



Confirmed Minutes Ordinary Council Meeting

19 November 2019



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Flinders Council Ordinary Meeting – Unconfirmed Minutes

Tuesday 19 November 2019

Venue	Flinders Arts and Entertainment Centre, Whitemark
Commencing	9.30am
Attendees - Councillors	Acting Mayor David Williams Annie Revie (Mayor) Sharon Blyth Aaron Burke Vanessa Grace Rachel Summers
Apologies	Peter Rhodes
Attendees - Staff	Heidi Marshall Acting General Manager Brian Barnewall Works and Airport Manager Jacci Viney Projects, Assets and Environmental Health Officer Vicki Warden Executive Officer (minute taker)

1 Acknowledgment of Country

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

2 Confirmation of Minutes

DECISION

293.11.2019 Moved: Cr V Grace

Seconded: Cr R Summers

That the open and closed Minutes from the Ordinary Council Meeting held on 24 October 2019 be confirmed.

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.

3 Public Question Time

Question 1: Dennis Cooper

Could we have money for solving issues re Whitemark boat ramp and maybe for a launch slab at North East River? Sharp Airlines e.g. \$235 Launceston – Flinders Island and \$200 for residents? How are we making money from 8000 visitors?

Mayor's response:

The question was taken on notice.

Question 2: Carol Cox

The minutes from the December 2018 Ordinary Council Meeting state the following:

“Whitemark Coastal Inundation Flood Study and Structure Plan - After considerable time and investigation, the final report of coastal inundation and flooding in and around Whitemark has been received from GES – Environmental Solutions and JMG Engineers and Planners. Given its complexity, a simplified summary overview has been prepared by Dock4 Architects who are engaged to prepare the Whitemark Structure Plan. The report has been forward to councillors for pre-reading prior to discussion at a future workshop.”

The withholding of this information is a deterrent to investment in the Whitemark area so could the report be released to the Public in the immediate future?

Mayor’s response:

The question was taken on notice.

Question 3: Carol Cox

A group of property owners interested in controlling Parramatta Grass has applied for grant funds to tackle the spread of Parramatta Grass that is impacting on the Island’s economy. This group also intends to take advantage of the State Government weed grants to do further work in this area. Around 12 months ago Council, as a trial, treated two roadside verge areas in the Lackrana Memana area. Could Council please mark the trial areas treated and also make public the progress/result of the trial, including the action taken in tackling the Parramatta Grass within the trial plots?

Mayor’s response:

The question was taken on notice.

4 Councillor’s Questions on Notice

None received.

5 Councillor’s Questions Without Notice

Question 1: Cr Vanessa Grace

Letters to and from the Mayor – can valid points be extracted from letters to and from the Mayor and a resolution report be constructed, to make sure valid concerns are being addressed and actioned?

Mayor’s response:

The question was taken on notice.

6 Late Agenda Items

The following has been received as a late agenda item:

- Agenda Item 20.2 Airport Runway Works Schedule

Pursuant to S65(1) of the *Local Government Act 1993*, the General Manager confirms that she has had sufficient time to consider the item and to provide expert advice in relation to the item; that it was not possible to include the item on the agenda as the information was not available at that time; and that the matter is time dependent and therefore urgent.

Under R8(6) of the *Local Government (Meeting Procedures) Regulations 2015*, this item may be considered at this meeting by absolute majority vote.

DECISION

294.11.2019 Moved: Cr R Summers

Seconded: Cr A Burke

Under R8(6) of the *Local Government (Meeting Procedures) Regulations 2015*, Item 20.2 Airport Runway Works Schedule be considered as Item 20.2 in Closed Council at this meeting.

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.

7 Declaration of Pecuniary Interest

None declared.

8 Conflict of Interest

None declared.

9 Leave of Absence

Deputy Mayor David Williams has requested a leave of absence from Council from 12 December 2019 to 29 February 2020 in order to act as caretaker on Deal Island, within the Flinders Municipality. Pursuant to regulation 39 of the *Local Government (Meeting Procedures) Regulations 2015*, Council may grant a request for a leave of absence.

Acting Mayor David Williams withdrew from participating in the vote.

DECISION

295.11.2019 Moved: Cr V Grace

Seconded: Cr R Summers

That Council grants Deputy Mayor David Williams leave of absence from Council from 12 December 2019 to 29 February 2020 in order to act as caretaker on Deal Island, within the Flinders Municipality.

CARRIED UNANIMOUSLY (5-0)

For: Mayor A Revie, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.

10 Petitions

Nil

DECISION

296.11.2019 Moved: Cr A Burke Seconded: Cr S Blyth
That the Council Workshops held on 24 October and 5 November 2019 be noted.

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.

12 Public Meetings

Nil

13 Publications/Reports Tabled for Council Information

Nil

14 Reports to be Received

14.1 Furneaux Community Health Special Committee

File Reference CSV/0912

Annexure 14.1.1 Furneaux Community Health Special Committee Meeting 4 July 2019
Unconfirmed Minutes

OFFICER'S REPORT (Heidi Marshall, A/General Manager):

The unconfirmed minutes of the Furneaux Community Health Special Committee meeting held Thursday, 4 July 2019 were noted by Council at the July 2019 Council Meeting. Since that time, the Committee has made changes to the unconfirmed minutes, therefore they are again provided for consideration.

RECOMMENDATION

That the revised, unconfirmed minutes of the Furneaux Community Health Special Committee meeting held 4 July 2019 be noted.

No motion came from the table so the item lapsed.

14.2 Furneaux Islands Festival Special Committee

File Reference CDV/0302

Annexure 14.2.1 Furneaux Islands Festival Special Committee Meeting 30 October
2019 Unconfirmed Minutes

OFFICER'S REPORT (Heidi Marshall, A/General Manager):

The unconfirmed minutes of the Furneaux Islands Festival Special Committee meeting held Wednesday, 30 October 2019 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

RECOMMENDATION

That the unconfirmed minutes of the Furneaux Islands Festival Special Committee meeting held 30 October 2019 be noted.

DECISION

297.11.2019 Moved: Cr S Blyth

Seconded: Cr R Summers

That the unconfirmed minutes of the Furneaux Islands Festival Special Committee meeting held 30 October 2019 be noted.

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.

14.3 Whitemark Community Gym Special Committee

File Reference CDV/0702

Annexure 14.3.1 Whitemark Community Gym Special Committee Meeting 23 September 2019 Unconfirmed Minutes

OFFICER'S REPORT (Heidi Marshall, A/General Manager):

The unconfirmed minutes of the Whitemark Community Gym Special Committee meeting held Monday, 23 September 2019 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

RECOMMENDATION

That the unconfirmed minutes of the Whitemark Community Gym Special Committee meeting held 23 September 2019 be noted.

DECISION

298.11.2019 Moved: Cr R Summers

Seconded: Cr V Grace

That the unconfirmed minutes of the Whitemark Community Gym Special Committee meeting held 23 September 2019 be noted.

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.

15 Councillors' Reports

None received.

