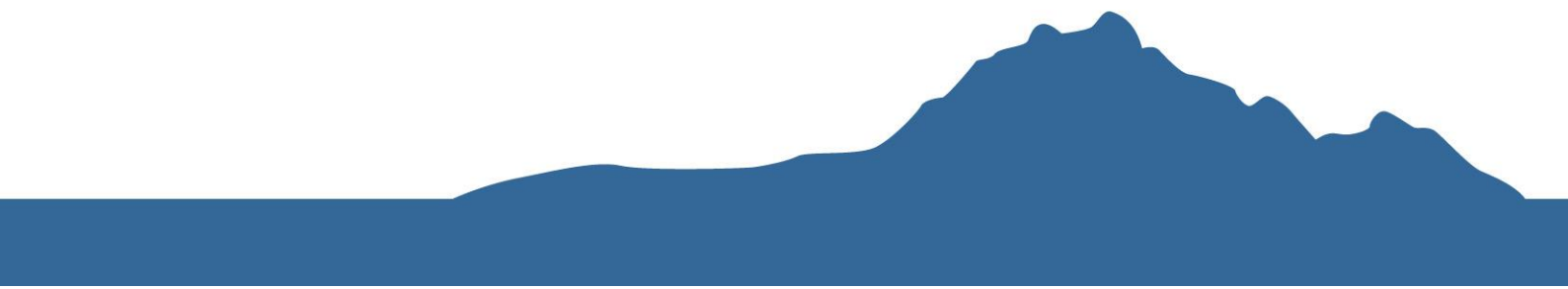




# Confirmed Minutes Ordinary Council Meeting

20 September 2022



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# FLINDERS COUNCIL ORDINARY MEETING – UNCONFIRMED MINUTES

## TUESDAY 20 September 2022

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<b>Venue</b>	Furneaux (Emita) Hall
<b>Commencing</b>	2.00 pm
<b>Attendees – Councillors</b>	Mayor David Williams Acting Deputy Mayor Rachel Summers Aaron Burke Vanessa Grace Peter Rhodes
<b>Apologies</b>	Sharon Blyth
<b>Attendees- Staff</b>	Chris Wilson   Acting General Manager (2.00 – 3.41pm) Sammi Gowthorp   Community Services Coordinator (3.19pm – 3.35pm) Kyra Newman   Executive Assistant (2.00 – 2.48pm) Jacci Smith   Development Services Coordinator (2.25pm – 2.29pm and 3.35pm – 3.41pm) Vicki Warden   Executive Officer (minute taker) (2.00 – 3.41pm)

*Mayor David Williams opened the meeting at 2.00pm.*

## 1. ACKNOWLEDGEMENT OF COUNTRY

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

## 2. CONFIRMATION OF MINUTES

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### RECOMMENDATION

That the Minutes from the Ordinary Council Meeting held 16 August 2022 be confirmed.

### DECISION

161.09.2022 Moved: A/Deputy Mayor R Summers      Seconded: Cr P Rhodes  
That the Minutes from the Ordinary Council Meeting held 16 August 2022 be confirmed.

### CARRIED UNANIMOUSLY (5-0)

For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke, Cr V Grace and Cr P Rhodes.

### 3. PUBLIC QUESTION TIME

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#### **Question 1 – Robin Walker**

Why is there no opportunity for the public to have a discussion with the whole of Council on issues?

#### **Mayor's Response**

Members of the public may request the opportunity to speak with council on a specific issue at a council workshop.

#### **Question 2 – Robin Walker**

Why aren't service requests attended to?

E.g., Vegetation at Yirriluka corner, pine scrub bridge (safety issues) and Anchor painting.

#### **Mayor's Response**

Service requests are assessed and prioritised according to many factors including risk to the public, cost, and available resources. Council has a small number of staff and cannot attend to every request immediately. Likewise, some requests are outside normal maintenance and require Council to specifically budget funds to complete the work. In some cases, the request is deemed outside of Council's responsibility or of a low priority that will be undertaken when the time is available.

Vegetation at Yirriluka corner (corner south of sand quarry entrance) – Almost the entire section of Palana Rd from Fairhaven Rd to Five Mile Jim Rd was cleared of vegetation for the construction of the new bitumen sealed road. On inspection, no vegetation on the road reserve could be identified that created a visual hazard and any vegetation on private property is outside Council's authority. This section of road has guideposts and is well line-marked.

Pine Scrub bridge – The contractor's equipment is out of action; therefore, the work cannot be undertaken. Also, Council is aware that Hydro Tasmania is planning extensive tree pruning in the area and therefore it was seen as sensible to take advantage of that rather than spend Council funds to prune trees.

Anchor painting – This request was received on 19 August. Due to resignations and long-term sick leave, at the present time there is one casual person working 5 days and one casual person working two days per week in Town Maintenance. Their time is taken up maintaining the parks, foreshore, and gardens. They do not have any time available to undertake additional work that would normally get done and that includes painting the anchor. The anchor has a 20mm layer of epoxy on it therefore if it does not get painted for a couple more months it will not make any difference to its long-term condition.

#### **Question 3 – Robin Walker**

Why won't senior staff meet with individuals when a meeting is requested?

E.g., Rebecca Davis requested a meeting with infrastructure manager over a month ago, no reply.

#### **Mayor's Response**

Council's senior staff are always available to meet with members of the public on request. Council's Personal Information Protection Policy does not permit disclosure of information in relation to an individual. The matter in question has been dealt with by the Infrastructure Manager and forwarded to another department within council for closure.

**Question 4 – Robin Walker**

Why are Council so prone to accepting any advice?

E.g., I put in a service request that the Recreation ground be potholed with Quarry fines. This advice was ignored and hence the mess at the last market. (GUM BOOTS ONLY) What plans have Council in place to avoid a repeat on show day?

**Mayor's Response**

I am assuming your question was meant to be "Why is Council not so prone to accepting any advice?" I refer you to the answer to the question on service requests above. Prior to the Show, Council plans to spread aggregate over the gravel road area at the Showgrounds and bed it into the gravel to create a hard solid surface. However, like all unsealed roads, it will become soft and muddy if it rains and lots of vehicles drive on it.

**Question 5 - Robin Walker**

Could council consider using the quarry fines or crusher dust to put over the gravel? If some of this product is run over the Show Grounds site, it wouldn't go mushy in the rain.

**Mayor's Response**

**Taken on notice.**

**Question 6 – Mark Wales**

S65 (1) of the Local Government Act 1993 (the Act) requires the General Manager of the Council to ensure that any advice, information or recommendations 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. Pursuant to S65 (1) of the Act the General Manager provided his 'Certification' that this was the case for the Special Council Meeting 25 January 2022. Could the General Manager please advise the process, steps or other method that he took to ensure that the advice, information and recommendations given to the Council in relation to the Planning Authority Report – Rural Enterprise work for Local Provisions Schedule was given by a person who has the qualifications or experience necessary to give such advice, information or recommendation. Specifically, could the General Manager detail:

- a. How he determined that the RMCG Flinders LPS Rural Enterprise Concept Report and RMCG Enterprise Scale report were prepared by a person(s) with the qualifications or experience necessary to give such advice, information or recommendation(s).
- b. How he determined that the Addendum to Section 35F Report – January 2022 was prepared by a person(s) with the qualifications or experience necessary to give such advice, information or recommendation(s).

**Mayor's Response**

The question was taken on notice.

**Question 7 – Mark Wales**

How was Council's Strategic Planning Consultant (Town Planning Solutions) selected and engaged to assist with the development of the Local Planning Scheme for Flinders Council – was this the result of a competitive tender process or some other method? If it was a competitive tender process what were the evaluation criteria?

**Mayor's Response**

The question was taken on notice.

**Question 8 – Mark Wales**

How much was Town Planning Solutions paid by Flinders Council for its services related to the development of the Local Planning Scheme for Flinders Council in FY 2020/2021, FY 2021/2022 and FY 2022/2023?

**Mayor's Response**

The question was taken on notice.

**Question 9 – Mark Wales**

How was RMCG engaged to assist in the preparation of the RMCG Flinders LPS Rural Enterprise Concept Report and RMCG Enterprise Scale report for Flinders Council – was this the result of a competitive tender process or some other method? If it was a competitive tender process what were the evaluation criteria?

**Mayor's Response**

The question was taken on notice.

**Question 10 – Mark Wales**

How much was RMCG paid by Flinders Council for its services related to the development of the Local Planning Scheme for Flinders Council?

**Mayor's Response**

The question was taken on notice.

**Question 11 – Mark Wales**

It appears that RMCG were engaged very late in the process of development of the Local Planning Scheme for Flinders Council. The delay in the preparation of the RMCG Flinders LPS Rural Enterprise Concept Report and RMCG Enterprise Scale report (the Reports) resulted in their tabling outside of the exhibition period for the Flinders LPS and resulted in the need for Council to amend the Section 35 (F) Report which it endorsed in November 2021. Why were RMCG not engaged earlier in the process? Why did Council allow the late Reports to be admitted to the process outside of the exhibition period for the LPS, particularly given that the Reports and Addendum to the Section 35 (F) Report - Rural Enterprise Concept (v2) prepared by Town Planning Solutions constituted a substantial modification (within the meaning of s.35KB of the Land Use Planning and Approval Act 1993) to the zoning of many properties on Flinders Island.

**Mayor's Response**

The question was taken on notice.

**Question 12 – Mark Wales**

In relation to the legal action in the Supreme Court of Tasmania being brought by Markarna Grazing Company Pty Ltd (and others) against the Tasmanian Planning Commission in relation to the Flinders Local Provisions Schedule, what is Council's position on this. Will Council be defending the recommendations which it incorrectly made to the Tasmanian Planning Commission at the Hearings held in February 2022?

**Mayor's Response**

The question was taken on notice.

**Question 13 – Mark Wales**

In relation to the new exhibition period for the LPS which has been directed by the Tasmanian Planning Commission, and given the brevity of the exhibition period, how will Council ensure that all affected landowners are aware of the exhibition period? As a comment: Many landowners are still unaware of the changes that have been made to zoning in relation to their properties and it is suggested that (if genuine consultation is to be achieved) Council should send a letter to all affected landowners rather than hoping they read about it on Facebook or happen to notice it on the Council's website.

**Mayor's Response**

The question was taken on notice.

*Note: Mark Wales asked about the deadline regarding answering questions at the meeting and was told that he missed the timeframe.*

**Question 14 – Ken Stockton**

I write in relation to the PROCESS in selecting the new Chairperson of the Audit Panel. Was the successful applicant interviewed and were references checked?

**Mayor's Response**

No - the applicant was not interviewed by Council – as has been the process with all previous appointments to the Audit Panel. The appointee was encouraged to apply for the position by one of the existing Audit Panel members. All councillors were encouraged to do their own individual research and fact checking of resumes provided.

**Question 15 – Ken Stockton**

What qualifications does that person hold in relation to Tasmanian local Government processes and more specifically Flinders Island?

**Mayor's Response**

Council's Personal Information Protection Policy does not permit disclosure of this information. However, broadly speaking, the appointee has a wealth of experience in governance, local government, audit finance and management and as a director and chairperson on various high-level boards. Councillors are confident in their selection.

**Question 16 – Ken Stockton**

What additional expenditure is required of Flinders Council in the appointee attending meetings of the panel, or is it planned to fulfill attendance obligations by zoom or skype?

**Mayor's Response**

There will be no additional expenditure as the appointee will be attending meetings remotely, as do other members of the Audit Panel committee on occasion.

**Question 17 – Terence Ellwood**

I have noticed that a lot of Council's works vehicles are looking in poor condition. Could Council please inform me what is planned to bring the equipment into better condition, thereby saving ratepayers money.

**Mayor's Response**

Chris Wilson, A/General Manager, was asked by Mayor D Williams to answer this question. Council is aware of this matter and is undertaking an ongoing programme of refurbishing Council vehicles and plant items.. Photos were presented of several plant items that have been refurbished over the last six months. . The mechanic will continue working on refurbishing more vehicles..



## **4. COUNCILLORS' QUESTIONS WITHOUT NOTICE**

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### **Question - Cr V Grace**

When will Lady Barron cemetery issue be addressed?

### **A/General Manager's Response**

There is a lot of work to be done, Council is low on staff and this matter will be attended to when there is more staff available.

### **Question – Cr V Grace**

Has Council contacted the stakeholders of the Vinegar Hill Road, to see if we can seek a resolution for the ongoing maintenance of that road?

### **A/General Manager's Response**

The question was taken on notice.

## **5. LATE AGENDA ITEMS**

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NIL

## **6. DECLARATION OF PECUNIARY INTEREST**

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NIL

## **7. CONFLICT OF INTEREST**

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Cr Aaron Burke declared a conflict of interest in closed council item 17.1.1 Community Grant.

## 8. WORKSHOPS & INFORMATION FORUMS

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File No. COU/0205

### **Council Workshop – 16 August 2022**

Council held a workshop on the following subjects:

- Item 1 Audit Panel Chair Nominations
- Item 2 Whitemark Tennis Courts
- Item 3 Public Open Space Policy
- Item 4 Islander Way Circular Economy Project - Richard Broome
- Item 5 Furneaux Maritime History Association request
- Item 6 Visit Northern Tasmania Memorandum of Understanding
- Item 7 General Manager Update

### **Councillors in Attendance**

A/Mayor Rachel Summers	Cr Vanessa Grace
Cr Sharon Blyth	Cr Peter Rhodes
Cr Aaron Burke	

### **Apologies**

Cr David Williams

### **Staff and Consultants in Attendance**

Warren Groves	General Manager
Chris Wilson	Manager Infrastructure (item 5)
Vicki Warden	Executive Officer
Kyra Newman	Executive Assistant
Jacci Smith	Development Services Coordinator (items 2-4)
Sammi Gowthorp	Council Services Coordinator (items 4-5)
Richard Broome	Community Member (item 4)

### **Candidate Training Session – 23 August 2022**

A training session was held for potential candidates nominating in the Local Government elections.

