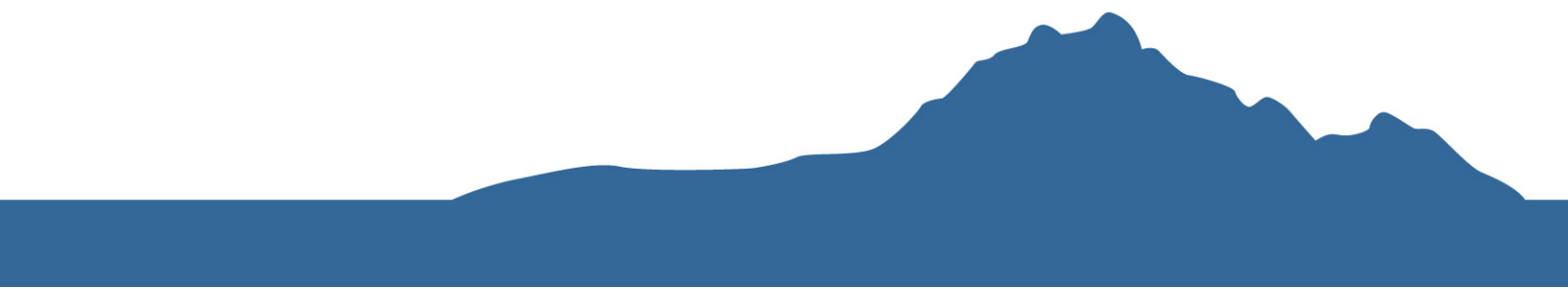




Agenda

Ordinary Council Meeting

21 September 2021



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## CERTIFICATION

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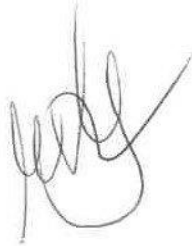
"I certify that with respect to all advice, information or recommendation provided to Council with this agenda:

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 16<sup>th</sup> day of September 2021



Warren Groves  
**GENERAL MANAGER**

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# Flinders Council Ordinary Meeting – Agenda

**Tuesday 21 September 2021**

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<b>Venue</b>	Lady Barron Hall, Lady Barron
<b>Commencing</b>	2:00pm
<b>Attendees – Councillors</b>	Mayor Annie Revie Deputy Mayor David Williams Sharon Blyth Aaron Burke Vanessa Grace Peter Rhodes Rachel Summers
<b>Apologies</b>	Nil
<b>Attendees - Staff</b>	Warren Groves   General Manager Chris Wilson   Infrastructure and Airport Manager Heidi Marshall   Financial Organisational Performance Manager Jacci Smith   Development Services Coordinator Sammi Gowthorp   Community Development / Council Engagement Officer Rowena Gill   Administrative Services Officer (minute taker)

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## **1 Acknowledgement of Country**

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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.

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## **2 Confirmation of Minutes**

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### **RECOMMENDATION**

**That the Minutes from the Ordinary Council Meeting held 17 August 2021 be confirmed.**

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## **3 Public Question Time**

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*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.*

#### **Question 1: Frances Henwood**

I've noticed the building at the tennis court at Lady Barron has been painted and cleaned up. I'd be interested to know what the intended use of the building is.

#### **Mayor's Response**

The Lady Barron Tennis Court building was painted to prolong the life of the asset and prevent further deterioration, Council would like to encourage use by the community for displays or events.

#### **Question 2: Gerry Willis**

Is the council able to file Development Applications, which have passed the date for public submissions, in a site on the council website so that they can be referred to in the future?

#### **Mayor's Response**

Discretionary development applications are assessed in accordance with s57 of *Land Use Planning and Approvals Act 1993* (the Act). The Act stipulates that discretionary applications may be viewable by the public for a period of 14 days. Once this timeframe is complete the details of the development application are again confidential.

#### **Question 3: Gerry Willis**

I note that the section "Current Advertising" has been removed from the Development section of the council's website; presumably because there is no current advertising. Would it not be better practice to leave the heading "Current advertising" in place and insert a narration to the effect that there is no current advertising? This would certainly help those users who are not familiar with the operation the website.

#### **Mayor's Response**

Some upgrade to the Council website was completed last week which may have removed the access to the page. The page is up and running again and will be maintained with current detail or show "no advertising" if there is not any advertising within the period.

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## **4 Councillors Questions on Notice**

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None received.

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## **5 Councillors' Questions Without Notice**

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*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.*

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## **6 Late Agenda Items**

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## **7 Declaration of Pecuniary Interest**

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*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.*

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## **8 Conflict of Interest**

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*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.*

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## 9 Workshops & Information Forums

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### Council Workshop – 17 August 2021

Council held a workshop on the following subjects:

- Item 1 General Managers Update
- Item 2 Campervans
- Item 3 Whitemark Tennis Courts
- Item 4 Local Roads and Community Infrastructure Grants Update

### Councillors in Attendance

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

### Apologies

Cr Sharon Blyth

### Absent

Cr Peter Rhodes

### Staff and Consultants in Attendance

Warren Groves	General Manager
Chris Wilson	Manager Infrastructure and Airport (Item 1,2)
Jacci Smith	Development Services Coordinator (Item 2,3)
Sammi Gowthorp	Community Development/Council Engagement Officer (Item 2)
Rowena Gill	Administrative Services Officer

### Council Workshop – 7 September 2021

Council held a workshop on the following subjects:

- Item 1 Strategic (Town) Planning – LPS – Mick Purves
- Item 2 Developers
- Item 3 Flinders Island Gymnasium
- Item 4 Volunteer of the Year considerations
- Item 5 General Managers Update
- Item 6 Private Works

### Councillors in Attendance

Deputy Mayor David Williams	Cr Vanessa Grace
Cr Aaron Burke (Item 1 to 5)	Cr Rachel Summers

### Apologies

Mayor Annie Revie  
Cr Sharon Blyth  
Cr Peter Rhodes

### Staff and Consultants in Attendance

Warren Groves	General Manager
Chris Wilson	Manager Infrastructure and Airport (Item 5,6)
Heidi Marshall	Financial Organisational Performance Manager (Item 6)
Mick Purves	Town Planner (Item 1)
Jacci Smith	Development Services Coordinator (Item 1, 2)
Nicole Kennedy	Development Services Administration Officer (Item 1, 2)

Sammi Gowthorp      Community Development / Council Engagement Officer (Item 3)  
Rowena Gill            Administrative Services Officer

**RECOMMENDATION**

**That the Council Workshops held on 17 August and 7 September 2021 be noted**



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## 10 Publications/Reports Tabled for Council Information

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## 11 Reports to be Received

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### 11.1 Furneaux Group Shipping Special Committee

**File Reference** COM/0403  
**Annexure** 11.1.1 *Furneaux Group Shipping Special Committee Meeting 19 August 2021 Unconfirmed Minutes*

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

The unconfirmed minutes of the Furneaux Group Shipping Special Committee meeting held Thursday 19 August 2021 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 Furneaux Group Shipping Special Committee meeting held 19 August 2021 be noted.**

### 11.2 Flinders Boating Special Committee

**File Reference** COM/0404  
**Annexure** 11.2.1 *Flinders Boating Special Committee Meeting 18 August 2021 Unconfirmed Minutes*

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

The unconfirmed minutes of the Furneaux Group Shipping Special Committee meeting held Wednesday 18 August 2021 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 Furneaux Group Shipping Special Committee meeting held 18 August 2021 be noted.**

### 11.3 Lady Barron Hall and Recreational Special Committee

**File Reference** CSV/0403  
**Annexure** 11.3.1 *Lady Barron Hall and Recreational Special Committee meeting 13 September 2021 Unconfirmed Minutes*

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

The unconfirmed minutes of the Lady Barron Hall and Recreational Special Committee meeting held Monday, 13 September 2021 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 Lady Barron Hall and Recreational Special Committee meeting held 13 September 2021 be noted.**

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## **12 Councillors' Reports**

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### **Cr Rachel Summers on Flinders Island's Got Talent Variety Night 2021**

The Whitemark Community Gym Special Committee decided it would be a fun thing to host a variety night again as a fund-raiser for the gym. The first one held in 2019 was a raging success so calls were put out for performers, donations and helpers, and they were duly answered.

The night started off with an act that didn't "drag". Divine Cortisol lit up the stage and floor in a stunning example of what a good gym routine can do for the body. However a few injuries were reported afterwards by some whose jaws hit the floor a bit hard.

We had some fantastic singers – Jaime Warren (First Prize), Tamara Pianta (Second Prize), Tom Ambroz, Holly Barnewall, Gail Grace and a duo from the North, Naomi Creek and David Dixon. There were even some Old Divas whose motto of "Don't stop, never give up" meant they would let the world see what they have got and hit it baby one more time (Third Prize). Greg Reddy astounded many with two epic pieces, recited word for word (and if not, covered it well), and Betty Ross, in her first performance, read two heartfelt poems she had written herself.

There was a visit from Axl Rose and Slash who showed us how the Rock 'n' Roll lifestyle plays out in the senior years and Sean the Sh\*t Magician made an special appearance (winner of the Sean the Sh\*t Magician Award for Enthusiasm).

Our final act of the evening was a special guest appearance by Olivia Newton-John and her Physi Pals. This act single-handedly rescued the baby oil industry from collapse. The leotards were extra tight and the moves came straight outta Aerobics OzStyle. A cunning fruit display left the audience in fits of laughter.

Our performers all deserve a huge round of applause. Standing on stage may come easy for some, but for many it is a nerve-wracking experience and to be willing to get up there and entertain our community is something they should be congratulated for.

Afterwards, the auction helmed by Colin Wilson, with assistance by Scott Anderson as spotter, saw many items fiercely fought over. We had cakes and slices selling for hundreds of dollars – which I thought was pretty spectacular until I saw a charity auction last weekend sell a cake for \$10,000. Maybe next time...

I would like to thank everyone who donated items to the auction – Liz Leigh, Michelle Kemp, Pauline Blyth, Lois Ireland, Laurie Parr, Anne Campbell, Sue Hallas, Clem Newton-Brown, Greg and Fiona Turley, Jan and Ady Lees, Mick and Marianne Rose, Judy Barnewall, Jo and Tom Youl, Aronn Daw and Dolly Wheatley, Peter Aitken, Pura Graham, Janet Toonen, Jan Carr, Flinders Island Quality Meat, Mountain Biking Flinders Island, Michael Withers, Holly Barnewall, Jenny Cooper, Kristy Filgate and Michael Parker.

As always the event could not happen without the background supporters who all deserve many, many thanks – AK on the lighting, sound and mop. Sammi Gowthorp for help with setting up, styling and packing up the hall. Holly, Tamara and Tom for setting up. Carol Cox

for donating ice to keep the beverages chilled to perfection, and Zoe Blundstone for helping out behind the bar.

And let's not forget Justin Graham and Sean Caris for their hosting duties on the night! I would also like to thank the Gym Special Committee for their incredible hard work, especially Nikki Jones for planning the event, chasing acts, making sure everyone was where they were meant to be, and Fiona Turley for co-ordinating an incredible auction.

Oh, one last thing, perhaps the most important. Thanks to the contributions of everyone above and those who came, we raised a spectacular, awe-inspiring \$12,162. This money will be used to purchase equipment for the Whitemark Gym and fund investigations into the construction of a fit-for-purpose facility.

