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WARATAH-WYNYARD COUNCIL
ORDINARY COUNCIL MEETING
19 SEPTEMBER 2005
MINUTES

VENUE: Council Chambers, 21 Saunders Street, Wynyard

HOUR: 7:30 pm

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<tr>
<td>Open Council</td>
<td>7:30 pm</td>
<td>7:50 pm</td>
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<td>Planning Authority</td>
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<tr>
<td>Open Council</td>
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<td>Open Council</td>
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<td>TOTAL TIME OCCUPIED</td>
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PRESENT:

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

In Attendance
General Manager – P West         Director Corporate Services – J Stretton
Director Development Services – P Kennedy  Director Engineering Services – G Neil
Town Planner – M Edwards

290/05 APOLOGIES:

CR MOORE                CR DIBLEY
MOVED BY CR BRAMICH
SECONDED BY CR FRIEDERSDORFF

That the apologies be accepted.

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CARRIED UNANIMOUSLY

MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING

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<td>Leave of Absence Requests - Councillors</td>
<td>Regulation 15 (2)(i)</td>
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<td>Accounts Paid</td>
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<td>General Manager’s Reports – Closed</td>
<td>Regulation 15 (2)(d) and (h)</td>
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<td>Department Health And Human Services – Treatment For Renal Failure – Water Concession/Reduction Request (File Ref 1486911)</td>
<td>Regulation 15 (2)(f)</td>
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<td>Minutes of Other Bodies/Committees</td>
<td>Regulation 15 (2)(f)</td>
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<td>Public release Authorisation</td>
<td>Regulation 15 (9)</td>
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MOVED BY CR FENTON
SECONDED BY CR HYLAND

That the matters listed above be considered in Closed Meeting at the conclusion of the Open Meeting business.

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DECLARATIONS OF PECUNIARY INTEREST

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<td>MAYOR CHALK</td>
<td>18/05 – Taxation of Plantation Forestry</td>
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<td>Director Corporate Services</td>
<td>3/05 – 114-116 Goldie Street – Planning Application</td>
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291/05 CONFIRMATION OF MINUTES

Ordinary Council Meeting – 15 August 2005

MOVED BY CR BRAMICH
SECONDED BY CR FRENCH

That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at the Council Chambers, Wynyard on Monday 15 August 2005 a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.

IN FAVOUR

MAYOR CHALK   CR BRAMICH   CR FAIRBROTHER   CR FENTON
CR FRENCH     CR FRIEDERSDORFF CR HYLAND       CR RANSLEY

CARRIED UNANIMOUSLY

Closed Council Meeting – 15 August 2005

MOVED BY CR FENTON
SECONDED BY CR FRIEDERSDORFF

That the Minutes of the Closed Meeting of the Waratah-Wynyard Council held at the Council Chambers, Wynyard on Monday 15 August 2005, a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.

IN FAVOUR

MAYOR CHALK   CR BRAMICH   CR FAIRBROTHER   CR FENTON
CR FRENCH     CR FRIEDERSDORFF CR HYLAND       CR RANSLEY

CARRIED UNANIMOUSLY
BUSINESS ARISING FROM MINUTES CONFIRMED

Councillor       Minute Reference
CR BRAMICH       270/05
                  Athenaeum Hall Waratah – requested an update from Deputy Mayor Hyland.
CR BRAMICH       Invitation to Minister Llewellyn to meet with Council.

PUBLIC QUESTIONS AND STATEMENTS

QUESTIONS

Name             Address                                                   Issue
Max Hall          45A Inglis Street, Wynyard                                 Speed Limit in Inglis Street, Wynyard – extend the 50 km zone to Cotton Street.
Liz Van Ommen    31 Old Bass Highway, Wynyard                              Safe crossing point on Old Bass Highway at East Wynyard.

STATEMENTS

Name             Address                     Issue
Barry Stretton    Hellyer Beach            Development application at 114-116 Goldie Street, Wynyard.
Planning Authority Meeting commenced at 7:50 pm.
PLANNING AUTHORITY REPORTS

292/05 114-116 GOLDIE STREET, WYNYARD – ADHESION OF TITLES AND EXTENSIONS TO RETAIL SHOP + STREET AWNING + CAR PARKING REQUIREMENTS - AKUNA INVESTMENTS

DIRECTOR CORPORATE SERVICES – JOHN STRETTON DECLARED AN INTEREST IN THIS AGENDA ITEM AND LEFT THE MEETING AT 7:50 PM.

To: Planning Authority
Reporting Officer: Town Planner
Responsible Manager: Director Development Services
File Reference: SD 1742 & 7734461
Council Meeting Date: 19 September 2005

1. Recommendation

That the Planning Authority grant approval for the adhesion of Titles CT 68870/1, CT 52247/1 and CT 229267/1 and the development of Extensions to Existing Retail Shop and Awning at 114-116 Goldie Street, WYNYARD, in accordance with the endorsed plans and subject to the following conditions:

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

2. An Adhesion Order is to be submitted to the Waratah-Wynyard Council for signing. The Adhesion Order shall be prepared in accordance with the requirements of the Recorder of Titles and is to form part of this permit when sealed and signed.

3. All disturbed surfaces resulting from the development hereby permitted are to be stabilised and revegetated to the satisfaction of the Director Development Services.

4. Erosion and sediment control measures are to be implemented and maintained during the course of development to minimise downstream sediment transfer, particularly with respect to stormwater outlets and disturbed ground, to the satisfaction of the Director Development Services.
5. The developer is to pay a car parking cash in lieu amount of $2428.32 in accordance with Figure 17.4 of the Waratah-Wynyard Planning Scheme 2000, prior to or at the time of making Building Permit application.

6. The proposed awning extension is to match the existing awning line and level.

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

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

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

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

2. Summary

This report is to allow the Planning Authority to consider a planning permit application for the consolidation of land and the development of furniture showroom extensions at 114-116 Goldie Street, Wynyard under the Land Use Planning & Approvals Act 1993 and the Waratah-Wynyard Planning Scheme 2000.

Application is made to consolidate titles encompassing the Newman’s Furniture & Floor Covering building and to extend the building to the west. The existing building encompasses the bulk of the site, with a floor area of 552m². Application is made develop a 270m² extension to the showroom, resulting in a total showroom floor area of 822m².

The developer also proposes an extension of the Goldie Street awning and a total of two car parking spaces on site. The car parking allocation does not meet with Planning Scheme requirements and therefore requires the discretionary consideration by the Planning Authority.

3. Background

The property is located to the south western end of the Goldie Street CBD area, comprising three titles identified as CT 229267/1, CT 68870/1 and CT 52247/1. Titles CT 229267/1 and CT 68870/1 currently support a furniture showroom. CT 52247/1 is vacant land.
Application is made to extend the building westwards to encompass CT 52247/1. The development is to include two enclosed car parking spaces for furniture delivery vehicles.

4. Statutory Requirements

The application is subject to the following statutory instruments:

- Any other State Policy or Act that is relevant to it.

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 the Planning Authority to relax the provisions of its Planning Scheme under a discretionary status.

5. Finances

Council’s determination of the application may result in an appeal of the decision, with associated costs.

6. Discussion

The subject site is zoned Business & Civic under the Waratah-Wynyard Planning Scheme 2000. Standards for development in the Business & Civic Zone are provided in Part 7 of the Planning Scheme. These standards are divided into a range of issues to be addressed through either compliance with the relevant Acceptable Solutions or Performance Criteria.

In this case the proposal is considered to comply with all relevant Acceptable Solutions for the Business & Civic Zone. However, the proposal is also to be assessed against the relevant Acceptable Solutions or Performance Criteria of Part 17 Car Parking & Access Schedule. A more detailed assessment of the proposal’s compliance with this section of the Planning Scheme is given below.

Advertising

The proposal was advertised in accordance with the provisions of the Land Use Planning and Approvals Act, 1993. No representations were received.
Consolidation of Titles

The subject titles support the Newman’s Furniture & Floor Covering store and an adjoining parcel of vacant land. Application is made to consolidate all three titles on site that together support the existing building and the proposed extensions.

The existing use is a Primary use class for the zone and consolidation of the developed titles by Adhesion Order is considered to be sensible, if not necessary, and is supported.

Part 17- Car Parking & Access Schedule

The Planning Scheme stipulates the following in relation to the provision of car parking spaces for general retail (Business & Civic use):

*For the development of a Business & Civic use – 1 space per 30m$^2$ of floor area is to be provided.*

*On site turning is to be provided so that egress is carried out in a forward direction, where development requires more than three car parking spaces on site.*

The developer proposes an additional 270m$^2$ of furniture retail floor space, bringing the total area of retail floor space to 822m$^2$ on site.

The planning scheme provision, calculated as per Figure 17.1 *Car Parking Spaces*, equates to a requirement of approximately 27 additional spaces on site (total floor area of 822m$^2$/30m$^2$=27.4 spaces)

The proposed development makes provision for 2 spaces. This is a minimum of 25 car parking spaces short of Planning Scheme requirements.

Application of Figure 17.4 - *Calculation of Value of Cash in Lieu* to compensate for the lack of car parking on site is as follows:

Area of car parking spaces not provided = 357 (2.6 x 5.5 x 25), divided by land area 5477m$^2$ X $133,000 (unimproved capital value of titles) = $8669.15 cash in lieu requirement.
If the Planning Authority were to apply the car parking calculation to the additional floor area only (270m²), Note: the planning scheme is not clear as to how the requirement is to be calculated if a use currently exists and is intensifying on site, although it is generally understood the whole of the site and its use may be included in any calculation) then there would be a minimum of requirement for 9 car parking spaces on site (gross area of new extensions to existing use of 270m²/30m² = 9 spaces).

The proposed development makes provision for 2 spaces. This application of the requirement results in a minimum of 7 car parking spaces short of the Planning Scheme requirements.

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

Area of car parking spaces not provided = 100, divided by land area 5477m² X $133,000 (unimproved capital value) = $2428.32 cash in lieu requirement.

Given that the showroom may only attract 2-4 customers at any one time, it may be fair and reasonable to apply the lesser cash in lieu value of $2428.32. This is to be determined by the Planning Authority.

The Planning Authority is advised the following car parking levies have been applied and paid in relation to developments approved under delegated authority over the past two years:

1. 140 Goldie Street - Gallery & Ancillary Residence - $1430.00 cash in lieu for 3 car parking spaces unable to be provided on site;

2. 13 Elizabeth Street, Somerset – Intensification & Change of Use from Family Day Care to Child Care Centre - $1031.77 cash in lieu requirement for 3 car parking spaces unable to be provided on site.

One such application, for intensification of a use on site, has been considered by the Planning Authority who concluding the following:

1. 23A Goldie Street, Wynyard– Expansion of café seating capacity – Planning Scheme cash in lieu requirement $9346.28 – the cash in lieu requirement was waived. The amount was excessive, the business was considered to be in the central to the business district and as such did 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 the Planning Authority’s decision or conditions of permit to the Resource Management and Planning Appeal Tribunal.

8. **Conclusion**

The development proposed will see the expansion of a successful furniture retail business within the Wynyard CBD and an extension of the street awning in Goldie Street. Such development will enhance the CBD area and the general streetscape of Wynyard.

Despite the fact the Planning Scheme requires car parking allocation on title, the provision of car parking within the CBD tends to remain the responsibility of Council. This is because many buildings within the Wynyard CBD are built to encompass the whole of the title, maximising the retail floor area available to property owners. This matter is considered to be fair and reasonable in the CBD area, particularly within the major Goldie Street roundabouts and it is thus considered fair and reasonable that the lesser car parking levy of $2428.32 be applied to the developer.

MOVED BY CR HYLAND
SECONDED BY CR FAIRBROTHER

That the Planning Authority grant approval for the adhesion of Titles CT 68870/1, CT 52247/1 and CT 229267/1 and the development of Extensions to Existing Retail Shop and Awning at 114-116 Goldie Street, WYNYARD, in accordance with the endorsed plans and subject to the following conditions:

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

2. An Adhesion Order is to be submitted to the Waratah-Wynyard Council for signing. The Adhesion Order shall be prepared in accordance with the requirements of the Recorder of Titles and is to form part of this permit when sealed and signed.

3. All disturbed surfaces resulting from the development hereby permitted are to be stabilised and revegetated to the satisfaction of the Director Development Services.
4. Erosion and sediment control measures are to be implemented and maintained during the course of development to minimise downstream sediment transfer, particularly with respect to stormwater outlets and disturbed ground, to the satisfaction of the Director Development Services.

5. The proposed awning extension is to match the existing awning line and level.

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

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

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

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

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CARRIED UNANIMOUSLY

DIRECTOR CORPORATE SERVICES – JOHN STRETTON RETURNED TO THE MEETING AT 8:16 PM.

MOVED BY CR FAIRBROTHER
SECONDED BY CR FENTON

That Council list for a Group Discussion the possibility of formulating a policy on the application of Part 17 of the Planning Scheme in relation to parking in the Central Business District.

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CARRIED UNANIMOUSLY

Enclosures:- refer to Enclosure Document Page 6
- Location Plan
- Current Titles
- Proposal – Adhesion of Titles Plan
- Floor Plan
- Elevations
1. Recommendation

That the Planning Authority refuse to grant a planning permit to develop a dwelling and shed at Haywoods Lane, Somerset CT 60728/1 as the documentation submitted with the application does not relate to the subject title, and the proposal cannot meet Part 9.4.1 of the Waratah-Wynyard Planning Scheme 2000.

2. Summary

This report is to allow the Planning Authority to consider a planning permit application for the development of a dwelling and shed in the Primary Industries Zone on land identified as comprising prime agricultural land under the Land Use Planning & Approvals Act 1993 and the Waratah-Wynyard Planning Scheme 2000.

The application has been placed on hold for the past 12 months, pending submission of revised and additional documentation, with little prospect of progressing.

3. Background

On 2nd August 2004 Council received a development application to develop a dwelling and shed on CT 60728/1 at Haywoods Lane, Somerset. The subject title is identified as being within the Primary Industries Zone and comprising prime agricultural land.

On the 11 August 2004 the application was place on hold, pending submission of a revised and accurate site plan, showing the exact location of the proposed development on the correct title, (the applicant had submitted detail of a dwelling on Lot 1 Mountain View Place in the name of N. Whitley & K. Davern) and submission of additional information that demonstrated to Council that the title was previously approved for residential purposes.
Despite verbal and written communications with the applicant since that time, no additional documents have been submitted to date.

On the 6th July 2005 Council received a second development application from a third party, a new owner of the property seeking to build a machinery shed on site for the purpose of supporting resource production activities on site. This application was approved under delegated authority on 26 July 2005.

4. Statutory Requirements

The application is subject to the following statutory instruments:

- Any other State Policy or Act that is relevant to it.

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 the Planning Authority to relax the provisions of its Planning Scheme under a discretionary status.

5. Finances

Council’s determination of the application may result in an appeal of the decision, with associated costs.

6. Discussion

As outlined in the Background section of this report, the application has been on hold for 12 months and there appears little prospect of the applicant pursuing the proposal to develop a Secondary Use Class (dwelling) on the property. The land has been sold to another party who intends to conduct resource production activities on site and has made application for infrastructure to support such a use of the land.

Despite letters to the applicant requesting that they either proceed with the application, which understandably is no longer their interest or intent, or withdraw the application, nothing has progressed to date.

The Director of Development Services does not have the delegated authority to refuse a development application that has been placed on hold, hence the proposal is now before the Planning Authority for determination.
Planning Authority Reports

Given that the documents submitted with the application do not relate to the subject title, and given the proposal cannot meet the Planning Scheme provisions for residential development on prime agricultural land in the Primary Industries zone, it is recommended the application be refused.

7. Risk

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

8. Conclusion

Despite written and verbal communication with the developer, revised and additional documents have failed to be submitted to Council. It is understood the applicant no longer has an interest in the property or the proposed development. Refusal of the application is recommended.

MOVED BY          CR BRAMICH
SECONDED BY       CR FENTON

That this matter lay on the table until the next meeting of Council.

IN FAVOUR

CR BRAMICH   CR FENTON

AGAINST

CR FAIRBROTHER CR FRENCH CR FRIEDERSDORFF CR HYLAND CR RANSLEY
MAYOR CHALK

LOST

MOVED BY          CR FAIRBROTHER
SECONDED BY       CR FRENCH

That the Planning Authority refuse to grant a planning permit to develop a dwelling and shed at Haywoods Lane, Somerset CT 60728/1 as the documentation submitted with the application does not relate to the subject title, and the proposal cannot meet Part 9.4.1 of the Waratah-Wynyard Planning Scheme 2000.
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CARRIED UNANIMOUSLY

MOVED BY CR BRAMICH
SECONDED BY CR RANSLEY

That the Waratah-Wynyard Council hold urgent talks with the State Government regarding the Policy on the Protection of Prime Agricultural Land 1, 2, 3 and the classes 4, 5, 6, & 7 to determine the real meaning of all classes because too many people are reading the policy in different ways.

IN FAVOUR

CR BRAMICH CR RANSLEY

AGAINST

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LOST

MOVED BY CR FAIRBROTHER
SECONDED BY CR FENTON

That the item relating to PAL Policy be referred to a Group Discussion.

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<th>MAYOR CHALK</th>
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<td>CR FRENCH</td>
<td>CR FRIEDERSDORFF</td>
<td>CR HYLAND</td>
<td>CR RANSLEY</td>
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CARRIED UNANIMOUSLY

Enclosures:- refer to Enclosure Document Page 15
- Location Plan
- Site Plan
- Floor Plan
- Elevations
1. **Recommendation**

That the Planning Authority grant approval for the subdivision of 68 Irby Boulevard, SISTERS BEACH to form three (3) residential lots and a parcel of public open space in accordance with the endorsed plan and subject to the following conditions:

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

2. A Final Plan is to be submitted to the Waratah Wynyard Council for sealing. The plan is to be drawn to scale and prepared in accordance with the requirements of the Recorder of Titles and is to form part of this permit when sealed. The Final Plan is to be substantially the same as the endorsed plan, including the dedicated public open space area.

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

4. No damage is to be caused to the road or other facility.

5. No material, machinery or operational construction is to be located on the road or nature strip.

6. Sewerage service is to be connected to the Council’s reticulation system to the satisfaction of the Director Engineering Services.

7. Stormwater service is to be connected to the Council’s reticulation to the satisfaction of the Director Engineering Services.

8. Power is to be provided to the development in accordance with the requirements of Aurora Energy and to the satisfaction of the Director Engineering Services.
9. **Vehicular access complete with a bitumen sealed surface is to be constructed from the edge of the bitumen sealed pavement of the Council road to the property boundary in accordance with Municipal Standard Drawing No SD1012 Rural Roads – Standard Access to the satisfaction of the Director Engineering Services.**

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

11. **All conditions of permit are to be completed prior to sealing of the Final Survey Plan.**

2. **Summary**

This report is to enable the Planning Authority to consider and determine the subdivision of land at 68 Irby Boulevard, Sisters Beach to form three (3) residential Lots and a balance area of public open space. The Waratah-Wynyard Council owns the subject land.

The vacant lot is on the southern side of Irby Boulevard and has a land area of 2884m$^2$. The proposal aims to form 3 residential lots and a balance area of public open space.

Lot One is to comprise 723m$^2$.
Lot Two is to comprise 720m$^2$.
Lot Three is to comprise 717m$^2$.

All lots are to have direct vehicular access to Irby Boulevard. The public open space to the east of the lots has an area of 724m$^2$ and supports an active creek and associated vegetation.

3. **Background**

The subject title, CT 62076/117, was issued in the name of Waratah-Wynyard Council on 25 February 1994. The land is vacant, with no easements or other reservations noted on the title.

Council at a meeting on 21 June 2004 considered a report by the General Manager into the possibility of disposing of four parcels of land at Sisters Beach that were owned by Council. Council at that time determined to investigate the disposal of land at 68 Irby Boulevard, 95 Irby Boulevard and land off Irby Circus.
Council staff have investigated the number of lots that could be achieved, the market value of any proposed lots and the estimated costs associated with subdivision of the areas. The proposal before the Planning Authority is to progress the subdivision of 68 Irby Boulevard.

4. Statutory Requirements

The application is subject to the following statutory instruments:

- Any other State Policy or Act that is relevant to it.

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 the Planning Authority to relax the provisions of its Planning Scheme under a discretionary status.

5. Finances

All costs relative to the proposal are to be met by the Waratah-Wynyard Council.

6. Discussion

Advertising

The proposal was advertised in accordance with the provisions of the Land Use Planning and Approvals Act, 1993. No representations were received. The subject site is zoned Residential under the Waratah-Wynyard Planning scheme 2000.

Waratah-Wynyard Planning Scheme 2000

The Planning Scheme stipulates the following objectives for subdivision in the Residential zone:

6.4.1 Issue 3.0 ‘Subdivision’

Objectives: To ensure that land is subdivided in a manner:
- which is appropriate to the intended use or development;
- that provides appropriate infrastructure;
- that meets relevant Scheme standards;
- that provides a range and mix of lot sizes to suit a variety of dwelling and household types, with areas and dimensions that meet user requirements;
- that protects residential amenity; and
- that allows application of energy conservation principles.

Lot Size

3.5 Lots shall have minimum area of 450m$^2$ and must be capable of containing a rectangle measuring 10m by 15m and having a slope of 1:10 or less.

The subject application meets this requirement.

3.6 Lots shall have a minimum frontage of 3.6 metres if less than 1200m$^2$.

The subject application meets this requirement.

3.4 Lot layout, road layout and construction shall provide, supplement or enhance appropriate facilities and safe and convenient connections for public transport (where appropriate), and for pedestrians and cyclists (such as bus stops, footpaths, cycle ways, lighting, seating, shelters).

The Director Engineering Services is satisfied the subject application meets this requirement for development in the Sisters Beach residential area.

Infrastructure Provision

Clause 6.4.1 Issue 6.0 - Infrastructure Provision requires the Planning Authority to ensure ‘the cost of providing infrastructure to new development is not borne by the community’. Further the Planning Scheme states in Part 12 - Clause 12.1(1.3) that ‘all buildings and works are to be located a minimum of 30m away from the outer boundaries of drainage swales, recharge basins...water courses and flood plains’.

