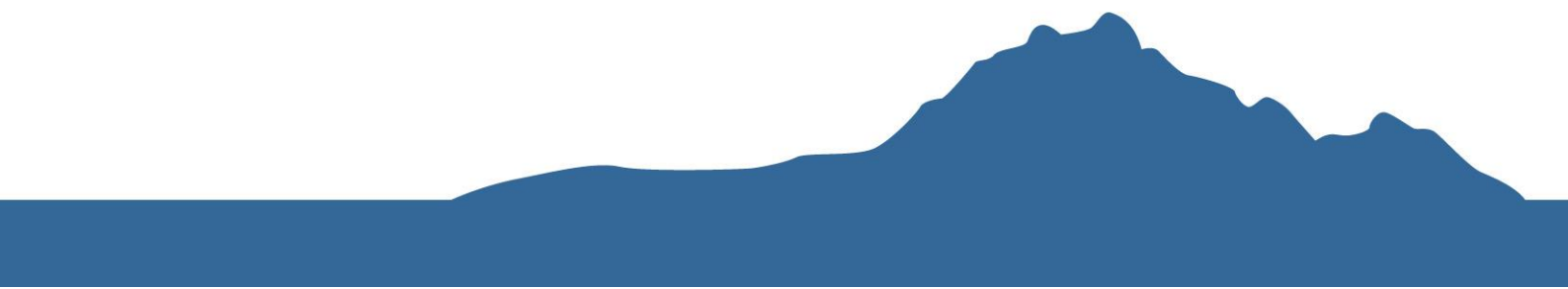




Confirmed Minutes  
Ordinary Council Meeting  
28<sup>th</sup> April 2016



# FLINDERS COUNCIL ORDINARY MEETING

## CONFIRMED MINUTES

**DATE:** Thursday 28<sup>th</sup> April 2016  
**VENUE:** Furneaux Arts and Entertainment Centre, Whitemark  
**COMMENCING:** 1.00 pm

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### PRESENT

Mayor Carol Cox  
Deputy Mayor Marc Cobham  
Cr Chris Rhodes  
Cr Peter Rhodes  
Cr Ken Stockton  
Cr David Williams  
Cr Gerald Willis

### APOLOGIES

Nil

### STAFF IN ATTENDANCE

Sophie Pitchford	- Acting General Manager	1.00 – 1.59pm
Jacci Viney	- Development Services Coordinator	1.00 – 1.31pm
Vicki Warden	- Executive Officer	1.00 – 1.59pm

### CONFIRMATION OF MINUTES

**55.04.2016 Moved:** Deputy Mayor M Cobham **Seconded:** Cr K Stockton  
That the Minutes from the Ordinary Council Meeting held on the 17<sup>th</sup> March 2016 be confirmed.

### CARRIED UNANIMOUSLY (7-0)

**For:** Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

### PUBLIC QUESTION TIME

#### Question 1: Doreen Lovegrove

Madam Mayor my question relates to the recent Planning Appeal by Mary Anne Roberts and Jude Cazaly and one other resident and 9 nonresidents re the Quoin Development located at 3951 Palana Road & 322 Killiecrankie Road, Killiecrankie. Could you please tell me and the Community how much this appeal has cost the Flinders Council?

#### Mayor's Response:

The appeal process cost in excess of \$25,000 plus staff time.

**Question 2: Doreen Lovegrove**

Relating to the same Planning Appeal, could you please tell me and the Community if any submission has been made for a cost order under S28 (2)?

**Mayor's Response:**

Council has not made a submission for a cost order.

**Question 3: Dennis Cooper**

Regarding TasWater - Would Council consider putting forward a motion for the Local Government Association of Tasmania to ask TasWater to change their pricing policy? Not asking them to reduce their income but to reduce standard annual water and sewerage charges by 50% and to pick up dollars with more realistic water usage charges.

**Mayor's Response:**

The matter will be taken to a workshop for discussion.

*Note: Cr G Willis informed the meeting that prices charged by TasWater are set by the Office of the Tasmanian Energy Regulator (OTTER). TasWater does not have any control over pricing however representation to TasWater could be made.*

**Question 4: Cr D Williams on behalf of Margie Goss**

Given the significant number of regular cyclists on our roads and the need to provide for their safety, would Council please erect "cycle safe" road signs at appropriate sites around the island?

**Mayor's Response:**

This matter is already on the next workshop agenda for discussion.

**Question 5: Cr C Rhodes on behalf of Wayne Dick**

Regarding operation of Yellow Beach toilet:

1. is it operational?
2. Is it going to be connected to town water given that there is a shower attached?

**Mayor's Response:**

1. The plumber planned to commence installation of the septic today.
2. It will not be connected to town water. There is no shower and the water tank is being delivered today.

**Question 6: Cr G Willis on behalf of Margaret Wheatley**

Does the Council intend to slash vegetation along the roadside of Palana Road north from the intersection with Fairhaven Road?

**Mayor's response:**

The question was taken on notice.

**LATE AGENDA ITEMS**

Nil

**DECLARATION OF PECUNIARY INTEREST**

Cr Chris Rhodes and Cr David Williams declared a pecuniary interest in Item A1 - Development Application – Furneaux Freight Pty. Ltd.

**LEAVE OF ABSENCE**

Nil

**PETITIONS**

A petition to Flinders Council from Audrey Holloway with 145 signatories regarding the celebration of Australia Day was tabled at the meeting. The petition complies with section 57 of the *Local Government Act 1993* and was tabled as per section 60 of the Act. The wording of the petition is as follows:

*"We, the undersigned, request that Flinders council recognises 26 January in each year as Australia Day and holds an appropriate event on that day commencing in 2017 to celebrate the occasion of Australia's National Day."*

**56.04.2016 Moved:** Cr P Rhodes **Seconded:** Cr D Williams

That Council notes that the petition has been tabled.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

**POLICIES**

The following Council policies were rescinded at the 18<sup>th</sup> February 2016 Ordinary Council Meeting and no submissions were received throughout the 28 day public consultation period. As per the requirements of the Flinders Council Policy Manual Policy, the following policies can now be rescinded:

- Advertising Signs – Airport;
- Aerodrome Upgrade Policy;
- Flinders Island Airport – Charges Policy; and
- Policy for Leasing Land for Aircraft at Flinders Island Aerodrome.

The following Council policies were adopted at the 17<sup>th</sup> March 2016 Ordinary Council Meeting and no submissions were received throughout the 28 day

public consultation period. As per the requirements of the Flinders Council Policy Manual Policy, the following policies can now be adopted:

- Aviation Policy;
- Investment Policy;
- Writing Off Debts Policy;
- Remission of Rate and Charges Policy; and
- Postponement of Rates and Charges Policy.

**57.04.2016 Moved:** Deputy Mayor M Cobham **Seconded:** Cr K Stockton  
That Council notes the four policies to be rescinded and the five policies to be adopted.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.



## Council Workshop held on 14<sup>th</sup> April 2016

Council held a Workshop on the following subjects:

- Item 1: Flinders Structure Plan
- Item 2: Flinders Island Sports & RSL Club
- Item 3: Solid Waste Disposal (deferred to next workshop)
- Item 4: Strategic Plan review
- Item 5: Budget workshop dates
- Item 6: CONFIDENTIAL
- Item 7: CONFIDENTIAL
- Item 8: Community Benevolent Fund
- Item 9: Department of Primary Industries, Parks, Water and Environment draft position paper on revised biosecurity legislation for Tasmania
- Item 10: Motions for LGAT Annual General Meeting
- Item 11: TasWater draft Corporate Plan for consideration at General Meeting on 12<sup>th</sup> May

### Councillors Present:

Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr Gerald Willis, and Cr David Williams.

### Apologies:

Nil

### Staff and Consultants Present:

Raoul Harper (General Manager), Sophie Pitchford (Corporate Services Manager), Robyn Cox (Strategic Planner) (Item 1 only) and Mick Grimshaw (Item 2 only).

### VOTING REQUIREMENTS:

Simple Majority

### RECOMMENDATION:

That the Council Workshop held on 14<sup>th</sup> April 2016 be noted.

### DECISION:

**59.04.2016 Moved:** Deputy Mayor M Cobham                      **Seconded:** Cr C Rhodes  
That the Council Workshop held on 14<sup>th</sup> April 2016 be noted.

### CARRIED UNANIMOUSLY (7-0)

**For:** Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

**PUBLIC MEETINGS**

Nil

**COUNCILLOR'S QUESTIONS ON NOTICE**

Nil

**COUNCILLOR'S QUESTIONS WITHOUT NOTICE**

Nil

**PUBLICATIONS/REPORTS TABLED FOR COUNCIL INFORMATION**

Nil



## REPORTS TO BE RECEIVED

### Furieux (Emita) Hall and Recreation Ground Special Committee

File No: AME/0502

**Annexure 1:** *Furieux Hall (Emita) and Recreation Ground Special Committee  
17<sup>th</sup> February 2016 Unconfirmed Minutes*

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

The unconfirmed minutes of the Furieux (Emita) Hall and Recreation Ground Special Committee held on Thursday, 17<sup>th</sup> February 2016 have been provided for consideration. The minutes outline what the committee has been working on to date and can now be noted by Council.

### OFFICER'S RECOMMENDATION

That the unconfirmed minutes of the Furieux (Emita) Hall and Recreation Ground Special Committee held on Thursday, 17<sup>th</sup> February 2016 be noted.

### DECISION:

**60.04.2016 Moved:** Deputy Mayor M Cobham **Seconded:** Cr D Williams

That the unconfirmed minutes of the Furieux (Emita) Hall and Recreation Ground Special Committee held on Thursday, 17<sup>th</sup> February 2016 be noted.