Thanks for your time,  
Rachel  
Chairperson - Whitemark Community Gym Special Committee

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## 13 Mayor's Report

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

### APPOINTMENTS

DATE	DIARY ACTIVITY
12/8/21	Meeting with Richard Broome
12/8	Meeting with Warren Groves, General Manager
13 – 15 /8	Meeting with Sarah Lebski and Dianne Dredge – Tourism CoLab Consultancy
17/8	Council Workshop and Ordinary Council Meeting
18/8	Meeting with Sammi Gowthorp regarding Islander Way Project
18/8	Meeting with Warren Groves, General Manager
18/8	Meeting with Warren Groves, General Manager and Ross Hart (via Zoom)
18/8	Flinders Boating Special Committee of Council meeting
19/8	Meeting with Warren Groves, General Manager
19/8	Furneaux Shipping Special Committee of Council meeting
19/8	Administration
20/8	Meeting with Warren Groves, General Manager
20/8	Meeting with Councillors, Warren Groves and Michael Ferguson
23/8	Meeting with Vicki Warden regarding workshop schedule
23/8	Meeting with Sarah Lebski and Dianne Dredge – Tourism CoLab Consultancy (via Zoom)
24/8	Administration
25/8	Meeting with Michael Buck
25/8	Administration
26/8	Meeting with Warren Groves, General Manager
26/8	Meeting with Richard Broome
26/8	Meeting with Sammi Gowthorp regarding Islander Way project
28/8	Dinner with Fire Commissioner, Warren Groves and Fire Captains
29/8	Meeting with Fire Commissioner, Fire Captains, Warren Groves, Sammi Gowthorp
31/8	Administration
22/9	Meeting with TasPorts at Bell Bay
2 – 4 /9	Meeting with Sarah Lebski and Dianne Dredge – Tourism CoLab Consultancy
12/9	Administration

### CORRESPONDENCE IN

DATE	FROM	SUBJECT
12/8	Sarah Lebski Tourism CoLab Consultancy	Questions for podcast

12/8	Ian Patrick and Chandra Kaladindi TasPorts	Regarding Furneaux Group Shipping Special Committee meeting
12/8	Jessica Robbins Tas Leaders	'Island Brand' story
13/8	Amanda Aitken Department of State Growth	Funding deed for Flinders Island Regenerative Tourism Living Lab
13/8	Sarah Lebski, Tourism CoLab	Agenda for meeting regarding 'Islander Way' project (via Zoom)
13/8	Jana Monnone, Flinders Island Business Incorporated FIBI	Flinders Island Business e-News August 2021
13/8	Jana Monnone, FIBI	Report on Local Government Association of Tasmania (LGAT) conference 'Transition to Work'
13/8	Ben Morris, TasWater	TasWater Owners' Representatives – draft, amended Shareholders Letter of Expectations
15/8	Jana Monnone, FIBI	Letter from 2020 – shows how community members selected regenerative tourism project as part of Brand Story work with Todd Babiak
16/8	Judah Morris, Royal Flying Doctors Service	Visit to Flinders Island
18/8	Mayor Julie Arnold, King Island Council	Request to increase the Tasmanian Government tourism voucher
27/8	Sam Klug, Furneaux Islands Motocross Association	Request for a letter of support for a grant application to upgrade the Furneaux Islands Motocross Association facility
30/8	Department of Communities Tasmania	Development of the Tasmanian Housing Strategy commenced
31/8	Amanda Aitken, Department of State Growth	Signing of deed for Regenerative Tourism project
31/8	Dermot Barry, Chief Tas Fire Commission	Visit to Flinders Island
1/9	Jacci Smith, Development Services Coordinator	Information regarding Flinders Island boat ramps as requested
6/9	Jayne Clark, Office of Bridget Archer	Bridget Archers visit to Flinders Island
6/9	Lynn Luckcock, Executive Assistant to Mike Brewster TasWater CEO.	Mike Brewster visit to Flinders Island
6/9	Mayor Paula Wriedt,	Assisted Dying Bill and offer by Michael Gaffney MLC to address communities

	Kingborough Council	
6/9	Hon Shane L Stone, AC QC Coordinator-General National Recovery and Resilience Agency	Black Summer Bushfire Recovery Grants program extension for applications.
8/9	Craig Limpkin, Director of Local Government, Department of Premier and Cabinet	Endorsement of the development of a workplace equality of respect Statement of intent.
11/9	Kelly Shaw, Senior Consultant, KP Health	Review of Tasmanian Patient Travel Assistant Scheme (PTAS)

### CORESPONDENCE OUT

DATE	TO	SUBJECT
11/8	Jana Monnone, Flinders Island Business Inc	Report on Local Government Association of Tasmania (LGAT) Conference
12/8	Jessica Robbins, Tasmanian Leaders	Flinders Island Brand Story
20/8	Michael Ferguson MP	Meeting notes
21/8	Mayor Julie Arnold, King Island Council	Response to her query regarding vouchers
30/8	The Hon Peter Gutwein, Premier of Tasmania	Funding of Palana Road
30/8	Jan Henning	Response to letter regarding the Regular Public Transport service
30/8	Peter White, Deputy Secretary, Department of Communities Tasmania	Housing Strategy
6/9	Sam Klug, Furneaux Islands Motocross Association	Letter of support for a grant application to upgrade the Furneaux Islands Motocross Association facility
12/9	Dermot Barry, Fire Chief, Tasmania Fire Commissioner	Thanking him for sending through contact details

### VOTING REQUIREMENTS

Simple Majority

**RECOMMENDATION**

**That the Mayor's report be received.**

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## 14 Development Services and Planning Applications

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***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 Development Application – Jane Allison Grylls

<b>Action</b>	<b>Decision</b>
<b>Proponent</b>	Jane Allison Grylls
<b>Officer</b>	Karin van Straten Senior Consultant Town Planner
<b>File Reference</b>	DA 2021028
<b>Annexures</b>	14.1.1 DA2021028 Plans

#### **INTRODUCTION**

The proposal is for a 3 unit Grouped Housing/Holiday Cabin development.

#### **PREVIOUS COUNCIL CONSIDERATION**

Nil

#### **PREVIOUS COUNCIL DISCUSSION**

Nil

#### **STATUTORY REQUIREMENT**

The application was made pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*. Determination of the application is a statutory obligation.

#### **POLICY/STRATEGIC IMPLICATIONS**

1. Liveability - To protect and build upon our islands' way of life
  - 1.1 A viable population that enables the necessary services and activities required for the Community to prosper.
    - 1.1.1 Encourage and support an increased supply of affordable accommodation for long-term residential rental and purchase.

#### **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.

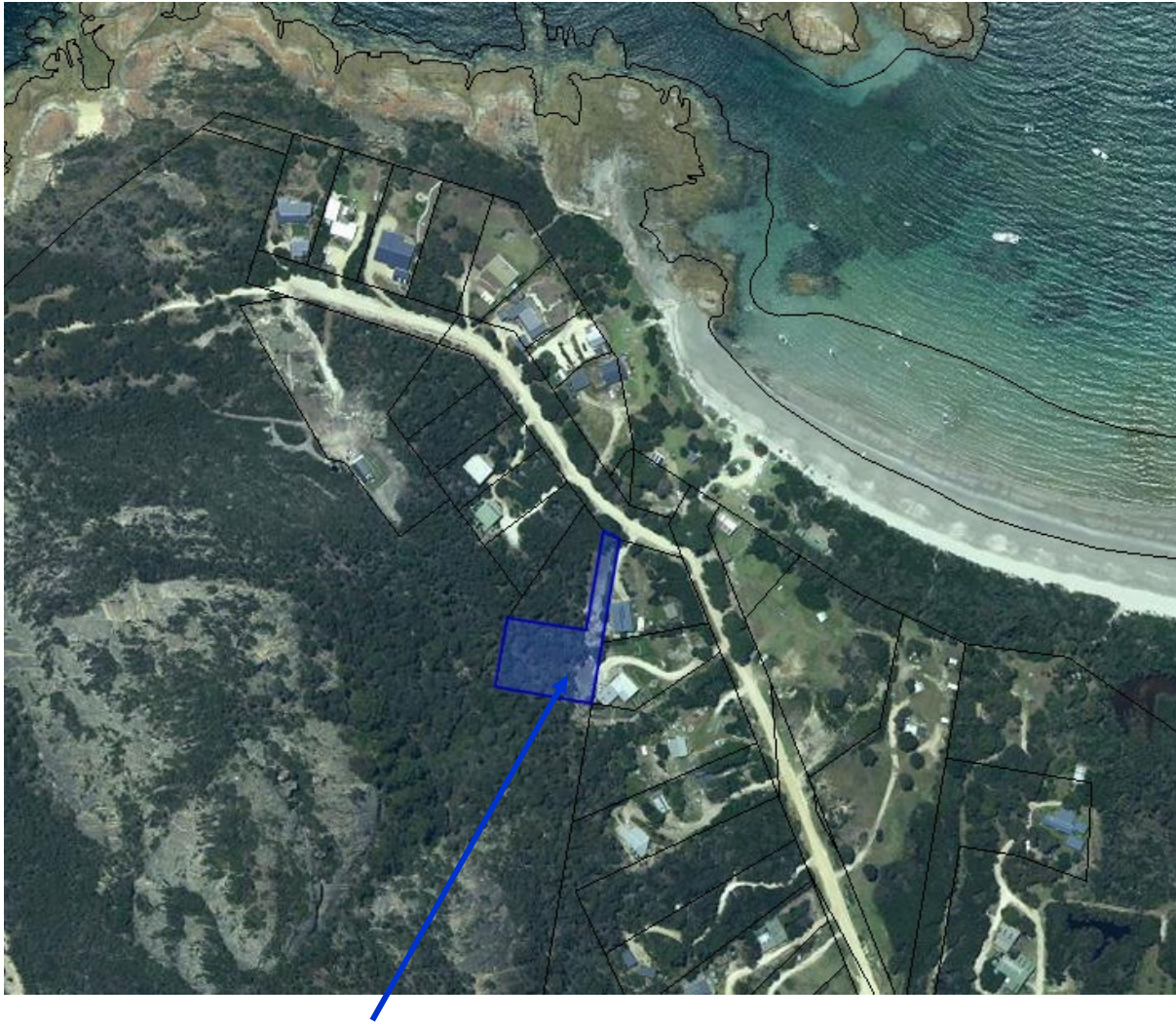
#### **OFFICER'S REPORT**

#### **SUBJECT SITE AND SURROUNDING AREA**

The subject site is located at 1 Armstrong Avenue opposite the Killiecrankie Nature Recreation Area. The 2799m<sup>2</sup> lot is vacant and contains native vegetation – wet eucalypt forest and woodland. It contains no threatened flora species.

The map below shows the surrounding development along Armstrong Avenue – a mixture of vacant land and residential developments.





Subject site

### **THE PROPOSAL**

The proposal is for 3 units comprising of an entry, living area, bedroom with ensuite, a deck and a car parking space. The proposed buildings are designed following the contour of the land to minimise earthworks. The apex height of the proposed units are 5.3m. These units will either be used as a holiday shack by the owners or rented out as visitor accommodation.

### **REFERRAL**

The proposal was referred to EHO and Manager Infrastructure and Airport. No objections were raised.

## NOTIFICATION

The application was advertised for 14 days in accordance with the Act and 6 representations were received.

