



Agenda Ordinary Council Meeting

25 August 2020



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 20th day of August 2020.

Warren Groves
GENERAL MANAGER

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Flinders Council Ordinary Meeting - Agenda

Tuesday 25 August 2020

Venue	Flinders Arts and Entertainment Centre, Whitemark
Commencing	9.30am
Attendees – Councillors	Mayor Annie Revie Deputy Mayor David Williams Sharon Blyth Aaron Burke Vanessa Grace Peter Rhodes Rachel Summers
Apologies	Nil
Attendees – Staff	Warren Groves General Manager Brian Barnewall Works and Services Manager Rowena Nicholls Administrative Services Officer (minute taker) Jacci Viney Development Services Coordinator Vicki Warden Executive Officer

1 Acknowledgment of Country

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

2 Confirmation of Minutes

RECOMMENDATION

That the Minutes from the Ordinary and Closed Council Meetings held on 28 July 2020 be confirmed.

3 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.*

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

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 Policies

The Volunteer of the Year Award Policy was adopted at the 23 June 2020 Ordinary Council Meeting and no submissions were received throughout the 28-day public consultation period. As per the requirements of the Flinders Council Policy Manual Policy, the Policy can now be adopted.

RECOMMENDATION

That Council adopts the Volunteer of the Year Award Policy.

10 Workshops & Information Forums

File No. COU/0205

Council Workshop – 28 July 2020

Council held a Workshop on the following subjects:

- Item 1 Works and Services Report
- Item 2 Community Consultation Plan
- Item 3 Planning Authority and upholding the Planning Scheme

Councillors in Attendance

Mayor Annie Revie	Cr Vanessa Grace
Deputy Mayor David Williams	Cr Peter Rhodes
Cr Sharon Blyth	Cr Rachel Summers
Cr Aaron Burke	

Apologies

Nil

Staff and Consultants in Attendance

Warren Groves	General Manager
Brian Barnewall	Works & Services Manager (Item 1)
Sammi Gowthorp	Community Development Officer (Item 2)
Vicki Warden	Executive Officer (Item 1 & 2)
Mick Purves	Strategic (Town) Planner via Zoom (Item 3)
Jacci Viney	Development Services Coordinator (Item 3)

Council Workshop – 4 August 2020

Council held a Workshop on the following subjects:

- Item 1 Strategic (Town) Planning
- Item 2 Northern Tasmania Development Corporation (NTDC) Overview
- Item 3 General Manager's Briefing
- Item 4 Strategic Plan Community Survey - Preliminary review of results
- Item 5 Workshop Schedule – August & September
- Item 6 Spring into Scavenge
- Item 7 Community Consultation Plan – Strategic Plan and Waste

Councillors in Attendance

Mayor Annie Revie	Cr Sharon Blyth
Deputy Mayor David Williams	Cr Vanessa Grace
Cr Aaron Burke	Cr Rachel Summers

Apologies

Cr Peter Rhodes

Staff and Consultants in Attendance

Warren Groves	General Manager
Rowena Nicholls	Administrative Services Officer
Mick Purves	Consultant Strategic (Town) Planner (Item 1)
Jacci Viney	Development Services Coordinator (Item 1)
Mark Baker	CEO NTDC (Item 2) (via Zoom)
Anthony Mitchell	Chair NTDC (Item 2) (via Zoom)

Sammi Gowthorp Community Development Officer (Item 4 - 7)
Connor Wheatley Community Member (Item 6)
Aimee Wheatley Community Member (Item 6)

Council Workshop – 6 August 2020

Council held a Workshop on the following subjects:

- Item 1 Safe Harbour

Councillors in Attendance

Mayor Annie Revie Cr Vanessa Grace
Deputy Mayor David Williams Cr Peter Rhodes
Cr Aaron Burke Cr Rachel Summers
Cr Sharon Blyth

Staff and Consultants in Attendance

Warren Groves General Manager (via Zoom)
Rowena Nicholls Administrative Services Officer

Council Workshop – 18 August 2020

Council held a Workshop on the following subjects:

- Item 1 Presentation from Page Seager
- Item 2 General Manager's Confidential Briefing
- Item 3 Northern Tasmania Development Corporation (NTDC) Update
- Item 4 Review of Special Committees

Councillors in Attendance

Mayor Annie Revie Cr Vanessa Grace
Deputy Mayor David Williams Cr Rachel Summers
Cr Peter Rhodes

Apologies

Cr Sharon Blyth
Cr Aaron Burke

Staff and Consultants in Attendance

Warren Groves General Manager
Jacci Viney Development Services Coordinator (Item 1)
Anthony Spence Page and Seager (Item 1) (via Zoom)
Mark Baker CEO | NTDC (Item 3) (via Zoom)
Anthony Mitchell Chair | NTDC (Item 3) (via Zoom)
Sammi Gowthorp Community Development & Council Engagement Officer (Item 4)
Heidi Marshall Finance Organisational Performance Manager (Item 4)
Vicki Warden Executive Officer (Item 4)

RECOMMENDATION

That the Council Workshops held on 28 July and 4, 6 and 18 August 2020 be noted.

