



Agenda
Ordinary Council Meeting
21 February 2024





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 16 February 2024

Warren Groves
GENERAL MANAGER



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FLINDERS COUNCIL ORDINARY MEETING – AGENDA

1 Attendance

Venue	Flinders Arts and Entertainment Centre Rose Garden Room
Commencing	1.00 pm
Attendees – Councillors	Mayor Rachel Summers Deputy Mayor Vanessa Grace Garry Blenkhorn Aaron Burke Carol Cox Peter Rhodes Ken Stockton
Apologies	
Attendees- Staff	Warren Groves General Manager Sammi Gowthorp Community Services Coordinator Richard Harley Acting Infrastructure Manager Sue Mythen Executive Officer (Minute Taker) Jacci Smith Development Services Coordinator

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

3.1 Minutes of the Ordinary Council Meeting 24 January 2024

RECOMMENDATION

That the Minutes from the Ordinary Council Meetings held on 24 January 2024 be confirmed.

4 Public Question Time



5 Response to Public Questions

Meeting Date: 24 January 2024

Question 1: David Grutzner

In regard to Council's proposed 'Community Housing Project' (*ref. Island News 22 Dec 2023*)
Has Council established:

1. The type(s) of houses required?
2. A proposed location of first and/or later stages of the proposed development?
3. A budget either for the initial and/or later stages of the project?
4. An intended timetable and/or program?

The Councillors were provided with drawings (DWG No. 1-5 Dec'24) detailing 4 possible options.

1. Bedsit type 1 accommodation with bathroom and carport (DWG no. 1 of 5).
2. Bedsit type 2 accommodation with bathroom, entry, carport, laundry facilities and kitchen (DWG no. 2 of 5).
3. Apartment accommodation, an upmarket option with potential adjoining units, apartments or motel (DWG No. 3 of 5)
4. Island Style Cottage accommodation with basic facilities for long-term stays (DWG No 4 and 5 of 5).

Mayor's Response

Thank you for your question and presentation, I am able to provide you with a response now. The purpose of the request for information from the community regarding the Community Housing Brainstorming project was to get people's ideas.

We have not addressed what you have asked yet as we are collecting information still and it may not be a Council-led project but something from within the Community, State Government etc.

RECOMMENDATION

That the response to the public question from the 24 January 2024 Ordinary Council Meeting be noted.

6 Councillors' Questions on Notice

Nil

7 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.



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

The following Council policy was adopted at the 13 December 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 policy is now considered to be adopted:

- S- G 15 Safeguarding Children and Young People Policy



12 Workshops & Information Forums

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

Council Workshop – 24 January 2024

Council held a workshop on the following subjects:

- Item 1 Photo Session and Letter of Support request “Next Steps”
- Item 2 Confidential – Development Enquiry
- Item 3 Acting Infrastructure Manager’s Update
- Item 4 Risk Register
- Item 5 General Manager’s Update

Councillors	Item Attendance
Mayor Rachel Summers	(Item 1 – 5)
Deputy Mayor Vanessa Grace	(Item 1 – 5)
Councillor Garry Blenkhorn	(Item 5)
Councillor Aaron Burke	(Item 1 – 5)
Councillor Carol Cox	(Item 1–5, arrived 9.43am)
Councillor Peter Rhodes	Yes (Item 1 – 5)
Councillor Ken Stockton	Apology

Officer Name	Position	Item Attendance
Warren Groves	General Manager	Items 1 – 5
Richard Harley	Acting Infrastructure Manager	Items 1 – 5
Jacci Smith	Development Services Coordinator	Items 1 - 2
Sammi Gowthorp	Community Services Coordinator	Item 1
Marissa Walters	Contract Accountant (via Teams)	Item 3
Kyra Newman	Executive Assistant (Note Taker)	Items 1, 2, 3 & 5
Sue Mythen	Executive Officer (Note Taker)	Item 4 - 5

Council Workshop – 07 February 2024

Council held a workshop on the following subjects:

- Item 2.1 EOI Airport Hangar
- Item 2.2 EOI Whitemark Tennis Court Site
- Item 2.3 Waste Management Strategy and Waste Stream Update
- Item 2.4 Mercy Flights
- Item 2.5 Regional Group Membership
 - NTDC
 - VNT
- Item 2.6 (Lunch)
- Item 2.7 Acting Infrastructure Manager’s Update
- Item 2.8 General Manager’s Update
- Item 2.9 Sharp Airlines service disruptions

Councillors	Item Attendance
Mayor Rachel Summers	Items (2.1 - 2.9)

Deputy Mayor Vanessa Grace	Items (2.1 - 2.9)
Councillor Garry Blenkhorn	Apology
Councillor Aaron Burke	Apology
Councillor Carol Cox	Items (2.1 - 2.9)
Councillor Peter Rhodes	Apology
Councillor Ken Stockton	Items (2.1 - 2.9)

Officer Name	Position	Item Attendance
Warren Groves	General Manager	Items (2.1 - 2.9)
Richard Harley	Acting Infrastructure Manager	Items (2.1 - 2.9)
Sabrina Carter	Waste Supervisor	Item 2.3
Jacci Smith	Development Services Coordinator	Items (2.1 - 2.2)
Sue Mythen	Executive Officer (Note Taker)	Items (2.1 - 2.9)
Alistair Dorward	CEO Sharp Airlines	Item (2.9)

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Council Workshops held on 24 January 2024 and 07 February 2024 be noted.

13 Publications and Reports Tabled for Information

14 Reports To Be Received

14.1 Lady Barron Special Committee

Action	For Noting
Councillor	Cr Carol Cox
File Reference	AME/0503 Lady Barron Hall
Annexures	<ol style="list-style-type: none"> LB Special Committee Meeting Minutes 18 December 2023 [14.1.1 - 3 pages] LB Special Committee AGM Meeting Minutes 18 December 2023 [14.1.2 - 2 pages]

Councillor's Report

The Unconfirmed Minutes of the Lady Barron Special Committee Meeting and the Annual General Meeting held Monday 18 December 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 Lady Barron Special Committee Meeting and the Annual General Meeting held Monday 18 December 2023 be noted.





14.2 Flinders Boating Special Committee

Action	For Noting
Officer	Warren Groves - General Manager
File Reference	COM/0404 Flinders Boating SC
Annexures	1. 2024.01.22 Flinders Boating Special Committee unconfirmed Minutes [14.2.1 - 3 pages]

Officer's Report

The Unconfirmed Minutes of the Flinders Boating Special Committee held on 22 January 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 Shipping Special Committee held on 22 January 2024 be noted.



15 Mayor's Report

15.1 Mayor's Report For January - February 2024

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

Appointments

Date	Description
12/01/2024	Islander Portrait Opening
19/01/2024	Meeting with Janie Finlay
21/01/2024	Furneaux Festival Community Barbeque Day
22/01/2024	Flinders Boating Special Council Meeting
24/01/2024	Council Workshop
24/01/2024	Ordinary Council Meeting
25/01/2024	Works and Services Coordinator Interviews
07/02/2024	Council Workshop
08/02/2024	Future of Local Government Review – Mayors Engagement Session
12/02/2024	Furneaux Group Shipping Special Committee Meeting
13/02/2024	Meeting – Flinders Island Business Inc.
15/02/2024	Governance Meeting

Correspondence In

Date	From	Subject
15/01/2024	Vica Bayley, MP	A catch up on Flinders Island
17/01/2024	Eve Shulz	Gumleaf – Sunken Vessel
18/01/2024	Vica Bayley MP	Flinders Island Visit
19/01/2024	Shane Wilson	Local Roads Investment Programs
21/01/2024	Judith Longhurst	Matthew Flinders Commemoration
23/01/2024	Melinda Pearce, Local Government Association of Tasmania (LGAT)	Future of Local Government Review Engagement
23/01/2024	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Save the Date: 2024 Australian Council of Local Government
25/01/2024	Ronald Wise	Water Tests
25/01/2024	Michael Buggy, World Expeditions	World Expeditions – Flinders Island Tourism queries
29/01/2024	Rachel Williams, Editor, NE Advertiser	Regional RoundUp
02/02/2024	Mayor Mary Duniam Waratah-Wynyard Council	Clothes for Candidates Giveaway
05/02/2024	Dion Lester, Chief Executive Officer LGAT	TasWater Owners Meeting



07/02/2024	The Honourable Kristy McBain, Minister for Regional Development, Local Government and Territories	Disaster Ready Fund Round Two Guidelines
09/02/2024	Sarah Joyes LGAT	Invitation to Government House Reception – Tasmania Reads Weeks
09/02/2024	Yvonne Murfet – Dept. of Foreign Affairs and Trade	Cancellation of Visit
12/02/2024	Ed Beswick, CEO, Thrive Inc.	Request for Information
12/02/2024	Denise Gardner, Cape Barren Island Association Inc. (CBIAAI)	Water Tank
12/02/2024	Peter Edwards, Neighbourhood Watch Tasmania	Letter offering support for the establishment of Neighbourhood Watch groups in our area
13/02/2024	Robert Barwick, Australian Citizens Party	Post Office People’s Bank solution presented to Senate Inquiry
13/02/2024	UTAS Campus Transformation Team	Invitation to official opening of the Workshop and Levee Studios

Correspondence Out

Date	To	Subject
24/01/2024	Eve Shulz	Lady Barron beach/walking path
24/01/2024	Denise Gardner, CBIAAI	Water Tank
25/01/2024	The Honourable Jeremy Rockliff MP Premier	Support for the Islander Way “Next Steps Activation” project
25/01/2024	The Honourable Michael Ferguson MP Deputy Premier	Support for the Islander Way “Next Steps Activation” project
01/02/2024	Dawn Zelman	Response to queries
07/02/2024	Janie Finlay, MP	Bendigo Bank Contacts
11/02/2024	Yvonne Murfet, Dept. of Foreign Affairs and Trade	Cancellation of visit
11/02/2024	Ed Beswick, CEO, Thrive Inc.	Request for Information

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Mayor’s report for Council Meeting Wednesday 21 February 2024 be received.



16 Development Services

16.1 Development Applications Report for January 2024

Action	For Information
Officer	Rowena Gill - Development Services Officer
File Reference	PLN/0105
Annexures	1. Development Applications Report – January 2024 [16.1.1 - 1 page]

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 – January 2024

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Development Applications Report – January 2024 be received.

Pursuant to Section 25 of the Local Government (Meeting Procedures) Regulations 2015, the Council will now act as a Planning Authority under the Land Use Planning and Approvals Act 1993.

16.2 Development Application - DA 2023/00058: 12 Munro Place, Whitemark

Action	For Decision
Officer	Contract Planner
File Reference	DA 2023/00058
Annexures	<ol style="list-style-type: none">1. CBM project memo - 12 Munro Place, Whitemark [16.2.1 - 3 pages]2. P 23020-02_ 12 MUNRO PLACE DEVELOPMENT APPLICATION 20231214 [16.2.2 - 12 pages]3. Certificate of Title - 12 Munro Place [16.2.3 - 4 pages]4. Bushfire Assessment - 12 Munro Place [16.2.4 - 31 pages]5. Wastewater Report - 12 Munro Place [16.2.5 - 43 pages]6. Tas Water Submission to Planning Authority Notice - Conditions - TWDA 202400050- FC - 12 MUNRO P L, [16.2.6 - 2 pages]7. Representation to DA2023/00058 Jan 2024 [16.2.7 - 2 pages]

OFFICER RECOMMENDATION

That the application for a single dwelling in the Low-Density Residential Zone by CBM Sustainability Group Pty Ltd for land located at 12 Munro Place, Whitemark (Lot 6 on Plan 27936) be APPROVED subject to the following conditions:

ENDORSED PLANS

1. The use and/or development must be carried out as shown on the endorsed plans by CBM Sustainability Group Pty Ltd dated 14.12.2023 P23020-02_ 12 MUNRO PLACE DEVELOPMENT APPLICATION 20231214 and described in the endorsed documents to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.

