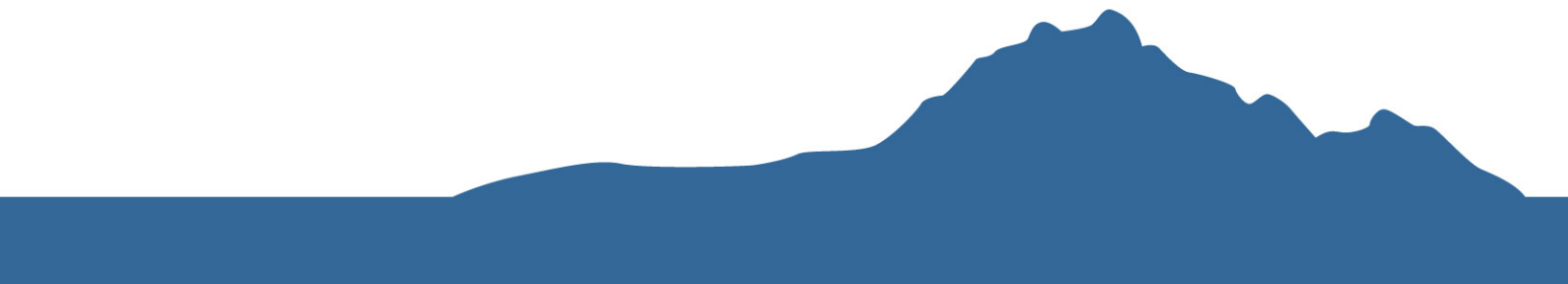




Agenda
Ordinary Council Meeting
22 November 2023





CERTIFICATION

"I certify that with respect to all advice, information or recommendation provided to Council with this agenda:

1. The advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation, and;
2. Where any advice is given directly to Council by a person who does not have the required qualifications or experience that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person."

Note:

S65(1) of the *Local Government Act 1993* requires the General Manager to ensure that any advice, information or recommendation given to the Council (or a Council Committee) is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation. S65(2) forbids Council from deciding any matter which requires the advice of a qualified person without considering that advice.

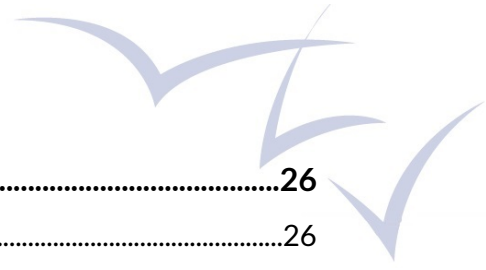
Dated this 17 November 2023

Warren Groves
GENERAL MANAGER



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FLINDERS COUNCIL ORDINARY MEETING – AGENDA
Wednesday 22 November 2023 at 1:00 pm
Rose Garden Room, Flinders Arts and Entertainment Centre

1 Attendance

2 Acknowledgement of Country

The Mayor will begin by acknowledging the Traditional Owners of the land on which we meet today, the palawa people of the trawulwai Nation. She will recognise their continuing connection to the land, waters and culture of this island, and pay respects to Elders past, present and emerging.

3 Confirmation of Minutes 25 October 2023

3.1 Minutes of the Ordinary Council Meeting 25 October 2023

RECOMMENDATION

That the Minutes from the Ordinary and Closed Council Meetings held on 25 October 2023 be confirmed.

4 Public Question Time

4.1 Public Question Time

In accordance with Section 31 (1) of the Local Government (Meeting Procedures) Regulations 2015 and the Flinders Council Public Question Time – Council Meeting Procedure, the following are to be adhered to at public question time.

Public Question Time is permitted at Ordinary Council Meetings, during which, members of the public may ask questions of the Council relating to Flinders Council matters.

The basis on which questions may be asked is:

- 1. All questions will be addressed through the Chair (being the Mayor in normal circumstances) who will answer them as she/he sees fit. Under no circumstances will members of the gallery be permitted to address or question either elected members or officers of the Council. The Chair may delegate answers to the appropriate Councillor or staff member if required.*
- 2. Persons addressing the Chair must pay the respect due to that office. Failure to do so may mean their address is terminated without notice.*
- 3. Where the answer cannot be provided immediately, it will be provided in writing within 14 days and tabled at the following Ordinary Council Meeting.*
- 4. All questioners are encouraged to register their intent to question with the General Manager before the meeting. Preference will be given to those who have so registered.*
- 5. Question time shall not extend longer than 30 minutes and may be divided into two 15 minute sessions.*
- 6. The actual timing of the session(s) is to be immediately after the opening of the meeting and advertised with the notice of meeting.*

Question 1:

Mayor’s Response:



5 Response to Public Questions

Meeting Date: 25 October 2023

Question 1: – Magdalene Steffens-Bartrim

Re: Council's Auctions

Notification time and advertisement - Can the public have more advertisement time please

Mayor's Response

Council endeavors to communicate with the community via a number of different platforms in order to reach as wide an audience as possible. In the case of the recent expression of interest for Oregon beams salvaged from the Lady Barron Fish Factory, advertising was conducted over a period of 4 weeks across various mediums.

There have been instances in the past, where, due to misunderstanding, local advertising was not adequately undertaken. We have learned from this and now developed a communication plan for such events to allow sufficient advertising both locally and further afield.

Question 2: – Magdalene Steffens-Bartrim

Re: Flinders Island Business Inc. (FIBI) representation on committees

- Furneaux Group Aviation Special Committee - Mick Rose is no longer on the FIBI board;
- Transport representative on the Furneaux Group Shipping Special Committee - how can FIBI assist, Tom Ambrose would like to be a part of it.

