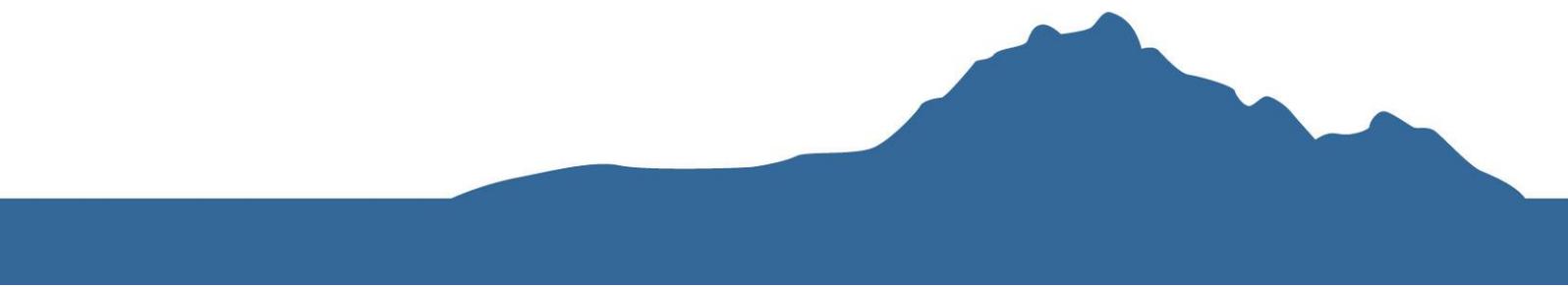




Agenda
Ordinary Council Meeting
18th February 2016



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 12th day of February 2016.



Raoul Harper
GENERAL MANAGER

FLINDERS COUNCIL ORDINARY MEETING

AGENDA

DATE: Thursday 18th February 2016
VENUE: Furneaux 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

Raoul Harper - General Manager
Sophie Pitchford - Corporate Services Manager
Vicki Warden - Executive Officer

CONFIRMATION OF MINUTES

That the Minutes from the Ordinary Council Meeting held on the 21st January 2016 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.*

LATE AGENDA ITEMS

Nil

DECLARATION OF PECUNIARY INTEREST

In accordance with Part 2 Regulation 8 (7) of the Local Government (Meeting Procedures) Regulations 2015, the Chairman of a meeting is to request Councillors to indicate whether they have, or are likely to have, a pecuniary interest in any item on the agenda.

Accordingly, Councillors are requested to advise of a pecuniary interest they may have in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Council has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the Local Government (Meeting Procedures) Regulations 2015.

LEAVE OF ABSENCE

Nil

PETITIONS

Nil

POLICIES

No Council policies were under review during the reporting period.

WORKSHOPS & INFORMATION FORUMS

File No: COU/0205

Council Workshop held on 4th February 2016

Council held a Workshop on the following subjects:

- Item 1: Instrument of Delegation
- Item 2: Half Yearly Budget Review
- Item 3: Budget Estimates Process
- Item 4: Councillor's Allowances
- Item 5: Review of Aviation Policies
- Item 6: Write Off of Bad Debt Policy
- Item 7: Six Monthly Planning Report to Councillors
- Item 8: Solid Waste Disposal
- Item 9: Clean Up Australia Day – 6th March 2016
- Item 10: LGAT General Meeting
- Item 11: Upgrades to Lady Barron and Emita Halls
- Item 12: Organisational Restructure

Councillors Present:

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

Apologies:

Cr Chris Rhodes and Cr David Williams.

Staff and Consultants Present:

Sophie Pitchford (Corporate Services Manager), Marc Edwards (Lawyer, Abetz Curtis) (via phone) (Item 1 only), Jacci Viney (Development Services Coordinator) (Item 7 & 8), Brian Barnewall (Works and Services Manager) (Item 8 only) and Jana Harper (Community Economic Development Manager) (Item 11 only).

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 Workshop held on 4th February 2016 be noted.

DECISION:

Meeting with State Grants Commission on 9th February 2016

The State Grants Commission's 2016 Hearings and Visits provided Council with an opportunity to raise issues of interest and potentially influence the State Grants Commission's 2018-19 Triennium Work Plan.

Councillors Present:

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

Apologies:

Cr Chris Rhodes and Cr David Williams.

Staff and Consultants Present:

Sophie Pitchford (Corporate Services Manager) and Vicki Warden (Executive Officer).

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 State Grants Commission meeting held on 9th February 2016 be noted.

DECISION:

Council Workshop held on 11th February 2016

Council held a Workshop on the following subjects:

- Item 1: Strategic Framework for Planning Scheme
- Item 2: Airport Business Case
- Item 3: Council Organisational Restructure

Councillors Present:

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

Apologies:

Cr David Williams

Staff and Consultants Present:

Raoul Harper (General Manager) and Robyn Cox (Strategic Planner) (Item 1 only).

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 Workshop held on 11th February 2016 be noted.

DECISION:

PUBLIC MEETINGS

Nil

COUNCILLOR'S QUESTIONS ON NOTICE

Question 1: Cr Gerald Willis

I quote from paragraph 1.3.5.1 of Council's 2nd Quarterly Report which was tabled at the meeting of Flinders Council on 21st January:

"A Flinders Island Brand Working Group has been established, with representation from Flinders Island Tourism and Business Incorporated (FITBI), Tourism Northern Tasmania (TNT) and Council. The Working Group is an informal 'expert' panel to review, make recommendations and inform (sic) the Request for Proposal for the Branding and Marketing Strategy; and be a part of the selection of the consultant via weighted selection criteria."

and I ask:

1. Who are the individuals who constitute this working group?
2. Which individual or organisation made the appointments?
3. What qualifications do the individuals who constitute this working group have which makes them expert in the field of branding and marketing?
4. What are the reasons for the selection of the consultant referred to in the report?
5. What are the details of the weighted selection criteria?
6. Is this working group a special committee of Flinders Council?
7. Could this working group be deemed to be a special committee of Flinders Council?

