



RECENT PLANNING DECISIONS

I pay attention to media news coverage. I am aware that communities all over the nation are expressing their wish for higher levels of transparency in government decision-making. I agree with the theory around transparency:

- The higher the transparency – the greater the trust;
- The more people understand the reasons behind decisions – the more they are prepared to accept them; and
- When people are listened to and their voices are heard – the more they are prepared to own at least some of the decisions.

However, **transparency is complex.**

I recognise (mainly from the many Facebook comments) the community anxiousness over recent Council planning development decisions. Councillors too are unhappy that decisions to deny planning approval for a proposed residence have had to be overturned. They too are part of this Community and understand the issues.

I AM NOT AT LIBERTY TO DISCUSS THIS IN A PUBLIC FORUM RIGHT NOW

There are legal issues that make public discussion impossible right now. I am sorry – but that is a fact. However, I will try to explain some aspects of planning development issues **in general.**

YES INDEED – THE FLINDERS PLANNING SCHEME IS IN GREAT NEED OF AN UPDATE

We will soon adopt a state-wide planning scheme. The Tasmanian Planning Scheme (TPS) is a template planning scheme that sets

out uniform zones and codes that are to be applied by each Council throughout Tasmania. Adding to the great work previously done by Robyn Cox, we have recently been working with a Strategic (town) Planner to provide for the best possible outcomes for Flinders Island under the new template. Even though we have submitted our strategic proposal to the Tasmanian Planning Commission, it may still take around 12 months to gain the new planning scheme and we must therefore work with the existing one for now.

COUNCIL HAS TWO MAIN ROLES WHEN MAKING DECISIONS

1. To represent the electorate and to make decisions in the best interests of its community; and
2. To act as a planning authority.

These two roles are very different!

EVEN WHEN COUNCIL MAKES DECISIONS IN THE COMMUNITY'S BEST INTERESTS

It is impossible to please everyone – but Council does strive, nonetheless, to make the best possible, appropriate decisions. In the last six weeks Councillors have spent a great deal of time meeting and listening to community members.

WHEN COUNCIL ACTS AS A PLANNING AUTHORITY its purpose is to make **decisions according to the Planning Framework only.**

This is a legal requirement – governed by law. Such decisions are complex and require the advice of a qualified planner, although the Planning Authority makes the final decision.

FLINDERS COUNCIL SEEKS ADVICE FROM A QUALIFIED PLANNER THAT IS INDEPENDANT FROM THE COMMUNITY

Planning advice can be provided to Council from any qualified planning consultant. There is currently an arrangement in place, with another Council, to provide this expertise. The planner is an independent consultant who assesses development against the planning scheme only. Council staff and Councillors work with the planner to ensure that the most appropriate outcomes are achieved. We continue to finesse this process.

THERE ARE OCCASIONS WHEN COUNCIL NEEDS LEGAL ADVICE

If a planning decision has a complexity of issues, Council will sometimes seek a legal opinion. If an applicant takes the case to the Planning Tribunal, Council may need legal advice on matters such as:

- How to proceed;
- Whether or not to proceed in certain ways; and
- Will the legal route be worthwhile, or will it be a waste of our scarce income?

IF LEGAL ADVICE IS NOT TO PROCEED DOWN THE LEGAL PATH it is usually because the lawyer believes Council's case will not be successful.

GOOD MONEY AFTER BAD?

Surely most community members would not want Council to spend its scarce resources on something that legal advice indicates failure! It is often the case that Council is damned if we do, and damned if we don't!

DOES A DECISION, MADE IN THE CONTEXT OF THE PLANNING SCHEME, CREATE A LEGAL PRECEDENT?

Legal advice gives us the answer 'NO'. All applications are assessed on their merit, against the planning scheme and no two developments and/or titles are the same. Precedent is not a consideration of the assessing planner or the Permit Authority, nor does the Planning Tribunal take this into account.

COMMUNITY / COUNCIL FOCUS GROUPS ON WASTE STRATEGY

Council has been engaging with the Community on many issues of late. One important issue is Council's future Waste Strategy. We are planning to continue community consultation as follows:

- By engaging some small focus groups to discuss related points; and
- By Council having a presence in any possible market-type event organised in mid-October.

If you are interested in being part of a focus group, please let me know.

ADVERTISING SIGNAGE AT THE AIRPORT WILL BE TRIALLED

A few local businesses have asked if they can place advertising material at the airport. The General Manager believes it could benefit the Community to do this on a trial basis. Council will decide after a few months whether to continue with the trial or not.

DOGS ON THE LEASH

Spring is here it seems. Time to walk the dog! Please remember that dogs should only be out and about in the Community if they are on a leash. This is a safety matter. You may think your dog is perfectly behaved when unleashed - but dogs can be unpredictable. Only leashed dogs out and about please.

**ANNIE REVIE
MAYOR**

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WHITEMARK TIP OPENING HOURS

SUN, MON, FRI 1.30pm - 4.30pm

TUES +THURS 7.00am -10.00am

WEDNESDAYS 8.30am - 11.30am

SAFETY AND WORKS

Now the weather is warming up, our Council Road Crew will be out and about on Island roads, patching, sealing and pot holing!!

Please observe all Road Work speed signs, and keep our workers safe 😊

Angela Harley
Safety and Works Admin Officer



Flinders Council acknowledges the outstanding contribution volunteer's make to the community, and annually honours one especially worthy volunteer with the award Volunteer of the Year.. Every year our Community Awards celebrate and acknowledge the commitment and generosity shown to our Island Community by volunteers.

The recipient will be presented with a certificate and a monetary award of \$100 (or donated to the organisation of their choice).

Nomination forms are now available via the Council website and at the front office, to nominate an individual for the Flinders Council Volunteer of the Year Award. Nominations close **14 September 2020**

Selection Criteria for the Award

- Only individuals are eligible to be nominated, not organisations.
- Nominees must be over sixteen (16) years of age as of the 1st day of July in the year of the nomination.
- The award will be given to the person who has made the most significant voluntary contribution for the benefit of the Furneaux Community, organisations or individuals.
- Recipients can receive only one Volunteer of the Year Award during their lifetime.
- Selection will be based on the quality of the contribution along with the quantity of the contribution.

Warren Groves
General Manager