SOIL, WATER and DUST CONTROL

2. Soil, water and dust must be managed on the site during construction to:
 - a. prevent the escape of soil and sediments beyond site boundaries; and
 - b. direct water runoff to a lawful point of discharge without causing nuisance for neighbours.

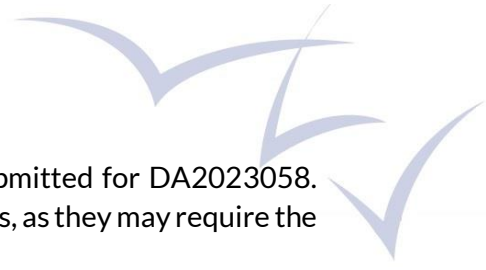
COMMENCED DEVELOPMENT STOP

Where development has commenced on site and then stops for two weeks or more, interim stormwater, erosion and dust control measures must:

- a) be installed and maintained on site to the satisfaction of the Manager Infrastructure;
- b) ensure that overland flows do not become a nuisance to adjoining properties or Councils infrastructure;
- c) be maintained until work recommences on site; and
- d) include a weekly inspection as well as before and after every rain event and a reporting schedule to Council.

Advisory Notes:

The following notes are not conditions of this permit and are supplied for the assistance of the applicant only.

- 
- A. This permit was issued based on the proposal documents submitted for DA2023058. You should contact Council with any other use or developments, as they may require the separate approval of Council.
 - B. This permit takes effect after:
 - a) the 14 day appeal period expires; or
 - b) any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
 - c) any agreement that is required by this permit pursuant to Part V of the *Land Use Planning and Approvals Act 1993* is executed; or
 - d) any other required approvals under this or any other Act are granted.
 - C. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received within 6 months after the expiration date.

Restrictive Covenants

- D. The granting of this permit takes no account of any covenants applicable to the land. The permit holder and any other interested party, should make their own enquiries as to whether the proposed development is effected, restricted or prohibited by any such covenant. If the proposal is non-compliant with any restrictive covenants, those restrictive covenants should be removed from the title prior to construction commencing or the owner will carry the liability of potential legal action in the future.

Access for People with a Disability

- E. This permit does not ensure compliance with the *Disability Discrimination Act*, furthermore the developer may be liable to complaints under the said Act. The developer is directed to Australian Standard 1428 Parts 1 - 4 for technical direction on how to cater for people with disabilities.

Appeal Provisions

- F. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal.

A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant.

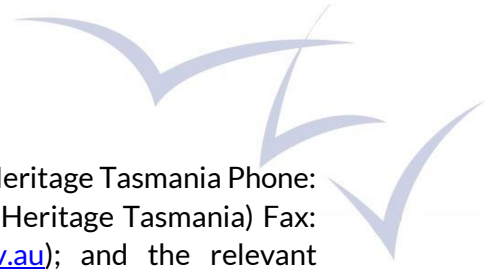
For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au

Permit Commencement.

- G. If an applicant is the only person with a right of appeal pursuant to section 61 of the *Land Use Planning and Approvals Act 1993* and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

Aboriginal Heritage

- H. If any Aboriginal relics are uncovered during works;
 - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,

- 
- b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au; and the relevant approval processes will apply with state and federal government agencies.



Introduction

Council acts as a Planning Authority for the assessment of this application under Section 57 of the *Land Use Planning and Approvals Act 1993* (the Act). Council as the Planning Authority must determine the application for a permit pursuant to Section 51(2) of the Act and 6.10 of the *Tasmanian Planning Scheme – Flinders* (the Scheme).

In determining an application, the Planning Authority must take into consideration:

- (1) *“all applicable standards and requirements in this planning scheme; and*
- (2) *any representations received pursuant to and in conformity with section 57(5) of the Act,*
but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.”

Compliance with the applicable standards (a) consists of complying with the Acceptable Solutions or satisfying the Performance Criteria. The use of ‘or’ is to be read plainly in that if an application satisfies the Acceptable Solutions, no consideration of the Performance Criteria is required.

The purpose of this report is for Council to consider a proposal for a single dwelling, and associated onsite services at 12 Munro Place, Whitemark.

Previous Council Consideration

Nil

Previous Council Discussion

Nil

Statutory Requirement

Land Use Planning and Approvals Act 1993

Strategic Alignment

1. Liveability - To protect and build upon our islands’ way of life.
 - 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

Financial impacts are normally limited to the application process and any appeal that may be lodged against the Planning Authority’s decision, provided statutory obligations are met.

Risk/Liability

Organisation: Identified risks are considered to be addressed by the Planning Authority observing the statutory process.



Officer's Report – Planning Assessment

Applicant	CBM Sustainability Group Pty Ltd
Owner	Director of Housing - Homes Tasmania
Property	12 Munro Place, WHITEMARK (CT:27936/6)
Zoning	Low Density Residential Zone
Discretions	10.4.3, P2 Setback
Existing Land Use	Vacant
Number of Representations	1
Decision Due	21 February 2024

Background

The proposal is for a single dwelling at 12 Munro Place, Whitemark.

The site has an area of 888m² with the topography rising from the south-western corner to the north-eastern corner.

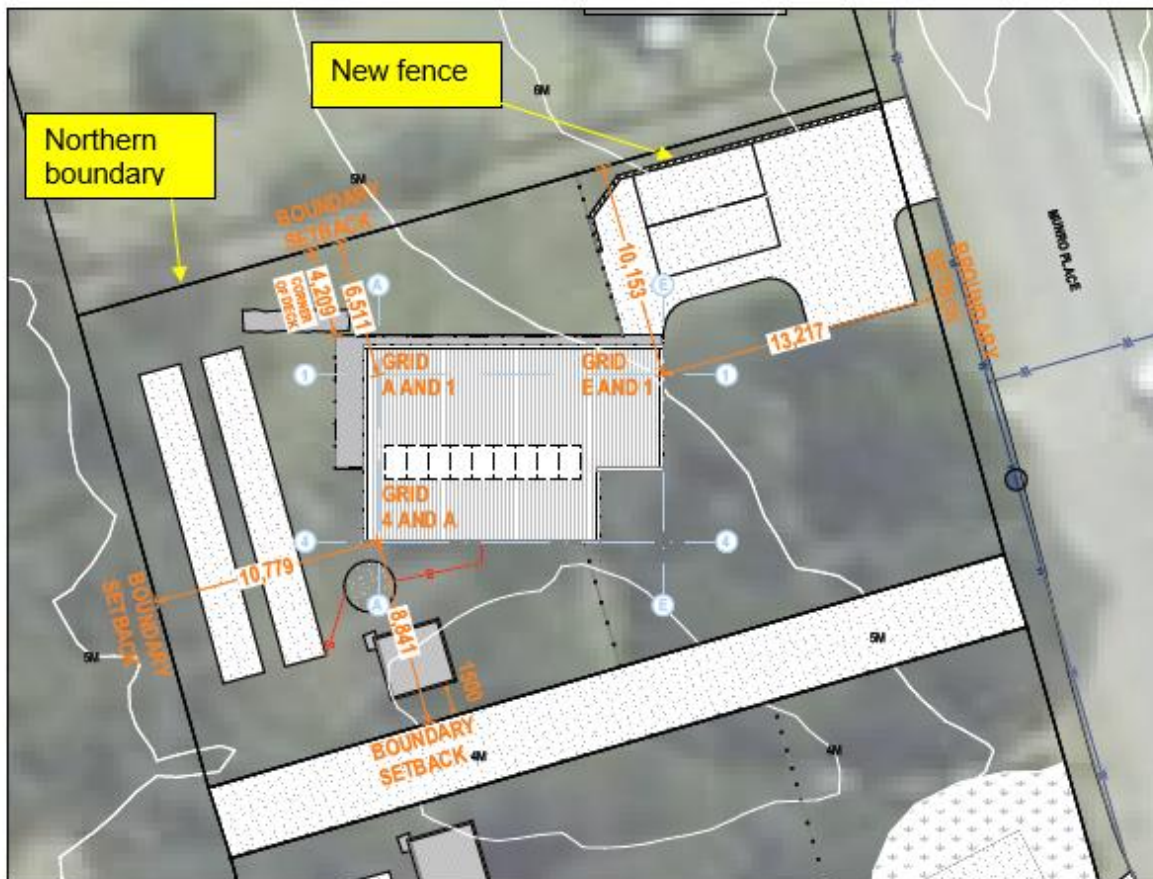


Figure 1. Site Plan

The dwelling will have a building footprint of approximately 77.5m² with unroofed decks of 52.5m². The maximum building height is 5.5m.

The northern boundary setback to the deck of the dwelling is 4.2m and cannot comply with the required setback of 5m. The application therefore relies on Performance Criteria for its approval.

The two parking spaces and driveway will be located at the north-eastern corner of the site, between the dwelling and Munro Place. The northern side of the driveway and parking spaces will be screened by a fence. The fence will have a maximum height of 1.8m and will be built perpendicular to the frontage. The fence is setback approximately 0.5m from the northern boundary. The fence has a length of approximately 15m. As the fence is within 4.5m of the frontage it relies on Performance Criteria for its approval.

The site is zoned Low Density Residential, and the application proposes a Residential use which is listed as No Permit Required. The No Permit Required is not retained as it cannot comply with all of the applicable Acceptable Solutions and relies on Performance Criteria for its approval. The application is Discretionary.