16 Mayor's Report

Action	Information
Proponent	Mayor A Revie
File Reference	COU/0600
Annexures	Nil

APPOINTMENTS

14 – 23 October	Cr Rachel Summers was Acting Mayor
18 October	Attended Flinders Island Show and presented Citizen of the Year Award to Gerald Dilger
18 October	Deputy Mayor David Williams met with Labour Party: good discussions on our community position and future assistance required from State Government
24 October	Deputy Mayor David Williams appointed as Acting Mayor
3 November	Citizenship Ceremony for the John family
6 November	Attended (via telephone) Northern Tasmania Development Corporation (NTDC) Annual General Meeting
6 November	Telephone call with John Wells re Safe Harbour
8 November	Meeting with Inspector Johnston and Commander Smith, Tasmania Police and A/General Manager

Northern Tasmania Development Corporation (NTDC) Annual General Meeting

I attended the AGM by telephone as the alternate for Annie Revie, our Mayor. Unfortunately, the phone reception was fairly poor but I was able to hear the principal issues discussed which were:

1. The review of the NTDC members' 3 year agreement. Discussion revolved around improving communication with member councils as well as bringing mayoral and general manager representation on the NTDC board. Full details will be circulated to members together with a summary of positive achievements so that Council can consider the benefits offered by NTDC and decide on signing the new agreement.
2. Regional Economic Development Strategy (REDS). The purpose of this strategy is to highlight and develop the six strategic priorities for improved economic outcomes for Northern Tasmania: (a) Increasing Exports, (b) Population Growth, (c) Innovation, (d) Investment, (e) Infrastructure, and (f) Participation and Productivity.

To have this strategy ready for action/implementation, the draft recommendations will be circulated to councils before being submitted to the State Government, and thereafter for adoption by the member councils. It is expected that the draft Implementation Plan for REDS will be sent to council members for endorsement in their December council meeting.

CORRESPONDENCE IN

17.10.19	Damon Thomas	Proposal for council to participate in the Federal Government's Professional Year graduate internship scheme
17.10.19	Flinders Island Show Society	Invitation to attend Show luncheon
17.10.19	Will Hodgman	Response re request for support of Community Shed
08.11.19	TasFire	Invitation to Brunch in the Bays

CORRESPONDENCE OUT

28.10.19	NTDC	Appointment of proxy to attend meeting
11.11.19	V Warden	Leave of absence

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Mayor's report be received.

DECISION

299.11.2019 Moved: Cr A Burke Seconded: Cr V Grace

That the Mayor's report be received.

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.

17 Development Services and Planning Applications

At 9.46am, the Mayor announced that pursuant to Section 25 of the Local Government (Meeting Procedures) Regulations 2015 the Council will now act as a Planning Authority under the Land Use Planning and Approvals Act 1993.

17.1 Development Application – DA2019049

Action	Decision
Applicant	TasWater
Officer	Karin van Straten (Senior Consultant Town Planner)
Approved By	Brandie Strickland (Consultant Town Planner)
File Reference	DA2019049
Annexures	17.1.1 Site Environmental Plan 17.1.2 Environmental Report 17.1.3 Representation

Proposal:	Temporary Salt Water Reverse Osmosis Plant
Location:	Franklin Parade, Lady Barron
Zoning:	Environmental Management and Recreation Zone
Special Areas:	Shorelines, Water Bodies and Watercourses
Representation:	Andrew Thompson

INTRODUCTION

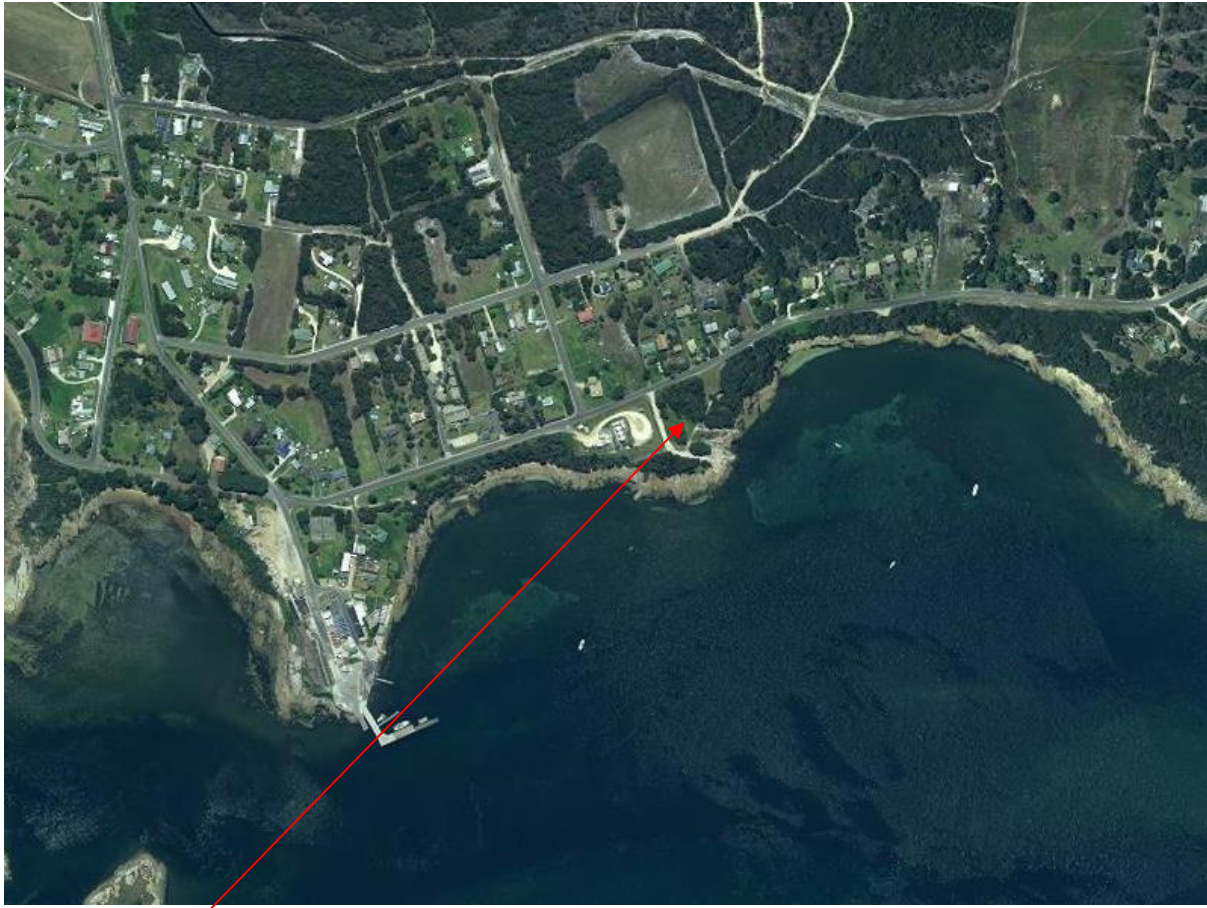
Subject Site

The subject site is part of a large parcel of Crown land on the Lady Barron coastline. To the north and on the opposite side of Franklin Parade is residential uses and developments. To the west is an industrial use – fuel installation and further to the south-west is the Lady Barron wharf.

No tree removal is required for this proposal. With permission of Parks and Wildlife Service dead branches will be removed and the manicured lawn in the clearing will be removed and replaced with a hardstand. Re-instatement of this via topsoil spreading and reseeding with grass species in consultation with the Flinders Island Parks & Wildlife Service Ranger forms part of the Site Environmental Plan.

