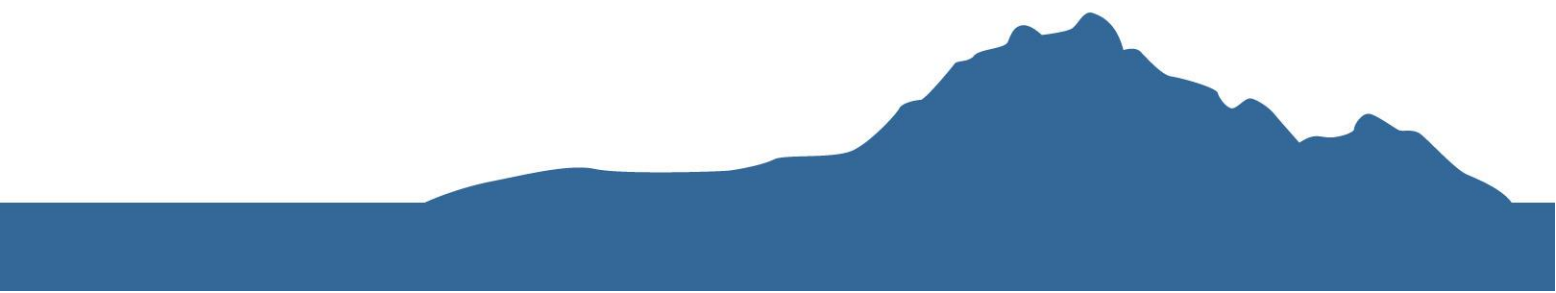




Agenda
Ordinary Council Meeting
11 October 2018



CERTIFICATION

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

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

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

Dated this 5th day of October 2018.



Bill Boehm
GENERAL MANAGER

FLINDERS COUNCIL ORDINARY MEETING

AGENDA

DATE: Thursday 11 October 2018
VENUE: Flinders Arts and Entertainment Centre, Whitemark
COMMENCING: 1.00 pm

PRESENT

Mayor Carol Cox
Deputy Mayor Marc Cobham
Cr Chris Rhodes
Cr Peter Rhodes
Cr Ken Stockton
Cr David Williams
Cr Gerald Willis

APOLOGIES

Nil

STAFF IN ATTENDANCE

Bill Boehm - General Manager
Heidi Marshall - Accountant
Vicki Warden - Executive Officer (minute taker)

CONFIRMATION OF MINUTES

That the Minutes from the Ordinary Council Meeting and the Closed Council Meeting held on 13 September 2018 be confirmed.

PUBLIC QUESTION TIME

In accordance with Section 31 (1) of the Local Government (Meeting Procedures) Regulations 2015 and the Flinders Council Policy the following procedures be adhered to at public question time:

It is the policy of the Flinders Council to allow a 'Question Time' at Ordinary Council Meetings, during which members of the public may ask questions of the Council relating to Flinders Council matters.

The basis on which questions may be asked is:

- 1. All questions will be addressed through the Chair (being the Mayor in normal circumstances) who will answer them as she/he sees fit. Under no circumstances will members of the gallery be permitted to address or question either elected members or officers of the Council. The Chair may delegate answers to the appropriate Councillor or staff member if appropriate.*
- 2. Persons addressing the Chair must pay the respect due to that office. Failure to do so may mean their address is terminated without notice.*

3. *Where the answer cannot be provided immediately, it will be provided in writing within 14 days and tabled at the following Ordinary Council Meeting.*
4. *All questioners are encouraged to register their intent to question with the General Manager before the meeting. Preference will be given to those who have so registered.*
5. *Question time shall not extend longer than 30 minutes and may be divided into two 15 minute sessions.*
6. *The actual timing of the session(s) is to be immediately after the opening of the meeting and advertised with the notice of meeting.*

RESPONSE TO PUBLIC QUESTIONS

13 September 2018 Council Meeting

Question 1: Irene Measom

Does the Council have any input into reopening a butchery in the town? If so what?

Mayor's Response

I can understand the Community concerns regarding the recent closure of the Butcher Shop in Whitemark. It is unfortunate that the owner of both the butcher shop and the small local abattoir has not been able to continue to operate these facilities which have both traditionally been operated by the private sector.

It is believed that private enterprise is the preferred operator for these businesses and that, with the recent growth in population, a butchery should be feasible to operate. Any new operator would obviously need to substantiate this with a business plan and Council would not expect to have any input.

Current arrangements to fill the gap by the supermarkets and other businesses to ensure that Island residents have access to a meat supply is appreciated, though understood not to be an ideal long-term solution.

COUNCILLOR'S QUESTIONS ON NOTICE

Nil

COUNCILLOR'S QUESTIONS WITHOUT NOTICE

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

RESPONSE TO COUNCILLORS QUESTIONS WITHOUT NOTICE

13 September 2018 Council Meeting

Question 1: Cr David Williams

From a safety point of view, would Council please consider putting some indication of the change in levels of pavement at the new road crossing points?

Mayor's Response

I have consulted with the Works and Airport Manager who confirms that the crossings are built to, and are compliant with, the Institute of Public Works Engineering drawings which are endorsed and used by the Local Government Association of Tasmania.

The only way of marking them would be to paint a yellow line where the grade changes on top, however, this is not included in the design drawings and thus not considered necessary. Compliance with approved drawings would indicate that the crossovers should not cause a tripping issue to pedestrians.

LATE AGENDA ITEMS

Nil

DECLARATION OF PECUNIARY INTEREST

Councillors are required to declare any pecuniary interest that they, or any of their close associates, may have in any matter appearing on the agenda, or any supplementary item to the agenda, before any discussion on that matter commences (Local Government Act 1993, s.48(2)).

CONFLICT OF INTEREST

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

LEAVE OF ABSENCE

Nil

WORKSHOPS & INFORMATION FORUMS

File No: COU/0205

Council Workshop held on 13 September 2018

Council held a Workshop on the following subjects:

- Item 1 North East River Camping Area
- Item 2 Audit Trail Process
- Item 3 Asset and Financial Management Strategies and Plans
- Item 4 General Manager's Update

Councillors Present:

Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

Staff Present:

Bill Boehm	General Manager
Vicki Warden	Executive Officer
Robyn Cox	Strategic Planner (Item 1)
Heidi Marshall	Accountant (Item 3)

Council Workshop held on 27 September 2018

Council held a Workshop on the following subjects:

- Item 1 Community Shed
- Item 2 Draft Amendment 01/2018 of the State Planning Provisions
- Item 3 Palana Open Space and Road Access Issue
- Item 4 Waste Management Update
- Item 5 General Manager's Update

Councillors Present:

Mayor Carol Cox, Deputy Mayor Marc Cobham and Cr David Williams.

Apologies:

Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton and Cr Gerald Willis.

Staff / Community Present:

Bill Boehm	General Manager
Kelly Blundstone	Office Team Leader (minute taker)
Tom Galbally	Community Shed (Item 1 only)
Peter McConnell	Community Shed Vice President (Item 1 only)
Dale Wells	Community Shed President (Item 1 only)
Brian Barnewall	Works & Airport Manager (Items 1, 3 & 4)
Jacci Viney	Project Assets Officer (Items 1, 3 & 4)
Robyn Cox	Manager Strategic Planning & Development (Item 2)
Heidi Marshall	Accountant (Item 5)

As workshops and information sessions are for information and discussion purposes only, no decisions are made or foreshadowed at these proceedings.

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATION:

That the Council Workshops held on 13 and 27 September 2018 be noted.

DECISION:

PUBLIC MEETINGS

Nil

PUBLICATIONS/REPORTS TABLED FOR COUNCIL INFORMATION

Nil

REPORTS TO BE RECEIVED

Furneaux (Emita) Hall and Recreation Special Committee

File No: AME/0502

Annexure 1: *Furneaux (Emita) Hall and Recreation Special Committee Meeting 18 September 2018 Unconfirmed Minutes*

OFFICER'S REPORT (Bill Boehm, General Manager):

The unconfirmed minutes of the Furneaux (Emita) Hall and Recreation Special Committee Meeting held 18 September 2018 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

OFFICER'S RECOMMENDATION

That the unconfirmed minutes of the Furneaux (Emita) Hall and Recreation Special Committee Meeting held 18 September 2018 be noted.

DECISION:

Furneaux Council Audit Panel

File No: FIN/0401

Annexure 2: *Furneaux Council Audit Panel 25 September 2018 Unconfirmed Minutes*

OFFICER'S REPORT (Bill Boehm, General Manager):

The unconfirmed minutes of the Furneaux Council Audit Panel meeting held on Tuesday 25 September 2018 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

OFFICER'S RECOMMENDATION

That the unconfirmed minutes of the Furneaux Council Audit Panel meeting held on Tuesday 25 September 2018 be noted.

DECISION:

Whitemark Community Gym Special Committee

File No: CSV/0912

Annexure 3: *Whitemark Community Gym Special Committee 26 September 2018 Unconfirmed Minutes*

OFFICER'S REPORT (Bill Boehm, General Manager):

The unconfirmed minutes of the Whitemark Community Gym Special Committee meeting held 26 September 2018 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

OFFICER'S RECOMMENDATION

That the unconfirmed minutes of the Whitemark Community Gym Special Committee meeting held 26 September 2018 be noted.

DECISION:

COUNCILLORS' REPORTS

DEPUTY MAYOR'S REPORT

File No: COU/0204

Given that this is my last meeting as a Councillor after 11 years in the role I would like to take the opportunity to reflect on my time with Flinders Council and the role of Councillor.

Firstly, I would like to thank the community members who, by voting, have enabled me to undertake the role over several incarnations of the Council since 2007. I hope that I have undertaken the role in a way that has lived up to people's trust in me.

Council, over those various incarnations, has achieved a lot in that time, especially infrastructure upgrades that will enhance the lives of community members and visitors for many years to come.

