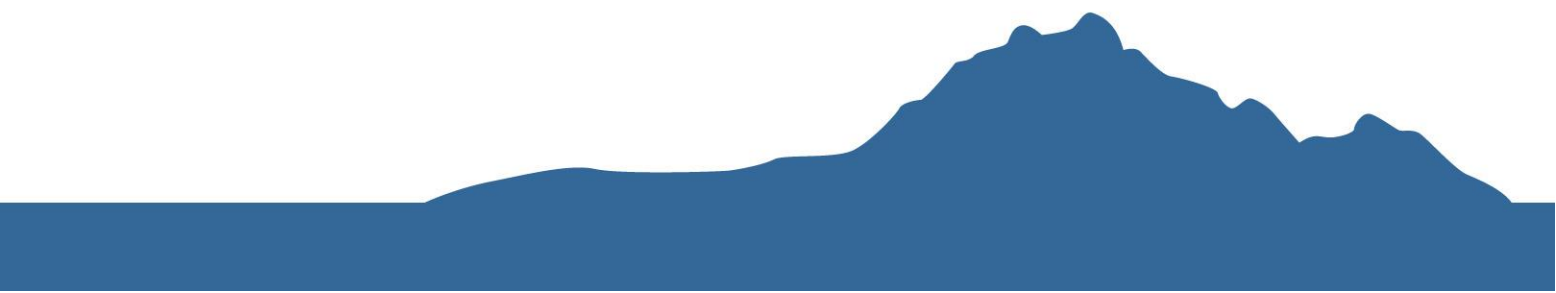




Agenda
Ordinary Council Meeting
22 November 2018



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 16th day of November 2018.



Bill Boehm
GENERAL MANAGER

FLINDERS COUNCIL ORDINARY MEETING

AGENDA

Date: Thursday 22 November 2018
Venue: Flinders Arts and Entertainment Centre, Whitemark
Commencing: 5.00pm

Attendees - Councillors: Mayor Annie Revie
Deputy Mayor David Williams
Sharon Blyth
Aaron Burke
Vanessa Grace
Peter Rhodes
Rachel summers

Apologies: Nil

Attendees - Staff: Bill Boehm | General Manager
Vicki Warden | Executive Officer (minute taker)

WELCOME TO NEW COUNCILLORS

File No: COU/0102

CERTIFICATE OF ELECTION

Annexure 1: Certificate of Election – Flinders Council

Officer’s Report (Bill Boehm, General Manager):

The Certificate of Election for Flinders Council has been received and is hereby tabled.

Officer’s Recommendation:

That the Certificate be received.

Decision:

ELECTED MEMBER DECLARATIONS

Annexure 2: Councillors’ Declarations of Office

Officer’s Report (Bill Boehm, General Manager):

In accordance with the provisions of Section 321 of the *Local Government Act 1993*, the General Manager confirms that all Councillors have completed the Declaration of Office and solemnly declared to:

- a) Faithfully carry out the functions and exercise the powers vested in them by virtue of that office to the best of their ability and in accordance with the law;
- b) Comply with the Council’s code of conduct;
- c) Engage in ongoing professional development; and
- d) Abide by the principles of good governance.

Officer's Recommendation:

That the completed Declarations of Office for Mayor Annie Revie, Deputy Mayor David Williams, Councillor Sharon Blyth, Councillor Aaron Burke, Councillor Vanessa Grace, Councillor Peter Rhodes and Councillor Rachel Summers be received.

Decision:**COUNCILLORS' STATEMENTS****Officer's Report (Bill Boehm, General Manager):**

Newly elected Councillors are provided the opportunity to restate their Declaration of Office and to address Council to outline their goals and aspirations for their term ahead and to thank their supporters.

Officer's Recommendation:

That newly elected Councillors be provided an opportunity to restate their Declaration of Office and to address Council to outline their goals and aspirations for their term ahead and to thank their supporters, if so desired.

Decision:**CONFIRMATION OF MINUTES**

That the Minutes from the Ordinary Council Meeting held on the 11 October 2018 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.

RESPONSE TO COUNCILLOR'S QUESTIONS WITHOUT NOTICE

11 October 2018 Council Meeting

Question 1: Cr David Williams on behalf of Darryl Butler

I was wondering if you could find an explanation for me on the matter of the illegal fencing at Palana.

This issue has been raised with two General Managers to date. The first declaring that the construction being carried out by a sitting councillor at the time would be allowed to happen "over my dead body".

This was followed by emails suggesting that it would be "temporary fencing" and would have to be removed within two years. That was four years ago. Two meetings with the current General Manager on the subject, the first informing me that a letter had been sent instructing them to remove the fence. That was over 12 months ago and the second advising that further incursions had been made onto public land with tree planting.

Despite emails trying to ascertain the current position, no reply has been received.

It has also come to light that all 3 boundary fences have not been located in accordance with the property boundaries, 2 encroaching onto road reserves and the other onto the neighbour's property. None of this is temporary fencing, it is permanent electrified fencing and results in a substantial increase in property size. Can I please have an explanation on why this has not been dealt with? People cannot simply fence land that is not theirs.

The only resolution to this is to have the property surveyed and fenced accordingly.

Mayor's Response:

This question was taken on notice and I can now respond and thank you for raising the issue. The General Manager had responded to Daryl just prior to the council meeting at which you asked this question and the landowner concerned has also been updated regarding the fence removal timing.

A summary of advice is as follows:

The temporary fencing beside the beach access road at Palana was reviewed by Council in March of 2017, with the view that the plantings would require at least another 12 months protection from rampant wallaby population in the area.

The site has again recently been reviewed and it has been confirmed that “the existing fence can stay in at this stage as the summer period would be the worst time for animal browsing of the plants. We (Council) will reassess the situation in March 2019 and, if we have had sufficient rains, more than likely we will then be in a position to formally advise you with an appropriate removal date.”

