



**ORDINARY MEETING  
OF COUNCIL**

**MINUTES  
OPEN MEETING**

**25 JUNE 2018**

18 June 2018

## **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 held at the Council Chambers, 21 Saunders Street Wynyard on Monday 25 June 2018 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 June 2018

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

Dear Shane,

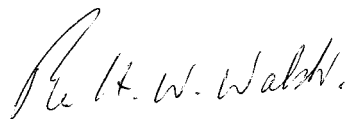
#### **COUNCIL MEETING**

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 25 June 2018 commencing at 6:00 pm at the Council Chambers 21 Saunders Street Wynyard.

Yours sincerely



Cr Robby Walsh  
MAYOR

Council discloses the following policy that relates to Audio Recording of Ordinary and Special Council Meetings:

	<b>AUDIO RECORDING OF COUNCIL MEETINGS POLICY</b>		<b>DOC NO: GOV. 017</b>	
			VERSION 1	DATE 18 July 2011
<b>CONTROLLER:</b> GENERAL MANAGER		<b>APPROVED BY:</b> COUNCIL		<b>REVIEW DATE:</b> November 2011

**1.0 Purpose**

- 1.1 This policy provides for digital audio recording of meetings of Council to assist in the preparation of minutes and to ensure that a true and accurate account of debate and discussion at meetings is available.

**2.0 Objective**

- 2.1 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.

**3.0 Scope**

- 3.1 This policy applies to all Council Meetings Council of Waratah-Wynyard Council.

**4.0 Policy**

- 4.1 All meetings of the Council and its standing committees shall be digitally recorded as provided for by Regulation 33 of the *Local Government (Meeting Procedures) Regulations 2015* except for the proceedings of meetings or parts of meetings closed to the public in accordance with Regulation 15 (2).
- 4.2 The Council may, by resolution, determine to digitally record the proceedings of a specific meeting or part thereof that is closed to the public in accordance with Regulation 15 (2) of the *Local Government (Meeting Procedures) Regulations 2015*.
- 4.3 The Chairman is to ensure that no recording is made of the proceedings of a meeting or part of a meeting closed to the public in accordance with Regulation 15 (2) except where the Council has specifically resolved to record the proceedings of that meeting or part thereof.

**Access**

- 4.4 The General Manager is to retain the digital files of meeting recordings for 6 months in accordance with Regulation 33 and to dispose of the files promptly following the expiry of that period. The General Manager is authorised, pursuant to section 64 of the *Local Government Act 2009*, to delegate these functions to a council officer.
- 4.5 The digital files of meeting proceedings closed to the public will only be available for listening, upon written request, by one or more councillors entitled to be present during the proceedings in question.
- 4.6 The digital files of all other meeting proceedings will be accessible on the Council's website for listening by any person for the period they are retained by the Council. The Council makes this information available as a routine disclosure under the *Right to Information Act 2009*, the objectives of which are to:
- (a) Increase the accountability of the government to the people of Tasmania;
  - (b) Increase the ability of the people of Tasmania to participate in their governance; and
  - (c) Acknowledge that information collected by public authorities is collected for and on behalf of the people of Tasmania and is the property of the State.

## **Disclosure Of Policy**

- 4.7 This policy is to be printed on the agenda of all Council and Special Council meetings to inform the public that the proceedings are recorded.
- 4.8 A notice to inform the public that meeting proceedings are recorded is to be displayed at the entrance to a room in which a meeting, the proceedings of which are to be recorded, is to be held.
- 4.9 At the time of declaring the meeting open, the Chairman is to inform all councillors and any public present that the meeting is being recorded.

## **5.0 Legislation**

5.1 Regulation 33 of the *Local Government (Meeting Procedures) Regulations 2015* provides as follows:

33. *Audio recording of meetings*

- (1) *A council may determine that an audio recording is to be made of any meeting or part of a meeting.*
- (2) *If the council so determines, the audio recording of a meeting or part of a meeting that is not closed to the public is to be:–*
  - (a) *retained by the council for at least 6 months; and*
  - (b) *made available free of charge for listening on written request by any person.*
- (3) *If after the minutes of a Council Meeting have been confirmed as a true record a discrepancy between the minutes and the audio recording of that meeting or part of that meeting is noticed the council, at the next appropriate meeting, is to review the audio recording and either confirm that the minutes are a true record or amend the records to reflect the audio recording and then confirm the minutes as amended to be a true record.*
- (4) *A council may determine any other procedures relating to audio recording of meetings it considers appropriate.*

## **6.0 Responsibility**

6.1 The General Manager has the overall responsibility for this policy.

## **7.0 Minute Reference**

Minute No. 12.3

## **8.0 Council Meeting Date**

Amended 14 July 2015 (pending overall Review).

---

---

## **TABLE OF CONTENTS**

<b>1.0</b>	<b>RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED.....</b>	<b>9</b>
1.1	ATTENDANCE.....	9
1.2	APOLOGIES.....	9
1.3	LEAVE OF ABSENCE PREVIOUSLY APPROVED.....	9
<b>2.0</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....</b>	<b>10</b>
2.1	CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY COUNCIL MEETING .....	10
<b>3.0</b>	<b>DECLARATIONS OF INTEREST .....</b>	<b>11</b>
<b>4.0</b>	<b>COUNCILLORS ANNOUNCEMENTS AND REPORT .....</b>	<b>12</b>
4.1	ANNOUNCEMENTS BY MAYOR.....	12
4.2	MAYOR'S COMMUNICATIONS.....	12
4.3	REPORTS OF DELEGATES.....	13
4.4	COUNCILLOR STATEMENTS.....	13
4.5	NOTIFICATION OF COUNCIL WORKSHOPS .....	13
<b>5.0</b>	<b>PUBLIC QUESTIONS AND STATEMENTS .....</b>	<b>14</b>
5.1	RESPONSE(S) TO PUBLIC QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING .....	15
5.1.1	MR KEN EWINGTON – BOWLS CLUB LIGHTING .....	15
5.1.2	MR KEN EWINGTON – TRANSFER STATION .....	15
5.2	PUBLIC QUESTIONS RECEIVED IN WRITING.....	16
5.3	PUBLIC QUESTIONS WITHOUT NOTICE .....	16
5.3.1	MR K. EWINGTON – INGLIS RIVER WALKING BRIDGE.....	16
5.4	PUBLIC STATEMENTS RECEIVED IN WRITING .....	16
5.5	PUBLIC STATEMENTS WITHOUT NOTICE.....	17
5.5.1	MR K. EWINGTON – COASTAL PATHWAY .....	17
<b>6.0</b>	<b>PETITIONS / DEPUTATIONS / PRESENTATIONS.....</b>	<b>18</b>
6.1	PETITIONS .....	18
6.2	DEPUTATIONS AND PRESENTATIONS .....	18
<b>7.0</b>	<b>PLANNING AUTHORITY ITEMS.....</b>	<b>19</b>
7.1	PUBLIC QUESTIONS WITHOUT NOTICE –RELATING TO PLANNING MATTERS.....	19
7.1.1	MR P GAYLARD – SD 2057 BOAT HARBOUR BEACH – FLOODING ASSESSMENT .....	19
7.1.2	MR P GAYLARD – SD 2057 BOAT HARBOUR BEACH – DRAINAGE.....	19
7.1.3	MR P GAYLARD – SD 2057 BOAT HARBOUR BEACH – REMOVAL OF VEGETATION .....	20
7.2	PUBLIC STATEMENTS – RELATING TO PLANNING MATTERS.....	20
7.2.1	MR P GAYLARD – SD 2057 BOAT HARBOUR BEACH .....	20
7.2.2	MR D GRAY – SD2057 BOAT HARBOUR BEACH .....	21
7.3	SUBDIVISION (14 LOTS & BALANCE) LOCATED AT 263 PORT ROAD, BOAT HARBOUR BEACH – SD 1970 .....	22
7.4	SUBDIVISION (4 INTO 19 LOTS) LOCATED AT 293, 305 AND 307 PORT ROAD, BOAT HARBOUR BEACH – SD 2057 .....	53

---

<b>8.0</b>	<b>MATTERS RAISED BY COUNCILLORS .....</b>	<b>85</b>
<b>8.1</b>	<b>RESPONSE(S) TO COUNCILLOR QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING .....</b>	<b>85</b>
8.1.1	CR FRIEDERSDORFF – ENTRANCE.....	85
8.1.2	CR HYLAND – DAIRY WASTE MANAGEMENT .....	85
<b>8.2</b>	<b>COUNCILLOR QUESTIONS RECEIVED IN WRITING .....</b>	<b>86</b>
<b>8.3</b>	<b>COUNCILLOR QUESTIONS WITHOUT NOTICE .....</b>	<b>86</b>
8.3.1	CR FAIRBROTHER – TASWATER RISK ASSESSMENT .....	86
8.3.2	CR FAIRBROTHER – BYLAW IMPLEMENTATION .....	86
8.3.3	CR BRADLEY – LAND BEHIND CAFÉ IN WARATAH .....	86
<b>9.0</b>	<b>NOTICES OF MOTION .....</b>	<b>87</b>
<b>10.0</b>	<b>REPORTS OF OFFICERS AND COMMITTEES .....</b>	<b>88</b>
<b>10.1</b>	<b>REVIEW OF RATES AND CHARGES POLICY.....</b>	<b>88</b>
<b>10.2</b>	<b>ANNUAL PLAN AND BUDGET ESTIMATES 2018/2019.....</b>	<b>97</b>
<b>10.3</b>	<b>SHARED SERVICES.....</b>	<b>108</b>
<b>10.4</b>	<b>RISK MANAGMENT POLICY.....</b>	<b>122</b>
<b>10.5</b>	<b>FINANCIAL REPORT FOR THE PERIOD ENDED 31 MAY 2018 .....</b>	<b>126</b>
<b>10.6</b>	<b>SENIOR MANAGEMENT REPORT.....</b>	<b>133</b>
10.6.1	PLANNING PERMITS APPROVED UNDER DELEGATION – .....	136
10.6.2	BUILDING PERMITS APPROVED – .....	136
10.6.3	OPEN ACTION LIST –PREVIOUS COUNCIL MEETINGS - SUMMARY OF MATTERS REQUIRING ACTION.....	137
<b>10.7</b>	<b>MINUTES OF OTHER BODIES/COMMITTEES – UNCONFIRMED MINUTES OF CRADLE COAST AUTHORITY REPRESENTATIVES MEETNG 24 MAY 2018 .....</b>	<b>141</b>
<b>11.0</b>	<b>MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING.....</b>	<b>144</b>
<b>12.0</b>	<b>CLOSURE OF MEETING TO THE PUBLIC.....</b>	<b>146</b>
<b>13.0</b>	<b>RESUMPTION OF OPEN MEETING .....</b>	<b>147</b>
<b>14.0</b>	<b>PUBLIC RELEASE ANNOUNCEMENT .....</b>	<b>147</b>

---

---

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.