Tasmanian State Coastal Policy

The State Coastal Policy (SCP) is a policy created under the State Policies and Projects Act 1993. On 16 April 2003, the State Coastal Policy Validation Bill 2003 was passed by Parliament, which incorporated a revised definition of the ‘coastal zone’. The ‘coastal zone’ under the SCP is defined as including all state waters and all land to a distance of one kilometre inland from high-water mark.

The subject site falls within the coastal zone and the Planning Authority must be assured that the proposed subdivision will not compromise the principles of the State Policy.
The principles of the SCP are:

- Natural and cultural values of the coast shall be protected.
- The coast shall be used and developed in a sustainable manner.
- Integrated management and protection of the coastal zone is a shared responsibility.

In the context of this application, to subdivide land in a Residential zone in a manner considered appropriate for that zone, the proposal is consistent with the principles of the State Coastal Policy. Significantly, the development will not occur on a frontal dune formation or mobile landform. The natural and cultural values of the coast will not be further impacted on than what currently exists in the Sisters Beach residential area and the future development of the lots to single dwelling status is considered to be compatible, integrated development in this area.

Public Open Space Contribution

Sections 116 and 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993 enable Council to require, as a condition of consent to residential subdivision in the municipal area, that the developer provide land or cash in lieu contribution towards the provision of public open space. The subject application offers a dedicated 724m$^2$ parcel of public open space area that supports an active waterway, flowing northwards across the length of the site. The 724m$^2$ parcel equates to approximately 25% of the land area that is subject to subdivision. In determining that a land requirement is the most suitable option in this case, matters such as the protection of the creek and surrounding vegetation, and the possibility of the parcel forming part of the Sisters Beach walkway network have been taken into consideration. The parcel represents a contribution over and above that required under the Local Government (Building and Miscellaneous Provision Act 1993.

Bush Fire Prone Area

The Waratah-Wynyard Planning Scheme 2000 defines a bushfire prone area as:

**Bushfire Prone Areas** means those areas of land determined to be of medium or high bushfire hazard due to the following factors:

(a) the land is within standing vegetation cover greater than 1 hectare in extent, excluding grassland on slopes less than 5 degrees; or

(b) the land is within 100 metres of standing vegetation cover greater than 1 hectare in extent excluding grassland on slopes less than 5 degrees.
Where (a) or (b) apply and the land has a slope between nil (0) and fifteen (15 degrees) the level of bushfire hazard is determined as Moderate.

Where (a) or (b) apply and the land has a slope exceeding fifteen (15 degrees), the level of bushfire hazard is determined as High.

The subject site supports and active waterway, has a land area of 2921m² and adjoins the Irby farm, characterised by grassland, to the south. The site is not considered to be a bushfire prone site.

7. Risk

There are no identified risks associated with the subdivision of the subject land.

8. Conclusion

The report is submitted for consideration.

MOVED BY CR RANSLEY
SECONDED BY CR FENTON

That the Planning Authority grant approval for the subdivision of 68 Irby Boulevard, SISTERS BEACH to form three (3) residential lots and a parcel of public open space in accordance with the endorsed plan and subject to the following conditions:

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

2. A Final Plan is to be submitted to the Waratah Wynyard Council for sealing. The plan is to be drawn to scale and prepared in accordance with the requirements of the Recorder of Titles and is to form part of this permit when sealed. The Final Plan is to be substantially the same as the endorsed plan, including the dedicated public open space area.

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

4. No damage is to be caused to the road or other facility.

5. No material, machinery or operational construction is to be located on the road or nature strip.
6. Sewerage service is to be connected to the Council’s reticulation system to the satisfaction of the Director Engineering Services.

7. Stormwater service is to be connected to the Council’s reticulation to the satisfaction of the Director Engineering Services.

8. Power is to be provided to the development in accordance with the requirements of Aurora Energy and to the satisfaction of the Director Engineering Services.

9. Vehicular access complete with a bitumen sealed surface is to be constructed from the edge of the bitumen sealed pavement of the Council road to the property boundary in accordance with Municipal Standard Drawing No SD1012 Rural Roads – Standard Access to the satisfaction of the Director Engineering Services.

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

11. All conditions of permit are to be completed prior to sealing of the Final Survey Plan.

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CARRIED UNANIMOUSLY

Enclosures :- refer to Enclosure Document 19
- Location Plan
- Title Plan
- Plan of Survey
1. Recommendation

That the Planning Authority grant approval for the demolition of an existing dwelling and the staged development of thirteen (13) Multiple Dwellings at 3 Bowick Street, WYNARD, in accordance with the endorsed plans and subject to the following conditions:

**General**

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

2. The development may be staged. Staged development is to progress in accordance with Council’s Development Policy No3 ‘Staged Development Applications Under the Strata Titles Act 1998’.

3. All works carried out in the construction of the civil works associated with the Development are to comply with the requirements of Councils policy – ‘Standard Requirements for the Construction of New Infrastructure Assets and the Replacement of Existing Infrastructure Assets’.

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

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

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

7. All necessary easements for powerlines, sewerage, water, drainage, access and the like are to be depicted in the Strata Title Plan lodged for sealing.
8. The connection of reticulated services to Council’s networks is not to occur without the approval of the Director Engineering Services.

9. An as constructed plan of internal services is to be provided to Council for inclusion in Council’s records.

10. A concrete bin stand area, of size to service all units, is to be constructed adjacent to the kerb and channel and utilised only on refuse collection days. The standard of construction is to be the same as for a concrete footpath.

11. All disturbed surfaces, except those set aside for roadways, footways, driveways and dedicated to landscaping are to be covered with top soil and seeded and, where appropriate, revegetated and stabilized to the satisfaction of the Director Engineering services.

12. Erosion control measures must be maintained at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development.

13. All landscaping and site works are to be completed prior to the issue of strata title to the satisfaction of the Director Development Services.

14. Plans detailing the internal civil works associated with the development are to be provided to the Director Engineering Services for review and comment prior to works commencing on site.

15. A Plan of Management is to be prepared and submitted for the approval of the Director Engineering Services, prior to disturbance or construction, outlining proposed construction practices in relation to:

(a) Contact details for principal, consultants and contractors including after hours numbers;
(b) traffic management plan, including road works signage;
(c) proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on site);
(d) identification of potentially noisy construction phases, such as operation of rock-breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;
(e) site facilities to be provided; and
Planning Authority Reports

16. An Environmental Management Plan is to be prepared and submitted for the approval of the Director Engineering Services, prior to disturbance or construction, outlining proposed practices in relation to:

(a) Temporary run-off and erosion controls to be installed before the development commences. Controls must include, but are not limited to:
- minimisation of site disturbance and vegetation removal;
- diversion of up-slope run-off around cleared and/or disturbed areas, areas to be cleared and/or disturbed or filling provided that such diverted water will not cause erosion and is directed to a legal discharge point;
- installation of sediment retention traps (e.g. sediment fences, etc.) at the down slope perimeter of the disturbed area or stockpile to prevent unwanted sediment and other debris escaping from the land; and
- rehabilitation of all disturbed areas as soon as possible.
(b) Weed management.
(c) Storage facilities for fuels, oils, greases, chemicals and the like.
(d) Litter management.

17. All costs associated with the development are to be at the developer’s expense.

Car Parking & Access

18. All internal car parking and hardstand areas are to be surfaced in an all weather material such as concrete, asphalt or bitumen seal.

19. Concentrated storm waters on car parking and hard stand areas are to be directed to a storm water system, designed to cater for a 1 in 5 year ARI storm, and discharged to a legal point of discharge.

20. Access and egress from the site is to be in a forward motion.

21. On site car parking is to be designed in accord with the requirements of AS 2890.1
22. A new kerb crossover is to be constructed in accordance with Municipal Standard Drawing No SD1003 Urban Roads – Standard Vehicle Crossing to the satisfaction of the Director Engineering Services. The width of the crossings shall be a minimum 6.0 m so as to afford two way access.

23. A reinforced concrete driveway between the kerb crossover and the property boundary is to be constructed in accordance with Municipal Standard Drawing SD1003 Urban Roads – Standard Vehicle Crossing.

Drainage

24. A Stormwater connection is to be provided to Council’s reticulated network to the satisfaction of the Director Engineering Services.

Water

25. Water meters are to be located so as to afford unobstructed access to service personnel.

26. A 20 mm water service is to be provided to each allotment/dwelling and connected to the Council’s reticulation system to the satisfaction of the Director Engineering Services. Water meters for each property are to be located on the street frontage for ease of reading.

27. A fire plug is to be provided by the developer in the nature strip adjacent to the development. This will require tapping in to the Council main and extending a 100 mm pipe across Bowick Street for this purpose.

28. All works are to be in accordance Council’s specifications and the requirements of the Tasmanian Fire Service.

29. A plan detailing the provision of water to the development is to be provided to Council and shall be to the satisfaction of the Director Engineering Services

Sewer

30. A sewer line traverses the northern part of the property. No building is to be constructed within 2.5 m of the sewer line so as to ensure the integrity of the Council infrastructure.

31. A Sewer connection point is to be provided at the lowest point to the development and connected to the Council’s reticulation system to the satisfaction of the Director Engineering Services.
32. The internal reticulated sewer system will not be maintained by Council but is to remain the responsibility of the Body Corporate.

**Other Authority Services**

33. Underground power is to be provided to the development in accordance of the requirements of Aurora Energy and Council’s standard drawings and specifications.

34. The provision of telecommunications to the development is to be in accordance of the requirements of Telstra and Council standard drawings and specifications.

**2. Summary**

This report is placed before the Planning Authority to enable consideration of a planning permit application to demolish an existing dwelling on site to make way for the development of thirteen (13) staged multiple dwellings at 3 Bowick Street, Wynyard under the *Land Use Planning & Approvals Act 1993* and the *Waratah-Wynyard Planning Scheme 2000*.

The development employs six varying unit designs for dwellings, ranging from 122m\(^2\) to 162m\(^2\) in floor area. All dwellings have north facing living areas, including a deck, car parking provision and ample areas of private open space.

**3. Background**

The subject property encompasses 6472m\(^2\) and is located on the western side of Bowick Street, Wynyard approximately 100 metres south of the intersection with the Old Bass Highway. The site is predominately vacant, supporting an old weatherboard dwelling. The site is surrounded by residential allotments with three small units developed directly to the north. The site is approximately 200 metres north of the Table Cape Primary School.

**4. Statutory Requirements**

The application is subject to the following statutory instruments:

- *Land Use Planning & Approvals Act 1993*.
- *Waratah Wynyard Planning Scheme 2000*. 
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 the Planning Authority to relax the provisions of its Planning Scheme under a discretionary status.

5. **Finances**

Council’s determination of the application may result in an appeal of the decision, with associated costs.

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 Council received one (1) representation from:

**REPRESENTER:** Liz & Steve Ommen of Seaward Bed & Breakfast, 31 Old Bass Highway, Wynyard 7325.

**Issue Raised:**

Mr & Mrs Ommen strongly object to the density of development on site. Such high density is not appropriate for a small rural town such as Wynyard.

**Planning Comment:**

*The Waratah-Wynyard Planning Scheme 2000 does not articulate ‘blanket’ density controls for residential development. Rather, the Planning Scheme articulates minimum private open space areas that are to be provided for each dwelling on site, with a requirement that such open space be north facing and be directly accessible from a living area. The amount of private open space required is dependent on the dwelling being one, two or three bedroom.*

*The proposal meets, and indeed exceeds, all such Planning Scheme requirements.*

*It is also worthwhile noting that if a standard ‘blanket’ density was applied to this development (for example 350m$^2$ - 400m$^2$ per dwelling) then the proposal would well and truly meet such a density for medium density housing on this 6472m$^2$ parcel of residential land.*
**Issue Raised:**

The land area allowed for each unit is not large enough to support families. Children cannot play cricket or kick a ball. Children would be forced to play in the driveway of the estate and this is a safety issue.

**Planning Comment:**

See comments above and the Discussion section of this report.

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**Issue Raised:**

There is not space for trees to grow.

**Planning Comment:**

This is a matter for property owners and the Body Corporate to determine. The proposal does provide for landscaping of the site, although the applicant has not detailed the exact style of landscaping that is to apply to the site. It would be wise, given the medium density development proposed, to ensure that any trees planted by individual property owners or by the Body Corporate be deciduous, to allow to access to sunlight during the winter months.

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**Issue Raised:**

There is, in most cases, one car space per dwelling. There is potential for conflict for and competition over car parking spaces.

**Planning Comment:**

This is incorrect. The proposal meets Planning Scheme requirements for car parking spaces on site. The developer has allocated one garage and a tandem car parking space to each dwelling within the complex; a total of two car parking spaces to each dwelling, with four additional car parking spaces scattered throughout the streetscape for additional visitors.

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**Issue Raised:**

The potential for conflict in a ‘racked, stacked and packed’ development is great. This is not Hong Kong and there is no demographic need for such high density housing. Such high density housing can degrade the whole area in terms of social cohesion and physical appearance.
**Planning Comment:**

The proposal is considered to be medium density development and meets the majority of Planning Scheme requirements for the development of such.

**Issue Raised:**

The representor proposes that a maximum of 8 houses on site should be the maximum density and that mono pitched roofing not be permitted and more attention be given to landscaping of the site.

**Planning Comment:**

As discussed above, the proposal meets open space requirements for multiple dwelling development on site. Eight dwellings on site would equate to an allocation of 800m² of land per dwelling. This is standard for individual dwellings built on standard Torrens Title lots, although it is worth noting that a 450m² Torrens Title may be approved under the Waratah-Wynyard Planning Scheme 2000.

The Planning Authority is not able to stipulate the type of materials or roof style to be employed by a developer in the Residential zone; other than for development at Boat Harbour Beach.

**Status of the Application**

The subject site is zoned Residential under the Waratah-Wynyard Planning Scheme 2000. The subject development proposal appears to meet the Acceptable Solutions provisions for residential development, under the Waratah-Wynyard Planning Scheme 2000. However the proposal requires discretion in relation to privacy provisions and the demolition of an existing dwelling to accommodate the development.

**Residential Development Provisions**

The subject development proposes a primary use class in the Residential zone.

The Waratah-Wynyard Planning Scheme 2000 defines the residential use class as follows:

Use of land for one or more dwellings providing predominantly longer term accommodation. It includes but is not necessary limited to boarding houses, group houses, communal dwellings, conjoined dwellings, apartments, flats, multiple dwellings, dwellings which may include an ancillary flat and retirement villages.
The *Waratah-Wynyard Planning Scheme 2000* has specific requirements for the development of Dwellings as stipulated in Part 11 – Residential Development Schedule and the Residential zone provisions of the Planning Scheme. The Planning Scheme articulate matters such as building siting and design, privacy issues, building orientation and overshadowing, development setback from streets, requirements for private open space per dwelling and car parking access and design.

Specific to this application, the development presents as follows:

Table 11- Issue 1.0 Building Appearance and Neighbourhood Character

**Objective:** To ensure that building appearance from public streets and adjoining sites is visually compatible with surrounding development.

Under Table 11 Issue 1.0, garages and carports facing the street are to be behind the building line of the dwelling and not have openings exceeding 6m or 50% of the frontage width. Front fences are to be 1.2m high, or may be 1.8m high if the main area of private open space is to the front of the dwelling and the fence has openings that make it not less than 50% transparent.

For each of the dwelling designs proposed a garage is incorporated into the floor layout of the dwelling, with a visitor car parking space in tandem to each garage. The garages do not protrude to the fore of the dwelling and do not exceed 6m or 50% of the frontage of each dwelling area.

Generally speaking, it is considered the proposed development will add to the mix of development styles available for purchase and increase the density of housing in this residential area. The proposal complies with the stated objective and falls within the definition of development compatible with the Residential Use Class.

Table 11- Issue 2.0 Street Setbacks

**Objective:** To setback buildings and associated garages and carports from the street to provide adequate space for landscape or open space, visual and acoustic privacy and vehicular accesses, while assisting in establishing an attractive streetscape.

The development complies with the Acceptable Solution provision of 4.5m for development to Bowick Street. Screen landscaping also is proposed for the frontage to Bowick Street.
The representation made to Council raised issue with the amount of open space to be made available for landscaping and play area. This is a subjective matter. The development complies with the Acceptable Solution provisions and is considered to adequately address this need. Certainly children, if they occupy the development, will have to rely on communal open space for vigorous play, however in some communities this is considered to be good community street design and the outdoor facilities of the Table Cape Primary School are 200 metres away.

Table 11- Issue3.0 Building Siting & Design

Objective: To enable flexibility in the siting of buildings, to protect reasonable neighbour amenity, to maintain appropriate residential character and visual bulk, and to provide adequate daylight to dwellings and sunlight to private open space.

Table 11.1 Issue 3.2 states ‘buildings are not to exceed 7.5m in height and are to comply with the following setback requirements:

(a) subject to Clause 3.1, walls up to 3m in height shall be setback a minimum of 1m from the side or rear boundary, unless the wall is to be built to the boundary in accordance with Clause 3.4, and

(b) for that part of the wall over 3m in height, the minimum setback is to be 1m plus 0.3m for every 1m of height over 3m.

The proposed development complies with these requirements.

Table 11- Issue 4 Energy Efficiency

The Waratah-Wynyard Planning Scheme 2000 states the following:

Table 11.1 Issue 4.0:- Energy Efficiency
Objective: To ensure that all dwellings have adequate access to sunlight and can be located so as to benefit from solar energy.

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<th>Acceptable Solution</th>
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<td>4.2 Buildings and landscaping shall not overshadow the north facing wall of a dwelling for more than 2 hours of available sunlight on any day. In the case of adjacent vacant lots, buildings and landscaping shall not cause overshadowing across the north orientated boundary(ies) of adjoining residential sites between 11:00am and 2:00pm on 21 June.</td>
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<td>4.2 Buildings and landscaping are not to result in unreasonable loss of solar access to dwellings or residential sites.</td>
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The Planning Scheme states that development is ‘not to overshadow the north facing wall of a dwelling for more than 2 hours of available sunlight on any day’. (In practicable terms this equates to between 11:00am and 2:00pm during winter). The applicant has submitted shadow diagrams that demonstrate that shadow patterns will not result in unreasonable loss of solar access to neighbouring dwellings to the south. It is considered the proposed development satisfies this requirement.

Table 11.1 Issue 5.0:- Privacy

The Waratah-Wynyard Planning Scheme 2000 states the following:

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<th>Performance Criteria</th>
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<td>Visual Privacy</td>
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<td>5.1 Windows in habitable rooms with a sill height of less than 1.7m and balconies/decks greater than 1m above natural ground level shall be offset and/or screened from the windows of habitable rooms in adjoining dwellings and outdoor living spaces, where there would be direct views and the separation is less than 8.5 metres.</td>
<td>5.1 Direct overlooking of main internal living areas and private open spaces of other dwellings is to be minimized by appropriate building layout, location and design of windows and balconies and the use of screening devices and landscaping. Windows and balconies are to be located so as to avoid overlooking.</td>
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Screening devices, high sills or obscured glass should only be used where windows and balconies cannot be appropriately located. Where screening devices are used, they should be integrated with the building design and have minimal negative effect on residents or neighbours amenity.
Planning Authority Reports

The development relies on the discretion of the Planning Authority in relation to privacy on site. The development of multiple dwellings within a strata development complex will result in some occupants having a greater degree of privacy than others; this is not disputed. It is to be expected that a certain level of privacy will be lost to the occupants of multiple dwelling development. As is shown on the Site Plan, lack of privacy to outdoor areas is to be offset by screen planting and 1.8 metre high screen fencing. The issue for the Planning Authority is to ensure the development will not result in the ‘overlooking’ of existing adjoining properties and that if screening devices are required, as in some instances, screens are integrated with the design and layout of the buildings.

Table 11- Issue 6.0 Private Open Space

Objective: To ensure that private open space provided for dwellings is clearly defined, useable and meets user requirements for privacy, access, outdoor activities and landscaping.

Density on site is controlled by the private open space provisions of the Planning Scheme that state for each two-bedroom dwelling, the developer is to provide a minimum of 70m$^2$ of private open space with minimum width dimensions of 2.5 metres. Fifty percent (50%) of the private open space area is to receive a minimum of 2 hours of sunlight in winter. Also, the private open space area is to serve and be directly accessible from a habitable room, other than a bedroom.

The development complies with Table 11- Issue 6.0 Private Open Space, with each unit allocated private open space area that is over and above that required under the Planning Scheme.

The Table 17- Car Parking & Access Schedule

The Planning Scheme stipulates the following in relation to the development of multiple dwellings on site:

- A minimum of two (2) car parking spaces is to be provided to each dwelling.
- The second car parking space per dwelling may be provided in tandem with the first.
- Vehicle access and driveways are to be designed to enable vehicles to enter and leave a single space in no more than two turning movements and on site turning is to be provided so that egress is carried out in a forward direction, where development requires more than three car parking spaces on site.
The proposal shows a one way vehicular access road system throughout the development. Dwellings have garages incorporated into the floor plan of the unit with tandem car parking spaces to each dwelling. Four additional car parking spaces have also been provided throughout the site.

The proposed development complies with the required car parking provisions of the Planning Scheme.

Infrastructure Services

The multiple dwellings will be required to connect to Council’s water, sewer and stormwater systems in this area

7. Risk

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

8. Conclusion

The applicant has submitted documentation demonstrating that the proposed development meets a majority of the requirements of the Waratah-Wynyard Planning Scheme 2000, other than provision of absolute privacy to the proposed dwellings within the residential complex. It is argued that this matter has been satisfactorily addressed through design detail and appropriate landscaping of the site and is a characteristic of medium density development.

It can be stated with confidence that the developer has gone to great lengths to meet the provisions of the Planning Scheme and that the proposal is fair and reasonable development within the Residential zone.

It is recommended that Council grant conditional approval for the demolition of the existing dwelling at 3 Bowick Street and the staged development of thirteen (13) multiple dwellings on site.

MOVED BY CR FRENCH
SECONDED BY CR HYLAND

That the Planning Authority grant approval for the demolition of an existing dwelling and the staged development of thirteen (13) Multiple Dwellings at 3 Bowick Street, WYNYARD, in accordance with the endorsed plans and subject to the following conditions:
Planning Authority Reports

General

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

2. The development may be staged. Staged development is to progress in accordance with Council’s Development Policy No3 ‘Staged Development Applications Under the Strata Titles Act 1998’.

