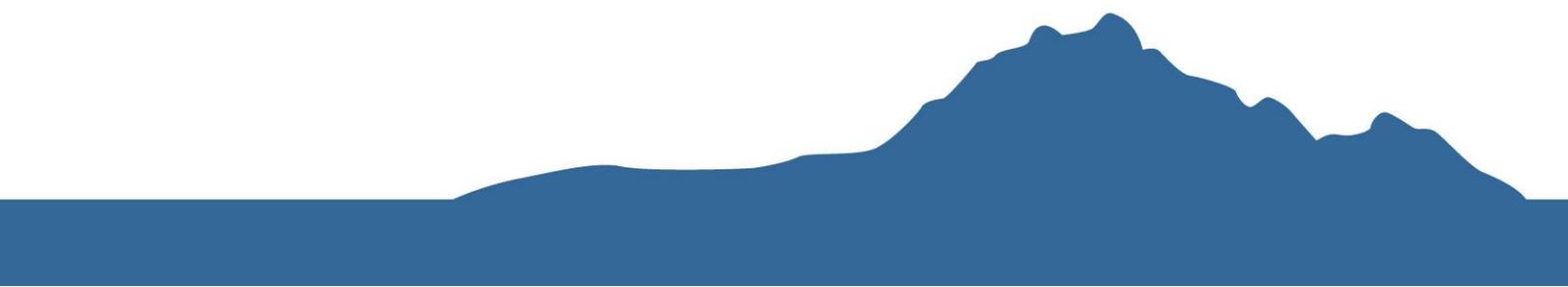




Agenda Ordinary Council Meeting

22 January 2019



CERTIFICATION

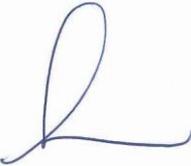
"I certify that with respect to all advice, information or recommendation provided to Council with this agenda:

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 17th day of January 2019.



Bill Boehm
GENERAL MANAGER

Table of Contents

Item	Page
1 Confirmation of Minutes	1
2 Public Question Time	1
3 Responses to Public Questions.....	2
4 Councillor's Questions on Notice.....	4
5 Councillor's Questions Without Notice.....	4
6 Late Agenda Items	4
7 Declaration of Pecuniary Interest	4
8 Conflict of Interest	4
9 Leave of Absence	4
10 Petitions	4
11 Workshops & Information Forums	5
12 Public Meetings.....	6
13 Publications/Reports Tabled for Council Information	6
14 Reports to be Received.....	6
15 Councillors' Reports	7
16 Mayor's Report.....	7
17 Development Services and Planning Applications.....	9
17.1 Development Application – (A. Thomson)	9
17.2 Development Application Report.....	19
18 Governance	20
18.1 Use of the Flinders Council Common Seal.....	20
18.2 Quarterly Report on the Northern Tasmania Development Corporation Ltd.	21
18.3 Councillor Resolution Report	23
19 CLOSED COUNCIL	24
19.1 Closed Council Item – Disposal of Land.....	24
19.2 Closed Council Item – Crown Land Lease	24
19.3 Closed Council item – Confidential Report.....	24

Flinders Council Ordinary Meeting - Agenda

Tuesday 22 January 2019

Venue	Flinders Arts and Entertainment Centre, Whitemark
Commencing	9.00am
Attendees - Councillors	Mayor Annie Revie Deputy Mayor David Williams Sharon Blyth Aaron Burke Vanessa Grace Peter Rhodes Rachel Summers
Apologies	Nil
Attendees - Staff	Bill Boehm General Manager Jacci Viney Projects, Assets and Environmental Health Officer Vicki Warden Executive Officer (minute taker)

1 Confirmation of Minutes

RECOMMENDATION

That the Minutes from the Ordinary Council Meeting held on 18 December 2018 be confirmed.

2 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.*

3 Responses to Public Questions

18 December 2018 Meeting

Question 2: Roy McCormick

Can Council explore options for a new drain cleaning machine that may be more suitable than the current methods to maintain roadside table drains?

Mayor's Response

Council continues to investigate new methods for all facets of work, including drain clearing, and will continue to do so.