Mayor's Response

FIBI currently has a representative on both the Aviation and Shipping Special Committees. If the FIBI Representative has changed, please provide the name and contact details of the new representative and we will ensure that they are added to the membership list.

RECOMMENDATION

That the response to the public questions from the 25 October 2023 Ordinary Council Meeting be noted.

6 Councillors' Questions Without Notice

Regulation 29 of the Local Government (Meeting Procedures) Regulations 2015 specifies that in putting a Question Without Notice a Councillor must not offer an argument or opinion, draw any inference or make any imputations except so far as may be necessary to explain the question. The Chairperson must not permit any debate of a Question without Notice or its answer.

7 Responses to Councillor's Questions Without Notice

7.1 From Ordinary Council Meeting 25 October 2023

Meeting Date: 25 October 2023

Councillor: Cr Carol Cox

Question 1:

Is there a time frame for marking out the accessible parking space in front of the bakery.

Mayor's Response:



The Mayor asked the General Manager and the Acting Infrastructure Manager who responded as follows:

The matter was not handed over to the Acting Infrastructure Manager when the Infrastructure Manager finished. The Acting Infrastructure Manager will investigate the matter and report back to Council.

The Acting Infrastructure Manager has since met with bakery staff to identify their needs regarding seniors parking, time limits and appropriate signage.

The cost to Council would be approximately \$2200.00:

- Signage - including two posts, boring concrete for posts and assembling,
- Cutting in new access ramp, and
- Line marking.

RECOMMENDATION

That the response to the Councillor's question taken without notice at the 25 October 2023 Ordinary Council Meeting be noted.

8 Late Agenda Items

Under R8(6) of the Local Government (Meeting Procedures) Regulations 2015, the Council may, by absolute majority vote, consider late agenda items at this meeting.

9 Declarations of Pecuniary Interest

In accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2015, Councillors are required to declare any pecuniary interest that they, or any of their close associates, may have in any matter appearing on the agenda, or any supplementary item to the agenda, before any discussion on that matter.

10 Conflicts of Interest

In accordance with Part 2, paragraph 6 of the Local Government (Model Code of Conduct) Order 2016, Councillors are required to declare any conflict of interest, be in actual, perceived or potential, that they may have regarding any matter appearing on the agenda, or any supplementary item to the agenda before any discussion on that matter commences.



11 Policies

11.1 Adopted Policies

The following Council policies were adopted at the 27 September 2023 Ordinary Council Meeting and no submissions were received throughout the 28-day public consultation period. As per the requirements of the Council Policy and Procedure Framework, the policies are now considered to be adopted:

- S-F8 Travel Accommodation Policy, and
- S-G6 Elected Members' Allowances, Reimbursements and Equipment.

RECOMMENDATION

That the S-F8 Travel Accommodation Policy and S-G6 Elected Members' Allowances, Reimbursements and Equipment be adopted.



12 Workshops and Information Forums

12.1 Workshops & Information Forums

| | |
|-----------------------|---|
| Action | For Noting |
| File Reference | COU/0205 Workshops & Information Forums |

Council Workshop – 25 October 2023

Council held a workshop on the following subjects:

- Item 1 Paintings Final Hanging Place
- Item 2 Medal Board of Australia Insignia
- Item 2.2 Community Grant
- Item 3 Council Meeting Agenda Review
- Item 4 TasWater Presentation
- Item 5 General Manager’s Update
- Item 6 Public Open Space Policy (Item Deferred)
- Item 7 Wybalenna
- Item 8 Council Meeting & Workshop Dates

| 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 | No |
| Councillor Ken Stockton | Yes |

| Staff and Consultants | In Attendance |
|--|----------------------|
| Warren Groves General Manager | Yes (Items 1 – 8) |
| Sue Mythen Executive Officer | Yes (Items 1 – 8) |
| Nikita Hazelwood Community and Stakeholder Engagement Specialist from TasWater | Yes (Item 4) |

Council Workshop – 8 November 2023

Council held a workshop on the following subjects:

- Item 1 Draft Land Use Planning and Approvals (Development Assessment Panel) Amendment Bill 2024
- Item 2 Public Open Space Policy Review + DA application Bluff Road
- Item 3 Whitemark Tennis Court Site EOI
- Item 4 General Manager’s Update
- Item 5 S-F8-P Travel Accommodation Procedure Revised October 2023
- Item 6 Oregon Beam EOI Summary
- Item 7 Budget Variation Discussion
- Item 8 Airport Hangar EOI
- Item 9 Regional community precincts with local partners grant funding
- Item 10 Wind Area Proposal
- Item 11 Annual Report 2022-23



| Councillors | In Attendance |
|---------------------------------------|----------------------|
| Mayor Rachel Summers | Yes |
| Deputy Mayor Vanessa Grace (Via Zoom) | Items 1-3 |
| Councillor Garry Blenkhorn | Apology |
| 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 | Yes (Items 1 - 11) |
| Sammi Gowthorp Community Services Coordinator | Yes (Item 9) |
| Richard Harley Acting Infrastructure Manager | Yes (Items 2 - 11) |
| Sue Mythen Executive Officer (note taker) | Yes (Items 1 - 11) |
| Mick Purves Consultant Planner (Via Zoom) | Yes (Item 1) |
| Jacci Smith Development Services Coordinator | Yes (Items 1, 2, 3, 8, 9, 10) |
| Sarah Bilney, Eoin Nicholson, and Sheryn Ringland Department of Climate Change, Energy, The Environment and Water (Via Teams) | Yes (Item 10) |

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Council Workshops held on 25 October 2023 and 8 November 2023 be noted.