3. All works carried out in the construction of the civil works associated with the Development are to comply with the requirements of Council’s policy – ‘Standard Requirements for the Construction of New Infrastructure Assets and the Replacement of Existing Infrastructure Assets’.

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

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

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

7. All necessary easements for powerlines, sewerage, water, drainage, access and the like are to be depicted in the Strata Title Plan lodged for sealing.

8. The connection of reticulated services to Council’s networks is not to occur without the approval of the Director Engineering Services.

9. An as constructed plan of internal services is to be provided to Council for inclusion in Council’s records.

10. A concrete bin stand area, of size to service all units, is to be constructed adjacent to the kerb and channel and utilised only on refuse collection days. The standard of construction is to be the same as for a concrete footpath.

11. All disturbed surfaces, except those set aside for roadways, footways, driveways and dedicated to landscaping are to be covered with top soil and seeded and, where appropriate, revegetated and stabilized to the satisfaction of the Director Engineering services.

12. Erosion control measures must be maintained at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development.

13. All landscaping and site works are to be completed prior to the issue of strata title to the satisfaction of the Director Development Services.
14. Plans detailing the internal civil works associated with the development are to be provided to the Director Engineering Services for review and comment prior to works commencing on site.

15. A Plan of Management is to be prepared and submitted for the approval of the Director Engineering Services, prior to disturbance or construction, outlining proposed construction practices in relation to:

   (a) Contact details for principal, consultants and contractors including after hours numbers;
   (b) traffic management plan, including road works signage;
   (c) proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on site);
   (d) identification of potentially noisy construction phases, such as operation of rock-breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;
   (e) site facilities to be provided; and
   (f) procedures for washing down vehicles, to prevent soil and debris being carried onto the street.

16. An Environmental Management Plan is to be prepared and submitted for the approval of the Director Engineering Services, prior to disturbance or construction, outlining proposed practices in relation to:

   (a) Temporary run-off and erosion controls to be installed before the development commences. Controls must include, but are not limited to:
      - minimisation of site disturbance and vegetation removal;
      - diversion of up-slope run-off around cleared and/or disturbed areas, areas to be cleared and/or disturbed or filling provided that such diverted water will not cause erosion and is directed to a legal discharge point;
      - installation of sediment retention traps (e.g. sediment fences, etc.) at the down slope perimeter of the disturbed area or stockpile to prevent unwanted sediment and other debris escaping from the land; and
      - rehabilitation of all disturbed areas as soon as possible.
   (b) Weed management.
   (c) Storage facilities for fuels, oils, greases, chemicals and the like.
   (d) Litter management.

17. All costs associated with the development are to be at the developer’s expense.
Car Parking & Access

18. All internal car parking and hardstand areas are to be surfaced in an all weather material such as concrete, asphalt or bitumen seal.

19. Concentrated storm waters on car parking and hard stand areas are to be directed to a storm water system, designed to cater for a 1 in 5 year ARI storm, and discharged to a legal point of discharge.

20. Access and egress from the site is to be in a forward motion.

21. On site car parking is to be designed in accord with the requirements of AS 2890.1

22. A new kerb crossover is to be constructed in accordance with Municipal Standard Drawing No SD1003 Urban Roads – Standard Vehicle Crossing to the satisfaction of the Director Engineering Services. The width of the crossings shall be a minimum 6.0 m so as to afford two way access.

23. A reinforced concrete driveway between the kerb crossover and the property boundary is to be constructed in accordance with Municipal Standard Drawing SD1003 Urban Roads – Standard Vehicle Crossing.

Drainage

24. A Stormwater connection is to be provided to Council’s reticulated network to the satisfaction of the Director Engineering Services.

Water

25. Water meters are to be located so as to afford unobstructed access to service personnel.

26. A 20 mm water service is to be provided to each allotment/dwelling and connected to the Council’s reticulation system to the satisfaction of the Director Engineering Services. Water meters for each property are to be located on the street frontage for ease of reading.

27. A fire plug is to be provided by the developer in the nature strip adjacent to the development. This will require tapping in to the Council main and extending a 100 mm pipe across Bowick Street for this purpose.

28. All works are to be in accordance Council’s specifications and the requirements of the Tasmanian Fire Service.
Planning Authority Reports

29. A plan detailing the provision of water to the development is to be provided to Council and shall be to the satisfaction of the Director Engineering Services

Sewer

30. A sewer line traverses the northern part of the property. No building is to be constructed within 2.5 m of the sewer line so as to ensure the integrity of the Council infrastructure.

31. A Sewer connection point is to be provided at the lowest point to the development and connected to the Council’s reticulation system to the satisfaction of the Director Engineering Services.

32. The internal reticulated sewer system will not be maintained by Council but is to remain the responsibility of the Body Corporate.

Other Authority Services

33. Underground power is to be provided to the development in accordance of the requirements of Aurora Energy and Council’s standard drawings and specifications.

34. The provision of telecommunications to the development is to be in accordance of the requirements of Telstra and Council standard drawings and specifications.

IN FAVOUR

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<thead>
<tr>
<th>MAYOR CHALK</th>
<th>CR BRAMICH</th>
<th>CR FAIRBROTHER</th>
<th>CR FENTON</th>
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<tr>
<td>CR FRENCH</td>
<td>CR FRIEDERSDORFF</td>
<td>CR HYLAND</td>
<td>CR RANSLEY</td>
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</tbody>
</table>

CARRIED UNANIMOUSLY

Enclosures:- refer to Enclosure Document Page 22
- Location Plan
- Report Accompanying the Application
- Site Plan
- Shadow Diagrams
- Floor Plans and Elevations
- Letter of Representation

PLANNING AUTHORITY MEETING CONCLUDED AT 8:54 PM.

TOWN PLANNER – MARY-ANN EDWARDS LEFT THE MEETING AT 8:54 PM.
COUNCIL

QUESTIONS ON NOTICE

Nil.

NOTICES OF MOTION

296/05 MICRO-CHIPPING OF DOGS

Cr French has given notice of his intention to move the following motion:

That Waratah-Wynyard Council:

1) commence compulsory micro-chipping of all registered dogs in the municipality commencing 1 July 2007.
2) seek Tasmanian State Government support and assistance to achieve this aim.
3) lobby other Councils through the Local Government Association of Tasmania to have all other Councils adopt micro-chipping of all registered dogs as a statewide measure.

OFFICERS COMMENTS

The intention to provide for greater controls and accountability of dog owners through micro chipping is supported as a means to assist in tracing the owners of dogs at large and more specifically the owners of dogs involved in offences against the Dog Control Act 2000.

In taking action such as compulsory micro chipping it is necessary to ensure the action is available under the Act otherwise such action is considered ‘ultra vires’ (beyond the power) and cannot be legally taken under the Act.

Currently the Dog Control Act 2000 does not contain provisions relating to the compulsory micro chipping of all dogs. Compulsory micro chipping is currently confined to declared dangerous dogs under the Act. Dogs are only declared dangerous under the Act after a significant incident such as a serious attack to another animal or person. In addition, a guard dog is automatically a dangerous dog under the Act.

As such point 1 of the proposed motion “...commence compulsory micro chipping of all registered dogs...” would not be legally enforceable at this stage.
Discussions have been held with the Local Government Office following the recent spate of dog attacks on stock and native fauna around the State to seek support in amending the Act to facilitate better control over stray and/or unregistered dogs. The Act currently provides for seizure of dogs where the property owners have committed an offence under the Act but is flawed in the processing of such dogs. An amendment to have unregistered dogs deemed at large would significantly enhance Councils ability to redress the issue of unregistered dogs in the municipality. Dogs that are impounded as being at large are required under the Act to be registered prior to release from the pound. The current controls relating to unregistered dogs such as infringement notices and/or prosecutions place an unreasonable financial and human resource burden on Councils.

The introduction of compulsory micro chipping to redress this issue would need to be sufficiently expansive to include all dogs otherwise irresponsible dog owners such as those that currently fail to register their dogs will almost certainly also fail to microchip the animals. The appropriate time to carry out micro chipping is from the weaning of the dog. This would effectively place the responsibility for micro chipping on the breeder of the dog and ensure that dogs on-sold have been micro chipped.

The Act would need to be amended to provide for dogs not micro chipped as being deemed at large similar to the amendment mooted above for unregistered dogs.

As such Point 2 and Point 3 of the proposed motion are supported.

As a proactive measure Council may wish to explore options to encourage micro chipping of dogs as an interim measure prior to any potential legislative change. Such measures could include a reduction in registration fees for micro chipped dogs in concert with organised micro chipping days through the local veterinary clinics.

It is recommended that Council support points 2 and 3 of the motion and encourage voluntary micro chipping of dogs through discounted dog registration fees commencing in the 2006/2007 registration period.

MOVED BY CR FRENCH
SECONDED BY CR HYLAND

That Waratah-Wynyard Council:-

1) seek the Tasmanian State Government’s support and assistance to amend the Dog Control Act 2000 to allow for councils to implement compulsory micro-chipping of all registered dogs within their municipal area.
Councillor Items

2) lobby other Councils through the Local Government Association of Tasmania to support amendments to the Act to allow the compulsory micro-chipping of all registered dogs.

AMENDMENT

MOVED BY CR FAIRBROTHER
SECONDED BY CR RANSLEY

That the substantive motion be amended by deleting the word ‘registered’ from Parts 1 and 2.

IN FAVOUR

CR BRAMICH  CR FAIRBROTHER  CR FRIEDERSDORFF  CR HYLAND  CR RANSLEY

MAYOR CHALK

AGAINST

CR FENTON  CR FRENCH

CARRIED

THE AMENDED MOTION:

That Waratah-Wynyard Council:

1) seek the Tasmanian State Government’s support and assistance to amend the Dog Control Act 2000 to allow for councils to implement compulsory micro-chipping of all dogs within their municipal area.

2) lobby other Councils through the Local Government Association of Tasmania to support amendments to the Act to allow the compulsory micro-chipping of all dogs.

AMENDMENT

MOVED BY CR FAIRBROTHER
SECONDED BY CR FENTON

That the substantive motion be amended by switching the order of required actions.
IN FAVOUR

CR FAIRBROTHER  CR FENTON  CR FRIEDERSDORFF  CR HYLAND  CR RANSLEY
MAYOR CHALK

AGAINST

CR BRAMICH  CR FRENCH

CARRIED

THE AMENDED MOTION:

That Waratah-Wynyard Council:

1) lobby other Councils through the Local Government Association of Tasmania to support amendments to the Dog Control Act 2000 to allow the compulsory micro-chipping of all dogs.

2) seek the Tasmanian State Government’s support and assistance to amend the Dog Control Act 2000 to allow for councils to implement compulsory micro-chipping of all dogs within their municipal area.

IN FAVOUR

MAYOR CHALK  CR BRAMICH  CR FAIRBROTHER  CR FENTON  CR FRENCH  CR FRIEDERSDORFF  CR HYLAND  CR RANSLEY

CARRIED UNANIMOUSLY

297/05 LOCAL TAXI SERVICES – REDUCTION IN SERVICE HOURS

Cr. Bramich as given notice of his intention to move the following motion:

“That Council seek to discuss with the management of Burnie-Wynyard Taxis the provision of taxi services based in Wynyard.”

AND COMMENTED:

The proposed reduction in the weekly hours during which taxi services will be based in Wynyard will create inconvenience for patrons because of increased travel times and Council should be seeking to ensure that the best possible level of service for local constituents is maintained.
OFFICERS’ COMMENTS

From the advertisement of reduced weekly hours of a taxi service based in Wynyard, it appears the initiative has resulted from low patronage levels. It would be beneficial for relevant issues to be discussed between the management of the service and Council to ensure that both parties are at least fully aware of the circumstances in which the service has been operating and to discuss options for maintaining a viable and practicable service.

MOVED BY CR BRAMICH
SECONDED BY CR FAIRBROTHER

That Council seek to discuss with the management of Burnie-Wynyard Taxis the provision of taxi services based in Wynyard.

IN FAVOUR

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</tbody>
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CARRIED UNANIMOUSLY
1. Recommendation

That Council:

(a) instructs the General Manager to pursue the finalisation of the transfer of Crown Land to it as outlined within this report providing that a clear benefit is established for Council ownership and that the costs associated with the transfer are considered reasonable.

(b) refuse the offer for the transfer of property PID 7296529 to it and suggests that the Crown deal directly with the current occupier of the land.

(c) refuse the offer for the transfer of property PID 2515411.

2. Summary

Council is in receipt of correspondence from the Minister for Environment and Planning, Hon Judy Jackson MHA advising of Cabinet’s recently approved recommendations relating to the Crown Land Assessment and Classification Project (CLAC) in the Waratah-Wynyard municipality.

This report has been prepared to assist Council consider its position in relation to the proposed transfers.

3. Background

The State Government has commenced a program for the assessment and classification of Crown Land throughout the State. As part of the project where Crown Land is deemed appropriate for transfer to local government, and Cabinet approval is provided, the matter is then referred to the appropriate Council for consideration.
It is intended that any transfers will be made under section 12 of the Crown Lands Act 1976 and in line with the Guidelines for Freehold Transfer of Crown Land to Local Government Councils, October 2004. In relation to the land on the list included in this report, this involves transfer at no consideration, subject to reversionary covenant to the Crown in the event of sale or change of use. The Government has also determined that the Council will be responsible for the costs associated with the transfers.

4. **Statutory and Strategic Requirements**

**Strategic Plan Reference**

<table>
<thead>
<tr>
<th>Strategy</th>
<th>To regularly review the role, function and viability of Council’s assets.</th>
</tr>
</thead>
</table>

**Statutory Requirements**

The applicable legislation for the transfer of Crown Land is clause 12 of the Crown Lands Act 1976 which states:

12. **Setting aside Crown land for purposes of Act, &c.**

   (1) The Minister may by order set aside Crown land to be used for the purposes of any Act, department, or statutory body on such terms and conditions as may be agreed upon between the Minister and the person administering the Act, the department, or the statutory body; and thereupon the land so set aside shall be available for that purpose subject to the terms and conditions so agreed upon.

   (2) . . . . . . .

   (3) For the purposes of giving effect to any order under this section, the Minister has power, upon receipt of the purchase price (if any) in respect of the land comprised in the order and upon fulfilment by the transferee of all conditions precedent, to convey and alienate in the name and on behalf of Her Majesty the land in fee simple in accordance with section 10 of the Lands Titles Act 1980.

   (4) The Minister may, by order, if he is satisfied that any land set aside under this section will not be required for the purposes for which it was so set aside, revoke the order by which the land was so set aside or so much of the order as affects that land and thereupon the land ceases to be available for the purpose for which it was so set aside.
5. **Finances**

Costs will be incurred in relation to the transfers agreed upon. These costs may include stamp duty, legal fees and survey costs.

CLAC will be preparing a schedule in due course, which will outline the cost impact on Council relating to the transfer program. The Director of CLAC has provided an assurance that where possible the costs will be kept to an absolute minimum however, the final position will be determined by Treasury.

6. **Discussion**

The following table outlines the property proposed by CLAC for transfer to Council. The previous comments on the program by Council have been added to the table for information together with a staff comment on the proposed allocation. A summary of the result of the CLAC recommendations accepted by Cabinet is as follows:

- Accept Transfer – recommended 23
- Refuse Transfer – recommended 2
- Further Investigate 5
- Dealt with separately 1
- Total Number of Properties 31
## PROPERTIES TO TRANSFER TO LOCAL GOVERNMENT - MUNICIPALITY OF WARATAH WYNYARD

<table>
<thead>
<tr>
<th>PROPERTY ID (PID)</th>
<th>AREA (ha)</th>
<th>RATIONALE FOR RECOMMENDED ALLOCATION</th>
<th>RECOMMENDED ALLOCATION (after consultation)</th>
<th>COUNCIL PREVIOUS COMMENT ON DRAFT CLAC MARCH 2005</th>
<th>COUNCIL STAFF COMMENT ON PROPOSED ALLOCATION</th>
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<tbody>
<tr>
<td>2236711</td>
<td>0.40</td>
<td>Waratah-Wynyard Council currently have a lease on this property for Queens Park and a war memorial, suggesting the property is suitable for ownership by Council which already manages the existing Council use.</td>
<td>Transfer to Local Government</td>
<td>This is the war memorial area at the corner of Hall and Main Streets. Council would be likely to accept the transfer of this property.</td>
<td>ACCEPT TRANSFER.</td>
</tr>
<tr>
<td>2236738</td>
<td>0.12</td>
<td>This narrow strip of land borders PID 2236711, suggesting the property is suitable for ownership by Council.</td>
<td>Transfer to Local Government</td>
<td>Not currently valued – DPIWE map indicates part of the large area around the falls and gorge – but indicates a long way from the waterfall and on the opposite side to the treatment plant? As discussed with CLAC representatives on 3/02/05 this property requires further investigation as to actual location.</td>
<td>FURTHER REVIEW REQUIRED – IF APPROPRIATE AND MEETS A COUNCIL NEED – ACCEPT TRANSFER.</td>
</tr>
<tr>
<td>2237909</td>
<td>0.13</td>
<td>The property shares a boundary with and is sufficiently similar to the adjacent Waratah-Wynyard Council owned property (Waratah Hall) to be transferred to Local Government.</td>
<td>Transfer to Local Government</td>
<td>Is the land adjacent to the Hall in Main Street, Waratah and would not think it would be a good idea to go to a private owner as it forms part of the reserve around the dam, and described above in 2237896. As discussed with CALC representatives on 3/02/05 this property has been identified for the relocation of the Kenworthy Stamper Mill – Council would be keen for the transfer of the property to itself.</td>
<td>ACCEPT TRANSFER – to allow Kenworthy Stamper Mill project to proceed a temporary licence will be issued for property – transfer to Council ownership will occur in conjunction with others.</td>
</tr>
<tr>
<td>PROPERTY ID (PID)</td>
<td>AREA (ha)</td>
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<tr>
<td>2237976</td>
<td>0.20</td>
<td>The property shares a boundary with and is sufficiently similar to the adjacent property (PID 2237896) that is suggested for ownership by Council.</td>
<td>Transfer to Local Government</td>
<td>This is part of the Post Office/Council Chamber precinct. Transfer to Council would be appropriate.</td>
<td>ACCEPT TRANSFER</td>
</tr>
<tr>
<td>2239306</td>
<td>4.11</td>
<td>Waratah-Wynyard Council currently have a lease on this property for Waratah Recreation Grounds, suggesting the property is suitable for ownership by Council which already manages the existing Council use.</td>
<td>Transfer to Local Government</td>
<td>Recreation Ground Area in William Street, Waratah. Transfer to Council would be appropriate</td>
<td>ACCEPT TRANSFER</td>
</tr>
<tr>
<td>2239314</td>
<td>3.66</td>
<td>Waratah-Wynyard Council currently have a lease on this property for a dam site, suggesting the property is suitable for ownership by Council which already manages the existing Council use.</td>
<td>Transfer to Local Government</td>
<td>This is part of the dam site and reserve area at the rear of the Council Chamber/Post Office at Waratah – Eastern side of William Street. Transfer to Council would be appropriate.</td>
<td>ACCEPT TRANSFER</td>
</tr>
<tr>
<td>2240614</td>
<td>0.62</td>
<td>Waratah-Wynyard Council currently have a lease on this property for recreation Frederick St, suggesting the property is suitable for ownership by Council which already manages the existing Council use.</td>
<td>Transfer to Local Government</td>
<td>This is the area known as the Lowe Street Reserve. Transfer to Council would be appropriate.</td>
<td>ACCEPT TRANSFER</td>
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</table>
## Councillor Items

