



Confirmed Minutes
Ordinary Council Meeting
22 May 2024

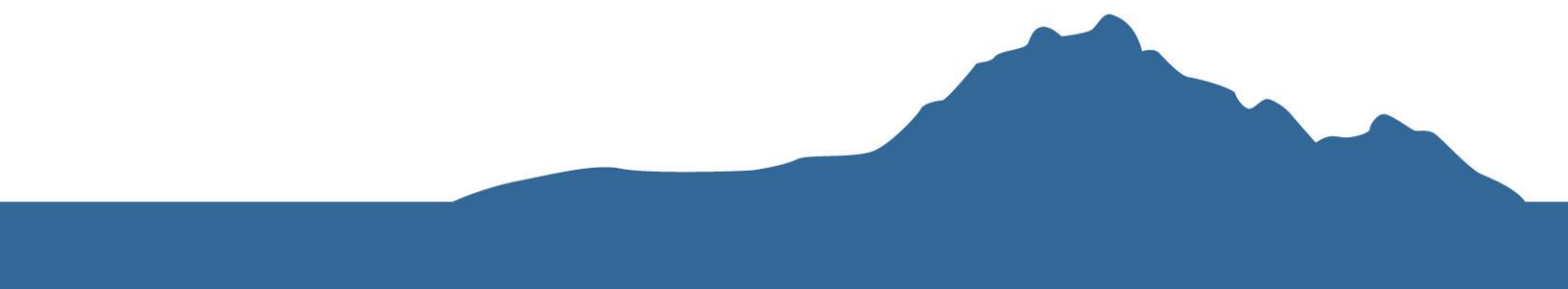
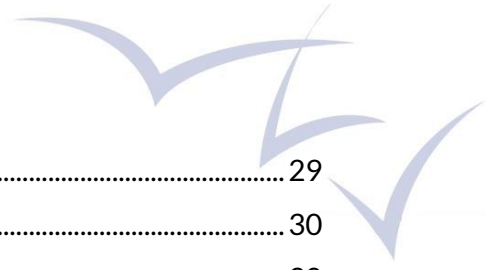




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FLINDERS COUNCIL ORDINARY MEETING – AGENDA

1 Attendance

Venue	Flinders Arts and Entertainment Centre
Commencing	1.00 pm

Attendees	Name and Position	Attendance
Councillors	Mayor Rachel Summers	Yes
	Deputy Mayor Vanessa Grace	Yes
	Garry Blenkhorn	Yes
	Aaron Burke	Yes
	Peter Rhodes	Yes
	Ken Stockton	Yes
Apologies	Cr Carol Cox	
Staff	Warren Groves General Manager	1pm – 2.11pm, 2.16pm – 2.16pm
	Richard Harley Airport Operations Officer	1pm – 2.16pm
	Oliver Ward Works and Services Coordinator	1pm – 2.16pm
	Sue Mythen Executive Officer (Minute Taker)	1pm – 2.16pm

2 Acknowledgement of Country

The Mayor began by acknowledging the Traditional Owners of the land on which we met today, the palawa people of the trawulwai Nation. She recognised their continuing connection to the land, waters and culture of this island, and paid respects to Elders past, present and emerging.

3 Confirmation of Minutes

3.1 Minutes of the Ordinary Council Meeting 17 April 2024

Annexures Nil

RECOMMENDATION

That the Minutes from the Ordinary and Closed Council Meetings held on 17 April 2024 be confirmed.

DECISION

95.05.2024 Moved: Cr Ken Stockton Seconded: Cr Aaron Burke

That the Minutes from the Ordinary and Closed Council Meetings held on 17 April 2024 be confirmed.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Garry Blenkhorn, Cr Peter Rhodes and Cr Ken Stockton.



4 Public Question Time

Nil

5 Councillors' Questions on Notice

5.1 Councillors' Questions on Notice

Nil Received

6 Councillors' Questions Without Notice

Nil

7 Late Agenda Items

Nil

8 Declarations of Pecuniary Interest

Nil

9 Conflicts of Interest

Nil



10 Workshops and Information Forums

Action For Information
File Reference COU/0205 Workshops and Information Forums

Council Workshop – 17 April 2024

Council held a workshop on the following subjects:

- Item 2.1 Whitemark Tennis Court EOI Presentation -1
- Item 2.2 Community Development Update
- Item 2.3 Development Application – DA2023/00098 16 Esplanade, Whitemark (C/T: 129006/1)
- Item 2.4 Whitemark Tennis Court EOI Presentation -2

Councillors	In Attendance
Mayor Rachel Summers	Yes
Deputy Mayor Vanessa Grace	Yes
Councillor Garry Blenkhorn	Yes
Councillor Aaron Burke	Apology
Councillor Carol Cox	Yes
Councillor Peter Rhodes	Apology
Councillor Ken Stockton	Yes

Staff and Consultants	In Attendance
Warren Groves General Manager	Items 2.1 - 2.4
Jacci Smith Development Services Coordinator	Items 2.1 - 2.4
Sammi Gowthorp Community Services Coordinator	Item 2.2
Sue Mythen Executive Officer (Note Taker)	Items 2.1 - 2.4
Guests	
EOI Applicant presenters (x2)	Item 2.1
Heidi Goess Consultant Planner	Item 2.2 (via Teams)
EOI Applicant presenters (x2)	Item 2.4 (via Teams)