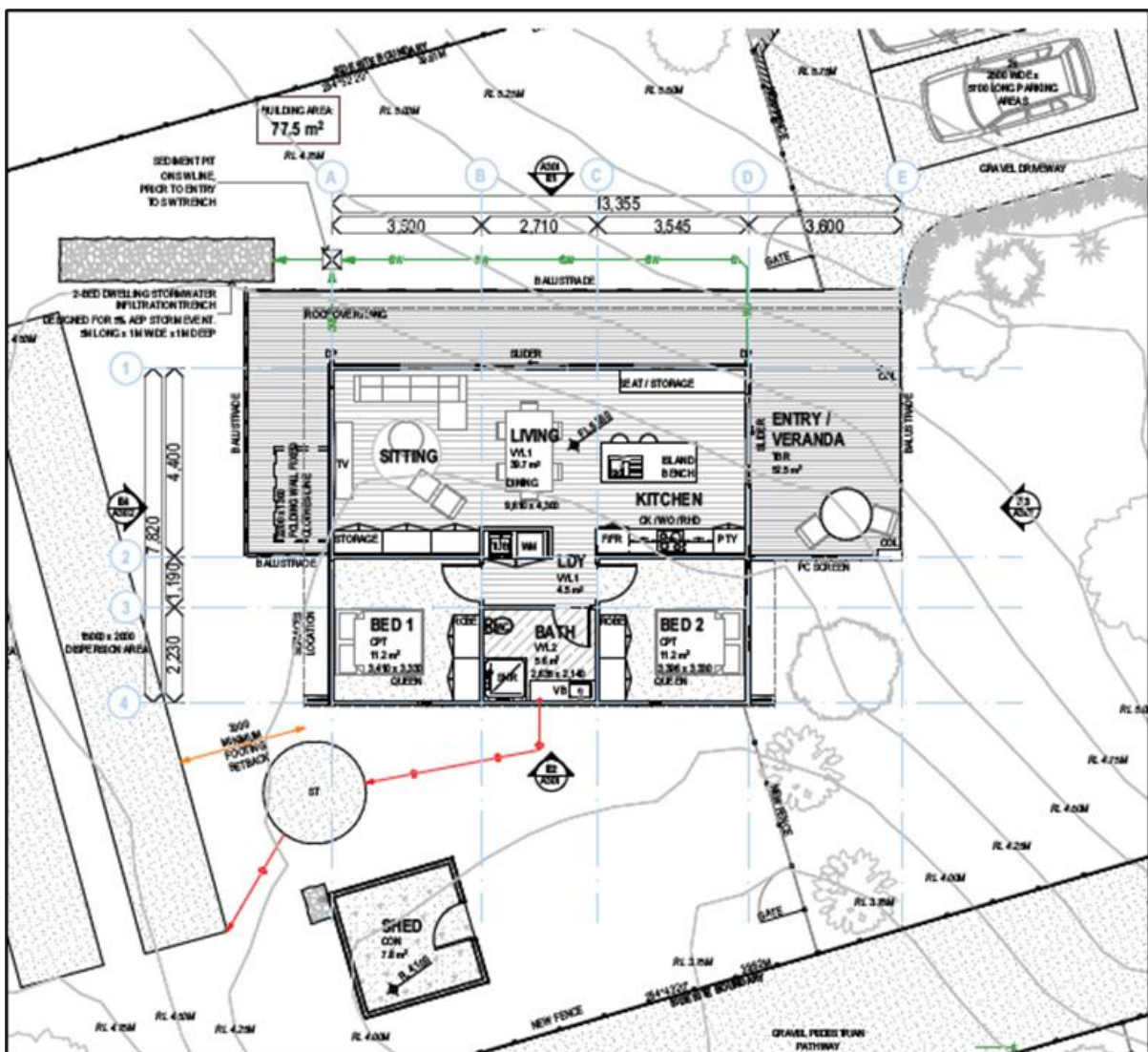


Figure 2. Floor Plan

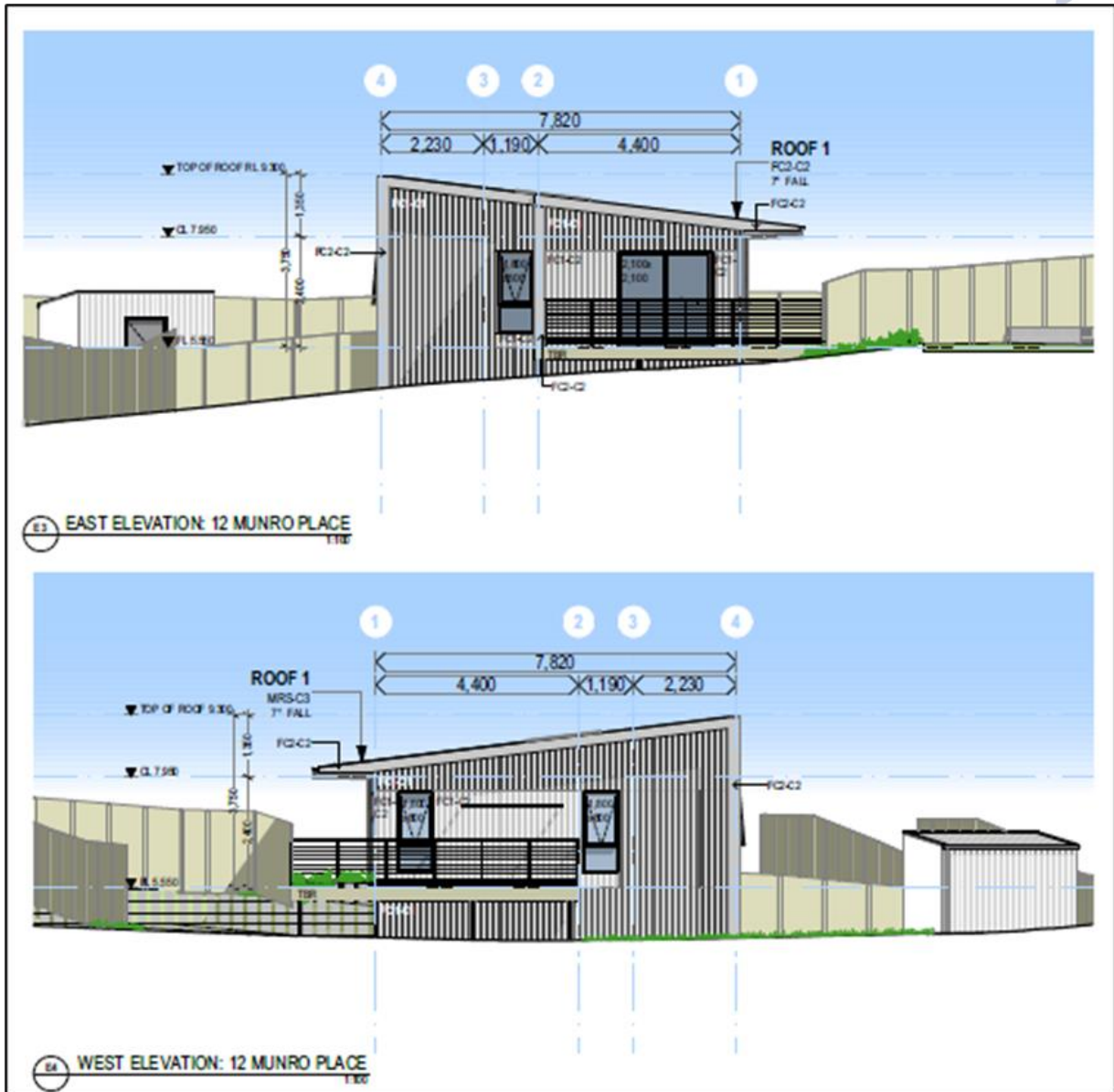


Figure 3. Dwelling elevations (East and West).

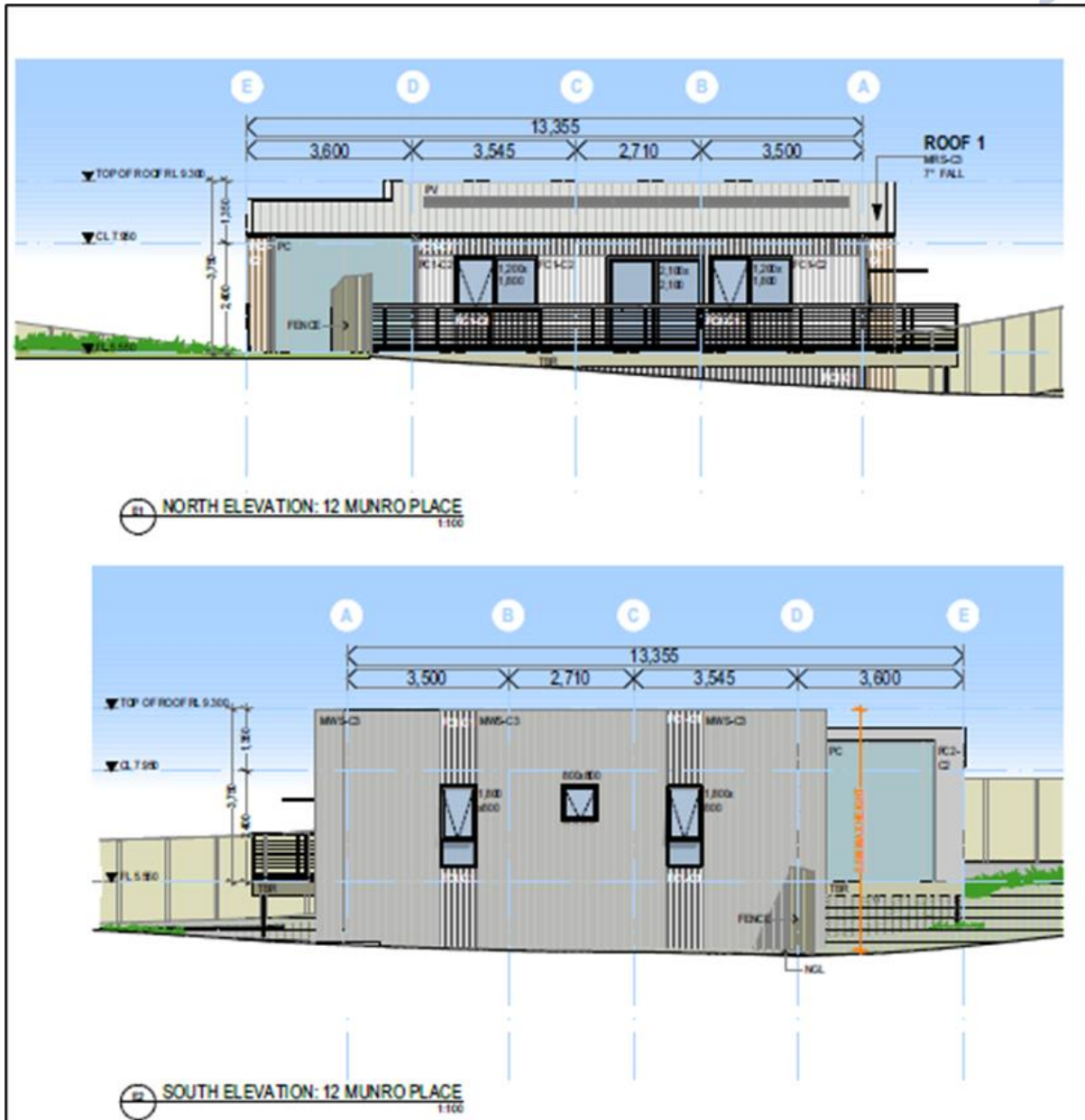


Figure 4. Dwelling elevations (North and South).

Consultation With State Government and Other Authorities

The application was referred to TasWater. *A Submission to Planning Authority Notice - Conditions (TWDA 202400050-FC - 12 MUNRO PL, WHITEMARK)* was received on 17 January 2024. See annexure 19.2.6.



Zoning

10.0 Low Density Residential Zone

10.1 Zone Purpose

The purpose of the Low Density Residential Zone is:

- 10.1.1 To provide for residential use and development in residential areas where there are infrastructure or environmental constraints that limit the density, location or form of development.
- 10.1.2 To provide for non-residential use that does not cause an unreasonable loss of amenity, through scale, intensity, noise, traffic generation and movement, or other off site impacts.
- 10.1.3 To provide for Visitor Accommodation that is compatible with residential character.

Comment

The proposal is for a single dwelling which is consistent with clause 10.1.1, Zone Purpose Statement.

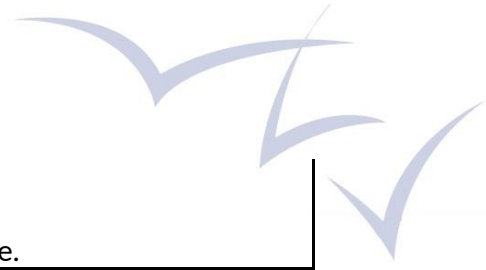
10.2 Use Table

Use Class	Qualification
No Permit Required	
Residential	If for a single dwelling.

