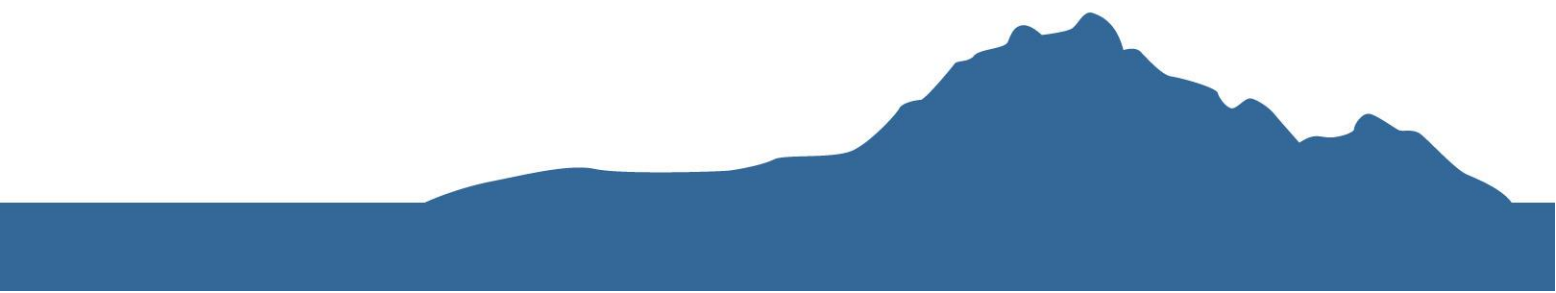




Agenda  
Ordinary Council Meeting  
20<sup>th</sup> July 2017



## 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 14<sup>th</sup> day of July 2017.

A handwritten signature in blue ink, appearing to be 'Bill Boehm', written on a light blue background.

Bill Boehm  
**GENERAL MANAGER**

# FLINDERS COUNCIL ORDINARY MEETING

## AGENDA

**DATE:** Thursday 20<sup>th</sup> July 2017  
**VENUE:** Flinders 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

Bill Boehm - General Manager  
Sophie Pitchford - Corporate Services Manager  
Jacci Viney - Development Services Coordinator  
Vicki Warden - Executive Officer (Minute Taker)

### CONFIRMATION OF MINUTES

That the Minutes from the Ordinary Council Meeting and the Closed Council Meeting held on the 15<sup>th</sup> June 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.*

## **RESPONSE TO PUBLIC QUESTIONS**

**15<sup>th</sup> June 2017 Council Meeting**

### **Question 1: Roy McCormick**

Is it possible to provide some type of public transport for residents to enable people to visit Whitemark easily?

#### **Mayor's Response**

This does not fall within Council's role. There has previously been a Community Bus on the Island for use by pensioners and other residents at a subsidised cost. Members of the health sector tried to keep this vehicle on the Island, however due to lack of use by Island residents it was removed to mainland Tasmania.

### **Question 2: Roy McCormick**

Is it possible to open the road to the wind turbines for public access to allow tourists to enjoy the view from that location?

#### **Mayor's Response**

I have spoken to a representative of Hydro Tasmania and have confirmed that the track is private, traversing private property that is not owned by Hydro and for security and legal reasons the track will not be opened to the public. There are other many and varied spectacular vistas already accessible to visitors and locals alike that we can promote.

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

### **Question 1: Cr David Williams**

*A question on insurance costs was received from Cr David Williams which has been referred to Closed Council as it is considered **CONFIDENTIAL** in accordance with Section 15(2) (b) and (c) of the Local Government (Meeting Procedures) Regulations 2015.*

### **Question 2: Cr Peter Rhodes**

What was the nature, extent and duration of the recent ICT (Information Communication and Technology) outage experienced by Flinders Council? What systems and processes were affected, what was the time frame for the full resolution of services and was the existing Continuity of Business (COB) Plan implemented to address this situation? If so, was the current COB Plan found to be fully adequate, or, if not, what lessons were learnt and what changes have been made to the COB plan as a result of the outage?

#### **General Manager's Response:**

Flinders Council experienced an outage of its telecommunications for three days as a result of the Telstra Junction Box failing. This problem could not be foreseen and it was ratified

promptly. The problem impacted the phones and internet which meant that we were not able to receive calls in, nor emails. The outage was deemed non-critical so Council managed the incident as business as usual. Measures were put in place to minimise the impact, the Community were informed of the situation, an alternative phone number was supplied and those who could work remotely did so to avoid disruption to their work plan. Staff were also able to access the internet via the Flinders Arts and Entertainment Centre's NBN wifi. As the incident was deemed non-critical, the COB Plan was adequate and no changes have resulted from the outage.

#### **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 29<sup>th</sup> June 2017

Council held a Workshop on the following subjects:

- Item 1 Accelerated Local Government Capital Program
- Item 2 Sale of Mann's Pitt
- Item 3 Footpath Crossover Upgrades – for discussion
- Item 4 2016-2017 Budget
- Item 5 General Manager's Update

#### Councillors Present:

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

#### Apologies:

Cr Peter Rhodes  
Cr David Williams

#### Staff Present:

Bill Boehm General Manager  
Diane Walsh Finance Officer (Item 4 only)

### Council Workshop held on 6<sup>th</sup> July 2017

Council held a Workshop on the following subjects:

- Item 6 Legal Aid Tasmania
- Item 7 Whitemark Gym
- Item 8 Housing
- Item 9 Local Government Capital Program & Long Term Asset Management Plan
- Item 10 Sale of Manns Pit
- Item 11 Code of Tenders and Contracts
- Item 12 Emergency Service Medal Nominations - 2018
- Item 13 Investment of loan money & reinvest interest
- Item 14 Flinders Island Tourism and Business Inc.
- Item 15 Rates Modelling
- Item 16 Venarchie Clearance Sale

#### Councillors Present:

Mayor Carol Cox  
Deputy Mayor Marc Cobham  
Cr Ken Stockton  
Cr Gerald Willis

**Apologies:**

Cr Chris Rhodes  
Cr Peter Rhodes  
Cr David Williams

**Staff and Consultants Present:**

Bill Boehm	General Manager
Vicki Warden	Executive Officer
David Heap	Rural Health Worker (Item 2 only)
Sophie Pitchford	Corporate Services Manager (Items 3, 4 & 8 only)
Robyn Cox	Strategic Planner (Items 3 – 5 only)
Mick Grimshaw	FITBI Executive (Item 9 only)
Jo Youl	FITBI Executive (Item 9 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 Workshops held on 29<sup>th</sup> June and 6<sup>th</sup> July 2017 be noted.

**DECISION:****PUBLIC MEETINGS**

Nil

**PUBLICATIONS/REPORTS TABLED FOR COUNCIL INFORMATION**

Nil

## REPORTS TO BE RECEIVED

### Lady Barron Hall and Recreational Special Committee

File No: AME/0503

**Annexure 1:** *Lady Barron Hall and Recreational Special Committee Meeting 16<sup>th</sup> May 2017 Unconfirmed Minutes*

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

The unconfirmed minutes of the Lady Barron Hall and Recreational Special Committee Meeting held Tuesday 16<sup>th</sup> May 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 Lady Barron Hall and Recreational Special Committee Meeting held Tuesday 16<sup>th</sup> May 2017 be noted.

#### DECISION:

### General Manager's Performance Review Committee

File No: PER/1500

**Annexure 2A:** *General Manager's Performance Review Committee Meeting 26<sup>th</sup> June 2017 Unconfirmed Minutes*

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

The unconfirmed minutes of the General Manager's Performance Review Committee Meeting held Monday 26<sup>th</sup> June 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 General Manager's Performance Review Committee Meeting held Monday 26<sup>th</sup> June 2017 be noted.

#### DECISION:

*The closed unconfirmed minutes of the General Manager's Performance Review Committee Closed Meeting held Monday 26<sup>th</sup> June 2017 have been referred to Closed Council as it is considered **CONFIDENTIAL** in accordance with Section 15(2) (a) of the Local Government (Meeting Procedures) Regulations 2015.*



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

**File No: AME/0502**

**Annexure 3:** *Furneaux (Emita) Hall and Recreation Ground Special Committee Meeting 20<sup>th</sup> June 2017 Unconfirmed Minutes*

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

The unconfirmed minutes of the Furneaux (Emita) Hall and Recreation Ground Special Committee Meeting held Tuesday 20<sup>th</sup> June 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 Furneaux (Emita) Hall and Recreation Ground Special Committee Meeting held Tuesday 20<sup>th</sup> June 2017 be noted.

