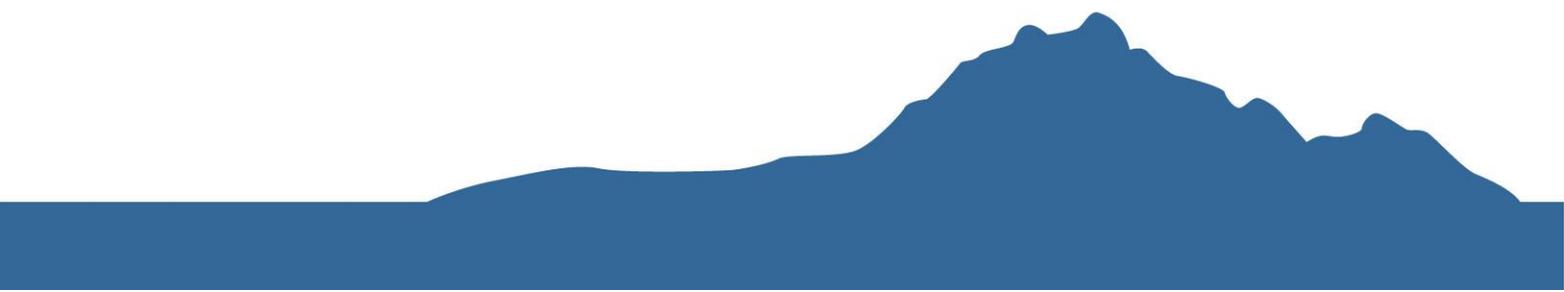




Agenda
Ordinary Council Meeting
21st September 2017



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 15th day of September 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 21st September 2017
VENUE: Flinders Arts and Entertainment Centre, Whitemark
COMMENCING: 1.00 pm

PRESENT

Mayor Carol Cox
Deputy Mayor Marc Cobham
Cr Chris Rhodes
Cr Peter Rhodes
Cr Gerald Willis

APOLOGIES

Cr Ken Stockton
Cr David Williams

STAFF IN ATTENDANCE

Bill Boehm - General Manager
Vicki Warden - Executive Officer

CONFIRMATION OF MINUTES

That the Minutes from the Ordinary Council Meeting and the Closed Council Meeting held on the 17th August 2017 be confirmed.

PUBLIC QUESTION TIME

In accordance with Section 31 (1) of the Local Government (Meeting Procedures) Regulations 2015 and the Flinders Council Policy the following procedures be adhered to at public question time:

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

The basis on which questions may be asked is:

- 1. All questions will be addressed through the Chair (being the Mayor in normal circumstances) who will answer them as she/he sees fit. Under no circumstances will members of the gallery be permitted to address or question either elected members or officers of the Council. The Chair may delegate answers to the appropriate Councillor or staff member if appropriate.*
- 2. Persons addressing the Chair must pay the respect due to that office. Failure to do so may mean their address is terminated without notice.*
- 3. Where the answer cannot be provided immediately, it will be provided in writing within 14 days and tabled at the following Ordinary Council Meeting.*

4. *All questioners are encouraged to register their intent to question with the General Manager before the meeting. Preference will be given to those who have so registered.*
5. *Question time shall not extend longer than 30 minutes and may be divided into two 15 minute sessions.*
6. *The actual timing of the session(s) is to be immediately after the opening of the meeting and advertised with the notice of meeting.*

COUNCILLOR'S QUESTIONS ON NOTICE

Nil

COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Regulation 29 of the Local Government (Meeting Procedures) Regulations 2015 specifies that in putting a Question Without Notice a Councillor must not offer an argument or opinion, draw any inference or make any imputations except so far as may be necessary to explain the question. The Chairperson must not permit any debate of a Question without Notice or its answer.

RESPONSES TO COUNCILLORS' QUESTIONS WITHOUT NOTICE

17th August 2017 Council Meeting

Question 1: Cr Peter Rhodes on behalf of Anne Campbell

Could the name of the Flinders Arts and Entertainment Centre (FAEC) be attached to the building?

Deputy Mayor's Response

Council staff will obtain quotes for alternative signage options in order to progress the matter.

Question 2: Cr Peter Rhodes on behalf of Anne Campbell

Given the increase of visitors to the Lions Lodge Gym, could some attention be given to the footpath and the informal turning circle?

Deputy Mayor's Response

Council's Works and Services Manager has had an initial discussion with a Lions Club representative and following a site meeting will ascertain what actions can be implemented to address the valid issues that you have raised as well as possible provision of additional parking spaces for Multipurpose Centre overflow.

Question 3: Cr David Williams on behalf of Peter McConnell

Would Council inspect the terrible condition of the footpath running from the school to town and bring it up to standard at the earliest opportunity?

Deputy Mayor's Response

I have been advised that our Works and services Manager has inspected the footpath and that remedial work will take place as soon as conditions allow.

Question 4: Cr David Williams

Given the importance Council places on the availability of affordable housing on the Island and Senator Ross Hart's keenness to see us working with the Flinders Island Aboriginal Association Inc. (FIAAI) to progress this issue, has the Mayor started discussions with FIAAI and can we have an update on progress made?

Deputy Mayor's Response

I can advise that Mayor Cox met with Maxine Roughly of FIAAI on the 22nd August 2017 to discuss possible solutions to address the availability of affordable housing in our municipality. Maxine has also been invited to attend an upcoming Council Workshop to discuss the issue.

Question 5: Cr David Williams

Can we please have an update on the continued inaction on the West Street, Lady Barron project? Is it only the weather holding matters up?

Deputy Mayor's Response

I can advise that everything is ready to go on West St, Lady Barron, subject to fine weather, as the kerbing machine needs relatively dry weather to operate.

LATE AGENDA ITEMS

Nil

DECLARATION OF PECUNIARY INTEREST

In accordance with Part 2 Regulation 8 (7) of the Local Government (Meeting Procedures) Regulations 2015, the Chairman of a meeting is to request Councillors to indicate whether they have, or are likely to have, a pecuniary interest in any item on the agenda.

Accordingly, Councillors are requested to advise of a pecuniary interest they may have in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Council has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the Local Government (Meeting Procedures) Regulations 2015.

LEAVE OF ABSENCE

Nil

PETITIONS

Nil

POLICIES

The Investment Policy was available for public consultation for 28 days until the 31st August 2017. No submissions were received therefore, as per the Flinders Council Policy Manual Policy, the policy can now be considered as adopted.

WORKSHOPS & INFORMATION FORUMS

File No: COU/0205

Council Workshop held on 17th August 2017

Council held a Workshop on the following subjects:

- Item 1 General Manager's Update part 1
- Item 2 Community Development Framework and Projects
- Item 3 General Manager's Update part 2

Councillors Present:

Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

Apologies:

Mayor Carol Cox, Deputy Mayor Marc Cobham and Cr Chris Rhodes.

Staff and Consultants Present:

Bill Boehm	General Manager
Kelly Blundstone	Executive Assistant
Claire Nicholl	Community Development Officer (Item 2 only)
Stacey Wheatley	Community Development Officer (Item 2 only)

Council Workshop held on 31st August 2016

Council held a Workshop on the following subjects:

- Item 1 Safe Harbour Project
- Item 2 BBQs NE River & Cape Barren Island
- Item 3 General Manager, Brian Barnwell and Jacci Viney's Update
- Item 4 Planning Update
- Item 5 Audit Panel Chair
- Item 6 Citizen of the Year Award
- Item 7 Priority Projects
- Item 8 Minister Gutwein's Visit
- Item 9 Resource Sharing Report
- Item 10 TasWater Response

Councillors Present:

Mayor Carol Cox, Cr Peter Rhodes and Cr Gerald Willis.

