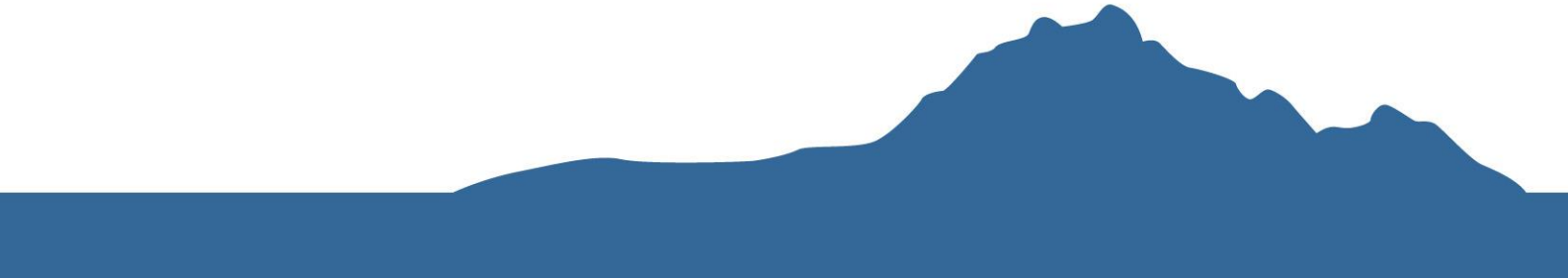




Agenda Ordinary Council Meeting

25 February 2020



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 20th day of February 2020.

Warren Groves
GENERAL MANAGER

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Flinders Council Ordinary Meeting - Agenda

Tuesday 25 February 2020

Venue	Flinders Arts and Entertainment Centre, Whitemark
Commencing	9.30am
Attendees - Councillors	Mayor Annie Revie Acting Deputy Mayor Rachel Summers Vanessa Grace Peter Rhodes
Apologies	Deputy Mayor David Williams Sharon Blyth Aaron Burke
Attendees - Staff	Warren Groves General Manager Heidi Marshall Finance Organisational Performance Manager Rowena Nicholls Administration Officer (minute taker) Vicki Warden Executive Officer

1 Acknowledgment of Country

The Mayor will begin by acknowledging 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 Island, and pay respects to Elders past, present and emerging.

2 Confirmation of Minutes

RECOMMENDATION

That the Minutes from the Ordinary and Closed Council Meetings held on 23 January 2020 be confirmed.

That the Minutes from the Flinders Council Annual General Meeting held on 10 December 2019 be confirmed.

3 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.*

4 Responses to Public Questions

23 January 2020 Meeting

Question 1: David Tresmer

As Electric Vehicles are being promoted by many local governments and entire countries (as in Scandinavia), is this being promoted by this council, and has a study been undertaken to see if our infrastructure can handle such a shift?

Mayor's Response

As you know, the current Council is fairly new, although definitely picking up speed. The issue of electric vehicles is certainly one that will need to be addressed by Flinders Council and the Community in the future. However, there are so many priorities that are taking precedence at the moment. These include:

- The upgrade to the main runway at the airport.
- The question of how Flinders Council addresses the ongoing maintenance and capital investment at the airport in future. The airport currently takes \$230,000 annually of Council's very small income base, just in order to break even. We must consider, as a council and with the Community, how we address this in the future.
- We have recently had an offer of funding of \$3 million offered by the Federal Government to redesign the Safe Harbour Project. This will take up much time and resources, although it potentially could lead to positive economic development down the track.
- How do we make our Island sustainable into the future for the benefit of the Community and the environment?
- How do we continue to increase our visitor economy as well as our population?
- How do we enable the creation of affordable housing to meet our future needs?

2020 is the year that Council undertakes to deliver its 2030 Strategic Planning. The community will be invited to engage with the Council to respond to questions, such as: what kind of future do we want / need for our Island home and how do we prioritise and take action to achieve it?

As you can understand, I am sure, we have many pressing priorities to focus on. In all likelihood, electric vehicles will be a focus in our future planning.