### CARRIED UNANIMOUSLY (7-0)

**For:** Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

**Lady Barron Hall and Recreational Special Committee**

**File No: AME/0503**

**Annexure 2:** *Lady Barron Hall and Recreational Special Committee 18<sup>th</sup> April 2016 Unconfirmed Minutes*

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

The unconfirmed minutes of the Lady Barron Hall and Recreational Special Committee held on Monday, 18<sup>th</sup> April 2016 have been provided for consideration. The minutes outline what the committee has been working on to date and can now be noted by Council.

**OFFICER'S RECOMMENDATION**

That the unconfirmed minutes of the Lady Barron Hall and Recreational Special Committee held on Monday, 18<sup>th</sup> April 2016 be noted.

**DECISION:**

**61.04.2016 Moved:** Cr D Williams

**Seconded:** Cr G Willis

That the unconfirmed minutes of the Lady Barron Hall and Recreational Special Committee held on Monday, 18<sup>th</sup> April 2016 be noted.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

**Furneaux Community Health Special Committee**

**File No: CSV/0912**

**Annexure 3:** *Furneaux Community Health Special Committee 17<sup>th</sup> February 2016 Unconfirmed Minutes*

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

The unconfirmed minutes of the Furneaux Community Health Special Committee held on Wednesday, 17<sup>th</sup> February 2016 have been provided for consideration. The minutes outline what the committee has been working on to date and can now be noted by Council.

**OFFICER'S RECOMMENDATION**

That the unconfirmed minutes of the Furneaux Community Health Special Committee held on Wednesday, 17<sup>th</sup> February 2016 be noted.

**DECISION:**

**62.04.2016 Moved:** Deputy Mayor M Cobham **Seconded:** Cr K Stockton

That the unconfirmed minutes of the Furneaux Community Health Special Committee held on Wednesday, 17<sup>th</sup> February 2016 be noted.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

## COUNCILLORS' REPORTS

Report from Councillor Gerald Willis as the Flinders Council Representative on TasWater

File No: COU/0312

### CORRESPONDENCE IN:

DATE	WHO	SUBJECT
31.03.2016	Ailsa Sypkes, General Manager Legal and Governance	Draft Strategic Plan for 2017-2016 and a Notice of General Meeting to be held at 10:30 am on Thursday 12 May 2016 at Windsor Community Precinct, 1 Windsor Drive, Riverside. An agenda is to follow.

### RECOMMENDATION:

That the report from Councillor Gerald Willis as the Flinders Council Representative on TasWater be received.

### DECISION:

**63.04.2016 Moved:** Cr G Willis **Seconded:** Cr P Rhodes

That the report from Councillor Gerald Willis as the Flinders Council Representative on TasWater be received.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

**Report from Councillor Gerald Willis - The Role of the Council and the Councillors**

**File No: COU/0204**

I attended a one day course on Friday 8<sup>th</sup> April in Launceston on “The Role of the Council and the Councillor”. Raoul Harper, General Manager, Sophie Pitchford, Corporate Services Manager, and David Williams, Councillor, also attended.

The course was presented by Australian Institute of Company Directors. The course discussed the role of council and Councillors, corporate governance and the roles associated with that, Councillor duties and responsibilities and the rights of Councillors. We probably discussed a bit more than that. Quite heavy stuff and a lot of concentration was needed to keep abreast of the progress throughout the course.

What did I learn? Well, I knew the relationships between councils, Councillors General Managers and staff were complex and enshrined in a monumental amount of law. But, I did not know how complex nor how much.

I recommend the course for anyone associated with Local Government.

**RECOMMENDATION:**

That the report from Councillor Gerald Willis on The Role of the Council and the Councillor training be received.

**DECISION:**

**64.04.2016 Moved:** Cr D Williams

**Seconded:** Cr K Stockton

That the report from Councillor Gerald Willis on The Role of the Council and the Councillor training be received.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

**ACTIVITIES:**

<b>DATE</b>	<b>ITEM</b>
16.03.16	Bendigo Bank public meeting
16.03.16	Resident's phone call re Island banking
17.03.16	Councillor's information session re "Flinders Island Crossing"
17.03.16	Council Meeting
17.03.16	Furneaux (Emita) Hall and Recreation Ground Special Committee meeting
18.03.16	Meeting with Corporate Services Manager re Emita Hall issues
18.03.16	Resident's phone call re telecommunications
22.03.16	Meeting with a community member re cyclist safety
29.03.16	Two residents' phone calls re road issues
30.03.16	Three residents' phone calls re Quoin Development Application (DA)
31.03.16	Resident's phone call re Quoin DA
01.04.16	Attended opening of a new retail outlet in Whitemark
06.04.16 - 13.04.16	Acting Mayor
05.04.16	Meeting with resident re Quoin DA
05.04.16	Resident phone call re Quoin DA
07.04.16	Phone discussion with Janelle Lucas, Legal Aid, re possible local access to free legal advice for our Community
08.04.16	Meeting with several residents re Quoin DA
11.04.16	Meeting with Corporate Services Manager re Island News column content
13.04.16	Meeting with Corporate Services Manager re road bitumen issues
14.04.16	Council Workshop
21.04.16	Tourism Marketing Meeting (representing Mayor Cox)

**RECOMMENDATION:**

That the Deputy Mayor's report be received.

**DECISION:**

**65.04.2016 Moved:** Cr P Rhodes                      **Seconded:** Cr G Willis

That the Deputy Mayor's report be received.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

**MAYOR'S REPORT:**

<b>ACTION</b>	<b>Information</b>
<b>PROPONENT</b>	Mayor C Cox
<b>FILE REFERENCE</b>	COU/0600
<b>ASSOCIATED PAPERS</b>	Nil

**REPORT:****APPOINTMENTS:**

15.03.16	Funeral Captain Bill Barrett (Launceston)
16.03.16	Bendigo Bank Public Meeting
17.03.16	Flinders Island Crossing presentation
17.03.16	March 2016 Ordinary Council Meeting
18.03.16	A McConnell, Page Seager
19.03.16	Funeral Jeff Grace (ex-Airport Manager)
23.03.16	Auction fundraiser for Sammy & AK at the Furneaux Tavern
26.03.16	Lady Barron Hall and Recreation Special Committee Easter Saturday breakfast
28.03.16	Art market at Mountain Seas
29.03.16	Several phone calls re Lady Barron Port operations
30.03.16	Met with Rhys Cropper, State Operations Manager, TasPorts
31.03.16	Met with J Youl, developer re Resource Management & Planning Appeals Tribunal outcome
31.03.16	R Cropper, TasPorts re Lady Barron Port (phone)
01.04.16	S Bayles re Lady Barron Port (phone)
06-13.04.16	Deputy Mayor as Acting Mayor
14.04.16	Council Workshop
15.04.16	Glow in the Dark Disco (School Holiday activity)
17.04.16	Visiting and local vocalists' performance at the Sports & RSL club

**Lady Barron Port:**

During a minor issue at the Port, I spoke to both Shannon Bayles of Furneaux Freight and Rhys Cropper, the Acting State Operations Manager at TasPorts encouraging a resolution to the issue that would cause the least short term and long term disruption and cost to the Islands' Communities.

**Generous Community:**

On the 23<sup>rd</sup> March I attended a fundraising event to assist AK and his family who are dealing with the traumatic issue of cancer. The fund raising event was an auction of items all donated by community members and businesses and raised in excess of \$20,000. The community organised the event in recognition of the huge input both Sammy and AK have had into the Community since moving to the Island a few short years ago.

The previous weekend at the Sports & RSL Club over \$14,000 was raised for cancer research by community members. Fundraising events for the Royal Flying Doctor Service, the Hospital Auxiliary and Lions are also always well supported. A very generous community indeed.

**Glow in the Dark Disco:**

I had the opportunity to attend this event last Friday evening and witnessed around 40 youngsters having a wow of a time at this simple yet innovative and entertaining event. I would like to congratulate staff for their continued and successful presentation of the School Holiday Program and also record appreciation to the Flinders Island Aboriginal Association Inc. for continuing to partner with Council in providing activities for the School Holiday Program.

**Quoin Development:**

Unfortunately the Land Use Planning and Appeals process has resulted in the decision to refuse planning approval for the Quoin development as previously approved unanimously by Council. The appeal outcome has caused some angst in the Community. We live in a democratic society and due process has been followed. Please respect the views of all and continue to be the caring and friendly community that we have become known as.

The Council will continue to work with this and other developers to encourage business growth and economic development in the Municipality.

**Bendigo Bank Survey in Progress:**

Surveys along with reply paid envelopes to Bendigo Bank have been distributed per householder and made available in local businesses. A letter has been written to off-island ratepayers encouraging their support for a Bendigo Bank agency on the Island. I ask that Councillors and staff encourage return of the surveys when the opportunity arises.

**Funeral - Jeff Grace:**

I would like to record the passing of Jeff Grace, who up until his illness dictated he could work no longer, was the Airport Manager for the Council owned airport at Whitemark. Jeff worked for many years in this position, developing strong ties with his industry peers; the Manager of the Launceston Airport making a special trip to Flinders for the funeral. Our condolences to Jeff's wife Gail and family.