Council Workshop – 8 May 2024

Council held a workshop on the following subjects:

- Item 2.1 Freight Equalisation Scheme
- Item 2.2 TasPorts Agreement
- Item 2.3 Whitemark Tennis Courts EOI Direction
- Item 2.4 REMPLAN – Planning Data
- Item 2.5 Lunch
- Item 2.6 Draft Budget
- Item 2.7 Northern Tasmania Alliance for Resilient Councils (NTARC)
- Item 2.8 General Managers Update
- Item 2.9 Works & Services Coordinator Update

Councillors	In Attendance
Mayor Rachel Summers	Yes
Deputy Mayor Vanessa Grace	Apology
Councillor Garry Blenkhorn	Yes
Councillor Aaron Burke	Apology

Councillor Carol Cox	Yes
Councillor Peter Rhodes	Yes
Councillor Ken Stockton	Yes

Staff and Consultants	In Attendance
Warren Groves General Manager	Item 2.1 - 2.9
Jade Boyes Corporate Services Coordinator	Item 2.6
Jacci Smith Development Services Coordinator	Item 2.1, 2.2, 2.3, 2.4
Sammi Gowthorp Community Services Coordinator	Item 2.1, 2.3, 2.4, 2.7
Oliver Ward Works and Services Coordinator	Item 2.1 - 2.9
Richard Harley Airport Operations Officer	Item 2.6, 2.7
Sue Mythen Executive Officer (Note Taker)	Item 2.1 - 2.9
Guests	
Annette Penny Services Australia	Item 2.1 (Via Teams)
Cathryn Womersley Services Australia	Item 2.1 (Via Teams)
Anita Bogdanovski Services Australia	Item 2.1 (Via Teams)
Phil Smurthwaite Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Item 2.1 (Via Teams)
Jon Berney Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Item 2.1 (Via Teams)
Dr Caroline Gray A/General Manager King Island Council	Item 2.1 (Via Teams)
Sally Walker Walkers IGA	Item 2.1
Richard Mollineaux Nutrien	Item 2.1
Mick Purves Contract Planner	Item 2.4 (Via Teams)
Chris Kelly Senior Consultant REMPLAN	Item 2.4 (Via Teams)
Marissa Walters Contract Accountant	Item 2.6 (Via Teams)
Katrina Graham NTARC	Item 2.7 (Via Teams)

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Council Workshops held on 17 April and 8 May 2024 be noted.

DECISION

96.05.2024 Moved: Cr Peter Rhodes Seconded: Cr Ken Stockton

That the Council Workshops held on 17 April and 8 May 2024 be noted.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Garry Blenkhorn, Cr Peter Rhodes and Cr Ken Stockton.

11 Publications and Reports Tabled For Information

Nil



12 Reports To Be Received

12.1 Flinders Boating Special Committee

Action	For Noting
Officer	Warren Groves - General Manager
File Reference	COM/0404 Flinders Boating SC
Annexures	1. 2024.04.09 - Flinders Boating Special Comm- Unconfirmed Minutes [12.1.1 - 5 pages]

Officer's Report

The Unconfirmed Minutes of the Flinders Boating Special Committee held on 9 April 2024 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Unconfirmed minutes of the Flinders Boating Special Committee held 9 April 2024 be noted.

DECISION

97.05.2024 Moved: Deputy Mayor Vanessa Grace Seconded: Cr Ken Stockton
That the Unconfirmed minutes of the Flinders Boating Special Committee held 9 April 2024 be noted.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Garry Blenkhorn, Cr Peter Rhodes and Cr Ken Stockton.



12.2 Audit Panel Committee

Action	For Noting
Officer	Warren Groves - General Manager
File Reference	FIN/0401 Audit Panel
Annexures	1. 2024.02.27- Audit Panel Meeting Confirmed Minutes (16.4.24) [12.2.1 - 10 pages] 2. 2024.04.16 - Audit Panel Meeting Confirmed Minutes [12.2.2 - 11 pages]

Officer's Report

The Confirmed Minutes of the Audit Panel Committee meetings held on 27 February and 16 April 2024 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be accepted by Council.

Voting Requirement

Simple Majority.

RECOMMENDATION

That the confirmed minutes of the Audit Panel Committee held 27 February and 16 April 2024 are accepted.

DECISION

98.05.2024 Moved: Cr Garry Blenkhorn Seconded: Cr Ken Stockton

That the confirmed minutes of the Audit Panel Committee held 27 February and 16 April 2024 are accepted.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Garry Blenkhorn, Cr Peter Rhodes and Cr Ken Stockton.