**DECISION:**

## COUNCILLORS' REPORTS

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

File No: COU/0312

#### CORRESPONDENCE IN:

DATE	WHO	SUBJECT
05.06.2017	Simon Pilkington, Media Relations Officer, TasWater	Email with attached Media Alert advising of a media conference on 5 June 2017 plus a Media Release.
06.06.2017	Stephanie Watson, Communications Manager, Local Government Association of Tasmania	Media Release issued by David Downie, Chief Owner Representative.
13.06.2017	Ailsa Sypkes, General Manager, Legal and Governance, Taswater	Draft minutes of General Meeting of Owners' Representatives held 11 May 2017 plus copy of slides presented at the meeting.
22.06.2017	Katrena Stephenson, Chief Executive Officer, Local Government Association of Tasmania via Vicki Warden from Bill Boehm	Email requesting that copies of letters sent by the government to members of the community regarding TasWater be passed to Local Government Association.
07.07.2017	Christine Agostinelli, Executive Officer, Local Government Association of Tasmania.	Email with copy of email from Doug Chipman, President, Local Government Association sent to all councils, letter to Eastern Shore Sun by Doug Chipman as mayor of Clarence, article in The Mercury by Peter McGlone, a director of the Tasmanian Conservation Trust, and a fact sheet released by the 23 councils who do not support a Government takeover of TasWater.

#### RECOMMENDATION:

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

#### DECISION:

**ACTIVITIES:**

DATE	ITEM
25.05.17 - 14.06.17	Acting Mayor
14.06.17	Meeting with Mayor Cox (update and handover)
15.06.17	Council Meeting
16.06.17	Chair meeting with local and state Bio-Security staff and Jacci Viney
16.06.17	Phone call from community member re coastal erosion
19 - 20.06.17	Attended 2 day Domestic Violence community workshop
21.06.17	Attended "Access to Justice" meeting with Susie Winter (Legal Aid Tasmania) and John Loudon, Flinders Island Multi Purpose Centre
22.06.17	Meeting with Mayor Cox
29.06.17	Council Budget Workshop
03.07.17	Attended NAIDOC Week , exhibition opening, Whitemark
05.07.17	Telephone call from community member re James St, Whitemark
06.07.17	Council Workshop

**RECOMMENDATION:**

That the Deputy Mayor / Acting 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:**

15.06.17	Council meetings
16.06.17	Met with Dr Lloyd Klumpp, Rae Burrows, Phil Wood and John O'Dell regarding Biosecurity
16.06.17	Biosecurity Forum
24.06.17	Lions Changeover Dinner
25.06.17	Farewell for the Judges' family
26.06.17	General Manager's Performance Review Committee meeting
28.06.17	Flinders Island District High School (FIDHS) Symposium
29.06.17	Council Budget workshop
30.06.17	Flinders Island District High School Symposium
03.07.17	Flag raising at the Flinders Island Aboriginal Association Inc. Offices for NAIDOC week.
03.07.17	Furneaux Health Special Committee Meeting
03.07.17	Gallery exhibition opening
06.07.17	Council workshop

**Biosecurity Meeting:**

The General Manager, the Deputy Mayor and I met with Dr Lloyd Klumpp, General Manager, Biosecurity Tasmania, Rae Burrows, Director of Biosecurity - Operations Branch and Phil Wood, Communications Officer, Department of Primary Industries, Parks, Water and Environment (DPIPWE) and John O'Dell, Veterinary Officer (Animal Services), DPIPWE. The process for developing the local Biosecurity Plan was discussed as well as any issues that Council wanted to raise regarding biosecurity. Council representatives emphasised Council's view that there is a need for security of vet services on the Island to protect the valuable brand and to deal with any livestock issues as they arise.

**Biosecurity Forum:**

This advertised community event attracted twenty plus participants. The General Manager and I attended. Discussion was around identifying the greatest risks to the biosecurity of the Island in the form of weeds, pests, plant and animal disease. The forum was the first step in developing a Biosecurity Plan for Flinders. Attendees who declared an ongoing interest will be contacted further as the draft plan is developed.

### **FIDHS Symposium:**

A great coming together of community, students and school staff, who through a three day process, deliberated on the events that have brought us to this point in time and then identified the areas that we prioritised as needing work to take our school to where we would like it to be in 4 or so years' time.

One area that was identified as essential to improving educational opportunities was increased internet speeds to enable fluent digital contact for learning programs and interactions with the broader learning community.

Working groups were set up for each prioritised outcome and I have joined the group working on raising awareness with politicians and the like for improved telecommunications to enable fast internet speeds.

### **NAIDOC Week:**

The Flinders Island Aboriginal Association Inc. leads NAIDOC Week putting forward several events, sharing the indigenous arts with the broader community, especially the School Community. I, along with other community members and school students, attended the opening event, the flag raising, at the offices of the Flinders Island Aboriginal association Inc.

### **Lions Changeover Dinner:**

It is always a pleasure to attend this event, to welcome in the new president and committee and thank the outgoing president and committee for the work undertaken and the support quietly given to the more needy in our Community. Lions plays an important role in this Community, supporting those in sudden need due to unexpected emergencies, a role that at times in the past fell to the Council, but is much more fittingly undertaken by the Lions and other community groups.

### **CORRESPONDENCE IN:**

DATE	WHO	SUBJECT
07.06.17	C Featherstone, Australian Energy Market Operation	Reliability Emergency and Reserve Trader (RERT) information session
08.06.17	Stephanie Commons, Tasmanian Community Achievement Awards	Tasmanian Community Achievement Awards - Nominations are now open
08.06.17	Amanda Walsh, Department of State Growth	Series of Small Business Forums
13.06.17	Tyre Stewardship	Tyre Stewardship at the ALGA Conference
14.06.17	Senator Eric Abetz	Australia Day keep the date letter
19.06.17	Stephanie Watson, Local Government Association of Tasmania	Media Release - National State of the Regions Report Launched
20.06.17 & 21.06.17	Robert Gill, Swinburne University of Technology	Flinders tourist engagement campaign - Friendly Businesses - campaign idea from

DATE	WHO	SUBJECT
		Swinburne University
26.06.17	Hon Peter Gutwein MP, Minister for Planning	Preparation of the Local Planning Schedules
31.05.17	Peter Gutwein, Treasurer	Local provision schedules
02.06.17	Guy Barnett, Minister for Building and Construction	Asbestos Awareness and Education Campaign
06.06.17	Peter Gutwein, Treasurer	Accelerated Local Government Capital Program
06.06.17	Stuart Dwyer, Principal, FIDHS	Invitation to School Forum
16.06.17	Daniel Gillie, on behalf of Senator Jonathon Duniam	Invitation to Tasmanian Liberal Team function
26.06.17	Mayor Tony Foster, Brighton Council	Media Release - Minister representing vested interests, not community
26.06.17	Australia Bureau of Statistics	2016 Census data release tomorrow
26.06.17	Maree Tetlow, Northern Tasmania Development Corporation (NTDC)	Media Release: Investigations into Defence Precinct Confirmed
27.06.17	Andrew Lea, State Emergency Service	Emergency Service Medal Nominations - 2018
27.06.17	Mel Telfer, Furneaux (Emita) Hall Special Committee	Emita Hall Stage 2 upgrade
29.06.17	Katrena Stephenson, Local Government Association of Tasmania (LGAT)	Media Release - Local Government Welcomes Cat Management Plan
30.06.17	National Disability Insurance Agency	National Disability Insurance Scheme (NDIS) continues its rollout
03.07.17	Department of Health and Human Services	Meningococcal W Vaccination Program
06.07.17	Rosanna Lacorcica Community Affairs Manager - Tasmania nbn co	nbn increases Sky Muster satellite service wholesale data limits
06.07.17	Tasmanian Youth Government Association	Tasmanian Youth Local Government annual event
07.07.17	Sue Hickey, Lord Mayor, Hobart	Lobbying to change the date of Recognition of Australia Day
07.07.17	Juliet Mercer, TasWater	Notification of intended lifting of Lady Barron Boil Water Alert
10.07.17	John Pitt, NTDC	MOFA Festival - Potential Relocation to Launceston- Request for Endorsement of Approach

DATE	WHO	SUBJECT
11.07.17	Mayor Doug Chipman, LGAT	Update on our campaign against the State Government's proposed takeover of TasWater

#### **CORRESPONDENCE OUT:**

DATE	WHO	SUBJECT
19.06.17	J Clark	Ratification of community representation on Furneaux Community Health Special Committee
19.06.17	James McKee, UTAS	UTAS Symposium – higher education
22.06.17	Flinders Island State Emergency Service	Thank you after receiving Annual Report
20.06.17	Bill Boehm	Congratulations on continuation of contract
21.06.17	Robert Gill, Swinburne University of Technology	Flinders tourist engagement campaign - Friendly Businesses - campaign idea from Swinburne University
21.06.17	Jo Youl & Mick Grimshaw, The President & Secretary Flinders Island Tourism and Business Inc.	Flinders tourist engagement campaign - Friendly Businesses - campaign idea from Swinburne University
22.06.17	J Dick	Changes to structure of Audit Panel
22.06.17	D Droog	Changes to structure of Audit Panel
27.06.17	Mel Telfer	Emita Hall stage 2 upgrade
28.06.17	7 Flinders Island District High School students	Congratulations on winning the illuminate:nextgen Challenge for Tasmania 2017
30.06.2017	Senator the Hon Fiona Nash	resumption of indexation of FAGs and prepayment
30.06.2017	David Conn	Invitation to present at 03 August workshop on roadside spraying and Parramatta grass
05.07.2017	Rene Hidding Minister for Police, Fire and Emergency Management	Resignation of Ben Foot as Municipal Emergency Management Coordinator
11.07.2017	Roy McCormick	Answer to Public Question on public transport
11.07.17	John Pitt, NTDC	MOFA – Endorsement of Potential Relocation