**MINUTES OF AN ORDINARY MEETING OF THE WARATAH-WYNYARD COUNCIL HELD AT THE COUNCIL CHAMBERS 21 SAUNDERS STREET WYNYARD ON MONDAY 25 JUNE 2018 COMMENCING AT 6:00 PM**

	<b>From</b>	<b>To</b>	<b>Time Occupied</b>
Open Council	6.00PM	6.08PM	8MINS
Planning Authority	6.08PM	6.54PM	46MINS
Open Council	6.54PM	7.16PM	22MINS
Closed Council	7.16PM	7.21PM	5MINS
Open Council	7.21PM	7.21PM	0MINS
TOTAL TIME OCCUPIED			81MINS

***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 titled '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".*



---

---

**1.0 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Legislative Reference:

*Local Government (Meeting Procedures) Regulations 2015; 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  
Cr Gary Bramich  
Cr Maureen Bradley  
Cr Darren Fairbrother  
Cr Alwyn Friedersdorff

**IN ATTENDANCE**

Shane Crawford – General Manager  
Daniel Summers – Director Infrastructure and Development Services  
Tracey Bradley – Director Corporate and Community Services  
Ashley Thornton – Acting Manager Development and Regulatory Services  
Rebecca Plapp – Town Planner  
Stephen Imms – Manager Financial Services  
Sally Blanc – Executive Officer

**1.2 APOLOGIES**

Cr Kevin Hyland

**1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Deputy Mayor Mary Duniam

---

---

**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**

MOVED BY	CR FRIEDERSDORFF
SECONDED BY	CR BRAMICH

**That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at the Council Chambers, 21 Saunders Street, Wynyard on Monday 21 May 2018 a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.**

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	
CR FAIRBROTHER	CR FRIEDERSDORFF		

---

---

### **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***

Nil

***Staff and Agenda Item Number***

Nil

---

---

## 4.0 COUNCILLORS ANNOUNCEMENTS AND REPORT

### 4.1 ANNOUNCEMENTS BY MAYOR

### 4.2 MAYOR'S COMMUNICATIONS

MOVED BY	CR FRIEDERSDORFF
SECONDED BY	CR BRAMICH

**That the Council note the Mayor's Diary.**

Date	Purpose
14/5/18	Councillor Workshop
15/5/18	Meeting with General Manager
17/5/18	Mayors Professional Development Workshop
18/5/18	LGAT General Meeting
21/5/18	Agenda Review
21/5/18	Councillor Workshop – Bass Highway Review
21/5/18	Council Meeting
24/5/18	CCA Representatives Meeting
24/5/18	Media – BMX Track Wynyard
25/5/18	Citizenship Ceremony
28/5/18	Meeting With Deputy Prime Minister and Brett Whiteley
28/5/18	Media – Bass Highway
28/5/18	Councillor Workshop
29/5/18	Meeting with Deputy Mayor and General Manager
30/5/18	Grange Resources 50 <sup>th</sup> Anniversary event
1/6/18	Meeting with Anita Dow MP
2/6/18	Inaugural Waratah Community Board Meeting
4/6/18	Meeting with Shane Broad MP
4/6/18	Councillor Workshop
5/6/18	Meeting with General Manager
6/6/18	Meeting with Director of Local Government Alex Tay
9/6/18	<b>Deputy Mayor</b> Boer War Monument Dedication Service
12/6/18	Audit Panel Meeting
14/6/18	Agricultural Landscape Development Scheme Project completion function

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	
CR FAIRBROTHER	CR FRIEDERSDORFF		

---

---

#### 4.3 REPORTS OF DELEGATES

Nil

#### 4.4 COUNCILLOR STATEMENTS

Nil

#### 4.5 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.*

MOVED BY	CR BRAMICH
SECONDED BY	CR BRADLEY

**That the Council notes that the following workshops were conducted by Council since its last Ordinary Council Meeting.**

28/5/18	Waratah-Wynyard Youth Leaders presentation
28/5/18	Boat Harbour Beach Development Plan presentation
5/6/18	2018/19 Budget Review

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	
CR FAIRBROTHER	CR FRIEDERSDORFF		

---

---

## 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 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 15 minute 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 ORDINARY MEETING OF COUNCIL**

### **5.1.1 MR KEN EWINGTON – BOWLS CLUB LIGHTING**

Mr Ken Ewington of Flowerdale stated that there is inadequate lighting at the Wynyard Bowls Club at night with elderly and disabled members having difficulty when coming from western end of pathway and that it was very unsafe. He asked when council would address the matter and do something for the elderly and disabled who provide their time to raise money for the community.

The General Manager noted that Council does a lot of work in the area of the elderly and disabled and took the specific question relating to lighting on notice.

*The Director Infrastructure and Development Services advises that the issue of access to the Bowls club including parking arrangements was discussed with Mr Ewington on 6 June 2018 and potential improvements will be consulted with the Bowls club*

### **5.1.2 MR KEN EWINGTON – TRANSFER STATION**

Mr Ewington of Flowerdale stated he believed there were unsafe practices at the transfer station in Wynyard and asked when Council would do a safety audit to ensure the area is correctly signed and lines correctly marked to ensure the safety of community members. He asked for a response to be provided in writing.

The Director Infrastructure and Development Services took the question on notice.

*The Director Infrastructure and Development Services advised that while other site auditing has been conducted by the Cradle Coast Waste Management group in the past a specific site safety audit has not. A range of suggestions were discussed with Mr Ewington on 6 June 2018. An email has been provided to Mr Ewington confirming the matters discussed at the meeting.*

---

---

## 5.2 PUBLIC QUESTIONS RECEIVED IN WRITING

Nil

## 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 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.

### 5.3.1 MR K. EWINGTON – INGLIS RIVER WALKING BRIDGE

*Mr Ewington of Flowerdale asked if there will be an official opening and naming of the new walking bridge over the Inglis River. He also asked if the bridge would be wheelchair friendly.*

*The Director of Infrastructure and Development Services advised that an opening function would be arranged, most likely through the Walking Wynyard program. He advised that the walking bridge itself would most likely not be DDA compliant due to the terrain around the bridge and throughout the walking track itself.*

*The Director of Infrastructure and Development Services advised that the naming of the bridge could be considered and took the question on notice.*

## 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



---

## **5.5 PUBLIC STATEMENTS WITHOUT NOTICE**

### **5.5.1 MR K. EWINGTON – COASTAL PATHWAY**

*Mr Ewington of Flowerdale stated that he had a concern regarding the location of the Coastal Pathway around the Somerset Surf Club. He stated that he believed the pathway should go around the back of the building not in front (waterside) as currently planned. He believed that there are safety concerns for users of the track and those exiting and entering the club rooms. He also noted that the Western end of the carpark should be closed off as there have been previous issues between traffic and pedestrians. He also noted that there was no disabled parking bays in the carpark and suggested that the entrance to the facility should be reviewed to enable better access for all.*

---

---

## 6.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

Legislative Reference:

*Local Government Act 1993; Part 6, Division 1; Sections 57, 58, 59, 60, 60A.*

57. *Petitions*

- (1) A person may lodge a petition with the council by presenting it to a *councillor or the general manager*.

58. *Tabling petition*

- (1) A *councillor who has been presented with a petition is to*

- (a) *table the petition at the next ordinary meeting of the council; or*  
(b) *forward it to the general manager within 7 days after receiving it.*

- (2) A *general manager who has been presented with a petition or receives a petition under subsection (1)(b) is to table the petition at the next ordinary meeting of the council.*

57(2) A *petition is not to be tabled if it does not contain –*

- (a) *a clear and concise statement identifying the subject matter; and*  
(b) *a heading on each page indicating the subject matter; and*  
(c) *a brief statement on each page of the subject matter and the action requested; and*  
(d) *a statement specifying the number of signatories; and*  
(e) *the full printed name, address and signature of the person lodging the petition at the end of the petition.*

58(3) A *petition is not to be tabled if –*

- (b) *it is defamatory; or*  
(c) *any action it proposes is unlawful.*

- (4) *The General Manager is to advise the lodger of any petition that is not tabled the reason for not tabling it within 21 days after lodgement. Local Government (Meeting Procedures) Regulations 2015, Regulation 38(1)(a)(b),(2)*

- (1) *The chairperson of a meeting, including a closed meeting, may invite a person –*

- (a) *to address the meeting; and*  
(b) *to make statements or deliver reports to the meeting.*

- (2) *An invitation under sub regulation (1) may be subject to any condition the council may impose on deputations.*

### 6.1 PETITIONS

Nil

### 6.2 DEPUTATIONS AND PRESENTATIONS

Nil

---

---

## **7.0 PLANNING AUTHORITY ITEMS**

### **THE PLANNING AUTHORITY COMMENCED AT 6.08PM**

Legislative Reference:

*Local Government (Meeting Procedures) Regulations 2015 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*.

### **7.1 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.

#### **7.1.1 MR P GAYLARD – SD 2057 Boat Harbour Beach – Flooding Assessment**

*Mr Gaylard of Boat Harbour Beach asked if a Flood Assessment had been carried out, in particular for lots 19, 17 and 16 and if not why not. He also asked if the lack of flood assessment would make the development application invalid*

*The Acting Manager Development and Regulatory Services advised that flooding was likely due to inadequate existing stormwater infrastructure, and a Storm Water Management Plan has been required for the subdivision as a whole, as per condition 21.*

#### **7.1.2 MR P GAYLARD – SD 2057 Boat Harbour Beach – Drainage**

*Mr Gaylard of Boat Harbour Beach asked why Council hadn't placed a condition on the developer for drainage issues to be addressed across the whole subdivision.*

---

---

*The Acting Manager Development and Regulatory Services advised that a Storm Water Management Plan has been required for the subdivision as a whole as per condition 21. In addition, upon development of the lots once they are created, individual land owners would be required to provide their own Stormwater Management plans.*

### **7.1.3 MR P GAYLARD – SD 2057 Boat Harbour Beach – Removal of Vegetation**

*Mr Gaylard of Boat Harbour Beach asked if it was necessary for all vegetation to be cleared from the road reserve if line of site was adequate. He also asked if reserve would be landscaped when cleared.*

*The Acting Manager Development and Regulatory Services advised that sufficient clearing will be required to ensure line of site standards are met. There will be a requirement to grass the reserve when clearing completed and there is unlikely to be any landscaping in the reserve as this could cause line of site issues.*

## **7.2 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

### **7.2.1 MR P GAYLARD – SD 2057 Boat Harbour Beach**

*Mr Gaylard made a statement regarding the subdivision development and noted several concerns including overhead powerlines and lack of footpaths.*

*He stated that pedestrian safety was a concern with no requirement for the developer to provide footpaths on Port Road. Currently children are required to cross Port Road to the school bus stop and beach with very little verge for children to wait on safely. He noted that the Traffic Impact Assessment noted that the area was relatively safe which in his opinion is not adequate.*

*Mr Gaylard stated that he believes the developer should have to provide footpath West of Moore Street.*

*Mr Gaylard also noted that there was no requirement for underground powerlines which had been a condition of the previous development application for this site.*

*He asked that Council reconsider the conditions for the development and include the requirement for powerlines to be underground and for footpaths to be included in the development.*

---

---

### **7.2.2 MR D GRAY – SD2057 Boat Harbour Beach**

*Mr Gray of Western Junction made a statement regarding the VOS subdivision development located at 293, 305 and 307 Port Road, Boat Harbour Beach. He noted the two representations that were received and advised that one had already been fully addressed.*

*He stated that, in relation to matters raised tonight, that the cul-de-sac would have underground power and that where blocks had existing above ground powerlines there would be no change. He also advised that the company was working with neighbours and had already agreed to upgrade culverts that cause some of the drainage problems.*

*Mr Gray stated that in relation to footpaths he believes they are a council matter and as such beyond the scope of the development.*

---

---

### 7.3 SUBDIVISION (14 LOTS & BALANCE) LOCATED AT 263 PORT ROAD, BOAT HARBOUR BEACH – SD 1970

To: Council  
Reporting Officer: Consultant Town Planner  
Report Date: 12 June 2018  
File Reference: 2750112, 2750120, 2750139, 2750147, 2750155, 2750163, 2750171, 2750198, 2750200, 2750219, 2750227, 2750235, 2750243, 2750251, 7888225

Supporting Documents: **REFER ATTACHMENT A**  
Development Application Form x 4 pages  
Location Map x 1 page  
Title documents x 22 pages  
Proposed Subdivision Plan by EnviroPlan x 1 page  
Supporting Documentation by EnviroPlan x 18 pages  
Bushfire Assessment by EnviroPlan x 35 pages  
Landslide Risk Assessment by Tasman Geotechnics x 48 pages  
Road Access Assessment x 4 pages  
TasWater Submission x 3 pages  
Additional Information Request x 2 pages  
Additional Information Response by EnviroPlan x 4 pages  
Representation 1 – Lindsay Tanner x 1 page  
Representation 2 – Tim Crawford x 1 page  
Extension of time x 1 page

---

#### **PURPOSE**

The purpose of this report is for Council to consider the merits of subdivision application SD1970 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013* (Planning Scheme).