RECOMMENDATION

That the response to the public question from the 23 January 2020 Council Meeting be noted.

5 Councillor's Questions on Notice

None received.

6 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.

7 Responses to Councillor's Questions Without Notice

Nil

8 Late Agenda Items

Nil

9 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.

10 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.

11 Leave of Absence

Cr Rachel Summers has requested a leave of absence from Council from 26 February 2020 to 17 April 2020 as maternity leave. Pursuant to regulation 39 of the *Local Government (Meeting Procedures) Regulations 2015*, Council may grant a request for a leave of absence.

RECOMMENDATION

That Council grants Cr Rachel Summers leave of absence from Council from 26 February 2020 to 17 April 2020 as maternity leave.

12 Petitions

Nil

13 Policies

The Public Open Space Policy was adopted at the 17 December 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 Policy can now be adopted.

RECOMMENDATION

That Council adopts the Public Open Space Policy.

14 Workshops & Information Forums

File No. COU/0205

Council Workshop – 23 January 2020

Council held a Workshop on the following subjects:

- Item 1 Progression of Planning Scheme
- Item 2 Development Services
- Item 3 Dogs at Large
- Item 4 Letter of Complaint - Tip Shed

Councillors in Attendance

Mayor Annie Revie

Cr Vanessa Grace

Cr Aaron Burke

Cr Peter Rhodes

Cr Sharon Blyth

Apologies

Deputy Mayor David Williams

Cr Rachel Summers

Staff and Consultants in Attendance

Heidi Marshall A/General Manager

Jacci Viney Compliance Officer

Vicki Warden Executive Officer

Emma Egan Regulatory Services Officer (Item 2 only)

Amanda Loccatelli Development Services Manager (Item 2 only)

Karrin van Straten Senior Planner, West Tamar Council (Item 2 only)

Council Workshop – 11 February 2020

Council held a Workshop on the following subjects:

- Item 1 Flinders Island Business Inc. update
- Item 2 Abattoir
- Item 3 Fire Event
- Item 4 Update on Caravans
- Item 5 Councillors' updates
- Item 6 General Manager's update
- Item 7 Furneaux Islands Festival
- Item 8 Letter from Aboriginal Land Council of Tasmania
- Item 9 Strategic Planning Process
- Item 10 Safe Harbour
- Item 11 TasWater Corporate Plan

Councillors in Attendance

Mayor Annie Revie

Cr Vanessa Grace

Cr Peter Rhodes

Cr Sharon Blyth

Apologies

Deputy Mayor David Williams

Cr Aaron Burke

Cr Rachel Summers

Staff and Consultants in Attendance

Warren Groves General Manager

Vicki Warden Executive Officer

Michael Buck	Flinders Island Business Inc. (FIBI) President (Item 1)
Joanna Klug	FIBI Food and Crayfish Festival Organiser (Item 1)
Jana Monnone	FIBI Food and Crayfish Festival Organiser (Item 1)
Jacci Vinney	Environmental Health Officer Municipal Emergency Management Coordinator (Items 1 - 4)
Sammi Gowthorp	Community Development Officer (Items 1 & 7)
Heidi Marshall	Finance Organisational Performance Manager (Items 8 – 10)

RECOMMENDATION

That the Council Workshops held on 23 January and 11 February 2020 be noted.

15 Public Meetings

Nil

16 Publications/Reports Tabled for Council Information

Nil

17 Councillors' Reports

None received.