With regard to the reference of wrong placement of a boundary fence between neighboring properties, any concern on the siting of boundary fencing is a matter to be sorted by the property owners involved.

Any plantings on roadside reserves need to be approved by Council as per policy. The landowners concerned have been reminded of this and advised that any roadside plantings that impact on road usage or council activities will be removed or required to be removed by Council.

Residents will be reminded of such through the Mayor’s column in the upcoming Island News.

LATE AGENDA ITEMS

Nil

DECLARATION OF PECUNIARY INTEREST

In accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2015, Councillors are required to declare any pecuniary interest that they, or any of their close associates, may have in any matter appearing on the agenda, or any supplementary item to the agenda, before any discussion on that matter.

CONFLICT OF INTEREST

In accordance with the Part 2, paragraph 6 of the Local Government (Model Code of Conduct) Order 2016, Councillors are required to declare any conflict of interest, be in actual, perceived or potential, that they may have regarding any matter appearing on the agenda, or any supplementary item to the agenda before any discussion on that matter commences.

LEAVE OF ABSENCE

Nil

PETITIONS

Nil

WORKSHOPS & INFORMATION FORUMS

File No: COU/0205

Council Workshop - 14 November 2018

Council held a Transition Workshop on the following subjects:

- Item 1 Welcome and Introductions
- Item 2 Council Organisation
- Item 3 Councillor Administration
- Item 4 Preparation for November Council Meeting
- Item 5 Flinders Island Accommodation Supply Analysis Draft Report

Councillors in Attendance:

Mayor Annie Revie	Cr Vanessa Grace
Deputy Mayor David Williams	Cr Peter Rhodes
Cr Sharon Blyth	Cr Rachel Summers
Cr Aaron Burke	

Apologies:

Nil

Staff in Attendance:

Bill Boehm	General Manager
Brian Barnewall	Works & Airport Manager
Robyn Cox	Manager, Strategic Planning & Development
Heidi Marshall	Accountant
Dan Pitcher	Community Development Team Leader
Jacci Viney	Projects, Assets & Environmental Health Officer
Vicki Warden	Executive Officer

Council Workshop - 16 November 2018

Council held a Transition Workshop on the following subjects:

- Item 1 Leadership Development Program
 - a) Working with each other
 - b) Working with Council staff
 - c) Working with the Community

Councillors in Attendance:

Mayor Annie Revie	Cr Vanessa Grace
Deputy Mayor David Williams	Cr Peter Rhodes
Cr Sharon Blyth	Cr Rachel Summers
Cr Aaron Burke	

Apologies:

Nil

Staff and Consultants in Attendance:

Bill Boehm	General Manager
Paul Muller	Institute of Project Management
Brian Barnewall	Works & Airport Manager
Robyn Cox	Manager, Strategic Planning & Development

Heidi Marshall Accountant
Dan Pitcher Community Development Team Leader
Vicki Warden Executive Officer

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 14 and 16 November 2018 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 3: Lady Barron Hall and Recreational Special Committee Meeting 20 September 2018 Unconfirmed Minutes

Officer's Report (Bill Boehm, General Manager):

The unconfirmed minutes of the Lady Barron Hall and Recreational Special Committee Meeting held Tuesday 20 September 2018 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 20 September 2018 be noted.

Decision:

COUNCILLORS' REPORTS

Nil

MAYOR'S REPORT:

PAST MAYOR'S REPORT: 4 October - 3 November 2018

Action: Information
Proponent: Mayor C Cox
File Reference: COU/0600
Associated Papers: Nil

Appointments:

04.10.18	National Party Forum Launceston with the Assistant Minister to the Deputy Prime Minister, the Hon Andrew Broad, the Infrastructure Minister, the Hon Matt Canavan MP & Senator Steve Martin
06.10.18	Netball tournament (North East, King Island and Flinders Island teams) and football challenge (North East vs Flinders Island)
11.10.18	Council Meeting
11.10.18	School Holiday Program, Chefs' Workshop culminating dinner at the Tavern
13.10.18	Furneaux Islands reunion at Rosevears Hotel
19.10.18	Flinders Island Show – Citizen of the Year Award presentation and official lunch
25.10.18	Furneaux Group Shipping Special Committee Meeting at Lady Barron Port
26.10.18	Northern Tasmania Development Corporation (NTDC) AGM
27.10.18	Radio Interview ABC Gippsland (this station broadcasts Flinders Island weather daily)
31.10.18	Council Office

2018 Citizen of the Year Award:

Mrs Vicki Harper is the deserving recipient of the 2018 Flinders Council Citizen of the Year Award. Vicki is currently well known for her work with the Furneaux Field and Game Association and the Furneaux Tavern Raffle Club, both strong and ongoing activities. In times past Vicki has also given considerable time and support to the local fishermen, doing twice daily scheds (radio connections) to fishing and other vessels in the waters around the Furneaux Group. Vicki also used this expertise to voluntarily man the radios for the Three Peaks Races as the yachts approached and left Lady Barron. Vicki has also contributed to the Bowls Association as Secretary and President, and assisted in community fund raising events, such as the "gala" Ladies Melbourne Cup days held in Lady Barron in the 1980's. The Citizen of the Year Award is given by Council to a person nominated by the Community and Vicki is a very worthy recipient of that award.

Vicki's name will be added to the record of Citizen of the Year recipients on the plaque in the Rose Garden Room of the Flinders Arts and Entertainment Centre.

National Party Forum:

The General Manager and I were able to expound on the financial difficulties involved in maintaining a Certified Airport in a remote location, an airport that is the gateway to a productive but small community, and communicate to all who were at the forum the need for financial support to undertake the rebuilding of the long runway in the shorter term. A Priority Projects document was delivered to the Ministers.

