



Agenda

Ordinary Council Meeting

27 May 2026



CERTIFICATE OF QUALIFIED ADVICE

Background

To comply with section 65 of the *Local Government Act 1993*:

- A general manager must 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.
- A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless:
- the general manager certifies in writing
- that such advice was obtained; and
- the general manager took the advice into account in providing general advice to the council or council committee; and
- a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the general manager's certificate.

Certification

I certify that:

- the advice of a qualified person has been sought where required;
- this advice was taken into account in providing general advice to the council or council committee; and
- a copy of the advice, or a written transcript or summary of advice provided orally, is included with the agenda item.

Dated this Friday 22 May 2026



Oliver Ward

ACTING GENERAL MANAGER

LANGUAGE AND BEHAVIOUR

Council is committed to the "Lift the Tone" Campaign and will challenge the normalisation of abuse against Elected Members, Council Officers and uphold exemplary standards of public and political debate in all it does.

All persons attending the meeting are to be respectful of, and considerate towards, Elected Members, Council Officers and other persons attending the meeting.

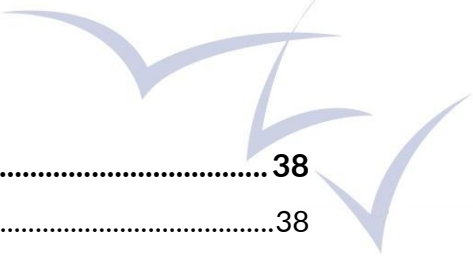
Language and conduct at the meeting that could be perceived as offensive, defamatory or threatening to Elected Members, Council Officers or any person attending the meeting, or listening to the recording, will not be accepted.





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FLINDERS COUNCIL ORDINARY MEETING – AGENDA

1 Attendance

Venue	Flinders Arts and Entertainment Centre
Commencing	1.00 pm

Elected Members

Position	Name	Attendance
Mayor	Rachel Summers	
Deputy Mayor	Vanessa Grace	
Councillor	Garry Blenkhorn	
Councillor	Aaron Burke	
Councillor	Carol Cox	
Councillor	Chris Rhodes	
Councillor	Ken Stockton	

Apologies

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Staff and Consultants

Officer Name	Position	Item Attendance
Warren Groves	General Manager	Apology
Oliver Ward	Acting General Manager and Works and Services Manager	
Jade Boyes	Corporate Services Manager	
Sammi Gowthorp	Community Engagement Manager	
Richard Harley	Airport Operations Coordinator	
Jacci Smith	Development Services Manager	
Sue Mythen	Executive Officer (Minute Taker)	
Jo Brzeska	Corporate Services and Governance Officer	

RECORDING OF COUNCIL MEETINGS

All persons in attendance are advised that in accordance with Section 8, *Local Government (Meeting Procedures) Regulations 2025*:

- a video recording is being made of the meeting;
- all persons attending the meeting are to be respectful of, and considerate towards, other persons attending the meeting; and
- language and conduct at the meeting that could be perceived as offensive, defamatory or threatening to a person attending the meeting, or listening to the recording, is not acceptable.



2 Acknowledgement of Country

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

3 Confirmation of Minutes

3.1 Minutes of the Ordinary Council Meeting 21 April 2026

Annexures Nil

RECOMMENDATION

That the Minutes from the Ordinary Council Meetings held on 21 April 2026 be confirmed.

4 Public Question Time

In accordance with Sections 33 and 36 of the Local Government (Meeting Procedures) Regulations 2025 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. People 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. A member of the public may, at least 7 days before an ordinary council meeting, give written notice to the general manager of a question to which the member of the public seeks an answer at the meeting.*
- 5. 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.*
- 6. Question time shall not extend longer than 30 minutes and may be divided into two 15 minute sessions.*
- 7. The actual timing of the session(s) is to be immediately after the opening of the meeting and advertised with the notice of meeting.*

5 Response to Public Questions

5.1 Response to Public Questions from 21 April 2026

Question 1: Mayor Rachel Summers asked the following question on behalf of Alison Hizzard.

After recently driving around the Island I was wondering if there is any option/incentive for farmers to sell off their unused farm houses?

Many people are looking for affordable housing and it just seems such a waste to see these houses rot away. It may even make moving to the Island more attractive for young families too.

I know this might not be the first time this subject has been broached but if there is some way to make this work it would be a positive for both farmers and help the community.

I realise it's hard with the planning scheme and zoning etc, but if there was some sort of solution, how good would it be.

Thanks for listening.

Mayor's Response

There are houses out on farms that aren't being lived in, and on the surface it feels like an obvious opportunity. More people need housing, and there are buildings sitting there.

Where it gets tricky is that most of these houses are part of working farms. Under the **Tasmanian Planning Scheme**, land in rural type zones are primarily intended to support agricultural use, so subdivision needs to be considered carefully.

In some cases, farmers are not looking to retain additional houses and infrastructure that require ongoing maintenance, while at the same time, people seeking housing are often not looking to purchase or manage large rural lots. On the surface, that sounds like a natural fit—but it's not always that simple.

Separating a house from a working farm can create land use conflicts. Rural living comes with the realities of farming—livestock, machinery, noise, and aerial spraying—and those can become points of tension if expectations aren't aligned. That can make landowners cautious about subdividing off dwellings where they continue to farm the surrounding land.

The planning scheme does allow for subdivision in both the Agriculture and Rural Zones, and Council has supported this in some instances, including the recent excision of a dwelling from a larger farm title. However, each proposal needs to be assessed on its individual merits, including impacts on agricultural use, infrastructure, and surrounding land.

There's also the reality that what looks like an "unused" house isn't always surplus from the landowner's point of view. It might be held for workers, family, or future use as part of the farm. So even if the planning side could be worked through, there's no guarantee those properties would come onto the market.

That said, the planning scheme doesn't always spell things out in a simple yes or no. There are situations where a proposal might be able to be considered on its merits, particularly through a discretionary application. If someone is thinking about subdividing a dwelling from a larger rural property, the best step is to speak with a planner or lodge an enquiry with Council. That way, the specific circumstances of the land can be looked at properly, rather than relying on assumptions.

The point you're making about better using existing housing is a good one. In a place like ours, we need to look at every option we can. It's not a quick fix, but it is something that can be part of the broader conversation around housing, alongside the other work Council is doing in that space.

In short, it's not off the table as an idea, but there are some solid planning and practical barriers that mean it's not as simple as it might first appear.

RECOMMENDATION

That the response to the public question from the 21 April 2026 Ordinary Council Meeting be noted.

6 Councillors' Questions on Notice

6.1 Councillors' Questions on Notice

Nil received.

7 Councillors' Questions Without Notice

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

8 Responses to Councillors' Questions Without Notice

8.1 Responses to Councillor's Questions Without Notice

No Councillor questions without notice were asked at the 21 April 2026 Council Meeting.

9 Late Agenda Items

Under R10(7) of the *Local Government (Meeting Procedures) Regulations 2025*, the Council may, by absolute majority vote, consider late agenda items at this meeting.

10 Declarations of Pecuniary Interest

Per *Local Government Act 1993* – Sections 48 – 51 and in accordance with Regulation 10(f) of the *Local Government (Meeting Procedures) Regulations 2025*, 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.

11 Conflicts of Interest

In accordance with Part 2 (Conflicts of interest that are not pecuniary) of the Local Government (Model Code of Conduct) Order 2024, Councillors are required to declare any conflict of interest, be it 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.

12 Workshops and Information Forums

Action For Information
File Reference COU/0205 Workshops and Information Forums

Council Workshop – Tuesday 5th May 2026

Council held a workshop on the following subjects:

- Item 2.1 2026-27 Rates and Budget Discussions

Councillors	In Attendance
Mayor Rachel Summers	Yes
Deputy Mayor Vanessa Grace	Via Teams
Councillor Garry Blenkhorn	Yes
Councillor Aaron Burke	Yes
Councillor Carol Cox	Via Teams
Councillor Chris Rhodes	Yes
Councillor Ken Stockton	10.09am – 11.49am

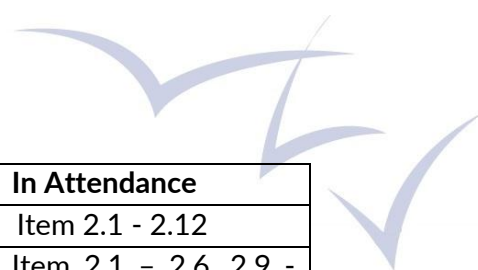
Staff and Consultants	In Attendance
Warren Groves	General Manager
Jade Boyes	Corporate Services Manager
Jacci Smith	Development Services Manager
Sue Mythen	Executive Officer (Note Taker)
Marissa Walters	Contract Accountant

Council Workshop – Wednesday 13th May 2026

Council held a workshop on the following subjects:

- Item 2.1 Review DA 2023/0038 - Rezone to Rural and Establish Lime Sand Extraction (Level 2) Pit - Marshall Bay
- Item 2.2 Code for Tenders and Contracts
- Item 2.3 Rationale for Waiver of Fees Review
- Item 2.4 Fees & Charges 2026-27
- Item 2.5 Cape Barren Island Project Proposals (Deferred)
- Item 2.6 Annual Plan Action Items Review
- Item 2.7 NTDC Discussion
- Item 2.9 2026-27 Draft Budget and Rates
- Item 2.10 Bass Strait Freight Port Proposal and Bridport Cutting
- Item 2.11 General Manager's Update
- Item 2.12 Furneaux Collective Update

Councillors	In Attendance
Mayor Rachel Summers	Item 2.1 - 2.12
Deputy Mayor Vanessa Grace	Item 2.2 - 2.12
Councillor Garry Blenkhorn	Item 2.1 - 2.12
Councillor Aaron Burke	Item 2.1 - 2.12
Councillor Carol Cox	Apology
Councillor Chris Rhodes	Item 2.1 - 2.10
Councillor Ken Stockton	Item 2.1 - 2.10



Staff and Consultants		In Attendance
Warren Groves	General Manager	Item 2.1 - 2.12
Jade Boyes	Corporate Services Manager	Item 2.1 - 2.6, 2.9 - 2.11
Sammi Gowthorp	Community Engagement Manager	Item 2.2 - 2.12
Richard Harley	Airport Operations Coordinator	Item 2.9
Jacci Smith	Development Services Manager	Item 2.1 - 2.12
Oliver Ward	Works and Services Manager	Item 2.1 - 2.12
Sue Mythen	Executive Officer (Note Taker)	Item 2.1 - 2.12
Jo Brzeska	Governance & Corporate Services Officer	Item 2.1 - 2.12
Marissa Walters	Contract Accountant	Item 2.9
Mick Purves	Strategic Planning Consultant	Item 2.1
David Harris	Bass Strait Freight	Item 2.10
Jana Monnone	Furneaux Collective	Item 2.12
Andrew Killengray	Furneaux Collective	Item 2.12

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Council Workshops held on 5th May 2026 and 13th May 2026 be noted.