Issued raised	Officer comments
<p><u>Elizabeth Daniel-Hill</u></p> <p>Representation in support of the proposed development.</p>	<p>Acknowledge.</p>
<p><u>Marika and Bill Godbehere</u></p> <p>Vegetation clearing and steep gradient resulted in water run-off from subject site to their adjoining property at 551 Killiecrankie Road.</p> <p>Water run-off, erosion and landslip present a real problem to the safety and convenience of their house and land.</p> <p>Require what guarantees Council will provide to ensure that:</p> <ul style="list-style-type: none"> <li>• Construction is within the terms of safety margin of landslip</li> <li>• Run-off both natural and concentrated and sewer will avoid their property</li> <li>• During construction and after there will be no run-off, seepage, erosion or soil movement impacting on their property</li> </ul> <p>Advice about Council's supervising program to monitor this development.</p>	<p>No planning approval is required for vegetation clearing. Issues pertaining to run-off is not a planning matter. It should be addressed by Council's Permit Authority pursuant to the Urban Drainage Act.</p> <p>The subject site is not within any declared landslip area. Part of the land is subject to a Low Hazard Band. <i>This area has no known active landslides, however it has been identified as being susceptible to landslide by Mineral Resources Tasmania (MRT).</i> There is no mechanism under the current planning scheme to require a Landslide Risk Assessment.</p> <p>These are not planning matters. The issues should be addressed by Council's Permit Authority pursuant to the Urban Drainage Act and the Building Act.</p>
<p><u>Bill Godbehere</u></p> <p>Express concerns about the maintenance of the septic system.</p> <p>Refer to above-mentioned letter and assurances required from Council.</p>	<p>This is not a planning matter.</p> <p>The issues should be addressed by Council's Permit Authority pursuant to the Urban Drainage Act and the Building Act.</p>

Marika Godbehere

The proposal will require removal of most of the vegetation. There is a white-bellied sea eagle nest on Killiecrankie Bluff. This will effect this nesting of this bird.

Description of the proposal is Grouped House – but it is 3 separate dwellings or houses.

Consider the proposed 3 units, driveway and onsite wastewater management is not a modest development and not in the same scale as other lots in Killiecrankie.

Bushfire protection will require using some of the adjacent land at 20 Armstrong Avenue for compliance. If the properties change

No planning approval is required to remove this vegetation and the planning scheme has no mechanism to require an environmental study as part of this proposal. It should be noted that a substantial part of the representor's block has been cleared of vegetation too.

**Grouped Housing:**

*means the use or development of land for one or two or more dwelling units on the same lot, where each dwelling unit has:*

- (a) its own defined site;*
  - (b) individual access to ground level; and*
  - (c) appurtenant private open space,*
- and where the density of dwelling units, the provision for private open space and the type of buildings and other requirements of development are as prescribed in Part 5.*

This proposal is in compliance with the above-mentioned definition in the planning scheme.

The proposal is for 3 x 65m<sup>2</sup> units on a 2799m<sup>2</sup> lot. The development = 7% of the lot area. This is comparable to developments in the area.

The developments below all have onsite waste water management and driveways as well.

551 Killiecrankie Road: 244m<sup>2</sup> development on 2346m<sup>2</sup> lot = 10.4% coverage.

549 Killiecrankie Road: 250m<sup>2</sup> development on 2250m<sup>2</sup> = 11% coverage.

539 Killiecrankie Road: 210m<sup>2</sup> development on 1.241ha = 1.6% coverage.

2-4 Armstrong Avenue: 246m<sup>2</sup> development on 1778m<sup>2</sup> = 13.8% coverage.

9 Armstrong Avenue: 210m<sup>2</sup> development on 1500m<sup>2</sup> = 14% coverage.

The bushfire protection is a matter that will be dealt with when the building application is submitted. Any agreements between landowners to comply with the bushfire

<p>hands, who will take responsibility for maintaining this?</p>	<p>protection requirements is a civil matter. Responsibility for maintenance of bushfire hazard will lie with the landowners, unless otherwise agreed. This is not a matter for the Planning authority's consideration.</p>
<p>Raises stormwater issues as in the previous letter.</p>	<p>Issues pertaining to run-off is not a planning matter. It should be addressed by Council's Permit Authority pursuant to the Urban Drainage Act.</p>
<p>Proposal will impact on amenity due to increased traffic on the driveway – noise and dust.</p>	<p>The proposal has been assessed against Part 6 Use and Development Principles and was found to comply with all relevant principles. See assessment below under PART 6.</p>
<p>Sewerage treatment system will fail.</p>	<p>The planning scheme has no car parking requirements. When a Traffic Impact Assessment is required/prepared, the industry standard for traffic generation is from the <i>Road and Safety Authority NSW - Guide to Traffic Generating Developments 2002</i>.</p> <p>This Guide states that a single house generates 9 traffic movements per day; and casual accommodation generates 3 traffic movements per day. That results in the proposed 3 units generating 3 x 3 = 9 traffic movements per day. This equals that of the adjoining houses that all have unsealed driveways.</p> <p>This is an unsubstantiated statement. Design, approval, and maintenance of onsite wastewater is not a planning matter. It will be assessed by the Permit Authority at the Plumbing Permit stage. The installation and maintenance of this system is also a matter for the Permit Authority.</p>

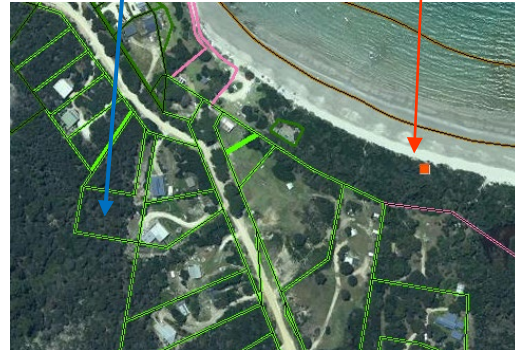
Annemarie Carnell

Number of units proposed will require significant vegetation clearing. This will impact on sewage, erosion and drainage beyond the site boundaries. The neighbouring land is housing a nest of the threatened White Bellied Sea Eagle and therefore the clearing of vegetation is inappropriate.

Questions if there is a written letter of understanding between the owners of the subject site and the owner of 20 Armstrong Avenue regarding bush fire management.

Tourism development is inappropriate in the Village Zone

Subject site      White Bellied Sea Eagle



The bushfire protection is a matter that will be dealt with when the building application is submitted. Any agreements between landowners to comply with the bushfire protection requirements is a civil matter. This is not a matter for the Planning Authority's consideration.

Issues pertaining to run-off and onsite waste water management should be addressed by Council's Permit Authority pursuant to the Urban Drainage Act and the Building Act.

The proposed development will have one or both uses on the site: residential (grouped house) and/or tourism (holiday cabins). Both uses are discretionary in the Village Zone and in compliance with the Zone Intent.

Anne Rae & Bronwyn Stubbs

Proposed development will not be “modest”.

The building envelope will not be as compact as a single house with driveway and car parking where less vegetation removal/management is required.

The stormwater from the proposed development will add considerable run-off and gravel deposits into the roadside drains. Raise issues of onsite waste water management in future due to cleaning products and fats entering the system.

Vast amounts of water currently flows off the granite slabs behind the subject site.

Proposed development will require vegetation removal/management at Building Approval stage. This will impact on White Bellied Sea Eagle nesting site.

Bushfire management will require clearing on the adjoining land at 20 Armstrong Avenue as well. This may impact significantly on the White bellied Sea Eagle habitat.

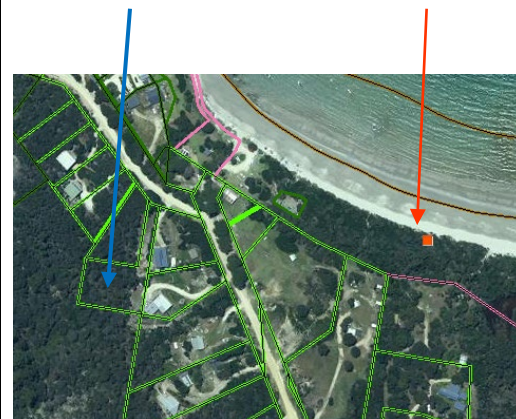
As previously stated, the proposal is for 3 x 65m<sup>2</sup> units on a 2799m<sup>2</sup> lot. The development = 7% of the lot area. This is comparable to developments in the area.

The developments previously detailed at page 15, all have onsite wastewater management and driveways as well.

Issues pertaining to run-off and onsite waste water management should be addressed by Council’s Permit Authority pursuant to the Urban Drainage Act and the Building Act.

This is referred to as “natural overland flows” and lower lying properties have to accept this natural flows from elevated properties. Once stormwater is “concentrated” as a result of any development – it is managed under the Urban Drainage Act and the Building Act.

Subject site                      White Bellied Sea Eagle



The diagram above shows the location of the subject site in relation to the observation of the White Bellied Sea Eagle nesting site as shown on LIST. There is also another siting

	<p>approx 975m SW of the subject site; on land that belongs to Parks and Wildlife. The Killiecrankie Nature Recreation Area, Crown land and privately owned land in the vicinity has such an abundance of vegetation that the removal/management of vegetation on the subject site will not compromise the presence of species diversity in the bioregion or the value of vegetation as wildlife habitat.</p>
<p><u>Ian Bayly and Diane Sullivan</u></p> <p>Development is not correctly defined as a Grouped House. Use and Development table refer to a single holiday cabin and the proposal is for 3.</p> <p>Proposal creates a building envelope that is not in the same scale as the surrounds.</p> <p>Vegetation clearance will impact on the stormwater run-off. This is directly related to the exiting run-off from the granite hill face behind the subject site.</p>	<p>The proposed development is a Grouped House – more than one dwelling unit. The proposal is to use this either as a holiday shack for the owners (house) or as visitor accommodation (Holiday cabin).</p> <p>The proposal is for 3 x 65m<sup>2</sup> units on a 2799m<sup>2</sup> lot. The development = 7% of the lot area. This is comparable to developments in the area which ranges from 1.6% to 14%.</p> <p>The developments as listed at page 15, all have onsite waste water management and driveways as well.</p> <p>Issues pertaining to run-off and onsite waste water management should be addressed by Council's Permit Authority pursuant to the Urban Drainage Act and the Building Act.</p> <p>The existing run-off from the granite hill face on the adjoining land is referred to as "natural overland flows" and lower lying properties have to accept this natural flows from elevated properties. Once stormwater is "concentrated" as a result of any development – it is managed under the Urban Drainage Act and the Building Act.</p>

<p>Number of vehicle movements (if this is used as visitor accommodation) will adversely impact on number 551 and 549 Killiecrankie Road and 3 Armstrong Road as a result of increased the noise and potential for erosion.</p>	<p>When a Traffic Impact Assessment is required/prepared, the industry standard for traffic generation is from the <i>Road and Safety Authority NSW - Guide to Traffic Generating Developments 2002</i>.</p> <p>This Guide states that a single house generates 9 traffic movements per day; and casual accommodation generates 3 traffic movements per day. That results in the proposed 3 units generating 3 x 3 = 9 traffic movements per day. This equals that of the adjoining houses that all have unsealed driveways.</p> <p>The existing house at 551 Killiecrankie Road is built very close to the driveway access to the proposed development. Proposed pod #2 is more than 20m from the existing house at 549 Killiecrankie Road. This house is less than 2m from the shared boundary.</p>
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## PLANNING ASSESSMENT

