



**ORDINARY MEETING
OF COUNCIL**

**AGENDA
OPEN MEETING**

18 May 2020

18 May 2020

Notice of Meeting – Ordinary Meeting of Council

In accordance with the *Local Government (Meeting Procedures) Regulations 2015* NOTICE is hereby given that the next Ordinary Meeting of the Waratah-Wynyard Council will be via video / teleconference on Monday 18 May 2020 with the Business of the meeting to be in accordance with the following agenda paper.

General Manager's Certification

PURSUANT to Section 65 of the *Local Government Act 1993* I hereby certify, with respect to the advice, information and/or recommendation provided for the guidance of Council in this Agenda, that:

1. Such advice, information and/or recommendation has been given by a person who has the qualifications or experience necessary to give such advice; and
2. Where any advice is given by a person who does not have the required qualifications or experience, that person has obtained and taken into account the advice from an appropriately qualified or experienced person.



Shane Crawford
GENERAL MANAGER

Enquiries: Mayor Walsh
Phone: (03) 6443 8311
Our Ref: 004.01

18 May 2020

Mr Shane Crawford
General Manager
Waratah-Wynyard Council
PO Box 168
WYNYARD TAS 7325

Dear Shane,

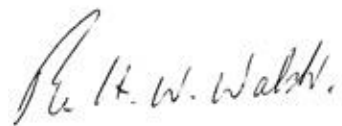
COUNCIL MEETING

In accordance with regulation 4 of the *Local Government (Meeting Regulations) 2015* which states:

4. *Convening meetings of council*
 - (1) *The mayor of a council may convene council meetings.*

I request that you make the necessary arrangements for the next ordinary meeting of Council to be convened on Monday 18 May 2020 commencing at 6.00pm via video / teleconference.

Yours sincerely



Cr Robby Walsh
MAYOR

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THE PUBLIC IS ADVISED THAT IT IS COUNCIL POLICY TO RECORD THE PROCEEDINGS OF MEETINGS OF COUNCIL ON DIGITAL MEDIA TO ASSIST IN THE PREPARATION OF MINUTES AND TO ENSURE THAT A TRUE AND ACCURATE ACCOUNT OF DEBATE AND DISCUSSION OF MEETINGS IS AVAILABLE. THIS AUDIO RECORDING IS AUTHORISED BY THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2015

AGENDA OF AN ORDINARY MEETING OF THE WARATAH-WYNYARD COUNCIL TO BE HELD AT THE COUNCIL CHAMBERS, 21 SAUNDERS STREET, WYNYARD ON MONDAY 18 MAY 2020, COMMENCING AT

	From	To	Time Occupied
Open Council			
Planning Authority			
Open Council			
Closed Council			
Open Council			
TOTAL TIME OCCUPIED			

AUDIO RECORDING OF COUNCIL MEETINGS POLICY

The Chairman is to declare the meeting open (time), welcome those present in attendance and advise that the meeting will be recorded, in accordance with the Council Policy **GOV.017 - Audio Recording of Council Meetings** to “record meetings of Council to assist in the preparation of minutes and ensure a true and accurate account of debate and discussion at meetings is available”.

ANNOUNCEMENT VIDEO RECORDING OF COUNCIL MEETING

The Mayor to advise that Council will be filming the meeting and that the recording for testing purposes, if test successful the film will be made available to the public.

ACKNOWLEDGEMENT OF COUNTRY

I would like to begin by acknowledging the traditional owners and custodians of the land on which we meet today, the Tommeginne people, and to pay our respect to those that have passed before us, their history and their culture.

1.0 RECORD OF ATTENDANCE

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2005; Regulation 8(2)(a)

*The agenda of an ordinary meeting of a council is to provide for, but is not limited to, the following items:
(a) attendance and apologies.*

1.1 ATTENDANCE

Mayor Robby Walsh
Councillor Mary Duniam
Councillor Darren Fairbrother
Councillor Celisa Edwards
Councillor Allie House
Councillor Gary Bramich
Councillor Kevin Hyland
Councillor Andrea Courtney

IN ATTENDANCE

Shane Crawford - General Manager
Daniel Summers – Director Infrastructure and Development Services
Sam Searle – Director Organisational Performance
Tracey Bradley – Director Community and Engagement
Rebecca Plapp – Town Planner

1.2 APOLOGIES

1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil received.

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015; Regulation 8(2)(b)

The agenda of an ordinary meeting of a council is to provide for, but is not limited to, the following items:

(b) Confirmation of the minutes.

2.1 CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY COUNCIL MEETING

RECOMMENDATION

That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at Council Chambers, 21 Saunders Street, Wynyard on Monday 20 April 2020, a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.

Any corrections to the Minutes are to be identified and agreed at this point prior to taking a vote to adopt the minutes.

3.0 DECLARATIONS OF INTEREST

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015, Regulation 8(7)

(7) The chairperson is to request Councillors to indicate whether they have, or are likely to have, a pecuniary (or conflict of) interest in any item on the agenda.

Councillor and Agenda Item Number

Staff and Agenda Item Number

4.0 COUNCILLORS ANNOUNCEMENTS AND REPORT

4.1 ANNOUNCEMENTS BY MAYOR

Nil received.

4.2 MAYOR'S COMMUNICATIONS

RECOMMENDATION

That the Council note the Mayors Communications

9/4/20	Council Agenda Review
20/4/20	Council Meeting
21/4/20	Meeting with General Manager
22/4/20	Meeting with Minister Shelton and LGAT
27/4/20	Councillor Workshop
28/4/20	TasWater Owner Representatives Information Session
28/4/20	Meeting with General Manager
28/4/20	Meeting with Developer
4/5/20	Local Government Recovery Planning meeting with Minister Shelton
4/5/20	Councillor Workshop
5/5/20	Meeting with General Manager
8/5/20	Meeting with Minister Ferguson
11/5/20	Councillor Workshop
12/5/20	Meeting with General Manager

4.3 REPORTS BY DELEGATES

Nil received.

4.4 NOTIFICATION OF COUNCIL WORKSHOPS

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015; Regulation 8(2)(c)

The agenda of an ordinary meeting of a council is to provide for, but is not limited to, the following items:

(c) the date and purpose of any council workshop held since the last meeting.

RECOMMENDATION

That the Council note the following Councillor Workshops

4/5/20	Draft Cam River Reserve Masterplan review
4/5/20	Integrated Council Environmental Plan Review
4/5/20	Review of Planning Matter
4/5/20	COVID-19 Update
11/5/20	Multi-Purpose Facility Update
11/5/20	Sisters Beach Freedom Camping update
11/5/20	Waratah Dam Update
11/5/20	COVID-19 Update

Upcoming Workshops – Indicative Only

25/5/20	Final Review Draft Budget 20/21
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Upcoming Workshops – Indicative Only

25/5/20	Final Review Draft Budget 20/21
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Councillor Attendance Record

Meetings attended during 2019/20 (to 6/4/20)

	Ordinary Meetings 2019/20 (10)	Special Meetings 2019/20 (1)	Workshops 2019/20 (23)	Weeks Leave Approved
Mayor Robert Walsh	10	1	23	
Deputy Mayor Mary Duniam	9	1	22	3
Cr Gary Bramich	9	1	23	
Cr Andrea Courtney	7	1	15	3
Cr Celisa Edwards	10	1	20	2
Cr Darren Fairbrother	10	1	23	
Cr Allie House	8	1	18	1
Cr Kevin Hyland	7	1	13	2

5.0 PUBLIC QUESTIONS AND STATEMENTS

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015 Regulation 31

- (1) *A member of the public may give written notice to the general manager 7 days before an ordinary meeting of the Council of a question to be asked at that meeting.*
- (3) *The Chairperson at an ordinary meeting of a council must ensure that, if required, at least 15 minutes of the meeting is available for questions to be asked by members of the public.*
- (4) *A question by any member of the public under this regulation and an answer to that question are not to be debated at the ordinary council meeting.*
- (7) *A council is to determine any other procedures to be followed in respect of question time.
The Council determined (at a meeting held on 20 July 2015) that the following procedures be followed in respect of question time:
-*
- (1) *In this clause a question includes part of a question (so that a question in 3 parts is to be treated as 3 questions).*
- (2) *A member of the public who wishes to ask a question at a meeting must—*
 - (a) *before the commencement of the meeting, submit their question in writing, on the form provided by the local government, to the General Manager or his or her representative; and*
 - (b) *be present at the meeting when the question is asked, however the person may seek approval from the Presiding Member for their nominated representative to ask the question on their behalf.*
- (3) *A completed question time form must include:*
 - (a) *the name and residential or contact address of the person who wishes to ask the question; and*
 - (b) *the question in a succinct and legible form.*
- (4) *In cases of disability or other extenuating circumstances:*
 - (a) *an officer of the local government, if requested to do so, may assist the person to complete a question time form; and*
 - (b) *in the absence of that assistance, the Presiding Member may permit a person to ask a question that was not included on a question time form.*
- (5) *(a) If more than 2 questions are submitted in writing by any one person, the Presiding Member shall allow that person, in the first instance, to ask a maximum of 2 questions;*
- (b) *If after all other members of the public have asked their questions, and where time permits, the Presiding Member is to allow members of the public who wish to ask more than 2 questions to sequentially ask one further question. This process will continue until the allotted time has expired; and*
- (c) *Where only one person wishes to ask more questions and where time permits, the Presiding Member is to invite that person to ask their additional questions.*
- (6) *The Presiding Member may decide that a question is out of order, and is not to be recorded or responded to—*
 - (a) *if it is not in the form of a question, having regard to its content and length, is essentially a statement of expression of opinion rather than a question, provided that the Presiding Member has taken reasonable steps to assist the member of the public to phrase the statement as a question; or*
 - (b) *if the question uses an offensive or objectionable expression or is defamatory.*
- (7) *The Presiding Member may determine that any question requiring research or investigation be answered in writing as soon as practicable.*
- (8) *Where the necessary information is available at the time the question is posed a response is to be provided by either the General Manager, relevant Member or employee nominated by the Presiding Member.*
- (9) *If the 15minute period set aside for questions from the public is reached, Council, by resolution, may resolve to extend the period for an additional 15 minutes to allow further questions to be asked.*
- (10) *No more than two 15-minute extensions to the time for the public to ask questions are to be permitted.*

The Council determined (at a meeting held on 20 July 2015) that the following procedures be followed in respect of public statements: -

- (1) *Members of the public may, during the public statements or the Planning Authority segments of the order of business, with the consent of the Presiding Member make a public statement on any matter that appears on the agenda for that meeting provided that:*
 - (a) *The member of the public submits to the General Manager prior to the commencement of the meeting the public statement in a form acceptable to the General Manager and which includes the name and residential or contact address of the member of the public;*
 - (b) *The public statement precedes discussion of any matter which requires a decision to be made at the meeting but otherwise at item (11) of order of business at clause 4.2;*
 - (c) *The public statement is limited to a maximum period of 3 minutes, unless otherwise determined by the Presiding Member; and*
 - (d) *No discussion or questions relating to the statement are permitted, unless otherwise determined by the Presiding Member.*
- (2) *Fifteen minutes is to be allocated for the public statement time.*
- (3) *Once all statements have been made, nothing prevents the unused part of the statement time period from being used for other matters.*
- (4) *If the 15-minute period set aside for public statements is reached, Council, by resolution, may resolve to extend the period for an additional 15 minutes to allow statements to be made.*
- (5) *No more than two 15-minute extensions to the time for public statements are to be permitted.*
- (6) *Procedures for public statements are to be in accordance with policy adopted from time to time by the Council and, where the policy is silent on a matter, the procedures for that matter are to be determined by the Presiding Member.*

5.1 RESPONSE(S) TO PUBLIC QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING

5.1.1 MRS S CUMMINGS - DOG MANAGEMENT

QUESTION

Mrs Cumming of Wynyard asked the following question (read by the Director of Community and Engagement).

Due to the COVID-19 pandemic and the changes we have all had to endure I would respectfully ask council members to consider leaving the dog management plan as it is with NO TIME or SEASON restrictions made until December 2020. Then the plan could be revisited after this time.

This will allow dog walkers and the public to continue to walk with Dogs onlead in beach areas safely, being able to socially distance ourselves in the open spaces, without having a time restriction. I believe at the moment we are all extremely anxious and frightened and more changes could escalate these issues. I know for me personally, walking my dog on the beaches is the only enjoyment I am experiencing right now.

As my neighbourhood beach is closed due to it being a RESERVE, I walk my dog to east Wynyard. Keep safe and be kind, we have a long tough road ahead

OFFICERS RESPONSE

Mrs Cumming was provided with the following response in writing.

Hi Sally,

Apologies for the delay in response. I trust that the lifting of parks & Reserves closures today allows you to return to using Fossil Bluff as your neighbourhood beach for walking your dog.

In regards to your query that was read at the April Council meeting we have reviewed the differences between the dog management plan recently adopted by Council and the arrangements that existed prior to this. I've also attached this information for you to review if you wish.

In regards to East Wynyard Beach and Fossil Bluff it appears that the new dog management plan actually better achieves what you are asking for than the old arrangements (Please note that in the text below I have stated the information in the opposite order that it appears in the attached new dog management plan to illustrate the off lead times first): -

Under the new Dog Management plan (December 2019)

East Wynyard Beach

Dogs of lead at all times other than between 10am and 6pm where they must be on lead

Fossil Bluff

Dogs of lead at all times other than between 10am and 6pm where they must be on lead

Previous Dog Management plan (January 2013)

East Wynyard Beach

Dogs must be on a leash at all times, during Summer (1 December to 28 February), no dogs allowed from 10am to 6pm

Fossil Bluff

Dogs must be on a leash at all times, during Summer (1 December to 28 February), no dogs allowed from 10am to 6pm

As can be seen in the above, if Council were to persist with the old arrangements they would state that you are not allowed to take your dog onto East Wynyard Beach or Fossil Bluff from 10am to 6pm from 1 December to 28 February and your dog would be required to be on leash at all other times. Under the new arrangements you can freely take your dog to these beaches at all times but he/she must be on a lead between 10am and 6pm in these areas.

I trust the above answers your query and wish you the best during these uncertain times.

5.2 PUBLIC QUESTIONS RECEIVED IN WRITING

21 April 2020

Shane Crawford

General Manager

Waratah-Wynyard Council

By Email: scrawford@warwyn.tas.gov.au

Questions With / Without Notice For Next Council Meeting

Dear Shane,

As the Tasmanian Coordinator for the Australian Services Union, the union representing the interests of the 4,000 employees in Local Government around the state, I would like to take the opportunity to submit some questions for the next Council meeting.

Given the requisite changes to the way Council meetings are working in light of COVID-19 it would be appreciated if these questions could be taken as Questions on Notice, or if they have been submitted too late for Questions on Notice that they be taken as Questions Without Notice and answered in the Council meeting minutes.

1. I refer to a letter which was sent by Premier Peter Gutwein and Local Government Minister Mark Shelton to all Tasmanian Council Mayors and General Managers, dated 16 April 2020. In this letter the Premier states:

“It is our expectation that councils should endeavour to retain as many employees as possible during this challenging period and that to do this councils will need to adopt different budget and financial positioning strategies than have traditionally been required. Where appropriate, councils should also redirect staff to support their COVID-19 response measures and community relief and recovery initiatives”.

Can the General Manager provide assurances to Waratah-Wynyard Council’s employees that no employees will have their employment terminated as a result of COVID-19 and that

Council will prioritise the maintenance of employment of each of their employees in any budgetary decisions moving forward?

2. Clause 2.1 of Council's enterprise agreement, the *Waratah-Wynyard Council Enterprise Agreement 2018*, and the *Fair Work Act 2009* both provide requirements for consultation in relation to major workplace changes including the need to relocate employees, the alternation of hours of work or regular rosters, or in the extreme the potential termination of employment, amongst others.

The Australian Services Union and our members seek to enter into collaborative consultation in relation to any potential changes in the workplace as a result of COVID-19. Can the General Manager assure employees of Waratah-Wynyard Council that the management team will enter into consultation before any major changes are implemented in the workplace?

3. Given that Local Government is not eligible for the federal government's JobKeeper program, the changes which were made to the *Fair Work Act 2009* in relation to COVID-19 stand downs and alternation of an employee's regular hours do not apply to Waratah-Wynyard Council.

Section 524 of the Act (*Employer may stand down employees in certain circumstances*) requires that an employee only be stood down where they "cannot usefully be employed", that is to say that there is no useful work for employees to undertake.

Can the General Manager provide a guarantee that all possible alternate duties will be explored before considering standing employees down, including things that are usually outside of Council's core business but which assist the community with getting through, and recovering from, COVID-19? The Union can provide further details and suggestions around this matter.

If your next Council meeting is more than two weeks in the future could we please obtain a written response to these questions by email to adelatorre@asuvictas.com.au within the next week?

Thanks in advance.

Yours sincerely,



Aaron De La Torre

Tasmanian Coordinator

Australian Services Union

Victorian and Tasmanian Authorities and Services Branch

Waratah-Wynyard Council reply to ASU

Hi Aaron

I note receipt of your email on 21 April and as requested your questions and the reply below will be included on the Council agenda for the next Council meeting to be held on Monday 18 May 2020.

Q1: Ongoing Employment

Council is proactively supporting all employees through the current pandemic and still maintains a responsibility to provide essential services to the community. Flexibility has been required from outdoor and indoor staff and whilst many roles have changed priority and focus, the majority of employees continue to perform their normal roles.

Waratah-Wynyard Council childcare services have seen a decline in utilisation, resulting in a reduction of staff hours required. From the Easter period, the majority of staff in this area have reduced working hours and all casuals stood down. Councils Visitor Information Centre, the Wonders of Wynyard is closed.

Staff are all aware of the direction of the organisation, the challenges faced and current and future risks. No employees have been terminated due to this crisis and the casual workforce has been advised that their stand down is temporary and that we look forward to their return when we are able to resume usual business.

Q2: Consultation on major change

COVID-19 is unprecedented in its impact on businesses and our experience at this early stage is that employees are understanding that significant decisions impacting on employee conditions and entitlements have needed to be made at short notice. The ASU should acknowledge that whilst the standard consultation obligations under Waratah-Wynyard Council Enterprise Agreement continue to apply, while responding to COVID-19 a more rapid and robust approach to decision making may be necessary.

We are committed to:

- Regularly communicating with our employees to keep them advised of the changes required to be made to manage the impacts of Covid-19.
- If we need to implement any change, we aim to provide advance notice if possible of the change and give an opportunity to consult on the effect of the changes.

Council wrote to the ASU on 10 April regarding possible changes to children's services working arrangements however never received a reply.

Council is committed to keeping our employees engaged in meaningful work and is investigating options that include alternate duties within our organisation where possible. Council are working proactively with staff in responding to requirements arising from this Pandemic.

Council has accepted requests from employees that have wished to stay home during the pandemic due to personal circumstances or from those whom had wished to reduce hours voluntarily and have supported employees through this period with the introduction of an additional leave category, pandemic leave.

Declarations under the Public Health Act 1997 require people to stay at home unless they have to leave their primary residence for the purpose of "attending work...if unable to be

performed at the person's primary residence". Council continues to work with employees to ensure that these declarations are observed. A large portion of our workforce have been working from home for the past month, however, working at home is not possible for all employees. Council has temporarily minimised the size of some work groups to maximise physical distancing and to ensure we continue to have a safe place of work.

5.3 PUBLIC QUESTIONS WITHOUT NOTICE

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015 Regulation 31(2)(5)

(2) The Chairperson of an ordinary council meeting may –

(b) invite any members of the public present at an ordinary meeting to ask questions relating to the activities of the council.

When dealing with questions that require research or a detailed response –

(5) The Chairperson may –

(b) require a question to be put on notice and in writing to be answered at a later ordinary council meeting.

A summary of questions without notice and response(s) and the name of the person asking the question will be recorded in the minutes.

5.4 PUBLIC STATEMENTS RECEIVED IN WRITING

A summary that includes the name of the person making a public statement and subject title of that statement will be recorded in the minutes.

Nil received.

5.5 PUBLIC STATEMENTS WITHOUT NOTICE

6.0 PLANNING AUTHORITY ITEMS

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2005 Regulation 25/ Judicial Review Act.

The Chairperson is to advise the meeting if a Council intends to act at a meeting as a Planning Authority under the Land Use Planning and Approvals Act 1993.

25(2) The general manager is to ensure that the reasons for a decision by a Council acting as a Planning Authority are recorded in the minutes.

Any alternative decision the Council may make to a recommendation appearing on the Agenda, requires a full statement of reasons in order to maintain the integrity of the planning approval process and to comply with the Requirements of the *Judicial Review Act*.

6.1 PUBLIC QUESTIONS WITHOUT NOTICE – RELATING TO PLANNING MATTERS

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015 Regulation 31(2)(5)

(2) The Chairperson of an ordinary council meeting may –

(b) invite any members of the public present at the meeting to ask questions relating to the activities of the council.

When dealing with questions that require research or a detailed response –

(5) The Chairperson may –

(b) require a question to be put on notice and in writing to be answered at a later ordinary council meeting.

A summary of questions without notice and response(s) and the name of the person asking the question will be recorded in the minutes.

Nil received.

6.2 PUBLIC STATEMENTS - RELATING TO PLANNING MATTERS

A summary that includes the name of the person making a public statement and subject title of that statement will be recorded in the minutes.

Nil received.

6.3 CHANGE OF USE, DWELLING EXTENSION AND BOUNDARY ADJUSTMENT LOCATED AT 202 MYALLA ROAD, MYALLA - DA 22/2020

To: Council
Reporting Officer: Graduate Town Planner
Responsible Officer: Director Infrastructure and Development Services
Report Date: 28 April 2020
File Reference: 7094994

Supporting Documents: 1. Consolidated advertised documents
2. Representations x 2
3. Signed extension of time agreement

RECOMMENDATION

That Council, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Waratah-Wynyard Interim Planning Scheme 2013*, approve a change of use (dwelling), dwelling extension and boundary adjustment at 202 Myalla Road, Myalla subject to the following conditions:

- (1) The use/development is to be generally in accordance with the application as submitted and endorsed plans as listed:**
 - a. Proposal plans with Project Number: 19219 and Drawing Numbers: 02 Rev. B, 03 Rev. B and 04 Rev. B as prepared by PLA Designs and dated 5 February 2020.**
 - b. Proposal plans with Project Number: 19219 and Drawing Numbers: 05 Rev. A as prepared by PLA Designs and dated 17 February 2020.**
 - c. Proposal plans with Project Number: 19219 and Drawing Numbers: 01 Rev. C and 06 Rev. B as prepared by PLA Designs and dated 20 March 2020.**
 - d. On-site Wastewater Disposal Assessment and Design with Reference Number: GL20085Bc as prepared by Geoton Pty Ltd and dated 10 March 2020.**
 - e. Supporting Report with Project Number: 19219-P as prepared by Planning4Bushfire and dated 17 February 2020.**
- (2) All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.**
- (3) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.**
- (4) Loading and un-loading of vehicles is to be confined to within the boundaries of the property.**
- (5) Off street car parking and hardstand areas are to be surfaced in an all-weather material such as concrete, asphalt or bitumen spray seal. All stormwater runoff from the car parking and hardstand areas is to be collected onsite and directed to a stormwater system designed to cater for a 1 in 20-year ARI storm and discharged to a legal point of discharge to the reasonable requirements of the Director Infrastructure & Development Services.**
- (6) Vehicular access to and egress from the site is to occur only in a forward motion.**

(7) Stormwater from the development is to be fully contained within the boundaries of the property.

(8) Control measures are to be installed for the duration of the construction phase so as to limit the loss of soils and other debris from the site.

Notes: -

The following is provided for information only and does not constitute condition(s) of permit.

- An “Activity in Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
- This project must be substantially commenced within two years of the issue of this permit.
- The applicant is advised to consult with a building surveyor to ensure the development is constructed in accordance with Building Act 2016.
- This permit is based on information and particulars set out in Development Application DA 22/2022. Any variation requires an application for further planning approval of Council.
- The development/use is not to result in the generation of environmental harm or nuisance as defined in the *Environmental Management and Pollution Control Act 1994*.
- A full assessment of the waste water disposal system and the stormwater disposal system will be undertaken at the Building and Plumbing application stage.
- Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact TasNetworks on 1300 137 008 to ensure these works do not impede on existing electricity easements and are at a safe distance from powerlines. Failure to do so could result in the relocation of electricity assets at your cost.
- A further fee is required for the signing and sealing of Final and Strata Plans. Please refer to Councils website for current Planning fees.
- Under Section 61 (4) of the *Land Use Planning and Approvals Act 1993*, the applicant has the right to lodge an appeal against Council’s decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to the Resource Management and Planning Appeal Tribunal, G.P.O. Box 2036, Hobart, 7001. Updated Notices of Appeal are available on the Tribunal’s website at www.rmpat.tas.gov.au.

PURPOSE

The purpose of this report is for Council to consider the merits of Development Application DA 22/2020 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013*.

BACKGROUND

The subject site (CT 249156/1) is located at 202 Myalla Road, Myalla and has an area of 850m². The site contains a disused building formerly utilised as a church and community hall. The remainder of the lot is primarily comprised of grassed areas and a gravel driveway. The

southern portion of the lot is subject to a 3.66m wide burdening right of way in favour of the adjoining lot at 7 Austins Road.

The site and surrounding lots are located within the Rural Resource zone. The adjoining lot to the north and west, 7 Austins Road, has been converted to residential use and contains a single dwelling and associated domestic outbuilding development. The adjoining lot to the south is predominantly comprised of grassed areas and is owned by the same persons as 7 Austins Road. It contains a single shed and clusters of native vegetation. To the east, the subject site adjoins Myalla Road. The land to the east across Myalla Road is used for cropping purposes.

A locality plan identifying the subject property is provided in Figure 1 below.

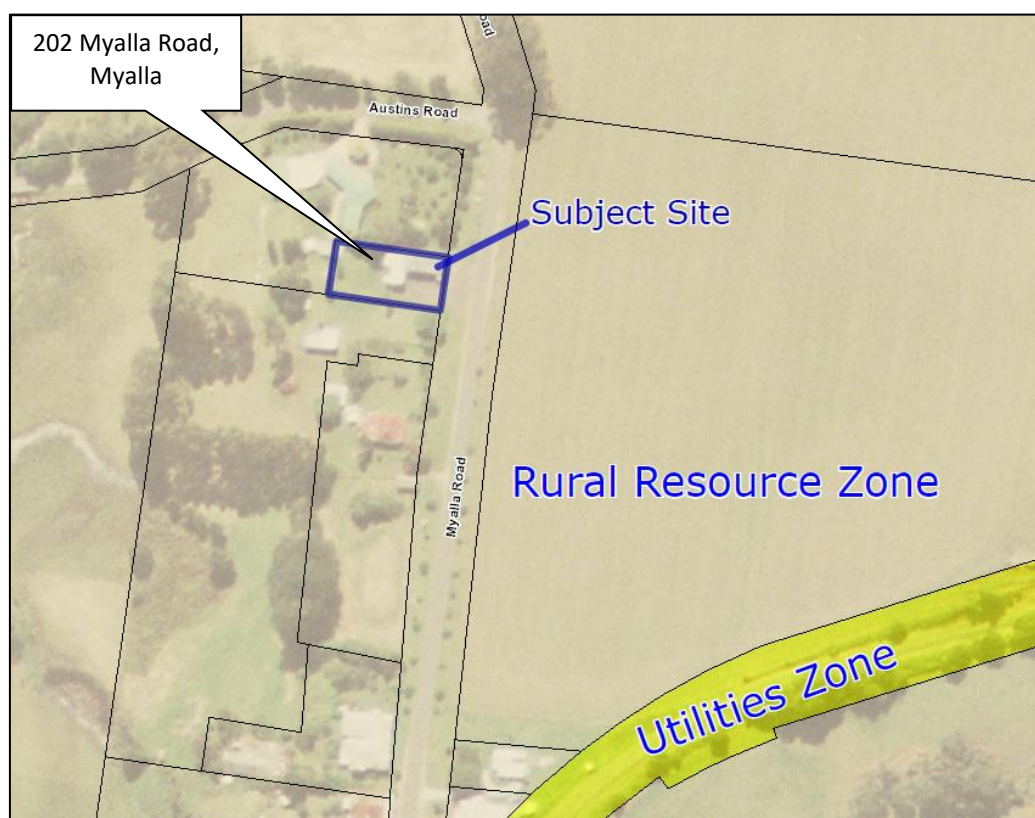


Figure 1: Subject site with zoning

DETAILS

The applicant is seeking approval for development on land described as 202 Myalla Road, Myalla (CT 249156/1). The proposal is for a change of use for an existing disused building on the site, formerly used as a church and community hall, to a single dwelling. It is also proposed to extend the building and adjust the frontage boundary to correct a minor protrusion of the existing building into Council's road reserve.

The existing building has an area of 186m² and the proposed extension, consisting of two decks, has an area of 42m². The proposed dwelling has a total floor area of 228m² and comprises a living room, kitchen/dining area, laundry, bathroom, two bedrooms, main bedroom with ensuite and walk-in-robe and the proposed decks. There is no change to the existing building height of 6.65m.

The existing title, CT 249156/1, has an area of 850m². The proposed boundary adjustment comprises the addition of 62m² of the existing road reserve adjacent to Myalla Road, for a total area of 912m².

The proposed dwelling is setback approximately 1.4m from the proposed eastern (frontage) boundary onto Myalla Road, approximately 1.1m from the northern (side) title boundary, approximately 21m from the western (rear) title boundary and 5.95m from the southern (side) title boundary.

This report assesses the proposal against the *Waratah-Wynyard Interim Planning Scheme 2013* (the Planning Scheme) and takes into account any representations received during the public exhibition period. The subject property is zoned Rural Resource under the Planning Scheme. The proposal is defined as being within the Residential use class, a discretionary use within the zone. The applicant is applying for discretion under the following clauses: -

- Residential use (26.3.3 P1);
- Suitability of a site or lot on a plan of subdivision for use or development (26.4.1 P1, P5);
- Location and configuration of development (26.4.2 P1); and
- Location of development for sensitive uses (26.4.3 P1).

CONSULTATION PROCESS

The consultation process was the public exhibition period set out in the *Land Use Planning and Approvals Act 1993* (LUPAA) and involved notification of adjoining land owners, public notices on-site and advertising in a daily newspaper. The application was placed on public exhibition for a period of 14 days as required under LUPAA. The following documentation was advertised:

- Development Application Form X 3 Pages
- Consent letter from Council X 1 Page
- Title Documents X 2 Pages
- Supporting Documentation Report X 15 Pages
- On-site Wastewater Disposal Assessment and Design X 22 Pages
- Proposal Plans X 6 Pages

The period for representations closed on 27 April 2020. Two (2) representations were subsequently received. A map demonstrating the relationship between the subject site and the each of the representor's properties is shown in Figure 2.

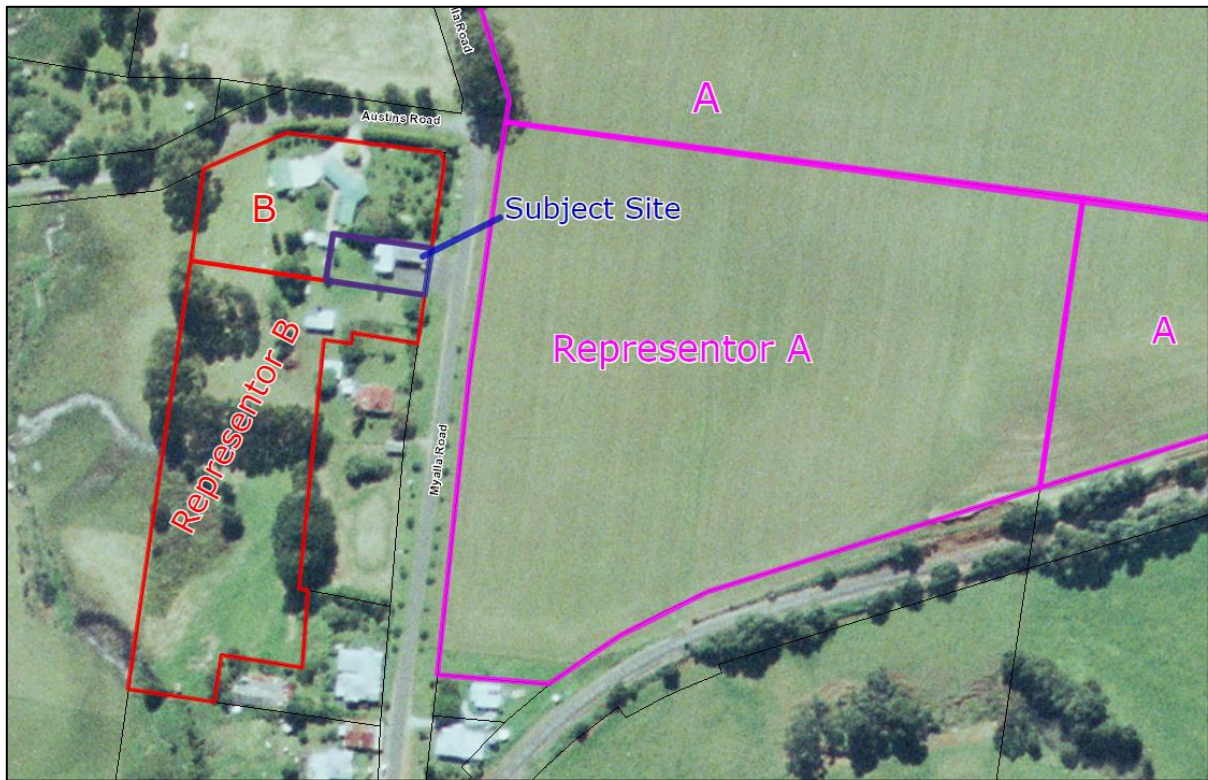


Figure 2; Relationship between subject site and each representor's properties

The representation and planning responses to the issues raised are provided below. While every effort has been made to include all issues raised, this summary should be read in conjunction with the representations which are included as an enclosure to this report.