#### **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 4:* *Planner's Information Report – June 2017*

### B. CORPORATE SERVICES

**Item B1:** Rates and Charges Policy  
**File No:** FIN/0701, FIN/1207  
*Annexure 5:* *Rates and Charges Policy – current*  
*Annexure 6:* *DRAFT Rates and Charges Policy - Amended*

**Item B2:** Rates Resolution for 2017-2018  
**File No:** FIN/0701

**Item B3:** Budget Estimates 2017/2018  
**File No:** FIN/0701  
*Annexure 7:* *DRAFT Budget Estimates 2017/2018*  
*Annexure 8:* *Budget Summary 2017/2018*

**Item B4:** Credit Card Policy  
**File No:** FIN/0502  
*Annexure 9:* *Credit Card Policy Submission*  
*Annexure 10:* *DRAFT Credit Card Procedures*

**Item B5:** Investment Policy  
**File No:** FIN/0501, ADM/0900  
*Annexure 11:* *Investment Policy*

### C. GOVERNANCE

**Item C1:** 2017/2018 Annual Plan  
**File No:** ADM/0200  
*Annexure 12:* *DRAFT Flinders Council Annual Plan 2017/2018*

**Item C2:** Use of the Flinders Council Common Seal  
**File No:** GOV/1000  
*Annexure 13:* *Common Seal Register 13.04.17 – 10.07.17*

**Item C3:** Public Interest Disclosure Procedures  
**File No:** LEG/0800  
*Annexure 14:* *Public Interest Disclosures Procedures for Flinders Council - Draft*



**Item C4:** Local Government of Tasmania (LGAT) Annual General Meeting and General Meeting

**File No:** COU/0303

*Annexure 15:* LGAT General Meeting Agenda July 2017

*Annexure 16:* LGAT General Meeting Attachments

*Annexure 17:* LGAT Annual General Meeting Agenda July 2017

*Annexure 18:* LGAT Annual General Meeting Attachments

**Item C5:** Council's 4<sup>th</sup> Quarterly Report

**File No:** COU/0600

*Annexure 19:* Council's 4<sup>th</sup> Quarterly Report (April - June 2017)

**Item C6:** Councillor Resolution Report

**File No:** COU/0600

*Annexure 20:* Councillor Resolution Report June 2017

## **D. CLOSED COUNCIL**

**Items D1** Closed Council Item

**File No:** WOR/0601, WAT/0102

**Item D2:** Closed Council Item

**File No:** PER/1500

*Annexure 21:* For Elected Members only

**Meeting Closed**

<b>A. DEVELOPMENT SERVICES AND PLANNING APPLICATIONS</b>
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**Item A1: Development Application Report**

<b>ACTION</b>	Information
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Jacci Viney, Development Services Coordinator
<b>FILE REFERENCE</b>	PLN/0105
<b>ASSOCIATED PAPERS</b>	<i>Annexure 4: Planner's Information Report - June 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 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.

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 4 - Planner's Information Report - June 2017, provided by West Tamar Council.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That the Planner's Information Report - June 2017 report be received.

**DECISION:**

<b>B. CORPORATE SERVICES</b>
------------------------------

**Item B1: Rates and Charges Policy**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Bill Boehm General Manager
<b>FILE REFERENCE</b>	FIN/0701, FIN/1207
<b>ASSOCIATED PAPERS</b>	<i>Annexure 5: Rates and Charges Policy – current Annexure 6: DRAFT Rates and Charges Policy - Amended</i>

**INTRODUCTION:**

In Tasmania, Council rates are a form of property tax levied by Local Government as the primary source of funding for the many mandatory and discretionary services that are provided. Rates are administered in line with the *Local Government Act 1993* (the Act), which allows some flexibility for each Council to make decisions that suit its local community.

Section 86B of the *Local Government Act 1993*, states each Council must prepare and adopt a Rates and Charges Policy by 31 August 2012 and review this at the end of each successive four-year period after this date.

For 2017/18 Council, has been subjected to a municipal wide revaluation by the Valuer General as part of a 6-year revaluation cycle. Given the resultant movements in property values and as part of a continuous improvement process, at the April 2017 Meeting of Council it was decided to undertake a thorough review of Council's rating system, the natural consequence of which means that a review of amending accompanying policy is required.

This report summarises this review and recommends the appropriate policy improvements via the attached policy ahead of putting forward resolutions for the 2017/18 Budget.

**PREVIOUS COUNCIL CONSIDERATION:**

26 July 2012	220.07.2012
23 October 2012	Letter from the Local Government Division of Premier and Cabinet raising aspect of a potential change in rating methodology
3 March 2016	Council Workshop - Presentation from the Local Government Division of Premier and Cabinet regarding a potential change in rating methodology
5 April 2017	Council Workshop -Rating Discussion Paper
20 April 2017	Council Meeting – The following resolutions were adopted

***95.04.2017 Moved: Cr G Willis Seconded: Cr D Williams***

*That in light of a council wide revaluation and subject to receiving and reviewing reports on rate comparison using AAV and CV and modelling the effects of a fixed charge*

*Council considers the following changes for the 2017/18 rating year:*

- (e) Abolition of a minimum rate to be replaced by a fixed charge per property assessment;*
- (f) Change from the AAV method of rating to Capital Value method;*
- (g) Remove waste levy as it is currently applied and incorporate this into the fixed charge and foreshadows that there may be a future introduction of a waste levy as a service charge for a kerbside waste collection.*

**CARRIED UNANIMOUSLY (7-0)**

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

**96.04.2017 Moved: Cr P Rhodes Seconded: Deputy Mayor M Cobham**

*That as part of the rates modelling for the 2017/18 year, the following aspects be considered:*

- (a) Review and introduction of differential rates per specific land use categories;*
- (b) Review and introduction of differential rates per specific locations for each island in the Furneaux Group and other locations that Council considers appropriate;*  
*Endeavour to ensure that the entire amount of any increase in rates associated with natural growth is delivered through rates modelling; and*
- (c) Review and benchmark our current level of rating*

2 June 2017	Council Workshop – Meeting with the Valuer General regarding new municipal wide valuations
29 June 2017	Council Budget Workshop
6 July 2017	Council Workshop

## **OFFICER'S REPORT:**

### **Background**

In preparation for and later as a result of the 2017/18 Council-wide revaluation undertaken by the Office of the Valuer General, a detailed best practice review was undertaken into the rating system that operated in the Municipality.

In part this action was promoted by the Local Government Division of Premier and Cabinet who has advised that the government supports a general industry move away from the use of Annual Value (AAV) towards a Capital Value (CV) system of rating. The general intent is that, once a majority of Councils have made the change to CV, AAV's will not be provided by the Office of the Valuer General. When this occurs, revaluation costs for all Councils will reduce.

Council has also received significant feedback questioning the fairness and application of certain aspects of our current rates system, particularly with respect to the Waste Levy, where lowly valued properties and vacant land are specifically affected as those ratepayers question the equity for perceiving to pay for Waste Management Infrastructure on the same basis as those that use the facilities to a greater extent. Council staff have had difficulty explaining AAV based rating and have had to resort to CV to explain how rates are calculated.

As a result, a Rating Information Paper was prepared and reviewed by Council in April 2017. This provided a sound basis to review all of the aspects under the Act associated with rating; for there are many options available. In addition, Council's current methodology which uses AAV, a Minimum Rate and a Waste Levy was compared against the principles of taxation which the Act uses to underpin Local Government rating (see s.86A of the Act).

From a "principle policy based perspective" the current system was seen as significantly inferior with some inequities and at the April 2017 Council Meeting, Council resolved, as indicated above, to examine detailed rate modeling and examine the effects for a variety of options. These included comparing AAV and CV modeling with a minimum and fixed charge, use of differential rating for land use and island locations and the potential removal / repositioning of the Waste Levy. Benchmarking with other Councils was also commissioned.