Furneaux Islands Reunion at Rosevears Hotel:

This was the third reunion organised by the Virieux family that invites people with connections to the islands to meet at the Rosevears Hotel. The event has been held each two years and the vibrant chatter between the attendees discussing current and past activity occurring on the islands is testament to the success of the event. Thank you, Wayne and Allan Virieux, for motivating us to catch up with old and new friends who have an interest in the islands.

Netball and Football:

Congratulations to the organisers of the annual netball round-robin tournament and the football challenge that brings opposing teams from north east Tasmania and a netball team from King Island to compete here on Flinders Island. The spectator support is amazing so thank you to all involved for making this event happen again this year.

Correspondence In:

DATE	WHO	SUBJECT
02.10.18	Will Hodgman MP	National Apology – Child Sexual Abuse
08.10.18	Tasmanian Community Fund	Tasmanian Community Fund's 2019 Emerging Community Leaders Program
08.10.18	Maree Tetlow, Northern Tasmania Development Corporation (NTDC)	Consent for short notice for NTDC AGM
08.10.18	P Gutwein MP	Response re review of <i>Local Government Act 1993</i>
09.10.18	Andrew Thomson	Request for Council's ongoing support for Safe Harbour Project
10.10.18	Heather Smith, Department of Community, Sport and Recreation Directorate (Communities)	Acknowledgment of submission on the Model for Returning Land to the Aboriginal Community
10.10.18	Carmen Lee, Executive Assistant, Regional Development Australia - Tasmania	Thank you for attending the Launceston Forum with Assistant Minister to the Deputy Prime Minister the Hon Andrew Broad
11.10.18	M Buck	Best wishes for last council meeting
12.10.18	Megan Carr, Executive Officer, Learning Services Northern Region, Department of Education	Invitation to recognise the achievements of our top 1% of students in the 2018 State-wide Literacy and Numeracy Monitoring Program
12.10.18	Rikki-lee Ross, Executive Support & Communications, NTDC	Notice of AGM
15.10.18	Maya Nikolic-Arnold, Flinders Island Business Inc.	Telstra Update - Invitation
15.10.18	D Lovegrove	Thank you for efforts as Mayor
16.10.18	Launceston Airport	Launceston Airport Stakeholder Invitation 2018
16.10.18	Commander Peter Edwards, Tasmania Police	Invitation to attend Graduation Ceremony of Trainee Course
17.10.18	Rachel Freeman, State-wide Coordinator, Volunteering Tasmania	Invitation to Volunteering Tasmania networking meeting
18.10.18	J Klug, President, Flinders Island Show Society	Invitation to attend official lunch
18.10.18	Alan and Liz Robinson	Support letter to Minister Elise Archer re name change
23.10.18	Rikki-lee Ross, NTDC	Members Meeting Agenda and papers
23.10.18	Office of Senator Steve Martin	Regional Development & Infrastructure Forum thank you for attendance
26.10.18	P Nugent	Personal thanks

DATE	WHO	SUBJECT
26.10.18	Governor of Tasmania	Invitation to attend 2019 Australian of the Year Awards for Tasmania
31.10.18	Paul Hodgen, General Manager, Launceston Airport	Invitation to participate in survey
02.11.18	P Gutwein MP	Personal thank you for work as Mayor
02.11.18	Four new Tasmanian Mayors	Responses from Mayors
02.11.18	Flinders island District High School	Support of Annual Awards
07.11.18	Australian Local Government Association	National Summit on Drought
07.11.18	Graeme B Lynch, CEO, Heart Foundation	Premier's Health and Wellbeing Advisory Council
07.11.18	Alex Tay, Director of Local Government	Obligations under the Local Government Act and Model Code of Conduct
08.11.18	Tasmania Audit Office	Final Management Report for the Year Ended 30 June 2018
09.11.18	K Ives-Heap	Removal of community equipment and resources from hall office and thank you for use of office

Correspondence Out:

DATE	WHO	SUBJECT
10.10.18	Maree Tetlow, NTDC	Resolution of members – short notice AGM
11.10.18	M Buck	Thanks for well wishes
12.10.18	Community Members	Citizen of the Year nomination
15.10.18	D Lovegrove	Thank you
15.10.18	D Wells	Community Shed – meeting outcome
22.10.18	D Williams	Response to Question Without Notice
27.10.18	P Nugent	Response re personal thanks
27.10.18	C Griffin	Flinders Island school Holiday Program
31.10.18	D Madden	Acceptance of resignation from Shipping Committee
31.10.18	J Klug	Thank you to Show Committee
01.11.18	Seven elected Councillors	Congratulations on election as Councillor
01.11.18	Three unsuccessful councillor candidates	Commiserations on unsuccessful campaign
02.11.18	P Gutwein MP	Thank you for support of Flinders Council
02.11.18	Five new Tasmanian Mayors	Congratulations on election as Mayor

Voting Requirements:

Simple Majority

Recommendation:

That the past Mayor's report be received.

Decision:

MAYOR'S REPORT:

Action: Information
Proponent: Mayor A Revie
File Reference: GOV/0900
Associated Papers: Nil

Appointments:

06.11.18	Meeting with Vicki Warden and Bill Boehm
06.11.18	Meeting with Dolly Wheatley re opening of Playground
06.11.18	Meeting with Mick Rose & Liz Frankham re Marketing Group Flinders Island Business Inc. (FIBI)
06.11.18	Opened new Whitemark Playground
07.11.18	Phone interview Examiner
07.11.18	Meeting with Ross Hart Bass MP
08.11.18	Meeting with Vicki Laine Green
08.11.18	Phone call with Paul Muller re workshop planning
08.11.18	Meeting with Andrew Thomson & Chris Fenner
08.11.18	Meeting with Sophie Pitchford re FIBI Marketing Development Group
11.11.18	Memorial Service re Remembrance Day
12.11.18	Meeting with Bill Boehm & Tasmania Police Commander Brett Smith and A/Inspector Melanie Groves
13.11.18	Worked with Megan Boyes & Vicki Warden re phone & computer technology

My first week in the role of Mayor was good. I was busy – much busier than usual! I enjoyed the role although my head was spinning just a touch.