The use of tractor mounted rotary ditchers for drain cleaning has been looked into but has been discarded for the following reasons:

- a. They cut a reasonably sharp drain which could not be traversed safely by a car;
- b. They would not be suitable for cleaning drains where underlying rock exists; and
- c. The discharged material would have to be spread in an off-road direction which would then create problems with adjoining land holders in regard to weed dispersal, fence (particularly electric) damage and generally unsightly finish on smaller adjoining blocks.

The use of tractor mounted V ditchers is also not recommended as the material would still need to be picked up to allow runoff to enter the drain.

Question 3: Roy McCormick

Can Council explore and investigate methods where rolled glass could be used to assist in maintenance on Council's roads?

Mayor's Response

Council has investigated using glass for road surfacing as well as an aggregate in concrete mixes and while it is an option, the cheapest and most practical use is to use the crushed glass as a cover on the Putrescible Waste cells.

Question 4: Cr S Blyth on behalf of John and Lorraine Langdon

As a long-time resident of Bluff Road, it has come to my attention that on any given school day there can be up to 9 children walking to and from the bus stop, as Bluff Road has no footpaths, most children choose to walk on the road. Next year when Sam Edmunds comes to live on the Island the number of children may exceed 15. Bluff Road also has many tourists walking up and down to the beach from the Cabin Park, especially during the peak tourist season. There are also a number of over 70's residing on Bluff and Boyes Roads who also use the street to walk on as there are no footpaths.

As concerned residents of Bluff Road, we ask that Council considers signage such as "Beware Children", "Slow Down" be erected at the entry of Bluff Road. It is also suggested that the 50 km/hr sign be changed to either 30 or 40km/hr and that it be relocated to a more see-able location.

Mayor's Response

Council will investigate signage for Bluff Road with the intention of having additional signage installed before new school term begins.

The speed limit can only be changed by the State Transport Commissioner following a speed limit change application from Council. The Transport Commissioner is the legal authority for setting speed limits on all roads in Tasmania. The Commissioner makes a decision after considering an application and recommendation from the Department of State Growth State

Roads division and will typically assess the recommendation in terms of compliance with national traffic engineering standards and guidance.

RECOMMENDATION

That the responses to the public question from the 18 December 2018 Council Meeting be noted.

4 Councillor's Questions on Notice

None received.

5 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.

6 Late Agenda Items

Nil

7 Declaration of Pecuniary Interest

In accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2015, Councillors are required to declare any pecuniary interest that they, or any of their close associates, may have in any matter appearing on the agenda, or any supplementary item to the agenda, before any discussion on that matter.

8 Conflict of Interest

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

9 Leave of Absence

Nil

10 Petitions

Nil

11 Workshops & Information Forums

File No. COU/0205

Council Workshop – 10 January 2019

Council held a Workshop on the following subjects:

- Item 1 Meeting Procedure
- Item 2 Confidentiality Requirements
- Item 3 Common Seal
- Item 4 Council Workshop List
- Item 5 Councillor queries / issues / clarifying questions

Councillors in Attendance

Mayor Annie Revie
Cr Aaron Burke
Cr Vanessa Grace

Cr Peter Rhodes
Cr Rachel Summers (Items 1 – 4 only)

Apologies

Cr Sharon Blyth

Council Workshop – 15 January 2019

Council held a Workshop on the following subjects:

- Item 1 Bus Tour of Council assets

Councillors in Attendance

Mayor Annie Revie
Deputy Mayor David Williams
Cr Sharon Blyth
Cr Aaron Burke

Cr Vanessa Grace
Cr Peter Rhodes
Cr Rachel Summers

Apologies

Nil

Staff in Attendance

Bill Boehm General Manager
Brian Barnewall Works & Airport Manager
Jacci Viney Projects, Assets & Environmental Health Officer

RECOMMENDATION

That the Council Workshops held on 10 and 15 January 2019 be noted.

12 Public Meetings

Nil

13 Publications/Reports Tabled for Council Information

Nil

14 Reports to be Received

None received.

