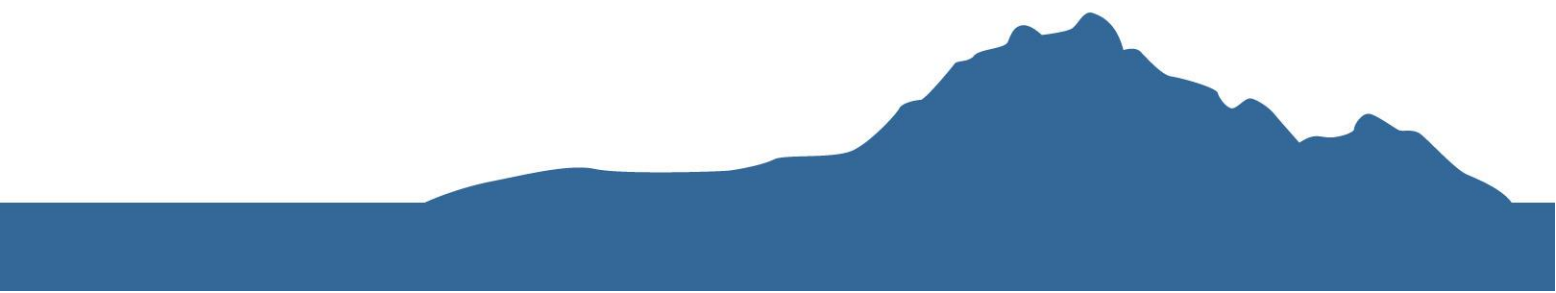




Agenda
Ordinary Council Meeting
16th February 2017



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 10th day of February 2017.



Bill Boehm
GENERAL MANAGER

FLINDERS COUNCIL ORDINARY MEETING

AGENDA

DATE: Thursday 16th February 2017
VENUE: Furneaux Arts and Entertainment Centre, Whitemark
COMMENCING: 1.00 pm

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

Bill Boehm - General Manager
Vicki Warden - Executive Officer

CONFIRMATION OF MINUTES

That the Minutes from the Ordinary Council Meeting held on the 17th January 2017 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.*

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.

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

WORKSHOPS & INFORMATION FORUMS

File No: COU/0205

Council Workshop held on 2nd February 2017

Council held a Workshop on the following subjects:

- Item 1. Council Image / Professional Development
- Item 2. General Manager's Update
- Item 3. Review of Code of Tender and Contracts Policy
- Item 4. Review of Public Question Time Policy
- Item 5. Legal Advice Policy
- Item 6. Flinders Island Tourism and Business Inc. Update on Expenditure on Marketing Program
- Item 7. Sale of Land
- Item 8. Council Investments
- Item 9. Purchasing of Vehicles
- Item 10. Blue Rocks Master Plan

Councillors Present:

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

Apologies:

Cr Chris Rhodes

Staff and Consultants Present:

Bill Boehm General Manager
Sophie Pitchford Corporate Services Manager (Item 8 only)
Robyn Cox Strategic Planner (Item 10 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 2nd February 2017 be noted.

DECISION:

PUBLIC MEETINGS

Nil

PUBLICATIONS/REPORTS TABLED FOR COUNCIL INFORMATION

Nil

REPORTS TO BE RECEIVED

Flinders Council Audit Panel

File No: FIN/0401

***Annexure 1:** Flinders Council Audit Panel Meeting 3rd February 2017 Unconfirmed Minutes*

OFFICER'S REPORT (Bill Boehm, General Manager):

The unconfirmed minutes of the Flinders Council Audit Panel meeting held Friday 3rd February 2017 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 Friday 3rd February 2017 be noted.

