



Agenda Ordinary Council Meeting

16 March 2021



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 11th day of March 2021



Warren Groves
GENERAL MANAGER

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Flinders Council Ordinary Meeting – Agenda

Tuesday 16 March 2021

Venue	Flinders Arts and Entertainment Centre, Whitemark
Commencing	2:00pm
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 Jacci Viney Development Services Coordinator Rowena Nicholls Administrative Services Officer (minute taker)

1 Acknowledgement 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 16 February 2021 be confirmed.

3 Public Question Time

In accordance with Section 31 (1) of the Local Government (Meeting Procedures) Regulations 2015 and the Flinders Council Public Question Time – Council Meeting Procedure, the following are to be adhered to at public question time.

Public Question Time is permitted 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 required.*
- 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 Councillors Questions on Notice

QUESTION 1 – Garry Blenkhorn

RE: Flinders Airport Long Runway

Did Council check or carry out checks of survey data to see if existing surface levels had correct crossfalls and levels to meet the upgrade works?

QUESTION 2 – Garry Blenkhorn

Can council please advise, why after the completion of the works the runway has failures in the following areas:

- 1 - Incorrect crossfall.
- 2 - Water ponding on runway.
- 3 - Corrugations in surface.
- 4 - Levels do not meet tender documents.
- 5 - Seal failure.

QUESTION 3 – Garry Blenkhorn

Tender documents and Council maintained that once the works was complete the runway would be good for 20 years plus. It now appears that we have a runway that will last no more than 5 to 7 years without major money being spent to rectify the problems or having C.A.S.A. giving Council exemptions. What plans does Council have to fix the problems to the long-term benefit of rate payers and at what cost to rate payers?.

5 Councillors' 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 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 Workshops & Information Forums

Council Workshop – 2 March 2021

Council held a workshop on the following subjects:

- Item 1 Terms of Reference recommended by the Lady Barron Hall and Recreational Special Committee
- Item 2 King Island Update
- Item 3 General Managers Update
- Item 4 Strategic commonalities with Flinders Island Business Incorporated and the Destination Action Plan
- Item 5 Waste Management Strategy
- Item 6 Tennis Courts and Tender for future sale

Councillors in Attendance

Mayor Annie Revie	Cr Vanessa Grace
Cr Aaron Burke	Cr Peter Rhodes
Cr Sharon Blyth (Item 1 only)	Cr Rachel Summers

Apologies

Deputy Mayor David Williams

Staff in Attendance

Warren Groves	General Manager
Carol Cox	Lady Barron Hall and Recreational Special Committee (Item 1)
Heidi Marshall	Finance, Operational Performance Manager (Item 5)
Jacci Viney	Development Services Coordinator (Items 5-6)
Sammi Gowthorp	Community Development / Council Engagement Officer (Item 4-5)
Ralph Posch	Acting Works and Services Manager
Rowena Nicholls	Administrative Services Officer

Council Workshop – 9 March 2021

Council held a workshop on the following subjects:

- Item 1 Strategic Town Planning with Mick Purves (via Zoom)
- Item 2 Whitemark Tennis Courts
- Item 3 Local Government Association Tasmania General Meeting
- Item 4 Strategic commonalities with Flinders Island Business Incorporated and the Destination Action Plan

Councillors in Attendance

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

Apologies

Cr Aaron Burke	Cr Peter Rhodes
Cr Sharon Blyth	

Staff in Attendance

Warren Groves	General Manager
Jacci Viney	Development Services Coordinator (Items 1-2)
Sammi Gowthorp	Community Development / Council Engagement Officer (Item 4)
Rowena Nicholls	Administrative Services Officer

RECOMMENDATION

That the Council Workshops held on 2 and 9 March 2021 be noted.

10 Publications/Reports Tabled for Council Information

11 Reports to be Received

11.1 Whitemark Community Gym Special Committee

File Reference CDV/0702

Annexures 11.1.1 Whitemark Community Gym Special Committee Meeting 4 March 2021 Unconfirmed Minutes

OFFICER'S REPORT (Warren Groves, General Manager):

The unconfirmed minutes of the Whitemark Community Gym Special Committee meetings held Thursday 4 March 2020 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

RECOMMENDATION

That the unconfirmed minutes of the Whitemark Community Gym Special Committee meeting held 4 March 2021 be noted.