Statutory Timeframes

Date Received:	20/9/2019
Request for further information:	N/A
Advertised:	16/10/2019
Closing date for representations:	31/10/2019
Decision due:	20/11/2019



Subject site

OFFICER'S REPORT

The Proposal

TasWater will be undertaking dam safety upgrade works at Henderson Dam in the near future. This dam is approx 5km from Whitemark and is the primary water supply for Whitemark. Whilst the dam safety works are in progress, a raw water supply contingency is required to supply water to the Whitemark Water Treatment Plant in the event that the volume of water in Henderson Dam is not sufficient to meet demand during the upgrade.

This proposal is for TasWater to develop and use a temporary packaged salt water reverse osmosis plant. On a daily basis 250 000 litres of saltwater will be withdrawn from Adelaide Bay and processed. 100 000 litres will be shipped to the Whitemark Water Treatment Plant and the remaining 150 000 litres of brine will be discharged back into the bay. The proposed plant is expected to operate 24 hours a day and 7 days a week. The application mentioned October 2019 to June 2020 – a 9 month window. This process has obviously not started, but it gives an indication of the temporary nature of the use. The planning scheme does not allow for this to be considered as a temporary use under clause 3.13 because the use is not prohibited.

The proposed plant comprises of 2 components:

1. Land-based component

The plant will comprise of a 40ft shipping container that will house the reverse osmosis facility. Adjoining this will be 4 water tanks; 3 for treated water and the fourth for raw water. These tanks each has a capacity of 22 000 litres. Another 20ft shipping container will be placed onsite for additional equipment- is so required.

Two pipes will be installed between the plant and the bay. One will be for saltwater intake and other for brine discharge. The majority of the land-based portion of the pipes will sit on the surface with portions buried at shallow depths beneath vehicle tracks.

Traffic generations will include up to 10 water trucks per day filling up at this site to transport water the Whitemark. Operations will only be within daylight hours and it is anticipated that truck movements will be every 1 – 1.5 hours.

2. Marine-based component

As mentioned above, 2 x 100mm pipes will be installed between the plant and the bay. One intake pipe will withdraw 250 000 litres of saltwater per day from Adelaide Bay to be processed. 100 000 litres will be shipped to the Whitemark Water Treatment Plant and the remaining 150 000 litres of brine will be discharged back into the bay. The marine-based pipe will be sign posted as per advice from MAST and TasPorts. The pipelines will be weighed down to overcome buoyancy.

The pipe inlet and outlet are proposed to be positioned above the sea floor. The water intake point will be shielded to prevent organic matter and aquatic animals entering the pipe. The brine will be ejected vertically at pressure into the water column to maximise dispersal.

The velocity of the water movement in the pipes and from the expulsion is not expected to generate significant noise.

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)
- Part 5 – Zone
- Part 6 – Use and Development Principles
- Part 7 – Shorelines, Waterbodies and Watercourses

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;*

COMMENT: An assessment is provided at Part 5 of this report.

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

The application included a full report regarding the proposed use and development. This included the Site Environmental Plan. The proposal was referred to EPA who confirmed that this is a Level 1 activity and does not require assessment by EPA. *EPA supports the selected site of the offtake and discharge locations and the commitments made in Table 6.1 of the report entitled Henderson Dam – Lady Barron Reverse Osmosis Plant dated 18 September 2019*

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

One representation was received from Andrew Thompson.

Issue	Planning Comment
<p>As this site is also the site for the development of the Flinders Island Marine Access and Safe Harbour project, the planning and development of the TasWater proposal should be undertaken in consultation with the design team of the Safe Harbour project to achieve goals:</p> <ul style="list-style-type: none"> - Maximise re-use of site works - Re-purposing of infrastructure - Ensure the proposed development does not compromise the commencement and construction timetable of the Safe Harbour project. 	<p>The representation refers to a project that is still in its final development stages prior to the submission of an application for planning approval.</p> <p>This cannot be assessed against the planning scheme.</p> <p>The proposal is for a temporary use and development to ensure a raw water supply contingency is available to supply water to the Whitemark Water Treatment Plant in the event that the volume of water in Henderson Dam is not sufficient to meet demand during the upgrade.</p>

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

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

The subject site is not subject to any landslide hazard band, soil instability or erosion.

(b) *excessive slope;*

None.

(c) *ponding or flooding;*

None.

(d) *bush fire hazard;*

N/A.

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

No.

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

Shorelines, Waterbodies and Watercourses – see discussion under Part 7 of this report.

(g) *pollution; and*

None

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

None.

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;
- (b) adjoining land;
- (c) the streetscape and/or landscape;
- (d) the natural environment;
- (e) items of historic, architectural or scientific interest;
- (f) buffer zones, attenuation areas,
- (g) easements;
- (h) a water supply for fire fighting purposes;
- (i) any received pollution;
- (j) the escape of pollutants into storm drains and watercourses: and
- (k) isolation, separation from other lands.

The temporary nature of the project, location, proposed operation and lack of possible emissions raise no issues.

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;*

The proposal will include the development of the site access to Council satisfaction. There will be limited traffic movements – approx. 10 truck movements per day – one movement every 1 – 1.5 hours. If any other infrastructure is required, it will not be provided at the detriment of the existing users of these infrastructures. It must be mentioned again that this proposal is for a temporary use and development only.

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

The proposal is for a limited time only to ensure a temporary contingency water supply for Whitemark whilst TasWater is undertaking safety upgrade works at Henderson Dam.

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

N/A to this assessment.

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

The proposal will include the development of the site access to Council satisfaction. There will be limited traffic movements – approx. 10 truck movements per day – one movement every 1 – 1.5 hours.

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

This is temporary use and development, where the provision of infrastructure will not be at the detriment of existing users.

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

Access to and from the site will be via an access approved to the satisfaction of Council. The marine based component will be sign posted to warn water users.

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 of the planning scheme.

Part 5 – Zone

5.10 Environment Management and Recreation Zone

5.10.1 Zone Intent

The Intent of the Environmental Management and Recreation zone is to provide for the sustainable management of the natural and physical resources found on Crown lands and other lands whilst providing opportunities for public recreation at suitable sites. This intent recognises that on Crown lands that are leased, various use rights have been established and may continue with appropriate management under the terms and conditions of those leases. The Environmental Management and Recreation zone also contains places of special importance for the conservation of species and for their cultural heritage value; the intention is that those places be identified, documented and protected from inappropriate Use or Development.

5.10.2 Desired Zone Character and Zone Guidelines

The zone should be characterised by:

- (a) Landforms, landscapes, places, places and habitats in which natural processes, native vegetation, indigenous fauna and items of cultural heritage are protected from inappropriate Use or Development;
- (b) Management goals that identify and protect the environmental values and heritage values of particular sites, including (but not limited to) scenic amenity, water quality, water quantity, soil structure, biodiversity, evidence of human occupation and historic use, the presence of rare or endangered species and the absence of exotic species, diseases and weeds;
- (c) The provision on public land of recreational facilities in a manner which minimises impacts upon identified environmental and heritage values;

- (d) The restrained and careful application of management practices such as the clearing, burning or grazing of vegetation, the use of herbicides or pesticides, or the construction of tracks and firebreaks and then only after adequate investigation and where it can be demonstrated that such practices are in support of management goals;
- (e) The careful siting and design of Buildings, Structures, Works and Landscaped Space in order to minimise adverse impacts on the identified values of the locality.