### **Review Findings**

This work was undertaken and reports examined and discussed in detail at two subsequent Council Workshops. Key aspects included the following:

- (a) There are many factors in play such that rates modelling has and will invariably throw up changes at a revaluation, some major and some minor both up and down reinforcing the current timing of a thorough review.
- (b) Flinders has a very small rates base and a large operational deficit and additional rates associated with additional properties and new developments and extensions that have arisen since the start of the previous financial year represent "natural growth" is of particular significance.
- (c) Under the Act rates are a form of taxation - not a 'fee for service'. As such there are a number of principles of taxation that need to be considered. These include the following:
  - The Capacity to Pay Principle broadly measured by a property's valuation.
  - The Benefit Principle which identifies that all ratepayers, regardless of valuation, receive some benefit from the services provided by Council on an equal basis. The Fixed Charge component of the rate reflects this.
  - The User Pays Principle which is virtually he who uses pays. A waste collection service, if offered in the future, would be such an example.
- (d) CV is viewed as more truly representative of a ratepayer's capacity to pay under the Act, unlike AAV, which is essentially a theoretical rental value. There are also no distortions due to artificial minimum caps imposed under AAV and the data that underpins the valuation is more transparent. Being much easier to explain to ratepayers is an advantage and this change would be in line with the State Government's desires to eventually eliminate AAV and thereby reduce Council's revaluation costs.
- (e) From an equity or fairness consideration, the use of a Fixed Charge is preferable to a Minimum Rate. A Minimum Rate arbitrarily assigns a minimum amount to a property but it only applies to a percentage of properties as determined under the Act whereas a fixed charge treats everyone the same to a certain extent; all rate paying properties are considered to derive similar benefit from all of the services and activities of Council.
- (f) The previous and not well liked Waste Levy was applied to all properties and was set at levels that coincided with the costs to operate waste management facilities. As there was no waste collection component this element was not included.

It however had no regard to the fact that each property's waste management needs varied yet they were charged the same amount. Effectively it acted like a Fixed Charge except that unlike a Fixed Charge it applied at a 100% level rather than the much lower cap that is required to be met for a Fixed Charge under the Act. It was also considered unfairly landed on lower valued properties, especially those on a minimum rate. An important consideration is the waste levy did not recover all of the medium and long term operational costs for waste management and, if retained and applied in its current form, retention would have invariably meant significant increases in waste levy costs thereby compounding the situation.

- (g) As previously indicated and highlighted by the Office of the Valuer General, AAV tends to hit higher on commercial properties and when CV is applied there can be a significant redistribution. The redistribution is not also equal with some types of properties tending to have significant higher AAV's as a percentage of their CV; which in reality was found to be difficult to justify. Use of an increased commercial differential was identified as a legitimate option.
- (h) In reviewing the sea access issues associated with the outer islands it was considered that Cape Barren Island warranted some consideration as they provide some of the traditional municipal services at their own cost.
- (i) Benchmarking with King Island and other Northern Tasmanian Councils also indicated that by and large rates on Flinders were on average around levels set elsewhere with a few exceptions as follows:
  - higher for vacant land and in the residential sector;
  - lower in the primary production sector; and
  - where there are separate waste infrastructure charges, Flinders was inordinately high.

### **Summary**

Dealing with the effects of the vagaries of a revaluation as well as a change in methodology is always a challenge but as indicated above moving to CV based rating with a Fixed Charge, eliminating the waste levy and introducing differential rating has a number of upsides namely:

- (i) significantly improving equity and fairness along sound policy lines;
- (ii) facilitating the growth of the rates base naturally and fairly at a greater rate than would otherwise be the case;
- (iii) changing to CV based rating will be welcome by the State Government and supports the push for reduced valuation costs; and
- (iv) providing the Council with more direct influence in the rates distribution through the use of differential rating.

### **Legal Implications**

Sections 86A and 86B of the *Local Government Act 1993* (Act) impose the requirement for Council to adopt, and periodically review, a Rates and Charges Policy (Rates Policy).

Section 86B(2) prescribes certain matters that Council's Rates Policy is required to contain. Those matters are:

- (a) a statement of the policy that the council intends to apply in exercising its powers, or performing its functions, under Part 9 of the Act; and

- (b) a statement of policy in respect of prescribed matters, if any.

Currently, there are no 'prescribed matters' for the purposes of paragraph (b) above.

In addition to the requirements of s.86B(2), s.86A(1) sets out principles that Council is required to take into account when it adopts policies and makes decisions concerning the making or varying of rates. Those principles are:

- (a) rates constitute taxation for the purposes of local government, rather than a fee for a service; and
- (b) the value of rateable land is an indicator of the capacity of the ratepayer in respect of that land to pay rates.

The current impetus to review and amend Council's Rates Policy stems from the fact that:

1. Council proposed to adjust the composition of its current general rate for the 2017/2018 rating year; and
2. S.86B(4) requires Council to review its Rates Policy at the same as, or before, making an adjustment of this nature.
3. The Rates and Charges Policy must be reviewed at least every 4 years from 31 August 2012.

Section 86B(5) of the Act requires the Council, as soon as practicable after adopting or altering its Rates and Charges Policy, to make available copies of the policy as so adopted or altered to the public. This is the substantive legislative requirement.

Against that background, I have had the draft revised Rates Policy externally reviewed by Council's legal advisors but also in relation to Council's G4 – Council Policy Manual Policy.

In essence, Policy G4 divides the creation of new policies (or the amendment of existing policies) into a two-stage process which involves a 28-day public consultation feedback.

The process is as follows:

1. the new or amended policy is placed before Council and, if approved, it is placed on public exhibition for 28 days and members of the public are able to make comment;
2. if no comments are received, the new or amended policy is taken to be adopted and brought into force; however
3. if comments are received, the new or amended policy along with the comments are placed before Council for further consideration.

This policy is entirely of Council's making - it is not a requirement of any legislation or other instrument which governs Council's behavior.

Accordingly, it is open to Council to make exceptions for the application of the Policy if the circumstances warrant it.

In the case of Council's required 2017/2018 Rates Resolution:

- (a) the changes to Council's general rate, etc. require amendments to Council's Rates and Charges Policy;
- (b) the changes could not have been undertaken earlier due to the extensive and in depth analysis of the principles and impacts that the Council undertook; and
- (c) these amendments must be adopted before or at the same time as Council makes its 2017/2018 Rates Resolution.

In light of the timeframe restrictions on making the rates for the 2017/2018 financial year, if the amendments to the Rates and Charges Policy are publicly exhibited in accordance with Council's Policy G4, this would likely require Council to hold a special meeting in late August 2017. This is not an ideal outcome.

Accordingly, it is open to the Councillors to dispense with compliance with Council's Policy G4 in the interests of making Council's 2017/2018 Rates Resolution at the ordinary meeting in either July or August (but no later than 31 August 2017).

In this instance the policy itself is only required to put into legal effect a proposed budget decision which itself is a core responsibility on behalf of the Community.

Moving forward, it has also been suggested that Council dispense with Council Policy G4 and simply put new or amended Council policies out for public consultation on a case by case basis as the circumstances dictate. This is one of those circumstances as the rationale and transparent nature of the work undertaken over a long time and more particularly over the past 4 months is there for all to see.

The amended F6 Rates and Charges Policy is attached as Annexure 6. Upon adoption, it will apply for a 4-year period unless there are circumstances such as introduction of new differential rates, as envisaged under The Act, that warrant its amendment.

#### **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.
    - 4.3.12 Annual budget estimates and reviews.

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

Adoption of this policy provides the legislative framework to make the required rates resolutions to raise the necessary funds for the implementation of the Annual Plan 2017-18 and to achieve Council's strategic outcomes detailed in Council's Strategic Plan and Annual Budget.

Should this policy and accompanying resolutions not be passed by 31 August 2017, then there will be a delay in sending out rates notices and as a result ratepayers will have a reduced period by which to pay the first rates installment. Delaying those ratepayers who normally pay their



rates ahead of the due date from being unable to do so will likely have some potential minor effects in cashflow, and hence loss of interest.

**RISK/LIABILITY:**

Moderate to High.

Maintaining Council in a sound financial position is a critical and prime function of a Council. Failure to be financially accountable has significant implications for Council. The Rates methodology investigated and upgraded has a significant impact on the financial operations of the Council. Having a sound policy-based position enhances Councils credibility. From a community and political perspective given the 6-year revaluation cycle such a major review should only be implemented at a time of a major revaluation. Failure to act now would effectively postpone improvements in policy considerations for 6 years.

Should this policy and accompanying resolutions not be passed by 31 August 2017 then Council will be in breach of the Act which has serious consequences for the Council. This is likely to be viewed in a negative light by the Local Government Division of Premier and Cabinet Department, and potentially the Minister, especially as the delay would have been caused by Council's internal practices which are an additional layer to the normal decision making process under the Act and to which Council is in sole control of.

Delay will also impact ratepayers who will have a reduced period by which to pay the first rates installment and claim, if they wish to do so, a discount on their rates.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATIONS:**

That in accordance with the provisions of the *Local Government Act 1993*, the Flinders Council hereby adopts F6 Rates and Charges Policy as attached (Annexure 6) and that it remains in force unless it is required to be amended under provisions of the *Local Government Act 1993*.

**DECISION:**

**Item B2: Rates Resolution for 2017-2018**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Bill Boehm, General Manager
<b>FILE REFERENCE</b>	FIN/0701
<b>ASSOCIATED PAPERS</b>	<i>Nil</i>

**INTRODUCTION:**

Section 82 of the *Local Government Act 1993*, requires the General Manager to prepare Budget Estimates of the Council's revenue and expenditure for each financial year.