Representor A: CD & JM Elphinstone

Issues raised:	Response:
<p>We wish to object to the change of land use from rural to residential.</p> <p>There are vastly different perceptions of rural to residential and as intensive cropping/beef fattening farmers who own property 20- 30 metres opposite this application we are extremely concerned on the implications to our operation. Our operation is a total of just over 400 hectares in Myalla/Sisters Creek.</p> <p>In a rural zoning it is accepted that farming is very much a weather-related business and as such if harvesting is taking place after what is considered normal business hours it is accepted as a matter of course. When you have residential zoning, farming operations are then impacted by when and if normal practices can occur. Noise after hours by machinery, irrigators etc can soon cause issues between people who are not conversant with farm practices.</p> <p>Myalla has been a rural area for many years and it has served all in the community well. As a church and community hall there were no issues it being located there as a rural resource so we see no reason that the application should remove the word rural.</p> <p>Having rural attached to the application indicates an understanding of rural conditions rather than the expectation of town conditions in a rural environment.</p>	<p>The representors object to the proposal on the grounds that the applicant seeks to change land use from rural to residential. They state that the previous use of the existing building on the site, as a church and community hall, was located on the site as a rural resource.</p> <p>In their representation, the representors appear to conflate the terms 'use' and 'zoning'.</p> <p>The proposal is for conversion of an existing building to a residential use, an extension to this building and a boundary adjustment.</p> <p>When the existing building on the site was used as a church and community hall, the use on the site was categorised as 'community meeting and entertainment'. The zoning was Rural Resource.</p> <p>The current proposal would change the use on the site to 'Residential' however the zoning would remain Rural Resource. It is not proposed change the zoning of the subject site itself. Re-zoning the subject site would require a completely separate planning application and is a considerably more complex process which involves changes to state legislation.</p> <p>The addition of a single dwelling amongst a cluster of established residential uses, located within an existing structure and no closer to the representor's land than other sensitive uses along the western side of Myalla Road is not anticipated to affect the ability of the representors to continue to carry out their existing farming operations.</p>

Representor B: EnviroPlan on behalf of MJ & BA Davis

Issues raised:	Response:
<p>The Church and Community Hall (<i>Community Meeting and Entertainment</i>) has not been used for a period of 2 years and has lost its use class as seen in s.12(5) of the <i>Land Use Planning and Approvals Act 1993</i>. The building has defaulted back to its zone intent and is therefore classified as Rural Resource. Therefore, the application is not a change of use application.</p>	<p>It is proposed to convert an existing disused building on the site to a single dwelling. The building was formerly used as a church and community hall. The proposal is referred to as a change of use as it involves conversion of an existing structure to a habitable building (dwelling) as opposed to construction of a new building from the ground up.</p> <p>Whether or not the site has existing use rights for 'community meeting and entertainment' use is largely irrelevant to the application as the proposal is for a new residential use and has been assessed as such. New residential use requires assessment against Clause 26.3.3 of the Planning Scheme regardless of whether it proposed to construct a dwelling from scratch, convert a disused building or convert a building with existing non-residential use rights.</p>

Issues raised:	Response:
<p>The application seeks to convert an existing building into a residential dwelling under s.26.3.3. The application states that <i>“due to the proximity of existing dwellings north, west and south of the development, the site is not capable of utilisation with other resource development or extractive industry uses in these directions”</i>.</p> <p>The representors sought to purchase the building from the vendor to incorporate it into their existing horse agistments activities which is defined under the planning scheme as ‘Resource Development’ and the planning scheme objectives clearly state that <i>“primary industry is diverse, dynamic, and innovative; and may occur on a range of lot sizes and at different levels of intensity”</i>. Clearly this objective contradicts the statement of the proponent particularly where the subject building was capable of being incorporated into an existing horse agistments where the building could have been converted for horses, equipment and associated storages.</p> <p>26.3.3 clearly states that “Residential use that is not required as part of other use must be on a site which the existing or proposed development area is not capable of utilisation on the operations of a resource development or extractive industry enterprise, regardless of ownership”. Clearly from the above – it is capable of being utilised by an existing enterprise which is located on smaller acreage than what the proponent is advocating and it was actively pursued for purchase.</p>	<p>The planning scheme, under Clause 26.3.3 P1(c)(ii), requires Council to give consideration as to whether a site can be utilised in the operations of a resource development or extractive industry enterprise, even if undertaken on land in separate ownership. ‘Enterprise’ is not defined in the Planning Scheme but its usual and ordinary meaning is a for-profit organisation, business or company. It is not considered that the intention of this Clause is for Council to refuse applications for residential use on the basis of Clause 26.3.3 P1(c)(ii) without any consideration of the type or scale of the resource development or extractive industry use in question.</p> <p>The representors own land to the north, west and south of the subject site. The lot to the north and west of the subject site, 7 Austins Road, has been converted to residential use and contains a single dwelling and associated domestic outbuilding development. The adjoining lot to the south is predominantly comprised of grassed areas and contains a single shed and clusters of native vegetation. These lots have a combined area of approximately 1.66ha and, according to the representation, are used by the owners for horse agistment.</p> <p>The owning of horses is common in rural areas and varies in intensity from pets, to hobby farms and larger enterprises i.e. for-profit businesses. Council has no record of any commercial activity being undertaken on either of the representors’ properties. A subdivision (boundary reconfiguration) approved by Council in 2015 (SD1932) noted that there was no existing or potential primary industry use for the land involved, which included both the representors’ properties. Aerial imagery of both properties does not indicate the presence of infrastructure normally associated with the keeping of horses e.g. stables, round yards, exercise arena, miscellaneous shelters etc. There is little to indicate that the representor’s property contains a resource development enterprise of the type envisaged by Clause 26.3.3 P1(c).</p> <p>For further discussion regarding Clause 26.3.3, including consistency with local area objectives please see the full planning assessment below.</p>

Issues raised:	Response:
<p>26.4.3 P1 requires that sensitive uses must minimise the likely constraint or interference to existing and potential primary industry use not only on the site but on adjacent land. Agricultural land is within 200m of the proposed dwelling where Class 2 soils are located 136m north east of the building and Class 3 soils are 5.9m south and 16m east of the building. The application has not addressed impacts on adjoining Prime Agricultural Land and a sensitive use on this site does fetter the capabilities of adjacent activities as the site has lost its previous use class and never was a Sensitive Use previously. The application has not provided any professional detail of the effects of the development on adjacent existing agricultural activities which include high rotation cropping activities.</p>	<p>The proposal has been assessed against the Performance Criteria P1 for Clause 26.4.3 as it involves a new sensitive use within 200m of agricultural land and it has been determined that the proposal satisfies P1 for this Clause.</p> <p>It has been demonstrated that due to the size of the lot, existing infrastructure, proximity to residential use and lack of water supply, that the site is unable to support resource development or extractive industry use.</p> <p>The subject site does not immediately adjoin land used for agricultural purposes. The adjoining lot to the north and west, 7 Austins road, has been converted to residential use. The adjoining lot to the south forms part of 7 Austins road. Neither lot is used for purposes beyond the scope of that normally associated with residential lots/hobby farms in rural areas.</p> <p>To the east, the subject site adjoins Myalla Road. The land to the east across Myalla Road is used for cropping purposes. The addition of a single dwelling amongst a cluster of established residential uses, located within an existing structure and no closer to cropping land than other sensitive uses along the western side of Myalla Road is unlikely to further constrain cropping operations on land to the east of Myalla Road.</p> <p>For further discussion regarding Clause 26.4.3, please see the full planning assessment below.</p>

Issues raised:	Response:
<p>The application involves a boundary adjustment however the bushfire areas code requires that an accredited person “having regard for all applicable standards in this code and certifies there is an insufficient increase in risk to the use or development from bushfire to warrant any specific bushfire protection measures; AND adjustment of a boundary in accordance with clause 9.3 of this planning scheme”.</p> <p>The code does not make a blanket exemption for boundary adjustments; it requires that an assessment to be still conducted to ensure it complies with the applicable standards of the Code – hence the word “and” at the end of the provision seen in E1.4(a).</p> <p>The proposal does not demonstrate that water supplies and access to hard stand areas are consistent with the Code as the drawings demonstrate that the water tanks are located approx. 7m from a hard stand area and the Standard requires not more than 3m.</p> <p>Further the building is located 5.9m from the southern boundary as demonstrated on the submission plans and provides a BAL 40 rating. Far exceeding the upper cap of a BAL 19 limit set by the Code for such use and development and also exceeding the Building Regulations of BAL 29.</p> <p>The application of a fence between the exposure reduces the BAL rating by a single rating only (BAL29) and therefore a Hazard Management Area is required over CT: 171698/2 which is under the ownership of the representors. It is submitted that any Part 5 agreement proposed in this regard would not be entered into and that the reduced grassland area would reduce the existing grazing area for the horse agistments activities thereby constraining and interfering with the existing primary industry use seen in 26.4.3P1.</p>	<p>The proposal includes adjustment of a boundary in accordance with Clause 9.3 of the Planning Scheme and it was determined that there was an insufficient increase in risk to the proposed use/development from bushfire to warrant any specific bushfire protection measures. The determination was made by Ms Jane Newman of Planning4Bushfire. Ms Newman is a suitable qualified person and the determination has been endorsed by a representative of the TFS.</p> <p>Issues pertaining to water supply, hardstand areas, BAL ratings or hazard management areas are not matters for Council’s consideration as the proposal is exempt from consideration under Clause E4.1 of the Bushfire Areas Code.</p>

INTERNAL REFERRALS

Engineering Services Department

The application was referred to the Engineering Services Department. The following conditions were recommended:

- (1) All costs associated with the proposed development including those related to infrastructure extensions or upgrades to council assets are to be met by the developer.
- (2) In the course of undertaking the development/use there is to be no damage caused to any council owned infrastructure or property.
- (3) Loading and un-loading of vehicles is to be confined to within the boundaries of the property.
- (4) Off street car parking and hardstand areas are to be surfaced in an all-weather material such as concrete, asphalt or bitumen spray seal. All stormwater runoff from the car parking and hardstand areas is to be collected onsite and directed to a stormwater system designed to cater for a 1 in 20 year ARI storm and discharged to a legal point of discharge to the reasonable requirements of the Director Infrastructure & Development Services.
- (5) Vehicular access to and egress from the site is to occur only in a forward motion.
- (6) Stormwater from the proposed development is to be fully contained within the boundaries of the property.

Note:

A "Works within the Road Reservation" permit must be obtained from Council for all activity within the Road Reservation.

Environmental Health

The following environmental health conditions and notes were recommended.

- (1) Control measures are to be installed for the duration of the construction phase so as to limit the loss of soils and other debris from the site.

Note:

The development/use is not to result in the generation of environmental harm or nuisance as defined in the *Environmental Management and Pollution Control Act 1994*.

EXTERNAL REFERRALS

The application did not require any external referrals.

PLANNING ASSESSMENT

The subject site is zoned Rural Resource under the *Waratah-Wynyard Interim Planning Scheme 2013*.

The use is a Residential Use which is a Permitted use within the zone, should the application meet all the relevant acceptable solutions of the planning scheme.

The proposal does not meet all relevant acceptable solutions of the planning scheme and is therefore submitted as a discretionary application under Section 57 of LUPAA and assessed under the Waratah-Wynyard Interim Planning Scheme 2013 and relevant State Policies and Acts. Section 57(1) (b) of LUPAA allows Council to relax or waive the provisions of its Planning Scheme under a discretionary status.

An assessment of the proposal against the applicable clauses for the Rural Resource Zone and relevant Codes is provided below.

26.0 Rural Resource Zone

26.3.3 Required residential use

<p>A1 Residential use that is not required as part of another use must –</p> <ul style="list-style-type: none"> (a) be an alteration or addition to an existing lawful and structurally sound residential building; (b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling; (c) not intensify an existing lawful residential use; (d) not replace an existing residential use; (e) not create a new residential use through conversion of an existing building; (f) be an outbuilding with a floor area of not more than 100m² appurtenant to an existing lawful and structurally sound residential building; or (g) be home based business in association with occupation of an existing lawful and structural sound residential building; and (h) there is no change in the title description 	<p>P1 Residential use that is not required as a part of other use must –</p> <ul style="list-style-type: none"> (a) be consistent with local area objectives; (b) be consistent with any applicable desired future character statement; (c) be on a site within which the existing or proposed development area – <ul style="list-style-type: none"> (i) is not capable by reason of one or more of factors of topography, resource capability, size or shape of being utilised for resource development or extractive industry use; and (ii) is not capable of utilisation in the operations of a resource development or extractive industry enterprise, regardless of ownership; and does not constrain or interfere with existing or potential resource development or extractive industry use of land including the balance area on the site. (d) not be likely to impose an immediate demand or contribute to a cumulative requirement for public provision or improvement in reticulated or alternate arrangements for utilities, road access, or community service.
<p>Planning Comments: Complies</p> <p>The subject site comprises 912m² and contains an existing building, formerly used as a church and community hall. It is proposed to convert the existing building to residential use. The proposal relies on Performance Criteria P1 for this Standard.</p> <p>The relevant test for Performance Criteria P1(a) requires demonstration that the proposed dwelling is 'consistent' with the local area objectives; the proposed residential use must be considered to be in harmony with the local area objectives when considering those objectives as a whole.</p> <p>Local area objectives (f) & (g) are largely irrelevant as they relate to use of land for tourism and recreation uses or for economic, community, and utility activities. Local area objective (h) states that residential use and development on rural land is appropriate only if it is:</p> <ul style="list-style-type: none"> a. required by a primary industry or a resource based activity, or b. without permanent loss of land significant for primary industry use and without constraint or interference to existing and potential use of land for primary industry purposes. 	

Local area objectives, (a)-(e), are concerned with the protection of agricultural land, with (a), (b) and (c) in particular highlighting the importance of preserving natural resources for primary industry use.

The subject title comprises 912m² and contains an existing building, formerly used as a church and community hall. The remainder of the lot is primarily comprised of grassed areas and a gravel driveway. The southern portion of the lot is subject to a 3.66m wide burdening right of way in favour of the adjoining lot at 7 Austins Road, Myalla (CT 171698/3).

According to the Land Capability Survey 1999 (Grose CJ, Land Capability Handbook, Guidelines for the Classification of Agricultural Land in Tasmania, DPIWE) the subject title contains class 3 land. Class 3 is defined as land suited to cropping and intensive grazing with moderate limitations to use. The other lots along the stretch of Myalla Road between Austins Road and Myalla Station Road also contain class 3 land.

Although class 3 land is considered to be prime agricultural land, the relatively small area of the site, lack of water supply and existing infrastructure restrict the potential for agricultural activities or primary industry use. The existing 186m² building occupies approximately 20% of the site. A further 17% of the site is constrained by a burdening right of way, which must be kept clear so as to allow vehicle access from Myalla Road to the benefitting property at all times. The remainder of the site is further constrained by an established parking area and the existing onsite wastewater system and disposal area. There is very little available space on the site for the conduct of resource development use.

Removal of infrastructure on the site, including the existing building and onsite wastewater system, could clear more space for resource development use, however any such use would need to avoid any interference with the dominant tenement's use and enjoyment of the existing right of way. It is likely that any form of resource development activity would need to be located towards the northern portion of the site in order to achieve this, placing the use/development in close proximity to the adjoining residential use at 7 Austins Road and raising the risk of conflicts between resource development based operations and established sensitive use.

This is particularly true of agricultural uses such as cropping and grazing. Activities associated with these types of uses, for example spray drift, use of machinery including irrigation pumps and firearm-based methods of wildlife control, are not compatible with residential use. Further, whilst cropping activities to the east are separated from residential use adjacent to the subject site by Myalla Road, no such buffer would exist between the subject site and 7 Austins Road. Use of the subject site in either its current or cleared state for any type of agricultural use dependent on the soil as a growth medium is unlikely to be feasible.

Although local area objectives (d) and (e) acknowledge that that primary industry use can take many different forms and that all agricultural land is valuable, use of the site for other forms of resource development use, for example broiler sheds or feedlots, are similarly incompatible with nearby residential use and are also likely to be constrained by the limited lot size. Uses such as controlled environment agriculture and the like are often dependent on reliable access to water. The nearest water source (Sisters Creek) is located approximately 120m west of the subject site and cannot be accessed without the consent of at least two other landowners.

The proposal is considered to be consistent with local area objectives (a)-(e) in that the subject site has limited value as agricultural land is heavily constrained for both primary industry and other forms of resource development use. Conversion of the existing building on the site to a single dwelling is consistent with local area objective (h) as the proposed residential use will not result in permanent loss of land significant for primary industry use and will not constrain or interfere with existing or potential use of the subject site for primary industry purposes.

The proposal satisfies Performance Criteria P1(a).

Performance Criteria P1(b) states that residential use must be consistent with applicable desired future character statements for the Rural Resource zone. Desired future character statement (a) is largely irrelevant to the proposal as the site is not well suited to resource development or extractive industry uses and it does not have sufficient space to accommodate service/support buildings and work areas of a substantial size.

The proposed residential use is located within an existing single storey building which is consistent with the size of adjoining residential development along the stretch of Myalla Road between Austins Road and Myalla Station Road; an area which resembles a small-scale settlement node. According to LISTmap the subject site does not contain any threatened flora or fauna or any threatened native vegetation communities. The site

is not subject to any identified landslip or flood risk and is relatively flat. Impact on the bucolic value of the area will be minimal as the proposed development is largely located within an existing structure. The proposal is considered to be consistent with desired future character statements (b) and (c).

As demonstrated above, the potential of the subject site to be used agricultural or other forms of primary industry purposes is heavily constrained due to the size of the lot, existing infrastructure, proximity to residential use and lack of water supply. The proposed development will not result in loss of land important for sustainable, resource-dependent, commercial production and therefore consistent overall with desired future character statements (d) and (e).

The proposal satisfies Performance Criteria P1(b).

The proposed residential use also satisfies both Performance Criteria P1(c)(i) and P1(c)(ii). It has been demonstrated above that due to the size of the lot, existing infrastructure, proximity to residential use and lack of water supply, the site is unable to support either resource development or extractive industry use. The adjoining lot to the north and west, 7 Austins Road, is similarly constrained and contains an established residential use. To the south, the subject site adjoins land owned by the same persons as 7 Austins Road. This lot is primarily comprised of grassed areas with clusters of native vegetation and contains a single shed. Forming an extension of the residential property at 7 Austins Road, this land is not used for purposes other than those normally associated with residential lots/hobby farms in rural areas. The characteristics of this lot and its proximity to other established residential uses do not suggest that the adjoining lot to south will be used for resource development or extractive industry use in future. The burdening right of way over the southern portion of the subject site is an additional barrier preventing utilisation of the lot in any operations undertaken on the adjoining property to the south.

To the east, the subject site adjoins Myalla Road. The land to the east across Myalla Road is used for cropping purposes. The addition of a single dwelling amongst a cluster of established residential uses, located within an existing structure and no closer to cropping land than other sensitive uses along the western side of Myalla Road is unlikely to further constrain cropping operations on land to the east of Myalla Road. Overall the proposal is expected to have minimal impact, if any, on existing and/or potential resource development use in the vicinity.

Access to the site is via an existing crossover location and will be conditioned accordingly as required by Council's Engineering Department. Wastewater is to be disposed of within the title boundaries by a system approved by Council and water is via on-site supply. There are existing connections to TasNetworks and telecommunications infrastructure. The proposal will not contribute to the demand for any community services or infrastructure and therefore satisfies Performance Criteria P1(d).

It has been demonstrated that the proposed residential use satisfies Performance Criteria P1 for this Standard.

26.4.1 Suitability of a site or lot on a plan of subdivision for use or development

<p>A1 A site or each lot on a plan of subdivision must –</p> <ul style="list-style-type: none"> (a) unless for agricultural use, have an area of not less than 1 hectare not including any access strip; and (b) if intended for a building, contain a building area – <ul style="list-style-type: none"> (i) of not more than 2000m² or 20% of the area of the site, whichever is the greater unless a crop protection structure for an agricultural use; (ii) clear of any applicable setback from a frontage, side or rear boundary; (iii) clear of any applicable setback from a zone boundary; (iv) clear of any registered easement; (v) clear of any registered right of way benefiting other land; (vi) clear of any restriction imposed by a utility; 	<p>P1 A site or each lot on a plan of subdivision must be of sufficient area for the intended use or development without likely constraint or interference for –</p> <ul style="list-style-type: none"> (a) erection of a building if required by the intended use; (b) access to the site; (c) use or development of adjacent land; (d) a utility; and (e) any easement or lawful entitlement for access to other land
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<p>(vii) not including an access strip; (viii) accessible from a frontage or access strip</p>	
<p>Planning Comments: Complies</p> <p>The subject site comprises 912m² and contains an existing building, formerly used as a church and community hall. It is proposed to convert the existing building to residential use. The proposal relies on the performance criteria, as the site is not used for agricultural purposes and the lot size is less than 1ha.</p> <p>The subject site contains a burdening right of way in favour of the adjoining lot to the north and west, 7 Austins Road (CT 171698/3). The proposed use and development is clear of the right of way, which is not the sole or primary means of access to 7 Austins Road. The property is not subject to any other registered easement or restriction imposed by a utility.</p> <p>The proposed residential use is located within the existing building, with two decks of 16m² and 26m² also proposed. The adjoining title to the north and west contains an existing residential use, the adjoining title to the south is owned by the same people and contains a shed. Neither property is used for resource development purposes. Neither lot is used for purposes other than those normally associated with residential lots/hobby farms in rural areas. There is a minimum distance of 13m between adjoining sensitive uses, which is compatible with the proximity of adjoining residential uses along the stretch of Myalla Road between Austins Road and Myalla Station Road.</p> <p>To the east, the subject site adjoins Myalla Road. The land to the east across Myalla Road is used for cropping purposes. The proposed use and development is no closer to cropping land than existing residential uses along the western side of Myalla Road.</p> <p>Wastewater is to be disposed of within the title boundaries by a system approved by Council and water is via on-site supply. Access to the site is via an existing crossover location and will be conditioned accordingly as required by Council's Engineering Department.</p> <p>The proposed site is of sufficient size for a single residential use and the services required to support such a use without undue constraint or interference to adjacent land.</p> <p>In this manner, the proposal satisfies the requirements of P1 for this Clause.</p>	
<p>A5</p> <p>Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater –</p> <p>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</p> <p>(b) if stormwater cannot be drained to a stormwater system –</p> <p>(i) for discharge to a natural drainage line, water body, or watercourse; or</p> <p>(ii) for disposal within the site if –</p> <p>a. the site has an area of not less than 5000m² ;</p> <p>b. the disposal area is not within any defined building area;</p> <p>c. the disposal area is not within any area required for the disposal of sewage;</p> <p>d. the disposal area is not within any access strip; and</p> <p>e. not more than 50% of the site is impervious surface</p>	<p>P5</p> <p>(a) A site or each lot on a plan of subdivision must drain and dispose of stormwater –</p> <p>(i) to accommodate the anticipated stormwater</p> <p>a. currently entering from beyond its boundaries; and</p> <p>b. from the proposed development;</p> <p>(ii) without likelihood for concentration on adjacent land;</p> <p>(iii) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land;</p> <p>(iv) to manage the quantity and rate of discharge of stormwater to receiving waters;</p> <p>(v) to manage the quality of stormwater discharged to receiving waters; and</p> <p>(vi) to provide positive drainage away from any sewer pipe, onsite sewage disposal system, or building area; or</p> <p>(b) It must be unnecessary to require the drainage and disposal of stormwater</p>

Planning Comments: Complies

The subject site comprises 912m² and it is proposed to manage and dispose of stormwater within the boundaries of the site. The application requires assessment against Performance Criteria P5 for this Clause.

Stormwater runoff from the proposed development is to be collected by two water tanks with a combined capacity of 10kL. with overflow directed into a 15m by 0.6m soakage trench located at the rear of the site, 1.5m from the western title boundary. No stormwater is to be directed to any natural drainage line, water body, or watercourse.

The soakage trench is clear of the burdening right of way, existing and proposed building area, areas required for vehicle parking and manoeuvrability, and the onsite wastewater system and associated reserve area. It is considered that the proposed arrangements are sufficient in size to ensure that stormwater is contained within the site without likelihood for concentration of water or the creation of an unacceptable level of risk for the site or adjacent land. To this effect, Council’s Engineering Department requires the following condition to be included on any permit issued:

All Stormwater from the development is to be fully contained within the boundaries of the property.

In this manner, the proposal satisfies P5(a) for this Standard.

26.4.2 Location and configuration of development

<p>A1 A building or a utility structure, other than a crop protection structure for an agricultural use, must be setback –</p> <ul style="list-style-type: none"> (a) not less than 20.0m from the frontage; or (b) if the development is for sensitive use on land that adjoins a road specified in the Table to this Clause, not less than the setback specified from that road; (c) not less than 10.0m from each side boundary; and (d) not less than 10.0m from the rear boundary; or (e) in accordance with any applicable building area shown on a sealed plan 	<p>P1 The setback of a building or utility structure must be –</p> <ul style="list-style-type: none"> (a) consistent with the streetscape; and (b) required by a constraint imposed by – <ul style="list-style-type: none"> (i) size and shape of the site; (ii) orientation and topography of land; (iii) arrangements for a water supply and for the drainage and disposal of sewage and stormwater; (iv) arrangements for vehicular or pedestrian access; (v) a utility; or (vi) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme; (vii) any lawful and binding requirement – <ul style="list-style-type: none"> a. by the State or a council or by an entity owned or regulated by the State or a council to acquire or occupy part of the site; or b. an interest protected at law by an easement or other regulation
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Planning Comments: Complies

The subject site has an area of 912m² and contains an existing building, formerly used as a church and community hall. It is proposed to convert the existing building to residential use, extend the building and adjust the frontage boundary to correct a minor protrusion of the existing building into Council’s road reserve. The existing building has an area of 186m² and the proposed extension, consisting of two decks, has an area of 42m². There is no change to the existing building height of 6.65m.

The proposed dwelling is setback approximately 1.4m from the proposed eastern (frontage) boundary onto Myalla Road, approximately 1.1m from the northern (side) title boundary, approximately 21m from the western (rear) title boundary and 5.95m from the southern (side) title boundary. The proposal relies on the performance criteria in relation to the setback of the proposed dwelling from the northern, eastern and southern title boundaries.

The proposed extensions comprise two decks which are located behind the building line of existing development from both the northern (side) and eastern (frontage) boundaries. Both decks are compliant with minimum setback requirements from the southern (side) and western (rear) title boundaries. Aside from the decks, the proposed residential use is located entirely within the confines of the existing building on the subject site, which has existing connections to infrastructure services. Relocation of the building within the permitted setbacks is not feasible considering the size constraints of the property and the burdening right of way across the southern portion of the site.

The application includes only minor alterations to the existing façade of the building, comprising the installation of two small windows. The scale, bulk and proportions of the proposed development when viewed from adjoining lots has largely been established, as has the impact on the streetscape. Further, of the six established residential uses with frontage onto Myalla Road between Austins Road and Myalla Station Road, five have a setback of less than 10m from Myalla Road and three contain buildings which abut the frontage boundary. The proposal is consistent with the streetscape.

It has been demonstrated that the proposed sensitive use satisfies Performance Criteria P1 for this Standard.

26.4.3 Location of development for sensitive uses

<p>A1 New development, except for extensions to existing sensitive use where the extension is no greater than 30% of the existing gross floor area of the sensitive use, must –</p> <p>(a) be located not less than –</p> <ul style="list-style-type: none"> (i) 200m from any agricultural land; (ii) 200m from aquaculture or controlled environment agriculture; (iii) 500m from the operational area boundary established by a mining lease issued in accordance with the <i>Mineral Resources Development Act 1995</i> if blasting does not occur; or (iv) 1000m from the operational area boundary established by a mining lease issued in accordance with the <i>Mineral Resources Development Act 1995</i> if blasting does occur; or (v) 500m from intensive animal husbandry; (vi) 100m from land under a reserve management plan; (vii) 100m from land designated for production forestry; (viii) 50m from a boundary of the land to a road identified in Clause 26.4.2 or to a railway line; and (ix) clear of any restriction imposed by a utility; and <p>(b) not be on land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i> or land that may benefit from the application of broadscale irrigation development</p>	<p>P1 New development, except for extensions to existing sensitive use where the extension is no greater than 30% of the existing gross floor area of the sensitive use, must minimise –</p> <ul style="list-style-type: none"> (a) permanent loss of land for existing and potential primary industry use; (b) likely constraint or interference to existing and potential primary industry use on the site and on adjacent land; (c) permanent loss of land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i> or land that may benefit from the application of broadscale irrigation development; and (d) adverse effect on the operability and safety of a major road, a railway or a utility
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Planning Comments: Complies

The subject site contains an existing disused building, formerly used as a church and community hall. It is proposed to convert the existing building to residential use. The proposal relies on the performance criteria, as the proposed sensitive use is within 200m of agricultural land.

The adjoining lot to the north and west, 7 Austins Road, has been converted to residential use and contains a single dwelling and associated domestic outbuilding development. The adjoining lot to the south is predominantly comprised of grassed areas and is owned by the same persons as 7 Austins Road. It contains a single shed and clusters of native vegetation. To the east, the subject site adjoins Myalla Road. The land to the east across Myalla Road is used for cropping purposes.

It has been demonstrated above under Clause 26.3.3 that due to the size of the lot, existing infrastructure, proximity to residential use and lack of water supply, the site is unable to support resource development or extractive industry use. The adjoining lot to the north and west, 7 Austins Road, is similarly constrained and contains an established residential use. To the south, the subject site adjoins land owned by the same persons as 7 Austins Road. This lot is primarily comprised of grassed areas with clusters of native vegetation and contains a single shed. Forming an extension of the residential property at 7 Austins Road, this land is not used for purposes other than those normally associated with residential lots/hobby farms in rural areas. The characteristics of this lot and its proximity to other established residential uses do not suggest that the adjoining lot to south will be used for any significant resource development or extractive industry use in future. The burdening right of way over the southern portion of the subject site is an additional barrier preventing utilisation of the lot in any operations undertaken on the adjoining property to the south.

To the east, the subject site adjoins Myalla Road. The land to the east across Myalla Road is used for cropping purposes. The addition of a single dwelling amongst a cluster of established residential uses, located within an existing structure and no closer to cropping land than other sensitive uses along the western side of Myalla Road is unlikely to further constrain cropping operations on land to the east of Myalla Road. Overall the proposal is expected to have minimal impact, if any, on existing and/or potential resource development use in the vicinity.

Regarding other primary industry uses, there is no commercial forestry or extractive industry use within 1.2km of the subject site and the characteristics of the subject title and surrounding area, including existing residential development, do not indicate and future use of land for these purposes.

The title is not located within a proclaimed irrigation district, and, due to the restrictions outlined above, is not suited to broad scale irrigation development. It is located further than 150m from the nearest arterial road or railway and does not contain any underground utilities.

It has been demonstrated that the proposed sensitive use satisfies Performance Criteria P1 for this Standard.

STATUTORY IMPLICATIONS

Land Use Planning and Approvals Act 1993

The Council is established as a Planning Authority by definition under section 3(1) of LUPAA and must enforce the Planning Scheme under section 48 of LUPAA.

In accordance with section 57 of this Act and Council's Planning Scheme, this proposal is an application for a discretionary permit. Council may approve or refuse discretionary permit applications after considering both Council's Planning Scheme and the public representations received. It is noted that two representations were received during the exhibition period.

Local Government (Building & Miscellaneous Provisions) Act 1993

The application has been considered against the requirements of section 85 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*. The application is generally consistent with these provisions.

STRATEGIC IMPLICATIONS

POLICY IMPLICATIONS

FINANCIAL IMPLICATIONS

There are no financial implications for Council other than those ordinarily associated with administering the Planning Scheme.

RISK IMPLICATIONS

There is limited risk for the Council acting as Planning Authority, provided that decisions made are in accordance with the Planning Scheme.

Should the Planning Authority wish to make a decision against the professional advice provided, the reasons will need to be detailed.

LUPAA provides for penalties against a Planning Authority that fails to enforce its planning scheme (ss. 63a and 64). Going against advice provided in the planning report, without seeking alternate qualified advice, may create unnecessary risk for the Council in exercising its statutory functions as a Planning Authority.

Should a decision by the Planning Authority be contrary to professional advice provided and the matter is taken to the appeal tribunal, Council would need to obtain separate professional advice to represent Council through the appeal process.

