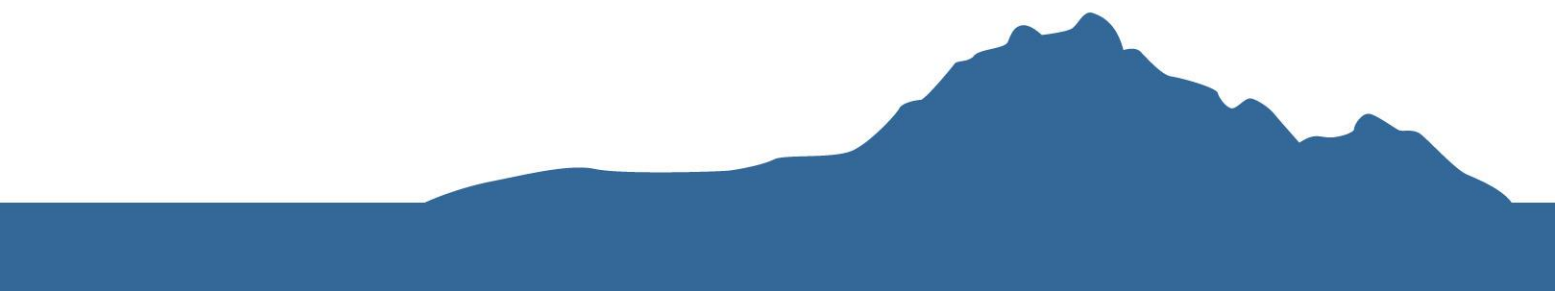




Agenda
Ordinary Council Meeting
14th December 2017



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 8th day of December 2017.

A handwritten signature in blue ink, appearing to be 'Bill Boehm', is centered within a light blue rectangular box.

Bill Boehm
GENERAL MANAGER

FLINDERS COUNCIL ORDINARY MEETING

AGENDA

DATE: Thursday 14th December 2017
VENUE: Flinders Arts and Entertainment Centre, Whitemark
COMMENCING: 1.00 pm

PRESENT

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

APOLOGIES

STAFF IN ATTENDANCE

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

CONFIRMATION OF MINUTES

That the Minutes from the Ordinary Council Meeting held on the 16th November 2017 be confirmed.

PUBLIC QUESTION TIME

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

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

The basis on which questions may be asked is:

- 1. All questions will be addressed through the Chair (being the Mayor in normal circumstances) who will answer them as she/he sees fit. Under no circumstances will members of the gallery be permitted to address or question either elected members or officers of the Council. The Chair may delegate answers to the appropriate Councillor or staff member if appropriate.*
- 2. Persons addressing the Chair must pay the respect due to that office. Failure to do so may mean their address is terminated without notice.*
- 3. Where the answer cannot be provided immediately, it will be provided in writing within 14 days and tabled at the following Ordinary Council Meeting.*
- 4. All questioners are encouraged to register their intent to question with the General Manager before the meeting. Preference will be given to those who have so registered.*

5. *Question time shall not extend longer than 30 minutes and may be divided into two 15 minute sessions.*
6. *The actual timing of the session(s) is to be immediately after the opening of the meeting and advertised with the notice of meeting.*

RESPONSE TO PUBLIC QUESTIONS

Question 1: Mick Rose on behalf of Flinders Island Tourism and Business Inc.

Could the Council give an update on the status of the planning scheme / interim planning scheme?

Is any more community consultation proposed for the "structure plan" which underpins the planning scheme revisions?

Mayor's Response: The Flinders Municipality is currently operating under the "Flinders Council Planning Scheme 2000" and will move directly from this scheme to the state-wide Tasmanian Planning Scheme. A Flinders draft Interim Planning Scheme was prepared in 2011 but not declared prior to the introduction of the process to develop the state-wide scheme.

State-wide community consultation was undertaken during the development of the Tasmanian Planning Scheme, and Council is now working on developing the Local Provisions Schedule (LPS) to submit to the Tasmanian Planning Commission (TPC), the Planning Policy Unit and the Minister for approval. Once accepted through the system the schedule will form a part of the Tasmanian Planning Scheme and apply to the Flinders Municipality. This work on the LPS is being completed based on community consultations already undertaken over recent times, significant strategic investigations and the requirements of the Act.

The process set out by the State Government provides for community consultation when the TPC has recommended to the Minister that the LPS complies with the Act and is suitable for exhibition. Post exhibition, hearings will be conducted by the TPC for persons who made a submission during the consultation period.

The Tasmanian Planning Scheme will come into effect in relation to any municipal area (including Flinders) with notice of approval of the Local Provisions Schedule of that municipal area. To date, no municipal area has a notice of approval. Detailed information can be found on <http://www.planningreform.tas.gov.au/home>.

Strategically oriented land use queries will be considered until the 23rd December 2017. The Strategic Planner, Robyn Cox, is available to address questions from Flinders Island Tourism and Business Inc members if they were to convene a meeting prior to that date.

COUNCILLOR'S QUESTIONS ON NOTICE

Nil

COUNCILLOR'S QUESTIONS WITHOUT NOTICE

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

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

WORKSHOPS & INFORMATION FORUMS

File No: COU/0205

Council Workshop held on 30th November 2017

Council held a Workshop on the following subjects:

- Item 1 Roadside Management Policy Review
- Item 2 Adopt a Verge
- Item 3 Extension to Robert St
- Item 4 Airport Hangar Project Update
- Item 5 Management of Land at Cannes Hill
- Item 6 Badger Corner Boat Ramp
- Item 7 Schedule 8 - Flinders Planning Scheme for Council land at North East River
- Item 8 Accessing fire wood on Crown Land
- Item 9 General Manager's Update

Councillors Present:

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

Apologies:

Cr David Williams

Cr Ken Stockton

Staff and Consultants Present:

Bill Boehm	General Manager
Vicki Warden	Executive Officer
Brian Barnewall	Works and Services Manager (Items 1 to 6)
Jacci Viney	Development Services Coordinator (Items 1,3, 4 and 5)
Vanessa Grace	Farmer (Item 1 only)
Richard Mollineaux	Agronomist, Roberts Ltd (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 30th November 2017 be noted.