I would especially like to thank all of the Council staff (indoor and outdoor) who do amazing work with limited resources. The commitment, dedication and passion that I have seen in my time as a Councillor assures me that there is minimal justification for the sometimes-negative perceptions that some in our community have for Council staff. Most of the rules, regulations and compliance matters that staff have no choice in can, at times, make their roles difficult when dealing with the general public.

I would especially like to single out Vicki Warden for a huge vote of appreciation for all the work that her role includes that has made my role as a Councillor easier.

All the office staff do a fantastic job.

I would also like to publicly thank our community's Mayor, Carol Cox. Carol's dedication and unwavering commitment to the role deserves respect and admiration. The role of Mayor demands considerable time and off-island meetings, this together with Carol's roles outside of Council, i.e. running a business, wife, mother and grandmother, must have been difficult on many occasions I am sure. To undertake the Mayoral role for many years is a real achievement. Around the Council table Carol's calm and respectful demeanor has often been advantageous in reaching a decision. Not an easy task at times with six men!

Whilst Cr David Williams and I have at times had differing viewpoints on a range of matters (which is healthy), his pragmatic approach and considerable life/work experience bring a wealth of knowledge and expertise to the role of Councillor. I have really enjoyed our working relationship.

It would be fair to say that the last 4 years have, at times, been disappointingly difficult as a result of the actions and at times behaviour of up to four of my fellow Councillors.

Going into the future, our community deserves a Council made up of Councillors who are committed to representing their community, being pro-active and open to innovative new ideas and ways of doing things.

In summation, my time as a Councillor has been very interesting, challenging, rewarding and overall a great experience - I have learnt a lot of things.
I wish the staff and incoming Council every success.

RECOMMENDATION:

That the Deputy Mayor's report be received.

DECISION:

Report from Councillor Gerald Willis as the Flinders Council Representative on TasWater Owners' Committee
File No: COU/0312

CORRESPONDENCE IN:

DATE	WHO	SUBJECT
4 Sep 2018	Ailsa Sypkes, General Manager, Legal and Governance and Company Secretary	Email with copy of letter from Miles Hampton, TasWater Board Chairman, advising that the General Meeting of TasWater has been rescheduled to Thursday 29 November at Windsor Community Precinct, Riverside, commencing at 10:30 am.
6 Sep 2018	Ailsa Sypkes, General Manager, Legal and Governance and Company Secretary	Email confirming that the Annual General Meeting will be held Thursday 29 November at Windsor Community Precinct, Riverside, commencing at 10:30 am.
12 Sep 2018	Ailsa Sypkes, General Manager, Legal and Governance and Company Secretary	Email with attached meeting pack and proxy form for Special Meeting to be held 27 September.
17 Sep 2018	Lynn Luckock, Executive Assistant to Mike Brewster, CEO TasWater	Email with attached letter from Miles Hampton regarding potential funding for the relocation of the Macquarie Point sewage treatment plant, works to improve Tamar River health and possible introduction of sewerage services to Freycinet/Coles Bay region.
21 Sep 2018	Ailsa Sypkes, General Manager, Legal and Governance and Company Secretary	Email with attached applications from applicants for the soon to be vacant position of Chairman of the Board.
29 Sep 2018	Ailsa Sypkes, General Manager, Legal and Governance and Company Secretary	Email containing a low resolution of the 2017-2018 TasWater Annual Report. Note that this report will not be publicly available until the General Meeting to be held on 27 November.

This report includes all inward correspondence received from TasWater by Gerald Willis, Flinders Council Owners' Representative of TasWater and northern representative on the Director's Selection Committee, from 31 August 2018 to 29 September 2018.

I attended a special meeting of TasWater Owners' Representatives on 27 September. The meeting was held to consider and if thought fit, pass 3 resolutions relating to provisions of a Memorandum of Understanding between TasWater and the State Government. This would allow the government to, inter alia, acquire 10% of the share capital of TasWater over 10 years on condition that the Government delivers \$200 million to TasWater.

Three motions were considered. Voting was by poll and required both 75% acceptance by council numbers and by shares on issue. The motion was passed with 28 of the 29 Councils and around 94% of the shares supporting the motion.

The next step is for the Government to secure the passage of some enabling legislation through both houses of Parliament. This process will begin shortly.

RECOMMENDATION:

That the report from Councillor Gerald Willis as the Flinders Council Representative on the TasWater Owners' Committee be received.

DECISION:

MAYOR'S REPORT:

ACTION	Information
PROPONENT	Mayor C Cox
FILE REFERENCE	COU/0600
ASSOCIATED PAPERS	<i>Nil</i>

REPORT:**APPOINTMENTS:**

13.09.18	Council Workshop
13.09.18	Council Meeting
14.09.18	Funeral of Mr Peter Frost
24.09.18	Met with Senator Steve Martin (with General Manager (GM))
25.09.18	Cr Willis and I met with GM re GM performance review
27.09.18	Council Workshop
03.10.18	Met with Mr R Blankenforth and Mr G Hancock re Carbon Neutral Funding Opportunities (with GM)

Thank you:

As this Council term comes to a close, this being the last Ordinary Meeting of this set of elected members, I am putting on record my and my fellow elected members' thanks and appreciation of the work carried out by the staff members in supporting us in our roles and in doing the hard work that enabled this Council to achieve its aims. One of the main actions in the Strategic Plan we have been working to is to increase population and thus increase the sustainability of community services. The 2016 census records show an increase of 17% in the population of the Flinders Municipality in the 5 year period from the previous census. The evidence of that increase is felt in the Community with increased student numbers at the school, an increase in the number of doctors servicing the Community and a general feeling of vibrancy within the Community. I wish the incoming members well as they too work and volunteer their time to lead this Community and I encourage the Community to support their endeavours with only positive and constructive criticism.

Senator Steve Martin:

The senator was visiting the Island to follow up with constituent issues raised in a previous visit and invited the General Manager and myself to meet with him. There is a current emphasis within the federal political scene on the upcoming election and the Senator undertook to lobby for the needs of the Islands, the long runway at the airport being the one given most emphasis. Council's Priority Projects document was requested and after email consultation with Councillors, an updated draft version was supplied.

Carbon Neutral Funding Opportunities:

Mr Ron Blankenforth and Mr Gerald Hancock are strong supporters of and engaged in industries that promote carbon neutral funding opportunities, waste to renewable energies and no harm pest control and more. They have been visiting the Island, connecting with locals, including the Flinders Island Aboriginal Association Inc. and farmers and wished to alert Council to the opportunities they could offer. The General Manager and I encouraged them to continue to

communicate with community and business members as a way to progress their interests on the Island.

CORRESPONDENCE IN:

DATE	WHO	SUBJECT
12.09.18	Hon Bridgette McKenzie	Letter re: Appointment as Minister
17.09.18	Lynn Luckock, Executive Assistant to Mike Brewster, Chief Executive Officer	Chairman correspondence re Macquarie Point and Tamar River
17.09.18	Kate Hiscock, Strategic Communications Director, Local Government Association of Tasmania (LGAT)	Opinion Editorial re: what a smart city means to Local Government
18.09.18	Adrian Wood, Secretary, Tourism North Tasmania	AGM Tuesday 25 September 2018 Reminder
18.09.18	Kate Hiscock, Strategic Communications Director, LGAT	Federal election advocacy letter - jointly signed by all Local Government Association Presidents
18.09.18	Julian Harrington, CEO, Tasmanian Seafood Industry Council and Liz Little, CEO - Rural Alive and Well, Tasmania	Tasmanian Seafood Industry - Rural Alive and Well Gala Invitation
19.09.18	Dr Katrena Stephenson, Chief Executive Officer, LGAT	Drought Relief Support
21.09.18	Kate Hiscock, Strategic Communications Director, LGAT	LGAT Media Release and Opinion Editorial re: Council By-laws
21.09.18	Hon Roger Jaensch, Minister for Planning	Lodgement of Local Provisions Schedules
21.09.18	Ailsa Sypkes, Company Secretary, TasWater	Special ORG General Meeting 27 September 2018
24.09.18	Australian Local Government Association	Re: Federal Election
24.09.18	Hon Sarah Courtney MP	Current status of fruit fly in northern region
25.09.18	Hon David Coleman MP	Letter re: Citizenship Ceremonies
26.09.18	Dr Katrena Stephenson, Chief Executive Officer, LGAT	Email re: Burials and Cremations Act
26.09.18	Kate Hiscock, Strategic Communications Director, LGAT	LGAT Opinion Editorial - Vote to have your say
26.09.18	Hon Roger Jaensch, Minister for Planning	Draft Short Stay Accommodation Bill 2018 - Consultation
26.09.18	Liz Little, CEO - Rural Alive and Well (RAW) Tasmania	RAW Outreach program evaluation
27.09.27	Miriam Rule, Marketing and Events Coordinator, LGAT	Encouraging Voter Turnout - LGAT Campaign

DATE	WHO	SUBJECT
28.09.18	Dan Pitcher, Community Development Team Leader	Autumn School Holiday Flyer
28.09.18	Tas Audit Office	Flinders Council – Independent Auditor's Report - Year Ended 30 June 2018
28.09.18	Ailsa Sypkes, Company Secretary, TasWater	TasWater's 2017-18 Annual Report
01.10.18	Alan Robinson	Letter re: Status of proposal to rename Emita Nature Recreation Area
01.10.18	Senator Steve Martin	The Nats are coming to Launceston!
02.10.18	Belinda Quick, Youth Officer, Flinders Island Aboriginal Association (FIAAI)	Invitation to School Holiday Program Luncheon
03.10.18	Jen Fitzgerald, Community and Public Sector Union (CPSU) Organiser	Letter re: Bureau of Meteorology forecasting changes
03.10.18	Alan Robinson	Letter re: proposal to rename Emita Nature Recreation Area not supported by the Minister.
03.10.18	K Stephenson	Review of Burials and Cremations Act

CORRESPONDENCE OUT:

DATE	WHO	SUBJECT
05.09.18	D Grutzner	Response to public questions on building and plumbing permits
21.09.18	Abby Stephens, Tourism North Tasmania	Apology for non-attendance at Annual General Meeting
23.09.18	Mrs I Measom	Response to 13 September public question re: the reopening of a butchery in Whitemark
26.09.18	Mr M Shrapnel and Ms A Nienhaus	Response to letter re: the former Furneaux Forest Plantation
02.10.18	Mr R Blyth	Response to query re: Public Open Space at Palana
03.10.18	Alan Robinson	Acknowledgement of and comment on receipt of letter
03.10.18	B Quick, FIAAI	Acceptance of invitation to School Holiday Program Luncheon
04.10.18	Cr D Williams	Response to 13 September Question Without Notice on crossovers in Whitemark

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATION:

That the Mayor's report be received.