15 Councillors' Reports

Nil

16 Mayor's Report

Action	Information
Proponent	Mayor A Revie
File Reference	GOV/0900
Associated Papers	Nil

APPOINTMENTS

04/01/19	Meeting with Graeme Gardner, Aboriginal Land Council of Tasmania
08/01/19	Work with Executive Officer
10/01/19	Workshop with Councillors
11/01/19	Showing of Black Man's Houses
14/01/19	Meeting with Executive Officer and General Manager
5-14/01/19	Professional Reading

CORRESPONDENCE IN

13/12/18	Department of Premier and Cabinet	Successful funding application to Australia Day Great Ideas Grant Program 2019
18/12/18	Local Government Association of Tasmania	re Government Review of Local Government Act
18/12/18	Federal Minister for Roads	Re continued Roads to Recovery funding
19/12/18	Jane Bushby	re interest in Furneaux Community Health Special Committee
21/12/18	G Gardner	re meeting on 4 January 2019
02/01/19	Senator Bushby	re Roads to Recovery Funding
04/01/19	Dick James	Re Country Roads program
07/01/19	Department of Home Affairs	Thanking council for support of citizenship program
08/01/19	Roy McCormick	Information re items of interest to council
10/01/19	Dennis Cooper	re availability of seats for medical travel
10/01/19	Dick James	Copy of letter sent to Hon Will Hodgman re vehicular ferry to Flinders Island

CORRESPONDENCE OUT

21/12/18	G Gardner	Confirming meeting on 4 January 2019
26/12/18	A Thompson & C Fenner	Resolution of council re Safe Harbour Working Party
26/12/18	Sports Club	Resolution of council re playground equipment
26/12/18	R Amos & A Davis	Response re residential land in Whitemark
13/01/19	Senator Bushby	Re continuation of funding
13/01/19	Department of Home Affairs	Re conferring citizenship on Australia Day
14/01/19	J & L Langdon	Response to public question – Bluff Road
14/01/19	R McCormick	Response to public questions – drain and recycled glass
14/01/19	Jeff Phillips	Resignation from Furneaux Group Shipping Special Committee
14/01/19	Department of Home Affairs	Citizenship ceremonies

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Mayor's report be received.

17 Development Services and Planning Applications

17.1 Development Application – (A. Thomson)

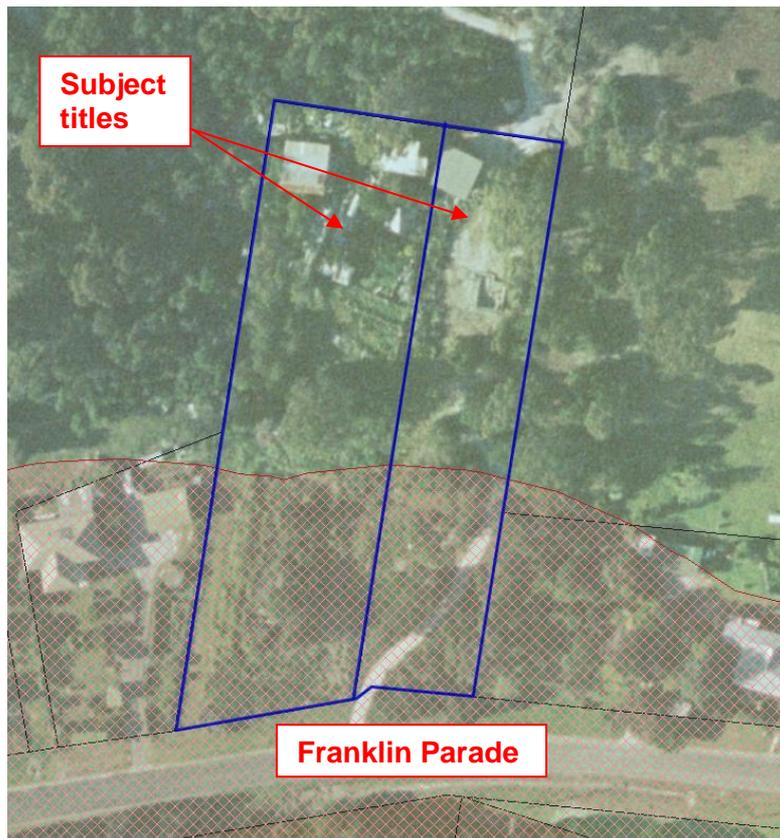
Action	Decision
Applicant	A. Thomson
Officer	James Ireland (Consultant Town Planner)
Approved By	Karin van Straten (Senior Consultant Town Planner)
File Reference	DA2018/096
Annexures	<i>17.1.1 Wastewater System Design</i> <i>17.1.2 Planning Submission</i> <i>17.1.3 Representation</i>