18 Mayor's Report

Action	Information
Proponent	Mayor A Revie
File Reference	COU/0600
Annexures	Nil

Attendance and meetings

17/1/20	Twilight Market – Furneaux Islands Festival
18/1/20	Tavern Music – Furneaux Islands Festival
19/1/20	Community BBQ – Furneaux Islands Festival
20/1/20	Meeting Heidi Marshall, Graeme Gardner, Michael Mansell, Greig Brown (ALCT)
20/1/20	Meeting Michael Buck Flinders Island Business Inc. FIBI
21/1/20	Meeting Heidi Marshall and Vadym Krystalov
22/1/20	Meeting Patrick Gee, Mercury Reporter
23/1/20	Ordinary Council Meeting and Workshop
28/1/20	ABC Radio interview
28/1/20	Meeting Michael Buck, FIBI
29/1/20	Meeting Heidi Marshall, A/General Manager
30/1/20	Killiecrankie – meeting with Vicki Maikutena Green
31/1/20	Pick up Warren Groves at Airport – Lunch at Wharf Shed
3/2/20	Management handover meetings
4/2/20	Management handover meetings
4/2/20	Welcome event at Sports Club for General Manager Warren Groves
5/2/20	Sue Blundstone tip shop issues
10/2/20	Meeting with Alan Tuxworth Minister's visit
11/2/20	Council Workshop
12/2/20	Fire Event Debrief
12/2/20	Meeting with Sue Blundstone and June Rhodes

CORRESPONDENCE IN

DATE	FROM	REGARDING
13/1	Warren Groves	Pet at General Manager's House
14/1	Marcia O'Connell	Tip shed and dog attacks
16/1	Charles Davison	Sharing of photos
16/1	Local Government Association of Tasmania (LGAT)	Media Resources
17/1	LGAT	International Women's Day Lunch
17/1	Royal Society for the Prevention of Cruelty to Animals	Cat Containment
17/1	Andrew Thomson	DA2019/062
20/1	Shane Connelly	Safe Harbour
20/1	Primary Health Tasmania	Media Release
20/1	TasWater	Level 1 Restrictions
20/1	Patrick Gee, Reporter	Request for interview
21/1	Northern Tasmania Development Corporation (NTDC)	Communications new Executive Assistant
21/1	LGAT	Media releases New Premier

23/1	Furneaux Community Arts	Request to sponsor youth Arts Prize at Food and Crayfish Festival
23/1	LGAT	International Women's Day lunch
27/1	Peter Rhodes	Results Lions Fishing Competition
28/1	Minister's Office	Minister Shelton visit to Flinders
29/1	TasWater	Quarterly Report
31/1	Chris Griffin Tourism Northern Tasmania (TNT)	Update Northern Tasmania Tourism
31/1	TasWater	Level 2 Restrictions
3/2	Chris Griffin TNT	Coronavirus
3/2	Adam Tardif	Evidenced-based Fatherhood
3/2	TasWater	Corporate Plan FY2021-25
3/2	Jude Cazaly	Roadkill
4/2	State Office Local Government	Coronavirus
4/2	Aboriginal Land Council of Tasmania (ALCT)	Matters discussed at recent meeting
5/2	Tasmanian Government Director of Housing	Current programs
6/2	Australian Local Government Women's Association Tasmanian Branch Inc.	Notice of General Meeting
6/2	Chris Griffin TNT	Coronavirus
6/2	Northern Midlands Council Mayor	E Safety Workshops for women
11/2	Community resident	Confidential
11/2	Local Govt State Office	Citizenship ceremonies and Coronavirus
11/2	Australian Radiation Protection	5G Mobile networks
11/2	Australian Research Alliance for Children and Youth (ARACY)	Early Childhood Summit
14/2	Police State	Invitation to attend graduation at Police Academy
14/2	Chris Griffin TNT	Northern Tasmania news

CORRESPONDENCE OUT

20/1	Shane Connelly	Safe Harbour
20/1	Andrew Thomson	DA2019/062
30/1	Michael Gaffney, MLC	End of Life Choices Forum
30/1	David Tresemer	Electric Vehicles
3/2	Jude Cazaly	Roadkill
6/2	Tasmanian Governor	Thanks for Christmas gifts to Council
6/2	ALCT	Response to letter from ALCT
13/2	Marcia O'Connell	Tip Shop
13/2	Sue Blundstone	Tip Shop
15/2	Warren Groves	Permission to house pet
16/2	Debbie Crossin	Unable to attend police graduation ceremony

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Mayor's report be received.

19 Development Services and Planning Applications

19.1 Development Application Report

Action	Information
Proponent	Council Officer
Officer	Emma Egan Regulatory Services Officer
File Reference	PLN/0105
Annexures	19.1.1 Planner's Information Report – January 2020

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 – January 2020, provided by West Tamar Council.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Planner's Information Report – January 2020 be received.

