Cape Barren Island Representative (1)
- Charter Aircraft Operators Sector (1)
- CommunitySector Representative (1)
- Department of State Growth (DoSG) (1 non-voting)
- Flinders Island Airport Operations (1)
- Flinders Island Tourism & Business Incorporated (FITBI) (1)
- Multi-Purpose Centre (MPC) (1)
- Regular Passenger Transport (RPT) Operators (1)

Individuals representing the various sectors shall be appointed by Flinders Council from nominations received from that sector. Nominees with experience in the sector they wish to represent shall be preferred.

Those members representing non-council entities shall be selected by the entity they represent. (Cape Barren Island; Charter Aircraft Operators; CommunitySector; Department of State Growth; Flinders Island Tourism & Business Incorporated; Multi-Purpose Centre; RPT)

Flinders Council may select a representative of any other sector, or invite representation from any other entity, when it is determined this will add value.

## ATTENDANCE AT MEETINGS

Attendance at meetings shall not be compulsory, however, Flinders Council may regard continued absences from meetings as an indication that an individual is unable to continue with membership and, upon receiving recommendation from the Committee, remove the individual from the Committee.

Attendance at meetings may be in person or by teleconference or skype when appropriate and available.

There shall be no appeal against removal. Council has the right to replace the removed individual with another representative of the same sector.

## REPORTING

The Chairperson shall provide unconfirmed minutes and if necessary a report to the Council for review at the next Ordinary Meeting of the Council, unless the Committee Meeting is within ten (10) days of the Council Meeting in which case it may be the following Ordinary Meeting of the Council.

## REVIEW OF TERMS OF REFERENCE

These Terms of Reference shall be reviewed each four years by Flinders Council and can only be amended by ordinary resolution.

## RULES

- (1) The Special Committee Meetings shall be held at least every 4 months. Meeting dates are to be set by the Chairperson and there shall be no minimum period following the immediate preceding meeting before a meeting may be called.
- (2) The Chairperson is the Mayor. If the Mayor is unavailable for a meeting, the Mayor may appoint the Deputy Mayor to be the Chairperson (non-voting).
- (3) Proxies shall not be accepted.
- (4) Delegates may be substituted with approval of the Chairperson.
- (5) A quorum shall be 6 (six). If a quorum is not present within 15 minutes of the meeting start time, the meeting shall be postponed to a suitable date.
- (6) The Chairperson shall ensure minutes are kept for all meetings and shall provide a copy to all members and the Flinders Council.
- (7) The minutes to be confirmed at the next meeting of the Committee following that to which the minutes relate.
- (8) Submissions from the public shall be sought before each quarterly meeting by an advertisement placed in Island News.
- (9) Members shall be advised of meeting time and date at least 5 days prior to a meeting, except in unusual circumstances.

- (10) Voting shall not be compulsory and abstentions shall not be deemed to be a “no” vote.
  - (11) A motion is passed by an ordinary majority vote in the affirmative.
  - (12) Resolutions passed at meetings are not binding on Flinders Council and are for indicative and advisory purposes only.
- 

2. At the Meeting of the Furneaux Group Aviation Special Committee of Flinders Council on the 16<sup>th</sup> February 2016, Flinders Council’s Aviation Policy (Annexure 10) was considered and the following motion was passed unanimously:

*“Moved: Cr P Rhodes                      Seconded: M Buck  
That the draft Aviation Policy be presented for consideration at the  
next Ordinary Meeting of Council.  
CARRIED”*

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

1. 17<sup>th</sup> October 2013                      676.10.2013
2. Last revised: 10<sup>th</sup> April 2014      782.04.2014

#### **OFFICER’S REPORT:**

The motion is supported.

#### **STATUTORY REQUIREMENTS:**

*Local Government Act 1993*

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

3. Access and Connectivity - Work with service providers and other relevant stakeholders to improve security, reliability and cost effectiveness.
  - 3.2 Maintain air access to the Island and improve performance of the airport.
    - 3.2.1 Improved operation and financial performance of airport.
      - 3.2.1.6 Review and assess the financial implications of the Aviation Policy to Council.
4. Strategic, Efficient and Effective Organisation - Responding to risks and opportunities.
  - 4.3 Ensure Council meets its statutory obligations and manages corporate and community risk.
    - 4.3.9 Maintain Council’s Policy Manual and Instrument of Delegation.

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

Nil

**RISK/LIABILITY:**

Nil

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That Council approves the following as recommended by the Furneaux Group Aviation Special Committee at the meeting held on the 16<sup>th</sup> February 2016.