#### **BACKGROUND**

The site is located at 263 Port Road, Boat Harbour Beach and is subject to a strata scheme established within 2 lots described by prior CTs 141217/1 and 42531/1. It has an area of 2.037 ha and is located on the western side of Port Road. The primary vehicular access into the site comprises a crossover from Cummings Street and private gravel road infrastructure which extends to the south.

The strata scheme currently divides the site into 15 separate parcels numbered Lots 0, 1, 9-19 and 20-22. Lots 9-19 and 20-22 each accommodate a residential dwelling that is approved to be used as a holiday unit under the terms of a planning permit issued by Council in 2007. This includes 4 conjoined dwellings within two-storey buildings associated with Lots 9-12 and 13-16, and detached dwellings within Lots 17-22. Lot 1 is a mostly undeveloped lot of 3,556 m<sup>2</sup> which is divided by a private road and has frontage to both Cummings Street and Port Road. Lot 0 includes common property associated

---

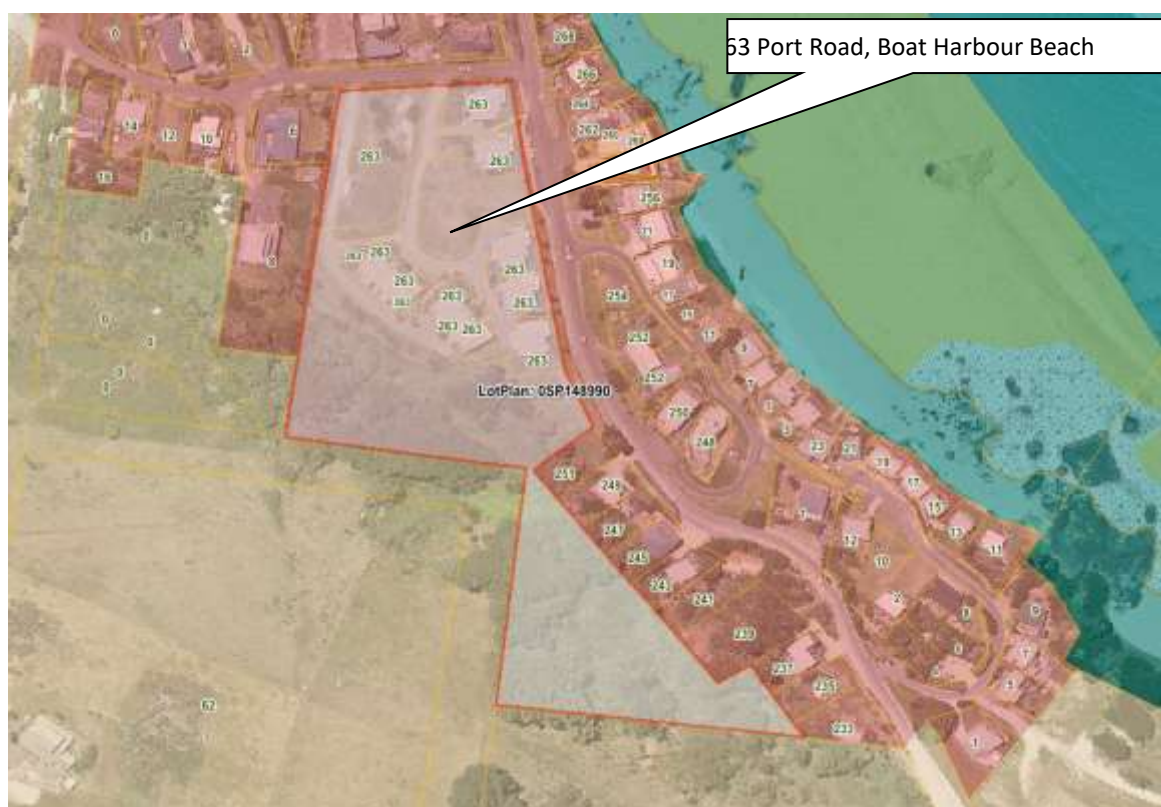
with the strata scheme including private road infrastructure and undeveloped land to the south.

The developed area within the site associated with the strata scheme accommodates a 1:10 slope which falls towards the corner of Cummings Street and Port Road. The dwellings are connected to reticulated sewerage infrastructure located in Port Road. Runoff from roofed areas is collected in tanks and overflow is directed to the public stormwater system. The site is not serviced by water supply infrastructure administered by TasWater.

The northern portion of the site containing the developed areas and a portion of the undeveloped land to the south is zoned Low Density Residential. The remainder of the site is zoned Rural Resource. The majority of the site is shown on the Planning Scheme overlay maps as being subject to a landslide hazard. The north-west portion of the site is shown within a medium landslide hazard area. The land to the south of the developed areas (including portions of several strata lots) is shown within a high landslide hazard area. This area corresponds with declared Landslip Area A under the *Mineral Resources Development Act 1995*.

The land adjoining the site to the north and east, and west along Cummings Street, is zoned Low Density Residential. The adjoining land to the south-west of the site is zoned Rural Resource.

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



**Figure 1- Subject Site with zoning**

---

---

## DETAILS

The applicant is seeking approval for a subdivision of the site. This is intended to facilitate the conversion of the current strata scheme to enable the site to be divided into Torrens title lots. The relevant approvals required in accordance with the *Strata Titles Act 1998* will need to be sought separately by the applicant. The subdivision proposal requires an application for a permit to be made under the provisions of the *Land Use Planning and Approvals Act 1993*. The scope of the current application is therefore limited to the subdivision itself and related works that are proposed.

The proposed subdivision will involve the creation of 14 lots and a balance. A number of lots will contain existing buildings although their lot boundaries do not necessarily align with those of existing strata lots. This is due in part to the practicalities of providing a frontage to the proposed new road, the manner in which conjoined dwellings will be accommodated within the subdivision and because new lots are proposed in the area currently associated with the area identified as Lot 1 in the current strata scheme.

A breakdown of the proposed lots is provided below.

Lot no.	Lot Size (m <sup>2</sup> )	Frontage (m)	Comments
1	606	17, 19 & 20	Contains an existing dwelling associated with Lot 22 in strata scheme.
2	566	9 & 19	Contains an existing dwelling associated with Lot 21 in strata scheme.
3	528	3.6 & 21	Vacant internal lot associated with Lot 1 in the strata scheme.
4	530	28	Vacant lot associated with Lot 1 in the strata scheme.
5	640	11 & 19	Contains an existing dwelling associated with Lot 19 in strata scheme.
6	520	19	Contains an existing dwelling associated with Lot 18 in strata scheme.
7	530	24	Contains an existing dwelling associated with Lot 17 in strata scheme.
8	1,817	17	Contains an existing building with 4 conjoined dwellings associated with Lots 13-16 in the strata scheme.
9	1,439	10	Contains part of an existing building including 2 conjoined dwellings (to be demolished) associated with Lots 10 & 12 in the strata scheme.
10	983	10	Contains part of an existing building including 2 conjoined dwellings (to be demolished) associated with Lots 9 & 11 in the strata scheme.



Lot no.	Lot Size (m <sup>2</sup> )	Frontage (m)	Comments
11	500	11	Vacant lot associated with Lot 1 in the strata scheme.
12	500	17	Vacant lot associated with Lot 1 in the strata scheme.
13	500	17	Vacant lot associated with Lot 1 in the strata scheme.
14	500	14 & 23	Vacant lot associated with Lot 1 in the strata scheme.
Balance	9,060	27	Relates to the undeveloped land to the south of the strata scheme.
Road 101	582	N/A	A 10 m wide road reserve (plus splays as necessary) to contain a new road.

Therefore, the proposed Lots 1-5 will have frontages to the new subdivision road as well as Port Road. Lot 1 will have a third frontage to Cummings Street. A right of way is proposed within Lots 1 and 2 to enable the continuation of an existing shared driveway which extends from alignment of the new road. Lots 6 and 7 will have frontage to Port Road only and will contain a right of way enabling a new shared driveway access to be constructed from the road. Lots 8-13 will have frontage to the new road only. A 3.6 m wide right of way is proposed to extend through the eastern portion of Lot 8 and over an existing secondary access road located to the south of the existing buildings on existing strata lots 9-12. The right of way will provide a legal access to the proposed Lots 9 and 10, noting that they will also have frontage to the new subdivision road. Lot 14 will have frontage to the new road and Cummings Street.

A number of associated works will be undertaken as identified in the application, including:

- Construction of a new road over a portion of the existing private gravel road infrastructure within the site. It will have an approximate length of 75 m with a pavement width of 5.5 m and will terminate with a cul-de-sac
- Construction of a new shared driveway from Port Road into Lots 6 & 7 including a 7.2 m wide crossover.
- Demolition of the two-storey building (with 4 conjoined multiple dwellings) on the land associated with the proposed Lots 9 & 10.
- Provision of a sewerage system involving 150 mm sewer mains within the new road and southern boundary of Lot 3 and the provision of sewerage connections for each lot. The new sewerage infrastructure will connect with an existing reticulation main in Port Road.
- Provision of bulk on-site water storage tanks providing 10,000 litres of stored capacity per (each) habitable building for firefighting purposes, plus additional storage capacity for potable water supply within each lot.
- Establishment of a bushfire hazard management area within the Balance lot on land adjoining the proposed Lots 7 and 8, as shown on the bushfire hazard management plan (BHMP) included with the application.

