



Confirmed Minutes
Ordinary Council Meeting
22nd September 2016



FLINDERS COUNCIL ORDINARY MEETING

CONFIRMED MINUTES

DATE: Thursday 22nd September 2016
VENUE: Furneaux Arts and Entertainment Centre, Whitemark
COMMENCING: 1.00 pm

PRESENT

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

APOLOGIES

Deputy Mayor Marc Cobham

STAFF IN ATTENDANCE

Sophie Pitchford	- Acting General Manager	1.00 – 2.51pm
Jacci Viney	- Development Services Coordinator	1.00 – 2.23pm
Vicki Warden	- Executive Officer	1.00 – 2.51pm

CONFIRMATION OF MINUTES

206.09.2016 Moved: Cr K Stockton **Seconded:** Cr D Williams

That the Minutes from the Ordinary Council Meeting and the Closed Council Meeting held on the 18th August 2016 be confirmed.

CARRIED UNANIMOUSLY (6-0)

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

PUBLIC QUESTION TIME

Question 1: David Grutzner

The following is an abridged version of the question:

Will the Council now formally and publicly acknowledge the considerable work that Raoul (Harper, former General Manager) has put in on this important breakthrough (of reducing increased costs associated with regulatory changes) for the future growth and financial development of this community?

Mayor's Response:

Question taken on notice.

Question 2: Cr David Williams on behalf of Dale Williams

Could we please have an update on the appointment of a replacement Community Development Officer?

Mayor's Response:

Interviews for the position were conducted on Tuesday. A selection has been made and final engagement processes are underway. The incumbent may start as soon as next week.

**RESPONSE TO PUBLIC QUESTIONS
18th August 2016 Council Meeting****Question 1: Mary-Anne Roberts**

It is now more than a month since the General Manager's dismissal. Community outrage has not abated. The case has been lodged with the Fair Work Commission. Will Council, at any time, inform the Community as to the reasons for the General Manager's dismissal?

Mayor's Response:

I thank you for your question and understand the concern in the community for the action taken by Council to dismiss Raoul as the General Manager. As previously stated at the July Ordinary Meeting during Public Question Time, I am not able to comment on the reasons without breaking the confidentiality of the Closed Council meeting.

Should there be a time in the future that I can make a statement from the Council explaining the reasons, I will, however that is not possible at the moment.

Question 2: Bill LaGrue

For the second time in 3 months I have come close to T boning a car in James St at the intersection of Davies St. Cars travel down Davies St., put blinker on and other traffic presume they are about to make a right turn, suddenly they do a U-turn back up Davies St. Can council put a barrier of some sort to stop this? The turning cars also move gravel on to the road making a hump. The hole is becoming so big when it rains the seagulls think it's a lake.

Mayor's Response:

Thank you for bringing the issue to Council's attention. As I understand the Works and Services Department has gravelled the area to reduce the water pooling.

Council has sought and received advice from the police that it is not illegal to undertake a U-turn at that position, being the T intersection at the connection of Davies Street and James Street, and that drivers need to be vigilant and use indicators correctly to message their intentions.

In my next Island News column I will remind drivers to take care in the area and clearly indicate their intentions.

207.09.2016 Moved: Cr G Willis

Seconded: Cr D Williams

That Council notes the responses to the public questions taken on notice at the 18th August 2016 Council Meeting.

CARRIED UNANIMOUSLY (6-0)

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

LATE AGENDA ITEMS

The following has been received as a late agenda item:

- Item D2 Closed Council Item

Pursuant to S65(1) of the *Local Government Act 1993*, the Acting General Manager confirms that she has had sufficient time to consider the item and to provide expert advice in relation to the item; that it was not possible to include the item on the agenda as the information was not available at that time and that the matter is time dependent and therefore urgent.

Under S8(6) of the Local Government (Meeting Procedures) Regulations 2015, this item may be considered at this meeting by absolute majority vote.

DECISION

208.09.2016 Moved: Cr G Willis

Seconded: Cr P Rhodes

Under S8(6) of the Local Government (Meeting Procedures) Regulations 2015, the item be considered as Item D2 in closed council at this meeting.

CARRIED UNANIMOUSLY (6-0)

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

DECLARATION OF PECUNIARY INTEREST

Nil

LEAVE OF ABSENCE

Nil

PETITIONS

Nil

POLICIES

The Dog Management Policy and Code of Responsible Dog Ownership are available for public consultation until 22nd September 2016.

209.09.2016 Moved: Cr G Willis

Seconded: Cr C Rhodes

That Council notes that the Dog Management Policy and Code of Responsible Dog Ownership are available for public consultation until 22nd September 2016.

CARRIED UNANIMOUSLY (6-0)

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

WORKSHOPS & INFORMATION FORUMS

File No: COU/0205

Meeting held on 18th August 2016

Council had a meeting with Jason Vuddamalay from Searchlight Group recruitment agency to discuss the process of recruitment of a new General Manager.

Councillors Present:

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

Apologies:

Cr Peter Rhodes

Staff and Consultants Present:

Sophie Pitchford (Acting General Manager), Jason Vuddamalay (Searchlight Group) and Vicki Warden (Executive Officer).

Council Workshop held on 8th September 2016

Council held a Workshop on the following subjects:

- Item 1: Land Use Planning Matters
- Item 2: Review of Policies
- Item 3: Review of Citizen of the Year Award nominations
- Item 4: Northern Tasmania Development (NTD) - Maree Tetlow
- Item 5: Community Grants Review
- Item 6: Elan Wifi Scoping Report
- Item 7: Update on TasWater meeting
- Item 8: Update on Community Health
- Item 9: Update on Lady Barron Hall

Councillors Present:

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

Apologies:

Deputy Mayor Marc Cobham and Cr Peter Rhodes.

Staff and Consultants Present:

Sophie Pitchford (Acting General Manager), Robyn Cox (Strategic Planner) (Item 1 only), Vicki Warden (Executive Officer) (Items 2 and 5) and Maree Tetlow (NTD – via phone) (Item 4 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 meeting held on 18th August and the Council Workshop held on 8th September 2016 be noted.