<table>
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<tr>
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<tbody>
<tr>
<td>2240630</td>
<td>0.31</td>
<td>Waratah-Wynyard Council currently have a lease on this property for recreation (at Big Creek), suggesting the property is suitable for ownership by Council which already manages the existing Council use.</td>
<td>Transfer to Local Government</td>
<td>This is the reserve area along Big Creek near the SES buildings. Transfer to Council would be appropriate.</td>
<td>ACCEPT TRANSFER</td>
</tr>
<tr>
<td>2240657</td>
<td>0.46</td>
<td>Waratah-Wynyard Council currently have a lease on this property for recreation (at Big Creek), suggesting the property is suitable for ownership by Council which already manages the existing Council use.</td>
<td>Transfer to Local Government</td>
<td>This is the reserve area along Big Creek near the SES buildings. Transfer to Council would be appropriate.</td>
<td>ACCEPT TRANSFER</td>
</tr>
<tr>
<td>2240980</td>
<td>0.06</td>
<td>The property shares a boundary with and is sufficiently similar to the adjacent Waratah-Wynyard Council owned property (Langley Park) to be transferred to Local Government.</td>
<td>Transfer to Local Government</td>
<td>Small strip of land between Langley Park and the railway line at Somerset. Would probably only be suitable for Council to look at, however further investigation is required to determine exact location and impact.</td>
<td>FURTHER INVESTIGATE – ACCEPT TRANSFER IF DEEMED APPROPRIATE</td>
</tr>
<tr>
<td>2241641</td>
<td>5.12</td>
<td>Waratah-Wynyard Council currently have a lease or licence on this property for recreation, suggesting the property is suitable for ownership by Council which already manages the existing Council use.</td>
<td>Transfer to Local Government</td>
<td>This is the Cardigan Street Reserve (Somerset Soccer Ground). Transfer to Council would be appropriate.</td>
<td>ACCEPT TRANSFER</td>
</tr>
<tr>
<td>PROPERTY ID (PID)</td>
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<tr>
<td>2241684</td>
<td>0.20</td>
<td>The property shares a boundary with and is sufficiently similar to the adjacent Waratah-Wynyard Council owned property (Langley Park) to be transferred to Local Government.</td>
<td>Transfer to Local Government</td>
<td>Small strip of land between Langley Park and the railway line at Somerset. Would probably only be suitable for Council to look at.</td>
<td>FURTHER INVESTIGATE – ACCEPT TRANSFER IF DEEMED APPROPRIATE</td>
</tr>
<tr>
<td>2515411</td>
<td>1.34</td>
<td>Waratah-Wynyard Council currently have a lease on part of this property for a waste transfer station, suggesting the property is suitable for ownership by Council which already manages the existing use.</td>
<td>Transfer to Local Government</td>
<td>The Waste Transfer Station is currently in our system as PID 7615120 containing an area of 2.178 – this is part of that area. Transfer to Council would be appropriate.</td>
<td>REFUSE TRANSFER</td>
</tr>
<tr>
<td>2598886</td>
<td>3.44</td>
<td>Waratah-Wynyard Council currently have a lease on this property for dam site and town hall, suggesting the property is suitable for ownership by Council which already manages the existing Council use.</td>
<td>Transfer to Local Government</td>
<td></td>
<td>ACCEPT TRANSFER</td>
</tr>
<tr>
<td>7038423</td>
<td>0.94</td>
<td>There is an existing indoor sports centre provided by the Waratah-Wynyard Council on the property, suggesting it is suitable for ownership and management by Council.</td>
<td>Transfer to Local Government</td>
<td>Site of the Somerset Indoor Recreation Centre. Transfer to Council would be appropriate.</td>
<td>ACCEPT TRANSFER</td>
</tr>
<tr>
<td>7047418</td>
<td>1.31</td>
<td>There is a cemetery site provided by Council on the property suggesting it is suitable for ownership and management by Council.</td>
<td>Transfer to Local Government</td>
<td>Somerset Cemetery site, Pelissier Street. Transfer to Council would be appropriate.</td>
<td>ACCEPT TRANSFER</td>
</tr>
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<tr>
<td>7052639</td>
<td>0.45</td>
<td>There is a cemetery site provided by Council on the property suggesting it is suitable for ownership and management by Council.</td>
<td>Transfer to Local Government</td>
<td>Henrietta cemetery site, East Yolla Road. Transfer to Council would be appropriate.</td>
<td>ACCEPT TRANSFER</td>
</tr>
<tr>
<td>7054191</td>
<td>34.39</td>
<td>Waratah-Wynyard Council currently have a lease on this property for recreation, suggesting the property is suitable for ownership by Council which already manages the existing Council use.</td>
<td>Transfer to Local Government</td>
<td></td>
<td>FRENCHS ROAD RESERVE – ACCEPT TRANSFER</td>
</tr>
<tr>
<td>7062626</td>
<td>7.49</td>
<td>There is a cemetery site provided by Council on the property suggesting it is suitable for ownership and management by Council.</td>
<td>Transfer to Local Government</td>
<td>Wynyard cemetery site, Austin Street. Transfer to Council would be appropriate.</td>
<td>ACCEPT TRANSFER</td>
</tr>
<tr>
<td>7139953</td>
<td>1.47</td>
<td>Waratah-Wynyard Council currently have a lease on this property for recreation purposes, suggesting the property is suitable for ownership by Council, which already manages the existing Council use.</td>
<td>Transfer to Local Government</td>
<td>This is part of the area that surrounds the water and reserve area at the rear of the Council Chambers/Post Office at Waratah. This particular piece of land fronts English Street. Transfer to Council would be appropriate.</td>
<td>ACCEPT TRANSFER</td>
</tr>
<tr>
<td>7363736</td>
<td>0.45</td>
<td>There is a cemetery provided by Council on the property suggesting it is suitable for ownership and management by Council.</td>
<td>Transfer to Local Government</td>
<td>Old Wynyard cemetery, Jenner Street, Wynyard. Transfer to Council would be appropriate.</td>
<td>ACCEPT TRANSFER</td>
</tr>
</tbody>
</table>
### Councillor Items

<table>
<thead>
<tr>
<th>PROPERTY ID (PID)</th>
<th>AREA (ha)</th>
<th>RATIONALE FOR RECOMMENDED ALLOCATION</th>
<th>RECOMMENDED ALLOCATION (after consultation)</th>
<th>COUNCIL PREVIOUS COMMENT ON DRAFT CLAC MARCH 2005</th>
<th>COUNCIL STAFF COMMENT ON PROPOSED ALLOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>7365619</td>
<td>18.09</td>
<td>Waratah-Wynyard Council currently have a lease on this property for recreation, suggesting the property is suitable for ownership by Council which already manages the existing Council use.</td>
<td>Transfer to Local Government</td>
<td>Frederick Street Reserve including the BMX track between Lowe Street and Belton Street. Transfer to Council would be appropriate.</td>
<td>ACCEPT TRANSFER</td>
</tr>
<tr>
<td>7615120</td>
<td>1.91</td>
<td>There is a waste transfer facility provided by Council on the property suggesting it is suitable for ownership and management by Council.</td>
<td>Transfer to Local Government</td>
<td>Part of the Wynyard Waste Transfer site – see 2515411. Transfer to Council would be appropriate.</td>
<td>ACCEPT TRANSFER</td>
</tr>
<tr>
<td>7880899</td>
<td>3.34</td>
<td>Waratah-Wynyard Council currently has a lease on this property for recreation, suggesting the property is suitable for ownership by Council which already manages the existing Council use.</td>
<td>Transfer to Local Government</td>
<td>This is the Wynyard Recreation Ground site in Austin Street, Wynyard. Transfer to Council would be appropriate.</td>
<td>ACCEPT TRANSFER</td>
</tr>
<tr>
<td>6998289</td>
<td>0.20</td>
<td>Waratah-Wynyard Council currently have a lease on this property for a museum and depot, suggesting the property is suitable for ownership by Council which already manages the existing Council use.</td>
<td>Transfer to Local Government (subject to further discussion on details of transfer)</td>
<td>Museum site at Waratah. Further investigation of this property needs to be undertaken to establish future ownership issues/responsibilities.</td>
<td>ACCEPT TRANSFER – separately dealt with at Council Meeting on 18/07/05. Transfer together with a contribution from State for repairs being further negotiated.</td>
</tr>
</tbody>
</table>
### Councillor Items

<table>
<thead>
<tr>
<th>PROPERTY ID (PID)</th>
<th>AREA (ha)</th>
<th>RATIONALE FOR RECOMMENDED ALLOCATION</th>
<th>RECOMMENDED ALLOCATION (after consultation)</th>
<th>COUNCIL PREVIOUS COMMENT ON DRAFT CLAC MARCH 2005</th>
<th>COUNCIL STAFF COMMENT ON PROPOSED ALLOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>7296529</td>
<td>0.29</td>
<td>There is a scout hall and lodge building provided by two local community groups on the property. The property could be suitable for ownership by Council, with arrangements for the existing uses transferred to Council.</td>
<td>Transfer to Local Government (subject to further discussion)</td>
<td>Area of land fronting Cam Road, Somerset. Council unlikely to wish to secure ownership of this property – current tenure needs further investigation.</td>
<td>REFUSE TRANSFER – Currently building occupied by Scout Group – State should discuss transfer with them.</td>
</tr>
<tr>
<td>7076526</td>
<td>1.21</td>
<td>The property serves as public open space for a subdivision, suggesting it is suitable for ownership and management by Council.</td>
<td>Transfer to Local Government (subject to further discussion). Otherwise, reserve as Public Reserve under the Crown Lands Act 1976.</td>
<td>Reserve at the end of Stanwyyn Court, Wynyard. Further investigation is required in relation to this property.</td>
<td>FURTHER INVESTIGATE – ACCEPT TRANSFER IF DEEMED APPROPRIATE</td>
</tr>
<tr>
<td>7066387</td>
<td>1.79</td>
<td>Waratah-Wynyard Council currently have a lease on this property for a depot and nursery, suggesting the property is suitable for ownership by council, which already manages the existing Council use.</td>
<td>Transfer to Local Government.</td>
<td>Council depot site Goldie Street. Transfer to Council would be appropriate.</td>
<td>ACCEPT TRANSFER</td>
</tr>
<tr>
<td>7074221</td>
<td>0.95</td>
<td>Waratah-Wynyard Council currently have a lease on this property for a War Memorial, suggesting it is suitable for ownership by Council which manages the existing Council use.</td>
<td>Transfer to Local Government.</td>
<td>This area is part of the Gutteridge Gardens area which encompasses the War Memorial. Transfer to Council would be appropriate.</td>
<td>ACCEPT TRANSFER</td>
</tr>
<tr>
<td>PROPERTY ID (PID)</td>
<td>AREA (ha)</td>
<td>RATIONALE FOR RECOMMENDED ALLOCATION</td>
<td>RECOMMENDED ALLOCATION (after consultation)</td>
<td>COUNCIL PREVIOUS COMMENT ON DRAFT CLAC MARCH 2005</td>
<td>COUNCIL STAFF COMMENT ON PROPOSED ALLOCATION</td>
</tr>
<tr>
<td>------------------</td>
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<td>---------------------------------------------</td>
<td>-----------------------------------------------</td>
<td>---------------------------------------------</td>
</tr>
<tr>
<td>2243364</td>
<td>28.88</td>
<td>Waratah Wynyard-Council currently have a lease on part of this property for a sewage treatment plant and water wheel, suggesting this part of the property is suitable for ownership by Council which already manages the existing Council use. Part of the property borders the water's edge in a predominantly developed area and provides for public access along and protects Waratah Falls, and is recommended to be reserved as Public Reserve.</td>
<td>Transfer part to Local Government. Reserve part as Public Reserve under the Crown Lands Act 1976.</td>
<td>This is the large reserve area at Waratah that surrounds the waterfall, the gorge, old power station and Sewerage Treatment area. As discussed with CLAC representatives on 3/02/05 this parcel of land needs further investigation. Council would have an interest in securing part of the property that currently has the sewage treatment plant and water wheel feature – doubt that the balance would be of interest to Council.</td>
<td>FURTHER INVESTIGATE – ACCEPT TRANSFER ONLY IF DEEMED APPROPRIATE</td>
</tr>
<tr>
<td>7091726</td>
<td>5.65</td>
<td>There is a sewerage treatment plant provided by Council on part of the property, now owned and managed by Council. Part of the property is on the coast and provides public facilities and access. Long term public benefit is best maintained by reservation.</td>
<td>Transfer part to Local Government. Reserve part as Public Reserve under the Crown Lands Act 1976.</td>
<td>Site of Treatment Plant at Sisters Beach. Purchase of land since finalized – no further action required.</td>
<td>DEALT WITH SEPARATELY</td>
</tr>
</tbody>
</table>
7. Risk

The most obvious risk is the financial costs that may be incurred in finalising the transfers from the State to Council.

The future formalities for Council decision making in relation to the properties concerned are however reduced as there will no longer be a need to obtain the Crown’s approval when undertaking works.

The reversionary covenants placed on the titles can create some issue in the future if the land is considered by a future Council to be surplus to requirements however, not greatly more so than currently exists where Council has either a lease or licence on the land in question.

8. Conclusion

It is recommended that Council support the transfer of Crown Land to it where a benefit is established.

The report is presented for Council consideration.

MOVED BY CR RANSLEY
SECONDED BY CR FRENCH

That Council:

(a) instructs the General Manager to pursue the finalisation of the transfer of Crown Land to it as outlined within this report providing that a clear benefit is established for Council ownership and that the costs associated with the transfer are considered reasonable.

(b) refuse the offer for the transfer of property PID 7296529 to it and suggests that the Crown deal directly with the current occupier of the land.

(c) refuse the offer for the transfer of property PID 2515411.

IN FAVOUR

MAYOR CHALK CR BRAMICH
CR FRENCH CR FRIEDERSDORFF CR HYLAND
CR FAIRBROTHER CR FENTON CR RANSLEY

CARRIED UNANIMOUSLY

Enclosures:- refer to Enclosure Document Page 51
- Hon Judy Jackson MHA – Crown Land Assessment and Classification Project – 11 July 2005
299/05 FINANCIAL REPORT – YEAR ENDED 30 JUNE, 2005

To: Council
Reporting Officer: Accountant
Responsible Manager: General Manager
File Reference: 
Council Meeting Date: 19 September 2005

1. **Recommendation**

   *That in accordance with section 84 (4) of the Local Government Act 1993 the Financial Report for the year ended 30 June 2005 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 2005.

3. **Background**

   This report has been prepared following the completion of the audit process for the financial year ended 30 June 2005. The Council’s auditors, Tasmanian Audit Office, have now finalised their audit of the 2004/05 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:

84. Financial statements
(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 applicable Australian Accounting Standards and Urgent Issues Group Abstracts approved by the Australian Accounting Standards Board; 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.
(5) In this section –
   "competitive neutrality costs" means the costs required to be taken into account under the competitive neutrality principles.

85. Audit
(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>2003/2004</th>
<th>2004/2005</th>
<th>Increase/ (Decrease)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Revenues</td>
<td>15,928,217</td>
<td>16,559,916</td>
<td>631,699</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>13,088,103</td>
<td>13,469,764</td>
<td>381,661</td>
</tr>
<tr>
<td>Increase in Net Assets</td>
<td>2,840,114</td>
<td>3,090,152</td>
<td>250,038</td>
</tr>
<tr>
<td>Cash</td>
<td>5,034,083</td>
<td>6,054,700</td>
<td>1,020,617</td>
</tr>
<tr>
<td>Receivables</td>
<td>849,113</td>
<td>586,923</td>
<td>(262,190)</td>
</tr>
<tr>
<td>Payables</td>
<td>1,003,777</td>
<td>967,405</td>
<td>(363,372)</td>
</tr>
<tr>
<td>Borrowings</td>
<td>4,405,888</td>
<td>4,172,931</td>
<td>(232,957)</td>
</tr>
<tr>
<td>Provisions</td>
<td>893,788</td>
<td>1,023,432</td>
<td>129,644</td>
</tr>
</tbody>
</table>

RATIOS:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Ratio</td>
<td>2.41:1</td>
<td>2.66:1</td>
</tr>
<tr>
<td>Borrowing Costs to Operating Revenue</td>
<td>1.41%</td>
<td>1.46%</td>
</tr>
<tr>
<td>Rate Collection</td>
<td>0.94%</td>
<td>0.75%</td>
</tr>
<tr>
<td>Grant Coverage</td>
<td>24.60%</td>
<td>26.13%</td>
</tr>
<tr>
<td>Expenditure Per Capita (13,887)</td>
<td>$942.47</td>
<td>$969.95</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>Employee Costs</td>
<td>3,446,540</td>
<td>3,488,122</td>
<td>(41,582)</td>
</tr>
<tr>
<td>Materials and Contracts</td>
<td>4,669,812</td>
<td>4,928,029</td>
<td>(258,217)</td>
</tr>
<tr>
<td>Depreciation</td>
<td>2,647,005</td>
<td>2,445,656</td>
<td>201,349</td>
</tr>
<tr>
<td>Carrying Amount of Non-Current Assets Sold</td>
<td>281,982</td>
<td>1,163,564</td>
<td>(881,582)</td>
</tr>
<tr>
<td>State Levies</td>
<td>266,880</td>
<td>257,343</td>
<td>9,537</td>
</tr>
<tr>
<td>Borrowing Costs</td>
<td>240,339</td>
<td>242,218</td>
<td>(1,879)</td>
</tr>
<tr>
<td>Remissions &amp; Discounts</td>
<td>645,274</td>
<td>748,573</td>
<td>(103,299)</td>
</tr>
<tr>
<td>Other</td>
<td>157,412</td>
<td>196,259</td>
<td>(38,847)</td>
</tr>
<tr>
<td>Total Expenses</td>
<td>12,355,244</td>
<td>13,469,764</td>
<td>(1,114,520)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>REVENUE</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Rates</td>
<td>8,244,472</td>
<td>8,550,175</td>
<td>305,703</td>
</tr>
<tr>
<td>User Charges</td>
<td>1,417,441</td>
<td>1,978,804</td>
<td>561,363</td>
</tr>
<tr>
<td>Interest</td>
<td>185,563</td>
<td>487,928</td>
<td>302,365</td>
</tr>
<tr>
<td>Reimbursements</td>
<td>212,252</td>
<td>750,666</td>
<td>538,414</td>
</tr>
<tr>
<td>Government Grants</td>
<td>4,422,425</td>
<td>4,326,607</td>
<td>(95,818)</td>
</tr>
<tr>
<td>Gross Proceeds from Non-Current Assets Sold</td>
<td>286,732</td>
<td>349,681</td>
<td>62,949</td>
</tr>
<tr>
<td>Other</td>
<td>97,125</td>
<td>116,055</td>
<td>18,930</td>
</tr>
<tr>
<td>Total Revenue</td>
<td>14,866,010</td>
<td>16,559,916</td>
<td>1,693,906</td>
</tr>
</tbody>
</table>

| Increase in Net Assets Resulting from Operations | 2,510,766 | 3,090,152 | 579,386 |

A combination of factors resulted in the above positive turnaround against budget.

The most significant factors being:

**Employee Costs** – primarily additional children’s services programs added during the year.

**Materials and Contracts** – the following were material variances between actual and budget:
- $11,500 spent on determining the condition of the Athenaeum Hall at Waratah – Council approved but not included in Council’s original budget.
- $20,000 was utilised to hire contractors to perform weed management duties – this amount was budgeted to be performed by Council employees.
- Approximately $150,000 additional funds spent on patching of Council roads due to the poor underlying condition of roads to be resealed as part of the Capital Works Program.
- Repairs of Sewerage Pumps exceeded expectations.
Depreciation Expense – budget estimates were higher than actual costs for the year due to the inclusion of residual values on Council buildings - this had the effect of reducing the depreciation charge on these individual buildings.

Carrying Amount of NCA Sold – the variation in this expense category is due to the removal of computer software as a Council asset (due to changes in accounting standards) and removal of approximately $500,000 in the value of the Sisters Beach Sewerage Scheme (reviewing Council’s accounting policy in relation to survey, design and earthworks costs).

Rate Revenue – variation due to supplementary valuations and also the rating of Forestry properties for the first time (this amount was not included in Council’s budget as the properties had not been fully identified at the time of completing the budget).

User Charges
- $35,000 surplus proceeds from Waratah Property Sales treated as income in this financial year.
- Approximately $150,000 in additional revenue due to increased utilisation and introduction of new children’s services programs.
- Approximately $95,000 additional revenue generated from the new fees introduced as part of changes to the Building Act (including $9000 paid for On-Site Waste Water Disposal Assessments).
- $35,000 additional revenue generated from Planning Applications.
- The Waste Transfer Station generated approximately $28,000 more in revenue than anticipated.
- $15,500 additional revenue was earned from cemetery interments.
- Depot Water Sales income was up $8,000 on budget estimates.
- Water usage generated $74,000 in additional revenue for Council.
- Revenue from ‘Drainage Location Charges’ was greater than anticipated.
- Additional revenue of $28,010 generated from Contract Works.

Interest Income – the timing of cash inflows and outflows, combined with favourable interest rates, generated greater interest income than anticipated.

Reimbursements
- $34,000 paid in Public Open Space contributions
- $155,000 received from Circular Head Council – Port Latta Landfill Adjustment.
- Approximated $380,000 relates to the recognition of Waste Transfer Station Assets, which had incorrectly been written off in a previous revaluation of Council Assets.

Government Grants – the following resulted in Government Grant income not meeting budget expectations:
- Less funding received in relation to the Sisters Beach Sewerage Scheme than budgeted for.
7. Risk

No risks to Council have been identified in relation to the Financial Report for the year ended 30 June 2005.

8. Conclusion

It is acknowledged that the financial result achieved by Council for 2004/2005 is a reasonable outcome.

An abridged version of the Financial Report will be included within the Annual Report for the 2004/05 year. The Annual General Meeting of Council will be conducted on Thursday 6 October 2005 in conjunction with the Civic Celebration recognising the reopening of the Railway Institute Hall for community use.

The report is presented for the determination of Council.

MOVED BY CR FENTON
SECONDED BY CR FRENCH

That in accordance with section 84 (4) of the Local Government Act 1993 the Financial Report for the year ended 30 June 2005 be received.

IN FAVOUR

<table>
<thead>
<tr>
<th>MAYOR CHALK</th>
<th>CR BRAMICH</th>
<th>CR FAIRBROTHER</th>
<th>CR FENTON</th>
</tr>
</thead>
<tbody>
<tr>
<td>CR FRENCH</td>
<td>CR FRIEDERSDORFF</td>
<td>CR HYLAND</td>
<td>CR RANSLEY</td>
</tr>
</tbody>
</table>

CARRIED UNANIMOUSLY

Enclosures:- refer to Enclosure Document Page 56
- Audited Financial Report for year ended 30 June 2005
- Audit Letter including Draft relating to Waratah-Wynyard Council for publication in the Annual Report to Parliament
1. Recommendation

*That Council confirm the amended Risk Management Policy and note that it is scheduled for review in August 2007 unless interim circumstances necessitate an earlier review.*

2. Summary

This report has been prepared to allow Council the opportunity to review the provisions of its Risk Management Policy.

This Policy was originally planned for review in September 2006 but Civic Mutual Plus, Council’s Public Liability Insurer, have recommended that Risk Management Policies should be reviewed every two years.

The Policy has been changed in several areas, some to reflect the latest Risk Management Standards, particularly in the Glossary, and others recommended by the Risk Management Officer and Civic Mutual Plus. The attached Policy includes the suggested amendments.

3. Background

As part of the annual liability assessment report by Civic Mutual Plus, Council’s Public Liability Insurers, the Risk Management Policy of the Council was examined and from discussions with the Assessor it was determined to be in need of review.

4. Statutory and Strategic Requirements

<table>
<thead>
<tr>
<th>Strategic Plan Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Objective 6.3</td>
</tr>
<tr>
<td>Ensure that Council service delivery is reviewed, maintained and enhanced to reflect community expectations.</td>
</tr>
</tbody>
</table>
The development, and regular review, of policies relating to the delivery of Council services and the satisfaction of community requirements is consistent with Council’s Strategic Plan. Whilst there are no statutory requirements for Council to have a Risk Management Policy, the Strategic Plan embraces the concept of formulating policy for the occupational health and well-being of staff and also community health and safety. The adoption and maintenance of such a Policy is also encouraged by Council’s public liability risk insurer, Civic Mutual Plus.

5. Finances

The Policy quite clearly puts a responsibility on Council to provide adequate resources to manage risk to –

- Maintain staff health and safety.
- Maintain Council assets.
- Maintain Council’s reputation.
- Ensure continuity of service.
- Reduce Council’s liability and minimise or eliminate other circumstances which may cause a loss to Council.