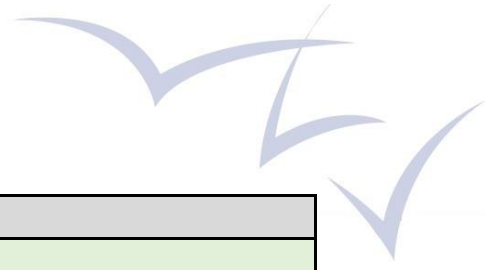
Low Density Residential Zone	
Scheme Standard	Assessment
10.3 Use Standards	
10.3.1	Discretionary Uses
Acceptable Solution 1	Not Applicable The application is for Residential use. Residential use is listed as No Permit Required 10.2 Use Table.
Acceptable Solution 2	Not Applicable See response to Acceptable Solution 1.
Acceptable Solution 3	Not Applicable See response to Acceptable Solution 1.
Performance Criterion 4	Not Applicable See response to Acceptable Solution 1.
10.3.2	Visitor Accommodation
Acceptable Solution 1	Not Applicable The application does not include a Visitor Accommodation Use.



Acceptable Solution 2	Not Applicable The application does not include a Visitor Accommodation Use.								
10.4 Development Standards for Buildings and Works									
10.4.1	Residential density for multiple dwellings								
Acceptable Solution 1	Not Applicable The application is for a single dwelling.								
10.4.2	Building height								
Acceptable Solution 1	Complies The maximum building height of the dwelling is 5.5m.								
10.4.3	Setback								
Acceptable Solution 1	Complies The minimum setback of the dwelling from the frontage of Munro Place is 8.1m.								
Acceptable Solution 2	Relies on Performance Criteria The minimum setback from side and rear boundaries are: <table border="1" data-bbox="628 1048 1037 1223"> <thead> <tr> <th></th> <th>Dwelling</th> </tr> </thead> <tbody> <tr> <td>North</td> <td>4.2m</td> </tr> <tr> <td>South</td> <td>+5.0m</td> </tr> <tr> <td>West</td> <td>10.8m</td> </tr> </tbody> </table> The dwelling does not meet the required 5m side setback.		Dwelling	North	4.2m	South	+5.0m	West	10.8m
	Dwelling								
North	4.2m								
South	+5.0m								
West	10.8m								
10.4.4	Site coverage								
Acceptable Solution 1	Complies The site is vacant. The area of the site is 888m ² . <table border="1" data-bbox="628 1473 1109 1563"> <thead> <tr> <th></th> <th>Dwelling</th> </tr> </thead> <tbody> <tr> <td>Site coverage</td> <td>77.5m²</td> </tr> </tbody> </table> The site coverage is calculated to be 77.5/888 = 8.8%.		Dwelling	Site coverage	77.5m ²				
	Dwelling								
Site coverage	77.5m ²								
10.4.5	Frontage fences for all dwellings								
Acceptable Solution 1	Relies on Performance Criteria The application proposes a screening fence around the parking spaces and driveway. The fence will be within 4.5m of the frontage.								
10.5 Development Standards for Non-Dwellings									
10.5.1	Non-dwelling Development								



Acceptable Solution 1	Not Applicable The application is for Residential use.
Acceptable Solution 2	Not Applicable The proposed building is not for a sensitive use.
Acceptable Solution 3	Not Applicable The proposed building is not for a sensitive use.
Acceptable Solution 4	Not Applicable The proposed building is not for a sensitive use.
Acceptable Solution 5	Not Applicable The proposed building is not for a sensitive use.
Acceptable Solution 6	Not Applicable The proposed building is not for a sensitive use.
Acceptable Solution 7	Not Applicable The proposed building is not for a sensitive use.
10.5 Development Standards for Subdivision	
10.5.1	Lot Design
Acceptable Solution 1	Not Applicable The application does not propose subdivision.
Acceptable Solution 2	Not Applicable The application does not propose subdivision.
Acceptable Solution 3	Not Applicable The application does not propose subdivision.
10.5.2	Roads
Acceptable Solution 2	Not Applicable The application does not propose subdivision.
10.5.3	Services
Acceptable Solution 1	Not Applicable The application does not propose subdivision.
Acceptable Solution 2	Not Applicable The application does not propose subdivision.



Performance Criteria

Low Density Residential Zone

10.4.3 Setbacks

Objective

That the siting of dwellings is compatible with the streetscape and does not cause an unreasonable loss of amenity for adjoining properties.

Performance Criteria P2

The siting of a dwelling must not cause an unreasonable loss of amenity to adjoining properties, having regard to:

- (1) the topography of the site;*
- (2) the size, shape and orientation of the site;*
- (3) the setbacks of surrounding buildings;*
- (4) the height, bulk and form of existing and proposed buildings;*
- (5) the existing buildings and private open space areas on the site;*
- (6) sunlight to private open space and windows of habitable rooms on adjoining properties; and*
- (7) the character of development existing on established properties in the area.*

Response



Figure 5: Adjoining properties to the site.

The dwelling at 10 Munro Place has a minimum setback of 14m from the ramp on its southern side (refer to Figures 8 and 9). The dwelling itself is setback a further 4m away from the common boundary shared with the site.

The proposed dwelling achieves the required setbacks from the southern boundary shared with the Footway and therefore complies with the Acceptable Solution. The property at 14 Munro Place is therefore not considered in the assessment.

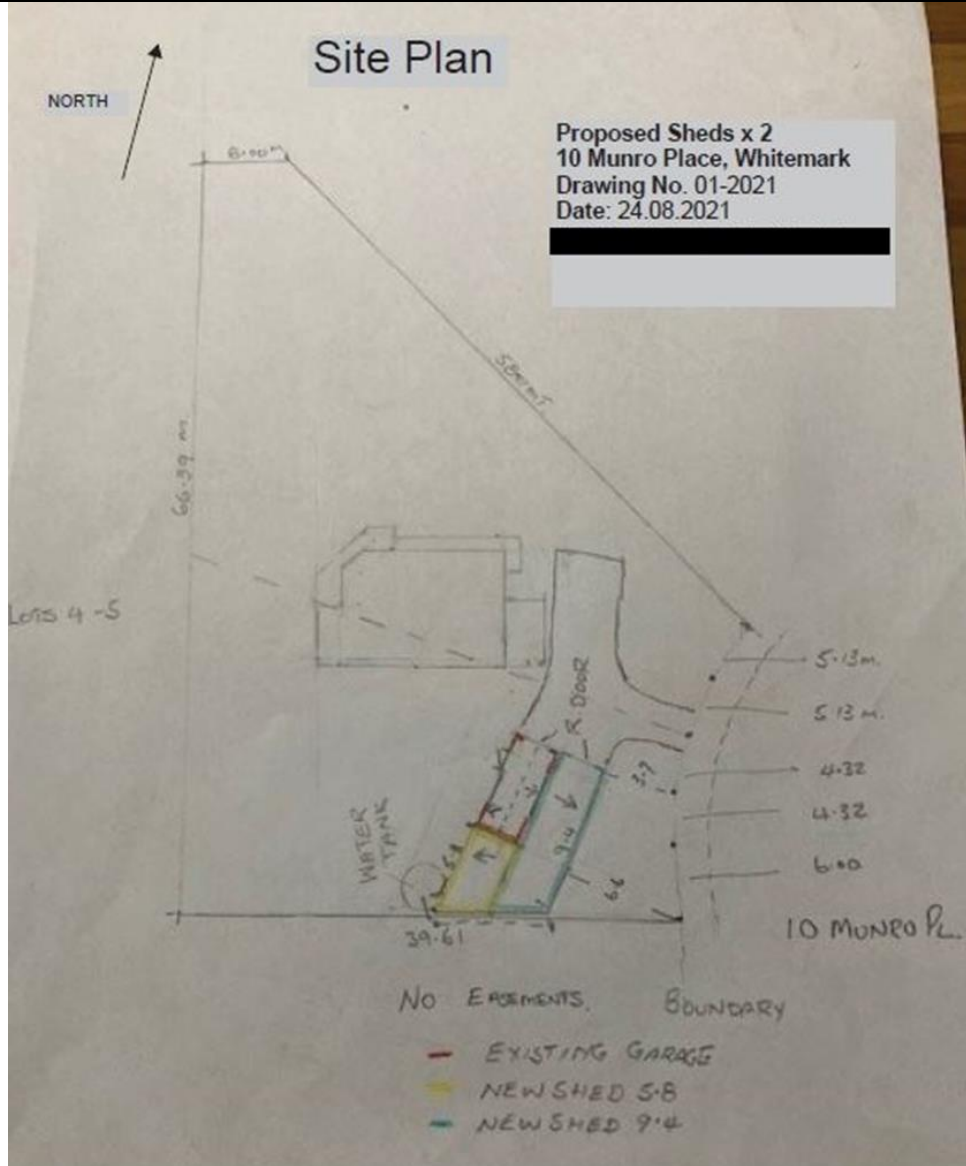


Figure 7: The location of the existing shed as approved in 2021.

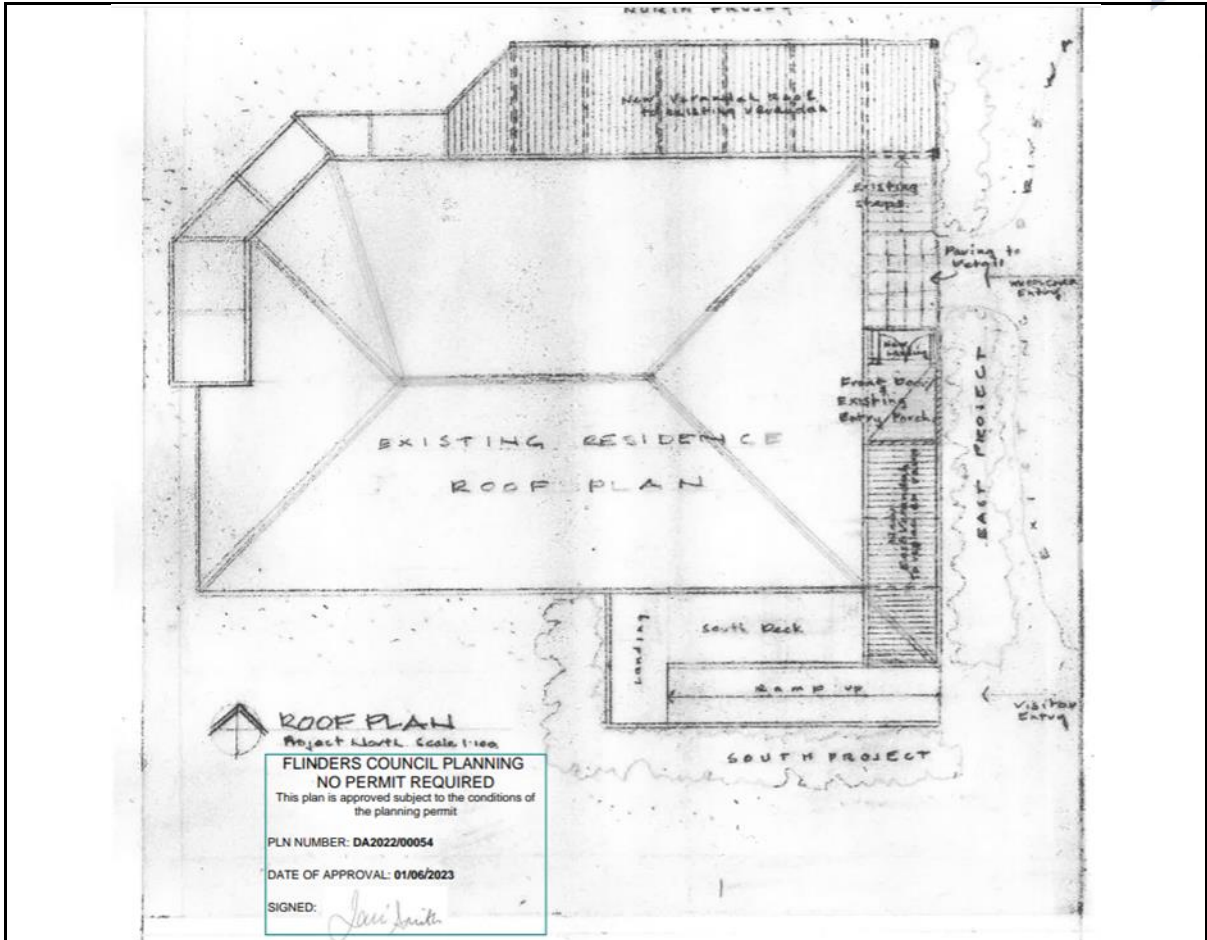


Figure 8: The deck to the south of the dwelling at 10 Munro Place.