Apologies:

Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Ken Stockton and Cr David Williams.

Staff, Consultants and Community Members Present:

Bill Boehm	General Manager
Vicki Warden	Executive Officer
James Burbury	Burbury Consulting Pty. Ltd. (Item 1 only)
Chris Fenner	Safe Harbour Working Party (Item 1 only)

Darren Grace	Safe Harbour Working Party (Item 1 only)
Linda McGregor	Safe Harbour Working Party (Item 1 only)
Chris Murphy	Safe Harbour Working Party (Item 1 only)
Bob Noakes	Burbury Consulting Pty. Ltd. (Economic Analyst) (Item 1 only)
Jeff Phillips	Safe Harbour Working Party (Item 1 only)
Andrew Thompson	Safe Harbour Working Party (Item 1 only)
Shane Walsh	Safe Harbour Working Party (Item 1 only)
Charles Willis	Safe Harbour Working Party (Item 1 only)
Brian Barnewall	Works & Services Manager (Item 1, 2 & 3 only)
Jacci Viney	Development Services Coordinator (Item 1, 2 & 3 only)
Robyn Cox	Strategic Planner (Item 1 & 4 only)

Apologies:

John Wells

Meeting held on 8th September 2017

Council had a meeting with Peter Gutwein MP, Treasurer and Minister for Planning and Local Government to discuss priority projects.

Councillors Present:

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

Apologies:

Cr Chris Rhodes and David Williams.

Staff and Consultants Present:

Bill Boehm General Manager

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 17th and 31st August 2017 and the information session held on 8th September 2017 be noted.

DECISION:

PUBLIC MEETINGS

Nil

PUBLICATIONS/REPORTS TABLED FOR COUNCIL INFORMATION

Nil

REPORTS TO BE RECEIVED

Furneaux Group Aviation Special Committee

File No: COM/0104

Annexure 1: Furneaux Group Aviation Special Committee 30th August 2017 Unconfirmed Minutes

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

The unconfirmed minutes of the Furneaux Group Aviation Special Committee meeting held 30th August 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 Group Aviation Special Committee meeting held 30th August 2017 be noted.

DECISION:

Furneaux Municipal Emergency Management Committee

File No: CSV/0400

Annexure 2: Furneaux Municipal Emergency Management Committee 4th August 2017 Unconfirmed Minutes

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

The unconfirmed minutes of the Furneaux Municipal Emergency Management Committee meeting held 4th August 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 Municipal Emergency Management Committee meeting held 4th August 2017 be noted.

DECISION:

General Manager's Performance Review Committee

File No: PER/1500

Annexure 3: *General Manager's Performance Review Committee Open Meeting 2nd August 2017 Unconfirmed Minutes*

Annexure 4: *General Manager's Performance Review Committee Closed Meeting 2nd August 2017 Unconfirmed Minutes (For Elected Members only)*

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

The open and closed unconfirmed minutes of the General Manager's Performance Review Committee meeting held 2nd August 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 open and closed unconfirmed minutes of the General Manager's Performance Review Committee meeting held 2nd August 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
07.08.2017	Stephanie Watson, Communications Manager, Local Government Association of Tasmania	Media Release issued by Local Government Association of Tasmania re Infrastructure Tasmania report on the proposed takeover of TasWater by the State Government
16.08.2017	Lynn Luckock, Executive Assistant to Mike Brewster, Chief Executive Officer, TasWater	Letter to Mayors, Owners' Representatives and General Managers and Media Release issued by Miles Hampton, Chairman, TasWater

Legislative Council Select Committee – TasWater Ownership

The Legislative Council formed a select committee to inquire into the ownership of TasWater with Terms of Reference being:-

“To inquire into and report upon the concept of ownership of TasWater by Government with the following Terms of Reference –

- 1. The benefits, disadvantages and challenges associated with the Tasmanian Government's proposal to take control of TasWater; and*
- 2. Any other matters incidental thereto.”*

Submissions were required to be lodged by 5:00 pm Friday 8 September.

RECOMMENDATION:

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

DECISION:

MAYOR'S REPORT:

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

REPORT:**APPOINTMENTS:**

11.08.17	Flinders Flicks
19.08.17	Junior Football Grand Final
22.08.17	Met with M Roughley, CEO of Flinders Island Aboriginal Association Inc. to discuss housing
23.08.17	Funeral of Mrs Joan Blundstone
29.08.17	Multipurpose Centre's Ladies Day Out
30.08.17	Furneaux Group Aviation Special Committee Meeting
31.08.17	Council Workshop
01.09.17	Council meeting with the Hon Michael Ferguson MP, Minister for Communications & Minister for Health
01.09.17	Running Festival; Pasta night with Nova Peris as motivational speaker
03.09.17	Cocktails with Andy Penn, CEO of Telstra and the Telstra Tasmanian Board
03.09.17	Dinner with Telstra Tasmanian Board
04.09.17	Media event: Announcement of the Flinders and Cape Barren Islands' Telecommunications Project
04.09.17	General Manager, Bill Boehm and I met with Telstra project managers
04.09.17	Working lunch with the General Manager
05.09.17	Meeting of Community Representatives with the Flinders Island District High School
06.09.17	Furneaux Group Shipping Special Committee
06.09.17	Met with R Lamprill, Chairman of the Board and L Beard, Regional Manager - Health Services from Ochre Health
06.09.17	Met with community member re citizenship award
08.09.17	Council meeting with the Hon Peter Gutwein MP, Treasurer and Minister for Local Government
08.09.17	Golf Club Committee meeting with the Hon Peter Gutwein MP
08.09.17	Safe Harbour Group meeting with the Hon Peter Gutwein MP
10.09.17	Furneaux Field & Game, two day Furneaux Super Shoot incorporating the Tasmanian Championship

Telecomms Project Flinders and Cape Barren Islands:

It has been my pleasure to be a part of the media promotion of this \$10.7 million project that will make incredible improvements to the digital connectivity of the islands. The reality of the project was brought home to me when I accompanied the General Manager to a meeting with the Telstra personnel involved in the delivery of the project. The estimated project delivery time is around 18 months and a lot of project planning is currently underway.

Whilst it will continue to work with our current phones the new system will be 4GX capable so if you are looking at a new phone keep this in mind.

Flinders Island District High School:

General Manager Bill Boehm and I attended a meeting designed to bring community groups together to open the channels of communication between the school and community, encouraging discussion on areas and activities that community groups undertake that could be used to provide opportunity for pupils and staff to connect with for extended opportunities.

Flinders Island Aboriginal Association Inc. (FIAAI) and Housing:

I met with the CEO of FIAAI, Ms Maxine Roughley, and the shortage of housing was a major topic of our discussion, FIAAI being the major rental housing supplier on the Island and also being responsible for the management of Housing Tasmania stock on Flinders. Maxine has been invited to attend a Council Workshop to present to Council. Understanding FIAAI's strategic direction with housing will assist Council to understand where future needs may not be met.

Ministerial Visits:

In the last 2 weeks Council has had the pleasure of visits from the Hon Michael Ferguson MP, Minister for Information Technology and Innovation and Minister for Health and the Hon Peter Gutwein MP, Treasurer and Minister for Local Government.

Council met with both Ministers, thanking both for the State Government's support for the Telecomms project, and discussing projects that Council is working on to improve the economic and social sustainability of the Island but that will need extensive funding support, such as the Safe Harbour project, the long runway project and a dream, but not an impossibility, the extension of the state maintained road as a sealed road to Palana.