1. That Council ratifies the Terms of Reference, as presented in this Agenda, for the Furneaux Group Aviation Special Committee of Flinders Council.
2. That Council adopts the Aviation Policy as approved by the Furneaux Aviation Special Committee on the 16<sup>th</sup> February 2016 and allows it to lie on the table for 28 days for public comment.

**DECISION:**

**Item B2: Notice of Motion from Mayor Carol Cox – Feasibility Study for the Flinders Island Sports and RSL Club**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Mayor Carol Cox
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	CSV/1500
<b>ASSOCIATED PAPERS</b>	<i>Annexure 11: Dock 4 Architects proposal (for elected members only)</i>

**NOTICE OF MOTION:**

That Council allocates the required funding for the General Manager to engage Dock 4 Architects to deliver a feasibility study for the Flinders Island Sports and RSL Club as per the project proposal provided by Dock 4 Architects.

**COUNCILLOR'S REPORT:**

This motion is brought forward to Councillors to confirm the expenditure of funds as allocated in the 2015-16 Capital Budget that is subject to the note "that any proposal is still to be decided by Council" (Motion 26.02.2016).

At the time of setting the 2015-16 Budget and at the Budget review Councillors had a desire to see the Flinders Island Sports and RSL Club become sustainable although a defined project had not yet been developed as to how this might occur.

As background, for a long time the Flinders Island Sports & RSL Club ("the Club") has relied upon volunteer labour to maintain the golf course and bowls green as well as the Clubhouse itself. In more recent years it has become more onerous as the volunteers have aged and become less able to fulfil the duties required. The Clubhouse has become very tired and independent surveys have highlighted the need for substantial works to be carried out in the short term.

Accordingly, the Club put out a number of feelers to find an investor who would be interested in developing some of the unused land within the Club's boundaries with the aim of developing an income stream to fund the maintenance of the Club's facilities. Several potential investors looked at this opportunity but with the current economic climate nothing concrete developed.

It was with this background that the Club committee approached Council to see if there was any possibility of entering into a joint venture which would not only secure the future of the Club but also provide facilities which Council and the Community could benefit from in both the short and long term.

In the financial year 2014-2015 Council agreed to allocate \$50,000 to enable



Council to work with the Club to find a solution to the requirements of both parties. As a result of this the General Manager has spoken with a number of architectural firms to gain an insight into what they believe the best approach would be for the site, Club, Community and Council. Many of them were excited by the potential of the project but to develop any proposal further Council needs to expend funds to have more than just discussions.

The general idea is to propose a development for the site that will enable the Club to develop an income. In discussions such possibilities as onsite housing, accommodation, a community hub of offices, health rooms, a commercial laundry, conference facilities and others have all been mentioned, but without further work by a professional in the area the concept will not develop past the discussion stage. Recognising the importance of the golf and bowls facilities to the Island, the Council allocated funds to develop such a proposal that could be used by the Club to gain funding for development.

A framework for developing such a proposal has been put forward by Architect Giles Newstead from Dock4 for consideration. Giles knows the Island, owns property on the Island and has experience with large scale site master planning, business case development and prefab housing and has capacity within his firm to undertake this project.

I commend to the Councillors that the funding allocated in the 2015 - 2016 budget be applied to develop the proposal and thus enable the Flinders Island Sports & RSL Club to move forward towards a sustainable future.

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

13 <sup>th</sup> November 2013	Councillor Workshop
21 <sup>st</sup> November 2013	693.11.2013

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

The Councillor's report provides significant detail and history of the challenges faced by the Flinders Island Sports and RSL Club and the role Council has played to date in assessing options to assist and working with the Club to develop ideas and concepts for the future.

Engaging a suitably qualified architectural practice with experience in undertaking investigations into the capabilities and capacities of the site and what options could be available to the Club (and potentially Council) architecturally and then cost these out and undertake a full business case to inform the future decision making process is a considered and sensible approach.

The notice of motion is supported.

**STATUTORY REQUIREMENTS:**

*Local Government Act 1993*

**POLICY/STRATEGIC IMPLICATIONS:**

1. Population Growth - Focusing on strategies, projects and policy initiatives that support the community, economic development, innovation and investment attraction.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Council has allocated funds to complete the project in the 2015-2016 budget.

**RISK/LIABILITY:**

Minimal

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That Council allocates the required funding for the General Manager to engage Dock 4 Architects to deliver a feasibility study for the Flinders Island Sports and RSL Club as per the project proposal provided by Dock 4 Architects.

