



Confirmed Minutes
Ordinary Council Meeting
14th July 2016



FLINDERS COUNCIL ORDINARY MEETING

CONFIRMED MINUTES

DATE: Thursday 14th July 2016
VENUE: Furneaux Arts and Entertainment Centre, Whitemark
COMMENCING: 1.00 pm

PRESENT

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

APOLOGIES

Nil

STAFF IN ATTENDANCE

Sophie Pitchford	- Acting General Manager	1.00 – 4.57pm
Jacci Viney	- Development Services Coordinator	1.00 – 1.56pm
Robyn Cox	- Strategic Planner	1.00 – 2.07pm
Vicki Warden	- Executive Officer	1.00 – 4.57pm

CONFIRMATION OF MINUTES

140.07.2016 Moved: Cr P Rhodes **Seconded:** Deputy Mayor M Cobham
That the minutes from the Ordinary and Closed Council Meetings held on the 16th June 2016 be confirmed.

CARRIED UNANIMOUSLY (7-0)

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

141.07.2016 Moved: Deputy Mayor M Cobham **Seconded:** Cr D Williams
That the open minutes from the Special Council Meeting held on the 27th June – 4th July 2016 be confirmed.

CARRIED UNANIMOUSLY (7-0)

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

142.07.2016 Moved: Cr P Rhodes **Seconded:** Cr G Willis

That the closed minutes from the Special Council Meeting 27th June – 4th July 2016 be considered for confirmation in closed session.

CARRIED (5-2)

For: Mayor Carol Cox, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton and Cr Gerald Willis.

Against: Deputy Mayor Marc Cobham and Cr David Williams.

Mayor Carol Cox left the table at 1.04pm to address the gallery for Public Question Time, making the following introductory statement:

“Welcome

I understand that many of you are stunned and concerned as I am by the decision that was made at a recent Special Meeting, and in Closed Council. I appreciate you all making the effort to come to this meeting today to convey your position and concerns to your elected members.

The Agenda and thus the Minutes of this meeting will hold a record of my thanks and appreciation for the achievements and dedication to the Island that Raoul has displayed during his almost seven year tenure as our General Manager, a period of growth and stability for the island. I have enjoyed working with Raoul.

I wish I could give you all the answers you are looking for. However, in the best interests of Council and Ratepayers my answers to your questions will be limited and may not satisfy your quest for information.

Under the Local Government Act 1993, discussions held and decisions made in Closed Council Meetings are confidential and I will not publicly disclose the details of those discussions. Councillors and staff are also bound by the same confidentiality under the Act.

I add that Council is not at liberty to discuss any of the formal advice it has sought and received. I can promise you that Council is about business as usual, just look at the agenda for this meeting, which includes consideration of the 2016-17 Annual Plan, Budget Estimates, the setting of fees and charges, the setting of the rates, and very importantly the Structure Plan for Public comment as a lead up to the introduction of the State-wide planning scheme. Also the consideration of funding for marketing the Island and for the Furneaux Festival. The Whitemark Boat ramp upgrade is almost complete and building and plumbing permits are being organised for the Killiecrankie Toilet.

There is also an Agenda item for Council consideration relating to the engagement of a management recruitment consultant for the purpose of finding a new General Manager.

Regarding public question time, this is limited to 30 minutes as per Council's Policy and outlined in the Agenda. Those questions that have been delivered to Council in writing prior to the close of business last night have been answered and a printed copy of the questions and answers is available to you. Those questions asked verbally here today will, if I cannot answer them, be taken on notice. For those questions taken on notice to be answered, a written copy is to be provided to staff. The answers to questions taken on notice will also be printed in the Agenda of the August Ordinary Meeting of Council.

All questions are to be addressed through me and not to any individual Councillor or staff member.

I once again sincerely thank you all for taking time out from your busy lives to attend this Council meeting to convey to your elected members your position and concerns regarding Mr Harper's separation from Council.

I will now declare Public Question time open for the next 30 minutes."

PUBLIC QUESTION TIME

Question 1: Terence Klug

- a) Following the recent and unprecedented sacking of our General Manager, could you inform the Public of the proceedings and reasons for this action by Councillors Peter and Chris Rhodes, Gerald Willis and Ken Stockton.
- b) Was the reasons for a number of "special meetings" clearly stated in public advertisements, and were the meetings strictly limited to the subject matter published?
- c) At any time was the intent to terminate the General Manager's contract clearly spelt out in the notices? Were special meetings held strictly on time and place as advertised?
- d) I would suggest that any deviation from the form and performance of "special meetings" could mean an offence against the Local Government Act, and therefore disqualify the motions arising from these meetings.
- e) Could the Mayor, Carol Cox, confirm that she was off the Island during these 'special meetings' and was excluded from the debate relating to the termination of the General Manager's contract?
- f) Was the General Manager also absent from the Island during these "special meetings", and not invited to respond to the termination of contract motion?
- g) As a consequence of the General Manager's sacking, is it true that Mrs Jana Harper has resigned as our Community and Economic Development Manager?

- h) Is it true that Councillors Rhodes, Willis and Stockton had access to the Council's Lawyer, and that their action to terminate the General Manager's contract was not in line with legal advice given?
- i) Is it true that Council will be liable to pay a termination fee, recruitment costs and liability costs in relation to this action by four Councillors, and that this could exceed \$100,000.00?
- j) Could you inform this meeting if the Honourable Peter Gutwein, Minister for Local Government, has intervened in this matter? What form has the intervention taken? Has the Council responded to his request for an explanation? Could this explanation be made public?
- k) Are Councillors aware that they do not have Parliamentary Privilege and protection from liability actions? Like Directors of Companies, they can have action taken against their assets?

Mayor's Response

- a) Generally the response is no because the issue of the separation of Mr Harper from Council was a personnel matter which was discussed in a closed meeting. Discussions and decisions in Closed Council meeting are to be kept confidential unless a council authorises their release which this Council has not done, having considered the privacy and confidentiality of the discussions.
- b) Yes, there was one Special Meeting with adjournments and that meeting was convened and conducted in accordance with the requirements of the *Local Government Act 1993* and the *Local Government (Meeting Procedures) Regulations 2015*.
- c) Council is not required to give public notice of items to be discussed in closed portions of special meetings. Council is only required to give public notice of the items to be discussed in open session.
- d) This is a statement not a question.
- e) The Mayor can confirm she was off the Island when the issue of the General Manager's separation from Council was discussed. It is not accurate to say that the Mayor was excluded. The Mayor was on leave.
- f) The General Manager was on leave. Interactions between the General Manager and Council on this issue are confidential and will not be discussed publically by Council.
- g) Council can confirm that Mrs Harper has resigned from her position at Council.
- h) Discussions held in closed council meetings are confidential and Council will not publicly disclose the details of those discussions.
- i) Details of Mr Harper's separation from Council are private and confidential and will not be discussed publically by Council.
- j) The Minister has requested an update and that has been provided in accordance with Council's obligations to do so under the Local Government Act.

- k) Section 341 of the Local Government Act provides immunities for Councillors and the Councillors are expected to be aware of their functions and liabilities as Councillors under the Local Government Act.

Question 2: Bronwen Grutzner

The Local Government Act requires Council “to represent and promote the interests of the community”. The Act further states “In performing its functions the Council is to consult, involve and be accountable to the community”.

By acting in secret, during the absence of the Mayor, to dismiss the General Manager just weeks after having approved his performance, and giving no grounds for their decision, Council has treated the Flinders Island Community with contempt.

This dismissal will have many negative impacts on the community, both financial and otherwise. Ratepayers will bear the cost, but were kept completely in the dark. We are now presented with a *fait accompli* without any explanation.

What steps will be taken to prevent the recurrence of such an unacceptable situation in the future and ensure Councillors honour their responsibility to the Community under the Act?

Mayor’s response:

Council rejects the suggestion that it has acted improperly. Council’s position is that it has at all times acted in accordance with its statutory powers, functions and obligations and it will continue to do so.

Question 3: David & Jan Henning

Re the Sacking of the General Manager:

- a) Was the procedure correctly handled?
- b) What are the consequences of this action for the ratepayers of the Municipality?

Mayor’s response:

- a) The separation of Mr Harper from Council is a personnel matter which was addressed in closed session. Discussions and decisions of Council in closed meetings are confidential and will not be discussed publically.
- b) Council does not foresee any negative consequences or disruption for ratepayers. A new General Manager will be appointed in due course.

Question 4: David Madden

It has now been 9 days since a decision was made to sack the General Manager:

- a) Does the General Manager now know the reason or reasons for his dismissal?

- b) Was legal advice relating to the dismissal of the General Manager obtained?
- c) Did that legal advice support the course of action taken?

Mayor's response:

The separation of Mr Harper from Council is a personnel matter which was addressed in closed session. Discussions and decisions of Council in closed meetings are confidential and will not be discussed publically.

Question 5: Steve Kacir

Regarding the recent dismissal of Mr Raoul Harper as General Manager:

- a) Did Council approve a recent pay rise for Mr Harper and did he receive a favourable performance review?
- b) Was legal advice sought prior to the dismissal and if so what advice was forthcoming?
- c) Has Council considered the financial consequences for the Community should a successful legal challenge be mounted for wrongful dismissal?
- d) What sum is provided in the budget for the recruitment process that will now be necessary?
- e) If the Council has acted contrary to legal advice will the 4 proponents of the dismissal immediately step down and resign their positions on Council?

Mayor's response:

- a) The details of Mr Harper's former employment are private personnel matters and Council is not at liberty to discuss them publicly.
- b) Council sought and received appropriate advice prior to making its decision.
- c) Council sought and received appropriate advice as to the issue prior to making its decision.
- d) Council will take all necessary steps to secure the engagement of a new General Manager. Council does not anticipate that this process will have any adverse impact upon the Council budget.
- e) Council rejects the suggestion that it has acted contrary to advice.

Question 6: Rachel Summers

- a) What are the reasons for terminating the employment of Mr. Harper?
- b) In an article for The Examiner newspaper on the 6th July 2016, Mr Harper states that he had not been given a reason or reasons for his dismissal. Has he been provided with such information now? Why wasn't this done at the time of dismissal?
- c) If the Councillors involved are found to have acted without cause, will the Council take legal action against them to recoup any expenses incurred (including legal action from Mr Harper)?

- d) Is it the intention of the Council to keep Ms. Sophie Pitchford in the role of Acting General Manager until the position is advertised and filled?

Mayor's response:

- a) & b) Mr Harper's separation from Council is a personnel matter which was addressed in closed session. The details are confidential and Council is not at liberty to discuss them.
- c) Council rejects the suggestion that it has acted improperly or unlawfully. Council's position is that it has at all times acted in accordance with its statutory powers, functions and obligations and it will continue to do so.
- d) Yes

Question 7: Jude Cazaly

1. Was legal advice sought by Flinders Council in order to ensure that the action of sacking of the General Manager:

- a) was within the law;
- b) minimised cost financially and politically to the Community; and
- c) that the grounds on which he was dismissed were based on substantiated evidence, provable in a court of law and contrary to the terms of his contract?

Was any of this advice followed?

Mayor's response:

Legal advice was sought and received.

Question 8: Jude Cazaly

What formal notice was given to the General Manger that his performance was considered by the majority of Councillors to be less than satisfactory and that failure to redress any perceived failings would result in his dismissal? If such formal notice was given, when did that happen and did the General Manager have a reasonable time to respond?

Mayor's response:

This was a personnel matter and Council is not at liberty to discuss private personnel matters publicly. The question is noted.

Question 9: Jude Cazaly

What efforts were made by Council during the time of the General Manager's employment to reconcile any differences, real or perceived, between any aggrieved Councillors and the General Manager? What was the result of those efforts if any were made?

Mayor's response:

The question was taken on notice.

Question 10: Jude Cazaly

If Council has erred in law and attracts financial penalties to be paid to any aggrieved party what funds will these payments come from? Will it come from ratepayer's money or will it come from any personal indemnity fund or pockets of the Councillor's responsible?

Mayor's response:

The question was taken on notice.

Question 11: Jude Cazaly

What guarantees do the Community have that this is not and has not been a personal vendetta against the General Manager by the majority of Councillors and that all Council employees current and future will be treated with fairness, with regard for the law, will be free from personal vendettas by Councillors and respect for their contribution to the workplace and the Flinders Community regardless of their social connection with any Councillors?