13 Publications and Reports Tabled For Information

14 Reports To Be Received

14.1 Furneaux Group Shipping Special Committee

| | |
|-----------------------|--|
| Action | For Noting |
| Officer | Warren Groves - General Manager |
| File Reference | COM/0403 Furneaux Group Shipping SC |
| Annexures | 1. 2023.11.13 Unconfirmed Minutes Furneaux Group Shipping Special Committee with attachment [14.1.1 - 5 pages] |

Officer's Report

The Unconfirmed Minutes of the Furneaux Group Shipping Special Committee held on 13 November 2023 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 Furneaux Group Shipping Special Committee held on 13 November 2023 be noted.



15 Mayor's Report

15.1 Mayor's Report

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

Appointments

| Date | Description |
|------------|---|
| 17/10/2023 | Governance Meeting |
| 19/10/2023 | Municipal Emergency Management meeting |
| 25/10/2023 | Council Workshop |
| 25/10/2023 | Ordinary Council Meeting |
| 30/10/2023 | TasWater Customer Experience Interview |
| 01/11/2023 | Local Government Association Tasmania (LGAT) Annual Conference Devonport |
| 02/11/2023 | LGAT Annual Conference Devonport |
| 07/11/2023 | Governance Meeting |
| 07/11/2023 | Local Enabling Group (LEG) #3 - Early Learning for three Year Olds |
| 08/11/2023 | Council Workshop |
| 10/11/2023 | Hon Nic Street MP/Mr Simon Wood - Meeting |

Correspondence In


| Date | From | Subject |
|------------|---|--|
| 16/10/2023 | George Merridew | Medal Board for the Order of Australia |
| 18/10/2023 | Alison Demuth | Brief Outline - Deputy Premier Michael Ferguson |
| 18/10/2023 | Jayne Clark | Catch Up with Bridget Archer |
| 20/10/2023 | Salmon Tasmania Administration | Event Invitation |
| 20/10/2023 | Bec Thomas, Mayor, Glenorchy City Council | 26TEN - Reading in the community |
| 20/10/2023 | Office of the Deputy Secretary DPAC - Policy and Delivery | Draft Tasmania Fire & Emergency Service Bill |
| 23/10/2023 | The Hon. Chris Bowen MP, Minister for Climate Change and Energy, and The Hon Nick Guigan, Minister for Energy and Renewables | Media Release - Bass Strait Offshore Wind Release |
| 24/10/2023 | Gerry Willis | Legal Advice |
| 25/10/2023 | Dion Lester, Chief Executive Officer (CEO), Local | Fire & Emergency Service Bill Consultation Extension |



| | | |
|------------|---|--|
| | Government Association Tasmania (LGAT) | |
| 26/10/2023 | Ronald Wise | Complaint Regrading Potential Land Contamination from Whitemark Waste Facility |
| 30/10/2023 | The Windward Bound Trust | Medical Officer Needed |
| 30/10/2023 | Dion Lester, CEO, LGAT | LGAT General Meeting Agenda Update |
| 30/10/2023 | Leanne McDougall, Office of the Governor | Visit to Flinders Island |
| 31/10/2023 | Steve Martin, President, The Children's Book Council of Australia/Tasmania Branch | National Campaign |
| 31/10/2023 | Melissa Geard | Minister Receives Final Report – Future of Local Government |
| 02/11/2023 | Hon. Jo Palmer, MLC, Minister Primary Industries and Water | New management plans for the Tasmanian Scalefish Fishery |
| 02/11/2023 | Ronald Wise | Tip Leachate |
| 03/11/2023 | Peter Frazer, Sarah Group | Request to meet Mayor/2024 National Road Safety Week |
| 07/11/2023 | Andrew Thomson | Safe Harbour |
| 07/11/2023 | Lyn Torney | Gunter Street |
| 07/11/2023 | Ronald Wise | Tip Leachate |
| 07/11/2023 | Ronald Wise | Tip Leachate |
| 08/11/2023 | Rachel Williams | Regional Roundup |
| 08/11/2023 | Peter Stronach | Invitation Landcare AGM |
| 08/11/2023 | Lynden Leppard, LGAT | Invitation to participate in public consultation process – 18-25 Action Plan |
| 08/11/2023 | Hon Nic Street, Minister for Local Government | Managing Interests Framework |
| 08/11/2023 | Michael Grimshaw | Tip and planning |
| 10/11/2023 | Ed Beswick, General Manager, Thrive Group | LEG Meeting and other developments |
| 10/11/2023 | Helen Haines | Childrens parties, Seniors Week, and International Women's Day |

Correspondence Out

| Date | To | Subject |
|------------|--------------------|---|
| 18/10/2023 | Alison Demuth | Brief outline |
| 18/10/2023 | Jayne Clark | Bridget Archer Visit |
| 24/10/2023 | Mr Andrew Thompson | Letter - Flinders Island Marine and Safe Harbour update |



| | | |
|------------|---|--|
| 27/10/2023 | Ms Melissa Mollineaux | Letter - Flinders Island Pony & Adult Riding Club Community Grant 2023 Funds |
| 27/10/2023 | Carol Baines, Director of Nursing, Flinders Island Multi-Purpose Centre | Visit by Governor of Tasmania |
| 07/11/2023 | Ronald Wise, Michael Grimshaw, Danny Morino, Janice Carr | Tip Leachate |
| 08/11/2023 | MS Magdalena Steffans-Bartrim | Response to public question 25/10/2023 |
| 09/11/2023 | Michael Grimshaw | Tip and Planning |

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Mayor's report for Wednesday 22 November 2023 be received.



16 Development Services

16.1 Development Applications Report for October 2023

| | |
|-----------------------|--|
| Action | For Information |
| Officer | Jacci Smith Development Services Coordinator |
| File Reference | PLN/0105 Development |
| Annexures | 1. Oct 2023 DA Report to Council [16.1.1 - 1 page] |

Introduction

This report provides Councillors with an overview of the development 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 – October 2023.