11 Publications/Reports Tabled for Council Information

12 Councillors' Reports

None received.

13 Mayor's Report

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

DATE	DIARY ACTIVITY
28/7/20	Ordinary Council Meeting and Workshop
29/8/20	Meeting with Graeme Gardner from Aboriginal Land Council Tasmania and Warren Groves
29/8/20	Zoom meeting with Minister Ferguson, Warren Groves, Deputy Mayor David Williams and Flinders Island Business Incorporated representatives
29/7/20	Administration
30/8/20	Administration
1/8/20	Councillors' community engagement market stall at Whitemark Showgrounds
4/8/20	Council Workshop
5/8/20	Administration
6/8/20	Council Workshop
10/8/20	Administration
12/8/20	Administration
14/8/20	Councillors' community engagement sausage sizzle at Lady Barron
16/8/20	Administration
17/8/20	Administration
18/8/20	Meeting with Mark Cooper from TasPorts and Warren Groves
18/8/20	Council Workshop
19/8/20	Zoom meeting with Maxine Roughley, Toni Wood, and John Clark from Flinders Island Aboriginal Association Incorporated and Warren Groves and Sammi Gowthorp
19/8/20	Furneaux Group Shipping Special Committee meeting
19/8/20	Administration

CORRESPONDENCE IN

DATE	FROM	SUBJECT
20/7/20	Mark Baker Northern Tasmanian Development Corporation (NTDC)	Premier's Economic and Social Recovery Advisory Council
22/7	Clem Newton-Brown	Drone trials
24/7	Local Government Association Tasmania (LGAT)	Subscriptions
24/7	LGAT	Premier's Economic and Social Recovery Advisory Council second submission
29/7	Russell Kelly National Broadband Network (NBN)	Regional Connectivity
31/7	LGAT	Re subscription discount
31/7	Australian Local Government Association (ALGA)	ALGA Newsletter
3/8	LGAT	Senate enquiry into TasWater's withdrawal of dividend
3/8	NTDC	Recovery Document
4/8	LGAT	Invitation to Mayors' Workshop
4/8	LGAT	Revised date for Mayors' Workshop
4/8	NTDC	Invitation to Mayors' sharing Zoom
5/8	NTDC	Introduction from the new Chair of NTDC
5/8	NTDC	Value Proposition document
6/8	Highways and Byways	Potential funding for infrastructure

6/8	Mark Chou	Copy of published paper regarding local councils and Australia Day
6/8	Minister Guy Barnett	75 th anniversary of VP Day
12/8	Minister Mark Shelton	Policy "Buy Local"
12/8	David Abbott	Container recycling in Tasmania
14/8	LGAT	Container recycling in Tasmania

CORRESPONDENCE OUT

DATE	TO	SUBJECT
30/7	Furneaux Group Shipping Special Committee	Agenda for meeting 19 August 2020
13/8	Clem Newton-Brown	Letter of support for drone trials Flinders

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Mayor's report be received.

14 Development Services and Planning Applications

14.1 Development Application Report

Action	Information
Proponent	Council Officer
Officer	Jacci Viney Development Services Coordinator
File Reference	PLN/0105
Annexures	14.1.1 Planner's Information Report – July 2020

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 14.1.1, Planner's Information Report – July 2020, provided by West Tamar Council.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Planner's Information Report – July 2020 be received.

15 Works and Services

15.1 Works & Services Manager's Report – August 2020

Action	Information
Proponent	Council Officer
Officer	Brian Barnewall Works and Services Manager
File Reference	WOR/3000
Annexures	15.1.1 Works and Services Report - August 2020

INTRODUCTION

The purpose of this report is to provide Councillors with an update of monthly activities undertaken by the Works and Services department.

OFFICER'S REPORT

This report will be provided on a monthly basis at the request of Council. This is the first report of this nature to be presented to Council. Council Officers welcome feedback from Councillors on the content and format of the report.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Works & Services Report – August 2020 be received and accepted by Council.

16 Notice of Motions

16.1 Notice of Motion – Potential Development or Sale of Whitemark Tennis Courts

Action	Decision
Proponent	Deputy Mayor David Williams
Officer	Warren Groves General Manager
File Reference	AME/0703
Annexures	Nil

NOTICE OF MOTION

That Council investigates the potential development or sale of the site known as the “Whitemark tennis courts”.

COUNCILLOR’S REPORT

Since the tennis courts ceased to be used for recreational purposes, a long time ago, it has become an informal car and boat parking area. The vacant lot has sat too long on Council’s books and the sale of the site provides a good opportunity to provide funds to our coffers.

For a number of years, we have been concerned with the lack of island residential accommodation, particularly in Whitemark, and this space provides an ideal opportunity to establish, for example, a number of smaller retirement houses. The time is ripe to progress the concept.