As part of these Budget Estimates and pursuant to Section 90 of the *Local Government Act 1993* (the Act), Council can raise rates on all rateable land (excluding land which is exempt) within the Flinders Municipality. The Act provides a range of options for Council to consider.

For 2017/18, Council has been subjected to a municipal-wide revaluation by the Valuer General as part of a 6-year revaluation cycle. Given the resultant movements in property values and as part of a continuous improvement process at the April 2017 meeting of Council, it was decided to undertake a thorough review of Council's rating system.

This report summarises this review, recommends appropriate policy improvements and puts forward resolutions for the 2017/18 Budget.

**PREVIOUS COUNCIL CONSIDERATION:**

23 October 2012	Letter from the Local Government Division of Premier and Cabinet raising aspect of a potential change in rating methodology
3 March 2016	Council Workshop - Presentation from the Local Government Division of Premier and Cabinet regarding a potential change in rating methodology
5 April 2017	Council Workshop - Rating Discussion Paper
20 April 2017	Council Meeting - The following resolutions were adopted

***95.04.2017 Moved: Cr G Willis Seconded: Cr D Williams***

*That in light of a council wide revaluation and subject to receiving and reviewing reports on rate comparison using AAV and CV and modelling the effects of a fixed charge Council considers the following changes for the 2017/18 rating year:*

- (h) Abolition of a minimum rate to be replaced by a fixed charge per property assessment;*
- (i) Change from the AAV method of rating to Capital Value method;*
- (j) Remove waste levy as it is currently applied and incorporate this into the fixed charge and foreshadows that there may be a future introduction of a waste levy as a service charge for a kerbside waste collection.*

***CARRIED UNANIMOUSLY (7-0)***

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

**96.04.2017 Moved: Cr P Rhodes Seconded: Deputy Mayor M Cobham**

*That as part of the rates modelling for the 2017/18 year, the following aspects be considered:*

- (d) Review and introduction of differential rates per specific land use categories;*
- (e) Review and introduction of differential rates per specific locations for each island in the Furneaux Group and other locations that Council considers appropriate;  
Endeavour to ensure that the entire amount of any increase in rates associated with natural growth is delivered through rates modelling; and*
- (f) Review and benchmark our current level of rating*

2 June 2017	Council Workshop – Meeting with the Valuer General regarding new municipal-wide valuations
29 June 2017	Council Budget Workshop
6 July 2017	Council Workshop

**OFFICER'S REPORT:**

In preparation for and later as a result of the 2017/18 Council-wide revaluation undertaken by the Office of the Valuer General, a detailed best practice review was undertaken into the rating system that operated in the Municipality.

In part this action was promoted by the Local Government Division of Premier and Cabinet who have advised that the government supports a general industry move away from the use of Annual Value (AAV) towards a Capital Value (CV) system of rating. The general intent is that, once a majority of Councils have made the change to CV, AAV's will not be provided by the Office of the Valuer General. When this occurs, revaluation costs for all Councils will reduce.

Council has also received significant feedback questioning the fairness and application of certain aspects of our current rates system, particularly with respect to the Waste Levy, where lowly valued properties and vacant land are specifically affected as those ratepayers question the equity for perceiving to pay for Waste Management Infrastructure on the same basis as those that use the facilities to a greater extent. Council staff have had difficulty explaining AAV based rating and have had to resort to CV to explain how rates are calculated.

As a result, a Rating Information Paper was prepared and reviewed by Council in April 2017. This provided a sound basis to review all of the aspects under the Act associated with rating, for there are many options available. In addition, Council's current methodology which uses AAV, a Minimum Rate and a Waste Levy, was compared against the principles of taxation which the Act uses to underpin Local Government rating (see s.86A of the Act).

From a "principle policy based perspective", the current system was seen as significantly inferior with some inequities and at the April 2017 Council Meeting Council resolved, as indicated above, to examine detailed rate modeling and examine the effects for a variety of options. These included comparing AAV and CV modeling with a minimum and fixed charge, use of differential rating for land use and island locations and the potential removal / repositioning of the Waste Levy. Benchmarking with other Councils was also commissioned.

## Review Findings

This work was undertaken and reports examined and discussed in detail at two subsequent workshops within the context of a potential rate increase to fund the 2017/18 Budget. Key aspects included the following:

- (a) There are many factors in play such that rates modelling have and will invariably throw up changes at a revaluation, some major and some minor both up and down reinforcing the current timing of a thorough review.
- (b) Flinders has a very small rate base and a large operational deficit and additional rates associated with additional properties and new developments and extensions that have arisen since the start of the previous financial year represent “natural growth” and is of particular significance.
- (c) Under the Act rates are a form of taxation - not a ‘fee for service’. As such there are a number of principles of taxation that need to be considered. These include the following:
  - The Capacity to Pay Principle broadly measured by a property’s valuation.
  - The Benefit Principle which identifies that all ratepayers, regardless of valuation, receive some benefit from the services provided by Council on an equal basis. The Fixed Charge component of the rate reflects this.
  - The User Pays Principle which is virtually he who uses pays. A waste collection service, if offered in the future, would be such an example.
- (d) CV is viewed as more truly representative of a ratepayer’s capacity to pay under the Act, unlike AAV, which is essentially a theoretical rental value. There are also no distortions due to artificial minimum caps imposed under AAV and the data that underpins the valuation is more transparent. Being much easier to explain to ratepayers is an advantage and this change would be in line with the State Government’s desires to eventually eliminate AAV and thereby reduce Council’s revaluation costs.
- (e) From an equity or fairness consideration, the use of a Fixed Charge is preferable to a Minimum Rate. A Minimum Rate arbitrarily assigns a minimum amount to a property but it only applies to a percentage of properties as determined under the Act whereas a fixed charge treats everyone the same to a certain extent; all ratepaying properties are considered to derive similar benefit from all of the services and activities of Council.
- (f) The previous and not well liked Waste Levy was applied to all properties and was set at levels that coincided with the costs to operate waste management facilities. As there was no waste collection component this element was not included.

It however had no regard to the fact that each property’s waste management needs varied yet they were charged the same amount. Effectively it acted like a Fixed Charge except that unlike a Fixed Charge it applied at a 100% level rather than the much lower cap that is required to be met for a Fixed Charge under the Act. It was also considered unfairly landed on lower valued properties, especially those on a minimum rate. An important consideration is the waste levy did not recover all of the medium and long term operational costs for waste management and, if retained and applied in its current

form, retention would have invariably meant significant increases in waste levy costs thereby compounding the situation.

- (g) As previously indicated and highlighted by the Office of the Valuer General, AAV tends to hit higher on commercial properties and when CV is applied there can be a significant redistribution. The redistribution is not also equal with some types of properties tending to have significant higher AAV's as a percentage of their CV; which in reality was found to be difficult to justify. Use of an increased commercial differential was identified as a legitimate option.
- (h) In reviewing the sea access issues associated with the outer islands it was considered that Cape Barren Island warranted some consideration as they provide some of the traditional municipal services at their own cost.
- (i) Benchmarking with King Island and other Northern Tasmanian Councils also indicated that by and large rates on Flinders were on average around levels set elsewhere with a few exceptions as follows:
  - higher for vacant land and in the residential sector;
  - lower in the primary production sector; and
  - where there are separate waste infrastructure charges Flinders was inordinately high.

### **Summary**

Dealing with the effects of the vagaries of a revaluation as well as a change in methodology is always a challenge and in this respect a snapshot of rates modelling has been included in the proposed budget, but as indicated above, moving to CV based rating with a Fixed Charge, eliminating the waste levy and introducing differential rating has a number of upsides namely:

- (i) significantly improving equity and fairness along sound policy lines;
- (ii) facilitating the growth of the rates base naturally and fairly at a greater rate than would otherwise be the case;
- (iii) changing to CV based rating will be welcome by the State Government and supports the push for reduced valuation costs; and
- (iv) providing the Council with more direct influence in the rates distribution through the use of differential rating.

### **Budget and Rating Resolution Highlights**

The budget and accompanying rates resolution includes the following highlights:

#### Rate Increase

Budget and rating has been set with an increase in rates by an amount, excluding natural growth, of 3.5%. Rates for individual properties will naturally be affected by changes to property valuation (some went up and others went down) plus the level of valuation and changes via the rating system.

#### Waste Management

The removal of the waste levy for infrastructure is unlikely to return for the reasons stated but as part of a current Waste Management Review, Council is looking at the possibility of introducing a new kerbside waste and recycling collection service in the future.

This process will also involve significant community consultation but if a future new service was introduced then, like most other Councils, a separate 'user pays' waste collection charge may result.

If introduced, a 'user pays' charge would only apply to those properties that are actually provided with the service.