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Development Applications Report – October 2023 be received.



16.2 Development Assessment Panel

| | |
|-----------------------|---|
| Action | For Decision |
| Officer | Jacci Smith - Development Services Coordinator |
| File Reference | PLN/0300 Planning |
| Annexures | 1. FLI agenda DAP submission annexure [16.2.1 - 15 pages] |

Introduction

The Development Assessment Panel (DAP) Framework, Position Paper (Position Paper) was released by the State Government with an aim to improve decisions on planning applications for the following reasons:

- To remove the politics from planning decisions and remove the conflict between the role of Councillors and planning authorities;
- To remove the opportunity for conflict between elected members as community representatives and decision makers in the role as a Planning Authority;
- To Implement reforms identified in the Future of Local Government Review Stage 2 Interim Report (the Interim Report) (released in May 2023);
- To fix delays to timely approvals caused by the broad appeal rights despite a doubling of approvals in 5 years and arguably the fastest regulatory approvals system in the Country;
- To remove the appeal right under the DAP assessment to improve timeframes; and
- Determine the role of DAP's for initiating planning scheme amendments.

This Agenda item aims to provide for the Planning Authority to make a submission on the proposal within the consultation period

Previous Council Consideration

Nil

Previous Council Discussion

08 November 2023 Council Workshop


Officer's Report

The *Land Use Planning and Approvals Act 1993* (Act) establishes a range of methods for decisions to be made on planning issues and application. For planning applications, this includes:

- delegation to staff for routine decisions;
- presentation to the Planning Authority for applications where representations are received; or
- by a dedicated panel where planning appeals are lodged to those decisions, or the application includes a planning scheme amendment.

In response to findings from both the post covid recovery and the recent *Interim Report on the Future of Local Government Review* that was released by the Minister for Local Government, the State announced that delegated assessment panels would be established to deal with complex assessments, remove the politics from planning decisions, and address problems with the approval systems.

The proposal



The State proposes to establish delegated assessment panels to determine selected planning applications, on the basis that they are contentious or potentially subject to a conflict of interest (particularly where the Council is the applicant / proponent).

The subject applications would then be referred to the Tasmanian Planning Commission (Commission), who would delegate determination of the planning application to a panel of delegates drawn from their members, to make the final decision after the exhibition and reporting are completed. This would not include any appeals to the planning issues within the final decision.

Applications could be referred by the applicant, Council or under the Position Paper, the Minister for Planning.

The *Land Use Planning and Approvals Act 1993* (Act) establishes a range of methods for decisions to be made on planning issues and application. For planning applications, this includes:

- delegation to staff for routine decisions;
- presentation to the Planning Authority for applications where representations are received; or
- by a dedicated panel where planning appeals are lodged to those decisions, or the application includes a planning scheme amendment.

The Position Paper cites both the post covid recovery and the recent *Interim Report on the Future of Local Government Review* that was released by the Minister for Local Government, as reasons for establishment of DAP's.

Observations

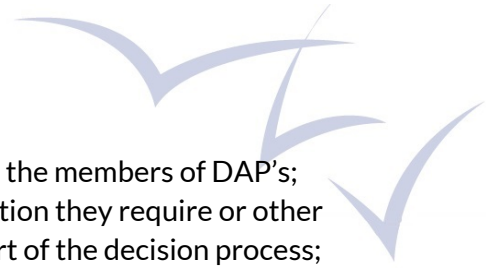
The Position Paper identified that Tasmania arguably has the fastest regulatory system in Australia and that decisions were made in a timely manner (page 6). Review of the Annual Reports for the *Tasmanian Civil and Administrative Appeals Tribunal* between 2013 to 2023 identified that appeal numbers remained relatively low despite planning application numbers almost doubling and being determined within the 90-day statutory timeframe (refer extracts provided in Annexure 1).

Following from the reasons and data provided in the Position Paper, the case for DAP's did not appear to be made by the State:

- the available documentation did not establish the case for establishment of DAP's, arguably establishing there was no case;
- there was no investigation of how similar mechanisms work interstate or how they would improve decision making in the Tasmanian system;
- the retention of local representation in the assessment and decision making was not investigated or addressed beyond the Council retaining statutory assessment and processing obligations; and
- the proposal appears to be contrary to the Schedule 1 'Objectives of the Act' to encourage the sharing of management and decision making and facilitating public involvement in the planning system.

The following must be addressed:

- clear triggers for referral of proposals under this process by the applicant and the planning authority, with the Minister having no role;
- better integration of the DAP assessment into the processing of applications;
- improved representation in the decision-making process at the local and regional levels;

- 
- better access to current assessment and approvals expertise in the members of DAP's;
 - clarification on how DAPs will deal with any additional information they require or other matters that arise from the representations and hearings as part of the decision process;
 - better opportunity for involvement of parties in the hearing and decision process, specifically providing realistic timeframes for:
 - the assessment of representations and submission to the DAP for at least 28 days;
 - scheduling hearings and enabling representors and parties to participate, with at least 14 days' notice of hearings;
 - integration of the DAP into post decision processes for amendments and revisions to permits; and
 - clear responses to deal with errors in decisions that do not become a burden for the Council, applicant/proponent and/or the Community.

The Position Paper sought response on allowing the Minister for Planning to instruct a Planning Authority to initiate planning scheme amendments. The reasons cited in the Position Paper are largely consistent with those already available under section 40C of the Act (reproduced later in this item). This proposal does not address how any of the subsequent processes would be addressed or how this proposal relates to the DAP concept.