DECISION:

COUNCILLORS' REPORTS

Deputy Mayor's Report

File No: COU/0600

ACTIVITIES:

DATE	ITEM
17/01/17	Enquiry from resident re Emita site re-naming
18/01/17	Dinner meeting with Local Government of Tasmania (LGAT) Chief Executive Officer and President
19/01/17	Meeting with Police Commander of Northern District, Inspector in Charge North East Division and General Manager
19/01/17	Council meeting with Police representatives (as above)
19/01/17	Monthly Council Meeting
20/01/17	Assisted Emita Hall Special Committee members to operate bar as fundraiser for Acoustic Supper event for Furneaux Islands Festival
20/01/17	Assisted with pack up and "bump-out" of Acoustic Supper event
21/01/17	Attended Furneaux Islands Festival Market Day in Whitemark
22/01/17	Assisted with barbecue for Furneaux Islands Festival Community Day event
24/01/17	Meeting with Emita resident re roadside vegetation being unsightly and a bushfire risk
24/01-01/02/17	Acting Mayor
02/02/17	Council Workshop
02/02/17	Enquiry from resident re Quarry Development Application

CORRESPONDENCE IN:

DATE	WHO	SUBJECT
27/01/17	Maree Tetlow, Chief Executive Officer, NBN Tasmania	Issues with NBN rollout

CORRESPONDENCE OUT:

DATE	WHO	SUBJECT
28/01/17	Maree Tetlow, Chief Executive Officer, NBN Tasmania	Response re NBN rollout
30/01/17	Robyn Dilger	Congratulations on Australia Day honours
30/01/17	Mhairi Bradley	Congratulations on Australia Day honours

RECOMMENDATION:

That the Deputy Mayor's report be received.

DECISION:

Report from Councillor Gerald Willis as the Flinders Council Representative on TasWater Owners' Representatives Committee
File No: COU/0312

CORRESPONDENCE IN:

DATE	WHO	SUBJECT
25/01/17	Email from Kimbra Constantine, Executive Assistant to Ailsa Sypkes, General Manager Legal and Governance for TasWater	Advising that a quarterly update to Owners' Representatives will be provided in the northern region on Thursday 10 August at 2:00 pm in Launceston - I replied as an apology
25/01/17	Email from Kimbra Constantine, Executive Assistant to Ailsa Sypkes, General Manager Legal and Governance for TasWater	Advising that a General Meeting will be held on Thursday 11 May at 10:00 am in Launceston - I replied as a tentative attendee
25/01/17	Email from Kimbra Constantine, Executive Assistant to Ailsa Sypkes, General Manager Legal and Governance for TasWater	Advising that an Annual General Meeting will be held on Thursday 9 November at 10:30 am in Launceston - I replied as an attendee.
27/01/17	Letter from Eamon Sullivan, Program Manager Price and Service Plan to Mayor Cox	Advising that a Consultation Issues Paper for Price and Service Plan 3 had been released and that submissions can be made until 17 February 2017
27/01/17	Email from Ailsa Sypkes, General Manager Legal and Governance for TasWater	Advising that a quarterly update to Owners' Representatives will be provided in the northern region on Friday 17 February 2017 - I replied as an apology
02/02/17	Email from Kimbra Constantine, Executive Assistant to Ailsa Sypkes, General Manager Legal and Governance for TasWater	Advising that a quarterly update to Owners' Representatives will be provided in the northern region on Thursday 23 February 2017 - I replied as an apology

RECOMMENDATION:

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

DECISION:

MAYOR'S REPORT:

ACTION	Information
PROPONENT	Mayor C Cox
FILE REFERENCE	COU/0600
ASSOCIATED PAPERS	Nil

REPORT:

APPOINTMENTS:

19/01/17	Council Meeting with K Stephenson, Chief Executive Officer and Mayor D Chipman, President of Local Government Association of Tasmania (LGAT)
19/01/17	Ordinary Meeting of Council
20/01/17	Furneaux Islands Festival Acoustic Supper at Emita Hall
21/01/17	Furneaux Islands Festival Street Market at Whitemark
21/01/17	Furneaux Islands Festival Veranda Music at Lady Barron Furneaux Tavern
22/01/17	Furneaux Islands Festival Community Day at Lady Barron Flinders Island Aboriginal Association Inc. Park
23/01/17	Interview with Mercury re Weekend Magazine
24/01 - 01/02/17	Deputy Mayor, Cr Marc Cobham as Acting Mayor
02/02/17	Council Workshop
05/02/17	Flinders Island Fresh Farmers Market at Furneaux Tavern