12 Councillors' Reports

Councillor Vanessa Grace – King Island Report

File Reference COU/0204

KING ISLAND TRIP FEBRUARY 2021

February 23rd saw three of us head to King Island for further investigation on how we can work together as a whole. It was Warren Groves our General Manager, Annie Revie our Mayor and myself. This was my second trip to King Island for Council.

After being on Council for 12 months as a new Councillor, I realised that we would have to do things differently from how we were currently doing them as a Council. Sharon Blyth and I decided we should be looking at King Island to see what they do well, what mistakes they had made and what resources we could possibly share together. In the time we were there, there was not much we did not look at and take note of. This trip was more of a sit down and cement the relationship and see what we could work on together or potentially resource share. We both have airports that need to meet the same regulatory requirements. We are both tackling waste. King Island have worked on what waste streams can be utilised on Island thus avoiding the freight/shipping costs of getting the recycling off the Island. They utilise cardboard, wood and glass. Their glass crusher was purchased for \$80,000 before the current General Manager was in place and they crush their glass bottles, one by one. Someone literally stands there and feeds them in. This product is then mixed with the road base for the roads. They do chemical drum muster but have had issues with them being rinsed 3 times, as do we, before they are shipped off Island.

King Island have done quite a lot of work on brand and are submitting information to the Government on Geological Indicators. Geological Indicators are used overseas already, and the Federal Government is seeking information from Councils, to see if it is a possibility to apply to our food products in Australia. The reason being for this is to stop people claiming products they have produced are being sold by others as their own. The produce must come from a particular region and the Geographical Indicators dictate as such. The Government is not promising it will go with this but is considering it. We are now going to be able to tap in and submit together when Government asks us for our say on submissions. For instance, they have already completed the work on fishing and how they are affected by the rules that we are governed by. We can submit with them and put in how we have recently had our only cray fisherman left without being able to fulfil his quota because other fishermen had used our quota. We can comment on how we used to have local abalone divers treat our Island fishing beds as farms and leave some abalone to grow out and spawn but now it's a free for all and how that effects our Island. It saves both of us having to do the groundwork as a Council and makes more of a case to be reckoned with when we present it to Government both together.

We also met with the Environment Protection Authority and the Legislative Council to let them know that one size does not fit all for our Islands. Some of the things that are required of us from the Environment Protection Authority could affect us greatly, if imposed on us. Some of the legislation that the Government imposes on us is only taking into account some of the bigger Councils. Our mantra was: Please be aware of us, please be considerate of us as Islands, recognise both our Industries and populations and hear us. We already face higher costs of doing business.

There is much we can share and much we can do going forward, and it is really nice to see as a Councillor that one of Councillor Blyth and my ideas has taken hold and is of value to the Island. I look forward to seeing what we might be able to achieve together.

RECOMMENDATION

That Councillor Vanessa Grace's report on King Island be noted.

13 Mayor's Report

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

APPOINTMENTS

DATE	DIARY ACTIVITY
10/2/21	Meeting with Councillor and administration
11/2	Meeting with Craig Smith, administration and meeting with Jana Monnone
14/2	Administration
15/2	Meeting Michael Buck and administration
16/2	Council Ordinary Meeting
17/2	Meeting with Warren Groves General Manager
17/2	Radio Interview and administration
18/2	Meeting Cr Sharon Blyth and administration
18/2	Waste Team meeting and planning meeting with Sammi Gowthorp
20/2	Administration
22/2	Flight Flinders to Launceston
23/2	Flight Launceston to King Island
23/2	Meetings on King Island with King Island Councillors and Legislative Council Members including dinner meeting
24/2	Meeting with Department of Primary Industries, Parks, Water and Environment (Tasmania) officer regarding proposed Waste Levy, visit to King Island tip and transfer stations and meetings on waste
25/2	Discussion with King Island Council Officers on joint projects
25/2	Meeting with King Island Shipping Committee and King Island Marine Board
26/2	Flights Currie to Launceston, Launceston to Whitemark
1/3	Administration
2/3	Council Workshop
3/3	Planning meeting with Sammi Gowthorp regarding tourism proposed project
3/3	Meeting with General Manager
4/3	General Manager Performance Review Committee interview with General Manager
7/3	Island News column and administration
8/3	Radio Interview and administration
9/3	Council Workshop and administration
10/3	Shipping Meeting and administration