13 Mayor's Report

13.1 Mayor's Report For April-May 2024

Action	For Information
Councillor	Cr Rachel Summers
File Reference	COU/0600 Mayor's Report
Annexures	Nil

Appointments


Date	Description
09/04/2024	Flinders Boating Special Committee Meeting
12/04/2024	Regional Telecommunications Review
16/04/2024	Vet Alterations Appointment with Vic Epstein and Kerry Prescott
17/04/2024	Flinders Council Workshop
17/04/2024	Ordinary Council Meeting
18/04/2024	Childcare Tour with Senator Tammy Tyrell
19/04/2024	Citizenship Ceremony
23/04/2024	Municipal Emergency Management Committee Meeting
29/04/2024	Meeting with Bridget Archer MP
02/05/2024	Governance Meeting
06/05/2024	Early Learning for Three Year Olds - Local Enabling Group Meeting
07/05/2024	Meeting with Flinders Island Business Inc. (FIBI)IBI
08/05/2024	Flinders Council Workshop
08/05/2024	Council Consultation – Learning and Development Framework
09/05/2024	Cybersecurity Meeting – Snr. Sgt. Chris Parr, Tom Galbally
13/05/2024	Whitemark Community Gym Special Committee Meeting
16/05/2024	Bass Strait Freight Equalisation Scheme – Vehicles – Marc Cobham

Correspondence In

Date	From	Subject
08/04/2024	Office of Local Government	Quarterly Councillor Participation Report
09/04/2024	Melissa Geard, Office of the Hon Nic Street	Advising that the Hon Nic Street will remain as Minister for Local Government
10/04/2024	Dianna Christine, Office of Local Government	Facilitated sessions for consultation on the Learning and Development Framework
10/04/2024	Melissa Geard, Office of the Hon Nic Street	New Tasmanian Liberal Government Ministry
10/04/2024	Melinda Reed, Australian Local Government Women's Association (ALGWA)	ALGWA Tas – Join Us
11/04/2024	Steven Heggie, Truwana Rangers	Lease documentation for Cape Barren Island Property.
11/04/2024	Eve Schultz	Gumleaf Debris
11/04/2024	Dion Lester, CEO, Local Government Association Tasmania (LGAT)	Communique – LGAT General Management Committee



11/04/2024	Georgia Palmer – LGAT	Mayor and Deputy Mayor Workshop Feedback
12/04/2024	The Offshore Renewable Energy Team	Consultation Open: Offshore Electricity Infrastructure Amendment Regulations 2024
12/04/2024	Katie Katos, Australian Institute of Architects (AIA)	Introducing AIA, Tas Chapter President, Daniel Lane RAIA
15/04/2024	Mayor Paula Wriedt, ALGWA	ALGWA Committee Meeting
15/04/2024	Ed Beswick, CEO, Thrive Inc.	Confirmation of Duckpond Tour
16/04/2024	Frances Henwood, Honorary Secretary of Furneaux Islands Protection Network Inc.	Development Applications and Building Permits
18/04/2024	Storm Eastley, Marine and Safety Tasmania (MAST)	Gumleaf, Sunken Vessel Lady Barron
18/04/2024	Dion Lester, CEO, LGAT	Extension of Submission Date – National Inquiry into Local Government Sustainability.
18/04/2024	Sally Badcock, Deputy Secretary Policy, Purchasing, Performance and Reform	Rural Health Services Optimisation Planning Project
18/04/2024	Tania Phillips, Editorial Coordinator of Local Government Focus	Local Government Mail Out May 2024
18/04/2024	Dion Lester, CEO LGAT	National Inquiry into LG Sustainability
19/04/2024	Brett Heffernan, CEO – Gas Energy Australia	Net zero LPG a solution to Tasmania's renewable energy needs
19/04/2024	Marcus Blackie, Mayor, King Island Council	King Island Request for Councillor Meeting Attendance Dispensation/s Under Compassionate Circumstances
22/04/2024	Tim Napier, Manager AgriGrowth Sustainability and Growth	Flinders Island Managing Dry Times Workshop, 29 April 2024
22/04/2024	Rachel Williams, Editor, North-Eastern Gazette	Regional Round-up
22/04/2024	Mason Wright, Office of Senator Tammy Tyrell	Meeting Follow-up
23/4/2024	Jamie Crosby, Families Australia	National Families Week, Celebrating Family Diversity & Connections
23/04/2024	Dion Lester, CEO, LGAT	Feedback: National Inquiry into LG Sustainability
24/04/2024	Local Government Association Tasmania	Emergency Management and Recovery Forum
25/04/2024	Annabelle Wilkinson	4 Short Questions seeking your views on Current Issues
07/05/2024	Megan Rootes, Regional Tech Hub	Regional Tech Hub Contact Tasmania



07/05/2024	Lesley Aitken, Launceston Airport	Sharp Airline Car Park Changes
07/05/2024	Michelle Etherington / Anita Dow	Introduction from Anita Dow MP as Shadow Minister for Local Government
08/05/2024	Kathryn Longey, CEO, Cape Barren Island Aboriginal Association Inc. (CBIAA)	Budget Talks
08/05/2024	Marc Cobham	Reply to Invitation to discuss Bass Strait Freight Equalisation Scheme - Vehicles
09/05/2024	Lynda Edmunds	Radio Interview Request – 7SD and Chilli FM
13/05/2024	Dion Lester, CEO, LGAT	Member Value Survey
13/05/2024	Hon. Bridget Archer MP, Federal Member for Bass	Flinders Council visiting Canberra