DECISION:

210.09.2016 Moved: Cr G Willis **Seconded:** Cr K Stockton

That the meeting held on 18th August and the Council Workshop held on 8th September 2016 be noted.

CARRIED UNANIMOUSLY (6-0)

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

PUBLIC MEETINGS

Nil

COUNCILLORS' QUESTIONS ON NOTICE

Question 1: Cr Gerald Willis

On behalf of Margaret Purdon I ask the Acting General Manager if the Council would trim and remove roadside vegetation in Holloway Street, Lady Barron, so that the bush does not intrude further onto the carriageway.

Acting General Manager's Response:

Aaron Bourke Contracting has been programmed to trim the southern side of Holloway St near Margaret Purdon's driveway.

Question 2: Cr Gerald Willis

On behalf of numerous users of Coast Road who have expressed concern about the recent failures of the surface of that road after it has been graded a number of times, I ask the Acting General Manager if there has been consideration to "pot hole" the road before grading and, hence, reduce the likelihood of degradation of the road surface.

Acting General Manager's Response:

Council staff always consider potholing roads before grading, if time and weather permits. However potholing alone is not the key to providing a long-lasting gravel surface. Pieces of debris (i.e. pieces of grass, sticks, animal carcass bits, rocks, etc.) that drag or get caught beneath the blade while grading, allow voids to form in the road. Water then lays in the voids causing them to become very soft. Traffic pushes out the soft material and the pot hole forms very quickly again.

Coast Road has not been the only road to suffer potholing as we have had over 400mm of rain this winter and very short periods between rains when it is actually not too wet to repair. Motorists should realise that there are in excess of 250 kilometres of gravel roads that receive similar weather and also need attention during significant rain events. The Coast Road has been earmarked for a road stabilisation trial this financial year where we hope to significantly reduce grading and potholing times in the future.

211.09.2016 Moved: Cr G Willis **Seconded:** Cr P Rhodes

That Council notes the questions on notice and the responses.

CARRIED UNANIMOUSLY (6-0)

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

COUNCILLORS' QUESTIONS WITHOUT NOTICE

Question 1: Cr G Willis

Will the Mayor provide details of transactions related to property described as Volume 86322, Folio 1 situated at Main Road, Lady Barron from 18 December 2014 until its disposal by Flinders Council?

Mayor's Response:

The question was taken on notice.

Question 2: Cr G Willis

Will the Mayor provide Councillors with copies of all correspondence outwards and advice received in relation to "Dealing with disruptive behaviour at Council meetings"?

Mayor's Response:

The request did not relate to behaviour of Councillors at Council meetings but was a one-off advice request prior to the July Council meeting, when it was apparent that a very large public gallery would be in attendance wanting answers I would not be able to give.

Question 3: Cr C Rhodes

Note: This question and response was dealt with in closed council.

RESPONSE TO COUNCILLORS' QUESTIONS WITHOUT NOTICE

18th August 2016 Council Meeting

With regard to Questions without Notice received from Deputy Mayor Marc Cobham at the August Council Meeting, Cr Ken Stockton is not responding due to concern that his answers may breach Closed Council protocol.

Section 29(4) of the Local Government (Meeting Procedures) Regulations 2015 allows that a ".....councillor or general manager who is asked a question without notice at a meeting may decline to answer the question".

212.09.2016 Moved: Cr G Willis **Seconded:** Cr D Williams

That Council notes the response to Councillors' questions without notice asked at the 18th August 2016 Council Meeting.

CARRIED UNANIMOUSLY (6-0)

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

PUBLICATIONS/REPORTS TABLED FOR COUNCIL INFORMATION

Nil

REPORTS TO BE RECEIVED

No reports were received during the reporting period.

COUNCILLORS' REPORTS

Report from Councillor Gerald Willis as the Flinders Council Representative on TasWater

File No: COU/0312

CORRESPONDENCE IN:

DATE	WHO	SUBJECT
11.07.16		Invitation to attend a Tasmanian Water Industry Briefing in Hobart on 12 July. As I only received the invitation the day before the event I was unable to attend.
29.07.16	Email from Ailsa Sypkes, General Manager Legal and Governance	Quarterly Report to Owners' Representatives - Progress Update to 30 June 2016.
14.08.16	Ailsa Sypkes, General Manager Legal and Governance	Quarterly Briefings to Owners - Progress Update to 30 June 2016.
23.08.16	Email from Lynn Luckock, Executive Assistant to Mike Brewster, Chief Executive Officer TasWater	Letter from TasWater Chairman, Miles Hampton - TasWater will honour an earlier commitment to pay dividends of \$30 million per annum to shareholder councils until 30 June 2018, but for a period of seven years commencing 1 July 2018 the dividends paid will be \$20 million per annum. Refer TasWater Dividends below.
24.08.16	Email from Ailsa Sypkes, General Manager Legal and Governance	Annual General Meeting will be held Thursday 11 May 2017 at the Windsor Community Centre, Riverside.
24.08.16	Email from Ailsa Sypkes, General Manager Legal and Governance	General Meeting will be held Thursday 9 November 2017 at the Windsor Community Centre, Riverside.
02.09.16	Ailsa Sypkes, General Manager Legal and Governance	General Meeting will be held Thursday 6 October 2016 at the Windsor Community Centre, Riverside and advising that papers will be circulated no later than 15 September 2016.

Meetings Attended:

General Meeting - Thursday 9 June 2016 at Windsor Community Precinct, Riverside

I attended a General Meeting of the Owners' Representatives of TasWater at Riverside on Thursday 9 June 2016.

The following resolution was passed by the Owners' Representatives.

"That members agree to a moratorium on increases in distributions for a further 7 years in the event that TasWater secures commitments from the State and Federal Governments to make grants totalling no less than \$400M over a ten year period."

The only other business was to receive apologies, receive declarations of interest (there were none) and to approve the previous minutes.

Workshop for Mayors, General Managers and TasWater Owner Representatives - Tuesday 6 September at the Memorial Hall, Longford

I attended a workshop for Mayors, General Managers and owner representatives at Longford on Tuesday 6 September.