Northern Tasmania Development Corporation (NTDC):

The constitution for the new Corporation as previously approved by Council has been amended to fit with the requirements of the Australian Securities and Investments Commission (ASIC) for registration, making it as bland as possible. The changes made are not substantive changes to the structure of the intent of the documentation and previous arrangements made between member councils and NTDC and a "Letter of Comfort" regarding the changes has been supplied by the solicitor.

Undertaking the above enables the 'voluntary transfer' of Northern Tasmania Development as an association to NTDC Limited to be effected.

Emita Walkway:

At the October Ordinary Council Meeting, Council agreed to accept the donation of a strip of land two metres wide for a walking track between the Port Davey and Allports Roads at Emita (Motion 244.10.2016). Due to practicalities that have since arisen, including drainage issues, the development of the track will no longer proceed. The receipt of correspondence to Councillors from the land owner regarding the changed circumstances is recorded in this report.

Furneaux Islands Festival:

On attending all the Festival events, I was amazed at the scope of the music and talent supporting each event and it was great to see the Festival so well supported by Community and visitors to the Island.

I thank the Flinders Island Aboriginal Association Inc. as a major partner with Council in bringing the Festival to fruition. I sincerely thank all who put so much work into making the Festival not just happen, but be the very interesting and well-run event it was, especially those who did all the lead up work, the setting up and dismantling, the store holders, volunteers and those who made donations in any shape or form.

The Community Day on the Sunday that provided free food and entertainment to attendees was extremely well supported and showcased local food and talent along with two well-known chefs making our usually very edible food even more delightful to eat.

I thank the State Government for their support through the Great Australia Day Initiative, which provided grant funds for the Community Day - a celebration of our nationality, of being who we are, living where we live.

Mercury Weekend Magazine Article

The Mercury Tasweekend Magazine is planning to run a front cover story around life on an Island with the focus being on lifestyle for kids and families, with economic development as an underlying thread. Sally Glaetzer is their features writer. The article should appear in the near future.

CORRESPONDENCE IN:

DATE	WHO	SUBJECT
14/12/16	Hon Peter Gutwein MP, Minister for Planning and Local Government	State Planning Provisions and Local Provision Schedules
14/12/16	M Easton, CEO, Integrity Commission	Determination of the Board of the Integrity Commission
14/01/17	Mr P Guichelaar	Fire risk to Darling Ranges and proposed development
16/01/17	Mrs J Youl, Secretary Flinders Island Tourism and Business Inc. (FITBI)	Meeting Agenda for Executive Meeting on 19 th January 2017
20/01/17	Senator David Bushby	Building Better Regions Fund
23/01/17	Mr J Dick, Chair, Flinders Council Audit Panel	Response to Mayor's letter
25/01/17	Mr David O' Laughlin,	A letter of introduction