Mayor's response:

The question was taken on notice.

Question 12: Dale Williams

Please explain the costs and benefits to the Community of the decision taken, specifically:

- how the termination of the General Manager's contract, with no reason or notice, is in the best interests of our Community;
- the anticipated costs allocated to fund this decision;
- the programs, staff and planned council activities to be sacrificed to cover these costs; and
- who is responsible for paying these costs – the four Councillors who voted for it or the ratepayers?

Mayor's response:

The details of Mr Harper's former employment are private personnel matters and Council is not at liberty to discuss them publicly.

Question 13: Dale Williams

Please explain what changed in the few weeks after the General Manager received a positive performance review and salary increase to warrant the termination of his contract.

Mayor's response:

The details of Mr Harper's former employment are private personnel matters and Council is not at liberty to discuss them publicly.

Question 14: Dale Williams

What steps are being taken to ensure that the Councillors involved in the General Manager's unjustified sacking are not involved in any way with the selection of the next? They clearly act in their own self-interest and not those of the Community.

Mayor's response:

Under the Local Government Act that is impossible. Councillors were elected to be the decision makers of Council. The *Local Government Act 1993* does not allow for Councillors to be excluded from decision making, except when they themselves declare an interest.

Question 15: Dale Williams

Can you guarantee that no current projects, staff etc. will be sacrificed to cover costs?

Mayor's response:

I don't expect there will be an impact on Council's Annual Plan. Draft estimates have included the cost of recruitment of a new General Manager. Other employee costs at this stage remain the same. It is a council agenda item for later in the meeting.

Question 16: Wendy and Alan Reid

Is this action of the Council (the dismissal of the General Manager) backed by competent legal advice, absolute proper procedure and serious consideration of the consequences and disruptions of programs and projects for the Community?

Mayor's response:

The process was done legally. The only person employed by Councillors is the General Manager. All other staff are employed by the General Manager. Like every other board we have to abide by the Fair Work Act.

Question 17: David Grutzner

Will the Council please confirm that the following is correct?

- a) That Council reviewed the performance of the General Manager at Committee meetings on 31st May and 8th June.
- b) That Council voted unanimously to approve the subsequent report from the Committee approving the General Manager's performance and authorising a salary increase to this position.
- c) On 27th June there was a Closed Meeting of Council when four Councillors voted to terminate the appointment of Raoul Harper as General Manager.
- d) A letter dated 5th July was sent to Raoul Harper advising him that his contract would be terminated as from the close of business on that day.

- e) That the Mayor was on leave at the time of items c and d.
- f) That the General Manager has been granted leave during this time due to serious illness in his family.
- g) That two of the four Councillors identified above had applied unsuccessfully for the position of General Manager at the time Mr Harper was appointed.
- h) At the time of writing, none of these facts have been revealed to the wider community prior to the release of the Agenda for the July meeting of Council.
- i) Given that the Mayor was on leave through all this will the Mayor accept my personal vote of confidence in her and the Councillors who are not part of the gang of four?

Mayor's response:

The details of Mr Harper's former employment are private personnel matters and Council is not at liberty to discuss them publicly. Discussions and decisions of Council in closed meetings are confidential and will not be discussed publically.

The Mayor accepted the vote of confidence on behalf of herself and the other Councillors.

Question 18: Vanessa Grace

Moving forward, what is the time line on getting a new General Manager? Are we vulnerable and at risk of being taken over by another Council?

Mayor's response:

The process could take three months. We are considering whether to engage a recruitment agency at this meeting. I have been in touch with Peter Gutwein Peter Gutwein, and he has assured me not from his perspective.

Question 19: Chris Chen

Is there a precedent or Council regulation which can be cited in support of the actions of Councillors in reference to the recent dismissal of the General Manager?

Mayor's response:

The question was taken on notice.

Question 20: Lynn Wilson

Can you please report on the progress of the Killiecrankie toilet?

Mayor's response:

The Killiecrankie toilet has received planning approval. No representations were received. Council is in the process of getting building and plumbing permits.

Mayor Carol Cox closed Public Question Time with the following address:

"Thank you for your participation in Public Question Time.

I believe your questions have quite strongly conveyed your opinions as community members and ratepayers of the recent action of Council and I recommend to all Councillors that in their role as elected members, they seriously consider the views of the Community they represent when making decisions. "

Mayor Carol Cox returned to the table at 1.35pm.

Mayor Carol Cox called a break in the meeting at 1.37pm and resumed the meeting at 1.43pm.

Note: Two further questions were received after Public Question time ran out. The answers to those questions and the answers to the questions taken on notice will be reported in the Agenda of the August Ordinary meeting of Council.

RESPONSE TO PUBLIC QUESTIONS

16th June 2016 Council Meeting

Question 1: Deputy Mayor M Cobham on behalf of Michael Buck

Is the Council aware of the potential risks to pregnant and breast feeding women from eating honey that has come from the flower of Paterson's Curse that creates v pyrrolizidine alkaloids toxins? There being a higher risk for unborn babies of organ damage from the toxins. What action can the Council take to rid the Island of Paterson's curse in the Emita area?

Mayor's Response:

Regarding the toxins, Council's Environmental Health Officer has provided the following information:

"Some types of honey contain high levels of naturally occurring plant toxins, known as pyrrolizidine alkaloids (PAs), which may cause adverse health effects. PAs are found in many foods and are naturally produced in more than 600 plants. The toxins may get into the honey when bees forage on the flowers that are rich in pyrrolizidine alkaloids such as Paterson's Curse, also known as Salvation Jane.

Many years ago, Food Standards Australia and New Zealand (FSANZ) established a safe level of intake for these alkaloids of one microgram per kilogram bodyweight per day based on the known toxicity in humans. FSANZ has not established a regulatory level because there is no evidence of harm from normal consumption.

For people who normally eat honey derived from flowers other than Paterson's curse, the levels of pyrrolizidine alkaloids would not be a cause for concern. It is recommended that anyone, including pregnant or breast feeding women, who consumes more than two tablespoons of honey a day, doesn't eat Paterson's Curse honey exclusively. Pure Paterson's Curse honey is relatively uncommon and is usually bought from specialty markets and online distributors. Most honey processors blend their Paterson's Curse honey with other honey to reduce the pyrrolizidine alkaloids to a safe level.

FSANZ is aware of the recent reports on total PA levels in Australian and New Zealand honey. However, based on the type of PA present and honey consumption levels in Australia and New Zealand, they are unlikely to pose a health risk.

Further to acceptable standards, it is understood that the honey sourced from Flinders Island is indeed a blend and Paterson's Curse is not the primary plant source of any of the Flinders Island Honey varieties."

I can further confirm that Paterson's Curse (*Echium plantagineum* L.) is a Declared Weed, and property managers are required by law to control declared weeds. Biosecurity Tasmania is the body that is charged with weed control in Tasmania and concerns about non control of this or any other weed should be directed to:

Weed Enquiries

Biosecurity Tasmania

Phone: [03 6165 3777](tel:0361653777)

Email: Weed.Enquiries@dpiw.tas.gov.au

143.07.2016 Moved: Deputy Mayor M Cobham **Seconded:** Cr G Willis
That the answer to the question taken on notice at the 16th June 2016 Council Meeting be noted.

CARRIED UNANIMOUSLY (7-0)

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

LATE AGENDA ITEMS

Nil

DECLARATION OF PECUNIARY INTEREST

Mayor Carol Cox declared a pecuniary interest in section 2.1 Waste Management of Item E2 - Rates and Charges for 2016-2017.

LEAVE OF ABSENCE

Nil

PETITIONS

A petition to Flinders Council from Joanna and Terence Klug with 99 signatories regarding the separation of Raoul Harper from the role of General Manager was tabled at the meeting. The petition complies with section 57 of the *Local Government Act 1993* and was tabled as per section 60 of the Act. The wording of the petition is as follows:

"We, the undersigned, request that you forward this petition to Minister of Local Government (the Honorable Peter Gutwein), requesting that he reviews the unprecedented action taken by four of seven councilors who terminated the contract with our former General Manager, Raoul Harper."

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

144.07.2016 Moved: Deputy Mayor M Cobham **Seconded:** Cr D Williams
That Council notes that the petition has been tabled.

CARRIED (6-1)

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

Against: Cr Peter Rhodes (abstained)

POLICIES

No Council policies were under consideration during the period.

WORKSHOPS & INFORMATION FORUMS

File No: COU/0205

Information Sessions held on 16th June 2016

Council attended two information sessions:

- Value of Northern Tasmania Development membership
- RSL and Sports Club Feasibility Study

Councillors Present:

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

Apologies:

Cr Chris Rhodes

Staff and Consultants Present:

Maree Tetlow (Executive Officer, Northern Tasmania Development) (first session only); Sophie Pitchford (Acting General Manager); Giles Newstead and Richard Brenchley (Dock4 Architects) (second session only), Michael Gordon (PDF Management) (second session only) and Robyn Cox (Strategic Planner) (second session only).

As workshops and information sessions are for information and discussion purposes only, no decisions are made or foreshadowed at these proceedings.

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATION:

That the Information Sessions held on 16th June 2016 be noted.

DECISION:

145.07.2016 Moved: Cr G Willis **Seconded:** Cr P Rhodes

That the Information Sessions held on 16th June 2016 be noted.

CARRIED UNANIMOUSLY (7-0)

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

Council Workshop held on 30th June 2016

Council held a Workshop on the following subjects:

- Item 1: FITBI Marketing Strategy
- Item 2: Furneaux Islands Festival
- Item 3: Solid Waste Disposal Update
- Item 4: Whitemark Wharf and surrounding TasPorts Property
- Item 5: Finalise Annual Plan and KPIs
- Item 6: 2016-2017 Annual Budget/Fees and Charges/Rates Modelling

Councillors Present:

Acting Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Gerald Willis.

Apologies:

Mayor Carol Cox

Staff and Consultants Present:

Sophie Pitchford (Acting General Manager); Michael Buck and Jo Youl (Flinders Island Tourism and Business Inc.) (Item 1 only); Jana Harper (Community and Economic Development Manager) (Items 1 and 2 only); Jacci Viney (Development Services Coordinator) (Item 3 only); Brian Barnewall (Works and Services Manager) (Items 3 and 4) and Vicki Warden (Executive Officer) (Item 5 only).

As workshops and information sessions are for information and discussion purposes only, no decisions are made or foreshadowed at these proceedings.

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATION:

That the Council Workshop held on 30th June 2016 be noted.

DECISION:

146.07.2016 Moved: Cr D Williams **Seconded:** Deputy Mayor M Cobham
That the Council Workshop held on 30th June 2016 be noted.

CARRIED UNANIMOUSLY (7-0)

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

PUBLIC MEETINGS

Nil

COUNCILLOR'S QUESTIONS ON NOTICE

Nil

COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Nil

PUBLICATIONS/REPORTS TABLED FOR COUNCIL INFORMATION

Nil

REPORTS TO BE RECEIVED

Flinders Island State Emergency Service

File No: CSV/0400

Annexure 1: Flinders Island State Emergency Service Annual Report 1st April 2015 – 31st March 2016

Annexure 2: State Emergency Service Auditor's Report

OFFICER'S REPORT (Sophie Pitchford, Acting General Manager):

The Flinders Island State Emergency Service Annual Report (1st April 2015 – 31st March 2016) and Auditor's Report have been provided for consideration. The report outlines the group's achievement over the 12 month period and can now be received by Council.

OFFICER'S RECOMMENDATION

That the meeting resolves that the Flinders Island State Emergency Service Annual Report (1st April 2015 – 31st March 2016) and Auditor's Report be received and noted.

DECISION:

147.07.2016 Moved: Deputy Mayor M Cobham **Seconded:** Cr K Stockton

That the meeting resolves that the Flinders Island State Emergency Service Annual Report (1st April 2015 – 31st March 2016) and Auditor's Report be received and noted.

CARRIED UNANIMOUSLY (7-0)

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

Note: That Council recognises the work by the State Emergency Service and its leaders and that we note some of those accomplishments during the year. Long Service Medals were presented to several members with the most notable being for 40 years service to Les Pitchford. Les's amazing record of long service includes approximately 12 years on Civil Defence, which handled emergency situations in the Community before the SES was formed. The Unit was called out to two incidents during the year - one motor vehicle accident and a search & rescue operation for a missing fisherman at the North East River. Members were commended on their actions and endeavours searching for the missing fisherman. The members were involved in a total of 1762 hours of training over the year. Thank you for providing this very vital role in the Community.