The workshop was arranged as a response to media release by TasWater on 23 August 2016 that it would be reducing annual dividends for seven years from \$30 million to \$20 million beginning in the year commencing 1 July 2018. This release and dividend change had been made without reference to the shareholders.

The workshop discussed many issues. The major one was the lack of advice from TasWater to the councils (who are shareholders) of the freeze. But, at the same time, for example, the workshop recognised the progress being made by TasWater in reducing the number of sites in Tasmania where "boil water alerts" have been issued. The meeting resolved that the detail of items discussed should remain confidential until there has been a formal meeting with the TasWater board.

TasWater has scheduled a meeting of owner representatives on 6 October. At that time the board of TasWater will be presented with a series of questions which relate to distributions, including distribution policy and cash flows, and projected capital expenditure.

In anticipation of that meeting, the workshop produced a communique which sets out the position of the dispute and questions which will be presented to the TasWater board at its 6 October meeting. For the moment the communique itself is confidential to all councils. However, the focus of the meeting will be understanding the decision-making process by the TasWater board, including the rationale for not first consulting with owner councils, as well as the detailed financial impacts and forward program of works.

TasWater Dividends

The following table sets out the dividends projected to be paid by TasWater.

	To 30 June 2018	From 1 July 2018	Change
State-wide dividend	<u>30,000,000</u>	<u>20,000,000</u>	<u>(10,000,000)</u>

Flinders Council

Tax equivalent	9,968	6,645	(3,323)
Loan guarantee fee	4,410	2,940	(1,470)
Cash	<u>39,621</u>	<u>26,414</u>	<u>(13,207)</u>
Total	<u>53,999</u>	<u>35,999</u>	<u>(18,000)</u>

NOTE: The above table has been prepared on the assumption that the split in categories as they currently exist with state-wide dividends of \$30 million will remain in the same proportions when the dividend is reduced to \$20 million.

RECOMMENDATION:

That the report from Councillor Gerald Willis as the Flinders Council Representative on TasWater be received.

DECISION:

213.09.2016 Moved: Cr K Stockton **Seconded:** Cr C Rhodes

That the report from Councillor Gerald Willis as the Flinders Council Representative on TasWater be received.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Carol Cox, 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:

18.08.16	With Councillors met with Jason Vuddamalay of the Searchlight Group re General Manager recruitment process
18.08.16	Council Meeting
18.08.16	With Acting General Manager dined with Jason Vuddamalay on island.
03.09.16	With Acting General Manager met with the Honourable Sarah Courtney MP
04.09.16	Flinders 5
07.09.16	Telephone conference with John Kirwan, CEO of the Royal Flying Doctor Service regarding future health funding with Acting General Manager, Community Development Officer and Cr Willis
08.09.16	Council Workshop
10.09.16	Diggers' Day at the Sports and RSL Club
12.09.16	Telephone conference to Clyde & Co with Acting General Manager and Cr Williams
14.09.16	Funeral for Mr David Campbell

General Manager Recruitment:

Following Council's meeting with Jason Vuddamalay of the Searchlight Group, and subsequent approval of the position description and selection process at the August Ordinary Meeting of Council, the position was advertised in The Australian, The Mercury, and The Examiner on 27th August. It was also advertised twice in the Australian Local Government Job Directory, listed on LGassist, placed on the Council website and Facebook page, and in the Island News.

Council has been kept updated on the interest shown and the number of applications received, which is a very healthy number - 38 at the time of writing.

Council will begin the selection process in early October, once there has been sufficient time for all interested persons to lodge applications.

Health Funding:

Council has grant funding to the 1st January 2017 for what in general is described as Community Nursing and Youth Activities that support primary health care and health promotion. The Federal Government has changed the delivery of this health funding, including reducing the amount on offer and a new tender process has been put in place by Rural Primary Health at Primary Health Tasmania, which now has the job of distributing the federal funding stream in Tasmania.

The funding is being distributed through a tendering process, for funds to run programs that will be measured by outcomes and not the actions undertaken. The program emphasis has changed, to encourage innovation and new ideas to provide activities that support people living with chronic health issues for improved outcomes. Health prevention no longer appears to be a priority.

The Furneaux Community Health Special Committee members were updated on the change when five members of Primary Health Tasmania came and presented to them on 27th July 2016. Community needs were discussed at this meeting. Council and John Loudon, the Director of Nursing at the Flinders Island Multi Purpose Centre (MPC), have continued to liaise regarding the tendering process and what it might mean locally going forward. A four-week window has been given to submit tenders after the release of the tender documents and guidelines on 1st September. Given the changed emphasis and complexity of the tender documentation and reporting requirements, Council is considering joining other Local Government groups in proceeding through a joint tender process with the Royal Flying Doctor Service (RFDS) being the tenderer.

The Acting General Manager, Council's Community Development Officer and John Loudon are continuing to liaise with the RFDS and other parties and it looks likely a tender will be submitted under the umbrella of the RFDS.

Flinders Running Festival:

The relatively small amount of funding and support that Council gives to this weekend is returned tenfold to the Community in the commercial activity, health promotion, community socialising and sense of achievement that are a result of the weekend's activities.

I sincerely thank the organisers and their myriad of supporters for again making this weekend happen and grow with the introduction this year of the marathon course run on the Saturday in combination with the Pub to Pub event.

CORRESPONDENCE IN:

DATE	WHO	SUBJECT
10.08.16	M Grimshaw	Flinders Island Tourism and Business Inc.