Proposal:	Reconfiguration of two existing lots
Location:	51 & 53 Franklin Parade (CT: 240606/1 & 10156/2)
Zoning:	Residential
Special Areas:	None
Representations:	One

INTRODUCTION

Subject Site

The subject site comprises two neighbouring lots on the north side of Franklin Parade, in the eastern part of Lady Barron. They both slope down to the road. No. 51 (Lot 1 on Plan 240606) is a 4820m² lot occupied by a house and a shed. No. 53 (Lot 1 on Plan 10156) is a 3274m² lot occupied by a shed. To the north and west is Crown land and a lot with a house. To the west is a large rural lot and a smaller lot with a house. To the south across Franklin Parade is the coastal reserve.



Statutory Timeframes

Date Received: 19/11/18

Request for further information: not required

Advertised: 5/12/18

Closing date for representations: 19/12/18

Decision due: 22/1/19 (extended)

OFFICER'S REPORT

The Proposal

No. 51 Franklin Parade will give 1706m² to 53 Franklin Parade. No. 51 will then be 3114m² with a 7.46m frontage. No. 53 will then be 4974m² with a 37m frontage. There will be no change to the setbacks of the existing buildings.

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 4 – Plans of Subdivision
- Part 5 – Zone
- Part 6 – Use and Development Principles

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

Council shall take into consideration the following:

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

COMMENT: An assessment is provided at Part 5 of this report. Note that there is no applicable development plan:

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

None received.

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

One representation was received, from the neighbour to the east of the subject site. A summary of the representation is provided below, with planning comments. A full copy of the representation is provided as part of the meeting agenda.

Issue	Planning Comment
There should be no cost to Council for improved drainage outside the titles.	There won't be. The stormwater works are part of the application and are therefore the responsibility of the applicant, in co-ordination with Council's works department.
Access to 51 Franklin Parade should be sealed.	The application states that a concrete crossover will be provided. There is no requirement that the driveway on the lot be sealed.
Access to the rear of the properties should require a Crown licence.	Agreed. It is required/enforced by Crown Land Services.
Access through Crown land should not contribute to stormwater flow.	This is the responsibility of Crown Land Services.
Power to the vacant lot should be underground and an easement created to suit.	This is shown on the application plan.
53 Franklin Parade should have a drainage easement over it to enable 51 to be drained.	This is shown on the application plan.
The proposal should not affect fire protection zones required for building dwellings on the lots.	Bushfire protection measures in the National Construction Code are not able to be considered in a planning application.

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

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

No mapped landslip or stability issues at the site of the proposal. The lots are 50m from the coast with a road in between.

(b) *excessive slope;*

Not applicable – site slopes down approximately 10m over its length.

(c) *ponding or flooding;*

None known.

(d) *bush fire hazard;*

Not applicable.

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

No.

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

Not applicable. The shorelines, waterbodies and watercourses special area does not apply within town limits, which is where the subject site is.

(g) *pollution; and*

Not applicable. No development is proposed.

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

This is a private undertaking with no evidence of a hazard to public health or safety.

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

Not applicable – no development proposed.

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;*

Not applicable – no development proposed.

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

Not applicable – no development proposed.

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

Not applicable – no development proposed.

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

The new access for 51 Franklin Parade is between two nearby existing accesses on a relatively flat section of road. On this basis, it is considered that site distances are appropriate.

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 – no development proposed.

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

The proposal is a private undertaking - it does not pose a risk to the safety or 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 4 – Plans of Subdivision

4.2.2 Reconfiguration of Existing lot(s)

Notwithstanding the provisions for minimum lot dimensions specified in this scheme and the provisions of Sub-clause 4.3.1, Council may approve an application for subdivision, whether or not the lots are wholly or partially within the same zone to enable the relocation of a boundary(s) to allow the reorganisation or consolidation of lot(s) provided that:

- (a) no additional lots are created;*
- (b) the reorganisation or consolidation is primarily to enable better management of the land for the purpose consistent with the intent, objectives and policies of the zone(s), and where the new boundaries give consideration to:
 - (i) existing fencing;*
 - (ii) topography;*
 - (iii) perennial water courses and other bodies of water;*
 - (iv) the provision of reasonable vehicular access to each lot;*
 - (v) other natural and artificial features.**

COMMENT: Criteria a) is met as no additional lots are created. In relation to b), the reason for the consolidation is to provide a larger house building area on the eastern lot. This is consistent with the intent, objectives and policies of the zone.