#### General Rates

Following modelling the general rate has been varied with a higher differential applying for commercial properties with slight reductions for residential land uses and at Cape Barren Island. The \$350 Fixed Charge component represents around 27% of the General Rates levied, well within the 50% limit imposed by the Act.

#### Fire Services Contribution

Pursuant to the *Fire Service Act 1979*, Council is required to collect funds for firefighting services throughout the State. S.93A of the Act grants Council the power to make one or more service rates for the purpose of collecting those funds. The amount generated, less legislated collection costs, will be forwarded to the State Fire Commission who has indicated that the minimum levy will be \$39 per assessment.

#### **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.
    - 4.3.23 Create annual rates invoice, supplementary valuations and annual adjustment factors processed.

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

Adoption of this policy provides the legislative framework to make the required rates resolutions to raise the necessary funds for the implementation of the Annual Plan 2017-18 and to achieve Council's strategic outcomes detailed in Council's Strategic Plan and Annual Budget.

Should this policy and accompanying resolutions not be passed by 31 August 2017, then there will be a delay in sending out rates notices and as a result ratepayers will have a reduced period by which to pay the first rates installment. Delaying those ratepayers who normally pay their rates ahead of the due date from being unable to do so will likely have some potential minor effects in cashflow, and hence loss of interest.

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

Maintaining Council in a sound financial position is a critical function of Council. Failure to be financially accountable has significant implications for Council. The Rates methodology adopted has a significant impact on the financial operations of the Council and having a sound policy-based position enhances Council's credibility. From a community and political perspective given the 6-year revaluation cycle such a major review should only be

implemented at a time of a major revaluation. Failure to act now would effectively postpone improvements in policy considerations for 6 years.

Moderate to High.

Maintaining Council in a sound financial position is a critical and prime function of a Council. Failure to be financially accountable has significant implications for Council. The Rates methodology investigated and upgraded has a significant impact on the financial operations of the Council. Having a sound policy-based position enhances Councils credibility. From a community and political perspective given the 6-year revaluation cycle such a major review should only be implemented at a time of a major revaluation. Failure to act now would effectively postpone improvements in policy considerations for 6 years.

Should the resolutions not be passed by 31 August 2017 then Council will be in breach of the Act which has serious consequences for the Council. This is likely to be viewed in a negative light by the Local Government Division of Premier and Cabinet Department, and potentially the Minister, especially as the delay would have been caused by Council's internal practices which are additional to the normal decision-making processes under the Act and to which Council is in sole control of.

Delay will also impact ratepayers who will have a reduced period by which to pay the first rates installment and claim, if they wish to do so, a discount on their rates.

#### **VOTING REQUIREMENTS:**

Absolute Majority

#### **OFFICER'S RECOMMENDATIONS:**

That in accordance with the provisions of the *Local Government Act* 1993, the Flinders Council hereby makes the following rates and charges for the period commencing 1 July 2017 ending 30 June 2018:

### **1. Definitions & Interpretations**

- (a) 'Act' means the *Local Government Act* 1993;
- (b) 'Council' means the Flinders Council;
- (c) 'land' has the meaning given to that term in section 86 of the Act;
- (d) 'Municipal Area' means the municipal area of the Council as defined in section 3 of the Act; and
- (e) 'rateable land' means all land excepting land exempt by operation of section 87(1) of the Act.

### **2. General Rates & Variations**

2.1. Pursuant to sections 90 and 91 of the Act, Council makes the following two-component general rate for all rateable land within the Municipal Area for the financial year commencing on 1 July 2017 and ending on 30 June 2018:

- (a) a rate of **0.35830** cents in the dollar of Capital Value; and
- (b) a Fixed Charge in the amount of **\$350**.

- 2.2. Pursuant to section 107(1) of the Act, Council hereby varies the general rate (as previously made) according to one or more of the following factors:
- (a) the use or predominant use of the land;
  - (b) the non-use of land;
  - (c) the locality of the land;
  - (d) the prescribed factor of Land Use Codes pursuant to r.33(c) of the *Local Government (General) Regulations 2015*,
- in accordance with the following Variation Table:

### VARIATION TABLE

Locality	Use/Non-use/Land Use Codes	Variation
Flinders Island Bass Strait Islands	Non-Vacant Commercial Purposes	The rate of 0.35830 is increased to <b>0.422960</b> cents in the dollar of Capital Value
Flinders Island Bass Strait Islands	Non-Vacant Residential Purposes	The rate of 0.35830 is reduced to <b>0.343968</b> cents in the dollar of Capital Value
Cape Barren Island	Non-Vacant Commercial Purposes	The rate of 0.35830 is increased to <b>0.39413</b> cents in the dollar of Capital Value
Cape Barren Island	Non-Vacant Residential Purposes	The rate of 0.35830 is reduced to <b>0.308138</b> cents in the dollar of Capital Value
Cape Barren Island	Non-Vacant Community Services Non-Vacant Industrial Purposes Non-Vacant Other Non-Vacant Primary Production Purposes Primary Production Purposes Vacant Commercial Purposes Vacant Industrial Purposes Vacant Residential Purposes	The rate of 0.35830 is reduced to <b>0.32247</b> cents in the dollar of Capital Value

### 3 Fire Service Contribution

- 3.1 Pursuant to Section 81 of the *Fire Service Act 1979* and Section 93A of the Act, for the period commencing 1 July 2017 and ending 30 June 2018 Council hereby makes the following service rate for the purposes of collecting the fire service contribution from all rateable land in the Municipal Area:
- (a) a rate of **0.349865** cents in the dollar of Assessed Annual Value with a minimum amount payable of **\$39.00**.



#### **4 Separate Land**

- 4.1 For the purposes of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*.

#### **5 Adjusted Values**

- 5.1 For the purposes of each of these resolutions any reference to Capital Value and Assessed Annual Value includes a reference to that value as may be adjusted pursuant to section 89 of the Act.

#### **6 Payment of Rates & Charges**

- 6.1 Pursuant to section 124 of the Act, the rates and charges as set out in parts 2 and 3 of this resolution will be payable in two instalments with the following payment schedule:
- (a) the first instalment must be made on or before the 20<sup>th</sup> day of October 2017; and
  - (b) the second instalment must be made on or before the 23<sup>rd</sup> day of February 2018.
- 6.2 Where a ratepayer fails to pay any instalment within 21 days of the date on which the rates are due, the Council may require the ratepayer to pay the full amount owing for the financial year.
- 6.3 Pursuant to section 128 of the Act, if any rate or instalment is not paid on or before the date it falls due for payment Council imposes the following penalties:
- (a) a penalty of 10% of the amount of the unpaid rate or instalment; and
  - (b) a daily interest charge of 8.4% per annum in respect of the relevant outstanding amount.
- 6.4 Pursuant to section 130 of the Act, Council offers to all ratepayers a discount of 2% if the rates and charges specified in the rates notice for the full financial year are paid by one payment on or before the 20<sup>th</sup> October 2017.

#### **DECISION:**

**Item B3: Budget Estimates 2017/2018**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Sophie Pitchford, Corporate Services Manager
<b>FILE REFERENCE</b>	FIN/0701
<b>ASSOCIATED PAPERS</b>	<i>Annexure 7: DRAFT Budget Estimates 2017/2018</i> <i>Annexure 8: Budget Summary 2017/2018</i>

**INTRODUCTION:**

Section 82 of the *Local Government Act 1993* (the Act), requires Council to prepare Budget Estimates of the Council's revenue and expenditure for each financial year.

The Budget Estimates are to contain details of the following information:

- the estimated Revenue of the Council;
- the estimated Expenditure of the Council;
- the estimated Borrowings by the Council;
- the estimated Capital Works of the Council; and
- any other details required by the Minister.

In accordance with the Act the Budget Estimates must be adopted by Council before 31<sup>st</sup> August each year, but cannot be adopted more than one month before the start of the financial year to which they relate.

**PREVIOUS COUNCIL CONSIDERATION:**

Budget Workshops: 9<sup>th</sup> May & 29<sup>th</sup> June

**OFFICER'S REPORT:**

The 2017/18 Budget has been developed in line with Council's Long Term Financial Plan which is critical if Council is to maintain sustainable and compliant service delivery and asset standards to the Community.

While operational outputs are proposed to increase, Council has offset some of these costs through efficiency measures and changes to outsourcing and contractor arrangements.

Council has budgeted for a total deficit of \$1,506,624 after taking into account Capital Grants & Contributions. The budgeted deficit includes a \$1,443,255 provision for depreciation and a \$1,565,305 Capital Works Program. This is in line with Council's continued push to increase its asset renewal ratio and invest in the upgrade and maintenance of its capital assets.

Council's budgeted deficit has significantly been affected by the prepayment of the Financial Assistance Grant (FAG) funding of \$667,861 in 2016/2017.