DECISION:

PUBLIC MEETINGS

Nil

PUBLICATIONS/REPORTS TABLED FOR COUNCIL INFORMATION

Nil

REPORTS TO BE RECEIVED

Whitemark Community Gym Special Committee

File No: CDV/0702

Annexure 1: Whitemark Community Gym Special Committee 23rd November 2017 Unconfirmed Minutes

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

The unconfirmed minutes of the Whitemark Community Gym Special Committee meeting held 23rd November 2017 have been provided for consideration. The minutes outline what the committee has been working on to date and can now be received by Council.

OFFICER'S RECOMMENDATION

That the unconfirmed minutes of the Whitemark Community Gym Special Committee meeting held 23rd November 2017 be accepted.

DECISION:

COUNCILLORS' REPORTS

Report from Councillor Gerald Willis as the Flinders Council Representative on TasWater Owners' Committee

File No: COU/0312

CORRESPONDENCE IN:

DATE	WHO	SUBJECT
09.11.2017	Kate Beard, Education Officer, TasWater	Email to Flinders Council advising of an open day at the Lady Barron treatment plant on Saturday 25 November.
11.11.2017	Juliette Mercer, General Manager Corporate and Community Relations, TasWater	Email with report and media release from Auditor-General on water and sewerage outcomes arising from reforms in 2009 and 2013 as tabled to parliament plus media release from Taswater.
16.11.2017	Kate Hiscock, Strategic Communications Director, Local Government Association.	Email with media release from David Downie, Chief Owners' Representative of TasWater
16.11.2017	Lynn Luckock, Executive Assistant to CEO.	Email with letter attached from Miles Hampton, Chairman, TasWater
20.11.2017	Kate Hiscock, Strategic Communications Director, Local Government Association.	Email with media release re Legislative Council

RECOMMENDATION:

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

DECISION:

MAYOR'S REPORT:

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

REPORT:**APPOINTMENTS:**

16.11.17	Council Meeting
16.11.17	Music for Cancer – Musical fundraising event
18.11.17	Agricultural Day BBQ lunch hosted by Harvest Tyres
21.11.17	Met resident re building permits
21.11.17	TasWater treatment plant open day at Lady Barron
25.11.17	FertIsle Business event, dinner at the Furneaux Tavern
27.11.17	FertIsle Business event, opening and first session
28.11.17	Met with Business operator re Christmas week arrangements
29.11.17	Council Workshop
30.11.17	Lions Christmas Market
05.12.17	Met with Journalist from Domain, doing article on real estate on Flinders and King Islands
05.12.17	Professional Development with R Collinson of Page Seager
07.12.17	Funeral Mr Peter Blundstone, ex Warden of Flinders Council

Fundraising - Music for Anti-Cancer:

In its 20th year, this event was one to be remembered, with an abundance of musical talent and good humour to entertain and remind us of the journey this event has been through over those twenty years. Penny Egan, CEO of the Cancer Council Tasmania addressed the gathering advising that Gillian's 19 previous concerts have raised over \$25,000. Thank you Gillian.

FertIsle Business Event:

A small community group of local business owners and budding entrepreneurs attended the FertIsle Business forum organised by The Van Diemen Group with the support of Federal and State funding. Attendees were treated to a wide range of ideas and sources for information and assistance to encourage building of new and developing businesses.

Agricultural Day BBQ:

Agricultural Day falls during a very busy period for island farmers, being the hay harvest, shearing and selling season. A small number of people attended the BBQ to celebrate Agricultural Day that was hosted by Harvest Tyres, the owners of whom also took the opportunity to have a sample of their tyres on display and to connect with local operators.

Mr Peter Blundstone, Warden from 1982-1989:

Peter passed away on the 2nd December 2017 at the Island's Aged Care Facility aged 82. Peter was Warden for Flinders Council when the area was still made up of Wards and prior to the introduction of the current *Local Government Act 1993* when elected members were also elected to the position of Treasurer, with the responsibility of signing the cheques.

Domain - Island Article:

Journalist Allison Worrall visited the Island, travelling with Sharp Airlines from Essendon, to connect with the locals and see firsthand what the Islands have to offer in the real estate arena. Allison is writing an article that should appear in Fairfax's weekend papers early next year. Allison will also be doing an article on King Island.

CORRESPONDENCE IN:

DATE	WHO	SUBJECT
02.11.2017	Tas Audit Office	Report of the Auditor-General
09.11.2017	Sally Darke, Chairperson, Tasmanian Community Fund	Emerging Community Leaders 2018
09.11.2017	Michael Ferguson MP, Minister for Information Technology and Innovation	Invitation to information session with Networking Tasmania
13.11.2017	John Finch	Letter re: Rates on property
13.11.2017	The Hon Darren Chester MP, Minister for Infrastructure and Transport	Statement of expectations for the Roads to Recovery (R2R) Program
15.11.2017	TasWater	Media Release - Auditor-General's report on the outcomes of industry reform
15.11.2017	Flinders Island District High School	Letter re: Support from Council of Annual Awards 'Dux - Year 10'
16.11.2017	Lynn Luckock, Executive Assistant to the CEO, TasWater	Letter from Chairman Miles Hampton
16.11.2017	Kate Hiscock, Strategic Communications Director, Local Government Association of Tasmania (LGAT)	Media Release re: TasWater debate must end
17.11.2017	Stephanie Commons	Tasmanian Community Achievement Awards
20.11.2017	Kate Hiscock, Strategic Communications Director, LGAT	Media Release re: Upper House
21.11.2017	Kate Hiscock, Strategic Communications Director, LGAT	Media Release: Councils' use of credit cards is appropriate and efficient
24.11.2017	Country Women's Association (CWA) Members of Altmoor and Whitemark Branch	Invitation to Cookery Book Launch
24.11.2017	Kate Hiscock, Strategic Communications Director, LGAT	Media Release re: Defeat of State Government's Bill for the takeover of TasWater in the Legislative Council
28.11.2017	Leanne Madden, Executive Office, Treasurer's Office	Preparation of Local Provision Schedule
28.11.2017	Kate Hiscock, Strategic Communications Director, LGAT	Media Release re: Findings of the Auditor- General's Report
30.11.2017	Flinders Island District High	Invitation to Presentation Evening

DATE	WHO	SUBJECT
	School	
30.11.2017	Alex Tay, Director of Local Government	Letter re: notification of Greg Brown's departure from the Local Government Division
30.11.2017	Allison Worrall, Domain / Fairfax Media	Letter re: catch-up on Island
01.12.2017	The Hon Will Hodgman MP, Premier of Tasmania	Invitation to the 2017 Premier's Northern Christmas Luncheon
04.12.2017	D'reen Lovegrove	Letter re: Media release of 24 July 2017
06.12.2017	Commander Brett Smith, Northern District Police	Invitation to Christmas Morning Tea
06.12.2017	Jenny Denholm, Primary Health Tasmania CEO	Update from Primary Health Tasmania
07.12.2017	Maree Tetlow, Northern Tasmania Development Corporation (NTDC)	Follow-Up on Cluster Week for NTDC Council Members