6. Discussion

The original Policy was forwarded to Civic Mutual Plus for comment and, after suggesting some minor amendments which were included, they stated “this is a robust document, and its implementation should serve Waratah-Wynyard well”. The amendments suggested below are seen to enhance the existing Policy.

SUGGESTED AMENDMENTS

(Original wording shown in normal type with suggested amendments shown in italics).

Purpose

In the first paragraph add the word ‘employees’ after the word ‘residents’

Glossary of terms

Risk Analysis

A systematic use of available information to determine how often specified events may occur and the magnitude of their consequences.
Risk Analysis
A systematic process to understand the nature of and deduce the level of risk.

Risk Assessment
The process used to determine risk management policies by evaluating and comparing the level of risk against predetermined standards, target risk levels or other criteria.

Risk Assessment
The overall process of risk identification, risk analysis and risk evaluation.

Risk Identification
The process of determining what can happen, why and how.

Risk Identification
The process of determining what, where, when, why and how something could happen.

Risk Management
The systematic identification and treatment of risks to reduce the possibility of adverse consequences impacting on Council and/or its employees.

Risk Management Process
The systematic identification and treatment of risks to reduce the possibility of adverse consequences impacting on Council and/or its employees.

Risk Retention
Intentionally or unintentionally retaining the responsibility for loss or financial burden of loss within the organisation.

Risk Retention
Acceptance of the burden of loss, or benefit or gain, from a particular risk.

Objective
Add the following objective –

“To ensure that risk management is paramount in all Council public areas and that a safe environment is created for the community at large and Council employees.

Policy
In the opening Paragraph change ‘AS/NZS 4360.1999’ to ‘AS/NZS 4360.2004’

Add the following two items in the ‘…..areas of potential losses’
• *Motor Vehicle Fleet*

• *Property*

Change the first item under the paragraph dealing with the order in which the management of risk will be addressed –

• Wherever possible the risk should be avoided or eliminated, to ….

• *Wherever possible the risk should be eliminated or minimised*

**Responsibility**

**General Manager**

Add the following –

• *Recognise and adopt Risk Management as a key function of the organisation.*

• *Ensure risks are managed in accordance with the Australian/New Zealand Standard 4360:2004 Risk Management and Council’s policies and procedures*

**Directors, Accountant, Managers, Supervisors & Co-ordinators**

Change the second paragraph -

• Provide risk management related information as requested, to …

• *Provide risk management related information as requested, and assist in the investigation of any risk management issues or claims that have been made against Council’s insurances.***

**Risk Management Officer**

Change the opening paragraph –

‘In coordination with the General Manager and Directors -, to…

‘*In co-ordination with the General Manager, Directors, Accountant, Managers, Supervisors and Co-ordinators –*’

Add the following two dot points after dot point one –

• *Develop risk management strategies to assist with achieving full compliance with this Policy.*
• Undertake risk assessments for identified projects following annual budget preparations in accordance with AS4360.

Change the review of the Policy to every ‘two’ years instead of the original ‘three’ years, as per the requirement of Civic Mutual Plus.

**Workplace Teams, Employees, Contractors, Sub-contractors and Volunteers**

Add the following dot point –

‘Assist positively with investigations related to incidents that have occurred as a result of a hazard or incident’

**7. Risk**

In the absence of a regular review of this Policy Council takes the risk of having no updated defining roles or guidelines to assist its aim to provide a safe and health workplace for its employees and a safe community environment for its residents and visitors to the Municipality.

**8. Conclusion**

The adoption of an amended Risk Management Policy will give Council clear direction in its approach to Risk Management and define, with greater clarity, the areas of responsibility of Council, Senior Management and support staff.

MOVED BY CR FENTON
SECONDED BY CR FRIEDERSDORFF

*That Council confirm the amended Risk Management Policy and note that it is scheduled for review in August 2007 unless interim circumstances necessitate an earlier review.*

IN FAVOUR

MAYOR CHALK CR BRAMICH CR FAIRBROTHER CR FENTON
CR FRENCH CR FRIEDERSDORFF CR HYLAND CR RANSLEY

CARRIED UNANIMOUSLY
1.0 Purpose

Risk management is the process of identifying, analysing and evaluating risk and selecting the most effective way of treating it. It is a way of making real savings in terms of operation and reduction of insurance premiums and in the prevention of injury to residents, employees and visitors to the municipality.

The purpose of this policy is to define the principles for the implementation and associated responsibilities of staff and management in the risk management process and to provide a framework for the management of risk.

2.0 Glossary of terms

- **Accidental loss**: A negative consequence, financial or otherwise which is not deliberate.

- **Hazard**: A source of potential harm or a situation with a potential to cause loss.

- **Hold Harmless**: A contract provision that transfers liability from one party to another; an agreement that one party will assume the other’s liability arising under or because of the contract.

- **Incident**: An event or occurrence. A loss from any insured peril. An insured is obligated to report such losses to the insurer or its representative as soon as possible.

- **Loss**: Any negative consequence, financial or otherwise.

- **Risk**: The chance of something happening that will have an impact upon objectives. It is measured in terms of consequences and likelihood.

- **Risk Acceptance**: An informed decision to accept the likelihood and the consequences of a particular risk.
Risk Analysis  
A systematic process to understand the nature of and deduce the level of risk.

Risk Assessment  
The overall process of risk identification, risk analysis and risk evaluation.

Risk Avoidance  
An informed decision not to become involved in a risk situation.

Risk Identification  
The process of determining what, where, when, why and how something could happen.

Risk Management Process  
The systematic identification and treatment of risks to reduce the possibility of adverse consequences impacting on Council and/or its employees.

Risk Retention  
Acceptance of the burden of loss, or benefit or gain, from a particular risk.

Risk Transfer  
Shifting the responsibility or burden for the loss to another party through legislation, contract, insurance or other means. Risk transfer can also refer to shifting a physical risk or part thereof elsewhere.

3.0 Objective

- To promote and support risk management practices throughout the Council.
- To recognise that successful risk management is the responsibility of all employees.
- To encourage the identification and reporting of potential risks.
- To protect Council against the financial consequence of accidental losses, particularly those of a major nature.
- To encourage an organisational culture which creates safe, healthy and risk free work and operational environments.
- To provide community facilities that can be enjoyed safely and securely by the public.
- To develop and implement work systems that embrace risk management principles to ensure that Council’s loss exposures are managed within available financial resources.
Council Reports

- To provide cost effective strategies for the identification, prevention and control of losses and their consequences for all of Council’s activities.

- To provide an effective information system for analysing and monitoring the risk management program.

- To ensure that risk management is paramount in all Council public areas and workplaces and that a safe environment is created for the community at large and Council employees.

- To protect Council’s corporate image as a professional, responsible and ethical organisation.

4.0 Scope

This policy applies to all Councillors, employees, contractors, sub-contractors, volunteers and representatives of the Waratah-Wynyard Council.

5.0 Policy

The Waratah-Wynyard Council is committed to managing risk in accordance with the process described in the Australian/New Zealand Standard AS/NZS 4360.2004 Risk Management, by logically and systematically identifying, analysing, assessing, treating, monitoring and communicating risk exposures associated with any activity, function or process in a way that enables the Council to minimise losses that are likely to adversely impact on the Council’s operations.

Specifically this includes, (but is not limited to), the following areas of potential losses –

- Personnel (Occupational Health and Safety).

- Liability (including public liability and professional indemnity).

- Financial.

- Business interruption.

- Council’s reputation and standing in the community, with State and other levels of government, and with respect to regulatory and other bodies.

- Environmental degradation.

- Health – potential loss of community health.

- Motor Vehicle Fleet
Property

Management, staff and contractors are responsible for ensuring that risk management is given a high priority in the day-to-day conduct of Council and Council related activities.

The management of risk is essential in –

- Achieving Council’s vision statement as outlined in the Corporate Plan.
- Enabling the incorporation of risk management initiatives across all levels of the Council.
- Facilitating and initiating innovation, co-operation and sharing of resources.
- Enhancing Council’s programs of economic development, environmental management, community well-being, quality management and customer service.

In accordance with the common law duty of care, statutory responsibilities, requirements under Council’s insurance policies and Council’s own policies, Waratah-Wynyard Council will ensure that appropriate levels of resources are allocated through the Corporate Services Department to –

- Maintain staff health and safety.
- Maintain Council’s assets.
- Maintain Council’s reputation.
- Ensure continuity of service.
- Reduce Council’s liability and minimise or eliminate other circumstances which may cause a loss to Council.

Council will also –

- Promote and support risk management practices throughout the organisation.
- Recognise that successful risk management is the responsibility of all employees.
- Encourage the identification and reporting of potential risks.
- Implement processes to reduce risk and eliminate high-risk activities.
A key principle of effective risk management is a hierarchical approach to the management of risk that emphasises prevention rather than mitigation. Management of risk will address the risk in the following priority order –

- Wherever possible the risk should be eliminated or minimised.

- Transfer the risk in full or in part by -
  - Insuring risks where, in return for a premium, the financial cost of certain risks are passed to the insurer.
  - Ensuring that external organisations leasing or managing Council owned assets have adequate insurance and that the Council is indemnified and “held harmless”.
  - Ensuring that any works, carried out by contractors, are fully insured and that Council is indemnified and “held harmless”.

- Reduce the likelihood and consequence of risk by undertaking hazard analysis and risk audits, and developing procedures relating to issuing advice and approvals to customers.

Council will accept the risks of accidental loss where –

- losses are of a predictable frequency.

- the losses will not have a significant impact on Council’s financial position.

- there is a compliance with laws, and financial analysis indicates that it is the most favourable option.

In accepting risk of accidental loss, Council will ensure that it has claims handling and risk management capabilities.

In accepting insurance deductibles, (the excess level for any claim), Council should ensure that these are reasonable costs to bear for any accepted risk.

6.0 Legislation

Workplace Health and Safety Act 1995
Workplace Health and Safety Regulations 1998
7.0 Responsibility

Council

• Adopt a Risk Management Policy for the Municipality and review and amend as required, and provide adequate budgetary provision for risk management strategies to be implemented.

General Manager

• Maintain overall responsibility for the effective management of all types of risks across Council’s operations and ensure Councillors are kept aware of Council’s risk management objectives.

• Recognise and adopt Risk Management as a key function of the organisation.

• Ensure risks are managed in accordance with the Australian/New Zealand Standard 4360:2004 Risk Management and Council’s policies and procedures

Manager Corporate Services

• Maintain overall responsibility for the co-ordination and administration for the Council’s risk management program as outlined by this policy

Directors, Accountant, Managers, Supervisors & Co-ordinators

• Ensure that Council’s assets and operations are adequately protected, and public liability exposures addressed through appropriate budgeting for loss control programs and measures. This covers (but is not limited to) the loss areas of industrial plant, property, motor vehicles, liability, professional indemnity, directors and officers’ liability, financial and business interruptions.

• Provide risk management related information as requested, and assist in the investigation of any risk management issues or claims that have been made against Council’s insurances.

• Ensure the provision of a safe and healthy work environment and the implementation of appropriate safe work practices and control measures in accordance with the Workplace Health and Safety Act 1995, its amendments, related Regulations and Council’s O H & S Policy.

• Ensure that staff have continued access to adequate training.
• Consult with the Health and Safety Committee, where appropriate, to resolve risk management issues.

• Supervise and audit contractors to ensure that, at minimum, contractor’s and subcontractor’s policies, procedures and risk management activities comply with those of the Waratah-Wynyard Council, and that they are current and applied throughout the period of the contract.

**Risk Management Officer**

In co-ordination with the General Manager, Directors, Accountant, Managers, Supervisors and Co-ordinators –

• Develop and maintain a risk register, using a risk analysis matrix for the prioritisation of risks for treatment.

• Develop risk management strategies to assist with achieving full compliance with this policy.

• Undertake risk assessments for identified projects following annual budget preparations in accordance with Australian/New Zealand Standard AS/NZS 4360.2004 *Risk Management*.

• Develop and review risk management related policies and procedures.

• Contribute to the development and maintenance of hazard and incident recording, investigation and reporting systems of Council.

• Recommend and assist in implementing prevention and loss control programs and maintain records of Council’s activities.

• Monitor the accident reporting and recording procedure.

• Review with supervisory staff all aspects of the risk management program on a regular basis and assist with workplace inspections and safety audits.

• Ensure that adequate fire protection and security arrangements are in place to protect Council’s assets.

• Negotiate and recommend appropriate insurance cover and negotiate brokerage and insurance renewals.

• Manage claims with the insurance broker on behalf of Council.

• Provide reports to Council and senior management on all insurance claims and any risks.
Council Reports

- Ensure all accidents and incidents reported are fully investigated and the appropriate corrective action has been taken.
- Analyse risk management training needs and recommend appropriate training.
- Review the Risk Management Policy every two years, or as required, in response to changes in legislation, Council structure or resources, standards or codes of practice.

Workplace Teams, Employees, Contractors, Sub-contractors and Volunteers

- Perform duties in a manner which is within an acceptable level of risk to their own health and safety, and that of other employees, Council’s customers and the community in general.
- Make loss control/prevention a priority whilst undertaking daily tasks in Council’s operations.
- Consult with the Health and Safety Committee representatives, where appropriate, to resolve health and safety issues.
- Report any hazard, incident, loss or near miss as soon as they occur or are discovered, to their Supervisor or Council’s Risk Management Officer.
- Be aware of the risk management philosophy and process within the organisation.
- Be aware of Council’s OH & S Policy.
- Assist positively with investigations related to incidents that have occurred as a result of a hazard or incident.

Health and Safety Committee

- Facilitate consultation and co-operation between employer and persons working at the workplace for which the committee is established in initiating, developing and implementing measures designed to ensure the health and safety of the persons at that workplace.
- Keep itself informed about standards relating to health and safety in workplaces of a comparable nature.
- Review and make recommendations to the Waratah-Wynyard Council on rules and procedures at the workplace relating to the health and safety of the persons working at that workplace.
Council Reports

- Recommend to the Council the establishment, maintenance and monitoring of programs, measures and procedures at that workplace relating to the health and safety of the persons working at that workplace.

- Keep, in an accessible place and form, such information as is provided, under the *Workplace Health and Safety Act 1995* and by the Council, regarding hazards to persons that arise or may arise at the workplace.

- Consider and make recommendations to the Council relating to training and education in, and promotion of, health and safety at the workplace.

- Consider and make recommendations to the Council relating to changes to be made at the workplace following an accident or dangerous incident.

- Perform such other functions as may be given to the Committee, with its consent, by the Council or as may be prescribed.

8.0 Minute Reference

TBA

9.0 Council Meeting Date

19 September 2005
1. Recommendation

That Council:

(a) defer the construction of sewer extensions to service the following properties indefinitely:

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<th>PID</th>
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</tbody>
</table>

and

(b) pursuant to Section 129 of the Local Government Act 1993, upon written application by the relevant owners, approve the remission of sewage removal service rates levied in respect of the same properties until such time as common sewers have been constructed to within 30 metres of existing or future dwelling sites on them.

2. Summary

The purpose of this report is to seek and to provide relevant information to facilitate a Council policy determination in relation to the construction of common sewers in the Sisters Beach sewerage scheme at this point of time to service a number of properties located at the southern extremity of the settlement, off Irby Boulevard.
3. **Background**

At the time the now virtually completed sewerage scheme at Sisters Beach was first considered by Council and discussed with the local community, one of the main objectives was to provide a scheme that would service the entire settlement, allowing the removal of all septic tank installations and thereby eliminating the primary contributors to the general groundwater contamination in the area that had forced Council to impose a moratorium on further building development.

The Sisters Beach Limited Sewerage District was declared under the *Sewers and Drains Act 1954* to encompass the entire village and under Council’s rating provisions all properties within the defined district and within 30 metres of a common sewer are rateable for the purpose of providing and maintaining the scheme.

The *Sewers and Drains Act 1954* requires property owners with buildings within 30 metres of a common sewer to connect those buildings to the sewerage system for the district but where a property owner would be required to construct a private drain longer than 30 metres to connect to the nearest common sewer, the Council is required to contribute to the cost of the section of the drain in excess of 30 metres.

In respect of proposed buildings, the *Building Act 2000* provides for Council to be able to require a connection to the sewer in excess of 30 metres as a condition of a building permit. However, the *Sewers and Drains Act 1954* provides that if an owner is aggrieved by a requirement to connect and the matter is not referable to the Building Appeal Board, the owner has an alternative right to apply to a magistrate for such a requirement to be reviewed.

In constructing the Sisters Beach scheme, Council has facilitated connection by property owners by providing a connection point inside the boundary of all separately rated premises, notwithstanding that most of these points are well within the 30 metre distance that would otherwise be the landowners’ responsibility.

There are however, five large properties off Irby Boulevard that comprise “battle-axe” shaped blocks, with their major internal areas located at least 300 metres distant from Irby Boulevard and the titles extend to the street via narrow access strips. These accesses are grouped in two separate locations approximately 350 metres apart.

The properties in question are shown in the table below and on the map in the enclosure document. A house is located on 70B Irby Boulevard (Ref.4) approximately 650 metres from the street and the others are currently vacant blocks.
At this point, although a sewer passes along the frontages of each of these blocks and makes them rateable for the purposes of the scheme, no sewer extension has yet been constructed to service the existing house. The estimated cost of Council constructing 630 metres of 100mm sewer to bring it within 30 metres of the house is $37,500 (including the cost of reinstating the existing gravel driveway) and an additional cost of $3,350 would be involved in increasing the diameter of the first 480 metres to 150mm, thereby giving greater usage flexibility to the line. eg. it could accommodate future additional connections from infill development on the intervening land.

A similar cost would be involved in constructing a sewer extension along the second group of access strips.

4. **Statutory Requirements**

**The Sewers and Drains Act 1954 provides as follows:**

50. **Drainage of new buildings**

(1) **This section applies in** –
   (a) household drainage districts;
   (b) general sewerage districts;
   (c) limited household drainage districts;
   (d) limited sewerage districts; and
   (e) sanitary drainage districts.

(2) **Where a new building is erected the local authority may require, by refusal to grant a permit under the Building Act 2000, the building owner** –
   (a) in the case of a limited household drainage district, to make satisfactory provision for the discharge of simple sullage water from the building into the system for the district;
   (b) in the case of a household drainage district, to make satisfactory provision for the discharge of concentrated natural water and simple sullage water from the building and its curtilage or grounds into the system for the district; and
(c) in the case of any other district, to construct as part of the building, adequate water-closets and other fittings, and make satisfactory provision for the discharge from the building and its curtilage or grounds into the system of the district of all sewage, the carrying of which is the declared purpose of the system.

(3) If a building owner is aggrieved by any requirement of the local authority under subsection (2) and the matter is not referable to the Building Appeal Board, the building owner may apply to the Magistrates Court (Administrative Appeals Division) for a review of the requirement.

(4) The discharge of drainage into a system shall not be required under this section unless-

a) a common sewer of the system is, or pursuant to section fifty-two will be, within 30 metres of the site of the building and is at a level that makes it reasonably practicable to construct a drain communicating therewith; and

b) the intervening land is land through which the building owner is entitled to construct a drain.

(5) Notwithstanding anything in paragraph (a) of subsection (4) of this section, a private drain may be required to be made to enter a common sewer not within the distance mentioned in that paragraph, if the local authority undertakes to bear so much of the expenses reasonably incurred in constructing and in maintaining and repairing the private drain as may be attributable to the fact that the distance of the common sewer exceeds the distance therein mentioned.

(6) If a building owner is aggrieved by the decision of the local authority as to the amount of any payment to be made under subsection (5), the building owner may apply to the Magistrates Court (Administrative Appeals Division) for a review of the decision or may, if he or she elects, refer the matter to arbitration.

51A Compulsory connection to sewers

(1) This section applies in –

(a) household drainage districts;

(b) general sewerage districts;

(c) limited household drainage districts;

(d) limited sewerage districts; and

(e) sanitary drainage districts.
(2) The local authority may by notice in writing given to the persons concerned require the owners or occupiers, as the case may require, of land in an area, or abutting on a street, specified in the notice and within 30 metres of, and capable of being drained into, a common sewer of the system of the district –

(a) to make the same provision in respect of existing buildings as may be required for new buildings under subsection (2) of section fifty; and

(b) as the local authority thinks fit –

(i) within sixty days or such further time as the local authority before or after the expiration of the period may allow to submit in accordance with the Building Act 2000 the applications and fees necessary before the required work can be carried out; and

(ii) within twenty-one days or such further time as the local authority before or after the expiration of the period may allow to permit the local authority to carry out all or a specified part of those works.

(3) Where the owner or occupier –

(a) fails to prosecute with due diligence an application made in accordance with paragraph (b) of subsection (2) of this section; or

(b) having obtained an approval or permit on such application –

(i) fails for one month to begin; or

(ii) fails to carry out with due diligence – the works so approved or permitted, the local authority may on seven days' notice to the person in default enter and do the required works and have a charge on the land for its expenses of so doing.

(4) If a person given notice under subsection (3) of this section wishes to contend that the local authority is not entitled under this section to enter and do the required works he may appeal to the Building Appeal Board which may decide the matter.

(5) The provisions of section eighty-three apply in relation to a notice given under subsection (2) of this section.

(6) If a person given notice under sub-paragraph (ii) of paragraph (b) of subsection (2) of this section fails to give in writing the required permission within the time allowed therefore the local authority may enter and carry out the works specified in the notice and have a charge on the land for its expenses of so doing.
The Local Government Act 1993 provides as follows:

93. Service rate

(1) A council may make a service rate for a financial year on rateable land for any, all or a combination of the following services:
   (a) water supply;
   (b) sewage removal;
   (c) nightsoil removal;
   (d) waste management;
   (e) stormwater removal;
   (f) fire protection;
   (g) any other prescribed service.

(2) A service rate for a financial year is to be based on the same category of value of land as the general rate is based on under section 90(3) for that financial year.

(3) In making a service rate, a council may set a minimum amount payable in respect of that rate.

(4) A council must not make a service rate for a service referred to in subsection (1) in respect of land owned by the Crown if the council does not supply that service to that land.

Council’s rating resolution for 2005/06 provides (in part) as follows:

“That in accordance with the Local Government Act 1993 (as amended)……….the Council makes the following Rates and Charges for land within the municipal area for the period 1 July 2005 to 30 June 2006.

………….