		(FITBI) 2016 Annual Report
11.08.16	Leah Martin, King Island Council	King Island advertisement for the General Manager's position
11.08.16	S Law	Copy of presentation made at Local Governance Conference
12.08.16	Office of the Governor	Acceptance of invitation to attend Civic Reception
12.08.16	Biosecurity Tasmania	Biosecurity Advisory 19/2016 - Blueberry rust detection
12.08.16	Local Government Association of Tasmania (LGAT)	Susan Law Workshop week of 10th October
12.08.16	Rural Alive & Well Inc. Tas	Rural Alive & Well 2016 Hobart Show Lunch
12.08.16	Rural Primary Health	Rural Primary Health Services Commissioning - Update
12.08.16	Australian Bureau of Statistics	2016 Census Update - Friday 12/08
12.08.16	Leukaemia Foundation	Light the Night event
14.08.16	M Grimshaw	Minutes of FITBI AGM
15.08.16	J Armstrong	Tasmanians say NO to a Lower School Starting Age
17.08.16	R Latham, Acting Director LINC Tasmania	Changes to Whitemark Library opening hours
19.08.16	S Commons	Invitation to the Launch of the 2016 Tasmanian Young Achiever Awards
19.08.16	K Lawless	Invitation to the 2016 Royal Hobart Show Luncheon by president of Rural Alive and Well
19.08.16	L Wooldrage	Problems with the amended version of the lowering of the school entry age
19.08.16	Hon J Rockliff MP	Update on progress of new Education Act
19.08.16	Jean Palutikof	Invitation to CoastAdapt Workshop
22.08.16	R Hart MP	Response to query re Telstra Tower at Memana
22.08.16	J Vuddamalay	Next steps re general manager recruitment
22.08.16	Michael Guo	Invitation to attend Australasia China Cities Summits & Business Forum - China as Guest Nation at Royal Melbourne Show
22.08.16	Bank of IDEAS	Two learning opportunities

23.08.16	K Brazendale	Unable to attend event for Central Highlands Council Mayor
23.08.16	TasWater Chairman, Miles Hampton	TasWater did not secure a funding commitment from the State and Federal Governments
23.08.16	R Smith	Purchase of Summer Camp building
23.08.16	Local Government Association of Tasmania (LGAT)	Media Release - Councils to Shoulder the Full Burden of Water and Sewerage Reform
24.08.16	LGAT	LGAT to provide secretariat support to TasWater
25.08.16	Australian Bureau of Statistics	2016 Census Update
26.08.16	Paul Hodgen, Launceston Airport	Launceston Airport 2016 Stakeholder Survey
26.08.16	Launceston Airport	Invitation to launch of Stakeholder report
29.08.16	Hon J McGrath	National Flag Day - 3 September 2016
29.08.16	LGAT	Water and Sewerage Workshop registration form
29.08.16	Hon Will Hodgman MP	Invitation to State Reception on the occasion of the 2016 Olympic Games
30.08.16	J Vuddamalay	Confirmation of information re General Manager Recruitment
30.08.16	Cr G Willis	Submission to Furneaux Group Shipping Special Committee
31.08.16	LGAT	General Management Commission Election - Southern Region
01.09.16	Biosecurity Tasmania	Biosecurity Advisory 21/2016 - Public comment invited on proposal to import pygmy marmoset into Tasmania
01.09.16	Rural Primary Health	Tenders for rural primary health services commissioning open
01.09.16	Cr G Willis	Tenders for rural primary health services
02.09.16	J & T Youl	Copy of submission on Structure Plan
05.09.16	Ten Days on the Island	Ten Days on the Island September 2016 news
05.09.16	Northern Tasmania Development (NTD)	Outcomes from Local Government Committee Meeting of NTD - 2 September 2016
06.09.16	Primary Health Tasmania	Invitation to tender process workshop
07.09.16	LGAT	Communiqué from Katrena Stephenson in relation to water and sewerage
07.09.16	Maree Tetlow, NTD	Finalised documents for review - post 2

		September Meeting
08.09.16	J Vuddamalay	Key selection criteria for general manager recruitment
08.09.16	Maree Tetlow, NTD	Answers to questions raised by Councillors
08.09.16	NTD	DRAFT Local Government Committee Minutes - 2 September 2016
09.09.16	Biosecurity Tasmania	2016 Plant Biosecurity Forum - Biosecurity Matters
09.09.16	NTD	Obligations regarding Enterprise Powers
09.09.16	Australian Local Government Association	Invite to attend the 2016 Roads and Transport Congress
09.09.16	J Vuddamalay	Summary of applications to date
14.09.16	LGAT	Workshop by Professor Susan Law

CORRESPONDENCE OUT:

DATE	WHO	SUBJECT
15.08.16	Flinders Island SES	Thank you for support of the community
16.08.16	M Grimshaw	Congratulations on election to President of Flinders Island Tourism and Business Inc.
16.08.16	M Grimshaw	Congratulations to new FITBI team
17.08.16	LINC Executive Support Team	Thank you for notification of changes to LINC opening hours
17.08.16	R Latham, Acting Director LINC Tasmania	Thank you for advise of changes to Whitemark Library opening hours
23.08.16	R Hart MP	Telstra Tower Memana
23.08.16	R Smith	Purchase of Summer Camp building
31.08.16	M-A Roberts	Public question response: reasons for GM dismissal
06.09.16	J & T Youl	Thank you for structure plan submission
06.09.16	Maree Tetlow - NTD	Outcomes from Local Government Committee Meeting of NTD - 2 September 2016
06.09.16	Cr G Willis	Thank you for submission to Furneaux Group Shipping Special Committee
08.09.16	B LaGrue	Response to Public Question
13.09.16	A Wheatley	Small Grants opportunity

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATION:

That the Mayor's report be received.

DECISION:

214.09.2016 Moved: Cr P Rhodes **Seconded:** Cr D Williams

That the Mayor's report be received.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Carol Cox, 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 1: Planner's Information Report - August 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 August 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 1 - Planner's Information Report - August 2016, provided by West Tamar Council.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Planner's Information Report - August 2016 be received.

DECISION:

215.09.2016 Moved: Cr G Willis **Seconded:** Cr K Stockton
That the Planner's Information Report - August 2016 be received.

CARRIED UNANIMOUSLY (6-0)

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

B. NOTICE OF MOTIONS

Item B1: Notice of Motion from Cr Gerald Willis – Use of Common Seal

ACTION	Decision
PROPONENT	Councillor Gerald Willis
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	GOV/1000
ASSOCIATED PAPERS	Nil

NOTICE OF MOTION:

That, beginning from the closure of this meeting, all future agendas for General Meetings of Flinders Council will include a report on the use of the Common Seal of the Council during the period since the last reported use and that the report will include:

- Internal reference number;
- Date the Common Seal was affixed;
- Document, including the name of the other party to which the Common Seal has been affixed; and
- The names of the individuals who have attested that the Common Seal was attached in their presence;

and that such data be included in a Register which will be made available to Councillors on request.