COUNCILLORS' REPORTS

Report from Councillor Peter Rhodes as the Flinders Council Representative on the OTTER Customer Consultative Committee (OCCC)

File No: CSV/1403

I attended the OCCC meeting on Wednesday, the 25th of May, as the Flinders Council representative and was welcomed by The Economic Regulator, Mr Joe Dimasi.

Information presented to the Committee included:

- The Tas Networks Tariff Trial;
- The 2016 Electricity Standing Offer and Feed-in Tariff Rate Investigations;
- The Draft Water and Sewerage Price & Service Plan Guideline; and
- The Energy Quarterly Performance Report.

The Tas Network Tariff Trial, being conducted in the Otago/Claremont to Jericho area is part of a Tariff Reform Strategy aimed at collecting data to better understand customer impacts under different tariff structures. It will involve 600 homes and will utilise “smart” meters. The trial will conclude in June 2018.

The Electricity Standing Offer and Feed-in Tariff investigation resulted in the Final Report issued on 5 May 2016. This report sets out how Aurora’s Notional Maximum Revenue will be calculated as part of the annual price approval process. New standing offer prices will commence on 1 July 2016. It should be noted that the Economic regulator has input into 12.3 percent of the pricing structure, namely the retail margin (5.4% - reflects the Return on Investment) and the Cost to Serve (6.9% - reflecting the recovery of operating costs), the rest being determined elsewhere. Given our situation this has limited impact on the Bass Strait Islands.

TasWater’s Draft Water and Sewerage Price & Service Plan Guideline is part of the price determination process for the proposed three year regulatory period commencing 1 July 2018. The guidelines inform TasWater’s submission to the Economic Regulator’s Office. This is the start of the investigation process that formally begins when TasWater submits its proposed Price and Service Plan, due by 30 June 2017. Consultation will close in February 2018.

Each meeting has a “Projects on the Go” report that provides an update on significant activities.

Mr Ray McKendrick from the Tasmanian Ombudsman’s Office provided a brief update on some relevant matters including a complaint against the West Coast

Council's free camping on the grounds of competitive neutrality or lack thereof. The complaint against the Council was upheld.

I found the meeting interesting and informative. It was useful to make contact and meet other representatives and get an update on current activities within the purview of the Economic Regulator and the Consultative Committee. The Committee meets Quarterly with the Regulator and OTTER staff. I am of the opinion that not every meeting needs to be attended in person and will investigate the option of participating by telephone for at least some of the future meetings.

RECOMMENDATION:

That Councillor Peter Rhodes' report as the Flinders Council Representative on the OTTER Customer Consultative Committee (OCCC) be received.

DECISION:

148.07.2016 Moved: Cr G Willis **Seconded:** Cr C Rhodes

That Councillor Peter Rhodes' report as the Flinders Council Representative on the OTTER Customer Consultative Committee (OCCC) be received.

CARRIED UNANIMOUSLY (7-0)

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

Report from Councillor Peter Rhodes as the Flinders Council Representative on the Flinders Island District High School - School Association
File No: COU/0204

The Flinders Island District High School (FIDHS) held its Annual General Meeting on Thursday the 24th of May. The primary purpose of the meeting was to consider nominations and elect parent/community representatives and Office Bearers. Carol Cox, the retiring President/Chair, thanked the outgoing representatives, and the following were elected:

Parent Member:	Rebecca Lines
Community member:	Matt Smith (2 years)
Community Member:	Jana Harper (1 year)
P & F Member:	Aimee Wheatley (2 years)
President/Chair:	Aimee Wheatley
Secretary:	Kelly Barrett
Treasurer:	Andrew Cole
Public Officer:	Stuart Dwyer

The Association thanked Carol for her guidance and commitment for the previous year.

The AGM was followed by a General Meeting of the School Association.

RECOMMENDATION:

That Councillor Peter Rhodes' report as the Flinders Council Representative on the Flinders Island District High School - School Association be received.

DECISION:

149.07.2016 Moved: Cr G Willis **Seconded:** Cr K Stockton

That Councillor Peter Rhodes' report as the Flinders Council Representative on the Flinders Island District High School - School Association be received.

CARRIED UNANIMOUSLY (7-0)

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

Note: The Mayor asked Cr Peter Rhodes to keep supplying reports on the Flinders Island District High School - School Association as the school is a very important part of the Community.

Deputy Mayor's Monthly Report
File No: COU/0600

ACTIVITIES:

DATE	ITEM
16/06/16	Councillor's meeting with Maree Tetlow - Northern Tasmania Development
16/06/16	Councillor's meeting with Dock 4 Architects
16/06/16	Council Meeting
23/06/16	Acting Mayor until 13 th July 2016
23/06/16	Phone call from resident re Telecommunications issues
27/06/16	Special Council Meeting
30/06/16	Council Workshop
30/06/16	Special Council Meeting
01/07/16	Meeting with resident re gravel supplies
01/07/16	Teleconference - Hon Peter Gutwein, Minister for Local Government
01/07/16	Teleconference - Phillip Hoysted, Department of Premier and Cabinet (DPAC)
04/07/16	Special Meeting of Council
06/07/16	Teleconference #1 - Hon Peter Gutwein, Minister for Local Government
06/07/16	Teleconference #2 - Katrena Stephenson CEO, Local Government Association of Tasmania
06/07/16	Teleconference #3 - Marc Edwards - Page Seager
06/07/16	Teleconference #4 - Ann McCullouch - Page Seager
07/07/16	Teleconference - Phillip Hoysted, DPAC

CORRESPONDENCE IN:

DATE	WHO	SUBJECT
04/07/16	P Guichelaar	Gravel supplies

CORRESPONDENCE OUT:

DATE	WHO	SUBJECT
04/07/16	P Guichelaar	Gravel supplies

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATION:

That the Deputy Mayor's report be received.

DECISION:

150.07.2016 Moved: Cr G Willis

Seconded: Cr D Williams

That the Deputy Mayor's report be received.

CARRIED UNANIMOUSLY (7-0)

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

MAYOR'S REPORT:

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

REPORT:

APPOINTMENTS:

15/06/16	Meeting with M Buck & J Youl of Flinders Island Tourism and Business Incorporated (FITBI) re Marketing Strategy
16/06/16	Councillors Meeting with Maree Tetlow, CEO of Northern Tasmania Development
16/06/16	Councillors meeting with Dock 4 Architects re Sports and RSL Club sustainability project
16/06/16	Council Meeting
23/06/16	Opened Fert-ISLE Forum and attended morning session
24/06 - 13/06/16	Deputy Mayor as Acting Mayor

General Manager - Raoul Harper

I would like to record my thanks and appreciation for the achievements and dedication to the Island that Raoul has displayed during his almost seven year tenure as general manager of Flinders Council.

Flinders Island Tourism and Business Incorporated re Marketing Strategy:

The Strategy has been developed utilising funds allocated for the purpose by the State Government. The meeting was a preview of what would be presented to Councillors at the 30th June workshop and in the context of Council's 2016-17 budget estimates. FITBI has a vision of the strategy being implemented using funding and in-kind support from FITBI itself, businesses, Tourism Northern Tasmania, Tourism Tasmania, the remaining State Government Funds and Council.

Sports & RSL Club Project:

Dock4 Architects has been engaged to investigate proposals for development(s) at the Sports & RSL Club that will provide an economic return, enabling the Club to become economically sustainable and not have a major ongoing reliance on volunteer input to keep it operating. The golf course, bowling greens and clubhouse are important community infrastructure. Dock4 has so far met with Councillors seeking ideas, as well as Sports & RSL Club representatives to understand their vision for the long term future of the facilities and precinct.

Fert-ISLE Forum:

It was my pleasure to open the Council presented Fert-ISLE forum, a well-attended event, with attendees from a broad spectrum of economic interests, including successful off-island businesses and agencies that can support and guide business development. The Forum was designed to encourage entrepreneurship and to bring together people with interests and passions that can be developed into businesses to support both economic and population growth on the Islands. It was extremely interesting to hear how people had developed businesses from small beginnings. Employment growth on the Island will come from the development of microbusiness.

CORRESPONDENCE IN:

DATE	WHO	SUBJECT
09/06/16	Local Government Association of Tasmania (LGAT)	Media release – activation of the Natural Disaster Relief and Recovery Arrangements
09/06/16	Biosecurity Tasmania	Biosecurity Advisory 12/2016 - Russian wheat aphid found in South Australia
09/06/16	S Watson, LGAT	Activation of LGAT Natural Disaster Relief and Recovery Arrangements
10/06/16	A Nikolic MP	Quote for election campaign
10/06/16	A Nikolic MP	Support for Flinders Island
10/06/16	H Cambridge	Thank you for 2016 Gunn Bequest
12/06/16	Anti-Poverty Week Tasmania	Anti-Poverty Week 2016
11/06/16	Australian Logistics Council	Future Freight Networks – 2016 Yearbook
13/06/16	Cr G Willis	Request for information
14/06/16	University of Tasmania	Research to Reality
14/06/16	Professor Michael Negnevitsky, Chair 2016 IPS Connect	Invitation to attend the IPS conference on Flinders Island and event dinner and to open the event
14/06/16	K Stephenson, LGAT	Arrangements for the Mayors Workshop
15/06/16	K Lowe, Linc Tasmania	Changes to opening hours at Whitemark Library
16/06/16	A & L Robinson	Letter to Island News
20/06/16	S McDonald, NBN Co	NBN booth at Australian Local Government Association Conference
21/06/16	The Examiner	Apology for error in Special Meeting advertisement placement
21/06/16	M Buck	Business Excellence Awards 2016

21/06/16	Marilyn Roach	Launch of Tasmanian Community Achievement awards
21/06/16	N Clark	Quote regarding telecommunications application
21/06/16	D Grutzner	Flinders Island land use structure and state-wide planning scheme update
22/06/16	M Abey, Communities, Sport and Recreation	Invitation to attend Local Government Forum – Health and Wellbeing
22/06/16	M Buck	Council representation on Flinders Island Tourism and Business Inc.
23/06/16	Tasmanian Transport Council	Invitation to AGM Dinner – apology sent
24/06/16	TasWater	Invitation to the 2016 winter Tasmanian Water Industry Briefing
28/06/16	Biosecurity Tasmania	Biosecurity Advisory 14/2016 - Proposal to import Oriental small-clawed otter into Tasmania
29/06/16	M Tetlow, Northern Tasmania Development (NTD)	Asian Engagement Strategy Project - Action Plan and Champion Company Profile Template
29/06/16	Biosecurity Tasmania	Biosecurity Advisory 15/2016 - Tasmania's Management of Hydatids: Freezing of Offal
30/06/16	S McDonald, NBN Co	Maternity leave and replacements
04/07/16	SES	Emergency Services Medal Nominations 2017
01/07/16	Tracey Clark, NTD	Media Release - Northern Tasmania's Councils Collaborate to Drive Exports
07/07/16	City of Hobart	Invitation to attend Hobart Town Hall's 150 th Anniversary – 10 September

CORRESPONDENCE OUT:

DATE	WHO	SUBJECT
14/06/16	A Nikolic	Quote for election campaign
14/06/16	M Tetlow, NTD	Bass Candidates' Debate
15/06/16	M Negnevitsky	Opening of IPS Connect conference
16/06/16	G Adams	Regional Revival Funding Grant Program expressions of interest open 24 June
18/06/16	A Robinson	Letter in Island News
20/06/16	R Harper	General Manager's contract
21/06/16	The Examiner	Thank you for acknowledgment of error in advertising

21/06/16	N Clark	Quote regarding telecommunications application
22/06/16	M Cobham and S Pitchford	Acting Mayor Appointment
22/06/16	M Buck	Public Question - Potential risks of Paterson's Curse honey
28/06/16	S Pitchford & M Cobham	Apology for adjourned meeting

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATION:

That the Mayor's report be received.

DECISION:

151.07.2016 Moved: Deputy Mayor M Cobham **Seconded:** Cr P Rhodes
That the Mayor's report be received.

CARRIED UNANIMOUSLY (7-0)

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

A. DEVELOPMENT SERVICES AND PLANNING APPLICATIONS

Item A1: Development Application Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Jacci Viney, Development Services Coordinator
FILE REFERENCE	DSV/0300
ASSOCIATED PAPERS	<i>Annexure 3: Planner's Information Report – July 2016</i>

INTRODUCTION:

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

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

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 3 Planner's Information Report – July 2016, provided by West Tamar Council.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Planner's Information Report – July 2016 be received.