### PART 5: ZONING

#### 5.6 Village Zone

##### 5.6.1 Zone Intent

*Village settlements are intended for use or development as small sized local servicing and residential centres. A range of uses may be appropriate including shops, service stations, public halls, agencies, hotels, visitor accommodation, single dwellings and the like.*

**Officer comments: The proposal is for 3 unit Grouped House that can also be used for visitor accommodation.**

##### 5.6.2 Desired Zone Character and Zone Guidelines

- (a) *Village scale and type of use or development should be contained strictly within the zone with commercial, service and civil uses or developments located on principal roadways.*
- (b) *Buildings shall be modest in scale and impact.*
- (c) *Dwellings should be set distances apart and from the street. Other forms of use or development may extend to the street boundary and side boundaries where no loss of character or amenity for adjoining use or development would result.*
- (d) *On-site carparking should not be a dominant element in the streetscape. Except where appropriate for operational purposes parking should be located behind or beside buildings.*



- (e) *Advertising signs may be appropriate but should be restrained in their use and impact. Sky signs, large billboards and tall free-standing signs which project above normal roof height are not appropriate.*

**Officer comments:** The proposal is for 3 unit Grouped House that can also be used for visitor accommodation. The proposed development is 3 x 65m<sup>2</sup> units with a driveway, car parking and manoeuvring area on a 2799m<sup>2</sup> lot. The buildings represent a 7% lot coverage. Elsewhere in this report, the coverage in the surrounds were listed and the proposal fits in with the existing development coverage. The proposed units are only 5.3m high – well below the 8m height listed in the development standards. The proposal can therefore be considered as a modest scale and impact. The Building Approval stage will require vegetation removal/management. The Killiecrankie Nature Recreation Area, Crown land and privately owned land in the vicinity has such an abundance of vegetation that the removal/management of vegetation on the subject site will not compromise the presence of species diversity in the bioregion or the value of vegetation as wildlife habitat. The proposed 3 units are separated from each other and the development is setback at least 12m from the boundary it shares with 549 Killiecrankie Road. This house is developed approx 2m from the shared boundary. The house at 551 Killiecrankie Road is adjacent to the driveway of the proposed development. The house on this property is less than 2m from the shared boundary. It is not considered that the proposal will therefore have an impact on the enjoyment of these adjoining houses. The subject site and the proposal includes ample space for onsite car parking and manoeuvring of vehicles.

#### **5.6.4 Development Standards**

- (a) *The maximum height of buildings is 8.0 metres.*
- (b) *Dwelling setbacks shall comply with the provisions of the Building Code of Australia and the Building Regulations 1994. Building shall be sited so as not to unduly interfere with the amenity of adjacent properties by any significant degree of overlooking or overshadowing. Outbuildings sited at the rear of the dwelling may extend to the side or rear boundary where no loss of amenity to adjacent properties would result.*
- (c) *Habitable buildings should be sited and designed to achieve the best solar gain or orientation that the site can provide. Where such design or orientation is not feasible other energy efficient practices, such as insulation, heat pumps or double glazing, should be considered.*

**Officer comments:** The maximum height of the proposed buildings is 5.3m. All setbacks complies with the provisions of the National Construction Code. The proposed units have north facing decks and windows in the living area to achieve best solar gain.

The proposal is generally consistent with the Intent, Desired Future Character and Zone Guidelines and Development Standards of the zone.

## PART 6:- USES AND DEVELOPMENT PRINCIPLES

### 6.1 USE

Principles		Complies	Not Applicable
A	Use or development shall not unreasonably impact on any existing or intended use of development of neighbouring land	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B	Subdivision of land shall be carried out in accordance with the subdivision provisions for the zone within which the land is located or where that is not appropriate in accordance with: <ul style="list-style-type: none"> <li>i. the requirements of the intended use, and</li> <li>ii. the Zone Intent, or alternatively by</li> <li>iii. an approved Development Plan that has been adopted by Council and inserted as a provision in the Scheme.</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C	Residential Zones shall be protected from encroachment by incompatible use or development.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D	Rural Industrial operations shall be appropriately located and designed to avoid any detrimental effects on neighbouring land use or development, particularly in respect of atmospheric emissions, solid waste disposal and water pollution, soil erosion, noise or visual quality.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E	Mining and quarrying operations shall be located and carried out in a form which does not conflict with surrounding land use or development, scenic values and the environment.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Officer comments: The proposal is for a 3 unit Grouped House that can also be used for visitor accommodation. The proposed development is 3 x 65m<sup>2</sup> units with a driveway, car parking and manoeuvring area on a 2799m<sup>2</sup> lot. The buildings represent a 7% lot coverage. The proposal complies with the Village Zone provisions. The comments on representations elsewhere in this report addressed the potential number of vehicle movements, vegetation removal/management and impact on the presence of species diversity in the bioregion and the value of vegetation as wildlife habitat. It is not considered to unreasonably impact on the existing and/or future adjoining land uses.**

### 6.2 CHARACTER

Principles		Complies	Not Applicable
A	Use and development shall adequately respect the character of, and future intentions for the area in which it is to be located.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

B	Subdivision layout, particularly roads, shall take adequate account of land contours and the need to avoid visual scarring.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D	Landscaping of use or development shall be of a type, form, variety(s) and character which is suited to the intention of the zone, the area and the nature of the use or development.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E	Where trees are an important element in the character of an area they should be retained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
F	Signs shall be consistent in type, scale and location, with the intention of the zone, the streetscape and the building or structure on which they are positioned or to which they otherwise relate.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G	Forestry use or development, particularly plantations, shall be appropriately sited and planned to protect the visual quality and character of the countryside generally, and from important viewing locations in particular.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Officer comments: The proposal is for a 3 unit Grouped House that can also be used for visitor accommodation. The proposed development is 3 x 65m<sup>2</sup> units with a driveway, car parking and manoeuvring area on a 2799m<sup>2</sup> lot. The buildings represent a 7% lot coverage. This is not out of character when compared with development in the surrounds – including setbacks from all boundaries, height and bulk of buildings.**

### 6.3 AMENITY

Principles		Complies	Not Applicable
A	Adequate public open space shall be provided in areas of new subdivision, to meet the recreational and open space requirements of the community generally and particularly the new owners of the lots created by subdivision.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B	Use or development shall accord all existing and/or future occupiers with adequate and reasonable levels of amenity, especially in relation to privacy, sunlight, aspect, views and noise disturbance.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

C	Dwellings shall provide an adequate amount and appropriate type of private open space, to meet the expected lifestyle requirements of occupants. Such private open space shall provide adequate privacy, be exposed to reasonable levels of sunshine and directly accessible from the dwelling to which it belongs.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Officer comments: The proposal is for a 3 unit Grouped House that can also be used for visitor accommodation. The proposed development is 3 x 65m<sup>2</sup> units with a driveway, car parking and manoeuvring area on a 2799m<sup>2</sup> lot. The buildings represent a 7% lot coverage. This leaves ample land area for private open space; privacy of the proposed development and the existing development on adjacent lots.**

#### 6.4 ENVIRONMENT

Principles		Complies	Not Applicable
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C	<p>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.</p> <p>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</p> <p>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</p> <p>iii. Use and development in bushfire prone areas will comply with the provisions of Schedule 7 Development</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	in Bushfire Prone Areas or some other provisions acceptable to Council and the Tasmania Fire Service.		
D	<p>Potentially incompatible Uses or Developments shall be adequately and appropriately located, sited and designed to avoid conflict. Level 2 activities or sources of pollution shall be sited in accordance with the following:</p> <p>i. Use or Development for a use of land that is a Level 2 activity under the provisions of the Environment Management and Pollution Control Act 1994 shall not be allowed within the lesser distance from a residential zone than that recommended by the Director of Environmental Management.</p> <p>ii. Use or Development of land that is not a Level 2 activity, but which Council nonetheless considers will or has the potential for environmental harm, shall not be allowed within a lesser distance from a residential zone than that determined by Council after taking into account the advice from the Director of Environmental Management.</p> <p>iii. A dwelling unit shall not be erected within a lesser distance of any established Level 2 activity or other use of land which Council considers a source of pollution, than that determined by Council taking into account the advice from the Director of Environmental Management.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E	Activities involving extensive site works, such as quarrying, shall be suitably sited, screened, and rehabilitated where appropriate, to protect the ecological and visual qualities of the area.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G	Use of land in the vicinity of those watercourses identified in Schedule 3 shall provide Riparian Reserves in an appropriate location and form.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Officer comments: The proposal is for a 3 unit Grouped House that can also be used for visitor accommodation. The proposed development is 3 x 65m<sup>2</sup> units with a driveway, car parking and manoeuvring area on a 2799m<sup>2</sup> lot. The buildings represent**

**a 7% lot coverage. The comments on representations elsewhere in this report addressed the potential vegetation removal/management and impact on the presence of species diversity in the bioregion and the value of vegetation as wildlife habitat. It is not considered detrimentally affect the environment.**

## 6.5 HERITAGE

	Principles	Complies	Not Applicable
A	Use or Development shall be undertaken in areas and in a manner which conserves items, sites, areas and customs of historic and cultural value.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B	Any Use or Development carried out on or in the vicinity of an item, site, area, feature or customary activity (including Aboriginal sites and shipwrecks) or conservation value, shall adequately respect its historic and cultural integrity.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C	The protection and conservation of items, sites, areas, features and customary activities of historic and cultural importance applies to those previously identified and listed in the Scheme, and those which subsequently become known to Council.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D	Where an item, site, area, feature or customary activity has or may have historic or cultural importance, Council may require a Statement of Cultural Significance to be prepared.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E	Use or development shall be carried out in accordance with the principles and practices of the <i>Burra Charter</i> .	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F	Use or Development involving any historic building or group of buildings shall adequately respect the design and construction elements of the building(s) and particularly the relationship of spaces, orientation, form, mass, scale, fenestration, detailing, style, materials and colour.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G	Areas of identified conservation value, including National Parks and Nature Reserves, shall be protected from inappropriate use or development and detrimental land management practices including land clearance, within such areas and adjacent areas outside them.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Officer comments: The subject site is not a heritage listed Place. A standard note on any approval requires that if any relic is found on site, all works must stop and the find be reported to Heritage Tasmania.**

## 6.6 ACCESS AND PARKING

	Principles	Complies	Not Applicable
A	Areas of identified conservation value, including National Parks and Nature Reserves, shall be protected from inappropriate use or development and detrimental land management practices including land clearance, within such areas and adjacent areas outside them.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B	All Use or Development shall provide satisfactory pedestrian and vehicular access which is suited to the volume and needs of future users.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Officer comments: The proposal is for a 3 unit Grouped House that can also be used for visitor accommodation. The proposed development is 3 x 65m<sup>2</sup> units with a driveway, car parking and manoeuvring area on a 2799m<sup>2</sup> lot. The width and surface of the driveway will be determined as part of the Bush Fire Management Plan when the Building application is lodged and approved. Schedule 7 of the planning scheme only pertains to Bushfire management as part of subdivision.**

## 6.7 SERVICES

Principles		Complies	Not Applicable
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B	Lot size and arrangement shall be adequate and appropriate to ensure an acceptable level of servicing, particularly in relation to waste disposal.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C	In areas not serviced with water use or development shall provide adequate water supply and effluent disposal systems. Each dwelling shall provide a potable water storage facility (minimum capacity of 40kl) to provide for the anticipated number of occupants, and a wastewater disposal system approved by the Council's Environmental Health Officer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D	Use or Development in the bushfire prone areas will provide fire protection features and water supplies which comply with Schedule 7.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>