---

---

This report assesses the proposal against the Planning Scheme and takes into account the representations received during the public exhibition period. The proposal is categorised into the Residential Use Class, a Permitted Use under the Planning Scheme. The application relies on discretion related to the following performance criteria:-

- Suitability of a site or lot for use or development (12.4.1 P1 & P2);
- Visual and acoustic privacy for residential development (12.4.4 P1 & P2)
- Setback of development for sensitive use (12.4.7 P1);
- Subdivision (12.4.8 P2);
- Provision for parking (9.5.1 P1); and
- Use likely to be exposed to a natural hazard (E6.5.2 P1)

### **CONSULTATION PROCESS**

The consultation process was the public exhibition period set out in the *Land Use Planning and Approvals Act 1993* and involved notification of adjoining land owners, public notices onsite 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 28 May 2018. Two (2) representations were received.

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.

<b>Representor – Lindsay Tanner</b>	
<b>Issue/s Raised</b>	<b>Planning Response</b>
The representor supports the application.	Noted.

<b>Representor – Tim Crawford</b>	
<b>Issues Raised</b>	<b>Planning Response</b>
(1) Potential privacy impacts of the right of way within the proposed Lots 6 and 7 upon the private open space within Lot 7.	The potential impacts upon the proposed Lot 7 are considered in the assessment of Clause 12.4.4. An existing screen to the north of the existing dwelling within the lot will be retained along the southern side new shared driveway within the right of way. The shared driveway will be accessible to the two dwellings within Lots 6 & 7 only. The likelihood for impact from overlooking and noise disturbance on the amenity of the dwelling within Lot 7 will therefore be minimised. It is noted that the separation from the new shared driveway to the north facing deck within Lot 7 satisfies the relevant acceptable solution requirement.
(2) The proposed lots with frontage to Port Road (i.e. Lots 1-7) should be renumbered 253, 255, 257, 259, 261 & 263 Port Road in order to clarify access.	This issue is not a relevant matter to consider in the assessment of the application against the planning scheme standards. It is noted however that new numbers for these lots would be allocated. A decision on the numbering would not be made until after titles for the new lots are issued.

## **INTERNAL REFERRALS**

### **Manager Engineering & Projects**

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.

Construction of civil engineering work associated with the Development is to comply with the requirements of Council's Policy PR003– Standard requirements for the construction of new infrastructure assets and the replacement of existing infrastructure assets.

Relevant engineering plans, specifications, calculations and computations are to be prepared or certified by a Chartered Professional Engineer and submitted to the Director Infrastructure & Development Services for approval. No work is to commence until a Construction Certificate has been issued by the Director Infrastructure & Development Services.

On completion of work covered by a Construction Certificate a Chartered Professional Engineer is to certify by declaration that all work has been carried out fully in accordance with the approved plans, specifications, calculations and computations. "Works as Constructed" drawings that comply with the requirements of Council's "Submission of digital-as-constructed information" template are to be supplied. (Note: Template can be obtained from Council's website.)

In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.

---

---

A Final Survey Plan submitted for sealing by the Council is to show all easements required for powerlines, sewerage, water, drainage purposes and legal access.

Connection of stormwater drains to Council's drainage network is to occur only in accordance with the requirements and approval of the Director Infrastructure & Development Services.

A twelve (12) month maintenance period is to apply to all works within the development which are to become Council infrastructure.

A twelve (12) month maintenance period is to apply to all works within the development which are to become Council infrastructure. A maintenance bond of 5% of the cost of the civil works as approved by the Director Infrastructure & Development Services is to be lodged with Council prior to:

- (a) the issue of the Maintenance Period Commencement document; or
- (b) prior to sealing of the Final Survey Plan.

A new kerb crossover is to be constructed for each allotment in accordance with Tasmanian Standard Drawing TSD-R09-v1, Urban Roads Driveway, TSD-R16-v1 Concrete kerbs and Channels Vehicular Crossings and the conditions in a "Activity in Road Reservation Permit".

A reinforced concrete driveway slab is to be constructed for each allotment between the kerb crossover and the property boundary in accordance with Tasmanian Standard Drawing TSD-R09-v1, Urban Roads Driveways and the conditions in a "Activity in Road Reservation Permit".

Loading and un-loading of vehicles is to be confined to within the boundaries of the property.

A reticulated stormwater drainage system is to be provided with individual lot connections, road drainage and method of discharge in accordance with the reasonable requirements of the Director Infrastructure & Development Services. The design return interval for the reticulation network is to be 1 in 10 year ARI for property only, 1 in 20 Year ARI for road drainage and provision is to be made to contain a 1 in 100 year ARI major overland flow-path.

Before site disturbance or construction commences an environmental management plan is to be prepared and submitted for approval by the Director Infrastructure & Development Services, The plan is to outline proposed practices in relation to:

- (a) Temporary run-off and erosion controls, which are to be installed before the development commences. Controls are to include, but are not limited to:
  - (i) Minimisation of site disturbance and vegetation removal;
  - (ii) Diversion of up-slope run-off around cleared and/or disturbed areas, areas to be cleared and/or disturbed or filled providing such diverted run-off does not cause erosion and is directed to a legal discharge point;

- 
- 
- (iii) Installation of sediment retention traps (e.g. sediment fences, etc.) at the down slope perimeter of a disturbed area or stockpile to prevent unwanted sediment and other debris escaping from the land;
  - (iv) Rehabilitation of all disturbed areas as soon as possible.
  - (b) Weed management
  - (c) Storage facilities for fuels, oils, greases, chemicals and the like
  - (d) Litter management

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

A 10-metre wide road reservation, with lot boundaries splayed where necessary is to be provided and shown as "Road" on the final survey plan lodged for sealing.

The road reservation is to be widened to a minimum of 25 metres in accordance with Tasmanian Standard Drawing TSD-R07-v1, Urban Roads Cul-De-Sac Turning Heads with lot boundaries splayed where required to accommodate a vehicular turning area and shown as "Road" on the final survey plan lodged for sealing.

The internal subdivision road is to be of compacted crushed rock pavement, designed in accordance with the Austroads Pavement Design Guidelines, with a pavement width of 5.5m, measured from lip of kerb to lip of kerb and a minimum total pavement thickness of 300mm plus a 40mm asphalt seal, concrete kerb and channel all in accordance with the Tasmanian Standard Drawing TSD-R06-v1, Urban Roads Typical Sections and Pavement Widths, and is to be constructed to the reasonable requirements of the Director Infrastructure & Development Services.

Road intersections, both internally and within the council road network are to be assessed in regard to the various requirements of the Austroads Guide to Traffic Management set. All upgrade and works required to achieve compliance with the Austroads Guide to Traffic Management set are to be addressed as part of the road design process.

The applicant is to supply and install traffic management devices that include, but are not limited to, signage and line marking in accordance with the suite of AS 1742 standards and which meet the requirements of Department of State Growth. Before a Construction Certificate may be issued, the applicant or his designer is to prepare a set of traffic management drawings that are to be submitted to and approved by Department of State Growth.

Concrete kerb and Channel type KC is to be constructed in accordance with Tasmanian Standard Drawing TSD-R14-v1, approved Concrete Kerbs and Channels Profile Dimensions including subsoil drains in accordance with TSD-R12-v1 Subsoil Drains Construction Details on both sides of internal roads.

A court bowl of radius 9 metres and otherwise in accordance with Tasmanian Standard Drawing TSD-R07-v1, Urban Roads Cul-De-Sac Turning Heads is to be provided at the

---

---

termination of the internal road to facilitate the turning movement of large service vehicles. Construction is to be of equivalent standard to the internal road.

Street lighting is to be provided in accordance with AS 1158 and the requirements of Aurora Energy Pty Ltd and the Director Infrastructure & Development Services. The street lighting is to be designed to minimise off site glare and reflected light. The use of non-standard lighting poles is not permitted in the development.

Telecommunication services are to be provided to each lot in the development in accordance of the requirements of Telstra and IPWEA standard drawings and specifications.

Before site disturbance or construction commences, a plan of management is to be prepared and submitted for approval by the Director Infrastructure & Development Services. The plan is to provide relevant project management information and outline proposed construction practices, including, but not limited to:

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

Note:

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

Road Access and Stormwater in accordance with pre-lodgement advice dated 16 April 2018.

---

---

## Environmental Health Officer

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:

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 application was referred to TasWater on 9 May 2018 and it requested further information which was subsequently provided by the applicant. TasWater issued Submission to Planning Authority Notice TWDA 2018/00722 WWC on 5 June 2018 and it forms Part B of this permit.

## PLANNING ASSESSMENT

The subject site is zoned Low Density Residential and a triangular zoned Rural Resource under the *Waratah-Wynyard Interim Planning Scheme 2013* (Planning Scheme).

The application does not meet all of the relevant Acceptable Solutions and therefore relies on the associated Performance Criteria. Section 57(1) (b) of the *Land Use Planning & Approvals Act 1993* (LUPAA) provides Council with the authority to relax or waive the provisions of the Planning Scheme subject to its discretion. The application is therefore a discretionary in accordance with Section 57 of LUPAA and requires assessment against the relevant Performance Criteria in the Low Density Residential Zone provisions and relevant Codes.

### Suitability of a site or lot for use or development (12.4.1 P1)

A1	P1
A site or each lot on a plan of subdivision must –	A site or each lot on a plan of subdivision must
(a) have an area of –	(a) be of sufficient area for the intended use or development without likely constraint or interference for –
(i) not less than 500m <sup>2</sup> excluding any access strip; or	(i) erection of a building if required by the intended use;
(ii) if in a locality shown in the Table to this clause, not less than the site area shown for that locality; and	(ii) access to the site;
(b) contain a building area of not less than 10.0m x 15.0m –	(iii) use or development of adjacent land;
(i) clear of any applicable setback from	(iv) a utility; and
	(v) any easement or lawful entitlement for access to other land; and

<p>a frontage, side or rear boundary;</p> <p>(ii) clear of any applicable setback from a zone boundary;</p> <p>(iii) clear of any registered easement;</p> <p>(iv) clear of any registered right of way benefitting other land;</p> <p>(v) clear of any restriction imposed by a utility;</p> <p>(vi) not including an access strip;</p> <p>(vii) accessible from a frontage or access strip; and</p> <p>(viii) if a new residential lot, with a long axis within the range 30° east of north and 20° west of north</p>	<p>(b) if a new residential lot, be orientated to maximise opportunity for solar access to a building area</p>
---	--

**Planning Comment:**

The proposed lots excluding Lot 4 will each have a minimum area of 500 m<sup>2</sup>. Lot 4 will contain an access strip and excluding the area therein, it will have a lot size of 480 m<sup>2</sup>. Boat Harbour Beach is not a locality listed in the table to the clause, and A1 (a)(ii) therefore does not apply. Lot 4 therefore does not satisfy the relevant requirement in A1 (a)(i) and must address the performance criteria.

Furthermore, a number of lots are not able to contain a 10 m x 15 m building envelope with a long axis within the range of 30° east of north and 20° west of north whilst also satisfying the applicable setback requirements from a frontage, rear and zone boundary.

It is noted that Lot 4 is able to contain the required building envelope. The site adjoins land within the Rural Resource south-west and the relevant setback from the zone is 50 m. The setback extends into the portions of proposed lots 7-14, to varying degrees. There is sufficient land outside the affected area within Lots 7-8 to otherwise contain the required building envelope. Therefore, the lots that are unable to satisfy the relevant requirements in A1 (b) include Lots 9-14.

The application is required to address the performance criteria.

