ORDINARY MEETING
OF COUNCIL

MINUTES

20 SEPTEMBER 2004
“I certify that with respect to all advice, information or recommendations provided to Council with this agenda:-

1. the advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation, and

2. where any advice is given directly to the Council by a person who does not have the required qualifications or experience, that person has obtained and taken into account in that persons general advice the advice from an appropriately qualified or experienced person.

Note: Section 65 (1) of the Local Government Act 1993, requires the General Manager to ensure that any advice, information or recommendation given to the Council is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation. Section 65 (2) forbids Council from deciding any matter which requires the advice of a qualified person without considering that advice.”

Paul West
GENERAL MANAGER
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WARATAH-WYNYARD COUNCIL
ORDINARY COUNCIL MEETING
20 SEPTEMBER 2004
MINUTES

VENUE: Council Chambers, 21 Saunders Street, Wynyard

HOUR: 7:30 pm – 10:44 pm
        11:18 pm – 11:19 pm

TIME OCCUPIED: 3 hours and 15 minutes

246. PRESENT:

   Councillors
   MAYOR CHALK CR BRAMICH
   CR DIBLEY CR FAIRBROTHER
   CR FENTON CR FRENCH
   CR FRIEDERSDORFF CR HYLAND
   CR MOORE CR RANSLEY

   In Attendance
   General Manager Director Corporate Services
   Director Engineering Services Director Development Services
   Town Planner

247. APOLOGIES:

   Nil

Mayor Chalk on behalf of the Council paid tribute to the late Eric Roberts-Thomson, former Councillor and Deputy Warden of the Wynyard Council who had pasted away since the last ordinary meeting.
248. DECLARATIONS OF PECUNIARY INTEREST

<table>
<thead>
<tr>
<th>Councillor</th>
<th>Item</th>
</tr>
</thead>
<tbody>
<tr>
<td>CR RANSLEY</td>
<td>10.3</td>
</tr>
<tr>
<td>CR HYLAND</td>
<td>23 Closed Session</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Staff</th>
<th>Item</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Manager</td>
<td>24 Closed Session</td>
</tr>
</tbody>
</table>

249. CONFIRMATION OF MINUTES

Ordinary Council Meeting – 16 August 2004

MOVED BY CR FENTON
SECONDED BY CR BRAMICH

That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at the Council Chambers, Wynyard on Monday 16 August 2004, copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.

CARRIED

Closed Council Meeting – 16 August 2004

MOVED BY CR HYLAND
SECONDED BY CR RANSLEY

That the Minutes of the Closed Meeting of the Waratah-Wynyard Council held at the Council Chambers, Wynyard on Monday 16 August 2004, a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.

CARRIED

Special Council Meeting – 6 September 2004

MOVED BY CR FRIEDESDORFF
SECONDED BY CR FENTON

That the Minutes of the Special Meeting of the Waratah-Wynyard Council held at the Council Chambers, Wynyard on Monday 6 September 2004, a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.

CARRIED
Special Closed Council Meeting – 6 September 2004

MOVED BY CR BRAMICH
SECONDED BY CR FRIEDERSDORFF

That the Minutes of the Special Closed Meeting of the Waratah-Wynyard Council held at the Council Chambers, Wynyard on Monday 6 September 2004, a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.

CARRIED

250. BUSINESS ARISING FROM MINUTES CONFIRMED

Nil

251. PUBLIC QUESTIONS AND STATEMENTS

QUESTIONS

Nil

STATEMENTS

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Issue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Athol Jackson</td>
<td>Charles Street, Crayfish Creek</td>
<td>Planning Application for 301 Pages Road.</td>
</tr>
<tr>
<td>Mrs L McNeair</td>
<td>Gibbons Street, Wynyard</td>
<td>Congratulated Council staff for the installation of sharp containers in public toilets around Wynyard.</td>
</tr>
</tbody>
</table>
PLANNING AUTHORITY REPORTS

251.1 TYRELL MCGEEVER & ASSOCIATES PTY LTD - CAFE EXTENSION (MAXIMUM 30 SEATS) - 23A GOLDIE STREET, WYNYARD

To: Council
Reporting Officer: Town Planner
Responsible Manager: Director Development Services
File Reference: DA 211/2004 & 7066651
Council Meeting Date: 20 September 2004

1. Recommendation

That Council grant approval for a Cafe Extension (Max 30 Seats) at 23a Goldie Street, WYNYARD, in accordance with the endorsed plans and subject to the following conditions:

1. The development as shown on the endorsed plans shall not be altered or modified for any reason without the consent of the Director Development Services.

2. No additional advertising signs shall be erected without the approval of the Director Development Services.

3. No material is to be deposited onto the road.

4. The extension area is to be connected to the Council’s reticulated services (water, sewerage & drainage).

5. No damage is to be caused to the road, footpath or other facility.

6. No materials, machinery or operational construction is to be located on the road, footpath or nature strip.

7. All costs associated with the proposed development are to be at the Developer’s expense.

2. Summary

Application is made to extend the existing café on site to accommodate 30 seated patrons. The proposal primarily seeks to develop an additional toilet on site to meet the requirements of the Building Act 2000.
The applicant is unable to meet planning scheme car parking requirements on site, hence the discretionary status of the application.

3. **Background**

The site supports an existing café/florist shop that currently seats 16 patrons. The applicant seeks to extend the capacity of the site to accommodate a maximum of 30 customers. This invokes a review of the car parking requirements on site.

4. **Statutory Requirements**

Application is made under Section 57 of the *Land Use Planning & Approvals Act 1993* and assessed under the *Waratah Wynyard Planning Scheme 2000* and relevant State Policies and Acts.

5. **Finances**

All costs associated with the development are to be met by the developer. Financial costs may arise in relation to any appeal against Council’s determination of the application.

6. **Discussion**

**Advertising**

The proposal was advertised for a period of two weeks in accordance with the provisions of the *Land Use Planning and Approvals Act, 1993*. During this time no representations were received.

**Application**

The property is in the Business & Civic zone as defined by the *Waratah-Wynyard Planning Scheme 2000*. Any proposal to further develop a site, change the use on site or intensify the use of a site invokes a reassessment of the whole of the site; enabling Council to review existing uses on the property and apply conditions that better facilitate uses on site and reflect the provisions of the planning scheme.
The proposed uses present as primary use classes in the Business & Civic zone under the *Waratah-Wynyard Planning Scheme 2000*. The proposal complies with a majority of the provisions for business use. However, the application cannot comply with the need to provide additional car parking on site in accordance with the planning scheme’s Car Parking Schedule. The application requires assessment in this regard.

**Discussion with Applicant**

The applicant discussed issues relating to the possible upgrade of the property with Council’s Town Planner, prior to purchasing the property and making application to extend the seating capacity. It is correct that at the time, over the counter advice was that the site would be reassessed for car parking requirements and that a one off cash levy may be applied if the site was found to be deficient; depending on the number of seats the new owner may apply to the site. The approximate cost of this was discussed in a non specific manner and the applicant was advised that Council applied a fee in accordance with a formula that was stipulated in the planning scheme and that Council had recently applied a fee of approximately $1700.00 to a Business & Civic site in Wynyard that required 3 additional car parking spaces (approx. $600.00 per space for Murfet Harriss site) and to another in Somerset that was to pay approximately $400 for one space (hairdressing salon extensions). It was at a later, subsequent meeting that the applicant advised that the seating would be expanded to seat 30 patrons, the true calculations were applied and were found to be in excess of $9000.00 for the site.

**Part 17- Car Parking & Access Schedule**

Discretion is required in relation to Part 17 – ‘Car Parking and Access Schedule’ that stipulates the required number of car parking spaces on site.

Council may determine that the number of spaces required on site is greater or lesser than the number stated in Figure 17.1, depending on assessment of various factors articulated in Performance Criteria 17.1 of the planning scheme. Where car parking spaces are unable to be provided on site, Council may require the developer to pay a cash in lieu contribution for all or part of the necessary car parking spaces required. Where Council accepts such payment, it is to provide parking for those spaces in a location suitable for users of the subject site.

Figure 17.1 of the planning scheme sets out the number of car parking spaces that are to be provided on site. Figure 17.1 states that 1 car space is to be provided for 30m$^2$ of gross floor area, or 1 space per 5 seats where the proposal requires users to be seated, whichever is greater. The planning scheme also stipulates a range of matters that Council is to take in consideration in determining the number of car parking spaces required to meet the needs of the users of the site:
The number of car parking spaces required to meet the needs of the use or development is to be determined by assessing:

(a) the number and size of vehicles associated with the proposed use or development;

(b) the provision or availability of existing on-street car parking easily accessible by customers or visitors;

(c) the location and nature of other uses or developments in the vicinity;

(d) the effect of slope or other site constraints in reducing parking opportunities;

(e) any street network hierarchy adopted by Council and objectives for the hierarchy;

(f) the possible demand for car parking spaces from adjoining properties;

(g) the need for overflow parking; and

(h) availability of public transport within a reasonable distance of the site.

The Acceptable Solution planning scheme criteria stipulates the following in relation to the provision of car parking spaces for a Business & Civic use:

For all Business and Civic uses - 1 space per 30m$^2$ of gross floor area, or 1 space per 5 seats where the use requires users to be seated.

This equates to a need for 6 car parking spaces on site, with cars able to egress from the property in a forward manner.

The area of the property, including outdoor dining areas and retail sales area, is approximately 210m$^2$. Currently the site supports no car parking spaces on site and it is not anticipated that any space will be made available for car parking on site. This means the proposed use cannot meet the planning scheme requirements of Figure 17.1 to provide up to 6 car parking spaces on site.

In the event of spaces not being made available on site, the following table may be applied to determine the amount of cash in lieu to be paid to Council:

**FIGURE 17.4 - CALCULATION OF VALUE OF CASH IN LIEU**

<table>
<thead>
<tr>
<th>Total area of Parking Spaces not Provided</th>
<th>Unimproved Capital Value of Development Site at Time Of Application</th>
<th>Amount of Cash in lieu to be paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area of Development Site X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Application of Figure 17.4 - Calculation of Value of Cash in Lieu is as follows:

Area of car parking spaces not provided = 85.8m$^2$, divided by land area 210m$^2$ X $23,000 (unimproved capital value) = $9364.28 cash in lieu requirement.

This is considered by the applicant to be an onerous imposition on expanding the capacity of the existing business and could be considered to be a deterrent to business investment.

Application of the Performance Criteria to assess the number car parking spaces required to meet the needs of the use on site is important in this application before Council. Specifically provision 17.1 (c) that states car parking is to be based on:

(c) the location and nature of other uses or developments in the vicinity;

The café/florist shop is located in the centre of Wynyard’s CBD and the site is fully developed to accommodate retail and café patrons. Many other shops in this area (between both roundabouts) are central to the shopping experience of Wynyard and many cannot provide car parking on site. This is primarily due to the titles being fully developed, capitalising on the central position of each property. Council makes provision for car parking spaces to accommodate central business activity in Goldie Street and, where appropriate, requires larger business to provide car parking spaces or cash in lieu.

It is considered to be unreasonable to apply a car parking levy of $9364.28 to this small business.

It is considered reasonable to conclude that the business is central to the business district and as such does not require any car parking on site, given the central location of the business, the size of the title and the amount of public parking provided in Goldie Street and to the rear of Goldie Street.

7. Risk

There is a risk that the applicant may appeal Council’s decision to the Resource Management and Planning Appeal Tribunal.
8. Conclusion

Assessment of the car parking required under the planning scheme Performance Criteria determines that the location and nature of other uses and developments in the vicinity of the café/florist shop to be central business in character, where public car parking is provided for the patrons of fully developed CBD sites. Given the excessive cash in lieu required under the Acceptable Solution criteria it is recommended that no on site car parking or cash in lieu contribution be required for 23A Goldie Street, Wynyard.

MOVED BY CR MOORE
SECONDED BY CR RANSLEY

That Council grant approval for a Café Extension (Max 30 Seats) at 23a Goldie Street, WYNYARD, in accordance with the endorsed plans and subject to the following conditions:

1. The development as shown on the endorsed plans shall not be altered or modified for any reason without the consent of the Director Development Services.

2. No additional advertising signs shall be erected without the approval of the Director Development Services.

3. No material is to be deposited onto the road.

4. The extension area is to be connected to the Council’s reticulated services (water, sewerage & drainage).

5. No damage is to be caused to the road, footpath or other facility.

6. No materials, machinery or operational construction is to be located on the road, footpath or nature strip.

7. All costs associated with the proposed development are to be at the Developer’s expense.

8. That cash in lieu amounting to $9,364.28, for 6 car parking spaces, as determined by formula in figure 17.1 of the Waratah-Wynyard Council Planning Scheme 2000, be made before completion of the development.
AMENDMENT

MOVED BY CR FAIRBROTHER
SECONDED BY MAYOR CHALK

That the substantive motion be amended by deleting condition number 8.

PROCEDURAL MOTION

MOVED BY CR BRAMICH
SECONDED BY CR FENTON

That the matter lay on the table to be further considered at a future meeting.

A DIVISION WAS REQUESTED

IN FAVOUR AGAINST
CR BRAMICH CR DIBLEY
CR FENTON CR FAIRBROTHER
CR MOORE CR FRENCH
CR RANSLEY CR FRIEDERSDORFF
CR HYLAND MAYOR CHALK

LOST

Council continued debate on the amendment moved by Cr Fairbrother seconded by Mayor Chalk.

A DIVISION WAS REQUESTED

IN FAVOUR AGAINST
CR BRAMICH CR MOORE
CR DIBLEY CR RANSLEY
CR FAIRBROTHER CR FRIEDERSDORFF
CR FENTON CR HYLAND
CR FRENCH MAYOR CHALK

THE AMENDED MOTION WAS PUT AND CARRIED
CR MOORE REQUESTED THAT HIS VOTE AGAINST THE DECISION BE RECORDED

MOVED BY CR RANSLEY
SECONDED BY CR MOORE

That parking in Goldie Street be listed for discussion at a Group Discussion.

CARRIED

Enclosures:- refer to Enclosure Document Page 6
- Location Plan
- Site Plan
- Floor Plan
- Elevations
- Letter accompanying the application

251.2 ATHOL & MAUREEN JACKSON - GARAGE & WORKSHOP
- SETBACK WAIVER IN PRIMARY INDUSTRIES ZONE
- 301 PAGES ROAD, MOORLEAH

To: Council
Reporting Officer: Town Planner
Responsible Manager: Director Development Services
File Reference: DA 184/2004 & 7615518
Date: 20 September 2004

1. Recommendation

That Council refuse to grant a planning permit to develop a Dwelling with attached Garage - Setback Waiver in Primary Industries Zone at 301 Pages Road, MOORLEAH because:-

1. The proposal does not further the principles and objectives of the State Policy on the Protection of Agricultural Land 2000.


3. The proposal does not further Planning Scheme Objective 2.1.1(t) and Planning Scheme Strategies 2.3(1)(t) and 2.3(3)(a) as stipulated in Part 2 of the Waratah-Wynyard Planning Scheme 2000.
2. **Summary**

An application is made to develop a dwelling and attached garage with boundary setback waivers at 301 pages Road, Moorleah. The subject property encompasses 4.467ha and is zoned ‘Primary Industries’ under the *Waratah-Wynyard Planning Scheme 2000*.

3. **Background**

The allotment is located at 301 Pages Road, approximately 4.5km south west of the Bass Highway, Wynyard. The site fronts the Inglis River, is relatively level, and presents as cleared grazing land in a rural setting.

Application is made to develop the title for residential purposes.

4. **Statutory Requirements**

This application is subject to the following statutory instruments:


5. **Finances**

Financial costs may arise in relation to any appeal against Council’s determination of the application.

6. **Discussion**

The applicant purchased the subject parcel of land in September 2003, without any reference to Council as to the zoning or constraints that may relate to the site.

The applicant met with the Director Development Services and Council’s Town Planner earlier this year, prior to submission of a development application, to discuss options for the site. The owner was advised at this time that the *Waratah-Wynyard Planning Scheme 2000* did not permit the erection of a dwelling in the Primary Industries zone unless specific criteria articulated in the planning scheme could be demonstrated. If, in essence the owner/developer could not demonstrate that the title was set aside for residential purposes, then in all likely hood, a recommendation of refusal of an application for residential purposes would be placed before Council.
Advertising

The proposal was initially advertised on the 31 July 2004 as a ‘Garage & Workshop- Setback Waiver in the Primary Industries Zone’ for a period of two weeks in accordance with the provisions of the Land Use Planning and Approvals Act, 1993. During this time one (1) representation was received from M. & J. Purton of 19 Snares Road, Moorleah. The matters raised by Mr & Mrs Purton are:

- Objection to the proximity of the proposed building to the northern boundary of their property, when there seems to be adequate distance between the property’s northern boundary and the proposed ‘shed’. They question the necessity to waive the required distance from the boundary.

- The ‘shed’ is shown as a brick building that is two stories high and seems to contain all the facilities of a residential building.

- The septic tank plan proposes to be sited near their northern boundary and the soakage drains directed towards the Inglis River. This section of land is prone to flooding and ground water is evident at all times of the year.

Planners Comment:
The matters raised, querying the character of the development, were also identified by Council staff and the application was placed on hold pending clarification of the matter by the applicant. The applicant responded by declaring the proposal to actually be a Dwelling with Garage attached and the proposal was placed on public exhibition for a second time and reassessed. These matters are discussed in the ‘Discussion’ section of this report.

During the assessment of the proposal and the public exhibition period it became obvious that the development was not a ‘Garage & Workshop’, as initially declare by the applicant, but presented as a dwelling on site with a garage attached. The application was placed on hold pending further information from the applicant. The applicant responded to Council’s request, seeking to demonstrate that the lot was subdivided for residential purposes, not primary industry, and admitting that the application was for a Dwelling with Garage attached. The application was advertised for a second time on the 21 August 2004 as a ‘Dwelling & Garage – Setback Waiver in the Primary Industries Zone’. During this time no further representations were received.
Status of the Application

The proposed development requires a Section 57 planning application under the *Land Use Planning and Approvals Act 1993* (LUPAA). Section 57(1) (b) of LUPAA allows Council to relax the provisions of its Planning Scheme under a discretionary status. Notwithstanding the discretionary status of a use or development under the Planning Scheme, Council is to exercise that discretion so as to ensure compliance with:

(a) the strategic land use objectives of the *Waratah-Wynyard Planning Scheme 2000*; and

(b) the intent of the Primary Industries zone as described by the *Waratah-Wynyard Planning Scheme 2000*; and

(c) the objectives set out in Schedule 1 of the *Land Use Planning and Approvals Act 1993*; and

(d) the *State Policy on the Protection of Agricultural Land 2000* (PAL); and

(e) any other State Policy that is relevant to it.

Development of a Secondary Use Class (Dwelling) in the Primary Industries Zone

The proposed development is deemed to be a Secondary Use Class within the Primary Industries zone. The *Waratah-Wynyard Planning Scheme 2000* states that the following objectives are to apply in assessment of secondary use development within the Primary Industries zone:

**Objective:** To ensure that Secondary Uses are located where they do not unnecessarily increase the number or length of private vehicle journeys, and do not prevent or make more difficult the attainment of the Planning Scheme Strategies for:

- focussing residential, commercial and industrial use and development in serviced or other identified nodes of settlement;
- encouraging consolidation of industrial and commercial use and development within identified areas, where access to the State’s transport system is available, where a co-ordinated approach to the design, layout and landscaping of development can be achieved, and where proximity to the workforce is an advantage; and
- ensuring the community’s investment in infrastructure is fully utilised, and that any extension is properly staged and planned.