### **Councillors in Attendance**

Mayor David Williams	Cr Aaron Burke
A/ Deputy Mayor Rachel Summers	Cr Vanessa Grace
Cr Sharon Blyth	Cr Peter Rhodes

### **Staff in Attendance**

Warren Groves	General Manager
Chris Wilson	Manager Infrastructure
Vicki Warden	Executive Officer
Kyra Newman	Executive Assistant

### **Council Workshop – 6 September 2022**

Council held a workshop on the following subjects:

- Item 1 Subdivision Palana Road (Ngarra)
- Item 2 Library Lease
- Item 3 Coast Road Section 40T Subdivision
- Item 4 Asset and Disposal Policy and Procedure
- Item 5 General Manager Update

- Item 6 Community Grants
- Item 7 Visit Northern Tasmania Memorandum of Understanding
- Item 8 Draft Furneaux Islands Weed Management Strategy

#### **Councillors in Attendance**

Mayor David Williams	Cr Vanessa Grace
A/Deputy Mayor Rachel Summers	Cr Peter Rhodes
Cr Aaron Burke	

#### **Apologies**

Cr Sharon Blyth

#### **Staff and Consultants in Attendance**

Warren Groves	General Manager
Chris Wilson	Manager Infrastructure
Jacci Smith	Development Services Coordinator (items 1-3)
Sammi Gowthorp	Council Services Coordinator (items 6-8)
Vicki Warden	Executive Officer
Kyra Newman	Executive Assistant
Eve Lazarus	Enviro-dynamics (item 8)

#### **RECOMMENDATION**

That the Council Workshops and information session held on 16 August, 23 August and 6 September 2022 be noted.

#### **DECISION**

**162.09.2022 Moved: Cr V Grace    Seconded: Cr A Burke**

**That the Council Workshops and information session held on 16 August, 23 August and 6 September 2022 be noted.**

#### **CARRIED UNANIMOUSLY (5-0)**

**For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke, Cr V Grace and Cr P Rhodes.**

## 9. PUBLIC MEETINGS

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### 9.1 FIN FISH FARMING

**File Reference** COU/0203  
**Annexure** 9.1.1 Public Meeting – Fin Fish Farming 29 August 2022 Unconfirmed Minutes

#### **OFFICER’S REPORT (Warren Groves, General Manager):**

A public meeting was held on 29 August 2022 in the Flinders Arts and Entertainment Centre in response to a resolution of Council at the 16 August 2022 council meeting:

*“146.08.2022*

*That Council calls a public meeting under s60f of the Local Government Act 1993 to discuss the proposal to allow Fin Fish Farm leases in the Furneaux group.”*

The meeting heard from two speakers, viewed video presentations and gauged community attitudes towards the allocation of leases in the waters of the Furneaux group of islands.

The unconfirmed minutes of the Public Meeting held 29 August 2022 have been provided for confirmation.

#### **RECOMMENDATION**

That the unconfirmed minutes of the Public Meeting – Fin Fish Farming, held 29 August 2022, be confirmed.

#### **DECISION**

**163.09.2022 Moved: Cr V Grace    Seconded: A/Deputy Mayor R Summers**

**That the unconfirmed minutes of the Public Meeting – Fin Fish Farming, held 29 August 2022, be confirmed, with the following to be included to the end of the last questions ‘and how are we going to be notified going forward?’.**

**CARRIED UNANIMOUSLY (5-0)**

**For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke, Cr V Grace and Cr P Rhodes.**

## 10. PUBLICATIONS/REPORTS TABLED FOR COUNCIL INFORMATION

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Nil

# 11. REPORTS TO BE RECEIVED

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## 11.1 FURNEAUX GROUP AVIATION SPECIAL COMMITTEE

**File Reference** COM/0104

**Annexure** 11.1.1 Furneaux Group Aviation Special Committee Meeting 24 August 2022 Unconfirmed Minutes

### **OFFICER'S REPORT (Warren Groves, General Manager):**

The unconfirmed minutes of the Furneaux Group Aviation Special Committee Meeting held 24 August 2022 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

### **RECOMMENDATION**

That the unconfirmed minutes of the Furneaux Group Aviation Special Committee Meeting held 24 August 2022 be noted.

### **DECISION**

164.09.2022 Moved: Cr P Rhodes

Seconded: A/Deputy Mayor R Summers

That the unconfirmed minutes of the Furneaux Group Aviation Special Committee Meeting held 24 August 2022 be noted.

### **CARRIED UNANIMOUSLY (5-0)**

For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke, Cr V Grace and Cr P Rhodes.

## **11.2 FURNEAUX GROUP SHIPPING SPECIAL COMMITTEE**

**File Reference** COM/0403

**Annexure** 11.2.1 Furneaux Group Shipping Special Committee Meeting 2  
September 2022 Unconfirmed Minutes

### **OFFICER'S REPORT (Warren Groves, General Manager):**

The unconfirmed minutes of the Furneaux Group Shipping Special Committee Meeting held 2 September 2022 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

### **RECOMMENDATION**

That the unconfirmed minutes of the Furneaux Group Shipping Special Committee Meeting held 2 September 2022 be noted.

### **DECISION**

**165.09.2022 Moved: Cr V Grace    Seconded: Cr A Burke**

**That the unconfirmed minutes of the Furneaux Group Shipping Special Committee Meeting held 2 September 2022 be noted.**

### **CARRIED UNANIMOUSLY (5-0)**

**For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke, Cr V Grace and Cr P Rhodes.**

## 11.3 FLINDERS BOATING SPECIAL COMMITTEE

<b>File Reference</b>	COM/0404
<b>Annexure</b>	11.3.1 Flinders Boating Special Committee Meeting 7 September 2022 Unconfirmed Minutes

### **OFFICER'S REPORT (Warren Groves, General Manager):**

The unconfirmed minutes of the Flinders Boating Special Committee meeting held Wednesday 7 September 2022 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

### **RECOMMENDATION**

That the unconfirmed minutes of the Flinders Boating Special Committee meeting held 7 September 2022 be noted.

### **DECISION**

**166.09.2022 Moved: Cr A Burke    Seconded: Cr V Grace**

**That the unconfirmed minutes of the Flinders Boating Special Committee meeting held 7 September 2022 be noted.**

**CARRIED UNANIMOUSLY (5-0)**

**For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke, Cr V Grace and Cr P Rhodes.**

## **11.4 FURNEAUX MUNICIPAL EMERGENCY MANAGEMENT COMMITTEE**

### **File Reference**

**Annexure** 11.4.1 Furneaux Municipal Emergency Management Committee Meeting 9 September 2022 Unconfirmed Minutes

### **OFFICER'S REPORT (Warren Groves, General Manager):**

The unconfirmed minutes of the Furneaux Municipal Emergency Management Committee meeting held Friday 9 September 2022 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

### **RECOMMENDATION**

That the unconfirmed minutes of the Furneaux Municipal Emergency Management Committee meeting held 9 September 2022 be noted.

### **DECISION**

**167.09.2022 Moved: A/Deputy Mayor R Summers                      Seconded: Cr V Grace**  
**That the unconfirmed minutes of the Furneaux Municipal Emergency Management Committee meeting held 9 September 2022 be noted.**

### **CARRIED UNANIMOUSLY (5-0)**

**For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke, Cr V Grace and Cr P Rhodes.**



## 12. MAYOR'S REPORT

<b>Action</b>	<b>Information</b>
<b>Proponent</b>	Mayor D Williams
<b>File Reference</b>	COU/0600
<b>Annexures</b>	Nil

### APPOINTMENTS

DATE	DIARY ACTIVITY
26/8	Phone Call: Dave Freer
28/8	Radio interview: Australian Radio Network: Fin Fish Farm meeting
29/8	Public Meeting: Fin Fish Farm paper
29/8	Radio interview ABC Tas: Fin Fish Farm meeting
30/8	Radio interview ABC Tas: Fin Fish Farm meeting
30/8	Meeting with Bridget Archer
2/9	Furneaux Group Shipping Special Committee meeting
7/9	Furneaux Group Boating Special Committee meeting

### CORRESPONDENCE IN

DATE	FROM	SUBJECT
12/8	Lord Mayor C Moore	Invitation to join Australian South Sea Islanders
12/8	M. Ferguson	Major Project North East Wind - Declaration
17/8	J Tongs	Tasmanian Audit Office – Acceptance letter for submission of financial statements
23/8	K Stockton	Audit Committee
25/8	K Stockton	Audit Committee
25/8	G Klug	Various – Fin Fish Farm meeting
26/8	D Freer	House Saga
27/8	G Klug	Fin Fish Farm paper
29/8	Deputy Lord Mayor H Burnet	Southern Tasmanian Councils Authority Regional Coastal Strategy
29/8	G Klug	Amanda McKinnon

### CORRESPONDENCE OUT

DATE	TO	SUBJECT
24/8	K Stockton	Audit Committee
25/8	K Stockton	Audit Committee
25/8	G Klug	Various: appreciation for support

### VOTING REQUIREMENTS

Simple Majority

### RECOMMENDATION

That the Mayor's report be received.

### DECISION

**168.09.2022 Moved: Cr V Grace    Seconded: Cr A Burke**  
**That the Mayor's report be received.**

**CARRIED UNANIMOUSLY (5-0)**

**For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke, Cr V Grace and Cr P Rhodes.**

*Jacci Smith, Development Service Coordinator, joined the meeting at 2:25pm.*

## 13. DEVELOPMENT SERVICES

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**At 2.26pm, Mayor David Williams announced that, 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.**

### 13.1 DEVELOPMENT APPLICATION – ONEFOX INVESTMENTS (WEST END)

<b>Action</b>	<b>Decision</b>
<b>Proponent</b>	Onefox Investments
<b>Officer</b>	Jacci Smith   Development Services Coordinator
<b>File Reference</b>	DA2022/026
<b>Annexures</b>	13.1.1 Ag+NV Report - West End 13.1.2 Bushfire Assessment - West End 13.1.3 Folio Plan - West End 13.1.4 Representation 1 – Jones 13.1.5 Representation 2 – FIPNI 13.1.6 Representation 3 – Smith 13.1.7 Representation 4 – Henwood 13.1.8 Representation 5 – Bowman 13.1.9 Subdivision Rev 01 - 22-05-19 - West End

#### INTRODUCTION

The proposal is for a 4 lot subdivision at 689 West End Road, Leeka. The proposal was submitted and deemed valid under the – *Flinders Planning Scheme 1994*. Some representors referred to the current provisions (*Tasmanian Planning Scheme*) pertaining to this land and proposal; but as this proposal was submitted under the *Flinders Planning Scheme 1994*, it therefore must be assessed under those provisions.

#### PREVIOUS COUNCIL CONSIDERATION

Nil

#### PREVIOUS COUNCIL DISCUSSION

Nil

#### STATUTORY REQUIREMENT

The application was made pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*. Determination of the application is a statutory obligation.

#### POLICY/STRATEGIC IMPLICATIONS

The 2021-2031 Strategic Plan outlines the vision for the future of the Municipality and the strategic focus areas and outputs that have been identified to support that vision – outputs that support population growth, increased tourism, primary industries and entrepreneurial activity whilst protecting and enhancing the important characteristics and lifestyle attributes of our island life.

#### Strategic Focus Area: Liveability

This focus area encompasses strategies that may alleviate some of the challenges faced by our community, such as regional disadvantage; the need for employment; and housing, both

affordable and appropriate. We will be looking at ways to preserve what makes the Furneaux Group so special whilst building and sustaining a “viable” population.

#### **Rationale:**

- A viable population that enables the necessary services and activities required for the Community to prosper.
- A harmonious and healthy community actively engaged in recreation, volunteering, arts and culture.
- Development and land use planning guidelines that promote balance between our built and natural environments.
- Our natural environment protected and enhanced through land management activities.

#### **Strategies**

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.

#### **OFFICER’S REPORT**

##### Subject Site and Surrounding Area

The subject site is located at 689 West End Road, Leeka. The property measures 40ha and obtains access to and from West End Road via an existing Right of Way. The land falls in a southern direction from approx 90m AHD to 10m AHD where it abounds the Crown Land separating it from the ocean. The site contains a 40m<sup>2</sup> shack located on proposed Lot 2. The lot is heavily vegetated. The following native species are found on site:

- *Eucalyptus viminalis*- *Eucalyptus globulus* coastal forest and woodland (approx 14.1ha). This is a threatened vegetation community under the *Nature Conservation Act 2002*.
- *Allocasuarina verticillata* forest (approx 15.5ha)

Approx 11.7ha is covered in Coastal scrub.

#### **The Proposal**

The proposal is for a 4 lot subdivision with lot sizes below the minimum 40ha requirements as follows;

- Lot 1 – 20ha
- Lot 2 - 11ha
- Lot 3 – 5ha
- Lot 4 – 4ha

The subject site is an internal lot with an existing Right of Way providing access to West End Road. Access to all proposed lots are via reciprocal rights of way with passing bays to be provided in compliance with the Bushfire Hazard Management report by RMCG dated 14 July 2022.

#### **Referral**

The proposal was referred to EHO and Manager Infrastructure and Airport. No objections were raised and no specific conditions of approval were required.

#### **Notification**

The application was advertised for 14 days in accordance with the Act and 5 representations were received.