F	Servicing systems shall use adequate and appropriate design methods and materials to ensure an acceptable life span and allow for adequate maintenance requirements.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G	Use or Development shall optimise efficiency in the use of energy and resources. In particular, land should be subdivided on a generally sequential basis (ie. one area is substantially developed before the next is subdivided), common trenching should be used for different services where appropriate, and solar access maximised.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Officer comments: There is no service mains connected to the subject site. Service provisions such as onsite waste water management, water and firefighting water will be dealt with as part of the Building and Plumbing Approvals.**

### 6.8 SOCIAL INTEREST

Principles		Complies	Not Applicable
1	Use or Development should demonstrate how it suits the community interest.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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).	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Officer comments: The proposal is for a 3 unit Grouped House that can also be used for visitor accommodation. This proposal to be used as a holiday shack by the owners and/or visitor accommodation provides additional housing and commercial visitor accommodation to the island. These uses will have the same access to social services and facilities as the surrounding houses.**

### 6.9 ADMINISTRATION

Principles		Complies	Not Applicable
A	In considering subdivision and/or rezoning proposals, an appropriate balance shall be maintained between current demand and stock available for use or development, and the number of new lots that would be created.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D	<p>A Development Plan for an integrated development may be prepared and adopted by Council for any area in this Scheme,</p> <p>A Development Plan shall include:</p> <ul style="list-style-type: none"> <li>i. The intended use for the land for which the Development Plan has been created;</li> <li>ii. The reason(s) for selection of the area;</li> <li>iii. A map showing clearly the area subject to the Development Plan showing principal physical features, including existing use or development, hills/slopes, trees, watercourses and existing services buildings and improvements;</li> <li>iv. The nature, form and capacity of proposed services including water, sewerage disposal, power, telephone, roads, footways and reserves;</li> <li>v. A plan of subdivision with proposed staging showing lot sizes and layouts, building envelopes where appropriate, and physical features intended to be conserved;</li> <li>vi. Any special provisions to be used to control land use and development in the area (eg. height, form, character, materials, colours etc.);</li> <li>vii. Any other provisions intended to secure the intention of the Plan.</li> </ul> <p>A Development Plan shall be incorporated into the Scheme by way of a Scheme amendment in accordance with the Act.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Officer comments: The proposal is for a 3 unit Grouped House that can also be used for visitor accommodation. Comments were sought from Council's Environmental Health Officer and Manager Infrastructure and Airport. No objections were raised or specific conditions of approval required. The proposal will be at no additional cost to the public of providing and maintaining services.**

**Part 7: Special Area Provisions**

Special Area	Applicable	Not Applicable
Visually Significant Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Ecologically Significant Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Heritage Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Shoreline, waterbodies and Watercourses	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Officer comments: N/A**

### **Part 8: Schedules**

Schedule	Applicable	Not Applicable
Schedule 2 – Buildings and Works of Historic Interest	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schedule 3 – Riverside, Wetlands and Shoreline Areas	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schedule 4 – Roads	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schedule 5 – Signs	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schedule 6 – Telecommunications Infrastructure Schedule	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schedule 7 – Development in Bushfire Prone Areas	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schedule 8 – North East River Development Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Officer comments: Schedule 7 of the planning scheme only pertains to Bushfire management as part of subdivision.**

### **OFFICER RECOMMENDATION**

That the application for a 3 unit Grouped House and Visitor Accommodation in the Village Zone, by Jane Allison Grylls for land located at 1 Armstrong Avenue, Killiecrankie (Lot 1 on Plan 50505) be **APPROVED** subject to the following conditions:

### **ENDORSED PLANS**

1. The use and/or development must be carried out as shown on the endorsed plans dated 17/05/2021 to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.

### **SOIL AND WATER MANAGEMENT CONTROL PLAN**

2. Prior to the commencement of any works on site (including vegetation removal), a site management plan must be submitted detailing how soil and water is to be managed on the site during the construction process to prevent the escape of soil and sediments beyond site boundaries.

This plan must clearly set out the property owner's obligations for erection, inspection and maintenance of all control measures approved. The management plan must include the following:

- a. Date and author

- b. Property boundaries, location of adjoining roads, impervious surfaces, underground services and existing drainage, contours, approximate grades of slope, directions of fall, north point and scale.
- c. General soil description.
- d. Location and types of all existing natural vegetation, location and amount of the proposed ground disturbance, the limit of clearing, grading and filling and the proposed location of soil, sand, topsoil and other material stockpiles.
- e. Critical natural areas such as drainage lines, cliffs, wetlands and unstable ground.
- f. Location of vegetation to be retained and removed.
- g. Location of stabilised site access.
- h. Stormwater discharge point, if proposed.
- i. Location of all proposed temporary drainage control measures.
- j. Location and details of all proposed erosion control measures.
- k. Location and details of all proposed sediment control measures.
- l. A statement of who is responsible for establishing and maintaining erosion and sediment control measures.
- m. Site rehabilitation or revegetation/landscaping program
- n. The estimated dates for the start and finish of the works – including the installation sequence of the different erosion and sediment controls

Works must not commence prior to the approval of the Soil and Water Management Control Plan by the Manager Infrastructure and Airport.

### **RECOMMENDATION**

**That the application for a 3 unit Grouped House and Visitor Accommodation in the Village Zone, by Jane Allison Grylls for land located at 1 Armstrong Avenue, Killiecrankie (Lot 1 on Plan 50505) be APPROVED subject to the following conditions:**

### **ENDORSED PLANS**

**1. The use and/or development must be carried out as shown on the endorsed plans dated 17/05/2021 to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.**

### **SOIL AND WATER MANAGEMENT CONTROL PLAN**

**2. Prior to the commencement of any works on site (including vegetation removal), a site management plan must be submitted detailing how soil and water is to be managed on the site during the construction process to prevent the escape of soil and sediments beyond site boundaries.**

**This plan must clearly set out the property owner's obligations for erection, inspection and maintenance of all control measures approved. The management plan must include the following:**

- a. **Date and author**
- b. **Property boundaries, location of adjoining roads, impervious surfaces, underground services and existing drainage, contours, approximate grades of slope, directions of fall, north point and scale.**
- c. **General soil description.**
- d. **Location and types of all existing natural vegetation, location and amount of the proposed ground disturbance, the limit of clearing, grading and filling**

- and the proposed location of soil, sand, topsoil and other material stockpiles.
- e. Critical natural areas such as drainage lines, cliffs, wetlands and unstable ground.
  - f. Location of vegetation to be retained and removed.
  - g. Location of stabilised site access.
  - h. Stormwater discharge point, if proposed.
  - i. Location of all proposed temporary drainage control measures.
  - j. Location and details of all proposed erosion control measures.
  - k. Location and details of all proposed sediment control measures.
  - l. A statement of who is responsible for establishing and maintaining erosion and sediment control measures.
  - m. Site rehabilitation or revegetation/landscaping program
  - n. The estimated dates for the start and finish of the works – including the installation sequence of the different erosion and sediment controls

**Works must not commence prior to the approval of the Soil and Water Management Control Plan by the Manager Infrastructure and Airport.**

## 14.2 Development Application - Michael Shrapnel

<b>Action</b>	<b>Decision</b>
<b>Proponent</b>	Michael Shrapnel
<b>Officer</b>	Karin van Straten Senior Consultant Town Planner
<b>File Reference</b>	DA 2021036
<b>Annexures</b>	14.2.1 DA 2021036 Plans

### INTRODUCTION

The proposal is for a house 113m<sup>2</sup> and 2 shipping containers to be used as outbuildings.

### PREVIOUS COUNCIL CONSIDERATION

Nil

### PREVIOUS COUNCIL DISCUSSION

Nil

### STATUTORY REQUIREMENT

The application was made pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*. Determination of the application is a statutory obligation.

### POLICY/STRATEGIC IMPLICATIONS

1. Liveability - To protect and build upon our islands' way of life
- 1.1 A viable population that enables the necessary services and activities required for the Community to prosper.
- 1.1.1 Encourage and support an increased supply of affordable accommodation for long-term residential rental and purchase.

### 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.

### OFFICER'S REPORT

#### SUBJECT SITE AND SURROUNDING AREA

The subject site is located near the end of Palana Road – opposite Blyth Bay and the Flinders Trail.

The site measures 3126m<sup>2</sup> and is mostly modified land with little native vegetation. The surrounds contains Village zoned lots of various shapes and sizes with very low density of development.

**THE PROPOSAL**

The proposal is for a house 113m<sup>2</sup> and 2 shipping containers to be used as outbuildings.

The house is a pole house with an apex height of 5.7m. External cladding will be Colorbond roof sheeting, walls fibre cement painted in soft grey and natural timbers. The shipping containers will be used onsite for the storage of building materials and after will be clad to match the house and used for outbuildings. The Part V Agreement applicable to this lot specifically states that no shipping containers may be used. The proposed cladding will therefore disguise the industrial looking shipping containers. The Part V Agreement determines areas for development and areas for onsite wastewater management. The proposal complies with these.

**REFERRAL**

The proposal was referred to EHO and Manager Infrastructure and Airport. No objections were raised.

**NOTIFICATION**

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

Issued raised	Officer comments
<p>Dr Richard Barnes Impact of the proposed development and the large reflective windows; as well as the use of the proposed house and outbuildings on the white bellied sea eagle nest within 600m of the subject site.</p>	<p>Council sought advice from DPIPWE Natural and Cultural Heritage Division with regards to the management of development. Condition 3 of the recommendation provides for the management of development within proximity of the nest.</p>



**PLANNING ASSESSMENT  
PART 5: ZONING**

**5.6.1 Zone Intent**

Village settlements are intended for use or development as small sized local servicing and residential centres. A range of uses may be appropriate including shops, service stations, public halls, agencies, hotels, visitor accommodation, single dwellings and the like.

**5.6.2 Desired Zone Character and Zone Guidelines**

- (a) Village scale and type of use or development should be contained strictly within the zone with commercial, service and civil uses or developments located on principal roadways.
- (b) Buildings shall be modest in scale and impact .
- (c) Dwellings should be set distances apart and from the street. Other forms of use or development may extend to the street boundary and side boundaries where no loss of character or amenity for adjoining use or development would result.
- (d) On-site car parking should not be a dominant element in the streetscape. Except where appropriate for operational purposes parking should be located behind or beside buildings.
- (e) Advertising signs may be appropriate but should be restrained in their use and impact. Sky signs, large billboards and tall free-standing signs which project above normal roof height are not appropriate.

**5.6.4 Development Standards**

- (a) The maximum height of buildings is 8.0 metres.
- (b) Dwelling setbacks shall comply with the provisions of the Building Code of Australia and the Building Regulations 1994. Building shall be sited so as not to unduly interfere with the amenity of adjacent properties by any significant degree of overlooking or overshadowing. Outbuildings sited at the rear of the dwelling may extend to the side or rear boundary where no loss of amenity to adjacent properties would result.
- (c) Habitable buildings should be sited and designed to achieve the best solar gain or orientation that the site can provide. Where such design or orientation is not feasible other energy efficient practices, such as insulation, heat pumps or double glazing, should be considered.

