



FLINDERS
COUNCIL

CONFIRMED MINUTES

for

**ORDINARY COUNCIL
MEETING**

18th July 2013

FLINDERS COUNCIL ORDINARY MEETING

CONFIRMED MINUTES

DATE: Thursday 18th July 2013
VENUE: Flinders Island Art and Entertainment Centre, Whitemark
COMMENCING: 1.10 pm

PRESENT

Mayor Carol Cox
Deputy Mayor David Williams
Cr Marc Cobham
Cr Peter Rhodes
Cr Mary-Anne Roberts
Cr Gerald Willis
Cr Ronald Wise

APOLOGIES

Nil

STAFF IN ATTENDANCE

Raoul Harper	- General Manager	1.10 – 4.15pm & 4.45 – 4.50pm
Brian Barnewall	- Works & Services Manager	1.20 – 2.00pm
Jeff Grace	- Airport Manager	1.00 – 1.55pm
Jana Harper	- Community Development Officer	1.56 – 2.12pm
Kim Hossack	- Corporate Services Manager	1.10 – 4.15pm
Jacci Viney	- Development Services Coordinator	1.10 – 1.43pm
Vicki Warden	- Executive Assistant	1.10 – 4.15pm

PUBLIC QUESTION TIME

Question 1: Roy McCormick

Why is Hydro power more expensive on Flinders Island than Tasmania?

Mayor's Response:

Engineering and technology at Hydro station is limiting. Need to upgrade to include storage systems to store solar energy. Council has a 100% Renewable Energy Plan in place.

CONFIRMATION OF MINUTES

574.07.2013 **Moved:** Cr G Willis **Seconded:** Cr P Rhodes

That before this meeting considers the draft minutes of the meeting held on 20th June 2013, the words "The recently formed Community Development Special Committee was to review this policy on its inception but to date has not undertaken this function." be removed from the second paragraph of the Officer's Report included in Item C1, Rescind Youth Policy.

LOST (2-5)

For: Cr P Rhodes and Cr G Willis

Against: Mayor Carol Cox, Deputy Mayor David Williams, Cr M Cobham, Cr M Roberts and Cr R Wise

575.07.2013 Moved: Cr M Cobham **Seconded:** Cr M Roberts

That the Minutes from the Ordinary Council Meeting and the Closed Council Meeting held on the 20th June 2013 be confirmed.

CARRIED (5-2)

For: Mayor C Cox, Deputy Mayor D Williams, Cr M Cobham, Cr M Roberts, Cr R Wise

Against: Cr P Rhodes

Abstain: Cr G Willis

LATE AGENDA ITEMS

One late agenda item has been received:

Item 11 Personnel matters, including complaints against an employee of the council

576.07.2013 Moved: Cr M Roberts **Seconded:** Cr M Cobham

That the late agenda item be accepted and considered at this meeting in Closed Council.

CARRIED UNANIMOUSLY (7-0)

DECLARATION OF PECUNIARY INTEREST

Cr Peter Rhodes declared a pecuniary interest relating to Item A1 - Development Application - EC Hughes.

LEAVE OF ABSENCE

Nil

PETITIONS

Nil

WORKSHOPS & INFORMATION FORUMS
File No: COU/0205

Council Information Session held on 20th June 2012

Council held an information session on Fire Management presented by the Tasmania Fire Service.

Councillors Present:

Mayor Carol Cox, Cr Marc Cobham Cr Peter Rhodes, Cr Mary-Anne Roberts and Cr Ronald Wise.

Apologies:

Deputy Mayor David Williams and Cr Gerald Willis.

Staff and Consultants Present:

Raoul Harper (General Manager), Stephen Lowe (District Officer, Tasmania Fire Service) and Jacci Viney (Development Services Coordinator).

As workshops and information sessions are for information and discussion purposes only, no decisions are made or foreshadowed at these proceedings.

DECISION:

577.07.2013 **Moved:** Cr M Cobham **Seconded:** Cr R Wise
That the workshop held on the 20th June be noted.

CARRIED UNANIMOUSLY (7-0)

PUBLIC MEETINGS

Nil

COUNCILLOR'S QUESTIONS ON NOTICE

Nil

COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Question 1: Cr Gerald Willis

Is there anything the Flinders Council can do to encourage the contractor for the port redevelopment at Lady Barron to tidy up the mud and restrict its distribution to the surrounding area?

Mayor's Response:

Question taken on notice.

PUBLICATIONS/REPORTS TABLED FOR COUNCIL INFORMATION

Nil

REPORTS TO BE RECEIVED

Community Development Special Committee

File No: CSV/2500

Annexure 1: *Community Development Special Committee June Activity Statement*

OFFICER'S REPORT (Raoul Harper, General Manager):

A report from the Co-Chair of the Community Development Special Committee has been provided for Elected Members' information. The report outlines what the Committee has been working on to date and can now be noted by Council.

OFFICER'S RECOMMENDATION

Council resolves that the report provided by the Co-Chair of the Community Development Special Committee be noted.

DECISION:

578.07.2013 **Moved:** Cr G Willis **Seconded:** Cr P Rhodes

Council resolves that the report provided by the Co-Chair of the Community Development Special Committee be noted.

CARRIED (6-1)

For: Mayor C Cox, Deputy Mayor D Williams, Cr P Rhodes, Cr M Roberts, Cr G Willis and Cr R Wise

Against: Cr M Cobham

Flinders Island Fire Management Area Committee

File No: CSV/2500

Annexure 2: *Flinders Island Fire Management Area Committee Unconfirmed Minutes 17th April 2013*

OFFICER'S REPORT (Raoul Harper, General Manager):

The unconfirmed minutes of the Flinders Island Fire Management Area Committee held on Wednesday 17th April 2013 have been provided for consideration. The minutes outline what the committee has been working on to date and can now be received by Council.

OFFICER'S RECOMMENDATION

That the unconfirmed minutes of the Flinders Island Fire Management Area Committee meeting held on Wednesday 17th April 2013 be noted.

DECISION:

The Minutes appear to be incomplete therefore Council deferred receiving the Minutes until the next meeting.

COUNCILLORS' REPORTS

Nil

MAYOR'S REPORT:

ACTION	Information
PROPONENT	Mayor C Cox
FILE REFERENCE	COU/0600
ASSOCIATED PAPERS	<i>N//</i>

REPORT:**ACTIVITIES:**

07-14/06/13	Off Island
20/06/13	Tasmanian Fire Service Briefing
20/06/13	Ordinary Council Meeting
21/06/13	Biggest Morning Tea
21/06/13	Thank you lunch for Bernadette Nicholls for podiatry service
26/06/13	School Farm Public Meeting
27/06/13	Met with Scotch Oakburn Representatives
29/06/13	Lions Changeover Dinner
01/07/13	Flinders Island District High School (FIDHS) Flag Raising Ceremony - NAIDOC Week
05/07/13	Music School's Music Recital
09/07/13	Lunch with Tourism Tasmania CEO John Fitzgerald
09/07/13	Dinner with Tourism Tasmania representatives and Flinders Island Tourism Association Representatives

School Farm Public Meeting

Held in the media room at the school and attended by about a dozen people. The Principal gave information relayed from the Education Department about not having working school farms that were being supported by Education Department funding and not curriculum related. The question was should the school farm be sold. Difficulties with selling were noted in that the houses, olive grove and farm paddock are all on the one title. The overwhelming feeling of those present was that currently the best solution would be to call for expressions of interest to lease the school farm and olive grove. All leases are with the Education Department but managed by the local Principal. It was felt any net gain should be available to the school to assist with students' travel costs. The Principal advised she would report the discussions and preferred action to the next School Association Meeting. (The July School Association Meeting was cancelled due to the lack of a Quorum. Next meeting scheduled for the 5th August.) (Official minutes of public meeting not available at this time.)

72 Hours

The program has started showing in the USA and Council has been privileged in being provided with unused scenery footage for island promotional use.

Tourism Tasmania Visit

The Flinders Island Tourism Association (FITA) hosted the CEO, John Fitzgerald and Liz Schibig-Edgar of Tourism Tasmania to a 3 day familiarisation trip to Flinders Island. Council supported the visit by hosting a lunch for Councillors and others to meet with John and Liz. FITA used the trip to give the visitors an in-depth look at the island away from Whitemark and the Airport. Council's support for the tourism industry, for its growth, and for promoting the Islands as a whole was conveyed noting that the key to the future of tourism in the islands is the relatively unspoilt beauty of the islands and the friendliness of the people. FITA presented Tourism Tasmania and Council with copies of the Draft Flinders Tourism 2022 Report. FITA would like to make a presentation to Council on the document in the future.

CORRESPONDENCE IN:

Tourism Tasmania and FITA	Invite to Brand Workshop (Apology as I was off island)
FIDHS Association	re Childcare facilities
Australian Rural Roads Group Inc.	Notice of AGM (19/6/2013)
Local Government Association of Tasmania (LGAT)	Fire Management Area Committee Boundaries
Northern Tasmania Development (NTD)	Draft Northern Integrated Transport Plan for Council: Council Consultation
Tasports, Sam Wilson-Haffenden	Update on Ports Works
Geoff Lyons MHR	ANZAC Centenary Commemoration Grants
Hon David O'Byrne MP	Draft Northern Integrated Transport Plan for Council: Council Consultation
Learning Services (South)	Invite "Whitlam Institute 2013 What Matters" (writing competition)
Motorsafe Tasmania	Full range of driving instruction available
Anti-Poverty Week in Tasmania	13 October - 19 October
Geoff Lyons MHR	Constitutional Recognition - Speech in House of Representatives
Phillip Hoysted, Director of Local Government	Changes to Local Government electoral arrangements
Phillip Hoysted, Director of Local Government	Valuations & Local Government Rating Review - outcomes & recommendations
Geoff Lyons MHR	Federal Government allocation of community infrastructure funds
Awards Australia	Community Achievement Awards - Open (Closes 21/8/13)
Senator Lisa Singh	Constitutional Recognition Referendum
Department of Premier & Cabinet, Local Government Division	Valuation & Local Government Rating Review - now concluded
Geoff Lyons MHR	Funding of \$79,140 for Flinders Council for community infrastructure
UTAS	Invitation to visit Inveresk and Newnham Campuses (4/7/13)

M.T. (Rene) Hidding MP	Local Government Referendum - Tasmanian Liberals' policy position to vote 'No'
NTD	Committee Resolution - shipping
Michelle O'Byrne MP	Trails and Bikeway funding information (At least 1 for 1)
Hon Brian Green MP	Garage Sale Trail (Saturday 26th October)
Volunteering Australia	15th National Conference (4-6th September)
K Moore, Tasports	Current and new wharfage charges
Hydro Tasmania	Acting CEO, Stephen Davy
Medibank Active Tasmania Awards 2013	Call for nominations
Derwent Valley Council	Our Kids, Our Valley, Our Future - scholarship fund
Tasports	Project update
Australian Local Government Association (ALGA)	Election - A 10 Point Plan for Resourcing Community Priorities
The Hon Mike Gaffney MLC	White Ribbon Australia is the charity at LGAT conference
Private Forests	Invite to Farm Forestry Dinner (8/8/13 Launceston)
OurSay	Sign up to #askyourmayor