My new office is situated inside the Flinders Arts and Entertainment Centre in the room on the right off the Foyer. I think it is a good spot because it is so close to the Council Offices but also separated. This allows privacy for community members if they need it.

I'm looking forward to the up and coming Professional Development Workshops.

Correspondence In:

WHO	SUBJECT
Andrew Thomson	Re meeting on Safe Harbour Project
Peter Rhodes	Re meeting with community member
Local Government Association of Tasmania	Re Mayors' Workshop
Cr Sharon Blyth	Re workshop with Lyn Mason

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 – October 2018

B. NOTICE OF MOTION

Item B1: Notice of Motion – Recording of Council Meetings
File No: COU/0203

C. GOVERNANCE

Item C1: Ordinary Council Meetings – Location, Times and Dates
File No: COU/0203

Item C2: Council Committee and Representations
File No: GOV/1100
Annexure 5: Committee Reporting Procedure
Annexure 6: Letter from TasWater Chairman 30.10.18

Item C3: Office Closure – Christmas Season 2018 - 2019
File No: COU/0600

Item C4: Quarterly Report on the Northern Tasmania Development Corporation Ltd.
File No: COU/0305
Annexure 7: Northern Tasmania Development Corporation's Quarterly Report September 2018

Item C5: Councillor Resolution Report
File No: GOV/0300
Annexure 8: Councillor Resolution Report November 2018

Meeting Closed

A. DEVELOPMENT SERVICES AND PLANNING APPLICATIONS
--

ITEM A1: DEVELOPMENT APPLICATION REPORT

Action:	Information
Proponent:	Council Officer
Officer:	Robyn Cox, Manager, Strategic Planning and Development Services
File Reference:	PLN/0105
Associated Papers:	<i>Annexure 4: Planner's Information Report – October 2018</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 current period 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 4, Planner's Information Report – October 2018, provided by West Tamar Council.

Voting Requirements:

Simple Majority

Officer's Recommendation:

That the Planner's Information Report – October 2018 be received.

Decision:

B. NOTICES OF MOTIONS

ITEM B1: NOTICE OF MOTION – RECORDING OF COUNCIL MEETINGS

Action:	Decision
Proponent:	Councillor Peter Rhodes
Officer:	Bill Boehm, General Manager
File Reference:	COU/0203
Associated Papers:	Nil

Notice of Motion:

1. (a) That Councillors, individually and collectively, research and consider the feasibility and desirability of recording Council Meetings, with a view to making these publicly available; and

(b) That this topic be listed for discussion at the next Councillor Workshop.

Councillor’s Report:

The recording of Council Meetings is considered good practice by the Local Government Division of the Department of Premier and Cabinet.

A number of Tasmanian Councils already record and publish their meetings.

A simple internet search¹ reveals numerous examples of Councils that record and publish their meetings in audio format, including Hobart City, Southern Midlands, Waratah-Wynyard, Central Highlands, Huon Valley, Glenorchy City and Launceston City.

The purpose of this motion is to initiate discussion amongst Councillors. Too often we do things in a particular way only “because we have always done things that way”. This is not a recipe for good governance.

This motion, if followed through with a future motion, can achieve three positive outcomes.

Firstly, it provides an opportunity for the new Council to demonstrate a commitment to increased transparency and accessibility.

Secondly, it demonstrates the new Council’s willingness to adopt good practice advice – with a view to becoming recognised as a best practice example.

Finally, it signifies a Councillor commitment to a Continuous Improvement process for Councillor business.

1. <https://duckduckgo.com/?q=recording+council+meetings+tasmania>

Previous Council Discussion:

Nil

Previous Council Consideration:

Nil

Officer's Report:

The stated intent of the Notice of Motion is to provide an opportunity for the new Council to demonstrate a commitment to increased transparency and accessibility, to demonstrate the new Council's willingness to adopt good practice advice – with a view to becoming recognised as a best practice example and to signify a Councillor commitment to a Continuous Improvement process for Councillor business.

As all councillors are aware, when councillors signed the required Schedule 2– Declaration of Office of the *Local Government (General) Regulations 2015*, the declaration has been changed from previous years to now require councillors to declare that they will “engage in ongoing professional development and abide by the principles of good governance.”

The previous Council also thought that ongoing professional development for elected members was a high priority and recommended that “*Council strongly considers making an allocation for Professional Development (program for team building) activities in the 2018/19 Budget.*”

Council has already started afresh and amongst other things, at the 16 November Councillor Workshop, commenced work on a Leadership Development Program which involved training in working with each other, working with Council staff and working with the Community. Governance and communication aspects which this Notice of Motion proposes in part to address, will likely form part of this approach.

Accordingly, already Councillors have expressed a willingness to adopt good practice advice with a view to becoming recognised as a best practice example and to signify a Councillor commitment to a Continuous Improvement process for Councillor Business, which is the stated essence of the Notice of Motion.

It is questionable whether such a motion in its current form, at this time, will achieve these aims in isolation, as it focusses only on one element (recording of Council Meetings). There needs to be linkages to an overarching communication / governance strategy, per say, which has yet to be determined but which already councillors have made a strong commitment to.

Ideally, consideration of the need, practicability and costs associated with recording of Council minutes could / should form part of a considered strategic approach which obviously will be undertaken over time and not necessarily at the next councillor workshop; especially considering the raft of briefings and training that are being undertaken.