DECISION:

OPERATIONAL BUSINESS OF COUNCIL

A. DEVELOPMENT SERVICES AND PLANNING APPLICATIONS

Item A1: Development Application – *(Markarna Grazing Company Pty. Ltd.)*

File No: DA2018/053

Annexure 4: Representations

Annexure 5: Supporting Information Markarna Park Quarry Flinders Island

Item A2: Development Application Report

File No: DSV/0300

Annexure 6: Planner's Information Report – September 2018

B. NOTICES OF MOTION

Item B1: Notice of Motion – TasWater Owners' Representative

File No: COU/0312

C. FINANCE

Item C1: Asset and Financial Management Strategies and Plans

File No: FIN/0701

Annexure 7: Asset and Financial Management Strategies and Plans

Item C2: July - September 2018 Quarterly Financial & Investment Report

File No: FIN/0100

Annexure 8: July - September 2018 Quarterly Financial Report (Elected members only)

Annexure 9: July - September 2018 Quarterly Financial Report (Public version)

D. GOVERNANCE

Item D1: Priority Projects 2018

File No: CSV/1708

Annexure 10: Priority Projects October 2018

Item D2: Use of the Flinders Council Common Seal

File No: GOV/1000

Annexure 11: Common Seal Register 12.07.18 – 03.10.2018

Item D3: Furneaux Islands Community Shed Update/ Request

File No: CDV/1706

Annexure 12: Furneaux Community Shed Request 29 September 2018

Item D4: Petition – Closed Council Agenda Papers and Meeting Minutes

File No: PER/1500

Item D5: Council's 1st Quarterly Report 2018 - 2019
File No: COU/0600
Annexure 13: Council's 1st Quarterly Report (July - September 2018)

Item D6: Councillor Resolution Report
File No: COU/0600
Annexure 14: Councillor Resolution Report October 2018

Item D7: Donation to Red Cross Drought Appeal
File No: PUB/0200
Annexure 15: Letter from Circular Head Council

Item D8: Flinders Safe Harbour Marine Facility Update
File No: COM/0402

Item D9: Review of Provision of Electronic Services - Elected Members Policy
File No: PER/0300
Annexure 16: DRAFT Provision of Electronic Services - Elected Members Policy

Meeting Closed

A. DEVELOPMENT SERVICES AND PLANNING APPLICATIONS

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.

Item A1: Development Application – (Markarna Grazing Company Pty. Ltd.)

ACTION	Decision
PROPONENT	Markarna Grazing Company Pty. Ltd.
OFFICER	James Ireland (Consultant Town Planner)
APPROVED BY	Karin Van Straten (Senior Consultant Town Planner)
FILE REFERENCE	DA2018/053
ASSOCIATED PAPERS	<i>Annexure 4: Representations Annexure 5: Supporting Information Markarna Park Quarry Flinders Island</i>

Proposal: Extractive industry (quarry) and crusher/concrete batching plant

Location: North east corner of Palana Road and Five Mile Jim Road, Memana (CTs: 6375/1, 118511/1, 210063/1, 200102/1, 200482/1 and 236447/1)

Applicant: Markarna Grazing Company Pty. Ltd.

Zoning: Rural Zone
Special: None
Areas:
Buffers: None
Representations: Two

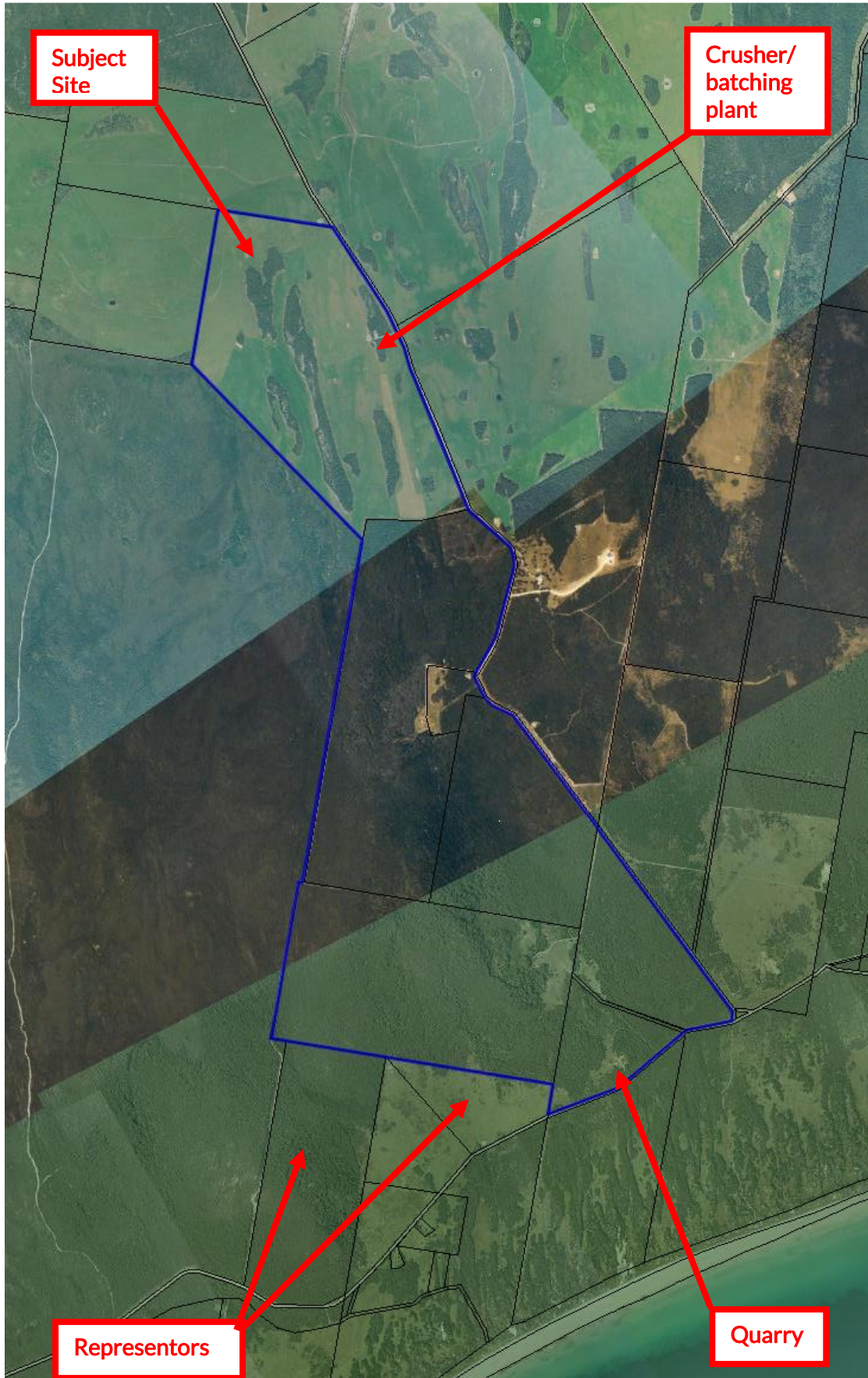
INTRODUCTION:

Subject Site

The subject site comprises six titles on the north east corner of Palana Road and Five Mile Jim Road in Memana. Together they comprise approximately 785 ha, with a 1.3km frontage to Palana Road and a 5.9km frontage to Five Mile Jim Road. The site slopes down from a high point of 130m, a hill in the western part, to a low point of 30m in the east. Four of the six titles are mostly dense vegetation, with the smallest and most easterly (pasture and airstrip) being mostly cleared. There are houses on these two lots. The quarry on the site has been used in the past.

Statutory Timeframes

Date Received: 27/7/18
Request for further information: 7/8/18
Request for further information satisfied: 16/8/18
Advertised: 22/8/18
Closing date for representations: 5/9/18
Decision due: 11/10/18 (extended)



Subject Site

Crusher/
batching
plant

Representors

Quarry

OFFICER'S REPORT:

The Proposal

The proposal comprises two parts, linked by an internal (private) road:

1. The quarrying of up to 4999m³ of rock and gravel from a re-opened quarry in the western part the site. It will be removed by bulldozer and/or excavator, with occasional drilling and blasting (stated as once per annum). Material will be loaded directly onto trucks to be transported to the crusher and concrete batching plant (see below), although some will be stockpiled on the quarry site. No more than 1000m³ will be crushed. Access to the quarry is from within the subject site (i.e, using existing access point/s to public roads). Material will be transported to the crusher/batching plant via an internal (private) road.
2. Crushing of up to 1000m³ of quarried material and concrete batching in the eastern part of the site. Some quarried material will be batched into concrete, producing up to 150m³ of concrete. This will require, per annum, 40 tonnes of cement (delivered once per annum in a 40ft container) and 200 tonnes of sand from elsewhere on the island, delivered in 20 truckloads of 10 tonnes each. The crusher/batching plant has access from Five Mile Jim Road.

Operating hours for the proposal are 7am to 7pm weekdays, 8am to 4pm Saturdays and closed Sundays and public holidays.