Clause 9.1 of Part 9 Primary Industries zone states:

* A new secondary use or development must demonstrate that it is consistent with the objectives above.
Section 9.4.1 Issue 9.0 further stipulates that a development proposal must meet the following criteria:

<table>
<thead>
<tr>
<th>Acceptable Solution</th>
<th>Performance Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>9.1 The extension or redevelopment of an existing lawful secondary use.</td>
<td>9.1 A new secondary use or development must demonstrate that it is consistent with the objectives above.</td>
</tr>
<tr>
<td>9.2 Where the use or development is for a single house on a lot previously zoned Rural-Residential (Wynyard s.46 Planning Scheme) or Low Density Residential, (Somerset Planning Scheme 1966, Wynyard Planning Scheme 1966).</td>
<td>9.2 Where a lot has been previously approved for residential purposes it can be demonstrated that:</td>
</tr>
<tr>
<td>(a) it will not fetter existing or potential Resource Development uses or developments;</td>
<td></td>
</tr>
<tr>
<td>(b) it will not prejudice attempts to consolidate residential development into identified nodes; and</td>
<td></td>
</tr>
<tr>
<td>(c) there will be no additional costs on the Community for the provision of infrastructure.</td>
<td></td>
</tr>
</tbody>
</table>

The subject property was not previously zoned Rural-Residential under the *Wynyard s.46 Planning Scheme* or the *Wynyard Planning Scheme 1966*. This means the applicant must then demonstrate that the creation of the property title was subject to approvals for residential purposes (9.2) and other necessary criteria (a, b and c).

**Subdivision of the Subject Title**

The applicant has submitted a letter (see enclosures document) in an attempt to demonstrate that the title was subdivided for residential purposes. The applicant claims that the Lot was annexed from a 104 acre rural property in 1984, by D & M Viney, because a series of rivers, roads and creeks fragmented the original farm. Council’s Town Planning Officer has researched Council’s records and can find no reference to the subdivision as described.

A title search query was submitted to the Land Titles Office in Hobart, seeking information on the parent title, year of subdivision and reasons for subdivision. The Land Titles Office advise that the Lot was created by severance in 1989 and was not supported by the subdivision process. This means Council has not at any time assessed or approved an application to subdivide the parent land, for any purpose, and certainly has not at any time approved the subdivision of the title for residential purposes. This means the lot was not created to support residential development on the title; a requirement for development as articulated by the *Waratah-Wynyard Planning Scheme 2000*. 
It is considered that the relevant criteria of Section 9.4.1 Issue 9.0 has not been demonstrated and that the proposal to develop a dwelling on the subject property does not meet the provisions of the Waratah-Wynyard Planning Scheme 2000 for residential development in the Primary Industries zone.

Planning Scheme Objectives and Strategies

Further to the matters discussed above, the Planning Scheme stipulates a range of objectives and strategies that Council is to take into consideration in determining a development application for the use or development of land. All of the Planning Scheme objectives refer back to the objectives of the Resource Management and Planning System of Tasmania and the objectives and strategies are formed with the principals of PAL foremost. (N.B. Planning Schemes are void to the extent of any inconsistency with a State Policy).

It is considered the proposal before Council does not satisfy the following objective:-

2.1.1 To achieve sustainable use or development of resources in the planning area, the following objective applies:

(i) To ensure that use or development of resources provides a strong, growing and diversified economy, which can enhance the capacity for sustainable use of the regions resources and the protection of its key natural resource assets;

It is also considered the proposal before Council does not meet the following strategies.

(1) (t) activities which have the capacity to affect the primary values of an area should not be allowed to occur in a manner which would limit the operation of uses or activities that closely reflect those values.

(3) (a) the highest priority must be given to the protection of the natural resource base of the municipal area.

State Policy for the Protection of Agricultural Land 2000 (PAL)

The State Policy on the Protection of Agricultural Land 2000 (PAL) sets out seven guiding principles that are directly linked to Council’s Planning Scheme. The principals of the State Policy aim at ensuring the allocation of rural land as follows:
• The agricultural potential of agricultural land is protected;
• The productive capacity of agricultural land is given priority;
• The fragmentation of rural holdings is prevented;
• The alienation of agricultural land by non-agricultural use and development is to be minimised; and
• Water catchments are protected.

The applicant has submitted a land class capability assessment that shows the site to be primarily class 5 & 6 land, with an area of class 4 land. This is not considered to be prime agricultural land and is primarily suitable for grazing or forestry uses.

PAL determines that the agricultural potential of the North West of Tasmania is of State significance and is to be protected from conversion to non-agricultural uses. Further, the productive capacity of the land is to be protected and given priority over and above any other use. This means that any future residential development is to be prevented where the capacity for resource production may be reduced, unless an argument of sustainable community benefit determines otherwise. In determining if the principles of the State Policy are to be upheld in granting approval or otherwise of an application, the principles are to be considered as a whole and not in isolation of one another.

The proposal before Council does not uphold the principles and objectives of the State Policy on the Protection of Agricultural Land 2000.

7. Risk

There is a risk that the applicant or the representor may appeal Council’s decision to the Resource Management and Planning Appeal Tribunal.

8. Conclusion

Council are bound to uphold the principles of the State Policy for the Protection of Agricultural Land 2000 and the land use strategies and provisions of the Waratah-Wynyard Planning Scheme 2000.

The State Policy on the Protection of Agricultural Land 2000 clearly seeks to protect and give priority to agricultural land and prevent the conversion of agricultural land to other conflicting uses, such as residential living that has no or little relationship to the rural capacity of the site. The Waratah-Wynyard Planning Scheme 2000 has been developed to reflect and uphold these principles. Specifically, the planning scheme prohibits the further subdivision of land into small rural holdings and an applicant needs to demonstrate that any Lot subject to a development application was, at the time of subdivision, set aside for the purposes of establishing a residential Lot.
The proposal before Council does not further any of the State Policy issues outlined and clearly cannot demonstrate that the lot has been previously approved for residential purposes.

It is recommended the proposal before Council be refused.

MOVED BY CR DIBLEY
SECONDED BY CR FAIRBROTHER

That Council refuse to grant a planning permit to develop a Dwelling with attached Garage - Setback Waiver in Primary Industries Zone at 301 Pages Road, MOORLEAH because:-

4. The proposal does not further the principles and objectives of the State Policy on the Protection of Agricultural Land 2000.

5. The proposal does not meet the provisions of Section 9.4.1 Issue 9.0 “Location of Secondary Uses’ - Part 9 of the Waratah-Wynyard Planning Scheme 2000.

6. The proposal does not further Planning Scheme Objective 2.1.1(i) and Planning Scheme Strategies 2.3(1)(t) and 2.3(3)(a) as stipulated in Part 2 of the Waratah-Wynyard Planning Scheme 2000.

A DIVISION WAS REQUESTED

IN FAVOUR AGAINST
CR DIBLEY CR BRAMICH
CR FAIRBROTHER CR FRIEDERSDORFF
CR FENTON
CR FRENCH
CR HYLAND
CR MOORE
CR RANSLEY
MAYOR CHALK

MOVED BY CR BRAMICH
SECONDED BY CR RANSLEY

That Council urgently take action to have its Planning Scheme reviewed to provide for the possibility for future development of exiting small lots in rural areas that have doubtful agricultural capability or potential.

CARRIED
A DIVISION WAS REQUESTED

IN FAVOUR
CR BRAMICH
CR FRIEDERSDORFF
CR HYLAND
CR MOORE
CR RANSLEY

AGAINST
CR DIBLEY
CR FAIRBROTHER
CR FENTON
CR FRENCH
CR CHALK

LOST

MOVED BY CR MOORE
SECONDED BY CR RANSLEY

That at the next Group Discussion meeting that a topic of discussion be small rural block development.

CARRIED

Enclosures:- refer to Enclosure Document Page 11
- Location Plan
- Site Plan
- Floor Plan
- Elevations
- Applicant Letter
- Land Capability Assessment by G. Stevenson
- Representation from M. & J. Purton, 19 Snares Road, Moorleah
252. **QUESTIONS ON NOTICE**

Nil.

253. **NOTICE OF MOTIONS**

253.1 **NORTHERN COMBINED PLANNING AUTHORITY – TASMANIAN NATURAL GAS PROJECT NORTHERN PIPELINE EXTENSION**

Cr Fenton gave notice of his intention to move the following motion:

> That Council note that the Tasmanian Natural Gas Project Northern Pipeline Extension - Northern Combined Planning Authority (NCPA) has now completed the role for which it was established.

And commented:

I was appointed as Council’s representative on the NCPA and attended my last meeting on 29 July 2004. The NCPA was established to assist member Councils with planning issues associated with the role out of the natural gas pipeline. The NCPA worked extremely well together and with the composition of the Authority being both elected members and professional officers a beneficial result was achieved.

With the legislative framework including a myriad of Acts, Regulations and Codes, which at times caused some confusion, the segregation role of the NCPA in developing planning criteria and then formulating permits, which included compliance with Environmental Management and Pollution Control Board guidelines, requirements of Workplace Safety and constituent Councils, landowners and the general public, whilst at times expectations were very demanding, I believe a successful result has been achieved.

The purpose of this notice of motion is for Council to formally acknowledge that the work of the NCPA is now complete.

MOVED BY CR FENTON
SECONDED BY CR FRENCH

> That Council note that the Tasmanian Natural Gas Project Northern Pipeline Extension - Northern Combined Planning Authority (NCPA) has now completed the role for which it was established.

CARRIED
253.2 SEALING OF GRAVEL ROADS

Cr Hyland gave notice of his intention to move the following motion:-

*That Council staff develop a policy for Council consideration that would allow sections of gravel roads in front of residences within the municipal area to be sealed on a cost share basis between the owner and the Council, in an attempt to alleviate complaints regarding dust problems.*

And commented:

With the continued requests from ratepayers in Reservoir Drive and Nunns Road in relation to dust problems every summer and given some of these roads will not make our sealing list for a number of years this policy would at least address the dust problems in the short term.

OFFICERS’ COMMENTS

The construction of low cost sealed pavements adjacent to properties is one of the options available to resolve resident amenity issues associated with dust arising from gravel roads.

Usually this type of road construction would involve limited addition of pavement material and consist of forming up the existing road pavement and applying a two coat spray seal.

This standard of construction would have a limited life and the life span of the seal would be influenced by the traffic volume, types of vehicles using the road, soil conditions, quality of existing pavement materials and the like. A factor to also consider is that once a sealed road is in place, no matter what the construction standard used, there will be a community expectation that the road will continue to be maintained as a sealed road in to the future.

It is suggested that a low cost pavement options would not be suitable for gravel roads that are regularly used by heavy vehicles.

Issues that may be considered within a policy could include:

- Cost share arrangements
- Minimum lengths of road segments to treat
- Priority of works and links to capital works programs
- Construction standards
- Extent of maintenance responsibility of Council
- Funding of replacements of failed sections of road
- Criteria for determination of suitable projects
Councillor Items

MOVED BY CR HYLAND
SECONDED BY CR FAIRBROTHER

That Council staff develop a policy for Council consideration that would allow sections of gravel roads in front of residences within the municipal area to be sealed on a cost share basis between the owner and the Council, in an attempt to alleviate complaints regarding dust problems.

CARRIED

254. LEAVE OF ABSENCE REQUESTS – COUNCILLORS

<table>
<thead>
<tr>
<th>Councillor</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr AF Ransley OAM</td>
<td>29 September 2004 – 28 October 2004 incl.</td>
</tr>
</tbody>
</table>

MOVED BY CR MOORE
SECONDED BY CR BRAMICH

That the requested leave be granted.

CARRIED
255. GENERAL MANAGER

255.1 FINANCIAL REPORT – YEAR ENDED 30 JUNE, 2004

To: Council
Reporting Officer: Accountant
Responsible Manager: General Manager
File Reference: 
Council Meeting Date: 20 September 2004

1. Recommendation

That in accordance with section 84 (4) of the Local Government Act 1993 the Financial Report for the year ended 30 June 2004 be received.

2. Summary

This report has been prepared to allow Council to formally receive its complete Financial Report for the year ended 30 June 2004.

3. Background

This report has been prepared following the completion of the audit process for the financial year ended 30 June 2004. The Council’s auditors, Tasmanian Audit Office, have now finalised their audit of the 2003/04 Financial Report. The result of the Audit has been that Council has been provided with an ‘unqualified’ opinion, which effectively means that the Financial Report has been prepared in an appropriate manner taking into account standard accounting practices.


4. Statutory and Strategic Requirements

Strategic Plan Reference

| 6.6 | Council Services – provide open, consistent, timely and accountable leadership in decision-making. |
Statutory Requirements

In particular the Local Government Act 1993 requires:

Financial Statements

84.  (1) Within 90 days after the end of a financial year, the General Manager is to –
   (a) prepare financial statements for the council relating to that financial year; and
   (b) submit a copy of the statements to the Auditor-General as soon as practicable.

   (2) Any financial statement for a financial year is to –
       (a) comply with Australian Accounting Standards and any determination made by the Urgent Issues Group established by professional accounting bodies; and
       (b) specify any interests as notified to the general manager of any councillor in respect of any body or organisation with which the council has major financial dealings; and
       (c) contain a comparison between the council’s actual and estimated revenue and expenditure for that financial year; and
       (d) contain a statement of any revenue and expenditure of a council committee, a special committee or a controlling authority; and
           (da) contain a statement of the operating, capital and competitive neutrality costs in respect of each significant business activity undertaken by the council during that financial year together with a statement of the revenue associated with that activity; and
       (e) contain any other information the Minister determines.

   (3) The general manager is to certify that, in accordance with this Act and any other relevant Act, the financial statements fairly represent –
       (a) the financial position of the council; and
       (b) the results of the council’s operations; and
       (c) the cash flow of the council.

   (4) The general manager is to ensure that the certified financial statements are tabled at a meeting of the council as soon as practicable.
In this section –
“Australian Accounting Standards” means Statements of Accounting Standards and Statements of Accounting Concepts issued by the Australian Accounting Research Foundation on behalf of the Australian Society of Certified Practising Accountants and The Institute of Chartered Accountants in Australia or their successors;

“Competitive neutrality costs” means the costs required to be taken into account under the competitive neutrality principles.

Audit
85. (1) The accounts and financial statements of a council are subject to the Financial Management and Audit Act 1990.

(2) The accounts and financial statements of the council may be audited by private auditors with the approval of, and subject to any terms and conditions determined by, the Auditor-General.

Council’s Financial Report has been prepared in accordance with the legislative requirements imposed upon all local governments

5. Finances

The Financial Report is circulated within the enclosure document for this meeting.

6. Discussion

As noted at Section 84(4) of the Local Government Act 1993, “the general manager is to ensure that the certified financial statements are tabled at a meeting of the council as soon as practicable.”

The following tables provide comparisons of the financial results for the current year with that of the previous year and also ratios for the past two (2) years.

**FINANCIAL RESULTS:**

<table>
<thead>
<tr>
<th>Item</th>
<th>2002/2003</th>
<th>2003/2004</th>
<th>Increase/ (Decrease)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Revenues</td>
<td>14,460,600</td>
<td>15,928,217</td>
<td>1,467,617</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>12,288,396</td>
<td>13,088,103</td>
<td>799,707</td>
</tr>
<tr>
<td>Increase in Net Assets</td>
<td>2,172,204</td>
<td>2,840,114</td>
<td>667,910</td>
</tr>
<tr>
<td>Cash</td>
<td>3,511,592</td>
<td>5,034,083</td>
<td>1,522,491</td>
</tr>
<tr>
<td>Receivables</td>
<td>561,363</td>
<td>849,113</td>
<td>287,750</td>
</tr>
<tr>
<td>Payables</td>
<td>1,150,440</td>
<td>1,003,777</td>
<td>(146,663)</td>
</tr>
<tr>
<td>Borrowings</td>
<td>4,114,971</td>
<td>4,405,888</td>
<td>290,917</td>
</tr>
<tr>
<td>Provisions</td>
<td>984,524</td>
<td>893,788</td>
<td>(90,736)</td>
</tr>
</tbody>
</table>
RATIOS:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Ratio</td>
<td>Current Assets : Current Liabilities</td>
<td>1.57:1</td>
<td>2.41:1</td>
</tr>
<tr>
<td>Borrowing Costs to Operating Revenue</td>
<td>Borrowing Costs/Operating Revenue</td>
<td>2.25%</td>
<td>1.41%</td>
</tr>
<tr>
<td>Rate Collection</td>
<td>Rates Outstanding/Rate Income</td>
<td>1.39%</td>
<td>0.94%</td>
</tr>
<tr>
<td>Grant Coverage</td>
<td>Grant Revenue/Operating Revenue</td>
<td>28.59%</td>
<td>24.60%</td>
</tr>
<tr>
<td>Expenditure Per Capita</td>
<td>Operating Expenditure/Population</td>
<td>$884.88</td>
<td>$942.47</td>
</tr>
</tbody>
</table>

The following comparative analysis is provided to assist Councillors in interpreting the information:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>EXPENSES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee Costs</td>
<td>3,278,699</td>
<td>3,056,908</td>
<td>221,791</td>
</tr>
<tr>
<td>Materials and Contracts</td>
<td>4,903,869</td>
<td>5,477,972</td>
<td>(574,103)</td>
</tr>
<tr>
<td>Depreciation</td>
<td>2,487,748</td>
<td>2,526,616</td>
<td>(38,868)</td>
</tr>
<tr>
<td>Carrying Amount of Non-Current Assets Sold</td>
<td>299,044</td>
<td>587,744</td>
<td>(288,700)</td>
</tr>
<tr>
<td>State Levies</td>
<td>435,727</td>
<td>434,217</td>
<td>1,510</td>
</tr>
<tr>
<td>Borrowing Costs</td>
<td>247,828</td>
<td>224,126</td>
<td>23,702</td>
</tr>
<tr>
<td>Remissions &amp; Discounts</td>
<td>619,157</td>
<td>638,752</td>
<td>(19,595)</td>
</tr>
<tr>
<td>Other</td>
<td>151,912</td>
<td>141,768</td>
<td>10,144</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td><strong>12,423,984</strong></td>
<td><strong>13,088,103</strong></td>
<td><strong>(664,119)</strong></td>
</tr>
<tr>
<td>REVENUE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rates</td>
<td>7,919,686</td>
<td>8,037,575</td>
<td>117,889</td>
</tr>
<tr>
<td>User Charges</td>
<td>1,359,213</td>
<td>1,818,831</td>
<td>459,618</td>
</tr>
<tr>
<td>Interest</td>
<td>205,713</td>
<td>309,263</td>
<td>103,550</td>
</tr>
<tr>
<td>Reimbursements</td>
<td>85,082</td>
<td>886,605</td>
<td>801,523</td>
</tr>
<tr>
<td>Government Grants</td>
<td>3,863,037</td>
<td>3,918,327</td>
<td>55,290</td>
</tr>
<tr>
<td>Gross Proceeds from Non-Current Assets Sold</td>
<td>317,681</td>
<td>843,569</td>
<td>525,888</td>
</tr>
<tr>
<td>Other</td>
<td>97,125</td>
<td>114,047</td>
<td>16,922</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td><strong>13,847,537</strong></td>
<td><strong>15,928,217</strong></td>
<td><strong>2,080,680</strong></td>
</tr>
<tr>
<td>Increase in Net Assets Resulting from Operations</td>
<td><strong>1,423,553</strong></td>
<td><strong>2,840,114</strong></td>
<td><strong>1,416,561</strong></td>
</tr>
</tbody>
</table>

A combination of factors resulted in the above positive turnaround against budget.
The most significant factors being:

**Employee Costs** – a greater portion of Council wages was utilised in the capital works area than estimated.

**Materials and Contracts**
– the following were material variances between Actual 2004 and Budget 2004:
  • waste disposal costs exceeded estimates by approximately $40,000.
  • engineering signage costs exceeded the budget allocation by $12,000.
  • increased activity in the town planning area resulted in advertising fees exceeding estimates by approximately $13,000.
  • town planning consulting fees relating to Planning Scheme amendments and provision of planning services whilst Council was without a qualified Town Planner on staff, exceeded budget estimates by $60,000.
  • $80,000 of work budgeted as capital expenditure was treated for accounting purposes as operational expenditure.
  • $170,000 in contract works expenditure was not budgeted for.