CORRESPONDENCE IN

DATE	FROM	SUBJECT
16/2/21	Nathaniel Jackson	Mount Killiecrankie
18/2	Jack Madden	Mount Killiecrankie
19/2	Councillors	Regenerative Tourism
20/2	Clem Newton Brown	Response to Reimagining Tourism on FI
23/2	Local Government Association Tasmania (LGAT)	Mayors Workshop Invitation and Information
24/2	Minister Shelton	Recreational Fishing and Camping Facilities

25/2	Sammi Gowthorp	Flinders Island Workforce Plan householder
25/2	Michael Buck Flinders Island Business Incorporated (FIBI)	Response to reimagining Tourism on Flinders Island
25/2	Michael Buck (FIBI)	Flinders Island Business Incorporated Member Update
26/2	COVID-19 Public Information Unit	Coronavirus Website update 20-26 February 2021
26/2	Tasmanian Travel Guides	Tasmanian Travel Guides
26/2	LGAT	Local Government News from LGAT
26/2	Lynda McKay Launceston Gastronomy	Creative Cities Presentation
1/3	Greg Alomes General Manager King Island Council	Copy of presentation on Waste and Resource Recovery Bill 2021
1/3	Jacobs Consultancy	Information commissioned by State Government to review Climate Change Act 2008
1/3	Communities Tas	Release of Quarterly Housing Report
2/2	Supported Affordable Accommodation Trust	Interest in Land
4/3	Jessica Robbins	Proposal to hold Tas Leaders Course on FI
4/3	LGAT	General Meeting Agenda
4/3	NTDC	February update
5/3	COVID-19 Public Information Unit	Coronavirus Website update 27 February to 5 March 2021
5/3	Australian Local Government Association (ALGA)	Australian Local Government Association news
5/3	Jessica Robbins	Response to letter of support - Tas Leaders Program
10/3	Council	Furneaux Shipping Special Committee meeting agenda

CORRESPONDENCE OUT

DATE	TO	SUBJECT
16/2/21	Nathaniel Jackson	Mount Killiecrankie
19/2	Councillors	Reimagining Tourism on Flinders Island
1/3	Greg Alomes General Manager King Island Council	Waste Levy Bill

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Mayor's report be received.

14 Development Services and Planning Applications

Pursuant to Section 25 of the Local Government (Meeting Procedures) Regulations 2015, the Council will now act as a Planning Authority under the Land Use Planning and Approvals Act 1993.

14.1 Consideration of Further Supporting Reports for Local Provisions Schedule

Action Proponent Officers	Decision
	Council Officer
	Warren Groves General Manager
	Mick Purves Town Planning Solutions P/L, Strategic Planning Consultant
File Reference Annexures	Strategic Planning
	14.1.1 LPS and Zoning Strategy
	14.1.2 Discussion Paper, Local Provisions Strategy – Identifying Dwelling Demands, January 2021
	14.1.3 Discussion Paper, Local Provisions Strategy – truwana and Outer Islands Particular Purpose Zone, January 2021
	14.1.4 Discussion Paper, Local Provisions Strategy – Identifying Potential Lot and Dwelling Yields, January 2021
	14.1.5 FLI-P1.0 Particular Purpose Zone – truwana – Cape Barren Island and Outer Islands (revised from original submissions)
	14.1.6 RMCG Review of Identified Areas Proposed for Tasmanian Planning Scheme zoning, Final Report V2, 27 January 2021
	14.1.7 Discussion Paper, Local Provisions Strategy – Outcomes of RMCG Review, January 2021
	14.1.8 Flinders Island Structure Plan, Draft for Public Consultation, July 2016

INTRODUCTION

The purpose of this report is for the Planning Authority (Council) to consider endorsement of additional documents that support the Local Provisions Schedule (LPS), which was endorsed by Council in May 2019. Those documents comprise attachments 1-7 of this report.