5.10.3 **Subdivision Standards**

There will be no further subdivision within the zone except in accordance with Clause 4.5 or to allow a lot of which the purpose is to give effect to the intended use or development of the land in accordance with a permit granted by Council.

5.10.4 **Development Standards**

There are no minimum height or setback requirements except those necessary to meet the zone intent.

Officer comment: the proposal is defined as Public Utility (minor) and is a Permitted use and development under the Table of Use and Development in 5.10.5 of the planning scheme. The proposal is for a limited time only to ensure a temporary contingency water supply for Whitemark whilst TasWater is undertaking safety upgrade works at Henderson Dam. No tree removal is required for this proposal, with permission of Parks and Wildlife Service dead branches will be removed and the manicured lawn in the clearing will be removed and replaced with a hardstand. Re-instatement of this via topsoil spreading and reseeded with grass species in consultation with the Flinders Island Parks & Wildlife Service Ranger forms part of the Site Environmental Plan.

It is considered that the proposal complies with the Zone provisions.

Part 6 – Use and Development Principles

This part of the planning scheme provides principles that development must be consistent with. Some are clearly not relevant to this proposal. Furthermore, most have been addressed in more specific parts of this report.

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.
- (b) Subdivision of land shall be carried out in accordance with the subdivision provisions for the zone within which the land is located or where that is not appropriate in accordance with:
 - (i) the requirements of the intended use, and
 - (ii) the Zone Intent, or alternatively by
 - (iii) an approved Development Plan that has been adopted by Council and inserted as a provision in the Scheme.

- (c) Residential Zones shall be protected from encroachment by incompatible use or development.
- (d) Rural Industrial operations shall be appropriately located and designed to avoid any detrimental effects on neighbouring land use or development, particularly in respect of atmospheric emissions, solid waste disposal and water pollution, soil erosion, noise or visual quality.
- (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 with (a) and (c); (b), (d) and (e) are Not Applicable to this 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.
- (b) Subdivision layout, particularly roads, shall take adequate account of land contours and the need to avoid visual scarring.
- (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.
- (d) Landscaping of use or development shall be of a type, form, variety(s) and character which is suited to the intention of the zone, the area and the nature of the use or development.
- (e) Where trees are an important element in the character of an area they should be retained.
- (f) Signs shall be consistent in type, scale and location, with the intention of the zone, the streetscape and the building or structure on which they are positioned or to which they otherwise relate.
- (g) Forestry use or development, particularly plantations, shall be appropriately sited and planned to protect the visual quality and character of the countryside generally, and from important viewing locations in particular.

Comment: Complies with (a), (c) and (e); (b), (d), (f) and (g) are Not Applicable to this assessment.

6.3 Amenity

- (a) Adequate public open space shall be provided in areas of new subdivision, to meet the recreational and open space requirements of the community generally and particularly the new owners of the lots created by subdivision.
- (b) Use or development shall accord all existing and/or future occupiers with adequate and reasonable levels of amenity, especially in relation to privacy, sunlight, aspect, views and noise disturbance.

- (c) Dwellings shall provide an adequate amount and appropriate type of private open space, to meet the expected lifestyle requirements of occupants. Such private open space shall provide adequate privacy, be exposed to reasonable levels of sunshine and directly accessible from the dwelling to which it belongs.

Comment: Complies with (b); (a) and (c) are Not Applicable to this assessment.

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 (e.g. from fire, flood or landslip). In situations where risk may exist, use and development shall be appropriately sited and designed to provide an acceptable level of protection and safety for future users. In particular.
 - 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 with (a) to (c), (f) and (g); (d) and (e) are Not Applicable to this assessment.

6.5 Heritage

- (a) Use or Development shall be undertaken in areas and in a manner which conserves items, sites, areas and customs of historic and cultural value.
- (b) Any Use or Development carried out on or in the vicinity of an item, site, area, feature or customary activity (including Aboriginal sites and shipwrecks) or conservation value, shall adequately respect its historic and cultural integrity.
- (c) The protection and conservation of items, sites, areas, features and customary activities of historic and cultural importance applies to those previously identified and listed in the Scheme, and those which subsequently become known to Council.
- (d) Where an item, site, area, feature or customary activity has or may have historic or cultural importance, Council may require a Statement of Cultural Significance to be prepared.
- (e) Use or development shall be carried out in accordance with the principles and practices of the *Burra Charter*.
- (f) Use or Development involving any historic building or group of buildings shall adequately respect the design and construction elements of the building(s) and particularly the relationship of spaces, orientation, form, mass, scale, fenestration, detailing, style, materials and colour.
- (g) Areas of identified conservation value, including National Parks and Nature Reserves, shall be protected from inappropriate use or development and detrimental land management practices including land clearance, within such areas and adjacent areas outside them.

Comment: Not Applicable to this assessment.

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 with (h), (i) and (j); (a) to (g) and (k) are Not Applicable to this assessment.

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.
- (b) Lot size and arrangement shall be adequate and appropriate to ensure an acceptable level of servicing, particularly in relation to waste disposal.
- (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

- (d) Use or Development in the bushfire prone areas will provide fire protection features and water supplies which comply with Schedule 7.
- (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 with (a), (e) and (f); (b), (c) and (d) are Not Applicable to this 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 with 1.; 2. Is Not Applicable to this assessment.

6.9 Administration

- (a) In considering subdivision and/or rezoning proposals, an appropriate balance shall be maintained between current demand and stock available for use or development, and the number of new lots that would be created.
- (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.
- (d) A Development Plan for an integrated development may be prepared and adopted by Council for any area in this Scheme,

A Development Plan shall include:

- i. The intended use for the land for which the Development Plan has been created;
- ii. The reason(s) for selection of the area;

- iii. A map showing clearly the area subject to the Development Plan showing principal physical features, including existing use or development, hills/slopes, trees, watercourses and existing services buildings and improvements;
- iv. The nature, form and capacity of proposed services including water, sewerage disposal, power, telephone, roads, footways and reserves;
- v. A plan of subdivision with proposed staging showing lot sizes and layouts, building envelopes where appropriate, and physical features intended to be conserved;
- vi. Any special provisions to be used to control land use and development in the area (e.g. height, form, character, materials, colours etc.);
- vii. Any other provisions intended to secure the intention of the Plan.

A Development Plan shall be incorporated into the Scheme by way of a Scheme amendment in accordance with the Act.

Comment: Complies with (b) and (c); (a) and (d) are Not Applicable to this assessment.