CORRESPONDENCE IN:

DATE	WHO	SUBJECT
07.08.17	K Stephenson, CEO Local Government Association of Tasmania (LGAT)	Letter from Miles Hampton and media release re TasWater take over legislation
10.08.17	Andrew Perry, Australian Greens Senator for Tasmania	Offer of advocacy in Parliament re NBN issues on the Island
12.08.17	Peter Guichelaar	Quarry development
14.08.17	Michael Patterson, Telstra	Invitation to dinner with Telstra Tasmanian Board and Telstra CEO to celebrate the Flinders Island Building Better Regions Fund successful grant application and following press conference
14.08.17	K Stephenson, LGAT	Communication locally about TasWater
15.08.17	Brighton Council	Brighton Council Community Newspaper
16.08.17	Miles Hampton, Chairman, TasWater	TasWater's response to Treasurer's comments on Trade Waste
17.08.17	J Klugg, Ochre Health	Request for a street light outside medical practice
18.08.17	M Mollineaux	Gunn Bequest unexpended funds

DATE	WHO	SUBJECT
21.08.17	Hon Alex Hawke MP	Australian Citizenship Ceremonies
21.08.17	LGAT	Flyer distributed by Northern Midlands Council
28.08.17	K Stephenson, LGAT	Updated sewage fact sheet from TasWater
01.09.17	P Guichelaar	Quarry development
01.09.17	K Stephenson, LGAT	Request for update on TasWater advocacy or information activities produced locally
01.09.17	David Stark	Article on Accounting standards
01.09.17	K Stephenson, LGAT	Confidentiality of submissions to legislative council
04.09.17	Frances Henwood	Roadkill on road during running festival
04.09.17	Rosanna Lacorcchia, NBN co	Staff changes
05.09.17	Tourism Northern Tasmania	Tourism Northern Tasmania - AGM Tuesday 26th September 2017 @5.30pm
11.09.17	Monash University	Promotion of new book on Wybalenna – ‘Me Write Myself’
12.09.17	Julie Thompson, Legislative Council Select Committee	Invitation to hearing

CORRESPONDENCE OUT:

DATE	WHO	SUBJECT
13.08.17 & 01.09.17	Peter Guichelaar	Application process for Quarry development
14.08.17	Bron Grutzner	Support letter for Furneaux Museum grant application
16.08.17	M Patterson, Telstra	Acceptance of invitation
29.08.29	M Roughley	Invitation to FIAAI to present at Council Workshop
04.09.17	Rosanna Lacorcchia, NBN co	Staff changes
11.09.17	M Mollineaux	Gunn Bequest unexpended funds

DEPUTY MAYOR'S CORRESPONDENCE OUT

DATE	WHO	SUBJECT
11.09.17	Peter McConnell	Response to public question – school walking track
11.09.17	Anne Campbell	Responses to public questions - name on the Flinders Arts and Entertainment Centre and parking at Whitemark gym
11.09.17	David Williams	Responses to questions without notice – discussions with FIAAI re housing and West St footpath

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATION:

That the Mayor's report be received.

OPERATIONAL BUSINESS OF COUNCIL

A. DEVELOPMENT SERVICES AND PLANNING APPLICATIONS

Item A1: Planning Scheme Amendment and Development Application – (Commercial Project Delivery)

File No: AMD01/17 and DA2017/010

Annexure 5: Extract from 15th June 2017 Council Meeting Minutes

Annexure 6: Extract from 17th August 2017 Council Meeting Minutes

Annexure 7: Report Assessing Amendment Compliance with s32 of the Land Use Planning and Approvals Act

Item A2: Development Application Report

File No: DSV/0300

Annexure 8: Planner's Information Report – August 2017

B. GOVERNANCE

Item B1: Priority Projects 2017

File No: CSV/1708

Annexure 9: Priority Projects - 7 September 2017

Item B2: Northern Tasmanian Councils' Resource Sharing

File No: COU/0401

Annexure 10: KPMG's Final Report of the Shared Services Study for the Northern Tasmanian Councils

Annexure 11: Flinders Council Resource Sharing Report Recommendation Matrix

Item B3: Waste Management - Early Contractor Involvement (ECI)

File No: WAS/0400

Item B4: Coordinator and Deputy of the Municipal Emergency Management Committee

File No: CSV/0400

Annexure 2: Unconfirmed Minutes from the Flinders Municipal Emergency Management Committee meeting held on the 4th August 2017

Item B5: Flinders Island Show Insurance 2017-18

File No: CDV/0201

Annexure 12: Letter dated 18 July 2017

Item B6: Whitemark Community Gym

File No: CDV/0701

Item B7: Flinders Safe Harbour Marine Facility

File No: COM/0402

Annexure 13: Flinders Council – Marine Access and Safe Harbour Final Report

ItemB8: Councillor Resolution Report
File No: COU/0600
Annexure 14: Councillor Resolution Report September 2017

C. CLOSED COUNCIL

Item C1, C2 & C3: Closed Council Items
File No: COU/0312, PUB/0800
Annexures 15-18 Elected Members only

Meeting Closed

A. DEVELOPMENT SERVICES AND PLANNING APPLICATIONS

Pursuant to Section 25 of the Local Government (Meeting Procedures) Regulations 2015 the Council will now act as a Planning Authority under the Land Use Planning and Approvals Act 1993.

Item A1: Planning Scheme Amendment and Development Application – (Commercial Project Delivery)

ACTION	Decision
PROPONENT	Commercial Project Delivery
OFFICER	James Ireland (consultant town planner)
APPROVED BY	Karin Van Straten (senior consultant town planner)
FILE REFERENCE	AMD01/17 and DA2017/010
ASSOCIATED PAPERS	<i>Annexure 5: Extract from 15th June 2017 Council Meeting Minutes</i> <i>Annexure 6: Extract from 17th August 2017 Council Meeting Minutes</i> <i>Annexure 7: Report Assessing Amendment Compliance with s32 of the Land Use Planning and Approvals Act</i>

Proposal: To amend the *Flinders Planning Scheme 2000* to make Tourist Operation, Restaurant, Community Building and Local Shop discretionary uses in the Port Zone and to add to the zone intent statement for the Port Zone, only for the subject site 'lease area' (CT 129006/1) and as described in planning application DA2017010. These amendments will enable an existing shed adjacent to the Whitemark wharf to be refurbished and used for a multi-purpose commercial centre.

Location: 16 Esplanade, Whitemark (CT:129006/1)

Applicant: Commercial Project Delivery

Zoning: Port Zone

Special Areas: Shorelines, Waterbodies and Watercourses Special Area

Representations: Six

INTRODUCTION:

Council resolved to initiate and certify the above amendment at the June Council meeting. After the notification period, at the August Council meeting, Council resolved that no alterations to the amendment were required on the basis of the submissions received. The amendment was then sent to the Tasmanian Planning Commission (TPC) for their assessment.

The TPC has since advised Council that the references to the *Land Use Planning and Approvals Act* (the Act) in the June and August recommendations were not correct at the time. The TPC has advised that they are otherwise satisfied with the statutory process that Council has

undertaken. As such, they do not require that the process be re-started or the amendment be re-advertised.

With a view to resolving the situation to the TPC's satisfaction, this agenda item proposes:

1. That Council make the same resolutions it did in June and August, but with the correct references to the Act.
2. That Council again certify that the amendment meets the requirements of s32 of the Act. This was done in June, however this time the TPC has requested this be done on the basis of additional information, which will take the form of the *Report Assessing Amendment Compliance with s32 of the Land Use Planning and Approvals Act*, which is an associated paper to this agenda item.