COUNCILLOR'S REPORT:

It is a surprise that a report listing the use of the Common Seal has not previously been provided to Councillors for their perusal. Providing Councillors with monthly reports on the use of the Common Seal is part of the good governance process which this Council should be aspiring to.

The use of the Common Seal is an activity which should not be taken lightly. Its use binds the Council to act in accordance with the provisions of the document to which it is attached and sometimes the provisions are quite onerous.

It is important that Councillors know the details of documents so that they are aware of commitments to which the Council has become obligated.

The practice of providing reports on the use of the Common Seal to governors of organisations, be they directors, councillors or other trustees, is one which conforms to good governance principles. It is my experience that this occurs in most organisations and it follows that it should happen with documents executed under Common Seal for Flinders Council.

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER'S REPORT:

A Common Seal is used in common law jurisdiction and the undertaking of Council official transactions. It issues a sense of security and authenticity to protect documents against forgery.

The seal also ascertains that Council recognises and supports the entire act and deed. The seal signifies that management is in agreement with the contract and all information entailed in the document.

The use of the common seal is restricted to documents that bind, such as significant contracts and loan documents. It is not necessary to use the common seal for all business, such as approving minutes.

Generally the Common Seal of Flinders Council is affixed to documents such as planning deeds, survey plans, final title plans, and agreements. In practice the Common Seal is used infrequently by Council, around 10 - 15 times per year. Monthly reporting would seem excessive therefore a quarterly report to Council is recommended.

STATUTORY REQUIREMENTS:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

No policy exists on this matter.

BUDGET AND FINANCIAL IMPLICATIONS:

Nil

RISK/LIABILITY:

Minimum

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That a quarterly report be provided to Council on the use of the Common Seal of the Flinders Council.

DECISION:

216.09.2016 Moved: Cr G Willis **Seconded:** Cr D Williams

That, beginning from the closure of this meeting, future agendas for General Meetings of Flinders Council will include a quarterly report on the use of the

Common Seal of the Council during the period since the last reported use and that the report will include:

- Internal reference number;
- Date the Common Seal was affixed;
- Document, including the name of the other party to which the Common Seal has been affixed; and
- The names of the individuals who have attested that the Common Seal was attached in their presence;

and that such data be included in a Register which will be made available to Councillors on request.

CARRIED UNANIMOUSLY (6-0)

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

217.09.2016 Moved: Cr P Rhodes **Seconded:** Cr G Willis
That Cr Ken Stockton shall take the Chair if the Mayor vacates it.

CARRIED UNANIMOUSLY (6-0)

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

Mayor Carol Cox passed the chair to Cr Ken Stockton at 1.14pm.

Item B2: Notice of Motion from Mayor Carol Cox– General Manager Recruitment, Selection Panel & Process

ACTION	Decision
PROPONENT	Mayor Carol Cox
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	PER/0602
ASSOCIATED PAPERS	<i>Annexure 2: Email from Jason Vuddamalay (For Elected Members Only)</i>

NOTICE OF MOTION:

That Council considers the makeup and the role of the Selection Panel for the first round of Council interviews for the general manager position as per the recruitment process outlined in Motion 197.08.2016; and that the actual members to the Selection Panel be appointed at a Special Meeting along with the approval of the list of candidates to be interviewed by the Selection Panel.

That following consideration Council approves the makeup and role of the Selection Panel.

COUNCILLOR'S REPORT:

At the August Ordinary Meeting of Council, motion 197.08.2016 was passed unanimously by the six Councillors present at the meeting.

*“197.08.2016 Moved: Cr G Willis Seconded: Cr M Cobham
That Council records it met with Searchlight Group and agreed to the following recruitment process:*

- *Advertising and executive search by Searchlight Group*
- *Searchlight Group to provide Council with long list of candidates and full list of applicants*
- *Council to decide shortlist for interview by selection panel*
- *Second round of interviews of final candidates by full council*
- *Searchlight Group to assist Council to prepare interview questions*
- *Council will formalise selection of the successful candidate at an open council meeting*

CARRIED UNANIMOUSLY (6-0) “

The advertising has taken place by the Searchlight Group and a large number of candidates have applied; 38 applications having been received at the time of writing this item, with more promised.

Council will review the full list of applications and long list of candidates in discussion with Jason Vuddamalay of the Searchlight Group at a workshop

scheduled for 6th October. The list of candidates selected for an interview by the Selection Panel is to be formalised at a Special Meeting of Council proposed for the 11th of October.

Council needs to determine the makeup and detail of the role of the Selection Panel.

In correspondence with Council, The Minister for Local Government & Planning, the Hon Peter Gutwein, MP, has advised that Council consider the inclusion of an independent member in the Selection Panel.

“Whilst the selection and appointment of a new General Manager is for the Council to determine I would suggest that you consider whether the selection panel should include at least one independent member from outside your direct community.”

In recent correspondence (Annexure 2), Jason Vuddamalay suggested that a typical Selection Panel would comprise 3-4 people, usually members of the Council and sometimes a trusted independent stakeholder.

The makeup of the Selection Panel should be approved by Council today to enable the Mayor time to canvas any independent persons that might be targeted for inclusion in the Selection Panel. An employee of the Department of Premier and Cabinet cannot be used as this may give rise to conflict in the future. A Mayor or General Manager of another Council or an employee of the Local Government Association of Tasmania are possibilities that could be considered for an independent member.

I consider the Mayor and two other Councillors along with an independent member to be appropriate membership, with Jason facilitating the interview process. I make this point as a starting point for the discussion to arrive at a membership that Council can approve at this Council Meeting.

Jason would also like to forward plan as to when and where Council is considering holding interviews as he would like to attend to facilitate these, thus advance notice would be helpful.

The actual people being appointed to the Selection Panel should be decided at a Special Meeting proposed for the 11th October, so that any real or perceived close association to candidates by prospective selection panel members can be taken into consideration when the list of candidates to be interviewed by the Selection Panel is known.