Within the 2017/2018 Budget Estimates the following have been established under legislative requirements or listed to provide further detail of their components:

### Capital Works Program

This budget provides for expenditure on Capital Works projects with a program totalling \$1,565,305. The following major projects of significance will be commenced and/or completed during the 2017-2018 financial year:

PROJECT NAME	ESTIMATE \$
Road Reseals	314,963
Road Re-sheeting	214,450
Bridge Guard Rails	145,000
Town Maintenance	446,892
Footpath Program – Inc. West & Barr St	60,000

Council has identified a number of key projects below the Capital Works Program. These projects either have not been confirmed or the costs are unknown at the time of setting the annual budget.

### Commonwealth Grants

Council continues to direct attention towards improving its share of the Commonwealth Financial Assistance Grants available to Tasmanian Councils and has persisted with its request for the State Grants Commission to review the various disability factors, which form part of our assessment.

The amount budgeted for the year 2017/2018 is \$667,861 which represents only six months of Council's allocation due to the prepayment of the other six months in 2016/17. The funding includes a CPI increase which had previously been frozen by the Federal Government. This will be apportioned as follows:-

CATEGORY	AMOUNT \$
Road / Bridge Funds	357,696
General Purpose Funds	310,165

### Conclusion

I now submit the Budget Estimates 2017/2018 for consideration and adoption by Council.

### 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.
    - 4.3.12 Annual budget estimates and reviews.

### BUDGET AND FINANCIAL IMPLICATIONS:

The adoption of these Budget Estimates provides the necessary funds for the implementation of the proposed Annual Plan 2017-18 and to achieve Council's strategic outcomes detailed in Council's draft Strategic Plan.

**RISK/LIABILITY:**

Maintaining Council in a sound financial position is a critical function of Council. Failure to be financially accountable has significant implications for Council.

**VOTING REQUIREMENTS:**

Absolute Majority

**OFFICER'S RECOMMENDATIONS:**

That in accordance with the provisions of Section 82 of the *Local Government Act 1993*, the Budget Estimates for the Financial Year 1 July 2017 to 30 June 2018 be adopted.

**DECISION:**

**Item B4: Credit Card 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/0502
<b>ASSOCIATED PAPERS</b>	<i>Annexure 9: Credit Card Policy Submission</i> <i>Annexure 10: DRAFT Credit Card Procedures</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:**

308.08.09	20 <sup>th</sup> August 2009
172.06.15	18 <sup>th</sup> June 2015
Council Workshop	5 <sup>th</sup> May 2017
119.05.2017	15 <sup>th</sup> June 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 Credit Card Policy was reviewed and updated in accordance with the recent audit conducted by the Tasmanian Audit Office. The policy was adopted by Council at the 18<sup>th</sup> May 2017 Ordinary Council Meeting and allowed to lie on the table for public comment until the 22<sup>nd</sup> June 2017. During the public consultation period, one submission was received with suggested changes to the policy (Annexure 9) which is now presented to Council for consideration.

In keeping with best practice a separate procedure has been developed to provide the guidelines by which the policy is to be executed. This is also presented to Council for consideration (Annexure 10).

**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.

**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 considers the submission on the Credit Card Policy and the newly drafted Credit Card Procedures with the view to adopting same.

**DECISION:**

**Item B5: 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 11: 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
10 <sup>th</sup> September 2015	Councillor Workshop
11 <sup>th</sup> November 2015	Councillor Workshop
24 <sup>th</sup> November 2015	314.11.2015
21 <sup>st</sup> January 2016	04.01.2016
17 March 2016	51.03.2016
1 <sup>st</sup> June 2017	Councillor Workshop
6 <sup>th</sup> July 2017	Councillor Workshop

**OFFICER'S REPORT:**

After extensive discussions with Council's Investment Adviser, in order to devise the optimum strategy and asset allocation for Council to achieve the desired returns, a number of changes to the current policy have been suggested.

As it stands, the clause under Section 5. Prohibited Investments, Item C., eliminates the use of any managed fund investments which use derivatives. 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.

To allow for the use of derivatives, but only special types of instruments and only in certain circumstances, changes have been made in the Investment Policy.

In addition to the inclusion of derivatives, Council's investments would be better served if the interest was re-invested when it falls due, in order to take advantage of the compounding effect.

The revised investment policy will allow Council to invest funds into 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 agrees to re-invest interest as and when it falls due.

**DECISION:**



<b>C. GOVERNANCE</b>
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**Item C1: 2017/2018 Annual Plan**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Bill Boehm, General Manager
<b>FILE REFERENCE</b>	ADM/0200
<b>ASSOCIATED PAPERS</b>	<i>Annexure 12: DRAFT Flinders Council Annual Plan 2017/2018</i>

**INTRODUCTION:**

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

**PREVIOUS COUNCIL CONSIDERATION:**

Annually

**OFFICER'S REPORT:**

The Annual Plan is the document upon which Council's operations and service delivery will be based for 2017/2018. The Plan sets out actions, tasks and projects to be undertaken in the year ahead and how these relate to Council's Strategic Plan.

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

The 2017/2018 year will see Council continue to provide cost-effective and community-focused service provision combined with the development and implementation of important strategic documents to guide the Council, Community and service provision in the years ahead.

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

Adoption of the Annual Plan is recommended.

**STATUTORY REQUIREMENT:**

*Local Government Act 1993*

**POLICY/STRATEGIC IMPLICATIONS:**

4. Strategic, Efficient and Effective Organisation

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

4.3.3 Annual Plans and Reports prepared in accordance with the *Local Government Act 1993*.

4.3.3.1 Prepare and deliver an Annual Plan and Annual Report.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Minimal

**RISK/LIABILITY:**

No unforeseen risks

**VOTING REQUIREMENTS:**

Absolute Majority

**OFFICER'S RECOMMENDATION:**

That Council receives and adopts the Flinders Council Annual Plan 2017/2018 and authorises the General Manager to:

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

**Item C2: Use of the Flinders Council Common Seal**

<b>ACTION</b>	<b>Information</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Bill Boehm, General Manager
<b>FILE REFERENCE</b>	GOV/1000
<b>ASSOCIATED PAPERS</b>	<i>Annexure 13: Common Seal Register 13.04.17 - 10.07.17</i>

**INTRODUCTION:**

The purpose of this report is to provide Councillors with an update on the use of the Flinders Council Common Seal, as per the council motion 216.09.2016 passed at the 22<sup>nd</sup> September 2016 Council Meeting.

**PREVIOUS COUNCIL CONSIDERATION:**

216.09.2016 22<sup>nd</sup> September 2016  
From January 2017, considered quarterly.

**OFFICER'S REPORT:**

The use of the Flinders Council Common Seal binds the Council to act in accordance with the provisions of the document to which it is attached and it is important that Councillors know the details of those documents so that they are aware of commitments to which the Council has become obligated.

The Flinders Council Common Seal Register was created on 26<sup>th</sup> September 2016 and is available to Councillors on request at any time. A report on the use of the Flinders Council Common Seal will be included in Council Meeting Agendas on a quarterly basis.

Annexure 13 details the use of the Flinders Council Common Seal from the 13<sup>th</sup> April – 10<sup>th</sup> July 2017.

**STATUTORY REQUIREMENT:**

*Local Government Act 1993*

**POLICY/STRATEGIC IMPLICATIONS:**

No policy exists on this matter.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Nil

**RISK/LIABILITY:**

Minimum

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That the report on the use of the Flinders Council Common Seal from 13<sup>th</sup> April – 10<sup>th</sup> July 2017 be received.

**DECISION:**



### Item C3: Public Interest Disclosure Procedures

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Bill Boehm, General Manager
<b>FILE REFERENCE</b>	LEG/0800
<b>ASSOCIATED PAPERS</b>	<i>Annexure 14: DRAFT Public Interest Disclosures Procedures for Flinders Council</i>

#### **INTRODUCTION:**

The *Public Interest Disclosure Act 2001* requires Council to establish procedures that comply with the guidelines and standards outlined in s60(3) of the said Act. These procedures require review and resubmission to the Tasmanian Ombudsman for approval under s60(3) every 3 years.

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

184.06.2011      16<sup>th</sup> June 2011  
834.06.2014      19<sup>th</sup> June 2014

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

The *Public Interest Disclosure Act 2001* was established to encourage and facilitate disclosures of improper conduct by public officers and public bodies:

- to protect persons making those disclosures, and others, from reprisals;
- to provide for the matters disclosed to be properly investigated and dealt with; and
- to provide all parties involved in the disclosures with natural justice.

In colloquial terms, the Act is about “whistle-blowing” in the Tasmanian public sector. The Act is based on the precepts that it is in the public interest for whistle-blowing to occur, and that this will be encouraged and facilitated by providing due protection for whistle-blowers, and by ensuring that disclosures made are properly investigated and dealt with accordingly.

The Act is quite clear about who can make such disclosures and the process and protection offered to all parties to such a claim. The procedures provided and developed for Council have been done so from the model standards supplied by the Ombudsman and comply in all respects to the format required under the Act.

The preparation of these procedures is delegated specifically to the principal officer of the public body, in this case the General Manager of the Flinders Council. Flinders Council's procedures were initially adopted at the 16<sup>th</sup> June 2011 Ordinary Meeting of Council and sent to the Ombudsman for formal ratification.