**Officer comments: the proposal is for a single dwelling and outbuildings; the proposed buildings’ impact and scale are modest. It is single storey with light grey colour and natural timber tones. Car parking and manoeuvring are proposed behind the house. The apex height is below the 8m set in the development standards and the setbacks is in compliance with the NCC.**

**The proposal is generally consistent with the Intent, and Desired Future Character and Zone Guidelines of the zone.**

The proposal is generally consistent with the Intent, and Desired Future Character and Zone Guidelines of the zone.

**PART 6:- USES AND DEVELOPMENT PRINCIPLES**

**6.1 Use**

The proposal complies with the following use principles:

Principles		Complies	Not Applicable
A	Use or development shall not unreasonably impact on any existing or intended use of development of neighbouring land	<input checked="" type="checkbox"/>	<input type="checkbox"/>



B	Subdivision of land shall be carried out in accordance with the subdivision provisions for the zone within which the land is located or where that is not appropriate in accordance with: iv. the requirements of the intended use, and v. the Zone Intent, or alternatively by vi. an approved Development Plan that has been adopted by Council and inserted as a provision in the Scheme.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C	Residential Zones shall be protected from encroachment by incompatible use or development.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D	Rural Industrial operations shall be appropriately located and designed to avoid any detrimental effects on neighbouring land use or development, particularly in respect of atmospheric emissions, solid waste disposal and water pollution, soil erosion, noise or visual quality.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E	Mining and quarrying operations shall be located and carried out in a form which does not conflict with surrounding land use or development, scenic values and the environment.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Officer comments: the proposal is for a modest house and outbuildings. The site coverage is less than 5% with 10m side setbacks – thus the proposal is not considered to have any impact on the current and future use/development of the adjoining lots.**

## 6.2 Character

The proposal complies with the following use principles:

	Principles	Complies	Not Applicable
A	Use and development shall adequately respect the character of, and future intentions for the area in which it is to be located.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B	Subdivision layout, particularly roads, shall take adequate account of land contours and the need to avoid visual scarring.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D	Landscaping of use or development shall be of a type, form, variety(s) and character which is suited to the intention of the zone, the area and the nature of the use or development.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E	Where trees are an important element in the character of an area they should be retained.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F	Signs shall be consistent in type, scale and location, with the intention of the zone, the streetscape and the building or structure on which they are positioned or to which they otherwise relate.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G	Forestry use or development, particularly plantations, shall be appropriately sited and planned to protect the visual quality and character of the countryside generally, and from important viewing locations in particular.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Officer comments: the proposal is for a modest house and outbuildings. The site coverage is less than 5% and the apex height of the development well below the 8m height limit set in the scheme. The external colour scheme will be a mixture of light**

grey painted walls and natural timber – adequately respecting the surrounding character.

### 6.3 Amenity

The proposal complies with the following use principles:

Principles		Complies	Not Applicable
A	Adequate public open space shall be provided in areas of new subdivision, to meet the recreational and open space requirements of the community generally and particularly the new owners of the lots created by subdivision.	<input type="checkbox"/>	<input type="checkbox"/>
B	Use or development shall accord all existing and/or future occupiers with adequate and reasonable levels of amenity, especially in relation to privacy, sunlight, aspect, views and noise disturbance.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C	Dwellings shall provide an adequate amount and appropriate type of private open space, to meet the expected lifestyle requirements of occupants. Such private open space shall provide adequate privacy, be exposed to reasonable levels of sunshine and directly accessible from the dwelling to which it belongs.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Officer comments: the proposal is for a modest house and outbuildings. The site coverage is less than 5%. This leave ample private open space area on the lot. The proposed house is north facing with large glazed areas to provide ample access to day light and sunlight.**

### 6.4 Environment

The proposal complies with the following use principles:

Principles		Complies	Not Applicable
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	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.		
D	<p>Potentially incompatible Uses or Developments shall be adequately and appropriately located, sited and designed to avoid conflict. Level 2 activities or sources of pollution shall be sited in accordance with the following:</p> <p>i. Use or Development for a use of land that is a Level 2 activity under the provisions of the Environment Management and Pollution Control Act 1994 shall not be allowed within the lesser distance from a residential zone than that recommended by the Director of Environmental Management.</p> <p>ii. Use or Development of land that is not a Level 2 activity, but which Council nonetheless considers will or has the potential for environmental harm, shall not be allowed within a lesser distance from a residential zone than that determined by Council after taking into account the advice from the Director of Environmental Management.</p> <p>iii. A dwelling unit shall not be erected within a lesser distance of any established Level 2 activity or other use of land which Council considers a source of pollution, than that determined by Council taking into account the advice from the Director of Environmental Management.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E	Activities involving extensive site works, such as quarrying, shall be suitably sited, screened, and rehabilitated where appropriate, to protect the ecological and visual qualities of the area.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G	Use of land in the vicinity of those watercourses identified in Schedule 3 shall provide Riparian Reserves in an appropriate location and form.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Officer comments: the proposal is for a modest house and outbuildings. The site coverage is less than 5%. Limited earthworks are required – the house is designed to follow the fall off the land. Condition 3 in the recommendation provides for the management of development within proximity of the nest.**

## 6.5 Heritage

The proposal complies with the following use principles:

	Principles	Complies	Not Applicable
A	Use or Development shall be undertaken in areas and in a manner which conserves items, sites, areas and customs of historic and cultural value.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B	Any Use or Development carried out on or in the vicinity of an item, site, area, feature or customary activity (including Aboriginal sites and	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	shipwrecks) or conservation value, shall adequately respect its historic and cultural integrity.		
C	The protection and conservation of items, sites, areas, features and customary activities of historic and cultural importance applies to those previously identified and listed in the Scheme, and those which subsequently become known to Council.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D	Where an item, site, area, feature or customary activity has or may have historic or cultural importance, Council may require a Statement of Cultural Significance to be prepared.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E	Use or development shall be carried out in accordance with the principles and practices of the <i>Burra Charter</i> .	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F	Use or Development involving any historic building or group of buildings shall adequately respect the design and construction elements of the building(s) and particularly the relationship of spaces, orientation, form, mass, scale, fenestration, detailing, style, materials and colour.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G	Areas of identified conservation value, including National Parks and Nature Reserves, shall be protected from inappropriate use or development and detrimental land management practices including land clearance, within such areas and adjacent areas outside them.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Officer comments: The subject site is not a heritage listed Place. A standard note on any approval requires that if any relic is found on site, all works must stop and the find be reported to Heritage Tasmania.**

#### 6.6 Access and Parking

The proposal complies with the following use principles:

	Principles	Complies	Not Applicable
A	Areas of identified conservation value, including National Parks and Nature Reserves, shall be protected from inappropriate use or development and detrimental land management practices including land clearance, within such areas and adjacent areas outside them.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B	All Use or Development shall provide satisfactory pedestrian and vehicular access which is suited to the volume and needs of future users.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Officer comments: the proposal is for a modest house and outbuildings. The site coverage is less than 5%. Limited earthworks are required – the house is designed to follow the fall off the land. Access from Palana Road is via a 3m wide gravel driveway. This also provides car parking and manoeuvring space on site.**

## 6.7 Services

The proposal complies with the following use principles:

Principles		Complies	Not Applicable
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B	Lot size and arrangement shall be adequate and appropriate to ensure an acceptable level of servicing, particularly in relation to waste disposal.	<input type="checkbox"/>	<input type="checkbox"/>
C	In areas not serviced with water use or development shall provide adequate water supply and effluent disposal systems. Each dwelling shall provide a potable water storage facility (minimum capacity of 40kl) to provide for the anticipated number of occupants, and a wastewater disposal system approved by the Council's Environmental Health Officer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D	Use or Development in the bushfire prone areas will provide fire protection features and water supplies which comply with Schedule 7.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
F	Servicing systems shall use adequate and appropriate design methods and materials to ensure an acceptable life span and allow for adequate maintenance requirements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
G	Use or Development shall optimise efficiency in the use of energy and resources. In particular, land should be subdivided on a generally sequential basis (ie. one area is substantially developed before the next is subdivided), common trenching should be used for different services where appropriate, and solar access maximised.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Officer comments: the proposal is for a modest house and outbuildings with access to available infrastructure. Bush fire and on site waste water management will be approved during the Building and Plumbing phase. The site has adequate space to manage both.**

## 6.8 Social Interests

The proposal complies with the following use principles:

Principles		Complies	Not Applicable
1	Use or Development should demonstrate how it suits the community interest.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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).	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Officer comments: the proposal is for a modest house and outbuildings. That will have access to all available social facilities and services.**

## 6.8 Administration

The proposal complies with the following use principles:

Principles		Complies	Not Applicable
A	In considering subdivision and/or rezoning proposals, an appropriate balance shall be maintained between current demand and stock available for use or development, and the number of new lots that would be created.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D	<p>A Development Plan for an integrated development may be prepared and adopted by Council for any area in this Scheme, A Development Plan shall include:</p> <ul style="list-style-type: none"> <li>i. The intended use for the land for which the Development Plan has been created;</li> <li>ii. The reason(s) for selection of the area;</li> <li>iii. A map showing clearly the area subject to the Development Plan showing principal physical features, including existing use or development, hills/slopes, trees, watercourses and existing services buildings and improvements;</li> <li>iv. The nature, form and capacity of proposed services including water, sewerage disposal, power, telephone, roads, footways and reserves;</li> <li>v. A plan of subdivision with proposed staging showing lot sizes and layouts, building envelopes where appropriate, and physical features intended to be conserved;</li> <li>vi. Any special provisions to be used to control land use and development in the area (eg. height, form, character, materials, colours etc.);</li> <li>vii. Any other provisions intended to secure the intention of the Plan.</li> </ul> <p>A Development Plan shall be incorporated into the Scheme by way of a Scheme amendment in accordance with the Act.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Officer comments: the proposal is for a modest house and outbuildings. The proposal was referred to internal council departments – no objections were raised or any conditions of approval required. The proposal does not require public money to be invested to provide or maintain additional infrastructure.**

#### **Part 7 – Special Area Provisions**

<b>Special Area</b>	<b>Applicable</b>	<b>Not Applicable</b>
Visually Significant Area	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ecologically Significant Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Heritage Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Shoreline, waterbodies and Watercourses	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### **7.2 Visually Sensitive Areas**

**7.2.1** These areas have been identified in recognition of their contribution to the landscape character and scenic values of the Planning Area. Important elements in their selection are:

- (a) Visual prominence when seen from public roads, foreshores and coastal waters;
- (b) Undisturbed landforms and natural vegetation;
- (c) Minimal visible evidence of human activity in the form of buildings, structures or works.

**7.2.2** The objectives of the Visually Sensitive Areas are:

- (a) To retain the natural appearance of each Area;
- (b) To minimise the visual impact of Use or Development;
- (c) To retain and restore where possible the natural vegetation cover.

**7.2.3** Notwithstanding any other provision in this Scheme, within the Visually Sensitive Areas any application for Use or Development (other than those prohibited within the zone) shall be considered as a discretionary Use or Development in accordance with Clause 3.5.

**7.2.4** In considering an application for Use or Development within the Visually Sensitive Areas and whether to impose conditions Council shall consider the following matters:

- (a) The objectives listed in Clause 7.2.2
- (b) The siting, orientation, setbacks, bulk, form, height, scale and external finishes of buildings and structures.
- (c) The visual impact of buildings, clearing, excavation, access, construction, fences, firebreaks or the deposition of fill.
- (d) The adequacy of proposed landscaping and whether any special works or practices are required to protect the scenic values of the site.
- (e) Whether development is proposed to be located on skylines or ridgelines.