Part 5 - Zone

5.2.1 Zone Intent

The Residential Zone is intended to be developed principally as an area of residential use. Other compatible uses, particularly those with a local service function (eg. local shop, doctors' surgery, church and hall) may be appropriate.

5.2.2 Desired Zone Character and Zone Guidelines

- (a) A range of residential types is appropriate including single dwellings, unit developments and flats. Visitor accommodation may also be appropriate depending on impact.*
- (b) Use or development should reflect a traditional character comprising a low to moderate scale, typically one or two storeys in height, broken form and pitched roofs. Dwellings should be individually identifiable, set apart and set back from the street boundary.*
- (c) In areas of existing use or development where a more formal, traditional character is evident, landscaping should reflect this character, and use formally laid out front garden areas between the dwellings and the street. Other areas may be less formal with greater use of native plants and informal planting patterns.*
- (d) Carparking spaces should be substantially screened from view from the street. Spaces should generally be located at the side, rear or underneath dwellings.*

Their location between the dwelling and the street is only appropriate where they are satisfactorily screened from view.

- (e) *Ensure that on site disposal of effluent can be achieved for any development within the zone.*

COMMENT: Complies. Although no development forms part of this proposal, it is likely to be occupied by a house. Notwithstanding, any future use or development (except for passive recreation or a minor public utility) will need separate planning approval.

5.2.3 Subdivision Standards

- (a) *The minimum lot size is an area capable of containing a dwelling and sufficient area for satisfactory onsite effluent disposal from a dwelling that may be erected on the site. Evidence will need to be provided at the time of subdivision that the lot can accommodate the dwelling and effluent disposal. .*
- (b) *Each lot shall be capable of containing a rectangle of 10 x 15 metres*
- (c) *The minimum lot frontage is 4.0 metres.*

COMMENT: Complies with a), b) and c).

5.2.4 Development Standards

COMMENT: Not applicable as no development is proposed.

5.2.5 Table of Use or Development

COMMENT: Use – residential (house). Permitted use.

Part 6 – Use and Development Principles

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

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

6.1 Use

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

COMMENT: Complies insofar as it is relevant. For more detail refer to Part 3 assessment.

6.2 Character

- (a) *Use and development shall adequately respect the character of, and future intentions for the area in which it is to be located.*
- (c) *Use or development (including public facilities and services) should adequately respect the surrounding streetscape and neighbouring use or development, particularly in relation to scale, setbacks, form (including roof shape), landscaping, materials, colours and fencing.*

COMMENT: Complies insofar as it is relevant. For more detail refer to Part 3 assessment.

6.3 *Amenity*

COMMENT: Not applicable.

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 landslip). In situations where risk may exist, use and development shall be appropriately sited and designed to provide an acceptable level of protection and safety for future users. In particular.*
 - i. *Lands subject to flood risk are those subject to a greater than one in a 100 year flood interval (1% probability), and land, the natural surface level of which is below 3 metres Australian Height Datum (AHD); and*
 - ii. *Land which comprises soils of known or suspected instability, has a slope greater than 1 in 4, or is filled or reclaimed land, are deemed to constitute an unstable land hazard; and*
 - iii. *Use and development in bushfire prone areas will comply with the provisions of Schedule 7 Development in Bushfire Prone Areas or some other provisions acceptable to Council and the Tasmania Fire Service.*
- (f) *Use or development shall be of a suitable form and siting to avoid any adverse impact on any watercourse and vice versa. Use or development (including the siting of effluent disposal systems) shall be setback a minimum of 40 metres, or such distance as is required, from a watercourse to avoid degradation of water quality.*
- (g) *Use of land in the vicinity of those watercourses identified in Schedule 3 shall provide Riparian Reserves in an appropriate location and form.*

COMMENT: Complies insofar as it is relevant. For more detail refer to Part 3 assessment.