The proposal for Ministerial direction to initiate a planning scheme amendment is not substantiated under the Position Paper. Any review of the existing provisions of section 40C of the Act should be completed outside this current process.

Both the DAP and Ministerial Direction processes in the Position Paper propose that the planning authority retain all obligations for the processing and assessment of proposals. It is suggested that this part of the process is inconsistent with both the purpose of the DAP reform and the various statutory processes under the Act.

Should this reform be implemented, the assessment and reporting obligations should be completed by the instructing body as the Minister or the Commission. This would then allow the Council to address the stated problem in the Position Paper and become the advocate for the local community.

Statutory Requirement

Land Use Planning and Approvals Act 1993 (Act)

The proposal was cited as informing development of amendments to the Act to facilitate the reform.

Strategic Alignment

LIVEABILITY

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

1.1.1 Encourage and support an increased supply of affordable accommodation for long-term residential rental and purchase.

ACCESSIBILITY/INFRASTRUCTURE

2.3 Council assets/land maintained and utilised effectively

2.3.1 Develop and implement a Council Land Strategy to ensure land is utilised effectively.

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.

The *Flinders Council 2021-2031 Strategic Plan* has significant potential to impact Council's strategic objectives to grow a sustainable population, improve housing affordability, enhance, maintain and protect the Island's agricultural economy, diversify and support a local economy and preserve the natural environment.

The following guiding principles of the Strategic Plan are relevant to the DAP proposal:

4. *Service Quality – provide service excellence, efficiently and effectively, and within our means.*
5. *Transparency – make professional and transparent decisions, communicated and implemented in the interest of the Community.*
6. *Governance and Financial Responsibility – comply with government regulations and Council's guiding plans: Strategic Plan, Long-Term Financial Management Plan and Long-Term Asset Management Plan.*
8. *Continuous improvement – Ensure ongoing, documented, continuous improvement processes.*

The available information does not provide enough information to enable informed consideration against the Flinders Council Strategic Plan.

Budget and Financial Implications

The budget and financial implications for the establishment of DAP's cannot be determined on the information available.

The Discussion Paper identifies that the processing of affected applications will remain with the Council, both before and after a decision is made, and this reform will effectively be cost neutral for Council.

There are a range of issues that must be addressed to determine how this process will work from an operational perspective. Those issues will impact how applications and permits must be handled and the resultant cost to Council and the Flinders community.

Without resolution of those issues, it is not possible to provide detailed information about the potential financial impacts for the Council.

Risk/Liability

The Discussion Paper identifies a range of issues that create risk for Council in its role as a planning authority under the Act, particularly around how:

- the DAP interacts with the routine management of the applications;
- any requirements of the DAP are addressed once the application is referred to them; and
- the management of requests to amend permits once the original application is determined.

Flinders Council was burdened with complex administrative processes to deal with simple fixes to errors and issues identified with the decisions on the Local Provisions Schedule.

The reforms to establish DAP's must ensure that Councils do not suffer the same burdens.



It is not possible to determine the potential impacts to the Council and the Community without further information on the issues raised in the response in Annexure 1.

Voting Requirement

Simple Majority

RECOMMENDATION

That Council authorise the document at Annexure 1 to be submitted to the consultation process of the Development Assessment Panel consultation prior to closure on 30 November 2023.



17 Infrastructure

17.1 Infrastructure Manager's Report - November 2023

| | |
|-----------------------|---|
| Action | For Information |
| Officer | Richard Harley Acting Infrastructure Manager |
| File Reference | WOR/3000 Infrastructure |
| Annexures | 1. Infrastructure Manager's Report - November 2023 [17.1.1 - 6 pages] |

Introduction

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

Officers Report

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

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Infrastructure Manager's Report - November 2023 be received and accepted by Council.



18 Notices of Motions

18.1 Reallocation of Community Grant Funding

| | |
|-----------------------|--|
| Action | For Decision |
| Councillor | Mayor Rachel Summers |
| Officer | Warren Groves - General Manager |
| File Reference | FIN/0905, CDV/0201 |
| Annexures | 1. CONFIDENTIAL - M Mollieneaux - Flinders Island Pony Adult Riding Club - Grant [18.1.1 - 1 page] |

Notice Of Motion

The Council reallocates the community grant funding amount of \$2000 to the Flinders Island Pony and Adult Riding Club via Melissa Mollineaux for the maintenance of the yards.

Councillor's Report

Volunteer groups are a vital component of the social fabric that makes up the Furneaux Community. Regrettably, their ability to raise adequate funding from within our small community, as well as pay for additional capital costs required to undertake their activities, is limited. Council has provided financial assistance in the form of Community Grants for local projects to assist community groups to remain viable and continue to provide services and activities to the broader community.

The Flinders Island Pony and Adult Riding Club was awarded grant funding as part of the 2023-24 financial year Community Grants.

Previous Council Consideration

200.06.2023 28 June 2023

Previous Council Discussion

25 October 2023 Council Workshop
14 June 2023 Council Workshop
12 April 2023 Council Workshop
22 March 2023 Council Workshop

Officer's Report

At the 28 June 2023 Closed Council Meeting, a community grant of \$2000 was awarded to Melissa Mollineaux for the Flinders Island Pony & Adult Riding Club under the 2023 Community Grants Program.

The original proposal was to spray the dressage arena and round yard and put a track through to the old trotting track.

On the 1st of October 2023, Flinders Island Pony and Adult Riding Club Secretary, Melissa Mollineaux, wrote to Council seeking to alter the grant's purpose. The Club has requested that maintenance works of yards in general are a much higher priority as many fence palings have fallen off, and gates and saddles are rusty posing a significant danger to horses.

I ask that Council support this request to reallocate the funds towards much required work for the yards located at the Show Grounds.