13 Publications and Reports Tabled For Information

14 Reports To Be Received

14.1 Furneaux Islands Festival 2026 Report

Action	For Noting
Officer	Sammi Gowthorp - Community Engagement Manager
File Reference	CDV/0301 Furneaux Islands Festival
Annexures	1. Furneaux Islands Festival Report 2026 [14.1.1 - 3 pages]

Officer's Report

The Furneaux Islands Festival Report 2026 is presented for Council's consideration.

The report outlines the 2026 Festival program and event delivery across the Island, associated partnerships, and community outcomes.

The report is presented to Council for noting.

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Furneaux Islands Festival Report 2026 be noted.



14.2 Flinders Council Audit Panel

Action	For Information
Officer	Warren Groves - General Manager
File Reference	FIN/0401 Audit Panel
Annexures	1. 2026.04.27 - Audit Panel Meeting_ - Confirmed Minutes (08.05.2026)_ Redacted [14.2.1 - 11 pages]

Officer's Report

The confirmed minutes of the Flinders Council Audit Panel meeting held on the 27 April 2026 have been provided at Annexure 1 to this item, for consideration. The minutes outline what the Committee has been working on to date and can now be accepted by Council.

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Confirmed Minutes of the Flinders Council Audit Panel meeting held 27th April 2026 be accepted.



14.3 Furneaux Group Aviation Special Committee

Action	For Noting
Officer	Warren Groves - General Manager
File Reference	COM/0104 Furneaux Group Aviation SC
Annexures	1. 2026.05.12 - Furneaux Group Aviation Special Committee - Unconfirmed Minutes Redacted 1 [14.3.1 - 7 pages]

Officer's Report

The Unconfirmed Minutes of the Furneaux Group Aviation Special Committee held on the 12th May 2026 have been provided for consideration. The minutes outline what the Committee has been working on to date and can now be noted by Council.

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Unconfirmed Minutes of the Furneaux Group Aviation Special Committee held on 12 May 2026 be noted.

15 Mayor's Report

15.1 Mayor's Report For April/May 2026

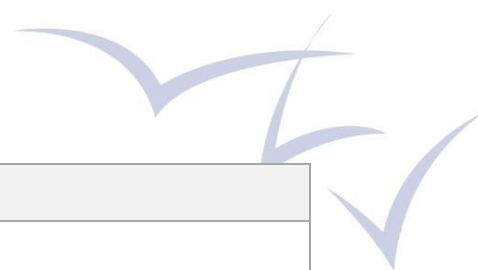
Action	For Information
Councillor	Cr Rachel Summers
File Reference	COU/0600 Mayor's Report
Annexures	Nil

Appointments

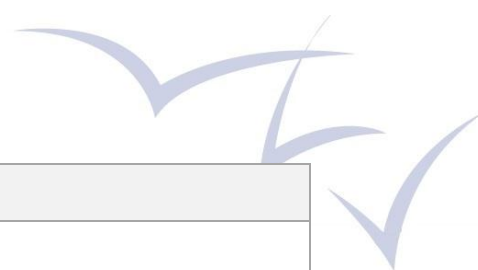
Date	Description
14/04/2026	Meeting with Flinders Island Business Inc.
15/04/2026	Councillor Workshop
20/04/2026	Meeting with Flinders Island Aboriginal Association Inc. (FIAAI)
21/04/2026	Ordinary Council Meeting
22/04/2026	NTDC Population Study discussion
22/04/2026	Council Project site tour with visiting politicians
22/04/2026	Lady Barron Boating Facility Opening
22/04/2026	Lady Barron Boating Facility Contractor Dinner
23/04/2026	Dr. George Razay Dementia Presentation and Community Walk.
04/05/2026	Meeting with Marc Cobham
05/05/2026	Council Rates and Budget Workshop
06/05/2026	Governance Meeting
12/05/2026	Aviation Special Committee Meeting
13/05/2026	Council Workshop
18/05/2026	Whitemark Gym Committee Meeting

Correspondence In

Date	From	Subject
13/04/2026	Denise Hooke President Flinders Island Show Society	Flinders Island Show Society Survey Results April 2026
13/04/2026	Madeline Copcutt Graduate Officer Renewables, Climate and Future Industries Tasmania (ReCFIT)	Public Consultation Open – Renewables Energy Community Benefit Scheme Discussion Paper
14/04/2026	Ashton Wood Founder and Chief Executive Officer DV Safe Phone	Domestic and Family Violence Prevention Month - DV Safe Phone
14/04/2026	Kate Walker Project Manager Furneaux Collective Inc.	Local Business Draft Invite - Conference
14/04/2026	David Harris Director Bass Strait Freight	Bass Strait Freight Fuel Levy
14/04/2026	Joanna Lang	Maintenance of Anchor
14/04/2026	Vanessa Cahoon	Invitation to Complete Survey



Date	From	Subject
	Chief Executive Officer Clifford Craig Foundation	
14/04/2026	Marcus Blackie Mayor King Island Council	King Island Council Media Statement - Current Fuel Situation
16/04/2026	Lou Partridge Fundraising and Events Officer Royal Flying Doctors Service (RFDS)	Whisky for Wings Invitation
16/04/2026	Dion Lester CEO Local Government Association of Tasmania (LGAT)	Local Government Election Timetable
16/04/2026	Daryl Robson Founder and Executive Officer COA Cooperative	Request for Information: Affordable, Small-Scale Tiny House Village Developments
16/04/2026	Stephen Jones Royal Society of St George Tasmania Branch	Request for Support
16/04/2026	Aldo Antolli Director Signal and Strategy	Signal and Strategy update
17/04/2026	Maya Wilkinson The Palliative Care Team Tasmania	Getting to the Heart of It
20/04/2026	Ben Morris Policy Director Local Government Association Tasmania (LGAT)	State Fire Commission - renewed call for nominations
20/04/2026	Alison Hizzard Flinders Island	Public Question for Council Meeting
22/04/2026	Kaycee King Electorate Officer Diary Manager Office of Senator the Hon Richard Colbeck Liberal Senator for Tasmania	Meeting Request Senator Colbeck
22/04/2026	Ivan Dzelalija Principal Policy Analyst Executive Officer Office of the State Grants Commission Intergovernmental and Financial Policy Branch Department of Treasury and Finance	State Grants Commission: Preliminary Decision 26-01 - Setting the minimum base grant entitlement for relative needs councils
22/04/2026	Tanya Ha	Promote your community's strengths through National Science Week



Date	From	Subject
	Director of Engagement Science in Public National publicist National Science Week	
27/04/2026	Rebecca Beaumont Office Manager / Executive Assistant Office of Janie Finlay MP	Can you place 1 poster up for a great cause?
27/04/2026	Dianne Dredge The Tourism CoLab	Portals to Place Conference
27/04/2026	Nicky Bolt Training and Project Advisor Thrive Group Hobart	BEEF Application – Request for Support
28/04/2026	Senator Wendy Askew Liberal Senator for Tasmania Chief Opposition Whip in the Senate	Invitation: Breakfast roundtable with Senator the Honorable James McGrath (Shadow Minister for Urban Infrastructure and Cities)
29/04/2026	Sandra Woods Administration Assistant Tasman Council	Centre for Rural Local Government (CRLG) - Webinar Invitation: What really results when Local Governments are amalgamated?
30/04/2026	Kirstan Long Office of the Tasmanian Economic Regulator	2026 Water and Sewerage Price Determination Investigation - Release of Final Report
30/04/2026	Kerry Vincent MLC Minister for Housing and Planning Minister for Infrastructure and Transport Minister for Local Government Member for Prosser	Letter from the Minister for Local Government to Mayors and General Managers - Local Government Electoral Legislation Update
30/04/2026	National Awards Team Regional Policy and Engagement Section Regional Development and Local Government Branch Regional Development, Northern Australia and Local Government Division	National Awards for Local Government - Voting Closing Soon!
04/05/2026	Dr Billy Chow Chiropractor President, Australian Chiropractors Association	Spinal Health Month - Join the Movement this June
04/05/2026	Jiaosha Chen Reconnect Practitioner (North and Northeast) Individual & Family Counselling Team	Visiting and connecting



Date	From	Subject
05/05/2026	Josh Hodges Head of Advocacy Heart Foundation	Support Heart Health in Flinders Council this Heart Week
05/05/2026	Holly Barnewall Plus 36 Others co-named	Collective Concern and Call for Immediate Review of Glyphosate Use in Whitemark and Lady Barron
05/05/2026	Senator Wendy Askew Liberal Senator for Tasmania	Over 65s Private Health Rebate Cut a Bitter Blow for Tasmanians
06/05/2026	Julie Anderson Council on the Ageing - Tasmania	World Elder Abuse Awareness Day (WEEAD) Walks and Resources
06/05/2026	Dan McWilliams Office Manager Northern Tasmania Development Corporation (NTDC)	NTDC Quarter Tree Report – January to March 2026
07/05/2026	Andrew Hawkey Electoral Commissioner	Tasmanian Electoral Commission - initial information regarding 2026 local government ordinary elections
10/05/2026	Australian Local Government Association (ALGA)	Budget Delivers Major Win on Housing Infrastructure After Substantial Local Government Advocacy
11/05/2026	Alex Adams Executive Liaison Local Government Rural Health Funding Alliance	Invitation to attend Local Government Rural Health Funding Alliance Advocacy Session - 22 June 2026
12/05/2026	Accelerating EV Charging Taskforce Emissions Reduction Division Land and Transport Branch Department of Climate Change, Energy, the Environment and Water	Accelerating EV Charging Program - Information Sessions for Councils
12/05/2026	Jo Youl Board Member, FIBI	Invitation to Faraway – FIBI Future Vision and VFI Marketing Update
12/05/2026	Nicky Bolt Training and Project Advisor Thrive Group	BEEF Application – Thankyou and Possible application update
13/05/2026	Flinders Island Business Association Inc. (FIBI)	Invitation – An Afternoon of Connection, Ideas and Island Futures
13/05/2026	Dion Lester CEO, LGAT	Federal Budget Local Government Perspective
13/05/2026	Kelynn Meyer Tomra/Cleanaway	Tomra / Cleanaway 1 year Birthday Celebration
14/05/2026	Luke Gregory A/Executive Director Local Government Office of Local Government Premier's Implementation and Delivery	Important Update – Changes to the Office of Local Government website and upcoming departmental transition