The proposed lots generally will be of sufficient area to accommodate residential use and development. Existing dwellings are located on several of the lots which will be created by the subdivision. The lots will be accessed by a new road that is proposed to be constructed, with the exception of Lots 6 & 7 which will have a new driveway access to Port Road. A number of lots will have multiple frontages providing alternate forms of access, if required. The lots are capable of being adequately serviced. The lots are unlikely to impact the use or development of adjacent land noting the residential uses that already exist in the surrounding area and because the immediately adjacent Rural Resource land to the south-west is not actively used for agricultural activities.

The size, shape and proportion of the lots provides scope for future dwellings to be orientated to maximise opportunities for solar access. This is a matter that ultimately will need to be considered in future dwelling design, including the setback and height requirements.

The proposal is considered to comply with the performance criteria.



Suitability of a site or lot for use or development (12.4.1 P2)

A2	P2
<p>A site or each lot on a subdivision plan must have a separate access from a road –</p> <p>(a) across a frontage over which no other land has a right of access; and</p> <p>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</p> <p>(c) by a right of way connecting to a road –</p> <p>(i) over land not required as the means of access to any other land; and</p> <p>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right of way of not less than –</p> <p>(i) 3.6m for single dwelling development; or</p> <p>(ii) 6.0m for multiple dwelling development or development for a non-residential use; and</p> <p>(e) the relevant road authority in accordance with the Local Government (Highways) Act 1982 or the Roads and Jetties Act 1935 must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	<p>(a) A site must have a reasonable and secure access from a road provided –</p> <p>(i) across a frontage; or</p> <p>(ii) by an access strip connecting to a frontage, if for an internal lot; or</p> <p>(iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(iv) the dimensions of the frontage and any access strip or the right-of-way must be adequate for the type and volume of traffic likely to be generated by –</p> <p>a. the intended use; and</p> <p>b. the existing or potential use of any other land which requires use of the access as the means of access for that land; and</p> <p>(v) the relevant road authority in accordance with the Local Government (Highways) Act 1982 or the Roads and Jetties Act 1935 must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan; or</p> <p>(b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan.</p>

**Planning Comment:**

A number of lots will not have separate access to a road and are instead proposed to have their access secured by rights of way over shared driveways which will extend from the relevant frontages. The proposed Lots 1-2 and 8-10 will be accessed by shared driveways extending from the new subdivision road.

Lots 6-7 will be accessed by a shared driveway extending from Port Road. The rights of way will extend over land required as the means of access to the other lot/s involved in the proposed shared access arrangements. The right of way associated with Lots 8-10 will have a width of 3.6 m, however multiple dwellings will be retained within Lot 8 and the width required under the acceptable solution is therefore 6 m. Therefore, Lots 1-2, 6-7 and 8-10 do not satisfy the requirements in A2 (a) and (b)(i). Lots 8-10 also do not satisfy the relevant requirement in A2 (d). The application is required to address the performance criteria.

The site has access across its Cummings Street frontage extending from an existing crossover, which is proposed to be upgraded involving the construction of a new road. The application therefore complies

with the performance criteria. It is noted that Lots 4, 5, 11-14 will each have separate access from a road across the relevant frontage. Lot 3 will be accessed by an access strip connecting with the frontage to the new road. The rights of way associated with the proposed Lots 1-2, 6-7 and 8-10 are not required to give the lots the minimum properties of a lot in accordance with the relevant acceptable solution requirement.

The width of the shared access arrangements for Lots 1-2 and Lots 8-10 is adequate for the likely type and volume of traffic, given that these arrangements relate to an existing situation. The density of development on these lots is unlikely to increase given the landslide hazards (including a Landslip Area A declaration) that are present at the rear of the lots. The width of the shared access arrangements for Lots 6-7 is adequate for single dwellings. Council's road authority is satisfied that adequate arrangements can be made to provide access for each lot and has provided relevant permit conditions.

The proposal is considered to comply with the performance criteria P2 (a).

#### Visual and acoustic privacy for residential development (12.4.4 P1)

<b>A1</b>	<b>P1</b>
<p>A door or window to a habitable room, or any part of a balcony, deck, roof garden, parking space or carport of a building must –</p> <p>(a) if the finished floor level is more than 1.0m above natural ground level –</p> <ul style="list-style-type: none"> <li>(i) be not less than 6.0m from any door, window, balcony, deck, or roof garden in a dwelling on the same site;</li> <li>(ii) be not less than 3.0m from a side boundary;</li> <li>(iii) be not less than 4.0m from a rear boundary; and</li> <li>(iv) if an internal lot, be not less than 4.5m from the boundary abutting a rear boundary of an adjacent frontage site; or</li> </ul> <p>(b) if less than the setbacks in clause A1(a) –</p> <ul style="list-style-type: none"> <li>(i) be off-set by not less than 1.5m from the edge of any door or window in another dwelling;</li> <li>(ii) have a window sill height of not less than 1.8m above finished floor level;</li> <li>(iii) have fixed and durable glazing or screening with a uniform transparency of not more than 25% in that part of a door or window less than 1.7m above finished floor level; or</li> <li>(iv) have fixed and durable external screen other than vegetation of not less than 1.8m height above the finished floor level and with a uniform transparency of not more than 25% located for the full width</li> </ul>	<p>Likelihood for overlooking from a door or window in a habitable room or from any part of a balcony, deck, roof garden, parking space, or carport of a building must be minimised by –</p> <ul style="list-style-type: none"> <li>(a) physical separation from the door, window balcony, deck, or roof garden in an adjacent dwelling;</li> <li>(b) off-set from a door or window to a habitable room in an adjacent dwelling;</li> <li>(c) effective use of screening other than vegetation; or</li> <li>(d) effect of topography and natural features</li> </ul>

of the door, window, balcony, deck, roof garden, parking space, or carport	
<p><b>Planning Comment:</b></p> <p>The east facing wall of the building that will be retained within the proposed Lot 8 includes windows and decks associated with 2 conjoined multiple dwellings at upper floor level. The wall will be partly within 3 m of the new side boundary of Lot 8, which is a neighbouring boundary with Lots 6 and 7. The application does not satisfy A1 and is required to address the performance criteria.</p> <p>The proposed subdivision involves the creation of new lot boundaries that will divide the existing buildings in a legal sense on stand-alone titles. The actual degree of separation between the buildings themselves will not change, and therefore neither will the degree of overlooking between them. The proposed lots will provide sufficient area to accommodate residential use and development, and future dwellings on the vacant lots will need to be designed in accordance with the above standards.</p> <p>There will continue to be parking space between each of the dwellings, contributing to physical separation from the decks and the adjoining dwellings on Lot 6 and 7. Furthermore, existing built arrangements on Lot 6 and 7 are orientated to face east, contributing to further offsets provided between the dwellings.</p> <p>The proposed subdivision therefore continues to have offsets that minimise overlooking between the residential dwellings.</p> <p>The proposal is considered to comply with the performance criteria.</p>	

#### Visual and acoustic privacy for residential development (12.4.4 P2)

<p><b>A2</b></p> <p>An access strip or shared driveway, including any pedestrian pathway and parking area, must be separated by a distance of not less than 1.5m horizontally and 1.5m vertically from the door or window to a dwelling or any balcony, deck, or roof garden in a dwelling.</p>	<p><b>P2</b></p> <p>An access strip or communal driveway, including any pedestrian pathway and parking area, must minimise likelihood for impact from over-viewing and noise disturbance on the amenity of any dwelling</p>
<p><b>Planning Comment:</b></p> <p>The new shared driveway for the proposed Lots 6 and 7 will be located within 1.5 m of a window to the dwelling within Lot 6. The deck on the northern side of the dwelling within Lot 7 is located more than 1.5 m from the new shared driveway. Therefore, the application does not satisfy A1 in relation to the separation of the new shared driveway from the relevant window in Lot 6. It is required to address the performance criteria.</p> <p>The proposed shared access arrangements generally reflect the existing situation and therefore minimise the likelihood for impact from over-viewing and noise disturbance. The internal living areas associated with the dwelling within Lot 6 are mostly located on the northern side and therefore the dwelling will not be impacted to a significant degree. The deck on the northern side of the dwelling within Lot 7 will have adequate sufficient separation from the shared driveway. Further to this a screen to the north of the dwelling within the lot will also be retained along the southern edge of the shared driveway.</p> <p>The proposal is considered to comply with the performance criteria.</p>	

**Setback of development for sensitive use (12.4.7 P1)**

<p><b>A1</b></p> <p>A building containing a sensitive use must be contained within a building envelope determined by –</p> <p>(a) the setback distance from the zone boundary as shown on the Table to this clause; and</p> <p>(b) projecting upward and away from the zone boundary at an angle of 45° above the horizontal from a wall height of 3.0m at the setback distance from the zone boundary</p>	<p><b>P2</b></p> <p>The location of a building containing a sensitive use must –</p> <p>(a) minimise likelihood for conflict, constraint or interference by the sensitive use on existing and potential use of land in the adjoining zone; and</p> <p>(b) minimise likely impact from existing and potential use of land in the adjoining zone on the amenity of the sensitive use</p>
<p><b>Planning Comment:</b></p> <p>The assessment of Clause 12.4.1 has identified that future dwelling development on several lots is unlikely to be capable of complying with the relevant setback distance (50 m) from the Rural Resource zone to the south-west. The application is therefore required to address the performance criteria.</p> <p>The relevant Rural Resource land is steep and is identified as Class 6+7 on available land capability mapping as prepared by DPIPWE. It is not actively used in conjunction with agricultural activities further to the south. It is considered to be constrained by the residential uses associated with the site and adjoining Low Density Residential zone. The location of future dwellings on the site could achieve setback distances in excess of 30m and adjoin very small Rural resource zoned parcels of land. Therefore it is considered the lots would be capable of minimising the likelihood for conflict, constraint or interference of resource development uses within the Rural Resource zone. It is also unlikely that the dwellings would be unreasonably impacted by any such uses.</p> <p>The proposal is considered to comply with the performance criteria.</p>	

**Subdivision (12.4.8 P2)**

<p><b>A2</b></p> <p>A lot, other than a lot to which A1(b) applies, must not be an internal lot</p>	<p><b>P2</b></p> <p>(a) An internal lot on a plan of subdivision must be –</p> <p>(i) reasonably required for the efficient use of land as a result of a restriction on the layout of lots imposed by –</p> <p>a. slope, shape, orientation and topography of land;</p> <p>b. an established pattern of lots and development;</p> <p>c. connection to the road network;</p> <p>d. connection to available or planned utilities;</p> <p>e. a requirement to protect ecological, scientific, historic, cultural or aesthetic values, including vegetation or a water course; or</p> <p>f. exposure to an unacceptable level</p>
---	---

	<p>of risk from a natural hazard; and</p> <p>(ii) without likely impact on the amenity of adjacent land</p>
<p><b>Planning Comment:</b></p> <p>The proposed Lot 3 is an internal lot. A1 (b) relates to lots required for public use. The application is therefore required to address the performance criteria.</p> <p>The proposed internal lot is required for the efficient use of land and to provide compatibility with an established pattern of lots and development. There are 5 existing dwellings located along the Port Road frontage of the site. These dwellings will be contained within the proposed Lots 1, 2 and 5-7. There is a gap in the streetscape between the dwellings associated with the proposed Lots 2 and 5. The creation of the proposed internal lot will enable future dwelling development on this area which will fill that gap whilst providing access from the new subdivision road. The internal lot will have frontage to Port Road although access from this location is not proposed. The majority of the proposed lots will be accessed from the new road, which is preferable since it will be a lower order road. The location of the access strip associated with Lot 3 provides for future driveway development within the lot which will have adequate separation from a future dwelling within Lot 4 and the existing dwelling within Lot 5.</p> <p>The proposal is considered to comply with the performance criteria P2 (a)(i)(b) and (a)(ii).</p>	