**Depreciation Expense**
– budget estimates did not cover actual costs in relation to this expense category.

**Carrying Amount of NCA Sold**
– budget estimates did not allow for the sale of blocks in Beaufort Street, Somerset.

**Borrowing Costs**
– budget estimates were overstated in this expenditure category.

**Rate Revenue**
– variation due to supplementary valuations.

**User Charges**
• Children and Youth Services functional area generated $80,000 revenue in excess of budget estimates.
• Waste Transfer Station fees exceeded budget estimates by $23,000.
• revenue generated from water charges exceeded budgeted estimates by $92,000.
• special sewerage charges generated $36,000 more in revenue than estimated.
• contract works amounting to $170,000 was not budgeted for.

**Interest Income**
– the timing of cash inflows and outflows, combined with favourable interest rates generated greater interest income than anticipated.
Reimbursements
- the recognition of debtors for property owner contributions at Boat Harbour Beach was not included in budget estimates.
- contributions for roadwork at Boat Harbour Beach not included in budget estimates.
- Council received $6,600 from Council Connect to enhance Council’s website.

Government Grants
- the following resulted in Government Grant income exceeding budget expectations:
  - additional $19,659 in Financial Assistance General Purpose Grant and $18,040 in Road Grant funding
  - $38,672 was received as a contribution towards the renovations to be undertaken at the Wynyard Childcare Centre during the 2004/05 financial year.
  - $4,890 additional ‘School Immunisation Subsidy’ received.
  - $20,000 was received from the Blackspot Roads Programme which was not budgeted for.
  - Roads to Recovery Funding was overestimated by $79,504.
  - $17,910 funding for the Junior Sports Development Project was not budgeted for.

Gross Proceeds from NCA Sold
- sale proceeds at Beaufort Street were not budgeted for.

Other Income
- Council’s dividend from Cradle Coast Water was higher than anticipated.

7. Risk
No risks to Council have been identified in relation to the Financial Report for the year ended 30 June 2004.

8. Conclusion
It is acknowledged that the financial result achieved by Council for 2003/2004 is a reasonable outcome.

An abridged version of the Financial Report will be included within the Annual Report for the 2003/04 year. The Annual General Meeting of Council will be conducted on Thursday 7 October 2004 in conjunction with the civic reception for the launch of the Wynyard Historical Society’s “Wynyard Pictorial History” book and the presentation of a silk screen painting by the Women of the World group.
The report is presented for the determination of Council.

MOVED BY CR FENTON
SECONDED BY CR MOORE

That in accordance with section 84 (4) of the Local Government Act 1993 the Financial Report for the year ended 30 June 2004 be received.

CARRIED

Enclosures:- refer to Enclosure Document Page 27
- Audited Financial Report for year ended 30 June 2004
- Audit Letter including Draft relating to Waratah-Wynyard Council for publication in the Annual Report to Parliament

255.2 CAPITAL WORKS SUMMARY – 2004-2005

To: Council
Reporting Officer: General Manager
File Reference: 108.01
Date: 20 September 2004

1. Recommendation

That in accordance with section 82 (4) of the Local Government Act 1993 Council determine by absolute majority to amend its annual estimates to take into account a carried forward amount of $1,253,713 for the Sisters Beach Sewerage Project.

2. Summary

This report has been prepared to advise Council of the necessity for funds to be carried forward from the 2003/04 financial year for the Sisters Beach Sewerage Project. No carried forward amount was included for this project in the 2004-2005 budget document adopted by Council on 21 June 2004 as until the end of year processes had been completed staff were not in a position to accurately identify what the amount would be.
3. **Background**

To ensure that the reporting process is up to date and meaningful it is proposed that Council acknowledge the amount required as ‘carried forward’ for the Sisters Beach Sewerage Project.

<table>
<thead>
<tr>
<th>Project</th>
<th>Budget Amount 2003/04</th>
<th>Expenditure 2003/04</th>
<th>Carry Forward 2004/05</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sisters Beach Sewerage</td>
<td>$2,000,000</td>
<td>$746,287</td>
<td>$1,253,713</td>
</tr>
</tbody>
</table>

4. **Statutory Requirements**

The *Local Government Act 1993* provides the following:

*Estimates*

82. (1) The general manager must prepare estimates of the council's revenue and expenditure for each financial year.

(4) A council may alter by absolute majority any estimate referred to in subsection (2) during the financial year.

5. **Finances**

Not applicable.

6. **Discussion**

The budget process being completed prior to the 30 June 2004 always has the potential to affect the carried forward balances particularly in relation to capital work projects that have either just commenced or where contracts have recently been awarded.

7. **Risk**

No risks have been identified at this time. Over runs on capital works expenditure are always a risk.

8. **Conclusion**

The report is presented for the determination of Council.
MOVED BY CR MOORE
SECONDED BY CR RANSLEY

That in accordance with section 82 (4) of the Local Government Act 1993 Council determine by absolute majority to amend its annual estimates to take into account a carried forward amount of $1,253,713 for the Sisters Beach Sewerage Project.

CARRIED

255.3 WONDERS OF WYNYARD EXHIBITION CENTRE PROJECT

To: Council
Reporting Officer: General Manager
File Reference: 203.09
Council Meeting Date: 20 September 2004

CR RANSLEY DECLARED AN INTEREST IN THIS AGENDA ITEM AND LEFT THE MEETING AT 9:17 PM

1. Recommendation

That Council confirm the appointment of Philp Lighton Architects to undertake the total project design documentation (including building certification, building works, landscaping, civil works and interior fit-out), and the contract administration of the building works associated with the development of the ‘Wonders of Wynyard’ Exhibition Centre.

2. Summary

This report is provided to Council to further progress the development of the ‘Wonders of Wynyard’ Exhibition Centre project. Following on from the announcement by the Premier Paul Lennon on Tuesday 14 September 2004 that the State Government had committed $500,000 towards funding the project it is now appropriate for Council to formally appoint architects to undertake the design, documentation and contract administration of the Centre.
3. **Background**

Council has been considering the development of an Exhibition Centre for a number of years. The Centre is to house the unique Ransley Veteran Car Collection, which Council has secured by formal agreement with Mr & Mrs Ransley for a period of 20 years with an option of a further period of 10 years at no cost.

It is proposed that the “Wonders of Wynyard” Exhibition Centre include the four (4) following visitor experiences within a single location:

i) The Ransley Veteran Car Collection – a meticulously restored and maintained collection of twelve (12) vintage motor vehicles, mostly dating from as early as 1903 to 1928. This collection includes the 1903 Ford A Model, which is currently the oldest Ford motor vehicle in the world that is in mint running condition. The collection has been provided to Council at no cost by the Ransleys for public display for a minimum period of twenty (20) years.

ii) The Nature/Heritage/Industry Exhibition Area – this area will provide a versatile exhibition space for various interpretive displays that will change on a regular basis, encouraging return visits.

iii) The Historic Display Area – this area will focus on three (3) main features including a static interpretation of the township of Waratah and its history, a space for the Wynyard Historical Society, the Japanese Doll Collection and the life and times of FM Alexander.

iv) Wynyard Visitor Information Centre – relocation of this Centre from its current small space into a purpose designed building.

It is not expected that the Centre will be the single drawcard for Wynyard but a catalyst for further opportunities that can be promoted through the Centre. Although the cars and dolls will be an important part of “Wonders of Wynyard” it is important to note that they will only form the basis for the exhibition hall display. The additional display space, the opportunity this presents to the community, and the potential for the Visitor Information Centre to become the funnel to direct visitors to new and existing experiences throughout the community is equally significant and should be recognised.

The Council approved a development application for the Exhibition Centre at a Special Meeting on 6 September 2004.
4. Statutory and Strategic Requirements

Strategic Plan Reference

1. **Tourism** - Waratah-Wynyard area will capitalise on the increased tourism activity in the State. Council will focus on working with the Tourism sector to build the ‘visitor experiences’ available within the Waratah-Wynyard area through promotion, marketing and encouragement.

1.2 **Objective** - The development of a comprehensive suite of tourism products for Waratah-Wynyard

1.2.6 **Strategy** - To develop a Waratah-Wynyard Exhibition Centre.

Statutory Requirements

An application in relation to this development will need to be completed by Council in accordance with the *Land Use Planning and Approvals Act 1993*.

The *Local Government Act 1993* states:

346. (1) **Subject to subsection (2), a council must invite tenders for any contract it intends to enter into for the purchase of goods or services valued at or above an amount prescribed by regulations.**

(2) **If no amount is prescribed by regulations, the amount for the purposes of subsection (1) is $50,000 or more.**

5. Finances

The total estimated cost to develop the ‘Wonders of Wynyard’ Exhibition Centre (including the value of the land) is $1.436 million. The funding of the entire project is proposed to be achieved from the following funding sources:

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Amount</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Government</td>
<td>$500,000</td>
<td>Confirmed</td>
</tr>
<tr>
<td>Waratah-Wynyard Council</td>
<td>$250,000 (Cash)</td>
<td>Confirmed</td>
</tr>
<tr>
<td>Waratah-Wynyard Council</td>
<td>$136,000 (In kind)</td>
<td>Confirmed</td>
</tr>
<tr>
<td>Cradle Coast Authority – Sustainable Regions Program</td>
<td>$350,000</td>
<td>Application submitted</td>
</tr>
<tr>
<td>TEAC (Tasmanian Employment Council Inc.)</td>
<td>$200,000</td>
<td>Application submitted</td>
</tr>
</tbody>
</table>
6. Discussion

The Premier formally advised the Council and the community of his Government’s contribution to the Exhibition Centre on Tuesday 14 September 2004. Correspondence received from the Premier stated:

I refer to your letter of 28 June 2004 and to our discussions at the Community Forum held on 27 June 2004 in relation to the Council’s Wonders of Wynyard Exhibition Centre Project.

As I indicated during the course of our discussions, I believe that this project has the potential to be of great value to both Wynyard and the broader North-West Coast community.

The development of projects such as this is consistent with the Government’s long term strategy of improving the State’s tourist infrastructure, particularly in regional areas, to meet the needs of the great increase in tourist visitors to the state and to also ensure that the Community and the Government makes the most of this increase in tourist visitors. I believe that the new Exhibition Centre will be an important tourist attraction for the North-West Coast and as such will create a range of economic benefits for Wynyard and the Coast through visitors now stopping in or extending their stay in this beautiful area.

My Government is very pleased to be in a position to contribute $500,000 to the Wonders of Wynyard Exhibition Centre Project. In making this contribution I note that both the Waratah-Wynyard Council and the Cradle Coast Authority have also committed to making significant contributions to the cost of this Project.

I have asked the Department of Tourism, Parks, Heritage and the Arts to draft an agreement between the Government and your Council to provide for the provision of the grant.

I would like to commend your Council for the work it has undertaken in initiating this Project and believe it will be another important example of what can be achieved when State and Local Government’s work together. I look forward to participating in the opening of the exciting new Wonders of Wynyard Exhibition Centre in 2005.

The formal agreement entered into with Mr and Mrs Ransley provided at clause 2:

‘This Agreement shall become operative on the date the Centre is officially opened provided such date is no later than the 30th day of June 2005’.
Attempts to secure the funding for the construction of the Centre have taken more time than first anticipated and because of the current Federal election campaign, advice on the success or otherwise of the applications to both the Cradle Coast Authority and TEAC will not be known for some time.

To ensure the Agreement with Mr and Mrs Ransley remains achievable the General Manager recently instructed Council’s solicitor to request an extension of six (6) months to the ‘official opening date’ with them. Advice received from their solicitor, Walsh Day Williams was as follows:

‘I am instructed by Mr and Mrs Ransley that they agree that the Agreement will now become operative on 31st December 2005’.

To now progress the Project to the next stage it is necessary for Council to appoint an architect to finalise the design, prepare all necessary documentation, certification and undertake contract administration for the building works including landscape design and civil works, and the interior fit-out of the Centre.

Philp Lighton Architects provided the initial schematic and sketch design that has allowed the Project to be pursued to the stage of receiving development approval. Significantly more detailed architectural design is now required to move the Project to the next level.

A request was made to Philp Lighton Architects to provide a proposal for architectural services for the remainder of the project. At the General Manager’s request the project has been broken down into four (4) discrete packages and it is proposed that each item will be separately ordered ensuring that Council meets its statutory obligations in relation to tendering.

The fees proposed by Philp Lighton are based on the advised budget parameters and are exclusive of GST. It is advised that the fees have been discounted to provide for the sketch design work previously prepared. The proposal provides for all required consultants to provide Council with a complete professional project outcome and comprise:

- Engineer – Civil and Structural.
- Engineer – Services – including Electrical, Mechanical, Security, Hydraulic, Communications and Data.
- Geotechnical – Soil Classification, Pavement CBR and Report.
- Landscape Design
- Interpretive Designer.
- Interior Designer.
The proposed fees to undertake the four (4) stages of the design brief of the Centre are as follows:

<table>
<thead>
<tr>
<th>Ref.</th>
<th>Item</th>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Building Works</td>
<td>Architectural</td>
<td>40,500</td>
</tr>
<tr>
<td>2</td>
<td>Building Works</td>
<td>Sub-Consultants</td>
<td>33,500</td>
</tr>
<tr>
<td>3</td>
<td>Fit-out and Interior Design</td>
<td>Architectural</td>
<td>29,700</td>
</tr>
<tr>
<td>4</td>
<td>Fit-out and Interior Design</td>
<td>Sub-Consultants</td>
<td>3,700</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td></td>
<td>$107,400</td>
</tr>
</tbody>
</table>

The total architectural design and contract supervision costs for the project is equivalent to 7.47% of the total project cost.

A proposed revised project timeline is as follows:

- Planning Approval: Completed
- Appointment of Architects: 21 September 2004
- Preparation of Documentation: Approx. 10 weeks
  End November 2004
- Tenders Called: Early December 2004
- Contract Awarded: End of January 2005
- Construction Commences: February 2005
  (Construction period = 20 weeks)
- Construction Completed: August 2005
- Official Opening: September 2005

7. Risk

Finalising the funding arrangements remains a priority. No work on the building itself can commence until all funding required has been secured however, with the State Government’s commitment, taking the architectural design of the building to the next stage in readiness for tendering is seen as critical if Council is to ensure that the extended deadline of 31 December 2005 for the Centre to be open and operating is to be met.

As outlined at section 4 of this report the Local Government Act 1993 requires that Council is to call tenders for any contract for goods or services over $50,000. Appointing Philp Lighton Architects to undertake this project without calling tenders may be a risk insomuch as the total works will be in excess of the prescribed limit under section 346(2) of the Act. However, as the design work will be staged, with separate orders issued for each stage, Council’s risk exposure in regard to this issue is reduced.
To call tenders for the architectural design of the Exhibition Centre has the potential to delay the project, may possibly require briefing of new architects and consideration of new concepts and ideas which do not coincide with the planning approval provided by Council. Calling tenders just to satisfy the requirements of the Act in a situation where Council had the full intention of appointing Philp Lighton to undertake the works would be unfair to other potential tenderers.

8. Conclusion

It is recommended that Council approve the appointment of Philp Lighton Architects to undertake the architectural design for the Wonders of Wynyard Exhibition Centre.

The report is presented for the determination of Council.

MOVED BY CR BRAMICH
SECONDED BY CR FRENCH

That Council confirm the appointment of Philp Lighton Architects to undertake the total project design documentation (including building certification, building works, landscaping, civil works and interior fit-out), and the contract administration of the building works associated with the development of the ’Wonders of Wynyard’ Exhibition Centre.

CARRIED

CR RANSLEY RETURNED TO THE MEETING AT 9:19 PM
255.4 WARATAH SPECIFIC PROJECT FUNDING

To: Council  
Reporting Officer: General Manager  
File Reference: 109.09  
Council Meeting Date: 20 September 2004

1. Recommendation

That Council:

(a) determine that the surplus funds achieved from the sale of blocks for unpaid rates and the sale of the garbage truck be allocated to the Kenworthy Stamper Mill relocation / restoration project.

(b) instructs that a design brief be prepared together with cost estimates for the relocated Kenworthy Stamper Mill based on the proposition that it be a working display. The design brief is to take into account all issues associated with the restoration project including occupational health and safety issues, risk management, operational requirements and ongoing maintenance costs.

(c) organise a plaque in memory of the late Council Clerk Mr M Sleigh recognising his contribution to the Waratah community to be placed in an appropriate location within the Waratah Museum building.

(d) advise the residents of Waratah of its decision in relation to this matter by way of a householder mail out.

2. Summary

This report is provided to allow Council to determine where funds achieved from the sale of blocks for unpaid rates and the Waratah garbage truck are to be allocated.

3. Background

Council has considered this issue in the past. A survey of resident views was undertaken earlier in the year with a follow up community forum conducted in Waratah on 2 August 2004.
140 circulars were distributed within the Waratah community and at the close of the response period on 28 May 2004 Council had received 49 (or 35%) completed surveys.

The highest 1st preference support was for the Athenaeum Hall with 18 (36.73%) of the vote. The next highest 1st preference support was for the water supply with 10 (20.40%) of the vote.

A graph outlining preferences 1, 2 and 3 is as follows:

![Combined 1, 2 & 3 Preferences](image)

Additional items identified as worthy of consideration in the allocation of these funds by Waratah residents were as follows:

- Medical Services
- Elma Fagan Community Centre
- Supply Wheelie Bins
- Toilet Block - English Street
- Toilet Block - Southside of Lake
- Upgrade Playground Equipment, Caravan kitchen and setting area shelter
- New trees
- Park Upgrade
- New entrance to Cemetery

### 4. Statutory and Strategic Requirements

**Strategic Plan**

| 6 | **Council Services** – Council will provide services that consistently deliver community requirements. |
Statutory Requirements

There are no statutory requirements identified in relation to any decision Council may make in relation to the allocation of these funds.

5. Finances

The funds available for a Waratah specific project are as follows:

- Land Sales for unpaid rates surplus $33,518
- Cash funds from disposal of garbage truck $18,182
- Total $51,700

This amount has been included within the 2004/05 capital works budget as a separate line item.

The current capital works budget also includes an allocation of $31,670 for the Kenworthy Stamper Mill project.

6. Discussion

As previously advised, Council is also in receipt of correspondence from Mrs Suzan Walsh which states:

*I am writing to Council to ascertain the final amount of revenue that was received from the sale of the Allotments that had been donated to the Waratah Museum Society minus expenses. This land was donated to the Waratah Museum by former Council Clerk, Mr M Sleigh. The documentation received with Mr Sleigh’s letter was signed by the original owners to say that he had purchased same from them. I have for at least 12 years been trying to get these transferred into the Museums name, originally with Mr R Ruddle (this can be verified by Mr Trull and was also mentioned to Mr Corbett).

The main stumbling block of course was one of finance. For many years we paid the rates on the entire 5 blocks (approximately 72 acres) donated by Mr Sleigh, then the Valuation Department changed the notices and the amounts to be paid became too high for our very small committee to raise the funds to pay the rates. We still pay on one allotment to this day.

While I am sure that Mr Sleigh would be happy to see that the proceeds go towards upkeep of the town of Waratah (possibly the Waratah Hall which he was of course aware of), I feel that his donation should be at the very least acknowledged by Council in its records for future generations and the townsfolk of Waratah to be aware of.*
The Museum Society believes that we cannot afford to lose any more history of the township of Waratah, or for that matter any contributions from people who were once a vital part of the town.