Issues raised	Officer comments
<p><u>Chris Bowman:</u></p> <ul style="list-style-type: none"> <li>• Land area less than 40ha</li> <li>• Does the development have to provide access to the coast line</li> <li>• Questions access to lots 3 and 4</li>   <li>• Passing bays shown do not currently exist</li>   <li>• The building area shown for Lot 3 is under existing power lines</li> </ul>	<ul style="list-style-type: none"> <li>• The planning scheme provides for a discretion when proposed new lots are less than 40ha. This has been assessed in the Planning Assessment below.</li> <li>• There is no obligation to provide access to the coast for any/all lots.</li> <li>• Access to lot 3 and 4 is over lot 2 via a Right of way. This is a legal manner of providing access to landlocked titles. The subject site currently gains access from West End Road via a right of way.</li> <li>• Prior to the sealing of the Final Plan of Subdivision, the developer must provide the access and passing bays as per the endorsed bushfire hazard management report that will form part of any approval.</li> <li>• Lot 3 is 5ha in size. The Bushfire hazard management report shows that there is an area on the site capable of containing a dwelling. When an application for a dwelling on this lot is proposed in the future it must contain a site specific bushfire management report. A future dwelling proposal will also be referred to the power supply authority for their comments. There is ample space on this proposed title to construct a dwelling in compliance with all relevant bushfire and access requirements.</li> </ul>
<p><u>Craig Smith</u></p> <ul style="list-style-type: none"> <li>• It would be negligent and irresponsible to not consider the Tasmanian Planning Scheme requirements/provisions.</li> </ul>	<ul style="list-style-type: none"> <li>• The proposal was submitted under the previous planning scheme – <i>Flinders Planning Scheme 1994</i>. The representor referred to the current provisions (<i>Tasmanian Planning Scheme</i>) pertaining to this land and proposal; but as this proposal was submitted under the <i>Flinders Planning Scheme 1994</i>, it must be assessed under provisions of the scheme in place when deemed valid.</li> </ul>
<p><u>Frances Henwood</u></p> <ul style="list-style-type: none"> <li>• The proposed lot sizes are less than 40ha.</li> </ul>	<ul style="list-style-type: none"> <li>• That is correct. The <i>Flinders Planning Scheme 1994</i> in Clause 5.8.3 (b) provides for discretion to the Planning Authority to assess and approve lots less than 40ha. An assessment against this</li> </ul>

	<p>provision of the planning scheme is made elsewhere in this report.</p>
<p><u>Furneaux Islands Protection Network Inc</u></p> <ul style="list-style-type: none"> <li>• Questions the timing of the submission of the proposal, date of the Bushfire hazard management report and the fact that this is being assessed under the <i>Flinders Planning Scheme 1994</i>.</li>   <li>• The reference in the Agricultural and Natural Values report to part of Clause 5.8.3 is wrong and therefore make the DA a nonsense.</li> <li>• Subdivision in the Rural zone of lots sizes less than 40ha is not permitted.</li>   <li>• It is fair and reasonable to assume the reason for this proposed subdivision is to promote a change of use at some time in the future.</li>   <li>• The proposal did not address the issue of ribbon development along the road and coast line</li> </ul>	<ul style="list-style-type: none"> <li>• The application was submitted on 28/4/22 and a 'further information request' was sent on 9/5/22. This request was satisfied on 5/8/22 and resulted in an amended plan of subdivision and the original Bushfire Hazard Management report dated 23/12/21 was also updated and a new report submitted dated 14/7/22. These updated documents were advertised.</li> <li>• The proposal was submitted under the planning scheme in place at the time of valid lodgement – <i>Flinders Planning Scheme 1994</i> - and must be assessed under the relevant planning scheme provisions.</li> <li>• Clause 5.8.3 (a) of the planning scheme states that the minimum lot size is 40ha. This clause then continues to parts (b), (c) and (d) and describes the matters taken into consideration when a Discretion is exercised to propose lot sizes less than 40ha. The report adequately assesses and addresses these matters/requirements – regardless of the typing error.</li>   <li>• That is possible and any future proposal for use and/or development will be assessed under the planning scheme provisions in place at the time.</li>   <li>• Ribbon development refers to development in a continuous row along a road, railway, coastline etc. This proposal does not include any other development and/or use except for the subdivision. Any future development of the subject land will not create ribbon development along West End Road since the subject site has no frontage to the road except for the right of way that can only be used for access. Proposed lot 1 and 2 abounds the Crown Land on the ocean's edge. Along this edge there are existing houses visible from the ocean and Crown land on 611, 647, 687, 693 West End Road and the subject site</li> </ul>

	<p>on proposed Lot 2. Proposed Lot 1 will possibly add another house along this water front/Crown land. These existing developments are separated at least 100m apart and as such is not considered to be a continuous row of development along the ocean/Crown land edge.</p>
<p><u>Adrian Jones</u></p> <ul style="list-style-type: none"> <li>• Proposal was submitted under the Flinders Planning Scheme 1994 – the current Tasmanian Planning Scheme will not allow this subdivision.</li> <li>• Natural History report is lacking – concerning white-breasted sea eagle nest sites under his observation.</li> </ul>	<ul style="list-style-type: none"> <li>• The proposal was submitted under the <i>Flinders Planning Scheme 1994</i> and must be assessed under the relevant scheme provisions.</li> <li>• Believe the reference is to the white-bellied sea eagle. The Agricultural and Natural Values report by RMCG dated 23/12/2021 lists in Table 4.2 threatened fauna species recorded within 5km of the subject site or within the range boundaries of species. The conclusion of the final risk assessment is that the proposed subdivision's potential is <i>Low Risk</i>.</li> </ul>

## Planning Assessment

### PART 5: ZONING

#### 5.8 Rural Zone

##### 5.8.1 Zone Intent

- The Rural Zone on Flinders Island is intended to maintain the existing rural character of the island which is typified by a pattern of areas of open farmland, typically with shelter belts of remnant vegetation, interspersed with irregular areas of native vegetation and substantial unspoiled landform. On other islands within the Planning Area the zone is intended to preserve the existing character which displays minimal signs of European occupation.
- Use and development in the Rural Zone is intended to accommodate agricultural uses and development predominantly, with some compatible non-agricultural uses and development in appropriate circumstances, including tourist operation and rural industries. Forest plantations may be appropriate where they do not adversely affect the character of an area or detract from important views.

##### 5.8.2 Desired Zone Character and Zone Guidelines

- The use or development of small existing rural lots for the purpose of residential living shall only be approved where such use or development is compatible with any existing or potential agricultural use of that land or surrounding lands.
- Use or development should enhance the rural character of the zone. Buildings should be substantial distances from the road frontage and apart, unless inappropriate for operational or topographical reasons. Where land clearance is undertaken it should be visually sympathetic; important trees (or stands of

trees) should be retained, important hilltop locations should not be cleared and location of trees and shrubs along fence lines, property boundaries, watercourses and at property entrances is encouraged. Buildings and structures for aquaculture should be sited with regard to the protection of coastal scenery and compatibility with recreational use of the coastline.

- (c) Land use or development and management practices shall be environmentally appropriate and shall avoid contamination or despoliation of the land, ground water, water courses, shore-lines, lagoons and marshes. Sand-dunes and coastal vegetation and ecologically important areas shall be protected from degradation.
- (d) Forestry activities in the zone shall be in accordance with the Forest Practices Code.

### 5.8.3 Subdivision Standards

- (a) The minimum lot size is 40 ha
- (b) A lot less than 40 hectares may be approved at Council's discretion for the following purposes;
  - (i) For an intensive agricultural use;
  - (ii) For a use, other than agriculture, that is consistent with the zone intent, desired zone character and zone guidelines;
  - (iii) For an aquaculture use;
  - (iv) For a servicing facility, infrastructure or recreational use;
  - (v) For boundary alterations where no additional titles are created and the resultant lots will comply with the intent of the zone.
- (c) In considering an application under Clause 5.8.3(b) Council shall require a detailed assessment of the proposal prepared by a suitably qualified, independent, agricultural consultant that demonstrates:
  - (i) In the case of lots for intensive agricultural use, the capacity of the proposed lot(s)
  - (ii) other cases, the agricultural capacity of the proposed lot(s) (including any balance lot) and methods which will be employed to safeguard their agricultural capacity;
- (d) Before accepting an application under Clause 5.9.3(b) Council may require the applicant to submit a Development Plan for the land to which the application relates. The Development Plan should show that:
  - (i) Subdivision will not fragment or diminish the agricultural potential of the land;
  - (ii) Subdivision will not result in ribbon development along roads and coastlines;
  - (iii) Development will not cause significant adverse impact on the natural environment, flora and fauna, coastal waters, watercourses or skylines;
  - (iv) Development or use will not be likely to result in land use conflict with existing land uses in the vicinity.

#### Officer comments:

**The proposed 4 lot subdivision is generally consistent with the Intent and Desired Future Character of the Zone. The proposed subdivision will still maintain the rural character of the surrounds – where there are lots of a variety of shapes and sizes; with a large percentage of existing lots being below 40ha. There is limited agricultural potential on these land parcels with residential being the common development and**



use. No development other than the subdivision forms part of this proposal under assessment.

### 5.8.3: subdivision

The proposed lot sizes are all below 40ha. (b) (ii) provides for approval at Council's discretion for a use, other than agriculture, that is consistent with the zone intent, desired zone character and zone guidelines. The Agricultural and Natural Values report that formed part of the proposal stated that *the land is marginally suitable for grazing due to severe limitation. None of the surrounding titles are currently used for agricultural or primary industry activities.* (P2 of Agricultural and Natural Values report by RMCG dated 23 December 2022) **Future use of these proposed 4 lots are therefore considered to be uses, other than agriculture in compliance with (b)(ii).**

**The Agricultural and Natural Values report stated that *the subject title is practically incapable of supporting an agricultural or primary industry use....the limitations of the title would limit its ability to be farmed in conjunction with other land for any agricultural or primary industry use. In addition, the characteristics of surrounding titles indicate that there is negligible chance of this title being farmed in conjunction with any adjacent land.* With reference to (c)(ii) there is no agricultural capacity to safeguard – both on the subject site and the surrounds.**

As mentioned above, the subject site and adjacent titles have limited agricultural potential – even if farmed together. The proposed subdivision is therefore not considered to diminish agricultural potential, nor fragment in compliance with (d)(i).

The proposal will not result in ribbon development along West End Road or the coastline. Ribbon development refers to development in a continuous row along a road, railway, coastline etc. This proposal does not include any other development and/or use except for the subdivision. Any future development of the subject land will not create ribbon development along West End Road since the subject site has no frontage to the road except for the right of way that can only be used for access. Proposed lot 1 and 2 abounds the Crown land on the ocean's edge. Along this edge there are existing houses visible from the ocean and Crown land on 611, 647, 687, 693 West End Road and the subject site on proposed Lot 2. Proposed Lot 1 will possibly add another house along this water front/Crown land. These existing developments are separated at least 100m apart and as such is not considered to be a continuous row of development along the ocean/Crown land edge in compliance with (d)(ii).

The proposal is only for subdivision – future use and/or development proposals must address and be assessed against the planning scheme requirements in place at the time (currently the Tasmanian Planning Scheme). Although the subject site contains a substantial native vegetation cover – it will be possible to clear minimum vegetation for both bushfire management and the construction of a driveway and buildings. The proposed lots are large – minimum 4ha and future use and/or development can be designed and construed so as not to cause adverse impacts on the environment, coastal waters and the skyline; in compliance with (d)(iii).

Due to the adjoining land being used solely for residential purposes and the fact the subject site and surrounds have limited agricultural potential, it is not considered that future of development the proposed lots will be in conflict with the exiting land uses in the vicinity; in compliance with (d)(iv).

## PART 6:- USES AND DEVELOPMENT PRINCIPLES

### 6.1 Use

Principles		Complies	Not Applicable
A	Use or development shall not unreasonably impact on any existing or intended use of development of neighbouring land	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B	Subdivision of land shall be carried out in accordance with the subdivision provisions for the zone within which the land is located or where that is not appropriate in accordance with: <ul style="list-style-type: none"> <li>i. the requirements of the intended use, and</li> <li>ii. the Zone Intent, or alternatively by</li> <li>iii. an approved Development Plan that has been adopted by Council and inserted as a provision in the Scheme.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C	Residential Zones shall be protected from encroachment by incompatible use or development.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D	Rural Industrial operations shall be appropriately located and designed to avoid any detrimental effects on neighbouring land use or development, particularly in respect of atmospheric emissions, solid waste disposal and water pollution, soil erosion, noise or visual quality.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E	Mining and quarrying operations shall be located and carried out in a form which does not conflict with surrounding land use or development, scenic values and the environment.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Officer comments: the assessment under Part 5 of this report confirms compliance with the zone provisions.**

## 6.2 Character

Principles		Complies	Not Applicable
A	Use and development shall adequately respect the character of, and future intentions for the area in which it is to be located.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B	Subdivision layout, particularly roads, shall take adequate account of land contours and the need to avoid visual scarring.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C	Use or development (including public facilities and services) should adequately respect the surrounding streetscape and neighbouring use or development, particularly in relation to scale, setbacks, form (including roof shape), landscaping, materials, colours and fencing.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D	Landscaping of use or development shall be of a type, form, variety(s) and character which is suited to the intention of the zone, the area and the nature of the use or development.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E	Where trees are an important element in the character of an area they should be retained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
F	Signs shall be consistent in type, scale and location, with the intention of the zone, the streetscape and the building or structure on which they are positioned or to which they otherwise relate.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G	Forestry use or development, particularly plantations, shall be appropriately sited and planned to protect the visual	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	quality and character of the countryside generally, and from important viewing locations in particular.		
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**Officer comments: the proposed lot sizes are similar to the various lot sizes in the vicinity. The subject site and those in the surrounds have limited agricultural potential and the current use and development of those in the vicinity is residential. This application under assessment is for subdivision only and any future application for use and/or development will be assessed under the planning regime in place at the time.**

**The proposal included a Bushfire Hazard Management Report and Agricultural and Natural Values report. These reports confirmed that each proposed lot has sufficient land area to provide for a building envelope with a BAL 19 rating. Bushfire Attack Level 19 is considered moderate and is primarily concerned with protection of your building from ember attack and burning debris ignited by wind borne embers and radiant heat up to and including 19kW/m2. The subject site contains native vegetation as well as threatened species. Future applications for use/or development will require a Bushfire Management Plan that may require vegetation management and/or removal.**

### 6.3 Amenity

Principles		Complies	Not Applicable
A	Adequate public open space shall be provided in areas of new subdivision, to meet the recreational and open space requirements of the community generally and particularly the new owners of the lots created by subdivision.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B	Use or development shall accord all existing and/or future occupiers with adequate and reasonable levels of amenity, especially in relation to privacy, sunlight, aspect, views and noise disturbance.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C	Dwellings shall provide an adequate amount and appropriate type of private open space, to meet the expected lifestyle requirements of occupants. Such private open space shall provide adequate privacy, be exposed to reasonable levels of sunshine and directly accessible from the dwelling to which it belongs.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Officer comments: the proposal is for a 4 lot subdivision with the smallest of the lots being approx. 4ha. The size of these proposed lots and those in the surrounds negate the provision of public open space provision as part of this proposal. Instead a cash in lieu payment will be required as part of any approval, with the payment to be spent in compliance with the Public Open Space & Contributions Policy. The size of the proposed lots and the access to it accord all existing and future occupiers with adequate levels of amenity.**