DATE	WHO	SUBJECT
	President, Australian Local Government Association	
27/01/17	M Hobbs, TasWater	TasWater - Consultation Issues Paper for Price and Service Plan 3
27/01/17	M Tetlow, CEO, Northern Tasmania Development (NTD)	Gathering Information - NBN Difficulties with Connections
28/01/17	A Spykes, TasWater	Quarterly Report to Owners' Representatives
28/01/17	T Clark, NTD	Public hearing for Telecommunications Universal Service Obligation inquiry
29/01/17	Ms J Lynch	Palana boundary fence
31/01/17	Tasmanian Audit Office	Determination of Audit Fees for the year ending 30 th June 2017
31/01/17	R Banks, Antidiscrimination Commissioner	Annual Report 2015-16
02/02/17	Mrs J Youl, Secretary, FITBI	Thank you receiving FITBI presentation on the 2 nd February
02/02/17	Ten Days on the Island	Invitation to celebrate the 2017 Ten Days on the Island Festival
02/02/17	Mrs J Youl, Secretary, FITBI	Executive Meeting Minutes - 19 th January 2017
02/02/17	E Christie, Clariden Global Conferences	Request for Topics, Australia Affordable Housing: Tackling Australia's Housing Affordability Crisis
02/02/17	S Watson, LGAT	Vale, former Central Highlands Mayor, Dierdre Flint OAM
03/02/17	M Tetlow, CEO, Northern Tasmania Development	Early notice of appointment of director for Northern Tasmania Development Corporation
03/02/17	Mr. S Dwyer, Principal, Flinders Island District High School	Response to letter re the annual Dux Award donated by Flinders Council
06/02/17	Mr G Walker	Re walkway and motion 224.09.2016
06/02/17	E McNally-Smith, Digital Innovation Team	Free online courses to improve mental health through University of Tasmania
06/02/17	M Tetlow, CEO, NTD	Delay in the 'voluntary transfer' of NTD as an association to NTDC Limited due to ASIC requirements
06/02/17	Mr R Lamplugh, Ochre Health	Response to query about medical service to the Furneaux Group

DATE	WHO	SUBJECT
06/02/17	Hon Peter Gutwein MP, Minister for Planning and Local Government	State Planning Provisions and Local Provision Schedules and Accommodation Sharing Policy to take effect 1 st July 2017
08/02/17	Ratepayer	Citizenship inquiry
08/02/17	Mr D Tresemer	Re Citizenship Ceremony
08/02/17	M Tetlow, CEO, NTD	Constituent Documents and Commentary
09/02/17	Northern Tasmania Development	Northern Tasmania Development Corporation Board Directors announced

CORRESPONDENCE OUT:

DATE	WHO	SUBJECT
14/12/16	M Grimshaw, President, FITBI	Visit of NTDC Chair, Mr J Pitt to Island and invitation to meet
16/01/17	M Patterson & J Mathieson, Telstra Country Wide	Re Stronger Regions grant application
16/01/17	Ms J Youl, FITBI	Apology to Invitation to Executive Meeting of FITBI
13 & 17/01/17	S Richardson, Ochre	Re housing in or around Whitemark
18/01/17	A Jensen, Tasmanian Living Magazine	Well wishes for launch of magazine and contact on island
08/02/17	Ratepayer	Re Citizenship ceremony (per staff)

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 Report
File No: DSV/0300
Annexure 2: Planner's Information Report – January 2017

B. GOVERNANCE

Item B1: Local Government of Tasmania (LGAT) General Meeting
File No: COU/0303
Annexure 3: LGAT General Meeting Agenda February 2017 (Elected Members only)
Annexure 4: LGAT General Meeting Attachments (Elected Members only)

Item B2: Public Question Time – Council Meeting Policy
File No: COU/0600, AME/0900
Annexure 5: DRAFT Public Question Time – Council Meetings Policy
Annexure 6: DRAFT Public Question Time – Council Meetings Procedure

Item B3: Councillor Resolution Report
File No: COU/0600
Annexure 7: Councillor Resolution Report February 2017

Meeting Closed

A. DEVELOPMENT SERVICES AND PLANNING APPLICATIONS

Item A1: Development Application Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Jacci Viney, Development Services Coordinator
FILE REFERENCE	DSV/0300
ASSOCIATED PAPERS	<i>Annexure 2: Planner's Information Report – January 2017</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 October as per the council motion 249.09.2015, passed at the 24th September 2015 Council Meeting.

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

Permitted applications are assessed under s58 of the *Land Use Planning and Approvals Act 1993* and as such are not advertised nor are the applicant's details made public. Applicants retain the right to privacy having met all development and use standards applicable within the current planning scheme. Applications made under this section must be granted a permit, with or without conditions.