Assessment Against the Planning Scheme

The Flinders Island planning scheme is organised into seven parts. Assessment is required under the following parts:

- Part 3 – Consideration of Applications for Planning Permits (3.10). This includes assessment against the buffers and the zone provisions (Part 5)
- Part 6 – Use and Development Principles

Part 3 – Consideration of Applications for Planning Permits (3.10)

Council shall take into consideration the following:

1. *the objectives, the intent of the zone, use and development principles, any development plan affecting the land and any relevant development standards or other relevant requirements of the Scheme;*

An assessment is provided below. Note that there is no applicable development plan:

5.8.1 Zone Intent

- (a) *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.

- (b) 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.*

COMMENT: The subject site is characterised by both 'open farmland' (in the east) and by 'irregular areas of native vegetation and substantial unspoiled landform' in the west. The crusher/concrete batching plant are to be on an already created pad in the farmland area and comprises the crusher itself, batch plant, weighbridge and toilet block/office. The quarry is on the site of small, informal existing quarry in a clearing in the vegetation and this character will be maintained. The access between the two is existing. No buildings are proposed at the quarry site.

It is considered that the proposed extractive industry is consistent with the zone intent as the site is part of a larger farming property and these parts of the sites are not currently used for agriculture and are not likely to be in the future (e.g. wholesale clearing of vegetation would be required)

5.8.2 Desired Zone Character and Zone Guidelines

- (a) 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.*
- (b) 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*

COMMENT: Criteria (a) and (d) are not applicable. In relation to (b), no buildings are proposed except for a small toilet block/office at the crusher/batching plant which is 200m from Five Mile Jim Road and screened by vegetation. Land clearing is not required. In relation to (c), the application details appropriate measures to avoid contamination or despoliation of the land,

ground water and water courses. The site is not located near shore-lines, lagoons, marshes, sand-dunes, coastal vegetation or ecologically important areas.

5.8.4 Development Standards

- (a) The maximum height of buildings is 8.0 metres unless it can be satisfactorily demonstrated that a higher structure is required for operational, topographic or other justified purposes.*
- (b) Habitable buildings should be sited and designed to achieve the best solar gain or orientation that the site can provide. Where such design or orientation is not feasible other energy efficient practices, such as insulation, heat pumps or double glazing, should be considered.*
- (c) Buildings shall be setback a minimum distance of 20 metres from all boundaries.*
- (d) Regardless of the foregoing minimum setbacks, buildings shall be set back not less than a horizontal distance of 100m from high water mark and 40 m from a perennial watercourse.*
- (e) Council may relax the setback requirement of the above clause pursuant to the provisions of Clause 3.5 of this Scheme and after giving consideration to:
 - i. The particular size, shape, contours or slope of the land and the adjoining land;*
 - ii. The adjoining land and uses and zones*
 - iii. The position of existing buildings and setbacks in the immediate area;*
 - iv. Consideration of any representations received as a result of the notification under Section 57 of the Act.**
- (f) The external walls, roof, paving and other large surface areas of buildings shall be finished with non-reflective materials and colours that harmonise with the natural landscape or shall be substantially screened by landscaping.*
- (g) A house on any lot which contains only class 4, 5, 6 or 7 land is discretionary and may only be approved if any existing or potential development and use of agricultural land in the vicinity is likely to receive no impact, or only minor impact from the establishment of the residence taking into account:
 - (a) The topography of the land;*
 - (b) The location of water catchments;*
 - (c) The location of neighbouring agricultural pursuits;*
 - (d) Buffers created by natural features;*
 - (e) Resource sustainability given the objective of the State Protection of Agricultural Land Policy.**

COMMENT: Criteria a) is met. Criteria b) and g) are not applicable. Criteria c) and d) are met, so e) is not applicable. In relation to f) the proposed toilet block/office is the only building and is 200m from Five Mile Jim Road and screened by vegetation. It will not cause a reflection.

2. any relevant proposals, reports or requirements of any public authorities;

None received.

3. any representations received following public notification where required under the Act;

Two representations were received, from neighbours to the north west of the subject site. A summary of the representations is provided below, with planning comments. Full copies of both representations are provided as part of the meeting agenda.

Planning Issue	Comment
Is there going to be cash bond?	This is a matter for Mineral Resources Tasmania. There is no mechanism for Council to require this. No Council land or roads are excessively used.
Visual impact on 'Flinders Island's iconic international tourist drawing landscape.'	The subject site is not in a visually sensitive area, and thus is not able to be considered by the planning process. Whilst tourism is undoubtedly important for Flinders, it is not the only use allowed. Notwithstanding, there is an existing quarry face here. This, along with the expected increase (year 10 extent shown in the application) to the size of the quarry face for a quarry of this capacity is not unreasonable.
Noise, 'at all hours', specifically impact on representor's dwelling from blasting.	The operation hours of the quarry are 7am to 7pm weekdays, 8am to 4pm Saturdays and closed Sundays and public holidays. This is as per <i>Quarry Code of Practice 2017</i> . This is not 'all hours'. The representor's dwelling is 2km from the quarry. The <i>Quarry Code of Practice 2017</i> has separation distances between quarries and sensitive uses (i.e, a house) of 1km for regular blasting (not the case here, blasting is once per year) and 750m for crushing only. The application refers to blasting 'perhaps once per annum'. This will be more strictly controlled by a permit condition (i.e, one day of blasting per year). The noise impact (of the blasting) for something that happens on one day per year and over a distance double the maximum separation distance is not considered unreasonable.
Heat and dust plume	The proposal is not expected to produce unreasonable dust emissions. The impact of dust and noise will be limited by the small scale of the plant - it is only permitted to mix a total of 150m ³ of concrete per year - an average of less than 0.5m ³ per operation day. The operation is still subject to the normal environmental nuisance legislation. It is not understood what would

	generate a heat plume, beside the operation of machinery. The impact of this is not considered to be unreasonable.
Doubts over operation scale. Operation will grow to 125,000m ³ per annum.	It is accepted that there were discrepancies in the production amounts stated in the application. Permit conditions will confirm that the quarry is limited to 4999m ³ per annum, the crusher to 1000m ³ per annum and concrete production is limited to 150m ³ per annum. It cannot be increased without further approval (which would include the EPA as it would be a Level 2 activity). The resource area is set by the mining licence issued by Mineral Resources Tasmania
No scoping study of need, resource estimate, cost estimate, financial capacity of applicant, purity of resource	None of these are required to be provided for a planning application.
Impact on the 'Bass Strait wedge-tailed Eagle nesting ground'. Proposal should not be allowed in the 'vicinity' of these nests.	There is a fauna point on the LIST (www.list.tas.gov.au) for a wedge tailed eagle on the site. It is in the northern part of the site, 2km from the quarry site and 3.5km from the crusher/concrete batching plant. The nominal breeding season buffer for a nest is 1km and the nominal breeding season exclusion zone for a nest in use is 500m (source: Mark Wapstra). Council has no ability to assess the impact of a proposal on threatened species, this is a matter for the State and Federal Governments.
Application is inadequate	The application comprises sufficient information for Council to make a decision as planning authority. There are a number of matters raised in the representations which are not considered as part of planning approval.
Effect on the amenity of structures close to the shared boundary (machinery shed, chicken coop and wood pile shelter).	The quarry is over 300m from the shared boundary. These are not habitable buildings and the level of amenity to be expected is not as high. It is not considered that the impact is unreasonable.
Suggestion to move quarry.	Council must consider the application before it. Any change to the application would require re-notification.
Effect on potential future farming/future structures. Representor has approval for truffle production.	No approval is required for truffle production (no permit required use in the zone). Council sent a Development Exemption Confirmation on 13/5/16. It is understood that this use has not commenced. Council must determine this application on existing conditions. The quarry is over 300m from the boundary with the representor and the impact on agricultural use would not be unreasonable.

Impact of water on neighbouring properties and ground water.	The applicant states that the operation will use and dispose of water in accordance with the <i>Quarry Code of Practice 2017</i> . As part of the application, this must be complied with. There is nothing unusual or exceptional about the use and disposal of water in this application.
Information on truck movements not specific enough.	This is true, the application only includes estimations. However, the production limits effectively limit truck movements to a reasonable level.
Impact of concrete batching plant.	The application states that it will be a concrete batching plant rather than a cement production plant (a considerably higher impact process). Cement will be brought to site and physically mixed with gravel and sand. The impact of dust and noise will be limited by the small scale of the plant – it is only permitted to mix a total of 150m ³ of concrete per year – an average of less than 0.5m ³ per operation day. The operation is still subject to the normal environmental nuisance legislation.
Applicant did not consult with representor.	There is no requirement to do this. The application was notified by Council pursuant to the Act.
Impact on wombat dens.	There is a fauna point on the LIST for a wombat, approx. 2km to the east of the quarry on land to the south of the subject site. The operation is unlikely to affect this. If threatened species are discovered, there is a State and possibly Federal regulatory process to follow.

4. *whether any part of the land is subject to:*

(a) *landslip, soil instability, or erosion;*

No mapped landslip or stability issues at the sites of the proposal. The quarry is a minimum of 1.2km from the coast.

(b) *excessive slope;*

Not at the sites of the proposal.

(c) *ponding or flooding;*

None known at the sites of the proposal.

(d) *bush fire hazard;*

Not applicable.

(e) *a Protected Catchment District under Water Management Act 1999;*

No.

(f) *any Special Area Provisions in Part 7;*

Not applicable.

(g) *pollution; and*

The application details appropriate measures to avoid contamination or despoliation of the land, ground water and water courses.

(h) *other hazards to safety or health.*

This is a private undertaking with no evidence of a hazard to public health or safety. Private safety and health is covered by separate regulation.

5. *whether the proposed use or development is satisfactory in terms of its siting, size or appearance and levels of emissions in relation to:*

(a) *existing site features;*

Applicable existing site features where the proposal is located are limited to the topography and vegetation.