### 6.4 Environment

Principles		Complies	Not Applicable
A	Use or development shall not be allowed to detrimentally affect the environment. All areas, and sensitive ecological and/or visual areas in particular, shall be developed in a manner and to an extent which is consistent with the protection of the values of the area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B	Use or Development and land management practices shall be directed towards achieving environmental sustainability,	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	biodiversity and ecological balance, and avoiding environmental damage such as soil erosion, coastal dune erosion, loss of important animal and plant species and increases in vermin populations.		
C	<p>Use or Development shall not be located in areas of unacceptable risk (eg. from fire, flood or landslip). In situations where risk may exist, use and development shall be appropriately sited and designed to provide an acceptable level of protection and safety for future users. In particular.</p> <p>i. Lands subject to flood risk are those subject to a greater than one in a 100 year flood interval (1% probability), and land, the natural surface level of which is below 3 metres Australian Height Datum (AHD); and</p> <p>ii. Land which comprises soils of known or suspected instability, has a slope greater than 1 in 4, or is filled or reclaimed land, are deemed to constitute an unstable land hazard; and</p> <p>iii. Use and development in bushfire prone areas will comply with the provisions of Schedule 7 Development in Bushfire Prone Areas or some other provisions acceptable to Council and the Tasmania Fire Service.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D	<p>Potentially incompatible Uses or Developments shall be adequately and appropriately located, sited and designed to avoid conflict. Level 2 activities or sources of pollution shall be sited in accordance with the following:</p> <p>i. Use or Development for a use of land that is a Level 2 activity under the provisions of the Environment Management and Pollution Control Act 1994 shall not be allowed within the lesser distance from a residential zone than that recommended by the Director of Environmental Management.</p> <p>ii. Use or Development of land that is not a Level 2 activity, but which Council nonetheless considers will or has the potential for environmental harm, shall not be allowed within a lesser distance from a residential zone than that determined by Council after taking into account the advice from the Director of Environmental Management.</p> <p>iii. A dwelling unit shall not be erected within a lesser distance of any established Level 2 activity or other use of land which Council considers a source of pollution, than that determined by Council taking into account the advice from the Director of Environmental Management.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E	Activities involving extensive site works, such as quarrying, shall be suitably sited, screened, and rehabilitated where appropriate, to protect the ecological and visual qualities of the area.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F	Use or development shall be of a suitable form and siting to avoid any adverse impact on any watercourse and vice versa. Use or development (including the siting of effluent disposal systems) shall be setback a minimum of 40 metres, or such distance as is required, from a watercourse to avoid degradation of water quality.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

G	Use of land in the vicinity of those watercourses identified in Schedule 3 shall provide Riparian Reserves in an appropriate location and form.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Officer comments: the supporting reports that formed part of this proposal confirm that the proposed lots can be developed for residential purposes within the required bushfire managed building envelope, whilst still managing the maintenance and/or removal of native and threatened species. Removing threatened species requires a permit to take and approvals under separate legislation. Future development will need to be designed within the parameters of the various requirements applicable at the time of lodgment, including but not limited to relevant provisions of the active Planning Scheme and other legislation such as the Building Act.**

## 6.5 Heritage

	Principles	Complies	Not Applicable
A	Use or Development shall be undertaken in areas and in a manner which conserves items, sites, areas and customs of historic and cultural value.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B	Any Use or Development carried out on or in the vicinity of an item, site, area, feature or customary activity (including Aboriginal sites and shipwrecks) or conservation value, shall adequately respect its historic and cultural integrity.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C	The protection and conservation of items, sites, areas, features and customary activities of historic and cultural importance applies to those previously identified and listed in the Scheme, and those which subsequently become known to Council.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D	Where an item, site, area, feature or customary activity has or may have historic or cultural importance, Council may require a Statement of Cultural Significance to be prepared.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E	Use or development shall be carried out in accordance with the principles and practices of the <i>Burra Charter</i> .	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F	Use or Development involving any historic building or group of buildings shall adequately respect the design and construction elements of the building(s) and particularly the relationship of spaces, orientation, form, mass, scale, fenestration, detailing, style, materials and colour.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G	Areas of identified conservation value, including National Parks and Nature Reserves, shall be protected from inappropriate use or development and detrimental land management practices including land clearance, within such areas and adjacent areas outside them.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Officer comments: The subject site is not a heritage listed Place. A standard note on any approval requires that if any relic is found on site, all works must stop and the find be reported to Heritage Tasmania.**

## 6.6 Access and Parking

	Principles	Complies	Not Applicable
A	Areas of identified conservation value, including National Parks and Nature Reserves, shall be protected from inappropriate use or development and detrimental land	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	management practices including land clearance, within such areas and adjacent areas outside them.		
B	All Use or Development shall provide satisfactory pedestrian and vehicular access which is suited to the volume and needs of future users.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C	Buildings and spaces intended for public access shall provide for satisfactory use and access by the disabled; the requirements of the Building Regulations in relation to AS1428.1-1988 shall be met.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D	Road widths shall be appropriate to the road function, expected traffic type and volume, and future subdivision potential of the subject and surrounding land.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E	Footpaths shall normally be required in areas of new subdivision except where low vehicle traffic volumes are anticipated, in which case a footpath one side only or no footpath may be appropriate.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F	Road intersections shall be kept to a minimum with the use of existing roads, service roads and/or shared driveways being encouraged where appropriate.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
G	Intersections of roads, footpaths and foot crossings and driveways shall provide adequate safety for all users and shall satisfy the relevant requirements of Schedule 4.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
H	New Use or Development shall provide a suitably constructed driveway of a width to provide for the safe ingress and egress of the anticipated volume of traffic associated with the Use or Development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I	New Use or Development shall provide adequate car parking to provide for the demand it generates and shall be capable of being safely accessed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
J	On site turning shall be provided for development involving significant traffic volumes, heavy vehicle types and/or on roads which carry significant amounts of traffic.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
K	New Use or Development in Bushfire Prone Areas will require access that complies with the provisions of Schedule 7, Development in Bushfire Prone Areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Officer comments: the proposal is for subdivision only. The Bushfire Hazard Management Report clearly states the requirements for access. These requirements must be complied with evidence of their compliance prior to Council sealing the Final Plan of Subdivision to create the proposed new titles. These access together with the large land area will provide for adequate and safe access and maneuvering on site.**

## 6.7 Services

Principles		Complies	Not Applicable
A	Use or Development shall be provided with adequate and appropriate services which are suited to the lifestyle requirements of people, the nature of the location, and the ability of the community to provide.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B	Lot size and arrangement shall be adequate and appropriate to ensure an acceptable level of servicing, particularly in relation to waste disposal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

C	In areas not serviced with water use or development shall provide adequate water supply and effluent disposal systems. Each dwelling shall provide a potable water storage facility (minimum capacity of 40kl) to provide for the anticipated number of occupants, and a wastewater disposal system approved by the Council's Environmental Health Officer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D	Use or Development in the bushfire prone areas will provide fire protection features and water supplies which comply with Schedule 7.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E	Use or Development shall be appropriately sited, designed and constructed to avoid conflict with service mains (including telephone, power, sewer, water and irrigation channels/pipelines). Buildings shall not be erected over any service main or within any easement providing for same whether utilised or not.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F	Servicing systems shall use adequate and appropriate design methods and materials to ensure an acceptable life span and allow for adequate maintenance requirements.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G	Use or Development shall optimise efficiency in the use of energy and resources. In particular, land should be subdivided on a generally sequential basis (ie. one area is substantially developed before the next is subdivided), common trenching should be used for different services where appropriate, and solar access maximised.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Officer comments: The proposed lots will be required to provide access/connection to available services in the vicinity – such as electricity, telecommunications, access; and, as part of future development proposal, for onsite waste water management systems.**

## 6.8 Social Interest

Principles		Complies	Not Applicable
1	Use or Development should demonstrate how it suits the community interest.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Use or Development shall have adequate and appropriate types and levels of access to social facilities and services (eg. shops, government agencies, telecommunication, health services and educational facilities).	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Officer comments: the proposal will provide additional development sites; these proposed lots and future occupants will have access to all social facilities and services available on the island.**

## 6.9 Administration

Principles		Complies	Not Applicable
A	In considering subdivision and/or rezoning proposals, an appropriate balance shall be maintained between current demand and stock available for use or development, and the number of new lots that would be created.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B	Use or Development proposals should only be approved where the cost to the public of providing and maintaining services is not exceeded by the economic benefit of the use or development to the community.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

C	In considering any proposal, Council shall obtain the advice and opinion of other relevant group(s), individual(s) or organisation(s) with direct interest in the proposal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D	<p>A Development Plan for an integrated development <u>may</u> be prepared and adopted by Council for any area in this Scheme, A Development Plan shall include:</p> <ul style="list-style-type: none"> <li>i. The intended use for the land for which the Development Plan has been created;</li> <li>ii. The reason(s) for selection of the area;</li> <li>iii. A map showing clearly the area subject to the Development Plan showing principal physical features, including existing use or development, hills/slopes, trees, watercourses and existing services buildings and improvements;</li> <li>iv. The nature, form and capacity of proposed services including water, sewerage disposal, power, telephone, roads, footways and reserves;</li> <li>v. A plan of subdivision with proposed staging showing lot sizes and layouts, building envelopes where appropriate, and physical features intended to be conserved;</li> <li>vi. Any special provisions to be used to control land use and development in the area (eg. height, form, character, materials, colours etc.);</li> <li>vii. Any other provisions intended to secure the intention of the Plan.</li> </ul> <p>A Development Plan shall be incorporated into the Scheme by way of a Scheme amendment in accordance with the Act.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Officer comments: this proposed subdivision and the compliance with any conditions of approval will not require any public money to be spent. The assessor of this proposal sought input from Council's internal departments.**

#### PART 7: SPECIAL AREA PROVISIONS

Special Area	Applicable	Not Applicable
Visually Significant Area	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ecologically Significant Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Heritage Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Shoreline, waterbodies and Watercourses	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 7.2 Visually Sensitive Areas

7.2.1 These areas have been identified in recognition of their contribution to the landscape character and scenic values of the Planning Area. Important elements in their selection are:

- (a) Visual prominence when seen from public roads, foreshores and coastal waters;
- (b) Undisturbed landforms and natural vegetation;
- (c) Minimal visible evidence of human activity in the form of buildings, structures or works.

7.2.2 The objectives of the Visually Sensitive Areas are:

- (a) To retain the natural appearance of each Area;



- (b) To minimise the visual impact of Use or Development;
  - (c) To retain and restore where possible the natural vegetation cover.
- 7.2.3 Notwithstanding any other provision in this Scheme, within the Visually Sensitive Areas any application for Use or Development (other than those prohibited within the zone) shall be considered as a discretionary Use or Development in accordance with Clause 3.5.
- 7.2.4 In considering an application for Use or Development within the Visually Sensitive Areas and whether to impose conditions Council shall consider the following matters:
- (a) The objectives listed in Clause 7.2.2
  - (b) The siting, orientation, setbacks, bulk, form, height, scale and external finishes of buildings and structures.
  - (c) The visual impact of buildings, clearing, excavation, access, construction, fences, firebreaks or the deposition of fill.
  - (d) The adequacy of proposed landscaping and whether any special works or practices are required to protect the scenic values of the site.
  - (e) Whether development is proposed to be located on skylines or ridgelines.

**Officer comments; the proposal is for a subdivision only. Minimal disturbance of the natural environment is required to comply with any conditions of approval. Future use and development of the land will be subject to a site specific Bushfire Management Plan and this may require maintenance or removal of native vegetation. The smallest of the proposed lots is 4ha. It is considered that there is ample space to provide a building envelope, which includes access, bushfire hazard management and natural values management.**

**PART 8: SCHEDULES**

<b>Schedule</b>	<b>Applicable</b>	<b>Not Applicable</b>
Schedule 2 – Buildings and Works of Historic Interest	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schedule 3 - Riverside, Wetlands and Shoreline Areas	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schedule 4 – Roads	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schedule 5 – Signs	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schedule 6 - Telecommunications Infrastructure Schedule	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schedule 7 - Development in Bushfire Prone Areas	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schedule 8 - North East River Development Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Officer comments: The Bushfire Hazard Management report: 689 West End Rd, Leeka and its advice is compliant with Planning Directive 5.1 Bushfire-Prone Areas Code 2017. This is modified from Schedule 7.**

<b>S7.1.0 ISSUE</b> <b>Subdivision design and layout</b>	<b>INTENT</b> - The design, siting and layout of subdivisions in bushfire prone areas should minimise fire risks and the potential for loss of life.	
<b>1.1.1.1.1 ACCEPTABLE SOLUTIONS</b>	<b>PERFORMANCE CRITERIA</b>	
<b>S7.1.1a</b> Subdivisions are designed so that buildings are separated from the bushfire	Subdivisions are designed to have lots of sufficient size and appropriate shapes to	

<p>hazard by Building Protection Zones (BPZ) and Fuel Modified Buffer Zones (FMBZ) and</p> <p><b>S7.1.1b</b> A BPZ surrounds a building and is separated from the fire hazard by a FMBZ and</p> <p><b>S7.1.1c</b> BPZ and FMBZ can be constructed to the width measured along the ground as shown in Table 7.1 and</p> <p><b>S7.1.1d</b> If the required width of the BPZ is exceeded, the width of the FMBZ may be reduced by that additional width, thus maintaining the same total width of fuel reduced areas. (Note the width of the BPZ cannot be reduced).</p>	<p>provide building envelopes located within sufficient fuel reduced areas so buildings are not subject to threatening levels of flames and radiation during a bushfire.</p>
<p><b>S7.1.2a</b> FMBZ are within the boundaries of the subdivision and BPZ are within the boundaries of each lot or</p> <p><b>S7.1.2b</b> In reticulated water supply areas, the width of the FMBZ may be reduced if it can be shown that other fire protection measures acceptable to the Tasmania Fire Service and Council are to be incorporated into the development or</p> <p><b>S7.1.2c</b> Where the subdivision does not provide either sufficient BPZ or FMBZ for individual lots, a multi-lot solution may be proposed which may be acceptable to the Tasmania Fire Service and Council.</p>	<p>Subdivisions provide all lots with sufficient fuel reduced areas around building envelopes so buildings are not subject to threatening levels of flames and radiation during a bushfire.</p>