CORRESPONDENCE OUT:

DATE	WHO	SUBJECT
20.11.2017	4 Community Members	Appointment to Whitemark Community Gym Special Committee
21.11.2017	Steven Crawford	Redundant position on the Furneaux Group Shipping Special Committee
21.11.2017	President and Members, Flinders Island Tourism and Business Incorporated (FITBI)	Invitation for one member to join Furneaux Group Shipping Special Committee
24.11.2017	Flinders Island District High School	Response re: Support from Council of Annual Awards 'Dux - Year 10'
24.11.2017	Robyn Dilger, Country Women's Association	Reply to invitation to Cookery Book Launch
28.11.2017	John Finch	Response re: letter regarding rate notice for property
30.11.2017	Allison Worrall, Domain / Fairfax Media	Reply to catch-up on Island letter
05.12.2017	Mick Rose	Answer to public question from November Ordinary Meeting of Council
05.12.2017	Dr Alex John	Thank you letter for service provided to the Furneaux Group
07.12.2017	Commander Brett Smith, Northern District Police	Reply to Invitation to Christmas Morning Tea

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 – (*Adams Building Design*)
File No: DA2017/038
Annexure 2: Architectural Drawings
Annexure 3: Identification Survey
Annexure 4: Title

Item A2: Development Application Report
File No: DSV/0300
Annexure 5: Planner's Information Report – November 2017

B. NOTICE OF MOTION

Item B1: Notice of Motion from Deputy Mayor Marc Cobham - Badger Corner Boat Ramp
File No: REA/0201, ASM/0100
Annexure 6: Extract from Flinders Island Recreational and Community Facilities Assessment and Infrastructure Plan – June 2014

Item B2: Notice of Motion from Deputy Mayor Marc Cobham – Whitemark Community Gym Special Committee Recommendations
File No: CDV/0701

C. GOVERNANCE

Item C1: Office Closure – Christmas Season 2017/2018
File No: COU/0600

Item C2: Exemption from Pecuniary Interest for Council Committee Members
File No: COU/0600

Item C3: Flying of Flags at Council Property Policy
File No: CUL/0102
Annexure 7: Ratepayer Submission

Item C4: Investment Portfolio Report as at 15 November 2017
File No: FIN/0100
Annexure 8: Investment Summary 30 September 2017 and Managed Investment Portfolio 15 November 2017

Item C5: Building Better Regions Fund Submission - Flinders Safe Harbour Marine Facility
File No: COM/0402

Item C6: Councillor Resolution Report

File No: COU/0600
Annexure 9: Councillor Resolution Report November 2017

Meeting Closed

A. DEVELOPMENT SERVICES AND PLANNING APPLICATIONS
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Item A1: Development Application – (*Adams Building Design*)

ACTION	Decision
PROPONENT	Adams Building Design
OFFICER	James Ireland (consultant town planner)
APPROVED BY	Karin Van Straten (senior consultant town planner)
FILE REFERENCE	DA2017/038
ASSOCIATED PAPERS	<i>Annexure 2: Architectural Drawings</i> <i>Annexure 3: Identification Survey</i> <i>Annexure 4: Title</i>

Proposal: House extension in the Rural Zone and Shorelines, Waterbodies and Watercourses Special Area – vary rear boundary setback

Location: 957 Palana Road, Blue Rocks (CT:144341/1)

Applicant: Adams Building Design

Zoning: Rural Zone

Special Areas: Shorelines, Waterbodies and Watercourses Special Area.

Representations: One (Parks and Wildlife Service)

INTRODUCTION:

Subject Site

The subject site is a 25.55ha lot behind Long Point Beach in Whitemark, adjacent to the border with Blue Rocks. The lot is generally low-lying and flat, with a high point 10m above sea level in the northwest corner which is the site of the existing house that is being extended. The site is bounded by reserved roads to the north (Hammond Road, gravel), south (unnamed, part made) and east (unnamed, part made) and by the coastal reserve to the west.

Zoning

The subject property is located within the Rural Zone, pursuant to the *Flinders Planning Scheme 2000* (hereafter, the planning scheme).

Special Areas

The western edge of the site is affected by the shorelines, waterbodies and watercourses special area. The proposal is within this area.

Statutory Timeframes

Date Received: 18/10/17

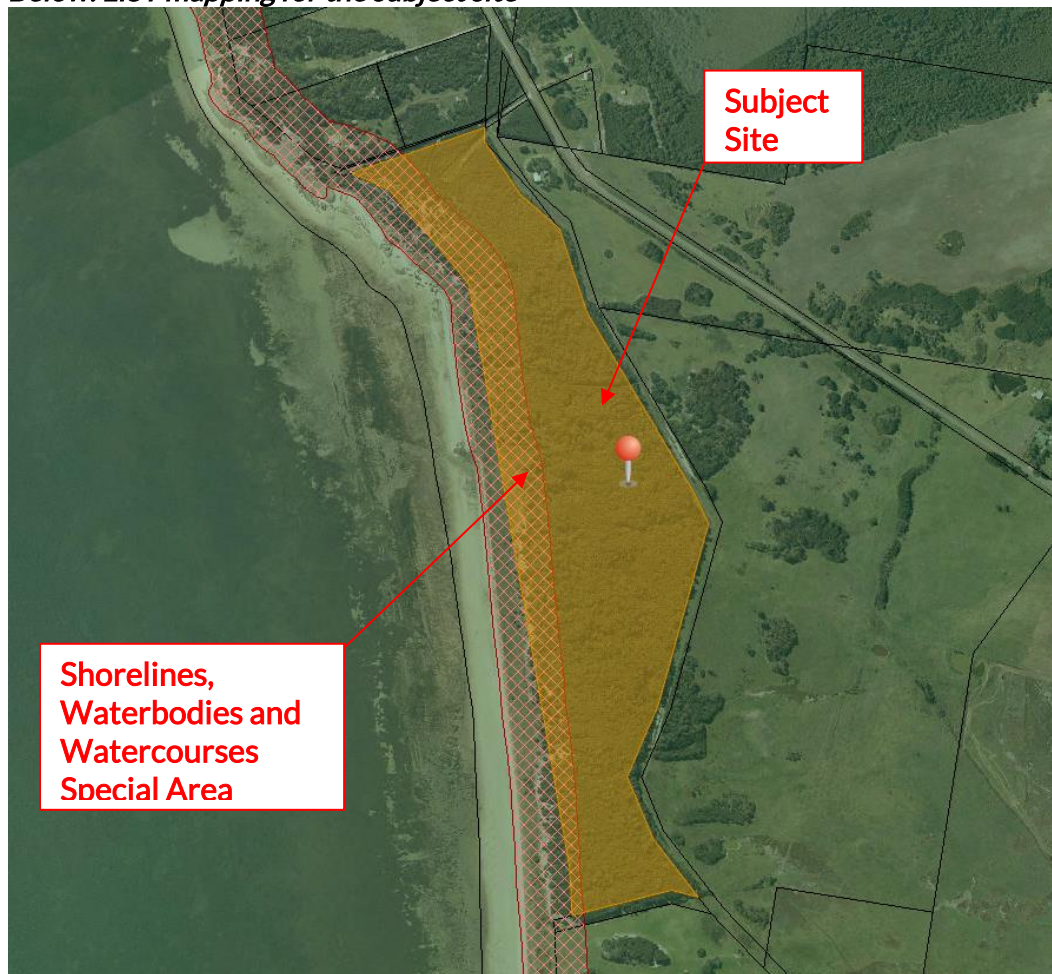
Request for further information: not required