General Manager's response:

1. The working group includes Liz Frankham, Jana Harper, Wendy Jubb, Gillian Miles, Annie Wilkins, and Jo Youl. Guy Taylor Executive Director Marketing, Tourism Tasmania and Chris Griffin, former head of marketing at Tourism Tasmania and current CEO of Tourism Northern Tasmania, as well as the General Manager and Corporate Services Manager of Council reviewed the draft Request for Proposal for the Branding and Marketing Strategy.
2. The General Manager approved the individuals.
3. All working group members are members, or industry partners, of Flinders Island Tourism & Business Inc. Liz Frankham has local, national and international experience in economic development for tourism and marketing product. Jana Harper's undergraduate degrees include Advertising and Marketing and worked for the University of Tasmania's School of Visual and Performing Arts in a marketing and development role

prior to moving to Flinders Island. Gillian Miles is the Industry Liaison Coordinator with Tourism Northern Tasmania. Jo Youl has qualifications in marketing and worked for an advertising agency prior to moving to Flinders Island. Other members provide local input and industry based expertise.

4. Given Cr Willis has referred to a quarterly report to inform this series of questions, one would hope the Councillor understands how the report provided by staff links to the Strategic and Annual Plan set by the Council itself. In the interest of information, the Strategic Plan reference and the Annual Plan reference are provided below:

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

1.3 Value-add to local commodities.

1.3.5 A strong Flinders Island Brand that underpins growth and development of local value-added commodities.

1.3.5.1 Develop a branding and marketing strategy in conjunction with the Flinders Island Brand Working Group.

A consultant will deliver the strategy once the request for proposal is complete and a selection process finalised.

5. The use of weighted selection criteria is a common tool used to assess proposals and allow for a consistent methodology in reaching a final decision.
6. No
7. No

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.

PUBLICATIONS/REPORTS TABLED FOR COUNCIL INFORMATION

Nil

REPORTS TO BE RECEIVED

No reports were received during the reporting period.

COUNCILLORS' REPORTS

Deputy Mayor Marc Cobham's Monthly Report

File No: COU/0600

December 2015 – February 2016

ACTIVITIES:

DATE	ITEM
11.12.15	Attended "Croon" musical event
13.12.15	Attended "Croon" community event
14.12.15	Meeting with resident re re-naming proposal for Emita area
17.12.15	Council Meeting
18.12.15	Council Xmas Party
31.12.15	Emita Sports preparation - various tasks
03.01.16	Emita Hall Special Committee working bee
04.01.16	Meeting with resident re Lady Barron Waste Transfer Station and Badger Corner boat launching facility
05.01.16	Meeting with resident re telecommunications problems and re-naming proposal for Emita area
06.01.16	Collected equipment for Emita Sports Day
07.01.16	Collected bar supplies for Emita Sports Day
09.01.16	Emita Sports Day event including collecting ice supplies from Lady Barron
13.01.16	Returned equipment borrowed for Emita Sports to showground etc.
14.01.16	Meeting with Community & Economic Development Manager re Furneaux Festival
21.01.16	Council Meeting
23.01.16	Emita Hall clean up and setup for Furneaux Festival event
27.01.16	Collected bar supplies and assisted with Emita Hall setup
29.01.16	Emita Hall, Furneaux Festival Acoustic Supper event - worked at bar and assisted with "bump-out" of event
30.01.16	Assisted with setup of Furneaux Arts & Entertainment Centre for Furneaux Festival market day
30.01.16	Attended Furneaux Festival music event at Lady Barron
31.01.16	Assisted with running barbecue at Furneaux Festival community event at Lady Barron Hall
04.02.16	Council Workshop
09.02.16	Meeting with State Grants Commission representatives
11.02.16	Council Workshop

RECOMMENDATION:

That the Deputy Mayor's report be received.

DECISION:

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

November 2015 – February 2016

CORRESPONDENCE IN:

DATE	WHO	SUBJECT
25.11.15	Email from Lynn Williscroft, Executive Assistant to Mike Brewster, Chief Executive Officer	Mayor David Downie from Northern Midlands Council was elected to replace Mayor Tony Foster of Brighton Council as the new Chief Representative of the Owners' Representatives of TasWater
25.11.15	Email from Miles Hampton, Chairman of Tasmanian Water & Sewerage Corporation Pty Ltd (TasWater)	References for the three proposed new directors of TasWater had been checked and there were no adverse responses. Sally Darke will commence on 1 January 2016, with her term expiring 28 February 2018 and Tony Kelly and Helen Locher will commence on 1 March 2016, with their terms expiring 28 February 2019
30.11.15	Email from Ailsa Sypkes, General Manager Legal and Governance	Draft minutes of TasWater General Meeting held 12 November
16.12.15	Email from Ailsa Sypkes, General Manager Legal and Governance	Media release advising that Sally Darke, Tony Kelly and Helen Locher had been selected as directors of TasWater to replace Jane Sargison, Dan Norton and Brian Bayley
03.02.16	Email from Ailsa Sypkes, General Manager Legal and Governance	<p>Memo from TasWater Board to the Selection Committee re board remuneration and requesting committee members approve an increase in directors' fees by 1.7%</p> <p>Memo from TasWater Board chairman to Selection Committee re Board effectiveness review and requesting committee members receive and accept the report</p> <p>Summary of Board effectiveness review undertaken by Egan Associates</p>

05.02.16	Email from Ailsa Sypkes, General Manager, Legal and Governance	All members of the Selection Committee had agreed with the resolutions proposed per the email of 3 February and that the “out of session” resolution would be ratified at the next meeting of the Selection Committee
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RECOMMENDATION:

That Councillor Gerald Willis’s report as the Flinders Council Representative on TasWater be received.