**Officer comments: the Bushfire Hazard Management report: 689 West End Rd, Leeka (The Report) clearly confirms that there is adequate land area to provide to provide building envelopes located within sufficient fuel reduced areas so buildings are not subject to threatening levels of flames and radiation during a bushfire.**

<p><b>S7.2.0 ISSUE</b></p> <p><b>Access in subdivisions</b></p>	<p><b>INTENT</b> – Subdivisions are designed to provide safe access for emergency and other vehicles to all lots and buildings.</p>	
<p><b>ACCEPTABLE SOLUTIONS</b></p>	<p><b>PERFORMANCE CRITERIA</b></p>	
<p><b>S7.2.1a</b> Subdivisions have two access roads to low bushfire hazard areas or</p> <p><b>7.2.1b</b> Dead end roads must not exceed 200 metres in length or service more than 8 lots or</p>	<p>Subdivisions should have safe alternative routes to low bushfire hazard areas for emergency and other vehicles.</p>	

<p><b>S7.2.1c</b> Where only one road is available, the Tasmania Fire Service and Council may approve a local area development plan which provides for the eventual linking of a dead end road to a connective road network or</p> <p><b>S7.2.1d</b> The Tasmania Fire Service and Council may approve a non through road provided it is linked to a formed fire trail to the requirements of the Tasmania Fire Service and Council.</p>	
<p>S7.2.2a Access must be of all-weather construction and</p> <p>S7.2.2b Road structures (including bridges) must have a minimum load limit of 20 tonnes; and</p> <p>S7.2.2c There must be vertical clearance to a height of 4 metres above the trafficable width of the access; and</p> <p>S7.2.2d There must be horizontal clearance from 4 metres of the centre line of any trafficable road for a height of 4 metres above the trafficable width.</p>	<p>Safe access roads shall be provided at all times.</p>

<p><b>S7.2.3a</b> A maximum gradient of 1 in 8 (12.5%) is specified. However, where a topographic difficulty occurs, an absolute maximum grade of 1 in 5 (20%) for a distance no greater than 50 metres may be approved by the Tasmania Fire Service and Council. The average maximum grade must therefore not exceed 1 in 7 (14.4%) and</p> <p><b>S7.2.3b</b> Curves must have a minimum inner radius of 10 metres and</p> <p><b>S7.2.3c</b> Dips must have no more than a 1 in 8 (12.5%) entry and exit angle and</p> <p><b>S7.2.3d</b> All roads must have a maximum cross fall alignment of 1 in 33 (3%).</p>	<p>The horizontal and vertical alignments, crossfall and turning areas reflect physical characteristics and major drainage functions for the site as well as satisfying design requirements for emergency vehicles.</p>
<p><b>S7.2.4a</b> At the end of all roads or access ways there must be a courtbowl or cul de sac of a minimum trafficable radius of 10 metres</p>	<p>Suitable turning areas for fire suppression and other vehicles must be provided at the end of all roads and access ways.</p>

<p>(shoulders, seal or other consolidated edges may be acceptable) or</p> <p><b>S7.2.4b</b> At the end of all roads or access ways there must be hammerhead “T” or “Y” turnarounds with minimum 4 metres width and total length of 16 metres.</p>	
<p><b>S7.2.5a</b> The minimum trafficable width for access is 6 metres which may include consolidated, formed, surfaced and drained shoulders or</p> <p><b>S7.2.5b</b> Where 8 or less lots are being serviced, an access with trafficable width of 4 metres for a maximum of 90 metres length may be provided or</p> <p><b>S7.2.5c</b> Where the access is less than 6 metres trafficable width, passing bays of a minimum length of 20 metres must be provided every 200 metres along the access. The combined width of the access and the passing bay must be a minimum 6 metres.</p>	<p>Access should be of sufficient width to allow simultaneous access and egress for emergency and other vehicles.</p>

<p><b>S7.2.6a</b> An access road forms the perimeter of the development or</p> <p><b>S7.2.6b</b> A fire trail connected to an access road forms the perimeter of the development.</p>	<p>Access to the perimeter of the development must be provided.</p>
<p><b>S7.2.7a</b> Fire trails are constructed to 4WD standard and</p> <p><b>S7.2.7b</b> Fire trails have a formed width of 4 metres and</p> <p><b>S7.2.7c</b> Fire trails must have vertical clearance to a height of 4 metres above the trafficable and</p> <p><b>S7.2.7d</b> Fire trails must have horizontal clearance from 3 metres of the centre line for a height of 4 metres above the trafficable width and</p> <p><b>S7.2.7e</b> Fire trails will have a maximum gradient of 1 in 6 (17%).</p>	<p>Fire trails must be safe for use fire suppression.</p>

**Officer comments: The Report sets the bushfire protection measures. This includes access width, clearance, gradient and all weather construction. Prior to Council Sealing the Final Plan of Subdivision, it will be required that an accredited Bushfire Practitioner signs off on this part of the development confirming the access has been provided as per The Report requirements.**

<p><b>S7.3.0 ISSUE</b> <b>Water supplies for fire suppression in subdivisions</b></p>	<p><b>INTENT</b> – To ensure adequate water supplies are available in a subdivision for landowners or emergency services to defend properties from bushfire</p>	
<p>1.1.1.1.2 <b>ACCEPTABLE SOLUTIONS</b></p>	<p><b>PERFORMANCE CRITERIA</b></p>	
<p><b>S7.3.1a</b> Subdivisions have a reticulated water supply with a minimum flow rate as specified by Australian Standard AS 2419 for the intended class of development as required under the Building Code of Australia or 600 litres per minute (which ever is greater) or</p> <p><b>S7.3.1b</b> Subdivisions have a static water supply to comply with AS 2419 for the intended class of development as required under the Building Code of Australia for fire suppression or</p> <p><b>S7.3.1c</b> For developments not specified in the Building Code of Australia in S7.3.1 b), subdivisions for lots less than 2500 square metres will have 10 000 litres of stored water for fire suppression and for lots 2500 square metres or larger, 20 000 litres of stored water for fire suppression.</p>	<p>Subdivisions have an adequate size of water supply.</p>	
<p><b>S7.3.2a</b> In areas where the water supply complies with S7.3.1 a), the building envelope must not be more than 130 metres from the nearest fire hydrant. The hydrant must comply with Tasmania Fire Service and Council requirements or</p> <p><b>S7.3.2b</b> In areas where the water supply does not comply with S7.3.1 a), a static supply complying with S7.3.1 b) or c) will be located within the subdivision to be accessible by emergency vehicles at all times. The supply may be from a single source or a combination of storages for either individual lots or for the entire subdivision. Storages must be accessible from all the lots they are intended to serve.</p>	<p>The water supply for fire suppression will be available at all times.</p>	

<p><b>S7.3.3a</b> All water storage tanks are constructed of non-combustible and non-rust materials such as galvanised steel and concrete and</p> <p><b>S7.3.3b</b> All above ground pipelines and fittings are either constructed of non-combustible and non-rust materials such as galvanised steel and copper, or protected from the effects of heat and flame by lagging or other means and</p> <p><b>S7.3.3c</b> All below-ground water pipelines are installed to a depth as specified in the National Plumbing Code AS 3500 (generally 300 mm).</p>	<p>The water supply pipelines, fittings and storages are designed, located and fitted to ensure reliability of the water supply during a fire.</p>
<p><b>S7.3.4a</b> If the storage is accessible and above ground, a male 64 mm 5V thread coupling to Tasmania Fire Service specifications must be installed on the storage to supply water or</p> <p><b>S7.3.4b</b> If the storage is accessible and below ground, there must be sufficient hard standing beside or adjacent to the storage to allow an emergency vehicle access for draughting from the storage or</p> <p><b>S7.3.4c</b> If the storage is not directly accessible, a remote access point may be provided which must deliver water at a minimum flow rate of 270 litres per minute at the delivery point through a male 64 mm 5V thread coupling to Tasmania Fire Service specifications.</p>	<p>Access to static supplies will be suitable for emergency vehicles.</p>

**Officer comments: The Report sets the bushfire protection measures. This includes the provision of water supply for firefighting. Prior to Council Sealing the Final Plan of Subdivision, it will be required that an accredited Bushfire Practitioner signs off on this part of the development confirming the access has been provided as per The Report requirements.**

#### **RECOMMENDATION**

That the application for a four (4) lot subdivision in the Rural Zone, by Onefox Investments Pty Ltd for land located at 689 West End Road, Leeka (Lot 1 on Plan 138530) be APPROVED subject to the following conditions:

#### Endorsed Plans and Documents

1. The use and/or development must be carried out as shown on the endorsed plan dated 19.05.2022 Project No 0-2021, Bushfire Hazard Management report: 689 West End

Rd, Leeka by RMCG dated 14 July 2022 and Agricultural and Natural Values report by RMCG dated 23 December 2021 to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.

#### Final Survey Diagram

2. The Final Survey Diagram and Schedule of Easements (and three copies) must be submitted for sealing, together with a copy of the Survey Notes.
3. Unless this permit specifically provides otherwise, the Final Survey Diagram will not be sealed by Council until all conditions of this permit have been satisfied.
4. The Final Survey Diagram must include easements in favour of the Council (or other relevant public authority) over all infrastructure situated in non-public land.
5. The Final Survey Diagram must be endorsed to show any area that cannot be serviced by reticulated water, gravity sewer or gravity stormwater.

#### Submission and Approval of Plans

6. Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Council's Infrastructure Manager for approval. Such plans and specifications must:
7. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
  - i Electricity infrastructure
  - ii be prepared strictly in accordance with the *Tasmanian Subdivision Guidelines* applicable at the date of approval of the plans. These Guidelines are available at [www.lgat.tas.gov.au](http://www.lgat.tas.gov.au)
8. Be prepared by a suitably qualified and experienced engineer or Engineering Consultancy

#### Easements

9. Easements are required over all Council and third-party services located in private property. The minimum width of easements is detailed in the *Tasmanian Subdivision Guidelines*. A lesser width may be approved for a private service prior to the lodgment of a final plan of survey.

#### Construction of Works

10. Prior to the sealing of the Final Plan of Subdivision, all private infrastructure works must be constructed in accordance with plans and specifications approved by the Council's Infrastructure Manager.

The required infrastructure works must be as shown in the application documents and endorsed plans or as modified by the approval of the detailed engineering drawings and specifications. Works must include:

- a) Driveways and passing bays as per Bushfire Hazard Management Report: 689 West End Rd, Leeka by RMCG dated 14 July 2022.
- b) Constructed driveway in accordance with TSD-R01-v2.

#### Bushfire Hazard Management Plan

11. Prior to the Sealing of the Final Plan of Subdivision written advice from an Accredited Bushfire Practitioner must be submitted to Council to the satisfaction of Council's Development Services Coordinator advising that all recommendations and requirements of the Bushfire Hazard Management Report: 689 West End Rd, Leeka by RMCG dated 14 July 2022 have been implemented including requirements regarding access, water supply and vegetation / fuel hazard management.

#### Payment in Lieu of Public Open Space

12. Prior to the sealing of the Final Plan, the developer must pay to the Council the sum of \$5,000 being equivalent to 5% of parent property value with a cap of \$5,000.

#### Covenants on Subdivisions

13. Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision permitted by this permit either by transfer, by inclusion of such covenants in a Schedule of Easements or by registration of any instrument creating such covenants with the Recorder of Titles unless:
  - a) Such covenants or controls are expressly authorised by the terms of this permit; or
  - b) Such covenants or similar controls are expressly authorised by the consent in writing of the 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 DA2022026. 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 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

- 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](http://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](mailto:aboriginal@heritage.tas.gov.au); and the relevant approval processes will apply with state and federal government agencies.

#### **DECISION**

**169.09.2022 Moved: Cr V Grace      Seconded: Cr A Burke**

**That Council suspends the operation of Regulation 22 of the Local Government (Meeting Procedures) Regulations 2015, in accordance with Regulation (22) 9.**

#### **CARRIED UNANIMOUSLY (5-0)**

**For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke, Cr V Grace and Cr P Rhodes.**

#### **DECISION**

**170.09.2022 Moved: A/Deputy Mayor R Summers      Seconded: Cr V Grace**

**That the application for a four (4) lot subdivision in the Rural Zone, by Onefox Investments Pty Ltd for land located at 689 West End Road, Leeka (Lot 1 on Plan 138530) be APPROVED subject to the following conditions:**

#### **Endorsed Plans and Documents**

- 1. The use and/or development must be carried out as shown on the endorsed plan dated 19.05.2022 Project No 0-2021, Bushfire Hazard Management report: 689 West End Rd, Leeka by RMCG dated 14 July 2022 and Agricultural and Natural Values report by RMCG dated 23 December 2021 to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.**

#### **Final Survey Diagram**

- 2. The Final Survey Diagram and Schedule of Easements (and three copies) must be submitted for sealing, together with a copy of the Survey Notes.**
- 3. Unless this permit specifically provides otherwise, the Final Survey Diagram will not be sealed by Council until all conditions of this permit have been satisfied.**

4. The Final Survey Diagram must include easements in favour of the Council (or other relevant public authority) over all infrastructure situated in non-public land.
5. The Final Survey Diagram must be endorsed to show any area that cannot be serviced by reticulated water, gravity sewer or gravity stormwater.