(b) *adjoining land;*

The closest adjoining land, except for that owned by the applicant, is a vacant lot at 2780 Palana Road which has its common boundary 350m from the quarry site. The impact of the proposed quarry on the likely existing use of this land (grazing, not a sensitive use) is not unreasonable.

(c) *the streetscape and/or landscape;*

No buildings are proposed except for a small toilet block/office at the crusher/batching plant which is 200m from Five Mile Jim Road and screened by vegetation.

(d) *the natural environment;*

The application details appropriate measures to avoid contamination or despoliation of the land, ground water and water courses, including a number of sediment ponds.

(e) *items of historic, architectural or scientific interest;*

None identified.

(f) *buffer zones, attenuation areas*

Not applicable.

(g) *easements;*

Not applicable.

(h) *a water supply for fire fighting purposes;*

Not applicable.

(i) *any received pollution;*

Not applicable.

(j) *the escape of pollutants into storm drains and watercourses: and*

The application details appropriate measures to avoid contamination or despoliation of the land, ground water and water courses, including a number of

sediment ponds. The site is not located near shore-lines, lagoons, marshes, sand-dunes, coastal vegetation or ecologically important areas.

(k) *isolation, separation from other lands.*

Refer to (b).

6. *whether the proposed use or development will be supplied with an adequate level of infrastructure and services, and if there is any necessity to improve deficient access, roads or road junctions, water, sewerage, electricity or transport services and the like, without detriment to existing users;*

No improvement needs to be made to any roads, road junctions or water, sewerage, electricity or transportation services. This part of the island is not supplied with water or sewerage infrastructure. It is therefore concluded that the proposal will be supplied with an adequate level of infrastructure and services.

7. *whether the proposed use or development would adversely effect the existing and possible future use or development of adjacent land, and vice versa;*

The closest adjoining land, except for that owned by the applicant, is a vacant lot at 2780 Palana Road which has its common boundary 350m from the quarry site. The impact of the proposed quarry on the likely existing use of this land (grazing) is not unreasonable.

8. *the provision of adequate landscaping, amenity facilities and illumination, and the treatment of the site generally;*

It is the intent of the proposal to sit within the existing natural vegetation and to minimise removal of it or changes to it. No additional landscaping is proposed. Illumination will be limited and not spill outside the subject site.

9. *the sight distances available to and from proposed point(s) of access, together with an estimate of the speed of passing traffic;*

The existing access will remain. It is assessed as having adequate sight distances for an 80km/h speed limit road.

10. *the design and siting of the proposal to enable reduction in energy consumption through alternative energy use or reduction in demand; and*

There are limited ways to reduce energy use in proposals like this. However, the site is in a central location on the island, minimising haul distances. Locating the crusher/batching plant close to the quarry also minimizes hauling.

11. *the safety and well-being of the general public.*

The proposal is a private undertaking - it does not pose a risk to the safety or well being of the public.

12. Any other matter which Council is of the opinion is relevant to the particular application.

None stated.

In conclusion, the proposal is consistent with the consideration clauses 1-12 under Part 3.10.

Part 6 – Use and Development Principles

This part of the planning scheme provides general principles that development must be consistent with. Some of them are clearly not relevant to this application, so have been omitted for brevity. Furthermore, most have been addressed in more specific parts of this report. They are included here for completeness, but the comment will often refer to the part of the report where they are assessed in detail.

6.0 Use and development shall be consistent with the following principles:

6.1 Use

- (a) Use or development shall not unreasonably impact on any existing or intended use of development of neighbouring land.*
- (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.*

COMMENT: Complies. For more detail refer to Part 3 assessment.

6.2 Character

- (a) Use and development shall adequately respect the character of, and future intentions for the area in which it is to be located.*
- (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.*

COMMENT: Complies. For more detail refer to Part 3 assessment.

6.3 Amenity

COMMENT: Not applicable. Only applies to subdivision and houses.

6.4 Environment

- (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.

- (b) Use or Development and land management practices shall be directed towards achieving environmental sustainability, 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) Use or Development shall not be located in areas of unacceptable risk (eg. from fire, flood or landslide). 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.*
 - 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*
 - 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*
 - 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.*
- (d) 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:*
 - 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.*
 - 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.*
 - 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.*
- (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.*

- (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.*
- (g) *Use of land in the vicinity of those watercourses identified in Schedule 3 shall provide Riparian Reserves in an appropriate location and form.*

COMMENT: Complies. For more detail refer to Part 3 assessment.

6.5 *Heritage*

COMMENT: Not applicable. No items, sites, areas, features and customary activities of historic and cultural importance identified.

6.6 *Access and Parking*

- (a) *All new lots must be provided with satisfactory pedestrian and vehicular access to a public street.*
- (b) *All Use or Development shall provide satisfactory pedestrian and vehicular access which is suited to the volume and needs of future users.*
- (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.*
- (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.*
- (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.*
- (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.*
- (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.*
- (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*
- (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.*

- (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.*
- (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.*

COMMENT: Complies. Existing access to Five Mile Jim Road is used and is appropriate, along with an internal private road. Adequate parking is provided on the site.

6.7 Services

- (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.*
- (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*
- (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.*
- (f) *Servicing systems shall use adequate and appropriate design methods and materials to ensure an acceptable life span and allow for adequate maintenance requirements.*
- (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.*

COMMENT: Complies. For more detail refer to Part 3 assessment.

6.8 Social Interest

1. *Use or Development should demonstrate how it suits the community interest.*
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).*

COMMENT: Complies. For more detail refer to Part 3 assessment.

6.9 Administration

- (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.*
- (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.*

COMMENT: Complies. For more detail refer to Part 3 assessment.

STATUTORY REQUIREMENT:

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

POLICY/STRATEGIC IMPLICATIONS:

In the *Flinders Council Strategic Plan 2015*, the following Strategic Focus Areas are most relevant:

Strategic Focus Area 1: Population Growth

Focusing on strategies, projects and policy initiatives that support the community, economic development, innovation and investment attraction.

COMMENT: The proposal is consistent with this focus area. The proposal is a project initiative that supports economic development and investment attraction.

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 RECOMMENDATION:

That the application for extractive industry (quarry and crusher/batching plant) in the rural zone, by Markarna Grazing Company Pty. Ltd. for land located at the north east corner of Palana Road and Five Mile Jim Road, Memana (CTs: 6375/1, 118511/1, 210063/1, 200102/1, 200482/1 and 236447/1) be **APPROVED** subject to the following conditions:

ENDORSED PLANS

1. The use and/or development must be carried out as shown in the Development Application by Van Diemen Consulting dated 16/7/18 to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.

QUARRY PRODUCTION LIMIT

2. No more than 4999m³ of material must be quarried per annum.

CRUSHER PRODUCTION LIMIT

3. No more than 1000m³ of material must be crushed per annum.

CONCRETE PRODUCTION LIMIT

4. The concrete batching plant must not produce more than 150m³ of concrete per annum.

BLASTING LIMIT

5. Blasting must only take place on one day per year, unless with the express written consent of the General Manager.

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

Notes

1. This permit was issued based on the proposal documents submitted for (DA2018/053). You should contact Council with any other use or developments, as they may require the separate approval of Council.
2. Council will undertake periodic reviews of approved developments to ensure compliance with Planning Permit conditions.
3. This permit is granted pursuant to the *Land Use Planning and Approvals Act 1993* and does not constitute any other approval required under any other Act or Regulation.
4. 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.
5. Where any other approvals under this Act or any other Act are required for the proposed use or development to which this permit relates, the permit does not take effect until those approvals have been granted.
6. This permit takes effect 14 days after the date of Council's notice of determination or at such time as any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined. 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.

DECISION:

Item A2: Development Application Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Robyn Cox, Strategic Planning & Development Services Manager
FILE REFERENCE	PLN/0105
ASSOCIATED PAPERS	<i>Annexure 6: Planner's Information Report - September 2018</i>

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of the applications which have been dealt with by the Planning Department for the current period as per the council motion 249.09.2015, passed at the 24th September 2015 Council Meeting.

Council has requested that the planning consultancy service (West Tamar Council) provide this detail to Council on a monthly basis.

Permitted applications are assessed under s58 of the *Land Use Planning and Approvals Act 1993* and as such are not advertised nor are the applicant's details made public. Applicants retain the right to privacy having met all development and use standards applicable within the current planning scheme. Applications made under this section must be granted a permit, with or without conditions.

The numbering of applications relates to the allocation provided by the 'Regulatory Applications' (RegApps) electronic filing system. Numbers are allocated in order to Planning (DA), Building (BA) and Plumbing (PA) applications. This may mean that planning numbers are not sequential.

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 6 Planner's Information Report – September 2018, provided by West Tamar Council.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Planner's Information Report – September 2018 be received.

DECISION:

B. NOTICE OF MOTION

Item B1: Notice of Motion – TasWater Owners’ Representative

ACTION	Decision
PROPONENT	Councillor Gerald Willis
FILE REFERENCE	COU/0312
ASSOCIATED PAPERS	<i>Nil</i>

NOTICE OF MOTION:

That this meeting appoints Mr Bill Boehm, General Manager, to the position of Owners’ Representative for TasWater on behalf of Flinders Council from 1 November 2018 until such time as the Council rescinds this appointment or accepts Mr Boehm’s resignation.

COUNCILLOR’S REPORT:

Flinders Council owns around 0.2% of the shares in the Tasmanian Water and Sewerage Corporation Pty Ltd, commonly known as TasWater, whose primary objective is to efficiently provide water and sewerage functions in Tasmania.

Under the provisions of Rule 9 of the Constitution, each member must appoint an Owner’s Representative as soon as practicable after there is a vacancy and the person appointed must be an elected representative of the Council or the General Manager of the Council.

The current Owner’s Representative, Cr Willis, is not seeking re-election to Flinders Council and, as a consequence, his role as Owner’s Representative will expire on 31 October.

TasWater has scheduled a General Meeting, on 29 November 2018, whose primary business will be to receive and decide whether to adopt the 2017-2018 Annual Report.