#### Reticulation of an electricity supply to new lots on a plan of subdivision (12.4.9 P1)

<b>A1</b>	<b>P1</b>
Electricity reticulation and site connections must be installed underground	It must be impractical, unreasonable, or unnecessary to install electricity reticulation and site connections underground
<p><b>Planning Comment:</b></p> <p>The proposal is for overhead reticulation to be provided to lots, therefore the performance criteria are to be addressed.</p> <p>The application includes a indicating that it would be unreasonable to require the existing infrastructure to be modified from overhead reticulation.</p> <p>It is understood that an existing electricity overhead pole is located on proposed Lot 4 with overhead servicing provided along Cummings Street and Port Road. It is considered to be impractical, unreasonable, or unnecessary to install electricity reticulation and site connections underground.</p> <p>The proposal complies with the performance criteria.</p>	

### Part E Codes

#### Bushfire-Prone Areas Code

- E1 The site is within a Bushfire-Prone Area and therefore the Code applies. The application includes a Bushfire Assessment incorporating a Bushfire Hazard Management Plan (BHMP) prepared by EnviroPlan. The BHMP includes a plan of subdivision which shows the relevant protection features required by the Code. This includes the establishment of a bushfire hazard management area within the

Balance lot on land adjoining the proposed Lots 7 and 9. The BHMP is certified by a person accredited for the purposes of the *Fire Services Act 1979*. In accordance with Section 51 (2) of the *Land Use Planning and Approvals Act 1993*, the planning authority is required to accept a BHMP that has been certified by an accredited person when determining an application for a permit. The application therefore complies with the relevant acceptable solutions in the Code.

**Airport Impact Management Code**

E2 Not applicable to this application.

**Clearing and Conversion of Vegetation Code**

E3 Not applicable to this application. The proposed clearing is not located within Environmental Living, Environmental Management, Open Space, Rural Living or Rural Resource zones.

**Change in Ground Level Code**

E4 The proposal complies with the exemptions from the Code.

**Local Heritage Code**

E5 Not applicable to this application.

**Hazard Management Code**

E6 Parts of the site are identified within medium and high landslide hazard areas on the Planning Scheme maps. Therefore, the code is applicable.

Use likely to be exposed to a natural hazard (E6.5.2 P1)

<p><b>A1</b> If a use is on land within an area of risk from exposure to a natural hazard as shown on a map forming part of this planning scheme -</p> <p>(a) use must not be for a critical use, a hazardous use, or a vulnerable use;</p> <p>(b) use must not be residential use if the level of risk is medium or higher; and</p> <p>(c) a hazard risk assessment must demonstrate a tolerable level of risk can be achieved and maintained for the nature and duration of the use</p>	<p><b>P1</b> If use is on land within an area of risk from exposure to a natural hazard as shown on a map forming part of this planning scheme -</p> <p>(a) a hazard risk assessment must demonstrate a tolerable level of risk can be achieved and maintained for the nature and duration of the use; and</p> <p>(b) if a critical use, a hazardous use, or a vulnerable use, a cost-benefit analysis in economic, environmental, and social terms must establish there is a significant benefit to the community and there is no alternate site</p>
<p><b>Planning Comment:</b></p> <p>The residential subdivision is located on land designated as medium and high risk landslide. Therefore the proposal must be assessed against the performance criteria.</p> <p>The application includes a Landslide Risk Assessment that identifies that a Low level of risk can be achieved for the proposed subdivision and construction of future houses, subject to the recommendations in the report. It is concluded that the application demonstrates a tolerable level risk can be achieved subject to conditions. These include:</p>	

- Future development of the lots will need to engage good hillside construction practices.
- Future dwellings will need special consideration given to footings, and limit fill on the site to not greater than 0.4m;
- Where trees are to be cut for bushfire management purposes, they are to be cut above ground level, with the stump remaining. Low shrubs with a low fuel load are will take over the soil binding effect once tree roots decompose.
- A subsoil cut off drain be installed at the toe of the steep slope (edge of Declared Landslip A area) to a depth of 2.0m. This will comprise of a trench lined with geofabric and filled with coarse aggregate. Water collected by the subsoil drain is to discharge to Council's stormwater system.
- A concrete lined spoon drain is to be installed at the toe of the steep slope to intercept surface runoff and direct to Council's stormwater system.

The proposal is not for a critical, hazardous or vulnerable use.

The proposal complies with the performance criteria.

### Signs Code

E7 Not applicable to this application.

### Telecommunications Code

E8 Not applicable to this application.

### Traffic Generating Use and Parking Code

E9 The relevant standards within the code are addressed below.

#### Provision for parking (E9.5.1 P1)

<p><b>A1</b></p> <p>Provision for parking must be –</p> <p>(a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code;</p>	<p><b>P2</b></p> <p>(a) It must be unnecessary or unreasonable to require arrangements for the provision of vehicle parking; or</p> <p>(b) Adequate and appropriate provision must be made for vehicle parking to meet -</p> <p>(i) anticipated requirement for the type, scale, and intensity of the use;</p> <p>(ii) likely needs and requirements of site users; and</p> <p>(iii) likely type, number, frequency, and duration of vehicle parking demand</p>
--	---

#### Planning Comment:

The application demonstrates that each new lot that will contain an existing single dwelling will include 2 parking spaces in accordance with the relevant requirement in the Table to the Code. The proposed Lot 8 will contain 4 conjoined multiple dwellings and the relevant requirement in the Table is for 8 spaces. The application demonstrates that 4 parking spaces will be accommodated within the lot. Therefore, the application does not satisfy A1 in relation to the number of parking spaces that are able to be contained

---

---

with Lot 8 for the existing use therein. It is required to address the performance criteria.

The application does not seek to alter the parking arrangements associated with the existing dwellings. It does not involve an intensification or change of the use of the existing dwellings. Adequate and appropriate provision for vehicle parking will therefore be required since the arrangements associated will reflect the existing situation.

The proposal is considered to comply with the performance criteria P2 (b).

### **Water and Waterways Code**

E10 Not applicable. The proposal is not within 30m of the shoreline, watercourse or waterbody.

### **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 significant strategic implications identified.

### **POLICY IMPLICATIONS**

No policies of Council were identified as being relevant to this matter.

### **FINANCIAL IMPLICATIONS**

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



---

---

## RISK IMPLICATIONS

### *The Council*

Acting as a Planning Authority there is limited risk, 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.

The *Land Use Planning and Approvals Act 1993* 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.

The proposal meets the performance criteria by demonstrating the proposed lots can contain suitable building envelopes and can be adequately serviced for residential use.

The application is considered to comply with the Low Density Residential Zone, the Bushfire-Prone Areas Code, Hazard Management Code and all other applicable codes of the *Waratah-Wynyard Interim Planning Scheme 2013*.

It is therefore recommended that Council approve a planning permit for the proposed development.



Ashley Brook  
Consultant Planner



Reviewed by  
Rebecca Plapp

Date: 14 June 2018

---

---

MOVED BY	CR FRIEDERSDORFF
SECONDED BY	CR BRAMICH

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 Subdivision (14 Lots & Balance) at 263 Port Road, Boat Harbour Beach subject to the following conditions:-

**PART A CONDITIONS:**

- (1) The development is to be generally in accordance with the application as submitted and endorsed documents as listed (except as modified by the conditions below):
  - a. Subdivision Proposal Plan with Drawing Number A0.1 Revision 4 as prepared by EnviroPlan and dated 23 March 2018.
  - b. Planning Report Revision 1 as prepared by EnviroPlan and dated January 2018.
  - c. Landslide Risk Assessment with Document Reference TG18061/1-01 as prepared by Tasman Geotechnics and dated 16 March 2018.
  - d. Additional Planning Response prepared by EnviroPlan and dated 16 April 2018.
- (2) The development is to be in accordance with the submitted Bushfire Risk Assessment Report and Bushfire Hazard Management Plan, as prepared by Michael Wells of EnviroPlan and dated 10 May 2018.
- (3) The internal subdivision road is to be of compacted crushed rock pavement, designed in accordance with the Austroads Pavement Design Guidelines, with a pavement width of 5.5m, measured from lip of kerb to lip of kerb and a minimum total pavement thickness of 300mm plus a 40mm asphalt seal, concrete kerb and channel in accordance with the Tasmanian Standard Drawing TSD-R06-v1, Urban Roads Typical Sections and Pavement Widths, and is to be constructed to the reasonable requirements of the Director Infrastructure & Development Services.
- (4) Road intersections, both internally and within the council road network are to be assessed in regard to the various requirements of the Austroads Guide to Traffic Management set. All upgrade and works required to achieve compliance with the Austroads Guide to Traffic Management set are to be addressed as part of the road design process.
- (5) The applicant is to supply and install traffic management devices that include, but are not limited to, signage and line marking in accordance with the suite of AS 1742 standards and which meet the requirements of Department of State Growth. Before a Construction Certificate may be issued, the applicant or his designer is to prepare a set of traffic management drawings that are to be submitted to and approved by Department of State Growth.
- (6) Concrete kerb and Channel type KC is to be constructed in accordance with Tasmanian Standard Drawing TSD-R14-v1, approved Concrete Kerbs and Channels

---

---

**Profile Dimensions including subsoil drains in accordance with TSD-R12-v1 Subsoil Drains Construction Details on both sides of internal roads.**

- (7) A court bowl of radius 9 metres and otherwise in accordance with Tasmanian Standard Drawing TSD-R07-v1, Urban Roads Cul-De-Sac Turning Heads is to be provided at the termination of the internal road to facilitate the turning movement of large service vehicles. Construction is to be of equivalent standard to the internal road.**
- (8) A new kerb crossover is to be constructed for each allotment in accordance with Tasmanian Standard Drawing TSD-R09-v1, Urban Roads Driveway, TSD-R16-v1 Concrete kerbs and Channels Vehicular Crossings and the conditions in a “Works within the Road Reservation Permit”.**
- (9) A reinforced concrete driveway slab is to be constructed for each allotment between the kerb crossover and the property boundary in accordance with Tasmanian Standard Drawing TSD-R09-v1, Urban Roads Driveways and the conditions in a “Works within the Road Reservation Permit”.**
- (10) A reticulated stormwater drainage system is to be provided with individual lot connections, road drainage and method of discharge in accordance with the reasonable requirements of the Director Infrastructure & Development Services. The design return interval for the reticulation network is to be 1 in 10 year ARI for property only, 1 in 20 Year ARI for road drainage and provision is to be made to contain a 1 in 100 year ARI major overland flow-path.**
- (11) Connection of stormwater drains to Council’s drainage network is to occur only in accordance with the requirements and approval of the Director Infrastructure & Development Services.**
- (12) Street lighting is to be provided in accordance with AS 1158 and the requirements of Aurora Energy Pty Ltd and the Director Infrastructure & Development Services. The street lighting is to be designed to minimise off site glare and reflected light. The use of non-standard lighting poles is not permitted in the development.**
- (13) Telecommunication services are to be provided to each lot in the development in accordance of the requirements of Telstra and IPWEA standard drawings and specifications.**
- (14) Relevant engineering plans, specifications, calculations and computations are to be prepared or certified by a Chartered Professional Engineer and submitted to the Director Infrastructure & Development Services for approval. No work is to commence until a Construction Certificate has been issued by the Director Infrastructure & Development Services.**
- (15) Before site disturbance or construction commences, a plan of management is to be prepared and submitted for approval by the Director Infrastructure &**