Correspondence Out

Date	To	Subject
17/04/2024	Peter Hopkins	Gumleaf, Sunken Vessel
17/04/2024	Hon. Bridget Archer MP, Federal Member for Bass	Request for a meeting
18/04/2024	Rachael Hadfield	Flinders Childcare
19/04/2024	Mayor Marcus Blackie, King Island Council	King Island Request for Councillor Meeting Attendance Dispensation/s Under Compassionate Circumstances
27/04/2024	Mason Wright, Office Senator Tammy Tyrell	Meeting Follow-up and requested Documents
02/04/2024	Kathryn Longey, CEO, CBIAAI	Budget Talks
06/04/2024	Suzanne Purdon, Department of Education, Children and Young People (DECYP)	Liberal Election Promises for Flinders Island
14/05/2024	Marc Cobham	Invitation to discuss Bass Strait Freight Equalisation Scheme for vehicles

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Mayor's report for the 22 May 2024 Ordinary Council Meeting be received.

DECISION

99.05.2024 Moved: Deputy Mayor Vanessa Grace Seconded: Cr Aaron Burke
That the Mayor's report for the 22 May 2024 Ordinary Council Meeting be received.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Garry Blenkhorn, Cr Peter Rhodes and Cr Ken Stockton.



14 Development Services

14.1 Development Application Report for April 2024

Action	For Information
Officer	Rowena Gill - Development Services Officer
File Reference	PLN/0105 Development
Annexures	1. Development Applications Report April 2024 [14.1.1 - 2 pages]

Introduction

This report provides Councillors with an overview of the applications for the current period as per motion 249.09.2015, passed at the 24 September 2015 Council Meeting when Council requested monthly data from the West Tamar Council planning consultancy service. As of July 2020, Flinders Council now generates the data and prepares the Development Application Report monthly.

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

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

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

Previous Council Consideration

Some items may have been considered at meetings of Council while the remainder have been approved under delegation by the General Manager.

Officer's Report

Refer to Annexure 1, Development Applications Report – April 2024.

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Development Applications Report – April 2024 be received.

DECISION

100.05.2024 Moved: Cr Ken Stockton Seconded: Cr Peter Rhodes
That the Development Applications Report – April 2024 be received.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Garry Blenkhorn, Cr Peter Rhodes and Cr Ken Stockton.



15 Works and Services

15.1 Works and Services Update April 2024

Action	For Information
Officer	Oliver Ward - Works and Services Coordinator
File Reference	WOR/3000 Infrastructure
Annexures	1. Works Services Coordinators Report Template [15.1.1 - 5 pages]

Introduction

The purpose of this report is to provide Councillors with an update of monthly activities undertaken by the Works and Services department.

Officers Report

This report is provided on a monthly basis at the request of Council.

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Works and Services Coordinator's Report – April 2024 be received and accepted by Council.

DECISION

101.05.2024 Moved: Deputy Mayor Vanessa Grace Seconded: Cr Ken Stockton
That the Works and Services Coordinator's Report – April 2024 be received and accepted by Council.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Garry Blenkhorn, Cr Peter Rhodes and Cr Ken Stockton.

Cr Stockton thanked the depot staff for assistance when moving the Oregon beams to the Community shed.



16 Governance

16.1 S-HR16 Whistleblower Policy

Action	For Decision
Officer	Warren Groves - General Manager
File Reference	PUB/0300
Annexures	1. Whistleblower Policy Draft -final [16.1.1 - 8 pages]

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

Nil

Previous Council Discussion

14 June 2023 Council Workshop

Officer's Report

At the 13 June 2023 Audit Panel meeting the panel discussed the introduction of a Whistleblower policy and the need to protect Council staff. The General Manager supported the recommendation and tasked Governance to explore the privacy / whistleblower legislation in Tasmania.

The resulting Policy is designed to ensure that concerns about wrongdoing or malpractice can be raised within the Council without fear of victimisation, subsequent discrimination, disadvantage, or dismissal.

The Whistleblower Policy is now presented to Council for consideration.

Statutory Requirement

Local Government Act 1993

Public Interest Disclosures Act 2002

Strategic Alignment

GOOD GOVERNANCE

4.1 An organisation that provides good governance, effective leadership and high-quality services, within our means

4.1.1 Council meets its statutory obligations to manage risk, achieve financial sustainability and model good governance.

Budget and Financial Implications

Minimal

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 Requirement

Simple Majority

RECOMMENDATION

That Council adopts the Whistleblower Policy at annexure 1 as a strategic document and allows the Policy to lay on the table for 28 days for public comment.

DECISION

102.05.2024 Moved: Cr Aaron Burke Seconded: Cr Peter Rhodes

That Council adopts the Whistleblower Policy at annexure 1 as a strategic document and allows the Policy to lay on the table for 28 days for public comment.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Garry Blenkhorn, Cr Peter Rhodes and Cr Ken Stockton.