Advertised: 22/11/17

Closing date for representations: 6/12/17

Decision due: 14/12/17 (extended)

Below: LIST mapping for the subject site





OFFICERS REPORT:

The Proposal

It is proposed to extend the floor area of the existing house by 33.84m², with a master bedroom, walk in robe and en suite bathroom. This extension is 7.6m long, 4.5m wide and 4.7m high, with finishes to match the existing house (weatherboard style cladding and Colorbond roof). It is also proposed to extend the northern deck by 11.12m² and add a southern deck of 28.28m².

The application plans show the existing dwelling and all the extensions within the title boundaries of the subject site.

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 6 – Use and Development Principles
- Part 7 – Special Areas

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

Council shall take into consideration the following:

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

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

5.8.1 Zone Intent

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

COMMENT: The house is established as a use and the application is for an extension to it. On this basis, it is considered consistent with the zone intent as a compatible non-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) and (d) are not applicable. In relation to (b), the building is a substantial distance from Hammond Road (120m) and Palana Road (230m) (the remainder of this clause is not relevant). In relation to (c) the proposal is an existing house. No further clearing is required and the wastewater disposal and water supply are already established for the existing house.

5.8.4 Development Standards

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

COMMENT: The proposal complies with a) and b). It does not comply with c) or d), so criteria e) applies as a consideration clause. In relation to e) i), as this is an extension, the relevant consideration is the location of the existing house (the lot is large – 25.55 ha). In relation to ii), the relevant adjoining land use is the coastal reserve. The existing house has a zero setback and the extension will too. It is considered that the use of the land for a house has not had an

adverse effect on the reserve and this will not change with a minor extension to the house. In relation to iii), a number of lots in the area have houses or outbuildings very close to the coastal reserve (or partly within the reserve if the LIST mapping is followed). There are examples at 1061, 959 and 696 Palana Road. In relation to iv), the one representation received is concerned with ensuring that the house extension is not over the boundary. Provided it can be ensured that the extension and all associated works are within the site (as the plans show, and permit conditions will further guarantee), the representor is not concerned by the setback itself. In relation to f), proposed finishes are weatherboard style cladding with a Colorbond roof. Colours are not specified. A standard condition will be part of the permit that requires consistency with this clause. Criteria g) is not applicable.

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

Not applicable. None were received by Council (but refer to representation below).

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

One representation was received, from the Parks and Wildlife Service, who administer the coastal reserve to the west of the site. They were concerned that the proposal may cross the site boundary and requested a site survey to confirm this. Whilst partial survey information was provided as part of the application, a permit condition will require that this be completed. They also required that no works (including vegetation clearance for bushfire) take place on the reserve. Another permit condition restricts all works to the subject site only.

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

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

No mapped landslip, stability or erosion issues at the site of the proposal. No landslip or coastal erosion hazard bands at the site of the proposal.

(b) *excessive slope;*

Not at the site of the proposal.

(c) *ponding or flooding;*

None known at the site of the proposal.

(d) *bush fire hazard;*

The planning scheme only sets standards for bushfire hazard in relation to subdivision applications.

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

No.

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

The proposal is within the Shorelines, Waterbodies and Watercourses Special Area. An assessment against this is provided at Part 7 of this report.

(g) *pollution; and*

None known.

(h) *other hazards to safety or health.*
None known.

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;*

Existing site features where the proposal is located are the topography, the coastline and vegetation. The proposal is satisfactory in terms of its size and appearance (see below).

(b) *adjoining land;*

The closest adjoining land is the coastal reserve. The house is currently built to the boundary with the reserve and the extensions will be too. When viewed from the beach, a slightly 'wider' building will be visible. Viewed directly front-on, the width of the building increases from 15m to 20m. In the context of the subject site's 1.24km boundary with the reserve, this is not considered unreasonable. A permit condition will ensure the finishes are non-reflective and harmonise with the natural landscape.

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

The building is a substantial distance from Hammond Road (120m) and Palana Road (230m). The landscape is taken as being the site as viewed from adjoining land, including the beach. An assessment of this is made above at b).

(d) *the natural environment;*

Aspects of the natural environment such as landscape views, erosion and pollution are addressed in other more specific sections of this report.

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

None known.

(f) *buffer zones, attenuation areas*

None applicable.

(g) *easements;*

None applicable.

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

Not applicable.

(i) *any received pollution;*

None known.

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

An existing septic tank serves the proposal.

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

Please refer to (b).

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

No improvement needs to be made to any roads, road junctions or water, sewerage, electricity or transportation services. It is therefore concluded that the proposal will be supplied with an adequate level of infrastructure and services.

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

The house already has a zero setback to the coastal reserve and the extension will match this. The existing setback does not adversely affect the existing use or development of adjacent land, and vice versa and it is not considered that this will be the case in the future.

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

It is the intent of the proposal to sit within the existing natural vegetation and not require removal of it. No additional landscaping is proposed. It is understood that illumination will be limited to normal indoor lighting as per the existing house.