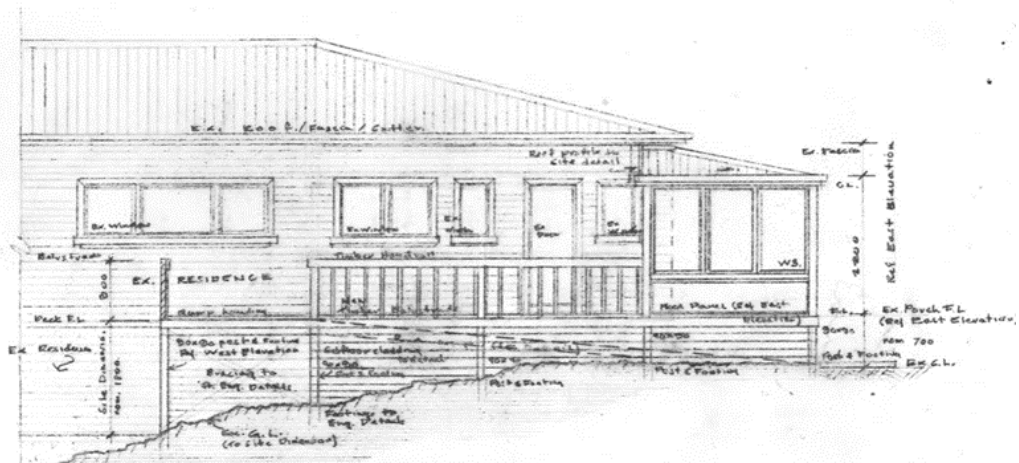


Figure 9: Dwelling at 10 Munro Place showing the southern elevation facing the northern boundary of 12 Munro Place.

The reduced setback will not cause an unreasonable loss of amenity for adjoining properties, having regard to:

- 1) the topography of the site;

The topography of the site rises from the south-western corner to the north-eastern corner. The elevation facing the northern boundary is shown in Figures 10 and 11. Due to the topography, the dwelling will have a raised floor level above the existing ground level, however, this is generally at a lower elevation than the dwelling 10 Munro Place.

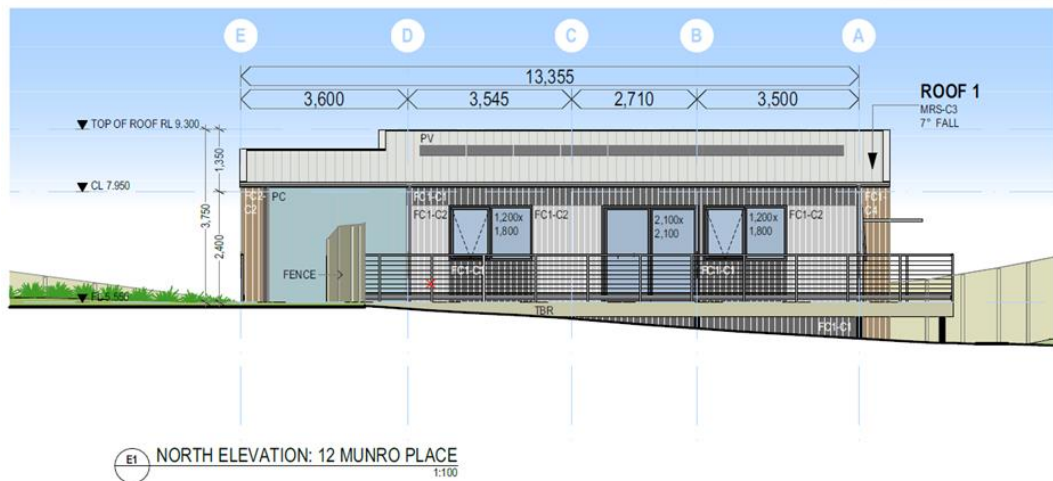


Figure 10: The northern elevation of the dwelling facing the property at 10 Munro Place.



Figure 11: Exterior perspective showing the northern and western elevations of the dwelling.



Figure 12: Subject site to the left of fence. Cojoined outbuilding at 10 Munro Place to the right of fence. The outbuilding has a wall length of approximately 8m within 0.5 m of the shared boundary.

2) *the size, shape and orientation of the site;*

The site is rectangular in shape, with its orientation (long-axis) in a north-easterly direction. The dwelling has been placed centrally on the site and is orientated at an angle to take advantage of the northern aspect.

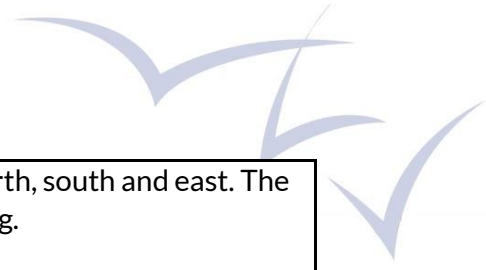
3) *the setbacks of surrounding buildings;*

There are eleven other dwellings and some outbuildings constructed at Munro Place and Mainwaring Street. There are buildings established at 8, 10, 16, and 1-7, 11, Munro Place, which are built less than 5m to the side or rear boundaries. The proposed setbacks are considered to be consistent with the established setbacks of Munro Place.

4) *the height, bulk and form of existing and proposed buildings;*

The proposed dwelling has a maximum height of 5.5m. The pitch of the roof of the dwelling is approximately 10 degrees. The proposed dwelling has a rectangular form with a building footprint less than 150m².

There is an existing dwelling at 10 Munro Place which is also of rectangular form and has a raised floor level due to the topography. The dwelling sits on the higher portion



of this property and overlooks adjoining properties to the north, south and east. The height, bulk and scale is consistent with the proposed dwelling.

The conjoined outbuildings are also of rectangular form which is consistent with the proposed development on the site.

The overall building height, bulk and scale is consistent with the heights, bulk and scale of dwellings in the residential area. The proposed dwelling integrates architectural features which creates horizontal and vertical lines that further reduce the appearance of bulk and scale of the proposed building.

5) *the existing buildings and private open space areas on the site;*

The dwelling at 10 Munro Place has its living areas and main outdoor private open space located on its northern side. The kitchen area, enclosed deck and ramp is located on the southern side of the dwelling and overlooks the subject site. The deck and ramp on the southern side of the dwelling appears to provide access to the dwelling.

The two conjoined outbuildings are constructed less than 0.5m from the shared boundary the subject site and have a wall length of 8m.

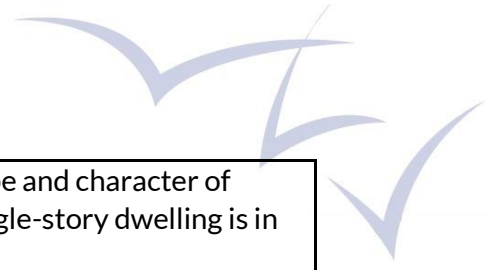
The dwelling sits on the higher portion of the property and overlooks the site to the south. The existing outbuildings on the adjoining property will partially obstruct the direct line of sight by the occupants of the dwelling to the dwelling at 10 Munro Place (refer to Figure 12). It is acknowledged that the occupants of 10 Munro Place may be able to overlook the entertainment and living areas of the proposed dwelling from the bedrooms. While the living areas and outdoor deck of the proposed dwelling will be orientated to face the dwelling at 10 Munro Place, it should not overlook the main private open space of the existing dwelling.

6) *sunlight to private open space and windows of habitable rooms on adjoining properties; and*

The separation between the proposed dwelling and the existing dwelling at 10 Munro Place is separated by a horizontal distance of more than 20m. The proposed dwelling will not obstruct sunlight to the private open space and windows of habitable rooms on the adjoining property.

7) *the character of development existing on established properties in the area.*

Existing dwellings and outbuildings in the Low Density Residential Zone are established at 1-7,2,4,6,10,11 and 16 Munro Place. The outbuildings at 10 Munro Place are setback approximately 0.5m from the boundary. The 1-7, 11 and 16 Munro Place properties have dwellings established within 1m of the title boundaries. The reduction in the proposed dwelling setback is considered consistent with the development patterns established in the surrounding area.



The proposed development is compatible with the streetscape and character of development in the area. When viewed from the road the single-story dwelling is in keeping with the character of the area.

The proposal is for a single dwelling and outbuilding consistent with the intended use and development of the Low Density Residential Zone.

The proposed development is considered consistent with the Objective and satisfies the Performance Criteria.

Low Density Residential Zone

10.4.5 Frontage fences for dwellings

Objective

That the height and transparency of frontage fences:

(a) provides adequate privacy and security for residents;

(b) allows the potential for mutual passive surveillance between the road and the dwelling; and

(c) is reasonably consistent with fences in the street.

Performance Criteria P1

A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must:

a) provide for security and privacy, while allowing for passive surveillance of the road; and

b) be consistent with the height and transparency of fences in the street, having regard to:

(i) the topography of the site; and

(ii) traffic volumes on the adjoining road.

Response

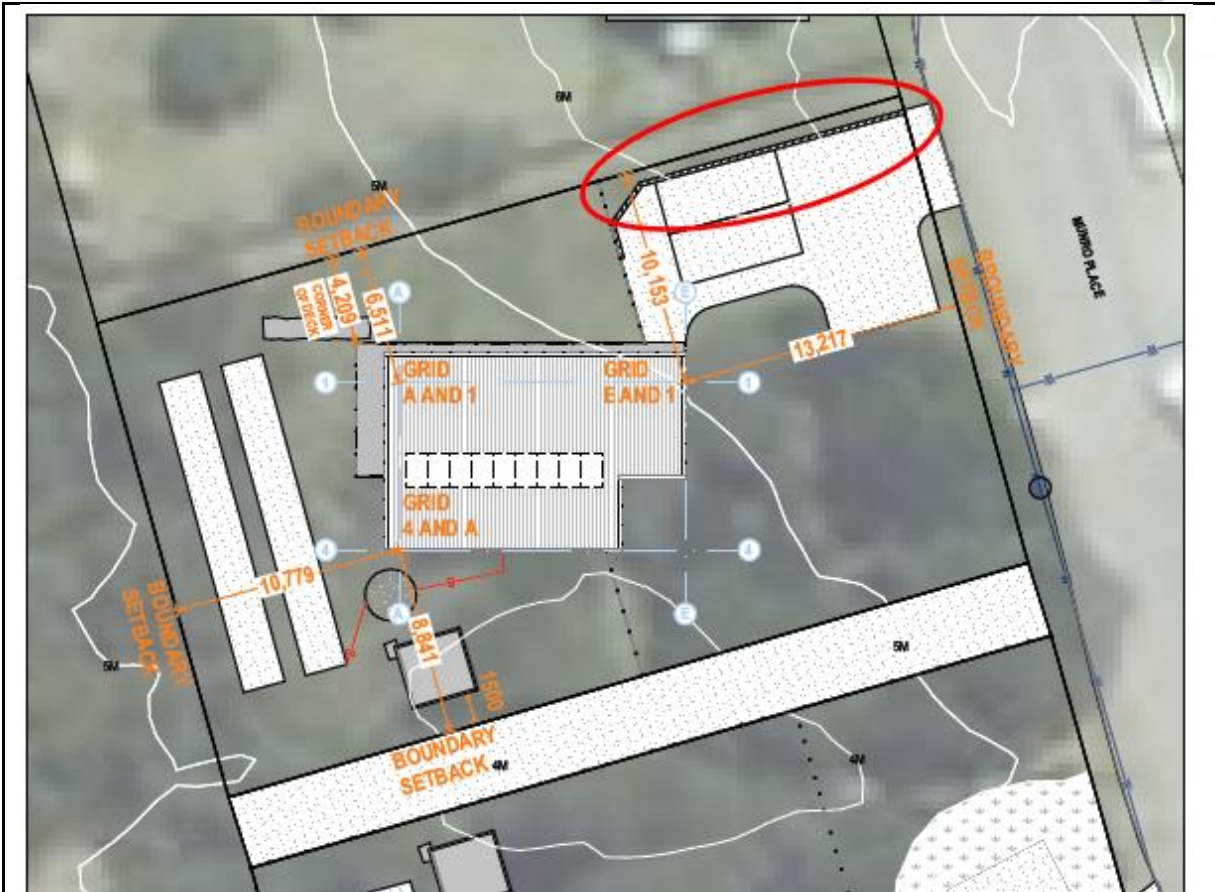


Figure 13: The proposed location of the fence within 4.5m of the frontage.