The *Local Government Act 1993* defines a “close associate” as “a person referred to in Section 51”

“51. Close associate

For the purposes of this Part, a person is a close associate of a councillor or member if that person is–

(a) a body corporate of which the councillor or member is a director or a member of the governing body; or

(b) a proprietary company in which the councillor or member is a shareholder; or

(c) a public company in which the councillor or member is directly or indirectly a substantial shareholder; or

(d) a beneficiary under a trust or an object of a discretionary trust of which the councillor or member is a trustee; or

(e) a business partner of the councillor or member; or

(f) the employer or an employee of the councillor or member; or

(g) a person from whom the councillor or member has received, or might reasonably be expected to receive, a fee, commission or other reward for providing professional or other services in relation to a matter being dealt with or to be dealt with by the council, council committee, special committee, controlling authority, single authority or joint authority; or

(h) the spouse or partner of the councillor, member, councillor's son or daughter or member's son or daughter; or

(i) the son, daughter, brother, sister, mother or father of the councillor or member or of their spouse or partner.”

In line with motion 197.08.2016, and taking into consideration Jason’s recommendations (Annexure 2), I envisage the role of the Selection Panel to be as follows:

1. Determine the format and content of the interview and assessment process;
2. Conduct the first round of interviews of the applicants selected by Council at the Special Meeting;
3. Evaluate background checks, psychometric appraisals and references of applicants interviewed;
4. Decide who will advance to the final stage of assessment with the full Council; and
5. Present a detailed report to the full Council on the interviews and selection of the preferred candidates for final interview by the full Council.

The shortlisting of candidates for final interview will be subject to formal approval at a Council Meeting.

PREVIOUS COUNCIL CONSIDERATION:

Councillor Workshop	4 th August 2016
Special Council Meeting	1 st & 4 th of August 2016

OFFICER'S REPORT:

Council's role in the selection and recruitment of a new General Manager is an extremely important process that requires a unified commitment by all elected representatives.

Jason Vuddamalay from Searchlight Group will present to Council a short list along with a total list of all applications. Councillors will be required to review both lists and make any changes to the list under the guidance of Jason.

Once the list has been confirmed, the Council is required to appoint a Selection Panel to conduct the first round of interviews.

It is extremely important that all Councillors consider their position when nominating for the panel. The Mayor and two other Councillors alongside an independent member would fulfil the role and provide the level of transparency required.

STATUTORY REQUIREMENTS:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

No policy exists for this matter.

BUDGET AND FINANCIAL IMPLICATIONS:

Nil

RISK/LIABILITY:

Putting in place a Selection Panel with a makeup of a number of Councillors, the Mayor and an independent member would minimise any risk exposure in the process of appointing a new General Manager by providing independency and transparency.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER'S RECOMMENDATION:

The motion as written.

DECISION:

218.09.2016 Moved: Mayor C Cox **Seconded:** Cr G Willis

That Council considers the makeup and the role of the Selection Panel for the first round of Council interviews for the general manager position as per the recruitment process outlined in Motion 197.08.2016; and that the actual

members to the Selection Panel be appointed at a Special Meeting along with the approval of the list of candidates to be interviewed by the Selection Panel.

That following consideration Council approves the makeup and role of the Selection Panel.

CARRIED UNANIMOUSLY (6-0)

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

Cr Ken Stockton passed the chair to Mayor Carol Cox at 1.16pm.

219.09.2016 Moved: Cr P Rhodes **Seconded:** Cr G Willis

That the Council Selection Panel for the recruitment of the new General Manager consists of the seven Councillors, if they wish to participate, are available and have no "close association" with the selected interviewees (as defined in the *Local Government Act 1993*).

CARRIED UNANIMOUSLY (6-0)

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

220.09.2016 Moved: Cr D Williams **Seconded:** Cr P Rhodes

That Council accepts the Minister for Local Government's suggestion to invite an appropriate external individual to assist in the final selection stage.

CARRIED UNANIMOUSLY (6-0)

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

221.09.2016 Moved: Cr D Williams **Seconded:** Cr G Willis

That the role of the Selection Panel be as follows:

1. Determine the format and content of the interview and assessment process;
2. Conduct the first round of interviews of the applicants selected by Council at the Special Meeting;
3. Evaluate background checks, psychometric appraisals and references of applicants interviewed;
4. Decide who will advance to the final stage of assessment; and
5. Take the recommendation for the final stage assessments with a detailed report to full council for approval.

CARRIED UNANIMOUSLY (6-0)

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

C. GOVERNANCE

Item C1: Separation of Raoul Harper from the role of General Manager Petition

ACTION	Information
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manger
FILE REFERENCE	LEG/001
ASSOCIATED PAPERS	<i>Annexure 3: Petition - Separation of Raoul Harper from the role of General Manager</i>

INTRODUCTION:

A petition to Flinders Council regarding the separation of Raoul Harper from the role of General Manager was received from Joanna and Terence Klug and tabled at the 14th July 2016 Ordinary Meeting of Council.

PREVIOUS COUNCIL CONSIDERATION:

14th July 2016 144.07.2016

OFFICER'S REPORT:

A petition with 99 signatories regarding the separation of Raoul Harper from the role of General Manager was tabled at the 14th July 2016 Ordinary Meeting of Council. 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 is now presented to Council for consideration.

STATUTORY REQUIREMENT:

Local Government Act 1993 Section 60

POLICY/STRATEGIC IMPLICATIONS:

No policy exits on this matter.

BUDGET AND FINANCIAL IMPLICATIONS:

Nil

RISK/LIABILITY:

Nil

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council discusses the petition to consider the appropriate action to take.

DECISION:

222.09.2016 Moved: Cr D Williams **Seconded:** Cr G Willis

That Council forwards the community petition submitted by Joanna and Terence Klug to the Honourable Peter Gutwein.

CARRIED UNANIMOUSLY (6-0)

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

Mayor Carol Cox called a break in the meeting at 2.02pm and resumed the meeting at 2.15pm.