DECISION:

152.07.2016 Moved: Cr G Willis **Seconded:** Deputy Mayor M Cobham
That the Planner's Information Report – July 2016 be received.

CARRIED UNANIMOUSLY (7-0)

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

B. ENVIRONMENTAL HEALTH

Item B1: Environmental Management Plan review

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Jacci Viney, Development Services Coordinator
FILE REFERENCE	WAS/0400
ASSOCIATED PAPERS	<i>Annexure 4: Whitemark Landfill Environmental Management Plan (EMP) Review</i>

INTRODUCTION:

The most recent visit from an Environmental Protection Agency (EPA) officer was May 2014. From that point forward Council has been requested to present an Environmental Management Plan (EMP) review to the Director of the Environmental Protection Agency.

Time extensions have been repeatedly requested and granted, however threats of infringement and subsequent visitation have continued to loom.

The EPA has provided Council with a deadline of 1st August to present an EMP review for the Whitemark (tip) site.

PREVIOUS COUNCIL CONSIDERATION:

The current EMP review (attached) was presented to Council for discussion at the 30th June workshop. It was agreed that the document should be presented to Council for consideration to enable the 1st August deadline to be met.

OFFICER'S REPORT:

Many scenarios have been analysed and put to Council over the period since the EPA visit. Modern technology such as incineration has been investigated, waste to energy models, Micro Auto Gasification Systems and shipping all waste of Island. The current EMP review presents a strategic vision that will see Council maintain control of waste costs and streams as well as progress the current site and system to better service residents and ratepayers.

STATUTORY REQUIREMENT:

Local Government Act

Environmental Management and Pollutions Control Act - EPN - 7191/2

POLICY/STRATEGIC IMPLICATIONS:

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

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

4.3.31 Requirements of the Environment Protection Agency (EPA) regulations are met.

BUDGET AND FINANCIAL IMPLICATIONS:

An amount will need to be allocated.

RISK/LIABILITY:

Very high risk of infringement and repeated infringement if failure to meet deadline.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Environmental Management Plan review dated June 2016 be adopted by Council and issued to the Environmental Protection Agency prior to 1 August.

DECISION:

153.07.2016 Moved: Cr G Willis **Seconded:** Cr D Williams

That the Environmental Management Plan review dated June 2016 be adopted by Council and issued to the Environmental Protection Agency prior to 1 August.

CARRIED UNANIMOUSLY (7-0)

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

C. STRATEGIC PLANNING

Item C1: Structure Plan

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Robyn Cox, Strategic Planner
FILE REFERENCE	PLN/0300
ASSOCIATED PAPERS	<i>Annexure 5: Flinders Island Structure Plan Annexure 6: Appendix 1 Maps 1 & 2 Annexure 7: Appendix 2 Land use Table Annexure 8: Maps 3-9 Annexure 9: Appendix 4 Heritage Places List Annexure 10: Invitation to Comment</i>

INTRODUCTION:

The proposed Structure Plan provides land use strategies that can contribute to Council's strategic goal of growing the population as a means of increasing economic diversity and productivity. Land use strategy is also pre-requisite to the preparation and submission of a local planning scheme. Providing the Community with the opportunity for examination and comment is a necessary step in the process. It will determine if the proposed strategies are generally aligning with public expectations for the direction of future land use on Flinders Island. The Structure Plan and its appended documents are presented to the Council for endorsement of the next stage in the process; release for public exhibition.

PREVIOUS COUNCIL CONSIDERATION:

The Council has previously work shopped the Structure Plan strategies on two occasions.

OFFICER'S REPORT:

Recent changes to the relevant Act established the template for the Tasmanian Planning Scheme (the Scheme). The legislation permits local policy to be included in the Scheme in one of three formats: a Specific Area Plan; an Area Specific Qualification and a Public Purpose Zone.

To be included in the Local Provisions Schedule, local policy must satisfy the test in s32(4) of the Act. The Structure Plan and its appended items will contribute a large portion of the information required to satisfy that test. The other components will be the strategic investigations documented in the Supporting Information Report and the Submissions Report (which is compiled post public consultation and which outlines the submissions received, how they have been

considered and how the final Structure Plan specifically addresses the requirements of s32(4)).

The Structure Plan presented here for public consultation is a critical component as it sets out the strategic basis for the modifications of the State template that will be proposed in the local provisions schedule.

In addition to the legislative requirements, the land use strategy contained within the Structure Plan addresses three main criteria: it proposes land use planning methods for achieving spatial application of the Council's strategy to grow the population; it integrates land use with other council policy and operations and it provides a way for the Community to be heard on the proposed future direction of land use as a tool for achieving a sustainable island future.

The document is presented to the Council for endorsement prior to releasing it for public exhibition. Public exhibition is proposed for 3 weeks from the 19th July 2016 until 11th August 2016. It is proposed that the Structure Plan and associated documents be made available on the Council website, as CDs and as hard copy available at the library and the front office counter. It is suggested that the release of the document be advertised in the Island News prior to and during the exhibition period. An *Invitation to Comment* document is Annexure 6.

STATUTORY REQUIREMENT:

Land Use Planning and Approvals Act 1993

POLICY/STRATEGIC IMPLICATIONS:

1. Population Growth - Focusing on strategies, projects and policy initiatives that support the community, economic development, innovation and investment attraction.
 - 1.2 Increase "the working age" population.
 - 1.3 Value-add to local commodities.
 - 1.4 Foster and support entrepreneurial activity.
2. Infrastructure and Services - An Islands' specific approach to planning and delivery to ensure community and environmental values are maintained.
 - 2.6 Protect and enhance high quality natural values and environmental assets.
4. Strategic, Efficient and Effective Organisation - Responding to risks and opportunities.
 - 4.1 Remain actively engaged with internal and external stakeholders providing regional leadership.
 - 4.2 Support processes, accountability and project delivery through transparent reporting.

- 4.3 Ensure Council meets its statutory obligations and manages corporate and community risk.
- 5. Liveability - Protect, improve and promote the safety, creativity, health and wellbeing of the Islands' communities.
 - 5.1 Improve the health and wellbeing of the Island communities through leadership and co-ordination.
 - 5.3 Land use planning conserves natural and cultural values and addresses natural hazards and climate adaption.

The Structure Plan also has strong links to Council's Open Space Policy.

BUDGET AND FINANCIAL IMPLICATIONS:

There is no budget allocation required for public exhibition of the documents. Printing and burning of CDs will be completed 'in-house' and be debited from the operational budget for Strategic Planning.

RISK/LIABILITY:

There is no corporate risk associated with Council agreeing to exhibit the Structure Plan.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council agrees to release the Structure Plan and appended documentation as presented for public exhibition from Tuesday 19th July 2016 for a period until 11th August 2016.

DECISION:

154.07.2016 Moved: Cr G Willis **Seconded:** Deputy Mayor M Cobham

That Council agrees to release the Structure Plan and appended documentation as presented for public exhibition from Tuesday 19th July 2016 for a period until 11th August 2016 and announces that the deadline for submission be 5pm, 18th August and that the public comment period includes a drop-in day for community members to consult with the Strategic Planner.

CARRIED UNANIMOUSLY (7-0)

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

Note: Additional maps will be included in the final package available for the public exhibition.

Note: Deputy Mayor Marc Cobham thanked Robyn Cox for a job well done and the many hours work required to produce the document. This statement was endorsed by all Councillors.

D. NOTICE OF MOTIONS

Item D1: Notice of Motion from Acting Mayor Marc Cobham – Recruitment of General Manager

ACTION	Decision
PROPONENT	Acting Mayor Marc Cobham
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	PER/0602
ASSOCIATED PAPERS	<i>Annexure 11: For Elected Members only (forthcoming)</i>

NOTICE OF MOTION:

That Council engages the services of a management recruitment consultant company to assist Council to fill the now vacant position of General Manager.

COUNCILLOR'S REPORT:

Following on from the decision to terminate the General Manager's contract as of close of business 5th July 2016, Council needs to act promptly to fill the vacant position.

In the past Council has utilised the services of management/recruitment companies that specialise in the Local Government sector. Although this comes at a cost, it is an effective way of getting the best possible selection of candidates and the time impost and expertise required for this important position vacancy does not become a burden solely on Councillors and Council staff.

Acting promptly will also help to alleviate the stress and additional workload that Council staff are having to endure as a result of recent events.

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER'S REPORT:

Engagement of a management/recruitment company who specialises in the Local Government sector will provide the level of expertise that Council requires with the recruitment of a General Manager and also provide a level of transparency which is of paramount importance to the Community.

STATUTORY REQUIREMENTS:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

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

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

BUDGET AND FINANCIAL IMPLICATIONS:

A budget variation will need to be made, once the costs are known.

RISK/LIABILITY:

The prompt appointment of a General Manager will provide the level of stability required by staff and the Community.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER'S RECOMMENDATION:

The motion as written.

DECISION:

155.07.2016 Moved: Deputy Mayor M Cobham **Seconded:** Cr D Williams
That Council engages the services of a management recruitment consultant company to assist Council to fill the now vacant position of General Manager.

CARRIED (6-1)

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

Against: Cr Peter Rhodes

156.07.2016 Moved: Cr G Willis **Seconded:** Cr K Stockton
That the Acting General Manager is requested to continue gathering information and that the information is considered at a Special Meeting on the 4th August.

CARRIED UNANIMOUSLY (7-0)

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

2. *That Council as a member of FITBI considers its representation and the requirements of that representation.*
3. *The Council elects/determines a representative to FITBI and advises FITBI of the appointment.*

CARRIED UNANIMOUSLY (6-0)

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

Part 3 of this motion was held over until correspondence from FITBI was received. Council may now action part 3 of this motion.

PREVIOUS COUNCIL CONSIDERATION:

93.05.2016 19th May 2016

94.05.2016 19th May 2016

OFFICER'S REPORT:

Council is a member of FITBI and thus has voting rights that it needs an appointed/elected person to undertake. Council also has a role in improving visitation and economic growth.

The Council representative to FITBI must be committed to putting the Council position when acting as a member of FITBI and to facilitate the flow of information between the parties.

When nominating for this position, Councillors should be aware of their position with regard to tourism and business activity, both on a real and perceived basis, which could make it difficult to act in the interests of Council as a member of FITBI.

Council at an operational level, also works with FITBI and the member representative should have an understanding of the activities that are occurring at this level.

STATUTORY REQUIREMENTS:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

No policy on the matter is in place.

BUDGET AND FINANCIAL IMPLICATIONS:

Nil

RISK/LIABILITY:

Nil

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council appoints a Councillor as a liaison to Flinders Island Tourism and Business Inc. to distribute information to Council and other Councillors.

DECISION:

157.07.2016 Moved: Deputy Mayor M Cobham **Seconded:** Cr G Willis

That Council appoints a Councillor as a liaison to Flinders Island Tourism and Business Inc. to distribute information to Council and other Councillors.

CARRIED UNANIMOUSLY (7-0)

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

158.07.2016 Moved: Cr P Rhodes **Seconded:** Cr K Stockton

That Council accepts the offer of Cr G Willis to be its representative on Flinders Island Tourism and Business Inc.

CARRIED UNANIMOUSLY (7-0)

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

E. CORPORATE SERVICES

Item E1: Schedule of Fees & Charges 2016-17

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	FIN/0701
ASSOCIATED PAPERS	<i>Annexure 13: DRAFT Fees & Charges Schedule 2016-17</i>

INTRODUCTION:

Under Section 205 of the *Local Government Act 1993*, Council can impose fees and charges with respect of the listed activities within the Act. These activities include the use of any property or facility owned by Council; any application, licence, permit, registration granted by the Council.

PREVIOUS COUNCIL CONSIDERATION:

Council Budget Workshops 26th May 2016, 2nd and 30th June 2016

OFFICER'S REPORT:

Annually Council sets fees and charges to reflect costs of providing services to the Municipality in the most cost-effective manner obtainable.

The proposed fees & charges have been discussed at Budget Workshops by Councillors and Staff, prior to being presented for formal adoption.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

5. Corporate Governance and Intergovernmental Relations

5.1 Support the capacity and productivity of our organisation and a culture of professionalism, compliance, innovation and service.