A screening fence with a maximum height of 1.8m will be built to the frontage of the site. The fence will be erected perpendicular to the frontage of Munro Place.

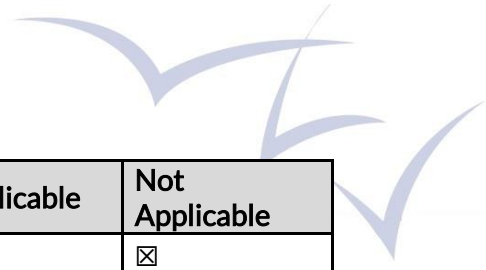
- a) *provide for security and privacy, while allowing for passive surveillance of the road;*

The fence will provide screening of the parking spaces and driveway of the site. Due to the location of the fencing, the passive surveillance of Munro Place will not be obstructed by the fencing.

- b) *be consistent with the height and transparency of fences in the street, having regard to:*
 - (i) *the topography of the site; and*
 - (ii) *traffic volumes on the adjoining road.*

The fence will not substantially impact on the streetscape and will provide fencing that is consistent with other properties in this area.

The proposed development is considered consistent with the Objective and satisfies the Performance Criteria.

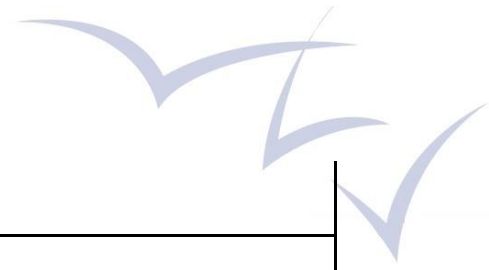


CODES	Applicable	Not Applicable
C1 Signs	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C2 Parking and Sustainable Transport	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C3 Road and Railway Asset	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C4 Electricity Transmission Infrastructure Protection	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C5 Telecommunications	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C6 Local Historic Heritage	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C7 Natural Assets	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C8 Scenic Protection Code	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C9 Attenuation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C10 Coastal Erosion	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C11 Coastal Inundation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C12 Flood-Prone Areas	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C13 Bushfire Prone Areas	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C14 Potentially Contaminated Land	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C15 Landslip Hazard	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C16 Safeguarding of Airports	<input checked="" type="checkbox"/>	<input type="checkbox"/>

C2.0 Parking and Sustainable Transport	
Scheme Standard	Assessment
C2.5 Use Standards	
C2.5.1 Car parking numbers	
Acceptable Solution 1	Complies Per Table C2.1, 2 spaces per 2 bedrooms has been provided on site.
C2.5.2 Bicycle parking numbers	
Acceptable Solution 1	Not Applicable No requirement for Bicycle spaces to be shown.
C2.5.2 Motorcycle parking numbers	
Acceptable Solution 1	Not Applicable No requirement for motorcycle spaces to be shown for 0-20 car spaces.
C2.5.4 Loading Bays	
Acceptable Solution 1	Not Applicable Not requirement floor area not more than 1000m ² in a single occupancy.
C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone	
Acceptable Solution 1	Not Applicable



	Low Density Residential Zone
C2.6 Development Standards for Buildings and Works	
C2.6.1 Construction of parking areas	
Acceptable Solution 1	<p>Complies</p> <p>The proposed parking area will be all weather pavement (hard-packed gravel) and drained to the public stormwater system.</p> <p>The hardstand material of the driveway makes the parking, access, circulation and manoeuvring spaces readily identifiable and will be capable of being used in all weather conditions.</p> <p>Low vehicle numbers are expected in and out of the site, being a single dwelling and therefore dust generation and sediment transporting is not expected to be detrimental or create a disturbance to the road network.</p> <p>The driveway material allows minimal infiltration of stormwater into the soil, but, drainage of stormwater from the site will be directed to the public system in Munro Place.</p>
C2.6.2 Design and layout of parking areas	
Acceptable Solution 1.1	<p>Complies</p> <p>The proposed parking layout complies with AS2890 with regard to parking and manoeuvring gradient, access width and clearance and parking dimensions. This complies with A1.1 (b).</p> <p>Not applicable.</p>
Acceptable Solution 1.2	
C2.6.3 Number of accesses for vehicles	
Acceptable Solution 1	<p>Complies</p> <p>One access onto Munro Place is proposed</p>
Acceptable Solution 1	<p>Not Applicable</p> <p>Not Central Business Zone or in a pedestrian priority street.</p>
C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	
Acceptable Solution 1	<p>Not Applicable</p> <p>Low Density Residential Zone</p>
C2.6.5 Pedestrian access	
Acceptable Solution 1.1	Not Applicable
Acceptable Solution 1.2	<p>Not Applicable</p> <p>No requirement for accessible car parking spaces.</p>
C2.6.6 Loading bays	
Acceptable Solution 1	Not Applicable



	No loading bays required
Acceptable Solution 2	Not Applicable No Loading bays required
C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone	
Acceptable Solution 1	Not Applicable No Bicycle spaces required
Acceptable Solution 2	Not Applicable No Bicycle spaces required
C2.6.8 Siting of parking and turning areas	
Acceptable Solution 1	Not Applicable Low Density Residential Zone
Acceptable Solution 2	Not Applicable Low Density Residential Zone
C2.7 Parking Precinct Plan	
Acceptable Solution 1	Not Applicable Whitemark Parking Precinct Plan does not include Munro Place.
C3.0 Road and Railway Assets Code	
Scheme Standard	Assessment
C3.2 Application of this Code	
C3.5 Use Standards	
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction	
Acceptable Solution 1.1	Complies Not Applicable Not a category 1 Road
Acceptable Solution 1.2	Consent provided from Road Authority for a new access. Vehicle access to be upgraded in accordance with Road Authority requirements.
Acceptable Solution 1.3	Not Applicable
Acceptable Solution 1.4	No existing vehicle crossing
Acceptable Solution 1.5	Vehicular traffic can enter and leave a major road in a forward direction.
C3.6 Development Standards for Buildings and Works	
C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area	
Acceptable Solution 1	Not applicable
C3.7 Development Standards for Subdivision	

C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area	
Acceptable Solution 1	Not applicable
C16.0 Safeguarding of Airports Code	
Scheme Standard	Assessment
C16.4 Use or Development Exempt from this Code	
C16.4.1	
	Exempt The following use or development is exempt from this code: (a) development that is not more than the AHD height specified for the site of the development in the relevant airport obstacle limitation area. Building height proposed 5.5m
C16.5 Use Standards	
C16.5.1 Sensitive use within an airport noise exposure area.	
Acceptable Solution 1	Not Applicable Development not a sensitive use
C16.6 Development Standards for Buildings and Works	
C16.6.1 Buildings and works within an airport obstacle limitation area	
Acceptable Solution 1	Not Applicable Works will not interfere with safe aircraft operations in the vicinity of the airport and on land within an airport obstacle limitation area. Height not exceeded.
No Acceptable Solution P2	Not Applicable Works will not interfere with safe aircraft operations in the vicinity of the airport and on land within an airport obstacle limitation area.

Local Provisions Schedule

PPZ	Applicable	Not Applicable
FLI-P1.0 Particular Purpose Zone – truwana - Cape Barren Island and Outer Islands	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Specific Area Plans (SAP)

SAP	Applicable	Not Applicable
FLI-S1.0 Coastal Settlement Specific Area Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FLI-S2.0 Whitemark Rural Living Specific Area Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>

FLI-S3.0 Coastal Areas Specific Area Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FLI-S4.0 Lady Barron Port Specific Area Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FLI-S5.0 Whitemark and Lady Barron Urban Development Specific Area Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>

FLI-S5.0 Whitemark and Lady Barron Urban Development Specific Area Plan	
Scheme Standard	Assessment
FLI-S5.7 Development Standards for Buildings and Works	
FLI-S5.7.1 Residential density for multiple dwellings	
Acceptable Solution 1	Not applicable
FLI-S5.8 Development Standards for Subdivision	
FLI-S5.8.1 Lot design	
Acceptable Solution 1	Not applicable

Site Specific Qualifications (SSQ)

SSQ	Applicable	Not Applicable
FLI-10.1 17 Patrick Street Whitemark	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FLI-11.1 Palana Road, Palana	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FLI-11.2 180 Badger Corner Road, Lady Barron	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FLI-11.3 Part of 57 Franklin Parade, Lady Barron	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FLI-11.4 Part of Pot Boil Road, Lady Barron	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FLI-22.1 154 Big River Road, Loccota	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FLI-25.1 Part of 16 Esplanade, Whitemark shown on an overlay map as FLI-25.1	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FLI-25.2 Part of 16 Esplanade, Whitemark shown on an overlay map as FLI-25.1	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FLI-26.1 Flinders Island Airport - 351-355 Palana Road, Whitemark	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Internal Referral

The proposal was referred to the Acting Manager Infrastructure and Airport. No objections were raised.

Notification

The application was notified for the required 14 day period in accordance with the Act. Full copies of the representations received during the public exhibition period were provided to Elected Members Only as Annexure 19.2.7 to this report. Consideration of any representation is a requirement under both the *Scheme* and the *Act*.



The number of representations received during this time was one. The concerns raised by the representation are summarised below. The summary should be read in conjunction with the representation.