**DECISION:**

**Item B3: Notice of Motion from Mayor Carol Cox – Policy Name Change**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Mayor Carol Cox
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	ADM/0900, PER/0500
<b>ASSOCIATED PAPERS</b>	<i>Nil</i>

**NOTICE OF MOTION:**

That Flinders Council amends the name of the Code of Conduct Policy number HR11 adopted on the 21<sup>st</sup> January 2016 to “Employee Code of Conduct Policy”.

**COUNCILLOR’S REPORT:**

This Notice of Motion is put forward for two reasons:

1. To use the same wording for the policy name as that used in Motion 322.11.2015 which links the policy and the General Manager’s contract; and
2. To clearly distinguish between policy number HR11 currently named “Code of Conduct Policy” and the Code of Conduct for Elected Members.

Motion 06.01.2016, carried unanimously, approved the adoption of the policy as follows:

“  
.....  
2. That Council adopts the following Local Government Association of Tasmania Policy Suite – Stage 1 – Operational Behavioural Policies:  
a) Code of Conduct;  
b) .....”

This Code of Conduct Policy refers to the conduct of employees and the definition of employee within the Local Government Association of Tasmania (LGAT) Policy Suit includes the General Manager as an employee of Council.

A previous motion of Council, (322.11.2015 in closed session), linked the General Manager’s contract and the Code of Conduct as the “Employee Code of Conduct”. The change requested in this Notice of Motion simply makes it clear that the HR11 Policy is the one being referred to in this instance.

It is unfortunate that the discrepancy in names was not picked up prior to the January Ordinary Meeting of Council when the policy was approved, however this Notice of Motion seeks to make a simple adjustment to the name of the policy to rectify the oversight.

**PREVIOUS COUNCIL CONSIDERATION:**

17 <sup>th</sup> October 2013	676.10.2013
10 <sup>th</sup> April 2014	782.04.2014
21 <sup>st</sup> January 2016	06.01.2016

**OFFICER'S REPORT:**

The motion is supported.

**STATUTORY REQUIREMENTS:**

*Local Government Act 1993*

**POLICY/STRATEGIC IMPLICATIONS:**

4. Strategic, Efficient and Effective Organisation - Responding to risks and opportunities.

4.3 Ensure Council meets its statutory obligations and manages corporate and community risk.

4.3.9 Maintain Council's Policy Manual and Instrument of Delegation.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Nil

**RISK/LIABILITY:**

Nil

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That Flinders Council amends the name of the Code of Conduct Policy number HR11 adopted on the 21<sup>st</sup> January 2016 to "Employee Code of Conduct Policy".

**DECISION:**

**Item B4: Notice of Motion from Cr Ken Stockton – Freeze on Councillor Stipend**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Councillor Ken Stockton
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	COU/0204
<b>ASSOCIATED PAPERS</b>	<i>Nil</i>

**NOTICE OF MOTION:**

That Councillors consider imposing a freeze on any increase in their promulgated annual stipend for the period October 2016 to October 2017.

**COUNCILLOR'S REPORT:**

In line with efforts to reduce Council's annual operating deficit and direction from the State Treasurer that deficit reduction is desirable, Councillors are encouraged to accept a stipend freeze for the stated period.

**PREVIOUS COUNCIL CONSIDERATION:**

Nil

**OFFICER'S REPORT:**

A decision to forgo remuneration is a matter for individual Councillors to deliberate upon. Collectively, elected members may choose to freeze allowances but Council has no power under the *Local Government Act 1993* to bind any or all Councillors to such a decision.

***LOCAL GOVERNMENT ACT 1993 - SECTION 340A***

***340A.Allowances***

- (1) A councillor is entitled to prescribed allowances.*
- (2) A mayor and deputy mayor are entitled to prescribed allowances in addition to any allowances referred to in subsection(1).*
- (2A) Allowances are to be paid in arrears.*
- (3) A councillor, mayor or deputy mayor may decide not to receive part or all of an allowance.*
- (4) A decision under subsection(3) is to be by written notice to the general manager of the relevant council.*
- (5) Councillors who are suspended under section215(5) are not entitled to any allowances during the period of suspension.*
- (6) A person who must not perform any function or exercise any power of a councillor under section339C is not entitled to any allowances.*

Furthermore, the motion as provided does not seek a decision but for Council to "consider" a matter. Motions should be clear in their language and intent. The

motion as written provides no guidance to Council as to what decision the Councillor seeks beyond consideration of the matter. Councillors may chose at any time to forgo any or all of the allowances they are entitled to and the motion at hand simply seeks Councillors to consider forgoing the indexation increase in a given period.