The draft Flinders Structure Plan is also listed for endorsement, as it provides a substantive base for many of the initiatives that support the LPS. While the Structure Plan remains in draft form, it requires Council endorsement to support the LPS.

The additional documents were prepared in response to requests for clarification and further information by the Tasmanian Planning Commission (Commission). Those requests also include a set of 5 documents that detail many of the issues that triggered the zoning strategy and supporting discussion papers (which do not require Council decision).

PREVIOUS COUNCIL CONSIDERATION

153.05.2019 21 May 2019

PREVIOUS COUNCIL DISCUSSION

12 February 2019	Council workshop
5 March 2019	Council workshop
26 March 2019	Council workshop
23 June 2020	Council workshop
28 July 2020	Council workshop
4 August 2020	Council workshop
26/27 August 2020	Council workshops
27 October 2020	Council workshop
24 November 2020	Council workshop
9 March 2021	Council workshop

OFFICER'S REPORT

The LPS was submitted to the Commission following initiation of the assessment process by the Council at its meeting on 16 April 2019. The LPS provides the mechanism for the Tasmanian Planning Provisions to be implemented on Flinders Island and is comprised of a document and set of maps.

The LPS document provides the following:

- a Particular Purpose zone for truwana - Cape Barren and its outer Islands;
- Specific Area Plans for coastal settlements, Whitemark Rural Living areas, development in coastal areas and the Lady Barron Port;
- a range of Site-Specific Qualifications that deal with matters such as entitlements from previous planning scheme amendments and existing activities that do not readily fit within the Tasmanian Planning Provisions, consideration of stormwater issues for subdivision of land with environmental limitations, and public access to key regional sites;
- lists that make various codes under the Tasmanian Planning Provisions operate such as identification of heritage sites, qualities for scenic protection areas under the LPS, and coastal inundation hazard levels.

The maps establish the zoning of land and overlays for various codes under the Tasmanian Planning Provisions.

The Commission then completed their assessment of the documents that were lodged. A Post-Lodgment Conference was held in Hobart on 23 March 2020, where a wide range of issues were identified by the Commission for clarifications, before formal notice was issued to Council later that month. Those matters typically revolved around the following questions:

- why the various provisions were required and what they were expected to achieve;
- how each provision complied with the statutory tests under Section 34 of the *Land Use Planning and Approvals Act 1993*;
- how each provision complied with the *Northern Tasmania Regional Land Use Strategy*;
- how the Tasmanian Planning Provisions did not deal with the specific matters;
- why the specific mechanism was chosen in each case; and
- what the circumstances of the location or site were relevant to the specific provision.

Progress on the LPS then suffered significant delay with the travel restrictions and limitations imposed by Corona-19, as reflected by the workshops schedule with Council.

Those workshops allowed the Councillors to be informed of the details of what was required by the Commission and why, while the author was able to work with Council to identify their concerns and priorities for the responses that were prepared.

Many of the changes that resulted from this process were minor refinements of the original proposal documents. Some of the larger changes include the rezoning of various titles in response to the RMGC assessment or other technical evidence and the expansion of the Rural Living zone at Cann's Hill.

The LPS and Zoning Strategy provides a lot of technical responses to the assessment criteria for the various provisions and collates many responses identified in other reports and discussion papers. These are summarized as follows:

- Outcomes of RMCG zoning review – assessed the technical assessments of the properties identified by the Commission that was completed by RMCG (see separate Annexure) against local and regional strategy;
- Identifying Dwelling Demands – examined relevant information to refine available projections of dwelling demands over the life of the LPS;
- Yield Analysis – projected the potential lots that could be created by the zoning regime of the LPS and the likely dwellings that would be created based on local trends;
- Truwana and Outer Islands – documented the need for the Particular Purpose zone under the LPS and reviewed the drafting against more recent knowledge. This resulted in a revised Particular Purpose zone that reflected the use entitlements under the *Aboriginal Lands Act 1995*.