**Officer comments: the proposal is for a modest house and outbuildings. The site coverage is less than 5%. Limited earthworks are required – the house is designed to follow the fall off the land. External finishing includes grey painted fibre cement sheeting and natural timbers.**

### **7.5 Shorelines, Water Bodies and Watercourses**

**7.5.1** The shorelines, water bodies and watercourses identified in Schedule 3 shall be sustainably managed for the protection of water quality, the conservation of aquatic and shoreline habitat and the enhancement of recreational opportunities.

**7.5.2** Development (other than that prohibited within the zone) which pertains to a Shoreline, Water Body or Watercourse listed in Schedule 3 shall be considered as a Discretionary Use or Development in accordance with Clause 3.5.

**7.5.3** Before considering an application pursuant to Clause 7.5.2 Council may require additional information, prepared and submitted for Council's consideration by a suitably qualified person(s) to ensure that the proposal is adequately described in terms of:

- (a) Contours and levels of the natural surfaces in relation to the range of water levels likely to occur in the vicinity of the proposed Use or Development.
- (b) Existing water quality, including seasonal variations;
- (c) Quantities and qualities of water that are proposed to be abstracted from or discharged to the sea, a water body or a watercourse listed in Schedule 3;
- (d) The likely impact of the proposed Use or Development on the quality of waters by reason of off-site effects such as erosion, siltation, salination chemical spray drift, nutrient seepage, seed dispersal, or other emissions;
- (e) The natural, ecological, cultural, recreational and aesthetic qualities of the site.

**7.5.4** In considering an application for Use or Development in Shorelines, Water Bodies and Watercourses and whether to impose Conditions Council shall consider the following matters:

- (a) The siting, orientation, setbacks, bulk, form, height, scale, materials and external finishes of buildings and structures;
- (b) The impact upon water quality, foreshore or streamside vegetation and wildlife habitat of building, clearing, excavation, effluent disposal, access construction, fences, firebreaks or the deposition of fill;
- (c) Whether land should be acquired by Council, as a condition of subdivision or otherwise, to protect the items listed in Schedule 3.
- (d) Whether additional fencing or any other special works or practices are required to protect the items listed in Schedule 3;
- (e) The design, content and location of signage and interpretative displays.

**Officer comments: the subject site is only partially affected by this special area overlay. The proposed house and outbuildings are well outside of this area. The onsite waste water management area (as per the Part V Agreement) is partly within this area. The proposal is not considered to have any impact on the water quality. The onsite waste water report that was submitted with this proposal clearly shows the trenches and reserved area to be outside of the special area.**

#### Part 8 – Schedules

Schedule	Applicable	Not Applicable
Schedule 2 – Buildings and Works of Historic Interest	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schedule 3 - Riverside, Wetlands and Shoreline Areas	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schedule 4 – Roads	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schedule 5 – Signs	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schedule 6 - Telecommunications Infrastructure Schedule	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schedule 7 - Development in Bushfire Prone Areas	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schedule 8 - North East River Development Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>



### **OFFICER RECOMMENDATION**

That the application for a house and outbuildings in the Village Zone, by Michael Shrapnel for land located at 4837 Palana Road, Palana (Lot 2 on Plan 164143) be **APPROVED** subject to the following conditions:

### **ENDORSED PLANS**

1. The use and/or development must be carried out as shown on the endorsed plan by Beachouse dated 20/07/2021 Project Number 115 to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.

### **SOIL AND WATER MANAGEMENT**

2. Soil and water must be managed on the site during the construction process to prevent the escape of soil and sediments beyond the site boundaries to reasonably maintain amenity of adjoining and nearby properties.

### **WHITE BELLIED SEA EAGLE**

3. For any works occurring between July and January inclusive, a survey for activity, use or occupancy must be undertaken by a suitably qualified person of the white-bellied sea eagle nest (reference #598 LIST/NVA) prior to construction and/or pre-clearance of vegetation commencing (including for driveway, services and fencing).

Specifically:

- a) An activity check of the white bellied sea eagle nest, must be completed by a suitably qualified person in accordance with *FPA Fauna Technical Note No. 1: Eagle nest searching, activity checking and nest management*.
- b) If the activity check determines that the nest is active, development must only occur outside of the breeding season or in accordance with a management plan approved by Council in consultation with relevant authorities.

### **RECOMMENDATION**

That the application for a house and outbuildings in the Village Zone, by Michael Shrapnel for land located at 4837 Palana Road, Palana (Lot 2 on Plan 164143) be **APPROVED** subject to the following conditions:

### **ENDORSED PLANS**

1. The use and/or development must be carried out as shown on the endorsed plan by Beachouse dated 20/07/2021 Project Number 115 to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.

### **SOIL AND WATER MANAGEMENT**

2. Soil and water must be managed on the site during the construction process to prevent the escape of soil and sediments beyond the site boundaries to reasonably maintain amenity of adjoining and nearby properties.

### **WHITE BELLIED SEA EAGLE**

3. For any works occurring between July and January inclusive, a survey for activity, use or occupancy must be undertaken by a suitably qualified person of the white-bellied sea eagle nest (reference #598 LIST/NVA) prior to construction and/or pre-clearance of vegetation commencing (including for driveway, services and fencing).

Specifically:

- a) **An activity check of the white bellied sea eagle nest, must be completed by a suitably qualified person in accordance with *FPA Fauna Technical Note No. 1: Eagle nest searching, activity checking and nest management*.**
- b) **If the activity check determines that the nest is active, development must only occur outside of the breeding season or in accordance with a management plan approved by Council in consultation with relevant authorities.**

## 14.3 Development Information Report

<b>Action</b>	<b>Information</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Jacci Viney   Development Services Coordinator
<b>File Reference</b>	PLN/0105
<b>Annexures</b>	14.3.1 <i>Development Information Report – August 2021</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. 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 14.3.1, *Development Information Report – August 2021*.

### VOTING REQUIREMENTS

Simple Majority

### RECOMMENDATION

**That the Development Information Report – August 2021 be received.**

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## **15 Infrastructure and Airport Report**

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### **15.1 Infrastructure and Airport Report – September 2021**

<b>Action</b>	<b>Information</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Chris Wilson   Manager Infrastructure and Airport
<b>File References</b>	WOR/3000
<b>Annexures</b>	<i>15.1.1 Manager Infrastructure and Airport Report – September 2021</i>

#### **INTRODUCTION**

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

#### **OFFICER'S REPORT**

This report is provided on a monthly basis at the request of Council.

#### **VOTING REQUIREMENTS**

Simple Majority

#### **RECOMMENDATION**

**That the Infrastructure and Airport Report – September 2021 be received and accepted by Council.**

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## 16 Notice of Motions

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### 16.1 Notice of Motion – Volunteer of the Year Award

<b>Action</b>	<b>Decision</b>
<b>Proponent</b>	Deputy Mayor David Williams
<b>Officer</b>	Warren Groves   General Manager
<b>File Reference</b>	PUB/0800
<b>Annexures</b>	15.1.1 Volunteer of the Year Award Policy 15.1.2 Volunteer of the Year Island News Advert

#### NOTICE OF MOTION

1. That Council does not nominate anyone as the Volunteer of the Year 2021.
2. That Council suspends the Volunteer of the Year Award Policy indefinitely and allows it to lay on the table for 28 days.

#### INTRODUCTION

The Flinders Island community has always had a large volunteer ethic and, indeed, as reported in Policy CS11 (Volunteer of the year Policy):

*“The Flinders Municipality has one of the highest volunteer participation rates in Australia. The Study of Economics, Business and Social Structure on Tasmania's Flinders Island, undertaken in 2014 by FTI Consulting on behalf of Flinders Council, identified Flinders' volunteer participation rate at 70.14%, averaging 5.68 hours per week. This is equivalent to 83 full time employees. This includes people who formally volunteer with organisations as well as those that do not have an affiliation with an organisation, but contribute informally, for the overall benefit of the communities of the Flinders Municipality. In comparison, the 2014 State of Volunteering Tasmania report suggests that the volunteering rate in Tasmania (excluding Hobart) was around 37%.”*

Many of our organisations could not operate without such dedicated volunteers and the general community have long recognised the great value of these volunteers.

Council has historically made an annual award to a community member/s for the purpose of recognising outstanding and long serving community and voluntary service. In February 2014, Councillors agreed to change the award to honour one worthy community member as Citizen of the Year in recognition of their outstanding voluntary contribution to the Community. It is standard practice that the Volunteer of the Year Award is presented to the recipient at the Flinders Island Show by the Mayor.

At the April 2020 Council Meeting, Council considered a motion to suspend the Volunteer of the Year Award Policy indefinitely, as there was a perception that local volunteers prefer not to receive formal recognition. At the meeting, Council passed the following motion no. 80.4.2020:

*“That the Citizen of the Year Award Policy be reviewed by Council before the end of June 2020.”*

The Citizen of the Year Award Policy was discussed by Council at a workshop where Council indicated its preference to change the award to the Volunteer of the Year Award. A Volunteer of the Year Award Policy was developed to support this decision (Annexure 16.1.1) and adopted by Council in June 2020.

It is clear, however, that in recent years the Community have been reluctant to nominate for this award, individuals who would prefer to 'fly under the radar'. On a number of occasions, the person nominated through the agreed process has declined to accept the nomination. It is considered that this certainly decreases the efficacy of the current policy. Despite Council's advertising their wish to receive nominations there have been none at all this year, which further indicates the current community perception of the Award.

It is on this basis that suspension of the said policy is being moved.

#### **PREVIOUS COUNCIL CONSIDERATION**

The Volunteer of the Year Award is advertised to the general public annually and presented to Council for a decision each September. The Volunteer of the Year Award Policy states that nominations will be considered, and the Volunteer of the Year determined, by Full Council in Closed Council.

#### **PREVIOUS COUNCIL DISCUSSION**

7 September 2021 Council Workshop

#### **OFFICER'S REPORT**

The selection of a Volunteer of the Year from nominations is a matter for Council.

Nominations for the Volunteer of the Year Award were called for by advertisement in the Island News, on Council's Facebook page and on Council's website, closing the 1 September 2021. No nominations were received. The 2020 call for nominations also received no submissions. This trend supports the suggested community willingness to volunteer without recognition or reward.

Suspension of the Volunteer of the Year Award Policy means that it can be reactivated anytime in the further when the feeling within the Community changes.

#### **STATUTORY REQUIREMENT**

Nil

#### **POLICY/STRATEGIC IMPLICATIONS**

Volunteer of the Year Policy

#### **BUDGET AND FINANCIAL IMPLICATIONS**

Nil

#### **RISK/LIABILITY**

Nil

#### **VOTING REQUIREMENTS**

Simple Majority

#### **MOTION**

**Moved: Deputy Mayor David Williams**

- 1. That Council does not nominate anyone as the Volunteer of the Year 2021.**
- 2. That Council suspends the Volunteer of the Year Award Policy indefinitely and allows it to lay on the table for 28 days.**

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## 17 Governance

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### 17.1 Enforcement Policy Review

<b>Action</b>	<b>Information</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Warren Groves   General Manager
<b>File Reference</b>	ADM/0900
<b>Annexures</b>	15.1.1 Enforcement Policy 15.1.2 Risk Matrix 15.1.3 Enforcement Procedure

#### **INTRODUCTION:**

Council's Policy Manual is an important document of Council as it provides direction to Staff, Management and Councillors. Many of the policies are required by, or relate to, legislation and in most instances, help manage Council's exposure to risk.