The reason for this motion is that it provides immediate continuity for Flinders Council to have an Owners’ Representative on TasWater. It removes urgency from the new council to select an Owners’ Representative at its first meeting.

The motion, if carried, does not remove the option that Flinders Council has to replace Mr Boehm as Owner’s Representative at any time in the future.

PREVIOUS COUNCIL CONSIDERATION:

Nil

STATUTORY REQUIREMENTS:

Nil

POLICY/STRATEGIC IMPLICATIONS:

No policy exists for this matter.

BUDGET AND FINANCIAL IMPLICATIONS:

There are no budget implications arising from a change of Owners’ Representative.

RISK/LIABILITY:

Nil

VOTING REQUIREMENTS:

Simple majority

DECISION:

C. FINANCE

Item C1: Asset and Financial Management Strategies and Plans

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager Heidi Marshall, Accountant
FILE REFERENCE	FIN/0701
ASSOCIATED PAPERS	<i>Annexure 7: Asset and Financial Management Strategies and Plans</i>

INTRODUCTION:

Section 70, S70A, S70B, and S70D of the *Local Government Act 1993* (the Act), requires the Council to have a suite of Asset and Financial Management Strategies and Plans in place for the responsible management of the Council. Amongst other things these all link to and from Council's Annual Budget Estimates.

This report updates and refines the previous document adopted by Council at the 16 August 2018 Meeting.

PREVIOUS COUNCIL DISCUSSION:

29 May 2019	Council Workshop
28 June 2018	Council Budget Workshop
24 July 2018	Council Budget Workshop
31 July 2018	Council Budget Workshop
2 August 2018	Council Workshop
30 August 2018	Council Workshop

PREVIOUS COUNCIL CONSIDERATION:

16 August 2018	Council Meeting
----------------	-----------------

"223.08.2018 Moved: *Cr G Willis* **Seconded:** *Cr C Rhodes*

1. *That Council adopts the Long-Term Strategic Asset and Financial Management Plans as included within the 2018/19 Budget Estimates as adopted by Council.*
2. *That Council refers the Asset and Financial Management Strategies and Plans document to a workshop for further discussion.*

CARRIED UNANIMOUSLY (5-0)

For: *Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Ken Stockton and Cr Gerald Willis."*

OFFICER'S REPORT:

At the August 2018 Council Meeting, the Long-Term Strategic Asset and Financial Management Plans document, as included within the 2018/19 Budget Estimates, was adopted by Council with some of the detailed supporting documentation requiring further work and additional discussion.

This additional work has now been carried out with a more refined plan presented as per *Annexure 8*.

Overall, a raft of additional and more detailed supporting information has been added. The overall 20-year cashflow projections and assumptions remain as per the adopted strategy as included within the adopted 2018/19 Budget Estimates.

Details of these Asset and Financial Management Strategies and Plans are shown in a consolidated document (Annexure 8) which comprises a Financial Management Strategy, Long Term Financial Management Plan, Asset Management Strategy and Long-Term Strategic Asset Management Plan. All have been interlinked.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

4. Strategic, Efficient and Effective Organisation – Responding to risks and opportunities.
 - 4.3 Ensure Council meets its statutory obligations and manages corporate and community risk.
 - 4.3.12 Annual budget estimates and reviews.
5. Corporate Governance and Intergovernmental Relations
 - 5.1 Support the capacity and productivity of our organisation and a culture of professionalism, compliance, innovation and service.
 - 5.1.3 Achieve a sustainable balance of income, investment and recurrent expenditure.

BUDGET AND FINANCIAL IMPLICATIONS:

The adoption of these Asset and Financial Management Strategies and Plans provides a long-term strategic framework for Council and refines that adopted with the 2018/19 Budget Estimates. It represents the minimum approach that can prudently be recommended to achieve Council's strategic outcomes and ensures that Council remains financially viable in the long term.

RISK/LIABILITY:

High moderating to Low.

The significance of the level of decline in Council's financial reserves and budget commitments over the next 3-4 years, poses a real High Risk to Council's overall financial viability if the Asset and Financial Strategies are not implemented as proposed.

The adoption of the strategies and plans would reduce the risk level to Low. At this time the content of these plans does not include future forecasts of current assets and liabilities (such as debtors, creditors and inventory) and hence relevant Financial Management Indicators relating to these forecasts are not included. The risk level however remains low as this is a minor element which should not affect the decision-making process. The content of measures highlights that Council's cash levels are being managed in a sustainable manner.

Importantly, having these plans and strategies in place will aid Council with respect to any future financial discussions with the State Government. It also fulfills commitments made to the Director of Local Government of the Department of Premier and Cabinet in May 2018 to have

Council's financial sustainability and a Long-Term Financial Plan reviewed so that Council will be able to have them formally adopted in conjunction with, or shortly after, the 2018/19 budget, ahead of the 2018 local government elections.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATIONS:

That Council receives, notes and adopts the Asset and Financial Management Strategies and Plans document which comprises a Financial Management Strategy, Long Term Financial Management Plan, Asset Management Strategy and Long-Term Strategic Asset Management Plan.

DECISION:

Item C2: July - September 2018 Quarterly Financial & Investment Report

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Heidi Marshall Accountant
FILE REFERENCE	FIN/0100
ASSOCIATED PAPERS	<i>Annexure 8: July - September 2018 Quarterly Financial Report (Elected Members only)</i> <i>Annexure 9: July - September 2018 Quarterly Financial Report</i>

INTRODUCTION:

On a quarterly basis, Council is presented with a Financial Report which includes a summary of investments.

This report and the attached Quarterly Financial Report have been prepared based on changes made to formatting and presentation that were adopted as part of the 2019 Budget and now since refined as an ongoing improvement.

PREVIOUS COUNCIL DECISION:

Council considers the Quarterly Financial Report on a quarterly basis.

OFFICER'S REPORT:

The attached report with overview provides a summary of income and expenditure for the Council at the end of the first quarter ending 30 September 2018. The overview provides a summary explanation and direction to follow. A summary of Council's Investments is also included.

The report includes income and expenditure for the period and a predicted end of year. Where appropriate, individual comments have been provided against all account or project lines to assist in the review.

Two versions of the report are provided as Annexures. The Elected Member only version contains additional detailed appendices that are only relevant to Councillors.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

4. Strategic, Efficient and Effective Organisation

4.3 Ensure Council meets its statutory obligations and manages corporate and community risk.

4.3.1 All legislative and regulatory compliance related to Council activities met.

4.3.1.1 All legislative and regulatory compliance related to Council activities, as recorded in the Council's Annual Regulatory Compliance Checklist, are met.

BUDGET AND FINANCIAL IMPLICATIONS:

Budget affects all areas in Council's Annual Plan with the budget implications identified.

RISK/LIABILITY:

No foreseen risks or legal obligations identified as a result of the financial report or in the predicted end of year figures.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER'S RECOMMENDATION:

That Council receives and accepts the July – September 2018 Quarterly Financial Report incorporating Investment Summary.

DECISION:

D. GOVERNANCE

Item D1: Priority Projects 2018

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manger
FILE REFERENCE	CSV/1708
ASSOCIATED PAPERS	<i>Annexure 10: Priority Projects October 2018</i>

INTRODUCTION:

From time to time Council prepares a Priority Projects List so as to have an agreed document that can be provided to prospective politicians or government entities to provide a snapshot of what Council considers are important development initiatives.

This report updates the project list in light of changed circumstances and ahead of potential Australian Government Elections and follows on as an update from the 2017 version.

PREVIOUS COUNCIL DISCUSSION:

31 August 2017 Council Workshop
27 September 2018 Council Workshop

PREVIOUS COUNCIL CONSIDERATION:

17 January 2010 Council Meeting
21 September 2017 Council Meeting

OFFICER'S REPORT:

The purpose of the Priority Projects List is to have an agreed document that can be provided to prospective politicians or government entities to provide a snapshot of what Council considers are important development initiatives. Essentially it is a "positional" document that does not at this stage bind the Council but does set the scene.

The Priority Projects October 2018 document is attached.

A few preliminary explanatory comments.

- (a) Less is more. Only those significant projects that are generally beyond the immediate scope of Council have been included. Focus on our self-help, non-handout mentality is important. The projects are merely an update to those previously endorsed and used by Council.
- (b) Document has been formatted as a small booklet for ease of presentation and as a takeaway.
- (c) The Introduction is merely provided to highlight that we are into self-help but that we are significantly stretched financially.
- (d) In each project a notional Council allocation has been outlined. This has merely been done to show some sort of self-help and does not at this stage bind the Council but does set the scene.

- (e) In the main the projects have not been materially updated although elevation of the Airport Runway Upgrade to No 1 recognises the strategic financial importance of this project above all others. Essentially if long-term capital funding can be achieved Council will be in a position to contribute more positively to other projects. Currently this is not the case.
- (f) Lady Barron Safe Harbour. This project is obviously a high economic development priority and is one that, as we know, the State and Australian Governments could be attracted to. However, even with a 3:1 funding model under the Building Better Regions Program, the financial impacts and unknowns on Council's operation are significant.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

- 4 Strategic, Efficient and Effective Organisation - Responding to risks and opportunities
 - 4.1 Remain actively engaged with internal and external stakeholders providing regional leadership.
 - 4.1.1 The Furneaux Islands' unique circumstances, isolated community and specific financial needs are understood by key external stakeholders.
 - 4.1.1.4 Review priority projects list by October 2018.

BUDGET AND FINANCIAL IMPLICATIONS:

Essentially nil at this stage unless grant funding is obtained in which case a Council financial contribution may be required.