The revised documents were submitted to the Commissions for assessment in late January, with advice received by Council in late February that they were largely acceptable. There remain a few matters that require clarification, which can be addressed by the General Manager under delegation.

Should Council carry a favourable recommendation, it is likely that the Commission and the Minister for Planning will issue a series of Notices under the *Land Use Planning and Approvals Act 1993* that instruct Council to revise its LPS and then when and how to complete the exhibition process for the LPS.

STATUTORY REQUIREMENT

Local Government Act 1993

Land Use Planning and Approvals Act 1993

Tasmanian Planning Commission Act 1997

POLICY/STRATEGIC IMPLICATIONS

The documents in the supporting annexures align with Council's Strategic Plan objectives to grow a sustainable population, improve housing affordability, enhance, maintain and protect the islands' agricultural economy, diversify and support a local economy and preserve the natural environment. Strategic Plan focus areas include:

1. Liveability – To protect and build upon our islands way of life.
 - 1.1.1 Encourage and support an increased supply of affordable accommodation for long-term residential rental and purchase.

- 1.3.1 Finalise and promote the Flinders Council Local Provisions Schedule and Zone Strategy as part of the Tasmanian Planning Scheme to ensure sensible and sustainable development.
- 2. Accessibility/Infrastructure – Quality infrastructure and services for community benefit.
 - 2.3.1 Develop and implement a Council Land Strategy to ensure land is utilised effectively.
- 4. Good Governance – Effective, efficient and transparent management and operations.
 - 4.1.1 Ensure Council meets its statutory obligations to manage risk, achieve financial sustainability and model good governance.

BUDGET AND FINANCIAL IMPLICATIONS

Expenditure on the LPS forms part of Council's approved budget for the 2020/21 financial year. Expenditure to date is within the budget allocation.

RISK/LIABILITY

Risk to Council will be mitigated by endorsement of the listed documents as part of its statutory obligations as a Planning Authority under the *Land Use Planning and Approvals Act 1993*.

Should the listed documents not be endorsed, there is a risk that the Commission will either discard their contents or provide them with lesser value through their assessment process. In addition, it will be easier for representors to challenge the LPS during the exhibition process and the subsequent hearings.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council, pursuant to section 35(1) of the *Land Use Planning and Approvals Act 1993* and further to its decision 153.05.2019 to submit the Flinders Local Provisions Schedule, endorse the following documents as submissions in support of the Flinders Local Provisions Schedule, as attached to this report:

- 14.1.1 LPS and Zoning Strategy
- 14.1.2 Discussion Paper, Local Provisions Strategy – Identifying Dwelling Demands, January 2021
- 14.1.3 Discussion Paper, Local Provisions Strategy – Truwana and Outer Islands Particular Purpose Zone, January 2021
- 14.1.4 Discussion Paper, Local Provisions Strategy – Identifying Potential Lot and Dwelling Yields, January 2021
- 14.1.5 FLI-P1.0 Particular Purpose Zone – Truwana – Cape Barren Island and Outer Islands (revised from original submissions)
- 14.1.6 RMCG Review of Identified Areas Proposed for Tasmanian Planning Scheme zoning, Final Report V2, 27 January 2021
- 14.1.7 Discussion Paper, Local Provisions Strategy – Outcomes of RMCG Review, January 2021
- 14.1.8 Flinders Island Structure Plan, Draft for Public Consultation, July 2016

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

14.2 Development Information Report

Action	Information
Proponent	Council Officer
Officer	Jacci Viney Development Services Coordinator
File Reference	PLN/0105
Annexures	14.2.1 Development Information Report – February 2021

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. As of July 2020, Flinders Council now generates the data and prepares the Development Application Report monthly.

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 planner's 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, Development Information Report – February 2021.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Development Information Report – February 2021 be received.

15 Notice of Motions

Consideration of this agenda item was deferred at the 15 December 2020 meeting, this provides a continuation where it will now be reconsidered.