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

The existing access to the property will be used.

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

The proposal is a modern, energy efficient design. It is oriented for solar gain. All new buildings are required to achieve a six star energy rating by the National Construction Code.

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

Generally this is the role of the National Construction Code and health and safety requirements. The proposal does not pose a risk to the safety or wellbeing of the public.

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

None stated.

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

Part 6 – Use and Development Principles

This part of the planning scheme provides general principles that development must be consistent with. Some of them are not relevant to this application (for example those concerned with subdivision or quarrying). Those that are relevant are addressed in more specific parts of this report (and therefore are not repeated here). It is concluded that the proposal is consistent with the use and development principles.

Part 7 Special Area Provisions

The location of the proposal is within the *Shorelines, Water Bodies and Watercourses Special Area*.

Assessment must consider the following clause:

7.5.3 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 approximately 49m from the coastline, as mapped by the LIST (this is likely accurate as it relies only on plotted mapping, not the aerial photo). In relation to a), a small (33.84m²) extension to the floor area of the house is proposed, along with ground floor decking. It is located no closer to the shoreline than the existing house. A permit condition will ensure the finishes are non-reflective and harmonise with the natural landscape. In relation to b), no clearing or major excavation is required. Wastewater disposal is to remain unchanged. No changes to access, no fences or firebreaks required and no filling is proposed. Criteria c) is not applicable. In relation to d), it is not considered that fencing is necessary as the existing setback of the house is as per that proposed. Criteria e) is not applicable.

STATUTORY REQUIREMENT:

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

POLICY/STRATEGIC IMPLICATIONS:

These are limited. The proposal is for an extension to an existing house.

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.

OFFICERS RECOMMENDATION:

COMMENT: Central to this application has been doubt as to whether or not the existing house and/or the proposed extension are within the subject site. It should be noted that the design of the extension is such that, if the existing house is within the site, then the extension is too.

The LIST mapping shows the existing house straddling the boundary with the coastal reserve. The alignment on the LIST between the aerial photo and the boundary may or may not be accurate.

The application plans, including an identification survey done by Cohen and Associates Surveyors show the existing house and the extension being within the subject site. The caveat to this is that neither is based on an actual surveyed boundary line (the house has been surveyed, but this is clearly less useful without the boundary being surveyed too).

In virtually all applications, the planning authority assumes that the proposal will be built in accordance with the endorsed plans (i.e, within the boundary). This is reasonable. If the proposal is not built in accordance with the plans, then enforcement actions is commenced. However, given the very slim margin for error in this case, and the seed of doubt sown by the LIST mapping, additional conditions are imposed, to ensure that the extension and all associated works are constructed only on the subject site.

On this basis, it is my recommendation that the application for a house extension in the rural zone and within the shorelines, waterbodies and watercourses special area **BY** Adams Building Design **AT** 957 Palana Road, Whitemark (CT:144341/1) be **APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

ENDORSED PLANS

1. The development must be in accordance with the endorsed plans by Adams Building Design dated 18/10/17 (Project 020517) and by Cohen & Associates dated 14/7/17 (Ref: 37-64 / 7348) to the satisfaction of Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.

AMENDED PLAN REQUIRED

2. Prior to the commencement of the development, an amended Identification Survey plan must be submitted to Council for approval. Once approved, the plan will form part of the permit. The plan must show the surveyed location of the existing house and the surveyed location of the west boundary of the site (not the approximate location).

APPROVED SITE

3. All works must be located within the subject site (CT:144341/1, 957 Palana Road. Whitemark).

COLOURS

4. The exterior walls and roof of the house extension must be finished in non-reflective colours that harmonise with the natural landscape.

Notes

1. This permit was issued based on the proposal documents submitted for (DA2017/038). You should contact Council with any other use or developments, as they may require the separate approval of Council.
2. Council will undertake periodic reviews of approved developments to ensure compliance with Planning Permit conditions.
3. This permit is granted pursuant to the *Land Use Planning and Approvals Act 1993* and does not constitute any other approval required under any other Act or Regulation.
4. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. 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.
5. Where any other approvals under this Act or any other Act are required for the proposed use or development to which this permit relates, the permit does not take effect until those approvals have been granted.
6. This permit takes effect 14 days after the date of Council's notice of determination or at such time as any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined. If an applicant is the only person with a right of appeal pursuant to section 61 of the *Land Use Planning and Approvals Act 1993* and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

DECISION:

Item A2: Development Application Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Jacci Viney, Development Services Coordinator
FILE REFERENCE	PLN/0105
ASSOCIATED PAPERS	<i>Annexure 5: Planner's Information Report – November 2017</i>

INTRODUCTION:

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

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

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

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

PREVIOUS COUNCIL CONSIDERATION:

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

OFFICER'S REPORT:

Refer to Annexure 5 Planner's Information Report – November 2017, provided by West Tamar Council.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Planner's Information Report – November 2017 be received.

DECISION:

B. NOTION OF MOTION

Item B1: Notice of Motion from Deputy Mayor Marc Cobham - Badger Corner Boat Ramp

ACTION	Decision
PROPONENT	Deputy Mayor, Marc Cobham
OFFICER	General Manager, Bill Boehm
FILE REFERENCE	REA/0201, ASM/0100
ASSOCIATED PAPERS	<i>Annexure 6: Extract from Flinders Island Recreational and Community Facilities Assessment and Infrastructure Plan - June 2014</i>

NOTICE OF MOTION:

1. That Council actively pursue acquiring a Crown Land lease over the relevant section of land that will allow legal public access of the area that historically has been known as Badger Corner boat ramp.
2. That Council sets aside sufficient funds in the budget equivalent to 50% of the value of the proposed facility as per the Marine and Safety Tasmania's (MAST) recreational boating fund guidelines.
3. That Council, via the relevant application process, actively pursues a co-funded grant via MAST's recreational boating fund prior to 31st March 2018.

COUNCILLOR'S REPORT:

At the March 2017 Ordinary Meeting of Council, Council resolved to apply to the MAST recreational boating fund for a co-funded grant to construct a boat ramp at Badger Corner.

"That Council resolves to proceed with an application for Marine and Safety Tasmania (MAST) funding on the desired basic option as identified; namely regrade and surface existing track entrance and construct floating or ridged walkway with small 4-5m right angle section and that MAST supply and fund an engineer to compile a report on a most appropriate infrastructure for the site and that Council contributes a maximum of \$45,000 towards the completion of the project on a dollar for dollar basis."