Date	From	Subject
14/05/2026	Social Impact Hub	Social Enterprise Development Initiative (SEDI) Grants, Westpac Fellowships and New Learning Opportunities
15/05/2026	Mayor Matt Burnett Australian Council of Local Government (ALGA) President	ALGA 2026 National General Assembly
18/05/2026	Lillie Scown Flinders Island Aboriginal Association Inc. (FIAAI)	FIAAI Event Invitation: Flip the Vape

Correspondence Out

Date	To	Subject
14/04/2026	Andrew Hart	Opening Day - Lady Barron Boating Facility Promotional Video
14/04/2026	Jazmin Wheatley Project Officer – Junior Ranger Program Healthy Country Unit Tasmanian Aboriginal Centre	Wybalenna NAIDOC Flag Raising 2026
28/04/2026	David Harris Managing Director Bass Strait Freight	Furneaux Group Shipping Special Committee – Product Handlings
05/05/2026	Alison Hizzard Emita	Response to Public Question 21/04/2026 meeting – Farm Houses
06/05/2026	To Whom it May Concern	Childcare Letter of Support
06/05/2026	Chris Gattenby Senior Adviser Office of the Hon. Jeremy Rockliff MP	Airport Letter for Premier Rockliff
06/05/2026	Nicky Bolt Training and Project Advisor Thrive Group Hobart	BEEF Application – Request for Support

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Mayor's report for 27 May 2026 be received.

16 Development Services

16.1 Development Application Report for April 2026



Action	For Information
Officer	Jacci Smith - Development Services Manager
File Reference	PLN/0105 Development
Annexures	1. April 2026 DA Report to Council [16.1.1 - 1 page]

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.

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 within the *Tasmanian Planning Scheme - Flinders*, 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 14-day period. During this period, representations may be received from the public. If a representation is received, that application is tabled at a meeting of Council where Councillors will consider the matter whilst acting as the Planning Authority. Where there are not any representations received, or the application is permitted, authorisation is delegated to the General Manager for completion of the matter.

Under the *Tasmanian Planning Scheme - Flinders*, Use and Development may be deemed as Exempt or No Permit Required (NPR). These applications will also be reported to Council on a monthly basis. As per Councillor's request, matters of Minor Amendment or extensions to planning permits will also be reported.

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 1 to this item, Development Applications Report - April 2026.

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Planning Department Application Report – April 2026 be received.

Pursuant to Section 29 of the Local Government (Meeting Procedures) Regulations 2025, the Council will now act as a Planning Authority under the Land Use Planning and Approvals Act 1993.

16.2 REVIEW: DA 2023/0038 - Rezone to Rural and Establish Lime Sand Extraction (Level 2) Pit - Marshall Bay

Action	For Decision
Officer	Jacci Smith - Development Services Manager Strategic Planning Consultant - Town Planning Solutions
File Reference	PLN/0300 Planning - DA2023/00038
Annexures	1. Flinders section 40(B) review of planning authority decision not to prepare draft amendment - decision and reasons, 13 April 2026 (40B Direction) [16.2.1 - 7 pages] 2. Planning Scheme Amendment Report, Van Diemen Consulting, 6 January 2026 (Proposal Report) [16.2.2 - 138 pages] 3. Development Application Supporting Information, Van Diemen Consulting, 1 January 2026, (DA Report) [16.2.3 - 781 pages] 4. Environmental Assessment Report, Markarna Grazing Company Pty Ltd, Lime Sand Extraction Pit, 368 Five Mile Jim Road, Memana, Flinders Island, EPA Tasmania, August 2025 (EPA Report) [16.2.4 - 64 pages] 5. Permit Part B Permit Conditions - Environmental No. 11576, EPA Tas, 5 August 2025 (EPA Determination) [16.2.5 - 16 pages] 6. AM2025-02 Assessment Report, Flinders Local Provisions Schedule. Markana Park Lime Sand extraction, Request for rezoning and Level 2 EPA extractive industry (Assessment Report) [16.2.6 - 59 pages]

Introduction

This Agenda Item allows the Planning Authority to address a direction from the Tasmanian Planning Commission (Commission) to reconsider an application for:

- a request for a planning scheme amendment to the Flinders Local Provisions Schedule (LPS) to rezone three titles adjoining Marshall Bay, at 368 Five Mile Jim Road, Memana, CT's 120064/1, CT 215120/1 and CT 230282/1 (PID 3513143) from Landscape Conservation Zone to Rural Zone and
- to determine planning application DA2023-038 for Extractive Industry, to legalise the existing operation and expand an existing lime sand pit on part of the property.

Previous Council Consideration

32.02.2026 27 February 2026

Previous Council Discussion

13 May 2026 Council Workshop
16 February 2026 Council Workshop
19 November 2025 Council Workshop
10 September 2025 Council Workshop
11 June 2025 Council Workshop
11 September 2024 Council Workshop



Officer's Report

The Planning Authority will recall that a request to amend the Flinders Local Provisions Schedule (LPS) to rezone three titles adjoining Marshall Bay, at 368 Five Mile Jim Road, Memana and approve DA2023-038 for a proposed lime sand pit was refused at its February 2026 meeting (minute reference 32.02.2026).

Following that decision, Douglas and Collins Solicitors (acting for the applicant and owner) applied to the Commission for a review of the decision under section 40B of the *Land Use Planning and Approvals Act 1993* (the Act). This section of the Act allows a person to apply to the Commission for review of a decision to not prepare a planning scheme amendment. The Commission completed their review and issued the following direction to the Planning Authority to reconsider specific parts of the assessment, as follows and provided as Annexure 1 to this item:

In accordance with section 40B(4)(a) of the Act, the Commission directs the planning authority to reconsider whether to prepare a draft amendment in relation to a request made on behalf of Markarna Grazing Company Pty Ltd, considered by the planning authority on 25 February 2026.

This direction requires reconsideration of compliance with the LPS criteria established at section 34 of the Act. The Planning Authority is required to certify compliance with the LPS criteria for any planning scheme amendment it supports at section 38(1) of the Act, as follows (bold for emphasis):

38. Decision in relation to request

*(1) A planning authority, before deciding whether to prepare a draft amendment of an LPS in relation to a municipal area in accordance with a request under section 37(1), **must be satisfied that such a draft amendment of an LPS will meet the LPS criteria.***

As a consequence of the direction from the Commission, the assessment report was revised to clarify compliance with the Northern Tasmanian Regional Land Use Strategy (NTRLUS) and as a consequence, compliance with the LPS criteria under the Act (refer to section 6 of the Assessment Report). The revised assessment report is provided as Annexure 6 to this item.

As noted at section 6 of the Assessment Report, AM2025-02 was assessed as not consistent with the following parts of the NTRLUS, including the outcomes and key principles:

- D.2.2 Rural Areas, D.2.2.4 Key Planning Principles; and
- D.2.3 Natural environment Areas, D2.3.1 Key Planning Principles; and
- E5.1 Regional Economic Development, key outcome statement regarding the Furneaux Islands.

As a result, the request was assessed as not consistent with the NTRLUS or the provisions for local strategy for the Furneaux Islands.

AM2025-02 is a combined application for rezoning of part of three titles and planning approval at PID 3513143, certificates of title CT 120064/1, CT 215120/1 and CT 230282/1, at 368 Five Mile Jim Road, Memana, which seeks:

- Rezoning the majority of the subject land from Landscape Conservation Zone to Rural Zone (AM2025-02); and
- Planning approval to recognise historical activity for a lime sand extraction pit and its expansion (DA2023-038), including:

- removal, storage, screening and processing of up to 10,000 m³ or 15,000 tonnes of lime sands from the site per year;
- ancillary infrastructure including access roads, buildings, wastewater system, access tracks and water management infrastructure; and
- ongoing rehabilitation of the site.

The purpose for the requested amendments is to rezone the subject land from Landscape Conservation Zone to Rural Zone to enable the proposed sand pit to occur.

The requested rezoning is shown at Figure 1, while Figure 2 through Figure 4 show the proposed sand pit.



Figure 1 – Requested rezoning from Landscape Conservation to Rural
Source: Proposal Report, Annexure 1

DA2023-038 seeks approval to recognise an existing extractive industry for a lime sand pit and its expansion, together with associated works and infrastructure. A detailed description was provided at Part B of the *Development Application Supporting Information*, by the applicant Van Diemen Consulting, 1 January 2026, (DA Report). The following summary was reproduced from Part B of the DA Report (note, all references to figures relate to the DA Report):

- a permit to extract, screen, and store lime sand (ready to be collected and delivered to land in agricultural use) applies to the Land shown in Figures 1 and 2, and further spatially defined as the Development Area mapped in Figure 3 (of the DA Report);
- production of up to 10,000 cubic metres per annum (approximately 15,000 tonnes, a level 2 environmental activity under EMPCA).

Figure 2 through Figure 4 show the location, layout and first stages of the proposed lime sand pit.