**CORRESPONDENCE IN:**

DATE	WHO	SUBJECT
08.03.16	Mick Grimshaw	Plans to sell airport
09.03.16	Peter Gutwein MP, Minister for Planning and Local Government	Approval of Draft State Planning provisions



10.03.16	Vice-Chancellor University of Tasmania	University's northern transformation project - briefing session (apology sent)
13.03.16	P Nugent	Airport Manager & safety
14.03.16	J Everett	Furneaux Islands Festival - A Discussion
15.03.16	Launceston Chamber of Commerce	Amalgamation Modelling and new NTD Organisational Model
15.03.16	Furneaux Historical Research Association	Thank you for recent Council funding for improvements at the museum
16.03.16	Rural Alive and Well (RAW)	RAW Newsletter - Healthy and Resilient Communities (HaRC) Initiative
16.03.16	Australian Local Government Association	Submission to 2016 Federal Budget
16.03.16 31.03.16 04.04.16	Janelle Lucas, Legal Aid Commission of Tasmania	Legal Aid Commission of Tasmania - Access to Justice
17.03.16	Lindy Norton, Office of Guy Barnett MP	Invitation to celebrate Her Majesty the Queen's 90 <sup>th</sup> Birthday (apology sent)
17.03.16	Jeremy Rockliff MP, Deputy Premier, Minister for Education and Training	Invitation to briefing on the draft Education Act Bill (apology sent)
17.03.16	Stephanie Watson, Communications Manager, Local Government Association of Tasmania (LGAT)	Media Release - Local Government a Key Partner in Preventative Health the report by the Joint Select Committee Inquiry into Preventative Health
18.03.16	S Watson, LGAT	Media release - Council Cost Index
18.03.16	Regional Australia Institute	Regional Futures eNews
18.03.16	Scouts Australia	Invitation to attend Scouts Australia Annual General Meeting
18.03.16	Biosecurity Tasmania	Biosecurity Advisory 7/2016 - POMS testing complete and disease risk areas identified
21.03.16	G Adams, Markarna Park	Request for support letter
21.03.16	T Clark, Northern Tasmania Development (NTD)	Media release - Asia Engagement Strategy initiative
21.03.16	G Andrews, Threatened Species Commissioner	Fight against extinction caused by feral cats
21.03.16	D Clark, CEO,	Child Safety Handbook

	Tasmanian Police and Community Youth Clubs	
22.03.16	Tas Hospitality Association	Request to join Tas Community Coalition to discuss gaming machines in pubs /clubs
22.03.16	T Clark, NTD	Media Release - Review of Regional Bodies in Northern Tasmania and interim CEO
22.03.16	J Liddell	Quoin decision
22.03.16	Senator Lambie	List of any local events and meetings
22.03.16	M Goss	Cycle safe road signs
23.03.16	Cr P Rhodes	Notification to forego annual increase to councillor allowance
23.03.16	I Ebsworth, Anglicare Tasmania Inc.	Invite to free public screenings of the ground-breaking documentary Ka-Ching
24.03.16	Dr Lloyd Klumpp General Manager, Biosecurity Tasmania	Biosecurity Legislation Position Paper Released for Consultation
24.03.16	Chinatsu Yahata Biosecurity Tasmania	Biosecurity Legislation Position Paper Released for Consultation - Correction in website addresses
29.03.16	Community Member	Quoin Development outcome
29.03.16	National Heart Foundation of Australia	Entries Open - 2016 Heart Foundation Local Government Awards
30.03.16	Sue Leitch, CEO, COTA	Follow up on visit to Flinders
30.03.16	Tasmanian Hospitality Association	Gaming machines in pubs and clubs
31.03.16	A Sypkes, General Manager Legal and Governance, TasWater	TasWater Notice of General Meeting and confidential document
31.03.16	Brendan Meager, Assistant Operations Supervisor, TasPorts	Erection of 10 kmph sign at wharf approach
30.03.16	NTD	New NTD Organisation Model / Draft Value Proposition for a Northern Development Corporation / Review of Regional Bodies in Northern Tasmania
31.03.16	Lifeline Tasmania	Stakeholder Survey Letter
01.04.16	Biosecurity Tasmania	Biosecurity Advisory 9/2016 - Reminder to vaccinate your dog against canine parvovirus
01.04.16	Fiona Madigan, LGAT	Agenda for Mayor's Professional Development Day, 21 April 2016
02.04.16	Tim Slade	TasWater's proposed model for the

		publication of Tasmania's drinking water data
06.04.16	M Buck, Flinders Island Tourism and Business Association	Invitation to meet with Marketing Strategy Consultants, JimJam
06.04.16	Stuart Ellis, AFAC	AFAC Issue 54 Newsletter
06.04.16	Colin Balfour	Campervan and Motorhome Club of Australia (CMCA) RV Park Project
07.04.16	Tim Slade	TasWater's proposed model
08.04.16	Fiona Madigan, LGAT	Papers for next LGAT General Meeting
08.04.16	Chris Perkins, Regional Development Association - Tasmania	Northern Memorandum of Understanding
12.04.16	University of Tasmania	2016 Invitation to Launceston University Dinner
13.04.16	M Field, University of Tasmania	Tasmanian State Government/Underwood Centre Education to Employment Pathways
13.04.16	T Clark, NTD	Response to NTD's letter requesting assistance with funding for the Northern Tasmania Asia Engagement Strategy
13.04.16	P Nugent	Tourism Development – North Flinders Island
13.04.16	M Gledden	Furneaux Freight depot proposal
14.04.16	Department of Premier and Cabinet	Invitation to bushfire thank you event in Burnie
14.04.16	Director of Local Government	Information pack regarding the <i>Local Government Amendment (Code of Conduct) Act 2015</i>
14.04.16	Government House, Tasmania	Invitation to attend Investiture presentation of OAM to Mr Arthur Withers – 13 <sup>th</sup> May (acceptance sent)
15.04.16	I Roberts, Activ8me	NBN satellite service
15.04.16	G Barnett, DPaC	New parliamentary secretary for small business
16.04.16	M Tetlow, NTD	New Northern Tasmania Development Organisation Model
18.04.16	D Mills	Seeking exemption from public open space contributions
19.04.16	D Gavin and F Henwood	Furneaux Freight Depot proposal
19.04.16	Department of Premier and Cabinet	Local Government Forum – Health and Wellbeing
20.04.16	K Stephenson, CEO,	Tasmanian Certificate of Education

	LGAT	and South Australian Certificate of Education Comparison
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#### **CORRESPONDENCE OUT:**

<b>DATE</b>	<b>WHO</b>	<b>SUBJECT</b>
06.04.16	General Manager, Flinders Council, Raoul Harper and Deputy Mayor, Cr Marc Cobham	Deputy Mayor appointment to Acting Mayor
12.03.16	M Grimshaw	Plans to sell airport
15.03.16	V Matson-Green & D Wills	Furneaux Islands Festival
15.03.16	D Summers	Furneaux Islands Festival and Australia Day Activities
15.03.16	R Wise	Request for comment about Furneaux Islands Festival
15.03.16	J Jacques and S Donati	Australia Day
15.03.16	J Cazaly	Furneaux Music Festival
15.03.16	J Everett	Furneaux Islands Festival - A Discussion
15.03.16	D Williams	Australia Day Celebrations
16.03.16	P Nugent	Airport Manager & safety
21.04.16	S Old, Hospitality Tasmania Association	Gaming machines in pubs and clubs
24.03.16	Crown Land services	Foreshore access at Lady Barron port
24.03.16	J Lucas, Legal Aid Commission of Tasmania	Legal Aid Commission of Tasmania - Access to Justice
25.03.16	M Grimshaw	Answer to public question re fuel purchases
29.03.16	Community Member	Quoin development outcome
29.03.15	J Liddell	Quoin development outcome
30.03.16	Sue Leitch, CEO, COTA	Follow up following my visit to Flinders
31.03.16	Brendan Meager, TasPorts	Erection of 10kmph sign at wharf approach
31.03.16	Robyn Farnum, Lifeline	Stakeholder survey to be conducted in the near future

#### **VOTING REQUIREMENTS:**

Simple Majority

#### **RECOMMENDATION:**

That the Mayor's report be received.

**DECISION:**

**66.04.2016 Moved:** Deputy Mayor M Cobham **Seconded:** Cr K Stockton  
That the Mayor's report be received.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

*Cr Chris Rhodes and Cr D Williams left the meeting at 1.20pm.*

## A. DEVELOPMENT SERVICES AND PLANNING APPLICATIONS

*At 1.20pm Mayor Carol Cox announced that 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 – Furneaux Freight Pty. Ltd.

ACTION	Decision
PROPONENT	Furneaux Freight Pty. Ltd.
OFFICER	James Ireland, Consultant Town Planner
APPROVED BY	Karin Van Straten (Senior Consultant Town Planner)
FILE REFERENCE	DA2016/003
ASSOCIATED PAPERS	<i>Annexure 4: Planning Report Annexure 5: Representations</i>

Proposal: Transport Depot

Location: 12-14 Main Street, Lady Barron (CTs: 134743/5 & 216180/6)

Applicant: Furneaux Freight Pty. Ltd.

Zoning: Commercial Zone

Special Areas: Shorelines, water bodies and watercourses

Development Plan: Lady Barron Commercial Zone Development Plan

Representations: Fourteen

### INTRODUCTION:

#### Subject Site

The subject site comprises two adjoining titles that run between Main Street and West Street in Lady Barron. Lot 5 on Plan 134743 (4430m<sup>2</sup>) is the southernmost lot and the site of the majority of the proposal. It has a 49.82m frontage to Main Street, a depth of 120.71m and a frontage of 40.23m to West Street. Lot 6 on Plan 216180 (approx. 2570m<sup>2</sup>) is the northernmost lot and will not be developed as part of this application, except for the extension of fencing and landscaping around three sides of it.

Together the lots are mostly vacant, save for some small outbuildings and are partly vegetated with some mature trees, particularly close to the frontages. They slope down slightly to the south.