20 Notices of Motions

20.1 Notice of Motion – General Manager’s Performance Review Committee

Action	Decision
Proponent	Councillor Vanessa Grace
Officer	Warren Groves General Manager
File Reference	PER/1500
Annexures	Nil

NOTICE OF MOTION

That Council suspends the operation of Regulation 22 of the Local Government (Meeting Procedures) Regulations 2015, in accordance with Regulation 22 (9), to discuss and then appoint a replacement for Councillor Rachel Summers on the General Manager Performance Review Committee, for the period of Cr Summers’ leave of absence, being 26 February – 17 April 2020.

COUNCILLOR’S REPORT

The General Manager’s Performance Review Committee (GMPRC) with it’s current membership, was formed at the end of 2018. The Committee consists of Mayor Annie Revie (Chair), Deputy Mayor David Williams and Councillor Rachel Summers.

Councillor Summers has requested a leave of absence (maternity leave) from 26 February 2020 until April 2020, considered previously in this Agenda.

General Manager, Warren Groves, took up his position at Council on 3 February 2020. His contract allows for a six-month probationary period. There is a need for the GMPRC to meet in order to plan a review during the probationary period. Due to the absence of Councillor Summers, Council must appoint a replacement Councillor to the Committee for the period of Cr Summers’ absence. Discussion amongst Councillors is necessary for this process, prior to the appointment of a replacement.

OFFICER’S REPORT

This is a matter for Council to decide.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

Nil

STATUTORY REQUIREMENTS

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

Nil

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

Nil

VOTING REQUIREMENTS

Simple Majority

MOTION

That Council suspends the operation of Regulation 22 of the Local Government (Meeting Procedures) Regulations 2015, in accordance with Regulation 22 (9), to discuss and then appoint a replacement for Councillor Rachel Summers on the General Manager Performance Review Committee, for the period of Cr Summers' leave of absence, being 26 February – 17 April 2020.

20.2 Notice of Motion – Draft TasWater Corporate Plan FY2021-25

Action	Decision
Proponent	Councillor Peter Rhodes
Officer	Warren Groves General Manager
File Reference	COU/0312
Annexures	20.2.1 Letter from TasWater Board Chairman 20.2.2 DRAFT TasWater Corporate Plan FY2021 25

NOTICE OF MOTION

That Flinders Council notes the request from the TasWater Board Chairman, Dr Stephen Gumley AO, for review and feedback on the draft TasWater Corporate Plan FY2021-25 and authorises its owner representative to respond on the Council's behalf.

COUNCILLOR'S REPORT

The proposed TasWater Strategic Plan for 2021-25 provides a guide for the delivery of safe, reliable and environmentally responsible water and sewerage services that support the health, wellbeing and lifestyle of all Tasmanians.

As part owner of TasWater, the Council, and through it, the Community, has received significant support with our two major towns now having potable water for the first time without boil alerts etc. Additionally, Henderson Dam – the input source for the Whitemark supply is currently being upgraded to improve water surety.

TasWater currently manages 61 drinking water systems and 110 sewerage treatment plants around the State. While the Council has 'missed the boat' with regards to local sewerage treatment plants to date, the option is there to work with TasWater and others to pursue this objective, or a workable alternative, for the future.

As part-owner, it is important that the Council continues to participate in, and support, TasWater. To this end, I commend the motion to Councillors and seek guidance in the formulation of our response.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

Nil

OFFICER'S REPORT

As part-owner of TasWater, the Council has been asked to provide feedback on TasWater's draft Strategic Plan for 2021-25 by 3 March 2020.

It is noted that TasWater plans to continue to provide Owners' Representatives Group Quarterly Reports, in accordance with the requirements of the Shareholder's Letter of Expectations, and will include updates on owner performance indicators that are additional to those in the Strategic Plan.