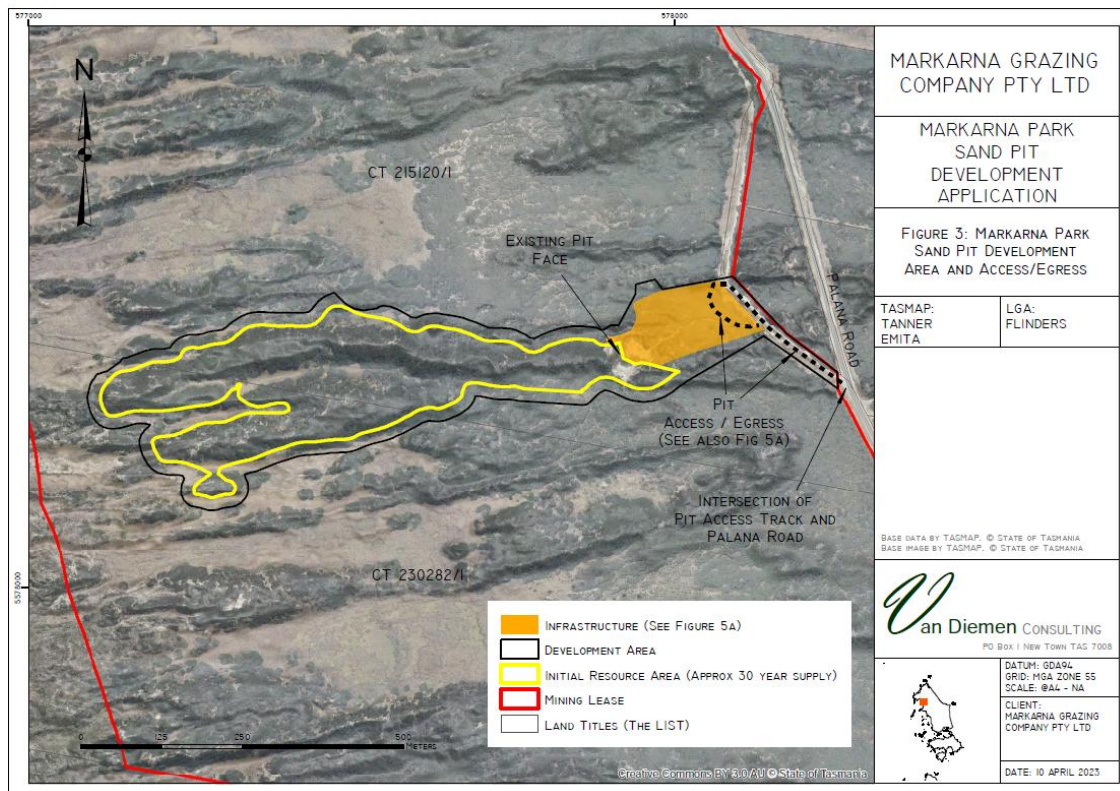


Figure 2 – Proposed lime sand pit layout - overall
Source: DA Report Figure 3

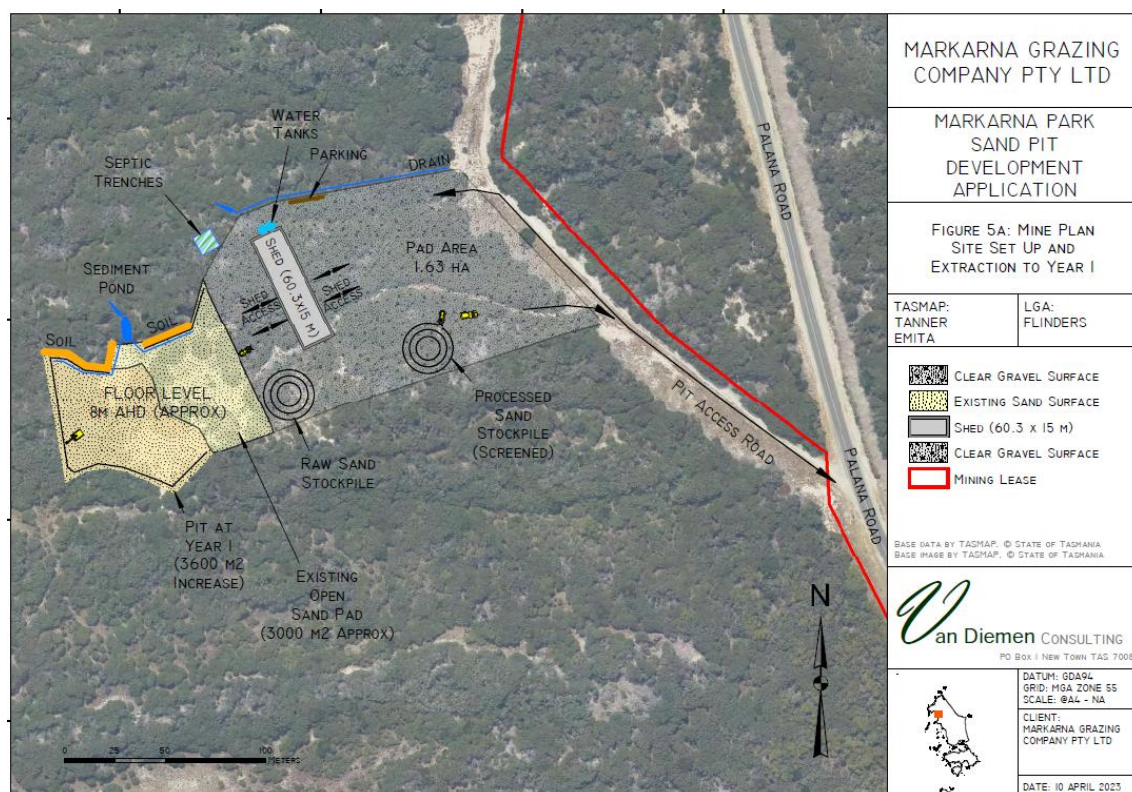


Figure 3 – Proposed layout – establishment to year 1
Source: DA Report Figure 5A

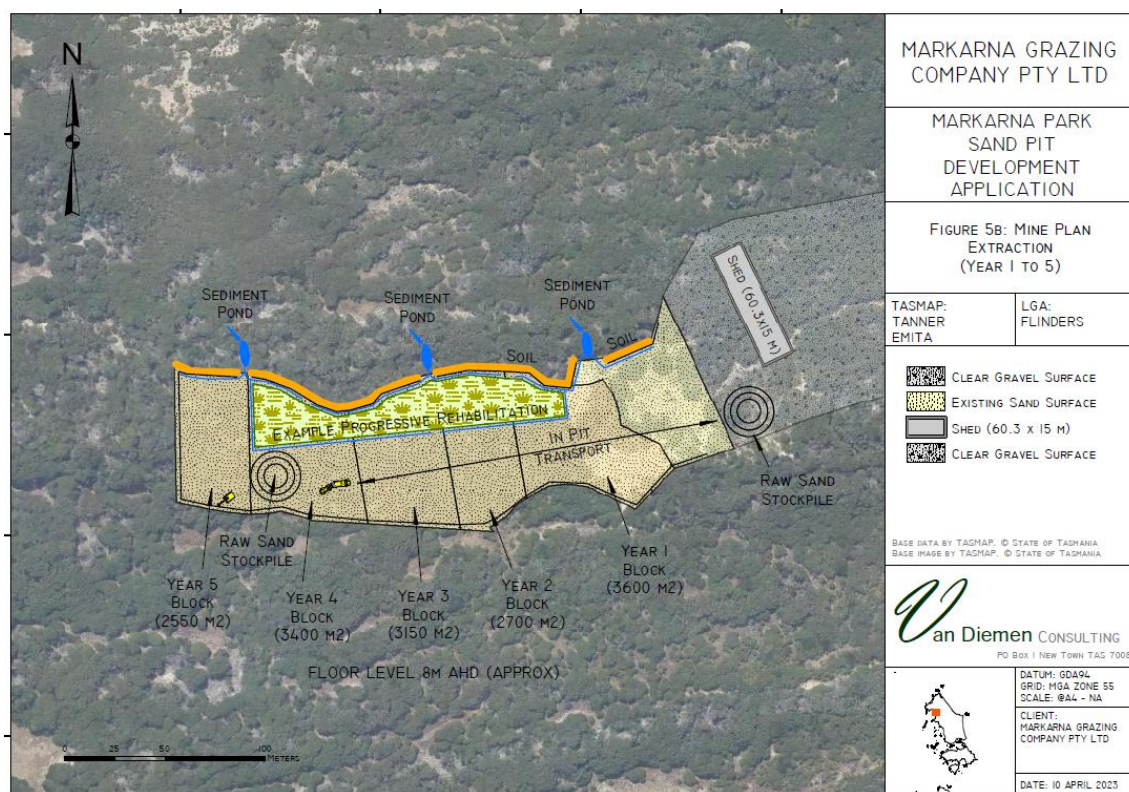


Figure 4 - Proposed layout - establishment to year 1
Source: DA Report Figure 5B

A detailed description of the site and conditions was provided at section 2 of the Assessment Report and in the application documents. In summary, the site has the following qualities:

- an extensive area, totalling 364 hectares, all within a current mining lease ML2118P/M;
- extensive vegetation cover and natural flora and fauna values;
- sensitive land forms, including karst and rare and unusual forms of sand dunes;
- limited agricultural potential for traditional activities, due to their location and sandy nature;
- the sands on site contain high lime content, making them suitable for liming in agricultural practices;
- the extent and location of the site makes a contribution to the scenic landscape adjoining Marshall Bay, an area identified for its scenic qualities;
- it is zoned Landscape Conservation, with overlays for Bushfire, Coastal Inundation, Coastal Erosion, Scenic Protection, Priority Vegetation, Future Coastal Refugia, and waterway and coastal protection over all or parts of the land.

The considerations for the requested rezoning are addressed in section 5 of the Assessment report, the majority of which are summarised in the Statutory Requirements section of this Agenda Item. In summary AM2025-02:

- met the statutory tests for the making of a request under the Act;
- was largely consistent with the RU series Guidelines for the Rural Zone under the *Section 8A Guideline No. 1 Local Provisions Schedule (LPS): zone and code application* (Guideline No.1), noting the limited strategic recognition of the requested Rural zoning and conflict within the *draft Flinders Structure Plan* (Structure Plan) for



diversification of the rural sector and protection of the Marshall Bay landscape and scenic values;

- mixed compliance with the LPS criteria at section 34(2) of the Act;
- compliance with the Schedule 1 Objectives of the Act;
- mixed compliance with the Northern Tasmanian Regional Land Use Strategy (NTRLUS), noting issues with conflicting requirements under local strategy recognised for the Furneaux Islands;
- compliance with the Structure Plan outcomes for diversification of the rural sector, but not for the intent and strategic directions for land use and future development of the Marshall Bay area;
- compliance with the Flinders Council Strategic Plan 2021-2031;
- compliance or consistency with the established State Policies; and
- DA2023-038 was capable of complying with the requirements of the requested Rural Zone of the Tasmanian Planning Scheme – Flinders (if the rezoning is supported) through compliance with both acceptable solutions and performance criteria.