5.1.3 Achieve a sustainable balance of income, investment and recurrent expenditure.

5.1.3.6 Deliver financial services including and not limited to creditors, debtors, rates receivables and investments.

BUDGET AND FINANCIAL IMPLICATIONS:

Minimal

RISK/LIABILITY:

Maintaining Council in a sound financial position is a critical function of a Council.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER'S RECOMMENDATION:

Pursuant to Section 205 of the *Local Government Act 1993*; that Council adopts the Fees & Charges for the Financial Year 2016-17.

DECISION:

159.07.2016 Moved: Cr D Williams **Seconded:** Deputy Mayor M Cobham
Pursuant to Section 205 of the *Local Government Act 1993*; that Council adopts the Fees & Charges for the Financial Year 2016-17 in accordance with Annexure 13.

CARRIED UNANIMOUSLY (7-0)

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

Item E2: Rates and Charges for 2016-2017

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	FIN/0701
ASSOCIATED PAPERS	<i>Nil</i>

INTRODUCTION:

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

As part of these Budget Estimates and pursuant to Section 90 of the *Local Government Act 1993*, Council can raise a general rate on all rateable land (excluding land which is exempt) within the Flinders Municipality, based on a cents in the dollar amount on the Assessed Annual Value (AAV) of the land.

PREVIOUS COUNCIL CONSIDERATION:

Council Budget Workshops 26th May 2016, 2nd and 30th June 2016

OFFICER'S REPORT:

Below are the main areas of interest within the proposed 2016-17 rates resolution:

Setting of General Rate

The proposed Budget Estimates for 2016-2017 provides for general rate revenue of \$1,410,599.23. This is represented by a rate in the dollar of 9.659808 cents in the AAV which together with some growth revenue, other income and cash reserves will provide an operating expenditure budget of \$5.5million.

In line with Section 89B of the *Local Government Act 1993*, the relevant percentage for the purpose of minimum amounts must be set at 35% of the total rateable properties. Hence, Council's minimum amount is set at \$425 to be compliant.

Fire Service Contribution

Pursuant to Part 5, Division 3 of the *Fire Service Act 1979*, Council is required to collect funds for firefighting services throughout the State and for 2016-17 year it will be 0.3296 cents in the dollar in respect of General Land.

The State Fire Commission has notified Council that the minimum levy will remain at \$38.00 per assessment.

Waste Management

Under Section 93 (1)(d) of the *Local Government Act 1993*, a council may make a service rate for rateable land for waste management.

Council provides waste management services to all land within the Municipality which comprises waste disposal areas, waste transfer stations and other related waste management facilities such as recycling bins.

Council will be increasing their focus on waste management during 2016-17 by carrying out ongoing site improvements at Whitemark; the continuation of the introduction of recycling; and effluent reuse project.

To accommodate this focus as well as meeting all statutory and environmental requirements involved, it is proposed to increase the waste management service fee from \$152 to \$154 per property.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

5. Corporate Governance and Intergovernmental Relations

5.1 Support the capacity and productivity of our organisation and a culture of professionalism, compliance, innovation and service.

5.1.3 Achieve a sustainable balance of income, investment and recurrent expenditure.

5.1.3.3 Deliver the new Budget Estimates for the proceeding financial year.

BUDGET AND FINANCIAL IMPLICATIONS:

The adoption of these Estimates provides the necessary funds for the implementation of the Annual Plan 2016-17 and to achieve Council's strategic outcomes detailed in Council's draft Strategic Plan.

RISK/LIABILITY:

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

VOTING REQUIREMENTS:

Absolute Majority

OFFICER'S RECOMMENDATIONS:

That in accordance with the provisions of the *Local Government Act 1993*, Council adopts the Rates and Charges for the period 1 July 2016 to 30 June 2017 in accordance with the resolutions which follow:-

1. General Rate:

- 1.1** Pursuant to Section 90 of the *Local Government Act 1993*, Council makes the following general rate on all rateable land (excluding land which is exempt pursuant to the provisions of Section 87) within the Municipal Area of Flinders for the period commencing 1 July 2016 and ending 30 June 2017, namely a rate of 9.659808 cents in the dollar on the assessed annual value of the land.
- 1.2** Pursuant to Section 90(4) of the *Local Government Act 1993*, Council sets a minimum amount payable in respect of the general rate of \$425.

2. Service Rates and Service Charges:

Pursuant to Sections 93, 93A, 94, 94A and 95 of the *Local Government Act 1993*, Council makes the following service rates and service charges on all rateable land within the Municipal Area of Flinders (including land which is otherwise exempt from rates pursuant to Section 87 but excluding Crown Land to which Council does not supply any of the following services) for the period commencing 1 July 2016 and ending on the 30 June 2017, namely:-

2.1 Waste Management:

Service charges for the making available of Waste Management Services to all land within the Municipal Area comprising waste disposal areas, waste transfer stations and related waste management facilities of \$154.

2.2 Fire Service Contribution:

Pursuant to Section 93A of the *Local Government Act 1993* Council makes the following service rates in respect of the Fire Service contributions it must collect under the *Fire Service Act 1979* for the rateable parcels of land within the Municipal Area as follows:-

<i>District</i>	<i>Cents in the Dollar of</i>
-----------------	-------------------------------

AAV

General Land

0.3296

Pursuant to Section 93(3) of the *Local Government Act 1993* Council sets a minimum amount payable in respect of this service rate of \$38.

3. Separate Land:

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

4. Adjusted Values:

4.1. For the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to Section 89 of the *Local Government Act 1993*.

5. Instalment Payment:

5.1 Pursuant to Section 124 of the *Local Government Act 1993*, Council:-

(a) Decides that all rates are payable by all rate payers by two instalments which must be of approximately equal amounts.

(b) Determines that the dates by which instalments are to be paid shall be as follows:-

(i) The first instalment on or before 21 October 2016; and

(ii) The second instalment on or before 24 February 2017.

(c) Where a ratepayer fails to pay any instalment within 21 days of the date on which the rates are due, the full amount owing becomes due and payable in accordance with Section 124 (5) of the *Local Government Act 1993*.

6. Discount:

Pursuant to Section 130 of the *Local Government Act 1993* Council offers to all of the ratepayers who are liable to pay rates and charges a discount of 2% if the rates and charges are paid by one payment on or before 21 October 2016.

7. Penalty and Interest:

7.1 Pursuant to Section 128 of the *Local Government Act 1993*, if any rate or instalment is not paid on or before the date it falls due then:-

(a) There is payable a penalty of 10% of the unpaid rate or instalment; and

- (b) There is payable a daily interest charge of 0.023013 (8.4% per annum) in respect of the unpaid rate or instalment for the period during which it is unpaid.

8. Words and Expressions:

Words and expressions used both in these resolutions and in the *Local Government Act 1993* or the *Fire Service Act 1979* have in these resolutions the same respective meanings as they have in those Acts.

DECISION:

160.07.2016 Moved: Deputy Mayor M Cobham **Seconded:** Cr G Willis
That the waste management fees be considered separately before the rest of the agenda item.

CARRIED UNANIMOUSLY (7-0)

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

Mayor Carol Cox passed the chair to Deputy Mayor Marc Cobham at 2.25pm and left the meeting.

161.07.2016 Moved: Cr P Rhodes **Seconded:** Cr D Williams
That the waste management service fee is increased from the sum of \$152 to \$154 per property.

CARRIED UNANIMOUSLY (6-0)

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

Mayor Carol Cox returned to the meeting at 2.28pm and Deputy Mayor Marc Cobham passed the chair to the Mayor.

162.07.2016 Moved: Cr G Willis **Seconded:** Cr C Rhodes
That in accordance with the provisions of the *Local Government Act 1993*, Council adopts the Rates and Charges for the period 1 July 2016 to 30 June 2017 in accordance with the resolutions which follow:-

1. General Rate:

1.1 Pursuant to Section 90 of the *Local Government Act 1993*, Council makes the following general rate on all rateable land (excluding land which is exempt pursuant to the provisions of Section 87) within the Municipal Area of Flinders for the period commencing 1 July 2016 and ending 30 June 2017, namely a rate of 9.659808 cents in the dollar on the assessed annual value of the land.

1.2 Pursuant to Section 90(4) of the *Local Government Act 1993*, Council sets a minimum amount payable in respect of the general rate of \$425.

2. Service Rates and Service Charges:

Pursuant to Sections 93, 93A, 94, 94A and 95 of the *Local Government Act 1993*, Council makes the following service rates and service charges on all rateable land within the Municipal Area of Flinders (including land which is otherwise exempt from rates pursuant to Section 87 but excluding Crown Land to which Council does not supply any of the following services) for the period commencing 1 July 2016 and ending on the 30 June 2017, namely:-

2.1 Waste Management:

Service charges for the making available of Waste Management Services to all land within the Municipal Area comprising waste disposal areas, waste transfer stations and related waste management facilities of \$154. (*Fee set in motion 161.07.2016.*)

2.2 Fire Service Contribution:

Pursuant to Section 93A of the *Local Government Act 1993* Council makes the following service rates in respect of the Fire Service contributions it must collect under the *Fire Service Act 1979* for the rateable parcels of land within the Municipal Area as follows:-

<i>District AAV</i>	<i>Cents in the Dollar of</i>
General Land	0.3296

Pursuant to Section 93(3) of the *Local Government Act 1993* Council sets a minimum amount payable in respect of this service rate of \$38.

3. Separate Land:

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

4. Adjusted Values:

4.1. For the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to Section 89 of the *Local Government Act 1993*.

5. Instalment Payment:

5.1 Pursuant to Section 124 of the *Local Government Act 1993*, Council:-

- (a)** Decides that all rates are payable by all rate payers by two instalments which must be of approximately equal amounts.
- (b)** Determines that the dates by which instalments are to be paid shall be as follows:-
 - (i)** The first instalment on or before 21 October 2016; and
 - (ii)** The second instalment on or before 24 February 2017.
- (d)** Where a ratepayer fails to pay any instalment within 21 days of the date on which the rates are due, the full amount owing becomes due and payable in accordance with Section 124 (5) of the *Local Government Act 1993*.

6. Discount:

Pursuant to Section 130 of the *Local Government Act 1993* Council offers to all of the ratepayers who are liable to pay rates and charges a discount of 2% if the rates and charges are paid by one payment on or before 21 October 2016.

7. Penalty and Interest:

7.1 Pursuant to Section 128 of the *Local Government Act 1993*, if any rate or instalment is not paid on or before the date it falls due then:-

- (a)** There is payable a penalty of 10% of the unpaid rate or instalment; and
- (b)** There is payable a daily interest charge of 0.023013 (8.4% per annum) in respect of the unpaid rate or instalment for the period during which it is unpaid.

8. Words and Expressions:

Words and expressions used both in these resolutions and in the *Local Government Act 1993* or the *Fire Service Act 1979* have in these resolutions the same respective meanings as they have in those Acts.

CARRIED UNANIMOUSLY (7-0)

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

Note: Cr G Willis acknowledged the work done by the Acting General Manager in her role as the Corporate Services Manager. This statement was endorsed by all Councillors.

163.07.2016 Moved: Deputy Mayor M Cobham **Seconded:** Cr P Rhodes
That Item E3 - Budget Estimates 2016-2017 be deferred to be considered later in the meeting after Item F5.

CARRIED UNANIMOUSLY (7-0)

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

F. GOVERNANCE

Item F1: Business Continuity Plan

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	RMS/0500
ASSOCIATED PAPERS	<i>Annexure 15: DRAFT Business Continuity Plan</i>

INTRODUCTION:

A Business Continuity Plan has been developed to assist Council during and following a critical incident that results in disruption to the normal operational capability.

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER'S REPORT:

A Business Continuity Plan has been developed to assist Council to prepare for, and to continue in the event that an incident or crisis occurs.

The Business Continuity Plan will help Council in the following key four elements:

- Prevention - Risk Management planning
 - Incorporates the Prevention element that identifies and manages the likelihood and/or effects of risk associated with an incident.
- Preparedness - Business Impact Analysis
 - Incorporates the Preparedness element that identifies and prioritises the key activities of a business that may be adversely affected by any disruptions.
- Response – Incident Response planning
 - Incorporates the Response element and outlines immediate actions taken to respond to an incident in terms of containment, control and minimising impacts.
- Recovery - Recovery planning

The Business Continuity Plan will be tested in the first quarter of the 2016/17 financial year.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

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

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

RISK/LIABILITY:

Adoption of the plan and ensuring that Management, Staff and Councillors are aware of the plan will help to reduce Council's exposure to risk in this area.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council adopts the Business Continuity Plan.