COMMENT

This report is presented for Council's consideration, together with the recommendations contained at the beginning of this report.

It is considered that the proposed change of use, dwelling extension and boundary adjustment complies with either the acceptable solution or satisfy the performance criteria for all applicable standards of the Planning Scheme. The proposal makes appropriate use of an existing, disused building on a site which is heavily constrained for primary industry use and which is located in an area where the streetscape resembles a small-scale settlement node. The subject site is adjoined to the north, south and west by land which has largely been converted to residential use and is no closer to cropping land than other sensitive uses along the western side of Myalla Road between Austins Road and Myalla Station Road. It is considered that the proposal will not further constrain or conflict with existing or likely potential resource development use in the area.

The application is considered to comply with the Rural Resource Zone provisions for the *Waratah-Wynyard Interim Planning Scheme 2013*. It is therefore recommended that Council approve a planning permit for the proposed change of use (dwelling), dwelling extension and boundary adjustment.

6.4 RETROSPECTIVE OUTBUILDINGS (CARPORT AND SHED), LOCATED AT 8 WARD STREET, WYNYARD - DA 32/2020

To: Council
Reporting Officer: Town Planner
Responsible Officer: Director Infrastructure and Development Services
Report Date: 28 April 2020
File Reference: 7076833

Supporting Documents: 1. Application Documentation
2. Representation 1
3. Representation 2
4. Signed Extension of Time Agreement

RECOMMENDATION

That Council, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Waratah-Wynyard Interim Planning Scheme 2013*, approve retrospective outbuildings (carport and shed) at 8 Ward Street, Wynyard subject to the following conditions: -

CONDITIONS:

- (1) The development is to be generally in accordance with the application as submitted and endorsed documents as listed:
 - a) Proposal Plans with Project Number 19226 dated 10 December 2019 as prepared by Abel Drafting Services.****
- (2) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.**
- (3) Loading and unloading of vehicles is to be confined to within the boundaries of the property.**
- (4) Stormwater from the proposed development is to be connected into Council's stormwater drainage network.**
- (5) All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the developer.**

Notes: -

The following is provided for information only and does not constitute condition(s) of permit.

- An "Activity in Road Reservation" permit must be obtained from Council for all activity within the Road Reservation.
- This project must be substantially commenced within two years of the issue of this permit.
- The applicant is advised to consult with a building surveyor to ensure the development is constructed in accordance with *Building Act 2016*.
- This permit is based on information and particulars set out in Development Application DA 32/2020. Any variation requires an application for further planning approval of Council.

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- This development/use is not to result in the generation of environmental harm or nuisance as defined in the *Environmental Management and Pollution Control Act 1994*.
 - Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact TasNetworks on 1300 137 008 to ensure these works do not impede on existing electricity easements and are at a safe distance from powerlines. Failure to do so could result in the relocation of electricity assets at your cost.
 - Under Section 61 (4) of the *Land Use Planning and Approvals Act 1993*, the applicant has the right to lodge an appeal against Council's decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to the Resource Management and Planning Appeal Tribunal, G.P.O. Box 2036, Hobart, 7001. Updated Notices of Appeal are available on the Tribunal's website at www.rmpat.tas.gov.au.

PURPOSE

The purpose of this report is for Council to consider the merits of the application DA32/2020 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013* (Planning Scheme).

BACKGROUND

The site is located at 8 Ward Street, Wynyard (CT 1/55823) comprising of a lot 835m². The subject property is located in a residential area populated by a mix of single dwelling and unit development. It is located within the General Residential Zone as are the neighbouring properties. Currently the site is improved with an existing dwelling, a freestanding garage and the recently constructed carport and additional shed. A Building Notice was issued in September 2019 as a constructed shed and carport was brought to Council's attention at 8 Ward Street, Wynyard that required a planning permit. Subsequently a planning application was lodged for both outbuildings. A locality plan is provided in Figure a below.



Figure 1: Overhead Locality Plan. Source: MapInfo

DETAILS

The applicant is seeking approval for two retrospective outbuildings at 8 Ward Street Wynyard (CT 3/55823). The first outbuilding is a carport measuring approximately 6.5m in length along the common western side boundary and 9.95m wide, reaching a maximum height of approximately 2.7m. The carport is constructed and secured adjoining the fence and to the south of the existing garage onsite.

The second outbuilding is a shed measuring 4.9m x 3.5m reaching a maximum height of approximately 3.2m to the roof apex. The subject site is an irregular kite shaped lot. The subject shed is located on the rear boundary using the existing slab onsite. It is noted that an outbuilding has not used this slab for several years.

This report assesses the proposal against the *Waratah-Wynyard Interim Planning Scheme 2013* (the Planning Scheme) and takes into account any representations received during the public exhibition period. The subject property is zoned General Residential under the Planning Scheme. The proposal is defined as a Residential Use Class. This is a Permitted use within the zone, should the application meet all the relevant Acceptable Solutions. The applicant is applying for discretion under the following clauses: -

- Setbacks and building envelope for all dwellings 10.4.2 (P3).

CONSULTATION PROCESS

The consultation process was the public exhibition period set out in the Land Use Planning and Approvals Act 1993 (LUPAA) and involved notification of adjoining land owners, public notices on-site and advertising in a daily newspaper. The application was placed on public exhibition for a period of 14 days as required under LUPAA. The period for representations

closed on 27 April 2020. Two (2) representations has been received. A map demonstrating the relationship between the subject site and the representor’s property is shown in Figure 2.



Figure 2: Representor proximity to site. Source: MapInfo

The representations and planning responses to the issues raised are provided below. While every effort has been made to include all issues raised, this summary should be read in conjunction with the representations which are included as an enclosure to this report.

Representor 1: G Webster

Issues Raised:	Response:
<p>The subject shed is visually obtrusive, the roof of the shed rises approximately 1m above the existing brick boundary fence for a length of approximately 3m. The representors dining kitchen and bedroom windows are approximately 3m from the new shed, outlook from these three windows is no oppressive and dark.</p>	<p>The subject shed is single storey in height, ranging between 0.45m – 0.86m above the common boundary fence.</p> <p>A 3m separation distance between buildings in the General Residential zone is not uncommon.</p> <p>The applicant is seeking a reduction in setback to this boundary and therefore must address the performance criteria of clause 10.4.2 (P3) of the <i>Waratah-Wynyard Interim Planning Scheme 2013</i>. A full assessment of this clause is provided in the Planning Assessment of this report.</p>
<p>The representor suggests a shed that does not rise above the fence, like that of the representors.</p>	<p>The applicant is able to apply for a setback relaxation under clause 10.4.2 (P3) of the <i>Waratah-Wynyard Interim Planning Scheme 2013</i>.</p>

Representor 2: D and S Simpson

Issues Raised:	Response:
The carport has been attached to the Colourbond boundary fence.	The application can be made for development up to and on the boundary line of the title boundary.
Since the construction of the carport, there has been an increase in noise from vehicle engines and car doors closing. Further to this vibration from both the carport and along the fence.	<p>The subject carport is for a residential use carport similar to that of the carport located within close proximity to the common boundary on the neighbouring lot. Engine noise and car doors closing would be limited to residential use only.</p> <p>The layout of both titles have adjoining driveways with adjoining hardstand areas located upto the common boundary. Generally speaking residential use vehicles would be located for parking in this location.</p> <p>However, the applicant already has a shed located on the western-side boundary and therefore must demonstrate compliance with clause 10.4.2 (P3) of the <i>Waratah-Wynyard Interim Planning Scheme 2013</i>. Please see full assessment below.</p>

INTERNAL REFERRALS**Engineering Services Department**

The application was referred to the Engineering Services Department. The following conditions were recommended:

- (1) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
- (2) Loading and unloading of vehicles is to be confined to within the boundaries of the property.
- (3) Stormwater from the proposed development is to be connected into Council's stormwater drainage network.

Note:

An "Activity within the Road Reservation" permit must be obtained from Council for all activity within the Road Reservation.

Environmental Health

The following environmental health notes were recommended.

Note: This development/use is not to result in the generation of environmental harm or nuisance as defined in the *Environmental Management and Pollution Control Act 1994*.

EXTERNAL REFERRALS

The proposal did not require referral to any external referral bodies.

PLANNING ASSESSMENT

The subject site is zoned General Residential under the *Waratah-Wynyard Interim Planning Scheme 2013*. The use is a Residential Use which is a Permitted use within the zone, should the application meet all the relevant acceptable solutions of the planning scheme. The proposal does not meet all relevant acceptable solutions of the planning scheme and is therefore submitted as a discretionary application under Section 57 of LUPAA and assessed under the *Waratah-Wynyard Interim Planning Scheme 2013* and relevant State Policies and

Acts. Section 57(1) (b) of LUPAA allows Council to relax or waive the provisions of its Planning Scheme under a discretionary status.

An assessment of the proposal against the applicable clauses for the General Residential Zone and relevant Codes is provided below.

10.4.2 Setbacks and building envelope for all dwellings

<p>A3</p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and</p> <p>(b) only have a setback within 1.5 m of a side boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or</p> <p>(ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).</p>	<p>P3</p> <p>The siting and scale of a dwelling must:</p> <p>(a) not cause unreasonable loss of amenity by:</p> <p>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</p> <p>(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</p> <p>(iii) overshadowing of an adjoining vacant lot; or</p> <p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</p> <p>(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.</p>
<p>Planning Comments:</p> <p>The proposed carport and shed do not fit within the building envelope as defined by the acceptable solution. Therefore, the proposal must address the performance criteria.</p> <p>The subject carport is located on the western side boundary of the property. The subject carport is considered unlikely to cause an unreasonable loss of amenity caused by a reduction in sunlight to a habitable room of a dwelling on the adjoining lot to the west. This property located to the west, identified as 7 Ward Street Wynyard, also has a shed and carport located approximately 1m from the common boundary. The associated hardstand area extends to the boundary. Any overshadowing caused by the proposed carport is likely to fall predominantly within the subject property's title and a very small portion onto the hardstand area and neighbours carport at 7 Ward Street.</p> <p>The applicant provided shading diagrams undertaken at 21st June, the winter solstice for the proposed shed and carport demonstrating the overshadowing impact of the building as constructed.</p> <p>The private open space of the neighbouring property identified as 7 Ward Street will not have any overshadowing caused by the subject carport, as the private open space to this property is located in the north-western portion of the site. The common boundary is established as hardstand area with associated shed and carport.</p> <p>There are no vacant lots adjoining the property that will be overshadowed.</p> <p>The visual impact of the proposed carport is considered to be minimal given that it is not enclosed and is located on the common boundary closest to the neighbours carport. It remains single storey in height measuring approximately 2.7m.</p>	

A separation distance of approximately 1m is maintained as the carport is located hard against the boundary fence, whilst the neighbours closest building is their associated carport approximately 1m from the boundary. It is not uncommon to see outbuildings such as carport or garage located on the common boundary in Ward Street, Wynyard. This occurs at 9 and 10 Ward Street and 11 and 12 Ward Street.

The subject shed is located to the north-eastern rear boundary and adjoins a solid brick fence. This solid brick fence measures 2.3m in height. The subject shed is orientated with its short elevation joining the common boundary with 78a Saunders Street to the east. The maximum height of the subject shed is approximately 3.25m to the roof apex and measures approximately 3.16m in length along the boundary.

The applicant provided sun shadow diagrams as part of the application, demonstrating the only shadow caused to the adjoining property would occur late in the afternoon from around 3pm. This sun shadow diagram also demonstrates the shadow will fall predominantly on the existing garden shed in this yard.

The private open space of this unit continues to remain clear of any overshadowing caused by the subject shed.

The visual impact caused by the as built shed are considered to be kept to a minimum. The shed continues to be single storey in height measuring 2.76m to the eave and 3.25m to apex of the roof gable. The subject shed extends above the shared fence ranging from 0.45m to 0.86m for no more than 3.1m in length along the boundary.

The scale, bulk and residential proportions of both the shed and the carport as constructed, are reflective of the residential development of outbuildings in the neighbourhood and in particular Ward Street.

It is not uncommon to see separation distances in the General Residential Zone and particularly Ward Street Wynyard reach as close 1.5m from neighbouring dwellings. This is considered consistent with the proposed shed to 3/78a Saunders Street.

The proposal for the carport and shed as constructed complies with the performance criteria.

STATUTORY IMPLICATIONS

Land Use Planning and Approvals Act 1993

The Council is established as a Planning Authority by definition under Section 3(1) of the *Land Use Planning and Approvals Act 1993 (the Act)*, and must enforce the *Waratah-Wynyard Interim Planning Scheme 2013* (the Planning Scheme) under S.48 of the Act.

In accordance with section 57 of this Act and Council's Planning Scheme, this proposal is an application for a discretionary permit. Council may approve or refuse discretionary permit applications after considering both Council's Planning Scheme and the public representations received.

Local Government (Building & Miscellaneous Provisions) Act 1993

The application has been considered against the requirements of section 85 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*. The application is generally consistent with these provisions.

STRATEGIC IMPLICATIONS

There are no strategic implications as a result of this report.

POLICY IMPLICATIONS

There are no policy implications as a result of this report.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

RISK IMPLICATIONS

There is limited risk for the Council acting as Planning Authority, provided that decisions made are in accordance with the Planning Scheme.

Should the Planning Authority wish to make a decision against the professional advice provided, the reasons will need to be detailed.

LUPAA provides for penalties against a Planning Authority that fails to enforce its planning scheme (ss. 63a & 64). Going against advice provided in the planning report, without seeking alternate qualified advice, may create unnecessary risk for the Council in exercising its statutory functions as a Planning Authority.

Should a decision by the Planning Authority be contrary to professional advice provided and the matter is taken to the appeal tribunal, Council would need to obtain separate professional advice to represent Council through the appeal process.

COMMENT

This report is presented for Council's consideration, together with the recommendations contained at the beginning of this report.

It is considered the proposed as constructed outbuildings, in the form of a carport and shed meet the relevant performance criteria of the planning scheme. The proposal will not generate an unreasonable loss of amenity by means of overshadowing of public open space or alternatively by visual appearance due to bulk and massing. Additionally, the proposed new outbuildings will continue to maintain adequate separation between buildings. are considered appropriate for the site to identify the business and operators of the site.

The application is considered to comply with the General Business Zone provisions of the *Waratah-Wynyard Interim Planning Scheme 2013*. It is therefore recommended that Council approve a planning permit for the proposed as constructed outbuildings.

7.0 MATTER RAISED BY COUNCILLORS

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015; 29 (3)

(3) *The Chairperson must not permit any debate of a question without notice or its answer.*

Local Government (Meeting Procedures) Regulations 2015; 30(1) and (2)

(1) *A councillor, at least 7 days before an ordinary meeting of a council or council committee, may give written notice to the general manager of a question in respect of which the councillor seeks an answer at that meeting.*

(2) *An answer to a question on notice must be in writing.*

7.1 RESPONSE(S) TO COUNCILLOR QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING**7.1.1 CR HOUSE - PLANNING SCHEME SET BACK REQUIREMENTS****QUESTION**

Cr House asked how the planning scheme takes fire-break set-backs into account and asked if this should be taken into account when approving planning matters. It is difficult when members of community want to preserve natural environment and purchased land knowing that bush was close to property.

OFFICERS RESPONSE

The current planning scheme, the *Waratah-Wynyard Interim Planning Scheme 2013* has a Bushfire Prone Areas Code. It is explicit about when assessment against this Code is required.

Assessment against the code is required at a new subdivision application stage, or alternatively when a hazardous use or vulnerable use as defined by the code is applied for over land.

Vulnerable Use means a use that is within one of the following Use Classes:

(a) *Custodial Facility;*

(b) *Educational and Occasional Care;*

(c) *Hospital Services;*

(d) *Residential if for respite centre, residential aged care home, retirement home, and group home.*

Hazardous Use means a use where:

(a) *the amount of hazardous chemicals used, handled, generated or stored on a site exceeds the manifest quantity as specified in the Work Health and Safety Regulations 2012; or*

(b) *explosives are stored on a site and where classified as an explosives location or large explosives location as specified in the Explosives Act 2012.*

When assessment is required against the Bushfire Prone Areas Code of the planning scheme, an accredited person by the Tasmanian Fire Services (TFS) is required to address the Code. This can be seen in supporting documentation at a planning application, most commonly in applications for a new subdivision proposal. A list of suitably qualified professionals is maintained on TFS website for an applicant to choose from.

Currently, if an applicant was applying for a new dwelling, Bushfire requirements would not trigger an assessment against the Bushfire Code under the *Waratah-Wynyard Interim Planning Scheme 2013*. However, at the Building permit stage, Bushfire considerations would be triggered under the *Building Act 2016*. This can sometimes trigger the need for removing fire fuel, such as clearing, or alternatively building to a higher standard or bushfire attack level. This can sometimes change the materials and design of the build.

The Katelyn Drive subdivision in Wynyard was approved under the previous planning scheme (Waratah-Wynyard Planning Scheme 2000) which did not have Bushfire Codes or consideration within it.

The current planning scheme has a Clearing and Conversion of Vegetation Code. Depending on the nature of clearing it can trigger the need for a planning permit for the removal of native vegetation. Again, it is explicit about when it is triggered and is subject to 5 zones of the planning scheme. Should applications be lodged that may require consideration of potentially some conversion of native vegetation in these zones, Council Officers recommend applicants speaking to a suitably qualified Bushfire Hazard assessor to confirm if clearing native vegetation is required and if so to include it as part of any application.

For Council to extend a fire break on land within these relevant zones, Council may need further planning permit approval for the native vegetation clearing. It is likely however that exemptions 6.3.2 (d) or (e) of the current scheme would apply for the Katelyn Drive matter:

The planting, clearing or modification of vegetation for any of the following purposes:

(d) fire hazard reduction required in accordance with the Fire Service Act 1979 or an abatement notice issued under the Local Government Act 1993;

(e) fire hazard management in accordance with a bushfire hazard management plan endorsed by the Tasmanian Fire Service, Forestry Tasmania or the Parks and Wildlife Service;

7.2 COUNCILLOR QUESTIONS RECEIVED IN WRITING

Nil received.

7.3 COUNCILLOR QUESTIONS WITHOUT NOTICE

A summary of question(s) without notice and response(s) will be recorded in the minutes.

8.0 NOTICE OF MOTION

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015; Regulation 16

- (5) *A councillor may give written notice of a motion, together with supporting information and reasons, to be included on the agenda of the next meeting to the general manager at least 7 days before the meeting.*
- (6) *The general manager, after consultation with the chairperson, may refuse to accept a written motion that, in their opinion –*
 - (a) *is defamatory; or*
 - (b) *contains offensive language; or*
 - (c) *is unlawful.*
- (7) *A councillor who has given notice of a motion that has not been refused under subregulation (6) is to move the motion at the meeting, otherwise it lapses.*

Nil received.

9.0 REPORTS OF OFFICERS AND COMMITTEES**9.1 COVID-19 COUNCIL UPDATE**

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	1 May 2020
File Reference:	0420
Enclosures:	<ol style="list-style-type: none">1. COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) BILL 20202. Letter from Premier Gutwein and Minister Shelton3. Letter to Premier Gutwein - Mobile COVID-19 Testing Request4. ALGA Presidents Column5. Letter from Wynyard Bowls Club

RECOMMENDATION

That Council note action being taken in relation to the COVID-19 Pandemic.

PURPOSE

To provide Council with an overview and update on action taken in relation to the COVID-19 Pandemic since the last Council Meeting. This report summarises the action taken to protect the health and safety of employees, emergency management practices, maintaining essential services, Council' s role in the state-wide or sectoral response, financial stimulus; and community and economic recovery.

BACKGROUND

Council was presented with a report on COVID-19 at the April meeting where a full update of activities was provided, and the first stimulus measures adopted. The issue continues to evolve with regular changes to restrictions and legislation.

On 6 May 2020 the State Government released data relating to COVID-19 by Local Government area. Waratah Wynyard is one of the worst affected areas in the state, with only Burnie and Central Coast having more cases.

REGION	LOCAL GOVERNMENT AREA	NUMBER OF CASES
South	Brighton	2
South	Clarence	5
South	Derwent Valley	4
South	Glenorchy	3
South	Hobart	11
South	Huon Valley	6
South	Kingborough	12
South	Sorell	1

REGION	LOCAL GOVERNMENT AREA	NUMBER OF CASES
North	George Town	1
North	Launceston	20
North	Meander Valley	2
North	Northern Midlands	3
North	West Tamar	2
North-West	Burnie	63
North-West	Central Coast	35
North-West	Circular Head	7
North-West	Devonport	12
North-West	Kentish	2
North-West	Latrobe	4
North-West	Waratah-Wynyard	23
North-West	West Coast	2

There has been a significant loss of economic activity and consequent loss of or reduction in employment. The North West Coast has been affected in greater measures than the rest of the State with an outbreak of the disease through the hospital systems requiring tighter controls in the region subsequently lifted on 4 May following three days of no new cases.

Councils role during this crisis are numerous and include:

- to ensure the health and safety of employees
- to fulfil its emergency response role
- to continue to provide, as far as possible, essential services to its community
- to work with other levels of government and those within the industry to form a sectoral response
- to implement measures as enacted by State and Federal Government
- to alleviate the financial burden on the community through stimulus measures
- position the Council and community for economic recovery
- Roadmap to Recovery.

DETAILS

Ensuring the Health and Safety of Employees

The health and wellbeing of employees is paramount through any emergency situation. Council has taken a range of actions to protect staff and provide regular information which were detailed in the last report.

The Business Continuity Plan (BCP) remains enacted with the BCP team meeting regularly to review and assess next steps.

As at Friday 8 May, 29 separate employees had accessed Council's Pandemic Leave. The quarantining of hospital staff and their families following the outbreak in Burnie had a major influence on these numbers as has the reduction in utilisation of children's services.

Staff who can work from home continue to do so and hygiene, cleaning and social distancing requirements are maintained at all worksites.

Emergency Management

Council's responsibilities in responding to COVID-19 are in line with the Emergency Management Act and the Municipal Emergency Management Plan and Council officers continue to play a key role in the North West Regional Emergency Management Committee and the dissemination of information from that group.

Council's Municipal Emergency Management Coordinator, Julie Bernhagen was stationed at the Regional Emergency Management headquarters for a week to provide input and gain valuable experience in emergency management protocols.

Maintaining Essential Services

As per the last update, in line with Government regulations, Council has to date:

- Closed the Council owned caravan park at Waratah
- Closed the Waratah Museum and Athenaeum Hall
- Closed all indoor sporting venues and public halls
- Closed the Wynyard Foreshore Market
- The Wonders of Wynyard is closed.
- Council offices at Wynyard and Waratah ceased face to face service interactions for a period, allowing services via phone and email, however have subsequently re-opened
- Childcare operating for children of essential services workers only
- The Works Depot has ceased all external party access to the site

The outdoor workforce has continued to operate under controlled conditions in line with the fact that the construction and building industry continues to remain active.

The State Government have now released a "Roadmap for Recovery" and this will be analysed internally and a plan developed for re-opening of Council facilities in line with this plan.



Children's Services Business Model – Coronavirus impacts

There have been significant impacts of Coronavirus on the children's services business model through reduced utilisation and implementation of the Early Childhood Education and Care Relief package.

In the last week of March, Warawyn Early Learning centre had a decline of 25% utilisation which went on to fall below 50% during April. Initially the primary concern was the closure of schools and if that occurred childcare services would also be required to close. There was mounting pressure on the Australian Government to provide certainty for the sector as utilisation declined and families and services considered the risks of continuing to operate during a pandemic.

On 2 April the Australian Government announced the new Early Childhood Education and Care Relief Package. From Monday 6 April weekly payments would be made directly to early childhood education and care services in lieu of the Child Care Subsidy and the Additional Child Care Subsidy, to help them keep their doors open and employees in their jobs. Payments would be made until the end of the 2019-20 financial year and families would not be charged fees during this time.

Early Childhood Education and Care Relief Package

The relief package is made up of different elements:

- Subsidy -
 - Subsidy payment based on fee income from last two weeks of February
 - 50% of average of those two weeks
 - 50% of fees paid as a weekly subsidy

-
- Timeframe from 6 April to 28 June – 12 weeks
 - Applies to all services including after school and holiday care
 - Criteria to receive the payment
 - Stay open
 - Do not charge families
 - Prioritise workers and vulnerable children
 - Record attendance
 - Comply with NQF
 - JobKeeper payments

The new funding system for child care was developed to be delivered in conjunction with the Job Keeper payments. Unfortunately, Local Government employees are not eligible for these payments. There has been strong lobbying by organisations representing Local Government that Council should be eligible but to date this has not been successful.
 - Early Childhood Education and Care Relief Package- Exceptional Circumstance

The exceptional circumstance Supplementary Relief Payment (supplementary payment) is available for providers/services who need a 'top up' on the Early Childhood Education and Care Package payment (base relief payment) the provider/service is already getting through the Early Childhood Education and Care Relief Package.

The criteria for this supplementary payment is for services with high utilisation however an application has been made by Council due to the impact on the Warawyn Centre and Wynyard Outside School Hours Care because of ineligibility to receive JobKeeper payments. A response is yet to be received.

Application of the Early Childhood Education and Care Relief Package

Under the relief package, each service receives 50% of the fee income from the specified weeks – previous weekly income of \$30,000 becomes \$15,000 per week in subsidy.

The primary expense within children's services is wages and these are linked directly to utilisation. The budget forecast was for 400 permanent hours and 140 casual hours for wages.

Materials and Contracts are impacted by utilisation however any reductions made late in the financial year are minor adjustments to the overall budget.

The announcement of 'free' child care has not increased utilisation. The average utilisation at the centre remains just under 20 children. Additionally, after school care and holiday care are experiencing low utilisation. The after-school programs are single staff models, there is very limited change to staffing levels and only half the fee income under the subsidy.

A review of the business model identified three scenarios:

- Continue to operate as per budget – projected loss \$80,000 per month
- Operate with permanent staff only - projected loss \$60,000 per month

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- Operate with staffing to meet utilisation - projected loss \$28,000 per month

The revised operating model:

- Was developed to ensure services could continue to be delivered for families to work, study and care for their children.
- Implements a rotational roster across the week for permanent staff to access work
- Permanent staff work some hours and top up income with leave provisions – in the first instance pandemic leave and then other leave
- No casual hours are required – casual staff have been provided with pandemic leave. The roster is based on reduced permanent hours for the centre and slightly reduced hours for after school and holiday care.
- The model is implemented until end financial year.

The Early Childhood Education and Care Relief Package is in effect until the end of June however what will happen beyond then is as yet unknown. The package will be reviewed prior to the June expiry and any further changes will then be announced. A decision will need to be made in June in relation to the continued operation of the centres in the new financial year and consider the financial impacts of doing that.

The impacts of Coronavirus on children’s services are unprecedented. The drop of 50% utilisation occurred over two weeks. Families cancelled care through fear and financial hardship. The implementation of Early Childhood Education and Care Relief Package addressed the drop-in utilisation but has disadvantaged staff through no access to Jobseeker payments. The educators and staff responded to this crisis with commitment and dedication, they continue to deliver the exceptional care and education that brings families to the services.

Sectoral Response

The Local Government of Tasmania continues to take a strong leadership position for the sector. State-wide fortnightly meetings with Mayors and General Manager have been established with Minister Mark Shelton and the Acting Director of Local Government to provide regular updates. The latest meeting focused largely on recovery.

In his most recent correspondence to Councils, ALGA President Mayor David O’Loughlin stated:

I wrote to Prime Minister Scott Morrison last Thursday urging him to consider a local government stimulus measure in the form of a one-off grant equivalent to two quarters of the annual \$2.6 billion Financial Assistance Grant funding stream.

ALGA’s approach was motivated by the undeniable fact that local communities around Australia are hurting and in need of well-directed, targeted assistance if they are to survive the Covid-19 pandemic undiminished.

Australia’s success in flattening the coronavirus curve has allowed us to look more closely at what the road to recovery entails.

From an economic perspective, the challenges look daunting – even allowing for the Commonwealth’s commendably quick implementation of initiatives designed to cushion the worst impacts of the coronavirus.

Unemployment has already risen dramatically and may exceed 10 per cent of the workforce by June.

Consumer spending was at a low base prior to the virus and has since dramatically contracted, and businesses by the hundreds of thousands have closed up shop. Crucially, many are unlikely ever to reopen.

The banks' losses from bad debts loom large, and the flow-on effects of this in the wider economy could be significant.

Covid-19's psychological and social impacts have been equally devastating, with increased rates of domestic violence, social isolation, loneliness and depression – notwithstanding exceptional efforts from councils across the nation to keep in touch with their most vulnerable citizens.

To address these national challenges, valuable programs like JobKeeper and JobSeeker need to be complemented with community-wide assistance and stimulus measures, particularly for those falling between the cracks.

Local Government's proven track record of delivering services and employment boosting projects for its communities at the grass roots makes it the obvious vehicle for such a strategy.

Councils large and small across the country have already stepped up with social assistance, financial relief and stimulus measures.

But with access to only one tax and raising just 3.4 per cent of Australia's taxes – and constrained in our two most populous states by rate capping – Local Government's ability to provide nation-wide economic stimulus falls well short of the Commonwealth's potential.

In my letter to Mr Morrison, I proposed using the very efficient FAG mechanism to immediately inject \$1.26 billion into local communities through their councils for a range of outcomes of mutual interest to both parties:

- Rate relief to local businesses directed to close or severely impacted by Covid-19 restrictions;*
- Low or no-interest schemes for deferral of local rates and charges;*
- Meal vouchers for aged and other vulnerable locals to redeem at participating local cafes and restaurants struggling to stay in business;*
- Targeted capital works to improve road safety or local health and fitness;*
- Local employment-generating programs to improve local public realm and recreation precincts;*
- Retention and retraining of specialist staff from closed Council pools, libraries, gyms, recreation facilities, museums, caravan parks and tourism facilities; or*

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- *An area of interest to the Commonwealth it would like delivered at the local level.*

I pointed out that successive federal governments have used Local Government to deliver substantial programs like Roads to Recovery and Bridges Renewal (to name just a few), with around 60,000 projects successfully delivered in partnership to date.

Moreover, the depth of our relationship with the Commonwealth has extended to partnerships to deliver a wide range of outcomes of mutual interest, from Healthy Spaces and Places to Smart Cities and Building Better Regions projects.

The Commonwealth to Local Government funding relationship is in its fifth decade, well proven and has provided undeniable benefits to communities across the nation.

The immediate distribution to councils of an additional one-off Commonwealth grant would boost local spending, sustaining local businesses and existing jobs, and help create new jobs for those doing it tough in in the besieged tourism, hospitality and retail sectors.

It would help strengthen the foundations of our communities and leverage our strong funding relationship to kick-start the recovery effort at the local level.

To strengthen our advocacy for a stimulus package, I would urge mayors and CEOs to lobby their local MPs, each of whom was sent a copy of my letter.

Your ability to speak about what exactly is happening in your local communities – and how we might build a more resilient future for households and businesses post Covid-19 – will be crucial to winning hearts and minds in Canberra.

The following legislative changes, Directions and Notices are currently in place:

Emergency Management Act 2006

The following Directions have been made under the *Emergency Management Act 2006*:

- [Direction under Section 40 - Persons arriving in Tasmania](#)
- [Direction under Section 40 - King and Flinders Islands](#)
- [Direction under Section 40 - Regulation of aircraft movement](#)
- [Direction under Section 40 - Closure of National Parks and Reserves](#)
- [Direction under Section 42 - Amendment of Declaration of State of Emergency](#)

Public Health Act 1997

The following Directions have been made under the *Public Health Act 1997*:

- [Direction under Section 15 - Extension of Emergency Declaration](#)
- [Direction under Section 16 - Gatherings - No. 7](#)
- [Direction under Section 16 - Stay at home requirements - No. 3](#)

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- [Direction under Section 16 - Overseas visitors must isolate](#)
 - [Direction under Section 16 - Quarantine - No. 1](#)
 - [Direction under Section 16 - Isolation - No. 2](#)
 - [Direction under Section 16 - Residential Aged Care Facilities - No. 4](#)
 - [Direction under Section 16 - Hospitals - No. 3](#)
 - [Direction under Section 16 - Quarantine \(North-West Region\) - No. 4](#)

COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020

The failure of an issued Notice to be displayed here does not affect the validity of the Notice.