DECISION:

MAYOR'S REPORT:

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

REPORT:

APPOINTMENTS:

19.01.16	Met with Andrew Nikolic & Wendy Summers wit Golf Club; Furneaux Islands festival: h the General Manager
20.01.16	Discussion with Tony Barker of Rural Alive & Well (RAW)
21.01.16	Council Meeting
21.01.16	Meeting of Bank Steering Group (working on feasibility of having Bendigo Bank agency on the Island)
21.01.16	Met with S Anderson and W Grace re RAW visit to Flinders
22.01.16	Met with Golf Club Group with the General Manager
29.01.16	Furneaux Islands Festival – Acoustic Supper event at Emita Hall
30.01.16	Furneaux Islands Festival – Market at Furneaux Arts & Entertainment Centre
30.01.16	Furneaux Islands Festival – Music on the Verandah at Furneaux Tavern
31.01.16	Furneaux Islands Festival – Community BBQ event at Lady Barron Hall
02.02.16	Met with Ochre re medical services to the Islands
04.02.16	Council Workshop
09.02.16	Grants Commission meeting with Council
09.02.16	Grants Commission tour of island
09.02.16	Dined with Grants Commission and Corporate Services Manager
10.02.16	Literary lunch - Invited by CEO of Royal Flying Doctor Service
11.02.16	Council Workshop

Grants Commission Visit:

The Tasmanian Grants Commission members visit one third of Councils each year, and this year was Flinders Council's turn. Councillors met with the Commission and discussions ensued as to how the fixed pot of funds was divided amongst Councils depending on cost adjustment factors around things like isolation, length of roads, population, cost of communication etc. Flinders and King Island Councils are recognised as having extra costs due to operating airports. Council staff undertook training and the Commission members were given a short tour of the Island.

Literary Lunch for Launceston Airport:

Author Deb Hunt spoke about her books and factual accounts of interesting lives, the last being a selection of farming families. I was invited to attend by John Kirwan, CEO of the Tasmanian Branch of the Royal Flying Doctor Service (RFDS).

Several RFDS donors were present at the table including the family who attended the opening of the Flinders Patient Transfer Shed as major donors. I also took the opportunity to talk to Paul Hodgen, CEO of Launceston Airport who advised that he was looking at how the sign to the Sharp Terminal might be improved; that more directional signage is to be erected directing people between the main terminal & the Sharp Terminal. Also that he had managed to obtain some extra funding through tourism which would enable seven “digitally interactive” posters to be installed in the walkway that arrivals walk through as they move through the main terminal.

Visits by The Hon Andrew Nikolic MP and The Hon Rene Hidding MP:

This meeting with Andrew focused around telecommunications, including blackspot funding and the support given by Andrew to the Flinders Municipality in this regard.

The Minister for Infrastructure, Rene Hidding MP was on the Island to view the Island infrastructure, particularly the airport infrastructure and runway 13/42. Council is working with all levels of Government to achieve the best outcomes in relation to the airport and improving communications through the Islands.

Banking (as in Island News):

It is planned that Council will facilitate a Public Meeting for Bendigo Bank towards the end of February to inform the Community of the economic logistics of maintaining an Agency on the Island. Very briefly, to support the operation of an Agency deposits/investments of around \$20 million will be required. These are ordinary deposits that you might hold with any bank and we will be encouraging you to consider your finances and if you can support a local bank agency by banking with the Bendigo Bank. Off island ratepayers will also be asked for their support.

Please note the plan is for a normal bank agency NOT for a Community Bank.

Rural Alive & Well:

The initial visit was successful with Rural Alive and Well officers connecting with several people at the afternoon session at the MPC and the evening meal at the Interstate Hotel. Rhonda Gee-Mackrill begins her regular visits to the Island during the week of the 15th February.

CORRESPONDENCE IN:

DATE	WHO	SUBJECT
13.01.16	Royal Flying Doctor Service (RFDS)	Invitation to Literary Lunch – acceptance sent
15.01.16	Miles Hampton, TasWater	TasWater briefing – offer to meet with Councillors
18.01.16	Tasmanian Farmers & Graziers' Association	Media Release - Website a vital tool for Tasmanian farmers -180116
18.01.16	Biosecurity Tasmania	Biosecurity Advisory 1/2016 - Myrtle Rust Detections update Jan 2016
19.01.16	Paul Hodgen	Launceston Airport - carpark access
20.01.16	Bicycle Network	Bicycle Network - National Ride2 School Day
21.01.16	TasWater	Quarterly Report to Owners' Representatives – Progress Update to 31 December 2015
22.01.16	TasWater	TasWater Save Each Drop materials
22.01.16	Tourism Tasmania	Advice about the bushfires
27.01.16	Tony Barker – Rural Alive & Well (RAW)	RAW visit and invitation to Flinders Islanders
27.01.16	D Fenn	Request for donation to support RFDS fundraiser
27.01.16	John Kirwan, Chief Executive Officer, RFDS Tasmania	RFDS Bass Strait Island Funding
28.01.16	NTD	Fermentation Tasmania proposal for Councils
29.01.16	TasWater	Whitemark Water Restrictions update
29.01.16	Adrian Smith, Manager Marketing & Communications, TasWater	Communications around Stage 2 water restrictions
01.02.16	Tourism Tasmania	Industry Advisory - further advice on the bushfires
01.02.16	F Henwood	Australia Day celebration
02.02.16	Department of Infrastructure	National Awards for Local Government
02.02.16	Phil Holmes, CONNECT 2016 Event Manager	Remote Power Workshop on Flinders

02.02.16	Rural Alive & Well	Invitation to the launch of RAWs Healthy and Resilient Communities Initiative - apology sent
03.02.16	Tasmania Police Academy	Invitation to attend graduation ceremony - apology sent
03.02.16	B Watson - Furneaux Tavern	Remote Power Workshop on Flinders -
03.02.16	Biosecurity Tasmania	Biosecurity Alert - Pacific Oyster Mortality Syndrome
04.02.16	Marg Dennis	First Response - Volunteer Ambulance Officers' Association of Tasmania
05.02.16	Leukaemia Foundation	World's Greatest Shave Mayoral Challenge
05.02.16	K Rose - COTA	Meeting request with COTA CEO Sue Leitch - acceptance sent
08.02.16	Family Planning Tasmania	National Condom Day

CORRESPONDENCE OUT:

DATE	WHO	SUBJECT
19.01.16	6 x community organisations	Acquittal reminders for 2015 Gunn Bequest and Community Grants
19.01.16	Paul Hodgen Lton Airport	Thank you for improving access to Sharp Terminal
19.01.16	Rick Marton	Sharp Terminal Access
20.01.16	Tony Barker	Rural Alive and Well (RAW)
20.01.16	Stuart Dwyer - Flinders Island District High School	Bicycle Network - National Ride2School Day
27.01.16	Doreen Lovegrove	Council Policy Manual Policy
27.01.16	John Holloway	Lady Barron Waste Transfer Station
27.01.16	Miles Hampton, TasWater	Acceptance of offer for TasWater briefing
27.01.16	Local Government Division - Department of the Premier and Cabinet	Clarification regarding operational issues
28.01.16	John Kirwan, RFDS	Response regarding Bass Strait Island funding
27.01.16	Sarah McDonald, LGAT	Apology - LGAT Regional Breakfast Series
28.01.16	Arthur Withers	Congratulations on receiving the Order of Australia
03.02.16	D Fenn	Yirraluka fundraiser
02.02.16	Phil Holmes CONNECT 2016 Event Manager	Remote Power Workshop on Flinders
04.02.16	M Buck - Flinders Island Tourism & Business Inc.	Remote Power Workshop on Flinders

03.02.16	B Watson – Furneaux Tavern	Remote Power Workshop on Flinders
09.02.16	Ochre Health	Support letter

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATION:

That the Mayor's report be received.

DECISION:

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 – (*Cohen & Associates*)

File No: DA2015/050

Annexure 1: *Title*

Annexure 2: *Proposed Lot Layout*

Annexure 3: *Consulting Planners Report*

Annexure 4: *Agricultural, Natural Values and Bushfire Report*

Item A2: Development Application Report

File No: DSV/0300

B. CORPORATE SERVICES

Item B1: Quarterly Financial Report for October – December 2015

File No: FIN/0100, ADM/0600

Annexure 5: *October – December 2015*

Item B2: Half Yearly 2015-16 Budget Review

File No: FIN/0701

Annexure 6: *Half Yearly Budget Review*

C. GOVERNANCE

Item C1: Rescind Airport Policies

File No: AER/1100, AER/0902, AER/0402, AER/0501

Annexure 7: *Advertising Signs – Airport*

Annexure 8: *Aerodrome Upgrade Policy*

Annexure 9: *Flinders Island Airport - Charges Policy*

Annexure 10: *Policy for Leasing Land for Aircraft at Flinders Island Aerodrome*

Item C2: Councillor Resolution Report

File No: COU/0600

Annexure 11: *Councillor Resolution Report February 2016*

Meeting Closed

A. DEVELOPMENT SERVICES AND PLANNING APPLICATIONS

Pursuant to Section 25 of the Local Government (Meeting Procedures) Regulations 2005 the Council will now act as a Planning Authority under the Land Use Planning and Approvals Act 1993.

Item A1: Development Application – (Cohen & Associates)

ACTION	Decision
PROPONENT	Cohen & Associates
OFFICER	James Ireland (Consultant Town Planner)
APPROVED BY	Karin van Straten (Senior Consultant Town Planner)
FILE REFERENCE	DA2015/050
ASSOCIATED PAPERS	Annexure 1: Title Annexure 2: Proposed lot layout Annexure 3: Consulting Planners Report Annexure 4: Agricultural, Natural Values and Bushfire Report

Proposal: Four Lot Subdivision

Location: North East River Road, Palana (CT: 115105/1)

Applicant: Cohen & Associates

Zoning: Rural Zone

Special Areas: None

Schedules: Schedule 7 Development in Bushfire Prone Areas

Representations: One

INTRODUCTION:

This report considers an application for a four lot subdivision of land located at North East River Road, Palana (CT: 115105/1).

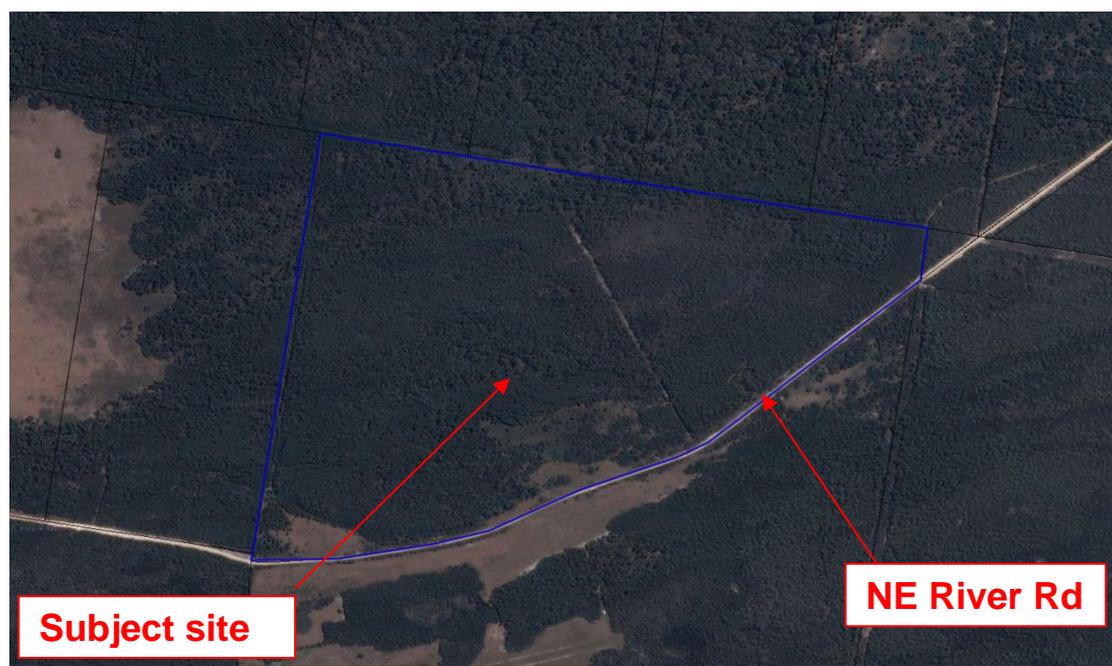
Subject Site

The subject site is a 99.42 ha quadrant shaped lot on the north side of North East River Road, 2.6km east of the junction with Palana Road. It has curved frontage to North East River Road of 1750m, and equal side boundaries of 1422m. The site is mostly covered in scrub, with some cleared areas near the

road. It is vacant of development. In all directions are vacant lots also zoned rural.