STATUTORY REQUIREMENTS

Nil

POLICY/STRATEGIC IMPLICATIONS

Infrastructure and Services - Infrastructure services that are appropriate for island conditions, are sustainable and are accepted and valued by the local community - AP1920-15 - Develop and implement a long-term alliance with TasWater to manage and operate their water supply network.

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

Nil

VOTING REQUIREMENTS

Simple Majority

MOTION

Cr P Rhodes

That Flinders Council notes the request letter from the TasWater Board Chairman, Dr Stephen Gumley AO, for review and feedback on the draft TasWater Corporate Plan FY2021-25 and authorises its owners' representative to respond on the Council's behalf.

Mayor Annie Revie will pass the chair to Acting Deputy Mayor Rachel Summers.

20.3 Notice of Motion - Furneaux Group Shipping Special Committee Terms of Reference

Action	Decision
Proponent	Mayor Annie Revie
Officer	Warren Groves General Manager
File Reference	CDV/0302
Annexures	20.3.1 Terms of Reference Furneaux Group Shipping Special Committee

NOTICE OF MOTION

That Council approves insertion of the following words into the Terms of Reference of the Furneaux Group Shipping Special Committee under Purpose of Committee:

“In order to fulfil its key purpose of facilitating positive communications among the various individuals and organisations involved in the transportation of freight from source to destination, the Furneaux Group Special Shipping Committee undertakes the following practices:

- *Positive communication amongst all stakeholders in relation to transporting freight to and from Furneaux Islands;*
- *Active listening to and considering the views of all;*
- *Treating all committee members respectfully;*
- *Striving to understand the big picture and where individual issues fit into it, rather than simply pushing individual issues;*
- *Being willing to change opinions if it will help the work of the Committee;*
- *Speaking out and advocating views and / or suggestions clearly – aiming at the issue rather than the individual / organisation;*
- *Sticking to factual evidence rather than hearsay and avoiding blaming; and*
- *Bringing all issues re transport of freight to this committee and supporting committee decisions.”*

COUNCILLOR’S REPORT

As Chair of the Furneaux Group Shipping Special Committee, I believe that members of the Committee must have a clear understanding of the Committee’s Purpose. In addition, I believe the Committee must also clearly understand key practices that support achievement of that purpose.

At a meeting of the Committee in May 2019, I spelled out what I believe such key practices include – as expressed in the NOM. The stated practices were well received by the meeting. I proposed that the practices, as stated in the NOM, be included in the Terms of Reference, so that they guide how the committee members work together to achieve the purpose. Members agreed to this.

I was unaware at the time that I should have brought a NOM to Council in order to have the Terms of Reference amended. The Committee is working well - members are adhering to the above practices and communicating effectively.

I request that Council approves the amendment to the Terms of Reference as stated.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

Nil

OFFICER'S REPORT

The motion is supported.

STATUTORY REQUIREMENTS

Nil

POLICY/STRATEGIC IMPLICATIONS

Nil

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

Nil

VOTING REQUIREMENTS

Simple Majority

MOTION

Mayor A Revie

That Council approves insertion of the following words into the Terms of Reference of the Furneaux Group Shipping Special Committee under Purpose of Committee:

“In order to fulfil its key purpose of facilitating positive communications among the various individuals and organisations involved in the transportation of freight from source to destination, the Furneaux Group Special Shipping Committee undertakes the following practices:

- *Positive communication amongst all stakeholders in relation to transporting freight to and from Furneaux Islands;***
- *Active listening to and considering the views of all;***
- *Treating all committee members respectfully;***
- *Striving to understand the big picture and where individual issues fit into it, rather than simply pushing individual issues;***
- *Being willing to change opinions if it will help the work of the Committee;***
- *Speaking out and advocating views and / or suggestions clearly – aiming at the issue rather than the individual / organisation;***
- *Sticking to factual evidence rather than hearsay and avoiding blaming; and***
- *Bringing all issues re transport of freight to this committee and supporting committee decisions.”***

20.4 Notice of Motion – Report to Flinders Island Business Inc.

Action	Information
Proponent	Mayor Annie Revie
Officer	Warren Groves General Manager
File Reference	CSV/1704
Annexures	20.4.1 Report to Flinders Island Business Inc.