- [Notice under Section 13 \(Extension of statutory timelines\) - Constitution Act 1934](#)
- [Notice under Section 15 \(Protection from offence against planning law\) - Land Use Planning and Approvals Act 1993](#)
- [Notice under Section 17 \(Authorisation to take actions electronically\) - Local Government Act 1993, Local Government \(Meeting Procedures\) Regulations 2015](#)
- [Notice under Sections 18 \(Authorisation for meetings not to be held in person\) and 19 \(Public exhibition of certain documents\) - Local Government Act 1993, Local Government \(Meeting Procedures\) Regulations 2015](#)
- [Notice under Section 19 \(Public exhibition of certain documents\) - Land Use Planning and Approvals Act 1993, Land Use Planning and Approvals Regulations 2014](#)
- [Notice under Section 20 \(Proceedings of courts, Tribunals, &c., may be authorised to not be required to be held in public\) - Justices Act 1959, Sentencing Act 1997](#)
- [Notice under Section 20 \(Proceedings of courts, Tribunals, &c., may be authorised to not be required to be held in public\) - Justices Act 1959, Criminal Code Act 1924, Sentencing Act 1997, Supreme Court Civil Procedure Act 1932](#)
- [Notice under Section 22 \(Provisions restricting rent increases or termination of commercial tenancies\) - Residential Tenancy Act 1997](#)
- [Notice under Section 22 \(Provisions restricting rent increases or termination of commercial tenancies\)](#)
- [Notice under Section 22 \(Provisions restricting rent increases or termination of commercial tenancies\) - Residential Tenancy Act 1997](#)
- [Notice under Section 23 \(Waiver or refund of certain fees, &c.\) - Liquor Licensing Act 1990, Gaming Control Act 1993](#)
- *Covid-19 Disease Emergency (Commercial Tenancies) Act 2020 - enacted 7 May 2020.*

Financial Stimulus

Council adopted a range of stimulus measures at the last Council meeting and will continue to revise these as necessary in the future.

To date, Council has received minimal requests under the Financial Hardship Policy.

Community and Economic Recovery

Initiatives that the Council Community team has been developing and delivering include:

Community Members

- Created a COVID-19 specific Mayors Message and shared online
- Social Recovery Planning continuing
- Put together a list of mental health hotlines and shared online
- Collated community specific resources for further distribution
- Shared "Crisis Heroes" Resource, to further connect communities online
- Confirmed and communicated that Waste/Bin/Toilet services are still open
- Provided additional information regarding Waste Transfer Station on social media
- Shared tips regarding separating waste, minimising waste and recycling on social media
- Shared information regarding Wharf closure online
- Shared landlord and renter's information online
- Provided details of factors put in place to enable the scheduled April 20th Council Meeting to proceed remotely, with ways the public can ask questions
- Participated in virtual meetings with Live Well, U3A, Community Gardens, Community Seed Bank and other community groups to gauge community reactions, strengths and areas of concern
- Expressions of interest have been sought for the Social Recovery Group at WWC and for a "think tank" of ideas which will be collated and discussed at a virtual meeting
- Contact made with Lifeline regarding offering training (in support of their "Stand by Series" for understanding suicide and bereavement) to be offered digitally in our community
- Setup a window display in the upstairs atrium, as a well as a floral wreath display in the downstairs foyer as a COVID-19 sensitive tribute to our ANZACs.
- Launched an Instagram page and will be using this social media outlet to help keep communities connected and updated

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-
- Staff newsletter has been re-established and will be sent out as a weekly internal communication that will enable staff to keep the community up to date with whole of organisation developments
 - Remotely attending NW Regional Social Recovery Committee meetings each fortnight during Covid 19. Completing and submitting a weekly WWC summary template to help identify issues

Seniors

- Council is a contact point for a volunteer bread delivery program. Created the program with volunteers, made a poster and distributed on Social Media.
- Created a flyer on how to maintain Communications Remotely, and shared online
- Shared information on community transport - adapted their model and now include food/medication deliveries.
- Continue to create resources in hard copy for distribution for those without internet access.
- Private Works completed for Wynyard Bowls Club to spread sand over greens to complete rehabilitation works as usual volunteers unable to attend in current circumstances. Council waived fees for this work.

People with Disabilities

- Shared resources and information regarding supported accommodation and people living with disabilities and COVID-19 online.
- Committed to enable equal access to information by ensuring that information is shared in “easy English”, with graphics/pictures, where ever possible.

Children/Youth

- Created our own WWC Continuing Education Resources and shared online
- Childcare have produced resource packs for all children enrolled at their centre - includes a letter from the mayor
- Youth health resources shared with Rural Health and online
- Shared information online regarding arrangements by Dept of Ed for Term 2
- Shared information online regarding ABC Me tv offering Term 2 educational programs
- Working with BCC on “discord”, a platform for online gaming and communicating for local youth
- Emailed local school principals and Social Workers to offer help
- Liaised with schools to identify areas of need. Yolla have identified 15 families that they believe need help with digital capacity. Investigating options with NBN to support these families.

-
- Youth Officer running an online competition for primary to year 12 students to design artwork that will go on the 4 new art boards planned for installation at the Wynyard Skate Park.
 - Attended “Zoom n Away” meeting for North West Action for Youth meeting. Shared information on what service providers are offering during Covid-19 and what programs/info is available for young people online.

Families

- Bear Hunt - added bears to the Council window and shared the story of "bear hunting" for young children getting exercise
- Participated in Video Call meetings with Priority Populations (Dept of Health) regarding communicating with migrants and people with English as a second language
- Shared information regarding Relationships Australia’s resource of providing free support at this time
- Shared information on steps to take to keep hospitals, aged care facilities and children at Child Care safe
- To boost morale and sense of community, prepared deliveries of flowers and Easter eggs to families in Waratah, Wynyard, Somerset, Boat Harbour, Yolla and Somerset
- Online launch of “Binsolation” competition. Members of the community can film themselves taking their bins out – because, let’s face it, our bins go out more often than we do these days! Videos can be uploaded to social media and tagged, and an entrant will be chosen at random to win a local prize pack. Focus on connection and developing a sense of online community. Activity appropriate for all members of the community, with multiple benefits to participation and viewing.
- Online launch of “Chalk Your Walk” competition. Members of the Waratah Wynyard community are encouraged to get creative outside with chalk, photograph their efforts and then upload them to social media. An entrant will be randomly chosen to receive a prize pack of local goodies. Focus on establishing and connecting an online community, as well as fostering creativity. Activity appropriate for all members of the community, with multiple benefits to participation and viewing.
- Online launch of a Lego building competition. Open to all ages, the community are encouraged to build with Lego and send photos of their creations to Council. One entry will be randomly chosen to receive a prize of some isolation inspired goodies. The focus is on an activity that can be done by all age ranges and promotes cooperation and working together. Focus on creating and reinforcing the idea of connection as a community, even when we are socially isolated.
- Investigating having tablets set up with Teams software at Child Care. This will enable the staff to remotely connect and may have further potential to link families and community

Local Businesses

- Creating lists of services and sharing those internally and on our webpage
- Reimagining Community Assistance Grants
- Online sharing, printing and distributing COVID-19 resources for local businesses
- Collating information from local businesses that are staying open
- Shared information regarding having local IGAs deliver groceries to the door
- Additional information - provided State Government produced A4 posters to businesses in the main street of Wynyard

Waratah

- Liaised with Australia Post to confirm regional office remaining open
- Sourced and sent to Waratah additional cleaning and sanitation supplies
- Supported staff to set up a system where town people call the Post office prior to coming down to check mail
- Supported volunteers to continue to run the Waratah food bank safely, by enabling access to appropriate hand washing facilities

STATUTORY IMPLICATIONS

Statutory Requirements

Council is required to follow all statutory requirements instigated by Federal and State Government.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making.
We make publicly transparent decisions on spending and future directions while encouraging community feedback.
Our Priorities
1.4 Facilitate the meeting of community needs through strong advocacy and local and regional collaboration for shared outcomes.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Access and infrastructure	Local, regional and global transport and infrastructure access – Safe and efficient access alternatives, growing freight capacity, renewable energy, water management and contemporary communications. Community infrastructure that supports economic development.
Health and Wellbeing	Maintaining good health and wellbeing – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.

POLICY IMPLICATIONS

Council staff are following policy and procedure as dictated by the Business Continuity Plan and Emergency Management Plan as well as policy advised by the State and Federal Governments.

FINANCIAL IMPLICATIONS

It is likely that Councils operating expenses for the 2020/21 financial year will be higher than usual as it supports agreed industry stimulus measures whilst also endeavouring to retain as many employees as possible during a very challenging period. Council may need to consider a deficit budget in the short term.

Modelling continues to forecast the impact and latest updates on the 19/20 financial year provided within this agenda. Preparation of the 2020/21 budget is underway and will include any agreed stimulus measures and known income reductions. TasWater has advised Councils will not receive half of the 19/20 dividend resulting in a \$281,000 loss to Waratah-Wynyard.

Application has been made interest free loans to local government in order to complete flood mitigation projects currently planned for future years.

Council will remain financial sustainable despite these significant and unpredicted impacts.

RISK IMPLICATIONS

As stated in the last report to council, there are a range of health and safety risks presented by the pandemic that have been outlined within the report. This includes mental health and the effects of this on both staff and the community.

There will be staff that will be stood down or asked to take leave and a risk that they may not return.

Financially, Council's long-term financial planning will need to be remodelled once the impact of the virus is known as outlined above.

Community recovery may be long, and some businesses may not be able to reopen. Tourism may also have a long recovery time if border controls remain in place for an extended period.

The risks associated with the pandemic are unprecedented and change very regularly.

CONSULTATION PROCESS

There is significant messaging being undertaken and sometimes the important messages are lost in the vast amount of information available. At times of crisis, the level of consultation normally afforded may not be possible and some decisions need to be made quickly.

CONCLUSION

It is recommended that Council note the actions taken to date in relation to COVID-19.

9.2 DRAFT ICEP - INTEGRATED COUNCIL ENVIRONMENTAL PLAN 2020-2030 FOR PUBLIC CONSULTATION

To: Council
Reporting Officer: Project Manager
Responsible Manager: Director Infrastructure and Development Services
Report Date: 5 May 2020
File Reference:
Enclosures: 1. Draft Integrated Council Environmental Plan (iCEP) 2020-2030

RECOMMENDATION

That Council approve the release of the draft Integrated Council Environmental Plan (iCEP) 2020-2030 for public consultation and that this feedback be considered prior to finalising the plan.

PURPOSE

To seek Council approval to circulate the draft 2020-2030 iCEP for public consultation, the feedback from which will be considered prior to finalising and endorsing the plan.

BACKGROUND

Waratah-Wynyard is home to a diverse range of natural assets which are critical to the region's economic, social and environmental wellbeing. At the same time, climate change has begun to impact the region, with issues such as coastal erosion, bushfire and changing rainfall patterns already present. To manage these impacts and protect the natural assets of the region, a draft integrated environmental plan has been developed and will become Council's roadmap for managing the natural environment in a changing climate.

A Community & Stakeholder Consultation Report was completed in December 2019 and summarised the local community attitudes and beliefs in relation to sustainability, climate change and the environment, after completion of a community consultation process.

The iCEP is an evidence-based plan and as such, the plan has been developed through relevant research, expertise obtained from technical experts, community and stakeholder consultation and a review of local government good practice.

DETAILS

The Waratah-Wynyard iCEP will help Council embed sustainability principles into its corporate activities, support the proactive management of the region's natural resources, help the Waratah-Wynyard community to transition and adapt to climate change, anticipate opportunities and mitigate risks for the local economy, and plan for climate impacts on the built environment.

The iCEP is intended to be an evidence-based plan – one element to the evidence is the community's attitudes and beliefs around a changing climate and to comment on their hopes and concerns for the environmental future of Waratah-Wynyard. During the six-week consultation period, council received over 240 submissions from the community in the form

of completed online surveys, postcards, written submissions and attendance by a small group of community members at a consultative workshop.

The depth and breadth of the community response to the iCEP consultation, along with the direct expression in many of the responses, suggests Council has a clear mandate to take decisive action on climate change adaption, sustainability and environmental management.

After the consultation period, the findings from the consultation were collated alongside findings from the research and local government good practice benchmarking and tabled at an internal workshop. The workshop was facilitated by The Social Yield Pty Ltd and attended by councillors, executive management and staff representatives. A total of 42 priorities and the related actions were selected during the workshop and subsequent reviews. These priorities and actions are supported by evidence and are relevant to the local area and as such, are embedded into the draft iCEP to form the roadmap for the future.

It is anticipated the draft iCEP will be formally released for community feedback in early June. Feedback received during this period will be considered prior to completing the iCEP for final adoption.

STATUTORY IMPLICATIONS

Statutory Requirements

There are no statutory implications as a result of this report.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 7: Environment
Desired Outcomes
Our community uses the renewable and natural environment to meet its energy needs and assist in reducing the effects of global warming.
Our Priorities
7.1 Provide education to facilitate awareness and appreciation of built and natural assets.
7.2 Foster opportunity through sustainable development and community engagement.
7.3 Promote innovative sustainable design through renewable energy and resources.
7.4 Consider and encourage biodiversity through forward thinking and planning.
7.5 Facilitate monitoring of pollution trends and events by the relevant authorities in our community environment.
7.6 Practice effective urban and landscape design and planning that promotes liveability and connectivity and recognises local heritage.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Natural resource management	Managing abundant, natural and productive resources – Natural resource management is valued and development is environmentally sustainable. The environment is clean and healthy with unspoilt beauty and biodiversity.

POLICY IMPLICATIONS

It is proposed that two policies are considered for development following the final endorsement of the iCEP, being a Corporate Sustainability Policy and a Municipal Environmental Policy.

FINANCIAL IMPLICATIONS

The costs associated with sustainability and natural resource management will be dependent upon the role Council determines in endorsing the final iCEP. To effectively manage the resources of Council the draft iCEP proposes a priority level of Essential, Important and Desirable for each action. The iCEP's success will largely be dependent upon the completion of the 'essential' priorities and therefore these actions will be the Council's main focus.

RISK IMPLICATIONS

There are no risk implications identified in respect to endorsing the report for public release.

CONSULTATION PROCESS

The objectives of the first phase of community consultation for iCEP was to understand how the community values the environment, community concerns about the future, the preferred role of Council, and the community hopes for the future. This period of community consultation was undertaken between 1 October and 15 November 2019. Consultation opportunities were publicised on social media, ABC radio, The Advocate, Council's website, posters and at postcard drop-boxes which were distributed at various locations throughout the municipality.

A second phase of consultation is proposed, commencing early June, to ensure the plan is fit-for-purpose and enable the community to submit their feedback regarding the draft iCEP before it is formally endorsed.

Various technical experts within council, Councillors and industry experts were consulted during the development of the plan.

CONCLUSION

It is therefore recommended that the Council approve the release of the draft Integrated Council Environmental Plan 2020-2030 for public consultation and that this feedback be considered prior to finalising the plan.

9.3 DRAFT CAM RIVER RESERVE MASTER PLAN FOR PUBLIC CONSULTATION

To: Council
Reporting Officer: Project Manager
Responsible Manager: Director Infrastructure and Development Services
Report Date: 6 May 2020
File Reference:
Enclosures: 1. Draft Cam River Reserve Master Plan

RECOMMENDATION

That Council approve the release of the Draft Cam River Reserve Master Plan for public consultation and that this feedback be considered prior to finalising the master plan.

PURPOSE

To seek Council approval to circulate the Draft Cam River Reserve Master Plan for public consultation, the feedback from which will be considered prior to finalising and endorsing the strategy.

BACKGROUND

In Council's 2019/20 Annual Plan, the Council recognised the need to develop a master plan for the Cam River Reserve. The plan provided an opportunity to review the currency of the previous Landscape Development Plan (adopted in 2012) and to address possible future changes that could impact on the reserve, such as the renewal of the vehicular bridge by the Department of State Growth.

DETAILS

The Cam River Reserve Master Plan will provide Council with a clear vision for the future development and management of the area. The reserve shall be recognised as a significant parkland in Waratah-Wynyard and will continue to develop as a naturally beautiful riparian reserve for relaxation, leisurely activity and social interaction.

The master plan sets out to address key objectives of managing safety and pedestrian circulation, enhancing and protecting the natural values of the reserve and creating a natural entrance to the eastern side of the municipality.

In summary, the master plan proposes a total 21 actions to cover the elected themes of safe access and circulation; relaxation and amenities; nature, art and design; and passive recreation. The actions within the plan address key community concerns around losing open space, losing the natural character of the reserve and pedestrian safety. Additionally, the master plan also considers community aspirations recognised through the initial engagement period, such as including options for a heritage walk and providing more amenities that support picnicking and relaxation.

STATUTORY IMPLICATIONS

Statutory Requirements

There are no statutory implications as a result of this report.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 3: Connected Communities
Desired Outcomes
Our natural and built environment aids the community with an active and healthy lifestyle.
Our Priorities
3.3 Deliver planning for activation through effective urban design and planning that promotes liveability, social gathering and connectedness, and which recognises and celebrates local history.
3.7 Promote and strengthen community safety to retain and attract families to live and recreate in Waratah-Wynyard.

GOAL 4: Community Recreation and Wellbeing
Desired Outcomes
Our community enjoys access to visually appealing safe spaces and facilities for recreation.
We provide recreational opportunities to the community for all ages and abilities.
Our Priorities
4.1 Commit to ongoing recreation and open space planning to ensure evidence-based decisions are made about the role of Council and its partners in recreation.
4.4 Provide and maintain quality and safe places and spaces for physical, social and cultural activities, including shared and multi-use facilities where possible.
4.5 Collaborate with community organisations that provide recreation opportunities to our community.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Natural resource management	Managing abundant, natural and productive resources – Natural resource management is valued and development is environmentally sustainable. The environment is clean and healthy with unspoilt beauty and biodiversity.
Health and Wellbeing	Maintaining good health and wellbeing – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.
Place making and liveability	Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.

POLICY IMPLICATIONS

There are no policy implications as a result of this report.

FINANCIAL IMPLICATIONS

The Draft Master Plan proposes the delivery of 21 actions over 5 years which amounts to a total estimated capital and operational spend of \$508,000 (15-20% predicted to be funded through renewals). As a result of achieving these actions, an additional \$26,000 is anticipated in recurrent annual costs (depreciation and maintenance) for the life of the master plan.

It is anticipated that some of the actions within the plan, such as the land reclamation, could add to the costs associated with delivery of the master plan. As these costs are identified,

they will be included with the other actions and submitted to Council as part of the annual budgeting process.

RISK IMPLICATIONS

There are no risk implications identified in respect to endorsing the report for public release.

CONSULTATION PROCESS

Various staff across the organisation and Councillors have been consulted in the process of producing the draft master plan.

An initial phase of engagement was also undertaken in October 2019 to address the knowledge gap regarding current community expectations. This engagement process included a workshop with local community clubs and organisations, an online survey, a quick poll on social media and direct conversations with identified relevant stakeholders.

CONCLUSION

It is therefore recommended that the Council approve the release of the Draft Cam River Reserve Master Plan for public consultation and that this feedback be considered prior to finalising the master plan.

9.4 2020 WASTE SURVEY - SUMMARY RESULTS REPORT

To: Council
Reporting Officer: Project Manager
Responsible Manager: Director Infrastructure and Development Services
Report Date: 5 May 2020
File Reference:
Enclosures: 1. 2020 Waste Survey - Summary Results Report

RECOMMENDATION

That Council note the 2020 Waste Survey results

PURPOSE

The purpose of this report is to advise Council of the results from the waste survey conducted in February and March 2020.

BACKGROUND

In Council's 2018/19 Annual Plan, the Council recognised the need to review waste management service opportunities and gaps through balancing the level of service with the community's ability/willingness to pay, in order to maintain sustainable service provision.

As an output to the review, a 5-year Waste and Resource Recovery Strategy (2019-2024) was developed and endorsed in August 2019. The Strategy serves as Waratah-Wynyard Council's commitment to sustainable and affordable service delivery into the future for waste management.

A range of actions within the Strategy require community input to determine expectations and willingness to pay for additional services, such as a food and organics (FOGO) collection or the extension of the Wynyard Waste Transfer Station opening hours. In order to fill the knowledge gap, a survey was conducted in early 2020 through an online platform, phone interviews and paper surveys.

DETAILS

A total of 604 surveys were completed during the survey period. The survey was largely advertised through a mailout to all ratepayers, however flyers were also distributed from the Wynyard Waste Transfer Station and through social media. The community were encouraged to complete the survey online and a small number chose to complete the survey by paper copies or by telephone interview.

The key demographic and profile data for noting:

- 66% respondents currently receive a kerbside collection service
- 92% respondents own and live in Waratah-Wynyard
- A large minority (38%) of respondents are in the 55-69 age bracket
- 49% respondents were from households with no children living at home

Recorded statistics for the Waratah-Wynyard municipality during the 2016 ABS census concludes that over a quarter of residents (26%) living within the area are renting. However, only 2.3% of respondents in the 2020 Waste Survey were recorded as renters with the large majority owning and living within the municipality.

A large portion of the survey related to the FOGO feasibility study. These questions were designed to determine community values, perceptions and attitudes to resource recovery along with identifying any barriers to increasing participation in resource recovery related activities. These results are currently being reviewed by the consultant engaged for the coordination of the feasibility study.

Other questions contained within the survey sought to determine the community's use of the waste transfer station and to address some community views around inadequacy of the opening hours.

The survey results will be analysed and reviewed in detail to determine the available options and possible impacts to future service delivery. This information will be provided to the Council for decision-making in the near future.

STATUTORY IMPLICATIONS

Statutory Requirements

There are no statutory implications as a result of this report.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
We make publicly transparent decisions on spending and future directions while encouraging community feedback.
Our Priorities
1.2 Strengthen our communication with the community using diverse communications channels relevant to the demographic.
1.5 Build our knowledge base to apply in decision-making processes.

GOAL 7: Environment
Desired Outcomes
Our community uses the renewable and natural environment to meet its energy needs and assist in reducing the effects of global warming.
Our Priorities
7.2 Foster opportunity through sustainable development and community engagement.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Natural resource management	Managing abundant, natural and productive resources – Natural resource management is valued and development is environmentally sustainable. The environment is clean and healthy with unspoilt beauty and biodiversity.
Place making and liveability	Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and

Community Future Direction Theme	Key Challenges & Opportunities:
	character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.

POLICY IMPLICATIONS

There are no policy implications as a result of this report.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

RISK IMPLICATIONS

There are no risk implications as a result of this report.

CONSULTATION PROCESS

The survey was conducted as part of the consultation process in resolving actions contained within the Waste and Resource Recovery Strategy. Council decisions that are made as a result of future analysis will be communicated to the community, as appropriate.

CONCLUSION

A detailed analysis of the results and the possible impacts for future service delivery will be prepared for Council to be tabled in the near future.

It is therefore recommended that the Council note the 2020 Waste Survey results.

9.5 EAST WYNYARD PLAYGROUND - DISPOSAL OF PLAY EQUIPMENT

To: Council
Reporting Officer: Project Manager
Responsible Manager: Director Infrastructure and Development Services
Report Date: 7 May 2020
File Reference:
Enclosures: 1. EOI Evaluation Summary - Equipment Disposal - Confidential

RECOMMENDATION

That Council

- 1) accept the applications received for the Expressions of Interest for equipment disposal ex. Rotary Park and dispose of the equipment as follows:
 - Award the sale of the Miracle Slide to Hayden Beswick, for \$792
 - Award the sale of the Slide Combination Play Unit to Eliot Payne, for \$150
 - Award the sale of the A-Frame Swing to Eliot Payne, for \$90
 - Award the sale of the Climbing Wall to Kirby Gibbons, for \$50
 - Award the sale of the Tossball Tower to Kirby Gibbons, for \$30; and
- 2) Donate all proceeds from the sale of the equipment to the Rotary Club of Wynyard

PURPOSE

To present to Council the Expression of Interest (EOI) award recommendations for the disposal of playground equipment ex. Rotary Park, Wynyard.

BACKGROUND

The playground located in Rotary Park, East Wynyard, was initially constructed by the Wynyard Rotary Club and donated to Council over twenty-five years ago. The playground consisted of several separate equipment items and included a popular yellow spiral slide.

During Council's regular inspection program for playgrounds, the equipment at this location was identified as showing signs of wear and tear and was not consistent with current Australian Standards. These standards are in place to ensure play spaces are manufactured, built and remain safe for the intended users. Given the playgrounds condition and non-compliance with standards, the replacement of the equipment was scheduled as part of Councils ongoing renewals program.

During the consultation process for the new playground design and preparation for installation, community interest was shown for the yellow spiral slide, specifically in the context of keeping the slide for ongoing use and enjoyment by the community.

At the 20 April 2020 meeting, Council considered a report detailing the options for equipment disposal from Rotary Park. The motion carried at the meeting was:

"That Council note the content of the report relating to the disposal of playground equipment from the East Wynyard Rotary Park and given the equipment cannot be reinstalled in any public place for use:

OPTION 2:

endorse Council officers to undertake an expression of interest process to seek proposals from interested parties for transfer of the equipment to private ownership subject to the following conditions: -

- a. Complete and full details of noncompliance with Australian Standards and deteriorated condition are made known to any party wishing to submit a proposal;*
- b. No reuse options on public land to be allowed;*
- c. Note the equipment has no warranty; and*
- d. The equipment is to be fully maintained by a private party with no cost to Council”*

A call for EOI applications was published on Council’s website and advertised through social media on the 30th April.

DETAILS

The EOI provides prospective applicants all information relating to the recent playground inspections report, detailing its condition status and non-compliance with the Australian Standards. The purchase prices received and evaluation summary are provided to Councillors as a “Confidential Attachment”.

All valid EOI applications were assessed against pre-determined criteria including the ability for the proposed use to provide community benefit and the price submitted.

At the close of expression of interest on the 11 May 2020, three individuals submitted conforming applications and one submitted a non-conforming submission (received after the closing time). There would be no change to the recommendation if the non-conforming submission had been received on time. All equipment offered within the EOI received at least one application for purchase. All applications received were for private use and none suggested the proposed use could have a community benefit.

STATUTORY IMPLICATIONS

Statutory Requirements

There are no statutory implications as a result of this report.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 3: Connected Communities
Desired Outcomes
Our community enjoys access to visually appealing safe spaces and facilities for recreation.
Our Priorities
3.7 Promote and strengthen community safety to retain and attract families to live and recreate in Waratah-Wynyard.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Place making and liveability	Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.

POLICY IMPLICATIONS

The EOI process may generate need for setting of a policy position regarding the treatment for disposal of all play equipment into the future.

FINANCIAL IMPLICATIONS

EOI applicants were required to submit a bid for each piece of equipment in order to provide means for evaluation and ensure equity when multiple parties applied for the same equipment. The proceeds from the EOI process will be donated in full to the Rotary Club of Wynyard given the initial donation of playground assets.

If the EOI applications are awarded as recommended, the total value of the proceeds to be donated is \$1,112, noting that the sale will attract GST.

RISK IMPLICATIONS

The risks associated with Council liability are reduced through the conditions specified within the EOI, per previous legal advice achieved on the matter.

CONSULTATION PROCESS

There are no consultation requirements as a result of this report.

CONCLUSION

It is recommended that Council accept the applications received for the Expressions of Interest for equipment disposal ex. Rotary Park and dispose of the equipment as outlined above.

9.6 TULIP FESTIVAL 2019

To: Council
Reporting Officer: Community and Events Officer
Responsible Manager: Director Community and Engagement
Report Date: 28 April 2020
File Reference: 405.05
Enclosures: Nil

RECOMMENDATION

That Council note the 2019 Tulip Festival Wynyard Report

PURPOSE

To provide an overview of the 2019 Tulip Festival.

BACKGROUND

In 1991 the Wynyard Tourism and Promotion Association ran the first Tulip Festival in Wynyard, offering a weekend of entertainment, stalls and attractions to promote the area and attract visitors to the town. By 1997 the Wynyard Tulip festival was delivered by a committee in its own right and had taken on an incorporated status, which in 2005 became a Special Committee of Waratah-Wynyard Council. The Tulip Festival is now coordinated internally by Council officers.

DETAILS

The 2019 Tulip Festival had record breaking attendance, with an estimated twenty-five thousand people travelling from across Tasmania, interstate and overseas to experience this iconic event.

There were one hundred and twenty stalls showcasing a wide variety of local food, beverages, crafts, community activities and businesses were bustling with activity. Seven live acts appeared on the main stage, entertaining attendees all day and into the night.

Traffic count units were deployed at key strategic locations for a period prior to, during and post the 2019 Wynyard Tulip Festival to provide data sets for the traffic generated as a result of the Tulip Festival. Eight locations were identified, and readings were taken for Friday, Saturday and Sunday of Festival weekend.

Entering/Exiting Wynyard Township				
	Average Volume	Tulip Festival Volume	Volume increase	Percentage increase
Friday	17506	20417	2911	17%
Saturday	15120	26885	11765	78%
Sunday	13782	15730	1948	14%

The traffic counters recorded approximately 11,765 additional car movements on Tulip Festival Day. Assuming two people per vehicle and foot traffic, people already in Wynyard before Friday, the crowd estimate is feasible.

Entering/Existing Table Cape				
	Average Volume	Tulip Festival Volume	Volume increase	Percentage increase
Friday	1072	1676	604	56%
Saturday	1536	4576	3040	198%
Sunday	1476	2280	804	54%

Sponsorship for the 2019 Tulip Festival consisted of one platinum, six gold, three silver, twelve bronze, four event, four *Friends of the Festival* and eleven independent prize donations contributing almost \$29,000 in cash, prizes and in-kind support. Volunteers provided invaluable assistance, with thirty-five volunteers contributing two hundred hours to ensure the Tulip Festival ran smoothly.

For the last seven years feedback surveys have been conducted with all stall holders. After the 2019 festival, stall holders generally reported that their takings were above what they had anticipated, with one stall holder, who has been attending for ten years, reporting that he had more than doubled his previous best day. Nineteen stallholders completed the survey this year with data, suggestions and general feedback. Additionally, there were fourteen written feedbacks by participants received, this included Events Tasmania and Cradle Coast Authority.

The economic benefit to the community was estimated to exceed 1 million dollars, with many local businesses reporting record trade on Tulip Festival day. Two competitions, *Shop to Win* and *Kids Find & Seek*, were initiated by the Wynyard business community, and they both proved to be very popular.

The 2019 Tulip Festival had two new initiatives. One was merchandise for sale, in the form of caps, metal straws and re-useable drink ware. The other was the “*War on Waste*”. The

Tulip Festival had one skip bin dedicated to recycling, while the wheelie bins all had red or yellow compostable covers on them, easily identifying that they held recyclable material or general waste. The Tulip Festival organisers limited the use of plastic straws, single-use plastics and balloons. These initiatives were well received by festival attendees and stall holders alike, with the majority of people complying with the recommendations. The Advocate ran a feature story, including a large coloured photograph of the Mayor, celebrating the waste initiative.

The crowd was well entertained by Gemma, the three metre tall walking giraffe puppet, the Gutteridge Garden dragon, who was artfully created by a sand sculptor, fairy tale characters, snake and reptile shows and the ever popular beach Colour Run and Goldie Street Gopher Races. A helicopter company provided the opportunity for festival goers to check out the vista of beautiful Boat Harbour or Table Cape. Seventy-seven Table Cape flights with two hundred and eighty-four people on board and nine Boat Harbour flights, with thirty-three passengers in tow, took advantage of this exclusive opportunity on the day.

The weather plays a big part in dictating crowd numbers and disposition, and the 2019 Tulip Festival was treated to a perfect Spring day. Thousands of people enjoyed the festival atmosphere right up until the 9pm fireworks display over the mouth of the Inglis River.

In 2019 the Depot Staff again helped with early morning set up and evening pack down. This made the process easier and reduced the event organisers time spent on these activities on the day, enabling concentration on more reactive matters.

A new company was used to produce the Tulip Festival program with the positive outcomes of a more user friendly, well laid out program.

STATUTORY IMPLICATIONS

Statutory Requirements

There are no statutory implications as a result of this report.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 4: Community Recreation and Wellbeing
Desired Outcomes
Tourists and residents visit and appreciate our natural environmental attractions and unique surroundings.
Our Priorities
3.6 Facilitate activities and events that promote inclusion, health, safety and a sense of place.

Sustainable Murchison Community Plan 2040

Business & Industry	Specialised diversity of the economy – Value adding, diversification, innovation and employment. A resilient economy with global brand recognition and growing exports.
Tourism	Memorable visitor experiences all year round – The must-see destination, quality product, easy access, popular events and festivals with coordinated marketing. A longer season with increasing yields.
Strong communities and social capital	Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.

POLICY IMPLICATIONS

There are no policy implications as a result of this report.

FINANCIAL IMPLICATIONS

The 2019 Tulip Festival had a budget allocation of \$78,410 and the event was delivered within budget with total net cost for the event being \$78,580.

The Tulip Festival has secured funding from Events Tasmania to be used in either 2020 or 2021. Events Tasmania have also agreed to cover the cost of data and demographic collection and analysis, such as total numbers, where people are coming from, how much they are spending, and the number of days spent in our municipality. This information will be used to inform planning for future events.

RISK IMPLICATIONS

A decision on the 2020 Tulip festival will be made by 31 July. Depending on restrictions the Tulip Festival may look different this year. The format will be determined by requirements of social distancing although there is an opportunity to deliver a “reimagined” event that celebrates the tulips and also the reinvigoration of the community.

CONSULTATION PROCESS

Stall owners, volunteers, Council officers and staff as well as patrons were consulted via telephone, email and in person interviews in the review of the Tulip Festival.

CONCLUSION

Council notes the 2019 Tulip Festival report.

9.7 CUSTOMER SERVICE CHARTER

To:	Council
Reporting Officer:	Manager Community Activation
Responsible Manager:	Director Community and Engagement
Report Date:	30 April 2020
File Reference:	001
Enclosures:	1. Customer Service Charter

RECOMMENDATION

That Council adopt the Customer Service Charter with immediate effect.