CORRESPONDENCE OUT:

21/06/13	SES Flinders Branch	Thank you
21/06/13	Mr K Robinson RSL	RE ANZAC Centenary Commemoration Grants
21/06/13	Mrs Denise Gardner CBIAA Inc.	RE ANZAC Centenary Commemoration Grants
26/06/13	Karlheinz Joeckel	Business card & Flinders Information
27/06/13	Derek LeMerchant NTD	Commitment to 3 year funding (GM)
27/06/13	Mr Mick Barrett	Confirmation of Membership to Furneaux Group Shipping Special Committee
02/07/13	K Moore Tasports	Re wharfage Charges
07/07/13	Ms Holly Barnewall	Confirmation of Membership to Community Development Special Committee
07/07/13	Mr Greg Dempster	Confirmation of Membership to Community Development Special Committee

PUBLICATIONS:

LGAT	LGAT News, June 2013
King Island Courier	22nd May 2013
Property Council of Australia	Property Australia, The Power of Two
Scotch Oakburn	FOCUS Autumn 2013

Natural Resource Management North	Northern Exposure - Autumn 2013
George Town Council	True North, George Town Community News
UTAS	Research to Reality - Edition 15
ALGA	LG Focus - vol 29, number 06, June 2013
Southern Cross Care (Tas.) Inc.	Under The Stars, Winter Edition - 2013
Tasrail	Tracking, June 2013
Keep Australia Beautiful	Sustainable Communities, Program Book 2013
Department of Health & Human Services	State of Public Health Report 2013 (+ CD of Health Indicators Tasmania 2013)

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATION:

That the Mayor's report be received and accepted.

DECISION:

579.07.2013 **Moved:** Cr M Cobham **Seconded:** Cr G Willis

That the Mayor's report be received and accepted.

CARRIED UNANIMOUSLY (7-0)

Cr P Rhodes left the meeting at 1.34pm.

A. DEVELOPMENT SERVICES AND PLANNING APPLICATIONS

Mayor C Cox announced that at 1.34pm, pursuant to Section 25 of the Local Government (Meeting Procedures) Regulations 2005 the Council will now act as a Planning Authority under the Land Use Planning and Approvals Act 1993.

Item A1: Development Application – EC Hughes

ACTION	Decision
PROPONENT	EC Hughes
OFFICER	Leanne Rabjohns (Consultant Town Planner)
APPROVED BY SENIOR PLANNER	Jo Oliver (Consultant Senior Town Planner)
FILE REFERENCE	DA2013/0011
ASSOCIATED PAPERS	<i>Annexure 3: DA2013/0011 Information</i>

Proposal: House and outbuilding (garage) in the Rural zone

Location: 1156 Palana Road, Blue Rocks (CT 205542/1)

Applicant: EC Hughes

Zoning: Rural

Special Areas: Nil

Representations: Nil

INTRODUCTION:

This application proposes to construct a house and outbuilding (garage) on land identified within the Rural zone under the *Flinders Planning Scheme 1994* at 1156 Palana Road, Blue Rocks.

The property is located on Palana Road, approximately 7.5 km north of the Whitemark township. The subject land is gently undulating, rising to the rear of the property. The property is 24.26 hectares in area; and is partly cleared and partly covered with natural vegetation (*Allocasuarina verticillata* community (TASVeg map)), with a small un-named seasonal watercourse (old drainage line) dissecting the title. The site is approximately 566 metres from the coast and is greater than 10 metres above sea level.

The adjoining land to the east and west contains cleared land for pasture. Land to the south of Palana Road is used for residential purposes.

The proposed 1 bedroom house is single storey with colourbond walls and roof. The floor area is 66.3m².

The proposed outbuilding contains three roller doors, with entrance door and three windows. The floor area is 162m².

Access to the property is from an existing crossover off Palana Road.

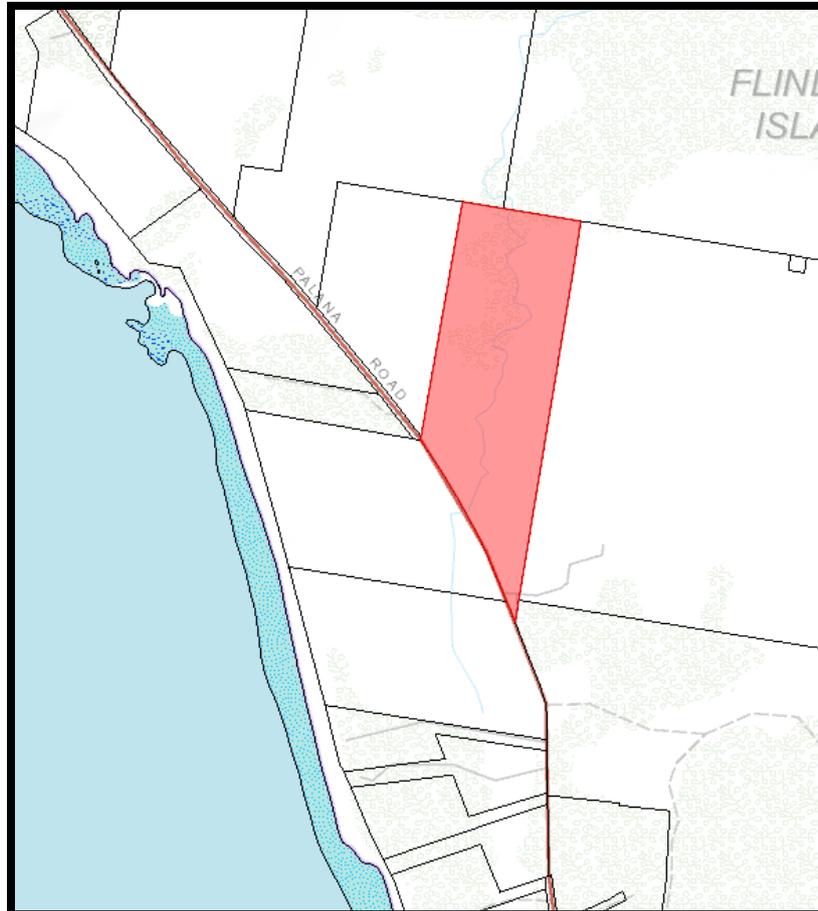


Figure 1: Subject site showing the approximate location of the title boundary.
Source: thelist.tas.gov.au

Zoning

The subject property is located within the Rural Zone, pursuant to the *Flinders Planning Scheme 1994*. The property is not within any Special Area.

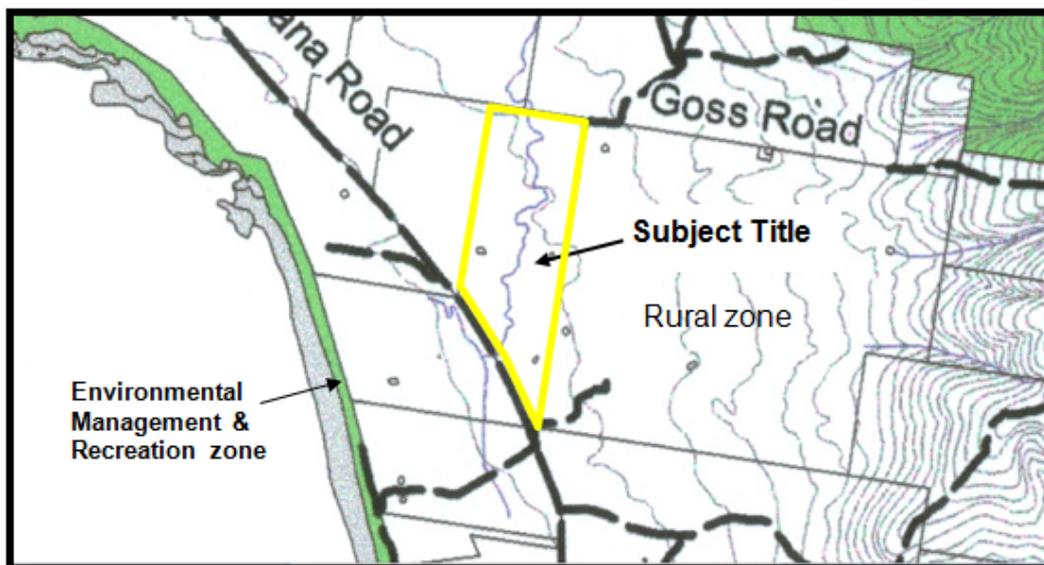


Figure 2: Zoning Map – showing the subject title

Use and Development Status

In accordance with Table 5.8.5 (Table of Use or Development) the proposed House and Outbuilding is a Discretionary Use and Development.

Statutory Timeframes

Date Received: 27 May 2013
 Advertised: 5 June 2013
 Closing date for representations: 19 June 2013
 Request for further information: Not Applicable
 Information received: Not Applicable
 Extension of time granted: 24 June 2013
 Extension of time expires: 19 July 2013
 Decision due: 18 July 2013

OFFICER'S REPORT:

General

The application proposes to construct a house and outbuilding (garage) in the Rural zone.

The proposal is for a single storey 1 bedroom colourbond house and associated outbuilding. The proposed colour scheme for both buildings is "Deep Ocean".

The design incorporates an internal driveway and turning bay. The access to the property is existing.

The house features are as follows:

- Floor area 66.3m² (6.5 x 10.2 metres);
- Overall height 3.5 metres;
- Open plan living, dining and kitchen/laundry areas;
- 1 bedroom; and
- Bathroom.

The garage features are as following:

- Floor area 162m² (9 x 18 metres);
- Overall height 3.5 metres;
- 3 roller doors;
- 1 entrance door; and
- 3 windows.

Figure 1 above shows the extent of vegetation cover and the approximate location of the proposed house and outbuilding (garage).

Assessment:

As mentioned above, the proposed House and Outbuilding is an application for a discretionary permit. The application is therefore considered in accordance with section 57 of the Land Use Planning and Approvals Act 1993.

5.8 Development Standards

5.8.1 Zone Intent

(a) The Rural Zone on Flinders Island is intended to maintain the existing rural character of the island which is typified by a pattern of areas of open farmland, typically with shelter belts of remnant vegetation, interspersed with irregular areas of native vegetation and substantial unspoiled landform. On other islands within the Planning Area the zone is intended to preserve the existing character which displays minimal signs of European occupation.

(b) Use and development in the Rural Zone is intended to accommodate agricultural uses and development predominantly, with some compatible non-agricultural uses and development in appropriate circumstances, including tourist operation and rural industries. Forest plantations may be appropriate where they do not adversely affect the character of an area or detract from important views.

5.8.2 Desired Zone Character and Zone Guidelines

(a) The use or development of small existing rural lots for the purpose of residential living shall only be approved where such use or development is compatible with any existing or potential agricultural use of that land or surrounding lands.