(9) A SEWAGE REMOVAL SERVICE RATE which the Council by absolute majority declares to vary within different parts of the municipal area according to the locality of the land, of:
   (a) ……
   (b) ……
   (c) ……
   (d) ……
   (e) 2.81 cents in the dollar of AAV on each of the lands within the Sisters Beach Limited Sewerage District connected to the Council’s common sewer or within 30 metres of the Council’s common sewer even though the sewer is not connected to the land, with a minimum amount payable in respect of that rate of $670 and where the land is comprised of more than one lot separately identified by description in a folio of the Register kept under the Lands Titles Act or in a deed the minimum amount payable will be $670 multiplied by the total of the lots.”
The Local Government Act 1993 further provides as follows:

129. Remission of rates

(1) A ratepayer may apply to the council for remission of all or part of any
rates paid or payable by the ratepayer or any penalty imposed or
interest charged under section 128.

(2) An application is to be –
(a) made in writing; and
(b) lodged with the general manager.

(3) A council, by absolute majority, may grant a remission of all or part of
any rates, penalty or interest paid or payable by the ratepayer.

(4) A council, by absolute majority, may grant a remission of any rates,
penalty or interest paid or payable by a class of ratepayers.

(5) The general manager is to keep a record of the details of any remission
granted under this section.

5. Finances

As mentioned above, the estimated cost of Council constructing 630 metres of
100mm sewer to bring it within 30 metres of the house is $37,500 (including
the cost of reinstating the existing gravel driveway) and an additional cost of
$3,350 would be involved in increasing the diameter of the first 480 metres to
150mm.

A similar cost would be involved in constructing a sewer extension along the
second group of access strips.

The total cost of constructing sewers to service these five properties at the
present time is therefore in the order of $75,000-$80,000.

The total annual service rate revenue that would be raised from these
properties is $3,350.

6. Discussion

Notwithstanding that it was originally intended all properties at Sisters Beach
be serviced by the sewerage scheme and the statutory Sewerage District was
defined to incorporate the whole area of the settlement outside the Rocky Cape
National Park, the economics of requiring the five properties the subject of this
report to be serviced with sewer branches at this point of time is questionable.
The argument in favour of including them is that the intention of the scheme to provide complete coverage of the settlement would be achieved and the risk of future ground water contamination in the settlement entirely eliminated.

The contrary arguments are:

(a) that the blocks are large in area and the risk of groundwater contamination from septic tanks on them is minimal;

(b) that the cost of constructing the sewers required is excessive, particularly in the context of the benefit they would provide in the immediately foreseeable future; and

(c) that incremental development of intervening land at a future time will eventually improve the benefit/cost ratio of providing sewers in this area and their construction should be deferred until that time.

The main implications of a decision not to construct the two sewer extensions at this time are of a financial nature and there are considered to be none arising in the foreseeable future from a public health perspective.

As the properties are within the sewerage district and a sewer exists within 30 metres of their boundaries, they are subject to a service rate under the *Local Government Act 1993*, however, until Council is able to provide a sewer to within 30 metres of any existing or future house site on them, there is a compelling argument for any rate liability they may have to be waived.

Should Council agree that relief from the service rate is appropriate, there are two alternative methods of achieving this:

(a) amend the defined Sisters Beach Limited Sewerage District to exclude the properties in question; or

(b) provide a remission of sewage removal service rates in respect of the properties in question pursuant to Section 129 of the *Local Government Act 1993* until such time as common sewers are provided to within 30 metres of existing or future dwelling sites on them.

Whilst method (a) does remove the need for rate remissions, an amendment of the statutory district could be difficult to reverse at such time as sewer connections for these properties become a more cost-effective proposition. Retention of the district as defined does signal Council’s intention that all properties in the settlement be connected to sewerage at the appropriate time.
7. **Risk**

The main risk associated with excluding the five properties from sewerage rate liability, is that other property owners, to whom Council has provided service connections but who would have preferred to retain their existing arrangements, may claim that Council has discriminated against them and caused them unnecessary expense. There are properties to which the cost of providing sewer connections has been significantly greater than average, particularly those with single user pump stations but none have involved costs remotely approaching the levels associated with the two sewer extensions referred to in this report.

8. **Conclusion**

The most practicable and equitable approach to this subject is to defer the construction of the sewer extensions at this point and waive the liability for payment of service rates by property owners impacted by that deferral.

The report is submitted for consideration.

MOVED BY CR RANSLEY
SECONDED BY CR FRENCH

That Council:

(a) defer the construction of sewer extensions to service the following properties indefinitely:

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(b) pursuant to Section 129 of the Local Government Act 1993, upon written application by the relevant owners, approve the remission of sewage removal service rates levied in respect of the same properties until such time as common sewers have been constructed to within 30 metres of existing or future dwelling sites on them.
IN FAVOUR

<table>
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<tr>
<th>MAYOR CHALK</th>
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<th>CR FAIRBROTHER</th>
<th>CR FENTON</th>
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CARRIED UNANIMOUSLY

Enclosures: - refer to Enclosure Document Page 96
- Site Map

302/05 SMALL TOWN CONFERENCE

To: Council
Reporting Officer: Community Development Officer
Responsible Manager: Director Corporate Services
File Reference: 405.13
Council Meeting Date: 19th September 2005

1. Recommendation

That Council note the Community Development Officer’s report.

2. Summary

The second (the first being held 5 years ago) Small Towns Conference was held in Bendigo from the 11th to the 13th July and hosted by La Trobe University’s Bendigo campus. Keynote speakers included Bruce Haddon (insights into tapping into our imagination to create a future), Chris de Araugo (Lead On model and Community Door projects), Rhonda Galbally (Our Community) and Bill Reimer (Canadian rural communities responding to globalisation). There were also several concurrent workshops to choose from including two led by Tasmanians.

3. Background

An opportunity for the Community Development Officer to attend the Small Towns Conference in Bendigo held in July 2005 was made possible by a grant from the Office of Youth Affairs. His object was to participate in workshops that dealt with creating a future and climate within small towns to attract or retain young people.
Evidence from the last census in Tasmania revealed that the number of young people (12 –25 years) living in North West Tasmania had declined significantly between 1991 and 2001, the actual decline being 4,619 (20.4%).

Secondary enrolments at Wynyard High School for the period 1996 – 2001 showed a decline of 19.0% confirming the regional trend.

While the overall population may be holding steady the average age of residents is increasing. This has implications for community group memberships, use of Council facilities, and spending patterns within the commercial sector.

4. **Statutory and Strategic Requirements**

Strategic Plan Reference

<table>
<thead>
<tr>
<th>3.4</th>
<th>Objective – Higher participation of young people to encourage positive involvement and inclusion within our community</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.4.4</td>
<td><strong>Strategy</strong> – partner with local schools and organisations to provide guidance and mentoring to the youth, which encourages community leadership skills.</td>
</tr>
</tbody>
</table>

Statutory Requirements

5. **Finances**

The Office of Youth Affairs provided $1,000 and Council provided $200 from the training allocation in the Community Development budget.

6. **Discussion**

The location for the conference in central Victoria made it accessible to delegates from many surrounding regional centres. There were numerous opportunities to speak with people from around Australia from similar towns to Wynyard/Somerset/Waratah/Yolla. However, one of the major differences between here and the rest of Australia are the travelling times between centres and the impact this has on the location of commercial and community services.

The declining number of rural holdings on the mainland has also had a far larger impact on small towns there, as smaller population bases are unable to support the existing businesses. On the other hand Tasmania has seen a steady growth in rural subdivisions, which compensate for the decline in the number of rural enterprises.
7. Risk

Nil

8. Conclusion

The conference provided an excellent vehicle for bringing academics, researchers, and community development workers together to reflect on:

- Social inclusion and exclusion in rural communities
- Social capital and social cohesion
- The impact of technology on rural communities
- Communities which are managing to adapt to new circumstances brought on by natural changes (e.g. salination, resource depletion) or economic (declining commodity prices)

It is recommended that Council be represented at future Small Town Conferences.

MOVED BY CR FRIEDERSDORFF
SECONDED BY CR FRENCH

That Council note the Community Development Officer’s report.

IN FAVOUR

<table>
<thead>
<tr>
<th>MAYOR CHALK</th>
<th>CR BRAMICH</th>
<th>CR FAIRBROTHER</th>
<th>CR FENTON</th>
</tr>
</thead>
<tbody>
<tr>
<td>CR FRENCH</td>
<td>CR FRIEDERSDORFF</td>
<td>CR HYLAND</td>
<td>CR RANSLEY</td>
</tr>
</tbody>
</table>

CARRIED UNANIMOUSLY
Council Reports

INFORMATION REPORT

303/05 INFORMATION REPORT – AUGUST 2005

MOVED BY CR FENTON
SECONDED BY CR BRAMICH

That the Information Report be received.

IN FAVOUR

<table>
<thead>
<tr>
<th>Mayor Chalk</th>
<th>CR Bramich</th>
<th>CR Fairbrother</th>
<th>CR Fenton</th>
<th>CR French</th>
<th>CR Friedersdorff</th>
<th>CR Hyland</th>
<th>CR Ransley</th>
</tr>
</thead>
<tbody>
<tr>
<td>CR French</td>
<td>CR Friedersdorff</td>
<td>CR Hyland</td>
<td>CR Ransley</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

CARRIED UNANIMOUSLY

FINANCIAL REPORT FOR THE PERIOD ENDED 31 AUGUST 2005

Enclosures: - refer to Enclosure Document Page 97
- Financial Report

GIFTS AND DONATIONS

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Minute Ref.</th>
<th>Committed</th>
<th>Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boat Harbour Beach Surf Life Saving Club</td>
<td>154/05</td>
<td>1,000</td>
<td>1,000</td>
</tr>
<tr>
<td>Inglis Pony Club</td>
<td>154/05</td>
<td>750</td>
<td></td>
</tr>
<tr>
<td>Wynyard Bowls Club Inc</td>
<td>154/05</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Wynyard Cricket Club Inc</td>
<td>154/05</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Wynyard Mini Football League Inc</td>
<td>154/05</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Wynyard Softball Club Inc</td>
<td>154/05</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Somerset Soccer Club</td>
<td>154/05</td>
<td>400</td>
<td></td>
</tr>
<tr>
<td>Guides Australia – Wynyard Unit</td>
<td>154/05</td>
<td>399</td>
<td></td>
</tr>
<tr>
<td>Hellyer College</td>
<td>154/05</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Somerset Guides Support Group</td>
<td>154/05</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Waratah Primary School</td>
<td>154/05</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>Wynyard Leo Club</td>
<td>154/05</td>
<td>200</td>
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<tr>
<td>Elliott District Association</td>
<td>154/05</td>
<td>200</td>
<td>200</td>
</tr>
<tr>
<td>Myalla Community Centre</td>
<td>154/05</td>
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<tr>
<td>Preolenna Mothers Group of Timber Communities</td>
<td>154/05</td>
<td>220</td>
<td>220</td>
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<tr>
<td>Scouts Australia – Somerset Group</td>
<td>154/05</td>
<td>1,500</td>
<td></td>
</tr>
<tr>
<td>Wynyard Garden Club</td>
<td>154/05</td>
<td>600</td>
<td>500</td>
</tr>
<tr>
<td>Australian Breastfeeding Association Wynyard Branch</td>
<td>154/05</td>
<td>176</td>
<td></td>
</tr>
</tbody>
</table>
Council Reports

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Minute Ref.</th>
<th>Committed</th>
<th>Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australian Red Cross Wynyard Branch</td>
<td>154/05</td>
<td>330</td>
<td></td>
</tr>
<tr>
<td>GROW in Tasmania Wynyard Branch</td>
<td>154/05</td>
<td>720</td>
<td></td>
</tr>
<tr>
<td>Women of the World</td>
<td>154/05</td>
<td>60</td>
<td></td>
</tr>
<tr>
<td>Wynyard Carers Support Group</td>
<td>154/05</td>
<td>300</td>
<td>135</td>
</tr>
<tr>
<td>Boat Harbour Fire Brigade</td>
<td>154/05</td>
<td>320</td>
<td>320</td>
</tr>
<tr>
<td>Cam-Somerset Neighbourhood Watch</td>
<td>154/05</td>
<td>200</td>
<td>200</td>
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<tr>
<td>Central Wynyard Neighbourhood Watch</td>
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<td>100</td>
<td>100</td>
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<tr>
<td>Somerset Safety House Committee</td>
<td>154/05</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Wynyard Fire Brigade Social Club</td>
<td>154/05</td>
<td>1,000</td>
<td></td>
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<tr>
<td>Sounds of Wynyard – Band, Choral and Ferals</td>
<td>154/05</td>
<td>900</td>
<td></td>
</tr>
<tr>
<td>Somerset Pageant Committee</td>
<td>154/05</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Lions Club of Wynyard</td>
<td>154/05</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Wynyard Garden Club Municipal Garden Competition</td>
<td>154/05</td>
<td>700</td>
<td></td>
</tr>
<tr>
<td>Wynyard Municipal Band</td>
<td>154/05</td>
<td>3,000</td>
<td>3,000</td>
</tr>
<tr>
<td>Wynyard Working Sheep Dog Club</td>
<td>154/05</td>
<td>150</td>
<td></td>
</tr>
<tr>
<td>Coast FM Radio</td>
<td>154/05</td>
<td>1,400</td>
<td></td>
</tr>
<tr>
<td>Crimestoppers</td>
<td>233/05</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Wynyard Ladies Probus</td>
<td>277/05</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>Internal Environ Solutions</td>
<td></td>
<td></td>
<td>12,727</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Summary of Gifts and Donations to date

<table>
<thead>
<tr>
<th>Budget Allocation</th>
<th>$30,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approved Expenditure</td>
<td>19,825</td>
</tr>
<tr>
<td><strong>Balance Unspent</strong></td>
<td><strong>$10,175</strong></td>
</tr>
</tbody>
</table>

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 (ex GST)</td>
<td>30,000</td>
<td>0</td>
</tr>
</tbody>
</table>

**TOTAL**    $30,000     0

COMMUNITY SERVICES

A. **GRANT FUNDING STATUS**

1. Project
   Wynyard Child Care Centre – Minor Capital Upgrading Program
   Redevelopment of Play Space and Nappy Change Area.
Progress
Works are progressing slowly over the weekends with all building work completed. Painting is well under way and floor coverings will be laid in several weeks time. The baby decking has commenced and is well under way.

2. Project
Improvements to Waratah Cenotaph
Project includes repainting steel fence and plinth, gold re-lettering of names of veterans from two major wars.

Funding Source
Commonwealth Department of Veteran Affairs

Progress
Awaiting outcome of application for funding.

3. Project
Active After-school Communities (AASC) Program - Wynyard Outside School Hours Care.

Funding Source

Amount - $3,141.00 – Term 2 funds received on 26 May 2005

Progress
This project is running very successfully. The programme is run over three days per week, 2 days at the Wynyard High School Gymnasium and 1 day at the Wynyard Youth Centre. The number of children participating ranges from a minimum of 15 to a maximum of 27.

4. Project
OSHC services located on government school sites Upgrade Program 2005 – to meet licensing standards under the Child Care Act 2001.

Amount
  Somerset $600  Shelving and cupboard
  Boat Harbour $850  Security Light and Shelving

5. Project
Purchase Tricycles and Scooters – Wynyard Children’s Services – Child Care
Council Reports

Funding Source
Department of Education – Playground Blitz – Sports Equipment Grant

Progress
Grant application successful – awaiting delivery of tricycles and scooters.

Amount
$1,000 – Funds received 12 July 2005

6. Project
Install permanent play fixture with slide, stairs, steering wheel etc. – Waratah Child Care Centre

Funding Source
Department of Education – Playground Blitz – Sports Equipment Grant

Progress
Grant application successful

Amount
$5,450 – Funds received 12 July 2005

7. Project
Restoring and refurbishing the Waratah Cenotaph

Funding Source
Federal Government - Commemorations Program Grant

Amount
$622

8. Project
Wynyard Children’s Services are supporting Child Protection Week which is to be held from 4th to 10th September 2005.

Funding
Napcan Tasmania

Amount
$500
B. **CHILDREN’S SERVICES**

1. **Wynyard Child Care Centre**

   The following table indicates the number of care sessions provided during August 2005 compared with the same week in the preceding year. Note: One full day attendance by a child occupies two sessions.

   **Wynyard Child Care Centre – August 2005**

<table>
<thead>
<tr>
<th>Week</th>
<th>2005</th>
<th>2004</th>
</tr>
</thead>
<tbody>
<tr>
<td>Week 31</td>
<td>551</td>
<td>538</td>
</tr>
<tr>
<td>Week 32</td>
<td>607</td>
<td>510</td>
</tr>
<tr>
<td>Week 33</td>
<td>599</td>
<td>538</td>
</tr>
<tr>
<td>Week 34</td>
<td>579</td>
<td>538</td>
</tr>
<tr>
<td>Week 35 – 3 days</td>
<td>390</td>
<td>531</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2726</strong></td>
<td><strong>2655</strong></td>
</tr>
<tr>
<td>August 2005 – Average Session bookings per day</td>
<td><strong>119</strong></td>
<td><strong>106</strong></td>
</tr>
</tbody>
</table>

2. **Wynyard Outside School Hours Care**

   The following table indicates the number of children attending the Program during August.

   **Wynyard OSHC – August 2005**

<table>
<thead>
<tr>
<th>Week</th>
<th>2005</th>
<th>2004</th>
</tr>
</thead>
<tbody>
<tr>
<td>Week 31</td>
<td>99</td>
<td>87</td>
</tr>
<tr>
<td>Week 32</td>
<td>101</td>
<td>92</td>
</tr>
<tr>
<td>Week 33</td>
<td>87</td>
<td>92</td>
</tr>
<tr>
<td>Week 34</td>
<td>95</td>
<td>82</td>
</tr>
<tr>
<td>Week 35 – 3 days</td>
<td>54</td>
<td>79</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>436</strong></td>
<td><strong>432</strong></td>
</tr>
<tr>
<td>August 2005 – Average Session bookings per day</td>
<td><strong>17</strong></td>
<td><strong>17</strong></td>
</tr>
</tbody>
</table>
3. **Somerset Outside School Hours Care**

The following table indicates the number of children attending the Program during August.

**Somerset OSHC – August 2005**

<table>
<thead>
<tr>
<th>Week</th>
<th>2005</th>
<th>2004</th>
</tr>
</thead>
<tbody>
<tr>
<td>Week 31</td>
<td>28</td>
<td>28</td>
</tr>
<tr>
<td>Week 32</td>
<td>40</td>
<td>21</td>
</tr>
<tr>
<td>Week 33</td>
<td>49</td>
<td>26</td>
</tr>
<tr>
<td>Week 34</td>
<td>47</td>
<td>21</td>
</tr>
<tr>
<td>Week 35 – 3 days</td>
<td>23</td>
<td>29</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>187</strong></td>
<td><strong>125</strong></td>
</tr>
<tr>
<td><strong>August 2005 – Average</strong></td>
<td><strong>8</strong></td>
<td><strong>5</strong></td>
</tr>
<tr>
<td><strong>Session bookings per day</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4. **Boat Harbour Outside School Hours Care**

The following table indicates the number of children attending the Program during August.

**Boat Harbour Outside School Care – August 2005**

<table>
<thead>
<tr>
<th>Week</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Week 31</td>
<td>50</td>
</tr>
<tr>
<td>Week 32</td>
<td>59</td>
</tr>
<tr>
<td>Week 33</td>
<td>62</td>
</tr>
<tr>
<td>Week 34</td>
<td>60</td>
</tr>
<tr>
<td>Week 35 – 3 days</td>
<td>25</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>256</strong></td>
</tr>
<tr>
<td><strong>August 2005 – Average Session bookings per day</strong></td>
<td><strong>11</strong></td>
</tr>
</tbody>
</table>

5. **Waratah Child Care Centre**

The following table indicates the number of children attending the Program during August.

**Waratah Child Care Centre – August 2005**

<table>
<thead>
<tr>
<th>Week</th>
<th>2005</th>
<th>2004</th>
</tr>
</thead>
<tbody>
<tr>
<td>Week 31</td>
<td>5</td>
<td>8</td>
</tr>
<tr>
<td>Week 32</td>
<td>6</td>
<td>8</td>
</tr>
<tr>
<td>Week 33</td>
<td>10</td>
<td>9</td>
</tr>
<tr>
<td>Week 34</td>
<td>9</td>
<td>8</td>
</tr>
<tr>
<td>Week 35 – 3 days</td>
<td>6</td>
<td>8</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>36</strong></td>
<td><strong>41</strong></td>
</tr>
<tr>
<td><strong>August 2005 – Average Session bookings per day</strong></td>
<td><strong>4</strong></td>
<td><strong>4</strong></td>
</tr>
</tbody>
</table>
Correspondence has been received from the Australian Government Family Assistance Office advising that the number of approved places for the Wynyard Child Care Centre has been increased from 68 to 73.

**FUSION NORTH WEST**

A copy of the bi-monthly report to Council from Fusion Australia outlines the activities undertaken by Fusion North West during May – June and July – August 2005.