Zoning

The subject property is located within the Rural Zone, pursuant to the *Flinders Planning Scheme 2000*.



Statutory Timeframes

Date Received: 17/12/15

Advertised: 6/1/16

Closing date for representations: 20/1/16

Request for further information: NA

Information received: NA

Extension of time granted: NA

Extension of time expires: NA

Decision due: 18/2/16 (extended)

OFFICER'S REPORT:

General

It is proposed to subdivide the subject site into four lots. The lots are roughly rectangular on a roughly north-south alignment. They vary in size from 15.89 ha to 29.92 ha and have frontage to North East River Road of between 379m and 510m.

Assessment:

Pursuant to Section 81 of the *Local Government (Building and Miscellaneous) Act 1993*, subdivision requires a discretionary application.

Clause 3.10 Consideration of Applications for Planning Permits

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 made below:

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 proposal is not consistent with the zone intent. In relation to (a), the site has a character of *'irregular areas of native vegetation and substantial unspoiled landform'*. The proposed subdivision allows the development of the site with four houses. On 2-3 of the four lots, they may be developed in the already cleared areas. If they are located in vegetated areas, each house will require the clearing of approximately 8500m² of vegetation per lot (assuming a 20m by 20m house, and therefore a 105m by 80m hazard management area based on the site topography). On the lots proposed, this will represent clearing of between 2.8% and 5% of the lot areas. Driveways are not including in this due to the lack of certainty over their length. Such a low level of clearing will allow the existing rural character to be maintained.

However, in relation to (b), development is to accommodate agricultural uses. For a non-agricultural use such as residential to be approved, agricultural use must not be compromised. In his decision of 15 April 2015 relating to another

subdivision of sub minimal lots in the rural zone on Flinders Island (Appeal 117/14S - North East River Road, Palana) the Chairman of the Resource Management Planning Appeals Tribunal said *"All use and development must preserve primacy of agricultural uses."*

It does not matter whether or not there is an agricultural use currently on the site (there isn't one here). The Chairman also commented on this, saying *"...a situation of non-compliance does not permit or otherwise authorise approval of another different type of approval."*(in this case residential).

Subdividing a large (99.42ha) lot into smaller lots and dispersing houses, outbuildings and driveways across them does not accommodate agricultural use.

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) is not applicable as this is not a small existing rural lot. It is proposed to create small rural lots (small being defined as below the minimum lot size of 40 ha). In relation to (b) the proposal does not enhance the rural character of the zone. It is more accurate to say that this character can be maintained. The proposed lot sizes mean that buildings can be *"...substantial distances from the road frontage and apart."* The areas required to be cleared

for bushfire hazard management can be done in a visually sympathetic way. The likely future residential use of this subdivision is likely to meet (c). Criteria (d) is not applicable.

5.8.3 Subdivision Standards

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

COMMENT: The proposal must rely on (b) ii) as the proposed lots are smaller than the 40ha minimum at (a). To apply this clause, a use must be attached to the subdivision proposal – the application does not state a use so it is assumed that the use of the new lots will be residential. An assessment of this proposed use against the zone intent, desired zone character and zone guidelines is made under 3.10 (1). In relation to (c), an agricultural report was provided with the application. The report concluded that the title: *'is considered to have very marginal agricultural value.'*

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

Not applicable. None were received.

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

One representation was received, address not supplied. The representation was phrased as commentary rather than opposition and concluded that the *'general concept and submission looks pretty good'*.

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

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

(b) *excessive slope;*

(c) *ponding or flooding;*

(d) *bush fire hazard;*

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

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

(g) *pollution; and*

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

The land is subject to bushfire hazard. An assessment against *Schedule 7 Development in Bushfire Prone Areas* is made elsewhere in this report.

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 firefighting purposes;*
- (i) *any received pollution;*
- (j) *the escape of pollutants into storm drains and watercourses: and*
- (k) *isolation, separation from other lands.*

An assessment of these is made elsewhere in this report.

- 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;*

Any approval must have a condition that each lot is provided with services. It is understood that the existing infrastructure including the road network has sufficient capacity to serve the new lots.

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

There is no agricultural use on adjacent land. Notwithstanding this, the residential development of the subject site will not adversely affect any future agricultural use on adjacent land. Such agricultural use would be unlikely to affect the residential use of the subject site.

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

Not applicable.

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

A desk top assessment suggests the site distances available are 200m+, which meet the safe intersection sight distance requirements for an 80km/h zone (the speed limit in this section of North East River Road).

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

Not applicable as no buildings are proposed.

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

Complies.

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

None stated.

4.1 Plans of Subdivision

4.1.1 In considering any application for the subdivision of land Council must:

- (a) give consideration to the matters listed in Clauses 3.9 & 3.10 as far as they be relevant to a subdivision;*
- (b) in no case approve the subdivision of any lot or other block of land of a size, shape or dimension other than is provided for in Part 6 of this Scheme and required to enable all other relevant provisions of this Scheme to be met; and*
- (c) have regard to any other relevant matters required under this Scheme and the provisions of the Local Government (Building and Miscellaneous Provisions) Act, 1993;*

COMMENT: In relation to (a) and (b) an assessment is provided elsewhere in this report. In relation to (c), pursuant to Section 81 of the *Local Government (Building and Miscellaneous) Act 1993*, subdivision requires a discretionary application.

Part 6 – Use and Development Principles

An assessment is made below against the relevant principles (those that are not applicable have been omitted for brevity):

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.

COMMENT: An assessment is made elsewhere in this report.

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.

COMMENT: The site has a rural character of *'areas of native vegetation and substantial unspoiled landform*. The proposed subdivision allows the development of the site with four houses and will require the clearing of approximately 8500m² of vegetation per lot (assuming a 20m by 20m house, and therefore a 105m by 80m hazard management area based on the site topography). On the lots proposed, this will represent clearing of between 2.8% and 5% of the lot areas. Such a low level of clearing will allow the existing rural character to be maintained.

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.

COMMENT: No public open space is proposed. However it is normal for a subdivision of this size to make a cash contribution to Council in lieu.

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.

COMMENT: In relation to (a), the subject site is not an ecologically or visually sensitive area. In relation to (b), the proposed subdivision and likely future use of the lots is not likely to detrimentally affect the environment. In relation to (c), i) and ii) are not applicable. In relation to iii), the site is prone to bushfire, so Schedule 7 applies.