Statutory Requirements:

Local Government Act 1993

Policy/Strategic Implications:

No policy exists on this matter.

Budget and Financial Implications:

At this stage there are no budget and financial implications. These elements would evolve through research.

Risk/Liability:

None

Voting Requirements:

Simple Majority

Officer's Recommendation:

That Cr Peter Rhodes's suggestion to investigate the desirability of recording Council Meetings, form part of an overarching strategic approach to communication and governance improvements generally.

Decision:

C. GOVERNANCE

ITEM C1: ORDINARY COUNCIL MEETINGS – LOCATION, TIMES AND DATES

Action:	Decision
Proponent:	Council Officer
Officer:	Bill Boehm, General Manager
File Reference:	COU/0203
Associated Papers:	Nil

Introduction:

Following each ordinary election, the Council is required to review the times of commencement of Council Meetings. On an annual basis it is also a requirement to determine the times and places of Ordinary Council Meetings for the following 12-month period.

This report addresses both matters.

Previous Council Consideration:

Annually

Officer's Report:

In previous years, Council has, at its November or December meeting, set the locations, dates and times for the next year's meetings.

Location, Time, Day & Schedule

For some years, Ordinary Council Meetings have been held on the third Thursday of each month commencing at 1.00 pm, although adjustments have been made at times to accommodate local functions and/or commitments of the Mayor and General Manager.

This being the first meeting after an ordinary election, Council must determine the time of Council Meetings and the location, day and time of Ordinary Council Meetings going forward. Traditionally, Council Meetings have been held during normal working hours and Ordinary Council Meetings at 1pm. Rationale for this includes the following:

- To eliminate staff overtime and other related costs such as child care for staff who are required to attend meetings;
- To minimise the length of the actual working day and hence potential fatigue for staff and councillors who are required to stay focused and sharp as part of their decision-making function; and
- Maximise time available such that if required, a Workshop with external agencies or politicians can be held prior to an Ordinary Council Meeting without making the day arduously long and compromising the decision-making function.

In doing so, Council also looked at the practical realisation that the function of a Council Meeting is to formally look at information and make appropriate decisions after a significant amount of preparatory work and reports were prepared and included in a public agenda. Historically, public attendance at Council Meetings is minimal as in part the opportunity for the general public to participate, other than by attendance, is limited.

Given Council's current financial position, it is considered that this practice continues.

The day that Council Meetings are held is a matter for Councillors to decide. For many years the Ordinary Council Meetings have been held on Thursdays which allows the maximum amount of normal working days for staff to prepare the Council Agenda. Given that Councillors may submit a Notice of Motion as late as 4 days before the meeting, (excluding the day the Agenda is released and the day of the meeting), the timeframe ensures time is available to adequately research all Notices of Motions and to prepare an appropriate Officer's Report. The current practice also gives Councillors the weekend in which to read information.

Meetings on a weekend are not practicable with Monday or Friday also an issue given the close proximity to weekends and the number of public holidays involved. However, Tuesdays or Wednesdays would also be appropriate from a staff point of view. The actual individual personal circumstances for each councillor also need to be considered.

Following canvassing of Councillors' availability, the proposed schedule for Ordinary Council Meetings has been prepared based on them being held on the third Tuesday of the month at 9am. Forthcoming dates and potential conflicts with other events/meetings/commitments has been taken into consideration by senior management when preparing the schedule and dates changed to accommodate the Mayor and General Manager's attendance at off-island events.

Statutory Requirement:

Local Government Act 1993

Local Government (Meeting Procedures) Regulations 2015

"R6 Times of meetings

- (1) A meeting is not to start before 5:00 p.m. unless otherwise determined by the council by absolute majority or by the council committee by simple majority.*
- (2) After each ordinary election, a council and a council committee are to review the times of commencement of their meetings."*

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.

Budget and Financial Implications:

Minimal provided that Council meetings are conducted during normal working hours.

Voting Requirements:

Absolute Majority

Officer's Recommendation:

That unless circumstances dictate, all Meetings of the Council shall be held in the Flinders Arts and Entertainment Centre, Whitemark, during normal business hours and that the Ordinary Meetings of Council will commence at 9.00am on the following dates:

- Tuesday 18 December 2018
- Tuesday 22 January 2019
- Tuesday 19 February 2019
- Tuesday 19 March 2019
- Tuesday 16 April 2019
- Tuesday 21 May 2019

- Tuesday 18 June 2019
- Tuesday 16 July 2019
- Tuesday 20 August 2019
- Tuesday 17 September 2019
- Tuesday 15 October (Flinders Island Show Week) or 22 October 2019
- Tuesday 19 November 2019
- Tuesday 17 December 2019

Decision:

ITEM C2: COUNCIL COMMITTEE AND REPRESENTATIONS

Action:	Decision
Proponent:	Council Officer
Officer:	Bill Boehm, General Manager
File Reference:	GOV/1100
Associated Papers:	<i>Annexure 5: Committee Reporting Procedure</i> <i>Annexure 6: Letter from TasWater Chairman 30.10.18</i>

Introduction:

Flinders Council currently has a raft of Committees that were established to allow communication, discussion and community input into decision-making on specific areas or activities of community and Council importance. Post an election, Council is required to undertake a review of these committees and their representatives to ensure they are still relevant and have adequate Councillor representation to ensure their continued function. In addition, there is an opportunity to review the rationale behind the current arrangements to see if they are still appropriate.

This report outlines the current Council Committee Structure and Membership and Representations and provides an opportunity for Council to review whether the structure and function are still relevant and to appoint new councillor representatives now that new councillors have been appointed.

Previous Council Consideration:

From time to time Council reviews its committee structure and post each election is required to review committees and representation.