(b) Use or development should enhance the rural character of the zone. Buildings should be substantial distances from the road frontage and apart, unless inappropriate for operational or topographical reasons. Where land clearance is undertaken it should be visually sympathetic; important trees (or stands of trees) should be retained, important

hilltop locations should not be cleared and location of trees and shrubs along fence lines, property boundaries, watercourses and at property entrances is encouraged. Buildings and structures for aquaculture should be sited with regard to the protection of coastal scenery and compatibility with recreational use of the coastline.

(c) Land use or development and management practices shall be environmentally appropriate and shall avoid contamination or despoliation of the land, ground water, water courses, shore-lines, lagoons and marshes. Sand-dunes and coastal vegetation and ecologically important areas shall be protected from degradation.

(d) Forestry activities in the zone shall be in accordance with the Forest Practices Code.

The proposed development is for a non-agricultural use. The development is consistent with the setbacks requirements for the zone and does not include any vegetation removal. The design and cladding material of the buildings is in keeping with the rural character, being colourbond clad buildings.

The agricultural use of the land is considered to be compatible with the proposed house, as the house is located to the front of the cleared land, thus not occupying a high proportion of the cleared grazing land, and is positioned a substantial distance from the road, thus in compliance with the desired zone character and guidelines. Note the lot size is only 24.26 hectares and the intensity of the agricultural activities is constrained by the lot size.

As such, the proposed development is considered compatible with the zone intent and character.

5.8.4 Development Standards

(a) The maximum height of buildings is 8.0 metres unless it can be satisfactorily demonstrated that a higher structure is required for operational, topographic or other justified purposes.

(b) 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.

(c) Buildings shall be setback a minimum distance of 20 metres from all boundaries.

(d) Regardless of the foregoing minimum setbacks, buildings shall be set back not less than a horizontal distance of 100m from high water mark and 40 m from a perennial watercourse.

(e) Council may relax the setback requirement of the above clause pursuant to the provisions of Clause 3.5 of this Scheme and after giving consideration to:

- i. The particular size, shape, contours or slope of the land and the adjoining land;*
- ii. The adjoining land and uses and zones*
- iii. The position of existing buildings and setbacks in the immediate area;*
- iv. Consideration of any representations received as a result of the notification under Section 57 of the Act.*

(f) The external walls, roof, paving and other large surface areas of buildings shall be finished with non-reflective materials and colours that harmonise with the natural landscape or shall be substantially screened by landscaping.

(g) A house on any lot which contains only class 4, 5, 6 or 7 land is discretionary and may only be approved if any existing or potential development and use of agricultural land in the vicinity is likely to receive no impact, or only minor impact from the establishment of the residence taking into account:

(a) The topography of the land;

(b) The location of water catchments;

(c) The location of neighbouring agricultural pursuits;

(d) Buffers created by natural features;

(e) Resource sustainability given the objective of the State Protection of Agricultural Land Policy.

The overall height of both the house and the outbuilding is 3.5 metres. This is less than the maximum standard of 8 metres.

For ease of assessment, the assessment has been divided into two components: House and Outbuilding.

HOUSE

The house is orientated to face the north thereby gaining solar efficiencies. Windows of the living and dining room face the north-east; while the kitchen window faces the north-west.

The proposed setbacks are 52 metres from the front boundary and 95 metres from the unnamed seasonal watercourse (noted on the plan as 'Farmers Ditch'). The minimum standard setback from a boundary is 20 metres and from a perennial watercourse is 40 metres. As such, all setbacks are in compliance with the scheme.

The proposed colour scheme is "Deep Ocean" (a blue/grey colour) for both wall and roof cladding. This colour is non-reflective and will harmonise in with the natural landscape behind.

It is noted that surrounding houses and buildings are screened from Palana Road by vegetation. This particular site has existing vegetation along the northern part of the front fence line that provides sporadic screening from Palana Road. However, in this instance, the proposed buildings are small in bulk and of a colour scheme that will assist in blending the buildings into the landscape behind. As such, dense plantings would not be necessary. No further action is required.

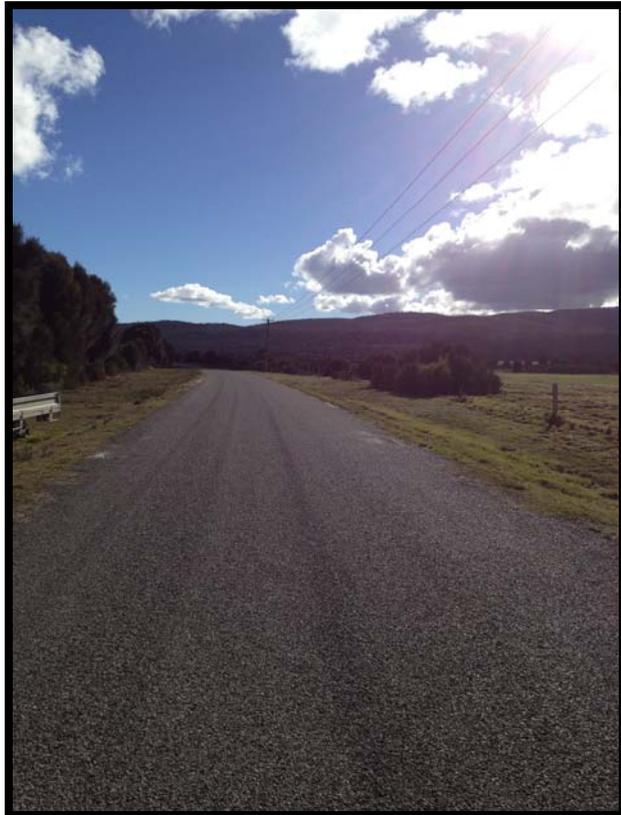


Photo 1: showing the subject land on right hand side of Palana Road.



Photo 2: showing the subject land on the left hand side of Palana Road. The subject driveway is in close proximity to the 1st powerpole.



Photo 3: showing the un-named seasonal watercourse

OUTBUILDING

The proposed setbacks are 50 metres from the front boundary and 73 metres from the un-named watercourse. As stated above, the minimum standard setback from a boundary is 20 metres and from a perennial watercourse is 40 metres. As such, all setbacks are in compliance with the scheme.

The application form and plans indicate that the proposed colour scheme is “Deep Ocean” – in keeping with the colour scheme of the house. As stated above, this colour is considered acceptable.



Photo 4: showing the surrounding land north of the subject development site

The House will be sited approximately 105 metres from the northern side boundary; the closest neighbouring rural property. The surrounding land to the development site is gently undulating and mostly cleared for pasture (see photo 4 above).

The land to the north is used for low intensity production (grazing). The risks associated with the house's proximity to this neighbour (e.g. fettering) are mitigated through adequate separation distance.

Part 6 Use and Development Principles

6.1 Use

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

COMMENT: As detailed previously, the proposed house meets the setback requirements of the zone. As such, it is considered that the development is not likely to impact neighbouring land.

6.2 Character

- (a) *Use and development shall adequately respect the character of, and future intentions for the area in which it is to be located.*

COMMENT: The surrounding landscape is gently undulating, with Mulligans Hill in the distance. The streetscape is a mixture of cleared pasture and bush land; interspersed with houses and farm buildings. The surrounding houses are screened from Palana Road.

Being for single storey buildings, the proposal will not dominate the landscape. The blue/grey colour will assist in blending the buildings in with the landscape. However, with no significant vegetation to screen the house and outbuilding, the development will be visible from the road.

However, due to the small scale of the proposed development, the setbacks in excess of the standards, and the proposed colour scheme, additional landscaping is not considered warranted in this instance.

- (c) *Use or development (including public facilities and services) should adequately respect the surrounding streetscape and neighbouring use or development, particularly in relation to scale, setbacks, form (including roof shape), landscaping, materials, colours and fencing.*

COMMENT: The proposed location of the development complies with the setback requirements of the zone. The materials and colours, as previously discussed, are considered to be in harmony with the landscape. The scale of the house and outbuilding is considered appropriate.

As stated above, the streetscape includes houses/buildings screened from Palana Road by vegetation. In this instance, there is no existing vegetation to screen the development.

- (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.*

COMMENT: A landscape plan has not been provided with the application, however, it is not deemed necessary as the proposed house and garage will be in colours and materials that are in harmony with the surrounding landscape and the setbacks are in compliance with the scheme.

- (e) *Where trees are an important element in the character of an area they should be retained.*

COMMENT: No trees are required to be removed for the development.

6.3 Amenity

- (b) *Use or development shall accord with all existing and/or future occupiers with adequate and reasonable levels of amenity, especially in relation to privacy, sunlight, aspect, views and noise disturbance.*

COMMENT: The proposed development is approximately 200 metres from the closest neighbouring house.

The proposed house faces away from Palana Road, with the private open space being located behind the proposed house; therefore screened from the road.

The closest side boundary is located approximately 105 metres from the house.

Based on the above, it is anticipated that there is adequate separated to the neighbouring properties that the amenity of the area will not be significantly altered.

- (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.*

COMMENT: The design of the development and size of the property provides private area to the rear of the house that could be dedicated as private open space.

6.4 Environment

- (a) *Use or development shall not be allowed to detrimentally affect the environment. All areas and sensitive ecological and/or visual areas in particular, shall be developed in a manner and to an extent which is consistent with the protection of the values of the area.*
- (b) *Use or Development and land management practices shall be directed towards achieving environmental sustainability, biodiversity and ecological balance, and avoiding environmental damage such as soil erosion, coastal dune erosion, loss of important animal and plant species and increases in vermin populations.*

COMMENT: The Natural Values Atlas Report revealed that there are no threatened species records for the subject lot. The development is also located in a cleared area with no vegetation proposed to be removed. It is considered that the potential impact to the environment from the development is minimal and isolated to a small area only.

- (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 adequate level of protection and safety for future users. In particular:*

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.

COMMENT: Bushfire-prone land means "...land that is within 100m of an area of bushfire-prone vegetation equal to or greater than 1 hectare". Bushfire-prone vegetation includes pasture. As such the proposal is located within a Bushfire-prone area.

Bushfire assessment will be required under the Building Code. It is noted that some vegetation management (in close proximity to the development) may be required to achieve bushfire protection zones. This is considered acceptable.

(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 is required, from a watercourse to avoid degradation or water quality.

COMMENT: There are no identified watercourses within 40 metres of the development site. The closest watercourse is a seasonal drain, located approximately 73 metres from the outbuilding, 95 metres from the house and 105 metres from the proposed water treatment area.

6.5 Heritage

(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.

COMMENT: The subject title is not heritage listed. If an item of potential Aboriginal significance is located during the construction of the house and outbuilding, the applicant is required under the *Aboriginal Relics Act 1975* to report the finding.

6.6 Access and Parking

(b) All Use or Development shall provide satisfactory pedestrian and vehicular access which is suited to the volume and needs of future users.