As a result of the community forum in Waratah it was confirmed that the majority of people would like to see the money spent on the upgrading of the Athenaeum Hall. Unfortunately it would appear that available funds are insufficient to undertake works that would allow the Hall to be reopened and licenced as a Place of Assembly.

Waratah resident Mrs Val Fleming advised the community forum that she was working with the author of the book ‘Baron Bishoff – Philosopher Smith and the Birth of Tasmanian Mining’ Nic Haygarth on a funding proposal to develop a Waratah Mining Hall of Fame which is proposed to encompass the Athenaeum Hall. Mrs Fleming indicated that a proposal to access grant funding was nearing completion and would be presented to Council for endorsement/consideration in the near future.

As the community forum progressed it became obvious that although the majority of people would have liked the money to have been spent on the Hall they realised that it was insufficient to undertake the works and that in the future the Hall may have another purpose. On this basis it was interpreted that the Kenworthy Stamper Mill project should be progressed with the funds available to achieve its relocation to land adjacent to the Hall, whereby if the Mining Hall of Fame concept is successfully developed there would be significant synergies achieved.

In relation to the issues raised in formal written correspondence by Mrs Walsh regarding the donation of land by former Council Clerk, Mr M Sleigh she indicated at the community forum that whilst it is acknowledged that no legal ownership had been transferred it was Mr Sleigh’s intention to provide this asset to the community. She suggested that Council could provide a plaque in the current Museum which recognised Mr Sleigh contribution to the Waratah community.

7. Risk

As identified in previous reports the primary risk to Council in surveying the community on a preferred project was that the amount available may be insufficient to undertake that project or alternatively the project preferred may not be acceptable to Council. This risk still exists.
No cost estimates on the redevelopment of the Kenworthy Stamper Mill have been prepared to date however, originally it was planned that the display would be housed in a purpose built building and would be of a static nature. Indications from those closely involved in the relocation and restoration project are that it is now actually desired that it become a working display. To achieve a working display and adequately address all the issues that are likely to be associated with such a proposition may have significant cost implications that have so far not been identified.

8. Conclusion

It is recommended that the surplus funds available of $51,700 be allocated to the relocation and restoration of the Kenworthy Stamper Mill. Further, that cost estimates be prepared on the restoration project on the basis that it will be a working display.

The report is presented for Council determination.

MOVED BY CR DIBLEY
SECONDED BY CR RANSLEY

That Council:

(a) determine that the surplus funds achieved from the sale of blocks for unpaid rates and the sale of the garbage truck be allocated to the Athenaeum Hall project.

(b) in noting the combination of Council’s funds and community fundraising totals $70,000, Council seeks funding support from heritage programs and/or the Tasmanian Government Partnership to Jobs Program for the architectural and engineering plan for the hall in order that the local funds are expended on the fabric of the building.

(c) organise a plaque in memory of the late Council Clerk Mr M Sleigh recognising his contribution to the Waratah community to be placed in an appropriate location within the Waratah Museum building.

(d) advise the residents of Waratah of its decision in relation to this matter by way of a householder mail out.

LOST
MOVED BY CR HYLAND
SECONDED BY CR FAIRBROTHER

That Council:

(a) determine that the surplus funds achieved from the sale of blocks for unpaid rates and the sale of the garbage truck be allocated to the Kenworthy Stamper Mill relocation / restoration project.

(b) instructs that a design brief be prepared together with cost estimates for the relocated Kenworthy Stamper Mill based on the proposition that it be a working display. The design brief is to take into account all issues associated with the restoration project including occupational health and safety issues, risk management, operational requirements and ongoing maintenance costs.

(c) organise a plaque in memory of the late Council Clerk Mr M Sleigh recognising his contribution to the Waratah community to be placed in an appropriate location within the Waratah Museum building.

(d) advise the residents of Waratah of its decision in relation to this matter by way of a householder mail out.

CARRIED

255.5 LEASE AGREEMENT - BOAT HARBOUR BEACH SURF CLUB

To: Council
Reporting Officer: General Manager
File Reference: 7087401
Council Meeting Date: 20 September 2004

1. Recommendation

That Council:

(a) endorse the ‘Agreement for Sub-Lease’ with the Boat Harbour Beach Surf Life Saving Club Inc as included within the enclosure document for this meeting and authorises the General Manager to finalise the matter by signing the sub-lease under the Common Seal.
(b) formally acknowledges the work undertaken by the Boat Harbour Beach Surf Life Saving Club Inc on the building including both capital and in-kind contributions.

(c) recognises that the rental income received by it from the Kiosk tenant will be off-set against the amount owing by the Surf Club as part of their sub-lease arrangement

2. Summary

This report has been prepared to allow Council to formally consider a Sub-Lease Agreement to be entered into with Boat Harbour Beach Surf Life Saving Club Inc and Council for the occupation of part of the Boat Harbour Beach Surf Club Building.

3. Background

Council has previously considered the issues surrounding the sub-lease of this property. No formal sub-lease agreement has ever been entered into with the Boat Harbour Beach Surf Life Saving Club Inc for their occupation of the building.

Correspondence received from the Surf Club in October 2003 advised:

I write with reference to your above noted letter in which you propose to transfer the assignment of the Crown Land Lease from the Waratah-Wynyard Council to the Boat Harbour Beach Surf Life Saving Club (BHBSLSC) at the present time. After much discussion the BHSLSC has decided not to take up this offer.

We do however wish to continue pursuing a document with the Council that formalises our understanding that after paying off our debt to the Council in 2012, or sooner if the situation arises, the transfer will be undertaken. To date there has been no formal presentation or signing off on a formal loan agreement with the Council.

We are very appreciative of your efforts to sort out the financial details and hope we can continue to progress towards signing off on a formal loan agreement with the Council.

The BHBSLSC would also like to express their opinion the Council is quite remiss in not signing off the Kiosk Sub-Lease with the Boat Harbour Beach Caravan Park.
Regards

Michael Beniston
President
BHBSLSC

As a result of this advice Council determined:

That Council acknowledge the advice received from the Boat Harbour Beach Surf Life Saving Club Inc that it does not support the assignment of the Crown Lease from Council to itself at this time as offered.

The issue was also referred to a Group Discussion where it was indicated that the General Manager was to continue to pursue a sub lease agreement with the Boat Harbour Beach Caravan Park Pty Ltd and the Boat Harbour Beach Surf Life Saving Club Inc.

In February 2004 Council formally entered into a sub-lease agreement with Boat Harbour Beach Caravan Park Pty Ltd for that part of the building that is occupied by the Beach Kiosk and ‘Jolly Rogers’ restaurant. The sub-lease now before Council will finalise the occupation rights for the whole complex.

4. Statutory and Strategic Requirements

Strategic Plan Reference

| 3 | Lifestyle – Council recognises the importance of a ‘balanced lifestyle’ for our residents and will take every opportunity to ensure that it is maintained and enhanced. |

Statutory Requirements

Council needs to ensure that any arrangements entered into by this sub-lease are undertaken in accordance with the law. The sub-lease agreement has been prepared by Greg Smith and Co Solicitors.

5. Finances

Clause 2 of the sub-lease provides for a lease payment of $5,333.33 which represents the annual repayment due off the loan owed to Council by the Surf Club together with interest calculated at 7% per annum on the principal loan outstanding from time to time as at the 1st July in each and every year throughout the term of the lease.
Clause 4.5 recognises that the Surf Club is responsible for all costs associated with the provision of reticulated sewerage services to the premises as applied to all properties within the Boat Harbour Beach Limited Sewerage District. The Surf Club is already meeting this requirement and has elected to pay the contribution by equal quarterly instalments.

Clause 4.12 acknowledges during the term of the sub-lease that the Surf Club will not be liable to pay any rates or service charges in respect of the part of the property sub-let to them.

Council incurs the administrative costs associated with preparing and maintaining the sub-lease agreement.

6. Discussion

A draft agreement was prepared by Council’s Solicitor and forwarded to the President of the Surf Club for comment. Subsequent to the draft agreement being provided to the Surf Club a meeting was held between representatives of the Surf Club (Bruce Roberts and Graeme Fairbrother) and Council’s General Manager and Solicitor. A number of issues were clarified at this meeting and as a result the Agreement is now provided for formal consideration by Council.

The issues raised by the Surf Club and the action taken to address the concerns are as follows:

<table>
<thead>
<tr>
<th>Issue</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agreement commencement date should reflect the 15 August 1997</td>
<td>Clause 1.1 amended to reflect the term of the sub-lease from 15 August 1997 until the 31st day of January 2012.</td>
</tr>
<tr>
<td>Acknowledgement is to be made concerning the initial contributions made to Council by the Club and payments made up to the actual signing of the lease.</td>
<td>An acknowledgement of the Club’s contribution to the surf club building and ‘repayments’ made up to the actual signing of the lease to be noted in the Council minute and also be covered in a letter to the Club when sub-lease is forwarded for signing. Recommendation part (b) satisfactorily deals with this matter.</td>
</tr>
<tr>
<td>As a matter of right the Surf Club is entitled to repay the outstanding debt to Council at any time prior to the due date.</td>
<td>Clause 1.2 provides ‘the tenant shall be entitled to repay all of its liability to the Landlord at any time during the term of this sub-lease whereupon ownership of the fixtures on the land shall vest in the Tenant absolutely’.</td>
</tr>
<tr>
<td>Clause 1.2 should be amended to confirm that ownership of the building on the land will vest in the Surf Club upon payment of all money due to Council either at the expiry of the lease or earlier if the debt is repaid.</td>
<td>Amended accordingly refer clause 1.2.</td>
</tr>
<tr>
<td>Council is to acknowledge that all rentals received from the kiosk tenant is to be used in payment of the surf club liability.</td>
<td>This has always been the case and previous correspondence from Council to the Club would indicate this arrangement. However, this issue has been dealt with as part of the formal recommendation for this report – refer recommendation part (c).</td>
</tr>
<tr>
<td>Clause 4.12 indicated the Surf Club would be required to pay rates or service charges – the Surf Club believed that whilst they are tenants of the building they should continue to remain to be exempt from rates and service charges.</td>
<td>Clause 4.12 was amended to read ‘to pay all Boat Harbour separate sewerage connection charges levied by the Landlord in respect of that part of the said premises hereby sub-let by this agreement. The tenant shall not be liable to pay any rates or service charges in respect of the property hereby sub-let. (Note: This clause is different for the Kiosk tenant who is responsible to pay rates and service charges for that portion of the building which they occupy).</td>
</tr>
<tr>
<td>Clause 6.1 had a default period of 30 days included within it.</td>
<td>It was agreed that clause 6.1 would be amended to provide for a default period of 60 days.</td>
</tr>
<tr>
<td>Clarification that at the end of the lease period Council will use it best endeavours to have the Club secure a further long term lease from the Crown for the total area, which is currently covered, by the Council’s head lease.</td>
<td>Clause 6.6 states ‘the Landlord shall take all such steps and make all such recommendations as are within its powers in order that the Minister administering the Crown Land Act 1976 shall at the expiry of the lease enter into a fresh long term lease together with such additional land which may be considered to form part of the property as a result of development or improvements or alternatively if possible that freehold title of the land described in the lease is transferred to the Tenant’.</td>
</tr>
</tbody>
</table>
The complete ‘Agreement for Sub-Lease’ is provided for the information of Councillors within in the enclosure document.

7. Risk

Council’s risk exposure is likely to be reduced by entering into a formal sub-lease agreement. No protection is provided to either party with the current situation.

8. Conclusion

It has taken a considerable amount of time to get to a stage where this matter can be finalised. Surf Club representative, Mr Graeme Fairbrother prior to its referral to Council, has reviewed a copy of this report the final sub-lease agreement. Mr Fairbrother has indicated that the Club is satisfied with the sub-lease agreement and the clarification of the other issues raised during our discussions.

The report is presented for the determination of Council.

MOVED BY CR FRENCH
SECONDED BY CR FAIRBROTHER

*That Council:*

(a) endorse the ‘Agreement for Sub-Lease’ with the Boat Harbour Beach Surf Life Saving Club Inc as included within the enclosure document for this meeting and authorises the General Manager to finalise the matter by signing the sub-lease under the Common Seal.

(b) formally acknowledges the work undertaken by the Boat Harbour Beach Surf Life Saving Club Inc on the building including both capital and in-kind contributions.

(c) recognises that the rental income received by it from the Kiosk tenant will be off-set against the amount owing by the Surf Club as part of their sub-lease arrangement.

CARRIED

Enclosures:- refer to Enclosure Document Page 72
Agreement for Sub-Lease
256. CORPORATE SERVICES

256.1 SOMERSET RECREATION GROUND – FUTURE TENANCY

To: Council
Reporting Officer: Director Corporate Services
Responsible Manager: General Manager
File Reference: 609.01
Council Meeting Date: 20 September 2004

1. Recommendation

That Council:

(a) determine to seek to continue to lease and maintain the land comprising the Somerset Recreation Ground from the Crown following the expiration of the current lease in November 2006.

(b) inform the Somerset Soccer Club Inc. of the above decision and that it is likely at that time to impose an indexed user charge of $100 per day in respect of future soccer match usage to be applied to offset ground maintenance costs and to expect the Club to meet all outgoings in respect of the clubrooms.

(c) further inform the Club that it will have no objection to the principle of the Club subleasing the site of the clubrooms providing it agrees to meet the full cost of any rental the Minister may impose as a result of the exclusive tenancy granted under that sub lease.

2. Summary

This report addresses a request from the Somerset Soccer Club Inc for advice as to Council’s intentions in relation to future tenancy of the Somerset Recreation Ground in Cardigan Street beyond the expiration of the current Crown lease in November 2006.

3. Background

Council has for many years leased 5.176 hectares of land bounded by Murchison Highway, Cam Road and Cardigan Street, Somerset from the Crown for public recreation and amusement.
The current 21 year lease is due to expire on 1 November 2006.

The land contains a substantial area of eucalypt bushland and the easternmost section originally contained an oval playing arena that was used for Australian Rules football and cricket but following Langley Park’s development in 1961-62, football usage declined and cricket became its primary use until the formation of the Somerset Soccer Club.

For many years now soccer has been the only organised sport conducted at the ground which has been redeveloped to cater for that activity.

It does receive limited casual use for passive recreation by residents of the town.

Council carries out maintenance works as indicated below:

- Weekly mowing in spring and summer – using a gang mower (approximately 1 hour per cut).
- Fortnightly rolling and mowing as required in autumn and winter.

The turf is irrigated in summer with Council setting up the watering system and the club assisting by moving it as required.

Renovation works include minor topdressing with sand in isolated areas, resowing goal mouths once per year, application of fertiliser in spring and autumn, brush cutting surrounds, spraying once annually for broadleaf, line marking (at season commencement) and repairing rabbit holes (with club assistance).

The building improvements now include clubrooms (with kiosk), change-rooms and the public toilets that were built in 1999 by Council at a cost of $29,000.

The Somerset Soccer Club itself has contributed substantially to facilities development, principally perimeter fencing, floodlighting and the building of the club rooms.

In 1995 the Tasmanian Property Services Group enquired as to whether Council wished to retain its lease over a significant portion of the land that included a section then being levelled off to accommodate a westerly extension of the soccer pitches. Council resolved to inform the Crown that it still required the land in question. The pitch extension has now been completed and fenced.

The ground was included in the 2000 review of recreational facilities undertaken by Council’s Reserves Working Party. A relevant extract from that report is annexed to this report.
That report identified a potential problem in the questionable “ownership” of the club rooms that has still not been addressed.

The letter from the Somerset Soccer Club seeks to do that by suggesting that the building site plus provision for a possible extension be the subject of a sub lease, thereby clearly taking it out of Council’s control and responsibility.

With the approaching expiry of the lease in 2006 the Club’s letter provides an opportunity for Council to review its position in relation to the future control and management of the leased area as a whole.

4. Statutory and Strategic Requirements

Strategic Plan Reference

<table>
<thead>
<tr>
<th>Strategic Plan Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.6.2</td>
</tr>
<tr>
<td>Review recreational facilities provision to ensure future planning delivers maximum accessibility, integration of activities and community convenience generally</td>
</tr>
<tr>
<td>6.1.1</td>
</tr>
<tr>
<td>To regularly review the role, function and viability of Council’s assets.</td>
</tr>
<tr>
<td>6.1.2</td>
</tr>
<tr>
<td>To allocate resources commensurate with maintaining the infrastructure and the built asset base.</td>
</tr>
</tbody>
</table>

Statutory Requirements

The Local Government Act 1993 outlines the roles of a Council. In particular, section 20 details the ‘functions and powers of councils’ as follows:

**20. (I) The council of a municipal area has the following functions:**

(a) to formulate, implement and monitor policies, plans and programmes for the provision of appropriate services and facilities to meet the present and future needs of the community;

(b) to facilitate and encourage the proper planning and development of the municipal area in the best interests of the community;

(d) to develop, implement and monitor strategic plans for the development and management of the municipal area;

(e) to provide for the health, safety and welfare of the community.
5. Finances

The following table outlines Council’s expenditure over the past three years in maintaining and improving the Somerset Recreation Ground:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Wages</td>
<td>10,181</td>
<td>9,355</td>
<td>9,127</td>
</tr>
<tr>
<td>Plant Hire</td>
<td>4,761</td>
<td>6,198</td>
<td>4,567</td>
</tr>
<tr>
<td>Repairs &amp; Minor Improvements</td>
<td>2,255</td>
<td>2,788</td>
<td>2,032</td>
</tr>
<tr>
<td>Electricity</td>
<td>1,785</td>
<td>1,837</td>
<td>1,758</td>
</tr>
<tr>
<td>Insurance</td>
<td>438</td>
<td>428</td>
<td>422</td>
</tr>
<tr>
<td><strong>Sub Totals</strong></td>
<td><strong>19,420</strong></td>
<td><strong>20,607</strong></td>
<td><strong>17,906</strong></td>
</tr>
<tr>
<td>Capital Works - Fencing</td>
<td>0</td>
<td>18,704</td>
<td>0</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>19,420</strong></td>
<td><strong>39,311</strong></td>
<td><strong>17,906</strong></td>
</tr>
</tbody>
</table>

6. Discussion

To be able to respond to the Club the Council needs to determine whether it wishes to remain involved with management of the land beyond 2006 and whether a decision to not do so be in the community’s best interest.

At present the land receives limited general public use but it forms part of the bushland skyline visible from the open area of Somerset and its redevelopment for purposes other than public recreation would probably detract from the overall appearance of the town.

The sporting field and facilities development is extensive albeit for a singular sport purpose. The Council currently also maintains high standard facilities for this sport at the Frederick Street Reserve in Wynyard but the only senior level competition has been played at Somerset, where the only soccer club in the municipal area has been based since 1978. This situation recognises that much of the Somerset club draws its playing membership from residents of Somerset and, more particularly, Burnie. It also appears that local schools and junior representative teams use the Somerset ground for training purposes.

From financial and strategic planning aspects there would appear to be a compelling case for rationalisation of soccer facilities in the municipal area or for their shared use by other sports particularly as Council recovers no user charges for either facility. However, Council’s flexibility to achieve rationalisation was severely compromised by the Club’s decision (and the Council’s consent) to build club house facilities at Somerset.

At present Langley Park presents more popular options and opportunities for such additional use in the Somerset area.
The Somerset Soccer Club has indicated that financially it would not be able to assume responsibility for the whole Somerset complex but that it might be able to consider subleasing the clubrooms and sufficient adjacent land to permit a future extension to remove that responsibility from the Council.

Under the current lease, a sub lease is only permissible with the prior written consent of the Minister. It is likely that Government policy would result in an increased rental being levied should any part of the site be sub let for exclusive use by a private sporting club, as was the case with the Wynyard Yacht Club.