---

---

Development Services. The plan is to provide relevant project management information and outline proposed construction practices, including, but not limited to:

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

(16) Before site disturbance or construction commences an environmental management plan is to be prepared and submitted for approval by the Director Infrastructure & Development Services, The plan is to outline proposed practices in relation to:

- (a) Temporary run-off and erosion controls, which are to be installed before the development commences. Controls are to include, but are not limited to:
  - (i) Minimisation of site disturbance and vegetation removal;
  - (ii) Diversion of up-slope run-off around cleared and/or disturbed areas, areas to be cleared and/or disturbed or filled providing such diverted run-off does not cause erosion and is directed to a legal discharge point;
  - (iii) Installation of sediment retention traps (e.g. sediment fences, etc.) at the down slope perimeter of a disturbed area or stockpile to prevent unwanted sediment and other debris escaping from the land;
  - (iv) Rehabilitation of all disturbed areas as soon as possible.
- (b) Weed management
- (c) Storage facilities for fuels, oils, greases, chemicals and the like
- (d) Litter management

(17) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.

(18) Construction of civil engineering work associated with the Development is to comply with the requirements of Council's Policy PR003– Standard requirements for the construction of new infrastructure assets and the replacement of existing infrastructure assets.

(19) On completion of work covered by a Construction Certificate a Chartered Professional Engineer is to certify by declaration that all work has been carried out fully in accordance with the approved plans, specifications, calculations and computations. "Works as Constructed" drawings that comply with the requirements of Council's "Submission of digital-as-constructed information"

---

---

template are to be supplied. (Note: Template can be obtained from Council's website).

- (20) 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.
- (21) Erosion control measures are to be maintained at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development.
- (22) A twelve (12) month maintenance period is to apply to all works within the development which are to become Council infrastructure. A maintenance bond of 5% of the cost of the civil works as approved by the Director Infrastructure & Development Services is to be lodged with Council prior to:
  - (a) the issue of the Maintenance Period Commencement document; or
  - (b) prior to sealing of the Final Survey Plan.
- (23) A 10-metre wide road reservation, with lot boundaries splayed where necessary is to be provided and shown as "Road" on the final survey plan lodged for sealing.
- (24) The road reservation is to be widened to a minimum of 25 metres in accordance with Tasmanian Standard Drawing TSD-R07-v1, Urban Roads Cul-De-Sac Turning Heads with lot boundaries splayed where required to accommodate a vehicular turning area and shown as "Road" on the final survey plan lodged for sealing.
- (25) A Final Survey Plan submitted for sealing by the Council following the completion of works is to show all easements required for powerlines, sewerage, water, drainage purposes and legal access.
- (26) Loading and un-loading of vehicles is to be confined to within the boundaries of the property.
- (27) A subsoil cut off drain be installed at the toe of the steep slope (edge of Declared Landslip A area) to a depth of 2.0m. This will comprise of a trench lined with geofabric and filled with coarse aggregate. Water collected by the subsoil drain is to discharge to Council's stormwater system.
- (28) A concrete lined spoon drain is to be installed at the toe of the steep slope to intercept surface runoff and direct to Council's stormwater system.

#### **PART B CONDITIONS:**

- (1) The person responsible for the activity must comply with the conditions contained in Schedule 2 of Permit Part B which the Regulated Entity (trading as TasWater) has required the planning authority to include in the permit, pursuant to section 56Q of

---

---

**the Water and Sewerage Industry Act 2008, reference TWDA 2018/00722 WWC (attached).**

Notes: -

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

- This project must be substantially commenced within two years of the issue of this permit.
- A “Works within the Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
- The applicant is advised to include a note on the titles for the lots to inform future owners that development of the lots will require further geotechnical investigations and reporting.
- 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*.
- The development is to be undertaken in accordance with the Road Access and Stormwater Assessment dated 16 April 2018.
- This permit is based on information and particulars set out in Subdivision 1970. Any variation requires an application for further planning approval of Council.
- This permit is limited to use and development within the boundaries of the site, being land at 263 Port Road, Boat Harbour Beach. Any use and development outside of the site boundaries, excluding the provision of infrastructure connections as required by this permit, may require further approvals or consent from the land owner.
- Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact Aurora Energy on 1300 132 003 to ensure these works do not impede on existing electricity easements and are at a safe distance from power lines. Failure to do so could result in the relocation of electricity assets at your cost.
- For letterbox placement please contact ‘Australia Post 64345580’ for correct guidelines.
- 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, GPO Box 2036, Hobart, 7001.

---

---

Cr Fairbrother moved an AMENDMENT to the MOTION

MOVED BY	CR FAIRBROTHER
SECONDED BY	CR BRADLEY

**That condition 27 and 28 be removed.**

The AMENDMENT to the MOTION was put and was LOST

IN FAVOUR

	CR BRADLEY		
CR FAIRBROTHER			

AGAINST

MAYOR WALSH		CR BRAMICH	
	CR FRIEDERSDORFF		

Cr Fairbrother moved an AMENDMENT to the MOTION

MOVED BY	CR FAIRBROTHER
SECONDED BY	CR BRAMICH

**That power is to be provided underground to each lot in the development in accordance with the requirements of Aurora Energy and IPWEA standard drawings and specifications**

The AMENDMENT to the MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	
CR FAIRBROTHER	CR FRIEDERSDORFF		

The AMENDED MOTION was PUT

**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 Subdivision (14 Lots & Balance) at 263 Port Road, Boat Harbour Beach subject to the following conditions:-**

---

---

**PART A CONDITIONS:**

- (1) The development is to be generally in accordance with the application as submitted and endorsed documents as listed (except as modified by the conditions below):**

  - e. Subdivision Proposal Plan with Drawing Number A0.1 Revision 4 as prepared by EnviroPlan and dated 23 March 2018.**
  - f. Planning Report Revision 1 as prepared by EnviroPlan and dated January 2018.**
  - g. Landslide Risk Assessment with Document Reference TG18061/1-01 as prepared by Tasman Geotechnics and dated 16 March 2018.**
  - h. Additional Planning Response prepared by EnviroPlan and dated 16 April 2018.**
- (2) The development is to be in accordance with the submitted Bushfire Risk Assessment Report and Bushfire Hazard Management Plan, as prepared by Michael Wells of EnviroPlan and dated 10 May 2018.**
- (3) The internal subdivision road is to be of compacted crushed rock pavement, designed in accordance with the Austroads Pavement Design Guidelines, with a pavement width of 5.5m, measured from lip of kerb to lip of kerb and a minimum total pavement thickness of 300mm plus a 40mm asphalt seal, concrete kerb and channel in accordance with the Tasmanian Standard Drawing TSD-R06-v1, Urban Roads Typical Sections and Pavement Widths, and is to be constructed to the reasonable requirements of the Director Infrastructure & Development Services.**
- (4) Road intersections, both internally and within the council road network are to be assessed in regard to the various requirements of the Austroads Guide to Traffic Management set. All upgrade and works required to achieve compliance with the Austroads Guide to Traffic Management set are to be addressed as part of the road design process.**
- (5) The applicant is to supply and install traffic management devices that include, but are not limited to, signage and line marking in accordance with the suite of AS 1742 standards and which meet the requirements of Department of State Growth. Before a Construction Certificate may be issued, the applicant or his designer is to prepare a set of traffic management drawings that are to be submitted to and approved by Department of State Growth.**
- (6) Concrete kerb and Channel type KC is to be constructed in accordance with Tasmanian Standard Drawing TSD-R14-v1, approved Concrete Kerbs and Channels Profile Dimensions including subsoil drains in accordance with TSD-R12-v1 Subsoil Drains Construction Details on both sides of internal roads.**
- (7) A court bowl of radius 9 metres and otherwise in accordance with Tasmanian Standard Drawing TSD-R07-v1, Urban Roads Cul-De-Sac Turning Heads is to be provided at the termination of the internal road to facilitate the turning movement of large service vehicles. Construction is to be of equivalent standard to the internal road.**



- 
- 
- (8) A new kerb crossover is to be constructed for each allotment in accordance with Tasmanian Standard Drawing TSD-R09-v1, Urban Roads Driveway, TSD-R16-v1 Concrete kerbs and Channels Vehicular Crossings and the conditions in a “Works within the Road Reservation Permit”.
- (9) A reinforced concrete driveway slab is to be constructed for each allotment between the kerb crossover and the property boundary in accordance with Tasmanian Standard Drawing TSD-R09-v1, Urban Roads Driveways and the conditions in a “Works within the Road Reservation Permit”.
- (10) A reticulated stormwater drainage system is to be provided with individual lot connections, road drainage and method of discharge in accordance with the reasonable requirements of the Director Infrastructure & Development Services. The design return interval for the reticulation network is to be 1 in 10 year ARI for property only, 1 in 20 Year ARI for road drainage and provision is to be made to contain a 1 in 100 year ARI major overland flow-path.
- (11) Connection of stormwater drains to Council’s drainage network is to occur only in accordance with the requirements and approval of the Director Infrastructure & Development Services.
- (12) Street lighting is to be provided in accordance with AS 1158 and the requirements of Aurora Energy Pty Ltd and the Director Infrastructure & Development Services. The street lighting is to be designed to minimise off site glare and reflected light. The use of non-standard lighting poles is not permitted in the development.
- (13) Telecommunication services are to be provided to each lot in the development in accordance of the requirements of Telstra and IPWEA standard drawings and specifications.
- (14) Relevant engineering plans, specifications, calculations and computations are to be prepared or certified by a Chartered Professional Engineer and submitted to the Director Infrastructure & Development Services for approval. No work is to commence until a Construction Certificate has been issued by the Director Infrastructure & Development Services.
- (15) Before site disturbance or construction commences, a plan of management is to be prepared and submitted for approval by the Director Infrastructure & Development Services. The plan is to provide relevant project management information and outline proposed construction practices, including, but not limited to:
- (a) Contact details for principal, consultants and contractors including afterhours numbers;
  - (b) Traffic management plan including road works signage;
  - (c) Proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on site);

- 
- 
- (d) Identification of potentially noisy construction phases, such as operation of rock-breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;
    - (e) Site facilities to be provided; and
    - (f) Procedures for washing down vehicles to prevent soil and debris being carried onto the street.
  