OFFICER'S REPORT:

Please refer to the associated paper '*Report Assessing Amendment Compliance with s32 of the Land Use Planning and Approvals Act*'. This provides a basis for Council to certify that the amendment meets the requirements of s32 of the Act.

Council has received advice from both the TPC and our legal representative that such a report may not be required. However, in the interests of avoiding any doubt, the report is provided nonetheless.

STATUTORY REQUIREMENT:

The sections of the Act that deal with planning scheme amendments have changed numerous times in the recent past. The TPC has advised that although the process Council followed was broadly correct, Council referred to out of date sections of the Act.

The purpose of this agenda item is for Council to re-state previous resolutions made in relation to the amendment, but with the correct references to the Act.

POLICY/STRATEGIC IMPLICATIONS:

In terms of the amendment itself, the *Flinders Council Strategic Plan 2015*, Strategic Focus Area 1: Population Growth is most relevant. It is summarised as: "*Focusing on strategies, projects and policy initiatives that support the community, economic development, innovation and investment attraction.*"

COMMENT: The proposal is consistent with this focus area. The proposal is an addition to the tourism infrastructure on the Island.

BUDGET AND FINANCIAL IMPLICATIONS:

Financial considerations of the amendment are addressed through normal statutory processes.

OFFICER'S RECOMMENDATION:

That Council:

1. pursuant to Section 34(1)(a) of the *Land Use Planning and Approvals Act 1993* initiate Amendment 01/17 to the *Flinders Planning Scheme 2000* to make tourist operation, restaurant, community building and local shop discretionary uses in the port zone and to

add to the zone intent statement for the port zone, only for the subject site 'lease area' (CT 129006/1) and as described in planning application DA2017/010,

2. pursuant to Section 35 (1) (a) of the *Land Use Planning and Approvals Act* **certify** that the amendment 01/17 meets the requirements specified in Section 32 of the *Land Use Planning and Approvals Act 1993*, and
3. **approve** planning permit application DA2017/010, subject to the following conditions:

ENDORSED PLANS

1. *The use and/or development must be carried out as described in the planning submission by Commercial Project Delivery dated April to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.*

EXTERIOR AND SECURITY LIGHTING

2. *Exterior and security lighting must be designed, baffled and located so that no direct light is emitted outside the property boundaries.*

TASWATER

3. *The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA 2017/00978-FC) attached.*
4. pursuant to Section 39 (2) (b) (i) and (ii) of the *Land Use Planning and Approvals Act* **states** that no alterations are required to combined AMD 01/17 and DA2017/010 in light of the impact of the representations lodged,
5. **submits** AMD 01/17 and DA2017/010 to the Tasmanian Planning Commission for review; and:
6. **requests** approval of AMD 01/17 and confirmation of the approval of DA2017/010.

DECISION:

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

Item A2: Development Application Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Jacci Viney, Development Services Coordinator
FILE REFERENCE	PLN/0105
ASSOCIATED PAPERS	<i>Annexure 8: Planner's Information Report - August 2017</i>

INTRODUCTION:

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

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

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

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

PREVIOUS COUNCIL CONSIDERATION:

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

OFFICER'S REPORT:

Refer to Annexure 8 Planner's Information Report - August 2017, provided by West Tamar Council.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the report be received.

DECISION:

B. GOVERNANCE

Item B1: Priority Projects 2017

ACTION	Decision
PROPONENT	Council Officer
OFFICER	General Manger, Bill Boehm
FILE REFERENCE	CSV/1708
ASSOCIATED PAPERS	<i>Annexure 9: Priority Projects - 7 September 2017</i>

INTRODUCTION:

From time to time Council prepares a Priority Projects list so as to have an agreed document that can be provided to prospective politicians or government entities to provide a snapshot of the projects Council considers are important development initiatives.

This report updates the project list in light of changed circumstances and ahead of potential State and Federal Government Elections.

PREVIOUS COUNCIL CONSIDERATION:

17.01.10 21st January 2010
Council Workshop 6th July 2017
Council Workshop 31st August 2017

OFFICER'S REPORT:

The purpose of the Priority Projects list is to have an agreed document that can be provided to prospective politicians or government entities to provide a snapshot of the projects Council considers are important development initiatives.

The Priority Projects - 7 September 2017 document is Annexure 9.

A few preliminary explanatory comments:

- (a) Less is more. Only those significant projects that are generally beyond the immediate scope of Council have been included. Focus on a self-help, non-hand-out mentality is important.
- (b) The previous project list was somewhat out of date and has obviously been updated. For instance, a previous project suggesting that Roads to Recovery money be spent on the airport has been removed as the arguments are not sustainable. We have other options and in any event, would not be agreed to.
- (c) Document has been formatted as a small booklet for ease of presentation and as a takeaway.
- (d) The introduction is merely provided to highlight that we are into self-help. Housing has been mentioned here and not as a stand-alone project, largely as we are in a facilitating role.
- (e) In each project a notional Council allocation has been outlined. This has merely been done to show some sort of self-help and does not at this stage bind the Council but does set the scene.

- (f) Lady Barron Safe Harbour. This type of project is one that both the State and Federal Governments could be potentially attracted to. Firstly, it is assumed that Council will accept the report's recommendations. Secondly there are potential Federal Government sources of funds available but we will need to have some sort of financial contribution.
- (g) Palana Road. Council's notional contribution towards the Palana Road upgrade and sealing is based on a 2 for 1 contribution.
- (h) Flinders Island Airport Runway. Rationale is relatively self-explanatory. Essentially with an airport operating deficit of \$180,000, most of which is associated with depreciation, operationally the airport is not the millstone around the Council that it may appear. The airport runway replacement however is another matter hence the focus on this one element only. If it were funded, especially at the lower cost option, it may be possible that over time the airport could be self-financing.
- (i) Flinders Sports & RSL Club. Although in its infancy this type of project is one that the State Government could potentially be attracted to. The potential external investor opportunities are there but obviously problematic. The Community outcomes are however significant. Council's contribution is modest and notionally directed to community-wide elements of the project. There are also potential Federal Government sources of funds available. Although Council input is important, having the lead rightly taken by the Club is more likely to be successful.

STATUTORY REQUIREMENT:

Local Government Act 1993

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.

4.1.1 The Furneaux Islands' unique circumstances, isolated community and specific financial needs are understood by key external stakeholders.

4.1.1.4 Review priority projects list by the end of September 2017.

BUDGET AND FINANCIAL IMPLICATIONS:

Essentially nil at this stage unless grant funding is obtained in which case Council's financial contribution will be required.

RISK/LIABILITY:

There is minimal risk and liability as the projects are largely aspirational.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council notes the Priority Projects list dated 7 September 2017.

DECISION:

Item B2: Northern Tasmanian Councils' Resource Sharing

ACTION	Decision
PROPONENT	Council Officer
OFFICER	General Manger, Bill Boehm
FILE REFERENCE	COU/0401
ASSOCIATED PAPERS	<i>Annexure 10: KPMG's Final Report of the Shared Services Study for the Northern Tasmanian Councils</i> <i>Annexure 11: Flinders Council Resource Sharing Report Recommendation Matrix</i>

INTRODUCTION:

With funding assistance from the Minister of Local Government, Flinders Council, along with other Northern Tasmanian Councils, has been participating with KPMG in a Shared Services Study into resource sharing opportunities.

This report presents a final report from KPMG as a conclusion to this project (Annexure 11) highlighting those areas that could be affected and presents a recommended way forward to advance potential outcomes for the Municipality.