PURPOSE

To ensure that Council has an updated Customer Service Charter in place that is reviewed on a biennial basis. The Customer Service Charter is a document developed to comply with the requirements under Section 339F (4) of the *Local Government Act 1993*.

BACKGROUND

The Customer Service Charter was last reviewed in 2018 and has now been reviewed and updated to more closely align with current trends and requirements.

DETAILS

The Customer Service Charter has been developed to reflect the purpose, scope and standards of Councils commitment to customer service.

The revised Customer Service Charter includes changes to be more consistent with current trends and provides a more contemporary approach. Although the Charter provides for some changes around the delivery of the Customer Service Charter, the content and intent is consistent with the previous document.

STATUTORY IMPLICATIONS

Statutory Requirements

Local Government Act 1993 S339F(4)

- (1) *A council must adopt a customer service charter on or before 1 January 2006.*
- (2) *The customer service charter is to –*
 - (a) *specify the principles relating to services provided by the council; and*
 - (b) *specify a procedure for dealing with complaints relating to services provided by the council; and*
 - (c) *include any prescribed matter.*
- (3) *The general manager is to make the customer service charter available –*
 - (a) *for public inspection at the public office during ordinary office hours; and*
 - (b) *on the council's internet site free of charge; and*
 - (c) *for purchase at a reasonable charge.*
- (4) *A council is to review its customer service charter at least once every 2 years.*

(5) The general manager is to provide the council with a report at least once a year of the number and nature of complaints received.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
We make publicly transparent decisions on spending and future directions while encouraging community feedback.
Our Priorities
1.1 Commit to best practice in community engagement.

GOAL 2: Organisational Support
Desired Outcomes
We cherish fairness, trust and honesty in our conduct and dealings with all.
Our Priorities
2.4 Review and update systems and processes to ensure best practice and customer-centric outcomes.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Strong communities and social capital	Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
Place making and liveability	Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.
Governance and working together	Working together for Murchison – Everyone plays a part in achieving the objectives of the Sustainable Murchison Community Plan. There is cooperation, resource sharing and less duplication between Councils. Leadership is provided across all community sectors.

POLICY IMPLICATIONS

There are no policy implications as a result of this report.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

RISK IMPLICATIONS

- Legislative compliance
Not meeting the requirements under the *Local Government Act 1993* S339F(4) .
- Reputational Risk
Not meeting the expectations of our internal or external customers

CONSULTATION PROCESS

The management team had the opportunity to provide input in the revision of the Customer Service Charter. Customer service Officers at Wynyard Council were consulted for input.

CONCLUSION

It is recommended that Council adopt the Customer Service Charter, as outlined in the attachment to this report, and that the Charter become due for review in May 2022.

9.8 QUARTERLY STATISTICS TO 30 APRIL 2020

To: Council
Reporting Officer: Executive Officer - Governance and Performance
Responsible Manager: Director Organisational Performance
Report Date: 7 May 2020
File Reference: 5
Enclosures: Nil

RECOMMENDATION

That Council note the Quarterly Statistics Report to 31 March 2020.

PURPOSE

To provide information statistical information and on the activities of Council for each Department.

BACKGROUND

This report is provided on a quarterly basis to provide statistical information for some of Councils ongoing activities and services.

DETAILS

GENERAL MANAGERS OFFICE

Staff Movements 1 January 2020 to 30 April 2020

Arrivals			Departures		
Employee	Position	Date	Employee	Position	Date
Denna Neilson	Casual Admin	21/01/20	Nil		
Cameron Bambridge	Digital Innovation Trainee	23/03/20			
Binaya Giri	Technical Officer – Engineering & Design	24/03/20			
Catherine Gale-Stanton	Communications Officer (Temporary)	30/03/20			
Jackee Evans	HR Coordinator	01/04/20			
Jenny Donovan	Strategic Planner	23/04/20			

Recruitment Activity

Digital Innovation Trainee	Open 20/12/19 – Closed 24/01/20
Technical Officer Engineering and Design	Open 20/12/19 – Closed 24/01/20
Human Resources Coordinator	Open 30/01/20 – Closed 14/02/20
Strategic Planner (Fixed Term)	Open 20/02/20 – Closed 06/03/20
Project Officer – Community and Engagement	On hold due to COVID-19

Council Trainees

Council currently has six (6) trainees in the following departments:

- Civil Construction (3)
- Parks & Reserves (2)
- Digital Innovation (1)

Current Vacancies

Nil

INFRASTRUCTURE AND DEVELOPMENT SERVICES

Animal Control

Item	2018/2019 TOTAL	Quarter 3 Jan-Mar 2020	2019/2020 YTD
	No	No	No.
Dogs Registered	2033	47	2068
Dogs Impounded	78	5	28
Dogs Euthanised	6	0	0
Dogs Adopted	7	1	8
New Kennel Licences	35	1	8
Licence Renewals	35	34	34
Dogs Re-Claimed	50	5	25
Livestock Impounded	0	0	0
Infringement Notices	22	3	13
Legal Action	0	0	0

Environmental Health – Immunisations

Month	2018/2019		2019/2020	
	Persons	Vaccination	Persons	Vaccination
July			0	0
August	0	0	0	0
September	0	0	0	0
October	0	0	0	0
November	62	62	42	48
December	0	0	0	0
January	0	0	0	0
February	0	0	0	0
March	0	0	48	93
April	78	145		
May	0	0		
June	0	0		
TOTAL	140	207	90	141

Council Staff Influenza Vaccinations occur in the month of May. In 2019, 63 staff were vaccinated.

Public Health / Food Premises Inspections / Abatement Notices

2019/2020	Notifiable Diseases	Inspections of Registered Food Premises	Abatement Notices Issued
July	1	10	0
August	0	14	0
September	0	4	0
October	0	4	0
November	0	1	0
December	0	10	0
January	0	9	0
February	0	4	0
March	0	6	0
April			
May			
June			
TOTAL	1	62	0

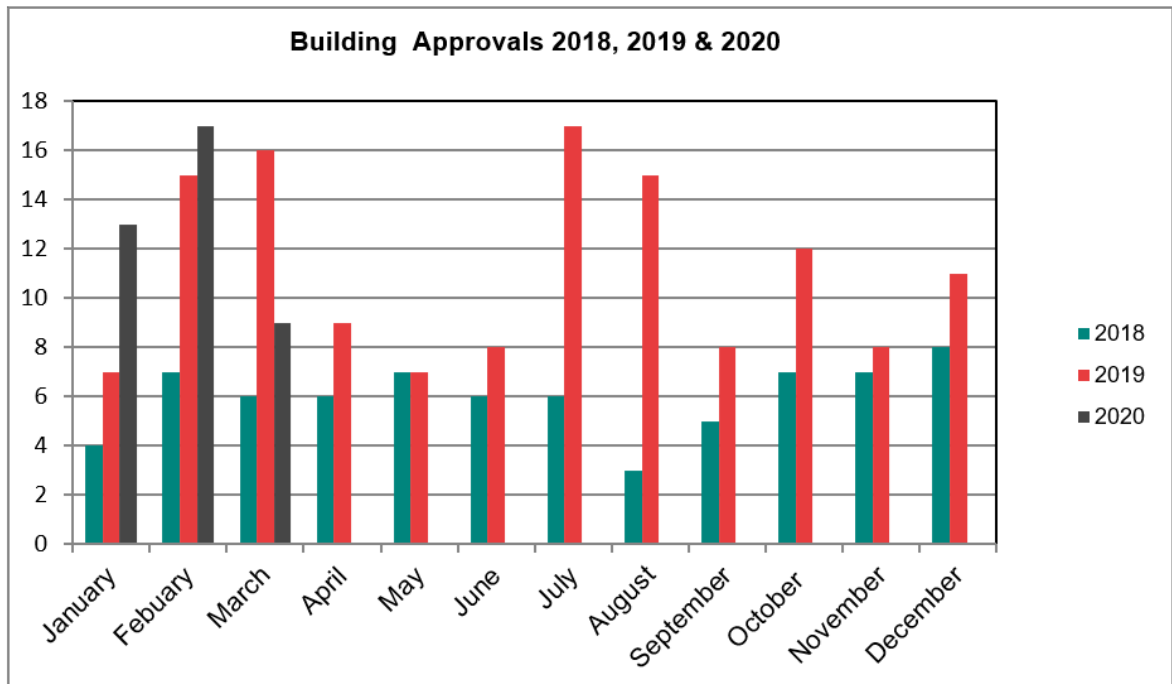
Health Approvals – Registrations

Month	Food Premises (FP)	Temporary Food Premises (TFP)	Places of Assembly (PA)	Public Health Risk Activities (PHRA)	Private Water Suppliers (PWS)	Regulated Systems Air Cooling Systems
July	28	1	0	0	0	0
August	40	1	0	3	0	1
September	1	9	2	2	0	3
October	23	7	0	0	0	0
November	0	6	1	0	0	0
December	2	4	0	0	0	0
January	0	14	0	0	0	0
February	0	9	0	0	0	0
March	0	4	0	0	0	0
April						
May						
June						
TOTAL	94	55	3	5	0	4

Building Approvals

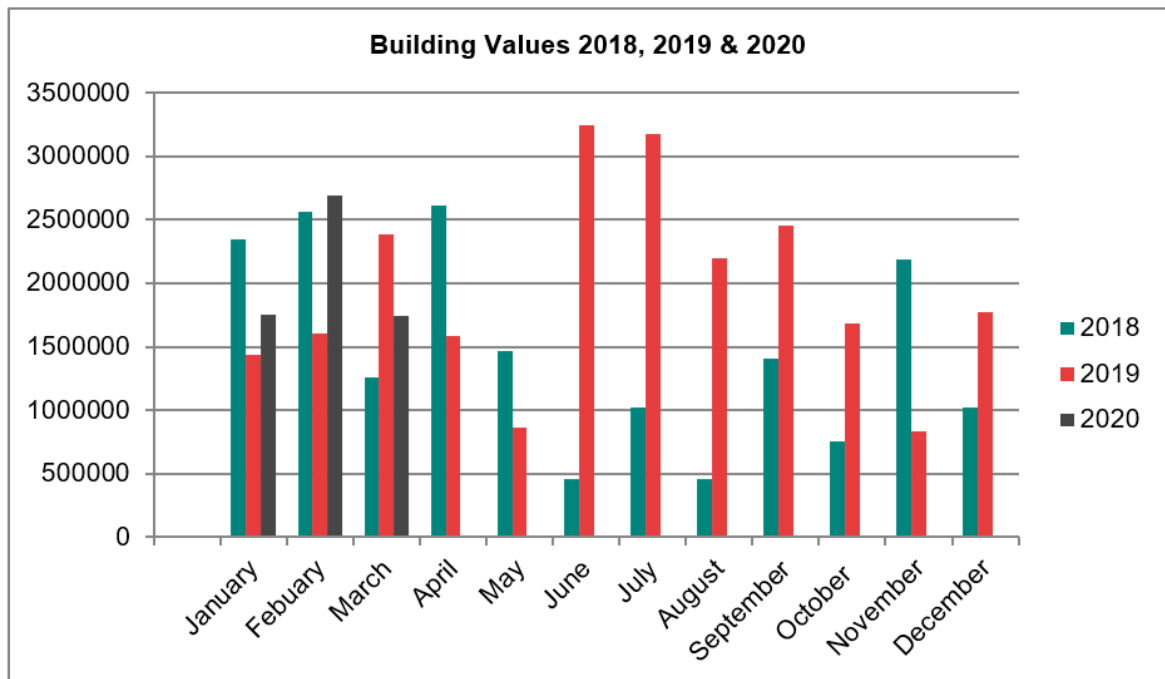
Month	Class 1a	Class 1b	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7b	Class 8	Class 9a	Class 9b	Class 9c	Class 10a	Class 10b
July	6	-	-	1	-	-	1	2	-	-	1	-	8	2
August	7	-	-	-	-	-	-	-	-	-	1	-	8	1
September	7	-	-	-	-	-	-	-	-	-	-	-	3	1
October	5	2	-	-	-	-	-	-	-	-	1	-	4	1
November	6	-	-	-	-	-	-	-	-	-	-	-	2	-
December	6	-	-	-	-	-	-	-	-	-	-	-	2	3
January	8	-	-	-	-	-	-	-	-	-	-	-	6	-
February	7	-	-	-	-	-	1	1	-	-	1	-	10	1
March	6	-	-	-	-	-	-	-	-	-	-	-	6	-
April														
May														
June														
Total	58	2	-	1	-	-	2	3	-	-	4	-	49	9

Building Approval Graph

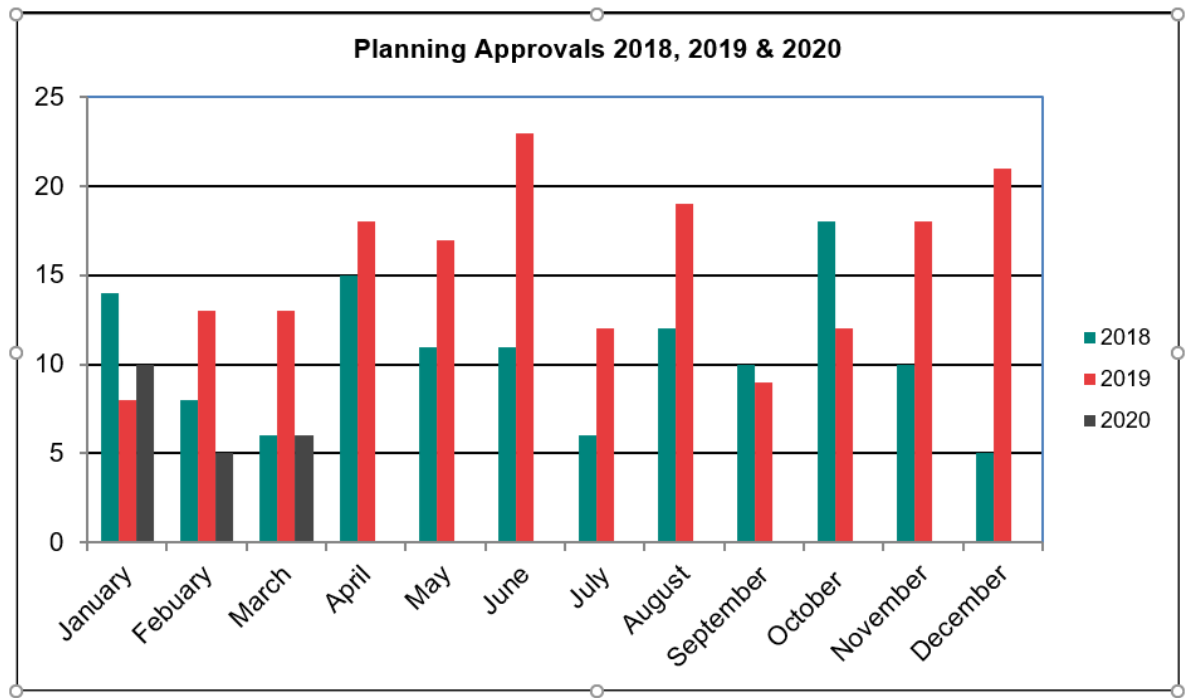


Building Values Graph

2018 Building Values includes Building Permits and Notifiable Building Work (Category 3)

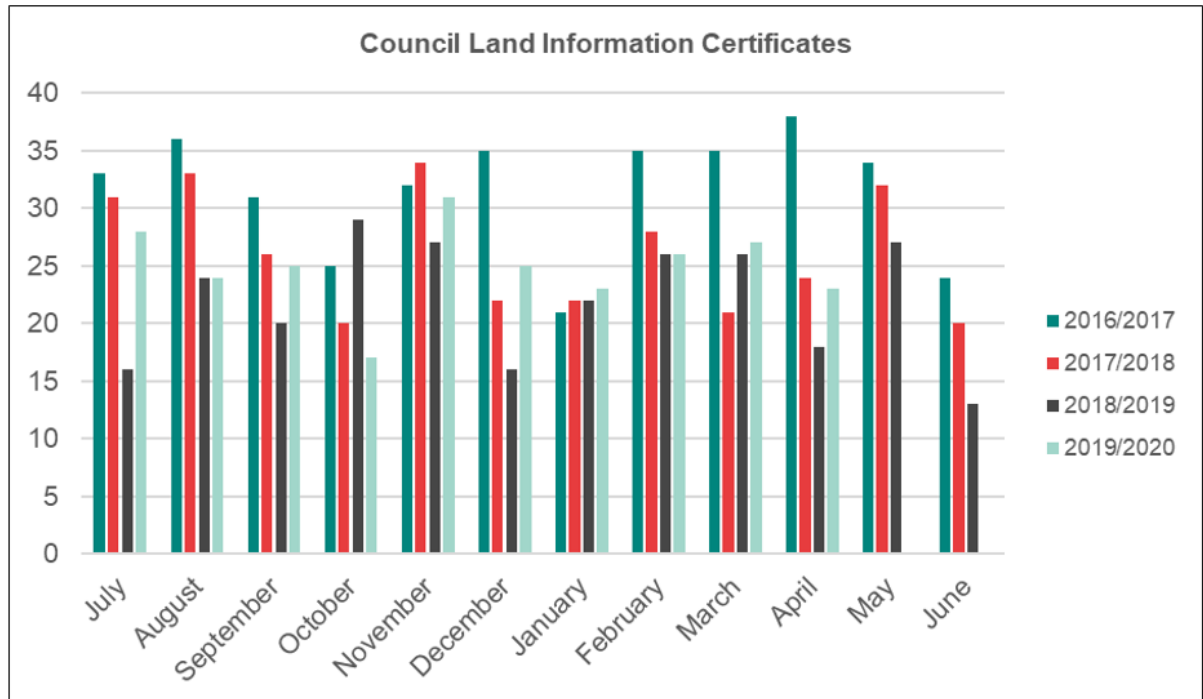


Planning Approvals Graph



ORGANISATIONAL PERFORMANCE

Council Land Information Certificates (Certificate of Councils' Power)



132. Certificate of liabilities

A Council Certificate 132 shows the current rates for a property, and whether there are any rates outstanding at the time of settlement.

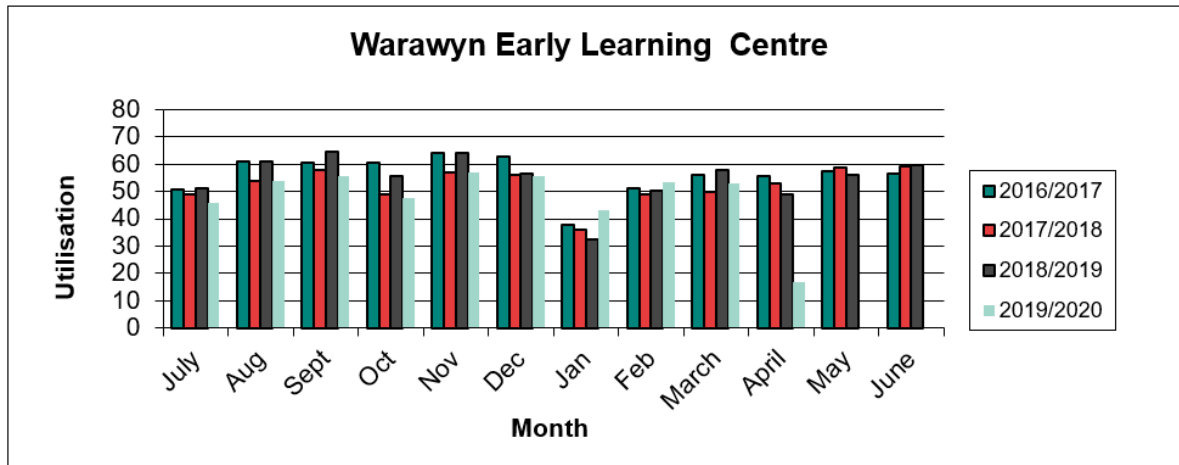
337. Council land information certificate

A Council Certificate 337 provides information about whether there are any outstanding notices, permits or orders in relation to a property. This may include: whether a Completion Certificate has been issued for building or plumbing permits, whether an Occupancy permit has been issued for a building, whether there are any outstanding Orders on a site, etc. at the time of settlement.

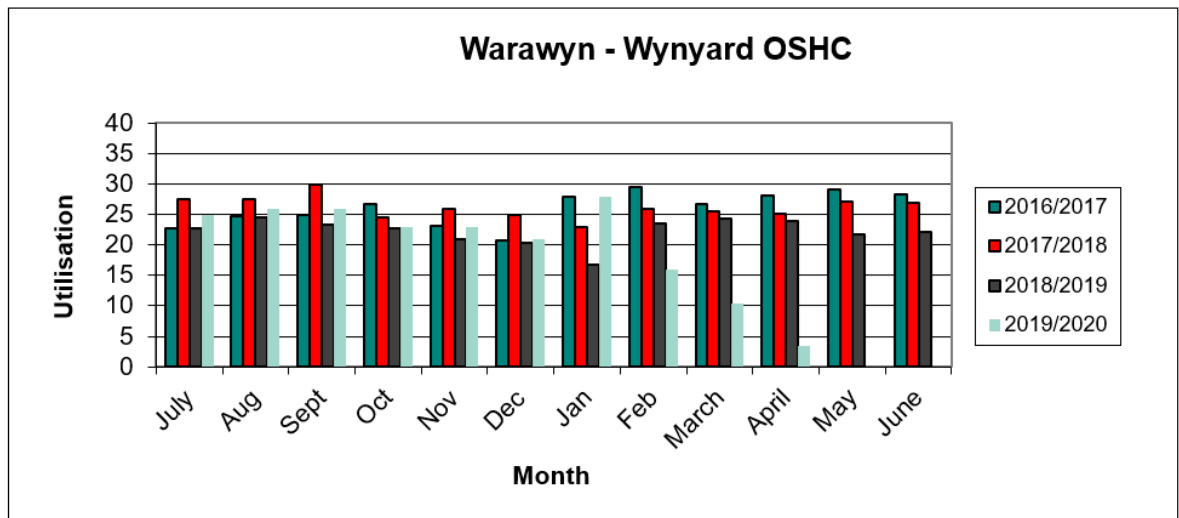
COMMUNITY AND ENGAGEMENT

Children's Services

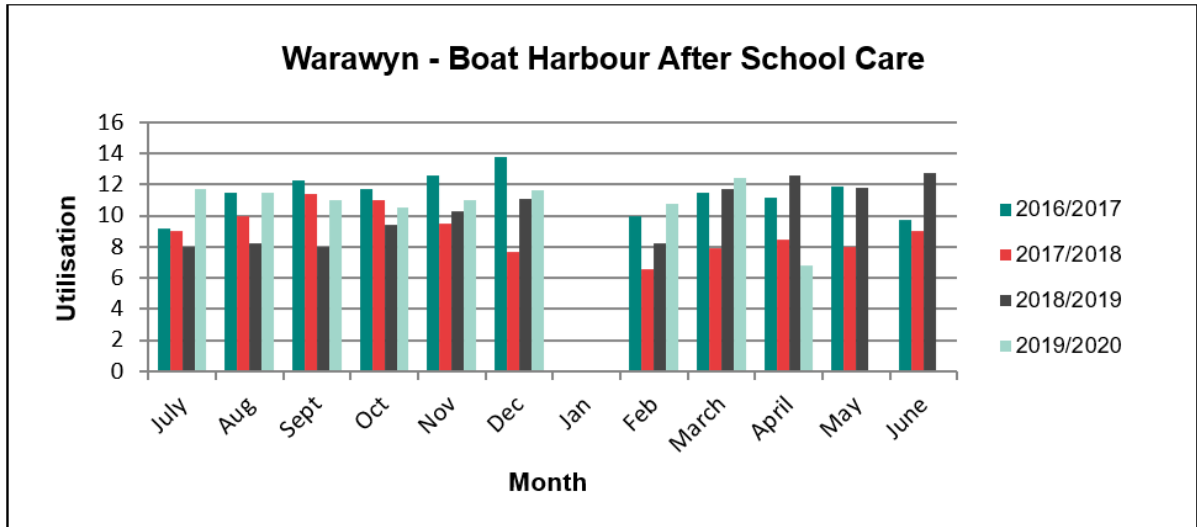
Warawyn Early Learning has experienced a significant decrease in utilisation in April due to the impacts of COVID -19 and changes implemented for subsidy of the service. Details contained in COVID update report.



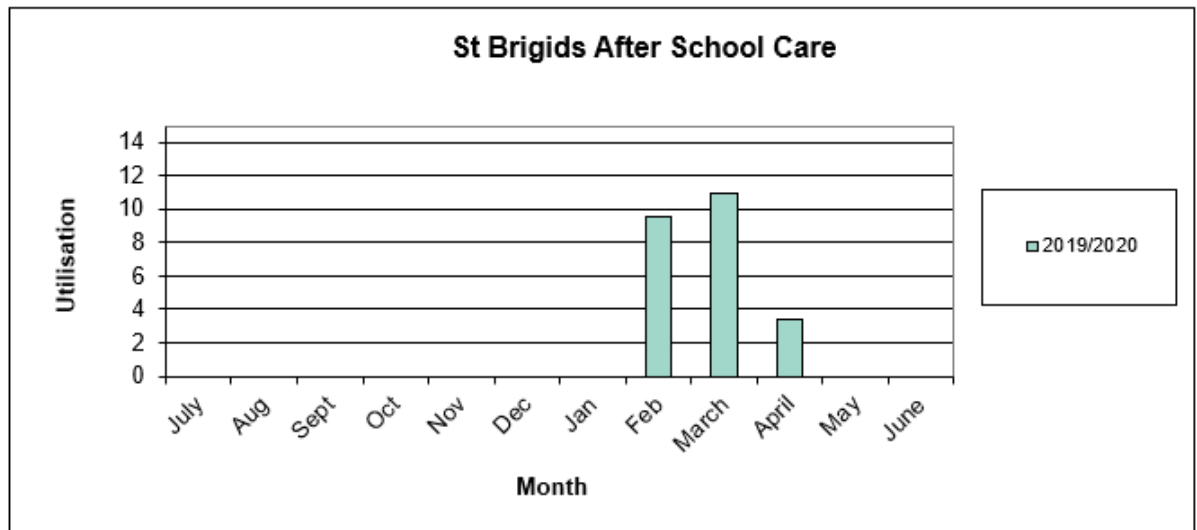
There has been an impact as seen in April on Wynyard outside school hours care through COVID-19 and changes to the funding of the service and also the establishment of an after-school care program at St Brigid's School.



Boat Harbour after school care has experienced a decrease in utilisation however this has been less dramatic than other services.



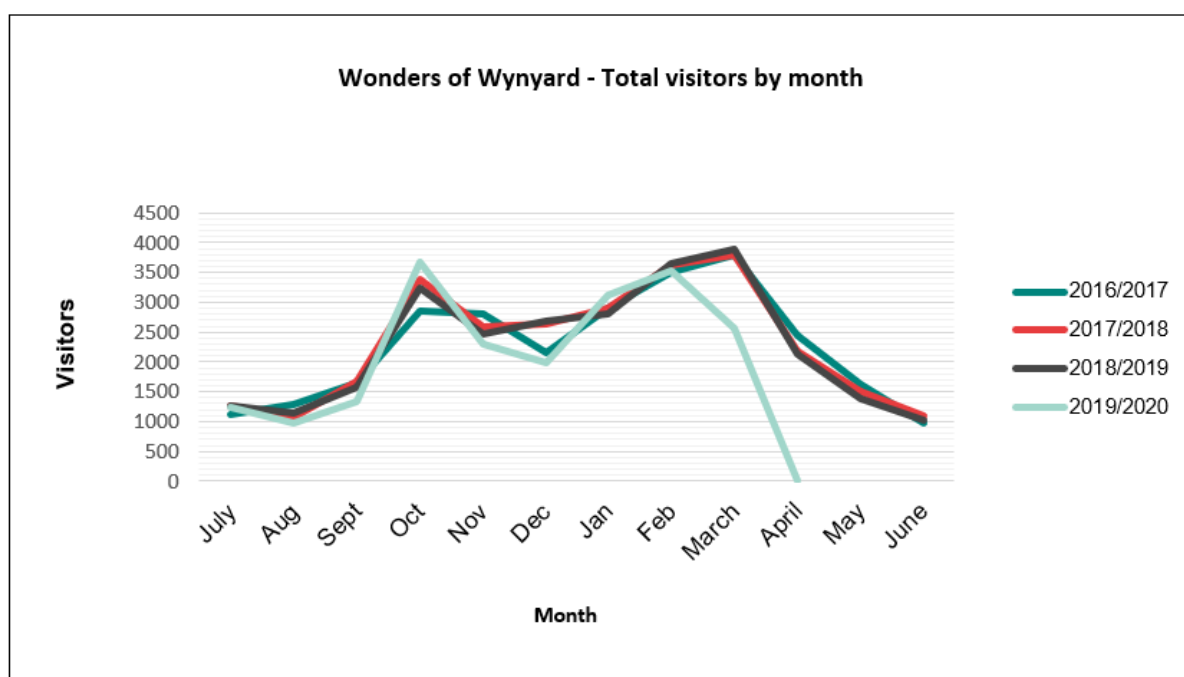
St Brigid's after school care commenced with promising utilisation but has also been impacted.