DECISION:

164.07.2016 Moved: Cr G Willis **Seconded:** Cr D Williams

That Council adopts the Business Continuity Plan.

CARRIED UNANIMOUSLY (7-0)

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

Item F2: 2016-2017 Annual Plan

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	ADM/0200
ASSOCIATED PAPERS	<i>Annexure 16: DRAFT Flinders Council Annual Plan 2016-2017</i>

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

Annually

OFFICER'S REPORT:

The Annual Plan is the document upon which Council's operations and service delivery will be based for 2016/2017. The Plan sets out actions, tasks and projects to be undertaken in the year ahead and how these relate to Council's Strategic Plan.

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

The 2016/2017 year will see Council continue to provide cost-effective and community-focused service provision combined with the development and implementation of important strategic documents to guide the Council, Community and service provision in the years ahead.

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

Adoption of the Annual Plan is recommended.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

4. Strategic, Efficient and Effective Organisation

- Ensure Council meets its statutory obligations and manages corporate and community risk.
- Annual Plans and Reports prepared in accordance with the *Local Government Act 1993*.
- Prepare and deliver an Annual Plan and Annual Report.

BUDGET AND FINANCIAL IMPLICATIONS:

Minimal

RISK/LIABILITY:

No foreseen risks.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER'S RECOMMENDATION:

That Council receives and adopts the Flinders Council Annual Plan 2016/2017 and directs the Acting General Manager to:

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

DECISION:

165.07.2016 Moved: Deputy Mayor M Cobham **Seconded:** Cr P Rhodes
That Council receives and adopts the Flinders Council Annual Plan 2016/2017 and directs the Acting General Manager to:

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

CARRIED UNANIMOUSLY (7-0)

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

Note: Councillors Peter Rhodes and David Williams congratulated and thanked staff for a job well done in producing the document. This statement was endorsed by all Councillors.

Item F3: Tasmanian State Roads Audit

ACTION	Information
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	ASM/0400
ASSOCIATED PAPERS	<i>Nil</i>

INTRODUCTION:

The recent Infrastructure Tasmania State Roads Audit proposed that a process be set up for State and Local Governments to discuss potential road trades that could see ownership swap from one party to the other and vice versa.

The document sets out the principles to be considered and the evidence base required if a trade was to occur. It also documents the arbitrator role that Infrastructure Tasmania intends to play in brokering any trades.

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER'S REPORT:

The principles that will need to be considered are as follows:

1. Cost neutrality.
Any trade of assets is to be as close to cost neutral for both parties as possible. In practice this will be difficult and requires the party proposing the trade to think carefully about what it may be willing to take on in return and, in doing so, is advised to consider and present the life cycle costs of road management.
2. Ownership should align with functional hierarchy.
Roads that have economic importance more significant than just to the Local Government area in which it is located, or roads that support high value/large volume economic output should more sensibly be owned by the State as these will generally be roads that sit in the upper tiers of the State Road hierarchy.

Similarly, there will be circumstances where the State, for historical reasons, owns sections of road that now carry predominantly local traffic due to the decline in a previously significant industry. In such cases it may be more sensible for these roads to be traded to Local Government.

3. Multiple ownership should be minimised.

4. Road trades proposed must have an evidence base.
5. Trades cannot be conditional.

Council was asked to provide feedback according to the criteria to the Local Government Association of Tasmania (LGAT) so that they could provide a collated response to Infrastructure Tasmania.

Council identified that there is an opportunity to explore a trade of Parks & Wildlife Services (PWS) roads with Palana Road, however also identified the key challenge of convincing State Growth and PWS that these roads are strategic assets.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

2. Infrastructure and Services - An Islands' specific approach to planning and delivery to ensure community and environmental values are maintained.

2.2 Explore alternative investment and operating models for core and critical Island infrastructures and services.

2.2.1 Alternate operational structures for the delivery of infrastructure based services are explored.

2.2.1.3 Advocate for State ownership of 90kms of road on Flinders Island.

RISK/LIABILITY:

Nil

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the officer's report on Infrastructure Tasmania State Roads Audit be noted.

DECISION:

166.07.2016 Moved: Cr G Willis **Seconded:** Deputy Mayor M Cobham

That the officer's report on Infrastructure Tasmania State Roads Audit be noted.

CARRIED UNANIMOUSLY (7-0)

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

Item F4: Furneaux Islands Festival

ACTION	Decision
PROPONENT	Council
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	CDV/0301
ASSOCIATED PAPERS	<i>Nil</i>

INTRODUCTION:

The Furneaux Islands Festival (FIF) embraces the intertwined shared history of the Furneaux Islands Aboriginal and non-Aboriginal communities within the Flinders Municipality and the Festival programs have been underpinned by the themes of celebrating our communities' shared culture and heritage through music, dance and food.

For the past 3-years Council has supported a whole-of-community celebration of Australia Day with the introduction of the Furneaux Islands Festival in acknowledgment of the communities' shared cultural heritage.

The 2016 FIF was presented and delivered jointly by Council and the Flinders Island Aboriginal Association Incorporated (FIAAI) with both organisations contributing both financial and staff resources. This marked a significant partnership between the two organisations with staff working cooperatively and harmoniously to develop the program and deliver the FIF events in a genuine partnership built on mutual respect.

The Council annual decision to support, or not, the FIF with an associated budget allocation creates staff limitations to successfully plan the delivery of the FIF and creates limitations to fostering ongoing external partnerships.

PREVIOUS COUNCIL CONSIDERATION:

Council Workshop 30th June 2016
77.03.2015 & 78.03.2015 26th March 2015

"77.03.2015 Moved: Deputy Mayor M Cobham Seconded: Cr D Williams

- 1. That Council holds the third annual community Furneaux Islands Festival on the last weekend of January 2016.*
- 2. That at the upcoming 2015-2016 Council Budget workshops, an amount similar to the 2015 Furneaux Islands Festival budget be committed to the proposed event.*

AMENDMENT

78.03.2015 Moved: Cr G Willis Seconded: Cr P Rhodes

1. *That Council holds the third annual community Furneaux Islands Festival on the last weekend of January 2016.*
2. *That at the upcoming 2015-2016 Council Budget workshops, an amount similar to the 2015 Furneaux Islands Festival budget be considered for the proposed event.*

CARRIED (6-1)

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

Against: Deputy Mayor Marc Cobham

SUBSTANTIVE

77.03.2015 Moved: Deputy Mayor M Cobham Seconded: Cr D Williams

1. *That Council holds the third annual community Furneaux Islands Festival on the last weekend of January 2016.*
2. *That at the upcoming 2015-2016 Council Budget workshops, an amount similar to the 2015 Furneaux Islands Festival budget be considered for the proposed event.*

CARRIED UNANIMOUSLY (7-0)

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

Council Workshop
958.12.2014

12th March 2015
18th December 2014

*“Moved: Cr G Willis Seconded: Cr K Stockton
That Council rescind motions 866.08.2014 and 867.08.2014 “That the 2015 community day celebration will be held on Saturday 24th January” and support the change in Festival programming for the community BBQ to be held on the Monday 26th January 2015.*

Motion withdrawn by the mover with the consent of the seconder.

958.12.2014 Moved: Cr D Williams **Seconded:** Deputy Mayor M Cobham

That Council rescind motion 867.08.2014 "That the 2015 community day celebration will be held on Saturday 24th January" and support the change in Festival programming for the community BBQ to be held on the Sunday 25th January 2015.

CARRIED (6-1)

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

Against: Cr Gerald Willis

866.07.2014

21st August 2014

"866.07.2014 Moved: Deputy Mayor D Williams **Seconded:** Cr M Cobham

That Council reconfirms their commitment that future Australia Day events organised and supported by Council celebrate our own unique culture on a day to be agreed and reserve the 26th January as a day for our community to undertake their own activities.

CARRIED (4-2)

For: Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts and Cr Ronald Wise.

Against: Mayor Carol Cox and Cr Gerald Willis.

867.07.2014 Moved: Cr M Cobham **Seconded:** Cr R Wise
That the 2015 community day celebration will be held on Saturday 24th January.

CARRIED (5-1)

For: Mayor Carol Cox, Deputy Mayor David Williams, Cr Marc Cobham, Cr Mary-Anne Roberts and Cr Ronald Wise.

Against: Cr Gerald Willis"

687.11.2013

21st November 2013

"687.11.2013 Moved: Mayor C Cox **Seconded:** Deputy Mayor D Williams

1) That the Australia Day Committee be disbanded.

2) That the General Manager direct Council staff to develop and deliver a BBQ on the Australia Day weekend from the existing budget allocation for such events.

CARRIED (6-1)

For: Mayor C Cox, Deputy Mayor D Williams, Cr M Cobham, Cr M Roberts, Cr G Willis and Cr R Wise

Against: Cr P Rhodes”

Previous Council consideration includes the issue of celebrating Australia Day, or having an island celebration on some other date, being discussed by Councillors at Council workshops held on 4th April 2013 and 2nd May 2013.

OFFICER’S REPORT:

Over the years 2012 - 2013, a number of Council workshops were held to discuss options for an inclusive Australia Day celebration as it was recognised by the Elected Members that celebrating on the 26th of January generated a divisive nature to a large proportion of our community; the date evoked strong negative feelings on a day when we are to be celebrating our National Day.

In response to this, in November 2013 the former Council group acknowledged the divisive nature this caused within the Islands’ Communities and supported a motion put forward by the Mayor and the first Furneaux Islands Festival was created in replace of a specific Australia Day event held on the 26th January. This did not in any way preclude community members from holding their own Australia Day celebrations.

The 2014, 2015 and 2016 Furneaux Islands Festivals were all deemed to be a great success by those who attended; the attendance growing progressively each year.

The Chief Executive Officer of the Flinders Island Aboriginal Association Incorporated (FIAAI) congratulated Council on the direction taken and stated that: “it is a giant step forward to build positive relationships with Council and the Aboriginal Community”.

The National Australia Day Council (NADC) supports communities celebrating Australia Day in a way that best harmonises Aboriginal and non-Aboriginal Australians coming together to celebrate Australia Day using the tag line #Australia Day Your Way.

In 2015 NADC invited Council’s Community and Economic Development Manager to present as a key note speaker at the National Australia Day Conference on the sensitive and progressive approach chosen by Council to support a whole-of-community celebration of Australia Day with the

introduction of the Furneaux Islands Festival in acknowledgment of the community's shared cultural heritage.

In the spirit of mutual respect and understanding, NADC Chairman Ben Roberts - Smith VC MG, gave his 2016 National Australia Day Message with the theme of harmony, diversity, and unifying as a nation this Australia Day. Ben spoke of the importance of actively understanding each other and encouraged all Australians to join a national conversation around human dignity, diversity and equality that we can all share.

The past two FIFs have been supported by small grants procured from the State Australia Day Office within the Tasmanian Government's Department of Premier and Cabinet despite the Office understanding and recognising that no FIF events commemorating Australia Day within the Flinders Community were planned to be held on the 26th January.

The Department of Premier and Cabinet is "wholly supportive of Flinders Island, and any Tasmanian Communities, deciding for themselves how they wish to celebrate and acknowledge Australia Day. This includes the decision to not hold any activities on the 26th out of respect for the Aboriginal Community."

The 2016 FIF was presented and delivered jointly by Council and FIAAI with both organisations contributing both financial and staff resources. This marked a significant partnership between the two organisations with staff working cooperatively and harmoniously to develop the program and deliver the FIF events in a genuine partnership built on mutual respect.

The Tasmanian Government recognises the value of events to the economic and social wellbeing of communities and has released the *Events Strategy 2015-2020*, a strategic approach to events in Tasmania in an effort to ensure that the tourism and hospitality sectors continue to grow, attracting more visitors and creating additional jobs.

The recent 4-Year Marketing Strategy developed for Flinders Island by Sydney based advertising agency Jim Jam identifies local, cultural events as a significant drawcard for increasing visitation and awareness to Flinders whilst assisting to build the brand of the Islands; assisting also to help tell and share the story/ies of the Furneaux Group of Islands and the significant cultural heritage of this place and people.