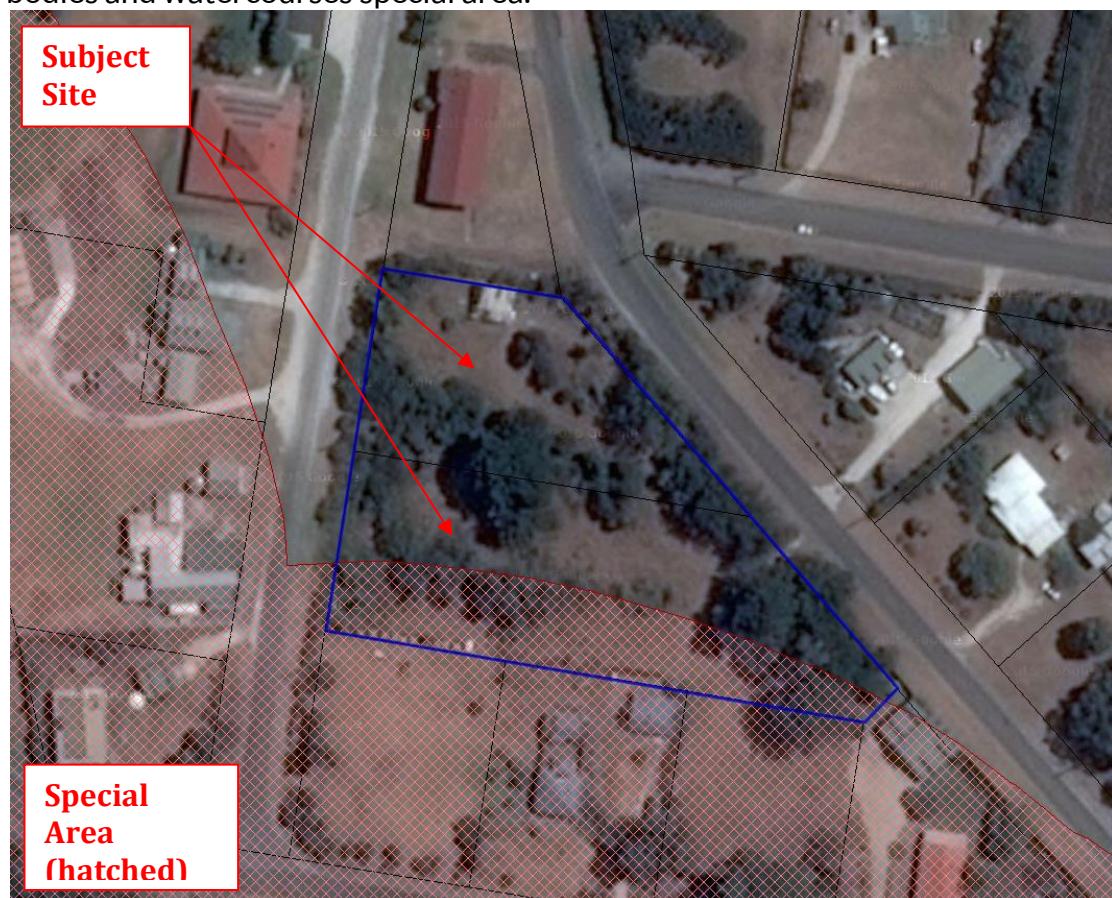
To the north is the Lady Barron Hall, currently setback approximately 12m from the common boundary. Approval exists for an extension to the south of the hall, bringing it closer to the common boundary. To the east across Main Street are single dwellings in the residential zone. To the south are four lots all in the commercial zone. Two are vacant and two have single dwellings. To the west across West Street is the Aboriginal Cultural Centre, partly in the commercial zone, partly in the residential zone.

### Zoning

The subject property is located within the Commercial Zone, pursuant to the *Flinders Planning Scheme 2000* (hereafter, the planning scheme).

### Special Areas

The part of the site shown in the map below is affected by the Shorelines, water bodies and watercourses special area:



### **Statutory Timeframes**

Date Received:	2/3/16
Request for further information:	4/3/16
Information received:	24/3/16
Advertised:	6/4/16
Closing date for representations:	20/4/16
Decision due:	3/5/16

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

#### **The Proposal**

It is proposed to operate a transport depot from a 300m<sup>2</sup> shed (plus 300m<sup>2</sup> awning). The shed and awning measures 30m by 20m and is 7.3m high. It is 20m from the West Street frontage, 37m from the Main Street frontage and 10m from the southern boundary of the site. The shed will have two signs attached to it, each 6m wide and 0.9m high, one each on the short ends of the shed. These will read 'Furneaux Freight'. A sealed hardstand will cover 3050m<sup>2</sup> of the southern 4430m<sup>2</sup> lot. A 1.8m open railing fence surrounds the subject site, except the southern boundary which has a 1.8m high solid Colorbond fence. There is a 5m wide landscape strip along all sides of the site, except the south where the strip is 2.5m wide. The landscaping totals 1242m<sup>2</sup>. The proposed access to the site is from Main Street only, with entry and exit movements by all traffic made via a crossover here. Stormwater will be detained in on-site tanks, with over/outflow into a to-be-constructed stormwater pipe down West Street to the foreshore.

The application material states that the transport depot will be used by Furneaux Freight in the following manner: freight will be unloaded at the Lady Barron port, approximately 400m to the south when their ship from Bridport arrives. Freight is then unloaded and transferred directly to the depot and stored either in the shed or on the hardstand (bulky items). Customers will then be able to pick up their freight 8am to 4pm on weekdays.

Furneaux Freight operates a Monday sailing from Bridport which typically arrives Tuesday after 8am. More sailings occur, based on demand – the average is for one more sailing per week. Typically two of these additional sailings per month arrive at night (9pm to 8am). This is due to the sailing times being based on the tides. As a result, unloading of these sailings will take place at night and the proposal requires lighting, to be mounted on the shed building and presumably projecting onto the hardstand area.

Various trucks will transport freight from the port to the site – prime movers, refrigerated trucks, fuel tankers and side loaders. There is an undertaking from the applicant to limit vehicles to side loaders for night time operations, and delay unloading operations until the morning, where possible. Two employees will be on site.



## Assessment against the Planning Scheme

Assessment is required under the following sections of the scheme:

- Part 1 – Scheme Intent (1.3)
- Part 2 – Scheme Intent (2.2)
- Part 3 – Consideration of Applications for Planning Permits (3.10)
- Part 5 – Commercial Zone (5.5)
- Part 6 – Use and Development Principles
- Part 7 – Special Areas (7.5)
- Schedule 9 – Lady Barron Commercial Zone Development Plan

How the proposal has been assessed:

This proposal requests that Council exercise its discretion in relation to the proposed use in the zone and in varying requirements of the applicable development plan. Council is able to exercise such discretion, pursuant to Clause 3.5 of the scheme. When exercising this discretion, Council must employ the following (in this order) until a basis for exercising its discretion is found: 1) the objectives or intent of the control under which the discretion is sought, 2) the general considerations for applications for planning permits at Parts 3 and 6 of the scheme and 3) the broader scheme intent set out in Part 1 of the scheme.

### Parts 1 and 2 – Scheme Intent

This part of the planning scheme only applies: *“where any question arises as to the interpretation or effect of any part of this Scheme the objectives should be referred to in order to provide the basic intent.”*

**COMMENT:** This assessment of the proposal against the rest of the planning scheme does not raise any questions of interpretation. It is not necessary to apply these clauses.

### Part 3 – Consideration of Applications for Planning Permits (3.10)

Council shall take into consideration the following:

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;*

An assessment is made below:

#### **5.5.1 Zone Intent**

*The zone is intended as the principal location for commercial, administrative and civil functions. Appropriate use or development include retailing (eg. shops, supermarkets, hotels), commercial service*

*activities (eg. banks, consulting rooms, business and professional offices) and social support and development (eg. meeting rooms, libraries, galleries, government agencies) and other services that will support the services/economy of the Islands.*

**COMMENT:** Whilst transport depot is classed as a commercial use, it is clear that the intent is for the zone to accommodate *commercial service activities (eg. banks, consulting rooms, business and professional offices)*. Transport depot is not a use consistent with the intent of the commercial zone.

### **5.5.2 Desired Zone Character and Zone Guidelines**

(a) *In Whitemark, future commercial administrative and civil use or development will be focused in the designated area around Lagoon Road, Patrick Street and Walker Street. Within this area new buildings and alterations to existing buildings will reflect the generally commercial character and scale of existing buildings and will reinforce an image of intensive “main street” commercial activity. Buildings should be sited close to the street.*

(b) *In Lady Barron, future commercial, administrative and civil use or development will be concentrated in the designated areas of Main Street/Franklin Parade/West Street. Within this area development will be required to build a strong “town centre” image for the town. Buildings should be modest and commercial in character and scale and sited close to the street.*

*A development plan for the area bounded by Main Street, Franklin Parade (Esplanade) and West Street must be formally incorporated into the Planning Scheme as a Schedule prior to consideration of any application for consolidation, subdivision, use or development of lots in that area.*

(c) *Carparking areas should be sited so that they do not dominate the streetscape. Parking on street and/or on site behind or between buildings is appropriate. Parking required for operational purposes (eg. service station) should be located to satisfy the operational purpose.*

(d) *Advertising signs in the zone may be colourful but should be restrained in their impact. Imposing sky signs, large billboards and tall free-standing signs which project above normal roof height will not be acceptable.*

**COMMENT:** Clause (a) is not applicable as it relates to Whitemark. In relation to (b), the proposal is located within the designated area referred to. The proposed use is not consistent with a ‘strong town centre’ image. Although defined in the planning scheme as a commercial use, a transport depot is not development typical of or desirable in a town centre. Furthermore, the proposal does not meet the requirement that *‘Buildings should be modest and*

*commercial in character and scale and sited close to the street*. The intent here is for new buildings to establish a 'town centre' type built form. This would involve buildings for commercial *services* such as shops or offices, built up to or close to the frontage and with active facades (i.e, windows and pedestrian access). The development of a 600m<sup>2</sup> shed with no windows set well back from the frontages does not meet this requirement. It is more typical of *out of centre* development. The development plan referred to in (b) has been incorporated in the scheme and is assessed below.