(h) New Use or Development shall provide a suitably constructed driveway of a width to provide for the safe ingress and egress of the anticipated volume of traffic associated with the Use or Development

(i) New Use or Development shall provide adequate car parking to provide for the demand it generates and shall be capable of being safely accessed.

(j) On site turning shall be provided for development involving significant traffic volumes, heavy vehicle types and/or on roads which carry significant amounts of traffic.

- (k) New Use or Development in Bushfire Prone Areas will require access that complies with the provisions of Schedule 7, Development in Bushfire Prone Areas.*

COMMENT: The application proposes to utilise the existing access. No additional parking is required as a result of the development. The subject site is cleared of significant vegetation.

6.7 Services

- (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.*

COMMENT: The applicant has advised that two 5,000 litre water storage tanks are to be installed. The proposed site plan shows a wastewater treatment area to the rear of the proposed house.

6.8 Social Interest

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

COMMENT: Whilst not specifically in the community interest, the proposed development is considered acceptable.

The site is within commutable distance from Whitemark and has access to the services available there.

6.9 Administration

COMMENT: Not applicable.

Part 3.10 Consideration of Applications for Planning Permit

The relevant provisions of part 3.10 are considered below:

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

COMMENT: These requirements have been discussed in detail above.

4. *Whether any part of the land is subject to:*
 - (d) *bush fire hazard;*

COMMENT: This requirement has been discussed in detail above.

5. *Whether the proposed use or development is satisfactory in terms of its siting, size or appearance and levels of emissions in relation to:*
 - (a) *existing site features;*
 - (b) *adjoining land;*
 - (c) *the streetscape and/or landscape;*
 - (d) *the natural environment;*
 - (h) *a water supply for fire fighting purposes;*

COMMENT: The character of the locality has been discussed above. The proposed development is considered acceptable in consideration of the site features and adjoining land use. Its minimal impact on the natural environment is also considered acceptable.

A bushfire assessment will be required under the Building Code; and bushfire management will be addressed at that time.

6. *Whether the proposed use or development will be supplied with an adequate level of infrastructure and services, and if there is any necessity to improve deficient access, roads or road junctions, water, sewerage, electricity or transport services and the like, without detriment to existing users.*

COMMENT: As discussed, access to the title is off Palana Road. The existing access is considered acceptable.

State Policies

State Policy on the Protection of Agricultural Land 2009 (PAL)

Whilst not agricultural related, the proposed development is sited on land which is partly used for grazing. The agricultural productivity of the site is constrained due to the total area of the property being 24.26 hectares, with significant area of bushland vegetation to the rear of the lot. The land is not prime agricultural land.

As such, the proposed development is not considered to be at variance with the State Policy on the Protection of Agricultural Land 2009.

Tasmanian State Coastal Policy 1996

The proposed building site is approximately 566 metres from the high water mark, and therefore, not at odds with the Objectives of this Policy.

State Policy on Water Quality Management 1997

The proposed development is not at odds with the Objectives of this Policy.

Internal Referrals

Environmental Health provided the following:

- No further comments.

Works Manager provided the following:

- Existing access is considered acceptable.

Building provided the following:

- Nil comments.

Plumbing provided the following:

- Nil comments.

Conclusion

The proposed House and Outbuilding (garage) is considered to comply with the relevant parts of the Scheme as discussed above and is; therefore, recommended for approval.

STATUTORY REQUIREMENT:

The application was advertised for 14 days in accordance with the Act and no representations were received.

POLICY/STRATEGIC IMPLICATIONS:

Nil

BUDGET AND FINANCIAL IMPLICATIONS:

Not applicable.

RISK/LIABILITY:

Management of risks is inherent within the conditioning of this development.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the application for a House and Outbuilding (garage) in the rural zone, by EC Hughes, for land located at 1156 Palana Road, Blue Rocks be APPROVED generally in accordance with the endorsed plans and subject to the following conditions:

1. The development as shown on the endorsed plans must not be altered or modified except with the written consent of the Council.
2. The outbuilding approved by this permit must not be used for human habitation or any commercial purpose, other than that associated with a dwelling and/or where no permit is required under the planning scheme, without the prior written consent of Council.
3. The colour scheme for the House and Outbuilding is "Deep Ocean". If an alternative colour scheme is required, the new colour scheme is to be submitted to the satisfaction of Council's Town Planner.

Note:

1. Council will undertake periodic reviews of approved developments to ensure compliance with Planning Permit conditions.
2. This permit is granted pursuant to the *Land Use Planning and Approvals Act 1993* and does not constitute any other approval required under any other Act or Regulation.
3. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced.
4. Where any other approvals under this Act or any other Act are required for the proposed use or development to which this permit relates, the permit does not take effect until those approvals have been granted.
5. This permit takes effect 14 days after the date of Council's notice of determination or at such time as any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined. If an applicant is the only person with a right of appeal pursuant to section 61 of the *Land Use Planning and Approvals Act 1993* and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

DECISION:

580.07.2013

Moved: Cr M Cobham

Seconded: Cr G Willis

That the application for a House and Outbuilding (garage) in the rural zone, by EC Hughes, for land located at 1156 Palana Road, Blue Rocks be APPROVED generally in accordance with the endorsed plans and subject to the following conditions:

1. The development as shown on the endorsed plans must not be altered or modified except with the written consent of the Council.
2. The outbuilding approved by this permit must not be used for human habitation or any commercial purpose, other than that associated with a dwelling and/or where no permit is required under the planning scheme, without the prior written consent of Council.
3. The colour scheme for the House and Outbuilding is "Deep Ocean". If an alternative colour scheme is required, the new colour scheme is to be submitted to the satisfaction of Council's Town Planner.

Note:

1. Council will undertake periodic reviews of approved developments to ensure compliance with Planning Permit conditions.
2. This permit is granted pursuant to the *Land Use Planning and Approvals Act 1993* and does not constitute any other approval required under any other Act or Regulation.
3. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced.
4. Where any other approvals under this Act or any other Act are required for the proposed use or development to which this permit relates, the permit does not take effect until those approvals have been granted.
5. This permit takes effect 14 days after the date of Council's notice of determination or at such time as any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined. If an applicant is the only person with a right of appeal pursuant to section 61 of the *Land Use Planning and Approvals Act 1993* and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

CARRIED UNANIMOUSLY (6-0)

The Council concluded its meeting as a Planning Authority under Section 25 of the Local Government (Meeting Procedures) Regulations 2005 at 1.37pm

Cr P Rhodes returned to the meeting at 1.37pm.

Item A2: Development Services Coordinator 4th Quarterly Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Jacci Viney, Development Services Coordinator
FILE REFERENCE	PLN/0105
ASSOCIATED PAPERS	<i>Annexure 4: Quarterly Report from the Development Services Coordinator (April - June 2013)</i>

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various actions taken by the Development Services Coordinator for the first quarter of the financial year.

PREVIOUS COUNCIL CONSIDERATION:

Previously provided as a monthly report.

OFFICER'S REPORT:

Please read Annexure 4 – Quarterly Report from the Development Services Coordinator (April - June 2013).

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Development Services Coordinator's Quarterly Report for April to June 2013 be received and accepted by Council.

DECISION:

581.07.2013 **Moved:** Cr G Willis **Seconded:** Cr D Willis

That the Development Services Coordinator's Quarterly Report for April to June 2013 be received and accepted by Council.

CARRIED UNANIMOUSLY (7-0)

582.07.2013 **Moved:** Deputy Mayor D Williams **Seconded:** Cr G Willis

That Items C1 & D1 be brought forward in the agenda.

CARRIED UNANIMOUSLY (7-0)

C. AIRPORT

Item C1: Airport Manager's 4th Quarterly Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Jeff Grace, Airport Manager
FILE REFERENCE	AER/1200
ASSOCIATED PAPERS	<i>Annexure 6: Quarterly Report from the Airport Manager (April - June 2013)</i>

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various actions the Airport Manager has undertaken since the previous Council Meeting.

PREVIOUS COUNCIL CONSIDERATION:

Previously provided as a monthly report.

OFFICER'S REPORT:

Please read Annexure 6 – Quarterly Report from the Airport Manager (April – June 2013).

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Airport Manager's Quarterly Report for April to June 2013 be received and accepted by Council.

DECISION:

583.07.2013 **Moved:** Cr M Cobham **Seconded:** Cr P Rhodes

That the Airport Manager's Quarterly Report for April to June 2013 be received and accepted by Council.

CARRIED UNANIMOUSLY (7-0)

Note: The passenger and landing numbers need to be checked for accuracy.

D. WORKS & SERVICES

Item D1: Works & Services Manager's 4th Quarterly Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Brian Barnewall, Works & Services Manager
FILE REFERENCE	WOR/1401
ASSOCIATED PAPERS	<i>Annexure 7: Quarterly Report from the Works & Services Manager (April - June 2013)</i>

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various actions the Works and Services Manager has undertaken since the previous Council Meeting.

PREVIOUS COUNCIL CONSIDERATION:

Previously provided as a monthly report.

OFFICER'S REPORT:

Please read Annexure 7 - Quarterly Report from the Works & Services Manager (April - June 2013).

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Works & Services Manager's Quarterly Report for April to June 2013 be received and accepted by Council.

DECISION:

584.07.2013 **Moved:** Cr G Willis **Seconded:** Cr M Cobham

That the Works & Services Manager's Quarterly Report for April to June 2013 be received and accepted by Council.

CARRIED UNANIMOUSLY (7-0)

B. NATURAL RESOURCE MANAGEMENT (NRM)

Item B1: NRM Facilitator's 4th Quarterly Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Jo Clarke, NRM Facilitator
FILE REFERENCE	ENV/1201
ASSOCIATED PAPERS	<i>Annexure 5: Quarterly Report from the NRM Facilitator (April - June 2013)</i>

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various actions taken by the NRM Facilitator since the previous Council Meeting.

PREVIOUS COUNCIL CONSIDERATION:

Previously provided as a monthly report.

OFFICER'S REPORT:

Please read Annexure 5 – Quarterly Report from the NRM Facilitator (April – June 2013).

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the NRM Facilitator's Quarterly Report for April to June 2013 be received and accepted by Council.

DECISION:

585.07.2013 **Moved:** Cr M Cobham **Seconded:** Cr P Rhodes

That the NRM Facilitator's Quarterly Report for April to June 2013 be received and accepted by Council.

CARRIED UNANIMOUSLY (7-0)

E. COMMUNITY DEVELOPMENT

Item E1: Community Development Officer's 4th Quarterly Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Jana Harper, Community Development Officer
FILE REFERENCE	CSV/2500
ASSOCIATED PAPERS	<i>Annexure 8: Quarterly Report from the Community Development Officer (April - June 2013)</i>

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various actions the Community Development Officer has undertaken since the previous Council Meeting.

PREVIOUS COUNCIL CONSIDERATION:

Previously provided as a monthly report.

OFFICER'S REPORT:

Please read Annexure 8 - Quarterly Report from the Community Development Officer (April - June 2013).