15.1 Notice of Motion – Lady Barron Hall and Recreational Special Committee – Terms of Reference

Action	Decision
Proponent	Councillor Sharon Blyth
Officer	Warren Groves General Manager
File Reference	AME/0503
Annexures	15.1.1 DRAFT Lady Barron Hall and Recreational Special Committee Terms of Reference

NOTICE OF MOTION

That the Terms of Reference recommended by the Lady Barron Hall and Recreational Special Committee be adopted by Council.

COUNCILLOR'S REPORT

On 17 November 2020, the Lady Barron Hall and Recreational Special Committee met.

At the meeting, Committee members discussed the relevance and purpose of the Committee and agreed that the Committee is still required.

Members of the Committee believed that Terms of Reference had been agreed in the past, however it was decided that working with the old and the Special Committee Terms of Reference that Mayor Annie Revie had sent to me earlier would take a little time and it was agreed that Carol Cox and Fran Bryson would meet and discuss the new Terms of Reference in more detail at a later date.

I now present to Council, Terms of Reference, as agreed to by the members of the Committee.

Presented herewith for approval.

PREVIOUS COUNCIL CONSIDERATION

100.04.2012	19 April 2012
205.10.2020	20 October 2020
245.12.2020	15 December 2020

PREVIOUS COUNCIL DISCUSSION

9 March 2021	Council Workshop
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OFFICER'S REPORT

Section 24 of the *Local Government Act 1993* provides the power to establish, on such terms and for such purposes as it thinks fit, special committees.

At the 20 October 2020 ordinary meeting of Council, the Special Committees of Council Policy and Procedure were adopted. It is the Policy of Council that the non-negotiable procedures, as detailed in the Special Committees of Council Procedure, will be included in the Terms of Reference of all Special Committees. The Policy also allows for Special Committees to identify further Terms of Reference if required, which must be approved by Council.

The Lady Barron Hall and Recreational Special Committee has been operating for many years with the membership already well established and operating effectively. This motion does not seek to change this arrangement. The Committee has reviewed the non-negotiable Terms of Reference and made proposed changes (Annexure 16.1.1 in red text) to reflect the Committee's specific circumstances and operations. It is noted that the minutes of the committee meeting, considered previously in this agenda, do not appear to contain a recommendation from the committee in regard to the adoption of proposed changes to the Terms of Reference.

The changes to the Terms of Reference appear suitable for the Committee's current responsibilities and activities, other than point "5.3 Any use of Committee funds is at the discretion of the Committee." This is an issue for further discussion. Where assets are being purchased, it is recommended that prior agreement with Council be sought to ensure safety and quality standards are met and that Council accepts on-going responsibility for the asset.

STATUTORY REQUIREMENTS

Local Government Act 1993

Local Government (Meeting Procedures) Regulations 2015

POLICY/STRATEGIC IMPLICATIONS

Strategic, Efficient and Effective Organisation - Ensure Council meets its statutory obligations and manages corporate and community risk.

BUDGET AND FINANCIAL IMPLICATIONS

As per Officer's Report on point 5.3.

RISK/LIABILITY

As per Officer's Report on point 5.3.

VOTING REQUIREMENTS

Simple Majority

MOTION

244.12.2020 Moved: CR S Blyth

Seconded: Cr R Summers

That the Terms of Reference recommended by the Lady Barron Hall and Recreational Special Committee be adopted by Council.

245.12.2020 Moved: Cr Peter Rhodes

Seconded: Deputy Mayor D Williams

That the matter be deferred so that the terms of reference can be discussed by Council at a council workshop.

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.

Consideration of this agenda item that was deferred at the 15 December 2020 meeting, will be continued.

15.2 Notice of Motion – Whitemark Community Gym Special Committee Membership

Action	Decision
Proponent	Councillor Rachel Summers (Chair, Whitemark Community Gym Special Committee)
Officer	Warren Groves General Manager
File Reference	CDV/0702
Annexures	Nil

NOTICE OF MOTION

That Council approves Luke Green and Justin Graham as Community Members of the Whitemark Community Gym Special Committee.

COUNCILLOR'S REPORT

At the Gym Committee meeting held on the 12th January 2021, Committee members agreed to advertise for a new Community representative for the Whitemark Community Gym Special Committee.