In relation to (c), due to the dual street frontages of the site, it is impractical to locate parking behind the building. The location of car parking spaces is more than 30m from a street frontage and is screened by the vegetation strip and this is considered to meet the criteria. The nature of the use is that parked trucks will necessarily be parked closer to the frontages. This is consistent with the second part of this clause. It will also be screened by vegetation. The proposed signage is consistent with clause (d)

### **5.5.3 Subdivision Standards**

COMMENT: These do not apply as subdivision is not proposed.

### **5.5.4 Development Standards**

- (a) *The maximum height of buildings is 8.0 metres.*
- (b) *Buildings may be erected up to any boundary.*
- (c) *Habitable buildings should be sited and designed to achieve the best solar gain or orientation that the site can provide. Where such design or orientation is not feasible other energy efficient practices, such as insulation, heat pumps or double glazing, should be considered.*

COMMENT: The proposal complies with (a) and (b). Standard (c) is not applicable as the proposal is not a habitable building.

## **Schedule 9 – Lady Barron Commercial Zone Development Plan**

### ***S9.1 Application of Schedule***

Sheet 5 in the planning scheme outlines the area where the development plan applies. The subject site is in this area.

### ***S9.2 General Intent of the Development Plan***

*The intent of the development plan is to:*

- *Provide for the integrated development with surrounding residential land use of applications in the Lady Barron Commercial Zone.*

- Provide for use or development that satisfies sustainable objectives relative to their location and contribution to the Lady Barron township.
- Minimise environmental impacts of development on the sites relative to surrounding houses, streets and business activities.

**COMMENT:** A transport depot, particularly one operating at night is not a use that integrates with the surrounding residential land use, primarily due to the impact of noise and light emissions at night. While the freight depot undoubtedly makes a contribution to Lady Barron and Flinders Island more widely, it does not make a contribution to the 'township'. It is the intent of the development plan to establish a town centre and a transport depot in this location is not consistent with this.

### ***S9.3 Land Use***

#### ***Objectives:***

*To ensure that the land use integrates with the surrounding use and environment:*

<b><i>Development Standard</i></b>	<b><i>Assessment</i></b>
<i>Uses are to be consistent with the requirements of Clauses 5.5.1 – 5.5.5 of the Scheme</i>	<b>Does not comply, variation sought.</b> The proposed use is not consistent with Clauses 5.5.1 and 5.5.2. Clause 5.5.3 is not applicable. The proposal meets clauses 5.5.4 and 5.5.5.  The variation sought is <b>not supported</b> by the zone intent and the desired zone character and zone guidelines. Refer to assessment under zone provisions.
<i>A subdivision or stratum of land within the Development Plan shall require a minimum area of 800m<sup>2</sup></i>	Not applicable. Subdivision or stratum not proposed.

### ***S9.4 Built Form***

#### ***Objectives:***

*To maintain the scale and form of development on the local area by using site design and finishes which complement those values.*

<b><i>Development Standard</i></b>	<b><i>Assessment</i></b>
1. Buildings are to be generally of	<b>Complies. Proposal is single storey and</b>

compact and regular form of maximum two (2) storeys (maximum height of 8 metres).	<b>7.3m high.</b>
2. External colour schemes shall complement the natural colours of the area. Dark muted tones should be used where possible.	<b>Complies.</b> The colour of the shed specified in the application is 'ocean blue'. On the assumption this is the standard Colorbond colour 'Deep Ocean' (a dark blue) then the standard is met. A permit condition can ensure this.
3. Each site is to respect and integrate with uses surrounding them to ensure sustainable outcomes are achieved.	<b><u>Does not comply, variation sought.</u></b> The proposed use – via its emissions of noise and light – does not respect or integrate with the uses surrounding it. The operation of a transport depot primarily involves movements of heavy vehicles, including at night in this case. Significant illumination of the site is required as a result, with attendant light overspill.  The variation sought is <b><u>not supported</u></b> by the development plan intent (or the general consideration clauses at 3.10 (5) (b) or 6.1 (a) of the scheme).
4. Where possible view lines to the coastal areas could be preserved and maintained with development envelopes.	<b>Complies.</b> The proposal may have a slight impact on the view line to the coast from the site of the Lady Barron Hall and on Main Street adjacent to the hall. Due to the slope of the land, this is not unreasonable.
<b>5.</b> A minimum setback of 3 metres from all boundaries shall apply to all buildings within the Development Plan unless such setback is permitted by way of the Building Code of Australia. Any reduction in setback shall be considered as discretion under Clause 3.5 of the Planning Scheme.	<b>Complies.</b> Setback a minimum of 10m from all boundaries.
6. All signage shall be required to satisfy the standards and requirements of schedule 5 of the Planning Scheme.	<b>Complies.</b> The proposed signage meeting the requirements of schedule 5 of the Planning Scheme.

### **S9.5 Infrastructure Values**

#### **Objectives:**

*To maintain the character of the area using existing reticulated infrastructure.*

*To dispose of effluent and stormwater in a manner that will be contained within lot boundaries and not impact on ground water or water quality.*

<b><i>Development Standard</i></b>	<b><i>Assessment</i></b>
<i>1 All buildings are to be connected to an approved effluent disposal system for the disposal of all sullage and stormwater drainage.</i>	<b>Complies.</b> The proposal has a chemical toilet only which does not require on-site disposal of sewerage. Stormwater disposal is via a newly constructed stormwater pipe in West Street which runs to the foreshore.
<i>2. All storage of goods shall be maintained in a manner approved by Council so as to not cause a nuisance.</i>	<b>Complies.</b> If Council approves the application, the goods shall be stored in a manner approved by Council. That is, some in the shed, some on the hardstand.
<i>3. Access to lots having frontage to Main Street will preferably be by way of left hand ingress movement. Site exists will be restricted to West Street.</i>	<b><u>Does not comply, variation sought.</u></b> Entry and exit are right turn and left turn and both are to Main Street only.  The intent or objectives of the development plan do not provide sufficient guidance here. The variation sought <b><u>is supported</u></b> by the general consideration clause at 3.10, (6) as the proposed use or development: <i>“will be supplied with an adequate level of infrastructure and services.”</i> It is also noted that the proposed access arrangement has the support of the road authority (State Growth).
<i>4. Access to frontages will be constructed to Council standards for the uses/development applied for. Where possible access points shall be rationalised to avoid duplication and overlap of site distance requirements.</i>	<b>Complies.</b> The single access is the best rationalisation. It will be a State Growth rather than Council standard that the access must meet. This is a separate permit application process.
<i>5. Where possible provision should be made to incorporate pedestrian linkages between the port area as well</i>	<b>Complies</b> as not considered practicable. The most logical pedestrian linkage would be footpaths

<i>as the surrounding commercial activities.</i>	<b>adjacent to the roads, which are not part of the application site.</b>
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### ***S9.6 Landscape Values***

#### ***Objectives:***

*To ensure that activities in the Development Plan do not adversely affect the landscape setting of the area.*

<b><i>Development Standard</i></b>	<b><i>Assessment</i></b>
1. Where possible mature trees on the sites should be retained within the development proposal.	<b>Complies. Based on the broadness of the requirement, the mature trees are being retained where possible.</b>
2. Landscape of sites with frontage to Main Street will be encouraged to provide a visual screen to the streetscape.	<b>Complies. A 5m wide vegetation screen is provided to Main Street.</b>
3. All development shall be required as part of the approval process to demonstrate the integrated landscaping of the site. A minimum of 30% of the site shall be required to be landscaped.	<b><u>Does not comply, variation sought.</u> Landscaping comprising only 18% of the subject site is proposed.  Variation not supported by the objective under S9.6 Landscape Values. Despite the provision of a landscaped strip along the site boundary, the large building and large hardstand area adversely affect the landscape setting of the area.</b>
4. A landscape plan shall accompany each application for approval by Council; and shall demonstrate the degree of landscaping to sensitive boundary frontages and the site and is to include species, location, height of all vegetation.	<b>Complies. A landscape plan was submitted with the applicant.</b>

*2. any relevant proposals, reports or requirements of any public authorities;*

**As the road used for access to the proposal – Main Street – is a State Government administered road, in accordance with Schedule 4.4 of the planning scheme, the application was referred to the Department of State Growth. They provided Council with written advice that they have no objection to the proposal, subject to the normal permit and design detail process.**

3. any representations received following public notification where required under the Act;

The application was notified from 6 April to 20 April, 2016 and fourteen representations were received, primarily from residents of the three streets closest to the site (West Street, Main Street and Franklin Parade). A full copy of the representations is available as annexures to this report. The key issues raised in the representations are summarised and addressed below:

ISSUE	COMMENT
<p>The proposal is not a transport depot. It is at least partly a warehouse and possibly a toxic/dangerous goods store, both of which are prohibited in the commercial zone.</p>	<p>Council is satisfied that transport depot is the most accurate use definition of the proposal and has legal advice to support this. The planning scheme defines transport depot as:</p> <p><i>... the use or development of land for the garaging, parking, maintenance or minor repairs of any motor vehicle or vehicles used for carrying persons and/or goods for hire, reward or other considerations, or as a depot for the transfer of persons and/or goods from such motor vehicle(s).</i>  <i>[my emphasis]</i></p> <p>The brief 'warehousing' of freight at the depot fits under the last part of the definition. A transport depot is not a toxic/dangerous goods store. Despite reference to fuel tankers and 'small quantities of hazardous materials (e.g. paint, batteries) in the application, a toxic/dangerous goods has not and cannot be applied for (it is a prohibited use) so cannot be approved as part of this application. Toxic/dangerous goods (including fuel of any type) cannot be stored on this site.</p>
<p>Use and built form not consistent with a "town centre"</p>	<p>The six lots which are affected by the development plan do not currently appear as an established town centre. However, it is clearly set out in the planning scheme (in the development plan and the commercial zoning of the land) that this area should develop as a town centre. Therefore, new planning applications in this area must be consistent with this goal. The proposed use of a transport depot is not consistent with a town centre. The proposed development – a 600m<sup>2</sup> shed well setback from the frontages with large hardstand and parking areas is not a built</p>



	form consistent with a town centre. Please refer to the assessment under the development plan for more detail.
Does not meet the requirements of the planning scheme.	The proposal meets parts of the planning scheme and does not meet others. Please refer to the assessment for details.
Impact of hazardous goods	A transport depot is not a toxic/dangerous goods store. Despite reference to fuel tankers and 'small quantities of hazardous materials (e.g. paint, batteries) in the application, a toxic/dangerous goods has not and cannot be applied for (it is a prohibited use) so cannot be approved as part of this application. Toxic/dangerous goods (including fuel of any type) cannot be stored on this site.
Dust impact	It is proposed to seal the hardstand area. Whilst some dust may still be generated it will not be unreasonable.
Impact of noise and light from truck movements (including headlights) and loading and unloading operations.	<p>The operation of the proposal involves the arrival and departure and unloading and loading of trucks on the site. This unavoidably generates diesel engine noise, reversing beepers from forklifts and the general shunting and banging involved in loading and unloading sometimes large loads (e.g, containers). This will regularly take place at night. This increases the impact of the noise on neighbouring residents.</p> <p>The lighting required for safe operation at night will not be able to be baffled within the site and there will be light spill, with its attendant impact on neighbours. Headlights from vehicles exiting the site will add to this.</p>
Questions about the nature of the operation, particularly at night.	The application does not explicitly state it, but unloading of the ship is not the only operation that must take place. The ship has to be loaded as well. Customers on Flinders drop their freight off and it needs to be moved from the depot to the port after the ship has been unloaded but before it departs. Whilst the application states that <i>unloading</i> will be minimised at night, it is not clearly stated in the application how freight will be moved from the depot to the port (i.e, Bridport bound freight). It will either involve twice as many trucks (one lot to remain loaded on site and one to move freight to the port), or will require the

	<p>unloading of the one set of trucks and the reloading of same, as per the daytime operations (and thus not a minimisation at all).</p> <p>Furneaux Freight's website has a sailing schedule for the week commencing 26 April. It is accepted that the sailing schedule is not the same every week, but is based on regular tides. It shows the ship docked in Lady Barron from 2330 Tuesday to 0430 Wednesday and 0030 to 0700 Thursday. The number of sailings is consistent with that stated in the application (i.e, twice per week) but the timing is not. Both these sailings involve the presence of the ship <i>only</i> in night hours.</p>
Traffic impact / danger	<p>Traffic impact as relates to noise and light impact has been addressed above.</p> <p>As the road used for access to the proposal – Main Street – is a State Government administered road, in accordance with Schedule 4.4 of the planning scheme, the application was referred to the Department of State Growth. They provided Council with written advice that they have no objection to the proposal, subject to the normal permit and design detail process.</p> <p>Separately, it is noted that the proposal does not meet the standard in the development plan relating to exit being restricted to West Street (exit is proposed to Main Street)</p>
Loss of property/business value	Not planning considerations.
Proposed use is more in keeping with port zone than commercial zone. The port has recently been upgraded, at great expense.	Not strictly a planning consideration. Council must consider the application before it. The suitability of the port zone for the proposal is not the consideration here. The consideration is the suitability or otherwise of the proposal on this site in the commercial zone. Transport depot is a discretionary use in the commercial zone. However the zone intent, character and guidelines do not support the use. Please refer to the assessment.
Inadequacy of landscaping, not consistent with development plan	The proposed landscaping does not meet the relevant standard in the development plan. Landscaping comprises 18% of the site, less than

requirement for 30% landscaping	the 30% requirement.
Use of northern lot for 'overflow'	As referred to above, the northern lot is included in the subject site. As such, it could be used as part of the transport depot. However, the application states the lot will remain vacant with no development proposed save for fencing and landscaping.

4. *whether any part of the land is subject to:*

(a) *landslip, soil instability, or erosion;*

No mapped landslip or stability issues at the site of the proposal. The subject site is 80m (and the building 90m) from the coast and separated from it by Franklin Parade and a strip of commercial zoned properties. For this reason, erosion is not an issue.

(b) *excessive slope;*

Not applicable.

(c) *ponding or flooding;*

None known on the site. The proposal addresses stormwater disposal.

(d) *bush fire hazard;*

Not applicable. The planning scheme only sets standards for bushfire hazard in relation to subdivision applications.

(e) *a Protected Catchment District under Water Management Act 1999;*

No.

(f) *any Special Area Provisions in Part 7;*

The proposal is within the Shorelines, Water bodies and Watercourses Special Area. An assessment against this is provided at Part 7 of this report.

(g) *pollution; and*

None known.

(h) *other hazards to safety or health.*

None known. Health and safety of the operation for employees and customers are subject to separate control.

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;*

Existing site features are limited to the vegetation, in particular a number of large trees. These are not protected in the planning scheme or as part of a threatened community.

(b) *adjoining land;*

As limited only to adjoining land, the siting, size and appearance of the proposed building does not have a direct impact. However, the proposed use – via its emissions of noise and light – does. The operation of a transport depot primarily involves movements of heavy vehicles, including at night in this case. Significant illumination of the site is required as a result. The proposed use is not satisfactory in relation to adjoining land.

(c) *the streetscape and/or landscape;*

The building is not satisfactory in terms of its siting, size or appearance in relation to the streetscape. The zone provisions intend that a 'town centre' streetscape be established. This involves modestly scaled buildings with active facades located close to the frontages. The development of a 600m<sup>2</sup> shed with no windows and well set back from the frontages does not meet this requirement. The proposal requires the removal of some existing trees on the site. These make a contribution to the current streetscape.

(d) *the natural environment;*

The proposal is satisfactory in relation to the natural environment. The only relevant issue is the emission of potentially polluted run-off from the hardstand area to the stormwater system and ultimately the sea. The application states an oil and grease arrestor will be installed to control water quality. The satisfactory design of this can form a permit condition.

(e) *items of historic, architectural or scientific interest;*

None identified on the site.

(f) *buffer zones, attenuation areas*

None applicable.

(g) *easements;*

None applicable.

(h) *a water supply for firefighting purposes;*

The planning scheme only sets standards for bushfire hazard in relation to subdivision applications.

(i) *any received pollution;*

None known.

(j) *the escape of pollutants into storm drains and watercourses: and*

The proposal has a large sealed hardstand area (3050m<sup>2</sup>) which will be used by trucks, forklifts and cars. A composting or chemical staff toilet is proposal, which does not produce on-site effluent. The application states an oil and grease arrestor will be installed to control water quality. The satisfactory design of this can form a permit condition.

(k) *isolation, separation from other lands.*

Please refer to (b).

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;*

The proposal will be supplied with an adequate level of infrastructure and services. The proposal is self-sufficient in relation to water supply (tanks) and sewerage (chemical staff toilet only). Stormwater disposal has been addressed. In relation to road access, as the road used for access to the proposal – Main Street – is a State Government administered road, in accordance with Schedule 4.4 of the planning scheme, the application was referred to the Department of State Growth. They provided Council with written advice that they have no objection to the proposal, subject to the normal permit and design detail process.

7. *whether the proposed use or development would adversely affect the existing and possible future use or development of adjacent land, and vice versa;*

The proposed transport depot use will adversely affect the existing and possible future use of adjacent land as a result of the noise and light generated by night operations. Significant illumination of the site is required as a result and it will not be possible to contain light spill to the site. The planning scheme intends for this land to be a town centre. The location of a transport depot here will compromise this being achieved. The proposed transport depot use is unlikely to be adversely affected by the likely and allowable uses on neighbouring land.

8. *the provision of adequate landscaping, amenity facilities and illumination, and the treatment of the site generally;*

The proposal is not provided with adequate landscaping. The development plan requires landscaping comprise 30% of the site and it comprises 18%. The

variation sought in relation to this is not supported by the relevant objective. Amenities are for staff only and are adequate. Illumination of the site is proposed. The illumination required for the operation (unloading of trucks and storage in the shed) will be of an extent that is likely to affect neighbouring residential uses.

*9. the sight distances available to and from proposed point(s) of access, together with an estimate of the speed of passing traffic;*

In relation to road access, as the road used for access to the proposal – Main Street – is a State Government administered road, in accordance with Schedule 4.4 of the planning scheme, the application was referred to the Department of State Growth. They provided Council with written advice that they have no objection to the proposal, subject to the normal permit and design detail process.

*10. the design and siting of the proposal to enable reduction in energy consumption through alternative energy use or reduction in demand; and*

The proposal doesn't include anything that enables a reduction in energy consumption through alternative energy use or reduction in demand. That said, the use is unlikely to use very much energy – the largest contribution would most likely be the outdoor lighting required.

*11. the safety and well-being of the general public.*

Generally this is the role of the National Construction Code and health and safety requirements. The proposal does not appear to pose an unacceptable risk to the safety or wellbeing of the public.

