



# Agenda Ordinary Council Meeting

24 October 2019



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## CERTIFICATION

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"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 17<sup>th</sup> day of October 2019.

A handwritten signature in blue ink, appearing to read 'Heidi Marshall', with a stylized flourish at the end.

Heidi Marshall  
**ACTING GENERAL MANAGER**

## Table of Contents

Item	Page
1 Acknowledgment of Country .....	1
2 Confirmation of Minutes .....	1
3 Public Question Time .....	1
4 Responses to Public Questions.....	2
5 Councillor's Questions on Notice.....	3
6 Councillor's Questions Without Notice.....	3
7 Late Agenda Items .....	3
8 Declaration of Pecuniary Interest .....	3
9 Conflict of Interest .....	3
10 Leave of Absence .....	3
11 Petitions .....	4
12 Policies .....	4
13 Workshops & Information Forums .....	5
14 Public Meetings.....	6
15 Publications/Reports Tabled for Council Information .....	6
16 Reports to be Received.....	6
16.1 Furneaux Group Shipping Special Committee .....	6
16.2 Furneaux Community Health Special Committee .....	6
16.3 Lady Barron Hall and Recreational Special Committee.....	7
16.4 Furneaux Islands Festival Special Committee.....	7
17 Councillors' Reports .....	8
18 Mayor's Report.....	8
19 Development Services and Planning Applications.....	10
19.1 Development Application Report.....	10
20 Governance .....	11
20.1 Use of the Flinders Council Common Seal.....	11
20.2 Council's 2019/20 1st Quarter Report against the Annual Plan .....	12
20.3 Chair of the Furneaux Islands Festival Special Committee .....	13
20.4 Councillor Resolution Report .....	15
21 CLOSED COUNCIL .....	16
21.1 Flinders Island Airport Runway Rehabilitation Project .....	16
21.2 Acting General Manager's Confidential Briefing .....	16

# Flinders Council Ordinary Meeting - Agenda

## Thursday 24 October 2019

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**Venue** Flinders Arts and Entertainment Centre, Whitemark  
**Commencing** 9.30am

**Attendees - Councillors** Deputy Mayor David Williams  
Aaron Burke  
Vanessa Grace  
Peter Rhodes  
Rachel Summers

**Apologies - Councillors** Mayor Annie Revie  
Sharon Blyth

**Attendees - Staff** Heidi Marshall | A/General Manager  
Brian Barnewall | Works and Airport Manager  
Vicki Warden | Executive Officer (minute taker)

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### 1 Acknowledgment of Country

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The Mayor will acknowledge the Traditional Owners of the land on which we meet today, the Palawa people of the Trawulwai Nation, and recognise their continuing connection to the land, waters and culture of this Municipality, and pay respects to Elders past, present and emerging.

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### 2 Confirmation of Minutes

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#### **RECOMMENDATION**

**That the open and closed Minutes of the Ordinary Council Meeting held on 17 September 2019, and the open and closed Minutes of the Special Council Meeting held on 8 October 2019, be confirmed.**

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### 3 Public Question Time

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*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.*

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## **4 Responses to Public Questions**

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### **17 September 2019 Meeting**

#### **Question 1: Michael Buck**

What plans does the Council have to respond to the Productivity Commissions draft report into remote area tax concessions and payments? Feedback to the draft is open until 11 October 2019. Flinders could lose its current status.

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

Due to the short timeframe for responses to be submitted, Council was unable to hold a workshop on this matter. However, a submission was lodged emphasising that any changes should not be of detriment to remote communities such as those of the Furneaux Group and pointing out some of the comparative disadvantages faced by our community to those of mainland Tasmania and Australia. Peter Gutwein has said that the Hodgman Government "will not support changes that leaves any Tasmanian community worse off."

#### **RECOMMENDATION**

**That the response to the public question from the 17 September 2019 Council Meeting be noted.**

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## **5 Councillor's Questions on Notice**

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None received.

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## **6 Councillor's Questions Without Notice**

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*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.*

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## **7 Late Agenda Items**

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Nil

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## **8 Declaration of Pecuniary Interest**

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*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.*

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## **9 Conflict of Interest**

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*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.*

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## **10 Leave of Absence**

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Nil

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## 11 Petitions

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**File Reference:** ASM/0200  
**Annexure:** 11.1 Petition from Marcia O'Connell

A petition to Flinders Council from Marcia O'Connell with 71 signatories regarding the Marine Access and Safe Harbour Project was received by the General Manager on 17 October 2019. The petition complies with section 57 of the *Local Government Act 1993* and is tabled as per section 60 of the Act. The wording of the petition is as follows:

*"We, the undersigned, request that Flinders Council does not use rate payers' funds for planning, constructing, operating or for any other purposes associated with the Marine Access and Safe Harbour Project."*

The petition will be considered at the next available Council Meeting.