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Community Development Officer's Quarterly Report for April to June 2013 be received and accepted by Council.

DECISION:

586.07.2013 **Moved:** Cr M Cobham **Seconded:** Cr P Rhodes

That the Community Development Officer's Quarterly Report for April to June 2013 be received and accepted by Council.

CARRIED UNANIMOUSLY (7-0)

F. FINANCE & CORPORATE SERVICES

Item F1: Corporate Services Manager's 4th Quarterly Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Kim Hossack, Corporate Services Manager
FILE REFERENCE	FIN/1300
ASSOCIATED PAPERS	<i>Annexure 9: Quarterly Report from the Corporate Services Manager (April - June 2013)</i>

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various actions taken by the Corporate Services Manager for the first quarter of the financial year.

PREVIOUS COUNCIL CONSIDERATION:

Previously provided as a monthly report.

OFFICER'S REPORT:

Please read Annexure 9 - Quarterly Report from the Corporate Services Manager (April - June 2013).

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Corporate Services Manager's Quarterly Report for April to June 2013 be received and accepted by Council.

DECISION:

587.07.2013 **Moved:** Cr M Cobham **Seconded:** Cr R Wise

That the Corporate Services Manager's Quarterly Report for April to June 2013 be received and accepted by Council.

CARRIED UNANIMOUSLY (7-0)

Item F2: Schedule of Fees & Charges 2013-14

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Kim Hossack, Corporate Services Manager
FILE REFERENCE	FIN/0701
ASSOCIATED PAPERS	<i>Annexure 10: DRAFT Fees & Charges Schedule 2013-14</i>

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

Council Budget Workshop on 16th May 2013.

OFFICER'S REPORT:

Annually Council sets fees and charges to reflect costs of providing services to the Municipality at the most cost effective manner obtainable. Therefore, these costs should reflect any CPI increase posted by the Federal Government for the forthcoming financial year.

The proposed fees & charges have been discussed at a Budget Workshop by Councillors and Staff, prior to being presented for formal adoption.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

5. Corporate Governance and Intergovernmental Relations

5.1 Support the capacity and productivity of our organisation and a culture of professionalism, compliance, innovation and service.

5.1.3 Achieve a sustainable balance of income, investment and recurrent expenditure.

5.1.3.6 Deliver financial services including and not limited to creditors, debtors, rates receivables and investments.

BUDGET AND FINANCIAL IMPLICATIONS:

Minimal

RISK/LIABILITY:

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

VOTING REQUIREMENTS:

Absolute Majority

OFFICER'S RECOMMENDATION:

Pursuant to Section 205 of the *Local Government Act 1993*, that Council adopts the Fees & Charges for the Financial Year 2013-14.

DECISION:

588.07.2013 **Moved:** Deputy Mayor D Williams **Seconded:** Cr M Cobham
That pursuant to Section 205 of the *Local Government Act 1993*, the Fees & Charges for the Financial Year 2013-14 be accepted as per the agenda item, with the following changes:

- add the value of a 'fee unit' as at 1st July 2013
- make all references to hall booking fees consistent
- make all GST asterisks consistent

CARRIED UNANIMOUSLY (7-0)

Item F3: Rates and Charges for 2013-2014

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Kim Hossack, Corporate Services Manager
FILE REFERENCE	FIN/0701
ASSOCIATED PAPERS	<i>Nil</i>

INTRODUCTION:

Section 82 of the *Local Government Act 1993*, requires Council to prepare Budget Estimates of the Council's revenue and expenditure for each financial year.

As part of these Budget Estimates and pursuant to Section 90 of the *Local Government Act 1993*, Council can raise a general rate on all rateable land (excluding land which is exempt) within the Flinders Municipality, based on a cents in the dollar amount on the Assessed Annual Value (AAV) of the land.

PREVIOUS COUNCIL CONSIDERATION:

Budget Workshops held on 14th March, 4th April, 6th June and 18th July 2013.

OFFICER'S REPORT:

Below are the main areas of interest within the proposed 2013-14 rates resolution:-

Setting of General Rate

The proposed Budget Estimates for 2013-2014 provides for general rate revenue of \$1,086,041. This is represented by a rate in the dollar of 8.951200 cents in the AAV which together with some growth revenue, other income and cash reserves will provide an operating expenditure budget of \$5.3 million.

Due to recent amendments to the *Local Government Act 1993*, under the new Section 89B of this Act, the relevant percentage for the purpose of minimum amounts must change this financial year to be only 35% of the total rateable properties. Hence, Council has had to reduce the previous minimum amount of \$400 to \$375 to be compliant.

Fire Service Contribution

Pursuant to Part 5, Division 3 of the *Fire Service Act 1979*, Council is required to collect funds for firefighting services throughout the State and for 2013-14 year it will be 0.332099 cents in the dollar in respect of General Land. This contribution is unchanged from last financial year.

The State Fire Commission has notified Council that the minimum levy will also remain the same at \$36.00 per assessment.

Waste Management

Under Section 93 (1)(d) of the *Local Government Act 1993*, a council may make a service rate for rateable land for waste management.

Council provides waste management services to all land within the Municipality which comprises waste disposal areas, waste transfer stations and other related waste management facilities such as recycling bins.

Council will be increasing their focus on waste management during 2013-14 by completing site improvements at Whitemark and Lady Barron; the continuation of the introduction of recycling; providing a new waste site on Cape Barren Island; and implementation of an effluent reuse project.

To accommodate this focus as well meeting all statutory and environmental requirements involved, it is proposed to increase the waste management service fee from \$123 to \$140 per property.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

5. Corporate Governance and Intergovernmental Relations

5.1 Support the capacity and productivity of our organisation and a culture of professionalism, compliance, innovation and service.

5.1.3 Achieve a sustainable balance of income, investment and recurrent expenditure.

5.1.3.3 Deliver the new Budget Estimates for the proceeding financial year.

BUDGET AND FINANCIAL IMPLICATIONS:

The adoption of these Estimates provides the necessary funds for the implementation of the Annual Plan 2013-14 and to achieve Council's strategic outcomes detailed in Council's Strategic Plan 2011.

RISK/LIABILITY:

Maintaining Council in a sound financial position is a critical function of Council. Failure to be financially accountable has significant implications for Council.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER'S RECOMMENDATIONS:

That in accordance with the provisions of the *Local Government Act 1993*, Council adopts the Rates and Charges for the period 1 July 2013 to 30 June 2014 in accordance with the resolutions which follow:-

1. General Rate:

1.1 Pursuant to Section 90 of the *Local Government Act 1993*, Council makes the following general rate on all rateable land (excluding land which is exempt pursuant to the provisions of Section 87) within the Municipal Area of Flinders for the period

commencing 1 July 2013 and ending 30 June 2014, namely a rate of 8.951200 cents in the dollar on the assessed annual value of the land.

- 1.2 Pursuant to Section 90(4) of the *Local Government Act 1993*, Council sets a minimum amount payable in respect of the general rate of \$375.

2. Service Rates and Service Charges:

Pursuant to Sections 93, 93A, 94, 94A and 95 of the *Local Government Act 1993*, Council makes the following service rates and service charges on all rateable land within the Municipal Area of Flinders (including land which is otherwise exempt from rates pursuant to Section 87 but excluding Crown Land to which Council does not supply any of the following services) for the period commencing 1 July 2013 and ending on the 30 June 2014, namely:-

2.1 Waste Management:

Service charges for the making available of Waste Management Services to all land within the Municipal Area comprising waste disposal areas, waste transfer stations and related waste management facilities of \$140.

2.2 Fire Service Contribution:

Pursuant to Section 93A of the *Local Government Act 1993* Council makes the following service rates in respect of the Fire Service contributions it must collect under the *Fire Service Act 1979* for the rateable parcels of land within the Municipal Area as follows:-

<i>District</i>	<i>Cents in the Dollar of AAV</i>
General Land	0.332099

Pursuant to Section 93(3) of the *Local Government Act 1993* Council sets a minimum amount payable in respect of this service rate of \$36.

3. Separate Land:

- 3.1 For the purposes of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*.

4. Adjusted Values:

- 4.1 For the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to Section 89 of the *Local Government Act 1993*.

5. Instalment Payment:

5.1 Pursuant to Section 124 of the *Local Government Act 1993*, Council:-

- (a) Decides that all rates are payable by all rate payers by two instalments which must be of approximately equal amounts.
- (b) Determines that the dates by which instalments are to be paid shall be as follows:-
 - (i) The first instalment on or before 22 October 2013; and
 - (ii) The second instalment on or before 18 February 2014.
- (c) Where a ratepayer fails to pay any instalment within 21 days of the date on which the rates are due, the full amount owing becomes due and payable in accordance with Section 124 (5) of the *Local Government Act 1993*.

6. Discount:

Pursuant to Section 130 of the *Local Government Act 1993* Council offers to all of the ratepayers who are liable to pay rates and charges a discount of 2% if the rates and charges are paid by one payment on or before 22 October 2013.

7. Penalty and Interest:

7.1 Pursuant to Section 128 of the *Local Government Act 1993*, if any rate or instalment is not paid on or before the date it falls due then:-

- (a) There is payable a penalty of 10% of the unpaid rate or instalment; and
- (b) There is payable a daily interest charge of 0.025616 (9.35% per annum) in respect of the unpaid rate or instalment for the period during which it is unpaid.

8. Words and Expressions:

Words and expressions used both in these resolutions and in the *Local Government Act 1993* or the *Fire Service Act 1979* have in these resolutions the same respective meanings as they have in those Acts.

DECISION:

589.07.2013 **Moved:** Cr M Cobham **Seconded:** Cr R Wise

That in accordance with the provisions of the *Local Government Act 1993*, Council adopts the Rates and Charges for the period 1 July 2013 to 30 June 2014 in accordance with the resolutions which follow:-

1. General Rate:

1.1 Pursuant to Section 90 of the *Local Government Act 1993*, Council makes the following general rate on all rateable land (excluding land which is exempt pursuant to the provisions of Section 87) within the Municipal Area of Flinders for the period commencing 1 July 2013 and ending 30 June 2014, namely a rate of 8.951200 cents in the dollar on the assessed annual value of the land.

1.2 Pursuant to Section 90(4) of the *Local Government Act 1993*, Council sets a minimum amount payable in respect of the general rate of \$375.

2. Service Rates and Service Charges:

Pursuant to Sections 93, 93A, 94, 94A and 95 of the *Local Government Act 1993*, Council makes the following service rates and service charges on all rateable land within the Municipal Area of Flinders (including land which is otherwise exempt from rates pursuant to Section 87 but excluding Crown Land to which Council does not supply any of the following services) for the period commencing 1 July 2013 and ending on the 30 June 2014, namely:-

2.1 Waste Management:

Service charges for the making available of Waste Management Services to all land within the Municipal Area comprising waste disposal areas, waste transfer stations and related waste management facilities of \$140.