12. Any other matter which Council is of the opinion is relevant to the particular application.

**None stated.**

### **Part 6 – Use and Development Principles**

This part of the planning scheme provides general principles that development must be consistent with. Some of them are clearly not relevant to this application (for example those concerned with subdivision or quarrying) so these have been omitted for brevity. Furthermore, most have been addressed in more specific parts of this report. They are included here for completeness, but the comment will often refer to the part of the report where they are assessed in detail.

**6.0 Use and development shall be consistent with the following principles:**

## 6.1 Use

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

**COMMENT: Does not comply. For more detail refer to Part 3 assessment.**

## 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.*
- (d) 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.*
- (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.*
- (e) Where trees are an important element in the character of an area they should be retained.*
- (f) Signs shall be consistent in type, scale and location, with the intention of the zone, the streetscape and the building or structure on which they are positioned or to which they otherwise relate.*

**COMMENT: Does not comply. For more detail refer to Part 3 assessment.**

## 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.*

- (c) *Use or Development shall not be located in areas of unacceptable risk (e.g. from fire, flood or landslip). In situations where risk may exist, use and development shall be appropriately sited and designed to provide an acceptable level of protection and safety for future users. In particular.*
- i. *Lands subject to flood risk are those subject to a greater than one in a 100 year flood interval (1% probability), and land, the natural surface level of which is below 3 metres Australian Height Datum (AHD); and*
  - ii. *Land which comprises soils of known or suspected instability, has a slope greater than 1 in 4, or is filled or reclaimed land, are deemed to constitute an unstable land hazard; and*
  - 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: Complies. For more detail refer to Part 3 assessment.**

## 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.*
- (c) *Buildings and spaces intended for public access shall provide for satisfactory use and access by the disabled; the requirements of the Building Regulations in relation to AS1428.1-1988 shall be met.*
- (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.*

**COMMENT: Complies. In relation to (b) and (h), As the road used for access to the proposal – Main Street – is a State Government administered road, in**



accordance with Schedule 4.4 of the planning scheme, the application was referred to the Department of State Growth. They provided Council with written advice that they have no objection to the proposal, subject to the normal permit and design detail process. Criteria (c) will be subject of the building permit application. In relation to (i), the proposal is provided with four line-marked spaces. Two of these will be required for employees. It is likely most customers will park under the awning or on the hardstand to load their goods. The parking provision meets the requirement.

#### 6.7 Services

- (a) Use or Development shall be provided with adequate and appropriate services which are suited to the lifestyle requirements of people, the nature of the location, and the ability of the community to provide.*
- (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*
- (e) Use or Development shall be appropriately sited, designed and constructed to avoid conflict with service mains (including telephone, power, sewer, water and irrigation channels/pipelines). Buildings shall not be erected over any service main or within any easement providing for same whether utilised or not.*
- (f) Servicing systems shall use adequate and appropriate design methods and materials to ensure an acceptable life span and allow for adequate maintenance requirements.*

**COMMENT: Complies. For more detail refer to Part 3 assessment.**

#### 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:** In relation to 1., the ability of residents to collect their freight is obviously in the community interest, particularly on an island such as Flinders. This currently takes place in the port itself and moving the depot to the subject site does not affect the community interest either positively or negatively. If external circumstances result in the closure of the port location, then approving this depot as the only Furneaux Freight depot in Lady Barron does suit the community interest. The proposal meets Clause 2 as the site is in the centre of Lady Barron.

#### 6.9 Administration.

- (b) Use or Development proposals should only be approved where the cost to the public of providing and maintaining services is not exceeded by the economic benefit of the use or development to the community.*
- (c) In considering any proposal, Council shall obtain the advice and opinion of other relevant group(s), individual(s) or organisation(s) with direct interest in the proposal.*
- (d) A Development Plan for an integrated development may be prepared and adopted by Council for any area in this Scheme,

**COMMENT:** In relation to (b), this is largely a privately financed undertaking. However, Council has agreed to contribute to the necessary upgrades to the stormwater system in West Street. This may have had to happen in the future regardless, but is required for this application. In relation to (c), the application was referred to State Growth (see comments elsewhere in this report). The application was also notified under the statutory process. In relation to (d), a development plan has previously (in 2003) been prepared and forms part of the scheme as Schedule 9 – Lady Barron Commercial Zone Development Plan. An assessment against it is made elsewhere in this report.

### Part 7 Special Area Provisions

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

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

- a) The siting, orientation, setback, bulk, form, height, scale, materials and external finishes of buildings and structures*

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

**COMMENTS:** The subject site is 80m (and the building 90m) from the coast and separated from it by a road and a strip of commercial zoned properties. For this reason, it is not considered that any conditions are required in relation to a), c), d) or e). Clause b) is relevant in relation to effluent disposal. The proposal has a large sealed hardstand area (3050m<sup>2</sup>) which will be used by trucks, forklifts and cars. A composting or chemical staff toilet is proposal, which does not produce on-site effluent. The application states an oil and grease arrestor will be installed to control water quality. The satisfactory design of this shall form a permit condition.

#### **CONCLUSION:**

The proposal is not supported primarily due to the noise (and light) impact on neighbouring residential uses. This is a 24 hour operation, with its peak daily use regularly occurring in hours in the middle of the night.

Furthermore, the Lady Barron Commercial Zone Development Plan clearly sets a direction for the use and development of this site. It is for a town centre, which the proposal is not consistent with.

The 14 representations are clear and consistent. They raise objections consistent with the reasons for refusal.

#### **STATUTORY REQUIREMENT:**

The application was advertised for 14 days in accordance with the Act.

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

The following strategic focus areas in the *Flinders Council Strategic Plan 2015* are relevant:

##### ***Strategic Focus Area 1: Population Growth***

*Focusing on strategies, projects and policy initiatives that support the community, economic development, innovation and investment attraction.*

**COMMENT:** The proposal is consistent with this focus area. The proposal is a project initiative that supports the community, economic development, innovation and investment attraction.

***Strategic Focus Area 2: Infrastructure and Services***

*An Islands' specific approach to planning and delivery to ensure community and environmental values are maintained.*

**COMMENT:** The relevant community values are embodied in the development plan that applies to the land. The proposal is not consistent with this plan. The impact of tree removal has an impact on the environment/streetscape, although the trees themselves are not a threatened species or otherwise protected by the planning scheme. Provided the oil and grease arrestor in the stormwater disposal system is designed and installed properly, the impact on the environment can be limited (this can be a permit condition).

***Strategic Focus Area 5: Liveability***

*Protect, improve and promote the safety, creativity, health and wellbeing of the Islands' communities.*

**COMMENT:** The impact of noise and light emissions from the proposal on neighbouring residential areas is such that the health and wellbeing of the community is not improved or promoted.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Council has agreed to contribute to the cost of the stormwater piping in West Street.

**OFFICER'S RECOMMENDATION:**

That the application for a transport depot, by Furneaux Freight Pty. Ltd. At 12-14 Main Street, Lady Barron (CTs: 134743/5 & 216180/6) be **REFUSED** for the following reasons:

1. The variation of the first development standard under *S9.3 Land Use* in the *Lady Barron Commercial Zone Development Plan* has been assessed as not being supported by the zone intent or desired zone character and zone guidelines.
2. The variation of the third development standard under *S9.4 Built Form* in the *Lady Barron Commercial Zone Development Plan* has been assessed as not being supported by the development plan intent.
3. The variation of the third development standard under *S9.6 Landscape Values* in the *Lady Barron Commercial Zone Development Plan* has been assessed as not being supported by the relevant objective.

**DECISION:**

**67.04.2016 Moved:** Deputy Mayor M Cobham **Seconded:** Cr K Stockton  
That the application for a transport depot, by Furneaux Freight Pty. Ltd. At 12-14 Main Street, Lady Barron (CTs: 134743/5 & 216180/6) be **REFUSED** for the following reasons:

1. The variation of the first development standard under *S9.3 Land Use* in the *Lady Barron Commercial Zone Development Plan* has been assessed as not being supported by the zone intent or desired zone character and zone guidelines.
2. The variation of the third development standard under *S9.4 Built Form* in the *Lady Barron Commercial Zone Development Plan* has been assessed as not being supported by the development plan intent.
3. The variation of the third development standard under *S9.6 Landscape Values* in the *Lady Barron Commercial Zone Development Plan* has been assessed as not being supported by the relevant objective.

**CARRIED (4-1)**

**For:** Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Ken Stockton and Cr Gerald Willis.

**Against:** Cr Peter Rhodes

*At 1.29pm, Mayor Carol Cox announced that the Council will now conclude its meeting as a Planning Authority under Section 25 of the Local Government (Meeting Procedures) Regulations 2015.*

*Cr C Rhodes and Cr D Williams rejoined the meeting at 1.30pm.*

**Item A2: Development Application Report**

<b>ACTION</b>	<b>Information</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Jacci Viney, Development Services Coordinator
<b>FILE REFERENCE</b>	DSV/0300
<b>ASSOCIATED PAPERS</b>	<i>Annexure 6: Development Application Report - March 2016</i>

**INTRODUCTION:**

The purpose of this report is to provide Councillors with an update of the applications which have been dealt with by the Planning Department for the month of March as per the council motion 249.09.2015, passed at the 24<sup>th</sup> September 2015 Council Meeting.

Council has requested that the planning consultancy service (West Tamar Council) provide this detail to Council on a monthly basis.

**PREVIOUS COUNCIL CONSIDERATION:**

Some items may have been considered at meetings of Council while the remainder have been approved under delegation by the General Manager.

**OFFICER'S REPORT:**

Refer to Annexure 6 Development Application Report – March 2016, provided by West Tamar Council.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That the report be received.