6.5 *Heritage*

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

6.6 *Access and Parking*

- (a) *All new lots must be provided with satisfactory pedestrian and vehicular access to a public street.*
- (b) *All Use or Development shall provide satisfactory pedestrian and vehicular access which is suited to the volume and needs of future users.*
- (c) *Buildings and spaces intended for public access shall provide for satisfactory use and access by the disabled; the requirements of the Building Regulations in relation to AS1428.1-1988 shall be met.*
- (d) *Road widths shall be appropriate to the road function, expected traffic type and volume, and future subdivision potential of the subject and surrounding land.*
- (e) *Footpaths shall normally be required in areas of new subdivision except where low vehicle traffic volumes are anticipated, in which case a footpath one side only or no footpath may be appropriate.*
- (f) *Road intersections shall be kept to a minimum with the use of existing roads, service roads and/or shared driveways being encouraged where appropriate.*
- (g) *Intersections of roads, footpaths and foot crossings and driveways shall provide adequate safety for all users and shall satisfy the relevant requirements of Schedule 4.*
- (h) *New Use or Development shall provide a suitably constructed driveway of a width to provide for the safe ingress and egress of the anticipated volume of traffic associated with the Use or Development*
- (i) *New Use or Development shall provide adequate car parking to provide for the demand it generates and shall be capable of being safely accessed.*
- (j) *On site turning shall be provided for development involving significant traffic volumes, heavy vehicle types and/or on roads which carry significant amounts of traffic.*
- (k) *New Use or Development in Bushfire Prone Areas will require access that complies with the provisions of Schedule 7, Development in Bushfire Prone Areas.*

COMMENT: Complies. Franklin Parade is used for access and is appropriate. Adequate parking can be provided on the site.

6.7 Services

- (a) *Use or Development shall be provided with adequate and appropriate services which are suited to the lifestyle requirements of people, the nature of the location, and the ability of the community to provide.*
- (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.*

COMMENT: Complies. Both lots will be provided with available services.

6.8 Social Interest

1. *Use or Development should demonstrate how it suits the community interest.*
2. *Use or Development shall have adequate and appropriate types and levels of access to social facilities and services (eg. shops, government agencies, telecommunication, health services and educational facilities).*

COMMENT: Complies insofar as it is relevant. For more detail refer to Part 3 assessment.

6.9 Administration

- (b) *Use or Development proposals should only be approved where the cost to the public of providing and maintaining services is not exceeded by the economic benefit of the use or development to the community.*
- (c) *In considering any proposal, Council shall obtain the advice and opinion of other relevant group(s), individual(s) or organisation(s) with direct interest in the proposal.*

COMMENT: Complies. The application was referred to Council's environmental health officer. They had no objection to the issue of a permit.

STATUTORY REQUIREMENT

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

POLICY/STRATEGIC IMPLICATIONS

The relevant strategic focus areas of the *Flinders Council Strategic Plan 2015* is:

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

COMMENT: The proposal is consistent with the residential character and ensures that community and environmental values are maintained. The proposal is therefore consistent with the plan.

BUDGET AND FINANCIAL IMPLICATIONS

Financial impacts are normally limited to the application process and any appeal that may be lodged against the Planning Authority's decision, provided statutory obligations are met.

RECOMMENDATION

That the application for the reconfiguration of existing lots in the residential zone, by A. Thomson for land located at 51 & 53 Franklin Parade, Lady Barron (CT: 240606/1 & 10156/2) be APPROVED subject to the following conditions:

Endorsed Plans

1. **The use and/or development must be carried out as shown on the Plan of Survey by M.R. Rose dated 20/9/18 to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.**

Driveway Crossover

2. Prior to the sealing of the final survey diagram, 51 Franklin Parade (CT: 240606/1) must be provided with a sealed driveway crossover.

Final Survey Diagram

3. The Final Survey Diagram and Schedule of Easements (and three copies) must be submitted for sealing, together with a copy of the Survey Notes.

Easements

4. Easements are required over all Council and third-party services located in private property, if applicable. The minimum width of any easement must be 3 metres for Council (public) mains. A lesser width may be approved for a private service prior to the lodgement of a final plan of survey.