16.2 Public Interest Disclosures Procedures

Action	For Decision
Officer	Warren Groves - General Manager
File Reference	LEG/080
Annexures	1. MASTER Public Interest Disclosures Act 2002 DRAFT 1 [16.2.1 - 37 pages]

Introduction

The *Public Interest Disclosure Act 2002* (PID) requires Council to establish procedures that comply with the guidelines and standards outlined in s60(3) of the said Act. These procedures require review and resubmission to the Tasmanian Ombudsman for approval under s60(3) every 3 years.

Previous Council Consideration

184.06.2011	16 June 2011
834.06.2014	19 June 2014
177.07.2017	20 July 2017

Previous Council Discussion

Nil

Officer's Report

The *Public Interest Disclosure Act 2002* was established to encourage and facilitate disclosures of improper conduct by public officers and public bodies:

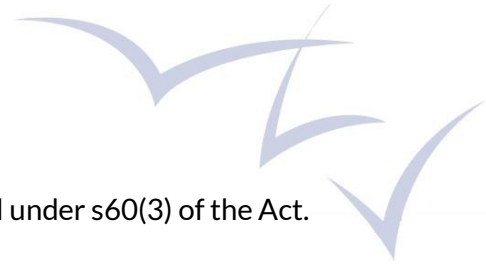
- to protect persons making those disclosures, and others, from reprisals;
- to provide for the matters disclosed to be properly investigated and dealt with; and
- to provide all parties involved in the disclosures with natural justice.

In colloquial terms, the Act is about “whistleblowing” in the Tasmanian public sector. The Act is based on the precepts that it is in the public interest for whistleblowing to occur, and that this will be encouraged and facilitated by providing due protection for whistleblowers, and by ensuring that disclosures made are properly investigated and dealt with accordingly.

The Act is quite clear about who can make such disclosures and the process and protection offered to all parties to such a claim. The procedures provided and developed for Council have been done so from the model standards supplied by the Ombudsman and comply in all respects to the format required under the Act.

The preparation of these procedures is delegated specifically to the principal officer of the public body, in this case the General Manager of the Flinders Council. Flinders Council's procedures were initially adopted at the 16 June 2011 Ordinary Meeting of Council and sent to the Ombudsman for formal ratification.

A recent evaluation of Councils Policies and Procedures highlighted that a review of the Procedures was not undertaken in 2020 and is therefore addressed here by this review. The Ombudsman published revised Guidelines and Standards for Procedures to be followed by Public Bodies on 25 November 2020 and these updated model procedures were used for the revision of the Public Interest Disclosure Procedures which are now presented to Council for consideration.



Once adopted they will be sent to the Ombudsman for formal approval under s60(3) of the Act.

Statutory Requirement

Local Government Act 1993

Public Interest Disclosures Act 2002

Strategic Alignment

GOOD GOVERNANCE

4.1 An organisation that provides good governance, effective leadership and high-quality services, within our means

4.1.1 Council meets its statutory obligations to manage risk, achieve financial sustainability and model good governance.

Budget and Financial Implications

Minimal.

Risk/Liability

Risk of non-compliance to the Act.

Voting Requirement

Simple Majority.

RECOMMENDATION

That Council resolves to:

- Adopt the revised document - Flinders Council's Public Interest Disclosure Procedures dated May 2024,
- Submit the document to the Ombudsman for approval, and
- Review the procedures (as required under the Public Interest Disclosure Act 2002) every 3 years.

DECISION

103.05.2024 Moved: Deputy Mayor Vanessa Grace

Seconded: Cr Ken Stockton

That Council resolves to:

- Adopt the revised document - Flinders Council's Public Interest Disclosure Procedures dated May 2024,
- Submit the document to the Ombudsman for approval, and
- Review the procedures (as required under the Public Interest Disclosure Act 2002) every 3 years.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Garry Blenkhorn, Cr Peter Rhodes and Cr Ken Stockton.



16.3 S-F10 Private Works Policy

Action	For Decision
Officer	Warren Groves - General Manager
File Reference	WOR/1350 and PLT/0500
Annexures	1. 2024.04.15 S- O10- Private Works Policy Final Draft_ [16.3.1 - 5 pages]

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

Nil

Previous Council Discussion

26 July 2023	Council Workshop
09 August 2023	Council Workshop
24 January 2024	Council Workshop

Officer's Report

The Tasmanian Audit Office (TAO) reviewed private works undertaken by Flinders Council in 2021-22 and were looking for strategic documentation regarding the undertaking of private works by Flinders Council.

In August 2023, the TAO recommended that Council formalise their position on private works by developing a Private Works Policy outlining the advice to staff, making the policy publicly available, supporting consistent and transparent decision making and giving priority to the Council's own works program.

The Policy has been developed in conjunction with the Deputy Auditor-Generals findings, addresses their recommendations and is now presented to Council for consideration.

Statutory Requirement

Competition and Consumer Act 2010

Local Government Act 1993

Trade Practices Act 1974

Work Health and Safety Act 2012

Strategic Alignments

ECONOMY/BUSINESS

3.1 Ongoing opportunities across all business sectors to future-proof the critical needs of the islands.

3.1.1 Support and encourage innovation in business and industry through partnerships, infrastructure provision and support services.