**DECISION:**

**68.04.2016 Moved:** Cr P Rhodes      **Seconded:** Cr K Stockton  
That Council receives the Development Application Report for March 2016.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

*Jacci Viney, Development Services Coordinator, left the meeting at 1.31pm.*

*Mayor Carol Cox passed the Chair to Deputy Mayor Marc Cobham at 1.31pm.*

<b>B. NOTICE OF MOTIONS</b>
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**Item B1: Notice of Motion from Mayor Carol Cox – Feasibility Study for the Flinders Island Sports and RSL Club**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Mayor Carol Cox
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	CSV/1500
<b>ASSOCIATED PAPERS</b>	<i>Annexure 7: Dock 4 Architects proposal (for elected members only)</i>

**NOTICE OF MOTION:**

That Council allocates the required funding for the General Manager to engage Dock 4 Architects to deliver a feasibility study for the Flinders Island Sports and RSL Club as per the project proposal provided by Dock 4 Architects.

**COUNCILLOR'S REPORT:**

This motion is brought forward to Councillors to confirm the expenditure of funds as allocated in the 2015-16 Capital Budget that is subject to the note “that any proposal is still to be decided by Council” (Motion 26.02.2016).

At the time of setting the 2015-16 budget and at the budget review, Councillors had a desire to see the Flinders Island Sports and RSL Club become sustainable although a defined project had not yet been developed as to how this might occur.

As background, for a long time the Flinders Island Sports & RSL Club (“the Club”) has relied upon volunteer labour to maintain the golf course and bowls green as well as the Clubhouse itself. In more recent years it has become more onerous as the volunteers have aged and become less able to fulfil the duties required. The Clubhouse has become very tired and independent surveys have highlighted the need for substantial works to be carried out in the short term.

Accordingly, the Club put out a number of feelers to find an investor who would be interested in developing some of the unused land within the Club’s boundaries with the aim of developing an income stream to fund the maintenance of the Club’s facilities. Several potential investors looked at this opportunity but with the current economic climate nothing concrete developed.

It was with this background that the Club committee approached Council to see if there was any possibility of entering into a joint venture which would not only secure the future of the Club but also provide facilities which Council and the Community could benefit from in both the short and long term.

In the financial year 2014-2015 Council agreed to allocate \$50,000 to enable

Council to work with the Club to find a solution to the requirements of both parties. As a result of this the General Manager has spoken with a number of architectural firms to gain an insight into what they believe the best approach would be for the site, Club, Community and Council. Many of them were excited by the potential of the project but to develop any proposal further Council needs to expend funds to have more than just discussions.

The general idea is to propose a development for the site that will enable the Club to develop an income. In discussions such possibilities as onsite housing, accommodation, a community hub of offices, health rooms, a commercial laundry, conference facilities and others have all been mentioned, but without further work by a professional in the area the concept will not develop past the discussion stage. Recognising the importance of the golf and bowls facilities to the Island, the Council allocated funds to develop such a proposal that could be used by the Sports & RSL Club to gain funding for development.

A framework for developing such a proposal has been put forward by Architect Giles Newstead from Dock4 for consideration. Giles knows the Island, owns property on the Island and has experience with large scale site master planning, business case development and prefab housing and has capacity within his firm to undertake this project.

I commend to the Councillors that the funding allocated in the 2015 - 2016 budget be applied to develop the proposal and thus enable the Sports & RSL Club to move forward towards a sustainable future.

#### **PREVIOUS COUNCIL CONSIDERATION:**

13 <sup>th</sup> November 2013	Councillor Workshop
21 <sup>st</sup> November 2013	693.11.2013
14 <sup>th</sup> April 2016	Councillor Workshop

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

The Councillor's report provides significant detail and history of the challenges faced by the Flinders Island Sports and RSL Club and the role Council has played to date in assessing options to assist and working with the Club to develop ideas and concepts for the future.

Engaging a suitably qualified architectural practice with experience in undertaking investigations into the capabilities and capacities of the site and what options could be available to the Club (and potentially Council) architecturally and then cost these out and undertake a full business case to inform the future decision making process is a considered and sensible approach.

The notice of motion is supported.



**STATUTORY REQUIREMENTS:**

*Local Government Act 1993*

**POLICY/STRATEGIC IMPLICATIONS:**

1. Population Growth - Focusing on strategies, projects and policy initiatives that support the community, economic development, innovation and investment attraction.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Council has allocated funds to complete the project in the 2015-2016 budget.

**RISK/LIABILITY:**

Minimal

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That Council allocate the required funding for the General Manager to engage Dock 4 Architects to deliver a feasibility study for the Flinders Island Sports and RSL Club as per the project proposal provided by Dock 4 Architects.

**DECISION:**

**69.04.2016 Moved:** Mayor C Cox                      **Seconded:** Cr P Rhodes

That Council allocates the required funding for the General Manager to engage Dock 4 Architects to deliver a feasibility study for the Flinders Island Sports and RSL Club as per the project proposal provided by Dock 4 Architects.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

*Deputy Mayor Marc Cobham passed the Chair to Mayor Carol Cox at 1.34pm.*

<b>C. CORPORATE SERVICES</b>
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**Item C1: Quarterly Financial Report for January – March 2016**

<b>ACTION</b>	<b>Information</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Sophie Pitchford, Corporate Services Manager
<b>FILE REFERENCE</b>	FIN/0100, ADM/0600
<b>ASSOCIATED PAPERS</b>	<i>Annexure 8: 3<sup>rd</sup> Quarterly Financial Report - January- March 2016</i>

**INTRODUCTION:**

Presented to Council is the third Quarterly Financial Report for the period commencing 1<sup>st</sup> January 2016 and ending 31<sup>st</sup> March 2016.

**PREVIOUS COUNCIL CONSIDERATION:**

Council considers the Quarterly Financial Report on a quarterly basis.

**OFFICER'S REPORT:**

The report structure provides a summary of income and expenditure for the third quarter across all departmental divisions as individual finance reports. The Statement of Comprehensive Income includes actuals from the previous financial year, for comparison against current actuals, as well as the revised 2015/16 Annual Budget.

The Capital Works Report highlights each project and the expenditure incurred to date as well as projects carried forward as Works in Progress arising from the previous financial year.

**STATUTORY REQUIREMENT:**

*Local Government Act 1993*

**POLICY/STRATEGIC IMPLICATIONS:**

4.0 Strategic, Efficient and Effective Organisation - Responding to risks and opportunities.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Annual Plan – all areas

**RISK/LIABILITY:**

No foreseen risks or legal obligations identified as a result of the financial report.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That the Quarterly Financial Report for the period commencing 1<sup>st</sup> January 2016 and ending 31<sup>st</sup> March 2016 be received and accepted.

**DECISION:**

**70.04.2016 Moved:** Deputy Mayor M Cobham **Seconded:** Cr G Willis  
That the Quarterly Financial Report for the period commencing 1<sup>st</sup> January 2016 and ending 31<sup>st</sup> March 2016 be received and accepted.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

<b>D. GOVERNANCE</b>
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**Item D1: Council's 3<sup>rd</sup> Quarterly Report**

<b>ACTION</b>	<b>Information</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	COU/0600
<b>ASSOCIATED PAPERS</b>	<i>Annexure 9: Council's 3<sup>rd</sup> Quarterly Report (January - March 2016)</i>

**INTRODUCTION:**

The purpose of this report is to provide Councillors with an update of the various actions taken by the whole of Council for the third quarter of the financial year.

**PREVIOUS COUNCIL CONSIDERATION:**

Previously provided as a departmental monthly report then departmental quarterly reports.

**OFFICER'S REPORT:**

Please read Annexure 9 - Council's 3<sup>rd</sup> Quarterly Report (January - March 2016).

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That the Council's 3<sup>rd</sup> Quarterly Report (January - March 2016) be received and accepted by Council.

**DECISION:**

**71.04.2016 Moved:** Deputy Mayor M Cobham **Seconded:** Cr G Willis  
That the Council's 3<sup>rd</sup> Quarterly Report (January - March 2016) be received and accepted by Council.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

**Item D2: Councillor Resolution Report**

<b>ACTION</b>	<b>Information</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	COU/0600
<b>ASSOCIATED PAPERS</b>	<i>Annexure 10: Councillor Resolution Report April 2016</i>

**INTRODUCTION:**

This report identifies the actions taken and actual costs associated with implementing resolutions passed by elected members up to April 2016.

**PREVIOUS COUNCIL CONSIDERATION:**

The report is presented on a monthly basis.

**OFFICER'S REPORT:**

Please read Annexure 10 – Councillor Resolution Report April 2016.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That the Councillor Resolution Report April 2016 be noted.

**DECISION:**

**72.04.2016 Moved:** Deputy Mayor M Cobham **Seconded:** Cr K Stockton  
That the Councillor Resolution Report April 2016 be noted.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

*Mayor Carol Cox called a break in the meeting at 1.47pm and resumed the meeting at 1.58pm.*



*Council moved out of Closed Session at 3.10pm.*

**80.04.2016 Moved:** Cr P Rhodes **Seconded:** Cr K Stockton

That the discussions held and motions passed in Closed Council remain confidential.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

**81.04.2016 Moved:** Cr P Rhodes **Seconded:** Cr M Cobham

Discussed in Closed Council were airport matters & staff matters.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

**82.04.2016 Moved:** Cr P Rhodes **Seconded:** Cr C Rhodes

That Council reverts back to meeting procedures as per Regulation 22 (9) of the Local Government (Meeting Procedures) Regulations 2015.

**CARRIED UNANIMOUSLY (7-0)**

**For:** Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

**Meeting Closed 3.14pm**