The numbering of applications relates to the allocation provided by the 'Regulatory Applications' (RegApps) electronic filing system. Numbers are allocated in order to Planning (DA), Building (BA) and Plumbing (PA) applications. This may mean that planning numbers are not sequential.

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 2: Planner's Information Report – January 2017, provided by West Tamar Council.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Planner's Information Report for January 2017 be received.

DECISION:

B. GOVERNANCE

Item B1: Local Government of Tasmania (LGAT) General Meeting

ACTION	Information
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	COU/0303
ASSOCIATED PAPERS	<i>Annexure 3: LGAT General Meeting Agenda February 2017 (Elected Members only)</i> <i>Annexure 4: LGAT General Meeting Attachments (Elected Members only)</i>

INTRODUCTION:

The LGAT General Meeting will be held on the 17th February 2017. The meeting Agenda and attachments are provided for elected members as Annexures 3 & 4.

PREVIOUS COUNCIL CONSIDERATION:

Council considers the LGAT General Meeting Agenda at the Ordinary Council meeting prior to the LGAT General Meeting to allow Council to inform the Mayor of what position it wishes the Mayor to take in relation to voting on specific matters.

OFFICER'S REPORT:

There are two items for decision in the LGAT General Meeting Agenda that Council needs to consider and provide direction to the Mayor in relation to voting – motions 2.1 and 2.2. The agenda and attachments can be accessed at the LGAT website through the following link: <http://www.lgat.tas.gov.au/page.aspx?u=782#e1092>

STATUTORY REQUIREMENT:

Nil

POLICY/STRATEGIC IMPLICATIONS:

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

4.1 Remain actively engaged with internal and external stakeholders providing regional leadership.

BUDGET AND FINANCIAL IMPLICATIONS:

No known budget implications at this time.

RISK/LIABILITY:

Minimal

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council notes the 17th February 2017 Local Government of Tasmania General Meeting Agenda and attachments and provides the Mayor with direction in relation to items 2.1 and 2.2.

DECISION:

Item B2: Public Question Time – Council Meetings Policy and Procedure

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	COU/0600
ASSOCIATED PAPERS	<i>Annexure 5: DRAFT Public Question Time – Council Meetings Policy</i> <i>Annexure 6: DRAFT Public Question Time – Council Meetings Procedure</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:

12 July 1994	157.07.94
14 November 1995	205.11.95
13 December 2001	301.12.01
13 February 2003	127.02.03
08 September 2005	540.09.05
13 October 2005	601.10.05
20 May 2010	133.05.10
19 January 2012	18.01.2012
Council Workshop	2 nd February 2017

OFFICER'S REPORT:

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

The Public Question Time – Council Meetings Policy has been reviewed and updated. In keeping with best practice, the policy has been fine-tuned and a separate procedure has been developed that provides the guidelines by which the policy is to be executed.

STATUTORY REQUIREMENT:

Local Government Act 1993

Local Government (Meeting Procedures) Regulations 2015

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
4.4 Drive continuous improvement through a focus on customer service, community engagement, efficient systems and processes, innovation, capacity building and workforce development.

RISK/LIABILITY/COMMUNITY BENEFIT:

Adoption of this policy and ensuring that Management, Staff and Councillors are aware of and follow this policy will help increase the opportunity for formal access to the processes of Council, and reduce the risk to Council of adverse public perception of lack of transparency.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council adopts the Public Question Time - Council Meetings Policy and Procedure and allows them to lay on the table for 28 days for public comment.

DECISION:

Item D3: Councillor Resolution Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	COU/0600
ASSOCIATED PAPERS	<i>Annexure 7: Councillor Resolution Report February 2017</i>

INTRODUCTION:

This report identifies the actions taken and actual costs associated with implementing resolutions passed by elected members up to February 2017.

PREVIOUS COUNCIL CONSIDERATION:

The report is presented on a monthly basis.

OFFICER'S REPORT:

Please read Annexure 7 – Councillor Resolution Report February 2017.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Councillor Resolution Report February 2017 be noted.

DECISION:

Meeting Closed