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.

1.2 A harmonious and healthy community actively engaged in employment, recreation, volunteering, arts and culture

1.2.1 Provide recreational facilities and assist community groups to encourage an active and healthy lifestyle.

1.3 Development and land use planning guidelines that promote balance between our built and natural environments

1.3.1 Promote and support sustainable activities to conserve the islands' natural and agricultural environments.

Budget and Financial Implications

Nil

Risk/Liability

Nil

Voting Requirement

Simple Majority.

MOTION

The Council reallocates the community grant funding amount of \$2000 to the Flinders Island Pony and Adult Riding Club via Melissa Mollineaux for the maintenance of the yards.



19 Finance

19.1 Infrastructure Budget Variation

| | |
|-----------------------|---|
| Action | For Decision |
| Officer | Richard Harley - Acting Infrastructure Manager Warren Groves - General Manager |
| File Reference | FIN/0701 Budget |
| Annexures | Nil |

Introduction

Section 82 of the *Local Government Act 1993* (the Act) requires the General Manager to prepare budget estimates of the Council's revenue and expenditure for each financial year which include the estimated revenue, expenditure, borrowings, and capital works plus other details required by the Minister.

The Current 2023/24 budget was approved by Council at the 28 June 2023 Ordinary Council meeting.

Previous Council Consideration

185.06.2023 28 June 2023

Previous Council Discussion

08 November 2023 Council Workshop
25 October 2023 Council Workshop

Officer's Report

Considerable efficiencies have been identified by the Acting Infrastructure Manager and to continue to improve the works and services productivity and maximise funding opportunities, Council approval is sought to:

1. Reallocate the following Council funded major Capital Works - Roads - Reconstruction/Stabilising Works and Sealing to be undertaken under LRCI-4 Grant Funding.
 - Memana Rd
 - Lackrana Rd
2. Repurpose the budget for the following budgeted Capital Works Plant items that have since been identified as non-critical.
 - 8x4 Box Trailer - \$6,500
 - 8x4 Tipper Trailer - \$8,500The allocated funds from these two items are recommended to be repurposed for the purchase of a Kubota Zero Turn Mower (\$12,400).

Following Council approval of the above budget variations, the contract accountant will revise the 2023/2024 Capital works budget to reflect the changes and present the revised budget to the next Council meeting.

Statutory Requirement

Local Government Act 1993

Strategic Alignment



ACCESSIBILITY/INFRASTRUCTURE

2.3 Council assets/land maintained and utilised effectively

2.3.1 Develop and implement a Council Land Strategy to ensure land is utilised effectively.

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

Future savings regarding town maintenance costs through improved productivity.

Risk/Liability

Infrastructure: Low, no unforeseen risks or legal obligations are identified as a result of this budget variation.

Voting Requirement

Absolute Majority

RECOMMENDATION

That Council approves a capital budget variation to:

- Reallocate the Capital works budget for Memana and Lackrana Roads Reconstruction / Stabilising Works and Sealing to be undertaken under LRCI-4 grant funding, and
- Reallocate the budget for the Capital Works trailer items, for the purchase of a Kubota Zero Turn Mower.



20 Governance

20.1 Partnerships and Precincts Grant Funding

| | |
|-----------------------|--|
| Action | For Decision |
| Officer | Sammi Gowthorp - Community Services Coordinator |
| File Reference | CDV/0201 Community Grants |
| Annexures | 1. r PPP Development and Planning - Grant opportunity guidelines PDF (1) [20.1.1 - 32 pages] |

Introduction

The Australian Government has launched the expansive \$400 million Regional Precincts and Partnerships Program (rPPP), inviting applications to initiate transformative projects across regional, rural, and remote parts of the country.

The program will run over three years, from 2023-24 to 2025-26. It will focus on a partnership approach, bringing together governments and communities to plan and deliver regional precincts that are tailored to local needs and have a shared vision for the precinct's connection to the region. Partners can be from government, First Nations Groups, community organisations, regional universities, or private enterprise.

Regional precincts, or 'places with a purpose,' are user-defined geographic areas with a specific shared need or theme. These precincts may include business districts, neighbourhoods, activity centres, and commercial hubs, as well as community and recreational areas. They will be situated in renewal and growth areas within regional centres, regional corridors, and regional cities, as well as in smaller town centres that act as service hubs for more remote communities.

There are two streams of the Regional Precincts and Partnerships Program, which are delivered as two separate grant opportunities:

- Stream One - Precinct Development and Planning: to activate partnerships and deliver an investment-ready plan for the precinct;
- Stream Two - Precinct Delivery: to deliver specified projects or projects as part of a precinct.

The objective of Stream One is to activate partnerships to jointly develop precinct plans.

The intended outcomes of Stream One are to:

- Establish partnerships comprised of relevant government entities, community organisations, and businesses that have a shared vision for a regional precinct;
- Deliver precinct plans that are tailored to their local contexts and based on community feedback and engagement;
- Support precinct plans to become investment-ready;
- Contribute to the Australian Government's current policy priorities, including but not limited to Closing the Gap, transitioning to a net-zero economy, achieving Australia's emission reduction goals, fostering social and affordable housing, and supporting the National Cultural Policy.

Previous Council Consideration

Nil



Previous Council Discussion

Nil

Officer's Report

The Regional Precincts and Partnerships Program (rPPP) provides a significant opportunity for Flinders Council to advance its strategic goals. A successful grant outcome will enable Council to promote numerous aspects of community liveability, enhance infrastructure, and initiate economic growth that are pivotal to our region's flourishing future.