223.09.2016 Moved: Cr G Willis **Seconded:** Cr K Stockton

That Item C4 be brought forward in the agenda.

CARRIED UNANIMOUSLY (6-0)

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

Item C4: Waiver of Plumbing Permit Fees

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	COU/0312
ASSOCIATED PAPERS	<i>Nil</i>

INTRODUCTION:

TasWater has made a substantial investment with the installation of two water treatment plants on Flinders Island.

Council has been in discussions with TasWater to work through the hurdle of encouraging residents to connect to the new supply to ensure the success of the water treatment plants.

PREVIOUS COUNCIL CONSIDERATION:

3rd March 2016 Council Workshop

5th May 2016 Council Workshop

OFFICER'S REPORT:

TasWater maintained communication with Council prior to and during the design and construction phases of the development of two water treatment plants for the Island. Council communicated to TasWater that they would be supportive of the development and willing to assist where possible. TasWater explained to Council that for the plants to be a success, connections to the new supply were required, i.e. to justify the position expenditure and to provide the outcome of supplying water that meets drinking water standards, thus ensuring good public health.

It is understood that most properties within the water districts have connections to the town supply but use very little water. This is due to the large amount of tank water usage. An incentive for people to change their internal plumbing layout was devised by TasWater who approached Council for assistance. Council agreed to provide a form for their "plumbing application kit" and also to waive the fee for any applications that were made within a specific time period.

In a statement to residents, TasWater provided the following:

"Flinders Council and TasWater have agreed to pay the plumbing permit fee on behalf of the residents and businesses for a period of 6 months after the DHHS has removed the Do Not Consume Notice and Boil Water Alert."

Council's plumbing application fee is \$260.00. For residents to change their plumbing layout they will need to provide plumbing design details to Council when application is made, have their plumber do the work and provide Council with all sign-off documentation. This could be a costly exercise and so Council agreed to waive the permit fee for the 6 month period to encourage owners to have the work carried out.

It is envisaged that approximately 30-50 applications would be made, costing Council anything from \$7,000 - \$13,000 in lost income.

As each application varies, it is extremely difficult to determine what the true cost to Council will be in assessment fees charged by the contractor. Council pays the contractor approximately \$60/hr for plumbing assessment. An assessment for these works could take around 30 minutes to an hour. Adding on some contingency costing for administration purposes one could expect a cost to Council of approximately \$75.00. This would equate to a potential loss to Council in the vicinity of \$2,000 to \$4,000.

NB: These figures are provided to give some prospective to Councillors on actual cost to Council. The officer can provide no guarantee to their accuracy.

STATUTORY REQUIREMENT:

Nil

POLICY/STRATEGIC IMPLICATIONS:

5.0 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.

5.1.4 Water supply free from contaminants.

BUDGET AND FINANCIAL IMPLICATIONS:

Loss of user fees.

RISK/LIABILITY:

Nil

VOTING REQUIREMENTS:

Absolute Majority

OFFICER'S RECOMMENDATION:

That Council agrees to waive plumbing permit fees for residents and business operators who wish to revert from a dual water supply to a single water supply for a period of 6 months after the Department of Health and Human Services has removed the Do Not Consume Notice and Boil Water Alert.

DECISION:

224.09.2016 Moved: Cr G Willis **Seconded:** Cr K Stockton

That Council agrees to waive plumbing permit fees for residents and business operators who wish to revert from a dual water supply to a single water supply for a period of 6 months after the Department of Health and Human Services has removed the Do Not Consume Notice and Boil Water Alert.

CARRIED UNANIMOUSLY (6-0)

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

Jacci Viney, Development Services Coordinator, left the meeting at 2.23pm.

Item C2: Provision of Electronic Services – Elected Members Policy

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	PER/0300
ASSOCIATED PAPERS	<i>Annexure 4: DRAFT Provision of Electronic Services – Elected Members Policy</i>

INTRODUCTION:

Council’s Policy Manual is an important document of Council as it provides direction to Staff, Management and Councillors. Many of the policies are required by, or relate to, legislation and in most instances help manage Council’s exposure to risk.

PREVIOUS COUNCIL CONSIDERATION:

Adopted:	14 June 1994	133.06.94
Amended:	13 December 2001	301.12.01
Amended:	25 August 2005	486.08.05
Amended:	15 July 2010	192.07.10
Amended:	16 May 2013	544.05.2013

OFFICER’S REPORT:

Council has a policy that states that policies should be reviewed at least every four (4) years by the then elected members.

The Provision of Electronic Services – Elected Members Policy has been reviewed and updated to include protocols for the dissemination of confidential information and for centralised filing of communications.

The Policy is now presented to Council for consideration.

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.

4.3.9 Maintain Council’s Policy Manual and Instrument of Delegation.

RISK/LIABILITY:

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council adopts the Provision of Electronic Services – Elected Members Policy and allows it to lay on the table for 28 days for public comment.

DECISION:

225.09.2016 Moved: Cr G Willis **Seconded:** Cr D Williams

That Council adopts the Provision of Electronic Services – Elected Members Policy as amended and allows it to lay on the table for 28 days for public comment.

CARRIED UNANIMOUSLY (6-0)

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

**Item C3: Northern Tasmania Development Corporation Limited (NTDC)
New Governance Model**

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	COU/0305
ASSOCIATED PAPERS	<i>Annexure 5: NTDC Constitution Annexure 6: NTDC Shareholder's Agreement Annexure 7: NTDC Statement of Purpose Annexure 8: Obligations of Council Under the Local Government Act 1993 Annexure 9: Agenda - NTD Annual general meeting and Special Meeting on the 30th Sept 2016</i>

INTRODUCTION:

At a recent meeting of Northern Tasmania Development (NTD), member councils formally proposed the winding up of the organisation in its current form and the transfer of all assets and liabilities to a successor organisation, a company limited by guarantee with an independent board, having the proposed name of Northern Tasmania Development Corporation Limited (NTDC).

There is a Special Meeting of NTD on the 30th of September, when, as a current member of NTD, Council is required to vote on Agenda items to formalise the proposed change.