7. Risk

A Council decision to not seek a further lease of the Somerset Recreation Ground at the expiration of the current term would disadvantage local soccer interests and place continuing development of the sport at risk. Council expenditure on the ground is generally no higher than numerous other recreation grounds maintained for Australian Rules football and cricket and there is considerable risk that, in equity terms, a withdrawal from the Somerset ground would be seen as discriminatory against soccer.

The same risk is present should Council look to negotiate or impose user charges sufficient to reasonably offset maintenance costs, which are currently around $20,000 per annum although this could be mitigated by a similar approach being applied to other sports and facilities.

8. Conclusion

The report is submitted for consideration.

MOVED BY CR MOORE
SECONDED BY CR RANSLEY

That Council:

(a) determine to seek to continue to lease and maintain the land comprising the Somerset Recreation Ground from the Crown following the expiration of the current lease in November 2006.

(b) inform the Somerset Soccer Club Inc. of the above decision and that it is likely at that time to impose an indexed user charge of $100 per day in respect of future rostered soccer match usage to be applied to offset ground maintenance costs and to expect the Club to meet all outgoings in respect of the clubrooms.
(c) further inform the Club that it will have no objection to the principle of the Club subleasing the site of the clubrooms providing it agrees to meet the full cost of any rental the Minister may impose as a result of the exclusive tenancy granted under that sub lease.

AMENDMENT

MOVED BY CR FAIRBROTHER
SECONDED BY CR BRAMICH

That the substantive motion be amended by removing the word 

rostered

from part (b).

A DIVISION WAS REQUESTED

IN FAVOUR
CR BRAMICH
CR FAIRBROTHER
CR HYLAND

AGAINST
CR DIBLEY
CR FENTON
CR FRENCH
CR FRIEDERSDORFF
CR MOORE
CR RANSLEY
MAYOR CHALK

THE AMENDMENT WAS DECLARED LOST

THE ORIGINAL MOTION WAS PUT AND CARRIED

Enclosures:- refer to Enclosure Document Page 81
- Letter Somerset Soccer Club Inc
- Reserves Working Party Report extract

256.2 COUNCIL RECREATION GROUNDS –LANGLEY PARK
- USAGE BY SOMERSET STRIKERS CRICKET CLUB

To: Council
Reporting Officer: Director Corporate Services
Responsible Manager: General Manager
File Reference: 609.02
Council Meeting Date: 20 September 2004
1. **Recommendation**

*That Council inform the Somerset Strikers Cricket Club that it is not prepared to consider endorsing an unlicensed club permit application until after it has met the club to discuss general issues relevant to the Club’s usage of facilities at Langley Park Oval.*

2. **Summary**

This report addresses a request by the Somerset Strikers Cricket Club for Council endorsement of its application to the Commissioner for Licensing for an unlicensed Club Permit to allow it to sell, supply and consume liquor in the Visiting Team Change Room at Langley Park, Somerset which the Club has decided to “take over” and develop as its own club room.

3. **Background**

The Somerset Strikers Cricket Club originated from the Cuprona Cricket Club, and relocated from the Heybridge oval in the Central Coast municipal area to Langley Park after amalgamating with the Somerset Football Club in 2000.

Attached to this report is a letter from the Somerset Football Club written at the time of the amalgamation.

The Somerset Strikers Cricket Club has furnished a letter explaining its background and motives in making this change, which is also attached to this report.

4. **Statutory and Strategic Requirements**

**Strategic Plan Reference**

<table>
<thead>
<tr>
<th>Strategic Plan Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.4.1</td>
</tr>
<tr>
<td>3.6.2</td>
</tr>
</tbody>
</table>
Statutory Requirements

The Local Government Act 1993 provides as follows:

20. (1) The council of a municipal area has the following functions:
    to formulate, implement and monitor policies, plans and programmes for the provision of appropriate services and facilities to meet the present and future needs of the community;
    (c) to manage, improve and develop efficiently and effectively the resources of the council;
    (e) to provide for the health, safety and welfare of the community.

5. Finances

The introduction of Burnie Cricket League cricket matches at Langley Park did involve additional maintenance expenditure on Council’s part, which is difficult to quantify precisely. Greater attention has been paid to summer irrigation than was the case prior to a regular cricket commitment but in general terms maintenance tasks and responsibilities have changed little from pre 2000 levels.

The Burnie Cricket League does pay Council a rental of $40 per home match in respect of its usage of the ground.

The integration of the cricket club with the existing football club meant that no capital or additional maintenance on the existing building was required to allow cricket usage.

6. Discussion

From the letter from the Somerset Strikers Cricket Club, it is apparent that the club has limited awareness of Council’s responsibility for Langley Park.

The club’s motivation to not only survive but also expand is commendable and warrants Council’s support but in taking the action it has done, the Club has, probably unwittingly, placed the Council in a difficult situation.

It appears that the perceived amalgamation of the Somerset Football Club and the Cuprona Cricket club was in fact a sub tenancy arrangement, the financial aspects of which are now not seen by the cricket club as advantageous to it and accordingly it has unilaterally decided to relocate to the ground floor of the pavilion and develop the visiting side change room as its own club room, from which it can utilise bar profits to help fund its ongoing operation.
It is notable that the Council, as owner of Langley Park, was not consulted by either club at the time of amalgamation or when they decided to again separate their operations apart from the present request for approval to apply for an unlicensed permit.

Council is unaware of the precise nature of the “improvements” the club has already made to the change room or their potential impact on its future usability for its original purpose. From a Council position, it is critical that the room continue to serve a “change facility” role in the winter season at least which could well be inconsistent with upgrading and installation of a bar facility.

That situation needs to be established before any consideration is given to the question of a second unlicensed permit being granted at Langley Park and indeed the Council needs to be convinced that, from a liability perspective, such a possibility should be entertained at all.

7. Risk

A situation where two clubs occupy a single Council owned building within which each operate unlicensed liquor permit activities presents a range of risks, from additional financial outlays, conflicts of interest and blurred areas of responsibility, that could adversely impact Council as the property owner.

Overall it would be desirable to see a single bar/social room serve both clubs but it does appear that there is a mutual desire by both clubs to separate and the likelihood of being able to maintain the status quo of the past 2-3 years is low.

8. Conclusion

It is important that the Council and the Somerset Strikers Cricket Club clarify the matter of the ongoing availability of the visiting change room for other purposes and that a joint discussion of all related issues occurs, following which specific issues such as the requested endorsement of an unlicensed club permit can be separately considered.
MOVED BY CR MOORE  
SECONDED BY CR FENTON  

That Council inform the Somerset Strikers Cricket Club that it is not prepared to consider endorsing an unlicensed club permit application until after it has met the club to discuss general issues relevant to the Club’s usage of facilities at Langley Park Oval.

CARRIED

Enclosures:- refer to Enclosure Document Page 91
- Letter – Somerset Football Club
- Letter – Somerset Strikers Cricket Club

256.3 WYNYARD LAWN CEMETERY – MEMORIAL PLAQUES POLICY

To: Council  
Reporting Officer: Executive Officer - Policy  
Responsible Manager: Director Corporate Services  
File Reference: 001.53  
Date: 8 September 2004

1. Recommendation

That Council formally adopts as policy the attached document titled ‘Wynyard Lawn Cemetery – Memorial Plaques Policy’ and that all funeral directors currently utilising the Wynyard Lawn Cemetery be advised accordingly.

2. Summary

This report has been prepared to allow Council to give consideration to the adoption of a formal policy specifying the types of memorial plaques, which may be used at the Wynyard Lawn Cemetery.

3. Background

At its meeting held on 23 April 2003 council resolved as follows:
“That Council as from the 1st July 2003:

(a) no longer accept orders for Cemetery Plaques, such plaques to be ordered through the Funeral Directors handling the burial or through Funeral Directors of the customers’ choice, with Council retaining the option of ordering plaques for customers for private use or for refurbishing old headstones, and

(b) adopt the attached schedule of recommended fees for burials in Council Cemeteries.

(c) that the plaques be of a uniform specification similar to the existing plaques and that the specifications be supplied to Funeral Directors.”

Regional funeral directors were advised of Council’s resolution soon after the Council meeting. The intention of the attached policy is to reformat part (c) of this resolution in accordance with Council’s standard policy format for formal consideration by Council.

4. Statutory and Strategic Requirements

Strategic Plan Reference

<table>
<thead>
<tr>
<th>Part 6</th>
<th>Council will provide services that consistently deliver community requirements.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Objective 6.1</td>
<td>Ensure that the existing infrastructure and built asset base is regularly reviewed and maintained as our core responsibility.</td>
</tr>
</tbody>
</table>

The regulation of the types of memorial plaques allowed at the Wynyard Lawn Cemetery is consistent with Council’s strategic objectives.

Statutory Requirements

There are no statutory requirements.

5. Finances

There will not be any material effect upon Council’s financial position as a result of adoption of this policy as the policy will not impose any additional requirements upon Council staff or other Council resources.
6. Discussion

In accordance with Council’s resolution of 23 April 2003, funeral directors now arrange the purchase and receipt of memorial plaques which are then forwarded to Council for fixing to either a plinth or the Memorial Wall by Council staff. Funeral directors purchase all plaques from Arrow Bronze Pty Ltd who were previously Council suppliers as well.

Research indicates that there are a large number of good quality memorial plaques and other memorial structures available in the market place but, generally they are unsuitable for lawn cemeteries and more suited to traditional cemeteries. Given the current plinth construction in the Lawn Cemetery section, the dimensions of the Memorial Wall and an aesthetic requirement for uniformity of plaque arrangements, the proposed dimensions for memorial plaques are based upon standard designs. Without exception, all current memorial plaques in the newer Lawn Cemetery section as well as all of the more recent ones placed on the Memorial Wall comply with the proposed policy.

In previous years Council staff have been required to advise people of the unsuitability of some proposed memorial arrangements and structures and it is likely that funeral directors when dealing with their customers are currently required to do the same.

Unless there is a change in the major supplier of the current memorial plaques, or a redesign of the Lawn Cemetery by Council, it is unlikely that this policy will need to be reviewed for a number of years. A review date of January 2010 is suggested. Of course Council may always resolve to take the opportunity to review the policy in the interim.

7. Risk

In the absence of a formal policy to guide both Council staff and users of the Lawn Cemetery there is the risk that inappropriate memorial plaques and other memorial structures may be placed in the Lawn Cemetery with the potential to detract from the overall amenity of this public facility and hinder Council staff carrying out routine maintenance to the Cemetery.

8. Conclusion

This report and the recommended policy are presented for Council consideration.
MOVED BY    CR FRIEDERSDORFF
SECONDED BY  CR DIBLEY

That Council formally adopts as policy the attached document titled ‘Wynyard Lawn Cemetery – Memorial Plaques Policy’ and that all funeral directors currently utilising the Wynyard Lawn Cemetery be advised accordingly.

CARRIED
1.0 Purpose

This policy sets out Council’s requirements in relation to the type and dimensions of memorial plaques fixed to either the concrete plinths or the Memorial Wall at the Wynyard Lawn Cemetery.

2.0 Objective

The objective of the policy is to provide guidelines for both Council staff and users of the Wynyard Lawn Cemetery in relation to the type of memorial plaques permitted at the Cemetery.

3.0 Scope

This policy applies to all memorial plaques to be fixed to the existing concrete plinths or the Memorial Wall at the Wynyard Lawn Cemetery from the date of adoption of this policy.

4.0 Policy

4.1 That all memorial plaques fixed to the concrete plinths in the Lawn Cemetery section of the Wynyard Lawn Cemetery shall be made of bronze and measure 381mm in length and 216mm in height.

4.2 That all memorial plaques fixed to the Memorial Wall section of the Wynyard Lawn Cemetery shall be made of bronze and measure 137mm in length and 102mm in height.

4.3 All memorial plaques may include any standard motifs, service badges, picture motifs or permanent photographs supplied, or arranged, by the plaque manufacturer.

4.4 The number of lines of text allowable on any plaque will be in accordance with any recommendations put forward by the plaque manufacturer.

All other memorial plaques and any type of memorial structure placed on either the Lawn Cemetery plinths or the Memorial Wall are not permitted and may be removed by Council staff.
5.0 Legislation

None applicable.

6.0 Responsibility

The General Manager is responsible for the overall management of the Policy.

7.0 Minute Reference

Minute No. 256.3.

8.0 Council Meeting Date

20 September 2004
1. Recommendation

That Council agree to provide a University of Tasmania West North-West Bursary Scholarship in 2005 subject to the following conditions:

(i) the bursary of $2,500 is made available for one year only to a student residing in the Waratah-Wynyard Council municipal area to undertake the first year of University study.

(ii) the course undertaken must be relevant to employment in local government. (i.e. engineering, environmental design, environmental science, town planning, health science, social work, tourism, commerce and law).

and further

That Council authorise the General Manager to negotiate with the West North-West Bursary Selection Committee in January, 2005 regarding approval of the selected candidate and the feasibility of vacation employment as part of the bursary.

2. Summary

The purpose of this report is to provide information on the West North-West Bursary Program offered by the University of Tasmania with a view to Council sponsoring a commencing student from our local government area, who because of their financial circumstances would find it difficult to enrol at the University. Depending on the course taken by the selected student, there may also be an opportunity to provide vacation work as part of the bursary.
3. **Background**

Preliminary discussions have been held with the University of Tasmania regarding the possibility of Council offering sponsorship of a West North-West Bursary for a student from the municipal area.

Following discussions, a letter from the Co-ordinator, Tasmania Scholarships from the University was received outlining the detail of the West North-West Bursary Program. A copy of the letter dated 1 September, 2004 from Eoin Breen is provided in the enclosures document.

4. **Statutory and Strategic Requirements**

**Strategic Plan Reference**

The following objective and associated strategies are relevant to this report:-

<table>
<thead>
<tr>
<th>Objective</th>
<th>“A better educated community”</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategies</td>
<td>“Support initiatives that foster the retention of young people in education.”</td>
</tr>
<tr>
<td></td>
<td>“Identify and promote educational opportunities.”</td>
</tr>
</tbody>
</table>

**Statutory Requirements**

The *Local Government Act 1993* allows Council to consider granting a bursary of this nature. Section 77 reads as follows:-

**Grants and benefits**

77.  (1) A council may make a grant or provide a benefit that is not a legal entitlement to any person, other than a councillor, for any purpose it considers appropriate.

(2) The details of any grant made or benefit provided are to be included in the annual report of the council.

5. **Finances**

Bursaries offered by other sponsors in the West North-West Bursaries for commencing students range in value from $2,500 to $3,000 per year and can be awarded for one year only and up to four years.
An allocation of $3,000 has been made under the Community Development expenses in the 2004-05 budget to provide a tertiary education scholarship. A bursary of $2,500 is considered to be in line with other local government sponsors offering sponsorships under the West North-West Bursaries Program.

Consideration may need to be given to providing an allocation in future budgets, bearing in mind that the bursary is offered to a student that requires financial support to attend University and discontinuing support after one year may jeopardise successful completion of study. Council may care to follow the example of another sponsor and offer a bursary for the first year with an option to renew the bursary the following year as reward for good academic performance.

If Council is agreeable to participate in the program, the Tasmania Scholarships Office will pay the student up-front in equal amounts at the start of each semester. The University of Tasmania Foundation invoices the sponsor for the agreed amount, in April each year.

There is also an opportunity for the student to undertake vacation employment with the Council, depending on the availability of the student and their part-time work commitments. There may need to be consideration given to providing an allocation of funds to support vacation employment.

6. Discussion

The Council has not embarked on providing financial sponsorship of this nature in the past, although the Council has provided practical placements for TAFE Community Services students in the areas of child care (10 Diploma and Certificate 3 students in 2004) and community development (three students in 2004). Work experience is also provided for high school and college students across all spheres of the Council’s activities.

The West North-West Bursary program financially assists commencing students from the west and north-west region of Tasmania to attend the University of Tasmania. It is intended to help top level academic students who, because of their financial circumstances would find it difficult to enrol at the University.

The awards are sponsored by state and local government, industry, business, University Alumni and individuals, and are usually for up to four years. They are normally available for study in any undergraduate area although some may have the area of study specified by the sponsor. To be considered for a West North-West Bursary, applicants need to permanently reside in the postcode range 7305-7470 or on King Island. In the case of a local government sponsor – it can be specified that the student must reside in the Waratah-Wynyard municipal area for example. Students must also be able to demonstrate that they need assistance in order to start a course at the University.
This is done through a confidential report on family and personal circumstances and is considered by the West North-West Bursary Selection Panel and is not made available to the sponsor.

The following Councils supported the UTAS Tasmania Scholarships and Bursaries in 2004:

- Burnie City Council
- Central Coast Council
- Circular Head Council
- Devonport City Council
- Glenorchy City Council
- Hobart City Council
- Latrobe Council
- Launceston City Council

The following is a summary of West North-West Bursaries being offered in 2005 for commencing students:

- Agricultural Science for Women - $3,000 for one year
  Circular Head or Waratah-Wynyard student - Bachelor of Agricultural Science or Bachelor of Applied Science (Agriculture).

- Burnie City Council - $2,500 per year for up to four years
  New bursary each year for a student from Burnie who is commencing a degree course.

- Burnie Port Corporation - $3,000 for one year
  Student studying Commerce or Engineering.

- Caterpillar Elphinstone - $3,000 per year for four years
  Engineering or Mechanical Engineering with opportunity for vacation employment.

- Circular Head Council - $3,000 for one year
  Student from their municipality - Preference given to a course relevant to district.

- Devonport City Council - $2,500 per year for up to four years
  Student from their municipality studying Commerce.

- Latrobe Council - $2,500 for up to four years
  Student from their municipality in an area relevant to local government, e.g. engineering, geomatics, environmental science, accounting etc.
• The London WNW Bursary in Pharmacy - $3,000 for first year may be renewed subject to good academic performance – mentoring in community pharmacy operations also available.

• Premier of Tasmania (three awards) - $3,000 per year for up to four years Open to any area of study at University.

The 2005 bursaries will be advertised in local colleges by flyer and in “The Advocate” newspaper on Saturday 25 September with applications closing on 29 October. After the Tasmania Certificate of Education (TCE) results become available the applications are forwarded to the University Selection Committee that meets in mid-January to nominate a candidate for each award of the program. A copy of the nominated candidate’s application is forwarded for confirmation of acceptance to the sponsor soon after. The offer of the bursary is made by the University and assistance provided to the student to prepare for the commencement of the University semester.

Recognition of the bursary includes a Bursary presentation at the Cradle Coast Campus in early February, an invitation to attend the Annual Foundation Awards Dinner in March next year and adverts thanking sponsors in the local newspaper.

The UTAS 2005 Tasmanian Scholarship Brochure has already been printed for next year, however if the Council wish to participate in the program their bursary details can be added to the advertisement to appear in “The Advocate” on 25 September, 2004 and added to the college flyers. Notification of Council’s decision would need to be made to the University by 21 September, 2004.

7. Risk

There is a minimal risk that the selected student may not complete the year of study. The Co-ordinator of Tasmania Scholarships has advised that information is gathered during the selection process about the student’s academic ability, interests, and a confidential report on family and personal circumstances. Bursary winners are included in a support program under the Tasmania Scholarships program including the “Ortus Star” Leadership program which seeks to develop a range of skills which will advantage the student in the post-university world. Every endeavour is made by the University to support talented students, both financially and academically, to ensure that their full potential is achieved.
8. Conclusion

The West North-West Bursary Program offers Council the opportunity to financially support the retention of a student who has the academic ability to continue further study who may be prevented from commencing studies at University due to financial reasons.

In the long-term, the combined efforts of all Councils in supporting the University has the potential to provide qualified professionals to meet the demands of local government employment vacancies as well the needs of local industry.