2.2 Fire Service Contribution:

Pursuant to Section 93A of the *Local Government Act 1993* Council makes the following service rates in respect of the Fire Service contributions it must collect under the *Fire Service Act 1979* for the rateable parcels of land within the Municipal Area as follows:-

<i>District</i>	<i>Cents in the Dollar of AAV</i>
General Land	0.332099

Pursuant to Section 93(3) of the *Local Government Act 1993* Council sets a minimum amount payable in respect of this service rate of \$36.

3. Separate Land:

3.1 For the purposes of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*.

4. Adjusted Values:

4.1. For the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to Section 89 of the *Local Government Act 1993*.

5. Instalment Payment:

5.1 Pursuant to Section 124 of the *Local Government Act 1993*, Council:-

(a) Decides that all rates are payable by all rate payers by two instalments which must be of approximately equal amounts.

(b) Determines that the dates by which instalments are to be paid shall be as follows:-

(i) The first instalment on or before 22 October 2013; and

(ii) The second instalment on or before 18 February 2014.

(d) Where a ratepayer fails to pay any instalment within 21 days of the date on which the rates are due, the full amount owing becomes due and payable in accordance with Section 124 (5) of the *Local Government Act 1993*.

6. Discount:

Pursuant to Section 130 of the *Local Government Act 1993* Council offers to all of the ratepayers who are liable to pay rates and charges a discount of 2% if the rates and charges are paid by one payment on or before 22 October 2013.

7. Penalty and Interest:

7.1 Pursuant to Section 128 of the *Local Government Act 1993*, if any rate or instalment is not paid on or before the date it falls due then:-

(a) There is payable a penalty of 10% of the unpaid rate or instalment; and

(b) There is payable a daily interest charge of 0.025616 (9.35% per annum) in respect of the unpaid rate or instalment for the period during which it is unpaid.

8. Words and Expressions:

Words and expressions used both in these resolutions and in the *Local Government Act 1993* or the *Fire Service Act 1979* have in these resolutions the same respective meanings as they have in those Acts.

CARRIED UNANIMOUSLY (7-0)

Item F4: Budget Estimates 2013-2014

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Kim Hossack, Corporate Services Manager
FILE REFERENCE	FIN/0701
ASSOCIATED PAPERS	<i>Annexure 11: DRAFT Budget Estimates 2013-2014</i>

INTRODUCTION:

Section 82 of the *Local Government Act 1993* (the Act), requires Council to prepare Budget Estimates of the Council's revenue and expenditure for each financial year.

The Budget Estimates are to contain details of the following information:-

- the estimated Revenue of the Council;
- the estimated Expenditure of the Council;
- the estimated Borrowings by the Council;
- the estimated Capital Works of the Council; and
- any other details required by the Minister.

In accordance with the Act the Budget Estimates must be adopted by Council before 31st August each year, but cannot be adopted more than one month before the start of the financial year to which they relate.

PREVIOUS COUNCIL CONSIDERATION:

Budget Workshops were held on 14th March, 4th April, 6th June and 18th July 2013.

OFFICER'S REPORT:

The rates model proposed for 2013-14 is currently based on Council's General Rate increasing by an overall 3.05%. This is based on the Tasmania Council's Cost Index calculated for 2013-14 by the Local Government Association of Tasmania.

The development of a Long Term Financial Plan in the year ahead will be critical if Council is to maintain sustainable and compliant service delivery and asset standards to the community.

With no significant General Rate increases proposed or supported by elected members at this time, future surpluses remain reliant on external revenue streams which Council has little influence over particularly the Commonwealth Roads to Recovery and Financial Assistance Grants or a systematic decrease in service standards and asset renewal or maintenance allocations.

The proposed General Rate will raise an additional \$31,232. This equates to a 3.05% increase in rates which is in line with the current Council cost inflation index. While operational outputs are proposed to increase, Council has offset some of these costs through efficiency measures, changes to outsourcing and contractor arrangements and a further contraction in operational costs such as energy use.

Council has again budgeted for a total deficit of \$1,455,751 after taking into account Capital Grants & Contributions. The budgeted deficit includes a \$1,752,451 provision for depreciation which is matched by the \$1,724,203 Capital Works Program. This is in line with Councils continued push to increase its asset renewal ratio and invest in the upgrade and maintenance of its capital assets.

Within the 2013-2014 Budget Estimates the following have be established under legislative requirements or listed to provide further detail of their components:-

Capital Works Program

This budget provides for expenditure on Capital Works projects with a program totaling \$1,724,203. The following major projects of significance will be commenced and/or completed during the 2013-2014 financial year:-

PROJECT NAME	ESTIMATE \$
Road Reseals	528,987
Road Resheeting	261,299
Samphire Bridge, Badger Corner	200,000
Plant & Equipment	180,000
Town Maintenance	323,323
Airport	120,000
Waste Management	190,000
Office Computer Systems	15,000

Commonwealth Grants

Council continues to direct attention towards improving its share of the Commonwealth Financial Assistance Grants available to Tasmanian Councils and has persisted with its request for the State Grants Commission to review the various disability factors, which form part of our assessment.

At the time of writing, the amount budgeted for the year 2013-2014 is only \$694,222 which is **half** of Council's projected yearly allocation. This is a result of the recent Federal Government's Budget decision to pay both the first & second quarterly payments to all Councils in advance before the end of the previous financial year (2012-13). This will be apportioned as follows:-

CATEGORY	AMOUNT \$
Road / Bridge Funds	349,701
General Purpose Funds	344,521

Conclusion

The previous agenda item 'Rates and Charges for 2013-14' if adopted will form part of the 2013-14 Budget Estimates under Item 7 and will be included into the final Budget document.

I now submit the Budget Estimates 2013-2014 for consideration and adoption by Council.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

5. Corporate Governance and Intergovernmental Relations

5.1 Support the capacity and productivity of our organisation and a culture of professionalism, compliance, innovation and service.

5.1.3 Achieve a sustainable balance of income, investment and recurrent expenditure.

5.1.3.3 Deliver the new Budget Estimates for the proceeding financial year.

BUDGET AND FINANCIAL IMPLICATIONS:

The adoption of these Budget Estimates provides the necessary funds for the implementation of the proposed Annual Plan 2013-14 and to achieve Council's strategic outcomes detailed in Council's Strategic Plan 2011.

RISK/LIABILITY:

Maintaining Council in a sound financial position is a critical function of Council. Failure to be financially accountable has significant implications for Council.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER'S RECOMMENDATIONS:

That in accordance with the provisions of Section 82 of the *Local Government Act 1993*, the Budget Estimates for the Financial Year 1 July 2013 to 30 June 2014 be adopted.

DECISION:

590.07.2013 **Moved:** Cr P Rhodes **Seconded:** Cr G Willis

That in accordance with the provisions of Section 82 of the *Local Government Act 1993*, the Budget Estimates for the Financial Year 1 July 2013 to 30 June 2014 be adopted.

CARRIED UNANIMOUSLY (7-0)

Mayor C Cox passed the Chair to Deputy Mayor D Williams at 2.43pm.

591.07.2013 **Moved:** Mayor C Cox **Seconded:** Cr M Cobham

That if the NRM North funding doesn't come through Council will reconsider the budget in light of reduced income.

CARRIED UNANIMOUSLY (7-0)

Deputy Mayor D Williams passed the Chair to Mayor C Cox at 2.45pm.

G. GOVERNANCE

Item G1: General Manager's 4th Quarterly Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Raoul Harper, General Manager
FILE REFERENCE	COU/0600
ASSOCIATED PAPERS	<i>Annexure 12: Quarterly Report from the General Manager (April - June 2013)</i>

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various actions taken by the General Manager for the first quarter of the financial year.

PREVIOUS COUNCIL CONSIDERATION:

Previously provided as a monthly report.

OFFICER'S REPORT:

Please read Annexure 12 - Quarterly Report from the General Manager (April - June 2013).

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the General Manager's Quarterly Report for April to June 2013 be received and accepted by Council.

DECISION:

592.07.2013 **Moved:** Deputy Mayor D Williams **Seconded:** Cr M Cobham
That the General Manager's Quarterly Report for April to June 2013 be received and accepted by Council.

CARRIED UNANIMOUSLY (7-0)

Item G2: 2013-2014 Flinders Council Annual Plan

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Raoul Harper, General Manager
FILE REFERENCE	ADM/0200
ASSOCIATED PAPERS	<i>Annexure 13: DRAFT Flinders Council Annual Plan 2013-2014</i>

INTRODUCTION:

Section 71 of the *Local Government Act 1993* requires Council to prepare an Annual Plan for the municipal area each financial year. An Annual Plan is to be consistent with the Strategic Plan and include a statement of the manner in which Council is to meet the goals and objectives of the Strategic Plan. A summary of the major strategies to be used in relation to its public health goals and objectives is also required.

PREVIOUS COUNCIL CONSIDERATION:

Annually

OFFICER'S REPORT:

The Annual Plan is the document upon which Council's operations and service delivery will be based for 2013-2014. The Plan sets out actions, tasks and projects to be undertaken in the year ahead and how these relate to Council's Strategic Plan.

Of utmost importance is that this document forms part of the budget process. The Annual Plan identifies Council's significant service delivery activities and provides the link between the budget, strategic objectives and measurement tools to track achievements towards these outputs.

The 2013-2014 year will see Council continue to provide cost effective and community focused service provision combined with the development and implementation of important strategic documents to guide the Council, community and service provision in the years ahead.

Council has a statutory requirement to align its services and operations with an agreed Strategic Plan. This plan is critical to ensuring the goals and aspirations of the Municipality are taken into account when Council sets its annual priorities, operational plans and budget allocations.

Adoption of the Annual Plan is recommended.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

5. Corporate Governance and Intergovernmental Relations - decisions are professionally and transparently made, communicated and implemented to achieve defined outcomes in the interest of the community.

5.1 Support the capacity and productivity of our organisation and a culture of professionalism, compliance, innovation and service.

5.1.1 Design and implement an integrated governance; strategic and operational planning & service delivery system.

5.1.1.1 Develop and implement an organisational business planning process.

BUDGET AND FINANCIAL IMPLICATIONS:

Minimal

RISK/LIABILITY:

No unforeseen risks

VOTING REQUIREMENTS:

Absolute Majority

OFFICER'S RECOMMENDATION:

That Council receives and adopts the 2013-2014 Flinders Council Annual Plan and directs the General Manager to:

1. Make a copy of the Annual Plan available for public inspection at the Council office during ordinary business hours; and
2. Provide the Director of Local Government and the Director of Public Health with a copy of the Annual Plan.