6.5 Heritage

COMMENT: Not applicable. The subject site is not heritage listed.

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.

COMMENT: It is understood that all new lots will be able to be provided with suitable access from North East River Road.

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: The proposed lots are to be serviced to meet (a) and (c). The lots comply with (b), subject to environmental health approval of wastewater disposal. Criteria (d) to (f) could be addressed when development is proposed. In relation to (g), this proposal is not consistent with the subdivision of land on a sequential basis. There are lots of similar size to those proposed within close proximity are undeveloped (there are three vacant lots neighbouring to the north east for example). These should be developed before subdivision of the subject site is considered.

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 (e.g. shops, government agencies, telecommunication, health services and educational facilities).

COMMENT: The proposal provides additional housing lots on Flinders Island which anecdotally is considered to be in the community interest. The proposed location of the housing lots may not be considered in the community interest. The subdivision is over 45km from the nearest services in Whitemark.

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.

COMMENT: In relation to (a), there is anecdotal evidence of a shortage of affordable housing lots on Flinders Island. However, there are undeveloped lots close to and of a similar size to those proposed (there are three vacant lots neighbouring to the north east for example). These should be developed before subdivision of the subject site is considered.

Part 8 - Schedules

Schedule 7 – Development in Bushfire Prone Areas

The subdivision is within a bushfire prone area. An assessment against the schedule is made below:

<p>S7.1.0 ISSUE Subdivision design and layout</p>	<p>INTENT - The design, siting and layout of subdivisions in bushfire prone areas should minimise fire risks and the potential for loss of life.</p>	
<p><i><u>ACCEPTABLE SOLUTIONS</u></i></p>		<p>PERFORMANCE CRITERIA</p>
<p>S7.1.1a Subdivisions are designed so that buildings are separated from the bushfire hazard by Building Protection Zones (BPZ) and Fuel Modified Buffer Zones (FMBZ) and</p> <p>S7.1.1b A BPZ surrounds a building and is separated from the fire hazard by a FMBZ and</p> <p>S7.1.1c BPZ and FMBZ can be constructed to the width measured along the ground as shown in Table 7.1 and</p> <p>S7.1.1d If the required width of the BPZ is exceeded, the width of the FMBZ may be reduced by that additional width, thus maintaining the same total width of fuel reduced areas. (Note the width of the BPZ cannot be reduced).</p>		<p>Subdivisions are designed to have lots of sufficient size and appropriate shapes to provide building envelopes located within sufficient fuel reduced areas so buildings are not subject to threatening levels of flames and radiation during a bushfire.</p>
<p>COMMENT: BPZs and FMBZs are not referred to in the bushfire report so the</p>		

performance criteria must be met. BAL 12.5 and BAL 19 management areas are shown on the Bushfire Hazard Management Plan (BHMP). There is sufficient remaining area on all lots to ensure that future buildings are not subject to threatening levels of flames and radiation during a bushfire.

S7.1.2a FMBZ are within the boundaries of the subdivision and BPZ are within the boundaries of each lot or

S7.1.2b In reticulated water supply areas, the width of the FMBZ may be reduced if it can be shown that other fire protection measures acceptable to the Tasmania Fire Service and Council are to be incorporated into the development or

S7.1.2c Where the subdivision does not provide either sufficient BPZ or FMBZ for individual lots, a multi-lot solution may be proposed which may be acceptable to the Tasmania Fire Service and Council.

Subdivisions provide all lots with sufficient fuel reduced areas around building envelopes so buildings are not subject to threatening levels of flames and radiation during a bushfire.

COMMENT: FMBZs and BPZs are not referred to in the bushfire report. BAL 12.5 and BAL 19 management areas are provided and they are within the proposed lot boundaries whilst providing sufficient remaining area on all lots to ensure that future buildings are not subject to threatening levels of flames and radiation during a bushfire.

<p>S7.2.0 ISSUE Access in subdivisions</p>	<p>INTENT – Subdivisions are designed to provide safe access for emergency and other vehicles to all lots and buildings.</p>	
<p>ACCEPTABLE SOLUTIONS</p>		<p>PERFORMANCE CRITERIA</p>
<p>S7.2.1a Subdivisions have two access roads to low bushfire hazard areas or 7.2.1b Dead end roads must not exceed 200 metres in length or service more than 8 lots or S7.2.1c Where only one road is available, the Tasmania Fire Service and Council may approve a local area development plan which provides for the eventual linking of a dead end road to a connective road network or S7.2.1d The Tasmania Fire Service and</p>	<p>Subdivisions should have safe alternative routes to low bushfire hazard areas for emergency and other vehicles.</p>	

<p>Council may approve a non through road provided it is linked to a formed fire trail to the requirements of the Tasmania Fire Service and Council.</p>	
<p>COMMENT: North East River Road is not a through road, but provides access to a safe area (the coast), meeting the acceptable solution.</p>	
<p>S7.2.2a Access must be of all-weather construction and</p> <p>S7.2.2b Road structures (including bridges) must have a minimum load limit of 20 tonnes and</p> <p>S7.2.2c There must be vertical clearance to a height of 4 metres above the trafficable width of the access and</p> <p>S7.2.2d There must be horizontal clearance from 4 metres of the centre line of any trafficable road for a height of 4 metres above the trafficable width.</p>	<p>Safe access roads shall be provided at all times.</p>
<p>COMMENT: Without having technical details it is understood that North East River Road meets the acceptable solution.</p>	
<p>S7.2.3a A maximum gradient of 1 in 8 (12.5%) is specified. However, where a topographic difficulty occurs, an absolute maximum grade of 1 in 5 (20%) for a distance no greater than 50 metres may be approved by the Tasmania Fire Service and Council. The average maximum grade must therefore not exceed 1 in 7 (14.4%) and</p> <p>S7.2.3b Curves must have a minimum inner radius of 10 metres and</p> <p>S7.2.3c Dips must have no more than a 1 in 8 (12.5%) entry and exit angle and</p> <p>S7.2.3d All roads must have a maximum cross fall alignment of 1 in 33 (3%).</p>	<p>The horizontal and vertical alignments, crossfall and turning areas reflect physical characteristics and major drainage functions for the site as well as satisfying design requirements for emergency vehicles.</p>
<p>COMMENT: North East River Road is existing. Without having technical details it is understood that it meets the acceptable solution.</p>	