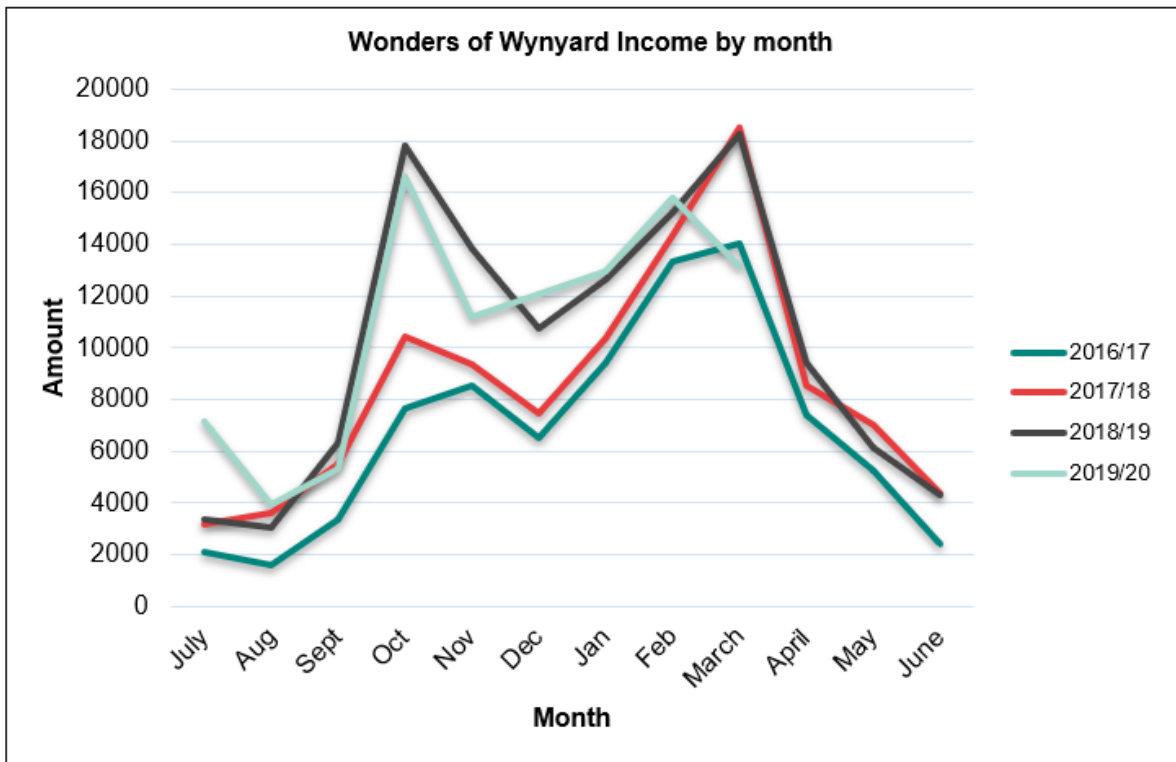
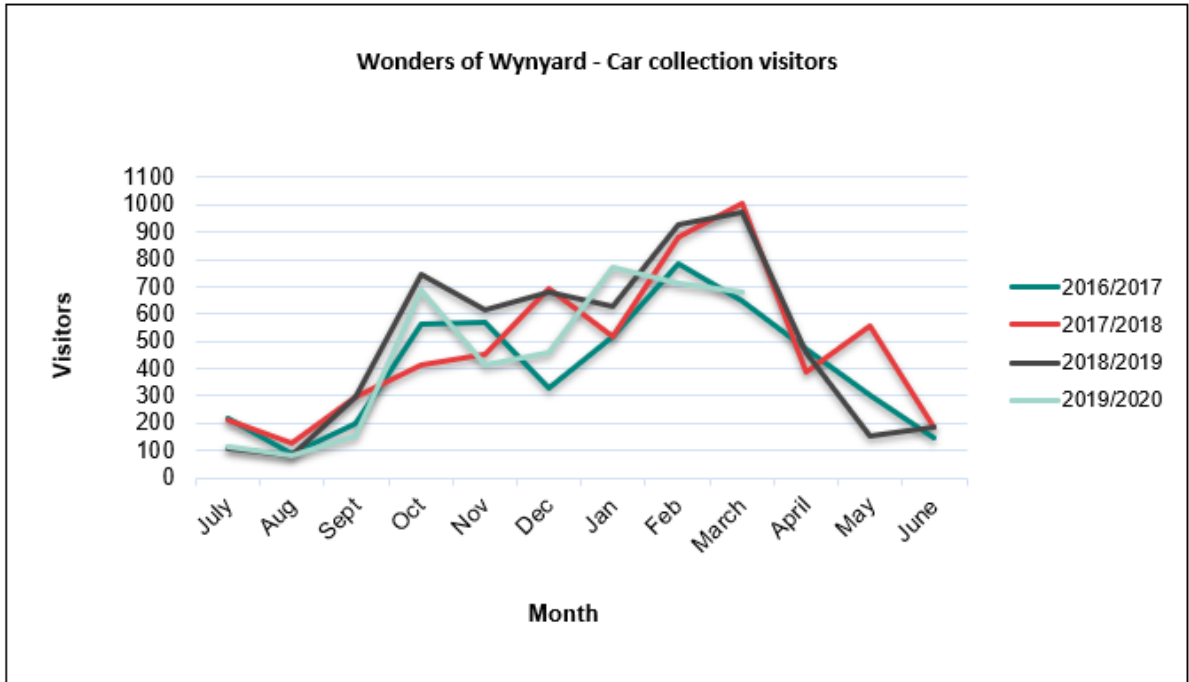


Tourism statistics January-April 2020

Summary – Wonders of Wynyard

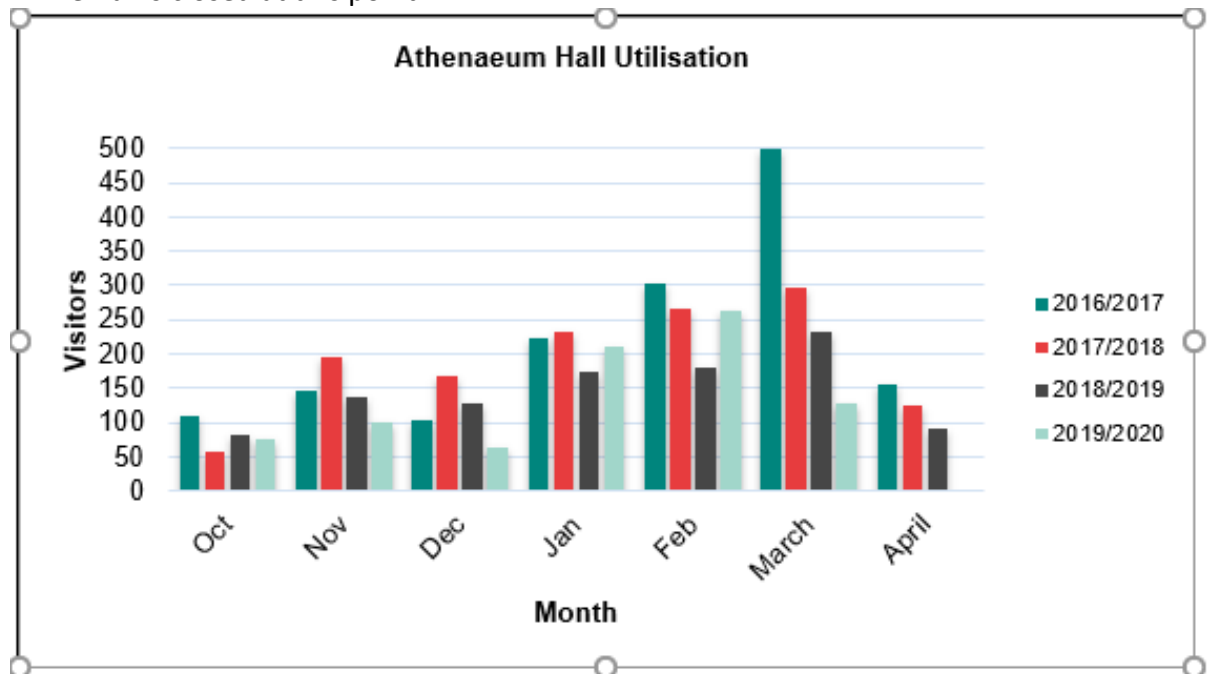
- Visitor numbers for January and February were pleasing against the trend of falling numbers across the State for visitor information centres, and falling overall visitor numbers to the North West region.
- WOW was the only visitor information centre in the North West region that reported a growth in numbers for January. Numbers were up by 11%. February was down 3% with overall visitation for January and February up by 3%.
- Four cruise ships were cancelled in late March early April with bookings of approximately 180 passengers lost.
- Visitor numbers for March were down 34% (12% of which can be attributed to lost cruise ship bookings). At mid March prior to the impact of coronavirus in the State being felt numbers were on track to be roughly the same as the previous March which was a great result compared to regional and state figures.
- Volunteers were asked not to attend shifts from 20 March in response to public health danger from travellers still in the State. Visitation dropped significantly at this point.
- WOW closed to public on 24 March with staff working via phone and email for reduced hours per day until full closure on Thursday 9 April.
- WOW was closed for the remainder of April and remains closed with expected re-opening at the end of May (to be reviewed in line with public health guidelines).
- Car collection visitation was up 22% for January with falls of 23% for February and 30% for March.
- Income was up 2.5% for January and up 3.9% for February and down 28% in March.

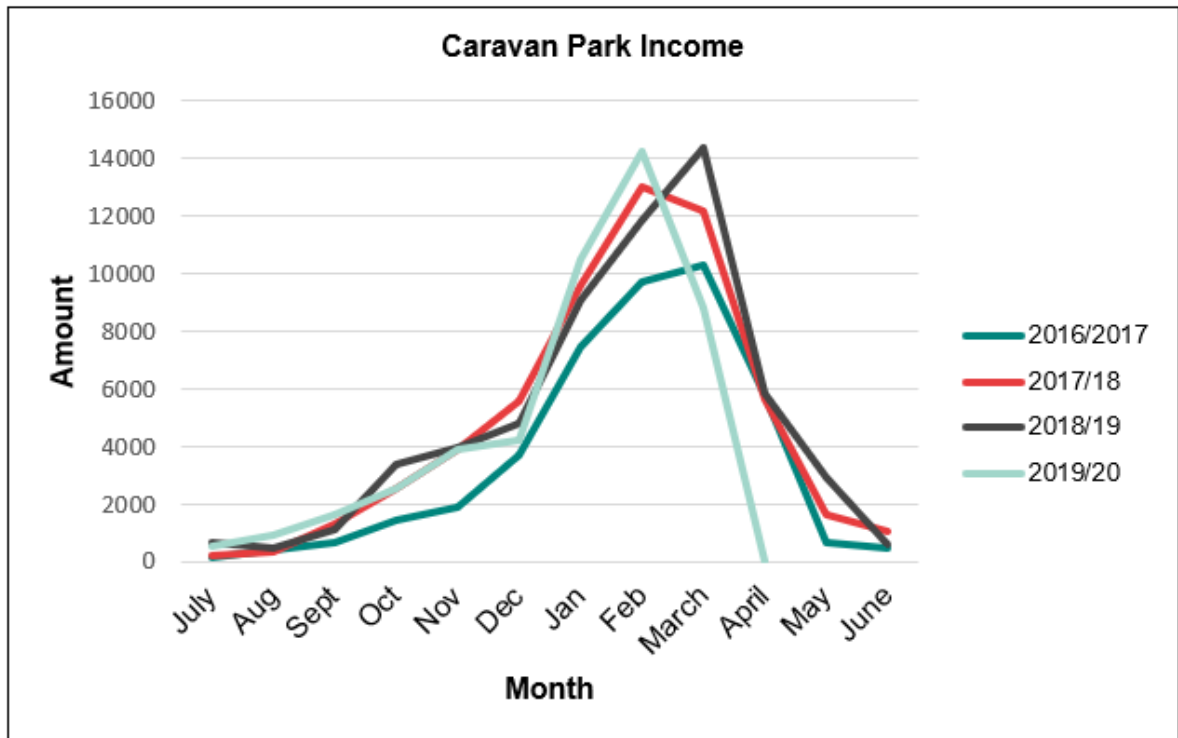
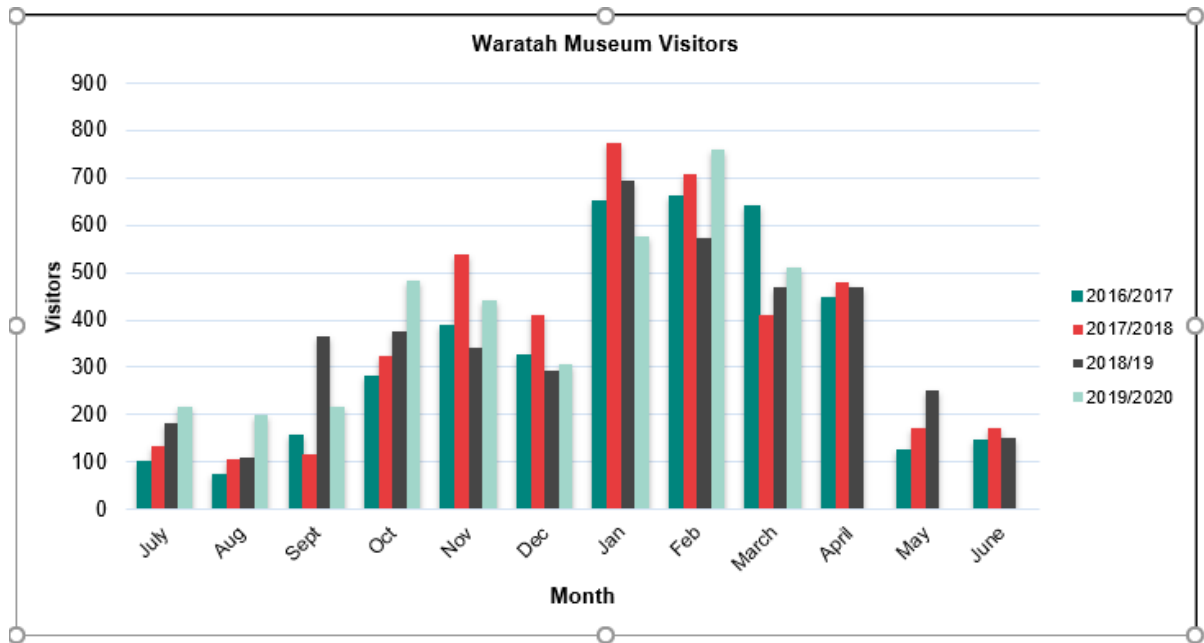




Summary - Waratah

- Visitors to the Athenaeum Hall were strong for January and February with an increase of 20% for January and 45% in February with still relatively small numbers of 210 & 262. March saw an expected decrease of 45%, with the doors closing on the 21 March.
- The Athenaeum Hall will remain closed for the Winter.
- Museum numbers were down 16% for January but bounced back strongly for February with a 33% increase and for March numbers stayed strong despite the COVID-19 threat with a 9% increase.
- The campground saw a 16% increase in income for January and 20% increase for February.
- With camping grounds one of the first businesses affected by the COVID-19 restrictions, there was a 39% decrease in income for March.
- The campground was closed on the 25 March in line with government directives and remains closed at this point.





STATUTORY IMPLICATIONS

Statutory Requirements

There are no statutory implications as a result of this report.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance	
Desired Outcomes	
We make publicly transparent decisions on spending and future directions while encouraging community feedback.	
1.6	Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Tourism	Memorable visitor experiences all year round – The must-see destination, quality product, easy access, popular events and festivals with coordinated marketing. A longer season with increasing yields.
Strong communities and social capital	Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
Place making and liveability	Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.
Governance and working together	Working together for Murchison – Everyone plays a part in achieving the objectives of the Sustainable Murchison Community Plan. There is cooperation, resource sharing and less duplication between Councils. Leadership is provided across all community sectors.

POLICY IMPLICATIONS

There are no policy implications as a result of this report.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

RISK IMPLICATIONS

There are no risk implications as a result of this report.

CONSULTATION PROCESS

There are no consultation requirements as a result of this report.

CONCLUSION

The Departmental Quarterly Statistics Report for the months January to 31 March 2020 are presented and it is recommended that the report be noted.

9.9 BUDGET AMENDMENT - FLOOD MITIGATION WORKS

To: Council
Reporting Officer: Director Infrastructure and Development Services
Responsible Manager: General Manager
Report Date: 7 May 2020
File Reference: Stormwater
Enclosures: Nil

RECOMMENDATION

That Council by an absolute majority amend the 2019/20 Annual Plan and Budget Estimates to include the following additional capital projects:

- 1. Port Creek – design and planning \$85,000**
- 2. Big Creek – design and planning \$40,000**
- 3. Cotton Street – design and planning \$15,000**

PURPOSE

To seek Council agreement to bring forward design work for flood mitigation works. In turn this will allow accelerated construction works to occur during the 2020/21 Capital works program, one year ahead of schedule.

BACKGROUND

Council's 2020 Urban Stormwater Asset Management plan provides forward projections in relation to flood mitigation works at Port Creek, Big Creek & Cotton Street that were identified post the June 2016 flood. The Stormwater System Management plan details the current flood risk if works are not completed.

DETAILS

Design and planning for flood mitigation works were planned for the 2020/21 financial year, with construction of the works for the year following (2021/22) subject to budget approval by Council.

Given the recent COVID-19 pandemic, opportunity has arisen for interest free loans from the State Government for infrastructure works. This would enable Council to undertake the works a year earlier (2020/21) but requires acceleration of the design and planning tasks. It is recommended that the required funding for planning and design be made available immediately via a budget amendment to achieve this.

In addition to managing flood mitigation risks (as identified in Councils Stormwater Infrastructure Asset Management Plan), the works will provide local economic stimulus by way of earlier than scheduled construction and by making way for new residential property development (Port Creek catchment).

STATUTORY IMPLICATIONS

Statutory Requirements

Local Government Act 1993 Section 82 - Estimates

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

(2) Estimates are to contain details of the following:

- (a) the estimated revenue of the council;
- (b) the estimated expenditure of the council;
- (c) the estimated borrowings by the council;
- (d) the estimated capital works of the council;
- (e) any other detail required by the Minister.

(3) Estimates for a financial year must –

- (a) be adopted by the council, with or without alteration, by absolute majority; and
- (b) be adopted before 31 August in that financial year; and
- (c) not be adopted more than one month before the start of that financial year.

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

(5) A council may make adjustments to individual items within any estimate referred to in subsection (2) by a simple majority so long as the total amount of the estimate is not altered.

(6) A council, by absolute majority, may authorise the general manager to make minor adjustments up to specified amounts to individual items within any estimate referred to in subsection (2) so long as the total amount of the estimate is not altered.

(7) The general manager is to report any adjustment and an explanation of the adjustment at the first ordinary meeting of the council following the adjustment.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 7: Environment
Desired Outcomes
We maintain and manage our assets sustainably.
Our Priorities
5.8 Ensure evidence-based allocation of infrastructure and land use to enable sustainable growth.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Access and infrastructure	Local, regional and global transport and infrastructure access – Safe and efficient access alternatives, growing freight capacity, renewable energy, water management and contemporary communications. Community infrastructure that supports economic development.
Natural resource management	Managing abundant, natural and productive resources – Natural resource management is valued and development is environmentally sustainable. The environment is clean and healthy with unspoilt beauty and biodiversity.
Place making and liveability	Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.

POLICY IMPLICATIONS

The Asset management policy is relevant in this instance.

FINANCIAL IMPLICATIONS

The impact of this resolution is to bring forward capital expenditure planned in 2020/21 to May and June 2020 which will increase the capital expenditure in the current financial year by up to \$140,000 and decrease forecast cash on hand as at 30 June 2020 by \$140,000.

Council has planned for the construction and associated borrowings of the projects in its budgeting deliberations for 2020/21. Projects are expected to cost approx. \$2.4m in the 2020/21 financial year.

The interest free loan period is 3 years. The projects will make way for residential property development and therefore any interest incurred in future years is likely to be offset additional rate revenue generated from development.

RISK IMPLICATIONS

The three urban areas proposed for flood mitigation works are listed as the most at risk in Council's Stormwater System Management plan. Bringing forward the timing of these works will mitigate the risk of a further event (to June 2016) causing damage to property and threat to life.

CONSULTATION PROCESS

There are no consultation requirements as a result of this report.

CONCLUSION

To mitigate the risk to property and life of urban flooding, use of the interest free government loans will allow works to address a year ahead of schedule. Amending the 2019/20 budget to make design & planning funding available immediately will facilitate this.

9.10 FINANCIAL REPORT FOR THE PERIOD ENDED 30 APRIL 2020

To: Council
Reporting Officer: Accountant
Responsible Manager: Director Organisational Performance
Report Date: 1 May 2020
File Reference: 1
Enclosures: Nil

RECOMMENDATION

That Council notes the Financial Reports for the period ended 30 April 2020 including forecast estimates.

PURPOSE

To provide an overview, summarising the financial position of the organisation on a monthly basis.

BACKGROUND

The financial reports presented incorporate:

The financial reports presented incorporate:

- Underlying Operating Performance
- Operating Performance by Department
- Balance Sheet
- Statement of Cashflows
- Cash Position
- Rate Summary
- Capital Works Summary

STATUTORY IMPLICATIONS

This special purpose financial report is prepared under *Australian Accounting Standards* and the *Local Government Act 1993*.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL
Desired Outcomes
We make publicly transparent decisions on spending and future directions while encouraging community feedback.
Our Priorities
1.8 Review and adjust service levels to provide value for money.
2.2 Facilitate effective knowledge management practices.

POLICY IMPLICATIONS

There are no policy implications as a result of this report.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

RISK IMPLICATIONS

There are no risk implications as a result of this report.

CONSULTATION PROCESS

There are no consultation requirements as a result of this report.

COMMENT

Commentary is provided throughout the report on Council's ytd performance and financial position.

The reports include a forecast of the results for the current financial year after having taken into account known impacts of the COVID-19 pandemic on quarter 4 results.

Councils operating position has improved in recent years and therefore is well placed to absorb some of the volatility in revenues and expenditures during this time.

Impacts on the current year results (and next year budget) will be impacted by:

- reduced revenue from rates, fees and charges
- discontinuation and uncertainty of Tas Water dividends
- delayed rates and charges receipts
- increased operational expenditure (for community assistance and recovery, and child care).

Council remains in a financially sustainable position despite the significant and unpredicted impacts.

Councils long term Financial Management Strategy will need to be reassessed later in the calendar year once the budget estimates for 2020/21 have been adopted and more is known about the future impacts.

Operating Performance Statement

The Operating Performance Statement shows the performance of Council's day to day operations.



Operating Performance as at 30 April 2020	Note	YTD Actual	YTD Budget	% Variance	YTD Variance		Budget	Forecast	Forecast Variance
Recurrent Income									
Rate Revenue	1	11,384,172	11,331,753	0%	(52,419)	✓	11,331,753	11,387,366	55,613
User Charges	2	1,921,450	2,202,212	13%	280,762	✗	2,612,127	2,152,599	(459,528)
Reimbursements/Contributions	3	539,288	556,073	3%	16,785	✗	709,309	665,442	(43,867)
Grants and Subsidies	4	1,763,283	2,272,307	22%	509,024	✗	3,935,369	2,645,974	(1,289,395)
Interest		192,665	187,420	-3%	(5,245)	✓	225,000	225,000	-
Distributions from Water Corporation	5	281,000	252,900	-11%	(28,100)	✓	562,000	281,000	(281,000)
		16,081,858	16,802,665	4%	720,807	✗	19,375,558	17,357,381	(2,018,177)
Recurrent Expenditure									
Employee Costs	6	5,371,545	5,960,023	-10%	(588,478)	✓	6,997,884	6,648,127	(349,757)
State Levies		297,226	412,790	-28%	(115,564)	✓	530,608	528,650	(1,958)
Remissions & Discounts		396,194	401,695	-1%	(5,501)	✓	401,695	417,749	16,054
Materials & Contracts	7	5,561,714	5,737,779	-3%	(176,065)	✓	6,715,265	6,496,068	(219,197)
Depreciation		3,571,560	3,558,640	0%	12,920	!	4,272,038	4,285,803	13,765
Gain/(Loss) on Disposal		(220,318)	62,870	-450%	(283,188)	✓	75,480	75,480	-
Borrowing Costs		16,357	26,900	-39%	(10,543)	✓	32,293	32,293	-
Other Expenses		181,399	188,680	-4%	(7,281)	✓	264,422	262,922	(1,500)
		15,175,676	16,349,377	-7%	(1,173,701)	✓	19,289,685	18,747,092	(542,593)
Surplus/(Deficit)		906,182	453,288	-100%	(452,894)	✓	85,873	(1,389,711)	(1,475,584)
Capital Items									
Capital Grants/Contributions		1,131,284	1,101,447	-3%	(29,837)	✓	2,966,131	1,839,131	(1,127,000)
Derecognition of Assets		-	-						
Asset Recognition		-	-						
Comprehensive Surplus/(Deficit)		2,037,466	1,554,735	-103%	482,731		3,052,004	449,420	-2,602,584

Reconciliation of Underlying Performance	Budget	Forecast	Forecast Variance
Comprehensive Surplus/(Deficit)	3,052,004	449,420	(2,602,584)
Add: Financial Assistance Grant			
Received in Advance		1,546,955	1,546,955
Less: Capital Items	2,966,131	1,839,131	(1,127,000)
Underlying Operating Performance	85,873	157,244	71,371

Overall there are several wins and losses across the operational budget this year. The budget has been significantly impacted by the COVID-19 pandemic and associated stimulus measures and restrictions imposed on the community.

Fortunately, Council has been working on delivering operational efficiencies throughout the year. Whilst the budgeted underlying surplus is \$85,873, pre-COVID-19 Council was anticipated a favourable result for the year of around \$556k. After taking into account the expected financial impacts of COVID-19 on quarter 4, the operational performance has now been revised down to a more modest surplus of \$157,244 for the year.

The revised forecast includes significant cost impacts of COVID-19 including the unfavourable impact on Councils child care operations of \$140k. The forecast also includes a reduction in Tas Water dividend payment (\$281k).

Note	Commentary
1	Rates levied are consistent with the annual budget estimates. Supplementary rates are not allowed for in the budget estimates. As a result, a favourable variance to budget is anticipated for the year for this line item with a favourable variance of \$55,613 expected.
2	User Charges are expected to be lower than budget for the year by around \$459,000. This is predominantly related to child care operations which are discussed in further detail under the departmental summary. The variance in user fees is partly offset by a reduction in employee expenditure for child care operations.
3	Reimbursements will be lower than budget predominantly due to a reduction in resource sharing (due to staff departures).
4	Grants and subsidies will be under budget by approx. \$1.3m due to the timing of FAG grant receipts. \$1.5m of the current year grant was paid in advance last financial year. The budget allows for 100% of the current year funding to be received in the current year.
5	Tas Water have advised that they are not able to distribute the remaining dividend due to Councils in the current financial year. The impact on the current year operating result is \$281k. Some uncertainty remains about Tas Water's dividend intentions next financial year.
6	Wages are tracking favourably to budget predominantly due to vacancy savings. Expenditure will increase over the remainder of the year as vacancies are filled.
	Child care wages have also had to reduce due to a reduction in utilisation of child care services in quarter 4 which partially offsets the above reduction in user fees. More information in relation to child care operations is included in the department summary reporting below.
	Overall wages across the organisation will be lower than budget by approximately \$349k.
7	Materials & Contracts favourable against budget with seasonal change allowing for increased outdoors maintenance and work and expected to increase in coming months.
	Materials and contracts expenditure is expected to be \$219k below budget with the main movements being:
	the Road Safety Audit coming in at \$73k less than budget;
	the settlement strategy will now also be undertaken internally and funded from wages rather than contract expenditure \$60k (offset by an increase in wages expenditure);
	Other savings across the organisation including consulting for special projects (\$30k) and HR training and uniforms expenditure (\$27k).

Operating Position by Department

This statement provides an overview of the forecast by department.



Operating Position by Department As at 30 April 2020	Note	YTD Actual	YTD Budget	Annual Budget	Annual Forecast	Forecast Variance
Community & Engagement						
Children Services	1	95,247	282,211	352,803	(7,841)	(360,644)
Community Activation		(509,674)	(587,849)	(690,746)	(643,120)	47,626
Community Support		(378,551)	(486,160)	(563,347)	(516,511)	46,836
Tourism & Marketing		(363,006)	(396,789)	(479,812)	(471,643)	8,169
Total Community & Engagement		(1,155,984)	(1,188,587)	(1,381,102)	(1,639,115)	(258,013)
Council & General Managers Office						
Council	2	7,776,655	7,600,110	8,690,714	7,757,777	(932,937)
Total Council & General Managers Office		7,776,655	7,600,110	8,690,714	7,757,777	(932,937)
Infrastructure & Development Services						
Asset Services	3	99,064	19,599	44,036	112,840	68,804
Cemetery		(97,750)	(86,235)	(103,836)	(105,942)	(2,106)
Development Services		(425,592)	(590,894)	(707,713)	(663,901)	43,812
Engineering Support Services		190,245	54,390	60,217	108,121	47,904
Footpaths		(278,453)	(266,766)	(319,351)	(338,963)	(19,612)
Garbage		266,660	197,760	23,136	17,486	(5,650)
Public Halls		(136,094)	(159,707)	(192,041)	(169,014)	23,027
Public Toilets		(190,487)	(176,301)	(212,408)	(223,241)	(10,833)
Reserves	4	(818,101)	(471,224)	1,040,721	(119,191)	(1,159,912)
Sports		(876,435)	(720,335)	(880,279)	(849,478)	30,801
Stormwater Drainage		251,465	208,642	86,398	141,397	54,999
Transport	5	(2,964,521)	(2,868,981)	(2,821,984)	(3,399,574)	(577,590)
Waste		97,260	47,376	(88,047)	(76,816)	11,231
Works & Services	6	(113,536)	(64,108)	(66,111)	(9,414)	56,697
Total Infrastructure & Development Services		(4,996,274)	(4,876,784)	(4,137,262)	(5,575,690)	(1,438,428)
Organisational Performance						
Administration		413,070	19,996	(120,346)	(93,552)	26,794
Total Organisational Performance		413,070	19,996	(120,346)	(93,552)	26,794
Comprehensive Surplus/(Deficit)		2,037,466	1,554,735	3,052,004	449,420	(2,602,584)

Explanations are provided for annual forecast variances to budget of \$50k or more.

Note	Commentary
1	<p>Children's Services</p> <p>Children' services operations have been materially impacted by the COVID-19 pandemic containment measures.</p> <p>Child care operations from April to June (quarter 4) will have an operating deficit of \$84,935. Quarter 4 would have otherwise returned a surplus of \$54,225. The pandemic will impact quarter 4 financial performance negatively by \$139k.</p> <p>Council has taken several cost containment measures reducing the financial impact to Council. Without any cost reducing measures, the cost would have been greater and in the order of \$185k (rather than \$85k).</p> <p>The service usually returns a surplus to Council. Over the last 3 years the operations have returned</p>

Note	Commentary
	a total of \$416,620 to Council in surpluses.
	The challenges currently faced by the centre are temporary in nature and the operations are expected to return to a self funding sustainable level after the pandemic including resumption of permanent staff working arrangements.
2	<p>Council This department is where the General-Purpose Financial Assistance Grants (FAG) and Tas Water dividends are captured.</p> <p>Overall the department will have an unfavourable variance to budget of \$932k. \$735k of this relates to timing of grant payments only (paid late last financial year).</p> <p>The unfavourable impact relating to the non-payment of the remaining year dividend by Tas Water is \$281k.</p>
3	<p>Asset Services Asset services costs will be lower than budget due to a redirection of labour. The wages are allocated elsewhere in the budget.</p>
4	<p>Reserves The unfavourable variance to budget relates to timing of capital grant receipts for Anzac Park of \$1.3m. The grant funding will be paid over the course of 2020/21 and 2021/22 in line with planned project completion and grant deed.</p>
5	<p>Transport This department is where the Transport and Bridge Financial Assistance Grants (FAG) are captured.</p> <p>Overall the department will have an unfavourable variance to budget of \$577k. \$670k of this relates to the timing of grant payments only (paid late last financial year).</p>
6	<p>Works & Services The Works and Services department will have a favourable variance to budget of approx.\$57k. There are several contributing factors however the variance can largely be attributed to a lower than expected conference and training expenditure spend (over allowed for in the budget estimates).</p>

Balance Sheet

This report provides a balance sheet of the Council's Assets and Liabilities as at 30 April 2020 and forecast financial position at year end against that budgeted. Councils net assets as at 30 June 2020 is expected to be \$220.484m.



BALANCE SHEET As at 30 April 2020	YTD Actual \$	Budget \$	Forecast \$	Forecast Change on Budget \$
Current Assets				
Cash & Cash Equivalents	12,509,190	6,272,242	9,209,204	2,936,962
Receivables	906,714	891,000	880,000	(11,000)
Inventories	106,014	116,818	108,631	(8,187)
Land For Resale	110,182	110,182	110,182	-
Other Current Assets	3,980	190,000	190,000	-
Total Current Assets	13,636,081	7,580,242	10,498,017	2,917,775
Non-Current Assets				
Property, Plant and Equipment	160,961,758	168,822,714	163,072,652	(5,750,062)
Investment in Water	51,687,318	46,117,782	51,687,318	5,569,536
Total Non-Current Assets	212,649,076	214,940,496	214,759,970	(180,526)
Total Assets	226,285,157	222,520,738	225,257,987	2,737,249
Current Liabilities				
Payables	1,307,947	1,418,407	1,797,437	379,030
Interest-Bearing Liabilities	58,451	119,862	123,921	4,059
Employee Provisions	1,696,838	1,923,745	1,814,349	(109,396)
Provisions	-	-	-	-
Total Current Liabilities	3,063,236	3,462,014	3,735,707	273,693
Non-Current Liabilities				
Interest-Bearing Liabilities	870,174	750,312	746,253	(4,059)
Employee Provisions	63,146	191,123	69,924	(121,199)
Provisions	216,999	215,484	222,546	7,062
Total Non-Current Liabilities	1,150,319	1,156,919	1,038,723	(118,196)
Total Liabilities	4,213,555	4,618,933	4,774,430	155,497
Net Assets	222,071,602	217,901,805	220,483,557	2,581,752
Equity				
Current Year Result	2,037,466	3,052,004	449,420	(2,602,584)
Accumulated Surplus	154,110,750	152,951,554	154,110,750	1,159,196
Reserves	65,923,386	61,898,247	65,923,387	4,025,140
Total Equity	222,071,602	217,901,805	220,483,557	2,581,752

Statement of Cashflows

This report provides details of cash movements for the current financial year to 30 April 2020. Total cash and investments as at 30 April 2020 were \$12.509m. The forecast cash on hand as at 30 June 2020 is \$9.209m which is \$2.9m higher than budget.

This cash estimates includes a reassessment of employee provisions, a lower recovery of rates and charges, and \$3.8m in capital expenditure that will be carried forward to next financial year.



STATEMENT OF CASHFLOWS As at 30 April 2020	YTD Actual \$	Budget \$	Balance Remaining %	Forecast \$	Change on Budget \$
Cash flows from operating activities					
Employee Costs	(5,371,545)	(7,003,124)	77%	(1,631,579)	470,628
Materials and Contracts	(5,476,548)	(6,678,143)	82%	(1,201,595)	759,300
State Levies	(297,226)	(530,608)	56%	(233,382)	1,958
Other Expenses	(577,593)	(554,435)	104%	23,158	(120,689)
Rates and Charges	11,005,515	11,519,772	96%	514,257	(484,349)
User charges	2,103,997	2,613,127	81%	509,130	(460,528)
Interest	192,665	225,000	86%	32,335	-
Reimbursement of Expenses	539,288	708,309	76%	169,021	(42,867)
Government Grants	1,763,283	4,500,053	39%	2,736,770	(1,169,395)
Net Cash provided by (used in) operating activities	3,881,836	4,799,951	81%	918,115	1,045,942
Cash flows from investing activities					
Payments for Property, Plant and Equipment	(5,431,011)	(13,939,615)	39%	(8,508,604)	5,270,968
Investment revenue from Water Corporation	281,000	562,000	50%	281,000	(281,000)
Proceeds from Sale of Property, Plant and Equipment	279,000	155,763	179%	(123,237)	239,937
Capital grants	1,131,284	2,401,447	47%	1,270,163	(1,247,000)
Net cash provided by (used in) investing activities	-3,739,727	-10,820,405	35%	-7,080,678	-3,982,905
Cash flows from financing activities					
Borrowing Costs	(16,357)	(32,293)	51%	(15,936)	-
Loan Drawdowns (Repayments)	-	-	-	-	-
Loan Repayments	(57,486)	(115,936)	50%	(58,450)	-
Net cash provided by financing activities	-73,843	-148,229	50%	-74,386	0
Net (Decrease) in Cash Held	68,266	(6,168,683)	-1%	(6,236,949)	2,936,962
Cash at beginning of year	12,440,924	12,440,925	100%	1	-
Cash at end of period	12,509,190	6,272,242	199%	-6,236,948	-2,936,962

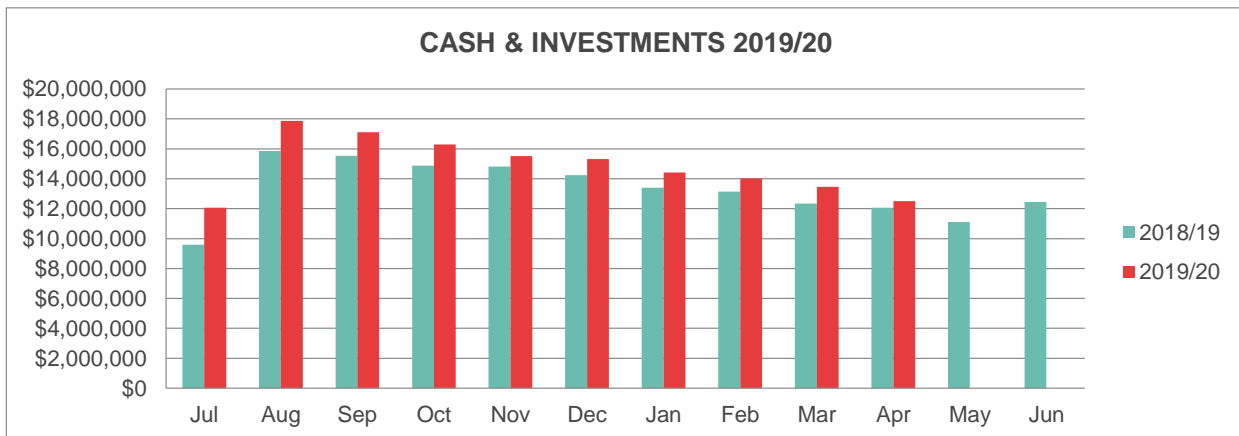
Cash Position

The following table provides an outline of Council's cash and investment portfolio as at 30 April 2020. Total cash and investments on hand as at 30 April 2020 is \$12.509m.