DECISION:

593.07.2013 Moved: Cr M Roberts **Seconded:** Deputy Mayor D Williams

That Council receives and adopts the 2013-2014 Flinders Council Annual Plan with the following changes:

- P2 Capital works estimated income to be changed to \$1,724,203.
- P3 Paragraph 4, line 7, change 'build civic pride' to 'enhance civic pride'.
- P4 Replace paragraph 3, line 5, with the following: 'This has resulted in a total amount of rates collected increasing by 3.05%.'
- P5 Estimated Capital Works of Council – change to \$1,724,203.
- P14 Paragraph 5, line 1, change to 'Natural Resource Management efforts will, where possible, be supported by Council. This to include invasive species programs.'
- P16 Output 1.1.5, activity 3, change last sentence to 'Staff to present the strategy to Councillors prior to being completed.'
- P20 Output 2.1.2, activity 1, change to 'Assist the local scout group to identify grant funding that is available for their support.'
- P21 Output 2.4.1, activity 1, change 'Emita Hall' to 'Community Halls'.
- P30 Output 4.2.1 change to 'Provide administrative coordination in the event of an emergency and to Emergency Management Committees.'

- P30 Output 4.3.1 add business unit – ‘Governance’
- P30 Output 4.3.1, activity 4, change to ‘Implement a Community Road Safety Partnership’
- P31 Output 4.3.1, activity 9, change ‘Flinders island Golf Club’ to ‘Flinders Island Sports & RSL Club’
- P38 Output 5.2.1, activities 2 & 3, remove ‘Communications Officer’

And directs the General Manager to:

1. Make a copy of the Annual Plan available for public inspection at the Council office during ordinary business hours; and
2. Provide the Director of Local Government and the Director of Public Health with a copy of the Annual Plan.

CARRIED UNANIMOUSLY (7-0)

Mayor C Cox called a break in the meeting at 2.50pm and resumed the meeting at 3.14pm.

Item G3: Organisations Business Plan

ACTION	Decision
PROPONENT	Council Officer
OFFICER	Raoul Harper, General Manager
FILE REFERENCE	ADM/0200
ASSOCIATED PAPERS	<i>Annexure 14: DRAFT Organisational Business Plan</i>

INTRODUCTION:

In an effort to ensure staff and elected members are clearly aware of the key business deliverables and timeframes of the organisation for the year(s) ahead, a comprehensive business plan has been developed.

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER'S REPORT:

Council has a series of legislated deliverables that must be complied with. These are often time bound and process driven. Meeting these obligations can at times prove challenging with staff and elected members not being available to attend meetings, workshops or information sessions. This has the potential to jeopardise the organisation's ability to meet its legislated responsibilities. In an effort to mitigate this risk, an Organisational Business Plan has been developed which clearly outlines key deliverables and timeframes. This can be used by staff and elected members to plan for the year ahead and track the delivery of the milestones associated.

The information will also be absorbed into the Council performance management system to ensure responsible staff members are clearly aware of the timeframes for delivery and action. The achievement of the agreed milestones and actions will be reported against as part of quarterly reports to Council.

The development of this Plan has been a key project for the Northern Sub Regional Alliance of Council's where the risk of non-compliance and the desire to have a collective approach to organisational business planning has been highlighted as a key deliverable for the year ahead.

STATUTORY REQUIREMENT:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

5. Corporate Governance and Intergovernmental Relations - decisions are professionally and transparently made, communicated and implemented to achieve defined outcomes in the interest of the community.

5.1 Support the capacity and productivity of our organisation and a culture of professionalism, compliance, innovation and service.

5.1.1 Design and implement an integrated governance; strategic and operational planning & service delivery system.

5.1.1.1 Develop and implement an organisational business planning process.

BUDGET AND FINANCIAL IMPLICATIONS:

Minimal

RISK/LIABILITY:

No unforeseen risks.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council adopts the Organisational Business Plan.

DECISION:

594.07.2013 **Moved:** Cr M Cobham **Seconded:** Cr P Rhodes

That Council adopts the Organisational Business Plan.

CARRIED UNANIMOUSLY (7-0)

Item G4: Councillor Resolution Report

ACTION	Information
PROPONENT	Council Officer
OFFICER	Raoul Harper, General Manager
FILE REFERENCE	COU/0600
ASSOCIATED PAPERS	<i>Annexure 15: Councillor Resolution Report July 2013</i>

INTRODUCTION:

This report identifies the actions taken and actual costs associated with implementing resolutions passed by elected members up to July 2013.

PREVIOUS COUNCIL CONSIDERATION:

The report is presented on a monthly basis.

OFFICER'S REPORT:

Please read Annexure 15 – Councillor Resolution Report July 2013.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That the Councillor Resolution Report July 2013 be noted.

DECISION:

595.07.2013 Moved: Cr P Rhodes **Seconded:** Cr G Willis

That the Councillor Resolution Report July 2013 be noted.

CARRIED UNANIMOUSLY (7-0)

H. NOTICE OF MOTION

Item H1: Notice of Motion from Cr Ronald Wise – Allocation of Funding to Weed Management

ACTION	Decision
PROPONENT	Councillor Ronald Wise
OFFICER	General Manager, Raoul Harper
FILE REFERENCE	ENV/0902
ASSOCIATED PAPERS	<i>Annexure 16: Weeds of Flinders Island 2013</i> <i>Annexure 17: Flinders Island Roadside Weed Management Plan 2013</i> <i>Annexure 18: Parks and Reserves - Flinders Island</i> <i>Annexure 19: Summary of Recommendations</i>

NOTICE OF MOTION:

That Council notes the reports provided by Councils' Parks and Reserves Officer, Kat Hopkins, and allocates an additional \$17,000 to weed management on Council land in the 2013-14 budget to implement the proposed Roadside Weed Management Strategy.

COUNCILLOR'S REPORT:

In the 2012/13 budget Council allocated \$15,000 towards the mapping and management of invasive weeds on land owned or managed by Council. One positive outcome from that allocation is a series of detailed reports, recommendations and costing for broad scale weed management on Council land for the upcoming financial year, 2013-14, provided by Councils' Parks and Reserves Officer.

The draft budget allocation for weed management for 2013-14 has been increased by \$10,000 to \$25,000. However, this amount does not fully cover the proposed minimum costs in the Officers' Summary of Recommendations (\$42,000). A job worth doing is worth doing well.

Weeds and their negative influence are a major problem over all our Islands. Council has a responsibility to lead by example, and encourage other land managers to follow that lead. The excellent reports and recommendations provided by Ms Hopkins are thorough and realistic in their content. They relate to the objectives of Councils' Strategic and Annual Plans.

Funding for NRM related activities from the Federal Government has been slashed for the upcoming financial year. Weed management is one of the most important issues of resource management to the broad community, and financial support by Council is imperative to ensure we do not lose momentum at this important stage of the overall strategy to control and remove invasive introduced species from our Islands.

Refer Attachments 16 - 19 (Author: Kat Hopkins 2013)

- Weeds of Flinders Island 2013

- Flinders Island Roadside Weed Management Plan 2013
- Parks and Reserves - Flinders Island
- Summary of Recommendations

PREVIOUS COUNCIL CONSIDERATION:

149.05.2012

17th May 2012

OFFICER'S REPORTS:

The initial allocation to support weed management on the island provided in 2012 was used primarily to assist in the employment of a dedicated Parks and Reserves Officer and some associated on-ground activities. As an outcome of supporting this position a raft of research, on-ground observations and plans and recommendations for future management options have now been presented for Council consideration.

The Notice of Motion provided by Cr Wise builds upon his previous efforts as an elected member to secure funding to mitigate weed issues on Council land and more broadly support weed management across the islands. As highlighted in his report the recommendation of the Officer for the year ahead would require some \$42,000 to complete. Management has allocated some \$25,000 in the draft 2013-2014 Budget which aligns with the costs recommended without any work on the Parramatta Grass issue. The Motion at hand calls for Council to effectively fund the works on Parramatta Grass outlined in the Officer's recommendations.

The Parks and Reserves Officer has, I believe, provided a balanced and achievable list of recommended actions that are sustainable over the long term for Council and will dramatically improve weed issues on Council land and in some cases eradicate the issue itself in the short to medium term.

The notice of motion is supported.

STATUTORY REQUIREMENTS:

Local Government Act 1993

The Weed Management Act 1999

POLICY/STRATEGIC IMPLICATIONS:

1. Environment and Natural Asset Management - An environment that maintains its diversity, uniqueness and attractiveness while supporting sustainable production and lifestyle.
 - 1.1 Promote environmentally sustainable practice.
 - 1.1.4 Environmental sustainability of Council programs and operations
 - 1.1.4.1 Weed management within council land improved and work towards best practice approach within confines of budget allocations available.

BUDGET AND FINANCIAL IMPLICATIONS:

The Draft 2013-2014 Council Budget allocates \$25,000 to weed management related activities. The Notice of Motion calls for a further \$17,000 to be allocated to these tasks

primarily to explore the management of Parramatta Grass. The extra funds would also assist in the development and implementation of a Weed Management Strategy.

RISK/LIABILITY:

Failure to actively manage weeds on Council land could expose Council in the future to increased costs and impact on the environment more broadly. Council has a role to play in providing a best practice approach to the management of weeds on the island and on Council land in particular.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER'S RECOMMENDATION:

As per the Councillor's Notice of Motion.

DECISION:

596.07.2013 **Moved:** Cr R Wise **Seconded:** Deputy Mayor D Williams
That Council notes the reports provided by Councils' Parks and Reserves Officer, Kat Hopkins, and allocates an additional \$17,000 to weed management on Council land in the 2013-14 budget to implement the proposed Roadside Weed Management Strategy.

CARRIED UNANIMOUSLY (7-0)

Item H2: Notice of Motion from Cr Gerald Willis – Public Access to White Beach

ACTION	Decision
PROPONENT	Councillor Gerald Willis
OFFICER	Raoul Harper, General Manager
FILE REFERENCE	CSV/1500
ASSOCIATED PAPERS	<i>Annexure 20: Aerial view of White Beach</i>

NOTICE OF MOTION:

That the Flinders Council instructs the General Manager to work with the private land owner and Crown Lands to formalise enduring access for the public to White Beach on Flinders Island.

COUNCILLOR'S REPORT:

One of the benefits of living in the Furneaux Group is the ready access to numerous coastal features; be they the sea, beaches, sand dunes or rocks. One of the beaches which the community has been able to access is White Beach. This beach has previously been known as Possum Boat Harbour and borders Dick Davey Point at its eastern most point. The beach is a safe beach and is a good sand fishing location. It is also a beach which is frequented by beachcombers.

Over a number of years the public access has been eroded to the extent that there is no longer access via public land. However, there remains safe access across privately owned land.

The private land-owner is willing to formalise public access over her land and has previously held discussions with the General Manager.

Further discussions are necessary to formalise the Council obtaining that access. Whether the procedure be by a boundary adjustment, subdivision, creation of an easement or some other method, has not been decided. The Council can only be guided by the General Manager in this regard.

This Notice of Motion gives the General Manager support and encouragement from the Council to further discuss options with the private land-owner and the Crown.

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER'S REPORT:

The directive outlined in the notice of motion is already included in the Draft Annual Plan for 2013/2014 and is supported.