<p>S7.2.4a At the end of all roads or access ways there must be a court bowl or cul de sac of a minimum trafficable radius of 10 metres (shoulders, seal or other consolidated edges may be acceptable) or</p> <p>S7.2.4b At the end of all roads or access ways there must be hammerhead “T” or “Y” turnarounds with minimum 4 metres width and total length of 16 metres.</p>	<p>Suitable turning areas for fire suppression and other vehicles must be provided at the end of all roads and access ways.</p>
<p>COMMENT: Not applicable to this assessment.</p>	
<p>S7.2.5a The minimum trafficable width for access is 6 metres which may include consolidated, formed, surfaced and drained shoulders or</p> <p>S7.2.5b Where 8 or less lots are being serviced, an access with trafficable width of 4 metres for a maximum of 90 metres length may be provided or</p> <p>S7.2.5c Where the access is less than 6 metres trafficable width, passing bays of a minimum length of 20 metres must be provided every 200 metres along the access. The combined width of the access and the passing bay must be a minimum 6 metres. fire suppression and other vehicles</p>	<p>Access should be of sufficient width to allow simultaneous access and egress for emergency and other vehicles.</p>
<p>COMMENT: No access within the lots is proposed as part of this application.</p>	
<p>S7.2.6a An access road forms the perimeter of the development or</p> <p>S7.2.6b A fire trail connected to an access road forms the perimeter of the development.</p>	<p>Access to the perimeter of the development must be provided.</p>
<p>COMMENT: There is no access to the perimeter of the development. The performance criteria is not met.</p>	
<p>S7.2.7a Fire trails are constructed to 4WD standard and</p> <p>S7.2.7b Fire trails have a formed width of 4 metres and</p>	<p>Fire trails must be safe for use fire suppression.</p>

<p>S7.2.7c Fire trails must have vertical clearance to a height of 4 metres above the trafficable and</p> <p>S7.2.7d Fire trails must have horizontal clearance from 3 metres of the centre line for a height of 4 metres above the trafficable width and</p> <p>S7.2.7e Fire trails will have a maximum gradient of 1 in 6 (17%).</p>	
<p>COMMENT: NA. No fire trails are proposed.</p>	
<p>S7.3.0 ISSUE Water supplies for fire suppression in subdivisions</p>	<p>INTENT – To ensure adequate water supplies are available in a subdivision for landowners or emergency services to defend properties from bushfire</p>
<p><u>ACCEPTABLE SOLUTIONS</u></p>	<p>PERFORMANCE CRITERIA</p>
<p>S7.3.1a Subdivisions have a reticulated water supply with a minimum flow rate as specified by Australian Standard AS 2419 for the intended class of development as required under the Building Code of Australia or 600 litres per minute (whichever is greater) or</p> <p>S7.3.1b Subdivisions have a static water supply to comply with AS 2419 for the intended class of development as required under the Building Code of Australia for fire suppression or</p> <p>S7.3.1c For developments not specified in the Building Code of Australia in S7.3.1 b), subdivisions for lots less than 2500 square metres will have 10 000 litres of stored water for fire suppression and for lots 2500 square metres or larger, 20 000 litres of stored water for fire suppression.</p>	<p>Subdivisions have an adequate size of water supply.</p>
<p>COMMENT: A static water supply is described on the BHMP. It is assumed it will meet AS 2419, but a permit condition can ensure this.</p>	
<p>S7.3.2a In areas where the water supply complies with S7.3.1 a), the building</p>	<p>The water supply for fire suppression will be available at all times.</p>

<p>envelope must not be more than 130 metres from the nearest fire hydrant. The hydrant must comply with Tasmania Fire Service and Council requirements or</p> <p>S7.3.2b In areas where the water supply does not comply with S7.3.1 a), a static supply complying with S7.3.1 b) or c) will be located within the subdivision to be accessible by emergency vehicles at all times. The supply may be from a single source or a combination of storages for either individual lots or for the entire subdivision. Storages must be accessible from all the lots they are intended to serve.</p>	
<p>S7.3.3a All water storage tanks are constructed of non-combustible and non-rust materials such as galvanised steel and concrete and</p> <p>S7.3.3b All above ground pipelines and fittings are either constructed of non-combustible and non-rust materials such as galvanised steel and copper, or protected from the effects of heat and flame by lagging or other means and</p> <p>S7.3.3c All below-ground water pipelines are installed to a depth as specified in the National Plumbing Code AS 3500 (generally 300 mm).</p>	<p>The water supply pipelines, fittings and storages are designed, located and fitted to ensure reliability of the water supply during a fire.</p>
<p>COMMENT: A static water supply is described on the BHMP. It is assumed it will meet AS 2419, but a permit condition can ensure this.</p>	
<p>S7.3.4a If the storage is accessible and above ground, a male 64 mm 5V thread coupling to Tasmania Fire Service specifications must be installed on the storage to supply water or</p> <p>S7.3.4b If the storage is accessible and below ground, there must be sufficient hard standing beside or adjacent to the storage to allow an emergency vehicle access for draughting from the storage or</p>	<p>Access to static supplies will be suitable for emergency vehicles.</p>

<p>S7.3.4c If the storage is not directly accessible, a remote access point may be provided which must deliver water at a minimum flow rate of 270 litres per minute at the delivery point through a male 64 mm 5V thread coupling to Tasmania Fire Service specifications.</p>	
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COMMENT: Not applicable. Will apply to future development applications.

Referrals

The application was referred to Council's Environmental Health Officer. They had no specific comments.

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* are:

Strategic Focus Area 1: Population Growth - Focusing on strategies, projects and policy initiatives that support the community, economic development, innovation and investment attraction.

and:

Strategic Focus Area 2: Infrastructure and Services - An Islands' specific approach to planning and delivery to ensure community and environmental values are maintained.