Stream One of the rPPP program is to activate partnerships to jointly develop precinct plans. Identified opportunities to explore projects that would benefit the Furneaux Islands Community and align with Flinders Council strategic objectives, are as follows;

- **Liveability - Viable Population & Services:**
 - **Affordable Accommodation:** The rPPP funding could be instrumental in boosting the supply of affordable housing, supporting a stable, long-term residential population.
 - **Promotion of Lifestyle & Opportunities:** Funds from the grant could aid in highlighting the island's authentic lifestyle and business prospects, drawing families and working-age individuals to strengthen the community.
 - **Training & Employment:** A successful grant application can lead to collaborative engagements with stakeholders, fostering a range of training and employment opportunities that promote local skills and knowledge exchange.
 - **Family Services:** Advancement in childcare services could be realised with the program's backing, making the region more appealing to families.

- **Liveability - Community Engagement & Health:**
 - **Recreational Facilities:** Funding could expand recreational facilities, promoting community health and encouraging active lifestyles through improved amenities.
 - **Arts & Culture:** The rPPP can support ongoing and new partnerships with arts and cultural organisations, nurturing a community rich in involvement and creative expression.

- **Liveability - Environmental & Planning Balance:**
 - **Sustainable Practices:** Grant resources could promote activities that protect the region's natural and agricultural assets.
 - **Structured Planning:** The program may back the upkeep and enhancement of the Flinders Structure Plan, guiding development in a managed and sustainable manner.

- **Accessibility/Infrastructure - Public Infrastructure & Land Use:**
 - **Community Infrastructure:** The grant could be utilised to create townships that are more inviting and equipped with improved community infrastructure.
 - **Effective Land Utilisation:** The funding might enable the development of a comprehensive Council Land Strategy.

- **Economy/Business - Diverse Opportunities:**
 - **Innovation & Partnerships:** Grant funding would offer substantial backing for business innovation across the islands, supplying the necessary infrastructure and

services to future-proof the region's economic landscape.



Statutory Requirement

There are no Statutory Requirements.

Strategic Alignment

LIVEABILITY

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

1.1.1 Encourage and support an increased supply of affordable accommodation for long-term residential rental and purchase.

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.

1.1.4 Provision of services to attract families as residents e.g. childcare services.

1.2 A harmonious and healthy community actively engaged in employment, recreation, volunteering, arts and culture

1.2.1 Provide recreational facilities and assist community groups to encourage an active and healthy lifestyle.

1.3 Development and land use planning guidelines that promote balance between our built and natural environments

1.3.1 Promote and support sustainable activities to conserve the islands' natural and agricultural environments.

1.3.2 Maintain a current Flinders Structure Plan for the Municipality.

1.4 Our natural environment protected and enhanced through land management activities

ACCESSIBILITY/INFRASTRUCTURE

2.1 Quality public infrastructure, roads and footpaths

2.1.1 Maintain a network of safe roads and pedestrian pathways that recognises the changing needs of the Community.

2.1.2 Create townships that are attractive and welcoming through improvements to community infrastructure.

2.3 Council assets/land maintained and utilised effectively

2.3.1 Develop and implement a Council Land Strategy to ensure land is utilised effectively.

ECONOMY/BUSINESS

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

3.1.3 Advocate federal and state governments for improved availability of critical services and industries on the islands to benefit the Community and economy

GOOD GOVERNANCE

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

3.1.3 Advocate federal and state governments for improved availability of critical services and industries on the islands to benefit the Community and economy

GOOD GOVERNANCE

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

Budget and Financial Implications

Nil

Risk/Liability

Nil

Voting Requirement

Simple Majority.



RECOMMENDATION

That Council endorses a grant application under the Regional Partnerships and Precincts Program – Stream One and authorises its officers to develop an investment ready plan, prepare and submit the application.



20.2 Travel and Accommodation Procedure

| | |
|-----------------------|---|
| Action | For Decision |
| Officer | Warren Groves - General Manager |
| File Reference | FIN/1300 |
| Annexures | 1. S- F 8- P Travel Accommodation Procedure 2023.11.08- Amended [20.2.1 - 2 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

| | |
|-------------|-------------------|
| 270.09.2023 | 27 September 2023 |
| 160.08.2022 | 16 August 2022 |
| 80.03.2015 | 26 March 2015 |

Previous Council Discussion

| | |
|-------------------|------------------|
| 08 November 2023 | Council Workshop |
| 13 September 2023 | Council Workshop |
| 02 August 2022 | Council Workshop |

Officer's Report

The Travel and Accommodation Procedure has been reviewed after seeking further information from Councils Insurance Consultant. The Procedure has also been amended to reflect current practice and details the relevant travel processes for staff and elected members on Flinders and the Tasmanian mainland.

Statutory Requirement

Elected Members Allowances, Reimbursements and Equipment Policy (G6)
Travel and Accommodation Policy (S-F8)
Income Tax Assessment Act 1997
Local Government Act 1993

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.

Risk/Liability

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

Voting Requirement

Simple Majority.

RECOMMENDATION

That Council adopts the Travel and Accommodation Procedure and allows the Procedure to lay on the table for 28 days for public comment.



20.3 Public Open Space Policy

| | |
|-----------------------|--|
| Action | For Decision |
| Officer | Warren Groves - General Manager |
| File Reference | COU/0600 |
| Annexures | 1. DRAFT Public Open Space policy FINAL [20.3.1 - 4 pages] |

Introduction

Council's Public Open Space Policy's purpose is to guide how public open space is provided, the location of public open space and the basis on which Council takes public open space or a cash contribution in lieu of it, in subdivision developments.