Issues raised	Officer comments
<p>The proposed dwelling has its outdoor entertaining areas facing the property at 10 Munro Place.</p>	<p>Noted. The proposed dwelling has its living and outdoor entertainment areas orientated to face the northern boundary shared with 10 Munro Place.</p>
<p>The upstairs bedrooms of the dwelling at 10 Munro Place face in the direction of the proposed dwellings entertainment area.</p>	<p>The upstairs bedrooms of the dwelling at 10 Munro Place may overlook the entertainment area and living spaces of the dwelling given it has a higher elevated position. However, the proposed dwelling does not overlook the bedrooms of the existing dwelling.</p>
<p>Council granted approval to erect a deck on the southern side of the dwelling which will directly face the entertainment area.</p>	<p>Planning Permit DA2022/0054 approved a garden shed and covered deck. The southern deck is an access ramp. The enclosed deck is located on the north-eastern and northern sides of the dwelling.</p>
<p>Request that the dwelling be reversed so that living areas face in a southerly direction.</p>	<p>The proposed dwelling has been assessed against the applicable standards of the Planning Scheme. The planning permit granted by the Council has been considered in the assessment. The proposal is assessed to satisfies the Performance Criterion P2 of clause 10.4.3.</p>
<p>Request that the dwelling be reversed so that living areas face in a southerly direction.</p>	<p>The Planning Scheme does not require the applicant to change the location of the living or entertainment areas.</p>
<p>Primary concern with loss of privacy and noise issues generated from the dwelling.</p>	<p>The development standard clause 10.4.3 considers the reduction in the setback and its impact on residential amenity. The dwelling on the site will be separated by more than 20m from the dwelling at 10 Munro Place. The proposals is demonstrated to satisfy the Performance Criterion P2 of clause 10.4.3.</p>



Conclusion

It is considered that the application for Use and Development for a Single dwelling is acceptable in the Low Density Residential Zone and is recommended for approval.

Voting Requirement

Simple Majority

RECOMMENDATION

That the application for a single dwelling in the Low Density Residential Zone by CBM Sustainability Group Pty Ltd for land located at 12 Munro Place, Whitemark (Lot 6 on Plan 27936) be APPROVED subject to the following conditions:

ENDORSED PLANS

1. The use and/or development must be carried out as shown on the endorsed plans by CBM Sustainability Group Pty Ltd dated 14.12.2023 P23020-02_ 12 MUNRO PLACE DEVELOPMENT APPLICATION 20231214 and described in the endorsed documents to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.

SOIL, WATER and DUST CONTROL

2. Soil, water and dust must be managed on the site during construction to: prevent the escape of soil and sediments beyond site boundaries; and direct water runoff to a lawful point of discharge without causing nuisance for neighbours.

COMMENCED DEVELOPMENT STOP

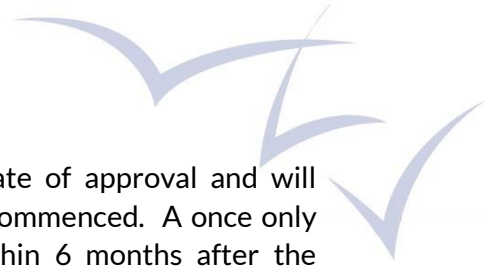
Where development has commenced on site and then stops for two weeks or more, interim stormwater, erosion and dust control measures must:

- a) be installed and maintained on site to the satisfaction of the Manager Infrastructure;
- b) ensure that overland flows do not become a nuisance to adjoining properties or Councils infrastructure;
- c) be maintained until work recommences on site; and
- d) include a weekly inspection as well as before and after every rain event and a reporting schedule to Council.

Advisory Notes:

The following notes are not conditions of this permit and are supplied for the assistance of the applicant only.

- A. This permit was issued based on the proposal documents submitted for DA2023058. You should contact Council with any other use or developments, as they may require the separate approval of Council.
- B. This permit takes effect after:
 - a) the 14 day appeal period expires; or
 - b) any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
 - c) any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or
 - d) any other required approvals under this or any other Act are granted.

- 
- e) This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received within 6 months after the expiration date.

Restrictive Covenants

- C. The granting of this permit takes no account of any covenants applicable to the land. The permit holder and any other interested party, should make their own enquires as to whether the proposed development is effected, restricted or prohibited by any such covenant. If the proposal is non-compliant with any restrictive covenants, those restrictive covenants should be removed from the title prior to construction commencing or the owner will carry the liability of potential legal action in the future.

Access for People with a Disability

- D. This permit does not ensure compliance with the Disability Discrimination Act, furthermore the developer may be liable to complaints under the said Act. The developer is directed to Australian Standard 1428 Parts 1 - 4 for technical direction on how to cater for people with disabilities.

Appeal Provisions

- E. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal.

A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant.

For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au

Permit Commencement.

- F. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

Aboriginal Heritage

- G. If any Aboriginal relics are uncovered during works;
- a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
 - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au; and the relevant approval processes will apply with state and federal government agencies.

Council concludes its meeting as a Planning Authority under Section 25 of the Local Government (Meeting Procedures) Regulations 2015.



17 Infrastructure

17.1 Infrastructure Update January 2024

Action	For Information
Officer	Richard Harley - Acting Infrastructure Manager
File Reference	WOR/3000 Infrastructure
Annexures	1. Works Manager Report 21 Feb 2024 [17.1.1 - 4 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 Acting Infrastructure Manager's Report – January 2024 be received and accepted by Council.



17.9 Flinders Council Waste Management Strategy 2024-2028

Action	For Decision
Officer	Sabrina Carter - Waste Supervisor Warren Groves - General Manager
File Reference	WAS/0400 Waste Management Strategy
Annexures	Nil

Introduction

Council is required to manage solid waste within the Municipality. The Whitemark Waste Facility operates under an Environmental Protection Notice (EPN) which is issued and audited by the Environmental Protection Authority (EPA) Tasmania.

The Flinders Council Waste Management Strategy 2024–2028 has been developed as a roadmap for establishing an effective solid waste management system in the Municipality. The Strategy is driven by the need to improve environmental compliance and resource recovery rates, while aligning with the Federal and State Government’s strategic direction in waste management.

Previous Council Consideration

339.12.2018	18 December 2018
197.08.2018	13 August 2018
100.05.2018	17 May 2018
226.09.2017	21 September 2017
155.06.2017	15 June 2017
247.10.2016	20 October 2016
246.10.2016	20 October 2016
153.07.2016	14 July 2016
56.02.2015	19 February 2015

Previous Council Discussion

07 February 2023	Council Workshop
09 August 2023	Council Workshop
26 July 2023	Council Workshop
28 June 2023	Council Workshop
08 March 2023	Council Workshop
22 November 2022	Council Workshop
30 November 2021	Council Workshop
16 November 2021	Council Workshop
02 March 2021	Council Workshop
02 February 2021	Council Workshop
17 November 2020	Council Workshop
09 June 2020	Council Workshop
16 April 2020	Council Workshop
5 December 2018	Council Workshop
31 July 2018	Council Budget Workshop
24 July 2018	Council Budget Workshop
28 June 2018	Council Budget Workshop

3 May 2018	Council Workshop
12 January 2017	Council Workshop
6 October 2016	Council Workshop
05 February 2015	Council Workshop



Officer's Report

The Flinders Municipality faces unique waste management challenges due to its remote location and limited resources. To address these challenges, clear goals, objectives, and actions were developed with a vision of "Council and the community working together for a sustainable future with resource recovery at its core."

By implementing the Flinders Council Waste Management Strategy 2024–2028, the Municipality aims to enhance waste management practices, reduce waste to landfill, and increase resource recovery. The Strategy recognises the importance of strong leadership, community involvement, and advocacy to achieve these goals.

Through careful planning, collaboration, and the adoption of innovative waste management solutions, the Flinders Municipality is committed to creating an environmentally sustainable future for its residents.

The proposed Waste Management Strategy has been through a peer-review process, followed by a fifty-five-day community consultation period. Feedback received from the community consultation process was positive, and all comments have been considered.

The Waste Management Strategy 2024-2028 is presented at Annexure 1 for Council consideration.

Statutory Requirement

Environmental Management Pollutions Control Act 1993
Local Government Act 1993 (s93 (d) service rates and charges)
Litter Act 2007 (Tasmania)

Strategic Alignment

LIVEABILITY

1.4 Deliver efficient and sustainable waste management services to minimise the impact on our pristine environment.

ACCESSIBILITY / INFRASTRUCTURE

2.4 Compliant, integrated waste management program that is cost effective.

2.4.1 Review and implement Council's Waste Management Strategy in line with relevant legislation, codes of practice and policy.

Budget and Financial Implications

Nil

Risk/Liability

One of the aims of the Strategy is to limit as much exposure to risk as possible to Council. The document will be utilised as supporting documentation in discussions with Environment Protection Authority (EPA).



Voting Requirement

Simple Majority

RECOMMENDATION

That Council adopts the Flinders Council Waste Management Strategy 2024 - 2028 at Annexure 1.



18 Finance

18.1 Infrastructure Budget Variation-January 2024

Action	For Decision
Officer	Marissa Walters - Contract Accountant
File Reference	FIN/0701 Budget
Annexures	1. 2024.01.24 Capex Review Council Meeting Jan 2024 [18.1.1 - 3 pages]

Introduction

To avoid contradiction as a result of Council's decisions on 24 January 2024, Council should consider rescinding the motion and adopting the Revised Capital Works Budget without the amendment.

Previous Council Consideration

09.01.2024	24 January 2024
325.11.2023	22 November 2023
185.06.2023	28 June 2023

Previous Council Discussion

13 December 2023	Council Workshop
08 November 2023	Council Workshop

Officer's Report

At the 24 January 2024 Ordinary Council Meeting, Councillors carried motion 09.01.2024: *"That Council approves the budget variation January 2024 as presented at annexure 1, with the addition of the Capital variation made in decision number 325.11.2023."*

The impact of this outcome is that the \$40,000 allocated to the building works would not be able to be funded from LRCI round 4 funding. The motion from November allocated all LRCI round 4 funding to Memana and Lackrana Roads.

It is recommended that the decision number 09.01.2024 be rescinded and the Budget variation at annexure 1 be approved as presented.

The Revised Capital Works Budget for 2023/2024 includes the updated carried forward budget amounts. Other impacts on existing capital works budget items have also been considered and new items added as highlighted in annexure 1, based on the recommendation of the Acting Infrastructure Manager to meet the current needs of Council.

Overall, there is a \$25,000 impact on the amount of Council funds previously committed to the Capital Works program.

Statutory Requirement

Local Government Act 1993

Strategic Alignment

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.

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

There will be a \$25,000 impact to Council's cashflow. This will be offset by a higher than forecast cashflow from sale of excess plant.

The \$40,000 allocated to building works can be funded by LRCI round 4 funding.

Risk/Liability

Corporate: No unforeseen risks or legal obligations are identified because of this budget variation.

However, if the motion is not rescinded and the budget variation adopted as presented then the \$40,000 building works will need to be funded by Council or alternatively the project removed from the budget.

Voting Requirement

Absolute Majority

RECOMMENDATION

That Council rescinds decision number 09.01.2024 and approves the Revised Capital Works Budget for 2023/2024 as presented at annexure 1.



18.2 Infrastructure Budget Variation - Sealing Cemetery Roads and Description Amendment

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 2023/24 budget was approved by Council at the 28 June 2023 Ordinary Council meeting with variations approved 22 November 2023 and 24 January 2024.

Previous Council Consideration

09.01.2024	24 January 2024
325.11.2023	22 November 2023
185.06.2023	28 June 2023

Previous Council Discussion

07 February 2024	Council Workshop
13 December 2023	Council Workshop
08 November 2023	Council Workshop

Officer's Report

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

1. Allocate savings from the sealing of Lackrana and Memana roads (LRCI-4 funded) to allow the stabilisation and sealing of Cemetery Road in Whitemark (\$44,000) and Lady Barron Cemetery Road (\$18,000). Following Council approval, a variation will be submitted to the LRCI-4 funding body to amend the works schedule; and
2. Revise the description under the Capital works budget Waste and Recycling category, item 6:
 - from - Waste – 4 Shaft Shredder;
 - to read Waste – Chipper / Shredder.

There is no overall effect on the 2023/24 budget bottom line as a result of these amendments.

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

Nil, the budget bottom line remains unchanged.