As investments mature, Council's investment portfolio will be diversified in line with the requirements of the newly adopted Investment Policy.



CASH POSITION		INVESTMENTS		Weighted
As at 30 April 2020		\$	\$	Average
				Return
Deposits	12,000,000	Commonwealth Bank	507,590	0.00%
		Investments		
		ING	6,000,000	1.37%
		ME Bank	6,000,000	1.31%
 				
Petty Cash and Till Floats	1,600	Petty Cash and Till Floats	1,600	
Trading Account	507,590			
BALANCE (ALL ACCOUNTS)	<u><u>12,509,190</u></u>		<u><u>12,509,190</u></u>	1.35%



RBA Cash Rate* 0.250
 90 Day BBSWs Rate** 0.098

*source: www.rba.gov.au as at 1 May 2020

**source: <https://www.asx.com.au/data/benchmarks/bbsw-10-day-rolling-history.pdf> as at 1 May 2020

All cash investments are in compliance with Council's Investment Policy (FIN.004).

Rates Summary

The following table provides the detail of Council's Rates and Charges levied compared with the same time last year. Rates and Charges collected as at 30 April are behind that collected as at the same time last year. At the last meeting Council adopted the Hardship Relief Policy. Currently Rates Officers are proactively working with ratepayers to enter into payment arrangements, however for the coming 12 months it is anticipated unpaid rates will remain above prior years.



RATE SUMMARY		2019/20		2018/19	
For the period 1 July 2019 to 30 April 2020		%	\$	%	\$
<i>Notice Issue Date - 2 August 2019</i>					
OUTSTANDING RATE DEBTORS (As at 1 July 2019)	4.27	507,597	3.90	452,217	
ADD CURRENT RATES AND CHARGES LEVIED (including penalties)	95.73	11,384,172	96.10	11,156,410	
GROSS RATES AND CHARGES DEMANDED	100.00	11,891,769	100.00	11,608,627	
LESS RATES AND CHARGES COLLECTED	89.73	10,670,584	90.36	10,489,321	
REMISSIONS AND DISCOUNTS**	8.26	982,813	8.33	966,941	
	98.00	11,653,397	98.69	11,456,262	
ADD PROPERTIES IN CREDIT	(4.16)	494,284	(3.83)	444,388	
UNPAID RATES AND CHARGES * (includes Deferred Rates)	6.16	732,656	5.14	596,753	
**REMISSIONS AND DISCOUNTS		2019/20		2018/19	
Discount		388,328		388,862	
Pensioner Rebates		587,028		571,879	
Council Remissions and Abandonments		7,457		6,200	
		<u>982,813</u>		<u>966,941</u>	
* Number of Assessments	646				

Capital Works Summary

The Capital Works Summary provides a snapshot of the percentage of expenditure against the 2019/2020 Capital Works program. Timing of expenditure is based on the works plan and actual spend, and not reflective of the actual progress of the Capital Work, which is detailed under Capital Program Monthly Progress.



CAPITAL WORKS SUMMARY		Actual	Budget	% Spend of Budget	Forecast	Forecast	Projected
As at 30 April 2020		\$	\$		\$	Variance	C/Forward
	Note						
Governance							
Multi Use Community Facility	1	220,674	3,813,698	5.79%	813,698	-	3,000,000
New Board Walk and Seawall Renewal	2	1,013,376	495,077	204.69%	1,013,376	518,299	-
Other	1	257,790	381,974	67.49%	281,618	70,356	30,000
		1,491,839	4,690,749	31.80%	2,108,692	447,943	3,030,000
Strategic & Financial Services							
		139,194	320,000	43.50%	191,599	-	128,401
Organisational Performance							
		51,660	99,131	52.11%	69,131	-	30,000
Community Services							
Children Services	1	3,397	69,868	4.86%	9,868	-	60,000
Tourism		2,984	4,500	66.31%	4,500	-	-
General	1	24,120	62,174	38.79%	52,174	-	10,000
		30,501.01	136,542	22.34%	66,542	-	70,000
Engineering Services							
Depot		34,142	98,255	34.75%	98,255	-	-
Plant	3	709,420	791,777	89.60%	833,669	41,892	-
		743,562	890,032	83.54%	931,924	41,892	-
Waste Management							
		34343.83	25,000	137.38%	34,344	9,344	-
Public Conveniences							
		85643.75	115,658	74.05%	115,720	62	-
Transport							
Re-Sheeting	4	477,288	721,288	66.17%	732,703	11,415	-
Reseals - Rural		29,130	234,207	12.44%	234,207	-	-
Reseals - Urban		19,256	158,660	12.14%	158,660	-	-
Footpaths		87,392	192,605	45.37%	192,605	-	-
Bridges		10,125	10,000	101.25%	10,125	125	-
Somerset CBD		278,944	261,332	106.74%	290,000	28,668	-
Wynyard CBD		53,804	500,000	10.76%	500,000	-	-
General	5	289,929	538,227	53.87%	558,720	20,493	-
		1,245,867	2,616,319	47.62%	2,677,019	60,700	-
Sporting Facilities							
Wynyard		714,038	1,022,927	69.80%	940,816	-	82,111
Somerset		158,026	199,970	79.02%	200,705	-	735
		872,064	1,222,897	71.31%	1,141,521	-	81,376
Parks & Gardens							
Wynyard	1	583,852	1,297,467	45.00%	899,525	49,566	447,508
Somerset	1	15,224	150,000	10.15%	50,000	-	100,000
General	1	112,558	178,708	62.98%	123,514	727	55,921
		711,634	1,626,175	43.76%	1,073,040	50,294	603,429
Stormwater Drainage							
Stormwater Pipe Replacement/Upgrades	6	79,773	74,564	106.99%	213,117	138,553	-
General		20,696	46,000	44.99%	46,000	-	-
		100,469	120,564	83.33%	259,117	138,553	-
Total Capital Works Program 2019/20	7	5,506,778	11,863,067	46.42%	8,668,647	667,411	3,861,830

Capital Works Summary Cont.

Note	Commentary
1	These projects are planned to carry over into 2020/2021
2	Project over budget due to site conditions and additional foundation works required on the Sea Wall and Board Walk.
3	Forecast updated to include additional capital expenditure associated with the new street sweeper as report to Council on 21/10/2019.
4	Works over budget due to additional works performed at time of work. Expecting some transport capital works to come in under budget with year-end overall transport expenditure to be consistent with year-end budget.
5	Zip Zag track over budget due to the variation of additional drainage works required during construction.
6	Forecast Capital Works Program updated to include Port Road Boat Harbour drainage amendment approved by Council on 21/10/2019.
7	Forecast updated to reflect actual expected spend by 30 June 2020, with added Projected Carried Forward spend to 2021.

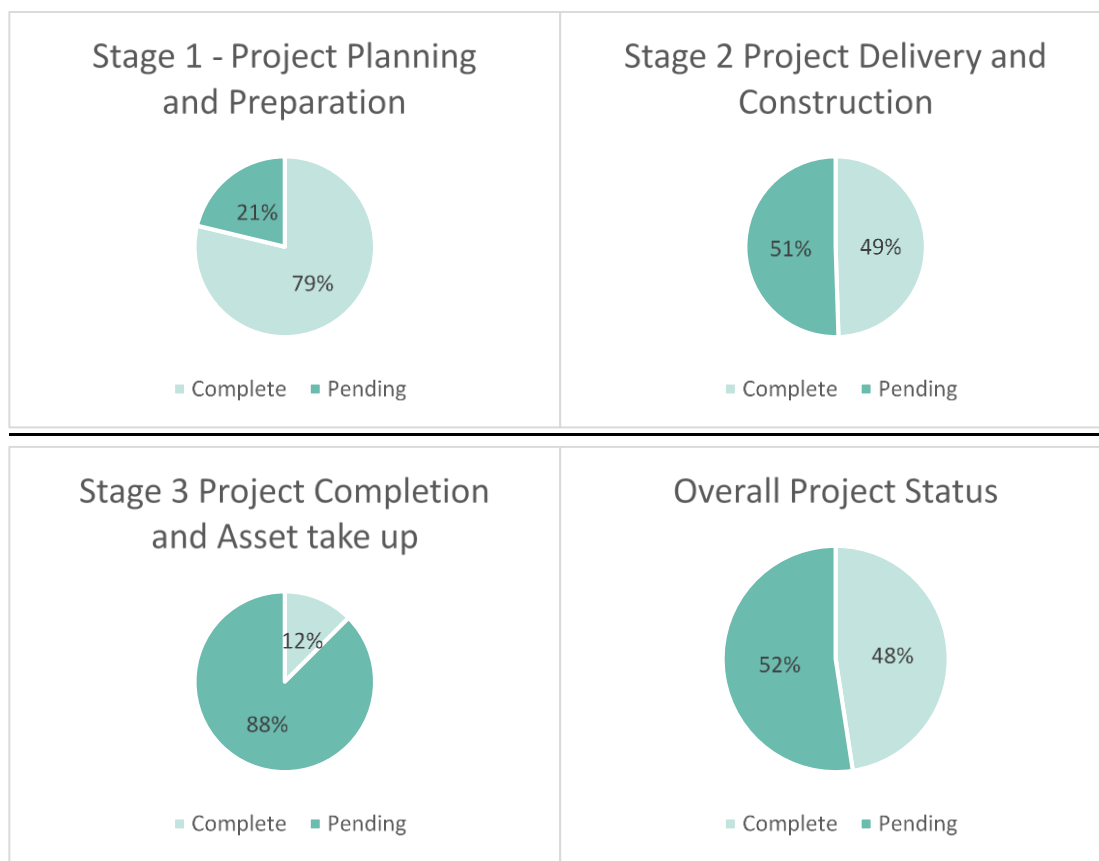
2019/20 Capital Program Monthly Progress Report

The overall project status completion is provided for each category of the program in the table below.

Section	Total Project Completion (%)
Governance	47.56
Strategic & Financial Services	48.75
Community Services	58.89
Engineering Services	56.25
Waste Management	75.00
Public Convenience	80.00
Transport	77.59
Sporting Facilities	70.00
Parks and Gardens	59.15
Stormwater Drainage	53.75
Special Projects	52.96

Status %	Stage
Between 0% and 25%	Stage 1 - Project Preparation including, design, permits, tender and consultation
Between 25% and 75%	Stage 2 - Project construction and delivery
Between 75% and 100%	Stage 3 - Project Completion including asset take up, defects liability period, construction approval, as constructed drawings

GOVERNANCE

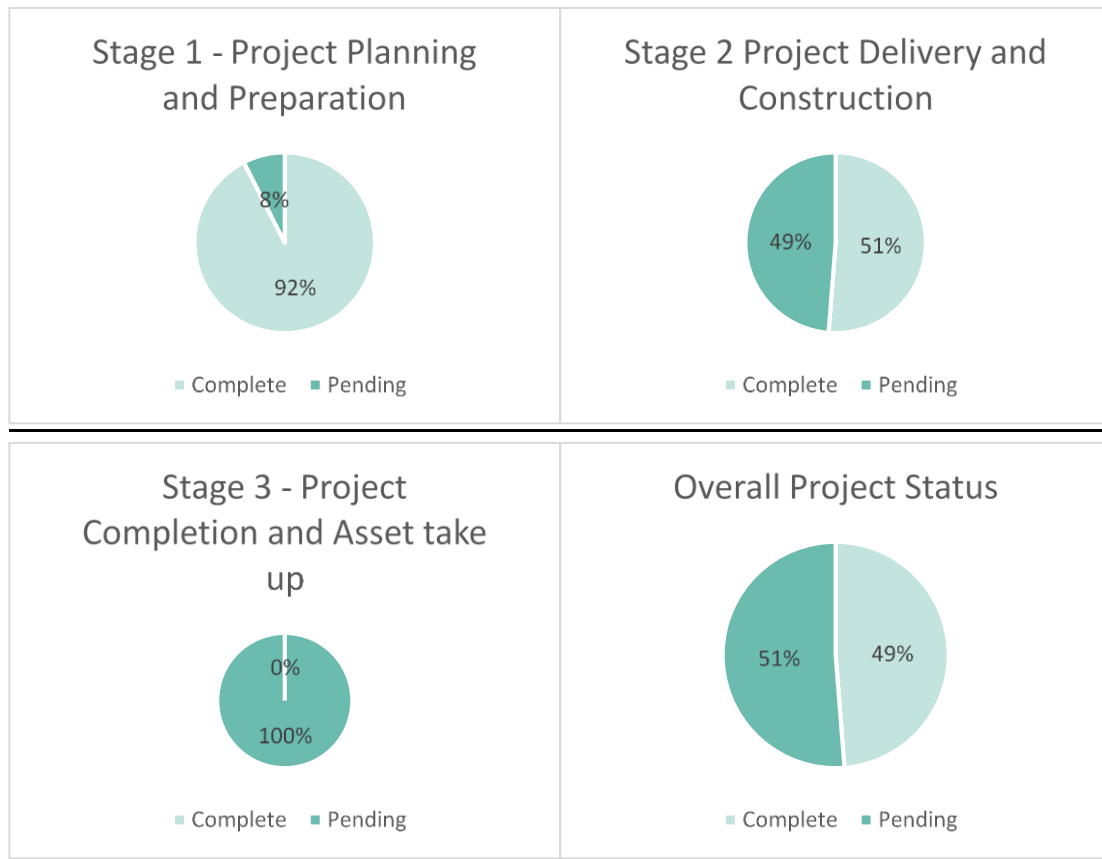


Projects	Status (%)
Renew Chambers Facia & Eaves	17.50
Replace Chambers Atrium Roof	100.00
Council Chambers Security Improvements	73.00
RSL Honour Board	22.50
Multi Use Community Facility	17.50
Wynyard Wharf Entrance Augmentation	75.00
New Boardwalk and Seawall Renewal	75.00
HR Management System	0.00

Key project milestones/updates:

- Multi Use Community Facility pending planning representation
- Council Chambers security improvements nearing completion.

STRATEGIC AND FINANCIAL SERVICES

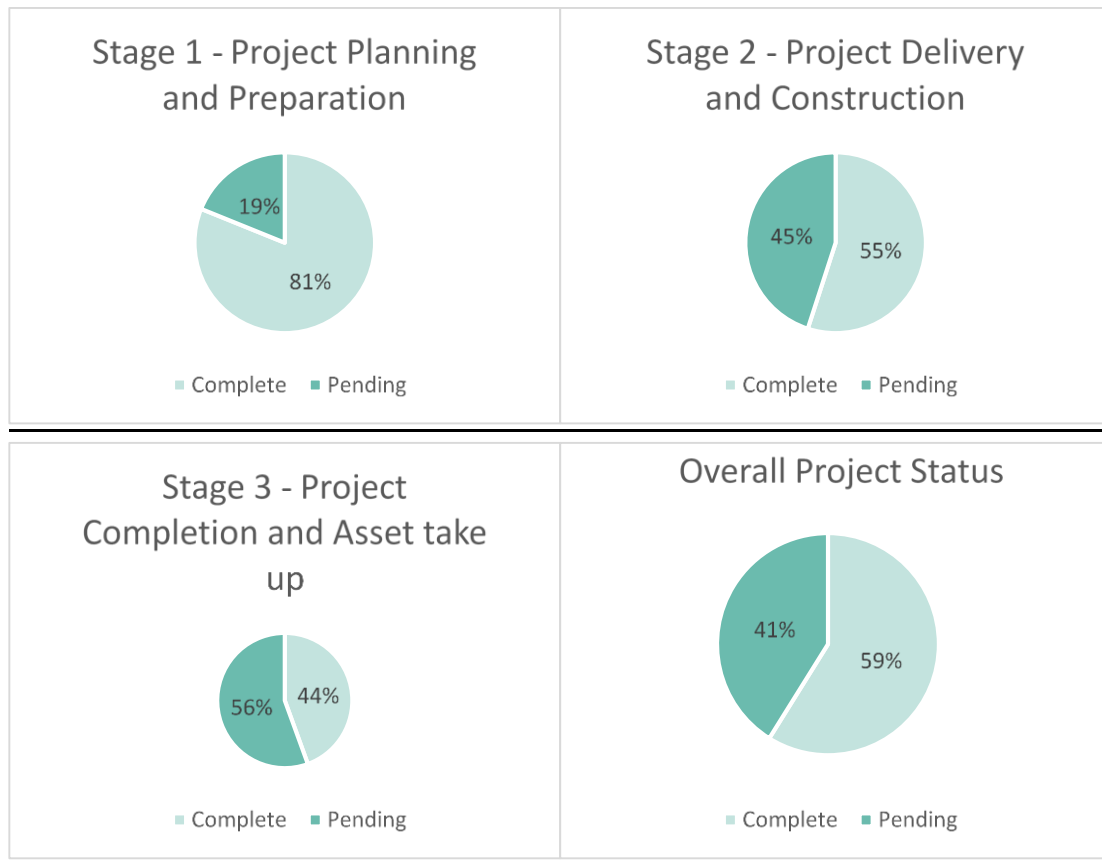


Projects	Status (%)
Finance/Assets Software	40.00
CCTV Cameras	60.00
IT Replacement	70.00
Aerial Imagery Upgrade	25.00

Key project milestones/updates:

- IT replacement progressing forward.
- CCTV Cameras nearing completion.
- Aerial Imagery Upgrade carry over project

COMMUNITY SERVICES

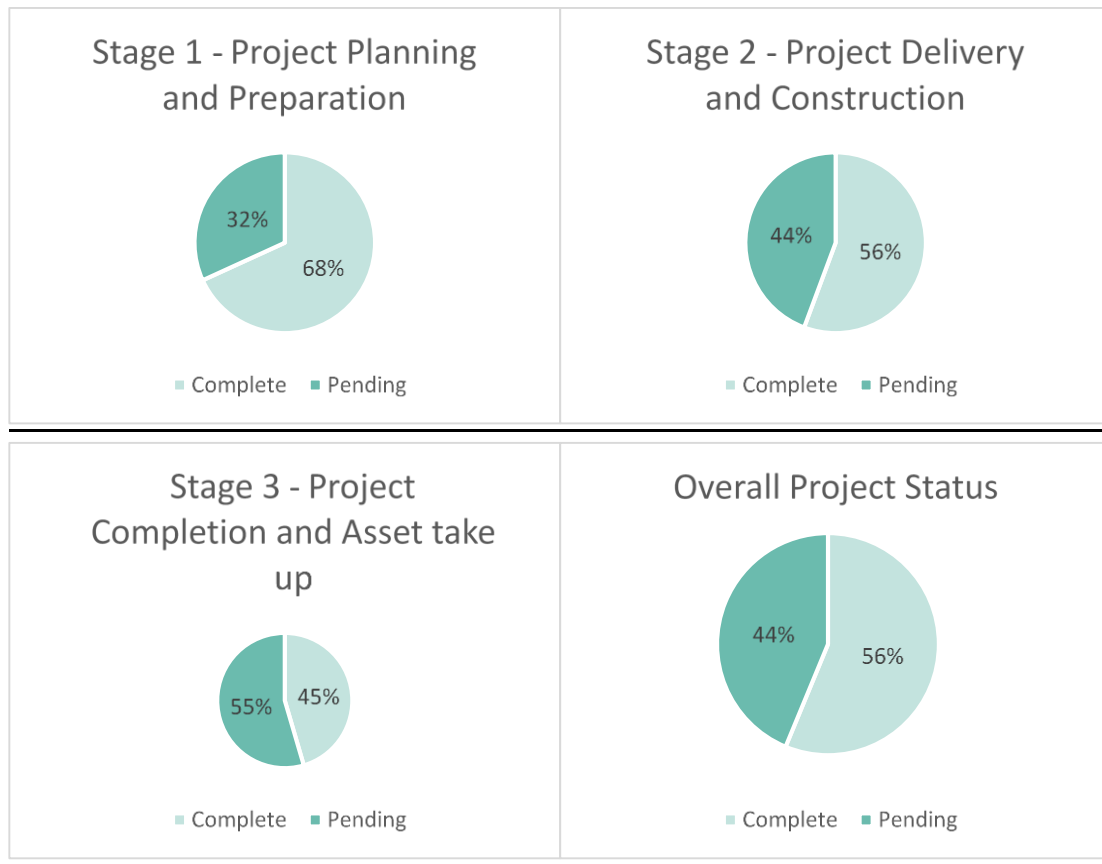


Projects	Status (%)
Links Child Care Security Door	100.00
Links Child Care Playground Replacement	20.00
Links Child Care Drainage Upgrade	72.50
Duress Alarm – WOW	100.00
Waratah Museum Veranda Enclosure	100.00
Online Booking System	20.00
Public Art	12.50
Somerset Xmas Decorations	100.00
Skate Park Art Boards	5.00

Key project milestones/updates:

- Links Child Care Drainage project nearing completion

ENGINEERING SERVICES

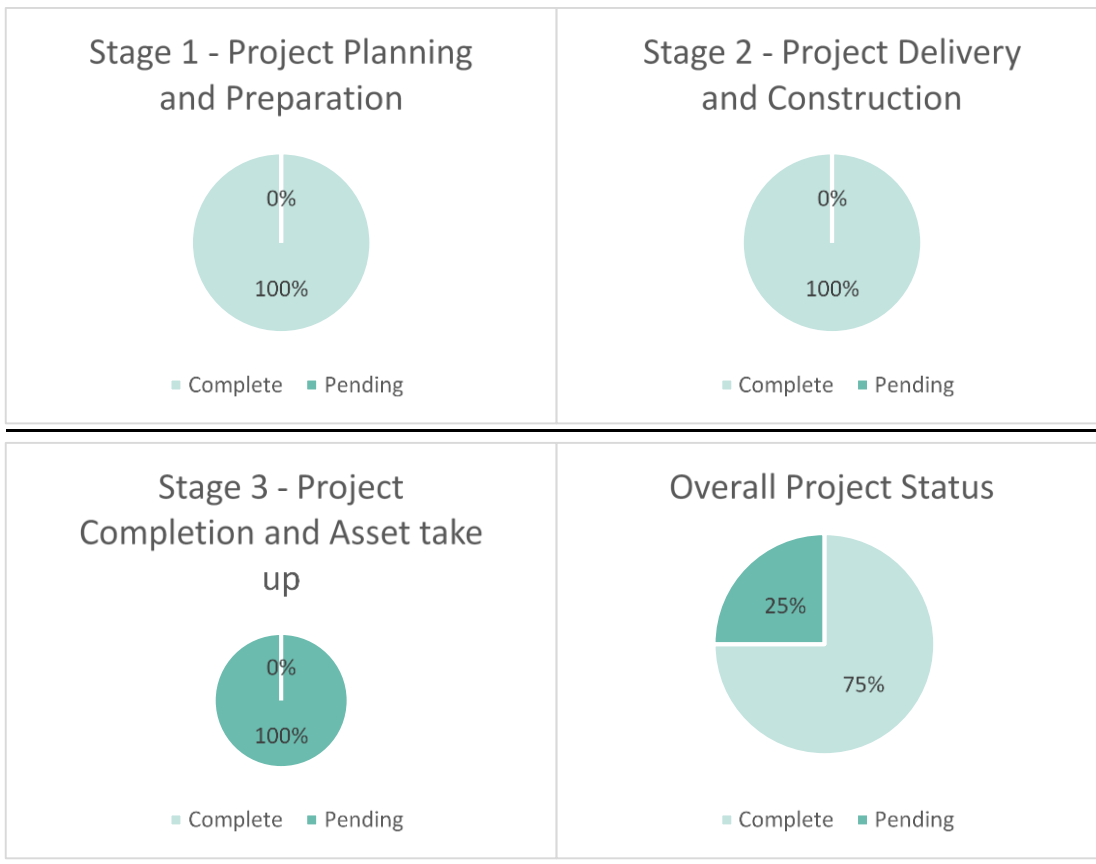


Projects	Status (%)
Asset System Upgrade	45.00
360° Site Camera	100.00
Depot Trade Waste System	32.50
Depot Car Park & Security	72.50
New Radio System	25.00
10' Grader Blade	0.00
8' Grade Blade	0.00
Plant & Fleet Vehicles	64.17

Key project milestones/updates:

- Depot carpark and security nearing completion.
- Fleet vehicles purchased and in use.

WASTE MANAGEMENT

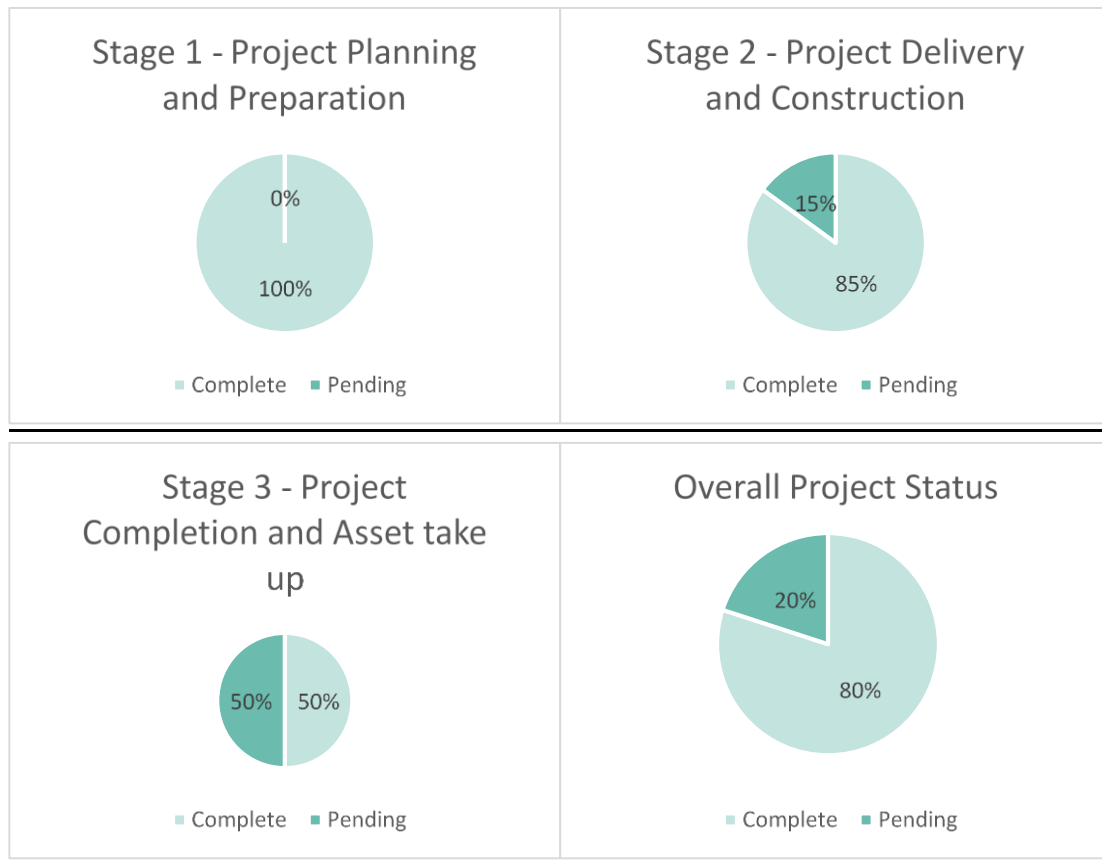


Projects	Status (%)
Relocate RV Dump Point	75.00

Key project milestones/updates:

- RV Dump Point completed and being used – pending as constructed drawings for asset take up

PUBLIC CONVENIENCE

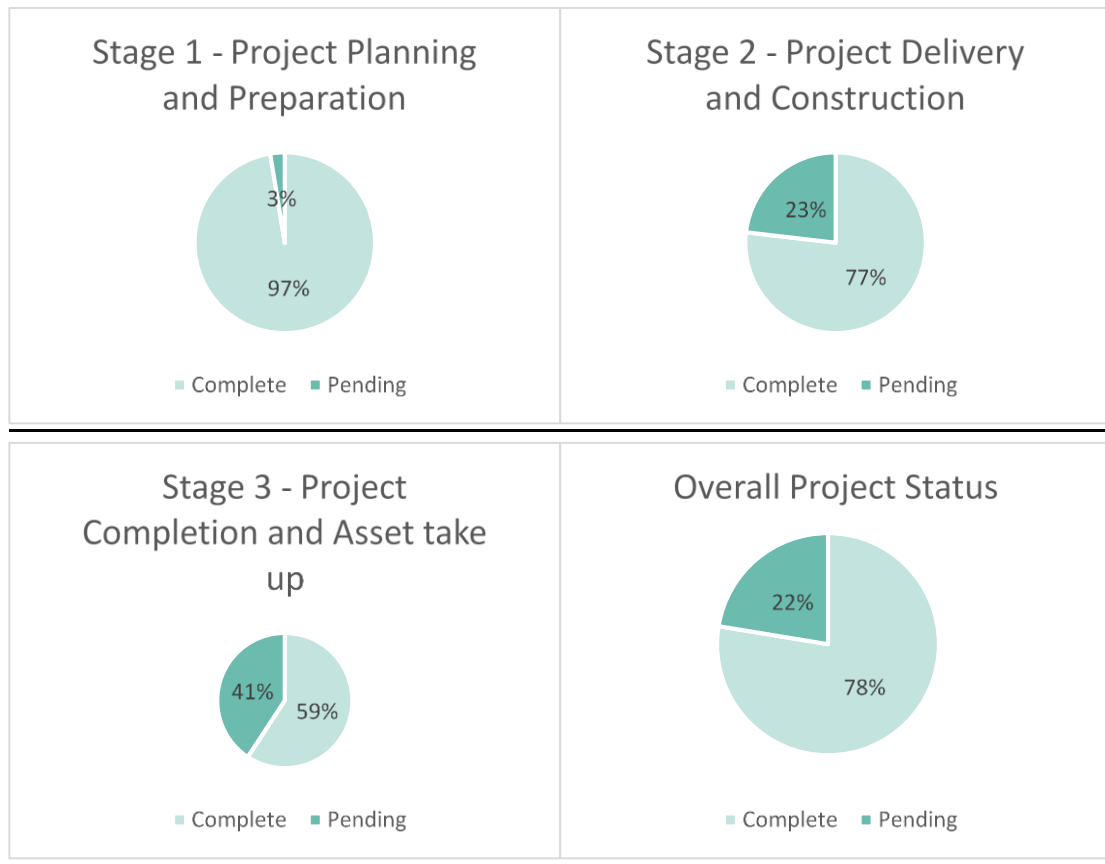


Projects	Status (%)
Boat Harbour Beach Toilets Stainless Steel Lining	100.00
East Wynyard Foreshore Toilets	60.00

Key project milestones/updates:

- East Wynyard Foreshore Toilet construction well underway.