PREVIOUS COUNCIL CONSIDERATION:

203.07.2015	16 th July 2015
257.09.2015	24 th September 2015
Council Workshop	6 th July 2017
Council Workshop	31 st August 2017

OFFICER'S REPORT:

KPMG's final report of the Shared Services Study for the Northern Tasmanian Councils has been presented to the Minister of Local Government and a copy as annexed sent to all Councillors.

The project was overseen by a Steering Committee comprising the General Managers of the Northern Councils (Break O'Day, Dorset, Flinders, George Town, Launceston, Meander Valley, Northern Midlands and West Tamar) and support staff. This Steering Committee worked highly collegiately such that the progress of the study was enhanced with a strong platform to work constructively in the implementation of outcomes.

The project review undertaken was comprehensive but also recognised the complexity of the situation given the political, financial and operational perspectives. For instance, as an example, whilst one would expect that payroll functions could be potentially outsourced, in reality all Councils have this function incorporated into a job costing framework which is difficult to extract and the time allocated for most Councils is relatively minor meaning that there would be little if any savings by a new outsourced arrangement.

Four options were eventually identified namely:

1. Optimising current arrangements;
2. Joint contracting/ outsourcing;
3. Contract Service Model; and

4. Incorporated joint venture.

For various logical reasons, it was found that a combination of Options 1 and 2 represented potentially the greatest gains, especially if all councils adopted common IT platforms. Overall \$3.3million savings per annum were identified regionally with transition costs between \$0.5 to \$4million.

This will provide a foundation on which to extend the current resource sharing arrangements with wider joint-contracting for some common services (e.g. waste management, debt collection, legal services) at both sub-regional and whole of regional levels.

In relation to Flinders Council, as a small municipality and as an island, there are a number of considerations that may apply differently than in other Councils. For instance, Council currently outsources a range of activities such as engineering, planning and building services that others do not. We are also perhaps more acutely aware of the impacts on local employment than others are; although in our situation most of the recommendations would not effect this aspect.

As an illustration, Annexure 12 is a basic summary of those services recommended for consideration for resource sharing with a few preliminary comments in relation to “possible” considerations with respect to our situation. In the main, changes will be by a potential change in current outsourcing arrangements with likely minimal impact on current local employment.

To achieve the overall outcomes, the report recommends in the first instance the formation of an effective governance / management model with resources to progress the initiatives. The collegiate nature of the current working group of general managers and their keenness to progress bodes well for the future as evidenced by the collective recommendations that Councils receive the final report as prepared by KPMG, support the establishment of a governance model to progress the outcomes of the report and participate in activities to undertake shared initiatives at a regional and sub-regional level.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

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

4.3.19 Appropriate plans and available resources in place to where possible mitigate and respond to identified risks and incidents.

4.5.1 Resources utilised to maximise financial and community returns.

4.5.2 Sustainable organisation.

BUDGET AND FINANCIAL IMPLICATIONS:

Essentially there will be some ongoing costs on a shared basis to engage a small amount of support staff. Given our Council's small size, contribution will be very modest. However, the potential savings across the spectrum of activities as identified, although not quantified at a Council level, will likely be significant.

RISK/LIABILITY:

There is minimal liability regardless of the actions chosen but significant risk both financially and politically by potential lost opportunities if Council were to not participate in an ongoing manner.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council:

1. Receive the Northern Tasmanian Councils – Shared Services Study Implementation Project July 2017 prepared by KPMG;
2. Support the establishment of a governance model to progress the outcomes of the report; and
3. Participate in activities to identify, plan and implement opportunities to undertake shared initiatives at a regional and sub-regional level.

DECISION:

Item B3: Waste Management - Early Contractor Involvement (ECI)

ACTION	Decision
PROPONENT	Council Officer
OFFICER	General Manager, Bill Boehm
FILE REFERENCE	WAS/0400
ASSOCIATED PAPERS	<i>Nil</i>

INTRODUCTION:

Council has been pursuing, through a range of actions, potential long-term options to manage the Whitemark waste management facility and subservient services. It is necessary that the options are financially sustainable, user-friendly and environmentally appropriate for our remote situation. This has included, through a publicly advertised process, an 'Early Contractor Involvement' (ECI) contracting method, which identified a potential, preferred contractor that was considered worthy of proceeding with to the next stage of the process.

This report updates previous reports to Council and recommends that, following the most recent negotiations with the potential preferred Contractor, that Council concludes the process and explores other possible opportunities.

PREVIOUS COUNCIL CONSIDERATION:

Council Workshop	6 th October 2016
246.10.2016	20 th October 2016
247.10.2016	20 th October 2016
Council Workshop	12 th January 2017
Council Workshop	4 th May 2017
Council Workshop	3 rd August 2017
155.06.2017	15 th June 2017

OFFICER'S REPORT:

Over the past eight months Council has been provided with updates on progress of identifying suitable waste management options. Progress thus far has been previously outlined as follows:

- (a) An open tender using the 'Early Contractor Involvement' (ECI) contracting method was adopted and implemented by Flinders Council.
- (b) The ECI contracting methodology is a two-stage process with an open tender stage for scope and specification development (Stage one) and with options to open tender or sole source delivery of the approved scope and specification requirements (Stage two).
- (c) A formal tender evaluation process leading to an ECI selected respondent that could potentially become a preferred contractor was unanimously assessed as the only respondent most likely to be able to achieve Flinders Council's waste management objectives and expectations.
- (d) Flinders Council has worked closely with the ECI selected respondent and that a scope and specification was with the ECI selected respondent to develop a cost model and pricing strategy that meets Council's expectations.
- (e) The ECI scope and specification process has enabled community engagement in participating with the delivery of the Flinders Council waste management strategy objectives.

- (f) Positive outcomes derived from the scope and specification process include the ability to deliver 100% recyclable waste management and kerbside waste collection across Flinders Island.

The ECI process has allowed Council to potentially go to full open tender, primarily to work with an industry expert to develop the scope. In this instance ToxFree (now JJ Richards) was overwhelmingly identified as the preferred and committed operator.

At the 15th June 2017 Ordinary Council Meeting, the following motion 155.06.2017 was resolved:

“That Council appoints the successful Early Contractor Involvement respondent (ToxFree now JJ Richards) to carry out ‘stage 2’ of the waste management project and through direct negotiations authorises the General Manager to present to Council for consideration a final tender that meets Council’s long term waste management objectives.”

In doing so it was noted that if Council proceeds with a sole source arrangement, any final proposal, including cost comparisons with existing arrangements and detailed discussions with the preferred ECI respondent, will come before Council for final decision. This may include various options that Council may also wish to take up. In other words, Council was advised that it can still not proceed if it is not satisfied with the final costed proposal.

Prior to formally implementing this resolution Council staff pursued negotiations with the preferred contractor, to enable formal costings to be obtained as part of the existing process, but also as ToxFree had since been taken over by JJ Richards with a significant change in personnel as a result. As such Council staff needed to be confident that the same approach intended to be taken by ToxFree was still applicable and that the indicative costs at the time provided were still relevant.

This aspect has now been addressed and it has become clear that unfortunately the indicative costs provided by the new entity are significantly greater than expected and as such it is considered that it is not practical to continue with this process.

Notwithstanding this outcome, a number of positive aspects have been gained from this process including but not limited to the following:

- The development of the Scope of Works (Stage 1) has been completed and paid for at a cost-effective rate;
- Linkages with Central Coast Council regarding cell and leachate capture design; and
- Assurance to Environmental Protection Authority that Flinders Council is working to provide a compliant system to address the current non-compliances on the Island.