By way of correction, the Councillors Report should note that it is the Minister for Local Government who has directed Councils to deliver an operational surplus not the Treasurer. Though they are one in the same person the functions of each Ministerial appointment are discreet and separate.

#### **STATUTORY REQUIREMENTS:**

*Local Government Act 1993*

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

4. Strategic, Efficient and Effective Organisation - Responding to risks and opportunities.

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

Councillors receive very minimal reward for the time most allocate to the position. A freeze on the indexation of Councillor's allowances is discretionary to individual Councillors and as such the exact impact on the financial position of Council is unknown.

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

Minimal

#### **VOTING REQUIREMENTS:**

Simple Majority

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

As per Section 340A(3) of the *Local Government Act 1993*, individual Councillors may decide to not receive part or all of a prescribed allowance. Councillors who decide to freeze their allowance are to provide written notice to the General Manager as per Section 340A(4) of the *Local Government Act 1993*.

#### **DECISION:**

**Item B5: Notice of Motion from Cr Gerald Willis – Shipping Containers**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Councillor Gerald Willis
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	COM/0403
<b>ASSOCIATED PAPERS</b>	<i>Nil</i>

**NOTICE OF MOTION:**

That the Mayor instructs the General Manager:

- to obtain at least one quotation from a qualified person or business to repair damage to four shipping containers owned by the Council and currently being used for the carriage of chilled and frozen cargo to and from the Municipality; and
- to obtain a further quotation to repair and service the freezer equipment on those containers.

**COUNCILLOR'S REPORT:**

The Council acquired four, 20-foot long freezer containers some 4-5 years ago with funds provided by the State Government specifically for that purpose. Since being acquired the containers have been used to protect frozen and chilled goods on their journey by sea to and from Flinders Island and Cape Barren Island.

The Council has advertised requesting expressions of interest from parties who may wish to purchase the containers.

In order to make an informed assessment as to the value of the containers it is expected that the costs to make-good should be taken into account when making that assessment. The make-good figure can only be obtained from an expert in the field of container and freezer equipment repairs.

**PREVIOUS COUNCIL CONSIDERATION:**

22<sup>nd</sup> October 2015                      287.10.2015

**OFFICER'S REPORT:**

Council has recently completed an expression of interest process to consider what value these containers have in the market. Obtaining quotes to repair would add value to the decision making process. The request made in the notice of motion simple mirrors a previous decision of Council, that being:

***"287.10.2015 Moved: Mayor C Cox    Seconded: Cr K Stockton  
That Council note the motion as recorded in the unconfirmed minutes of  
the 29th September 2015 Furneaux Group Shipping Special Committee  
meeting and resolve to undertake the following:  
That Council engage a container repairer to assess the current state of  
Council's four refrigerated shipping containers and provide Council with  
a list of prioritised repairs and a cost estimate to consider.  
CARRIED UNANIMOUSLY (6-0)"***

Council has previously been briefed that this is yet to be completed. If the motion at hand from the Councillor is supported then the current expression of interest process will be put in abeyance and the containers assessed as per the motion at hand.

From an Officer's perspective, this may well be a sensible approach to inform the final decision making process.

**STATUTORY REQUIREMENTS:**

Nil

**POLICY/STRATEGIC IMPLICATIONS:**

3.0 Access and Connectivity - Work with service providers and other relevant stakeholders to improve security, reliability and cost effectiveness.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Securing suitably qualified people to inspect and quote will require funds but they are seen as minimal and will not require a budget variation.

**RISK/LIABILITY:**

Minimal

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That the General Manager:

- obtain at least one quotation from a qualified person or business to repair damage to four shipping containers owned by the Council and currently being used for the carriage of chilled and frozen cargo to and from the Municipality; and
- obtain a further quotation to repair and service the freezer equipment on those containers.



## C. CORPORATE SERVICES

### Item C1: Investment Policy

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Sophie Pitchford, Corporate Services Manager
<b>FILE REFERENCE</b>	FIN/0501, ADM/0900
<b>ASSOCIATED PAPERS</b>	<i>Annexure 12: DRAFT Investment 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:**

21 <sup>st</sup> May 2009	170.05.09
18 <sup>th</sup> December 2014	952.12.2014
Councillor Workshops	10 <sup>th</sup> September and 11 <sup>th</sup> November 2015
24 <sup>th</sup> November 2015	314.11.2015
21 <sup>st</sup> January 2016	04.01.2016

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

After extensive discussions with an Investment Adviser to devise the optimum strategy and asset allocation for Council to achieve the desired returns, a number of changes to the current policy were suggested.