Over the past several years Council and FIAAI staff have taken incremental steps to establish a shared and cooperative delivery of youth health services and health promotion activities often working in partnership to help fund and deliver these activities to the Community. The relationship has grown slowly and it is fair to say that staff at both organisations have built their working

relationship on trust and mutual understanding. This cooperative way of working has meant that many of the activities presented to our Islands' youth have been jointly delivered utilising the resources of both organisations.

The Council's annual decision to support, or not, the FIF with an associated budget allocation creates staff limitations to successfully plan the delivery of the FIF and creates limitations to fostering ongoing external partnerships. It is suggested that Council considers a commitment of a minimum of 4-years funding support for the Furneaux Islands Festival to be delivered in January each year.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

1. Population Growth - Focusing on strategies, projects and policy initiatives that support the community, economic development, innovation and investment attraction.

1.2 Increase "the working age" population.

1.2.1 Services and activities for young people that also aim to attract and retain young families to the Islands.

1.4 Foster and support entrepreneurial activity.

1.4.3 Promotion of the region's natural and cultural environment.

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

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

5.2.1 Arts and cultural activities are encouraged and supported.

Community events and activities are supported, encouraged and delivered.

BUDGET AND FINANCIAL IMPLICATIONS:

\$15,000 minimum budget allocation to the delivery of the Furneaux Islands Festival for 4 years (2017, 2018, 2019, 2020).

The Agenda Item if supported will be further discussed during the 2018, 2019 & 2020 Council Budget Workshops.

RISK/LIABILITY:

The risk that is involved with this decision if it is not supported is the quality of the events delivered as part of the Furneaux Islands Festivals; the staff limitations to successfully plan the delivery of the Furneaux Islands Festivals; and creates limitations to fostering ongoing external partnerships.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER'S RECOMMENDATION:

That Council supports a commitment of a minimum of 4-years budget allocation towards the Furneaux Islands Festival to be delivered in January over the years 2017, 2018, 2019 & 2020.

DECISION:

167.07.2016 Moved: Cr D Williams **Seconded:** Deputy Mayor M Cobham
That Council supports a commitment of a budget allocation towards the Furneaux Islands Festival to be delivered in January 2017, 2018 and 2019 and develop a policy for provision of the Furneaux Islands Festival in the future.

CARRIED UNANIMOUSLY (7-0)

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

Item F5: Flinders Island Brand & Marketing Investment Strategy

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	CSV/1704
ASSOCIATED PAPERS	<i>Annexure 17: Flinders Island Brand and Marketing Strategy</i> <i>Annexure 18: Investment Strategy (Elected Members only)</i>

INTRODUCTION:

Michael Buck and Jo Youl (Flinders Island Tourism and Business Inc. (FITBI) Executives) presented the four year branding and marketing strategy at the Councillor workshop to seek Council investment to assist in the implementation of the strategy.

PREVIOUS COUNCIL CONSIDERATION:

Council Workshops 2nd and 30th June 2016

OFFICER'S REPORT:

Flinders Council received an election commitment grant to develop a marketing strategy for the Furneaux Islands. Council engaged a Sydney based consultancy firm Jim Jam to develop the strategy in cooperation with key stakeholders.

The delivery of a 4-year marketing strategy has been completed and endorsed by the FITBI members.

FITBI Executive has presented to Council at two 2016 - 2017 Council Budget Workshops on the strategy and subsequent Council investment to implement. Moving forward FITBI will be the responsible organisation to coordinate the implementation of the strategy working with industry partners with the support of Council staff. In addition FITBI has appointed a Brand Ambassador, Jo Youl, who is also project manager, to ensure the branding work and subsequent activation and funding required for the activation moves forward.

The Flinders Island Brand and Marketing Strategy is projected to deliver more than \$6 million worth of traditional and social media coverage and ultimately visitation, business investment and population growth to Flinders Island.

The FITBI Executives have met with local businesses both on and off the Island and have received a substantial level of support to deliver the 4-year plan. FITBI requires a level of funding from Council to assist with the strategy and has presented a four year budget outlining the areas where funding is required.

As with any investment, Council is interested in gaining a better understanding of what the returns will be to the Community. This is extremely difficult to gauge in the short-term due to a restricted budget.

However, the level of exposure, increased business opportunities and a renewed interest in Flinders Island will compliment Council's four year Strategic Plan with particular emphasis on 'Population Growth - Focusing on strategies, projects and policy initiatives that support the community, economic development, innovation and investment attraction'.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

1. Population Growth - Focusing on strategies, projects and policy initiatives that support the community, economic development, innovation and investment attraction.

BUDGET AND FINANCIAL IMPLICATIONS:

An allocation of funds as follows:

- 2016-17 Budget \$74,580
- 2017-18 Budget \$44,000

RISK/LIABILITY:

Nil

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council supports the implementation of the Branding and Marketing Strategy by committing to an allocation of funds as stipulated:

- 2016-17 Budget \$74,580
- 2017-18 Budget \$44,000

DECISION:

168.07.2016 Moved: Deputy Mayor M Cobham **Seconded:** Cr D Williams
That Council supports the implementation of the Branding and Marketing Strategy by committing to an allocation of funds as stipulated:

- 2016-17 Budget \$74,580
- 2017-18 Budget \$44,000

Mayor Carol Cox passed the chair to Deputy Mayor M Cobham t 2.59pm.

AMENDMENT

169.07.2016 Moved: Mayor C Cox

Seconded: Cr G Willis

...with a proviso that for 2016-17 the Council is provided with a quarterly report on the implementation of the plan for consideration and that the 2017-18 allocation is conditional on a positive report and outcomes of the 2016-17 year.

CARRIED UNANIMOUSLY (7-0)

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

Deputy Mayor M Cobham passed the chair to Mayor Carol Cox at 3.03pm.

SUBSTANTIVE

170.07.2016 Moved: Deputy Mayor M Cobham

Seconded: Cr D Williams

That Council supports the implementation of the Branding and Marketing Strategy by committing to an allocation of funds as stipulated:

- 2016-17 Budget \$74,580
- 2017-18 Budget \$44,000

with a proviso that for 2016-17 the Council is provided with a quarterly report on the implementation of the plan for consideration and that the 2017-18 allocation is conditional on a positive report and outcomes of the 2016-17 year.

CARRIED UNANIMOUSLY (7-0)

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

Item E3: Budget Estimates 2016-2017

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Corporate Services Manager
FILE REFERENCE	FIN/0701
ASSOCIATED PAPERS	<i>Annexure 14: DRAFT Budget Estimates 2016-2017</i>

INTRODUCTION:

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

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

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

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

PREVIOUS COUNCIL CONSIDERATION:

Council Budget Workshops 26th May 2016 and 2nd and 30th June 2016

OFFICER'S REPORT:

Due to an increase in the costs of maintaining key infrastructure assets, Council has decided to increase the rate in the dollar for 2016-17 from 9.4704 to 9.659808, a two percent increase in the Rate (cents in the \$).

The 2016-17 Budget has been developed in line with Council's Long Term Financial Plan which is critical if Council is to maintain sustainable and compliant service delivery and asset standards to the community.

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

Council has budgeted for a total deficit of \$346,039 after taking into account Capital Grants & Contributions. The budgeted deficit includes a \$1,463,461 provision for depreciation and a \$2,593,982 Capital Works Program. This is in

line with Council's continued push to increase its asset renewal ratio and invest in the upgrade and maintenance of its capital assets.

Within the 2016-2017 Budget Estimates the following have been established under legislative requirements or listed to provide further detail of their components:

Capital Works Program

This budget provides for expenditure on Capital Works projects with a program totalling \$2,593,982. The following major projects of significance will be commenced and/or completed during the 2016-2017 financial year:

PROJECT NAME	ESTIMATE \$
Road Reseals	518,960
Road Resheeting	200,000
Lughrata Quarry Development	53,348
Plant & Equipment	220,000
Town Maintenance	650,674
Airport	760,000
Office Computer Systems & Municipal Valuations	25,000

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

Commonwealth Grants

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

The amount budgeted for the year 2016-2017 is \$1,776,586 which represents Council's full yearly allocation, excluding a CPI increase which has been frozen by the Federal Government. This will be apportioned as follows:

CATEGORY	AMOUNT \$
Road / Bridge Funds	1,103,111
General Purpose Funds	673,475

Conclusion

The previous agenda item 'Rates and Charges for 2016-17' if adopted will form part of the 2016-17 Budget Estimates under Item 2 and will be included into the final Budget document.

I now submit the Budget Estimates 2016-2017 for consideration and adoption by Council.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

5. Corporate Governance and Intergovernmental Relations

5.1 Support the capacity and productivity of our organisation and a culture of professionalism, compliance, innovation and service.

5.1.3 Achieve a sustainable balance of income, investment and recurrent expenditure.

5.1.3.3 Deliver the new Budget Estimates for the proceeding financial year.

BUDGET AND FINANCIAL IMPLICATIONS:

The adoption of these Budget Estimates provides the necessary funds for the implementation of the proposed Annual Plan 2016-17 and to achieve Council's strategic outcomes detailed in Council's draft Strategic Plan.

RISK/LIABILITY:

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

VOTING REQUIREMENTS:

Absolute Majority

OFFICER'S RECOMMENDATIONS:

That in accordance with the provisions of Section 82 of the *Local Government Act 1993*, the Budget Estimates for the Financial Year 1 July 2016 to 30 June 2017 be adopted.

DECISION:

171.07.2016 Moved: Deputy Mayor M Cobham **Seconded:** Cr D Williams
That in accordance with the provisions of Section 82 of the *Local Government Act 1993*, the Budget Estimates for the Financial Year 1 July 2016 to 30 June 2017 as per Annexure 14 be adopted with the following change:

- Reduction of approximately \$20,000 from Community Economic Development Events and Marketing line item.

CARRIED UNANIMOUSLY (7-0)

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

Note: The \$20,000 was removed as the action was completed and paid for in the 2015-16 financial year.

Note: Deputy Mayor Marc Cobham thanked staff for the work involved in preparing this document. This statement was endorsed by all Councillors.

Mayor Carol Cox called a break in the meeting at 3.20pm and resumed the meeting at 3.28pm.

Item F6: Local Government of Tasmania Annual General Meeting and General Meeting

ACTION	Information
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	COU/0303
ASSOCIATED PAPERS	<i>Annexure 19: LGAT Annual General Meeting Agenda 20th July 2016</i> <i>Annexure 20: LGAT Annual General Meeting Attachments 20th July 2016</i> <i>Annexure 21: LGAT General Meeting Agenda 20th July 2016</i> <i>Annexure 22: LGAT General Meeting Attachments 20th July 2016</i>

INTRODUCTION:

The Local Government of Tasmania (LGAT) Annual General Meeting and General Meeting will be held on the 20th July 2016. The Annual General Meeting Agenda and attachments and the General Meeting Agenda and attachments are provided for Elected Members as Annexures 19 – 22.

PREVIOUS COUNCIL CONSIDERATION:

Council considers the LGAT Annual General Meeting Agenda annually and the General Meeting Agenda at the Ordinary Council meeting prior to the LGAT General Meeting to allow Council to inform the Mayor of what position it wishes the Mayor to take in relation to voting on specific matters.

OFFICER'S REPORT:

A number of motions are included in the LGAT Annual General Meeting and the General Meeting Agendas. Council provides direction to the Mayor in relation to voting.

The Annual General Meeting Agenda and attachments can be accessed via the LGAT website at <http://www.lgat.tas.gov.au/page.aspx?u=333> and the General Meeting Agenda and attachments at <http://www.lgat.tas.gov.au/page.aspx?u=757>.

STATUTORY REQUIREMENT:

Nil

POLICY/STRATEGIC IMPLICATIONS:

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

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

BUDGET AND FINANCIAL IMPLICATIONS:

No known budget implications at this time.

RISK/LIABILITY:

Minimal

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council notes the Local Government of Tasmania Annual General Meeting Agenda and General Meeting Agenda and provides the Mayor with direction in relation to the items listed for a decision.

DECISION:

172.07.2016 Moved: Cr G Willis **Seconded:** Cr C Rhodes

That Council suspends the provisions of section 22 in accordance with Section 22 (9) of the Local Government (Meeting Procedures) Regulations 2015 in order to discuss this item.