The application was submitted before 31st March 2017 however was unsuccessful. I now strongly urge Council to consider reapplying to MAST for funding for the Badger Corner boat ramp.

In mid-2010 Council was sent a petition from 105 community members re the issue of improving the boat launching "facility" located at Coast Rd, Badger Corner. Whilst the issue has been informally raised at several workshops since that time and my understanding was that the issue of getting a Crown Land Lease on the relevant land was "flagged" approximately 2 years ago, for whatever reason no action has occurred and it is time to progress the matter.

Historically (i.e. in excess of 50 years ago), a previous leaseholder established a basic ramp. The current basic boat launching ramp was established and funded by community members/recreational boat users over 25 years ago. At peak times anecdotal evidence is that there can be up to 25 vehicles and boat trailers parked adjacent to the facility.

Whilst Badger Corner is only several kilometres from the Lady Barron boat ramp my understanding is that since the upgrading of the port facility the boat ramp is not as accessible as the ramp at Badger Corner and there is insufficient parking space available.

A facility similar to the renovated Whitemark boat launching facility is required i.e. suitable concrete ramp and small jetty. Additionally a pontoon at the end of the jetty has been suggested.

In summary my understanding of what is required is:

- replacement of existing ramp;
- new ramp to be 5 metres in width;
- extend the ramp approximately 4 metres toward the road;
- raise the middle section with rock fill to reach 1.3 metres above current level at 14 metres from top of extended ramp i.e. creating greater slope towards the water;
- excavate seabed away from foot of the ramp; and
- construct a pontoon with walkway on south-eastern (Lady Barron) side of ramp.
- Any additional requirements as provided in the MAST application submitted for the 2017 funding round.

A community meeting held on-site with interested users was undertaken in early 2017 as a way of determining what is required for the facility.

The Furneaux Islands Community has the highest percentage of recreational boating registrations and licences per head of population in Tasmania. Currently Flinders Island has “established” boat launching facilities at Palana, Settlement Point, Whitemark and Lady Barron.

Badger Corner ramp is used by both recreational and some professional users. It provides direct access to Cape Barren Island especially during times of less than ideal weather; access to many of the outer islands in the Furneaux Group; is heavily utilised during mutton bird season and is also used by rate paying leaseholders of the outer islands.

Undertaking the necessary work at Badger Corner will provide a crucial infrastructure upgrade to enhance the experience of recreational and other boat users in the Furneaux Islands Community.

Whilst the above Notice of Motion contains a tight timeframe, any further delays in progressing with this issue will result in considerable delays given the application process from the MAST website as below:

“Applications are invited from 1 July 2017 and can be submitted at any time throughout the year. However, to fit each year’s budget cycle applications received before 31 March will be considered in May of that year. Applications received after 31 March will not be considered until May the following year”.

I recommend to Council that another application to MAST be submitted.

PREVIOUS COUNCIL CONSIDERATION:

15.12.16	319.12.2016
23.03.17	54.03.2017

OFFICER'S REPORT:

The Flinders Island Recreational and Community Facilities Assessment and Infrastructure Plan – June 2014 identified that the Badger Corner Boat Ramp was deemed an important facility by the Flinders Island Community. Annexure 6 is a copy of the extract from this report.

Since this time, ahead of Council's unsuccessful 2017 attempt to gain funding from MAST, some preliminary discussions have been held with Crown Lands concerning potential land ownership and a formal written application undertaken on the understanding that it could be withdrawn if the MAST Funding application was not successful. As it stands now the asset is not under Council's asset base and hence not Council's responsibility.

In addition, there have been significant proactive discussions with TasPorts concerning the relocation of the existing Lady Barron Boat Ramp towards the Lady Barron Slipway area so as to free up space at the Lady Barron Port. The proposed Safe Harbour Project at Lady Barron also includes provisions for a boat ramp and forms part of this proposal. Council contribution may be required for part of these elements but in any event, there is a need to have ample boat launching facilities, as well as parking and other amenities available.

The issue of potentially having two boat launching facilities to upgrade and maintain also needs to be considered, given the relative importance of the Lady Barron and Badger Corner facilities going forward and the relative location approximately only some 7-8km apart. The timing of any potential application to MAST may also be relevant.

STATUTORY REQUIREMENTS:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

2. Infrastructure and Services

2.1 Plan, deliver and operate community infrastructure to provide levels of service that align with community needs and demand.

2.1.1 Recreational and community facilities upgraded as recommended by the Recreational and Community Facilities Assessment and Infrastructure Plan.

3. Access and Connectivity

3.1 Maintain or better the standard of sea access to the Islands.

BUDGET AND FINANCIAL IMPLICATIONS:

Under the Notice of Motion based on an estimated cost of \$100,000, Council would be required to provide a \$50,000 Capital Contribution. The asset would then become Council's and be required to be maintained, depreciated and eventually replaced at the end of its useful life.

RISK/LIABILITY:

Council has no liability as the Badger Corner Boat Ramp is not Council's Asset. From a local Badger Corner community perspective, there would expect to be some adverse community reaction if Council does not proceed with the application; although this may be less if the matter was deferred to a later round of funding.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

For Council decision

DECISION:

Item B2: Notice of Motion from Deputy Mayor Marc Cobham – Whitemark Community Gym Special Committee Recommendations

ACTION	Decision
PROPONENT	Deputy Mayor, Marc Cobham
OFFICER	General Manager, Bill Boehm
FILE REFERENCE	CDV/0701
ASSOCIATED PAPERS	<i>Nil</i>

NOTICE OF MOTION:

That Council adopts the following recommendations put forward by the Whitemark Community Gym Special Committee of Flinders Council:

1. That a letter be written to the Secretary of Flinders Lions Club requesting that they nominate a representative to attend committee meetings when required.
2. That Council assumes responsibility for regular cleaning of the Whitemark Gym space and that Council purchases the necessary cleaning equipment and related supplies. The funding for these items to come out of general expenses.
3. That Council purchases two floor mounted “industrial” style fans for use in the warmer months.
4. That Council writes to the Secretary of Flinders Lions Club clarifying the current situation re their use of council funds via a successful Community Grant in 2017 and the proposed location of the funded air conditioner.
5. That Council purchases a Work Out Buddy “App Registration” for a trial period of 12months at a cost of approx. \$50.00 to assist members of both community gyms to find workout buddies.