PREVIOUS COUNCIL CONSIDERATION:

21 st June 2012	182.06.2012
20 th June 2013	565.06.2013
13 th March 2014	764.03.2014

OFFICER'S REPORT:

The move to a new governance model for NTD was a key recommendation in the Review of Regional Bodies in Northern Tasmania – Final Report February 2016.

The report advocated for a capable, responsive and accountable governance structure that enables collaboration between the three tiers of government and the private sector to grow the region and deliver regional priorities.

The proposed governance model would provide the most effective organisational structure to oversee the implementation of the Northern Regional Futures Plan.

The Regional Futures Plan has established a clearer economic direction for Northern Tasmania and provided the framework to proactively manage priority regional development actions.

The restructured NTDC will align priorities, resources and efforts towards outcomes that are crucial to the long term prospects of the region. The major benefits of this 'whole of region' approach are: better utilisation of limited resources; improving efficiency by reducing duplication; better use of the region's 'human capital'; improved ability to attract support for priority initiatives; and enhanced empowerment and accountability.

As a current Council member of NTD, Flinders Council will become a shareholder of NTDC and will be allocated 1 share based on 2016-17 financial contributions. At NTDC meetings, Council will be represented by the Mayor or a nominated proxy.

The following documents are provided as annexures for Council's consideration:

- NTDC Constitution (Annexure 5)
- NTDC Shareholder's Agreement for a three year period (Annexure 6)
- NTDC Statement of Purpose (Annexure 7)
- Obligations of Council Under the *Local Government Act 1993* (Annexure 8)
- Agenda - NTD Annual general meeting and Special Meeting on the 30th Sept 2016 (Annexure 9)

It is recommended that Council supports NTD's transition into NTDC and continues to be a proactive regional partner willing to work with others to facilitate the economic and social development of our region.

STATUTORY REQUIREMENT:

Nil

POLICY/STRATEGIC IMPLICATIONS:

Flinders Council Strategic Plan - all areas.

BUDGET AND FINANCIAL IMPLICATIONS:

An annual amount will need to be allocated in the budget as per the formula below.

The current formula for each council's annual payment is already established and is proposed to remain unchanged, being as follows:

$$MC = FC + VC$$

Where:

- (a) MC = the total amount of the Member Contribution per Member;
- (b) FC = the fixed component (commencing in the 2016-17 financial year) calculated by application of the following bands calculated based on the population of the municipal area of each Member:

(i) Population of 0 – 5,000 people	\$4,000.00
(ii) Population of 5,001 – 10,000 people	\$8,000.00
(iii) Population of 10,001+ people	\$16,000.00

The FC component is indexed annually to CPI (All groups, Hobart, or an equivalent)

- (c) VC = the variable component calculated at a contribution rate of approximately \$2.22 per head of population (figure used in May 2012) in the municipal area of each Member multiplied by the actual municipal population.

The VC component is indexed annually to CPI (All groups, Hobart, or an equivalent).

The 2015 -16 contribution by Flinders Council was \$5,569.

RISK/LIABILITY:

Nil

VOTING REQUIREMENTS:

Absolute Majority

OFFICER'S RECOMMENDATION:

1. That Council supports the winding up of Northern Tasmania Development Inc. and the transfer of assets and liabilities to a successor organisation.
2. The successor organisation shall be titled the Northern Tasmania Development Corporation Limited (NTDC) a company limited by guarantee
3. That Council becomes a member of NTDC on and from 1 January 2017.
4. The Constitution of NTDC shall be as attached as Annexure 5.
5. The Stakeholder Agreement shall be as attached as Annexure 6.
6. Funding commitments shall be for the contribution amount over a period of three (3) consecutive years from the date that the membership commences. At the end of each three (3) year cycle a review will be undertaken.

DECISION:

226.09.2016 Moved: Cr G Willis **Seconded:** Cr K Stockton

1. That Council supports the winding up of Northern Tasmania Development Inc. and the transfer of assets and liabilities to a successor organisation.

2. The successor organisation shall be titled the Northern Tasmania Development Corporation Limited (NTDC) a company limited by guarantee
3. That Council becomes a member of NTDC on and from 1 January 2017.
4. The Constitution of NTDC shall be as attached as Annexure 5.
5. The Stakeholder Agreement shall be as attached as Annexure 6.
6. Funding commitments shall be for the contribution amount over a period of three (3) consecutive years from the date that the membership commences. At the end of each three (3) year cycle a review will be undertaken.

CARRIED UNANIMOUSLY (6-0)

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

Item C5: Councillor Resolution Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	COU/0600
ASSOCIATED PAPERS	<i>Annexure 10: Councillor Resolution Report September 2016</i>

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

The report is presented on a monthly basis.

OFFICER'S REPORT:

Please read Annexure 10 – Councillor Resolution Report September 2016.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Councillor Resolution Report September 2016 be noted.

DECISION:

227.09.2016 Moved: Cr P Rhodes **Seconded:** Cr C Rhodes
That the Councillor Resolution Report September 2016 be noted.

CARRIED UNANIMOUSLY (6-0)

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

D. CLOSED COUNCIL

Item D1 & D2: Closed Council Items

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Acting General Manager
FILE REFERENCE	PUB/0800
ASSOCIATED PAPERS	<i>Annexures 11-15: For Elected Members only</i>

PREVIOUS COUNCIL CONSIDERATION:

D1 Considered annually.

REASON FOR CLOSED COUNCIL:

Item D1, Citizen of the Year Award, is **CONFIDENTIAL** in accordance with Section 15(2) (g) of the *Local Government (Meeting Procedures) Regulations 2005*.

Item D2, General Manager's Separation from Council, 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:

228.09.2016 Moved: Cr G Willis **Seconded:** Cr P Rhodes
That Council move into Closed Council.

CARRIED UNANIMOUSLY (6-0)

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

Council moved into Closed Session at 2.34pm.

Council moved out of Closed Session at 2.49pm.

232.09.2016 Moved: Cr G Willis **Seconded:** Cr D Williams
That the discussions held and motions passed in Closed Council remain confidential.

CARRIED UNANIMOUSLY (6-0)

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

Meeting Closed 2.51pm