Both the Assessment Report and the Statutory Requirements section of this Agenda Item identify that the central question for AM2025-02 is whether the requested Rural Zone is consistent with the strategic directions and intents for the wider Marshall Bay landscape identified through the Structure Plan, which is the only available strategy consulted with the Flinders community.

The Proposal Report was largely dismissive of the Structure Plan, which was accepted by the Commission as local strategy under the NTRLUS to inform land use planning decision on the LPS during its assessment process.

The Commission ultimately determined that the landscape values identified in the Structure Plan required consideration of use to manage visual impacts, which was an inherent component of the proposed Landscape Conservation Zone. The LPS Decision identified the delegates were not persuaded that an alternative zone to provide for Extractive Industry should be applied at paragraph 156.

The Application documents do not provide a strong argument to address the strategic approach for a change to the zoning within the Marshall Bay area that was approved by the Commission for the LPS.

Without that strategic argument, it is difficult to identify why the zoning regime that was approved by the Commission for the Marshall Bay area should be changed.

The lack of a clear outcome on the conflict between management of the natural and landscape values established under the Structure Plan with the need to develop and diversify the local agriculture sector suggests that a precautionary approach may be suitable. Some guidance could be taken from the Flinders Island – Structure Plan diagram, reproduced in full at Figure 19 of the Assessment Report, and in part at Figure 5 of this Agenda Item.

Protection of the Marshall Bay dune system was a key outcome of the Structure Plan.



Figure 5 – Extract - Flinders Island – Structure Plan

Source: modified from draft Flinders Structure Plan

The dismissal of the Structure Plan by the applicant creates another problem for AM2025-02. If there is no local strategy that the Planning Authority can consider to inform assessment under the NTRLUS, then there is no basis for the Commission to be able to set aside the decision on use of the Landscape Conservation Zone that was approved in the LPS.

In terms of DA2023-038, the assessment by the EPA addressed the environmental considerations through the Level 2 process under *Environmental Management and Pollution Control Act 1994* (EMPCA). The EMPCA prevents the Planning Authority from duplicating that assessment. The EPA Report documented the issues they assessed, and advice used to determine their part of the application and recommend approval for the environmental aspects of the proposal.

The conditions provided as part of that decision must be included in any planning permit that may be issued.

Assessment against the *Tasmanian Planning Scheme - Flinders* (Planning Scheme) determined the application complied with the acceptable solutions for the following standards:

20.0 Rural zone

- 20.3 Use Standards (not applicable);
- 20.4.1 Building height;
- 20.4.2 Setbacks;
- 20.4.3 Access for new dwellings (not applicable);
- 20.5 Development Standards for Subdivision (not applicable);



C2.0 Parking and Sustainable Transport Code

- C2.5.1 Car Parking Numbers;
- C2.6.3 Number of accesses for vehicles
- C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone (not applicable);
- C2.6.5 Pedestrian access (not applicable);
- C2.6.6 Loading bays (not applicable);
- C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone (not applicable);
- C2.6.8 Siting of parking and turning areas (not applicable);
- C2.7.1 Parking precinct plan (not applicable);

C3.0 Road and Railway Asset Code

- C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction;
- C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area; (not applicable); C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area (not applicable);

C7 Natural Assets Code

- Exempt pursuant to clause C7.4.1(b) for level 2 activities;

C8 Scenic Protection Code

- C8.6.2 Development within a scenic road corridor (not applicable);

C9.0 Attenuation Code

- Exempt pursuant to clause C9.4.1(a) for level 2 activities;

C10.0 Coastal Erosion Hazard Code

- No development was proposed within the Code Overlay, the Code does not apply.

C11.0 Coastal Inundation Hazard Code

- Exempt pursuant to clause C11.2.3 for activities above the prescribed levels confirmed by a suitably qualified person at FLI-Table C11.1 Coastal Inundation Hazard Bands AHD Levels;

C12.0 Flood-Prone Areas Hazard Code

- This code was not in the LPS.

C13.0 Bushfire-Prone Areas Code

- The proposal does not include a vulnerable or hazard use, this code does not apply.

C14.0 Potentially Contaminated Land Code

- This code does not apply to the proposal.

C15.0 Landslip Hazard Code

- Exempt pursuant to clause C15.4.1 for extractive industries within a current mining lease.

Sections 8.3 and 8.4 of the Assessment Report provided a detailed assessment against the following performance criteria:

C2.0 Parking and Sustainable Transport Code

- C2.6.1 Construction of car parking spaces – the response provided in the DA Report, combined with the response in the Assessment Report confirm compliance with the requirements of P1.1.
- C2.6.2 Design and layout of parking areas – the response provided in the DA Report, combined with the response in the Assessment Report confirm compliance with the requirements of P1.



C8.0 Scenic Protection Code

- C8.6.1 Development within a scenic protection area - The responses provided at pages 51-3 of the DA Report, combined with the response in the Assessment Report, confirm compliance with the requirements of P1.1 and P1.2.

The proposal complies with the collective requirements of the Planning Scheme.

Procedural Conditions should be placed on any planning permit that may be issued to reflect the following matters, as approved by the General Manager:

- Completion of the proposal in accordance with the submitted proposal documents;
- Ongoing compliance with the EPA determination *Permit Part B Permit Conditions - Environmental No. 11576, EPA Tas, 5 August 2025*, as attachment to the permit.
- Compliance with any requirements or advice that may be issued by TasWater;
- Implementation and ongoing maintenance of the replanting of rehabilitated areas, including watering as may be required;

Statutory Requirement

Land Use Planning and Approvals Act 1993

Division 3B – Amendments to LPS's

- S.37 – request to amend LPS;
- S.38 – decision in relation to request;
- S.40 – additional information may be requested;
- S.40B – review of refusal of request to amend LPS
- S.40D – preparation of draft amendments;
- S.40E – withdrawal of draft amendments;
- S.40F – certification of draft amendments;
- S.40B(1) - Review of refusal of request to amend LPS
- S.40G – notice of exhibition
- S.40H – Exhibition
- S.40J – Representations
- S.40H – Report to Commission about draft amendments

Division 4 – Combined permit and amendment process

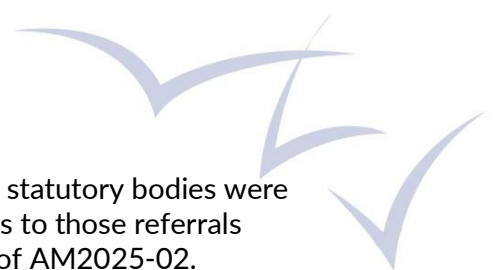
- 40T – Permit application that requires amendment of LPS
- 40U – Additional information
- 40V – Review of requirement for additional information
- 40W – Determination of amendment where concurrent permit application sought
- 40X – Permit application may be considered concurrently with application for LPS amendment
- 40Y – Determination of concurrent permit application

The application was made for a combined amendment to the LPS and planning permit under sections 37 and 40T of the Act.

Section 38 of the Act requires any LPS amendment to comply with the LPS criteria and a decision to be made within 42 days of the request (subject to information requests).

Section 40B of the Act allows the applicant to seek review of a refusal to initiate a request to amend an LPS and allows the Commission to either:

- confirm the matters listed at section 38(1) of the Act were assessed, or
- direct the Planning Authority to reconsider the matter.



The various referrals required under the Act to relevant agencies and statutory bodies were completed as part of the assessment of the application. No responses to those referrals identified any matters that prevent consideration and determination of AM2025-02.

The Planning Authority has the discretion to either support or refuse to support the requested rezoning.

If it is not supported, then a similar request cannot be lodged for 2 calendar years under section 39 of the Act. The applicant may also seek a review of that decision by the Commission under section 40B of the Act.

If the rezoning request is supported, a decision to either approve or refuse on the application for lime sand pit on the land is required.