Officer's Report:

Special Committees

The *Local Government Act 1993* section 28 outlines the roles and functions of Councillors. Councillors are charged with the following:

"28. Functions of councillors

(1) A councillor, in the capacity of an individual councillor, has the following functions:

- (a) to represent the community;*
- (b) to act in the best interests of the community;*
- (c) to facilitate communication by the council with the community;*
- (d) to participate in the activities of the council;*
- (e) to undertake duties and responsibilities as authorised by the council."*

The Act directs that the communication and representation of and with the Community is the function of a Councillor. Transparent decision making, consultation and communication falls directly within the role of a Councillor and the Councillors as a collective.

Although not the only way, the use of Special Committees has been in the past one vehicle to assist in achieving this outcome.

Flinders Council currently has a range of Special Committees that were historically established to allow communication, discussion and community input into decision-making on specific areas or activities of community and council importance.

The *Local Government Act 1993* section 24 states the following:

“24. Special committees

- (1) A council may establish, on such terms and for such purposes as it thinks fit, special committees.*
- (2) A special committee consists of such persons appointed by the council as the council thinks appropriate.*
- (3) The council is to determine the procedures relating to meetings of a special committee.*

Historically, post each election, Councillors consider the need and past efforts/use of the Special Committees in place and collectively decide what Special Committees are required. Councillors are then nominated and subsequently selected for inclusion onto these committees. The standard practice has been that a Councillor becomes the Chairperson of the Committee for the term of Council and is often assisted by other Councillors who desire to be on the specific committee. All but one of the current Special Committees have a Councillor as the Chairperson.

Over the past few years the scope of how Special Committees are established and operate has evolved such that an elected member is not required on some Special Committees that are operational in nature but rather a form of committee structure exists that allows community members to operate within the providence of local government. The Furneaux Islands Festival Committee is one such example, having evolved from a group of individuals.

The task of managing attendance, developing agendas, taking minutes and then presenting/discussing the recommendations of these committees to Council is the role of Councillors. Staff are more than willing to assist in ensuring the right processes, templates and procedures are followed and often attend meetings in an ex-officio capacity, however that is the limit of their involvement (unless specifically requested to be otherwise and approved by Council). It should also be noted that committees make recommendations to Council for consideration. They in themselves have no direct ability to make decisions that bind Council to any one course of action unless that power to do so has been delegated by the Council.

A Special Committee of Council should at the very least have the following:

- A willing and committed Chair who understands the role the committee has in relation to the community's interests but also the strategies and plans Council already has in place;
- A Chair that can follow the procedures in place for reporting and taking recommendations to Council for consideration;
- Clear and agreed terms of reference for each committee; and
- A transparent approach to the selection of individuals to sit on the committee, their terms of appointment and the manner in which the decisions of the committee inform Council's own decision making and reporting processes.

The previous Council had the following Special Committees functioning at the time of the election. For brevity I have only listed the Councillors involved in the committee structure and made some general comments on the effectiveness and importance of each.

Special Committee	Comments	Previous Representative
Furneaux Community Health Special Committee	Provides an important avenue for community input into health generally.	Cr G Willis (Chair) Mayor C Cox

Special Committee	Comments	Previous Representative
Furneaux (Emita) Hall & Recreation Ground Special Committee	A very active group who have been able to stimulate use of this facility.	Deputy Mayor M Cobham (Chair)
Furneaux Group Aviation Special Committee	In theory provides an important avenue for general aviation issues to be discussed. However, most of the focus of discussions seems to be in relation to the operation of the Airport which is a Council responsibility as a business unit and which is quite rightly handled separately by Council. Some of the representatives also have a commercial business to run and as such there can often be limited open dialogue. A review of the function and emphasis would seem appropriate.	Mayor C Cox (Chair) Cr P Rhodes Cr K Stockton
Furneaux Group Shipping Special Committee	This Committee has special importance to the Island and unlike many other Council Committees the actual services are not Council's responsibility. It operates well. The only disappointment is that Furneaux Freight has chosen to no longer provide a representative at the meetings.	Mayor C Cox (Chair) Deputy Mayor M Cobham Cr P Rhodes
Furneaux Islands Festival Special Committee	Only recently established following a thorough review. It replaced an informal working group that had worked successfully to establish the Furneaux Islands Festival which has now become a highly successful and important fabric of the Community.	No councillor representation required
Lady Barron Hall & Recreational Special Committee	A very active group who have been able to secure a multitude of grants to assist in the development of this facility.	Cr D Williams (Chair)
Whitemark Beautification Special Committee	Inactive. Potentially to be re-established as and when required although perhaps with a wider township enhancement focus. Opportune once Council has received the Whitemark Coastal Inundation and Flood Study Report and Structure Plan from Dock 4 which hves been delayed pending completion of the previous mentioned reports.	
Whitemark Community Gym Special Committee	Established in part based on a similar arrangement at Lady Barron who had a gym type sub-committee. Provides a good linkage between the health component of what the gym is used for and its normal fitness function.	Deputy Mayor M Cobham (Chair)

Council Committees

The *Local Government Act 1993* section 23 states the following:

"23. Council committees

(1) A council may establish, on such terms as it thinks fit, council committees to

- assist it in carrying out its functions under this or any other Act.*
- (2) *A council committee consists of councillors appointed by the council and any councillor who fills a vacancy for a meeting at the request of the council committee.*
- (3) *A meeting of a council committee is to be conducted in accordance with prescribed procedures.”*

The previous Council had the following Council Committees functioning at the time of the election:

Council Committee	Comments	Previous Representative
General Manager's Performance Review Committee	This is a matter for Councillors.	Mayor Carol Cox Cr Ken Stockton Cr Gerald Willis (Chair)
Ideas and Innovations Committee	The Ideas and Innovations Committee only met twice in 4 years with no output. Ideas and innovations are generated operationally on a regular basis and are not restricted to Council operations. There are far more inclusive ways if partnerships with the Community are generated.	Cr G Willis (Chair) Cr C Rhodes Cr P Rhodes Cr K Stockton