Recognising our current financial position, it is envisaged that, if Government funding is not available, a private developer could be interested in completing the build, with the land portion of sales going to Council.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

Nil

OFFICER’S REPORT

Council has a 2020-21 Annual Plan action (AP 2021-7) to develop a Council Land Strategy which would include an assessment of the activity subject of this Notice of Motion. It may be worthy of consideration by Councillors as to whether to pursue this action separately as proposed or holistically as part of Annual Plan action AP 2021-7.

STATUTORY REQUIREMENTS

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

Population Growth - Increase Supply of Affordable Housing - A strategy and action plan that identifies affordable housing options.

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

Nil

VOTING REQUIREMENTS

Simple Majority

MOTION

Moved: Cr D Williams

That Council investigates the potential development or sale of the site known as the "Whitemark tennis courts".

17 Governance

Note: The following Agenda Item was presented at the 28 July 2020 Council Meeting and deferred by Council. The Agenda Item is now re-presented for Council's further deliberation.

17.1 Northern Tasmania Development Corporation Annual Contribution

Action	Decision
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	COU/0305
Annexures	Nil

INTRODUCTION

The Northern Tasmania Development Corporation (NTDC) is currently funded by seven northern Council members, of which Flinders Council is one member. Amongst their stated aims is “to facilitate significant improvement in prosperity in the North and North-East Tasmania.” The NTDC was established in February 2017 “to achieve the targets set out in the Northern Regional Futures Framework and is committed to move to a new era of collaborative, innovative and sustainable economic growth in the region.” In general terms, the NTDC identifies ways to “continually boost economic output, increase investment, create more jobs, and to raise average wage levels.”

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

The CEO of NTDC, Mark Baker presented to a Council workshop via zoom on 14 July 2020.

OFFICER'S REPORT

Council has received an invoice from NTDC for its annual contribution for the 2020/21 financial year, as well as a contribution to the Population Program for the same period. The total of both contributions for this period is \$7,595.00.

The contribution amount or subscription fee is determined by the sum of a fixed component and a variable component. The fixed component is determined for each council in three bands of population: 0-5000, 5001-10,000 and 10,001 upwards. The variable component is calculated at \$2.53 per head of population. NTDC agreed, in light of COVID-19 impact and councils' efforts with hardship policies, to not increase this by CPI.

The rationale behind membership of NTDC is that it works on behalf of the seven northern councils, funded by their collective contributions, on agreed programs to the mutual benefit of the councils from within the northern region.

The strength of any subscription or contribution funded organisation is the relative, and in some cases subjective, collective value or benefit to individual members, as compared to what they could potentially achieve individually.

The question in this case is whether Councillors believe Council is getting \$7,595.00 worth of value, either from the programs implemented by NTDC, or from belonging to this organisation.

STATUTORY REQUIREMENT

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

Nil

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

Low

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

This is a matter for Council to decide.

DECISION

133.7.2020 Moved: Cr V Grace Seconded: Cr S Blyth

That Council suspends the operation of Regulation 22 of the Local Government (Meeting Procedures) Regulations 2015, in accordance with Regulation 22 (9) to discuss item 17.5 Northern Tasmania Development Corporation Annual Contribution.

134.7.2020 Moved: Cr P Rhodes Seconded: Cr R Summers

That the matter be deferred to give Council more time to consider and to invite Northern Tasmania Development Corporation to provide further information.

CARRIED UNANIMOUSLY (7-0)

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

Note: On 4 and 18 August 2020, the CEO and Chair of the Northern Tasmania Development Corporation presented further information to Councillors at Workshops.

17.2 Service Request Register

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	GOV/1000
Annexures	17.2.1 Service Request Register August 2020

INTRODUCTION

The Service Request Register is used to manage requests for service received by Council from members of the public. Service requests are recorded in the register, along with the actions and timeframes taken to resolve the requests.

PREVIOUS COUNCIL DISCUSSION

The Service Request Register was previously reviewed by Council at monthly Workshops. The Register will be presented to Council for consideration at monthly Council Meetings as from August 2020.

OFFICER'S REPORT

Please read Annexure 17.2.1 – Service Request Register August 2020.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Service Request Register – August 2020 be noted.

17.3 Councillor Resolution Report

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	GOV/0300
Annexures	17.3.1 Councillor Resolution Report August 2020

INTRODUCTION

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

PREVIOUS COUNCIL CONSIDERATION

The Report is presented on a monthly basis.

OFFICER'S REPORT

Please read Annexure 17.3.1 – Councillor Resolution Report August 2020.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Councillor Resolution Report August 2020 be noted.

18 CLOSED COUNCIL

18.1 Closed Council Item – Resolution of Appeal - Development Application 2019/027

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager

REASON FOR CLOSED COUNCIL

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

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That Council moves into Closed Council.

Meeting Closed