Enclosures:- refer to Enclosure Document Page 126
- Fusion North West Bi-Monthly Reports

**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>4,917.54</td>
<td>6,767.19</td>
</tr>
<tr>
<td>August</td>
<td>5,045.46</td>
<td>9,818.31</td>
</tr>
<tr>
<td>September</td>
<td>6,221.81</td>
<td>7,734.30</td>
</tr>
<tr>
<td>October</td>
<td>7,771.81</td>
<td>7,490.90</td>
</tr>
<tr>
<td>November</td>
<td>6,809.10</td>
<td>8,262.55</td>
</tr>
<tr>
<td>December</td>
<td>12,277.35</td>
<td>10,413.00</td>
</tr>
<tr>
<td>January</td>
<td>8,447.51</td>
<td>9,297.00</td>
</tr>
<tr>
<td>February</td>
<td>8,489.14</td>
<td>7,922.72</td>
</tr>
<tr>
<td>March</td>
<td>8,092.62</td>
<td>8,412.78</td>
</tr>
<tr>
<td>April</td>
<td>6,682.98</td>
<td>7,882.15</td>
</tr>
<tr>
<td>May</td>
<td>6,522.48</td>
<td>6,702.70</td>
</tr>
<tr>
<td>June</td>
<td>5,855.10</td>
<td>6,937.33</td>
</tr>
<tr>
<td>Total</td>
<td>$87,132.90</td>
<td>97,640.93</td>
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</table>
## WASTE MANAGEMENT – RECYCLING CRATE CONTENTS

<table>
<thead>
<tr>
<th></th>
<th>2005 – 2006</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Aluminium Cans</td>
</tr>
<tr>
<td>July</td>
<td>716</td>
</tr>
<tr>
<td>August</td>
<td>911</td>
</tr>
<tr>
<td>September</td>
<td></td>
</tr>
<tr>
<td>October</td>
<td></td>
</tr>
<tr>
<td>November</td>
<td></td>
</tr>
<tr>
<td>December</td>
<td></td>
</tr>
<tr>
<td>January</td>
<td></td>
</tr>
<tr>
<td>February</td>
<td></td>
</tr>
<tr>
<td>March</td>
<td></td>
</tr>
<tr>
<td>April</td>
<td></td>
</tr>
<tr>
<td>May</td>
<td></td>
</tr>
<tr>
<td>June</td>
<td></td>
</tr>
</tbody>
</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>157.97</td>
<td>194.34</td>
</tr>
<tr>
<td>August</td>
<td>214.00</td>
<td>189.68</td>
</tr>
<tr>
<td>September</td>
<td>204.40</td>
<td>271.26</td>
</tr>
<tr>
<td>October</td>
<td>258.10</td>
<td>243.52</td>
</tr>
<tr>
<td>November</td>
<td>252.30</td>
<td>269.98</td>
</tr>
<tr>
<td>December</td>
<td>320.84</td>
<td>276.01</td>
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<tr>
<td>January</td>
<td>279.06</td>
<td>262.50</td>
</tr>
<tr>
<td>February</td>
<td>217.32</td>
<td>221.92</td>
</tr>
<tr>
<td>March</td>
<td>223.94</td>
<td>281.52</td>
</tr>
<tr>
<td>April</td>
<td>199.10</td>
<td>201.88</td>
</tr>
<tr>
<td>May</td>
<td>174.58</td>
<td>214.80</td>
</tr>
<tr>
<td>June</td>
<td>185.17</td>
<td>215.28</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2,686.78</strong></td>
<td><strong>3,124.22</strong></td>
</tr>
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</table>

### 337 CERTIFICATES (CERTIFICATE OF COUNCILS’ POWER)

<table>
<thead>
<tr>
<th></th>
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<td>75</td>
<td>47</td>
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<td>August</td>
<td>72</td>
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<td>79</td>
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<td>October</td>
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<td>60</td>
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<tr>
<td>March</td>
<td>66</td>
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<td></td>
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<tr>
<td>April</td>
<td>40</td>
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<tr>
<td>May</td>
<td>35</td>
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<tr>
<td>June</td>
<td>30</td>
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<td><strong>Total</strong></td>
<td><strong>679</strong></td>
<td><strong>432</strong></td>
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CEMETERIES – NUMBER OF INTERMENTS

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<tr>
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<tr>
<td>Yolla</td>
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<td>Total</td>
<td>46</td>
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</table>

ANIMAL CONTROL

Operational Aims 2005/2006
- 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>Item</th>
<th>August 2005</th>
<th>Dogs – Year to Date 2005/2006</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No.</td>
<td>$</td>
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<tr>
<td>Dogs Registered</td>
<td>114</td>
<td>$2250</td>
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<tr>
<td>Dogs Impounded</td>
<td>25</td>
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<tr>
<td>Dogs Euthanased</td>
<td>20</td>
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<td>Dogs Adopted</td>
<td>5</td>
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<tr>
<td>New Licences</td>
<td>1</td>
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<tr>
<td>Licence Renewals</td>
<td>5</td>
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<td>Dogs Re-Claimed</td>
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<tr>
<td>Livestock Impounded</td>
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<tr>
<td>Infringement Notices</td>
<td>5</td>
<td>$800</td>
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<tr>
<td>Legal Action</td>
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</table>

* 2 Kennel licences currently going through application process.

Note: An abatement notice raised in accordance with section 200 (1) of the Local Government Act was served on a property owner requiring them to fence. This action was taken as a result of cattle straying onto the road on numerous occasions causing a risk to public health and safety.
ENVIRONMENTAL HEALTH

Operational Aims 2005/2006

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 Wynyard, excepting December, with bi-monthly clinics at Waratah.

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Persons</td>
<td>Vaccination</td>
</tr>
<tr>
<td>July</td>
<td>19</td>
<td>34</td>
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<tr>
<td>August</td>
<td>51</td>
<td>71</td>
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<tr>
<td>September</td>
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<td>May</td>
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<tr>
<td>June</td>
<td>192</td>
<td>205</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>415</strong></td>
<td><strong>578</strong></td>
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</table>

OTHER ENVIRONMENTAL HEALTH SERVICES

Operational Aims 2005/2006

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>2005/2006</th>
<th>Notifiable Diseases</th>
<th>Registered Food Premises Recommendations</th>
<th>Abatement Improvement Notices Issued</th>
</tr>
</thead>
<tbody>
<tr>
<td>July</td>
<td>0</td>
<td>15</td>
<td>1</td>
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<tr>
<td>August</td>
<td>0</td>
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<td>November</td>
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</table>
Council Reports

<table>
<thead>
<tr>
<th>2005/2006</th>
<th>Notifiable Diseases</th>
<th>Registered Food Premises Recommendations</th>
<th>Abatement Improvement Notices Issued</th>
</tr>
</thead>
<tbody>
<tr>
<td>December</td>
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<tr>
<td>TOTAL</td>
<td>0</td>
<td>25</td>
<td>2</td>
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</tbody>
</table>

Note: A 3-session community health promotion program teaching school children the importance of proper hand washing and basic food safety was delivered to Table Cape Primary school Bowick street campus grade 2/3 during the month. A number of bookings have been received for term three for the program to be run at St. Brigid’s, Yolla Primary, and Boat Harbour Primary.

Council’s Health and Building Services Manager was invited to present a professional paper on Business Continuity and its application in Environmental Health to the State Conference of the Australian Institute of Environmental Health.

Council’s Environmental Health Cadet attended a week work placement from 1-5 August with the Department of Health & Human Services as part of the Environmental Health Cadetship arrangements with the Department.
WATER SAMPLING PROGRAM

Waratah Retic Water System ADWG Compliance Report YTD 31/8/2005

Yolla Retic Water System ADWG Compliance Report YTD 31/8/2005
Note: The Annual Potable Water report has been lodged with the Director of Public Health (attached).

An extensive background water quality-monitoring program has commenced at Sisters Beach prior to the discharge of effluent. This program involves the taking of ten samples off shore at the discharge point and then up to 750m from the discharge. The sampling program tests 14 separate parameters every week for 4 weeks and then monthly thereafter. This programme is part of the licence conditions for the sewage treatment plant.

The following potable water report for 2004/2005 has been submitted to the Department of Health & Human Services.

**POTABLE WATER REPORT 2004/2005**

**Waratah/Wynyard Council**

Waratah Wynyard Council has two water supply systems under its control and one water supply controlled by Cradle Coast Water Authority, which is purchased and reticulated by the Council:
### Summary

- All water supply systems were sampled in excess of the requirements of the ADWG – 96 recommendations. All results reported are based on a continuous rolling year basis with the starting point being the final point of the previous financial year. This method provides for a more accurate reflection of the systems’ performance over time.

- The Cam River system commenced the financial year with an ADWG compliance in the 96.7%'ile and returned an overall ADWG compliance for the 2003-2004 financial year in the 98.3%'ile for thermotolerant coliforms. Supply for this system is purchased from the Cradle Coast Water Authority.

- The Yolla system commenced the financial year with a ADWG compliance in the 91.4%'ile and continued to improve throughout the year returning an overall ADWG compliance for the twelve months of 95.1% for thermotolerant coliforms. The system experienced one failure during the twelve months in February 2005. Boiled water notices were not required as coliform failures were not sequential and follow-up testing and investigation provided clear results.

- Waratah system commenced the financial year with an ADWG compliance in the 89.7%'ile and returned an overall ADWG compliance for the twelve months in 89.9%'ile for thermotolerant coliforms. A boiled water notice was issued on this supply, which stayed in place for some 7 weeks as new disinfection equipment was purchased and installed. Despite this failure the system quality improved overall.

- In accordance with the ADWG guidelines a risk management approach has been followed in regard to all failures. Water supplies for both Yolla and Waratah are tested in excess of recommended frequency given the number of consumer households.
**Combined Faecal Coliform Compliance, Reticulated Potable Water, for Financial Year 2004/2005**

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 2005/2006**

<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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<td>0</td>
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<td><strong>TOTAL</strong></td>
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During the month one “Improvement” Notice was issued in accordance with the Food Act 2003.
Council Reports

BUILDING APPROVALS

Operational Aims 2005/2006
• Process Building Applications as expeditiously as possible
• Apply building legislative requirements

Building Approvals 2005/2006 – YTD Totals 33

<table>
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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>05-197-01</td>
<td>Additions to Hotel</td>
<td>120,000</td>
<td>460</td>
<td>6</td>
<td>P Kennedy</td>
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<tr>
<td>05-102-01</td>
<td>Alts to Dwelling &amp; Outbuilding &amp; New Covered Area</td>
<td>90,000</td>
<td>980</td>
<td>1a &amp; 10a</td>
<td>P Kennedy</td>
<td>03.08.05</td>
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<td>04-021-01</td>
<td>Adds to Workshop</td>
<td>5,000</td>
<td>580</td>
<td>8</td>
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<td>05-161-01</td>
<td>New Dwelling</td>
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<td>8,600</td>
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<td>04-994-01</td>
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<td>New Carport &amp; Workshop</td>
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<td>Adds to Farm Shop</td>
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<td>P Kennedy</td>
<td>16.08.05</td>
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<td>05-146-01</td>
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<td>New Garage – Stage Permit</td>
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<td>New Dwelling &amp; Garage</td>
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<td>05-68-01</td>
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<table>
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<tr>
<th></th>
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<th>Class 2</th>
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<th>Class 7</th>
<th>Class 8</th>
<th>Class 9a</th>
<th>Class 9b</th>
<th>Class 9c</th>
<th>Class 10a</th>
<th>Class 10b</th>
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</thead>
<tbody>
<tr>
<td>July</td>
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<tr>
<td>May</td>
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<td>June</td>
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<td><strong>Total</strong></td>
<td>14</td>
<td>-</td>
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<td>-</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>18</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>18</td>
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</tr>
</tbody>
</table>

Waratah-Wynyard Council – Ordinary Meeting Minutes – 19 September 2005
Page 110
DEVELOPMENT APPLICATIONS – PLANNING

<table>
<thead>
<tr>
<th>No.</th>
<th>Location</th>
<th>Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>191/2004</td>
<td>Haywoods Lane, Somerset</td>
<td>Dwelling Extension</td>
</tr>
<tr>
<td>101/2005</td>
<td>272 Port Road, Boat Harbour</td>
<td>Dwelling Extension</td>
</tr>
<tr>
<td>132/2005</td>
<td>3 Bowick Street, Wynyard</td>
<td>Multiple Dwellings (13) Stages Strata</td>
</tr>
<tr>
<td>134/2005</td>
<td>Stennings Road, Wynyard</td>
<td>Extension to Industrial Building</td>
</tr>
<tr>
<td>141/2005</td>
<td>16446 Bass Highway, Wynyard</td>
<td>Two Storage Sheds</td>
</tr>
<tr>
<td>145/2005</td>
<td>10 Timothy Drive, Wynyard</td>
<td>Dwelling</td>
</tr>
<tr>
<td>146/2005</td>
<td>5 Kenelm Avenue, Sisters Beach</td>
<td>Shed</td>
</tr>
<tr>
<td>147/2005</td>
<td>32-34 Goldie Street, Wynyard</td>
<td>Retail Motorbikes Scooters + Accessories</td>
</tr>
<tr>
<td>148/2005</td>
<td>1732 Murchison Highway, Yolla</td>
<td>Garage</td>
</tr>
<tr>
<td>149/2005</td>
<td>52 Inglis Street, Wynyard</td>
<td>Dependent Relative Unit + Carport</td>
</tr>
<tr>
<td>153/2005</td>
<td>23 Inglis Street, Wynyard</td>
<td>Multiple Dwellings (2)</td>
</tr>
<tr>
<td>154/2005</td>
<td>1 Riverdale Crescent, Wynyard</td>
<td>Deck &amp; Dwelling Extension</td>
</tr>
<tr>
<td>155/2005</td>
<td>33A Goldie Street, Wynyard</td>
<td>Weather Shelter</td>
</tr>
<tr>
<td>156/2005</td>
<td>118 Inglis Street, Wynyard</td>
<td>Dwelling</td>
</tr>
<tr>
<td>SD1733</td>
<td>Lewis Street, Somerset</td>
<td>Subdivision – 6 Lots</td>
</tr>
<tr>
<td>SD1741</td>
<td>68 Irby Boulevard, Sisters Beach</td>
<td>Subdivision - 3 Lots &amp; Balance (Public Open Space Area)</td>
</tr>
<tr>
<td>SD1742</td>
<td>114-116 Goldie Street, Wynyard</td>
<td>Consolidation of Titles and Extension to Retail Shop</td>
</tr>
<tr>
<td>SD 1745</td>
<td>5 Cummings Street, Boat Harbour Beach</td>
<td>Subdivision – 2 Lots</td>
</tr>
<tr>
<td>SD 1746</td>
<td>Austins Road, Myalla</td>
<td>Boundary Adjustment</td>
</tr>
</tbody>
</table>
WEED MANAGEMENT

Landcare Awards

The Waratah-Wynyard area was well represented by award winners at the State Landcare Awards, held in Launceston on 31st August. It is encouraging that so many people have become involved in Landcare activities in our area and been recognised for their work.

The Frenchs Road Reserve, which is managed by a special committee of Council with work carried out by the Friends of Frenchs Road, received the Bushcare Nature Conservation Award. This was due to the bush regeneration work that has been carried out on the site, including improving habitat for the Giant Freshwater Lobster and the Burrowing Crayfish.

The Wynyard Landcare Group received the Landcare Community Group Award for their work on sustainable land management practices, part of which is the ongoing willow removal and revegetation work along stream banks.

The Individual Landcare Award for the state was given to Dr. Graeme Stevenson who has been involved with a wide range of projects for the Elliott Landcare Group and, in more recent times, has taken on an active role with the Wynyard group. His knowledge and enthusiasm is greatly admired and appreciated by those he has worked with.

Willow Project

Negotiations are continuing with the remaining landowners with mature willows on their property. To date, everyone has agreed that the trees can be removed and it is now a process of deciding the best way for the work to be done to ensure that Council, Wynyard Landcare, and the property owner are happy with the result.

PLANNING APPEALS/APPLICATION INFORMATION

Matters Awaiting Decision by Resource Management and Planning Appeal Tribunal

Appeal 374/04P - 301 Pages Road, Wynyard. Appellant has withdrawn their appeal. Council has requested the RMPAT award costs to Council. This matter is still under consideration by RMPAT.

Application for an order under Section 64 Land Use Planning & Approvals Act 1993 for action against the owners and others in relation to the dumping of illegal landfill on Landslip A sites at 3 Hepples Road, 212 Port Road and Road Reserve, Boat Harbour Beach.
A hearing was held 26 May, 2005 at the Waratah-Wynyard Council Chambers. Awaiting Tribunal decision.

**Section 64 action against Waratah-Wynyard Council for the illegal dumping of fill on landslip A at 3 Hepples Road, Boat Harbour.**
Hearing in conjunction with 3 Hepples Road held 26 May 2005. Awaiting Tribunal decision.

**Section 64 action against Council for providing free car parking for self contained motor vehicles at the showground.**
Council has requested the RMPAT award costs to Council. This matter is still under consideration by RMPAT.

**Matters Awaiting Decision by Resource Planning & Development Commission**

**Planning Scheme Amendment 202.25 Rezoning of 3 Airport Street from Industrial to Residential.**
Before the Resource Planning & Development Commission for ratification.

**Planning Scheme Amendment under s. 43A LUPAA - 202.31 & SD 1734 - Rezoning of 187 Old Bass Highway from Primary Industries to Residential and subdivision of land to form 84 Lots and balance.**
Before the Resource Planning & Development Commission for ratification.

**Planning Scheme Amendment 202.27 - General textual amendments.**
Draft amendment refused by the RPDC. This matter is to be brought before the Council at a Group Discussion meeting.

**Planning Scheme Amendment 202.28 Rezoning of 1 Martin Street from Industrial to Residential.**
Before the Resource Planning & Development Commission for ratification.

**Active Planning Appeals**

**Appeal 198/05P - Eco Tourism Accommodation Units- Myalla Road, Milabena.**
RMPAT has questioned the utility of progressing the appeal and has requested the appellant advise whether they wish to proceed to a full hearing. Meanwhile, Shaun McElwaine has challenged the Tribunal's decision, submitting that their decision is wrong as a matter of law and seeking to put a detailed submission to the Tribunal as to why this is so.
Appeal 223/05P - Dwelling - Primary Industries zone - Stutterds Road, Moorleah.
Hearing date has been set for Tuesday 17 October 2005 at 10.00am at the Waratah-Wynyard Council Chambers.

Appeal 237/05P - Deck Extension into Road Reserve and Internal Refurbishment - Wharf Hotel - 10 Goldie Street, Wynyard.
Hearing date has been set for Monday 11 October 2005 at 11.00am at the Waratah-Wynyard Council Chambers. The Town Planner is to represent Council and S. McElwaine has been engaged by the developer to represent Duxford Pty. Ltd. RMPAT has asked the appellant to submit revised grounds of appeal.

Appeal 250/05P - Smithton to Burnie 110kV Transmission Line.
An on site mediation is to be held Monday 5th September 2005 at 400 Seabrook Road (Pascoe property) at 2.15pm. Hearing dates have been set for Tuesday 18 & Wednesday 19 October 2005 at 10.30am at the Waratah-Wynyard Council Chambers. At this stage it is a combined hearing with Burnie City Council.

Appeal 261/05P - Six Advertising Signs (2 Illuminated) - Fairlands Drive, Somerset.
Mediation issues are being considered by the appellant, with a possible mediated solution to be submitted to RMPAT.

Appeal 293/05 - Dwelling & Dependant Relative Unit/Storage Shed in the Primary Industries Zone - 57 Emerald Vale Road, Wynyard.
Directions Hearing to be held Thursday 15 September 2005 at 2.15pm at the Waratah-Wynyard Council Chambers.

Current Enforcement Action under Section 64 of LUPAA

Application for an order under Section 64 Land Use Planning & Approvals Act 1993 for action against the owners and operators of a scrap/junk operation at 379 Back Cam Road, Somerset
Solicitors for the respondents rang to ask Council staff to visit the site, stating that all works had ceased on site and the junk had been removed. Council staff inspected the property and are satisfied that the scrap/junk business is no longer in operation on the site. The RMPAT is to be advised that Council now wishes to withdraw enforcement action.