STATUTORY REQUIREMENTS:

Nil

POLICY/STRATEGIC IMPLICATIONS:

1. Environment and Natural Asset Management - An environment that maintains its diversity, uniqueness and attractiveness while supporting sustainable production and lifestyle.
- 1.3 Enhance access to and use of environmental assets to ensure values are recognised.
 - 1.3.1 Protect and as required formalise public access to coastal and inland areas.
 - 1.3.1.1 Work with Landowner and Crown Land Services to, if possible, secure coastal access at Pot Boil Road, White Beach, Lady Barron.

BUDGET AND FINANCIAL IMPLICATIONS:

Operational. The cost associated with securing access is at this stage unknown but Officers will present details to Council as they come to hand.

RISK/LIABILITY:

Minimal

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

The Notice of Motion is supported.

DECISION:

597.07.2013 **Moved:** Cr G Willis **Seconded:** Cr M Cobham

That the Flinders Council instructs the General Manager to work with the private land owner and Crown Lands to formalise enduring access for the public to White Beach on Flinders Island.

CARRIED UNANIMOUSLY (7-0)

Item H3: Notice of Motion from Cr Gerald Willis – Lady Barron Boat Ramp

ACTION	Information
PROPONENT	Councillor Gerald Willis
OFFICER	Raoul Harper, General Manager
FILE REFERENCE	COM/0402
ASSOCIATED PAPERS	<i>Nil</i>

NOTICE OF MOTION:

That Council include in its Annual Plan for 2013-2014 the following:

Action: 2.2.1.1 Council explores the development of a boat launching facility and associated infrastructure adjacent to the Tasports Slip at Lady Barron.

Tasks:

1. Officers approach Crown Land Services and seek information on the current land titles and ownership details of land adjacent to the Tasports Slip area at Lady Barron. This information is presented to Council at a workshop once attained.
2. Officers seek cost estimates to secure a lease (or license) for the agreed area to facilitate the development of a car park and boat launching facility.
3. Cr Willis develops a working group to liaise with users on the design required for the facility and reports back to Council on the preferred approach.
4. Council consider the matter formally and if agreed, provide funding to secure a lease or license for the site and commission the design of the boat ramp and associated infrastructure.
5. Council seeks funding from MAST to develop the proposal.
6. If funding is secured, Council allocates the required funds as part of its 2014-2015 budget to construct the facility.

COUNCILLOR'S REPORT:

The current slip at the Lady Barron Wharf probably has the highest usage of any boat ramp in the Furneaux Group. It is used by many groups including professional fishermen, recreational boaties, charter operators and the police especially for search and rescue.

Over the past years the use of the boat ramp has become more difficult. The construction of a security fence in the approaches to the ramp has made access, especially for multi axle trailers, difficult. The limited turning circle has put severe pressure on the wheel bearings of the larger trailers to the extent that there has been mechanical failure on many occasions. While not as difficult as for large trailers, the ease of use for boaties with small trailers has been compromised. The current redevelopment of the wharf by Tasports has resulted in a reduction of the access area. The size of the direct access to the boat ramp is not anticipated to increase.

The suggestion which has frequently been made by the users and keen observers of the slip is that the best option would be to build another boat ramp in the region of the slip which is operated by Tasports. The site proposed has vacant land, adjacent to the bulk fuel tanks,

which is currently owned by Tasports and which could be used as a trailer and vehicle park. The base of the proposed site is rock which is relatively flat and is often used as a second option for launching boats. The current state of the launching area is not good enough to serve as a permanent boat ramp, but it provides a good foundation. There has been some work done on a site for the ramp and it is adjacent to the rock currently used for launching.

It is the suggestion of the proposer that MAST be approached for funding. The approach taken by that organisation is that it will provide funding to construct a boat ramp at the outset, but once built, MAST has traditionally expected the local council to take ownership of the facility. With the transfer of ownership comes the responsibility for the local council to maintain, at its expense, the boat ramp. Of course, MAST then has no further liability for maintenance. One view is that MAST is approached for funding for construction, but then MAST is requested to contribute to future maintenance for the boat ramp. MAST receives a considerable amount of revenue from small craft which use the Lady Barron boat ramp and it would be a natural responsibility for it to provide the funding.

Tasports is also in the equation and should be expected to make some contribution towards the construction of a boat ramp. It is because of the construction of the security fence, to serve the interests of Tasports, that the use of the boat ramp has become more difficult and restricted. Tasports owns the vacant land proximal to the proposed site of the boat ramp and may well be interested in assigning that land as part of its contribution.

No work has been done on the design or cost of this project. However, the project to construct the boat ramp at Port Davies would be a reasonably accurate guideline.

Councillors are asked to review the Notice of Motion and support it at the time of voting.

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER'S REPORT:

The motion is supported.

STATUTORY REQUIREMENTS:

Local Government Act 1993

POLICY/STRATEGIC IMPLICATIONS:

2. Infrastructure - Efficient and reliable infrastructure that supports and protects production, services and lifestyle.
 - 2.2 Optimise infrastructure to support existing settlements and enhance sustainable development opportunities and remove impediments to growth.
 - 2.2.1 Identify, research, design and implement key infrastructure projects and programs to meet the economic and environmental needs of Council and the community.

BUDGET AND FINANCIAL IMPLICATIONS:

Unknown at this stage. No funding allocation has been provided in the Draft 2013-2014 Budget and the Notice of Motion does not request any funds be allocated towards the proposal.

RISK/LIABILITY:

Minimal if the Notice of Motion as written is followed.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council include in its Annual Plan for 2013-2014 the following:

Action: 2.2.1.1 Council explore the development of a boat launching facility and associated infrastructure adjacent to the Tasports Slip at Lady Barron.

Tasks:

1. Officers approach Crown Land Services and seek information on the current land titles and ownership details of land adjacent to the Tasports Slip area at Lady Barron. This information is presented to Council at a workshop once attained.
2. Officers seek cost estimates to secure a lease (or license) for the agreed area to facilitate the development of a car park and boat launching facility.
3. Cr Willis develops a working group to liaise with users on the design required for the facility and reports back to Council on the preferred approach.
4. Council consider the matter formally and if agreed, provide funding to secure a lease or license for the site and commission the design of the boat ramp and associated infrastructure.
5. Council seeks funding from MAST to develop the proposal.
6. If funding is secured, Council allocates the required funds as part of its 2014-2015 budget to construct the facility.

DECISION:

598.07.2013 Moved: Cr G Willis **Seconded:** Cr M Cobham

That Council include in its Annual Plan for 2013-2014 the following:

Action: 2.2.1.1 Council explore the development of a boat launching facility and associated infrastructure adjacent to the Tasports Slip at Lady Barron.

Tasks:

1. Officers approach Crown Land Services and seek information on the current land titles and ownership details of land adjacent to the Tasports Slip area at Lady Barron. This information is presented to Council at a workshop once attained.

2. Officers seek cost estimates to secure a lease (or license) for the agreed area to facilitate the development of a car park and boat launching facility.
3. Cr Willis develops a working group to liaise with users on the design required for the facility and reports back to Council on the preferred approach.
4. Council consider the matter formally and if agreed, provide funding to secure a lease or license for the site and commission the design of the boat ramp and associated infrastructure.
5. Council seeks funding from MAST to develop the proposal.
6. If funding is secured, Council allocates the required funds as part of its 2014-2015 budget to construct the facility.

Mayor C Cox passed the Chair to Deputy Mayor D Williams at 3.45pm.

AMENDMENT

599.07.2013 **Moved:** Cr C Cox **Seconded:** Cr G Willis

That Council include in its Annual Plan for 2013-2014 the following:

Action: 2.2.1.1 Council explore the development of a boat launching facility and associated infrastructure adjacent to the Tasports Slip at Lady Barron.

Tasks:

1. Cr Willis develops a working group to firstly get community agreement to construct a new boat ramp and then to liaise with users on the design required for the facility and reports back to Council on the preferred approach.
2. Officers approach Crown Land Services and seek information on the current land titles and ownership details of land adjacent to the Tasports Slip area at Lady Barron. This information is presented to Council at a workshop once attained.
3. Officers seek cost estimates to secure a lease (or license) for the agreed area to facilitate the development of a car park and boat launching facility.
4. Council consider the matter formally and if agreed, provide funding to secure a lease or license for the site and commission the design of the boat ramp and associated infrastructure.
5. Council seeks assistance from MAST and Tasports to develop the proposal.
6. If funding is secured, Council allocates the required funds as part of its 2014-2015 budget to construct the facility.

CARRIED UNANIMOUSLY (7-0)

Deputy Mayor D Williams passed the Chair to Mayor C Cox at 3.55pm.

SUBSTANTIVE MOTION

That Council include in its Annual Plan for 2013-2014 the following:

Action: 2.2.1.1 Council explore the development of a boat launching facility and associated infrastructure adjacent to the Tasports Slip at Lady Barron.

Tasks:

1. Cr Willis develops a working group to firstly get community agreement to construct a new boat ramp and then to liaise with users on the design required for the facility and reports back to Council on the preferred approach.
2. Officers approach Crown Land Services and seek information on the current land titles and ownership details of land adjacent to the Tasports Slip area at Lady Barron. This information is presented to Council at a workshop once attained.
3. Officers seek cost estimates to secure a lease (or license) for the agreed area to facilitate the development of a car park and boat launching facility.
4. Council consider the matter formally and if agreed, provide funding to secure a lease or license for the site and commission the design of the boat ramp and associated infrastructure.
5. Council seeks assistance from MAST and Tasports to develop the proposal.
6. If funding is secured, Council allocates the required funds as part of its 2014-2015 budget to construct the facility.

CARRIED UNANIMOUSLY (7-0)

E. CLOSED COUNCIL

Item 11: Closed Council Item – Personnel matters, including complaints against an employee of the council

ACTION	Information
PROPONENT	Council Officer
OFFICERS	Raoul Harper, General Manager
FILE REFERENCE	IND/0200
ASSOCIATED PAPERS	<i>Nil</i>

PREVIOUS COUNCIL CONSIDERATION:

Nil

REASON FOR CLOSED COUNCIL:

This item is **CONFIDENTIAL** in accordance with Section 15(2) (a) of the *Local Government (Meeting Procedures) Regulations 2005*, which permits the meeting to be closed to the public for business relating to the following:

- (a) personnel matters, including complaints against an employee of the council.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION:

That Council move into Closed Council.

DECISION:

600.07.2013 Moved: Cr G Willis Seconded: Cr M Cobham
That Council move into Closed Council.

CARRIED UNANIMOUSLY (7-0)

Council moved into Closed session at 4.00pm.

601.07.2013 Moved: Cr G Willis Seconded: Cr P Rhodes
That Council move out of Closed Council.

CARRIED UNANIMOUSLY (7-0)

Council moved out of Closed session at 4.49pm.

602.07.2013 Moved: Cr M Roberts Seconded: Deputy Mayor D Williams
That the discussions held and motions passed in Closed Council remain confidential.

CARRIED UNANIMOUSLY (7-0)

MEETING CLOSED 4.50PM