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:

1. Allocate savings from the stabilisation and sealing of Lackrana and Memana roads (LRCI-4 funded) to allow the sealing of the Cemetery Road in Whitemark (\$44,000) and Lady Barron Cemetery Road (\$18,000); and
2. Revise the description under the Capital works budget Waste and Recycling category, item 6:
 - from - Waste – 4 Shaft Shredder;
 - to read Waste – Chipper / Shredder.



19 Governance

19.1 Visit Northern Tasmania (VNT) Membership

Action	For Decision
Officer	Warren Groves - General Manager
File Reference	COU/0305
Annexures	1. VNT Flinders Council agreement 2023 to 2024 [19.1.1 - 22 pages] <i>(Elected Members Only)</i>

Introduction

Visit Northern Tasmania (VNT) serves as the regional tourism representative body for Flinders Island, acting as an information and advocacy conduit between the Island and state-level tourism authorities such as State Growth and Tourism Tasmania. In matters pertaining to tourism, it is essential that the working relationship with VNT is collaborative and relevant to our Municipality.

VNT is seeking to continue its relationship with the Flinders Council as per the 2023/2024 funding agreement, outlined in Annexure 1.

Previous Council Consideration

016.01.2023	25 January 2023
257.12.2022	14 December 2022
234.11.2020	11 November 2020

Previous Council Discussion

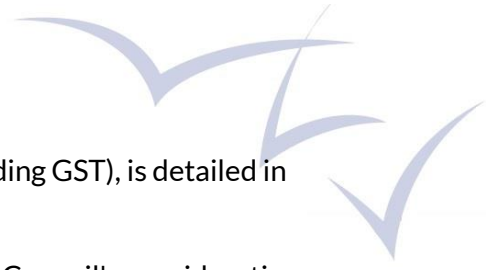
Council Workshop	07 February 2024
Council Workshop	11 October 2023
Council Workshop	08 March 2023
Council Workshop	14 December 2022
Council Workshop	22 November 2022
Council Workshop	20 October 2022
Council Workshop	04 October 2022
Council Workshop	06 September 2022
Council Workshop	12 April 2022
Council Workshop	02 November 2021
Council Workshop	01 December 2020
Council Workshop	03 November 2020
Council Workshop	16 April 2019

Officer's Report

Flinders Council has been an active member of VNT for a number of years (previously Tourism North Tasmania TNT), with the funding agreement subject to annual review each September.

In October 2023, the CEO of VNT visited Flinders Island to deliver a presentation at a Council Workshop. Subsequent to this presentation, further details and a membership proposal were furnished for the Council's consideration.

After evaluating the benefits of membership alongside several similar organisations, the Council requested an updated agreement from VNT for the period 1st July 2023 to 30th June



2024. The revised annual agreement, amounting to \$14,691.60 (excluding GST), is detailed in Annexure 1.

The updated agreement, attached at Annexure 1, is now presented for Council's consideration.

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.

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

Budget and Financial Implications

\$14,691.60 for the 2023/24 financial year

Risk/Liability

The industry specific experience, information and support provided through membership of Visit Northern Tasmania in newly negotiated terms will enable Council to work more effectively within the tourism sector and thereby reduce risk pertaining to Tourism.

Voting Requirement

Simple Majority.

RECOMMENDATION

This is a matter for Council to decide.



19.2 Northern Tasmania Development Corporation Membership Proposal

Action	For Decision
Officer	Warren Groves - General Manager
File Reference	COU/0305
Annexures	1. NTDC - Flinders Members Agreement 2024-26 061223 [19.2.1 - 36 pages] (<i>Elected Members Only</i>) 2. NTDC Strategic Plan [19.2.2 - 13 pages] (<i>Elected Members Only</i>)

Introduction

The Northern Tasmania Development Corporation (NTDC) is currently funded by seven northern Council members, of which Flinders Council has previously been a member. Amongst their stated aims is “to facilitate significant improvement in prosperity in the North and North-East Tasmania.” The NTDC was established in February 2017 “to achieve the targets set out in the Northern Regional Futures Framework and is committed to move to a new era of collaborative, innovative and sustainable economic growth in the region.” In general terms, the NTDC identifies ways to “continually boost economic output, increase investment, create more jobs, and to raise average wage levels.”

Previous Council Consideration

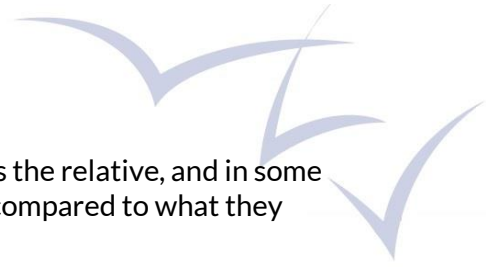
233.11.2021	16 November 2021 (Closed)
87.05.20218	18 May 2021
165.09.2020	08 September 2020
134.07.2020	28 July 2020
158.08.2020	25 August 2020

Previous Council Discussion

07 February 2024	Council Workshop
22 November 2023	Council Workshop
27 September 2023	Council Workshop
28 June 2023	Council Workshop
25 January 2023	Council Workshop
15 March 2022	Council Workshop
30 November 2021	Council Workshop
02 November 2021	Council Workshop
19 October 2021	Council Workshop
17 August 2021	Council Workshop
17 June 2021	Council Workshop
01 June 2021	Council Workshop
01 September 2020	Council Workshop
18 August 2020	Council Workshop
04 August 2020	Council Workshop
14 July 2020	Council Workshop
23 June 2020	Council Workshop
05 February 2019	Council Workshop
15 February 2018	Council Workshop
12 January 2017	Council Workshop

Officer's Report

The rationale behind membership of NTDC is that it works on behalf of the seven northern councils, funded by their collective contributions, on agreed programs to the mutual benefit of the councils from within the Northern Region.



The strength of any subscription or contribution funded organisation is the relative, and in some cases subjective, collective value or benefit to individual members, as compared to what they could potentially achieve individually.

Council's previous Members Agreement with NTDC concluded in June 2021. In a bid to renew this partnership, NTDC has proposed a new Members Agreement, offering options from 1 July 2024 through to 30 June 2026 (Annexure 1). This proposal introduces an annual subscription model that combines a fixed rate of \$5,036 with a variable rate of \$2,572, the latter being contingent upon the municipal population. For Flinders Council, this model results in an initial annual cost of \$7,608 plus GST. Both rates are poised for CPI adjustments between July 2025 and June 2026, ensuring that the subscription remains equitable and reflective of economic conditions.

To accommodate diverse needs and timelines, NTDC also proposes flexible membership start dates, allowing adjustments on a pro-rata basis for councils wishing to join before the stipulated start date of 1 July 2024. This flexibility, coupled with a funding model that scales according to the size of each municipality, guarantees an equitable investment for all members. Specifically, for Flinders Council, the membership fee for the period starting 1 July 2024 is set at \$7,608 plus GST, with subsequent adjustments for CPI in the following year, underscoring NTDC's commitment to fairness and value for all member councils.

Dorset Council's ongoing trial with NTDC is an insightful venture, aimed at evaluating the tangible benefits and value for money that membership offers. This careful and considered approach signifies the proactive steps Dorset is taking to ensure their investments yield meaningful outcomes for their communities.

As Council weighs the decision of renewing their membership, the core consideration remains the value of \$7,608 in terms of the impactful programs NTDC implements for Flinders Island and the broader benefits of being part of a collective group advocating for regional development.

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.

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

Budget and Financial Implications

\$7,608 for 2024/25 with CPI increase in future years.

Risk/Liability

Low

Voting Requirement

Simple Majority.

RECOMMENDATION

This is a matter for Council to decide.



19.3 State Election Key Advocacy Priorities 2024

Action	For Decision
Officer	Warren Groves - General Manager
File Reference	CSV/1708 Priority Projects
Annexures	1. 23.24 Priority Projects - FINAL 9.23 [19.3.1 - 12 pages] 2. PRIORITY PROJECTS NE River [19.3.2 - 1 page]

Introduction

From time-to-time, Council prepares a Priority Projects list that can be provided to prospective politicians or government entities to provide a snapshot of what Council considers are important development initiatives for the Municipality.

Council's current Priority Projects list was updated in September 2023 and is attached at Annexure 1.

Previous Council Consideration

Nil

Previous Council Discussion

07 February 2024 Council Workshop

Officer's Report

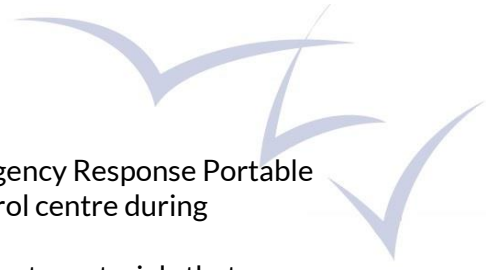
The purpose of the Priority Projects List is to have an agreed document that can be provided to stakeholders, politicians or government entities to provide a snapshot of what Council considers are important development initiatives within the Municipality. Essentially it is a "positional" or advocacy document that does not bind the Council but does outline existing issues. Only those significant projects that are generally beyond the immediate scope of Council are included.

The impending State Government Election presents the opportunity to review the Priority Projects and develop an additional priority list of key advocacy considerations to present to politicians; we want our priorities to be uppermost in the minds of local members of Parliament and Ministers ahead of the recently announced State Government elections.

The State Election Key Advocacy (SEKA) list is not intended to replace Council's Priority Projects, but supplement and highlight opportunities for politicians to enhance our community's way of life and support Council's core services. The current suggested SEKA list is:

1. North East River - A state of the art 'off grid' northern location for campers - seeking \$ 150,000 to:
 - Develop a masterplan for Council's owned land in North East River.
 - Develop a masterplan of North East River precinct in collaboration with Tas Parks and Wildlife and VNT (Visit North Tasmania)
 - Develop bushfire management plans for the site.
 - Exploration of resources ie water / off grid power options.

2. Flinders Arts and Entertainment Centre audio visual upgrade, seeking \$85,000 to upgrade sound, video, lighting, display, and projection systems.

- 
3. A purpose-built flatbed trailer, seeking \$125,000 for the Emergency Response Portable Control centre to enable prompt portability and relocation of the control centre during emergency response situations.
 4. Waste Chipper/Shredder, seeking \$125,000 for dealing with waste materials that can be repurposed by Council in parks and gardens.

Statutory Requirement

Local Government Act 1993

Strategic Alignment

All areas of the Strategic Plan.

Budget and Financial Implications

Essentially nil at this stage unless funding is obtained, in which case a Council financial contribution or insurance, provision for depreciation and maintenance may be required.

Risk/Liability

Organisation: There is minimal risk and liability as the projects are largely aspirational.

Voting Requirement

Simple Majority.

RECOMMENDATION

That Council advocates for Council's Priority Projects and endorses the following list of State Election Key Advocacy Projects:

1. North East River – Northern location for camping.
2. Flinders Arts and Entertainment Centre audio visual upgrade,
3. Purpose built flatbed trailer for the Emergency Response Portable Control centre, and
4. Waste Chipper/Shredder.



19.4 Resolution Report - February 2024

Action	For Information
Officer	Warren Groves - General Manager
File Reference	GOV/0300 Councillor Resolution Reports
Annexures	1. 2024 Resolution Report Feb 24 [19.4.1 - 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 – February 2024

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Councillor Resolution Report – February 2024 be noted.



20 CLOSED COUNCIL 21 February 2024

20.1 Airport Hangar EOI

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.

Reason for Closed Council – item is CONFIDENTIAL in accordance with Section 15(2)

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

Voting Requirement

Simple Majority.

RECOMMENDATION

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

21 MEETING CLOSED