#### **PREVIOUS COUNCIL CONSIDERATION**

132.7.2020                      28 July 2020

#### **PREVIOUS COUNCIL DISCUSSION**

7 July 2020                      Council Workshop

#### **OFFICER'S REPORT**

The Enforcement Policy has been created to provide guidance to Council and Community on matters of breaches of legislation that Council is responsible to uphold. It has been recently reviewed with minor amendments recommended to articulate Council's response to reported or authorized officer identified enforcement matters.

The Enforcement Policy is annexed with a risk matrix and an associated Procedure document, to provide additional clarity.

#### **STATUTORY REQUIREMENT**

Nil

#### **POLICY/STRATEGIC IMPLICATIONS**

Nil

#### **RISK/LIABILITY**

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

#### **VOTING REQUIREMENTS**

Simple Majority

#### **RECOMMENDATION**

**That Council endorses the Enforcement Policy and allows it to lay on the table for 28 days.**

## 17.2 Sealing of Grant Deed

<b>Action</b>	<b>Decision</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Jacci Smith   Development Services Coordinator
<b>File Reference</b>	ENH/0900
<b>Annexures</b>	17.2.1 Grant Deed Flinders Island Vet Facility - September 2021 (Elected Members only)

### INTRODUCTION

Council's priority projects list included the procurement of a vet to service the Islands. When the Premier visited Flinders Island pre-election, the matter of veterinarian services was raised. The 100 day promise of the newly appointed government included \$980,000 for the establishment of a veterinarian facility.

### PREVIOUS COUNCIL CONSIDERATION

Nil

### PREVIOUS COUNCIL DISCUSSION

27 April 2021

### OFFICER'S REPORT

Initially the State Government provided a vet to the Islands, this started around the 1960s at the establishment of the soldier settler scheme and continued to the current Vet. Unfortunately, the current Vet was re-employed as a BioSecurity Officer which ended the provision of a veterinarian service to the Islands.

Council has been concerned about the future of veterinarian services on the Island for a number of years. Lobbying the Government to re-establish the service has resulted in funding for Council to undertake the establishment of a facility which can provide for a suitable service model.

Expressions of Interest (EOI) for both the design of the building and possible veterinarians, were released on 20 August and close on 17 September.

The grant deed has been provided to Council and is ready to be signed and sealed.

### STATUTORY REQUIREMENT

Nil

### POLICY/STRATEGIC IMPLICATIONS

1. Liveability - To protect and build upon our island's way of life.
  - 1.1 A viable population that enables the necessary services and activities required for the Community to prosper.
    - 1.1.2 Promote the islands' authentic lifestyle, business and entrepreneurial opportunities to attract 'working age' population and families.
3. Economy/Business - An environment where a variety of business can thrive and integrate.
  - 3.1.2 Advocate federal and state governments for improved availability of critical services and industries on the Island and equalisation schemes, to benefit the Community and economy.



AP2022-1 Prepare a business case for veterinary services for the Furneaux Group as a Priority Project. (Investigate construction of facility, argument against competitive neutrality, staff member.)"

### **BUDGET AND FINANCIAL IMPLICATIONS**

The grant deed contains milestones for payments to the total of \$980,000. Council land may provide the siting of the new facility. Apart from staff and project management costs the grant funding should cover all of the works, though Council will initially own the asset once it is complete.

### **RISK/LIABILITY**

Low

### **VOTING REQUIREMENTS**

Absolute Majority

### **RECOMMENDATION**

**That Council**

- a) **Authorizes the General Manager, Warren Groves to sign the Flinders Island Vet Facility grant deed under Common Seal for the purpose of constructing and equipping a new veterinarian facility,**
- b) **Approves the investigation and use of appropriate Council land to site the facility and;**
- c) **Approves the receipt of the veterinary facility onto Council's asset register upon completion.**

## 17.3 Riddle Artwork Request

<b>Action</b>	<b>Decision</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Warren Groves   General Manager
<b>File Reference</b>	AME/0503
<b>Annexures</b>	17.3.1 Letter from Joanna Klug and John Riddle 17.3.2 Unconfirmed Minutes of the Lady Barron Hall and Recreation Special Committee 13 <sup>th</sup> September 2021

### INTRODUCTION

The Riddle family has approached Council with a request to obtain a painting that is owned by Council and is in storage at the Lady Barron Hall.

The painting was created by John Parish and features the late William Riddle on Big Dog Island during mutton bird season. The history of this painting was that Flinders Council ran an art competition for a local artist to do a portrait of a local resident and the winner of the competition was given \$200 and the Flinders Council got to keep the painting.

The family of late William Riddle are asking Flinders Council to consider giving or selling this painting back to his family so that they can hang the painting in their home alongside other family portraits. The family also has a strong connection with the artist John Parish, so the painting is very dear to them.

### PREVIOUS COUNCIL CONSIDERATION

Nil

### PREVIOUS COUNCIL DISCUSSION

07 September 2021 Council Workshop

### OFFICER'S REPORT

The Lady Barron Hall and Recreation Special Committee of Council were first approached regarding the return of the painting to the Riddle family at their 30 July 2012 meeting. During this meeting, a letter requesting the painting was tabled for consideration. At the conclusion of their deliberations, the Committee declined the request and informed the family in January 2013.

The current Lady Barron Hall Committee met on Monday 13 September 2021 to consider a recent further request of the Riddle family to be given or purchase the painting. After considering the request, the Committee passed a motion recommending the painting be given to the Riddle family.

As the painting is a Council asset, it is open to Council to adopt the recommendation of the Lady Barron Hall and Recreation Special Committee to give the painting to the Riddle family, sell the painting to the family or decline their request.

### STATUTORY REQUIREMENT

*Local Government Act 1993*

### POLICY/STRATEGIC IMPLICATIONS

Nil

### BUDGET AND FINANCIAL IMPLICATIONS

Nil

**RISK/LIABILITY**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**This is a matter for Council to decide.**

## 17.4 Bushfire Recovery Grant 2021

<b>Action</b>	<b>Decision</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Warren Groves   General Manager
<b>File Reference</b>	CSV/0400
<b>Annexures</b>	17.4.1 Bushfire Grant Overview 21.8.20 (For Elected Member's only)

### INTRODUCTION

The Black Summer Bushfire Recovery Grants Program supports the recovery efforts of communities in eligible Local Government Areas (LGAs) affected by the 2019–20 bushfires. The program supports a range of projects in eligible LGAs affected by the 2019-20 bushfires to address community recovery and resilience needs.

The objectives of the grant opportunity are to:

- support recovery and resilience of communities impacted by the 2019-20 bushfires; and
- build stronger communities by supporting social, economic and built environment recovery.

The intended outcomes of the grant opportunity are to:

- empower local communities to address bushfire recovery priorities, including through creation of jobs, sustainable infrastructure and community investment targeted at the specific needs of the community; and
- rebuild and grow the economy of the local communities impacted by the bushfires.

Applicants are encouraged to use local materials, suppliers and labourers, where possible to undertake projects that could include purchase (or hire or lease) of equipment and materials to support eligible project activities for example; building materials, ICT cabling, fit out of the infrastructure, fixed furniture, landscaping and building modifications, where you own the modified asset, and the modification is required to undertake the project.

The project must address one or more of the following kinds of recovery or resilience needs

\* **social recovery and resilience** - for example, community development programs and activities to help affected individuals and communities to reconnect and support mental and physical wellbeing and recovery from the immediate effects of the bushfires.

\* **economic recovery and resilience** - for example, projects that help the community (and not just an individual business) to recover from the immediate economic impact of the bushfires by boosting employment and industries in eligible LGAs impacted by the fires.

\* **recovery and resilience of the built environment** - for example, projects to rebuild infrastructure damaged by the bushfires.

Applications close on 6 October 2021.

### PREVIOUS COUNCIL CONSIDERATION

Nil

### PREVIOUS COUNCIL DISCUSSION

Nil

### OFFICER'S REPORT

Council has identified a variety of locations and facilities that would address community recovery and resilience needs relating to the social, economic or built environment. They are:

- FAEC  
Upgrade the FAEC (Recovery Centre) with a Commercial Kitchen
- Emita Hall & Holloway Park  
Upgrade of community facilities and NSP (Nearby Safer Places)
- Emita Hall & Holloway Park Emergency Services Base  
Project Partner TASFire
- COMMBuMP PLANS  
Community Bushfire Management Plans
- Off Grid Mobile Staging Area / Information Hub  
Mobile Shipping Container for temporary location of emergency response resources
- Digital Signage  
Variable Messaging Signage (VMS)

The proposed community infrastructure upgrades are in line with the Grant guidelines and constitute a number of positive benefits to the community.

Should Council agree to the proposed application and sub-projects, it is recommended that the project is progressed in line with Council's procurement processes.

#### **STATUTORY REQUIREMENT**

*Local Government Act 1993*

#### **POLICY/STRATEGIC IMPLICATIONS**

1. Liveability - To protect and build upon our island's way of life.
2. Accessibility/Infrastructure and Services - Quality infrastructure and services for community benefit.
3. Economy/Business - An environment where a variety of business can thrive and integrate.

#### **BUDGET AND FINANCIAL IMPLICATIONS**

As with all capital projects there will be long term financial implications which will need to be incorporated into Council's long term financial and asset management plans.

#### **RISK/LIABILITY**

No foreseen risks

#### **VOTING REQUIREMENTS**

Simple Majority

#### **RECOMMENDATION**

**That Council**

- a) **Makes an application to the Bushfire Recovery Grants Program;**
- b) **Authorises General Manager, Warren Groves to sign the Bushfire Recovery grant deed under Common Seal;**
- c) **Incorporates the required project and financial allocations into the 2021/2022 Council Budget; and**
- d) **Approves the receipt of the resulting infrastructure onto Council's asset register upon completion.**

## **17.5 Councillor Resolution Report**

<b>Action</b>	<b>Information</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Warren Groves   General Manager
<b>File Reference</b>	GOV/0300
<b>Annexures</b>	17.5.1 Councillor Resolution Report September 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 17.3.1 – Councillor Resolution Report September 2021.

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

**That the Councillor Resolution Report September 2021 be noted.**

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## 18 Closed Council

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### 18.1 Private Works

### 18.2 Islander Way Project

### 18.3 Budget Variation

<b>Action</b>	<b>Information</b>
<b>Proponent</b>	Council Officer
<b>Officer</b>	Warren Groves   General Manager

### 18.1 and 18.3

#### PREVIOUS COUNCIL DISCUSSION

Nil

#### PREVIOUS COUNCIL CONSIDERATION

Nil

### 18.2

#### PREVIOUS COUNCIL CONSIDERATION

103.6.2021	15 June 2021
149.08.2021	17 August 2021
150.08.2021	17 August 2021

#### PREVIOUS COUNCIL DISCUSSION

30 March 2021	Council Workshop
20 July 2021	Council Workshop
3 August 2021	Council Workshop
17 August 2021	Council Workshop

#### REASON FOR CLOSED COUNCIL

18.1, 18.2 and 18.3 are **CONFIDENTIAL** in accordance with Section 15(2) (d) of the *Local Government (Meeting Procedures) Regulations 2015*.

#### VOTING REQUIREMENTS

Absolute Majority

#### RECOMMENDATION

That Council moves into Closed Council

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## Meeting Closed

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