GOOD GOVERNANCE

4.1 An organisation that provides good governance, effective leadership and high-quality services, within our means



4.1.1 Council meets its statutory obligations to manage risk, achieve financial sustainability and model good governance.

Budget and Financial Implications

Minimal

Risk/Liability

Council resources being unavailable for Council’s own works programs.
Non-Compliance with the National Competition Policy.

Voting Requirement

Simple Majority.

RECOMMENDATION

That Councils adopts the Private Works policy at Annexure 1 as a strategic document and allows the policy to lay on the table for 28 days for public comment.

DECISION

104.05.2024 Moved: Deputy Mayor Vanessa Grace Seconded: Cr Aaron Burke
That Councils adopts the Private Works policy at Annexure 1 as a strategic document and allows the policy to lay on the table for 28 days for public comment.

CARRIED: (5-1)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Garry Blenkhorn, Cr Ken Stockton
Against: Cr Peter Rhodes (abstained)



16.4 O-HR11 Code of Conduct Policy

Action	For Decision
Officer	Warren Groves - General Manager
File Reference	PER/0500 Human Resources
Annexures	1. O HR11 Employee Code of Conduct Policy 2024 05 09 Draft Rev1 [16.4.1 - 5 pages]

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

06.01.2016 Council Meeting

Previous Council Discussion

08 October 2015 Council Workshop

Officer's Report

Council's current Code of Conduct Policy was adopted from the Local Government Association of Tasmania (LGAT) suite of templates and has been in effect since January 2016. Assessment of the Code of Conduct has determined that the policy requires changes to align with the current legislation and to provide clear guidelines for Council Officers.

The Policy has been revised as part of Councils review process and is now presented to Council for consideration.

Statutory Requirement

Local Government Act 1993

Work Health and Safety Act 2012

Strategic Alignments

GOOD GOVERNANCE

4.1 An organisation that provides good governance, effective leadership and high-quality services, within our means

4.1.1 Council meets its statutory obligations to manage risk, achieve financial sustainability and model good governance.

4.1.2 Improve communication channels between Council and Community to foster greater community participation and outcomes.

Budget and Financial Implications

Minimal

Risk/Liability

Councils reputation may be compromised or damaged through unethical or inappropriate behaviour in the workplace.

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



Voting Requirement

Simple Majority.

RECOMMENDATION

That Council adopts the O-HR11 Code of Conduct Policy at Annexure 1 as an operational document.

DECISION

105.05.2024 Moved: Cr Peter Rhodes Seconded: Cr Ken Stockton

That Council adopts the O-HR11 Code of Conduct Policy at Annexure 1 as an operational document.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Garry Blenkhorn, Cr Peter Rhodes and Cr Ken Stockton.



16.5 Flinders Island Business Inc Council Representative Nomination

Action	For Decision
Officer	Warren Groves - General Manager
File Reference	COM/0600
Annexures	Nil

Introduction

Flinders Council currently has a number of Committees that allow communication, discussion and community input into decision-making on specific areas or activities of Community and Council importance.

Post the 2022 Local Government election, Cr Blenkhorn accepted the nomination to represent Council on the FIBI committee. Cr Blenkhorn has resigned from this position and his resignation was accepted by Council at the 17 April 2024 Ordinary Council Meeting.

Previous Council Consideration

238.11.2022	Council Meeting
236.11.2022	Council Meeting
72.04.2024	Council Meeting

Previous Council Discussion

20 March 2024	Council Workshop
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Officer's Report

The representation of Councillors on external committees and organisations is integral to keeping Council informed on community matters and providing a conduit to allow information sharing between Council and the community.

FIBI advocates and supports business activities on Flinders Island. It aims to deliver business initiatives, projects and activities, with limited resources, to the business and wider community of Flinders Island.

The General Manager and Mayor meet with FIBI Management regularly, however it is recommended that Councillors maintain a representative on the committee to participate and provide input. Therefore, it is recommend that Council calls for nominations from Councillors to fill the role.

Statutory Requirement

Local Government Act 1993

Strategic Alignment

LIVEABILITY


1.1 A viable population that enables the necessary services and activities required for the Community to prosper

1.1.2 Promote the islands' authentic lifestyle, business and entrepreneurial opportunities to attract 'working age' population and families.

1.1.3 Collaborate with stakeholders to enable a variety of training and employment opportunities, including local skills and knowledge sharing.

ECONOMY/BUSINESS

3.1 Ongoing opportunities across all business sectors to future-proof the critical needs of the islands.



3.1.1 Support and encourage innovation in business and industry through partnerships, infrastructure provision and support services.

3.3 A visitor economy that embraces regenerative tourism principles.

3.3.1 Encourage and support positive impact and regenerative visitor experiences that create conditions for people and places to thrive.

GOOD GOVERNANCE

4.1 An organisation that provides good governance, effective leadership and high-quality services, within our means

4.1.2 Improve communication channels between Council and Community to foster greater community participation and outcomes.

Budget and Financial Implications

Nil

Risk/Liability

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

Voting Requirement

Simple Majority.