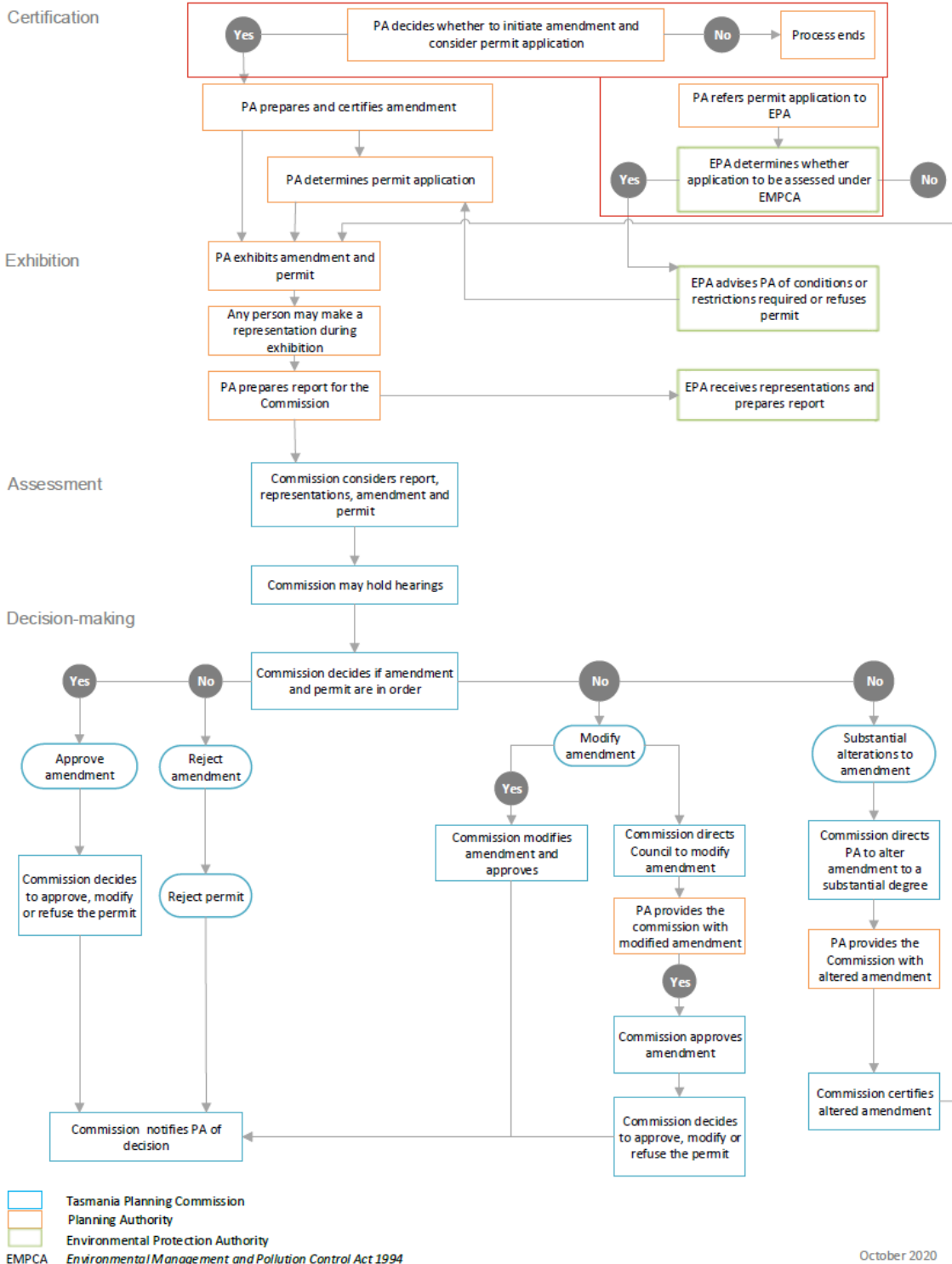
In addition to this, the proposed lime sand pit will extract up to 10,000 cubic metres of sand per year, which makes the proposal a Level 2 Activity under the *Environmental Management and Pollution Control Act 1994* that must be assessed by the Environmental Protection Agency (Tasmania) (EPA). The EPA must determine all environmental aspects of the proposal for a Level 2 Activity. The application was referred to the EPA, who completed their own statutory referrals and assessment against environmental requirements established under that Act.

The EPA ultimately completed their assessment and determined that the proposed lime sand pit can be conducted sustainably on the site and included their required conditions in the document *PERMIT PART B, PERMIT CONDITIONS - ENVIRONMENTAL No. 11576* that formed part of the DA Report. The Planning Authority is bound to include those conditions provided by the EPA in any approval it may issue for DA2023-038.

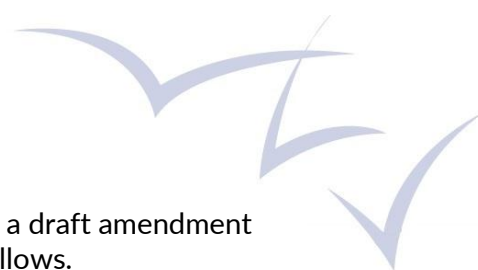
The application process and steps are shown in the following diagram. The current phase was highlighted by the red box at the top of the page. The applicant and the Commission must be notified of the decision.

Approval process for a combined permit and amendment of interim planning schemes

Part 3, Land Use Planning and Approvals Act 1993 (former provisions)



If supported, the draft amendment will then commence the 28-day statutory exhibition period under sections 40H and 40Z of the Act. Adjoining property owners are not required to be notified, unlike a normal planning application. The Planning Authority may determine to notify adjoining property owners and occupiers.



Section 40F of the Act requires the Planning Authority to certify that a draft amendment meets the LPS criteria, which are set at section 34(2) of the Act, as follows.

- (2) *The LPS criteria to be met by a relevant planning instrument are that the instrument –*
 - (a) *contains all the provisions that the SPPs specify must be contained in an LPS; and*
 - (b) *is in accordance with section 32; and*
 - (c) *furtheres the objectives set out in Schedule 1; and*
 - (d) *is consistent with each State policy; and*
 - (da) *satisfies the relevant criteria in relation to the TPPs; and*
 - (e) *as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and*
 - (f) *has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates; and*
 - (g) *as far as practicable, is consistent with and coordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and*
 - (h) *has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.*
- (2A) *A relevant planning instrument satisfies the relevant criteria in relation to the TPPs if –*
 - (a) *where the SPPs and the relevant regional land use strategy have not been reviewed under section 30T(1) or section 5A(8) after the TPPs, or an amendment to the TPPs, is or are made – the relevant planning instrument is consistent with the TPPs, as in force before the relevant planning instrument is made; and*
 - (b) *whether or not the SPPs and the applicable regional land use strategy have been reviewed under section 30T(1) or section 5A(8) after the TPPs, or an amendment to the TPPs, is or are made – the relevant planning instrument complies with each direction, contained in the TPPs in accordance with section 12B(3), as to the manner in which the TPPs are to be implemented into the LPSs.*

Compliance with subclause 34(2) of the Act was addressed at section C.1 of the Proposal Report and subject to a detailed assessment in the Assessment Report.

The following was noted for AM2025-02:

- AM2025-02 was assessed against the current Council Strategic Plan in the Assessment Report and was determined to be consistent with it.
- The Municipality is not proximate to any adjacent municipal areas. Criterion 'g' is not relevant to AM2025-02.
- The *Gas Safety Act* is not relevant to Flinders Island. Criterion 'h' is not relevant to AM2025-02.
- Compliance with the NTRLUS was reviewed following the Commission Direction. Section 6 of the Assessment Report identified that AM2025-02 was not consistent with the following parts, including the outcomes and key principles:
 - D.2.2 Rural Areas, D.2.2.4 Key Planning Principles; and
 - D.2.3 Natural Environment Areas, D2.3.1 Key Planning Principles; and
 - E5.1 Regional Economic Development, key outcome statement regarding the Furneaux Islands.



The meaning of practicable consistency with the relevant regional land use strategy at criterion 'g' is unclear.

The lack of consistency with directions, outcomes and key principles for rural areas (D2.2), natural environment areas (D2.3) and arguable lack of compliance with regional economic development outcomes (E5.1) effectively removes questions of clarity.

AM2025-02 fails to be consistent with significant parts of the NTRLUS.

In addition, AM2025-02 was assessed as not being consistent with the specific provisions that allow for local strategy to determine a range of matters on the Furneaux Islands, including competing demands to:

- maintain the natural appearance of the landscape of areas surrounding Marshall Bay (including the subject lands) for their landscape, biodiversity and geodiversity functions, and
- support the rural and agriculture sectors on Flinders Island.

A detailed examination was provided at section 6 of the Assessment Report. On this conflict alone, the Planning Authority may determine that the application does not achieve the required test of practicable consistency with the recognition of local strategy as a driver under the NTRLUS.

The conclusion of the assessment must be that AM2025-02 does not achieve practicable consistency with key parts of the NTRLUS.

The Tasmanian Planning Policies (TPP) were made by the Minister for Planning in late 2025 but do not commence until July 2026. It is difficult to determine compliance of AM2025-02 with the TPP, given their voluminous content, intended high level of operation, and lack of any supporting information having been provided by the State to inform their implementation.

Given their commencement date, they do not require assessment for AM2025-02. A generalised response was provided for this assessment.

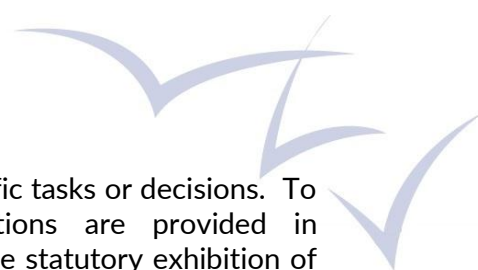
Taking the requirements of Part 2A(a) of the Act at their apparent meaning, AM2025-02 is unlikely to cause the Amendment or the LPS to cease to comply with the collective requirements of the TPP.

Further clarification on the TPP may become available during the process, after which a better assessment may need to be conducted.

- (3) *An amendment of an LPS, or a draft amendment of an LPS, is taken to meet the LPS criteria if the amendment of the LPS, or the draft amendment of the LPS, if made, will not have the effect that the LPS, as amended, will cease to meet the LPS criteria.*

The rezoning of properties proposed under AM2025-02 was assessed as not achieving practicable consistency with the LPS Criteria in the Act. It must be concluded that the LPS, if amended, would then fail to meet the LPS Criteria in respect of the subject properties.

Noting the conflicts between the strategic intent and directions for land use and development for the Marshall Bay area and rural sectors established under the Structure Plan and reflected by the provision for local strategy in the NTRLUS, AM2025-02 does not comply with the LPS criteria at section 34 of the Act.



Section 6 of the Act allows the Planning Authority to delegate specific tasks or decisions. To improve the routine processing of the amendment, delegations are provided in recommendation option 'b' for the General Manager to complete the statutory exhibition of AM2025-02 and submit the relevant report if no representations are received.

Strategic Alignment

The Assessment Report identified that AM2025-02 was consistent with the Focus Areas and Goals of the Flinders Strategic Plan 2021-2031:

LIVEABILITY

1.3 *Development and land use planning guidelines that promote balance between our built and natural environments.*

1.4 *Our natural environment protected and enhanced through land management activities.*

ECONOMY / BUSINESS

3.1 *Ongoing opportunities across all business sectors to future-proof the critical needs of the islands.*

Budget and Financial Implications

Budget implications of the current process form part of the Council's operational costs and statutory obligations as a planning authority.

Risk/Liability

Identified risks are considered to be addressed by the Planning Authority observing the statutory process.

Given the clear outcome of this assessment against the LPS criteria in the Act, the NTRLUS and the provisions for local strategy on the Furneaux Islands, a single recommendation is provided to refuse AM2025-02 and by extension, DA2023-038.