RISK/LIABILITY:

There is minimal risk and liability as the projects are aspirational and if lobbying is successful, has the potential to reduce Council's capital costs.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council endorses the Priority Projects dated October 2018

DECISION:

Item D2: Use of the Flinders Council Common Seal

ACTION	Information
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	GOV/1000
ASSOCIATED PAPERS	<i>Annexure 11: Common Seal Register 12.07.18 - 03.10.2018</i>

INTRODUCTION:

The purpose of this report is to provide Councillors with an update on the use of the Flinders Council Common Seal, as per the council motion 216.09.2016 passed at the 22 September 2016 Council Meeting.

PREVIOUS COUNCIL CONSIDERATION:

216.09.2016 22 September 2016
From January 2017, considered quarterly.

OFFICER'S REPORT:

The use of the Flinders Council Common Seal binds the Council to act in accordance with the provisions of the document to which it is attached, and it is important that Councillors know the details of those documents so that they are aware of commitments to which the Council has become obligated.

The Flinders Council Common Seal Register was created on 26 September 2016 and is available to Councillors on request at any time. A report on the use of the Flinders Council Common Seal will be included in Council Meeting Agendas on a quarterly basis.

Annexure 11 details the use of the Flinders Council Common Seal from the 12 July – 3 October 2018.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

No policy exists on this matter.

BUDGET AND FINANCIAL IMPLICATIONS:

Nil

RISK/LIABILITY:

Minimum

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the report on the use of the Flinders Council Common Seal from 12 July – 3 October 2018 be received.

DECISION:

Item C3: Furneaux Islands Community Shed Update/Request

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Brian Barnewall, Works & Airport Manager
FILE REFERENCE	CDV/1706
ASSOCIATED PAPERS	<i>Annexure 12: Furneaux Community Shed Request 29 September 2018</i>

INTRODUCTION:

Over the past 12 months or so representatives of the Furneaux Islands Community Shed have been pursuing their desires to expand into the future with emphasis in part in seeking a new location. During this time representatives have been meeting with staff and informally presented their progress at Councillor Workshops in October 2017 and September 2018.

Council has now received a formal request as per the attached Annexure. This report serves as a formal update and specifically addresses this formal request.

PREVIOUS COUNCIL DISCUSSION:

25 October 2017 Council Workshop
27 September 2018 Council Workshop

PREVIOUS COUNCIL CONSIDERATION:

16 November 2017 Council Meeting

OFFICER'S REPORT:

Background

The objectives of the Furneaux Islands Community Shed (Community Shed) are to advance the health and well-being of members by providing a safe and happy environment where skilled and unskilled people can, in the company of other people:

- Pursue hobbies, pastimes and interests;
- Learn new skills, practice and pass on old skills;
- Learn about their own and other people's health and well-being;
- By their efforts, contribute to their families, their friends, the Shed and their community; and
- Mentor younger people.

The Community Shed is a not-for-profit association with membership of both men and women. Many women come to the shed to make items such as kitchen island benches, tables and serving boards and to attend wood working workshops.

The Community Shed has a partnership with the school to use the woodworking shop for two days a week (Wednesdays and Saturdays) and occasionally on Sundays for workshops.

However, the current space has a number of limitations. The building lacks a hygienic kitchen facility and quiet area, some equipment is becoming outdated, and the size of the facility is limiting. Growth in membership and the range of activities are conflicting with the divergent

needs of the school. This has led the Community Shed to commence investigation into the building of a new shed on an alternate site and to seek funding and potential partnerships with other compatible users.

For the overall benefit of the Community Shed and the Community, members have determined that a location in and around Whitemark would fulfil these aims.

The Shed members have also considered partnering with other community groups. Island News is supportive of utilising a quiet area in a new building, allowing them to have a permanent home, and the Lapidary Club may also be involved. Partnerships such as this would lead to the facility becoming a community hub/centre.

Over the past 12 months the Community Shed has investigated but ultimately rejected the following options:

Council Works Depot

Area identified is located just inside the main gate to the right behind existing trees adjacent to Patrick Street. The area is large enough with good access and screening. Some synergies with Council's Works Depot would be required as a new building would curtail growth.

Hydro Tasmania Building

The Hydro Tasmania Building fronting Robert Street was pursued but ultimately rejected due to the limited size of building, potential increased costs and unavailability generally.

Sports RSL Club Site

Initial discussions but ultimately rejected in part as there would have needed to be some restrictions on the hours of use.

Update Request

Following an initial rejection of the potential use of an existing building at the Whitemark Showgrounds, members of the Community Shed have looked at potential new building sites at the Showgrounds with the preferred site being more or less over the existing netball courts, close to the main entrance to the site.

In the normal course of events this would not be suitable as it would mean that the netball courts would become redundant. However, the Community Shed and council staff are aware of a strong proposal to relocate the netball courts to the Flinders Island Sports RSL Club site as part of the Club's Tennis/Netball Court development, which is separately funded in part through a State Government Grant.

Council staff have also looked at several alternatives, as well as the suggested location which is preferred. On this basis, Council expenditure to resurface the netball courts and provide ongoing maintenance funds into the future would not be required.

At this stage, the formal proposal seeks a 99-year peppercorn lease. There is no financial request before Council, but Council's support is essential.

The location has a number of advantages including the following:

- Location close to the township centre with adequate parking;
- Increased activation of the site and utilisation of existing facilities including the tearooms and toilets;
- Good access for the Community;
- Provides for the potential for more than one community use;
- Appropriate zoning and compatibility land use wise as activity would be modest; and
- Would likely receive broad community support.

Whilst the site has merit and is considered worthy of pursuing, it is still in the development stage. Obviously, it depends on a successful relocation of the netball courts as well as an appropriate lease being arranged. Concept designs and parking/access arrangements would also need to be viewed as well as consultation with other showground stakeholders formally undertaken.

For these reasons it is recommended that the proposal be looked at favorably but on an “in principle” basis.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

- 5 Liveability – Protect, improve and promote the safety, creativity, health and wellbeing of the Islands’ communities.
 - 5.2 Support cultural activities that foster social engagement and emotional wellbeing and provide opportunities for creative expression.

BUDGET AND FINANCIAL IMPLICATIONS:

Nil. At this stage, there is no request from the Community Shed for any financial assistance.

RISK/LIABILITY:

There is significant reputational risk to Council if the Community Shed is not supported or encouraged.

VOTING REQUIREMENTS:

Simple Majority

OFFICER’S RECOMMENDATION:

That the Council:

- 1 Receives and notes the Furneaux Community Shed formal proposal dated 29 September 2018 and the Officers Report; and
- 2 Favorably supports “in principle” the Furneaux Community Shed’s desires to relocate their operation to the Whitemark Showgrounds, as identified in the proposal, subject to further evaluation and a successful relocation of the existing netball operation to the Flinders Island Sports and RSL Club.

DECISION:

Item D4: Petition – Closed Council Agenda Papers and Meeting Minutes

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	PER/1500
ASSOCIATED PAPERS	<i>Nil</i>

INTRODUCTION:

At the September Council Meeting a Petition to the Mayor and Councillors of Flinders Council was received on 5 September 2018 from Ronald Wise with 90 signatories regarding the *“Release of Closed Council Agenda Papers and Meeting Minutes relevant to the 2016 termination of the former General Manager of the Flinders Council”*.

At the meeting, all Councillors declared a conflict of interest with respect to this matter. No discussion was held by Council on the petition. Due to a potential lack of quorum that may have resulted if the matter was discussed, the meeting noted that the General Manager would investigate options to move forward.

This report addresses this situation.

PREVIOUS COUNCIL DISCUSSION:

Nil

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER’S REPORT:

The petition, as lodged, complies with s57 of the *Local Government Act 1993* and was tabled at the September 2018 Council Meeting. As per s60(2)(b) of the Act, Council will determine what action is to be taken in respect of the petition within 42 days.

Following legal advice, the normal and well-practiced course of action when this type of potential *“conflict of interest”* matter arises where a majority of Councillors may have an interest under the *Local Government Act 1993* (Act), is for the Council to delegate its authority to the General Manager pursuant to S22 of the (Act) to determine what action is to be taken.

This is the recommended course of action.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

No policy exits.

BUDGET AND FINANCIAL IMPLICATIONS:

Nil.

RISK/LIABILITY:

There is potentially a significant risk to individual councillors who participate in a matter where they have a Conflict of Interest. There is also significant reputational risk for the Council if the matter is considered in such circumstances.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That pursuant to S 22(1) of the *Local Government Act 1993*, Council delegates to the General Manager its power and function to consider and determine a course of action in relation to a Petition to the Mayor and Councillors of Flinders Council from Ronald Wise that was received on 5 September 2018 and tabled at the September meeting of Council regarding the *"Release of Closed Council Agenda Papers and Meeting Minutes relevant to the 2016 termination of the former General Manager of the Flinders Council"*.

DECISION:

Item D5: Council's 1st Quarterly Report 2018/19

ACTION	Information
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	COU/0600
ASSOCIATED PAPERS	<i>Annexure 13: Council's 1st Quarterly Report (July - September 2018)</i>

INTRODUCTION:

The purpose of this report is to provide Councillors with progress updates on the various Annual Plan actions undertaken by the whole of Council for the first quarter of the 2018/2019 financial year.

PREVIOUS COUNCIL CONSIDERATION:

Previously provided as departmental monthly reports then departmental quarterly reports.

OFFICER'S REPORT:

This report, Annexure 13 – Council's 1st Quarterly Report (July - September 2018), is the first report to be generated for the 2018-2019 financial year.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Council's 1st Quarterly Report (July - September 2018) be received and accepted by Council.

DECISION:

Item D6: Councillor Resolution Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	COU/0600
ASSOCIATED PAPERS	<i>Annexure 14: Councillor Resolution Report October 2018</i>

INTRODUCTION:

This report identifies the actions taken to implement resolutions passed by elected members up to October 2018.

PREVIOUS COUNCIL CONSIDERATION:

The report is presented on a monthly basis.

OFFICER'S REPORT:

Please read Annexure 14 – Councillor Resolution Report October 2018.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Councillor Resolution Report October 2018 be noted.