RECOMMENDATION

That Council:

1. Calls for nominations to fill the role of Council representative on the Flinders Island Business Inc. (FIBI) committee, and
2. Appoints a new Councillor representative for the Flinders Island Business Inc. (FIBI) committee, Or
3. For Council to decide.

DECISION

106.05.2024 Moved: Deputy Mayor Vanessa Grace Seconded: Cr Garry Blenkhorn
That Council will undertake executive member meetings with FIBI representatives on a regular and ongoing basis.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Garry Blenkhorn, Cr Peter Rhodes and Cr Ken Stockton.



16.6 Information Technology (IT) Policy and Framework

Action	For Decision
Officer	Sammi Gowthorp - Community Services Coordinator
File Reference	ADM/0300, ADM/0900
Annexures	<ol style="list-style-type: none">1. O G16 Information Technology IT Policy Draft 2024 05 22 [16.6.1 - 3 pages]2. CONFIDENTIAL - O G16P IT Framework Draft 2024 05 22 [16.6.2 - 17 pages]

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

152.05.2023	24 May 2023
86.03.2023	22 March 2023
324.12.2016	15 December 2016

Previous Council Discussion

17 April 2024	Council Workshop
16 April 2024	Audit Panel Meeting
26 April 2023	Council Workshop

Officer's Report

Council's Policy and Procedure Framework requires that policies are reviewed every four (4) years at the beginning of each new Council term.

Council Officers reviewed the Information Management Procedure; and transferred the procedural content into a separate Procedure document.

At the 22 March 2023 Ordinary Council Meeting, Council resolved the following motion:

'DECISION

86.03.2023 Moved: Cr C Cox Seconded: Cr G Blenkhorn

That Council adopts the Information Management Policy (as amended) as a strategic document and allows the Policy to lay on the table for 28 days for public comment and Council brings the Information Management Procedure to the next available Council Workshop.

CARRIED UNANIMOUSLY (7-0)

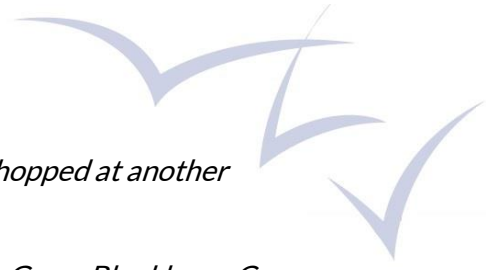
For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Garry Blenkhorn, Cr Aaron Burke, Cr Carol Cox, Cr Peter Rhodes and Cr Ken Stockton.'

Further to the above decision, at the 24 May 2023 Ordinary Council Meeting, Council resolved the following motion:

'SUBSTANTIVE

152.05.2023 Moved: Cr A Burke Seconded: Cr P Rhodes

That Council defers item 20.5 Information Management Procedure until the General Manager has further information regarding the new Information Technology systems



being implemented and the Procedure has been further workshopped at another Council Workshop.

CARRIED UNANIMOUSLY (7-0)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Garry Blenkhorn, Cr Aaron Burke, Cr Carol Cox, Cr Peter Rhodes and Cr Ken Stockton.'

Background:

Data privacy and cybersecurity are critical concerns for Flinders Council. The Council is committed to ensuring compliance with all relevant laws and regulations, including the *Privacy Act 1988* and the Notifiable Data Breaches scheme.

In response to the Tasmanian Audit Office (TAO) audit findings for 2022/23, the Information Technology (IT) Policy and Framework were developed to strengthen the governance and management of IT resources within the Council. The Draft Policy and Framework were presented to the Audit Panel on 16 April 2024 and further discussed at the Council workshop on 17 April 2024.

Details:

The IT Policy establishes the overarching governance for the use and management of IT resources within Flinders Council. It ensures the integrity, availability, and confidentiality of data; protects against unauthorised access and cyber threats; enforces compliance with relevant laws, regulations, and standards; promotes the responsible use of IT assets; and facilitates the effective management of IT-related risks.

The IT Framework includes the following key documents, which provide detailed guidelines and procedures:

- **Password Procedure:** Guidelines for robust password creation, Multi Factor Authentication (MFA) use, and user education.
- **Acceptable Use Framework:** Outlines acceptable use of IT resources and non-compliance implications.
- **IT Equipment Replacement Program:** Lifecycle management of IT assets.
- **Onboarding/Offboarding Procedure:** Secure processes for granting and revoking IT access.
- **Disaster Recovery Plan:** Approach to recovering IT operations after a disaster.
- **Cyber Security Plan:** Approach to recovering IT operations following a cyber security event.

By implementing these measures, Flinders Council aims to protect the privacy and security of its data and minimise the risk of data breaches and other security incidents. This is essential for maintaining a good community reputation and ensuring the continued delivery of Council services.

The Information Technology Policy and Information Technology Framework are now presented to Council as Operational documents for consideration.

Statutory Requirement

Local Government Act 1993

Notifiable Breaches Scheme

Personal Information Protection Act 2004 (Tas)

Privacy Act 1988



Strategic Alignment

GOOD GOVERNANCE

4.1 An organisation that provides good governance, effective leadership and high-quality services, within our means

4.1.1 Council meets its statutory obligations to manage risk, achieve financial sustainability and model good governance.