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Planning Authority adopts the *draft Flinders Structure Plan 2016* as local strategy to inform assessment of AM2025-02 under the *Northern Tasmanian Regional Land Use Strategy* and:

A. Refuses the application by Van Diemen Consulting on behalf of the owner, to initiate AM2025-02 to the Flinders Local Provisions Schedule under section 40D(b) of the *Land Use Planning and Approvals Act 1993* to rezone Certificates of Title 120064/1, 215120/1 & 230282/1 (PID 3513143), at 368 Five Mile Jim Road, Memana, from Landscape Conservation Zone to Rural Zone under Section 37(1) of the *Land Use Planning and Approvals Act 1993*, as:

- i. the request is not considered to achieve practical consistency with parts D and E of the *Northern Tasmanian Regional Land Use Strategy*; and
- ii. the request is not considered to comply with the LPS criteria at section 40F of the Act.

Council concludes its meeting as a Planning Authority under Section 29 of the Local Government (Meeting Procedures) Regulations 2025.



17 Works and Services

17.1 Works and Services Update April 2026

Action	For Information
Officer	Oliver Ward - Works and Services Manager
File Reference	WOR/3000 Infrastructure
Annexures	1. Works Services Managers Report April 2026 [17.1.1 - 5 pages]

Introduction

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

Officers Report

This report is provided on a monthly basis at the request of Council, please see Annexure 1 to this item.

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Works and Services Manager's Report – April 2026 be received and accepted by Council.

18 Finance

18.1 Schedule of Fees and Charges 2026-2027

Action	For Decision
Officer	Warren Groves - General Manager
File Reference	FIN/0701
Annexures	1. 2026-2027 Fees Charges- Working 2026.05.13 [18.1.1 - 6 pages] 2. Rationale for Waiver of Fees adopted 2023 05 24 [18.1.2 - 2 pages]

Introduction

Under Section 205 of the *Local Government Act 1993*, Council can impose fees and charges with respect to the listed activities within the Act. These activities include the use of any property or facility owned by Council and any application, licence, permit or registration granted by the Council.

A review of the Rationale on Waiver of Fees has been undertaken in conjunction with Fees and Charges Schedule 2026-2027 and remains unchanged, see annexure 2 to this item.

Previous Council Consideration

144.05.2023 24 May 2023
Considered Annually

Previous Council Discussion

15 April 2026 Council Workshop
13 May 2026 Council Workshop

Officer's Report

Fees and charges and the methodologies of cost structure have been reviewed in the last few years and benchmarked against other Tasmanian Councils. Several cost segments have been recommended to be changed and some new categories introduced.

Fees and charges have also been reviewed in line with cost increases and the Consumer Price Index (CPI) and for most cost segments, an increase of 5.0% CPI has been applied.

The revised Schedule of Fees and Charges for the 2026-2027 financial year are now presented for Council consideration at Annexure 1 to this item.

To maintain consistent support and uphold Council's reputation in delivering community services, a rationale for community support was adopted during the Ordinary Council Meeting on 16 August 2018. This Rationale categorises all community users, groups and events that Council currently assists and specifies the types of assistance provided. It establishes clear guidelines from Council regarding the classifications of user/groups and the level of support Council can offer, which may include fee waivers, in-kind support or covering hard costs.

Statutory Requirement

Local Government Act 1993



Strategic Alignment

GOOD GOVERNANCE

4.1 An organisation that provides good governance, effective leadership and high-quality services, within our means

4.1.1 Council meets its statutory obligations to manage risk, achieve financial sustainability and model good governance.

Budget and Financial Implications

High. The adoption of 2026/2027 Fees and Charges are required to perform the next phase of the Budget process for 2026/2027 as they contribute to budgeted revenue.

Risk/Liability

Corporate: Maintaining Council in a sound financial position is a critical function of a Council.

Voting Requirement

Simple Majority.

RECOMMENDATION

That Council:

- 1. Pursuant to Section 205 of the *Local Government Act 1993*, adopts the Fees and Charges 2026/2027 as per the attached schedule at Annexure 1 to this item; and**
- 2. Notes the Rationale for Waiver of Fees at Annexures 2 to this item was reviewed and remains unchanged.**

19 Community and Economic Development



Action	For Information
Officer	Sammi Gowthorp - Community Engagement Manager
File Reference	CDV/0300 - Community Events EDV/0100 - Economic Development
Annexures	1 Community and Economic Development Report April 2026 [-2pages]

Introduction

The purpose of this report is to provide Councillors with an update on activities, projects and initiatives undertaken by the Community and Economic Development department during the reporting period.

Officers Report

This report will be provided monthly.

Please see Annexure 1 to this item.

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Community Engagement Manager's Report – April 2026 be received and accepted by Council.



20 Governance

20.1 Airport Operations Report

Action	For Information
Officer	Richard Harley - Airport Operations Coordinator
File Reference	AER/1500
Annexures	1. Airport Operations Report April 2026 [20.1.1 - 2 pages]

Introduction

The purpose of this report is to provide Councillors with an update of monthly activities undertaken by the Airport Operations Officers.

Officers Report

This report is provided on a monthly basis. Please see Annexure 1 to this item.

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Airport Operations Coordinators Report – April 2026 be received and accepted by Council and a copy of the report at Annexure 1 to this item be shared with the Furneaux Group Aviation Special Committee members.

20.2 Code for Tenders and Contracts



Action Officer	For Decision Jacci Smith - Development Services Manager Warren Groves - General Manager
File Reference	ADM/0900
Annexures	1. CODE FOR TENDERS AND CONTRACTS May 2026 Policy Procedure (3) [20.2.1 - 31 pages]

Introduction

Council's Policy Manual is an important document as it provides direction to staff, management and Councillors. Many of the policies and procedures are required by, or relate to, legislation and in most instances, help manage Council's exposure to risk and aid in the improved governance and management of the Municipality.

Within the Policy Manual sits the Code for Tenders and Contracts (the Code). Under s333B(2)(d) of the *Local Government Act 1993* (the Act), Council is required to review the Code every 4 years.

The recently revised document is presented to Council to adopt in accordance with s333B of the Act.

Previous Council Consideration

80.03.2015	26 March 2015
160.08.2022	16 August 2022
272.09.2023	27 September 2023
296.12.2024	11 December 2024

Previous Council Discussion

2 February 2017	Council Workshop
5 April 2017	Council Workshop
6 July 2017	Council Workshop
3 August 2017	Council Workshop
7 September 2021	Council Workshop
13 September 2023	Council Workshop
15 April 2026	Council Workshop
13 May 2026	Council Workshop

Officer's Report

The document as presented is a new iteration of the Code and not a basic review. If adopted the document presented will replace F2 - Codes for Tenders and Contracts as adopted 27 September 2023.

The Code, as presented, has been reviewed and updated to enable a more streamlined methodology to be adopted when the Code is applied and to remove ambiguity. This approach aims to provide clarity for all users of the code and to improve internal processes.

Other updates, such as legislative alignment and formatting issues, have also been addressed.

Statutory Requirement

Local Government Act 1993



Strategic Alignment

GOOD GOVERNANCE

4.1 An organisation that provides good governance, effective leadership and high-quality services, within our means

4.1.1 Council meets its statutory obligations to manage risk, achieve financial sustainability and model good governance.

Budget and Financial Implications

Nil

Risk/Liability

Adoption of a Code for Tenders and Contracts is a mandatory requirement under the *Local Government Act 1993* and will help to reduce Council's exposure to risk in this area.

Voting Requirement

Simple Majority.

RECOMMENDATION

That Council adopts the S-F2-C Code for Tenders and Contracts – May 2026 at annexure 1 to this item.

20.3 Local Government Gifts and Donations



Action	For Decision
Officer	Warren Groves - General Manager
File Reference	COU/0603 Code of Conduct
Annexures	1. Guideline for Councils_-_ Gifts and Donations Register_-_ Local Government General Regulations 2015_ [20.3.1 - 2 pages]

Introduction

The *Local Government Act 1993* (the Act) requires councils to keep a register of gifts and donations received by councillors.

Regulation 31 of the *Local Government (General) Regulations 2025* (the Regulations) specifies the details of the gifts and donations that need to be reported.

Previous Council Consideration

Nil

Previous Council Discussion

15 April 2026 Council Workshop

Officer's Report

Elected Members must disclose the receipt of gifts and donations under section 56A of the *Local Government Act 1993* (the Act).

Section 56A provides that councillors must notify the General Manager in writing and in accordance with the *Local Government (General) Regulations 2025* (Regulations). The wording of the provisions in both the Act and the Regulations suggests that the councillor must receive the benefit directly. Under [regulation 31](#) of the Regulations, the threshold for disclosures is a monetary value of \$50 or a series of gifts with a combined monetary value of \$50 in a financial year. The prescribed thresholds do not apply to employees and other council workers, however Council's Fraud and Corruption Control Plan applies the same criteria to all Employees and Councillors.

As part of the Integrity Commission's function to uphold, promote and ensure adherence to standards of conduct, propriety and ethics in public authorities, a study was undertaken examining the offer and acceptance of gifts and donations in local government. A number of misconduct risks were identified in the current regulatory framework, including a lack of consistency across policies and procedures and a lack of awareness about the potential impacts on good governance when local government employees, elected members or candidates accepted gifts and donations.

Following the release of the consultation paper in February 2026, Council's Audit Panel (the panel) recommended that 'offers' (accepted or declined) be included in the criteria to be reported to the General Manager and included in both the Staff and Councillors registers of Gifts and Donations. The Panel reported that in Victoria, local government officials, including councillors and staff, are strictly regulated regarding gifts and donations to prevent conflicts of interest and the reporting and recording of offers (accepted or declined) was best practice and showed transparency to the community.



I propose that moving forward, Councillors and Staff are required to report gifts and donations offered (accepted or declined) for recording on Council's Gifts and Donations Register.

If supported, a monthly reminder will be included on Workshop agendas to Councillors and Staff regarding the need to report offers (accepted or declined).

Statutory Requirement

Local Government (General) Regulations 2025

Local Government Act 1993

Strategic Alignment

GOOD GOVERNANCE

4.1 An organisation that provides good governance, effective leadership and high-quality services, within our means

4.1.1 Council meets its statutory obligations to manage risk, achieve financial sustainability and model good governance.