MOVED BY CR FRENCH
SECONDED BY CR HYLAND

That Council agree to provide a University of Tasmania West North-West Bursary Scholarship in 2005 subject to the following conditions:--

(i) the bursary of $2,500 is made available for one year only to a student residing in the Waratah-Wynyard Council municipal area to undertake the first year of University study.

(ii) the course undertaken must be relevant to employment in local government. (i.e. engineering, environmental design, environmental science, town planning, health science, social work, tourism, commerce and law).

and further

That Council authorise the General Manager to negotiate with the West North-West Bursary Selection Committee in January, 2005 regarding approval of the selected candidate and the feasibility of vacation employment as part of the bursary.

CARRIED

Enclosures:- refer to Enclosure Document Page 95
- Letter - Eoin Breen, Co-ordinator, Tasmania Scholarships - 1 September, 2004
257. ENGINEERING SERVICES

257.1 GOLDIE STREET PARKING

To: Council
Reporting Officer: Engineer
Responsible Manager: Director Engineering Services
File Reference: RS 102 & RS 136
Council Meeting Date: 20 September 2004

1. Recommendation

That Council:

(a) support, in principle, the proposal to make Goldie Street between Saunders Street and Austin Street one-way with delineated parking as per the plans attached to this report.

(b) canvas the views of affected residents, businesses and the general community on the two alternative parking arrangements through formal public consultation.

(c) requires a subsequent report to be presented detailing the results of the public consultation prior to this matter being finalised.

2. Summary

This report has been prepared in response to concerns regarding car parking availability, the physical layout of the parking arrangements and traffic flows in Goldie Street between Saunders Street and Austin Street.

The concerns have been identified following community consultation processes associated with the CBD upgrade in Wynyard and as a result of deliberations regarding recent development applications for businesses on both corners of Goldie and John Streets.

The report identifies two alternatives to increase parking availability and improve safety in Goldie Street, Saunders Street to Austin Street.
3. **Background**

The current car parking layout in Goldie Street between Saunders Street and John Street is significantly under-utilised. Limited delineation of parking bays and poor signage has resulted in a mixture of parallel parking and angle parking of varying angles.

It would appear that parking in this area has been a concern of users and abutting landholders for some time. Parking issues associated with recent development proposals in John Street as well as consultation with the community on the CBD upgrade in Wynyard have bought this issue to the fore.

Currently there are approximately 29 vehicles spaces in Goldie Street between Saunders Street and Austin Street and demand for parking in this area would appear to be on the increase.

4. **Statutory and Strategic Requirements**

**Strategic Plan Reference**

<table>
<thead>
<tr>
<th>Objective</th>
<th>Ensure that existing infrastructure and built asset base is regularly reviewed and maintained as our core responsibility.</th>
</tr>
</thead>
</table>

**Statutory Requirements**

Australian standard *AS2890.5 – Parking Facilities – On-street Parking* and the *Austroads guide to traffic engineering practice, Part 11 – Parking*, outline car parking design requirements.

The approval of the Department of Infrastructure Energy and Resources is required when changes in parking signage, installation of regulatory signage and changes in traffic flow are proposed.

5. **Finances**

It is suggested that funds for this project can be sourced from the unexpended capital works allocation for the Seabrook Road Black spot projects.

In addition in lieu contributions for parking are to be provided to Council by the three proponents of the developments. The overall contribution will be $3,602 and these contributions could be applied to the proposed works.

The parking improvement project is estimated to cost in the order of $8,000.
6. Discussion

The car parking layout in Goldie Street between Saunders Street and Austin Street has been identified as being under-utilised in terms of the available space and can be substantially improved through the use of line marking in conjunction with medians and appropriate signage.

This design detailed in figure one (1) has been prepared by officers and describes a “one-way” traffic flow in Goldie Street between Saunders Street and Austin Street. Car parking will consist of 45 degree angle parking along the northern side of Goldie Street in conjunction with parallel parking on the southern side of Goldie Street. The layout will accommodate 43 parking bays including one (1) potential loading zone.

Fig 1 - Council Officers design of Goldie Street Parking

Council Officers approached the Department of Infrastructure, Energy and Resource (DIER) in regard to the proposed preliminary design for comments, prior to any public consultation process being conducted, in order to determine whether there would be any concerns in regard to the proposal.

DIER have indicated “in principal” agreement with the concept and have also suggested that Council consider parallel parking from John Street through to Austin Street rather than the 45 degree angle parking.
The parking layout as suggested by DIER is shown in Figure two (2) below. This design also provides for “one-way” traffic flow in Goldie Street between Saunders Street and Austin Street. Car parking would consist of 45 degree parking along the northern side of Goldie Street in the first section between Saunders Street and John Street and then change to parallel car parking for the remainder of Goldie Street.

Car parking on the southern side of Goldie Street will remain as parallel parking. This layout will also accommodate 43 parking bays including 1 potential loading zone.

Fig 2 – DIER suggested design of Goldie Street Parking

Either option would result in the same outcome in terms of increased parking i.e. an increase from 29 parking spaces to 43 parking spaces.

The proposed changes in Goldie Street, Saunders Street to Austin Street would provide increased parking and reduce conflict points through the use of the one-way traffic flow.

It is noted that the two recent development approvals have required that car parking be provided as part of the development and that the proponents have elected to pay, in part, an in lieu contribution towards parking.

The contributions made would be utilised to part fund the works as proposed.
7. **Risk**

The main risk to Council in relation to the project may be that segments of the community may not wish to see any changes occur to the parking arrangements or traffic flows in Goldie street.

The community though will be given an option to provide comment on the proposal and Council will consider the submissions made in regard to the project before finalising its position in relation to the matter.

8. **Conclusion**

Car parking in commercial/business areas is essential for the community to access services and supports economic development. This project is a highly effective way to improve car parking and traffic flow in Goldie Street Saunders to Austin Street at minimal cost to the community.

This report is presented for Council’s consideration.

**MOVED BY** CR RANSLEY  
**SECONDED BY** CR FENTON

*That Council:*

(a) support, in principle, the proposal to make Goldie Street between Saunders Street and Austin Street one-way with delineated parking as per the plans attached to this report.

(b) canvas the views of affected residents, businesses and the general community on the officers design for parking arrangements through formal public consultation.

(c) requires a subsequent report to be presented detailing the results of the public consultation prior to this matter being finalised.

**CARRIED**
258. INFORMATION REPORT – AUGUST 2004

MOVED BY CR MOORE
SECONDED BY CR FENTON

That the Information Report be received.

CARRIED

258.1.1 Financial Report for the period ended 30 August 2004

Enclosures: refer to Enclosure Document Page 98
- Financial Report

258.1.2 Gifts and Donations

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Minute Ref.</th>
<th>Committed</th>
<th>Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inglis Pony Club</td>
<td>134.5</td>
<td>750</td>
<td></td>
</tr>
<tr>
<td>Somerset Soccer Club</td>
<td>134.5</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Wynyard Bowls Club</td>
<td>134.5</td>
<td>750</td>
<td></td>
</tr>
<tr>
<td>Wynyard Cricket Club</td>
<td>134.5</td>
<td>800</td>
<td></td>
</tr>
<tr>
<td>Wynyard Mini League</td>
<td>134.5</td>
<td>1,000</td>
<td>629</td>
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<tr>
<td>Wynyard Softball Club</td>
<td>134.5</td>
<td>500</td>
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<tr>
<td>Wynyard Yacht Club</td>
<td>134.5</td>
<td>400</td>
<td>394</td>
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<tr>
<td>Yolla Football Club</td>
<td>134.5</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Guides Australia – Wynyard Unit</td>
<td>134.5</td>
<td>500</td>
<td>500</td>
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<tr>
<td>Hellyer College</td>
<td>134.5</td>
<td>250</td>
<td>250</td>
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<tr>
<td>Somerset Guides Support Group</td>
<td>134.5</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Somerset Puddleduck Playcentre</td>
<td>134.5</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Waratah Primary School</td>
<td>134.5</td>
<td>100</td>
<td>100</td>
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<tr>
<td>Wynyard Leo Club</td>
<td>134.5</td>
<td>360</td>
<td></td>
</tr>
<tr>
<td>Wynyard Online Access Centre</td>
<td>134.5</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>Yolla District High School</td>
<td>134.5</td>
<td>300</td>
<td>300</td>
</tr>
<tr>
<td>Lions Club of Wynyard – Christmas Parade</td>
<td>134.5</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Somerset Pageant Committee</td>
<td>134.5</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Women of the World</td>
<td>134.5</td>
<td>120</td>
<td></td>
</tr>
<tr>
<td>Wynyard Garden Club</td>
<td>134.5</td>
<td>700</td>
<td></td>
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<td>Wynyard Municipal Band</td>
<td>134.5</td>
<td>2,750</td>
<td>2,750</td>
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<tr>
<td>Cam-Somerset Neighbourhood Watch</td>
<td>134.5</td>
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<td>100</td>
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<tr>
<td>Central Wynyard Neighbourhood Watch</td>
<td>134.5</td>
<td>100</td>
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<tr>
<td>Somerset Safety House Committee</td>
<td>134.5</td>
<td>300</td>
<td>300</td>
</tr>
<tr>
<td>Elliot District Association</td>
<td>134.5</td>
<td>200</td>
<td>200</td>
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</table>
### Organisation

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Minute Ref.</th>
<th>Committed</th>
<th>Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preolenna Mothers Group of TCA</td>
<td>134.5</td>
<td>450</td>
<td></td>
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<tr>
<td>Yolla Memorial Hall Committee</td>
<td>134.5</td>
<td>1,600</td>
<td>1,175</td>
</tr>
<tr>
<td>Australian Breastfeeding Association – Wynyard</td>
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<td>176</td>
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<tr>
<td>Wynyard Carers Support Group</td>
<td>134.5</td>
<td>300</td>
<td>135</td>
</tr>
<tr>
<td>Coast FM Inc</td>
<td>134.5</td>
<td>750</td>
<td>750</td>
</tr>
<tr>
<td>Waratah Heritage and Progress Association</td>
<td>134.5</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Wynyard Visitor Information Centre</td>
<td>134.5</td>
<td>3,500</td>
<td>166</td>
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<tr>
<td>Equity Into Work</td>
<td>134.5</td>
<td>2,000</td>
<td></td>
</tr>
<tr>
<td>Myrtle Park Homes Inc</td>
<td>134.5</td>
<td>850</td>
<td>850</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>24,606</strong></td>
<td><strong>9,375</strong></td>
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#### Summary of Gifts to date

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<thead>
<tr>
<th>Budget Allocation</th>
<th>$30,000</th>
</tr>
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<tbody>
<tr>
<td>Approved Expenditure</td>
<td>24,606</td>
</tr>
<tr>
<td><strong>Balance Available</strong></td>
<td>$ 5,394</td>
</tr>
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</table>

### 258.1.3 Youth Assistance

<table>
<thead>
<tr>
<th>Group/Organisation</th>
<th>Details</th>
<th>Committed $</th>
<th>Paid $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fusion North West</td>
<td>Provision of Youth Services</td>
<td>30,000</td>
<td>8,250</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>$30,000</strong></td>
<td><strong>$8,250</strong></td>
</tr>
</tbody>
</table>

### 258.1.4 Community Services

**A. Grant Funding Status**

1. **Project**
   - Skilled Junior Sports Development Project

   **Progress**
   The third ‘Care and Share’ session was held at Wynyard High School Gymnasium on 18 August for Table Cape Primary School 5/6 students and their families. Wynyard High School House Captains were presented with certificates of appreciation on the last day of term 2.

   Following the success of Try Skill activities in June, Try Skill 2 preparations commenced for the September school holidays.
2. **Project**  
Wynyard Child Care Centre – Minor Capital Upgrading Program - redevelopment of play space and nappy change area.

**Progress**  
Receipt of preliminary design plan from Visual Design Studio is still being awaited.

3. **Project**  
Table Cape Lighthouse – Opening to the Public

**Progress**  
Application has been under round 9 of the Tasmanian Community Fund.

### B. **Children’s Services**

1. **Wynyard Child Care Centre**

<table>
<thead>
<tr>
<th>Week</th>
<th>Session</th>
<th>No. of Children</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Week 31</td>
<td>Day</td>
<td>252</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Weekly</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Morning</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Afternoon</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Before School</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Little Goldie Street Annex</td>
<td>*77</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Total Week 31</strong></td>
<td><strong>268</strong></td>
<td></td>
</tr>
<tr>
<td>Week 32</td>
<td>Day</td>
<td>237</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Weekly</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Morning</td>
<td>12</td>
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<tr>
<td></td>
<td>Afternoon</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Before School</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>After School</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Little Goldie Street Annex</td>
<td>*75</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Total Week 32</strong></td>
<td><strong>250</strong></td>
<td></td>
</tr>
<tr>
<td>Week 33</td>
<td>Day</td>
<td>249</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Weekly</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Morning</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Afternoon</td>
<td>4</td>
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<tr>
<td></td>
<td>Before School</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td></td>
<td>After School</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Little Goldie St Annex</td>
<td>*83</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Total Week 33</strong></td>
<td><strong>271</strong></td>
<td></td>
</tr>
<tr>
<td>Week 34</td>
<td>Day</td>
<td>243</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Weekly</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Morning</td>
<td>9</td>
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<tr>
<td></td>
<td>Afternoon</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Before School</td>
<td>10</td>
<td><strong>268</strong></td>
</tr>
<tr>
<td></td>
<td>Little Goldie St Annex</td>
<td>*82</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Total Week 34</strong></td>
<td><strong>276</strong></td>
<td></td>
</tr>
</tbody>
</table>

* included in the Day session numbers.
The average number of session bookings per week for August, 2004 totalled 328 compared to 254.2 in the previous month and 185 in August, 2003.

2. Wynyard Outside School Hours Care & Vacation Care

**Wynyard OSHC – August, 2004**

<table>
<thead>
<tr>
<th>Week</th>
<th>No. of Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Week 31</td>
<td>87</td>
</tr>
<tr>
<td>Including 12 Pupil Free</td>
<td>87</td>
</tr>
<tr>
<td>Week 32</td>
<td>92</td>
</tr>
<tr>
<td>Week 33</td>
<td>92</td>
</tr>
<tr>
<td>Week 34</td>
<td>82</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>353</strong></td>
</tr>
<tr>
<td><strong>Average per week</strong></td>
<td><strong>89</strong></td>
</tr>
</tbody>
</table>

3. Somerset Outside School Hours Care

**Somerset OSHC – August, 2004**

<table>
<thead>
<tr>
<th>Week</th>
<th>No. of Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Week 31</td>
<td>28</td>
</tr>
<tr>
<td>Including 7 pupil free</td>
<td>28</td>
</tr>
<tr>
<td>Week 32</td>
<td>21</td>
</tr>
<tr>
<td>Week 33</td>
<td>26</td>
</tr>
<tr>
<td>Week 34</td>
<td>21</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>96</strong></td>
</tr>
<tr>
<td><strong>Average per week</strong></td>
<td><strong>24</strong></td>
</tr>
</tbody>
</table>

Licensing of Outside School Hours Care Services

All Outside School Hours Care (OSHC) services will be licensed in accordance with the Child Care Act 2001 and the Tasmanian Licensing Standards for Centre Based Child Care Class 2 (5-12 years) between 1 September, 2004 and 28 February, 2005.

Advice has been received from the Department of Education, that the Minister the Hon. Paula Wreidt, has decided that in 2004-2005, services will initially be required to address five ‘core’ licensing standards, namely:–

Fit and Proper, Ratio of carers: children, play space (indoor and outdoor), Safe Environment and Emergencies. These core standards emphasise the safety and welfare of the children, including the most significant safety aspects of the OSHC environment.

Staff attended a training session in August conducted by the Child Care Unit of the Department of Education to assist in the introduction of licensing to Outside School Hours Care. There are thirteen remaining standards to be finalised and introduced in the latter part of 2005.
Staff in the Child Care Unit have offered assistance to services to process their initial Centre Base Care Class 2 licence. Application forms have been received for licensing of Somerset Outside School Hours Care in September and the licensing process for Wynyard Outside School Hours Care is scheduled at a later date.

Waratah Child Care Centre

<table>
<thead>
<tr>
<th>Week</th>
<th>No. of Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Week 31</td>
<td>8</td>
</tr>
<tr>
<td>Week 32</td>
<td>8</td>
</tr>
<tr>
<td>Week 33</td>
<td>9</td>
</tr>
<tr>
<td>Week 34</td>
<td>8</td>
</tr>
<tr>
<td>Total</td>
<td>33</td>
</tr>
<tr>
<td>Average per week</td>
<td>9</td>
</tr>
</tbody>
</table>

D. COMMUNITY CONFERENCING

The Community Development Officer received 10 referrals in the period April – August, 2004. The referrals follow on from Community Conferencing under the Youth Justice Act and the young people are assisted to find appropriate community work to undertake.

258.1.5 Waste Management – Transfer Station

<table>
<thead>
<tr>
<th>Month</th>
<th>Waste Station Fees Collected</th>
<th>Waratah No. of Bins</th>
</tr>
</thead>
<tbody>
<tr>
<td>July</td>
<td>4,414.64</td>
<td>4,917.54</td>
</tr>
<tr>
<td>August</td>
<td>4,447.77</td>
<td>5,045.46</td>
</tr>
<tr>
<td>September</td>
<td>4,758.41</td>
<td>6,221.81</td>
</tr>
<tr>
<td>October</td>
<td>5,309.00</td>
<td>7,771.81</td>
</tr>
<tr>
<td>November</td>
<td>5,266.91</td>
<td>6,809.10</td>
</tr>
<tr>
<td>December</td>
<td>7,863.51</td>
<td>12,277.35</td>
</tr>
<tr>
<td>January</td>
<td>6,752.00</td>
<td>8,447.51</td>
</tr>
<tr>
<td>February</td>
<td>6,142.00</td>
<td>8,489.14</td>
</tr>
<tr>
<td>March</td>
<td>7,103.32</td>
<td>8,092.62</td>
</tr>
<tr>
<td>April</td>
<td>6,138.00</td>
<td>6,682.98</td>
</tr>
<tr>
<td>May</td>
<td>5,911.00</td>
<td>6,522.48</td>
</tr>
<tr>
<td>June</td>
<td>4,508.00</td>
<td>$5,855.10</td>
</tr>
<tr>
<td>Total</td>
<td>$68,614.56</td>
<td>$87,132.90</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Month</th>
<th>Port Latta Waste Transfer Tonnage</th>
<th>Port Latta Household Garbage Tonnage</th>
</tr>
</thead>
<tbody>
<tr>
<td>July</td>
<td>158.60</td>
<td>157.97</td>
</tr>
<tr>
<td>August</td>
<td>158.20</td>
<td>214.00</td>
</tr>
<tr>
<td>September</td>
<td>161.30</td>
<td>204.40</td>
</tr>
<tr>
<td>Month</td>
<td>Port Latta Waste Transfer Tonnage</td>
<td>Port Latta Household Garbage Tonnage</td>
</tr>
<tr>
<td>-----------</td>
<td>-----------------------------------</td>
<td>--------------------------------------</td>
</tr>
<tr>
<td>October</td>
<td>199.34</td>
<td>258.10</td>
</tr>
<tr>
<td>November</td>
<td>190.54</td>
<td>252.30</td>
</tr>
<tr>
<td>December</td>
<td>219.54</td>
<td>320.84</td>
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<tr>
<td>January</td>
<td>227.76</td>
<td>279.06</td>
</tr>
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<td>February</td>
<td>193.98</td>
<td>217.32</td>
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<tr>
<td>March</td>
<td>203.02</td>
<td>223.94</td>
</tr>
<tr>
<td>April</td>
<td>198.42</td>
<td>199.10</td>
</tr>
<tr>
<td>May</td>
<td>185.86</td>
<td>174.58</td>
</tr>
<tr>
<td>June</td>
<td>176.68</td>
<td>185.17</td>
</tr>
<tr>
<td>Total</td>
<td>2,273.24</td>
<td>2,686.78</td>
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258.1.6 337 Certificates (Certificate of Councils’ Power)

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>July</td>
<td>42</td>
<td>75</td>
<td>47</td>
</tr>
<tr>
<td>August</td>
<td>55</td>
<td>72</td>
<td>30</td>
</tr>
<tr>
<td>September</td>
<td>45</td>
<td>79</td>
<td></td>
</tr>
<tr>
<td>October</td>
<td>43</td>
<td>79</td>
<td></td>
</tr>
<tr>
<td>November</td>
<td>68</td>
<td>44</td>
<td></td>
</tr>
<tr>
<td>December</td>
<td>56</td>
<td>51</td>
<td></td>
</tr>
<tr>
<td>January</td>
<td>51</td>
<td>48</td>
<td></td>
</tr>
<tr>
<td>February</td>
<td>86</td>
<td>60</td>
<td></td>
</tr>
<tr>
<td>March</td>
<td>93</td>
<td>66</td>
<td></td>
</tr>
<tr>
<td>April</td>
<td>65</td>
<td>40</td>
<td></td>
</tr>
<tr>
<td>May</td>
<td>72</td>
<td>35</td>
<td></td>
</tr>
<tr>
<td>June</td>
<td>68</td>
<td>30</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>744</td>
<td>679</td>
<td>77</td>
</tr>
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</table>

258.1.7 Cemeteries – number of interments

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Wynyard Lawn</td>
<td>62</td>
<td>45</td>
<td>11</td>
</tr>
<tr>
<td>Wynyard Old</td>
<td>0</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Flowerdale</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Somerset</td>
<td>0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yolla</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Memorial Wall</td>
<td>4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Waratah</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>69</td>
<td>46</td>
<td>14</td>
</tr>
</tbody>
</table>
258.1.8 Animal Control

Operational Aims 2004/2005
- Register all dogs in the municipal area.
- Maintain street, roads and other public places free of straying animals.
- Implement legislative control and enforcement where required

<table>
<thead>
<tr>
<th></th>
<th>August 2004</th>
<th>Dogs – Year to Date 2004/2005</th>
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</thead>
<tbody>
<tr>
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<td>Dogs Registered</td>
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<td>Dogs Impounded</td>
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<td>Livestock Impounded</td>
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<td>Infringement Notices</td>
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258.1.9 Environmental Health

Operational Aims 2004/2005

Immunisations
The Public Health Act 1997 requires that Councils offer immunisations against a number of diseases. The following table will provide Council with details of the rate of immunisations provided through Council clinics.