TRANSPORT



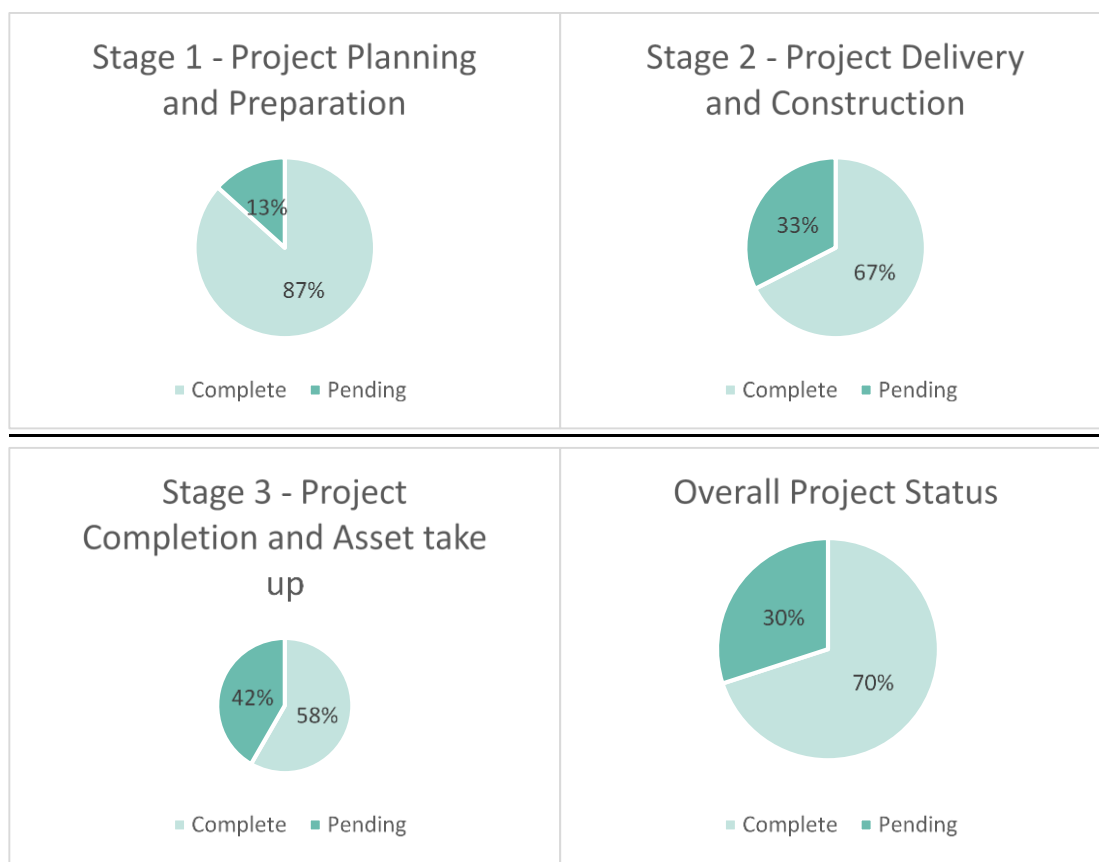
TRANSPORT Cont.

Projects	Status (%)
Re-Sheeting	76.14
Rural Reseals	100.00
Urban Reseals	100.00
Footpath Repairs Dodgin to Wharf Entry	75.00
Urban Footpaths (DDA)	62.50
Belton St/Frederick St Footpath	75.00
Bridge St Footpath	37.50
Woolworths Car Park	100.00
Somerset CBD Art	17.50
Somerset Master Plan	70.00
Railway Int. Window Replacement	100.00
Rural Road Junctions	72.50
Wynyard CBD Bins	30.00
57 Jackson St Retaining Wall	75.00
96 Jackson St Retaining Wall	25.00
Wynyard CBD Heavy Vehicle Signs	100.00
Jackson St – VRU Link	20.00
Goldie St – Ped Crossing	20.00
Exhibition Link VRU Link	20.00
Tennis Court Road – Speed Humps	75.00
Big Creek Guard Rail (Inglis St)	12.50
Park St – DDA Compliant Parking Bays	62.50
Wynyard CBD Plaza	27.50
Rural Road Bridges – Upgrade Approaches	75.00

Key project milestones/updates:

- Re-sheeting and reseal work currently underway and progressing well.
- Design of 96 Jackson St retaining wall complete and construction commencing.
- Awaiting confirmation for Vulnerable Road Users Program projects.
- Wynyard CBD Plaza works commenced.

SPORTING FACILITIES

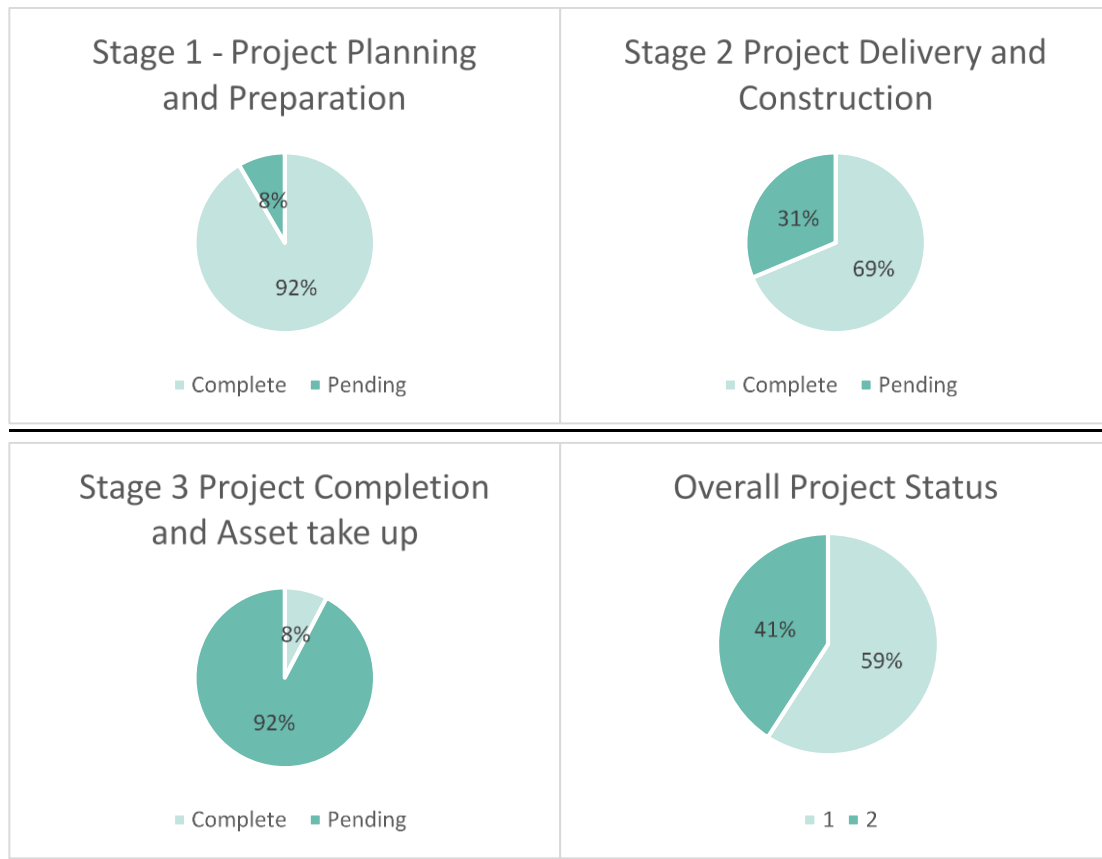


Projects	Status (%)
Wynyard Rec Change Rooms	72.50
Wynyard Rec Fence Replacement	32.50
Wynyard Sports Centre Line marking	100.00
Wynyard Tennis Upgrade Lights	100.00
Wynyard Wharf Damaged Pylons	100.00
Frederick St Underground Irrigation	100.00
Somerset Soccer Fence and Security	22.50
Somerset Rec Replace Box Gutters	100.00
Somerset Rec Install LED Lights West Wing	100.00
Langley Park Grease Trap	6.25
Somerset t Surf Club Grease Trap	6.25
Cardigan St Underground Irrigation	100.00

Key project milestones/updates:

- Frederick St and Cardigan St irrigation projects complete.
- Wynyard Rec Ground fence replacement underway.

PARKS AND GARDENS

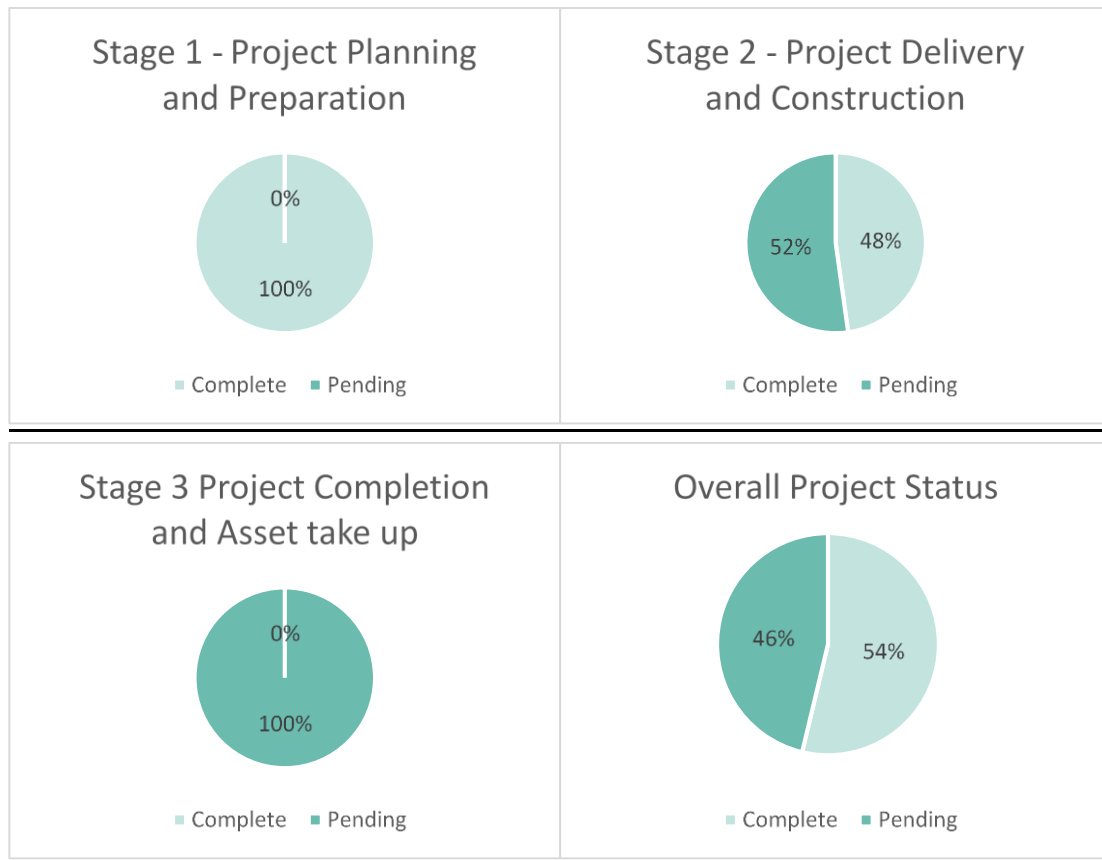


Projects	Status (%)
Camp Creek Remediation	74.00
Camp Creek Ped Bridge	75.00
East Wynyard Foreshore Playground	27.50
Guttridge Gardens Replace Fence	100.00
Bollard Replacement	40.00
Zig Zag Track	75.00
Inglis River Telford Creek Bridge	75.00
ANZAC Park Playground	10.00
BBQ Renewals	65.00
Parks Furniture Renewals	65.00
Waratah Falls – Lookout Track	75.00
Sisters Beach – Access Repairs	75.00
Sisters Beach Hardstand	12.50

Key project milestones/updates:

- Sisters beach hardstand progressing towards tender
- Anzac Park Playground progressing towards tender

STORMWATER DRAINAGE

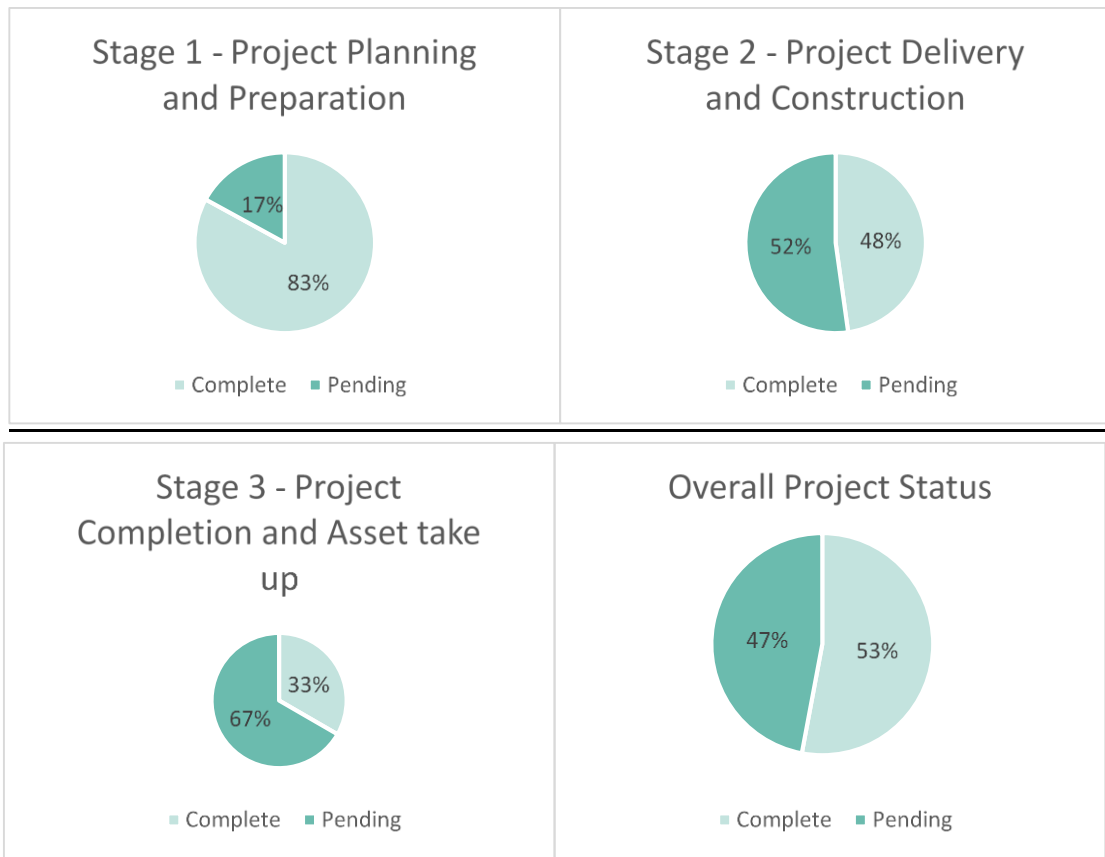


Projects	Status (%)
Rural Road Culverts	40.00
Dart St Outfall	75.00
Gully Pits	50.00
Manhole Covers	50.00

Key project milestones/updates:

- Dart St outfall complete – pending As Constructed drawings for asset take up

SPECIAL PROJECTS



SPECIAL PROJECTS Cont.

Projects	Status (%)
Tulip Festival Reusable Glasses	100.00
Tulip Festival Hats & T-Shirts	100.00
Mural for Market Shed	0.00
Reroof Philosophers Hut	100.00
SES Equipment Replacement	22.50
Waratah Falls Walking Track	50.00
I Am Youth Project	20.00
Council Chamber Lawn	70.00
WOW Gardens & Lawn	100.00
Athenaeum Hall – Bird Proofing	0.00
Lifetime Dog Tags	100.00
Settlement Strategy	27.50
Cam River Master Plan	65.00
Enviro Strategy	65.00
Rural Road Safety Audit	100.00
Depot Special Projects	32.50
1069 Calder Rd Tree Trimming	25.00
Old Pool Demolition	25.00
Wynyard Rec Landscaping	0.00
Somerset Surf Club Paint Exterior	100.00
Somerset Tennis Club Rewiring	100.00
Waratah Historic Rail Study	100.00
Mt Hicks Round About	5.00
FOGO Feasibility	60.00
Inglis/IGA Area – Study	12.50
Digital Innovation	25.00
BHB Master Plan	25.00

Key project milestones/updates:

- Old Pool demolition expected to start soon.
- Cam River Masterplan and Enviro Strategy progressing well

9.11 SENIOR MANAGEMENT REPORT

To: Council
 Reporting Officer: Executive Officer
 Responsible Manager: General Manager
 Report Date: 23 March 2020
 File Reference: 1202
 Enclosures: Nil

RECOMMENDATION

That Council note the monthly Senior Management Report.

SUMMARY/PURPOSE

To provide information on issues of significance or interest, together with statistical information and summaries of specific areas of operations.

GENERAL MANAGERS OFFICE

ACTIVITIES SINCE LAST COUNCIL MEETING

Listed below is a summary of activities undertaken by the General Manager during the period 3 April 2020 to 8 May 2020.

Corporate

- Considerable time and effort has been spent on the enactment of Council's Business Continuity Plan (BCP) as a result of COVID-19. Actions are included as a separate report on the agenda
- Continued budget preparation work with the management team
- Discussed and met on current planning appeals

Community

- Held a number of meetings to ascertain the progress of the expression of interest process for the Waratah Dam, including discussions with Taswater and the State Government
- Participated in a number of meetings and discussions with Football Federation Tasmania regarding upgrading of the Cardigan Street recreation facility
- Met with representatives of the Sisters Beach Environmental Group for an update on their work regarding erosion mitigation and to discuss future actions and activities

Industry

- Attended a number of meetings relating to COVID-19 including NW General Managers meetings, meetings with LGAT, Taswater meetings and meetings coordinated by the Minister of Local Government, Mark Shelton. Focus has now turned to discussion on community recovery.

- Met with local tourism operators to discuss initiatives to stimulate tourism activity following the lifting of current COVID-19 restrictions
- Attended the West By North West Regional Tourism discussion with presentations from Chris Oldfield, Chairman WxNW; Bernard Dwyer, CEO, TT Line; Emma Terry, Chief Marketing Officer, Tourism Tasmania; Luke Sayer, Editor, The Advocate

Other

- Attended the Regional General Managers meeting where discussion included COVID-19 measures and a presentation from Mat Greskie, Dulverton
- Note – Council Offices were closed over Easter from 10 April until 20 April.

Waratah Wynyard Bill French Memorial Bursary

The 2020 UTAS *Waratah Wynyard Bill French Memorial Bursary* has been accepted by Mr Rylee Targett.

Rylee is from Sisters Creek and is studying a Bachelor of Science in Hobart. The University of Tasmania thanked the Waratah Wynyard Council for their support of the University Scholarship program and noted that it is greatly appreciated.

ADMINISTRATION – USE OF CORPORATE SEAL

8/4/20	Land Transfer	Sale of 3 Serrata Crescent
4/5/20	Final Plan & Schedule of Easements	2 Stanwyn Court and 44 Belton St. Subdivision boundary reconfiguration
4/5/20	Final Plan & Schedule of Easements	45 Beaufort Street – subdivision 1 lot into 2

POLICIES TO BE RESCINDED

Nil

WORKING GROUPS

Following a resolution at the July 2019 Council Meeting the following working groups have been/are being established:

	Elected Member Representatives	Responsible Officer(s)	Status
Sisters Beach	Cr Edwards Cr Fairbrother Mayor (ex-officio)	Director Community & Engagement Community Development Officer	<ul style="list-style-type: none"> Final design plan for the hardstand has been completed A funding application is near completion. Report provided to Council in January Discussion paper on freedom camping was distributed in March Initial discussion paper for community centre feasibility developing.
Wynyard Show Grounds	Cr Bramich Cr Edwards Mayor (ex-officio)	General Manager Recreation Liaison Officer Executive Officer (GM office)	The working group has met to develop a list of strategic aims and operational matters for discussion. Yet to meet in 2020. WCC have now presented concept plans.
WWC Environmental Plan	Cr Fairbrother Cr Courtney Cr House Mayor (ex-officio)	Project Manager – Infrastructure & Development Services	Community engagement period closed, with over 240 submissions received. Internal workshop to discuss/form key priorities held 5 February 2020. A draft plan developed for public release on world Environment Day 5 June 2020 and is included in this Agenda.
Cam River Reserve	Cr Duniam Cr House Mayor (ex-officio)	Project Manager – Infrastructure & Development Services	A concept plan, costings and proposed timeframes for implementation have been developed. Final feedback from the working group has been sought and the report is included in this Agenda.
Somerset Sporting Precinct	Cr Duniam Cr Hyland Mayor (ex-officio)	General Manager Manager Community Activation Recreation Liaison Officer	Yet to commence
ANZAC Park		Director Community & Engagement	Commonwealth Grant funding Deed completed, commenced communications plan and internal working group established
Boat Harbour Masterplan	Cr Courtney Cr Fairbrother Cr House Mayor (ex-officio)	General Manager Executive Officer (GM office)	Research currently being completed to address prioritised action agreed by the group. Meeting held with Crown Land Services to discuss Master Plan. Further discussions held with CLS regarding leasing requirements and requirements for seawall repairs.

PLANNING PERMITS APPROVED UNDER DELEGATION –APRIL 2020

DA No.	Applicants Name	Location	Development	Date Permit Issued	No of Days to Process	(D)Discretionary (P)Permitted
DA 19/2020	Abel Drafting Services P/L	15 Moore Court WYNYARD	Dwelling & Outbuilding	03/04/2020	42	D
DA 21/2020	PLA Designs P/L	155 Lennah Drive WYNYARD	Dwelling & Outbuilding	03/04/2020	34	D
DA 39/2020	B Stammers	17643 Bass Highway Boat Harbour	Outbuilding (shed)	6/04/2020	42	D
DA 35/2020	Abel Drafting Services	1/5 Falmouth Street Somerset	Dwelling Additions	1/042020	28	P
DA 26/2020	Abel Drafting Services	78 Irby Boulevard Sisters Beach	Dwelling extension, carport & 2 water tanks	7/04/2020	42	D
DA 31/2020	S Baral	90-94 Goldie Street Wynyard	ATM & Signage	8/04/2020	28	P
DA 48/2020	PLA Designs Pty Ltd	9 Edward Street Somerset	Outbuilding (Shed)	24/04/2020	19	P

BUILDING PERMITS APPROVED – APRIL 2020

NPR= No Permit Required under Waratah-Wynyard Interim Planning Scheme 2013 **EXEMPT=**application meets exemptions under LUPA and/or Waratah-Wynyard Interim Planning Scheme **2013**

Permit Number	Applicants Name	Location	Development	Date Permit Issued	No of Days to Process	Related Planning Approval
2020-44-01	Wilson Homes	4 & 10 Athol Street & 3 Murchison Highway Somerset	Dwellings x 3 & Outbuildings x 3 - Demolition	07/04/2020	5	DA 1/2019
2020-49-01	Abel Drafting Services	Unit 1, 5 Falmouth Street Somerset	Dwelling alteration/additions	24.04.2020	0	DA 35/2019

ACTION LIST

	Item #	Topic	Action/Status	Officer	Status
17/9/18	10.1	Freedom Camping	<p>Outstanding motions:</p> <ol style="list-style-type: none"> 1. That Council proceed with necessary planning for establishment of a site for Freedom Camping at Sisters Beach. <i>Discussion paper developed for Sisters Beach currently out for comment, consultation period ends 30 April. Refer report this agenda</i> 2. That Council determine that a designated Freedom Camping site will not be provided for in Somerset or Yolla. <i>Signage for Somerset developed, and locations identified.</i> 3. That Council Explore low cost camping opportunities at Waratah through the existing caravan park or creation of an overflow area. <i>Current provision meets demand – will reassess after this tourism season</i> 4. That Council liaise with the Show Society to lodge a planning application to amend the use of showgrounds to allow self-contained caravans. 	EMT	In Progress
10/12/18	9.2	NOM Cr Edwards – PWS Audit of Sisters Beach properties Carried	<p>That Council request Parks and Wildlife complete their proposed assessment audits of beach front properties at Sister Beach by March/April rather than the proposed 30 June deadline.</p> <p>PWS have indicated to Council Officers that they have reached the selection phase of procurement for the assessment audit. No further information has been provided. Matter has been escalated to Minister.</p> <p>Meeting held with Parks on 5/12 and indication given that a letter would be provided to relevant Sisters Beach residents prior to Christmas. This letter has not been seen by Council if it was completed</p>	DIDS	Ongoing

10/12/18	10.1	Wilkinson Street Highway Junction works Amended Motion carried	<p>That Council on receipt of assurances from DSG that council legal expenses associated with any representation and associated legal process will be reimbursed; and</p> <p>Support the recommendation of the Department of State Growth to close the Wilkinson Street access to the Bass Highway; and</p> <p>Initiate the process of notification of intent to close under section 14 of the Local Government Highways Act 1982; and</p> <p>Undertake investigations into relocation of the existing York Street bus stop to another area within the vicinity</p>	DIDS	Ongoing
18/2/19	10.2	York Street Bus Stop	<p>Motion Passed</p> <p>Progress design for alternative bus stop, with temporary relocation to be agreed with Dept. of Education</p> <p>Follow-up observations to date have not revealed any specific safety concerns and no further action to date.</p> <p>Final decision is pending for the decision for Wilkinson Street.</p>	DIDS	Ongoing
15/8/19	7.3.4	CQWN – Cr Fairbrother – Sisters Beach Erosion	<p>Cr Fairbrother asked the General Manager for an update on what was happening in regard to Sisters Beach erosion activities.</p> <p>The General Manager advised that the timing of the proposed individual site assessments and works by Parks and Wildlife Services was being followed up constantly and consistently by officers and would continue to be.</p> <p>Cr Fairbrother then asked that the General Manager or Mayor write to Premier (who is the responsible Minister) seeking his intervention to get action on this matter due to lack of response from Crown Land Services.</p> <p>Meetings continue with SBEG25-43 representatives</p>	GM	In progress
9/12/19	10.1	ROC - Proposed Amendments to Dog Management Policy – Declared Dog Areas	<p>Motion Carried</p> <p>Signage has now been erected</p>	DIDS	Complete
9/12/19	10.2	ROC – Enclosed Dog Exercise Area	<p>Motion Carried – budget submission has been developed and is being considered as part of the 20/21 capital budget</p>	DCE	In Progress
29/1/20	9.1	ROC – Sisters Beach Hardstand Design and Budget	<p>Motion Carried Funding submission to Tas Community Fund submitted</p>	DCE	In Progress

17/2/20	9.9	ROC – Management of Public Reserves Policy and Guidelines	Matter deferred pending discussions with relevant surf clubs	DIDS	
20/4/20	5.3.1	PQWN – S Cummings – Dog Management	Due to the COVID-19 pandemic and the changes we have all had to endure I would respectfully ask council members to consider leaving the dog management plan as it is with NO TIME or SEASON restrictions made until December 2020. Then the plan could be revisited after this time The Director of Infrastructure and Development Services took question on notice. Response included within this Agenda.		
20/4/20	7.3.1	CQWN – Cr House – Planning Scheme Set Back Requirements	Cr House asked how the planning scheme takes fire-break set-backs into account and asked if this should be taken into account when approving planning matters. Difficult when other members of community want to preserve natural environment and purchased land knowing that bush was close to property (in reference to report 9.14 of this agenda). The Director of Infrastructure and Development Services took question on notice. Response included within this Agenda.	DIDS	
20/4/20	9.1	ROC – COVID-19	Motion Carried That Council: 1) Note action being taken in relation to the COVID-19 Pandemic; 2) Agree to the proposed Local Government Association of Tasmania (LGAT) stimulus measures; 3) Agree to progress a financial stimulus package in 20/21 to support the community and business including- - 0% general rate increase - 0% fees and charges increase - Develop and fund a dedicated community assistance grants package - Waive all food licence fees for 20/21 4) Request update reports as part of each Council agenda and review stimulus and support measures monthly to ensure their appropriateness until 30 August 2020. Update report included within this Agenda.	GM	
20/4/20	9.3	Waste Management Strategy Actions	Motion Carried That Council: 1. Note the draft outputs for Waste Transfer Station services from the recent Waste Survey regarding opening hours;	DIDS	

			<p>2. As a hardship offsetting measure, from 1 May 2020, or when the current COVID-19 restrictions in the northwest are lifted, to 30 June 2020 amend the following Wynyard Waste Transfer Station Fees to \$0 for non-commercial customers upon proof of Waratah-Wynyard residency: -</p> <p>(a) Cars/ Station Wagons</p> <p>(b) Wheelie bin</p> <p>3. Prior to setting the 20/21 Annual plan and budget, consider permanent reduction of some Waste Transfer station fees to \$0 for non-commercial customers upon proof of Waratah-Wynyard residency and develop a model for achievement of full cost recovery through the Waste utility charge by 2023/24 - the end of the 5-year strategy period.</p> <p>Reduced fees have been enacted for WWC residents.</p>		
20/4/20	9.10	ROC – OSSR Fees and Charges Review	<p>Motion Carried</p> <p>That Council:</p> <p>1. Adopts in principle the 2019/20 Fees and Charges Review of Council Owned or Managed Community Facilities and associated recommendations;</p> <p>2. Authorise Officers to consult with clubs, organisations and users of Council facilities to transition to a hierarchical fee model and all recommendations relating to charges; and</p> <p>3. Adopt the Pricing Policy as recommended.</p> <p>A plan to implement the above points is being developed.</p>	GM	
20/4/20	9.14	ROC – Katelyn Drive Firebreak	<p>Motion carried</p> <p>That Council:</p> <p>1. Note the report on the Katelyn Drive firebreak; and</p> <p>2. Plan and budget for fuel reduction works at the Katelyn Drive bush reserve during the 2020/21 Financial year, prior to the next summer period</p> <p>An allocation has been made in the 2020/21 draft budget.</p>	DIDS	

9.12 MINUTES OF OTHER BODIES/COMMITTEES

Nil received.

10.0 MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015; Regulation 15

A Council may (by absolute majority resolution) close a meeting or part of a meeting when certain matters are being, or are to be discussed. The grounds for the closure are to be recorded in the minutes of the meeting.

Sub regulation (2) provides the following list of specified matters: -

- (a) personnel matters, including complaints against an employee of the council and industrial relations matters;*
- (b) information that, if disclosed, is likely to confer a commercial advantage on a person with whom the Council is conducting, or proposes to conduct business;*
- (c) commercial information of a confidential nature, that if disclosed, is likely to-
 - (i) prejudice the commercial position of the person who supplied it; or*
 - (ii) confer a commercial advantage on a competitor of the council; or*
 - (iii) reveal a trade secret;**
- (d) contracts, and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal;*
- (e) the security of –
 - (i) the council, councillors and council staff; or*
 - (ii) property of the council;**
- (f) proposals for the council to acquire land or an interest in the land or for the disposal of land;*
- (g) information of a personal nature or information provided to the council on the condition it is kept confidential;*
- (h) applications by councillors for leave of absence;*
- (i) relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council;*
- (j) the personal hardship of any person who is resident, or is a ratepayer in, the relevant municipal area.*

A Council may also close a meeting or part of a meeting when acting as a Planning Authority if it is to consider any matter relating to actual or possible legal action taken by, or involving, the council.

Any discussions, decisions, reports or documents relating to a closed meeting are to be kept confidential unless the Council or Council Committee, after considering privacy and confidentiality issues, authorises their release to the public.

The chairperson is to exclude members of the public from a closed meeting, but may invite any person to remain at the meeting to provide advice or information.

The chairperson may authorise the removal of any person from a closed meeting if that person refuses to leave; and request the assistance of a police officer to remove that person.

RECOMMENDATION

That the Council **RESOLVES BY AN ABSOLUTE MAJORITY** that the matters listed below be considered in Closed Meeting:

Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) – Notices Of Motion</i>	15(2)
<i>Confidential Report R15 (2) (f) proposals for the council to acquire land or an interest in the land or for the strategic aquisition of land</i>	15 (2) (f)
<i>Confidential Report R15 (2) (f) proposals for the council to acquire land or an interest in the land or for the strategic aquisition of land</i>	15 (2) (f)
<i>Confidential Report R15 (2) (g) information of a personal nature or information provided to the council on the condition it is kept confidential – Closed Senior Management Report</i>	15 (2) (g)
<i>Confidential Report R15 (2) (h) - Leave of Absence Request - Councillors</i>	15(2)(h)

11.0 CLOSURE OF MEETING TO THE PUBLIC

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015; Regulation 15

RECOMMENDATION

That the Council RESOLVES BY AN ABSOLUTE MAJORITY that go into Closed Meeting to consider the following matters:

Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) – Notices Of Motion</i>	15(2)
<i>Confidential Report R15 (2) (f) proposals for the council to acquire land or an interest in the land or for the strategic aquisition of land</i>	15 (2) (f)
<i>Confidential Report R15 (2) (f) proposals for the council to acquire land or an interest in the land or for the strategic aquisition of land</i>	15 (2) (f)
<i>Confidential Report R15 (2) (g) information of a personal nature or information provided to the council on the condition it is kept confidential – Closed Senior Management Report</i>	15 (2) (g)
<i>Confidential Report R15 (2) (h) - Leave of Absence Request - Councillors</i>	15(2)(h)
<i>Confidential Report R15 (2) - Closed Senior Management Report</i>	15(2)

12.0 RESUMPTION OF OPEN MEETING

At pm the Open Meeting was resumed.

13.0 PUBLIC RELEASE ANNOUNCEMENT

The Chairman announced that pursuant to Regulation 15(9) of the *Local Government (Meeting Procedures) Regulations 2015* and having considered privacy and confidential issues, the Council authorised the release to the public of the following discussions, decisions, reports or documents relating to the closed meeting:

Min. No.	Subject	Decisions/Documents

THERE BEING NO FURTHER BUSINESS THE CHAIRPERSON DECLARED THE MEETING CLOSED AT pm.