Whilst we have not had any resignations, we have come to realise that we are in need of more members. Our committee is small and as with other similar-sized committees and organisations, there are times when a meeting does not have a quorum. We sometimes do not have the manpower to undertake fund-raising. We have plans for further fundraising for equipment and events to raise awareness around island-specific health issues – an injection of new blood will bring new ideas and ways of achieving our goals.

A call for expressions of interest in the position was advertised in Island News in February, closing on the 26th February. Two expressions of interest were received for the Committee's consideration – Justin Graham and Luke Green.

Each candidate spoke of their commitment to fitness, helping to promote health on the island and volunteering their time to assist in fundraising and events. The Committee considered the expressions of interest and resolved to accept both as members.

PREVIOUS COUNCIL CONSIDERATION

Nil

PREVIOUS COUNCIL DISCUSSION

Nil

OFFICER'S REPORT

This Committee is functioning well and facilitates an important community health benefit. The committee's plan to ensure capacity within a small community has strong merit, is practical and appropriate, and recommended for the consideration of Councillors.

STATUTORY REQUIREMENTS

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

1. Liveability

1.2.1 Provide recreational facilities and assist community groups to encourage an active healthy lifestyle.

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

Nil

VOTING REQUIREMENTS

Simple Majority

MOTION

Cr Rachel Summers

That Council approves Luke Green and Justin Graham as Community Members of the Whitemark Community Gym Special Committee.

15.3 Notice of Motion – Whitemark Community Gym Special Committee Terms of Reference

Action	Decision
Proponent	Councillor Rachel Summers (Chair, Whitemark Community Gym Special Committee)
Officer	Warren Groves General Manager
File Reference	CDV/0702
Annexures	15.3.1 Whitemark Community Gym Special Committee - Terms of Reference

NOTICE OF MOTION

That Council accepts the recommended changes by the Whitemark Community Gym Special Committee to the Whitemark Community Gym Special Committee's Terms of Reference.

COUNCILLOR'S REPORT

The Council Ordinary Meeting 20 October 2020 passed a motion to include, as part of the procedure for Special Committees, a list of non-negotiable procedures for the operation of special committees to be included in each committee's Terms of Reference.

The Whitemark Community Gym Special Committee were asked to review their Terms of Reference in line with those agreed as part of the Special Committees Procedure.

Annexure 15.3.1 are the Terms of Reference agreed by the Whitemark Community Gym Special Committee for comment and adoption by Council.

PREVIOUS COUNCIL CONSIDERATION

2017.08.2017	17 August 2017
230.09.2017	21 September 2017
255.10.2017	12 October 2017
273.11.2017	16 November 2017
255.10.2017	12 October 2017
75.04.2018	19 April 2018
332.12.2018	18 December 2018

PREVIOUS COUNCIL DISCUSSION

6 July 2017	Council Workshop
3 August 2017	Council Workshop
21 July 2020	Council Workshop

OFFICER'S REPORT

The recommended changes are minor in nature and suitable for consideration by Councillors.

STATUTORY REQUIREMENTS

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS

1. Liveability

1.2.1 Provide recreational facilities and assist community groups to encourage an active healthy lifestyle.

BUDGET AND FINANCIAL IMPLICATIONS

Nil

RISK/LIABILITY

Nil

VOTING REQUIREMENTS

Simple Majority

MOTION

Cr Rachel Summers

That Council accepts the recommended changes by the Whitemark Community Gym Special Committee to the Whitemark Community Gym Special Committee's Terms of Reference.

16 Governance

16.1 Councillor Resolution Report

Action	Information
Proponent	Council Officer
Officer	Warren Groves General Manager
File Reference	GOV/0300
Annexures	16.1.1 Councillor Resolution Report March 2021

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 16.2.1 – Councillor Resolution Report March 2021.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Councillor Resolution Report March 2021 be noted.

17 Closed Council

17.1 Notice of Motion – General Manager’s Performance Review

Action	Decision
Proponent	Council Officer
Officer	Warren Groves General Manager

REASON FOR CLOSED COUNCIL

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

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That Council moves into Closed Council.

Meeting Closed