Legislative Committees

The following Committee is required under legislation and has council representation:

Legislative Committee	Comments	Previous Representative
Municipal Emergency Management Committee	Operates under the state Emergency Management Act 2006. Represents the Municipality in emergency and disaster planning and recovery. Supports the sustainability and improvement of the local SES volunteer service.	Mayor Carol Cox

Council Representatives on other bodies

Council also has appointed representatives on the following external committees and organisations:

External Body	Comments	Previous Representative
Flinders Island Business Incorporated	<p>Organisation has been operating in one form or other for 50 years. It recently undertook a review of its organisation and has transitioned to the Flinders Island Business Inc. (FIBI) with a broad business focus. Council is a member of FIBI and elects a council representative to attend General Committee meetings.</p> <p>Over recent years there has been a stronger relationship with Council, partly as Council and the</p>	Cr G Willis

External Body	Comments	Previous Representative
	<p>State Government jointly funded some marketing activities. Council's Community Economic Development Team members regularly work with and support the Incorporation on a variety of projects such as the Destination Plan Action Plan and Food and Crayfish Festival. Former Councillor Gerald Willis in a personal capacity was also appointed to their Executive.</p> <p>Given the importance of this organisation to the economic development of the municipality it may be time to review the representative arrangements.</p>	
Flinders Island District High School Association	An important and traditional role.	Cr P Rhodes
Clean up Australia	Events on the day have traditionally been organised by Councillors. For Council to decide.	Cr P Rhodes Cr K Stockton
TasWater – Shareholder's representative	It is essential that a committed person be appointed as Council's shareholder ownership of TasWater is extremely important. There is a significant amount of off-island travel and plenty of Board responsibilities. In recognition of this the General Manager has been appointed as interim representative. The previous Council representative was highly respected.	Cr G Willis (interim representative Bill Boehm, General Manager)
Northern Tasmania Development Corporation – Local Government Committee	It is essential that a committed person be appointed. There is some amount of off-island travel but minimal Board responsibility. The General Manager often deputizes and where possible also attends.	Mayor C Cox
Local Government Association of Tasmania	An essential role for the Mayor.	Mayor C Cox
Office of the Tasmanian Economic Regulator's Customer Consultative Committee	Meetings can be arranged via phone.	Cr P Rhodes

External Body	Comments	Previous Representative
Natural Resource Management (NRM) North Association Group A Representation	Several years ago, Council operated a partnership with the NRM North Association. At the time Council was represented on this Association, as was the then Furneaux NRM Steering Committee through Council's NRM Officer. The Steering Committee has since become defunct and the program of delivery of NRM services has significantly altered. It seems that both the Council and Steering Committee representatives are still on the NRM North Association Group A data base. Through a \$20 renewal fee Council is still a member of this Association. There is one only AGM meeting to attend.	Deputy Mayor Cr Mark Cobham

It is important to also define the roles and expectations for each appointment.

General Comment

There is an important opportunity for Council to review a raft of community liaison and operating arrangements but naturally this should be undertaken when all elected members have had an opportunity to determine their strategic approach. It is also important that elected members spread the workload around.

Statutory Requirement:

Local Government Act 1993

Policy/Strategic Implications:

4. Strategic, Efficient and Effective Organisation

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

Budget and Financial Implications:

The Committees do incur staff time and effort and as such expose Council to costs.

Risk/Liability:

Councillors' connections with the Community they serve are critical to Council's reputation and to avoid risk.

Voting Requirements:

Simple Majority

Officer's Recommendation:

Special Committees

1. That as per s24 of the *Local Government Act 1993* (Special Committees), Council maintains (with the existing community-based membership and terms of reference) the following Special Committees of Council:

- (a) Furneaux Group Shipping Special Committee;
- (b) Furneaux Community Health Special Committee;

- (c) Furneaux (Emita) Hall & Recreation Ground Special Committee;
 - (d) Lady Barron Hall & Recreational Special Committee;
 - (e) Furneaux Islands Festival Special Committee; and
 - (f) Whitemark Community Gym Special Committee.
2. That as per s24 of the *Local Government Act 1993* (Special Committees) Council:
 - (a) maintains the Furneaux Group Aviation Special Committee with terms of reference to be reviewed by Council; and
 - (b) explores opportunities to reform the Whitemark Beautification Special Committee with a wider township enhancement focus with revised name and terms of reference.
 3. That nominations be called from around the Council table to fill positions on these Special Committees, except the Furneaux Islands Festival Special Committee. Once nominations are received, ballots be held (if required) to elect representatives and a Chair for each Committee.

Council Committees

4. That as per s23 of Local Government Act 1993 (Council Committees) Council:
 - (a) maintains the General Manager's Performance Review Committee and appoints the Mayor to Chair this Committee; and
 - (b) disbands the Ideas and Innovations Committee noting that ideas and innovations are generated operationally on a regular basis, are not restricted to Council operations and that there are inclusive ways for such elements to be generated with the Community.
5. That nominations be called from around the Council table to fill positions on the General Manager's Performance Review Committee. That once nominations are received, ballots be held (if required) to elect representatives and a Chair for each Committee.