Budget and Financial Implications

Nil

Risk/Liability

Corporate: By implementing the IT Policy and Framework Council mitigates against its risks of breaches and cyber threats; enforces compliance with relevant laws, regulations, and standards; promotes the responsible use of IT assets; and facilitates the effective management of IT-related risks.

Voting Requirement

Simple Majority.

RECOMMENDATION

That Council adopts the Information Technology Policy and Information Technology Framework at annexures 1 and 2, as operational documents.

DECISION

107.05.2024 Moved: Cr Aaron Burke Seconded: Cr Garry Blenkhorn
That Council adopts the Information Technology Policy and Information Technology Framework at annexures 1 and 2, as operational documents.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Garry Blenkhorn, Cr Peter Rhodes and Cr Ken Stockton.



16.7 Resolution Report - 22 May 2024

Action	For Information
Officer	Warren Groves - General Manager
File Reference	GOV/0300 Councillor Resolution Reports
Annexures	1. 2024 05 Council Resolution Report [16.7.1 - 4 pages]

Introduction

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

Officer's Report

This Report is presented on a monthly basis. Please read Annexure 1 Resolution Report – May 2024

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Councillor Resolution Report – May 2024 be noted.

DECISION

108.05.2024 Moved: Cr Peter Rhodes Seconded: Deputy Mayor Vanessa Grace
That the Councillor Resolution Report – May 2024 be noted.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Garry Blenkhorn, Cr Peter Rhodes and Cr Ken Stockton.



17 Closure of Meeting

Action For Decision
Officer Warren Groves - General Manager

Closure of Meeting

In accordance with Section 15 of the Local Government (Meeting Procedures) Regulations 2015, *a council by absolute majority may close a part of the meeting to the public for a specified reason*

Voting Requirement

Absolute Majority

RECOMMENDATION

That the meeting be closed to the public pursuant to regulation Section 15 of the Local Government (Meeting Procedures) Regulations 2015 to discuss the matters listed.

DECISION

109.05.2024 Moved: Cr Aaron Burke Seconded: Cr Garry Blenkhorn
That the meeting be closed to the public pursuant to regulation Section 15 of the Local Government (Meeting Procedures) Regulations 2015 to discuss the matters listed.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Garry Blenkhorn, Cr Peter Rhodes and Cr Ken Stockton.

Council Moved into Closed Council at 1.57pm.

18 CLOSED COUNCIL

18.1 TasPorts Funding Agreement

Confidential

15(2) (c) commercial information of a confidential nature that, if disclosed, is likely to – (i) prejudice the commercial position of the person who supplied it;

15(2) (d) contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal

The Following motions for item 18.1 for the Open Minutes were passed in Closed Council:

DECISION 111.05.2024

Moved: Deputy Mayor Vanessa Grace Seconded: Cr Garry Blenkhorn
For agenda item 18.1, the agenda item and discussion held in Closed Council remain confidential and that Council agreed to release the decision to the public.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Garry Blenkhorn, Cr Peter Rhodes and Cr Ken Stockton.

DECISION 110.05.2024

Moved: Cr Aaron Burke Seconded: Cr Ken Stockton
That Council accepts the TasPorts Funding agreement for \$900,000 for the FIMASH project and authorises the General Manager to sign and seal the agreement as provided at annexure 1.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Garry Blenkhorn, Cr Peter Rhodes and Cr Ken Stockton.



18.2 Whitemark Tennis Court Site Expression of Interest (EOI)

Reason for Closed Council

15(2)(f) proposals for the council to acquire land or an interest in land or for the disposal of land.

The Following motions for item 18.2 for the Open Minutes were passed in Closed Council:

DECISION 113.02.2024

Moved: Deputy Mayor Vanessa Grace

Seconded: Cr Peter Rhodes

For agenda item 18.2, the agenda item and discussion held in Closed Council remain confidential and that Council agreed to progress the proposed development with the preferred applicant, is to be released to the public after all applicants have been advised.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Garry Blenkhorn, Cr Peter Rhodes and Cr Ken Stockton.

18.3 Closed Resolution Report - 22 May 2024

Reason for Closed Council

15(2) (g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential

The Following motions for item 18.3 for the Open Minutes were passed in Closed Council:

DECISION 115.05.2024

Moved: Cr Peter Rhodes

Seconded: Cr Garry Blenkhorn

For agenda item 18.3, the agenda item and discussion held in Closed Council remain confidential and that the decision be released to the public.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Garry Blenkhorn, Cr Peter Rhodes and Cr Ken Stockton.

DECISION 114.05.2024

Moved: Deputy Mayor Vanessa Grace

Seconded: Cr Garry Blenkhorn

That the Closed Councillor Resolution Report –22 May 2024 be noted.

CARRIED UNANIMOUSLY (6-0)

For: Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Aaron Burke, Cr Garry Blenkhorn, Cr Peter Rhodes and Cr Ken Stockton.

Council moved out of Closed Council at 2.16pm.

MEETING CLOSED 2.16PM