### **RECOMMENDATION**

**That Council notes that the petition has been tabled.**

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## 12 Policies

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The Credit Card Policy and Procedure was adopted at the 20 August 2019 Ordinary Council Meeting and no submissions were received throughout the 28 day public consultation period. As per the requirements of the Flinders Council Policy Manual Policy, the Credit Card Policy and Procedure can now be adopted.

### **RECOMMENDATION**

**That the Credit Card Policy and Procedure be adopted.**

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## 13 Workshops & Information Forums

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File No. COU/0205

### **Council Workshop – 1 October 2019**

Council held a Workshop on the following subject:

- Item 1 General Manager Recruitment

### **Councillors in Attendance**

Deputy Mayor David Williams

Cr Vanessa Grace

Cr Rachel Summers

### **Apologies**

Mayor Annie Revie

Cr Sharon Blyth

Cr Aaron Burke

Cr Peter Rhodes

### **Consultants in Attendance**

Kristy Scott hrisesp Human Resources Consulting (via phone)

### **RECOMMENDATION**

**That the Council Workshop held on 1 October 2019 be noted.**



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## 14 Public Meetings

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Nil

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## 15 Publications/Reports Tabled for Council Information

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Nil

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## 16 Reports to be Received

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### 16.1 Furneaux Group Shipping Special Committee

**File Reference** COM/0403

**Annexures** 16.1 Furneaux Group Shipping Special Committee Meeting 18 September 2019 Unconfirmed Minutes

#### **OFFICER'S REPORT (Heidi Marshall, A/General Manager):**

The unconfirmed minutes of the Furneaux Group Shipping Special Committee meeting held Wednesday, 18 September 2019 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

#### **RECOMMENDATION**

**That the unconfirmed minutes of the Furneaux Group Shipping Special Committee Meeting held 18 September 2019 be noted.**

### 16.2 Furneaux Community Health Special Committee

**File Reference** CSV/0912

**Annexure** 16.2 Furneaux Community Health Special Committee meeting 4 July 2019 Unconfirmed Minutes

#### **OFFICER'S REPORT (Heidi Marshall, A/General Manager):**

The unconfirmed minutes of the Furneaux Community Health Special Committee meeting held Thursday, 4 July 2019 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

#### **RECOMMENDATION**

**That the unconfirmed minutes of the Furneaux Community Health Special Committee meeting held 4 July 2019 be noted.**

### **16.3 Lady Barron Hall and Recreational Special Committee**

**File Reference** AME/0503

**Annexure** 16.3 Lady Barron Hall and Recreational Special Committee meeting 19 September 2019 Unconfirmed Minutes

#### **OFFICER'S REPORT (Heidi Marshall, A/General Manager):**

The unconfirmed minutes of the Lady Barron Hall and Recreational Special Committee meeting held Thursday, 19 September 2019 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

#### **RECOMMENDATION**

**That the unconfirmed minutes of the Lady Barron Hall and Recreational Special Committee meeting held 19 September 2019 be noted.**

### **16.4 Furneaux Islands Festival Special Committee**

**File Reference** CDV/0302

**Annexure** 16.4 Furneaux Islands Festival Special Committee meeting 16 October 2019 Unconfirmed Minutes

#### **OFFICER'S REPORT (Heidi Marshall, A/General Manager):**

The unconfirmed minutes of the Furneaux Islands Festival Special Committee meeting held Wednesday, 16 October 2019 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

#### **RECOMMENDATION**

**That the unconfirmed minutes of the Furneaux Islands Festival Special Committee meeting held 16 October 2019 be noted.**

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## 17 Councillors' Reports

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None received.