NOTICE OF MOTION

That Council receives and notes the Mayor's report, presented to the Flinders Island Business Inc. Board on Tuesday 18 February 2020.

COUNCILLOR'S REPORT

Mayor Annie Revie was appointed by Council as Council's representative to the Board of the Flinders Island Business Incorporated (FIBI). The Report was presented to the Board on Tuesday 18 February 2020. All issues contained in the report were on the Board Agenda for the meeting. The report was asked for by the chair of FIBI and is intended as clarification of information that is currently in the public space.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

Nil

OFFICER'S REPORT

Flinders Council has a range of strategic directions and outputs associated with tourism and economic development set in its draft Strategic Plan and Annual Plan. Flinders Council is a paying member of FIBI and Mayor Revie is Council's nominated representative. The report highlights the Council's activities as requested by FIBI.

STATUTORY REQUIREMENTS

Nil

POLICY/STRATEGIC IMPLICATIONS

Nil

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

Nil

VOTING REQUIREMENTS

Simple Majority

MOTION

Mayor A Revie

That Council receives and notes the Mayor's report, presented to the FIBI Board on Tuesday, 18 February 2020.

Acting Deputy Mayor Rachel Summers will pass the chair to Mayor Annie Revie.

21 Finance

Half Yearly Financial Report and Budget Review - December 2019

Action	Decision
Proponent	Council Officer
Officer	Heidi Marshall Finance and Organisational Performance Manager
File Reference	FIN/0100, FIN/0701
Annexures	21.1.1 December 2019 Half Yearly Financial Report & Budget Review 21.1.2 Budget Variance Commentary (Elected Members only)

INTRODUCTION

Council is presented with a Quarterly Financial Report which reviews the Year to Date Actual Costs compared to the Budget, for the Income, Operational expenditure and Capital expenditure. The report also includes a summary of the Investments and Accidents and Incidents.

It is Council's practice to formally review Council's Budget after a 6-month period.

PREVIOUS COUNCIL DISCUSSION

Nil

PREVIOUS COUNCIL DECISION

Council considers the Quarterly Financial Report on a quarterly basis. It also formulates a formal budget review after six months of operation.

OFFICER'S REPORT

The report, as attached, with overview provides a summary of income and expenditure for the Council at the end of the second quarter ending 31 December 2019. The overview provides a good summary explanation and direction to follow.

Budget Review

The report includes the Current Year to Date December 2019 as well as proposed Budget Review (Predicted Year End), enabling a revision of Council's overall financial performance to date, as well as an opportunity for budget items to be amended if necessary. For the 6-month review, a detailed Budget Variance Commentary (Annexure 21.1.2) has been included for elected members only, to assist in the review.

Adjustments to the budget have been identified in the 6-monthly December 2019 update. A major positive change to the budget relates to the additional funding of \$1.8 million for the Airport Runway Upgrade. The majority of the adverse cost variances to budget relate primarily to the Telstra Project (\$100K), the additional costs of funding the Local Planning Schedule for the Planning Scheme project (\$40K), and the initial scoping for the Safe Harbour Project (\$60K). Other minor adverse variances have arisen in the last six months due to unforeseen events, however many of them have been contained by reducing other costs to mitigate the overall impact.

Additional capital items have been required in respect of council window replacements and Euro quick-hitch forks for the baler. The cost of the windows and the quick-hitch forks have been mitigated by the reduction in repairs and maintenance.

Investments

The current levels of cash reserves of \$5.6 million at the end of December 2019, will commence decline over the next five months, as the Airport Runway Upgrade Project commences in February 2020. Due to the changes required to activate the new Airport Runway Upgrade Grant

of \$3.6 million, there will be a delay in receiving the Grant funding, and therefore in the short-term we will utilise the zero interest loan of \$1.8 million, as offered by the State Government, to assist us during the transitioning of the grant funding.

STATUTORY REQUIREMENT

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

Nil

BUDGET AND FINANCIAL IMPLICATIONS

The Budget affects many areas of Council's Annual Plan with the Budget implications identified. Council's small revenue base relative to its assets and operations will always be a challenge, and future strategies will need to be carefully considered and evaluated to ensure viability.