Previous Council Consideration

| | |
|-------------|-------------------|
| 08.01.2016 | 21 January 2016 |
| 342.11.2012 | 15 November 2012 |
| 281.19.2010 | 23 September 2010 |
| 301.12.2001 | 13 December 2001 |
| 123.06.1994 | 14 June 1994 |

Previous Council Discussion

08 November 2023 Council Workshop

Officer's Report

Council policies are to be reviewed every four years at the beginning of the election cycle or at Council's discretion. Staff have reviewed the Public Open Space Policy to reflect current operation standards and the provision of additional guidance pertaining to the expenditure of funds. The policy provides guidance on Council's decisions regarding the provision of public open space, in the form of land, in new subdivisions, as well as setting out a consistent approach to Council requiring cash in lieu of public open space.

Statutory Requirement

Local Government Act 1993

Strategic Alignment

LIVEABILITY

1.3 Development and land use planning guidelines that promote balance between our built and natural environments

ACCESSIBILITY/INFRASTRUCTURE

2.3 Council assets/land maintained and utilised effectively

Budget and Financial Implications

Raise revenue or obtain land for the purpose of public open space for the Municipality.

Risk/Liability

Corporate: Holding and management of funds.
Infrastructure: Maintenance of land.

Voting Requirement

Simple Majority.



RECOMMENDATION

That Council adopts the Public Open Space Policy as a strategic policy and allows it to lay on the table for 28 days for public comment.



20.4 Ordinary Council Meetings - Location, Times and Dates

| | |
|-----------------------|---------------------------------|
| Action | For Decision |
| Officer | Warren Groves - General Manager |
| File Reference | COU/0203 Public Meeting |
| Annexures | Nil |

Introduction

On an annual basis it is a requirement to determine the times and places of Council Meetings for the following 12-month period.

Previous Council Consideration

Annually

Previous Council Discussion

25 October 2023 Council Workshop

Officer's Report

After discussions with Councillors at the 25 October 2023 Council Workshop, a proposed schedule has been prepared for 2024 based on the meetings being held at 1.00pm on the third or fourth Wednesday of the month. Forthcoming dates and potential conflicts with other events/meetings/commitments have been considered by senior management when preparing the schedule.

Statutory Requirement

Local Government Act 1993

Local Government (Meeting Procedures) Regulations 2015

"R6 *Times of meetings*

- (1) *A meeting is not to start before 5:00 p.m. unless otherwise determined by the council by absolute majority or by the council committee by simple majority.*
- (2) *After each ordinary election, a council and a council committee are to review the times of commencement of their meetings."*

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 provided that Council meetings are conducted during normal working hours.

Risk/Liability

Nil

Voting Requirement

Absolute Majority



RECOMMENDATION

That Council resolves that meetings of the Council shall be held at the Rose Garden Room of the Flinders Arts and Entertainment Centre, Whitemark commencing at 1.00pm on the following dates:

- Wednesday 24 January 2024;
- Wednesday 21 February 2024;
- Wednesday 20 March 2024;
- Wednesday 17 April 2024;
- Wednesday 22 May 2024;
- Wednesday 26 June 2024;
- Wednesday 24 July 2024;
- Wednesday 21 August 2024;
- Wednesday 25 September 2024;
- Wednesday 30 October 2024;
- Wednesday 20 November 2024; and
- Wednesday 11 December 2024



20.5 Housing Working Group - October 2023

| | |
|-----------------------|---------------------------------|
| Action | For Information |
| Officer | Warren Groves - General Manager |
| File Reference | GOV/1102 Housing Working Group |
| Annexures | Nil |

Introduction

At the 25 January 2023 council meeting, Council resolved to form a Housing Working Group with the membership being D/Mayor Vanessa Grace, Cr Garry Blenkhorn, Cr Peter Rhodes, Cr Ken Stockton, the General Manager, and the Development Services Coordinator. At this meeting, Council also requested a monthly report from the working group.

Previous Council Consideration

| | |
|------------|------------------|
| 18.01.2023 | 25 January 2023 |
| 32.02.2023 | 22 February 2023 |
| 91.03.2023 | 22 March 2023 |

A report will be presented monthly.

Previous Council Discussion

25 January 2023 Council Workshop

Officer's Report

There have been no meetings of the Housing Working Group during October 2023. No report has been provided for this agenda item.

Statutory Requirement

Land Use Planning and Approvals Act 1993
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

1.1.1 Encourage and support an increased supply of affordable accommodation for long-term residential rental and purchase.

Budget and Financial Implications

Nil

Risk/Liability

Nil

Voting Requirement

Simple Majority.

RECOMMENDATION

That Council notes that no report has been provided for the Housing Working Group for October 2023.



20.6 Resolution Report - November 2023

| | |
|-----------------------|--|
| Action | For Information |
| Officer | Warren Groves General Manager |
| File Reference | GOV/0300 Councillor Resolution Reports |
| Annexures | 1. 2023-11 Resolution Report Master [20.6.1 - 6 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 – November 2023.

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Councillor Resolution Report – November 2023 be noted.



21 CLOSED COUNCIL 22 November 2023

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

| No. | Agenda Item | Reason for Closed Council – item is CONFIDENTIAL in accordance with Section 15(2) |
|------|----------------------------------|--|
| 21.1 | Oregon Beams EOI | (b)(c)(d) and (g) of the Local Government (Meeting Procedures) Regulations 2015. |
| 21.2 | Airport Hangar EOI | (b)(c)(d)(f) and (g) of the Local Government (Meeting Procedures) Regulations 2015. |
| 21.3 | Whitemark Tennis Court Site EOI | (b)(c)(d)(f) and (g) of the Local Government (Meeting Procedures) Regulations 2015. |
| 21.4 | Closed Council Resolution Report | (b)(c)(d)(f)(g) and (i) of the Local Government (Meeting Procedures) Regulations 2015. |

Voting Requirement

Simple 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.

22 Closure of Meeting