Part 7 – Special Area Provisions

7.5 Shorelines, Water Bodies and Watercourses

- 7.5.1 The shorelines, water bodies and watercourses identified in Schedule 3 shall be sustainably managed for the protection of water quality, the conservation of aquatic and shoreline habitat and the enhancement of recreational opportunities.
- 7.5.2 Development (other than that prohibited within the zone) which pertains to a Shoreline, Water Body or watercourse listed in Schedule 3 shall be considered as a discretionary Use or development in accordance with Clause 3.5.
- 7.5.3 Before considering an application pursuant to Clause 7.5.2 council may require additional information, prepared and submitted for Council's consideration by a suitably qualified person(s) to ensure that the proposal is adequately in terms of:
 - (a) Contours and levels of the natural surfaces in relation to the range of water levels likely to occur in the vicinity of the propose use or Development
 - (b) Existing water quality, including seasonal variations;
 - (c) Quantities and qualities of water that are proposed to be abstracted from or discharged to the sea, a water body or a watercourse listed in Schedule 3;
 - (d) The likely impact of the proposed use or development on the quality of waters by reason of off-site effects such as erosion, siltation, salination, chemical spray drift, nutrient seepage, seed disposal or other emissions;
 - (e) The natural, ecological, cultural, recreational and aesthetic qualities of the site.
- 7.5.4 In considering an application for Use or Development in Shorelines, Water Bodies and Watercourses and whether to impose conditions Council shall consider the following matters:
 - (a) The siting, orientation, setback, bulk, form, height, scale, materials and external finishes of buildings and structures

- (b) The impact upon water quality, foreshore or streamside vegetation and wildlife habitat of building, clearing, excavation, effluent disposal, access construction, fences, firebreaks or the deposition of fill;
- (c) Whether land should be acquired by Council as a condition of subdivision or otherwise, to protect the items listed in Schedule 3;
- (d) Whether additional fencing or any other special works or practices are required to protect the items listed in Schedule 3;
- (e) The design, content and location of signage and interpretative displays.

Comment: The proposal is for a limited time only to ensure a temporary contingency water supply for Whitemark whilst TasWater is undertaking safety upgrade works at Henderson Dam.

The marine-based development will comprise of 2 x 100mm pipes installed between the land-based plant and the bay. One intake pipe will withdraw 250 000 litres of saltwater per day from Adelaide Bay to be processed. 100 000 litres will be shipped to the Whitemark Water Treatment Plant and the remaining 150 000 litres of brine will be discharged back into the bay. The marine-based pipe will be sign posted as per advice from MAST and TasPorts.

The pipelines will be weighed down to overcome buoyancy.

The pipe inlet and outlet are proposed to be positioned above the sea floor. The water intake point will be shielded to prevent organic matter and aquatic animals entering the pipe. The brine will be ejected vertically at pressure into the water column to maximise dispersal.

The velocity of the water movement in the pipes and from the expulsion is not expected to generate significant noise.

It is considered that the proposal is in compliance with the Special Area provisions.

STATUTORY REQUIREMENT

The application was advertised for 14 days in accordance with the Act.

POLICY/STRATEGIC IMPLICATIONS

The relevant strategic focus areas of the *Flinders Council Strategic Plan 2015* is:
Strategic Focus Area 2: Infrastructure and Services - An Islands' specific approach to planning and delivery to ensure community and environmental values are maintained.

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.

RECOMMENDATION

That the application for a temporary salt water reverse osmosis plant, for land at Franklin Parade, Lady Barron, PID 6429748 be **APPROVED** subject to the following conditions:

ENDORSED PLANS

1. The use and/or development must be carried out as shown on the Endorsed proposal by TasWater and described in the endorsed proposal documents to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.

ADVISORY NOTES:

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

Notations

- A. This permit was issued based on the proposal documents submitted for DA2019049. You should contact Council with any other use or developments, as they may require the separate approval of Council.
- B. This permit takes effect after:
- a) the 14 day appeal period expires; or
 - b) any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
 - c) any agreement that is required by this permit pursuant to Part V of the *Land Use Planning and Approvals Act 1993* is executed; or
 - d) any other required approvals under this or any other Act are granted.
- C. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the *Land Use Planning and Approvals Act 1993* as amended, by a request to Council.

Other Approvals

- D. This permit does not imply that any other approval required under any other by-law or legislation has been granted.

Appeal Provisions

- E. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal.
- A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant.
- For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au

Permit Commencement

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

DECISION

300.11.2019 Moved: Cr R Summers

Seconded: Cr S Blyth

That the application for a temporary salt water reverse osmosis plant, for land at Franklin Parade, Lady Barron, PID 6429748 be APPROVED subject to the following conditions:

ENDORSED PLANS

- 1. The use and/or development must be carried out as shown on the Endorsed proposal by TasWater and described in the endorsed proposal documents to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.**

ADVISORY NOTES:

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

Notations

- A.** This permit was issued based on the proposal documents submitted for DA2019049. You should contact Council with any other use or developments, as they may require the separate approval of Council.
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 - b)** any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
 - c)** any agreement that is required by this permit pursuant to Part V of the *Land Use Planning and Approvals Act 1993* is executed; or
 - d)** any other required approvals under this or any other Act are granted.
- C.** This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the *Land Use Planning and Approvals Act 1993* as amended, by a request to Council.

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Permit Commencement

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

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.

At 9.57am, Council concluded its meeting as a Planning Authority under Section 25 of the Local Government (Meeting Procedures) Regulations 2015.

17.2 Development Application Report

Action	Information
Proponent	Council Officer
Officer	Kara Hallas Regulatory Services Officer
File Reference	PLN/0105
Annexures	17.2.1 Planner's Information Report – October 2019

INTRODUCTION

This report provides Councillors with an overview of the applications for the current period as per motion 249.09.2015, passed at the 24 September 2015 Council Meeting when Council requested monthly data from the West Tamar Council planning consultancy service.

Permitted applications are assessed under section 58 of the *Land Use Planning and Approvals Act 1993* (the Act) and are not advertised. If applications classified as Permitted meet all development and use standards, they must be granted a permit, with or without conditions.

Discretionary applications are assessed under section 57 of the Act and are exhibited for a two week period during which submissions may be received from the public. If a submission is received the planners report for that application is considered by Council. Discretionary applications where no submissions are received as well as applications with a Permitted pathway are approved under delegation to the General Manager.

The numbering of applications relates to the electronic filing system. Numbers are allocated to Planning (DA), Building (BA) and Plumbing (PA) applications as they are received. This may mean that planning numbers are not sequential if for example, a development requires a building application but is exempt from a planning application.

PREVIOUS COUNCIL CONSIDERATION

Some items may have been considered at meetings of Council while the remainder have been approved under delegation by the General Manager.

OFFICER'S REPORT

Refer to Annexure 17.2.1, Planner's Information Report – October 2019, provided by West Tamar Council.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Planner's Information Report – October 2019 be received.

DECISION

301.11.2019 Moved: Cr A Burke Seconded: Cr V Grace
That the Planner's Information Report – October 2019 be received.

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.

18 Notice of Motion

18.1 Notice of Motion – Cafe in the North – Killiecrankie Open Space

Action	Decision
Proponent	Councillor Peter Rhodes
Officer	Heidi Marshall Acting General Manager
File Reference	COU/0600
Annexures	18.1.1 Letter from K Klug

NOTICE OF MOTION

That Flinders Council notes the correspondence from Ms K Klug on behalf of the Cafe in the North project and approves their request for use of the Killiecrankie Open Space area as a site for their food facility. While Council cannot approve the request for the Cafe to use other Council land, i.e. the Showgrounds and the Lady Barron Tennis Court area, it notes that the Cafe can be invited by a third-party hirer of those facilities.

COUNCILLOR'S REPORT

The Cafe in the North concept grew out from the Destination Action Plan process, initiated by the Tasmanian State Government. Through the auspices of Flinders Island Business Inc. (FIBI), AusIndustry has provided a grant to initiate the project.

Council has been involved with the project proponents in the course of their planning and has previously considered siting options for the facility.