The current policy is deemed to be contradictory to the Council's risk position, in that the percentage allocation for Australian and international shares is considered by the advisor to be ranked too high. It has been suggested that the minimum be reduced to 5% to compliment Council's risk appetite and position.

The current policy prohibits the use of Derivative Instruments. The exclusion of derivatives could significantly reduce the investment solutions available to Council. Therefore, it is suggested that imposing specific rules around the use of derivatives is a more practical and meaningful approach.

Derivatives are employed for the purposes of implementing asset allocation decisions and controlling factors such as volatility and performance risks (absolute or relative).

Derivative instruments are also used to implement directional views on markets where they represent the most efficient mechanism for gaining

exposure. This might be for a variety of reasons including reduced market impact, reduced transaction costs, tax advantages or the opportunities that they offer to create custom-built risk/return payoff profiles.

An increase in the maximum allocation of alternative investments, would provide risk and return profiles that are not correlated to any particular asset class, but instead seek to deliver 'absolute returns' that are positive in all market conditions.

Asset allocation and diversification are central to the goal of achieving superior long-term, risk-weighted returns. The simple reason for this is that markets do not remain constant and certain asset classes will perform better than others, depending on the prevailing market conditions. The ability to strategically and tactically move from one asset class to another is critical to maintaining the appropriate balance between risk management and investment returns.

The revised investment policy will allow Council to invest uncommitted funds in to an "all-weather' portfolio"; one that can deliver a smooth return in most market conditions and through various market cycles.

#### **STATUTORY REQUIREMENT:**

*Trustee Amendment (Investment Powers) Act 1997*

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

4. Strategic, Efficient and Effective Organisation - Responding to risks and opportunities.

4.3 Ensure Council meets its statutory obligations and manages corporate and community risk.

4.3.9 Maintain Council's Policy Manual and Instrument of Delegation.

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

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

#### **VOTING REQUIREMENTS:**

Simple Majority

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

That Council adopts the revised Investment Policy and allows it to lay on the table for 28 days for public comment.

#### **DECISION:**

## D. GOVERNANCE

### Item D1: New Policies

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	FIN/0501, ADM/0900
<b>ASSOCIATED PAPERS</b>	<i>Annexure 13: DRAFT Postponement of Rates and Charges Policy</i> <i>Annexure 14: DRAFT Remission or Rebate of Rates and Charges Policy</i> <i>Annexure 15: Write Off of Bad Debts 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:**

Councillor Workshop 4<sup>th</sup> February 2016.

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

Council's Instrument of Delegation recently underwent a legal review and it was identified that Council lacked three policies required under the *Local Government Act 1993*, being the:

- Postponement of Rates and Charges Policy;
- Remission or Rebate of Rates and Charges Policy; and the
- Write Off of Bad Debts Policy.

These policies if adopted will ensure compliance with the Act. The three new policies are presented for Councillors' consideration.

#### **STATUTORY REQUIREMENT:**

*Local Government Act 1993*

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

4. Strategic, Efficient and Effective Organisation - Responding to risks and opportunities.

4.3 Ensure Council meets its statutory obligations and manages corporate and community risk.

4.3.9 Maintain Council's Policy Manual and Instrument of Delegation.

**RISK/LIABILITY:**

Adoption of these policies and ensuring that Management, Staff and Councillors are aware of and follow them will help to reduce Council's exposure to risk and ensure compliance with legislation.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That Council adopts the Postponement of Rates and Charges Policy, Remission or Rebate of Rates and Charges Policy and the Write Off of Bad Debts Policy and allows them to lay on the table for 28 days for public comment.

**DECISION:**

**Item D2: 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 16: Councillor Resolution Report March 2016</i>

**INTRODUCTION:**

This report identifies the actions taken and actual costs associated with implementing resolutions passed by elected members up to March 2016.

**PREVIOUS COUNCIL CONSIDERATION:**

The report is presented on a monthly basis.

**OFFICER'S REPORT:**

Please read Annexure 16 – Councillor Resolution Report March 2016.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That the Councillor Resolution Report March 2016 be noted.

**DECISION:**

**Meeting Closed**