RISK/LIABILITY

In the short-term, there are no foreseen risks or legal obligations identified as a result of the Financial Report, however, the Long-Term Financial Strategies needs to be reviewed given changes to Council's operating base.

VOTING REQUIREMENTS

1. Simple Majority
2. Absolute Majority

RECOMMENDATION

That Council:

1. **Receives and accepts the Half Yearly Financial Report for the 6-month period ending 31 December 2019; and**
2. **Adopts the Budget Review for the 6-month period ending 31 December 2019.**

22 Governance

22.1 Amendment to Northern Tasmania Regional Land Use Strategy

Action	Decision
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	PLN/0105
Annexures	22.1.1 Amendment to Northern Tasmania Regional Land Use Strategy

INTRODUCTION

A request from the Northern Midlands Council has been received to consider a proposal to amend the Northern Tasmania Regional Land Use Strategy (NTRLUS) to create an additional Urban Growth Area in the Regional Strategy.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

Nil

OFFICER'S REPORT

The Northern Midlands Council has requested an amendment to the NTRLUS to increase the Urban Growth Area to include adjoining land in Evandale, in order to develop a Housing and Tourism Sustainable Community.

Requests for an amendment to a Regional Land Use Strategy must be supported by all councils within the region.

As Flinders Council is one of the northern region Councils, the Northern Midlands Council is seeking Council's view on the proposal and an indication as to whether Council supports the proposal.

STATUTORY REQUIREMENT

Land Use Planning and Approvals Act 1993

POLICY/STRATEGIC IMPLICATIONS

Nil

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

Low

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council notes the proposal being considered by the Northern Midlands Council and indicates 'in principle' support for amendment to the Northern Tasmania Regional Land Use Strategy, provided the amendment is based on sound strategic planning.

22.2 Changes to Dog Control Regulations 2010

Action	Decision
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	ANI/0204
Annexures	22.2.1 Dog Control Regulations 2010

INTRODUCTION

The Dog Control Regulations 2010 are due to expire in early June 2020 and therefore need to be remade. The Local Government Association of Tasmania (LGAT) is preparing a consolidated Local Government submission on the proposed changes to the Regulations and requires responses by 6 March 2020.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

Nil

OFFICER'S REPORT

The Dog Control Regulations 2010 currently prescribe the requirements for dangerous dog enclosures, the details that need to be recorded when implanting a microchip, and the offences under the Dog Act in respect of which infringement notices may be issued.

The Department of Premier and Cabinet (DPaC) have made minor technical changes to the Regulations to update the infringement notices in accordance with the changes made last year to the *Dog Control Act 2019*. The changes to the Regulations align with feedback received from councils at the time of the Dog Control Amendment Bill 2019.

The proposed changes are minor revisions to Schedule 1 which prescribes the offences in the Dog Act that authorised officers can issue infringement notices for. The following are the likely changes:

- Consistent with changes to the Dog Act, amendment of the infringement notice for 19(3). 19(3) used to apply to serious dog attacks on animals *and* persons. Now 19(3) has been split into two offences, 19(3) applying to persons only and 19(3A) applying to animals. 19(3A) will continue as an infringement notice, whereas 19(3) will not be prescribed as an infringement notice.
- The maximum penalty for 22(2) in the Dog Act has been increased from 10 to 20 penalty units. Accordingly, the infringement notice for this offence will be increased from 2 to 4 penalty units.
- Similar to 19(3), 19AB(1) dog attacks on sensitive wildlife won't be prescribed as an infringement notice. The penalty for both of these offences has been set at 30 penalty units to serve as a deterrent against irresponsible dog ownership leading to attacks on sensitive wildlife and persons. Prescribing these offences as infringement notices, where a smaller fine may be issued, would undermine their intent.

Council officers have no comments on the proposed changes to the Regulations other than to applaud the increase in penalty units for offences in relation to dog attacks on sensitive wildlife.