17.2 Development Application Report

Action	Information
Proponent Officer	Council Officer Robyn Cox Manager Strategic Planning and Development Services
File Reference	PLN/0105
Annexures	17.2.1 <i>Planner's Information Report – December 2018</i>

INTRODUCTION

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

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

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

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

PREVIOUS COUNCIL CONSIDERATION

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

OFFICER'S REPORT

Refer to Annexure 17.2.1, Planner's Information Report – December 2018, provided by West Tamar Council.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

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

18 Governance

18.1 Use of the Flinders Council Common Seal

Action	Information
Proponent	Council Officer
Officer	Bill Boehm General Manager
File Reference	GOV/1000
Annexures	18.1.1 Common Seal Register September – December 2018

INTRODUCTION

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

PREVIOUS COUNCIL CONSIDERATION

216.09.2016 22 September 2016
From January 2017, considered quarterly.

OFFICER'S REPORT

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

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

Annexure 18.1.1 details the use of the Flinders Council Common Seal from September to December 2018.

STATUTORY REQUIREMENT

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

No policy exists on this matter.

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

Minimum

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the report on the use of the Flinders Council Common Seal from September to December 2018 be received.

18.2 Quarterly Report on the Northern Tasmania Development Corporation Ltd.

Action	Information
Proponent	Council Officer
Officer	Bill Boehm General Manager
File Reference	COU/0305
Annexures	18.2.1 Northern Tasmania Development Corporation's Annual Report 2017/18

INTRODUCTION

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

Annexure 18.2.1, NTDC's Annual Report provided to all member councils, incorporates the update for the October - December 2018 quarter.

PREVIOUS COUNCIL CONSIDERATION

This is the fourth formal report provided to all member Councils since the establishment of the NTDC.

OFFICER'S REPORT

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

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

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

"The general manager is to report to the council –

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

NTDC provided the Annual Report to member councils and asked that it be tabled as the update for the October - December 2018 quarter. The format is due to the annual meeting being held late as a result of the council elections last year.

The report summarises progress undertaken for the quarter with the NTDC making positive progress. There are no financial viability issues or adverse developments. Whilst most of the focus is in mainland Northern Tasmania, Flinders is still adequately catered for.

STATUTORY REQUIREMENT

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

4. Strategic, Efficient and Effective Organisation

4.1 Remain actively engaged with internal and external stakeholders providing regional leadership.

4.1.1 The Furneaux Islands' unique circumstances, isolated community and specific financial needs are understood by key external stakeholders.

4.1.1.3 Maintain membership and actively engage with Northern Tasmania Development Corporation (NTDC), Local Government Association of Tasmania (LGAT) and Tourism Northern Tasmania (TNT).

RISK/LIABILITY

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council notes the General Manager's quarterly report on the activities of the Northern Tasmania Development Corporation and the Annual Report provided to all member Councils that incorporates the October – December 2018 quarterly update.

18.3 Councillor Resolution Report

Action	Information
Proponent	Council Officer
Officer	Bill Boehm General Manager
File Reference	COU/0600
Annexures	<i>18.3.1 Councillor Resolution Report January 2018</i>

INTRODUCTION

This report identifies the actions taken and actual costs associated with implementing resolutions passed by elected members up to January 2019.

PREVIOUS COUNCIL CONSIDERATION

The report is presented on a monthly basis.

OFFICER'S REPORT

Please read Annexure 18.3.1 – Councillor Resolution Report January 2019.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Councillor Resolution Report January 2019 be noted.

19 CLOSED COUNCIL

19.1 Closed Council Item – Disposal of Land

19.2 Closed Council Item – Crown Lease

19.3 Closed Council item – Confidential Report

Action	Decision
Proponent	Council Officer
Officer	Bill Boehm General Manager

PREVIOUS COUNCIL DISCUSSION

21.1 Nil

PREVIOUS COUNCIL CONSIDERATION

21.1 Nil

REASON FOR CLOSED COUNCIL

19.1 and 19.2 are **CONFIDENTIAL** in accordance with Section 15(2) (f) of the *Local Government (Meeting Procedures) Regulations 2015*.

19.2 is **CONFIDENTIAL** in accordance with Section 15(2) (g) of the *Local Government (Meeting Procedures) Regulations 2015*.

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That Council moves into Closed Council.

Meeting Closed