Legislative Committees

6. That Flinders Council appoints the Deputy Mayor to Chair the Municipal Emergency Management Committee.

Council Representation on Other Bodies

7. That Flinders Council appoints the Mayor to be Council's representative on the following:
 - (a) Northern Tasmania Development Corporation – Local Government Committee; and
 - (b) Local Government Association of Tasmania.
8. That Flinders Council appoints the Deputy Mayor to be Council's proxy on the Local Government Association of Tasmania.
9. That Council calls for nominations from around the table for a representative to each of the following external committees and organisations:
 - (a) Flinders Island Business Inc.;
 - (b) Flinders Island District High School Association;
 - (c) Clean Up Australia;

- (d) NRM North Association Group A;
 - (e) TasWater – Shareholder’s Group; and
 - (f) The Office of the Tasmanian Economic Regulator’s Customer Consultative Committee;
- and that a ballot be held if there is more than one nomination.

General Committee Structure

10. That Council review on an as required basis the structure and expectations of all committees but by default at least formally in December 2020.

Decision:

ITEM C3: OFFICE CLOSURE – CHRISTMAS SEASON 2018 - 2019

Action:	Information
Proponent:	Council Officer
Officer:	Bill Boehm, General Manager
File Reference:	COU/0600
Associated Papers:	Nil

Introduction:

The festive season associated with Christmas and the New Year's celebrations is soon to commence. In the past, Council has closed its offices over the period between Christmas and the New Year as only limited (if any) transactions occur. Staff are available if any emergency situations arise. This is a common practice for Tasmanian Councils.

This report provides a specific update for the 2018 - 2019 Christmas to New Year Period.

Previous Council Consideration:

Annually

Officer's Report:

Public holidays are scheduled on Tuesday 25 December (Christmas Day), Wednesday 26 December 2018 (Boxing Day) and Tuesday 1 January 2019 (New Year's Day).

Council will close its offices for the Christmas and the New Year season from close of business 21 December 2018 to 1 January 2019 inclusive, reopening the office on 2 January 2019. Staff members have expressed a desire to close the Monday before Christmas to allow for arrangements to be made prior to the holiday season. Arrangements are in place to ensure that appropriate leave and/or accrued rostered days off are taken for Monday 24 December 2018.

The 2016-2019 Enterprise Bargaining Agreement provides the three work days between the Christmas and New Year public holidays as paid grace days to all ongoing and fixed-term employees that would normally attend on those days. Employees who may be required to attend to duties in this period will have an additional rostered day off or annual leave day added to their balance for each day worked.

Council Staff will, as always, ensure that sufficient visitor information material is available at selected business houses during this period.

Voting Requirements:

Simple Majority

Officer's Recommendation:

That Council notes that the Council Offices will be closed from close of business 21 December 2018 and will reopen on the 2nd January 2019.

Decision:

ITEM C4: QUARTERLY REPORT ON THE NORTHERN TASMANIA DEVELOPMENT CORPORATION LTD.

Action:	Information
Proponent:	Council Officer
Officer:	Bill Boehm, General Manager
File Reference:	COU/0305
Associated Papers:	<i>Annexure 7: Northern Tasmania Development Corporation's Quarterly Report September 2018</i>

Introduction:

As permitted under Section 21 (c), Enterprise Powers of the *Local Government Act 1993*, Flinders Council become a member of the Northern Tasmania Development Corporation (NTDC) on 1 January 2017. The *Local Government Act 1993* also requires the General Manager to provide a quarterly report to Council on the activities of the NTDC and any adverse developments that may affect the entity's financial viability.

Annexure 7, NTDC LTD Quarterly Progress Report to Council Members – September 2018, was received on 24 October 2018.

Previous Council Consideration:

Formal quarterly progress reports are provided to all member Councils NDTC and are considered by Council.

Officer's Report:

As permitted under Section 21 (1c), Enterprise Powers of the *Local Government Act 1993*, Council became a member of NTDC as from 1 January 2017. The NTDC was officially formed in March 2017 with the following primary objectives:

- a) provide pro-active, engaged and strategic regional economic leadership;
- b) consolidate an agreed vision for the development, sustainability and prosperity of the geographic region that the Organisation's Members encompass;
- c) implement a strategic economic action plan based on the Northern Regional Futures Plan framework or similar; and
- d) to provide effective representation and advocacy to State and Federal Government and other stakeholders.

Section 21 (5) of the *Local Government Act 1993* states the following:

"The general manager is to report to the council –

- a) at least once every 3 months in respect of the performance of any activities carried out pursuant to (section 21 (1)) and any strategic issues related to those activities; and*
- b) any adverse developments that significantly affect or are likely to significantly affect the financial viability, the operating viability or any other aspect of any of those activities.*

The NTDC continues to make progress on a variety of fronts with the Executive Officer and Chair being accessible for advice and support. Discussions with Councils in the region continue to indicate positive rapport. Council being a part of this new structure is a positive initiative.

Statutory Requirement:

Local Government Act 1993

Policy/Strategic Implications:

4. Strategic, Efficient and Effective Organisation

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.

4.1.1.3 Maintain membership and actively engage with Northern Tasmania Development Corporation (NTDC), Local Government Association of Tasmania (LGAT) and Tourism Northern Tasmania (TNT).

Risk/Liability:

Nil

Voting Requirements:

Simple Majority

Officer's Recommendation:

That Council notes the General Manager's quarterly report on the activities of the Northern Tasmania Development Corporation and the September 2018 report provided to all member Councils.

Decision:

ITEM C5: COUNCILLOR RESOLUTION REPORT

Action:	Information
Proponent:	Council Officer
Officer:	Bill Boehm, General Manager
File Reference:	COU/0600
Associated Papers:	<i>Annexure 8: Councillor Resolution Report November 2018</i>

Introduction:

This report identifies the actions taken and actual costs associated with implementing resolutions passed by elected members up to November 2018.

Previous Council Consideration:

The report is presented on a monthly basis.

Officer's Report:

Please read Annexure 8 – Councillor Resolution Report November 2018.

Voting Requirements:

Simple Majority

Officer's Recommendation:

That the Councillor Resolution Report November 2018 be noted.

Decision:

Meeting Closed