#### **Submission and Approval of Plans**

6. Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Council's Infrastructure Manager for approval. Such plans and specifications must:
7. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
  - i Electricity infrastructure
  - ii be prepared strictly in accordance with the *Tasmanian Subdivision Guidelines* applicable at the date of approval of the plans. These Guidelines are available at [www.lgat.tas.gov.au](http://www.lgat.tas.gov.au)
8. Be prepared by a suitably qualified and experienced engineer or Engineering Consultancy

#### **Easements**

9. Easements are required over all Council and third-party services located in private property. The minimum width of easements is detailed in the *Tasmanian Subdivision Guidelines*. A lesser width may be approved for a private service prior to the lodgement of a final plan of survey.

#### **Construction of Works**

10. Prior to the sealing of the Final Plan of Subdivision, all private infrastructure works must be constructed in accordance with plans and specifications approved by the Council's Infrastructure Manager.

The required infrastructure works must be as shown in the application documents and endorsed plans or as modified by the approval of the detailed engineering drawings and specifications. Works must include:

- a) Driveways and passing bays as per Bushfire Hazard Management Report: 689 West End Rd, Leeka by RMCG dated 14 July 2022.
- b) Constructed driveway in accordance with TSD-R01-v2.

#### **Bushfire Hazard Management Plan**

11. Prior to the Sealing of the Final Plan of Subdivision written advice from an Accredited Bushfire Practitioner must be submitted to Council to the satisfaction of Council's Development Services Coordinator advising that all recommendations and requirements of the Bushfire Hazard Management Report: 689 West End Rd, Leeka by RMCG dated 14 July 2022 have been implemented including requirements regarding access, water supply and vegetation / fuel hazard management.

#### **Payment in Lieu of Public Open Space**

12. Prior to the sealing of the Final Plan, the developer must pay to the Council the sum of \$5,000 being equivalent to 5% of parent property value with a cap of \$5,000.

#### **Covenants on Subdivisions**

13. Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision permitted by this permit either by transfer, by inclusion of such covenants in a Schedule of Easements or by registration of any instrument creating such covenants with the Recorder of Titles unless:

- a) Such covenants or controls are expressly authorised by the terms of this permit; or
- b) Such covenants or similar controls are expressly authorised by the consent in writing of the 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 DA2022026. 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 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**

- 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](http://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](mailto:aboriginal@heritage.tas.gov.au)); and the relevant approval processes will apply with state and federal government agencies.

#### **CARRIED (4 - 1)**

**For:** Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke and Cr V Grace.

**Against:** Cr P Rhodes (abstained)

***At 2.33pm, Mayor David Williams announced that Council concluded its meeting as a Planning Authority under Section 25 of the Local Government (Meeting Procedures) Regulations 2015.***

## 13.2 DEVELOPMENT APPLICATION REPORT

<b>Action</b>	<b>Information</b>
<b>Proponent Officer</b>	Council Officer Jacci Smith   Development Services Coordinator
<b>File Reference</b>	PLN/0105
<b>Annexures</b>	13.2.1 Development Assessments Report – August 2022

### 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 13.2.1, Development Assessments Report – August 2022.

### VOTING REQUIREMENTS

Simple Majority

### RECOMMENDATION

That the Development Assessments Report – August 2022 be received.

### DECISION

171.09.2022 Moved: Cr P Rhodes                      Seconded: A/Deputy Mayor R Summers  
That the Development Assessments Report – August 2022 be received.

### CARRIED UNANIMOUSLY (5-0)

For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke, Cr V Grace and Cr P Rhodes.

*Jacci Smith, Development Services Coordinator, left the meeting at 2:29pm.*

## 14. INFRASTRUCTURE

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### 14.1 INFRASTRUCTURE AND AIRPORT REPORT – AUGUST 2022

<b>Action</b>	<b>Information</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Chris Wilson   Manager Infrastructure
<b>File References</b>	WOR/3000
<b>Annexures</b>	14.1.1 Manager Infrastructure and Airport Report – August 2022

#### INTRODUCTION

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

#### OFFICER'S REPORT

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

#### VOTING REQUIREMENTS

Simple Majority

#### RECOMMENDATION

That the Infrastructure and Airport Report – August 2022 be received and accepted by Council.

#### DECISION

**172.09.2022 Moved: Cr V Grace    Seconded: A/Deputy Mayor R Summers**

**That the Infrastructure and Airport Report – August 2022 be received and accepted by Council.**

#### CARRIED UNANIMOUSLY (5-0)

**For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke, Cr V Grace and Cr P Rhodes.**

*Note: A/Deputy Mayor R Summers expressed appreciation for Chris Wilson's detailed report and the work that has been carried out on Summer Camp Rd.*

## 14.2 RESCIND AVIATION POLICY

<b>Action</b>	<b>Information</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Christopher Wilson   Manager Infrastructure
<b>File Reference</b>	COM/0104
<b>Annexures</b>	14.2.1 Aviation Policy

### INTRODUCTION

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

### PREVIOUS COUNCIL CONSIDERATION

Nil

### PREVIOUS COUNCIL DECISION

253.05.02	13 June 2002
494.08.05	25 August 2005
611.10.05	13 October 2005
739.02.2014	13 February 2014
782.04.2014	10 April 2014
44.03.2016	17 March 2016

### OFFICER'S REPORT

Council's policy is to review all policies every four years at the beginning of the election cycle or at Council's discretion. Staff have reviewed the Aviation Policy and found it to be surplus to requirements as it provides no guidance to the Airport Operations Officer or the Airport Reporting Officer who manage the day-to-day operations of the Flinders Island Airport.

Council airport staff are required to manage and maintain the airport via Part 139 of the *Civil Aviation Safety Authority's (CASA's) Manual of Standards*. This regulates and informs staff on all required aspects of operating a certified aerodrome.

I therefore recommend that Council rescinds the above policy.

### STATUTORY REQUIREMENT

*Local Government Act 1993*

Local Government (General) Regulations 2015

### POLICY/STRATEGIC IMPLICATIONS

Nil

### RISK/LIABILITY

Rescinding this policy will not expose Council to risk in these areas.

### VOTING REQUIREMENTS

Simple Majority

### RECOMMENDATION

That Council rescinds the Aviation Policy listed below and allows it to lay on the table for 28 days for public comment.

**DECISION**

**173.09.2022 Moved: Cr P Rhodes**

**Seconded: Cr A Burke**

**That Council rescinds the Aviation Policy listed below and allows it to lay on the table for 28 days for public comment.**

**CARRIED UNANIMOUSLY (5-0)**

**For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke, Cr V Grace and Cr P Rhodes.**

*Mayor David Williams passed the Chair to A/Deputy Mayor Rachel Summers at 2.38pm.*



## 15. NOTICE OF MOTION

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### 15.1 NOTICE OF MOTION - FIN FISH FARMING

<b>Action</b>	<b>Decision</b>
<b>Proponent</b>	Mayor David Williams
<b>Officer</b>	Warren Groves   General Manager
<b>File Reference</b>	COU/0203
<b>Annexures</b>	Nil

#### NOTICE OF MOTION

That Council supports the request made by our community member Judy Jacques, on behalf of our concerned community, and submits the following letter to our representatives in the State Government:

*“To The Tasmanian State Premier & Ministers*

*Dear Premier and Ministers*

*Matters of Interest  
Flinders Island Aquaculture Meeting*

*On Monday evening, 29 August 2022, the Flinders Council convened a public meeting to gauge community attitudes towards the proposed allocation of leases on the Furneaux Islands western coasts to the aquaculture industry for fin fish, shellfish and seaweed culture.*

*The meeting was informed that the west coast of the Furneaux Group has been identified as suitable for aquaculture.*

*According to government sources, leases which have been identified, mapped and now made available for fin fish aquaculture under the Furneaux Islands Marine Farming Development Plan include;*

- Roydon Island;*
- Bun Beetons Point;*
- Tanners Bay;*
- Prime Seal Island (2);*
- South Arthur Bay;*
- East Little Chalkey Island;*
- Dover Point;*
- Vansittart Island West; and*
- Deep Bay West.*

*Other leases cover shellfish and seaweed.*

*None of the leases are protected as ‘no go areas.’ Companies can swap leases elsewhere for them by simple agreement and licence. Potential leases cover around 1631.41 ha of seabed, restricting community use, with serious penalties for trespass, including the possibility of substantial fines and prison terms.*

*Over 110 of the approximately 920 islands’ residents attended the meeting. The Mayor and Councillors, departmental officers, elected members and citizens participated in the information and action discussions. Residents’ opinions were sought at the conclusion*

*of the session and the following motion resolved “That the Furneaux group of islands does not support fin fish farming in our island waters, ever”.*

*Will the Premier ensure that no aquaculture leases will be allocated in the Furneaux Group of Islands ‘waterways, as did her/his predecessor in relation to the East Coast of Tasmania?*

*Yours sincerely*

*David Williams  
Mayor  
Flinders Council”*

## **COUNCILLOR’S REPORT**

As we are all aware, at the public meeting held on 29 August 2022 there was an overwhelming majority vote that our community does not want a fin fish farm in our pristine waters. It was further resolved that the motion “*That the Furneaux group of islands does not support fin fish farming in our island waters, ever.*” should be submitted to the State members, making our community’s position quite clear.

Since then, Council has been asked on several occasions what further steps we will take to protect this community from having the waters around our islands desecrated with such fin fish farm leases.

The proposed letter to our regulators makes it quite clear that we want to stop any further discussion on such possibilities happening.

## **PREVIOUS COUNCIL CONSIDERATION**

146.08.2022                      16 August 2022

## **PREVIOUS COUNCIL DISCUSSION**

Public Meeting                      29 August 2022

## **OFFICER’S REPORT**

It is clear that community sentiment is firmly against the prospect of any fin fish or shellfish farming or seaweed culture within the Furneaux Group of islands. The motion passed at the public meeting was included in Council’s submission to state Government on the 10-year Salmon Farming discussion paper. There is also a clear requirement, in these circumstances for Council to support and advocate on behalf of our community to ensure and protect the unspoilt and natural beauty of our island home.

## **STATUTORY REQUIREMENTS**

Section 20(1b) *Local Government Act 1993*

## **POLICY/STRATEGIC IMPLICATIONS**

1. Liveability - To protect and build upon our island's way of life.
- 1.4 Our natural environment protected and enhanced through land management activities.

## **BUDGET AND FINANCIAL IMPLICATIONS**

Nil

## **RISK/LIABILITY**

For Council not to act within our legislated role to advocate on behalf of the Community in these circumstances could give rise to potential reputational and procedural risk.

## VOTING REQUIREMENTS

Simple Majority

## MOTION

Moved: Mayor D Williams    Seconded: Cr A Burke

That Council supports the request made by our community member Judy Jacques, on behalf of our concerned community, and submits the following letter to our representatives in the State Government:

*“To The Tasmanian State Premier & Ministers*

*Dear Premier and Ministers*

*Matters of Interest*

*Flinders Island Aquaculture Meeting*

*On Monday evening, 29 August 2022, the Flinders Council convened a public meeting to gauge community attitudes towards the proposed allocation of leases on the Furneaux Islands western coasts to the aquaculture industry for fin fish, shellfish and seaweed culture.*

*The meeting was informed that the west coast of the Furneaux Group has been identified as suitable for aquaculture.*

*According to government sources, leases which have been identified, mapped and now made available for fin fish aquaculture under the Furneaux Islands Marine Farming Development Plan include:*

- Roydon Island;*
- Bun Beetons Point;*
- Tanners Bay;*
- Prime Seal Island (2);*
- South Arthur Bay;*
- East Little Chalkey Island;*
- Dover Point;*
- Vansittart Island West; and*
- Deep Bay West.*

*Other leases cover shellfish and seaweed.*

*None of the leases are protected as ‘no go areas.’ Companies can swap leases elsewhere for them by simple agreement and license. Potential leases cover around 1631.41 ha of seabed, restricting community use, with serious penalties for trespass, including the possibility of substantial fines and prison terms.*

*Over 110 of the approximately 920 islands’ residents attended the meeting. The Mayor and Councillors, departmental officers, elected members and citizens participated in the information and action discussions. Residents’ opinions were sought at the conclusion of the session and the following motion resolved “That the Furneaux group of islands does not support fin fish farming in our island waters, ever”.*

*Will the Premier ensure that no aquaculture leases will be allocated in the Furneaux Group of Islands’ waterways, as did her/his predecessor in relation to the East Coast of Tasmania?*

*Yours sincerely*

**David Williams**  
**Mayor**  
**Flinders Council”**

**CARRIED UNANIMOUSLY (5-0)**

**For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke, Cr V Grace and Cr P Rhodes.**

*A/Deputy Mayor Rachel Summers passed the Chair to Mayor David Williams at 2:43pm.*

**174.09.2022 Motion: Cr V Grace    Seconded: A/Deputy Mayor R Summers**

**That in relation to agenda item 13.1 Development Application, to note that the public be made aware that there was no alternative to approving the application, without incurring potential legal action.**

**CARRIED (5-1)**

**For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke and V Grace.**

**Against: Cr P Rhodes (abstained)**

*Kyra Newman, Executive Assistant, left the meeting at 2:48pm.*

## 15.2 NOTICE OF MOTION – RESCISSION OF RESOLUTIONS

<b>Action</b>	<b>Decision</b>
<b>Proponent Officer</b>	A/Deputy Mayor Rachel Summers Warren Groves   General Manager
<b>File Reference</b>	GOV/0300
<b>Annexures</b>	15.2.1 2022 Resolution Report

### NOTICE OF MOTION

That Council rescinds the following two resolutions:

#### 292.11.2016

- 1. That Flinders Council lobbies the relevant government agencies and Ministers to amend the Bass Strait Passenger Vehicle Equalisation Scheme (BSPVES) to include an intrastate component i.e. between 'mainland' Tasmania and the Furneaux Group. The aim of this Notice of Motion is to benefit residents of the Furneaux Islands.*
- 2. That if deemed appropriate, depending on current shipping arrangements, the General Manager liaises with King Island Council re their possible involvement in changing the BSPVES to include an intrastate component.*

#### 156.05.2019

*That Council:*

...

- 3. Undertake initial implementation steps by:*

...