A monthly clinic is held at Wyndham, excepting December, with bi-monthly clinics at Waratah.

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<th></th>
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258.1.10 Other Environmental Health Services

Operational Aims 2004/2005

- Determine acceptable and achievable levels of environmental and public health by ongoing monitoring, inspection, education and, where necessary by applying corrective measures by mutual consent or application of legislation.
- Ensure safe standards of food offered for sale are maintained.

<table>
<thead>
<tr>
<th>2004/2005</th>
<th>Notifiable Diseases</th>
<th>Corrective Action Recommended</th>
<th>Abatement Notices Issued</th>
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258.1.11 Water Sampling Program


Yolla Retic Water System ADWG Compliance Report YTD 30/8/2004
258.1.12 Health Approvals

- Determine acceptable and achievable levels of environmental and public health by ongoing monitoring, inspection, education and, where necessary by applying corrective measures by mutual consent or application of legislation.
- Ensure safe standards of food offered for sale are maintained.

Registration Types – YTD Totals 2004/2005

<table>
<thead>
<tr>
<th>Month</th>
<th>Food Premises (FP)</th>
<th>Temporary Food Premises (TFP)</th>
<th>Places of Assembly (PA)</th>
<th>Public Health Risk Activities (PHRA)</th>
<th>Private Water Suppliers (PWS)</th>
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## 258.1.13 Building Approvals

Operational Aims 2004/2005
- Process Building Applications as expeditiously as possible
- Apply building legislative requirements

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<tr>
<th>Permit Number</th>
<th>Development</th>
<th>Value $</th>
<th>Application Fees $</th>
<th>Class</th>
<th>Approving Officer</th>
<th>Permit Date</th>
<th>Approve Process Working Days</th>
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<tbody>
<tr>
<td>753-01</td>
<td>New Building Dwelling</td>
<td>90,000</td>
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<td>1a</td>
<td>P. Kennedy</td>
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<td>699-01</td>
<td>New Building Public Toilets</td>
<td>87,000</td>
<td>520</td>
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<td>P. Kennedy</td>
<td>10/08/04</td>
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<tr>
<td>771-01</td>
<td>Demolition Toilet Block</td>
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<td>P. Kennedy</td>
<td>10/08/04</td>
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<td>773-01</td>
<td>Demolition of Building + New Toilet Facility</td>
<td>87,000</td>
<td>520</td>
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<td>P. Kennedy</td>
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<tr>
<td>847-01</td>
<td>New Building Shed</td>
<td>10,500</td>
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<td>P. Kennedy</td>
<td>10/08/04</td>
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<td>841-01</td>
<td>Additions Garage</td>
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<td>Demolition &amp; New Garage</td>
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<td>666-01</td>
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<td>400</td>
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<td>26/08/04</td>
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<td>478-01</td>
<td>New Dwelling</td>
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<td>1a &amp; 10a</td>
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### Building Approvals 2004/2005 – YTD Totals 170

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<th>Class 7</th>
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<th>Class 9a</th>
<th>Class 9b</th>
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<th>Class 10b</th>
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*Waratah-Wynyard Council – Minutes – 20 September 2004 – Page 93*
Council Reports


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258.1.14 Development Applications - Planning

Development Applications currently being processed:

Planning Approvals 2003 & 2004
Development Applications currently being processed:

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<th>No.</th>
<th>Location</th>
<th>Development</th>
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<tr>
<td>92/2004</td>
<td>864 Calder Road, Calder</td>
<td>Timber Harvesting</td>
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<tr>
<td>140/2004</td>
<td>248 Port Road, Boat Harbour</td>
<td>Deck Extension</td>
</tr>
<tr>
<td>176/2004</td>
<td>9 East Boulevard, Sisters Beach</td>
<td>Demolition &amp; New Dwelling</td>
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<td>177/2004</td>
<td>37-39 Dodgin &amp; Saunders Streets, Wynyard</td>
<td>Visitor Information Exhibition Centre</td>
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<tr>
<td>184/2004</td>
<td>301 Pages Road, Moorleah</td>
<td>Garage &amp; Workshop</td>
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<td>191/2004</td>
<td>Haywoods Lane, Somerset</td>
<td>Dwelling Extension</td>
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<td>194/2004</td>
<td>105 Oldina Road, Wynyard</td>
<td>Double Garage</td>
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<td>195/2004</td>
<td>Calder Road, Calder</td>
<td>Mining Lease</td>
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<td>197/2004</td>
<td>45 Pokes Road, Boat Harbour</td>
<td>Dwelling</td>
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<td>198/2004</td>
<td>25 Ballad Avenue, Wynyard</td>
<td>Dwelling</td>
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<td>101A Old Bass Highway, Wynyard</td>
<td>Roof Realignment &amp; Shed</td>
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<td>Haywoods Lane, Somerset</td>
<td>Garage as Temporary Dwelling</td>
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<td>Fairlands Drive, Somerset</td>
<td>Office &amp; Shed Display Centre</td>
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<td>69 Goldie Street, Wynyard</td>
<td>New Masted Aerial</td>
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<td>10 Lowe Street, Wynyard</td>
<td>Carport</td>
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<td>SD1701</td>
<td>Inglis Street, Wynyard</td>
<td>Subdivision – 74 Lots</td>
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<td>3 Airport Street, Wynyard</td>
<td>Rezoning &amp; Subdivision 64 Lots</td>
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<td>40 Bourkes Road, Wynyard</td>
<td>Rezoning &amp; Subdivision 4 Lots</td>
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<td>10 Bills Road, Henrietta</td>
<td>Resource Development</td>
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<td>Corinna Road, Waratah</td>
<td>Subdivision + Consolidation</td>
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<td>SD1714</td>
<td>242 Calder Road, Wynyard</td>
<td>Subdivision by Boundary Adjustment</td>
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258.1.15 Weed Management

Sisters Beach Environmental Weeds

Recently some residents and members of the Sisters Beach Progress Association have shown interest in removing environmental weeds from their area. Discussions have been held between these residents and Cradle Coast NRM Officers, DPIWE Regional Weed Officer, Parks and Wildlife, and Council’s Environmental Services Officer, as to how a project could be developed.

Target weeds would be those that are declared under the Weed Management Act 1999, such as gorse, broom and pampas grass that are only found in small numbers at Sisters Beach. Other weeds will include Sweet Pittosporum, Mirror Bush, and Blue Butterfly Bush that are not declared, but invade areas rapidly and compete well with native vegetation.

At this stage the plan for the project is -

- A mail out to all residents and owners of property at Sisters Beach explaining the project, why it is necessary, and what will be happening in the area.
Interested residents will use maps to record the locations of priority weeds and their extent. This is important to use when determining control methods needed.

A polling booth will be at the Sisters Beach Fire Station on October 9th and residents will have a stand with brochures, plant specimens and other information for people to view, and be available to speak to people.

An application has been made to Conservation Trust Australia for a team of Conservation Trust Volunteers to work for one week in the Sisters Beach area, hopefully in November. Volunteers would be removing environmental weeds from the area and some local residents have volunteered to work alongside. Officers from the various stakeholder groups have also volunteered to spend time with the CVA team.

If this team is not available the project will still aim at educating people on why it is important that these environmental weeds are removed from the area, and offering advice and information to people who wish to remove these plants.

Other ideas that have been suggested include the chance to buy native replacement plants at a discounted price, a workshop on gardening/weed management and identification, and displays in the local shop.

### 258.1.16 Works – Hydraulic Services

<table>
<thead>
<tr>
<th>AUGUST 2004</th>
<th>Works Undertaken</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Water</strong></td>
<td>2 private works</td>
<td></td>
</tr>
<tr>
<td></td>
<td>completed 1 at</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Somerset and 1 at</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wynyard</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2 minor leaks</td>
<td>Work days</td>
</tr>
<tr>
<td><strong>Sewerage</strong></td>
<td>2 blockages</td>
<td>Call outs</td>
</tr>
<tr>
<td></td>
<td>3 blockages</td>
<td>Work days</td>
</tr>
<tr>
<td></td>
<td>Sisters beach catchment A in progress. Approximately 883 metres of reticulation and 144 metres of rising main laid.</td>
<td></td>
</tr>
<tr>
<td><strong>Drainage</strong></td>
<td>3 blockages</td>
<td>Work days</td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td>On going maintenance on water and sewer</td>
<td></td>
</tr>
</tbody>
</table>
## 258.1.17 Works - Roads and Streets

<table>
<thead>
<tr>
<th>Road</th>
<th>Works Undertaken</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Capital Works</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coal Mine Road 2.3 km and Deep Creek Road 2.5 km.</td>
<td>Surfacing no sealing Scalps</td>
<td>Complete</td>
</tr>
<tr>
<td><strong>Bridge maintenance</strong></td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td><strong>Maintenance - General</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coopers Lane, Buggs Lane, Sheppards Lane, Little Village Lane, Haywoods Lane, Hoares Lane, Franks Lane, Gladwells Lane, Deatons Lane, Andersons Road, Atkins Road, Taylors Road, Nunns Road, Dudfields Road, Brackendale Road, South Elliott Road, Walkers Road, Mt Myrtle Road, Petersons Road, Coates Road, Newlands Road, Nicholson Road, Back Cam Road, Reid Road, Lancaster Road, Dallas Road, and Frenchs Road</td>
<td>Maintenance Grading</td>
<td>Routine maintenance</td>
</tr>
<tr>
<td>Table Cape Road, Pages Road, Deep Creek Road, Seabrook Road, Calder Road, Ballast Pit Road and Village Lane</td>
<td>Shoulder Grading</td>
<td>Routine Maintenance</td>
</tr>
<tr>
<td>Reservoir Drive, Myalla Road, Gates Road, Robin Hill Road and Table Cape Road</td>
<td>Stripping for Reseals</td>
<td>Complete</td>
</tr>
<tr>
<td>Somerset and Wynyard</td>
<td>Street sweeping as per programme</td>
<td>Routine maintenance</td>
</tr>
<tr>
<td>Urban and Rural</td>
<td>Sign maintenance</td>
<td>Routine</td>
</tr>
</tbody>
</table>

## 258.1.18 Works – Parks and Reserves

<table>
<thead>
<tr>
<th>Road</th>
<th>Works Undertaken</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Capital Works</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inglis River Walkway</td>
<td>Ongoing construction of boardwalk from highway bridge to link up with walkway. Fencing of reserve.</td>
<td>Highway footbridge to be installed mid September.</td>
</tr>
<tr>
<td>Wynyard foreshore old treatment plant</td>
<td>Picnic table installed</td>
<td></td>
</tr>
<tr>
<td>Cape Bridge Reserve</td>
<td>Picnic table installed</td>
<td></td>
</tr>
</tbody>
</table>
### AUGUST 2004

<table>
<thead>
<tr>
<th>Capital Works</th>
<th>Works Undertaken</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lookout to Lighthouse walkway</td>
<td>Sprayed for weeds – stolen cable replaced.</td>
<td>The new cable is constructed of plastic coated wire.</td>
</tr>
<tr>
<td>Somerset Recreation Ground extension.</td>
<td>Surveyed for final re-levelling.</td>
<td></td>
</tr>
<tr>
<td>Boat Harbour Surf Club</td>
<td></td>
<td>Fencing installed, works complete.</td>
</tr>
<tr>
<td>Cam River Reserve</td>
<td>Bollards installed.</td>
<td></td>
</tr>
<tr>
<td>Playground Equipment</td>
<td>Investigated options with supplier</td>
<td>Project proposal to be provided early September.</td>
</tr>
<tr>
<td><strong>Oval Maintenance</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Langley Park</td>
<td>Pitch stripped for cricket.</td>
<td></td>
</tr>
<tr>
<td>Wynnyard Recreation Ground</td>
<td>Mowing and maintenance as required.</td>
<td>Line marking for football.</td>
</tr>
<tr>
<td>Yolla Recreation Ground</td>
<td>Mowing as required. Surface drain repaired.</td>
<td>Drainage line returfed.</td>
</tr>
<tr>
<td>Wynyard Showground</td>
<td>Normal maintenance carried out.</td>
<td></td>
</tr>
<tr>
<td>Fredrick Street Reserve</td>
<td>Mowing as required.</td>
<td>Soccer goals stabilised.</td>
</tr>
<tr>
<td>Somerset Rec Ground</td>
<td>Mowing as required.</td>
<td></td>
</tr>
<tr>
<td><strong>Cemeteries</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Others</td>
<td>General maintenance and plaques installed.</td>
<td>Brush cutting work completed on all cemeteries.</td>
</tr>
<tr>
<td><strong>Waste Transfer Station</strong></td>
<td>Green waste chipped and pruning for site distance.</td>
<td></td>
</tr>
<tr>
<td>Fossil Bluff</td>
<td>Beach access boardwalks completed.</td>
<td>Weeds sprayed</td>
</tr>
<tr>
<td><strong>Parks/General Reserves</strong></td>
<td>Wynyard walkways</td>
<td>Various safety risks addressed.</td>
</tr>
<tr>
<td><strong>Road / Verge Mowing</strong></td>
<td>Road / verge spraying complete.</td>
<td></td>
</tr>
</tbody>
</table>

### 258.1.19 Personnel

(a) Appointments
Nil.

(b) Resignations
Nil.
### Council Action List – Open Meeting Matters

<table>
<thead>
<tr>
<th>Minute No. &amp; Date</th>
<th>Details</th>
<th>Action Required</th>
<th>Officer</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>797.1, 21/07/03</td>
<td>SD 1665 – Waratah-Wynyard Council – Jackson Street</td>
<td>Negotiations with adjoining landowners</td>
<td>GM</td>
<td>To be pursued in conjunction with CBD Upgrade Project.</td>
</tr>
<tr>
<td>821.3, 18/08/03</td>
<td>Solid Waste Management Policy</td>
<td>Policy Development</td>
<td>DES</td>
<td>Report on future strategy to be prepared. Policy development will follow.</td>
</tr>
<tr>
<td>888.1, 20/10/03</td>
<td>Sisters Beach Sewerage Scheme</td>
<td>Design and construct.</td>
<td>DES</td>
<td>Works are currently underway.</td>
</tr>
<tr>
<td>922.2, 17/11/03</td>
<td>Information Bay – Murchison Highway - Somerset</td>
<td>Issue of outdated information referred to Tourism Advisory Group</td>
<td>Tourism Advisory Group</td>
<td>Updates will be carried out in conjunction with Cradle Coast Tourism.</td>
</tr>
<tr>
<td>927.4, 17/11/03</td>
<td>Table Cape Lighthouse</td>
<td>Progress the lease of the Lighthouse from the State Government.</td>
<td>DCS</td>
<td>Parks and Wildlife Service investigating heritage aspects before discussing lease arrangements.</td>
</tr>
<tr>
<td>64.4/15.03.04</td>
<td>Infrastructure Head Works</td>
<td>Further investigation and update report</td>
<td>DCS</td>
<td>Further report to come following the Artas Tribunal hearing.</td>
</tr>
<tr>
<td>65.1/15.03.04</td>
<td>Boat Harbour Landslip</td>
<td>Organise consultants report on slip</td>
<td>DES</td>
<td>Draft report available soon.</td>
</tr>
<tr>
<td>134.3, 17/05/04</td>
<td>Boat Harbour Beach Development Plans</td>
<td>Develop Plan in conjunction with preparation of an Asset Management Plan.</td>
<td>DES</td>
<td>Plan to be developed.</td>
</tr>
<tr>
<td>159.3, 21/06/04</td>
<td>Wynyard CBD Upgrade Project</td>
<td>Appoint architects to undertake the Concept Design.</td>
<td>DES</td>
<td>The Project Team have commenced work. Architects prepare Concept Design in consultation with Project Team.</td>
</tr>
<tr>
<td>159.4, 21/06/04</td>
<td>Sisters Beach – Disposal of Council Owned Land</td>
<td>Investigate disposal of land.</td>
<td>SMT</td>
<td>Currently under investigation by SMT.</td>
</tr>
<tr>
<td>159.5, 21/06/04</td>
<td>Laneway Purchase – 40 Goldie Street, Wynyard</td>
<td>Arrange purchase of laneway.</td>
<td>GM</td>
<td>Purchase progressing.</td>
</tr>
<tr>
<td>176, 21/06/04</td>
<td>Wynyard and Somerset Toilet Blocks</td>
<td>Council to arrange for projects to be carried out.</td>
<td>DES</td>
<td>Contractors engaged for structural works.</td>
</tr>
<tr>
<td>TBA, 06/09/04</td>
<td>Wynyard Visitor Information and Exhibition Centre</td>
<td>Development Application approved by Council.</td>
<td>GM</td>
<td>Report on current agenda.</td>
</tr>
</tbody>
</table>
### 258.1.21 Acting Mayor’s Diary and Communication