A mobile food facility has been purchased and FIBI is currently in the process of drafting a Memorandum of Understanding with the selected operator.

All involved in the Cafe in the North project should be congratulated on getting it to this stage. The Cafe has the capability of improving services in the north and better providing for the summer influx.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

24 October 2019 Council Workshop

OFFICER'S REPORT

The original concept for the Cafe in the North project was to locate the cafe at Killiecrankie to service the northern end of the Island. The Killiecrankie Public Open Space in question is an ideal location for the mobile cafe to fulfil this purpose. Given that this area is also used by campers and other vendors, exclusive right to this space by the cafe it is not recommended.

Permission has also been sought to locate the cafe at the Whitemark Showgrounds and the Lady Barron Tennis Courts. It is recommended that the cafe only be located at these areas if invited by an event manager to sell food at an event hosted on these grounds. In this case, it will be the event manager seeking authorisation from Council to use the site and the cafe will liaise with the event manager.

STATUTORY REQUIREMENTS

Nil

POLICY/STRATEGIC IMPLICATIONS

Nil

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

Nil

VOTING REQUIREMENTS

Simple Majority

MOTION

Moved: Cr P Rhodes Seconded:

That Flinders Council notes the correspondence from Ms K Klug on behalf of the Cafe in the North project and approves their request for use of the Killiecrankie Open Space area as a site for their food facility. While Council cannot approve the request for the Cafe to use other Council land, i.e. the Showgrounds and the Lady Barron Tennis Court area, it notes that the Cafe can be invited by a third-party hirer of those facilities.

Due to Cr Peter Rhodes' absence from the meeting, the motion lapsed.

DECISION

302.11.2019 Moved: Cr R Summers Seconded: Cr V Grace

That Flinders Council notes the correspondence from Ms K Klug on behalf of the Cafe in the North project and approves their request for use of the Killiecrankie Open Space area as a site for their food facility. While Council cannot approve the request for the Cafe to use other Council land, i.e. the Showgrounds and the Lady Barron Tennis Court area, it notes that the Cafe can be invited by a third-party hirer of those facilities.

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.

Note: The following Notice of Motion was presented at the 20 August 2019 Council Meeting and deferred by Council. The motion is now represented for Council's deliberation.

18.2 Notice of Motion – Housing Working Group Terms of Reference

Action	Decision
Proponent	Councillor Rachel Summers
Officer	Heidi Marshall A/General Manager
File Reference	GOV/0500
Annexures	18.2.1 Terms of Reference – Housing Working Group

NOTICE OF MOTION

That the proposed Terms of Reference for the Housing Working Group be accepted by Council.

COUNCILLOR'S REPORT

At the Ordinary Council Meeting on 21 May 2019, Council passed a resolution to form a Working Group to address issues with housing on Flinders Island.

A motion was further passed asking "That the working party prepares, as a matter of first importance, terms of reference for Council approval" (136.05.2019).

Presented today are the Terms of Reference developed at the first meeting of the Housing Working Group, for consideration and acceptance by Council.

PREVIOUS COUNCIL CONSIDERATION

21 May 2019 136.05.2019

PREVIOUS COUNCIL DISCUSSION

Nil

OFFICER'S REPORT

The Terms of Reference for the Housing Working Group appear to be suitable and fit for purpose.

STATUTORY REQUIREMENTS

Nil

POLICY/STRATEGIC IMPLICATIONS

1. Population Growth

1.1 Increase the supply of affordable housing.

1.1.2 A strategy and action plan that identifies affordable housing options.

1.1.2.1 On completion of State Government's Housing Needs Analysis Report, partner with key stakeholders to scope report's recommendations.

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

Nil

VOTING REQUIREMENTS

Simple Majority

MOTION**217.08.2019 Moved: Cr R Summers****Seconded: Cr S Blyth****That the proposed Terms of Reference for the Housing Working Group be accepted by Council.**

Note: Verbal communication from Maxine Roughley, CEO of Flinders Island Aboriginal Association Inc. (FIAAI), was received on 19 August 2019, advising that FIAAI does not wish to partner with Council on the Housing Working Group.

218.08.2019 Moved: Cr P Rhodes**Seconded: Cr V Grace****That the matter be deferred.****CARRIED UNANIMOUSLY (6-0)****For: Mayor A Revie, Cr S Blyth, Cr A Burke, Cr V Grace, Cr P Rhodes and Cr R Summers.****AMENDMENT****303.11.2019 Moved: Cr V Grace****Seconded: Cr S Blyth****That the proposed Terms of Reference for the Housing Working Group be accepted by Council, except with the change to remove FIAAI from the working group as per their verbal request.****CARRIED UNANIMOUSLY (6-0)****For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.****SUBSTANTIVE****304.11.2019****That the proposed Terms of Reference for the Housing Working Group be accepted by Council, except with the change to remove FIAAI from the working group as per their verbal request.****CARRIED UNANIMOUSLY (6-0)****For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.**

19 Governance

19.1 Quarter One - Financial, Investment and Health and Safety Incident Reports

Action	Information
Proponent	Council Officer
Officer	Heidi Marshall Acting General Manager
File Reference	FIN/0100
Annexures	19.1.1 Quarter One Financial Report & Investment Summary 19.1.2 Quarter One Health and Safety Incident Report (Elected Members Only)

INTRODUCTION

On a quarterly basis, Council is presented with a Financial Report which includes a summary of investments. This quarter, a Health and Safety Incident Report is also provided.

The first quarter Financial Report and Investment Summary (Annexure 19.1.1) has been prepared in accordance with the *Local Government Act 1993* and formatting and presentation is aligned with the 2019/2020 Budget Report.

PREVIOUS COUNCIL DECISION

Council considers the Financial Report and Investment Summary on a quarterly basis.

OFFICER'S REPORT

Annexure 19.1.1 refers to the first quarter Financial Report and Investment Summary. The activities in quarter one are on plan to budget. The rateable income has been invoiced. A quarter of the grant capital income relating to the airport runway has been received. Operational expenses are on track and, though some segments appear to be high, this is due to upfront annual payments e.g. insurances and software licences, paid in July. Utility costs in quarter one are higher due to winter power bills, however this should reduce during the summer months. Very little has been spent on our capital projects in the first quarter as spending usually occurs in the second half of the year.

At this point in time we predict that we will be on target to budget with only minor variations.

Cash reserves are stable at present due to advanced payments on Financial Assistance Grants (FAGs) and airport runway grant payments. Reserves are not expected to fall until the later half of the year when the airport runway is underway and the Flinders and Cape Barren Islands Telecomms Transformation project is finalised.

A Health and Safety Incident Report for quarter one is also included for Councillors only (Annexure 19.1.2). There were three recorded incidences which resulted in one workers' compensation claim. Action has been taken to address the risks associated with these incidents, which were all relatively low risk.

STATUTORY REQUIREMENT

Local Government Act 1993

Work Place Health and Safety Act 2012

POLICY/STRATEGIC IMPLICATIONS

No policy exists on this matter.

BUDGET AND FINANCIAL IMPLICATIONS

Financial Report: on track to budget, no identified financial risk.

Investment Summary: investments stable and on track, only implications relate to lower interest earnings.

Health and Safety Incident Report: workers' compensation claims will affect future workers' compensation insurance premiums.