As required by the Act, it is again time to review the procedures. The Ombudsman has published revised Guidelines and Standards for Procedures to be followed by Public Bodies under s38 of the Act. Updated model procedures were provided to Council which includes a new flowchart. Flinders Council's Public Interest Disclosure Procedures have been revised accordingly and are now presented to Council for consideration. Once adopted they will be sent to the Ombudsman for formal approval under s60(3) of the Act.

**STATUTORY REQUIREMENT:**

*Local Government Act 1993*

*Public Interest Disclosure Act 2001*

**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.
    - 4.3.10 Requirements of the *Public Interest Disclosure Act 2002* complied with by responding to disclosures.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Minimal

**RISK/LIABILITY:**

No unforeseen risks

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That Council resolves to:

- 1) Adopt the revised document - Flinders Council's Public Interest Disclosure Procedures dated July 2017
- 2) Submit the document to the Ombudsman for approval.
- 3) Review the procedures (as required under the Act) every 3 years.

**DECISION:**

**Item C4: Local Government of Tasmania (LGAT) Annual General Meeting and General Meeting**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Bill Boehm, General Manager
<b>FILE REFERENCE</b>	COU/0303
<b>ASSOCIATED PAPERS</b>	<i>Annexure 15: LGAT General Meeting Agenda July 2017</i> <i>Annexure 16: LGAT General Meeting Attachments</i> <i>Annexure 17: LGAT Annual General Meeting Agenda July 2017</i> <i>Annexure 18: LGAT Annual General Meeting Attachments</i>

**INTRODUCTION:**

The LGAT General Meeting and Annual General Meeting will be held on the 26<sup>th</sup> July 2017. The meetings' Agendas and Attachments are provided for elected members as Annexures 15 - 18 and can be accessed at the LGAT website through the following links:

General Meeting papers: <http://www.lgat.tas.gov.au/page.aspx?u=782#e1092>

AGM papers: <http://www.lgat.tas.gov.au/page.aspx?u=333>

**PREVIOUS COUNCIL CONSIDERATION:**

Council considers the LGAT General Meeting and Annual General Meeting Agendas at the Ordinary Council meeting prior to the LGAT General Meeting and Annual 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:**

A number of motions are included in the LGAT General Meeting Agenda and decisions sought in the Annual General Meeting Agenda. Council provides direction to the Mayor in relation to voting on these matters.

**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 Local Government of Tasmania General Meeting and Annual General Meeting Agendas and provides the Mayor with direction in relation to the following items listed for a decision:

<b>General Meeting - Motions Requiring Decision</b>		
9.1	Motion - Public Transport Services Council - City of Hobart	That the State Government be urged to increase its per capita spending on the provision of public transport services within metropolitan and regional Tasmania.
10.1	Motion - Local Government Rates, Fees & Charges Regulator Council - Burnie City	That LGAT write to the Minister for Local Government seeking an investigation into the merits of introducing an independent body (similar to the prices regulator for power, water and sewerage) to be the regulator of Local Government rates, fees and charges and to oversee estimates of Capital works budgets.
11.1	Motion - Flood Mitigation Funding Council - Kentish	That LGAT lobby the State Government to boost Tasmania's disaster resilience by providing a significant increase in funding and work with the Commonwealth Government to change the disaster resilience mitigation funding under the National Partnership Agreement back to 1/3 Commonwealth, 1/3 State and 1/3 Council contributions.
11.2	Motion - Immunisation Programs Council - Devonport City	That the Local Government Association of Tasmania lobby the State Government to investigate the coordination of school immunisation programs being undertaken on a State wide basis, rather than being an individual council responsibility to coordinate.
12.1	Motion - Container Deposit Legislation Council - City of Hobart/West Coast & Clarence City Council	That the Local Government Association of Tasmania lobby the State Government to introduce container deposit legislation for the state.
12.2	Motion - Smoking at School Crossings Council - George Town	That LGAT lobby the State Government to amend the Public Health Act 1997 to declare all school road crossings a smoke free area under section 67B.



General Meeting - Motions Requiring Decision		
12.3	Motion – Fluoridation Act 1968 Council – Kentish	That LGAT requests the State Government repeal section 13 of the Fluoridation Act 1968 (amended) which states that ' <i>a Council must not hold an elector poll under Part 6 of the Local Government Act 1993 in relation to the addition of fluoride to a public water supply</i> '.  Repealing section 13 will enable the people of Tasmania to participate in information-sharing and debate and to state their informed position regarding the routine addition of fluoride to their drinking water, through a referendum.
13.1	Motion – Recognition Of Australia Day Council – City of Hobart	That the Local Government Association of Tasmania be requested to lobby Tasmania's 29 councils to consider efforts they could take to lobby the Federal Government to change the date of recognition of Australia Day.

Annual General Meeting - Decisions Sought		
4	Budget and Subscriptions 2017/18	That the Meeting adopt the Budget and Subscriptions as presented.
5	President and Vice President Honorariums	That the President's and Vice President's allowance for the period 1 July 2017 to 30 June 2018 be adjusted in accordance with the movement in the Wages Price Index.
6.1	Subscription Modelling	That the Members note the report on the subscription modelling undertaken.  That Members agreed to the formula outlined as Option 21 namely, a flat fee of 40 per cent, and population and revenue fees of 30 per cent each; 8 revenue categories and 8 population categories; and a 10 per cent collar and cap.  That Members agree to the amendment of the Rules allowing application of the new formula from 2018/19.
6.2	Term of Office of President	That Members note the concerns relating to the Rules as they currently provide for vacation of the office of the President.  That Members agree to the amend the rules such that –  and if the office of President becomes vacant more than six months before the next AGM where a President is due to

Annual General Meeting - Decisions Sought		
		take up office in accordance with Rule 27(a), a new President shall be elected in accordance with the procedures in Rule 26.
7	Reports from Board Representatives	<p>(a) That the reports from representatives on various bodies be received and noted.</p> <p>(b) That Conference acknowledges the time and effort put in by all Association representatives on boards, working parties, advisory groups and committees etc.</p>

**DECISION:**

**Item C5: Council's 4<sup>th</sup> Quarterly Report**

<b>ACTION</b>	Information
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Sophie Pitchford, Acting General Manager
<b>FILE REFERENCE</b>	COU/0600
<b>ASSOCIATED PAPERS</b>	<i>Annexure 19: Council's 4<sup>th</sup> Quarterly Report (April - June 2017)</i>

**INTRODUCTION:**

The purpose of this report is to provide Councillors with an update of the various actions taken by the whole of Council for the fourth quarter of the financial year.

**PREVIOUS COUNCIL CONSIDERATION:**

Previously provided as a departmental monthly reports then departmental quarterly reports.

**OFFICER'S REPORT:**

Please read Annexure 19 – Council's 4<sup>th</sup> Quarterly Report (April - June 2017).

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That the Council's 4<sup>th</sup> Quarterly Report (April - June 2017) be received and accepted by Council.

**DECISION:**

**Item C6: Councillor Resolution Report**

<b>ACTION</b>	<b>Information</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Bill Boehm, General Manager
<b>FILE REFERENCE</b>	COU/0600
<b>ASSOCIATED PAPERS</b>	<i>Annexure 20: Councillor Resolution Report July 2017</i>

**INTRODUCTION:**

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

**PREVIOUS COUNCIL CONSIDERATION:**

The report is presented on a monthly basis.

**OFFICER'S REPORT:**

Please read Annexure 20 – Councillor Resolution Report July 2016.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That the Councillor Resolution Report July 2016 be noted.

**DECISION:**

<b>D. CLOSED COUNCIL</b>
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Items D1 and D2: Closed Council Items

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Bill Boehm, General Manager
<b>FILE REFERENCE</b>	WOR/0601, WAT/0102, PER/1500
<b>ASSOCIATED PAPERS</b>	<i>Annexure 21: Elected Members only</i>

**PREVIOUS COUNCIL CONSIDERATION:**

15 <sup>th</sup> December 2016 Closed Council	332.12.2016
23 <sup>rd</sup> March 2017 Closed Council	57.03.2017
20 <sup>th</sup> April 2017 Closed Council	107.04.2017
16 <sup>th</sup> March Ordinary Meeting of Council	58.03.2017
15 <sup>th</sup> June 2017 Closed Council Meeting	150.06.2017 & 152.06.2017

**REASON FOR CLOSED COUNCIL:**

Item D1 – Land Purchase is **CONFIDENTIAL** in accordance with Section 15(2) (f) of the *Local Government (Meeting Procedures) Regulations 2015*.

Item D2 - General Manager's Probation Performance Review is **CONFIDENTIAL** in accordance with Section 15(2) (a) of the *Local Government (Meeting Procedures) Regulations 2015*.

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER'S RECOMMENDATION:**

That Council move into Closed Council.

**DECISION:**

**Meeting Closed**