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>01.08.04</td>
<td>Opening of Circular Head Recreation Centre</td>
</tr>
<tr>
<td>04.08.04</td>
<td>Meeting to discuss Partnership Agreement Issues</td>
</tr>
<tr>
<td>05.08.04</td>
<td>Yolla District High School – Rock Eisteddfod at Burnie</td>
</tr>
<tr>
<td>05.08.04</td>
<td>Tourism Promotion Group Meeting</td>
</tr>
<tr>
<td>05.08.04</td>
<td>Frenchs Road Nature Reserve Meeting</td>
</tr>
<tr>
<td>06.08.04</td>
<td>Tourism Advisory Group Meeting</td>
</tr>
<tr>
<td>06.08.04</td>
<td>Peak Group Meeting – Partnership Agreement</td>
</tr>
<tr>
<td>07.08.04</td>
<td>Bride of the Year Function</td>
</tr>
<tr>
<td>09.08.04</td>
<td>Wynyard Probus Club – Annual Dinner</td>
</tr>
<tr>
<td>10.08.04</td>
<td>CBD Upgrade – public forum</td>
</tr>
<tr>
<td>12.08.04</td>
<td>Wynyard High School – Grade 9 – Student Presentation</td>
</tr>
<tr>
<td>12.08.04</td>
<td>Launch – Farm Forestry Paper – Bryan Green MHA</td>
</tr>
<tr>
<td>20.08.04</td>
<td>2 Citizenship Ceremonies</td>
</tr>
<tr>
<td>23.08.04</td>
<td>Myalla Football Club – Annual Dinner</td>
</tr>
<tr>
<td>23.08.04</td>
<td>Burnie Airport Corporation – Launch of new aircraft</td>
</tr>
<tr>
<td>25.08.04</td>
<td>CBD Upgrade meeting</td>
</tr>
<tr>
<td>26.08.04</td>
<td>Frenchs Road Nature Reserve – Annual General Meeting</td>
</tr>
<tr>
<td>27.08.04</td>
<td>State Funeral Service – Sir Angus Bethune – Hobart</td>
</tr>
<tr>
<td>30.08.04</td>
<td>State Emergency Service – Quarterly meeting</td>
</tr>
<tr>
<td></td>
<td>Waratah Heritage – Annual General Meeting</td>
</tr>
</tbody>
</table>

### 258.1.22 Use of Corporate Seal

<table>
<thead>
<tr>
<th>Date</th>
<th>Document Sealed</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>06.08.04</td>
<td>Plan of Survey and Schedule of Easements</td>
<td>Subdivision - Naomi Whiteroad – 63 Pelissier Street, Somerset</td>
</tr>
<tr>
<td>12.08.04</td>
<td>Plan of Survey and Schedule of Easements</td>
<td>Subdivision – RJ &amp; LK Donaghue – Pokes Road, Boat Harbour.</td>
</tr>
<tr>
<td>16.08.04</td>
<td>Loan Debenture Review</td>
<td>Tasmanian Public Finance Corporation</td>
</tr>
<tr>
<td>16.08.04</td>
<td>Loan Debenture Schedule</td>
<td>Westpac Banking Corporation - Loan No. 248 - $160,050</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Loan No. 250 - $210,051</td>
</tr>
<tr>
<td>16.08.04</td>
<td>Final Plan &amp; Schedule of Easements</td>
<td>Burnie Airport, Len McKenzie &amp; JR Dobson – Lewis Street / 164A</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Goldie Street, Wynyard</td>
</tr>
<tr>
<td>17.08.04</td>
<td>Final Plan &amp; Schedule of Easements</td>
<td>GW &amp; DD Bowen – Henry Street, Somerset</td>
</tr>
</tbody>
</table>
259. CORRESPONDENCE

MOVED BY CR FENTON
SECONDED BY CR FRENCH

That the correspondence be noted.

CARRIED

259.1 APPLICATION TO PURCHASE CROWN LAND – MOORLEAH (201.011)

Correspondence has been received from the Department of Primary Industries, Water and Environment, Crown Lands Services section in regard to an application to purchase a portion of crown land adjacent to 3 Lapoinya Road, Moorleah which is owned by AB Harriss.

The request is to purchase a strip of road reservation some 3.0 m wide and length sufficient to encompass the frontage of the existing dwelling.

The reason for the request is that a portion of the abutting house in constructed over the road reservation and the owner wishes to have a buffer between the road and the dwelling.

OFFICERS’ COMMENTS

The main concern in regard to this request would be whether there would be sufficient width remaining in the road reservation following any excision of land to accommodate any possible future road widening works or sight line improvement works.

Officers inspected the site and determined that approximately 7.6m clear width between the edge of seal and the proposed new boundary would be provided.

This width is considered to be adequate to provide for future road widening works.

MOVED BY CR DIBLEY
SECONDED BY CR RANSLEY

That the Department of Primary Industries, Water and Environment, Crown Land Services section, be advised that Council has no objection to the sale of portion of the road reservation abutting 3 Lapoinya Road, Moorleah.
A DIVISION WAS REQUESTED

IN FAVOUR AGAINST
CR DIBLEY CR BRAMICH
CR FAIRBROTHER CR FENTON
CR FRENCH CR FRIEDERSDORFF
CR HYLAND CR MOORE
MAYOR CHALK CR RANSLEY

THE MOTION WAS DECLARED LOST

MOVED BY CR BRAMICH
SECONDED BY CR RANSLEY

That Council conduct on on-site inspection of the proposed disposal of crown land at Moorleah.

CARRIED

Enclosures:- refer to Enclosure Document Page 125
- Letter DPIWE 3 August 2004

259.2 WARATAH-WYNYARD TOURISM ADVISORY GROUP - IMPROVEMENTS WESTERN ENTRANCE TO WYNYARD (007.08)

Correspondence has been received from the Waratah-Wynyard Tourism Advisory Group in relation to concerns regarding the condition of the western entrance to Wynyard, at the intersection of the Bass Highway and Inglis Street.

The group considers that improvements to the intersection design and attractiveness would encourage visitors to enter Wynyard and spend more time in the municipal area.

In this regard the group resolved “ That the group request that Council give consideration to approaching the Department of Infrastructure, Energy and Resource about carrying out beautification works on the western entrance to the Wynyard township”.

OFFICERS’ COMMENTS

Council has recently agreed to participate in the development of a partnership agreement with the State Government and one of the items for discussion will be improvements to the Bass Highway – Somerset to Sisters Creek.
Issues on the agenda for discussion in this regard are the improvement of the Bass Highway through Somerset and the Departments plans in regard to the long term planning for the entrances into Wynyard.

It is suggested that this process would also address concerns regarding safety, aesthetics and performance of the existing intersections leading into Wynyard.

The Waratah-Wynyard Tourism Advisory Group may assist this process by providing more specific particulars as to suggestions for improving the attractiveness of the entrances into Wynyard.

MOVED BY CR HYLAND
SECONDED BY CR RANSLEY

That the Waratah-Wynyard Tourism Advisory group be advised that their concerns regarding the attractiveness of the western entrance to Wynyard will be raised with the Department of Infrastructure, Energy and Resource as part of the development of a partnership agreement between the State Government and Council.

CARRIED

Enclosures:- refer to Enclosure Document Page 129

259.3 MINISTER ASSISTING THE PREMIER ON LOCAL GOVERNMENT – REPORT OF THE BOARD OF INQUIRY INTO THE ALLOWANCES OF LOCAL GOVERNMENT ELECTED MEMBERS (016.03)

The Minister advises that on 26 April 2004 he established an independent Board of Inquiry to inquire into and report on the appropriate amount to be payable as an annual allowance in respect of the offices of Mayor, Deputy Mayor, and Councillor of each Council or Group of Councils within Tasmania.

A copy of the Board of Inquiry’s report was provided to Council. It is intended that the new allowances will become effective as from 8 November 2004.

OFFICERS’ COMMENTS

The effect of the review on the allowances payable to Waratah-Wynyard Councillors will be as follows:
<table>
<thead>
<tr>
<th></th>
<th>Current $</th>
<th>Proposed $</th>
<th>Increase $</th>
<th>Increase %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor</td>
<td>17,700</td>
<td>27,000</td>
<td>9,300</td>
<td>52.54</td>
</tr>
<tr>
<td>Deputy Mayor</td>
<td>6,800</td>
<td>9,500</td>
<td>2,700</td>
<td>39.70</td>
</tr>
<tr>
<td>Councillor (x10)</td>
<td>5,800</td>
<td>8,000</td>
<td>2,200</td>
<td>37.93</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>82,500</strong></td>
<td><strong>116,500</strong></td>
<td><strong>34,000</strong></td>
<td><strong>41.21</strong></td>
</tr>
</tbody>
</table>

Councils are invited to make submissions on the report prior to 4 October 2004. The Minister advised that the new allowances would become effective as from 8 November 2004. The increased allowance will result in an additional $23,100 for the 2004/05 financial year.

The report advises that the new allowances contain a one-off adjustment of 9% to compensate for the absence of superannuation.

It is also noted in the report that it is recommended that the allowances be indexed annually by reference to the CPI (Hobart – all groups) and is to take effect on 1 October each year.

MOVED BY CR MOORE
SECONDED BY CR RANSLEY

That the information be noted.

CARRIED

Enclosures:- refer to Enclosure Document Page 130
- Letter – Minister Assisting the Premier on Local Government – 26 August 2004

259.4 COMMUNITY TRANSPORT SERVICES TASMANIA INC.
– REQUEST FOR FINANCIAL ASSISTANCE (005.01)

Correspondence has been correspondence from Mr John Radford, Manager North West/West Coast Community Transport advising Council that a Christmas Dinner for Community Transport Services Tasmania Inc. volunteer drivers, carers and coordinators will be held on 23 November 2004 at 12 Noon.

As Community Transport Services Tasmania Inc are a non government organisation, a request has been made for Council to make a donation of $500.00 to assist with the cost of conducting the dinner.
MOVED BY CR RANSLEY
SECONDED BY CR MOORE

That Council advise the Community Transport Services Tasmania Inc. that it cannot accede to its request at this time.

LOST

MOVED BY CR FAIRBROTHER
SECONDED BY CR FRIEDERSDORFF

That Council support the Community Transport Services Tasmania Inc. for the conduct of a Christmas Dinner for volunteer drivers, carers and coordinators in the sum of $500 funded from the 2004/2005 Community Assistance Grant – Contingency Fund.

CARRIED

Enclosures:- refer to Enclosure Document Page 131
- Letter – Community Transport Services – 23 August 2004

259.5 SILVERS GRAND MAGIC CIRCUS - USE OF ANZAC PARK, SOMERSET (607.19)

Correspondence has been received from Silvers Circus requesting advice as to the whether Council would permit them to use Anzac Park Somerset for the staging of a circus. The Circus has indicated their preferred date to use the park is the 21st to 27th of February 2005. Their requirements are:

- an areas of around 5000 m2 – levelled and grassed,
- toilets,
- water,
- road frontage, and
- power

OFFICERS’ COMMENTS

In January of 2004 Ashton’s Circus used Anzac Park to conduct their Circus and by all accounts the impact on the reserve was not significant.

The Circus provided a source of entertainment to the community and would have resulted in additional income to the Somerset community.
Correspondence

Silvers Circus is a slightly larger operation but there is nothing to indicate that the impact on the reserve would be any different to the previous Circus.

At present Silvers Circus are still finalising their preferences as to locations to stage their Circus and require advice as to whether Anzac Park would be available and under what terms.

It is suggested to Council that approval be granted to Silvers Circus to use Anzac Park between 21 and 27 February 2005 providing the conditions outlined in the recommendation are agreed.

MOVED BY CR FENTON
SECONDED BY CR MOORE

That Council approve the use of Anzac Park, Somerset by Silvers Circus for the period 21 to 27 February 2005, subject to the following conditions:

1. Silvers Circus to be responsible for power usage on the site during their occupation.
2. The completion of a Casual Hire Agreement for the reserve and provision of evidence of Public Liability Insurance to the value of $10,000,000.
3. Rental of $1,000 to be paid to Council at least 7 days prior to occupation of the site.
4. A refundable bond of $1,000 to be lodged with Council to cover costs associated with repair of damage or clean up should it be required. The bond is to be lodged with Council at least 7 days prior to occupation of the site.
5. Silvers Circus to be responsible for the removal of all refuse arising from their operations and ensuring that the site is left in a clean and tidy manner.

CARRIED

Enclosures:- refer to Enclosure Document Page 132
- Letter – Silvers Circus – 30 July 2004

259.6 PROPERTY, SMITH STREET, WARATAH
- WARATAH DAY CARE CENTRE

Council has received a letter from Government Valuation Services that includes a valuation assessment of the property at Smith Street, Waratah, formerly the Waratah Day Care Centre. The valuation assessment is $2,000, based on the fact that only a small part of the structure is located on the subject lot and the only logical purchaser for the property is the owner of the adjacent land on which the major part of the structure sits.
The valuer considers that if the property was offered as a separate lot it would not have sufficient area to obtain approval for a septic tank.

OFFICERS COMMENT

Council had resolved under Minute No. 958.6 (15 December 2003) to obtain a valuation of the property and, subject to such valuation being consistent with its opinion of the site value, to sell the land to the adjoining owner for the sum of $2,000, for the purpose of it being adhered to the land on which the majority of the building exists.

The valuation confirms the extreme limitations on marketability of the site and that the proposed sale price was reasonable in the circumstances.

MOVED BY CR RANSLEY
SECONDED BY CR FENTON

That Council having considered the valuation assessment of the land contained in CT 199358 Folio 1 by the Government Valuation Service confirm its decision to sell the land to Joseph Neil Fagan for the sum of $2,000 with each party to bear their own legal costs.

CARRIED

Enclosures:- refer to Enclosure Document Page 133
- Letter Department Primary Industries Water and Environment – 3 September 2004

259.7 STATE BUDGET COMMUNITY CONSULTATION - LGAT (016.03)

LGAT has written to Council advising that it is customary for the Association to be invited to make a written submission to the Budget Committee of Cabinet as part of the annual Budget development process. The advice from LGAT is that they will require comments by 27 September 2004 to allow their submission to be provided to the State Government by 1 October 2004. any submission by Council is required to be supported by relevant information and arguments.
OFFICERS COMMENTS

No items have been identified that are of state wide significance for submission for consideration during the 2005-06 State Budget process.

For Noting.

Enclosures:- refer to Enclosure Document Page 140
- Letter – LGAT – 6 September 2004

259.8 BLOOMIN’ TULIPS! – STREET CLOSURE REQUESTS

The Secretary of Bloomin’ Tulips! Committee has written to Council requesting the closure of streets to allow the conduct of the 2004 Tulip Festival.

The closure requests are as follows:

1. Location: Little Goldie Street, Wynyard
   For: Food Fair, Craft Stalls, Exhibitions & Amusements
   Times: From 7.00am Saturday 9th to 4.30pm Sunday 10th October

2. Locations: Goldie Street from Dodgin Street to Jackson Street
   Jackson Street from Goldie Street to Little Goldie Street
   Hogg Street from Dodgin Street to Goldie Street
   Moore Street from Goldie Street to Dodgin Street
   For: Street Motorcade
   Times: From 9.45am to 11.00am Saturday 9th October

MOVED BY CR RANSLEY
SECONDED BY CR HYLAND

RECOMMENDATION

That Council agree to the road closures as requested by Bloomin’ Tulips! subject to the following conditions:

(a) Bloomin’ Tulips holds a current Public Liability Insurance Cover for a minimum of $10,000,000.00. Proof of this Insurance Policy is to be supplied to the Director Engineering Services for confirmation.
Correspondence

(b) Bloomin’ Tulips indemnify the Council and hold the Council harmless from and against all actions, costs, claims, charges, expenses and damages whatsoever which may be brought about, made or claimed against the Council arising out of, or in any way related to the closure of the streets.

c) Bloomin’ Tulips provide the Council with confirmation that Police approvals have been obtained for the street closures.

d) The cost of advertising for the street closures to be funded from the Council contribution to the Tulip Festival.

CARRIED

Enclosures:- refer to Enclosure Document Page 141
- Email Transmission – Bloomin’ Tulips! – 13 September 2004

259.9 ROTARY CLUB OF SOMERSET
- CONDUCT OF CENTENARY PROJECT

The Rotary Club of Somerset has written to Council advising that it is considering the conduct of a significant community project in the Somerset area in 2005 to mark the centenary of the foundation of Rotary International.

Possible projects under consideration include:
- Upgrading of playground equipment in Anzac Park
- Construction of a walking track along the Somerset foreshore and Cam River bank
- A Walking Bridge across the Cam River
- A public park on land at the West Somerset Primary School
- A town clock

The Club is enquiring whether Council would support it in completing one of these projects and as to what form such support might take. Preferably the Club would be looking for financial support, in-kind support (eg. materials provision) and assistance in obtaining any required State or local permits and approvals.

OFFICERS’ COMMENTS

The listed projects range so considerably in scope and potential cost that is difficult for Council to consider the request in any detail at this point in time. The Club has also not given any indication of the project budget range it may be considering.
Correspondence

A walking bridge across the Cam River, for example, would be a relatively high cost project by comparison with footpath construction. It would be advantageous for Council to request the Club to be more specific in relation to their order of preference for projects before it commits itself to a position on provision of support.

MOVED BY CR MOORE
SECONDED BY CR DIBLEY

That the Rotary Club of Somerset be informed that Council is not opposed to the principle of supporting a community project in 2005 but is not in a position to consider such a generalised enquiry as has been made to this point.

CARRIED

Enclosures:- refer to Enclosure Document Page 142
- Letter Rotary Club of Somerset – 2 September 2004
260. REPORT OF COMMITTEES

260.1 MINUTES OF OTHER BODIES/COMMITTEES

MOVED BY CR DIBLEY
SECONDED BY CR FENTON

That the Minutes be received.

CARRIED

Copies were circulated of the following unconfirmed Minutes:-

(a) Frenchs Road Nature Reserve Management Special Committee – 5 August 2004;
(b) Wynyard Child Care Centre – 18 August 2004;
(c) Wynyard Wharf Special Committee – Annual General Meeting – 25 August 2004;
(d) Wynyard Wharf Special Committee – 25 August 2004;
(e) Wynyard Railway Institute Hall Steering Committee – 25 August 2004;
(f) Frenchs Road Nature Reserve Management Special Committee – Annual General Meeting – 26 August 2004;

Enclosures:- refer to Enclosure Document Page 143
- Minutes
261. **CLOSED COUNCIL MEETING**

MOVED BY CR FENTON
SECONDED BY CR FRENCH

*That Council consider the following matters in Closed Meeting:-*

<table>
<thead>
<tr>
<th>Item</th>
<th>Local Government Act Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Acquisition</td>
<td>Schedule 4 Clause 10 (1)(f)</td>
</tr>
<tr>
<td>Local Government Board Report</td>
<td>Schedule 4 Clause 10 (1)(g)</td>
</tr>
<tr>
<td>Sisters Beach Sewage Treatment Plant – Civil Works Contract No. 571</td>
<td>Schedule 4 Clause 10 (1)(d)</td>
</tr>
<tr>
<td>Lease of Land – Waste Water Treatment Plant</td>
<td>Schedule 4 Clause 10 (1)(d)</td>
</tr>
<tr>
<td>Accounts Paid</td>
<td>Schedule 4 Clause 10 (1) (d)</td>
</tr>
<tr>
<td>General Manager’s Reports – Closed</td>
<td>Schedule 4 Clause 10 (1) (d) and (i)</td>
</tr>
</tbody>
</table>

CARRIED

MOVED BY CR BRAMICH
SECONDED BY CR FENTON

*That Council go into Closed Meeting.*

CARRIED

**AT 10.45 PM THE COUNCIL MOVED INTO CLOSED SESSION**

262. **RESUMPTION OF OPEN MEETING**

**AT 11.18 P.M. THE OPEN MEETING WAS RESUMED.**

**THERE BEING NO FURTHER BUSINESS THE MEETING WAS CLOSED AT 11.19 P.M.**

Confirmed,

MAYOR

18 October 2004