COUNCILLOR’S REPORT:

The minutes of the inaugural meeting of the Whitemark Gym Special Committee of Council are included in this agenda and provide an update of what the committee is undertaking. The items mentioned in the Notice of Motion were voted on at this meeting and the Committee now seeks Council endorsement. Adoption of these few matters will assist in the future use and operation of the Whitemark Community Gym.

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER’S REPORT:

This follows the first meeting of the Whitemark Community Gym Special Subcommittee. The recommended actions are considered appropriate. Arrangements for a lease and purchase of equipment are in progress.

STATUTORY REQUIREMENTS:

Nil

POLICY/STRATEGIC IMPLICATIONS:

5.0 Livability - Protect, improve and promote the safety, creativity, health and wellbeing of the Islands' communities.

5.1 Improve the health and wellbeing of the Island communities through leadership and co-ordination.

5.1.2 Rural Primary Health Service program funding is administered for delivery of health services to the community.

5.1.2.1 Facilitate and deliver the Rural Primary Health Service Program.

BUDGET AND FINANCIAL IMPLICATIONS:

As yet there has been no formal budget allocation to operate the Whitemark Community Gym as such, but in endorsing the establishment of the operation, a full operational budget was provided to Council. This aspect, formal budget allocation and cost centre, will be formally reviewed at the half yearly budget review.

RISK/LIABILITY:

Minimal. Council has already accepted operational responsibility and arranged appropriate insurance.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Notice of Motion be adopted as proposed.

DECISION:

C GOVERNANCE

Item C1: Office Closure – Christmas Season 2017/2018

ACTION	Information
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	COU/0600
ASSOCIATED PAPERS	<i>Nil</i>

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 2017/18 Christmas to New Year Period.

PREVIOUS COUNCIL CONSIDERATION:

Annually

OFFICER'S REPORT:

Public holidays are scheduled on Monday 25th December (Christmas Day), Tuesday 26th December 2017 (Boxing Day) and Monday 1st January 2018 (New Year's Day).

Council will close its offices for the Christmas and the New Year season from 22nd December 2017 to 1st January inclusive, reopening the office on 2nd January 2018. Staff members have expressed a desire to close the Friday before Christmas to allow for arrangements to be made prior to the holiday season. Arrangements are in place to ensure that appropriate leave and/or accrued rostered days off are taken for Friday 22nd December 2017.

The 2016-2019 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. Employees who may be required to attend to duties in this period will have an additional rostered day off or annual leave day added to their balance for each day worked.

Council Staff will, as always, ensure that sufficient visitor information material is available at selected business houses during this period.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council notes that the Council Offices will be closed from close of business 21st December 2017 and will reopen on the 2nd January 2018.

DECISION:

Item C2: Exemption from Pecuniary Interest for Council Committee Members

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	COU/0600
ASSOCIATED PAPERS	<i>Nil</i>

INTRODUCTION:

Flinders Council currently has a number of special committees that were established to allow communication, discussion and community input into decision-making on specific areas or activities of community and Council importance.

Special Committees include community members who are often nominated for membership due to their expertise in an activity and their involvement in the activity could be perceived as a pecuniary interest. Under the *Local Government Act 1993* councils are able to provide exemption for community committee members for a period of 12 months.

PREVIOUS COUNCIL CONSIDERATION:

Council Workshop 1st December 2016
326.12.2016 15th December 2016

OFFICER'S REPORT:

The membership of all Special Committees also includes community members who are often nominated for membership due to their expertise in a business, community group or activity specifically related to the Special Committee. Under the *Local Government Act 1993*, this expertise could be perceived as a potential pecuniary interest in which case the committee member would not be entitled to vote on matters being dealt with by the committee.

Section 52(3) of Part 5 of the *Local Government Act 1993* enables a council to exempt community members who are Special Committee members from pecuniary interest for a period of 12 months if the community member has a potential pecuniary interest in a matter only because of being appointed as a member due to expertise arising from direct involvement in an activity that gives rise to that potential pecuniary interest.

Providing community members on Special Committees with exemption from pecuniary interest supports their right to vote on matters being dealt with that might otherwise appear as though an interest should be declared.

Council resolved to grant exemption from pecuniary interest for Special Committee community members for a period of 12 months at the December 2016 Council Meeting and it is again time to consider this matter.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

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

BUDGET AND FINANCIAL IMPLICATIONS:

Nil

RISK/LIABILITY:

Nil

VOTING REQUIREMENTS:

Absolute Majority

OFFICER'S RECOMMENDATION:

1. That Council agrees to grant exemption from pecuniary interest to the community members appointed to all of its Special Committees for a period of 12 months.
2. That Council again considers the pecuniary interest of community members on its Special Committees at the December 2018 Ordinary Meeting of Council.

DECISION:

Item C3: Flying of Flags at Council Property Policy

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	CUL/0102
ASSOCIATED PAPERS	<i>Annexure 7: Ratepayer submission</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:

225.09.96	10 th September 1996
301.12.01	13 th December 2001
368.11.10	18 th November 2010
181.06.2011	16 th June 2011
Council Workshop	28 th September 2017
254.10.2017	12 th October 2017

OFFICER'S REPORT:

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

Council has two flag poles located at the Council Office which fly the Australian and Aboriginal flags during office hours. Following enquiries regarding the flying of flags on the day of local funerals, it came to the attention of staff that the Flying of Flags at Council Property Policy did not include a definitive recommended course of action in this event.

The Flying of Flags at Council Property Policy has therefore been reviewed to address this element. In doing so it was found that when flying flags generally, all appropriate protocols are to be followed. Council's existing policy was silent in this regard.

A review of the Department of the Prime Minister and Cabinet's booklet 'Australian flags – Part 2: The protocols for the appropriate use and the flying of the flag' was undertaken. It is well understood that the Australian Flag can only be flown in accordance with these protocols with limited discretion. In the case of a death in the community some discretion is however afforded to Council as stated in the booklet:

"Flags in any locality may be flown at half-mast on the death of a local citizen or on the day, or part of the day, of their funeral. "

The policy has been updated to reflect this aspect with the preferred stance of flying the flags outside the council office building at half-mast on the day of a funeral of a resident.

This policy was tabled at the 12th October Ordinary Meeting of Council and one submission (Annexure 7) has subsequently been received. In essence, it seeks clarification that the wishes

of the family of the deceased person as regarding flying of the flag at half-mast are taken into consideration.