RISK/LIABILITY

No foreseen risks or legal obligations identified as a result of the Financial Report.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council receives and notes the Quarter One Financial Report, Investment Summary and Health and Safety Incident Report.

DECISION

305.11.2019 Moved: Cr A Burke Seconded: Cr V Grace

That Council receives and notes the Quarter One Financial Report, Investment Summary and Health and Safety Incident Report.

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.

19.2 Review of Furneaux Islands Festival Policy and Special Committee Terms of Reference

Action	Decision
Proponent	Council Officer
Officer	Heidi Marshall Acting General Manager
File Reference	CDV/0302
Annexures	19.2.1 Draft Furneaux Islands Festival Policy 19.2.2 Draft Furneaux Islands Festival Special Committee Terms of Reference

INTRODUCTION

Due to changes in Council's planning for the Furneaux Islands Festival event in January 2020 and changes in the membership of the Furneaux Islands Festival Special Committee, the Furneaux Islands Festival Policy and the Special Committee's Terms of Reference have been reviewed and are presented to Council for consideration.

PREVIOUS COUNCIL CONSIDERATION

167.07.2016	7 July 2016
76.04.2018	19 April 2018
119.06.2018	21 June 2018
235.09.2018	13 September 2018

PREVIOUS COUNCIL DISCUSSION

5 April 2018	Council Workshop
30 August 2018	Council Workshop
5 November 2019	Council Workshop

OFFICER'S REPORT

Following the 2019-20 Budget, significant changes occurred in the Community Economic Development department. The department previously had 3 part-time staff and it has been reduced to one part-time events coordinator. Following numerous workshops with Council regarding future staging of the Furneaux Islands Festival and adopting an inclusive event that will stimulate the local economy throughout the whole of January, changes to the Furneaux Islands Festival Policy were required to accommodate the amendments and reduction of resources.

Two council staff members who were on the Furneaux Islands Festival Special Committee have left council employment and two Flinders Island Aboriginal Association Inc. representatives withdrew from the Committee, so the terms of reference need to be revised.

STATUTORY REQUIREMENT

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

Population Growth - Foster and support entrepreneurial activity - Tourism and development is promoted through a focus on high quality food production, niche enterprises and clean, green image and sustainable farming practices associated with Flinders Island - AP1920-7 Engage with community groups to deliver the Furneaux Islands Festival program of economic, community, collective events.

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

Low

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

1. Adopts the Furneaux Islands Festival Policy; and
2. Adopts the Furneaux Islands Festival Special Committee Terms of Reference and allows it to lay on the table for 28 days for public comment.

DECISION

306.11.2019 Moved: Cr S Blyth Seconded: Cr A Burke

That Council:

1. **Adopts the Furneaux Islands Festival Policy and allows it to lay on the table for 28 days for public comment; and**
2. **Adopts the Furneaux Islands Festival Special Committee Terms of Reference.**

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.

19.3 Northern Tasmania Development Corporation Ltd. Quarterly Report

Action	Information
Proponent	Council Officer
Officer	Heidi Marshall Acting General Manager
File Reference	COU/0305
Annexures	19.3.1 Northern Tasmania Development Corporation's Quarterly Progress Report July – September 2019

INTRODUCTION

As permitted under Section 21 (c), Enterprise Powers of the *Local Government Act 1993*, Flinders Council become a member of the Northern Tasmania Development Corporation LTD (NTDC) on 1 January 2017. The *Local Government Act 1993* also requires the General Manager to provide a quarterly report to Council on the activities of the NTDC and any adverse developments that may affect the entity's financial viability.

Annexure 19.3.1 NTDC's Quarterly Progress Report for July – September 2019 has been provided to all member councils.

PREVIOUS COUNCIL CONSIDERATION

Considered quarterly.

OFFICER'S REPORT

As permitted under Section 21 (1c), Enterprise Powers of the *Local Government Act 1993*, Council became a member of NTDC as from 1 January 2017. The NTDC was officially formed in March 2017 with the following primary objectives:

- a) provide pro-active, engaged and strategic regional economic leadership;
- b) consolidate an agreed vision for the development, sustainability and prosperity of the geographic region that the Organisation's Members encompass;
- c) implement a strategic economic action plan based on the Northern Regional Futures Plan framework or similar; and
- d) to provide effective representation and advocacy to State and Federal Government and other stakeholders.

Section 21 (5) of the *Local Government Act 1993* states the following:

"The general manager is to report to the council –

- a) at least once every 3 months in respect of the performance of any activities carried out pursuant to (section 21 (1)) and any strategic issues related to those activities; and*
- b) any adverse developments that significantly affect or are likely to significantly affect the financial viability, the operating viability or any other aspect of any of those activities.*

In the last quarter, NTDC has concentrated their resources on finalising the draft members' agreement and, in particular, drafting the Northern Tasmania Regional Economic Development Strategy (REDS) which was circulated to members on 1 October 2019. This strategy identifies the activities required to improve economic outcomes for Northern Tasmania, building on its economic strengths to guide investment and ensure long-term sustainable development.

The strategy has identified six priorities to improve economic outcomes for Northern Tasmania:

1. Increasing Exports
2. Population Growth
3. Innovation
4. Investment
5. Infrastructure
6. Participation and Productivity

The draft will be sent to members for adoption in the next few weeks and thence to the State Government for their approval.

The NDTC report summarises progress undertaken for the first quarter. In point two of the report - Population Action Program - NTDC is developing ways to improve the population growth in Northern Tasmania through assisting skilled migrants and looking for jobs in northern Tasmania to connect with employers. This is one of our major strategies, so it is important to keep abreast of what NTDC does in relation to their strategy on population growth.

There are no financial viability issues or adverse developments. Whilst most of the focus is in mainland Northern Tasmania, Flinders is still adequately catered for.

STATUTORY REQUIREMENT

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

Nil

RISK/LIABILITY

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council notes the General Manager's quarterly report on the activities of the Northern Tasmania Development Corporation (NTDC) and NTDC's Quarterly Progress Report, July - September 2019, provided to all member councils.

DECISION

307.11.2019 Moved: Cr R Summers Seconded: Cr V Grace

That Council notes the General Manager's quarterly report on the activities of the Northern Tasmania Development Corporation (NTDC) and NTDC's Quarterly Progress Report, July - September 2019, provided to all member councils.

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.

19.4 Office Closure – Christmas Season 2019 - 2020

Action	Information
Proponent	Council Officer
Officer	Heidi Marshall Acting General Manager
File Reference	COU/0600
Associated Papers	Nil

INTRODUCTION

The festive season associated with Christmas and the New Year's celebrations is soon to commence. In the past, Council has closed its offices over the period between Christmas and the New Year as only limited (if any) transactions occur. Staff are available if any emergency situations arise. This is a common practice for Tasmanian Councils.

This report provides a specific update for the 2019 - 2020 Christmas to New Year Period.

PREVIOUS COUNCIL CONSIDERATION

Annually

OFFICER'S REPORT

Public holidays are scheduled on Wednesday 25 December (Christmas Day) and Thursday 26 December 2019 (Boxing Day) and Wednesday 1 January 2020 (New Year's Day). The 2016-2019 Flinders Council Enterprise Bargaining Agreement provides the three work days between the Christmas and New Year public holidays as paid grace days to all ongoing and fixed-term employees that would normally attend on those days.