173.07.2016 Moved: Deputy Mayor M Cobham **Seconded:** Cr D Williams

That Council notes the Local Government of Tasmania Annual General Meeting Agenda and General Meeting Agenda and provides the Mayor with the following direction in relation to the items listed for a decision:

ITEM NO.	DECISION SOUGHT	DECISION
ANNUAL GENERAL MEETING		
4. Budget and Subscriptions 2016/17	That the Meeting adopt the Budget and Subscriptions as presented.	yes
5. President and Vice President Honorariums	That the President's and Vice President's allowance for the period 1 July 2016 to 30 June 2017 be adjusted in accordance with the movement in the Wages Price Index.	yes
6. Rules of the Local Government Association of Tasmania	That the Rules as amended be adopted in full (replaced).	yes
7. Reports from Board Representatives	(a) That the reports from representatives on various bodies be received and noted. (b) That Conference acknowledges the time and effort put in by all Association representatives on boards, working parties, advisory groups and committees etc.	Yes yes

ITEM NO.	DECISION SOUGHT	DECISION
GENERAL MEETING		
8.1 Review of <i>The Local Government Act</i> *	That Members note the following report.	yes
8.2 Local Government Reform	That Members note the following report.	yes
8.3 Australian Local Government Association Activity	That Members note the following report.	yes
8.4 Policy Update	That members note the following report - Building Regulatory Framework Review.	yes
8.5 LGAT Professional Development Program	That Members note the update on the Local Government Professional Development Program.	yes
8.6 Staffing Changes at LGAT	That Members note the following report.	yes
9.1 LGAT Subscriptions	That Members agree: 1. That LGAT undertake subscription modelling for consideration by councils. 2. That the focus of the modelling is to be aligned with practice in other jurisdictions and agreed by General Managers at their September 2016 workshop. 3. That any change to the subscription formula be agreed in principle by March 2017 to align with the LGAT Budget process, with formal adoption at the 2017 AGM.	1. yes 2. yes 3. yes
9.2 Planning Reform	That Members note the progress of the State Government's planning reforms. That Members endorse the identified reform agenda priorities from a Local Government perspective, being - - State Planning Policy development; - A greater emphasis on Regional Planning; - Improving the planning appeal process; - Changing notification requirements for discretionary applications; and - Consolidating subdivision legislation.	yes
9.3 Waste Levy	1. That the Meeting note that: a) At the May 2016 Premier's Local Government Council meeting it was announced that the Government will not be introducing a state-wide levy on waste; and b) LGAT will be re-establishing the waste management reference group to provide a	1. a) yes b) yes

ITEM NO.	DECISION SOUGHT	DECISION
	<p>mechanism to allow for strategic consideration of waste issues across the state.</p> <p>2. That the Meeting agree that the LGAT, supported by the Waste Management Reference Group, develop recommendations for Members, with respect to a waste levy and/or waste strategy.</p>	2. yes
9.4 Tasmanian Constitutional Recognition For Aboriginal People *	That members agree that LGAT write to the State Government supporting the proposed amendment to the Tasmanian Constitution to provide for constitutional recognition of Tasmanian Aboriginal people.	Flinders Council is not in a position to make a decision. Should be left to individual community groups to comment on. Abstain
11.1 Motion – Tourism Infrastructure Council – Break O’Day	That LGAT call on the State Government to provide funding for upgrades, maintenance and provision of tourism infrastructure in areas where tourist numbers have increased significantly in recent years.	No
11.2 Motion – Speed Limit Restrictions * Council – George Town	That LGAT lobby the State Government to amend legislation to require a decreased speed limit whilst motorists pass an emergency incident.	yes
11.3 Motion – Bass Link Council – Northern Midlands	That the Local Government Association of Tasmania support the State Government application to the Federal Government for assistance to replace the Bass Link cable. That the Local Government Association of Tasmania advocate to the State Government to explore all opportunities to ensure the State is self-reliant for its power generation.	yes
12.1 Motion – Swearing in of Elected Members Council – Kingborough	That LGAT staff provide a report on potential changes to the swearing-in process for new and re-elected Councillors/Aldermen to require them to - 1. Read and abide by the Local Government Act and Regulations 2. Read and abide by the Code of Conduct	yes

ITEM NO.	DECISION SOUGHT	DECISION
	Policy of their Local Government Municipality.	
12.2 Motion – Elected Member Expenditure Council – City of Hobart	That there be state-wide reporting consistency on the disclosure of itemised Aldermanic expenses on a monthly basis.	No
12.3 Motion – Compulsory Voting Council – City of Hobart	The Local Government Association of Tasmania urge the State Government to consider making Local Government elections compulsory.	No
12.4 Motion – Open and Transparent Governance Council – City of Hobart	The Local Government Association of Tasmania develop resource tools to encourage Tasmanian Councils to consider implementation of live-streaming of Council meetings as a means of ensuring open and transparent governance.	No
12.5 Motion – Elected Member Training Council – Burnie City	That all Councillors undertake an external examination after undertaking training with regard to their role as a planning authority, which will test their competence to deal with planning matters and their knowledge of the planning scheme relating to their municipality.	? cost to councils No
14.1 Motion – Tyre Levy Council – Northern Midlands	That Members note the issue of waste tyres remains unresolved and seek that LGAT continue to lobby the State Government to develop an effective solution to tyre storage and disposal in Tasmania, which might include the introduction of a regulated tyre levy in Tasmania for end of life tyres.	Yes
14.2 Motion – Disposal Of Abandoned/Wrecked Vehicles Council – Southern Midlands	That the Local Government Association of Tasmania be requested to consult with the regional waste management bodies (and other relevant bodies) for the purpose of: a. Identifying the extent of problems associated with the disposal of car wrecks/car bodies. This recognises the lack of disposal options given the current steel recycling market (or lack thereof); and b. In conjunction with the regional bodies, determine what cost effective options can be considered to address and manage the issues identified. Note: Consideration should be given to an option for car enthusiasts to access these car wrecks/car bodies for sourcing parts	Yes yes

ITEM NO.	DECISION SOUGHT	DECISION
	and/or bodies for restoration purposes.	
15.1 Motion – Funding of Implementation of Planning Scheme Council – Break O'Day	That LGAT call on the State Government to allocate an ongoing budget to provide legal and staff-time funds to all Tasmanian Councils for all challenges arising from the implementation of the State Planning Scheme.	yes
15.2 Motion – Planning Directives Council – Break O'Day	That LGAT lobby the Minister for Planning and Local Government to engage in consultation with Councils when issuing planning directives and take a more considered approach to change, specifically more notice of implementation.	yes
15.3 Motion – Environmental Management & Pollution Control Council – Southern Midlands	That the State Government be requested to develop an agreed set of clear protocols with Local Government clarifying the split in responsibilities between the two levels of government in regard to enforcement under the <i>Environmental Management and Pollution Control Act 1994</i> .	yes
15.4 Motion – Wildlife Fatalities Councils – Latrobe & Kentish	That the Local Government Association of Tasmania and member councils; i. Work with the State and Federal Governments and key stakeholders to ensure a coordinated approach to reduce the instances of Tasmanian Devil and native wildlife fatalities on Tasmanian roads through informed projects such as installation of emergent virtual fencing technology and community programs to inspire a change in driver behaviour. ii. Support coordination initiatives such as installation of virtual fencing in Devil roadkill hotspot areas, to assess effectiveness and make informed decisions about the installation pattern. (LGAT support for this could be through promotion of projects/case studies, encouraging councils to engage in projects etc.) iii. Work together to access grant funding to support on the ground projects to reduce native wildlife fatalities on Tasmanian roads.	Not applicable to Flinders No
16.1 Motion – CSIRO Job Losses Council – City of Hobart	The Federal Government be lobbied to reconsider its position with regard to CSIRO job cuts because of the critical importance of the scientific data needed by Councils to accurately inform their climate adaptation	No

ITEM NO.	DECISION SOUGHT	DECISION
	strategies and to inform their communities.	
16.2 Motion - TasRail - Use of Network Council - Northern Midlands	That LGAT lobby the State Government and TasRail to permit a Tasmanian Transport Museum MS steam train to travel from Hobart to Fingal once a year on the Fingal Valley Festival day.	yes
16.3 Motion - Electronic Gaming Machines Council - Brighton Council	That LGAT formally take the position that the terms of reference for the State Government's Joint Select Committee Review into gaming in Tasmania be expanded to include whether or not electronic gaming machines should be allowed outside casinos at all and that as part of the Select Committee Review process, the Tasmanian community be polled to determine its view on this critical question. That LGAT formally take the position that the Gaming Act should be reviewed particularly to remove its power to override other acts. That LGAT convey this position to the Government, Opposition and Green parties and to all Members of the Legislative Council.	Yes

CARRIED UNANIMOUSLY (7-0)

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

Item F7: Council's 4th Quarterly Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	COU/0600
ASSOCIATED PAPERS	<i>Annexure 17: Council's 4th Quarterly Report (April - June 2016)</i>

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

Previously provided as departmental monthly reports then departmental quarterly reports.

OFFICER'S REPORT:

Please read Annexure 17 - Council's 4th Quarterly Report (April - June 2016).

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Council's 4th Quarterly Report (April - June 2016) be received and accepted by Council.

DECISION:

174.07.2016 Moved: Deputy Mayor M Cobham **Seconded:** Cr G Willis
That the Council's 4th Quarterly Report (April - June 2016) be received and accepted by Council.

CARRIED UNANIMOUSLY (7-0)

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

Note: Cr Gerald Willis recognised Dianne Walsh's contribution over many years as Funeral Director and thanked Vicki Warden for taking on the role. This Statement was endorsed by all Councillors.

Item F8: Councillor Resolution Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	COU/0600
ASSOCIATED PAPERS	<i>Annexure 18: Councillor Resolution Report July 2016</i>

INTRODUCTION:

This report identifies the actions taken and actual costs associated with implementing resolutions passed by elected members up to July 2016.

PREVIOUS COUNCIL CONSIDERATION:

The report is presented on a monthly basis.

OFFICER'S REPORT:

Please read Annexure 18 – Councillor Resolution Report July 2016.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Councillor Resolution Report July 2016 be noted.

DECISION:

175.07.2016 Moved: Deputy Mayor M Cobham **Seconded:** Cr P Rhodes
That the Councillor Resolution Report July 2016 be noted.

CARRIED UNANIMOUSLY (7-0)

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

Note: Cr Peter Rhodes noted there had been excellent progress towards completion.

G. CLOSED COUNCIL

Item G1: Closed Council Item

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	LEG/001
ASSOCIATED PAPERS	<i>Nil</i>

PREVIOUS COUNCIL CONSIDERATION:

Nil

REASON FOR CLOSED COUNCIL:

Item G1 is **CONFIDENTIAL** in accordance with Section 15(2) (i) of the *Local Government (Meeting Procedures) Regulations 2005*.

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION:

That Council move into Closed Council.

DECISION:

Item G1 was withdrawn.

176.07.2016 Moved: Cr G Willis **Seconded:** Cr C Rhodes

That Council move into Closed Council to consider the confirmation of the Closed Council Meeting Minutes of the 27th June – 4th July Special Meeting.

CARRIED UNANIMOUSLY (7-0)

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

Council moved into Closed Session at 4.18pm

Council moved out of Closed Session at 4.52pm.

181.07.2016 Moved: Cr C Rhodes **Seconded:** C G Willis

That the discussions held and motions passed in Closed Council remain confidential except that the confirmation of the minutes from the 27th June – 4th July Special Closed Meeting be restated.

CARRIED (5-2)

For: Mayor Carol Cox, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton and Cr Gerald Willis.

Against: Cr D Williams and Deputy Mayor Marc Cobham.

***“178.07.2016 Moved:** Cr G Willis **Seconded:** Cr K Stockton
That the minutes from the 27th June – 4th July Special Closed Meeting be confirmed as a representation of the meeting.*

CARRIED (4-3)

***For:** Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, and Cr Gerald Willis.*

***Against:** Mayor Carol Cox (abstained), Deputy Mayor Marc Cobham and Cr David Williams.”*

182.07.2016 Moved: G Willis **Seconded:** P Rhodes

In closed session Council discussed the confirmation of the closed council minutes of the 27th June – 4th July 2016.

CARRIED UNANIMOUSLY (7-0)

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

Note: Cr Peter Rhodes asked about the Council approving the appointment of the Acting General Manager. The wording of Section 61, 6(a) of the Local Government Act 1993 was checked and clarified that Council did not have to ratify the appointment at a council meeting.

Meeting Closed 4.57pm