DECISION:

Item D7: Donation to Red Cross Drought Appeal

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	PUB/0200
ASSOCIATED PAPERS	<i>Annexure 15: Letter from Circular Head Council</i>

INTRODUCTION:

The Circular Head Council has challenged all Tasmanian Local Government councils to donate to the Red Cross Drought Appeal in support of interstate drought affected farmers.

PREVIOUS COUNCIL CONSIDERATION:

Nil

PREVIOUS COUNCIL DISCUSSION:

Nil

OFFICER'S REPORT:

In September, Flinders Council received a copy of a letter from Circular Head Council to the Local Government Association of Tasmania (Annexure 15) which is now presented to Council for consideration.

The letter outlines that at its 16 August 2018 Ordinary Council Meeting, Circular Head Council passed a resolution in support of interstate drought affected farmers. The Council agreed to donate \$4,000 to the Red Cross Drought Appeal on behalf of the Community.

The resolution also included a challenge to all other Tasmanian Local Government councils, as follows:

- "3. A written request to LGAT to forward to all other local Government Councils in the state of Tasmania to challenge them to make a contribution to the Red Cross Drought appeal fund in a combined gesture of goodwill to the respective drought affected communities in NSW and QLD. " (sic)*

This matter is now presented to Council to consider whether to likewise donate to the drought appeal.

STATUTORY REQUIREMENT:

Nil.

POLICY/STRATEGIC IMPLICATIONS:

No policy exists.

BUDGET AND FINANCIAL IMPLICATIONS:

Budget implications will depend on what, if any allocation is to be made

RISK/LIABILITY:

Low

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

For Council to decide.

DECISION:

Item D8: Flinders Safe Harbour Marine Facility Update

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	COM/0402
ASSOCIATED PAPERS	<i>Nil</i>

INTRODUCTION:

The construction of a Marine Access and Safe Harbour at Lady Barron is a major maritime safety issue for Eastern Australia and Tasmania but also leads to a major economic development opportunity for Flinders Council.

In December 2017, Council placed a submission for funding under the Infrastructure Stream of the Australian Government's Building Better Regions Fund (BBRF) for this project. At a total cost of \$5.47million, it was proposed to be funded by Council (\$0.46m), State Government (\$0.9m) and BBRF (\$4.11m). Whilst the submission was well received, Council was ultimately unsuccessful with only around 1 in 5 projects eventually being funded.

Council has been advised that Round 3 of the BBRF Program is now available with submissions to be sent by 15 November 2018.

This report provides a summary as to what Council desires the next step to be.

PREVIOUS COUNCIL DISCUSSION:

6 July 2017 Council Workshop
31st August 2017 Council Workshop

PREVIOUS COUNCIL CONSIDERATION:

57.02.2011 17 February 2011
120.04.2011 21 April 2011
128.04.2011 21 April 2011 Closed Council
598.07.2013 18 July 2013
232.09.2017 21 September 2017

OFFICER'S REPORT:

The rationale for this Project as a Priority Project for Council does not have to be restated as it stacks up independently as a sound economic investment.

Following feedback obtained, Council's submission rated strongly on the Economic and Social fronts as in part it included all of the required elements to potentially make the project a long-term success, including:

- rock breakwater;
- boat ramp and floating pontoon jetty;
- floating marina berths;
- temporary berthing for visitor vessels;

- amenities facilities including toilets showers and washing;
- marine services including sewage pump out, water supply power and fuel;
- car and trailer parking for use of the facilities; and
- slipway upgrade.

Competition is tight with only 1 in 5 projects being funded in the round. There was not much deficient in the submission and any new submission will need to address a number of potential risk factors which include demonstrating that the site tenure has been secured, development assessment has been obtained, not just likely to be approved, and that the ongoing operational costs have been accommodated into future budgets. The submission also had letters of support, but it would have been preferable if we could have supplied support letters indicating the actual in-kind investment in in-kind \$ or actual demonstrated employment outcomes.

It is doubtful if we could, within the timeframe for submissions, address all of these criteria adequately.

Importantly, unlike last year, Council is now better placed to understand the short and long term financial ramifications associated with funding this project within our budget.

Council's Long Term Financial Plan, which is addressed elsewhere in this agenda, has not included this project and foreshadowed that this will need to be considered in future strategies as follows:

"The Council's ability to fund such large projects has not been identified in this strategy, and future inclusion should only be considered if the capital projects can generate sufficient income to cover both the ongoing operational costs, including the depreciation fund."

In addition, as indicated elsewhere in the agenda, this project remains a key Priority Project and with the Federal election due next year, it provides an opportunity to advance not just the economic case but maritime safety as a prime part of the project.

In reality the Australian and State Governments have arguably national and state infrastructure obligations that relate to maritime safety, not just economic development. This could best be addressed by separate direct funding of \$2.3million towards the rock breakwater elements of a \$5.6million project, with the balance through the BBRF stream.

In these circumstances and time constraints, it is recommended that Council, in the first instance, lobby along this basis but also proceeds in addressing the potential risk aspects as outlined before lodging any new application.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

3. Access and Connectivity - Work with service providers and other relevant stakeholders to improve security, reliability and cost effectiveness.

3.1 Maintain or better the standard of sea access across to the islands.

3.1.1 Economic viability of developing an all-weather recreational and leisure vessel harbour investigated.

3.1.2.1 Continue to advocate and explore opportunities to advance the adopted Flinders Island Marine Access and Safe Harbour Project.

BUDGET AND FINANCIAL IMPLICATIONS:

There is no budget allocation for any work associated with this project.

Cost to prepare submissions and lobby for an externally funded breakwater are minimal. Expenses required to address a number of potential risk factors which include demonstrating that the site tenure has been secured, development assessment has been obtained and that the ongoing operational costs have been accommodated into future budgets, are also expected to be manageable.

RISK/LIABILITY:

There is currently a major safety issue for boats traversing the area due to a lack of a safe harbour between mainland Australia and Tasmania. Whilst this is not the responsibility of Council per say, never the less for this aspect to be improved it is essential that Council takes a lead role as we have potentially the best site available.

The project also has the potential to be a major tourism and economic drawcard to visitation. It is one of those rare projects that fulfills Federal and State Government aims as key drivers, that is possible to be financially supported but will not otherwise eventuate without positive affirmative action by Council.

The reputational risk and potential missed economic development growth opportunities if there is no concerted attempt to continue to facilitate the project are significant.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council:

1. Reconfirms that the construction of a Marine Access and Safe Harbour at Lady Barron is ranked highly as a Council Highest Priority Economic Development Project.
2. Lobbies State and Federal Governments and other political parties at a national level for an externally funded breakwater for the Project.
3. Undertakes work to improve the economic case for a future funding submission that addresses a number of potential risk factors which include demonstrating that the site tenure has been secured, development assessment has been obtained, that the ongoing operational costs have been accommodated into future budgets and that the value of in-kind contributions have been substantiated.
4. Advises the State Government, who are a positive supporter and potential funding partner, of Council's actions.

DECISION:

Item D9: Provision of Electronic Services – Elected Members Policy

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	PER/0300
ASSOCIATED PAPERS	<i>Annexure 16: Provision of Electronic Services – Elected Members Policy</i>

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.

Council has a policy that states that policies should be reviewed at least every four (4) years by the then elected members.

This report continues the process of Council reviewing its policies and procedures as part of a continuous review process.

PREVIOUS COUNCIL CONSIDERATION:

ADOPTED: 14 June 1994	133.06.94
AMENDED: 13 December 2001	301.12.01
AMENDED: 25 August 2005	486.08.05
AMENDED: 15 July 2010	192.07.10
AMENDED: 16 May 2013	544.05.2013
AMENDED: 22 September 2016	225.09.2016
AMENDED: 17 November 2016	279.11.2016

OFFICER’S REPORT:

Given the need for Council to reduce operational costs and streamline operations wherever possible, staff have been reviewing the costs associated with provision of information technology (IT). One area that savings can be made is in the provision of IT for Councillors.

Currently there is a combination of some Councillors using their own computers and Council providing others with either a laptop or tablet. In addition, some Councillors have an internet device as per the current policy.

Staff propose that with the election of the new Council, all Councillors will be provided with a basic computer notebook or similar electronic device and a Council email address. Staff also propose to no longer provide internet devices to Councillors, rather to pay each Councillor an internet allowance towards their existing household/personal plan. When a Councillor attends a workshop or Council Meeting at the Flinders Arts and Entertainment Centre they will have access to the Wi-Fi there.

It is also to be noted that internet coverage generally will be significantly improved in early 2019 when the Telstra Telecommunications Transformation project is completed

Current Councillors using Council devices who are standing for reelection, will be required to return those devices to Council at the end of the end of the current term. If they are reelected, they will again be issued with an electronic device.

The draft policy is presented now for Council consideration ahead of the Local Government election. The policy format will be changed later to fit into the new policy manual format in the coming months as time allows.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

4. Strategic, Efficient and Effective Organisation - Responding to risks and opportunities.

4.3 Ensure Council meets its statutory obligations and manages corporate and community risk.

4.3.4 Maintain Council's Policy Manual and Instrument of Delegation.

BUDGET AND FINANCIAL IMPLICATIONS:

There is no budget allocation in the 2018/19 Council Budget for the purchase of new devices for the new Council. A budget variation will need to be passed to cover this additional expense. Quotations are being obtained but an indicative cost of \$1000 per computer is envisaged.

RISK/LIABILITY:

Appropriate management and control of Council information is essential from a risk management, insurance, intellectual property and records management perspective. The amended policy significantly improves exposure to risk in this area

VOTING REQUIREMENTS:

Simple Majority	Recommendation 1
Absolute Majority	Recommendation 2

OFFICER'S RECOMMENDATION:

That Council:

1. Adopts the Provision of Electronic Services – Elected Members Policy.
2. Makes an appropriate budget variation for the purchase of new electronic devices.

DECISION:

Meeting Closed