Council will close its offices for the Christmas and New Year season from close of business 20 December 2019 to 3 January 2020 inclusive, reopening the office on 6 January 2020. The Acting General Manager and the Works and Airport Manager will both be on leave during this time. Closing the office will forego the need to bring in an external Acting General Manager for the two days prior to Christmas and the two days post New Year.

Arrangements are in place to ensure that appropriate leave and/or accrued rostered days off are taken for 23 and 24 December 2019 and 2 and 3 January 2020. Employees who may be required to attend to duties in this period e.g. manning the tip, will have an additional rostered day off or annual leave day added to their balance for each day worked.

Council Staff will ensure that sufficient visitor information material is available at the Airport, the Lady Barron Store and selected business houses during this period. Emergency contact details for staff on call will also be made available at the Council office and on Council's website and Facebook page.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council notes that the Council Offices will be closed from close of business 20 December 2019 and will reopen on 6 January 2020.

DECISION

308.11.2019 Moved: Cr S Blyth Seconded: Cr V Grace

That Council notes that the Council Offices will be closed from close of business 20 December 2019 and will reopen on 6 January 2020.

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.

19.5 Ordinary Council Meeting Dates 2020

Action	Decision
Proponent	Council Officer
Officer	Heidi Marshall Acting General Manager
File Reference	COU/0203
Associated Papers	Nil

INTRODUCTION

In previous years, Council has set the dates and times for the next year's meetings at its November meeting. For the past year council meetings have been held on the third Tuesday of each month commencing either at 9am or 9.30am, although adjustments have been made at times to accommodate local functions and/or commitments of the Mayor and General Manager.

PREVIOUS COUNCIL CONSIDERATION

Annually

OFFICER'S REPORT

It is proposed that for the 2020 year, the majority of meetings move to the fourth Tuesday of the month to provide staff with an extra week to prepare quarterly reports and other reports with legislated timeframes. Public holidays, Local Government Association of Tasmania and Northern Tasmania Development Corporation meetings requiring the Mayor and General Manager's attendance, and other events and commitments in 2020 have been considered and a proposed schedule of meeting dates prepared. Proposed meeting dates for January – September are on the fourth Tuesday of the month and meeting dates for October – December are on the third Tuesday of the month.

STATUTORY REQUIREMENT

Local Government Act 1993

Local Government (Meeting Procedures) Regulations 2015

POLICY/STRATEGIC IMPLICATIONS

Nil

BUDGET AND FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council resolves to endorse the following Council Meeting schedule for 2020, with all meetings held on Tuesdays in the Flinders Arts and Entertainment Centre, commencing at 9.30am:

- 28 January
- 25 February
- 24 March
- 28 April
- 26 May
- 23 June
- 28 July
- 25 August
- 22 September
- 20 October
- 17 November
- 15 December

DECISION

309.11.2019 Moved: Mayor A Revie

Seconded: Cr S Blyth

That Council resolves to endorse the following Council Meeting schedule for 2020, with all meetings held on Tuesdays in the Flinders Arts and Entertainment Centre, commencing at 9.30am:

- | | |
|---|---|
| <ul style="list-style-type: none">• 28 January• 25 February• 24 March• 28 April• 26 May• 23 June | <ul style="list-style-type: none">• 28 July• 25 August• 22 September• 20 October• 17 November• 15 December |
|---|---|

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.

19.6 Marine Access and Safe Harbour Project Petition

Action	Information
Proponent	Council Officer
Officer	Heidi Marshall Acting General Manger
File Reference	COM/0402, ASM/0200
Annexures	19.6.1 Petition – Marine Access and Safe Harbour Project

INTRODUCTION

A petition to Flinders Council regarding the Marine Access and Safe Harbour Project was received from Marcia O’Connell and tabled at the 24 October 2019 Ordinary Meeting of Council.

PREVIOUS COUNCIL CONSIDERATION

273.10.2019 24 October 2019

OFFICER’S REPORT

A petition with 71 signatories regarding the Marine Access and Safe Harbour Project was tabled at the 24 October 2019 Ordinary Meeting of Council. The wording of the petition is as follows:

“We, the undersigned, request that Flinders council does not use rate payers’ funds for planning, constructing, operating or for any other purposes associated with the Marine Access and Safe Harbour Project.”

The petition is now presented to Council for consideration.

STATUTORY REQUIREMENT

Local Government Act 1993 Section 60

POLICY/STRATEGIC IMPLICATIONS

No policy exits on this matter.

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council decides the appropriate action to take in regard to the petition.

DECISION

310.11.2019 Moved: Cr R Summers

Seconded: Cr S Blyth

That Council notes the petition regarding the Marine Access and Safe Harbour Project.

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.

19.7 Councillor Resolution Report

Action	Information
Proponent	Council Officer
Officer	Heidi Marshall Acting General Manager
File Reference	GOV/0300
Annexures	19.7.1 Councillor Resolution Report November 2019

INTRODUCTION

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

PREVIOUS COUNCIL CONSIDERATION

The report is presented on a monthly basis.

OFFICER'S REPORT

Please read Annexure 19.7.1 – Councillor Resolution Report November 2019.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Councillor Resolution Report November 2019 be noted.

DECISION

311.11.2019 Moved: Cr V Grace Seconded: Cr A Burke
That the Councillor Resolution Report November 2019 be noted.

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.

Brian Barnewall, Works and Airport Manager, joined the meeting at 10.46am.

Acting Mayor David Williams called a break in the meeting at 10.48am and resumed the meeting at 10.56am.

20 CLOSED COUNCIL

20.1 Flinders and Cape Barren Islands Telecomms Transformation Project 20.2 Late Agenda Item - Airport Runway Works Schedule

Action	Information
Proponent	Council Officer
Officer	Heidi Marshall Acting General Manager

REASON FOR CLOSED COUNCIL

Items 20.1 and 20.2 are **CONFIDENTIAL** in accordance with Section 15(2) (b) of the *Local Government (Meeting Procedures) Regulations 2015*.

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That Council moves into Closed Council.

DECISION

312.11.2019 Moved: Cr A Burke Seconded: Cr R Summers

That Council moves into Closed Council.

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.

Council moved into Closed Session at 10.56am.

Council moved out of Closed Session at 11.50am.

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

“315.11.2019 Moved: Mayor A Revie Seconded: Cr R Summers

That for Agenda Item 20.1 Flinders and Cape Barren Islands Telecomms Transformation Project, the discussions held, and motions passed in Closed Council remain confidential until lease documents between Telstra and the Aboriginal Land Council of Tasmania (ALCT) are signed and the legal document between Flinders Council and ALCT is signed.

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.

“317.11.2019 Moved: Mayor A Revie Seconded: Cr A Burke

That for Agenda Item 20.2 Airport Runway Works Schedule, the discussions held in Closed Council remain confidential except to note that Council passed the following motion:

“That Council invites Malcom Sharp of Sharp Airlines to meet with Council as soon as is convenient to discuss issues surrounding the servicing of Flinders Island and airport upgrades.”

CARRIED UNANIMOUSLY (6-0)

For: Mayor A Revie, Deputy Mayor D Williams, Cr S Blyth, Cr A Burke, Cr V Grace and Cr R Summers.”

The Acting Mayor declared the meeting closed.

Meeting Closed 11.52am