Section 64 action - 712 Reservoir Drive, Wynyard illegal buildings, illegal landfill and illegal works to the embankment and bed of Camp Creek.
Directions hearing was set for Wednesday 3 August 2005 at Waratah-Wynyard Council but has been set back, at the respondents request, until a date to be advised by the Tribunal.
## WORKS – HYDRAULIC SERVICES

### AUGUST 2005

<table>
<thead>
<tr>
<th>Works Undertaken</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Water</strong></td>
<td>2 call outs for water leaks Wynyard and Somerset. 1 leak work hours. Ongoing maintenance.</td>
</tr>
<tr>
<td><strong>Sewer</strong></td>
<td>3 pump fault call outs. 2 sewer blockages work hours.</td>
</tr>
<tr>
<td>2 faults at Somerset treatment plant. 1 broken rising sewer main Somerset foreshore.</td>
<td></td>
</tr>
<tr>
<td><strong>Drainage</strong></td>
<td>1 storm water block George Street, Somerset. Water blasted and excavated to clear.</td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td>Ongoing maintenance valve and hydrants.</td>
</tr>
</tbody>
</table>

## WORKS - ROADS AND STREETS

### AUGUST 2005

<table>
<thead>
<tr>
<th>Road / Street</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>Chromeys Road</td>
<td>Surfacing no sealing. Scalps.</td>
<td>Complete.</td>
</tr>
<tr>
<td><strong>Bridge Maintenance</strong></td>
<td>Nil.</td>
<td></td>
</tr>
<tr>
<td><strong>Maintenance General</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gates Road, Marshalls Road, Bauld Hill Road, Murdering Gully Road, Ransleys Road, Light House Road, Scotts Road, Colegrave Road, Capells Road, Lapoinya Road, Nelsons Road, Meunna Road and Keith River Road</td>
<td>Maintenance grading.</td>
<td>Routine maintenance.</td>
</tr>
<tr>
<td>Myalla Road</td>
<td>Stripping for Reseals.</td>
<td>Routine maintenance.</td>
</tr>
</tbody>
</table>
## Road / Street Works Undertaken

<table>
<thead>
<tr>
<th>Road / Street</th>
<th>Works Undertaken</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mt Hicks Road, Deep Creek Road, Brownriggs Road, Wattle Hill Road, East Yolla Road, South Elliott Road, Nunns Road - Mount Hicks end and Smarts Road.</td>
<td>Shoulder Grading.</td>
<td>Routine maintenance.</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>
<tr>
<td>Unsealed roads in general</td>
<td>Potholing with F.C.R.</td>
<td>Routine maintenance.</td>
</tr>
</tbody>
</table>

## WORKS – PARKS AND RESERVES

### AUGUST 2005

#### Capital Works

<table>
<thead>
<tr>
<th>Capital Works</th>
<th>Works Undertaken</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inglis River Walkway</td>
<td>Limbfall and tree removal. Herbicide spraying. Safety railing installed.</td>
<td>New and updated signage has been installed to reflect walkway extension.</td>
</tr>
<tr>
<td>Playground Equipment</td>
<td>Playground safety inspections carried out. Softfall replenished.</td>
<td>Currently assessing options for new equipment.</td>
</tr>
<tr>
<td><strong>Oval Maintenance</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Langley Park</td>
<td></td>
<td>Mowing as required.</td>
</tr>
<tr>
<td>Wynyard Recreation Ground</td>
<td>Marked for football. Topdressing with sand in goal areas and centre</td>
<td>Mowing as required.</td>
</tr>
<tr>
<td>Yolla Recreation Ground</td>
<td></td>
<td>Mowing as required.</td>
</tr>
<tr>
<td>Wynyard Showground</td>
<td></td>
<td>Mowing as required.</td>
</tr>
<tr>
<td>Frederick Street Reserve</td>
<td></td>
<td>Mowing as required.</td>
</tr>
<tr>
<td>Somerset Recreation Ground</td>
<td>Topdressing with sand</td>
<td>Mowing as required.</td>
</tr>
<tr>
<td>Cemeteries</td>
<td>General mowing and maintenance. Plaques installed.</td>
<td></td>
</tr>
<tr>
<td>Others</td>
<td>General maintenance. Tree maintenance.</td>
<td>Sprayed and brush cut and mowing as required.</td>
</tr>
<tr>
<td>Waste Transfer Station</td>
<td>Green waste chipped.</td>
<td></td>
</tr>
<tr>
<td>Fossil Bluff</td>
<td>Maintenance.</td>
<td>Ongoing weeding.</td>
</tr>
</tbody>
</table>
## Capital Works

### Works Undertaken

#### Parks/General Reserves
- General maintenance.
- Storm damaged tree removal.

#### Boat Harbour
- Hotmix seal placed on steep sections of walkway.

#### Somerset Foreshore
- Picnic tables installed.
- Garbage bins ordered.

### Comments

## PERSONNEL

(a) **Appointments:-**
- Nil

(b) **Resignations:-**
- Chris Gleeson – Trainee Building Control Officer
- Kate Speed – Casual Children’s Services Worker

## 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, 21/7/03</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>888.1, 20/10/03</td>
<td>Sisters Beach Sewerage Scheme</td>
<td>Design and construct.</td>
<td>DES</td>
<td>Treatment Plant accepting effluent. Plumbing permits being issued.</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>Art work completed. Signs to be installed by Cam River Signs.</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 dealing direct with AMSA in relation to access options.</td>
</tr>
<tr>
<td>159.5, 21/6/04</td>
<td>Laneway Purchase – 40 Goldie Street, Wynyard</td>
<td>Arrange purchase of laneway.</td>
<td>GM</td>
<td>Awaiting finalisation</td>
</tr>
<tr>
<td>255.4, 20/9/04</td>
<td>Waratah Specific Project Funding</td>
<td>Arrange Design Brief for Kenworthy’s Mill</td>
<td>DES</td>
<td>Development Application lodged with Council.</td>
</tr>
</tbody>
</table>
### Council Reports

<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>342.3, 20/12/04</td>
<td>Aquatic Facility</td>
<td>Discuss with Burnie CC and other councils</td>
<td>GM</td>
<td>Awaiting advice on funding conditions by Federal Government on allocations to Devonport and Burnie Councils.</td>
</tr>
<tr>
<td>55/05, 21/2/05</td>
<td>Tasmanian Mining and Prospecting Hall of Fame</td>
<td>Establishment of a Working Group to assess the proposal.</td>
<td>CDO</td>
<td>Athenaeum Hall report to be considered by Working Group.</td>
</tr>
<tr>
<td>98/05, 21/3/05</td>
<td>Customer Service Charter</td>
<td>Amend draft policy and make the policy document available for staff and public consultation.</td>
<td>GM/DCS</td>
<td>Delayed pending consideration of the reporting mechanism and database training.</td>
</tr>
<tr>
<td>158/05, 16/5/05</td>
<td>CBD Upgrade – Goldie Street</td>
<td>Preparation of detailed construction plans</td>
<td>DES</td>
<td>CBD Project Team met on 8th September to discuss landscape concept and provide feedback.</td>
</tr>
<tr>
<td>237/05, 18/7/05</td>
<td>Waratah Museum Transfer– Crown Land Assessment Project Offer</td>
<td>Accept in principle – General Manager to negotiate terms.</td>
<td>GM</td>
<td>Negotiations continuing</td>
</tr>
<tr>
<td>XXX, 15/8/05</td>
<td>Athenaeum Hall</td>
<td>Refer Assessment Report to Mining Hall of Fame Working Group</td>
<td>DCS/CDO</td>
<td>Meeting held with Working Group on 30th August</td>
</tr>
</tbody>
</table>

### MAYOR’S DIARY AND COMMUNICATION

<table>
<thead>
<tr>
<th>Date</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>01.08.05</td>
<td>Special Council Meeting</td>
</tr>
<tr>
<td>03.08.08</td>
<td>Citizenship Ceremony</td>
</tr>
<tr>
<td>06.08.05</td>
<td>Bride of the Year – Ulverstone</td>
</tr>
<tr>
<td>10.08.05</td>
<td>Myalla Community Centre AGM</td>
</tr>
<tr>
<td>15.08.05</td>
<td>Max Alderidge – new owner Corinna</td>
</tr>
<tr>
<td>17.08.05</td>
<td>LGAT General Meeting - Launceston</td>
</tr>
<tr>
<td>20.08.05</td>
<td>Opening of Somerset Baptist Church new building</td>
</tr>
<tr>
<td>22.08.05</td>
<td>Councillors Workshop – Nick Heath</td>
</tr>
<tr>
<td>24.08.05</td>
<td>Waratah Rural Transaction Centre Special Committee Meeting</td>
</tr>
<tr>
<td>25.08.05</td>
<td>Sisters Beach Land Use Workshop – Boat Harbour Primary School</td>
</tr>
<tr>
<td>27.08.05</td>
<td>Hellyer College Musical</td>
</tr>
<tr>
<td>29.08.05</td>
<td>State Emergency Service Management Planning Committee Meeting</td>
</tr>
<tr>
<td>30.08.05</td>
<td>Launch of new Degree at University of Tasmania – Bachelor of Regional Resource Management.</td>
</tr>
</tbody>
</table>
COUNCIL REPORTS

COUNCIL WORKSHOPS SINCE LAST COUNCIL MEETING

<table>
<thead>
<tr>
<th>Date</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>22.08.05</td>
<td>- Nick Heath Workshop</td>
</tr>
<tr>
<td>05.09.05</td>
<td>- General Manager’s Performance Review</td>
</tr>
<tr>
<td></td>
<td>- Tennis Club – Request for Assistance</td>
</tr>
<tr>
<td></td>
<td>- Reservoir Drive – Sewerage Extension</td>
</tr>
<tr>
<td></td>
<td>- Sisters Beach Sewerage District</td>
</tr>
<tr>
<td></td>
<td>- Rates query - Percy</td>
</tr>
</tbody>
</table>

USE OF CORPORATE SEAL

<table>
<thead>
<tr>
<th>Date</th>
<th>Document Sealed</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>22.08.05</td>
<td>Solid Waste Disposal Agreement</td>
<td>Circular Head and Waratah-Wynyard Council.</td>
</tr>
</tbody>
</table>
CORRESPONDENCE

MOVED BY CR FRENCH
SECONDED BY CR FENTON

That the correspondence be noted.

IN FAVOUR

<table>
<thead>
<tr>
<th>MAYOR CHALK</th>
<th>CR BRAMICH</th>
<th>CR FAIRBROTHER</th>
<th>CR FENTON</th>
</tr>
</thead>
<tbody>
<tr>
<td>CR FRENCH</td>
<td>CR FRIEDERSDORFF</td>
<td>CR HYLAND</td>
<td>CR RANSLEY</td>
</tr>
</tbody>
</table>

CARRIED UNANIMOUSLY

304/05 KELLATIER – REQUEST THAT COUNCIL OPPOSE PRIVATE TIMBER RESERVE APPLICATION

Correspondence has been received from Mr David Reid and other property owners in the Oldina/Calder area requesting an opportunity to meet Councillors to present and discuss their concerns about proposals to establish a plantation on the former “Ackland” property at Kellatier and to request Council to oppose, in the public interest, the application to establish a private timber reserve on the property.

OFFICERS COMMENT

With the apparent sale for the former “Ackland” property to private forestry interests, the correspondents are obviously concerned about the prospect of further land in the area being sold and converted to plantation, as occurred in Preolenna-Meunna in 1997/98.

To the present time Council has restricted its role in the issue of local land use to that of a planning authority on the basis that the legislation has provided rights of objection and appeal against such development to those with recognizable and direct interests i.e. as owners of nearby land.

As Council does have a statutory obligation to consult with and be accountable to its community, it is most reasonable that it respond positively to the request for a meeting to be able to take on board and consider the residents’ concerns as outlined in their correspondence.
Correspondence

MOVED BY CR BRAMICH
SECONDED BY CR HYLAND

That Council accede to the property owners’ request for a meeting, such to be scheduled for the first available Group Discussion.

IN FAVOUR

<table>
<thead>
<tr>
<th>MAYOR CHALK</th>
<th>CR BRAMICH</th>
<th>CR FAIRBROTHER</th>
<th>CR FENTON</th>
</tr>
</thead>
<tbody>
<tr>
<td>CR FRENCH</td>
<td>CR FRIEDERSDORFF</td>
<td>CR HYLAND</td>
<td>CR RANSLEY</td>
</tr>
</tbody>
</table>

CARRIED UNANIMOUSLY

Enclosures:- refer to Enclosure Document Page 139
- Letter from David L Reid & Others 19 August 2005

305/05 REQUEST FOR FINANCIAL ASSISTANCE – SUPER SIDEWALK SELLOUT – WYNYARD CHAMBER OF COMMERCE & INDUSTRY

The Wynyard Chamber of Commerce & Industry Inc. has written to Council in relation to a proposed “Super sidewalk sell-out” to be conducted in Goldie Street on Friday, 7 October as part of the Bloomin’ Tulips festival. The Chamber advises that it has sought and gained unanimous support for the initiative from businesses, not only in the CBD, but from surrounding areas, including Somerset.

The project is viewed as a perfect opportunity for the Chamber to promote the business sector within the region and ultimately increase awareness and patronage of the Tulip Festival held on the following weekend. The event is also ideal for the Chamber to boost its own profile by being seen to be actively promoting commercial activity within the town.

Given that it was trying to promote the Tulip Festival and the town as a whole in conjunction with the business sector, the Chamber has asked that Council consider making a contribution of $1,000 from its Community Assistance Grants program to complement the $1,500 already allocated from its own funds to ensure that the promotion receives worthwhile coverage across three mediums.
The Advocate Newspaper and Southern Cross Television were being particularly supportive of the evening, which should be of great benefit to the Tulip Festival, traders and the general public. The Chamber acknowledged that Council already made a significant contribution to the Tulip Festival each year, but given that the Chamber was looking to fill the void left by the absence of the parade on Friday evening and the rarity of its requests for Council assistance, members were hopeful Council would look upon its request favourably.

OFFICERS COMMENT

The event appears to be an innovative “market” alternative to the street parade traditionally conducted as part of the Tulip Festival and it does have the potential to attract widespread community and consumer interest, particularly if it does, as the Chamber has indicated that it will, get widespread support and participation from all businesses in the district.

Council’s strategic plan does include initiatives aimed at examining the opportunities for regular central markets featuring local and quality art and craft products and, in a sense, a “sidewalk sell-out” when local businesses bring their trade out onto the street alongside stalls conducted by other local businesses that do not normally have a main street presence, offers an excellent chance to assess the likely public response to a “market-type” activity.

A Council contribution to the costs of promoting the event to the public would certainly allow greater advertising exposure and result in increased awareness and greater success but such a matter is for Council to determine.

MOVED BY   CR FENTON
SECONDED BY  CR HYLAND

That Council agree to provide a donation of $1,000 to the Wynyard Chamber of Commerce and Industry Inc. from the Community Assistance Grant Contingency Fund to be applied to promotion of the “Super Sidewalk Sellout”.

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CARRIED UNANIMOUSLY

Enclosures:- refer to Enclosure Document Page 141
- Letter from Wynyard Chamber of Commerce – 2 September 2005
306/05 WOOLNORTH STUDLAND BAY WIND FARM PTY LTD - WARATAH-WYNYARD SECTION OF THE SMITHTON TO BURNIE 110 KV TRANSMISSION LINE - UTILITIES USE CLASS IN THE PRIMARY INDUSTRIES ZONE

Further to Minute 251/05 correspondence was received from the Manager of the Resource Planning and Development Commission advising that the Commission had resolved to provide its confirmation under Principle 4(ii) of the State Policy on the Protection of Agricultural Land 2000 that there is an overriding need for the transmission line and it is satisfied that there is not a suitable alternative site for the transmission line.

*For noting.*

Enclosures:- refer to Enclosure Document Page 142
- Letter and supporting report from RPDC – 9 August 2005

307/05 TAXATION OF PLANTATION FORESTRY - MR. J LAWRENCE

Mr. J Lawrence of Calder Road, Wynyard has written to Council expressing his concern about renewed interest and activity by forest operation companies in acquiring former dairy and grazing properties in Tasmania, particularly in the Calder area for commercial plantation development.

His primary concern is the unsatisfactory resource (land) allocations that are produced by anomalies in the Tax Act and he outlines his hope that Tasmanians can move rapidly to ward off the potential danger that awaits their state if land continues to be gobbled up by the forest operation companies. He also invites Council to consider a submission he has just made to the Federal Review of Taxation of Plantation Forestry.

OFFICER’S COMMENTS

Amongst the wider political issues it addresses’ the correspondence from Mr Lawrence adds significant weight to the argument for trees grown for commercial timber purposes to be included in property valuations, on which particular subject Council decided on 15 August 2005 to request the Local Government Association of Tasmania to seek an investigation and report by its Forestry Consultative Committee.

Consistently officers have taken the approach that Council, in the matter of redevelopment of former traditional farming properties for forestry purposes, ought to avoid the controversy of the political debate and confine its focus to the statutory responsibilities it has as a planning authority.
Correspondence

Whilst that remains the officers’ position, it is clear that this redevelopment is being principally fuelled by the current favourable taxation treatment that is accorded to this activity and the Council may well feel compelled, in the community’s interest, to question its long-term economic and social impact on this and other municipal districts and their viability in the wake of future legislative change that dries up the investment opportunity.

MAYOR CHALK DECLARED AN INTEREST IN THIS AGENDA ITEM AND LEFT THE MEETING AT 9:58 PM.

MOVED BY CR FENTON
SECONDED BY CR RANSLEY

That the correspondence from Mr Lawrence be noted.

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CARRIED UNANIMOUSLY

Enclosures:- refer to Enclosure Document Page 146
- Letter from John Lawrence – 18 August 2005
- Copy of submission

MAYOR CHALK RETURNED TO THE MEETING AT 10:02 PM.

308/05 TINK TAYLOR AVENUE – RESIDENT CONCERNS

Correspondence has been received for Mr and Mrs McPhie of Tink Taylor Avenue, Lake Llewellyn in regard to two concerns as follows:

- The continued presence of the windrowed vegetation on the eastern side of Tink Taylor Avenue, which resulted from the construction of a fire break around the Lake Llewellyn settlement.
- The quantity of dust arising from vehicles using Tink Taylor Avenue during the summer months and it is requested that the road be sealed to reduce this impact on residents.

A copy of the correspondence is attached for information.
OFFICERS’ COMMENTS

Parks and Wildlife arranged for the firebreak on the eastern side of Tink Taylor Avenue to be constructed some time ago and it was previously indicated that it was the department’s intention to complete the works by burning the windrowed trees at a suitable time.

The last advice received on this matter indicated that the burning of the windrow was to occur in autumn of 2005, however this did not happen.

Contact has recently been made with Parks and Wildlife to determine their plans in relation to completing the project however no advice has been received to date. Upon receipt of such advice the authors of the correspondence to Council will be advised.

In respect to the upgrading of Tink Taylor Avenue to a sealed road standard it is apparent that residents have issues with dust arising with increased vehicular traffic in the summer months.

It is suggested to Council that as the upgrading of the road is a capital funding issue, the requested works be noted as a possible project for consideration in the development of the 2006/2007 capital works program.

MOVED BY CR BRAMICH
SECONDED BY CR FAIRBROTHER

1. That Council advise Mr and Mrs McPhie that the issue of completion of the works associated with the construction of the windrow around Lake Llewellyn is being pursued with Parks and Wildlife and that advice received on timing of the completion of the works will be advised to them when received.

2. That Council note for consideration in the development of the 2006/2007 capital works program the sealing of Tink Taylor Avenue as a possible project.

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AGAINST

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CARRIED

Enclosures:- refer to Enclosure Document Page 155
- Letter – 25 August 2005
309/05 BLOOMIN’ TULIPS! FESTIVAL – ROAD CLOSURES

The Bloomin’ Tulips! Committee have written to Council to request permission to close a number of public streets for the purpose of conducting events associated with the 2005 Bloomin’ Tulips! Festival.

The requested closures are as follows:

**Little Goldie Street**
2.00 pm to 10.00 pm Friday 7 October, 2005
7.00 am to 6.00 pm Saturday 8 October, 2005

**Wynyard Wharf Area**
6.00 pm to 10.30 pm Saturday 8 October, 2005

**Community Centre Car Park**
7.00 am to 10.00 pm Friday 7 October, 2005
7.00 am to 6.00 pm Saturday 8 October, 2005

**Gutteridge Gardens Car Park**
11.00 am to 10.30 pm Saturday 8 October, 2005

The Committee has advised that consultation has occurred with the Wynyard Chamber of Commerce on the road closures and that traders that will be affected by the closures will be informed of the closures prior to the event.

OFFICERS’ COMMENTS
Road closures were carried out in previous years to facilitate the various events that occur during the Tulip Festival and no issues of concern have arisen in the past.

Section 19 of the *Local Government (Highways) Act 1982* provides Council with the power to approve a temporary road closure for the purpose of a public event.

The road closures are an integral aspect of the Tulip Festival events and it is recommend that the road closures be approved subject to conditions.

MOVED BY CR RANSLEY
SECONDED BY CR FRENCH

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

(a) *The Bloomin’ Tulips! Committee is to provide the Council with confirmation that Police approvals have been obtained for the street closures.*
(b) The Bloomin’ Tulips! Committee is to inform traders abutting the roads to be closed of the dates and time of the closures.

(c) The Bloomin’ Tulips! Committee is to liaise with Council staff to coordinate the physical closure of the streets.

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CARRIED UNANIMOUSLY

Enclosures:- refer to Enclosure Document Page 156
- Letter from Bloomin’ Tulips! – 6 September 2005

310/05 WYNYARD CHAMBER OF COMMERCE AND INDUSTRY INC – ROAD CLOSURE REQUEST

The Wynyard Chamber of Commerce and Industry Inc. have written to Council to request permission to close Goldie Street Wynyard, Saunders Street to Hogg Street, for the purpose of conducting a Super Sidewalk Sellout. This proposed event would coincide with other events associated with the Bloomin’ Tulips! Festival.

The requested closure is as follows:

**Goldie Street (Saunders to Hogg Streets)**

6:00 pm to 9:00 pm - Friday 7 October, 2005

The Chamber of Commerce have advised that consultation has occurred with Tasmania Police on the proposed closure and no objection was raised by the Police.

OFFICERS’ COMMENTS

The requested road closure while facilitating an extended trading opportunity for local businesses, will also complement the activities that will be occurring at the Community Centre car park area over the same time period and provide another reason for people to visit Wynyard over the Tulip Festival weekend.

Section 19 of *The Local Government (Highways) Act 1982* provides Council with the power to approve a temporary road closure for the purpose of a public event.
It is suggested to Council that the event in question is of public interest and it is recommended that the road closures be approved subject to conditions.

MOVED BY CR FENTON
SECONDED BY CR FRIEDERSDORFF

That Council agree to the road closures as requested by the Wynyard Chamber of Commerce and Industry Inc to the following conditions:

(a) The Wynyard Chamber of Commerce and Industry Inc making businesses participating in the ‘Super Side Walk Sellout’ aware of the need for them to protect their own potential public liability by having suitable relevant insurance cover.

(b) The Wynyard Chamber of Commerce and Industry Inc indemnify the Council and hold the Council harmless from and against all action, costs, 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 street.

(c) The Wynyard Chamber of Commerce and Industry Inc provide the Council with confirmation that Police approvals have been obtained for the street closures.

(d) The Wynyard Chamber of Commerce and Industry Inc liaise with Council staff and the Tulip Festival Committee to co-ordinate the physical closure of the street.

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CARRIED UNANIMOUSLY

Enclosures:- refer to Enclosure Document Page 157
- Letter Wynyard Chamber of Commerce & Industry Inc.
REPORT OF COMMITTEES

311/05 MINUTES OF OTHER BODIES/COMMITTEES

MOVED BY CR FENTON
SECONDED BY CR FRENCH

That the Minutes be received.

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CARRIED UNANIMOUSLY

Copies were circulated of the following unconfirmed Minutes:

1) Wynyard Child Care Committee – 17 August 2005
2) Bloomin’ Tulips Festival Committee – 17 August 2005
3) Wynyard Wharf Special Committee – 17 August 2005
4) Wynyard Wharf Special Committee – Annual General Meeting – 17 August 2005
5) Waratah Rural Transaction Centre Management Special Committee Annual General Meeting – 24 August 2005
6) Waratah Rural Transaction Centre Management Special Committee – 24 August 2005
7) Somerset Indoor Recreation Centre Management Committee – 24 August 2005
8) Frenchs Road Nature Reserve Management Special Committee – 25 August 2005
9) Frenchs Road Nature Reserve Management Special Committee – Annual General Meeting – 25 August 2005
10) Tourism Advisory Group – 1 September 2005
11) Wynyard Community Centre Management Committee – Annual General Meeting – 6 September 2005
12) Wynyard Community Centre Management Committee – 6 September 2005

Enclosures:- refer to Enclosure Document Page 158
- Minutes
312/05 CLOSED MEETING

MOVED BY
SECONDED BY

That Council go into Closed Meeting.

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CARRIED UNANIMOUSLY

RESUMPTION OF OPEN MEETING

AT 10:29 P.M. THE OPEN MEETING WAS RESUMED.

THERE BEING NO FURTHER BUSINESS THE MEETING WAS CLOSED AT 10:29 P.M.

Confirmed,

MAYOR

17 October 2005
Closed Meeting