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## 18 Mayor's Report

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<b>Action</b>	<b>Information</b>
<b>Proponent</b>	Acting Mayor R Summers
<b>File Reference</b>	COU/0600
<b>Annexures</b>	Nil

### APPOINTMENTS

2 October	Mayor Annie Revie took sick leave and appointed Deputy Mayor David Williams as Acting Mayor.  Mayor Revie's appointments and correspondence for the period will be reported in the 19 November 2019 Council Meeting Agenda.
3 October	Acting Mayor David Williams attended ABC television and radio interviews. The ABC visited Flinders Island to investigate the recent FTI Consultant's report on the future need of the Island to increase the number of younger working aged people.  It was a very interesting series of interviews with people from all walks of life here, including a radio interview with John Hizzard who performed a "live" juggling routine.  Overall the ABC productions highlighted how beautiful the Island is and our young entrepreneurs provided well-reasoned thoughts on the benefits of living and developing businesses here.
7 October	Acting Mayor David Williams took sick leave on 7 October and Mayor Annie Revie resumed the role.
8 October	Special Council Meeting held and Cr Rachel Summers was appointed Acting Deputy Mayor.  After the meeting, Mayor Annie Revie appointed Acting Deputy Mayor Summers as Acting Mayor until 23 October.

### CORRESPONDENCE IN

12.09.2019	Carol Cox	Thanks to Council for fee waiver on behalf of Hospital Auxiliary
19.09.2019	Department of Home Affairs	New Australian Citizenship Ceremonies Code
24.09.2019	Department of Education	Invitation to the 2019 Frank MacDonald Memorial Prize Ceremony
04.10.2019	A Holloway	James Court
19.09.2019	P Guichelaar	Quarry access
29.09.2019	Roads Australia	Introduction to Roads Australia
11.10.2019	Productivity Commission	Submission on Productivity Commission's report

### CORRESPONDENCE OUT

12.09.2019	Carol Cox	Thank you Hospital Auxiliary
02.10.2019	V Warden	Appointment of Acting Mayor
07.10.2019	V Warden	Resuming role of Mayor

## **CORRESPONDENCE OUT**

08.10.2019	A Holloway	Response re James Court
08.10.2019	V Warden	Appointment of Acting Mayor
11.10.2019	Productivity Commission	Submission on Productivity Commission Draft Report
14.10.2019	M buck	Response to public question – Productivity Commission Report

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

**That the Mayor's report be received.**

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## 19 Development Services and Planning Applications

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### 19.1 Development Application Report

<b>Action</b>	<b>Information</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Kara Hallas   Regulatory Services Officer
<b>File Reference</b>	PLN/0105
<b>Annexures</b>	19.1.1 Planner's Information Report – September 2019

#### **INTRODUCTION**

This report provides Councillors with an overview of the applications for the current period as per motion 249.09.2015, passed at the 24 September 2015 Council Meeting when Council requested monthly data from the West Tamar Council planning consultancy service.

Permitted applications are assessed under section 58 of the *Land Use Planning and Approvals Act 1993* (the Act) and are not advertised. If applications classified as Permitted meet all development and use standards, they must be granted a permit, with or without conditions.

Discretionary applications are assessed under section 57 of the Act and are exhibited for a two week period during which submissions may be received from the public. If a submission is received the planners report for that application is considered by Council. Discretionary applications where no submissions are received as well as applications with a Permitted pathway are approved under delegation to the General Manager.

The numbering of applications relates to the electronic filing system. Numbers are allocated to Planning (DA), Building (BA) and Plumbing (PA) applications as they are received. This may mean that planning numbers are not sequential if for example, a development requires a building application but is exempt from a planning application.

#### **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 19.1.1, Planner's Information Report – September 2019, provided by West Tamar Council.

#### **VOTING REQUIREMENTS**

Simple Majority

#### **RECOMMENDATION**

**That the Planner's Information Report – September 2019 be received.**

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## 20 Governance

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### 20.1 Use of the Flinders Council Common Seal

<b>Action</b>	<b>Information</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Heidi Marshall   Acting General Manager
<b>File Reference</b>	GOV/1000
<b>Annexures</b>	20.1.1 Common Seal Register July – September 2019

#### **INTRODUCTION**

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

#### **PREVIOUS COUNCIL CONSIDERATION**

216.09.2016 22 September 2016  
From January 2017, considered quarterly.

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

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

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

Annexure 20.1.1 details the use of the Flinders Council Common Seal from July to September 2019.

#### **STATUTORY REQUIREMENT**

*Local Government Act 1993*

#### **VOTING REQUIREMENTS**

Simple Majority

#### **RECOMMENDATION**

**That the report on the use of the Flinders Council Common Seal from July to September 2019 be received.**

## **20.2 Council's 2019/20 1st Quarter Report against the Annual Plan**

<b>Action</b>	<b>Information</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Heidi Marshall   Acting General Manager
<b>File Reference</b>	COU/0600
<b>Annexures</b>	20.2.1 Council's 2019/20 1st Quarter Report (July - September 2019) 20.2.2 Briefing Notes Annual Plan

### **INTRODUCTION**

The purpose of this report is to provide Councillors with progress updates on the various Annual Plan actions undertaken by the whole of Council for the first quarter of the financial year.