STATUTORY REQUIREMENT

Dog Control Act 2019

Dog Control Regulations 2010

POLICY/STRATEGIC IMPLICATIONS

Nil

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

Low

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council considers the proposed changes to the Dog Control Regulations 2010 and formulates feedback to be submitted to the Local Government Association of Tasmania as part of a consolidated Local Government submission to the Department of Premier and Cabinet.

22.3 Lease of Lady Barron Tennis Courts Building

Action	Decision
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	AME/0702
Annexures	22.3.1 Background to Grant Application – Oct 2019 (Elected Members only)

INTRODUCTION

In August 2019, Gerald Willis, Secretary of the Furneaux Maritime History Association Inc. (FMHAI) approached Acting General Manager Heidi Marshall about leasing a Council building to present a maritime history display. Discussions progressed to a point which identified the unused Lady Barron Tennis Courts building as a suitable option to progress these plans.

In order to upgrade the identified building to a standard suitable for the FMHAI's plans, the association planned to apply for a grant around that time, however, were unable to meet the requirements of the grant, largely due to time constraints.

The Association's request to lease the tennis courts building was discussed at the 5 November 2019 workshop where Governance notes reflect that Council needed to bring the building up to a standard to be leased. Mr Willis's current estimation for upgrade is between \$20,000 - 25,000.

In February of 2020, Mr Willis contacted General Manager Warren Groves regarding a grant application by the FMHAI to the Tasmanian Community Fund (TCF). Mr Willis advised of the FMHAI's intention to apply for funding to upgrade the Council building to a suitable standard to house maritime displays. Applications to the TCF close on 18 March 2020 and in order to submit the application, Mr Willis is seeking Council to enter into, or at least commit to enter into, a lease for the Lady Barron Tennis Courts building to support his TCF funding application.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

Council Workshop 5 November 2019

OFFICER'S REPORT

The Council building at the Lady Barron Tennis Courts is reportedly long term un-used and ideally positioned close to the Lady Baron foreshore and Port facility for a Maritime Museum.

If successful, the intended works and display would add some value to the amenity and tourism potential of the area.

Consideration has been given to competition with the Furneaux Museum at Emita which represents the cultural and natural history of the Furneaux Group, including its maritime history. Mr Willis has advised that he believes there is sufficient difference in focus and distance between the two museums to not unduly impact on either facility. It is believed that the Furneaux Historical Research Association Inc. is aware of the Furneaux Maritime History Association Inc. desire to seek premises in Lady Barron and is in support.

Please see attached annexure... to support the work done by the FMHAI in respect of assessing the council tennis courts building and required upgrade to facilitate future use as a maritime history display.

The costings to upgrade are estimated at \$16,500 and the FMHAI have already spent \$15,000 of their own funds to acquire Caradog for the display. We request that Council agrees to apply for a TCF Grant of approximately \$16,500 to upgrade the building to allow future leasing to the FMHAI (note further costings will be established in the upcoming weeks). It is expected that the Grant is 100% funded.

STATUTORY REQUIREMENT

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

Nil

BUDGET AND FINANCIAL IMPLICATIONS

Council will be the applicant for the Grant and will be responsible for project management and acquittal of the funds. As the Grant is expected to be 100%, there are no budget implications.

RISK/LIABILITY

Low.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council agrees to apply a Tasmanian Community Fund Grant to upgrade the Lady Barron Tennis Courts building.

22.4 Councillor Resolution Report

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	GOV/0300
Annexures	22.4.1 Councillor Resolution Report February 2020

INTRODUCTION

The Councillor Resolution Report identifies resolutions passed by elected members and the actions taken to implement the decisions.

PREVIOUS COUNCIL CONSIDERATION

The Report is presented on a monthly basis.

OFFICER'S REPORT

Please read Annexure 22.4.1 – Councillor Resolution Report February 2020.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Councillor Resolution Report February 2020 be noted.

23 CLOSED COUNCIL

23.1 Closed Council Item – Appointment Strategic Planning Consultant

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager

REASON FOR CLOSED COUNCIL

Item 23.1 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.

Meeting Closed