This submission needs to be considered and a decision taken to either amend or not amend this policy.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

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

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

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

RISK/LIABILITY:

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

Council's decision to adopt the Flying of Flags at Council Property Policy or amend in light of the one submission received.

DECISION:

Item C4: Investment Portfolio Report as at 15 November 2017

ACTION	Information
PROPONENT	Council Officer
OFFICER	General Manager, Bill Boehm
FILE REFERENCE	FIN/0100
ASSOCIATED PAPERS	<i>Annexure 8: Investment Summary 30 September 2017 and Managed Investment Portfolio 15 November 2017</i>

INTRODUCTION:

Presented to Council is the Investment Summary Report for the period commencing 1 July 2017 ending 1 September 2017 and a summary of Managed Investments as at 15 November 2017.

PREVIOUS COUNCIL CONSIDERATION:

Council considers the Investment Portfolio Report on a quarterly basis.

OFFICER'S REPORT:

The attached summary is consistent with previous reports, however, it is considered that further information be obtained with a view to exploring what other information the Council may wish to see apply in the future moving forward.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

4.0 Strategic, Efficient and Effective Organisation - Responding to risks and opportunities.
4.3 Ensure Council meets its statutory obligations and manages corporate and community risk.

BUDGET AND FINANCIAL IMPLICATIONS:

Annual Plan – all areas.

RISK/LIABILITY:

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Investment Summary Report for the period commencing 1 July 2017 ending 1 September 2017 and a summary of Managed Investments as at 15 November 2017 be received and accepted.

Item C5: Building Better Regions Fund Submission - Flinders Safe Harbour Marine Facility

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

INTRODUCTION:

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

Council has previously identified the construction of the project as its highest ranked Priority Project for 2017 and has resolved that potential grant opportunities should be sought and to commence concept planning and regulatory requirements so as to gain project ready status.

The Australian Government has recently announced the latest funding under the Building Better Regions Program. This report formally outlines the scope and recommends that an application be submitted.

PREVIOUS COUNCIL CONSIDERATION:

57.02.2011	17 th February 2011
120.04.2011	21 st April 2011
128.04.2011	21 st April 2011 Closed Council
598.07.2013	18 th July 2013
Council Workshop	6 th July 2017
Council Workshop	31 st August 2017
232.09.2017	21 st September 2017

OFFICER'S REPORT:

The Australian Government has announced the latest funding under the Building Better Regions Program with applications closing 19th December 2017. It is anticipated that successful projects will be announced in the first quarter of 2018. Works for successful projects cannot commence until 1st July 2018.

There is great momentum locally for what is Council's No.1 Priority Project. Council and others have been lobbying the Commonwealth Government with positive verbal support thus far received. The Treasurer has also been approached and it seems a strong possibility that some financial contribution will be provided by the State towards a Building Better Regions Project application. The Northern Region Development Corporation has also incorporated this project as one of only four projects that they consider of significance regionally.

In these circumstances, it seems essential that Council proceed with an application. The case is very strong, as is the support, although competition will be significant with no guarantee of success.

The Australian Government classifies Flinders Island as a very remote location meaning that there is a maximum 3:1 funding allocation applicable but based on a rounded up \$5 million development cost, the local (Council / State/ Others) 25% contribution required is \$1.25million.

At the time of preparing this report updated costings have yet to be finalised. Given the potential funding available it is considered prudent that application for all project elements be submitted at this time and namely Engineering Design Contracts & Site Establishment, Rock Breakwater Construction, Marina Construction, Boat Ramp & Jetty, Slipway Upgrade and Access / Car Parking/ Toilets & Showers.

The independent cost benefit analysis undertaken by Burbury Consulting indicated that

- Over a 20-year period the Economic Rate of Return is 13.86%;
- Net Present Value of Benefits is \$8.53m; Net Present Value of Costs \$4.96m; Net Present Value is \$3.57m; Benefit Cost Ratio is 1.72; and
- The Economic Cost Penalty to the Flinders Island / Tasmanian Economy of the project NOT proceeding is \$8.53m at Year 1 rising to \$10.03m after 4 Years!

On this basis, a submission for Building Better Regions Funding for this project should be submitted.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

3. Access and Connectivity

3.1 Maintain or better the standard of sea access to the Islands.

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

BUDGET AND FINANCIAL IMPLICATIONS:

Based on a rounded up \$5 million development cost, the local (Council / State/ Others) 25% contribution required is \$1.25million. Once the amount of (State /Other) contribution is known the balance will need to come from Council's resources.

Any formal Council allocation will only be required if Council is successful, in which case it will need to be incorporated into the 2018/19 Budget. It would be more likely that external investment opportunities can be realised if the Council is successful in obtaining the grant; in which case, this amount could potentially reduce Council's own source contribution.

As with all capital projects there will be long term financial implications which will need to be addressed. Unlike other asset projects however, this project is predicted to have a future positive revenue stream that should mean that the costs to operate Council's operations will not increase, being as the project will be revenue positive.

RISK/LIABILITY:

There is currently a major safety issue for boats traversing the area due to a lack of a safe harbour between mainland Australia and Tasmania. Whilst this is not the responsibility of

Council per say, never-the-less, for this aspect to be improved it is essential that Council takes a lead role as we have potentially the best site available.

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

The reputational risk and potential missed economic development growth opportunities if there is no concerted attempt to facilitate the project are significant, especially at this time given the level of apparent positive community and political support.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council, in accordance with Councils previous resolution 232.09.2017,

1. Submits an application for funding under the Australian Governments Building Better Regions Program for the construction of a Safe Harbour and Marine Access facility at Lady Barron as outlined in the Flinders Council - Marine Access and Safe Harbour Study prepared by Burbury Consulting; and, if successful,
2. Incorporates the required project and financial allocations into the 2018/19 Council Budget.

DECISION:

Item C6: Councillor Resolution Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Bill Boehm, General Manager
FILE REFERENCE	COU/0600
ASSOCIATED PAPERS	<i>Annexure 9: Councillor Resolution Report December 2017</i>

INTRODUCTION:

This report identifies the actions taken and actual costs associated with implementing resolutions passed by elected members up to December 2017.

PREVIOUS COUNCIL CONSIDERATION:

The report is presented on a monthly basis.

OFFICER'S REPORT:

Please read Annexure 9 – Councillor Resolution Report December 2017.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Councillor Resolution Report December 2017 be noted.

DECISION:

Meeting Closed