- (b) Lobbying for an amendment to the Bass Strait Passenger Vehicle Equalisation Scheme (BSPVES) to include an intrastate component, i.e. between 'mainland' Tasmania and the Furneaux Group.*

### COUNCILLOR'S REPORT

Motions 292.11.2016 and part 3(b) of 156.05.2019 were supported by Council in good faith at the time the motions were put. The Bass Strait Passenger Vehicle Equalisation Scheme is managed by the Federal Government and over the years, Council Officers have lobbied federal ministers on this issue, however to no avail.

Based on the age, lack of activity, halted status and recent advocacy offer of Minister Street, furthered by Minister Ferguson, on the Tasmanian Freight Equalisation Scheme (TFES), I recommend to Council that these resolutions be rescinded. I further recommend that this matter is re-considered by the new Council in light of ongoing minor amendments to the scheme over the past years, current relevance and the offer of advocacy assistance from Minister Ferguson.

### PREVIOUS COUNCIL CONSIDERATION

61.03.10	25 March 2010
79.03.2012	15 March 2012
292.11.2016	17 November 2016
156.05.2019	21 May 2019

### PREVIOUS COUNCIL DISCUSSION

Council Workshop	1 February 2017
Council Workshop	9 March 2017
Council Workshop	7 May 2019

## OFFICER'S REPORT

The two motions in question relate to the Federal Government's BSPVES with allied advocacy currently being conducted by Minister Ferguson and Federal Minister for Bass, Bridget Archer MP on the Tasmanian Freight Equalisation Scheme (TFES). There has been no action on either resolution for a number of years. There is also current consideration of future efficiencies within the TFES with respect to waste and recycling transport. Although a matter for Council to decide, there is merit in the incoming Council re-assessing the BSPVES and TFES as it applies to the current needs of King Island and the Furneaux Group before re-consideration of a more contemporary resolution.

## STATUTORY REQUIREMENTS

Local Government (Meeting Procedures) Regulations 2015

## POLICY/STRATEGIC IMPLICATIONS

1. Liveability - To protect and build upon our island's way of life.
  - 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.
2. Accessibility/Infrastructure and Services - Quality infrastructure and services for community benefit.
  - 2.2 Safe and reliable air and sea access to the islands.
    - 2.2.2 Engage with key stakeholders to support and improve commercial and community sea access.

## BUDGET AND FINANCIAL IMPLICATIONS

Nil

## RISK/LIABILITY

Nil

## VOTING REQUIREMENTS

Absolute Majority

## MOTION

175.09.2022 Moved: A/Deputy Mayor R Summers                      Seconded: Cr A Burke  
That Council rescinds the following two resolutions:

### **'292.11.2016**

- 1. That Flinders Council lobbies the relevant government agencies and Ministers to amend the Bass Strait Passenger Vehicle Equalisation Scheme (BSPVES) to include an intrastate component i.e. between 'mainland' Tasmania and the Furneaux Group. The aim of this Notice of Motion is to benefit residents of the Furneaux Islands.***
- 2. That if deemed appropriate, depending on current shipping arrangements, the General Manager liaises with King Island Council re their possible involvement in changing the BSPVES to include an intrastate component.***

### **156.05.2019**

***That Council:***

***...***

- 3. Undertake initial implementation steps by:***

***...***

***(b) Lobbying for an amendment to the Bass Strait Passenger Vehicle Equalisation Scheme (BSPVES) to include an intrastate component, i.e. between 'mainland' Tasmania and the Furneaux Group.***

**CARRIED UNANIMOUSLY (5-0)**

**For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke, Cr V Grace and Cr P Rhodes.**

## 16. GOVERNANCE

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### 16.1 TASWATER – APPOINTMENT OF PROXY

<b>Action</b>	<b>Decision</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Warren Groves   General Manager
<b>File Reference</b>	COU/0312
<b>Annexures</b>	16.1.1 Letter to Owners – Appointment of Proxy for Owner's Representatives General Meeting

#### INTRODUCTION

In correspondence received from TasWater on 8 September 2022, TasWater has highlighted that it is required to hold its General Meeting (Reporting) no later than 30 November 2022. The meeting has been scheduled for 9 November 2022. Due to local government elections in October, TasWater has raised concerns that councils may not have the opportunity to appoint an Owner's Representative prior to 9 November 2022 and therefore be unable to contribute to decisions made at the General Meeting.

#### PREVIOUS COUNCIL CONSIDERATION

Nil

#### PREVIOUS COUNCIL DISCUSSION

Nil

#### OFFICER'S REPORT

Currently Cr Peter Rhodes is the Council representative on the TasWater – Shareholder's Group. No proxy has been nominated. TasWater is recommending that Council appoints the General Manager as a proxy to ensure that the Council is able to vote on matters at the TasWater General Meeting.

Council may wish to consider whether any appointment of the Flinders Council General Manager as a proxy is made for the scheduled meeting on 9 November 2022, or on an ongoing basis.

#### STATUTORY REQUIREMENT

*Local Government Act 1993*

#### POLICY/STRATEGIC IMPLICATIONS

2. Accessibility/Infrastructure and Services - Quality infrastructure and services for community benefit.

#### BUDGET AND FINANCIAL IMPLICATIONS

Nil

#### RISK/LIABILITY

A mechanism for representing Council at the upcoming TasWater General Meeting during a period of Councillor transition ensures Council's ability to contribute to decisions made at the General Meeting.

#### VOTING REQUIREMENTS

Simple Majority



**RECOMMENDATION**

That Council appoints the General Manager as a Proxy to represent the Flinders Council at the TasWater General Meeting on 9 November 2022.

**DECISION**

**176.09.2022 Moved: Cr P Rhodes Seconded: Cr V Grace**

**That Council appoints the General Manager as a Proxy to represent the Flinders Council at the TasWater General Meeting on 9 November 2022.**

**CARRIED UNANIMOUSLY (5-0)**

**For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke, Cr V Grace and Cr P Rhodes.**

## 16.2 COUNCIL POLICY MANUAL POLICY

<b>Action</b>	<b>Information</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Warren Groves   General Manager
<b>File Reference</b>	ADM/0600
<b>Annexures</b>	16.2.1 DRAFT G4 Council Policy and Procedure Framework

### 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

123.06.94	14 June 1994
301.12.01	13 December 2001
281.09.10	23 September 2010
342.11.12	15 November 2012
08.01.2016	21 January 2016

### PREVIOUS COUNCIL DISCUSSION

Council Workshop      6 September 2022

### OFFICER'S REPORT

The Council Policy Manual Policy is the overarching document that provides guidance on the establishment and review of the policies and procedures that form Council's Policy Manual. Over the past four years, Council has made many informal decisions regarding the Policy Manual and with the upcoming election, it was considered prudent to update the Policy to inform the new Council on the current Council's thinking.

A name change is also recommended.

### STATUTORY REQUIREMENT

*Local Government Act 1993*

### POLICY/STRATEGIC IMPLICATIONS

- 4. Good Governance - Effective, efficient and transparent management and operations.
- 4.1 An organisation that provides good governance, effective leadership and high-quality services, within our means.
- 4.1.1 Ensure Council meets its statutory obligations to manage risk, achieve financial sustainability and model good governance.

### RISK/LIABILITY

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

### VOTING REQUIREMENTS

Simple Majority

### RECOMMENDATION

That Council adopts the Council Policy and Procedure Framework as a strategic document and allows it to lay on the table for 28 days for public comment.

**DECISION**

**178.09.2022 Moved: A/Deputy Mayor R Summers                      Seconded: Cr P Rhodes**  
**That Council adopts the Council Policy and Procedure Framework as a strategic document and allows it to lay on the table for 28 days for public comment.**

**CARRIED UNANIMOUSLY (5-0)**

**For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke, Cr V Grace and Cr P Rhodes.**

## 16.3 PUBLIC OPEN SPACE POLICY REVIEW

<b>Action</b>	<b>Information</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Warren Groves   General Manager
<b>File Reference</b>	ADM/0600
<b>Annexures</b>	16.3.1 02 Public Open Space Policy

### 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

14 June 1994	123.06.94
13 December 2001	301.12.01
23 September 2010	281.09.10
15 November 2012	342.11.12
21 January 2016	08.01.2016

### PREVIOUS COUNCIL DISCUSSION

6 September 2022	Council Workshop
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### 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 operational standards and 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 (Building & Miscellaneous Provisions) Act 1993*

### POLICY/STRATEGIC IMPLICATIONS

2. Accessibility/Infrastructure and Services - Quality infrastructure and services for community benefit.
- 2.3 Council assets/land maintained and utilised effectively.

### RISK/LIABILITY

The Policy provides for consistency and transparency. Land developers have the opportunity to understand the requirements before making application, while Councillors and Community understand where funds collected from Public Open Space funds (cash in lieu) may be expended.

### VOTING REQUIREMENTS

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.

**DECISION**

**179.09.2022 Moved: A/Deputy R Summers**

**Seconded: Cr A Burke**

**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.**

**CARRIED UNANIMOUSLY (5-0)**

**For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke, Cr V Grace and Cr P Rhodes.**

## 16.4 EMPLOYEE PERFORMANCE AND DEVELOPMENT POLICY AND PROCEDURE

<b>Action</b>	<b>Decision</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Warren Groves   General Manager
<b>File Reference</b>	ADM/0900
<b>Annexures</b>	16.4.1 Employee Performance & Development Review Policy 16.4.2 Employee Performance & Development Review Procedure

### INTRODUCTION

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

### PREVIOUS COUNCIL CONSIDERATION

Nil

### PREVIOUS COUNCIL DISCUSSION

Nil

### OFFICER'S REPORT

Flinders Council does not currently have a policy or procedure relating to employee performance and development. This creates an organisation-wide opportunity for improvement with respect to constructively valuing, challenging, motivating, training and developing staff.

The policy has therefore been developed to address this issue by creating an annual employee performance and development review process to promote meaningful, effective and mutually beneficial, communication between employees and their manager or supervisor for the continuous improvement of all Flinders Council staff.

The Employee Performance and Development Procedure linked to this policy outlines the process, methodology and requirements of all involved parties.

The policy and procedure also address the Key Performance Indicator Annual Plan action AP-10 of "Performance Management Process" conducted.

### STATUTORY REQUIREMENT

*Age Discrimination Act 2004 (Commonwealth)*

*Anti-Discrimination Act 1998 (Tas)*

*Australian Human Rights Commission Act 1986 (Commonwealth)*

*Disability Discrimination Act 1992 (Commonwealth)*

*Fair Work Act 2009 (Commonwealth)*

Flinders Council's Disciplinary Policy

Flinders Council's Employee Code of Conduct

Flinders Council Enterprise Bargaining Agreement 2019-2023

Flinders Council's Fitness for Work Policy

Flinders Council's Workplace Behaviour Policy

*Local Government Act 1993 (Tas)*

*Personal Information Protection Act 2004 (Tas)*

*Privacy Act 1988 (Commonwealth)*

*Racial Discrimination Act 1984 (Commonwealth)*

*Sex Discrimination Act 1984 (Commonwealth)*

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## **POLICY/STRATEGIC IMPLICATIONS**

- 4. Good Governance - Effective, efficient and transparent management and operations.
- 4.1 An organisation that provides good governance, effective leadership and high-quality services, within our means.
- 4.1.1 Ensure Council meets its statutory obligations to manage risk, achieve financial sustainability and model good governance.
- 4.1.5 Develop a framework for staff performance management, training and safety.
- AP-10 Implement effective organisational performance management process.

## **BUDGET AND FINANCIAL IMPLICATIONS**

The information gleaned from this process will ensure appropriate budgeting for staff development and training.

## **RISK/LIABILITY**

The proposed policy and procedure address an area of organisational and reputational risk by ensuring appropriate support, training and development of staff.

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

That Council adopts the Employee Performance and Development Review Policy and Procedure as operational documents.

## **DECISION**

**180.09.2022 Moved: A/Deputy Mayor R Summers                      Seconded: Cr V Grace**  
**That Council adopts the Employee Performance and Development Review Policy and Procedure as operational documents.**

## **AMENDMENT**

**Moved: Cr P Rhodes**

**That Council adopts the Employee Performance and Development Review Policy and Procedure and allows them to lay on the table for 28 days for public comment.**

*Lapsed for want of a seconded.*

## **CARRIED UNANIMOUSLY (5-0)**

**For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke, Cr V Grace and Cr P Rhodes.**

## 16.5 ASSET DISPOSAL POLICY AND PROCEDURE

<b>Action</b>	<b>Information</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Warren Groves   General Manager
<b>File Reference</b>	ASM/0400
<b>Annexures</b>	16.5.1 O3 Asset Disposal Policy 16.5.2 O3-P Asset Disposal Procedure

### INTRODUCTION:

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

### PREVIOUS COUNCIL CONSIDERATION

Nil

### PREVIOUS COUNCIL DISCUSSION

6 September 2022                      Council Workshop

### OFFICER'S REPORT

Flinders Council has recognised the need to establish a formal policy and procedure for Council assets and disposal. This policy and procedure apply to all assets owned by Council, except real property (land and buildings) which is prescribed by Part 12, Division 1 of the *Local Government Act 1993*.

The intent of the Asset Disposal Policy and Procedure is to achieve asset disposal methods that are:

- a) consistent with the standard expected of a responsible, accountable and transparent public body;
- b) fair and equitable;
- c) value for money; and
- d) in accordance with community expectations.

The policy and procedure are presented for council consideration.

### STATUTORY REQUIREMENT

*Local Government Act 1993*

### POLICY/STRATEGIC IMPLICATIONS

2. Accessibility/Infrastructure and Services - Quality infrastructure and services for community benefit.
  - 2.3 Council assets/land maintained and utilised effectively.
  - 2.3.2 Finalise and implement the Asset Management Plan, maintenance schedules and disposal procedures to meet audit and governance requirements.
- AP-3 Identify Council land/assets for potential sale and improved land utilisation.

### RISK/LIABILITY

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

### VOTING REQUIREMENTS

Simple Majority



**RECOMMENDATION**

That Council accepts the Asset Disposal Policy and Procedure as operational documents and allows the Policy to lay on the table for 28 days for public comment.