COMMENT: The proposal is likely to support investment in line with strategic focus area 1. However, as it is not consistent with the rural character, it does not ensure that community and environmental values are maintained. The proposal is therefore not wholly consistent with the plan.

BUDGET AND FINANCIAL IMPLICATIONS:

Not applicable.

OFFICER'S RECOMMENDATION:

That the application for a four lot subdivision in the rural zone, by Cohen & Associates for land located at North East River Road, Palana (CT: 115105/1) be **REFUSED** for the following reasons:

1. The proposal does not meet the requirements of Clause 5.8.3 (b) of the planning scheme relating to subdivision in the rural zone.
2. The proposal does not meet performance criteria in Schedule 7 Development in Bushfire Prone Areas relating to Access in Subdivisions

DECISION:

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

Item A2: Development Application Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Development Services Coordinator
FILE REFERENCE	DSV/0300
ASSOCIATED PAPERS	<i>Nil</i>

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of the applications received by the Planning Department for the month of January 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.

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER'S REPORT:

No Development Applications were received by the Planning Department for the month of January.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the January Development Application Report be received.

DECISION:

B. CORPORATE SERVICES

Item B1: Quarterly Financial Report for October – December 2015

ACTION	Information
PROPONENT	Corporate Services Manager
OFFICER	Sophie Pitchford
FILE REFERENCE	FIN/0100, ADM/0600
ASSOCIATED PAPERS	<i>Annexure 5: October – December 2015</i>

INTRODUCTION:

Presented to Council is the second Quarterly Financial Report for the period commencing 1st October 2015 and ending 31st December 2015.

PREVIOUS COUNCIL CONSIDERATION:

Council considers the Quarterly Financial Report on a quarterly basis.

OFFICER'S REPORT:

The report structure provides a summary of income and expenditure for the second quarter across all departmental divisions as individual finance reports. The Statement of Comprehensive Income includes actuals from the previous financial year, for comparison against current actuals, as well as the 2015/16 Annual Budget.

The Capital Works Report highlights each project and the expenditure incurred to date as well as projects carried forward as Works in Progress arising from the previous financial year.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

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

BUDGET AND FINANCIAL IMPLICATIONS:

Annual Plan – all areas

RISK/LIABILITY:

No foreseen risks or legal obligations identified as a result of the financial report.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Quarterly Financial Report for the period commencing 1st October 2015 and ending 31st December 2015 be received and accepted.

Item B2: Half Yearly 2015-16 Budget Review

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Sophie Pitchford, Corporate Services Manager
FILE REFERENCE	FIN/0701
ASSOCIATED PAPERS	<i>Annexure 6: 2015-16 Half Yearly Budget Review</i>

INTRODUCTION:

The half yearly budget estimates were reviewed at 31st December 2015 and are now presented to full Council. This enables a revision of Council's overall financial performance to date as well as an opportunity for budget items to be amended if necessary.

PREVIOUS COUNCIL CONSIDERATION:

Council adopted the 2015-16 Budget on 16th July 2015 198.07.2015
Councillor Workshop 4th February 2016

OFFICER'S REPORT:

Budget items have been revised to reflect actual income or expenditure which Council is expected to incur for the remainder of the financial year. Other items of expenditure or capital works previously approved by Council during the first half of 2015-16 have also been included.

Council does have limited cash and reserve funds that have not been transferred within this revised budget to offset any increase in expenditure and this should be considered when approving a budget variation. The proposed variation will still record an estimated deficit balance at year end.

STATUTORY REQUIREMENTS:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

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

BUDGET & FINANCIAL IMPLICATIONS:

Annual Plan - all areas

RISK/LIABILITY:

No foreseen risks or legal obligations identified as a result of this Budget Review.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER'S RECOMMENDATION:

That Council adopts the half yearly 2015-16 Budget Review at 31st December 2015 as the Budget for 2015-16.

DECISION:

C. GOVERNANCE

Item C1: Airport Policies

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Raoul Harper, General Manager
FILE REFERENCE	AER/1100, AER/0902, AER/0402, AER/0501
ASSOCIATED PAPERS	<i>Annexure 7: Advertising Signs – Airport Annexure 8: Aerodrome Upgrade Policy Annexure 9: Flinders Island Airport - Charges Policy Annexure 10: Policy for Leasing Land for Aircraft at Flinders Island Aerodrome</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.

PREVIOUS COUNCIL CONSIDERATION:

Latest review dates:

Advertising Signs – Airport	15 November 2012	339.11.2012
Aerodrome Upgrade Policy	18 November 2010	367.11.2010
Flinders Island Airport - Charges Policy	15 November 2012	343.11.2012
Policy for Leasing Land for Aircraft at Flinders Island Aerodrome	23 September 2010	285.09.2010
Councillor Workshop	4 th February 2016	

OFFICER’S REPORT:

Council has a policy that states that policies should be reviewed every four years at the beginning of the election cycle or at Council’s discretion.

The following policies have been reviewed by Council and have been identified as operational and are no longer required:

1. Advertising Signs – Airport;
2. Aerodrome Upgrade Policy;
3. Flinders Island Airport - Charges Policy; and
4. Policy for Leasing Land for Aircraft at Flinders Island Aerodrome.

Therefore, I recommend Council rescind the above four policies.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

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

RISK/LIABILITY:

Rescinding these policies will not expose Council to risk in these areas.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council rescinds the four policies listed below and allows them to lay on the table for 28 days for public comment:

1. Advertising Signs – Airport;
2. Aerodrome Upgrade Policy;
3. Flinders Island Airport - Charges Policy; and
4. Policy for Leasing Land for Aircraft at Flinders Island Aerodrome.

DECISION:

Item C2: Councillor Resolution Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Raoul Harper, General Manager
FILE REFERENCE	COU/0600
ASSOCIATED PAPERS	<i>Annexure 11: Councillor Resolution Report February 2016</i>

INTRODUCTION:

This report identifies the actions taken and actual costs associated with implementing resolutions passed by elected members up to February 2016.

PREVIOUS COUNCIL CONSIDERATION:

The report is presented on a monthly basis.

OFFICER'S REPORT:

Please read Annexure 11 – Councillor Resolution Report February 2016.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Councillor Resolution Report February 2016 be noted.

DECISION:

Meeting Closed