It may also be relevant that potential resource sharing arrangements with Northern Tasmanian Councils have identified Waste Management as a probable combined tender and, notwithstanding our unique circumstances, an improved contract outsourcing model may be possible.

As a result, options of providing an in-house operation along the lines of the identified improved model or retendering within a now defined scope of works can be actively pursued.

STATUTORY REQUIREMENT:

Local Government Act 1993

Local Government (General) Regulations

POLICY/STRATEGIC IMPLICATIONS:

2. Infrastructure and Services – Placed based approach to planning and delivery to ensure community and environmental values are maintained.
 - 2.3 Minimise environmental and health risks from waste collection and disposal and maximise opportunities to reduce, reuse or recycle resources.
 - 2.3.1 Waste Management Strategy Implemented.
 - 2.3.1.1 Complete Preferred Contractor Engagement model to manage and operate municipal waste management services.

BUDGET AND FINANCIAL IMPLICATIONS:

At this stage, indicative costs indicate that the likely outcome of continued negotiations with JJ Richards would fall outside Council's normally allocated budget. Review of options will be with the aim of at least maintaining or improving the current cost structure.

RISK/LIABILITY:

Nil. Council has not committed to proceeding with the process but has gained and paid for a great deal of knowledge that will stand us in good stead going forward.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council:

1. Concludes negotiations with ToxFree now (JJ Richards) with respect to the provision of Waste Management Options through motion 155.06.2017 relating to the 'Early Contractor Involvement' (ECI) contracting process to deliver Flinders Council's waste management strategic objectives; and
2. Not proceed with implementing motion 155.06.2017 relating to a 'sole source' tendering process with ToxFree (now JJ Richards).

DECISION:

Item B4: Coordinator and Deputy of the Municipal Emergency Management Committee

ACTION	Decision
PROPONENT	Council Officer
OFFICER	General Manager, Bill Boehm
FILE REFERENCE	CSV/0400
ASSOCIATED PAPERS	<i>Annexure 2: Unconfirmed Minutes from the Flinders Municipal Emergency Management Committee meeting held on the 4th August 2017</i>

INTRODUCTION:

Council is required to advise the State Controller of changes to the roles of the Flinders Municipal Emergency Management Coordinator position and the Deputy Coordinator position.

PREVIOUS COUNCIL CONSIDERATION:

Previous positions adopted by Council.

OFFICER'S REPORT

The roles of Municipal Coordinator and Deputy Municipal Coordinator are legislated positions as governed by the *Emergency Management Act 2006*.

Mr Chris Bowman's term as Deputy Coordinator has expired. The recommendation from the Municipal Emergency Management Committee (MEMC) is that this position be filled by Kelly Blundstone. Chris has held the Deputy Coordinator position as a volunteer for a few years, after serving as Coordinator for many years. Mr Bowman should be acknowledged for the time that he has contributed to the MEMC.

Ben Foot had held the role of Coordinator since March 2014. As Ben has left the Island it is necessary to provide a replacement. Jacqui is currently on the MEMC as Environmental Health Officer and as well as her previous emergency management experience, she has the ability to provide the clerical support that the position also requires. Ben Foot's contribution to the MEMC is to be acknowledged.

The roles of the Deputy Municipal Coordinator and Municipal Coordinator are outlined below (Reference: *Emergency Management Act 2006*).

"23 Municipal Emergency Management Coordinators and Deputies

- (1) The Minister is to appoint a Municipal Emergency Management Coordinator and a Deputy Municipal Emergency Management Coordinator for each municipal area.*
- (2) The Minister is to appoint as Municipal Emergency Management Coordinator, or Deputy Municipal Emergency Management Coordinator, for a municipal area a person nominated by the council in that municipal area.*
- (3) Each Municipal Coordinator and Deputy Municipal Coordinator may hold that office in conjunction with any other appointment, position or office.*
- (4) Each Municipal Coordinator and Deputy Municipal Coordinator holds office for the period, and on the terms and conditions, specified in his or her instrument of appointment.*
- (5) A Deputy Municipal Coordinator for a municipal area may act in the office of Municipal Coordinator if-*

- (a) *the Municipal Coordinator is absent from Tasmania or from duty as Municipal Coordinator; or*
 - (b) *the Municipal Coordinator is otherwise unable to perform the functions of the office of Municipal Emergency Management Coordinator; or*
 - (c) *the Municipal Coordinator has died, resigned or been removed from office and a new Municipal Coordinator has not been appointed.*
- (6) *While the Deputy Municipal Coordinator is acting in the office of Municipal Emergency Management Coordinator, he or she is taken to be the Municipal Coordinator.*
- (7) *The Minister, by written notice provided to a council, may require the council to nominate persons for the positions of Municipal Emergency Management Coordinator and Deputy Municipal Emergency Management Coordinator by providing that nomination to the Minister within the time specified in the notice.*
- (8) *A council may only nominate a person for the position of Municipal Emergency Management Coordinator or Deputy Municipal Emergency Management Coordinator if the person, once appointed to the position, would have the authority and ability to make decisions relating to the coordination of emergency management in the municipal area during an emergency without first seeking the approval of the council.*
- (9) *On receipt of the nomination, the State Controller is to provide the nomination, together with his or her recommendations, to the Minister.*
- (10) *If a council fails to comply with a notice provided under subsection(7), the Minister may appoint a person he or she considers suitable to be Municipal Emergency Management Coordinator or Deputy Municipal Emergency Management Coordinator for the municipal area.*
- (11) *If a council fails to nominate a Municipal Coordinator or Deputy Municipal Coordinator, the Minister may appoint a person he or she considers suitable to be Municipal Emergency Management Coordinator or Deputy Municipal Emergency Management Coordinator for the municipal area governed by that council.”*

At the 4th August 2017 MEMC meeting, the Committee voted to adopt Jacqui Viney as Municipal Emergency Coordinator and Kelly Blundstone as Deputy Emergency Management Coordinator. Both of the roles are recommended to Council for acknowledgement and acceptance.

STATUTORY REQUIREMENT:

Local Government Act 1993

Emergency Management Act 2006

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.

4.3.19 Appropriate plans and available resources in place to where possible mitigate and respond to identified risks and incidents.

4.3.19.2 Provide support to Flinders Municipal Emergency Management Committee.

BUDGET AND FINANCIAL IMPLICATIONS:

No change to current budget only that the positions will no longer be paid roles as the duty will be carried out in the course of the officers' current positions.

RISK/LIABILITY:

Many councils have dedicated emergency management staff who are highly trained in the requirements of the position. Some additional training will be required to ensure that current position holders maintain continuity with current requirements.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council advises the State Controller that it nominates Jacqui Viney to fill the Flinders Municipal Emergency Management Coordinator position and Kelly Blundstone the Deputy Coordinator position.

DECISION:

Item B5: Flinders Island Show Insurance 2017-18

ACTION	Decision
PROPONENT	Council Officer
OFFICER	General Manager, Bill Boehm
FILE REFERENCE	CDV/0201
ASSOCIATED PAPERS	<i>Annexure 12: Letter dated 18 July 2017</i>

INTRODUCTION:

In July Council received a request from the Flinders Island Show Society to underwrite insurance cover for the period 1 April 2017 – 30 March 2018 (Annexure 1).

This request was referred to Councils budget workshops but was not formally considered or included in the adopted 2017/18 budget.

This report essentially represents the request for Council's decision.

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER'S REPORT:

Council has been and will continue to be supportive of the Flinders Island Show Society and greatly appreciates the hard work undertaken by the Committee each year to present the Show for the benefit of the Community.