**DECISION**

**181.09.2022 Moved: Cr V Grace    Seconded: Cr A Burke**

**That Council accepts the Asset Disposal Policy and Procedure as operational documents and allows the Policy to lay on the table for 28 days for public comment.**

**CARRIED (5-1)**

**For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke and V Grace.**

**Against: Cr P Rhodes**

## 16.6 REVIEW OF INSTRUMENT OF DELEGATION

<b>Action</b>	<b>Information</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Warren Groves   General Manager
<b>File Reference</b>	GOV/0400
<b>Annexures</b>	16.6.1 Council's Instrument of Delegation – revised September 2022

### INTRODUCTION

The purpose of this report is to replace Council's current Instrument of Delegation by adopting an updated instrument.

### PREVIOUS COUNCIL CONSIDERATION

27.01.2009	20 January 2009
375.11.2010	18 November 2010
087.03.2011	17 March 2011
365.12.2012	13 December 2012
612.08.2013	15 August 2013
740.02.2014	13 February 2014
807.05.2014	15 May 2014
53.02.2015	19 February 2015
205.08.2017	17 July 2017
240.09.2018	13 September 2018
223.08.2019	20 August 2019
108.5.2020	26 May 2020
216.10.2020	20 October 2020
228.11.2021	16 November 2021
118.06.2022	14 June 2022
157.08.2022	16 August 2022

### OFFICER'S REPORT

Section 22 of the *Local Government Act 1993* (the Act) empowers Council to, in writing, delegate, with or without conditions, certain powers and functions to the General Manager. In addition, Council may authorise the General Manager to further delegate those powers to Council employees [see s.64(1)(b) of the Act]. Various other Acts also empower Council to delegate its powers and functions: examples are s.6 of the *Land Use Planning and Approvals Act 1993* and s.8 of the *Building Act 2016*.

The purpose of Council's Instrument of Delegation is to record, in writing:

1. all delegations made by the Council to the General Manager and other persons under statute; and
2. instances where Council has authorised the General Manager to further delegate Council's powers and functions.

The making of delegations is a necessary and prudent step to ensure that the business of Council can be conducted efficiently and effectively. The most recent review of Council's delegations register was performed to ensure compliance and provide tighter guidelines in relation to expenditure as per section 74 of the Act. This includes providing authority to request authorisation of expenditure from a line manager or supervisor, rather than being restricted to seeking approval from the General Manager when expenditure limits are exceeded per the current authority.

The inception of the Tasmanian Planning Scheme and amendments to *Land Use Planning and Approvals Act 1993* required sections of delegations to be included or updated to ensure current legislative compliance with regard to matters pertaining to development.

These amendments have also given rise to a minor change in a Development Services staff position description. This has also led to the concomitant simplification of some recently amended position titles to ensure simplicity and consistency of nomenclature.

#### **STATUTORY REQUIREMENT**

*Building Act 2016*

Building Regulations 2016

*Environmental Management and Pollution Control Act 1994;*

*Food Act 2003*

*Land Use Planning and Approvals Act 1993*

*Local Government Act 1993*

*Local Government (Building and Miscellaneous Provisions) Act 1993*

*Local Government (Highways) Act 1982*

*Public Health Act 1997*

*Roads & Jetties Act 1935*

*Strata Titles Act 1998*

#### **POLICY/STRATEGIC IMPLICATIONS**

No policy exists on this matter.

#### **BUDGET AND FINANCIAL IMPLICATIONS**

Nil

#### **RISK/LIABILITY**

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

#### **VOTING REQUIREMENTS**

Two-thirds majority of councillors in attendance (as per s.124(2) of the *Local Government (Highways) Act 1982*).

#### **RECOMMENDATION**

That Council resolves to:

1. make each of the delegations and authorisations in the terms set out in the revised Instrument of Delegation (September 2022), by exercising the powers of delegation and authorisation referred to in that Instrument;
2. adopt the revised Instrument of Delegation (September 2022) as Council's current delegations register and revokes all previous delegations made and approved by Council (per clause 2 of the Instrument);
3. authorise the Mayor and the General Manager to endorse the revised Instrument of Delegation (September 2022) by executing the document and applying the common seal of Council; and

4. direct the General Manager to keep the new Instrument of Delegation (September 2022) and make it available for inspection at Council's offices as the Delegations Register, as required by s.22(4) of the *Local Government Act 1993*.

**DECISION**

**182.09.2022 Moved: Cr V Grace    Seconded: A/Deputy Mayor R Summers**

**That Council resolves to:**

1. make each of the delegations and authorisations in the terms set out in the revised Instrument of Delegation (September 2022), by exercising the powers of delegation and authorisation referred to in that Instrument;
2. adopt the revised Instrument of Delegation (September 2022) as Council's current delegations register and revokes all previous delegations made and approved by Council (per clause 2 of the Instrument);
3. authorise the Mayor and the General Manager to endorse the revised Instrument of Delegation (September 2022) by executing the document and applying the common seal of Council; and
4. direct the General Manager to keep the new Instrument of Delegation (September 2022) and make it available for inspection at Council's offices as the Delegations Register, as required by s.22(4) of the *Local Government Act 1993*.

**CARRIED UNANIMOUSLY (5-0)**

**For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke, Cr V Grace and Cr P Rhodes.**

## 16.7 COUNCILLOR RESOLUTION REPORT

<b>Action</b>	<b>Information</b>
<b>Proponent Officer</b>	Council Officer Warren Groves   General Manager
<b>File Reference</b>	GOV/0300
<b>Annexures</b>	16.7.1 Councillor Resolution Report September 2022

### INTRODUCTION

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

### PREVIOUS COUNCIL CONSIDERATION

The Report is presented on a monthly basis.

### OFFICER'S REPORT

Please read Annexure 16.7.1 – Councillor Resolution Report September 2022.

### VOTING REQUIREMENTS

Simple Majority

### RECOMMENDATION

That the Councillor Resolution Report September 2022 be noted.

### DECISION

**183.09.2022 Moved: Cr V Grace    Seconded: A/Deputy Mayor R Summers**  
**That the Councillor Resolution Report September 2022 be noted.**

### CARRIED UNANIMOUSLY (5-0)

**For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke, Cr V Grace and Cr P Rhodes.**

*Mayor David Williams called a break in the meeting at 3.10pm and resumed the meeting at 3.19pm.*

## 17. CLOSED COUNCIL

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### 17.1 COMMUNITY GRANTS

### 17.2 LIBRARY LEASE

<b>Action</b>	<b>Decision</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Warren Groves   General Manager

#### REASON FOR CLOSED COUNCIL

17.1 is **CONFIDENTIAL** in accordance with Section 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015.

17.2 is **CONFIDENTIAL** in accordance with Section 15(2)(b) of the Local Government (Meeting Procedures) Regulations 2015.

#### VOTING REQUIREMENTS

Absolute Majority

#### RECOMMENDATION

That Council moves into Closed Council.

*Sammi Gowthorp joined the meeting at 3:19pm.*

#### DECISION

**184.09.2022 Moved: Cr P Rhodes    Seconded: Cr A Burke**  
**That Council moves into Closed Council.**

#### CARRIED UNANIMOUSLY (5-0)

**For: Mayor D Williams, A/Deputy Mayor R Summers, Cr A Burke, Cr V Grace and Cr P Rhodes.**

*That Council moves into Closed Council at 3:19pm.*

*That Council moves out of Closed Council at 3:21pm.*

*The following motions for the Open Minutes was passed in Closed Council:*

**187.09.2022 Moved: A/Deputy Mayor R Summers    Seconded: Cr V Grace**  
**That for Agenda Item 17.1 Community Grants, the annexure remains closed and the complete agenda item be released to the open council minutes.**

#### CARRIED UNANIMOUSLY (4-0)

**For: Mayor D Williams, A/Deputy Mayor R Summers, V Grace and Cr P Rhodes.**

## 17.1 Community Grants

<b>Action</b>	<b>Decision</b>
<b>Proponent</b>	<b>Council Officer</b>
<b>Officer</b>	<b>Warren Groves   General Manager</b>
<b>File Reference</b>	<b>FIN/0905</b>
<b>Annexures</b>	<b>17.1.1 Community Grant Applications</b>

### INTRODUCTION

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. In previous years, 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 round of funding applications for the 2022-23 financial year is now submitted for consideration.

### PREVIOUS COUNCIL CONSIDERATION

Community Grants are decided annually by Council.  
105.05.2022            17 May 2022

### PREVIOUS COUNCIL DISCUSSION

Council Workshop 17 May 2022  
Council Workshop 14 June 2022

### OFFICER'S REPORT

Traditionally, Council's Community Grant and Gunn Bequest programs are advertised in the lead up to the new financial year and considered by Council in May, prior to the finalisation of the budget. In May this year, only one application for a Community Grant had been received and although worthy of consideration, the project was not considered a suitable Community Grant application. At the May council meeting, Council resolved motion no. 105.05.2022:

*"That Council*

- a) Defers the 2022-23 Community Grants Program;*
- b) The program is re-branded and re-advertised with a view to attracting new applications later in the 2022-23 Financial Year; and*
- c) Allows in the 2022/23 Financial Year Budget, \$6,000 available for allocation to the Community Grants Program."*

No applications were received under the Gunn bequest. The funds available from the Gunn bequest for 2022-23 totaled \$1141.62.

Council Officers rebranded the Community Grant Program and streamlined the submission process by creating an online application. The program was advertised in the Island News, in social media and on the Council's website, calling for community organisations and individuals to submit applications for funding by 29 August 2022. This time around the promotion of the program was extremely successful and nine applications were received, requesting a total of \$22,830.36.

As there is only \$6,000 in the budget for Community Grants for the 2022-23 year, Council may wish to consider granting some of the requests from the Gunn bequest

funds. To be eligible for Gunn bequest funding, applications are to be assessed against the following criteria:

- Applications must be lodged through a club or sporting body based in the Furneaux group;
- Applications must be for suitable projects promoting or facilitating sporting activities within the Municipality; and
- Such sporting activities are to have a national and state association and be recognised at the national level as a sporting association or activity that does not include commercial enterprises.

The applications listed below are now presented for consideration by Council.

No.	Applicant	The Project	Consider partial funding?	Received funding from other source?	Amount Requested
1	Andrew Killengray	Flinders Island Junior Football Guernsey's	Yes	No	\$1,287.00
2	Flinders Trails Project Kerrie Prescott	Attendance at Sustainable Trails Conference	Yes	No	\$2,768.59
3	Killiecrankie Glass Crushers Anne Rare	Northern Glass Crushers	Yes	No	\$6,001.31
4	E M Bowman & Co Pty Ltd Claire Castle	Flinders Island Book	Yes	No	\$2,000.00
5	Flinders Island Sports & RSL Club Inc. Robyn Dilger	Junior Golf Equipment	Yes	No	\$300.00
6	Furneaux Islands Motocross Association Sam Klug	Club Room/Toilet Block at FIMA	Yes	Yes	\$3,218.36
7	Flinders Island Table Tennis Neil Duncan	Table Tennis	Yes	No	\$834.80
8	Flinders Island Pony & Riding Club Melissa Mollineaux	Show Jumping, Dressage & Games Equipment	No	No	5,220.30
9	Richard Broome	Knacks Research	Yes	No	\$1,500.00
<b>TOTAL of Grant Applications</b>					<b>\$22,830.36</b>

## STATUTORY REQUIREMENT

*Local Government Act 1993*

## POLICY/STRATEGIC IMPLICATIONS

1. Liveability - To protect and build upon our island's way of life.
- 1.2 A harmonious and healthy community actively engaged in recreation, volunteering, arts and culture.



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

**BUDGET AND FINANCIAL IMPLICATIONS**

Minimal

**RISK/LIABILITY**

No foreseen risks

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

For Council to decide.

**DECISION**

**185.09.2022 Moved: A/Deputy Mayor R Summers                      Seconded: Cr V Grace  
That Council approves the following community grants for 2022-2023:**

No.	Applicant	The Project	Amount Requested
2	Flinders Trails Project Kerrie Prescott	Attendance at Sustainable Trails Conference	\$750
3	Killiecrankie Glass Crushers Anne Rare	Northern Glass Crushers	\$1700
4	E M Bowman & Co Pty Ltd Claire Castle	Flinders Island Book	\$0
6	Furneaux Islands Motocross Association Sam Klug	Club Room/Toilet Block at FIMA	\$1750
7	Flinders Island Table Tennis Neil Duncan	Table Tennis	\$400
8	Flinders Island Pony & Riding Club Melissa Mollineaux	Show Jumping, Dressage & Games Equipment	\$0
9	Richard Broome	Knacks Research	\$1400
<b>TOTAL</b>			<b>\$6,000</b>

**CARRIED UNANIMOUSLY (4-0)**

**For: Mayor D Williams, A/Deputy Mayor R Summers, V Grace and Cr P Rhodes.**

**186.09.2022 Moved: A/Deputy Mayor R Summers                      Seconded: Cr V Grace  
That Council approves the following Gunn Bequest grants for 2022-2023:**

No.	Applicant	The Project	Amount Requested
1	Andrew Killengray	Flinders Island Junior Football Guernsey's	\$840

No.	Applicant	The Project	Amount Requested
2	Flinders Island Sports & RSL Club Inc. Robyn Dilger	Junior Golf Equipment	\$300
<b>TOTAL</b>			<b>\$1140</b>

**CARRIED UNANIMOUSLY (4-0)**  
**For: Mayor D Williams, A/Deputy Mayor R Summers, V Grace and Cr P Rhodes.”**

**189.09.2022 Moved: Cr P Rhodes                      Seconded: Cr V Grace**  
**That for Agenda Item 17.2 Lease of Library Building to Department of Education, the discussions held, and motions passed in Closed Council remain confidential except that the Council has resolved to initiate the leasing of the library building to the Department of Education as a component of purchasing the land.**

**CARRIED UNANIMOUSLY (4-0)**  
**For: Mayor D Williams, A/Deputy Mayor R Summers, V Grace and Cr P Rhodes.**

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**MEETING CLOSED 3:41PM**

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