Budget and Financial Implications

Nil

Risk/Liability

Limits risk and improves transparency as highlighted by the Audit Panel.

Voting Requirement

Simple Majority.

RECOMMENDATION

That Council:

- implements the reporting of gifts and donations (accepted or declined) by Councillors and Staff to the General Manager for recording in the gifts and donations registers; and
- directs the General Manager to make the elected members gifts and donations register available for public inspection at Council's office and on Council's website in accordance with the *Local Government Act 1993*.

20.4 Flinders Council 2021-2031 Strategic Plan Review



Action	For Decision
Officer	Warren Groves - General Manager
File Reference	ADM/0500 Strategic Plan
Annexures	1. 2021-2031 Strategic Plan 5.26 - DRAFT [20.4.1 - 16 pages]

Introduction

Section 66 of the *Local Government Act 1993* requires Council to prepare a Strategic Plan for the Municipal area covering a minimum ten-year period. Council reports progress against the Strategic Plan each year through the Annual Plan and Annual Report.

The 2021–2031 Strategic Plan was developed through community consultation undertaken throughout 2020 and formally adopted by Council in December 2020.

Following the election of a new Council in November 2022, it was considered timely to review the Strategic Plan to ensure it continued to reflect community priorities, respond to emerging opportunities and guide Council's future direction.

An annual community satisfaction survey is also undertaken to measure community sentiment, identify issues of importance, inform decision making and highlight opportunities for improvement across the Municipality.

Previous Council Consideration

252.12.2020	Council Meeting
227.07.2023	Council Meeting
245.08.2023	Council Meeting
273.09.2023	Council Meeting
141.05.2025	Council Meeting

Previous Council Discussion

11 February 2020	Council Workshop
10 March 2020	Council Workshop
24 March 2020	Council Workshop
5 May 2020	Council Workshop
12 May 2020	Council Workshop
19 May 2020	Council Workshop
2 June 2020	Council Workshop
9 June 2020	Council Workshop
23 June 2020	Council Workshop
30 June 2020	Council Workshop
14 July 2020	Council Workshop
4 August 2020	Council Workshop
8 September 2020	Council Workshop
6 October 2020	Council Workshop
10 November 2020	Council Workshop
1 December 2020	Council Workshop
3 May 2023	Council Workshop
12 April 2023	Council Workshop
12 July 2023	Council Workshop
09 August 2023	Council Workshop
12 February 2025	Council Workshop



12 March 2025	Council Workshop
14 May 2025	Council Workshop
11 March 2026	Council Workshop

Officer's Report

The annual Community Survey provides an important opportunity for the community to share their thoughts, experiences and suggestions about living and working within the Municipality.

This feedback helps identify areas for improvement, recognise what is working well and inform future planning and decision-making.

The 2025/26 Community Survey results were presented at the 11 March 2026 Council Workshop and have informed the current review of the 2021–2031 Strategic Plan.

Minimal changes for this year have been made to the existing Strategic Plan. The revised Plan, attached as Annexure 1 to this item, is presented for Councillors' consideration.

Statutory Requirement

Local Government Act 1993

Strategic Alignment

GOOD GOVERNANCE

4.1 An organisation that provides good governance, effective leadership and high-quality services, within our means

4.1.1 Council meets its statutory obligations to manage risk, achieve financial sustainability and model good governance.

Budget and Financial Implications

The Strategic Plan informs the overall direction of Council and provides the framework for the development of the Annual Plan, long-term priorities and future budget allocations across Council operations and activities.

Risk/Liability

Nil

Voting Requirement

Simple Majority.

RECOMMENDATION

That Council adopts the 2021-2031 Strategic Plan – revised May 2026 at Annexure 1 to this item and allows it to lay on the table for 28 days for public inspection, consideration and comment.



20.5 Audit Panel Membership - Chairperson

Action	For Decision
Officer	Warren Groves - General Manager
File Reference	FIN/0401 Audit Panel
Annexures	Nil

Introduction

Council appointed John Watson in 2022 to be the Audit Panel Chairperson for a period of four years. That term is due to lapse as of 18 August 2026 and another term, of four years, is to be instated.

Previous Council Consideration

76.03.2015	26 March 2015
50.03.2017	23 March 2017
239.09.2017	21 September 2017
83.04.2022	12 April 2022
159.08.2022	16 August 2022

Previous Council Discussion

31 August 2017	Council Workshop
16 August 2022	Council Workshop
13 May 2026	Council Workshop

Officer's Report

Section 6(1) of the Local Government (Audit Panels) Order 2014 (the Order) requires that: *'The chairperson of an audit panel may only be an independent person who is a member of the audit panel.'*

Section 3(1) of the Order defines independent person as *'a person who is not a councillor or employee of the relevant council'*.

The composition of the Audit Panel and its method of operation was discussed at the February 2017 Audit Panel meeting. It was agreed that the perception of independence was highly desirable. It was also noted that there is benefit in having an off-Island Chairperson, with Local Government experience, to provide exposure to expertise in Local Government from a broader viewpoint.

This resulted in the Panel's recommendation to Council that:

"Flinders Council Audit Panel membership to be altered so that it be made up of an independent Chairperson from off-Island and it is to include the two current independent members. The two Councillor members step down from the Panel. Further it is recommended that the Mayor or any another Councillor have a standing invite to attend the meetings as an observer."

Following the recommendation Council appointed John Watson as the Audit Panel Chair for a period of 4 years. John's tenure as the chairperson expires on the 18 August 2026 and in accordance with the Audit Panel Charter (26 March 2025):

- *Audit Panel members are appointed for a period of up to four years, for a maximum of two consecutive periods unless there are extenuating circumstances*

- 
- *Audit Panel members may be re-appointed at the approval of the Council.*

John Watson has performed the first four-year term of his role as Chair of the Audit Panel professionally, has displayed good business acumen and sound management and communication skills; knowledge and expertise in the areas of audit practices and financial management. He also has knowledge of and experience in relevant industries; and experience with governance processes including, but not limited to, risk management.

A shared service model was investigated, with another Council Audit Panel arrangement, but the projected cost of the shared service would exceed twice the current budgeted allowance.

I recommend that John Watson be reappointed for a further four years to the role of Audit Panel Chairperson.

Statutory Requirement

Local Government (Audit Panels) Order 2014

Local Government (audit Panels) Amendment Order 2015

Local Government (General) Regulations 2025

Local Government Act 1993

Strategic Alignment

GOOD GOVERNANCE

4.1 An organisation that provides good governance, effective leadership and high-quality services, within our means

4.1.1 Council meets its statutory obligations to manage risk, achieve financial sustainability and model good governance.

Budget and Financial Implications

Independent members of the Audit Panel are paid fees set by Council and included in the annual budget.

Risk/Liability

The objective of the Audit Panel is to review the Council's performance under section 85A of the Act and report to Council its conclusions and recommendations.

Voting Requirement

Simple Majority.

RECOMMENDATION

That Council:

- **reappoints John Watson to be the Chair of the Flinders Council Audit Panel Committee for a period of four years; and**
- **at the end of his four-year tenure, having served two consecutive periods, the position be advertised.**

20.6 Change to Council Meeting Date - June 2026

Action	For Decision
Officer	Warren Groves - General Manager
File Reference	COU/0203 Public Meeting
Annexures	Nil

Introduction

On an annual basis it is a requirement that Council determines the times and places of Council Meetings for the following 12-month period.

Previous Council Consideration

300.10.2025	29 October 2025
56.03.2026	25 March 2026

Previous Council Discussion

08 October 2025	Council Workshop
13 May 2026	Council Workshop

Officer's Report

The Council meeting dates for 2026 were set during the Council meeting on 29 October 2025.

Regulation 9(4) of the *Local Government (Meeting Procedures) Regulations 2025*, states that if there is any change to the time or place of an ordinary council meeting, the General Manager is to –

- “(a) publish a notice of the change in a daily newspaper, or in a prescribed newspaper, circulating in the relevant municipal area; and*
- (b) ensure that the notice of the times and places for such meetings, published on the website of the council, is updated accordingly; and*
- (c) ensure that the notice of the times and places for such meetings that is made available to the public, at the public office of the council, is updated accordingly.”*

Regulation 13 of the *Local Government (Meeting Procedure) Regulations 2025* states that:

- “(2) A meeting may only transact business if a quorum is present.*
- (3) The quorum at a council meeting is an absolute majority.*
- (4) The quorum at a council committee meeting is the majority of such number of councillors as are members of the committee.”*

Council are scheduled to consider the 2026/27 Rates and Charges and 2026/2027 Annual Budget at the June 2026 Council Meeting. Given the importance of the items to be considered it is essential that the majority of Councillors are in attendance.

There may not be a quorum of Councillors available to attend the scheduled 24 June 2026 Ordinary Council Meeting. As a result, it is necessary to change the date of the June 2026 Council meeting.

It is therefore recommended that the June 2026 Ordinary Council Meeting currently scheduled for Wednesday 24th June 2026 be moved to Monday 29th June 2026, to ensure a quorum can be achieved.



Statutory Requirement

Local Government Act 1993

Local Government (Meeting Procedure) Regulations 2025

Strategic Alignment

GOOD GOVERNANCE

4.1 An organisation that provides good governance, effective leadership and high-quality services, within our means

4.1.2 Improve communication channels between Council and Community to foster greater community participation and outcomes.

Budget and Financial Implications

Nil

Risk/Liability

Nil

Voting Requirement

Simple Majority.

RECOMMENDATION

That Council resolves to:

- change the date of the June Ordinary Council Meeting from Wednesday 24 June 2026 to Monday 29 June 2026; and
- that the change is announced to the community through a notice in The Examiner Newspaper, Island News, updated on the website, and advertised publicly at the Council Office.

20.7 Resolution Report - 27 May 2026



Action	For Information
Officer	Warren Groves - General Manager
File Reference	GOV/0300 Councillor Resolution Reports
Annexures	1. 2026.05 Resolution Report [20.7.1 - 6 pages]

Introduction

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

Officer's Report

This Report is presented on a monthly basis. Please read Annexure 1 to this item Resolution Report – May 2026.

Voting Requirement

Simple Majority.

RECOMMENDATION

That the Councillor Resolution Report – 27 May 2026 be noted.

21 Closure of Meeting