In 2016, at the suggestion of Cr Gerald Willis, Council included the cost of the Flinders Island Show Society's insurance premium in its 2016-17 budget discussions and ensuing budget.

In April 2017, the Show Society successfully applied to Council for a Community Grant of \$2,000 towards entertainment costs and to waiver facility hire and food licence fees as in-kind support. At that time, there was no mention of an application to cover the insurance cost but based on the previous year's successful request a similar treatment may have been expected.

Council has already provided the Show Society with a Community Grant for 2017 and the letter from the Show Society states that payment of the insurance premium 'is not an expense that presents undue pressure on the resources of the organisation'.

In these circumstances, and without any other supporting details such as the Show Society's financial position. it is questionable whether it is appropriate to support this request this year. However, equally based on the previous year's Council decision it may be that the Show Society expected similar treatment.

This does raise the general question of what supporting information Council requires to consider requests of this nature but in any event, it is also open for the Show Society to request Council to consider underwriting insurance cover in future years, through such a request being part of a Community Grant application.

STATUTORY REQUIREMENT:

Nil

POLICY/STRATEGIC IMPLICATIONS:

5. Livability – Protect, improve and promote the safety, creativity, health and wellbeing of the Islands’ communities.

5.2 Support cultural activities that foster social engagement and emotional wellbeing and provide opportunities for creative expression.

5.2.2 Community events and activities are supported, encouraged and delivered.

BUDGET AND FINANCIAL IMPLICATIONS:

Potentially the amount of the insurance premium.

RISK/LIABILITY:

Risk is low as this request is to be considered on its merits; however there is always the potential for this request to be used as a precedent for other similar requests for this or other organisations.

VOTING REQUIREMENTS:

Simple Majority

OFFICER’S RECOMMENDATION:

This is a matter for Council to decide.

DECISION:

Item B6: Whitemark Community Gym

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

INTRODUCTION:

For the past six months, there has been a privately managed gym operating in Whitemark servicing private patrons as well as clients of the Royal Flying Doctor Service's (RFDS) new health program provided by Council's Physical Health Worker. As the gym is not financially viable to run as a private concern, Council has been asked to consider taking over the facility and running it as a community gym.

At the August 2017 Council Meeting Council agreed in principle to the trial operation of a community gym in Whitemark. In doing so inter alia it considered the budget and financial implications.

This report updates progress in the transition.

PREVIOUS COUNCIL CONSIDERATION:

Council Workshop 6th July 2017
Council Workshop 3rd August 2017

201.08.2017 17th August 2017

- "1. That Council agrees in principle to the trial operation of a community gym in Whitemark.*
- 2. That Council authorises the General Manager to negotiate the following matters with the local Lions Club committee:*
 - a) an appropriate rental lease or agreement;*
 - b) an appropriate rental amount taking into account that the Community Gym is not a commercially viable business, however has proven to be a well patronised facility with considerable potential to contribute to community health and well-being; and*
 - c) an appropriate interim agreement (including insurance and access) that covers the period between 1st Sept 2017 and the commencement of Council's management of the Whitemark Community Gym (i.e. this will allow the Gym facility to continue to operate once the current private operator has ceased operating on 31st August 2017, as previously advised).*
- 3. That Council authorises the General Manager to negotiate a fair and reasonable financial amount to purchase or lease the privately owned gym equipment items (from the current operator) that will ensure the Gym continues to provide appropriate facilities for attendees.*
- 4. That Council authorises a Special Committee of Council to be established to assist with ongoing operations of a Whitemark Community Gym."*

OFFICER'S REPORT:

Interim Arrangements

Since the August Council Meeting, Council has entered into interim arrangements with the Flinders Lions Club as owner of the building and David Heap as provider of the service along the following lines:

1. Council to lease the current gym space and toilets as per the original fees and contributory costs towards power usage to operate the Whitemark Community Gym.
2. Council will cover the Lions Club for Public Liability Insurances associated with the Gym's operation.
3. The Lions Club will ensure that the building is appropriately insured.
4. Council will, in this transition arrangement, operate the gym with activities supervised by the current operator David Heap.
5. The Lions Club will enter into more substantive discussions for the eventual introduction of an unsupervised gym operation subject to access, fees and protection issues being resolved. Should this aspect not be agreed to by 31st October 2017, unless otherwise agreed, this interim agreement will lapse.
6. At the completion of the above, as per point 5, a formal lease agreement will then be entered into.

Current arrangements to secure access are also being undertaken.

Special Committee Establishment

To assist in the gym's ongoing management and operation, Council has decided that a Special Committee is to be established.

In this regard a draft Terms of Reference has been developed as a template so that in the future all Special Committees have the same set of working rules except with respect to those aspects that are specific to each Special Committee.

Given the modernisation of the Terms of Reference template, it is considered preferable to discuss the draft at the 28th September 2017 Council Workshop.

The main aspects specific to the Whitemark Gym Special Committee are the purpose, powers and the membership of the Committee. The proposed purpose, powers and membership have been developed in line with elements that apply to the Lady Barron Community Gym and are outlined as per the following extract from the draft as follows:

2. PURPOSE

- 2.1 The purpose of the Committee is to support, assist and advise in the management and operation of the Whitemark Community Gym
- 2.2 The Committee will achieve this purpose by:
 - (a) liaison with users and stakeholders and generally being the point of call for collection and reporting to Council of member / user feedback;
 - (b) monitoring member conduct and compliance with rules that are established for member conduct;
 - (c) reporting any malfunctions / disrepair of gym equipment; and
 - (d) assisting in the collection of member fees and bringing them to Council.
- 2.3 In carrying out its stated purposes the Committee will have the following responsibility:
 - (a) to make recommendations to Council in the general operation of the Gym and policy considerations with respect to the services provided.

3. POWERS OF COMMITTEE

3.1 The Committee has the power to:

- (a) undertake fundraising and sponsorship initiatives to assist in the development of the gym;
- (b) undertake appropriate grant applications as auspiced by Council;
- (c) establish any number of sub-committees to assist the Committee with effectively and efficiently pursuing its purpose; and
- (d) provide recommendations to Council for consideration.

4. MEMBERSHIP OF COMMITTEE

4.1 The Committee will consist of the following members as follows

- (a) One (1) elected member of the Council;
- (b) Council's Physical Health Worker;
- (c) A minimum of four (4) and a maximum of six (6) residents from within the community of the Municipal Area who should:
 - i. possesses good communication skills and the ability to disseminate information;
 - ii. have a demonstrated ability to think and act strategically;
 - iii. have networks within the community of the Municipal Area that use the facility; and
 - iv. have a demonstrated capacity to encourage practices and behaviours that will advance the health and wellbeing of the community through the use of the Community Gym.

6.2 The following persons may attend meetings of the Committee in a non-voting capacity:

- (a) the General Manager;
- (b) the Executive Officer (as defined in the Terms of Reference);
- (c) one (1) representative of Council's Community Development Team; and
- (d) one (1) representative of the Flinders Lions Club.

It is acknowledged that the actual Terms of Reference have not at this stage been completely finalised so the main substance of the tasks have been described sufficiently in order to advertise for members.

STATUTORY REQUIREMENT:

Workplace Health & Safety Act 2012

POLICY/STRATEGIC IMPLICATIONS:

5.0 Livability - Protect, improve and promote the safety, creativity, health and wellbeing of the Islands' communities.

5.1 Improve the health and wellbeing of the Island communities through leadership and co-ordination.

5.1.2 Rural Primary Health Service program funding is administered for delivery of health services to the community.

5.1.2.1 Facilitate and deliver the Rural Primary Health Service Program.

BUDGET AND FINANCIAL IMPLICATIONS:

Outlined as part of previous Council decision.