### **PREVIOUS COUNCIL CONSIDERATION**

Provided as quarterly reports.

### **OFFICER'S REPORT**

For the 2019/20 year, Council has moved to an in-house quarterly reporting system. The report, Annexure 20.2, is the first report to be generated via the new process. Supplementary briefing notes on some of the Annual Plan actions, Annexure 20.2.2, have been compiled by staff to provide background information to the progress report.

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

**That the Council's 2019/20 1<sup>st</sup> Quarter Report (July - September 2019) and supplementary briefing notes be received and accepted by Council.**

## 20.3 Chair of the Furneaux Islands Festival Special Committee

<b>Action</b>	<b>Decision</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Sammi Gowthorp   Community Development Officer
<b>File Reference</b>	CDV/0302
<b>Annexures</b>	20.3.1 Terms of Reference

### INTRODUCTION

The Furneaux Islands Festival Special Committee was formed in Sept 2018 to assist Council with the planning and delivery of the Furneaux Islands Festival. Due to recent staffing changes, the position of Chair is currently vacant. This report calls for Council to appoint a Chair of the Committee.

### PREVIOUS COUNCIL CONSIDERATION

Nil

### PREVIOUS COUNCIL DISCUSSION

Nil

### OFFICER'S REPORT

The first meeting of the Furneaux Islands Festival Special Committee was in June 2019. Community Development Officer, Debbie Steer, chaired the meeting. Since that time, Council has undergone an organisational change and there is currently no Chair of the Committee.

Recent changes in Festival partners also means the role of the Furneaux Islands Festival Special Committee requires a full review at the next council workshop. Until that time, the Committee requires a Chair to be appointed.

Under section 4.6 of the Committee's Terms of Reference, it states:

*"Once appointed, Council will elect from amongst the membership of the Committee persons to the positions of:*

- (a) Chairperson; and*
- (b) Deputy Chairperson.*

At the 16 October 2019 meeting of the Committee (unconfirmed minutes as Annexure 20.3.1 to this agenda), the Committee carried the following motion:

*"Moved: S Donati Seconded: A Killengray  
That as per the Furneaux Islands Festival Special Committee Terms of Reference, the Committee recommends that Council appoints a Chair person  
CARRIED"*

Given that the Special Committee is a committee of Council and the Festival is a Council event, it is logical that the Chair be a Council representative.

### STATUTORY REQUIREMENT

*Local Government Act 1993*

### POLICY/STRATEGIC IMPLICATIONS

AP1920-7 Engage with community groups to deliver the Furneaux Islands Festival program of economic, community, collective events.

### BUDGET AND FINANCIAL IMPLICATIONS

Nil



**RISK/LIABILITY**

Low

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That Council appoints Sammi Gowthorp as the Chairperson for the Furneaux Islands Special Committee until the Council reviews all the Special Committees in a workshop.**

## **20.4 Councillor Resolution Report**

<b>Action</b>	<b>Information</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Heidi Marshall   A/General Manager
<b>File Reference</b>	GOV/0300
<b>Annexures</b>	20.4.1 Councillor Resolution Report October 2019

### **INTRODUCTION**

This report identifies the actions taken and actual costs associated with implementing resolutions passed by elected members up to October 2019.

### **PREVIOUS COUNCIL CONSIDERATION**

The report is presented on a monthly basis.

### **OFFICER'S REPORT**

Please read Annexure 20.2.1 – Councillor Resolution Report October 2019.

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

**That the Councillor Resolution Report October 2019 be noted.**

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## 21 CLOSED COUNCIL

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### 21.1 Flinders Island Airport Runway Rehabilitation Project

### 21.2 Acting General Manager's Confidential Briefing

<b>Action</b>	<b>Information</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Heidi Marshall   A/General Manager

#### **REASON FOR CLOSED COUNCIL**

Item 21.1 is **CONFIDENTIAL** in accordance with Section 15(2) (d) of the *Local Government (Meeting Procedures) Regulations 2015*.

Item 21.2 is **CONFIDENTIAL** in accordance with Section 15(2) (a) of the *Local Government (Meeting Procedures) Regulations 2015*.

#### **VOTING REQUIREMENTS**

Absolute Majority

#### **RECOMMENDATION**

**That Council moves into Closed Council.**

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## Meeting Closed

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