RISK/LIABILITY:

Appropriate insurance cover has been obtained.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council:

1. Receives and notes the Whitemark Community Gym report;
2. Agrees on the proposed purpose and membership of the Committee;
3. Elects a Councillor to the Committee; and
4. Authorises the General Manager to seek nominations for Committee Members for the Whitemark Community Gym Committee.

DECISION:

Item B7: Flinders Safe Harbour Marine Facility

ACTION	Decision
PROPONENT	Council Officer
OFFICER	General Manger Bill Boehm
FILE REFERENCE	COM/0402
ASSOCIATED PAPERS	<i>Annexure 13: Flinders Council – Marine Access and Safe Harbour Final Report</i>

INTRODUCTION:

The construction of a Marine Access and Safe Harbour at Lady Barron will address a major maritime safety issue for Eastern Australia and Tasmania and will also lead to a major economic development opportunity for Flinders Council.

This report summarises the actions taken thus far to potentially address this issue and recommends appropriate actions to facilitate the development of a suitable project.

PREVIOUS COUNCIL CONSIDERATION:

57.02.2011	17 th February 2011
120.04.2011	21 st April 2011
128.04.2011	21 st April 2011 Closed Council
598.07.2013	18 th July 2013
Council Workshop	6 th July 2017
Council Workshop	31 st August 2017

OFFICER'S REPORT:

Background

In 2011 members of the Lady Barron community raised the possibility of providing safe harbour marine facilities at Lady Barron. This led to a preliminary privately funded investigation that identified some initial options which were later passed onto Council for further evaluation.

With financial assistance from the State Government, Council subsequently commissioned Burbury Consulting to conduct an independent review of the initial work. The new study included cost benefit analysis and examination of various other site options.

On 31st August 2017 Burbury Consulting delivered their draft report to a Council workshop with stakeholder representatives who were part of the initial process in attendance. Feedback was provided and a Final Report, Annexure 10, is now provided to Council for formal consideration.

This Final Report identified that, in consideration of social, physical and ecological factors, the Lady Barron Slipway site was the most suitable of six (6) sites surveyed for the development of a marina. The concept includes:

- rock breakwater;
- boat ramp and floating pontoon jetty;
- floating marina berths;

- temporary berthing for visitor vessels;
- amenities facilities including toilets showers and washing;
- marine services including sewage pump out, water supply power and fuel;
- car and trailer parking for use of the facilities; and
- slipway upgrade.

The report is very comprehensive and thorough with the identified sites, namely Lady Barron (slipway), Lady Barron (existing port wharf), Trousers Point, Whitemark, Killecrankie and Port Davies, being thoroughly examined such that Council can be objectively confident that the recommended Lady Barron (slipway) site is the best possible alternative. This is an important aspect as it is essential that the Council has a united strategy to move forward.

Rationale

Tasmania's two main Bass Strait Islands (King and Flinders) are essential to the fabric of Tasmania. Due to the majority of vessel movements between mainland Tasmania and Australia being via the Tasmanian east coast, Flinders Island is the only practical location on route for a sheltered boat and marine harbour to facilitate safe and improved marine access.

The scale and size of the development, its strategic importance to Northern Tasmania generally and the relative financial capability of Flinders Council, justifies significant external funding. The Project represents a potential major and justifiable investment by the Commonwealth Government as a significant player to improve the safety of marine access with the State Government also a key beneficiary. Given the uniqueness of its natural environs, Lady Barron meets all necessary preconditions for the development of a 'safe' harbour for oceangoing vessels, commercial fishing vessels and for local marine activities.

Analysis

The independent cost benefit analysis identified that:

- the proposed development is likely to be a highly attractive public sector investment for Flinders Island;
- it will ensure the increased appeal and sustainability of Flinders Island as an attractive boating destination, often luxury motorised oceangoing vessels and yachting;
- it will be a major economic development incentive for the local economy, in particular, and for the Northern Tasmanian economy;
- it will provide a unique opportunity for the Flinders Island economy to strengthen and diversify its economic base, in terms of existing economic activities and additional tourism and outdoor recreation opportunities;
- it is expected to be an economically viable public sector investment, with a broad range of forecast benefits that meets all Council of Australian Governments (COAG) public sector investment pre-conditions and requirements;
- there are no perceived technical, economic or environmental risks associated with the project with the lodging of a development application to be carried out to facilitate a 'shove-ready' status; and
- the project facilitates the expansion of the Lady Barron Port facility through relocation of the existing boat ramp the position of which hampers the operations of the existing commercial port operations.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

3. Access and Connectivity – work with service providers and other relevant stakeholders to improve security, reliability and cost effectiveness.
 - 3.1 Maintain or better the standard of sea access to the Islands.
 - 3.1.2 Economic viability of developing an all-weather recreational and leisure vessel harbor investigated.
 - 3.1.2.1 Complete the business case for the Flinders Island marine access and safe harbour project.

BUDGET AND FINANCIAL IMPLICATIONS:

Estimated cost of the project is \$4.8million. Whilst the project is largely beyond the sole financial capacity of Council, there will also be a number of other complementary actions that need to be taken by Council if the project proceeds.

Nevertheless, there will be some financial contribution required to meet specific program funding streams associated with the Australian and State Government Programs as the project is of Federal and State significance.

RISK/LIABILITY:

There is currently a major safety issue for boats traversing the area due to a lack of a safe harbour between Australia and mainland Tasmania. Whilst this is not the responsibility of Council per say, nevertheless, for this aspect to be improved it is essential that Council takes a lead role as we have potentially the best site available.

The project also has the potential to be a major tourism and economic drawcard to visitation and is supported by the Flinders Island Tourism and Business Association. It is one of those rare projects that fulfill Federal and State Government aims as key drivers but will not otherwise eventuate without positive affirmative action by Council.

If there is no concerted attempt to facilitate the project, the reputational risk and potential missed growth in economic development opportunities will be significant.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council:

1. Notes and receives the Flinders Council Marine Access and Safe Harbour Final Report September 2017 prepared by Burbury Consulting;
2. Adopts the report recommendations including the substantive recommendation that, in consideration of social, physical and ecological factors, Council endorses the Lady Barron Slipway site as the most suitable of the six (6) sites surveyed for the development of a safe harbour marina;
3. Confirms that Council ranks this project as the highest priority economic development project for 2017; and

4. Identifies potential grant opportunities and commences concept planning and regulatory requirements to gain project ready status.

DECISION:

Item B8: Councillor Resolution Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	COU/0600
ASSOCIATED PAPERS	<i>Annexure 14: Councillor Resolution Report September 2017</i>

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

The report is presented on a monthly basis.

OFFICER'S REPORT:

Please read Annexure 14 – Councillor Resolution Report September 2017.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Councillor Resolution Report September 2017 be noted.

DECISION:

C. CLOSED COUNCIL

Item C1, C2 and C3: Closed Council Items

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	COU/0312, PUB/0800
ASSOCIATED PAPERS	<i>Annexures 16 - 19 For Elected Members only</i>

PREVIOUS COUNCIL CONSIDERATION:

79.04.2017 20th April 2017
Council Workshop 31st August 2017
50.03.2017 23rd March 2017

REASON FOR CLOSED COUNCIL:

Item C1 TasWater Update, Item C2 Citizen of the Year Award and Item C3 Audit Panel Chair Update are **CONFIDENTIAL** in accordance with Section 15(2) (g) of the Local Government (Meeting Procedures) Regulations 2005.

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION:

That Council move into Closed Council.

DECISION:

Meeting Closed