  - (16) Before site disturbance or construction commences an environmental management plan is to be prepared and submitted for approval by the Director Infrastructure & Development Services, The plan is to outline proposed practices in relation to:
    - (a) Temporary run-off and erosion controls, which are to be installed before the development commences. Controls are to include, but are not limited to:
      - (i) Minimisation of site disturbance and vegetation removal;
      - (ii) Diversion of up-slope run-off around cleared and/or disturbed areas, areas to be cleared and/or disturbed or filled providing such diverted run-off does not cause erosion and is directed to a legal discharge point;
      - (iii) Installation of sediment retention traps (e.g. sediment fences, etc.) at the down slope perimeter of a disturbed area or stockpile to prevent unwanted sediment and other debris escaping from the land;
      - (iv) Rehabilitation of all disturbed areas as soon as possible.
    - (b) Weed management
    - (c) Storage facilities for fuels, oils, greases, chemicals and the like
    - (d) Litter management
  
  - (17) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
  
  - (18) Construction of civil engineering work associated with the Development is to comply with the requirements of Council's Policy PR003– Standard requirements for the construction of new infrastructure assets and the replacement of existing infrastructure assets.
  
  - (19) On completion of work covered by a Construction Certificate a Chartered Professional Engineer is to certify by declaration that all work has been carried out fully in accordance with the approved plans, specifications, calculations and computations. "Works as Constructed" drawings that comply with the requirements of Council's "Submission of digital-as-constructed information" template are to be supplied. (Note: Template can be obtained from Council's website).
  
  - (20) 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.

- 
- 
- (21) Erosion control measures are to be maintained at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development.**
  - (22) A twelve (12) month maintenance period is to apply to all works within the development which are to become Council infrastructure. A maintenance bond of 5% of the cost of the civil works as approved by the Director Infrastructure & Development Services is to be lodged with Council prior to:
    - (a) the issue of the Maintenance Period Commencement document; or**
    - (b) prior to sealing of the Final Survey Plan.****
  - (23) A 10-metre wide road reservation, with lot boundaries splayed where necessary is to be provided and shown as "Road" on the final survey plan lodged for sealing.**
  - (24) The road reservation is to be widened to a minimum of 25 metres in accordance with Tasmanian Standard Drawing TSD-R07-v1, Urban Roads Cul-De-Sac Turning Heads with lot boundaries splayed where required to accommodate a vehicular turning area and shown as "Road" on the final survey plan lodged for sealing.**
  - (25) A Final Survey Plan submitted for sealing by the Council following the completion of works is to show all easements required for powerlines, sewerage, water, drainage purposes and legal access.**
  - (26) Loading and un-loading of vehicles is to be confined to within the boundaries of the property.**
  - (27) A subsoil cut off drain be installed at the toe of the steep slope (edge of Declared Landslip A area) to a depth of 2.0m. This will comprise of a trench lined with geofabric and filled with coarse aggregate. Water collected by the subsoil drain is to discharge to Council's stormwater system.**
  - (28) A concrete lined spoon drain is to be installed at the toe of the steep slope to intercept surface runoff and direct to Council's stormwater system.**
  - (29) Power is to be provided underground to each lot in the development in accordance with the requirements of Aurora Energy and IPWEA standard drawings and specifications.**

**PART B CONDITIONS:**

- (1) The person responsible for the activity must comply with the conditions contained in Schedule 2 of Permit Part B which the Regulated Entity (trading as TasWater) has required the planning authority to include in the permit, pursuant to section 56Q of the Water and Sewerage Industry Act 2008, reference TWDA 2018/00722 WWC (attached).**

---

---

Notes: -

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

- This project must be substantially commenced within two years of the issue of this permit.
- A “Works within the Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
- The applicant is advised to include a note on the titles for the lots to inform future owners that development of the lots will require further geotechnical investigations and reporting.
- 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*.
- The development is to be undertaken in accordance with the Road Access and Stormwater Assessment dated 16 April 2018.
- This permit is based on information and particulars set out in Subdivision 1970. Any variation requires an application for further planning approval of Council.
- This permit is limited to use and development within the boundaries of the site, being land at 263 Port Road, Boat Harbour Beach. Any use and development outside of the site boundaries, excluding the provision of infrastructure connections as required by this permit, may require further approvals or consent from the land owner.
- Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact Aurora Energy on 1300 132 003 to ensure these works do not impede on existing electricity easements and are at a safe distance from power lines. Failure to do so could result in the relocation of electricity assets at your cost.
- For letterbox placement please contact ‘Australia Post 64345580’ for correct guidelines.
- 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, GPO Box 2036, Hobart, 7001.

The AMENDED MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	
CR FAIRBROTHER	CR FRIEDERSDORFF		

---

---

#### 7.4 SUBDIVISION (4 INTO 19 LOTS) LOCATED AT 293, 305 AND 307 PORT ROAD, BOAT HARBOUR BEACH – SD 2057

To: Council  
Reporting Officer: Town Planner  
Report Date: 14 June 2018  
File Reference: 3010845, 7259808, 7259795  
Supporting Documents: **REFER ATTACHMENT B**  
Development Application Form x 4 pages  
Location Map x 1 page  
Title documents x 19 pages  
Proposed Subdivision Plan by PDA Surveyors x 1 page  
Traffic Impact Assessment by Midson Traffic x 18 pages  
Bushfire Protection Report by Castellan Consulting x 36 pages  
Risk Assessment by GHD x 208 pages  
Supporting Documentation x 21 pages  
Road Access and Stormwater Drainage Assessment x 12 pages  
TasWater Submission x 3 pages  
Information Request x 2 pages  
Information Response x 1 page  
Representation 1 –Kerry Bagshaw x 1 page  
Representation 2 – Peter Gaylard x 5 pages  
Extension of time x 1 page

---

#### **PURPOSE**

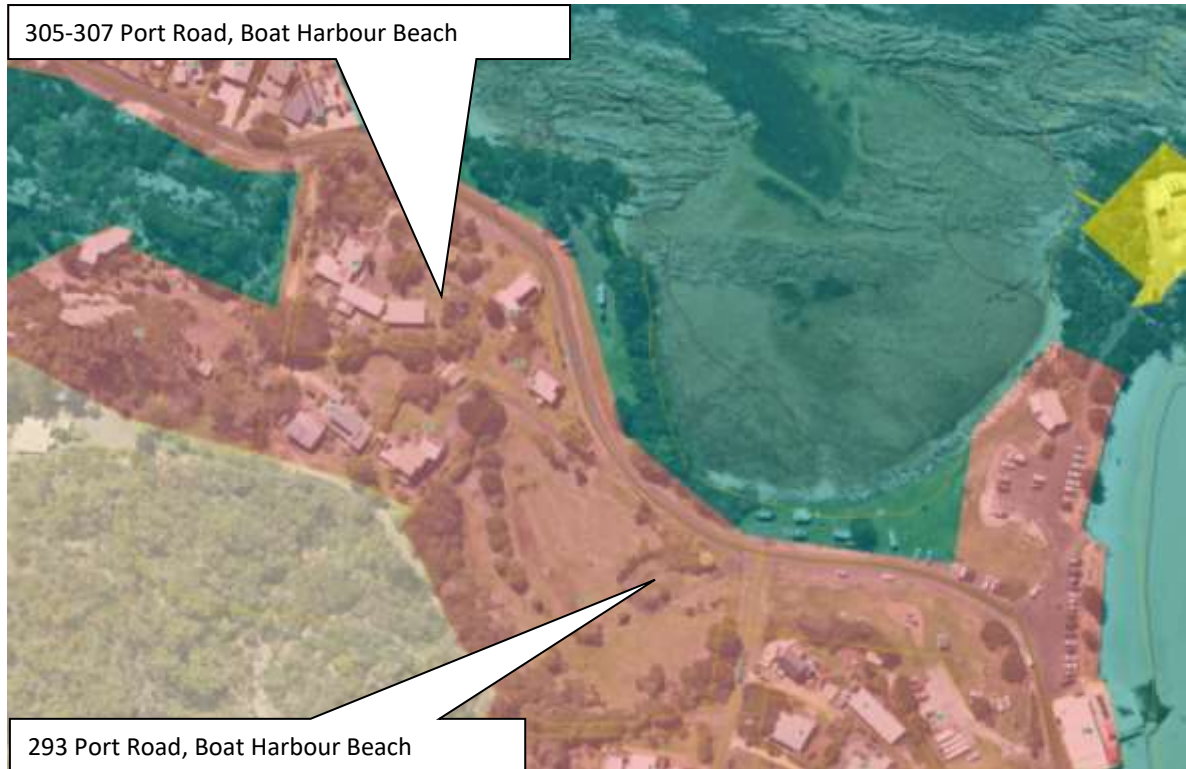
The purpose of this report is for Council to consider the merits of subdivision application SD2057 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013* (Planning Scheme).

#### **BACKGROUND**

The subject site is contained within a total of four lots. The principle portion of the site is within the property at 293 Port Road (lot 1 on SP156080) has an area of 9739m<sup>2</sup>, and has two current accesses to Port Road. The site is currently vacant.

Three lots make up the second portion of the site, being 305 Port Road (lot 2 on SP30609, and two lots described as 307 Port Road (lot 1 on SP197957 and lot 10 on SP12138). The combined area of these titles is 4032m<sup>2</sup>. This site did contain an existing dwelling and motel, but these building have recently been demolished.

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



**Figure 1- Subject Site with zoning**

All sites are within the coastal township of Boat Harbour Beach and are zoned Low Density Residential. Land to the west of the site is zoned Rural Resource. Land to the north is zoned Environmental Management.

## DETAILS

The applicant is seeking approval for a subdivision of the properties described as 293, 305 and 307 Port Road, Boat Harbour Beach (CT168041/2). The proposal is seeking approval for the 4 lots to become 19 lots, with 13 of the proposed lots located on 293 Port Road. The first stage of the development is located on 305 and 307 Port Road, encompassing six lots.

A breakdown of the lots is provided below.

Lot number	Lot Size (m <sup>2</sup> )	Frontage (m)
1	692	19.5
2	600	15.7
3	636	15.7
4	998	4.0
5	718	11.8
6	719	7.8
7	795	4.4
8	774	14.4
9	523	31.1 & 19.2

---



---

10	541	21.4
11	500	11.7 & 24.5
12	522	12.0
13	594	14.1
14	675	3.6
15	582	36.6
16	615	22.2
17	775	6.1
18	950	20.4
19	504	20.4

This report assesses the proposal against the Planning Scheme and takes into account the representations received during the public exhibition period. The proposal is defined as a Residential Use Class, a Permitted Use under the Planning Scheme. The applicant is applying for discretion under the following clauses:-

- Suitability of a site or lot for use or development (12.4.1 P1),
- Setback of development for sensitive use (12.4.7 P1),
- Subdivision (12.4.8 P2),
- Reticulation of an electricity supply to new lots on a plan of subdivision (12.4.9 P1),
- Subdivision: provision of hazard management areas (E1.6.1 P1),
- Use Likely to be exposed to a natural hazard (E6.5.2), and
- Development in proximity to a water body, watercourse or wetland (E10.6.1 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 onsite 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 30 May 2018. Two (2) representations were received.

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.

<b>Representor – Kerry Bagshaw</b>	
<p><b>Issues Raised</b></p> <p>The representors' issues raised have been summarised as the following:</p> <p>(1) The driveway on our title is subject to a right of way. Objects to any new title being created with a new right of way onto their land. The right of way is unusable due to a Claret Ash tree, two service poles and a creek. There is a ditch and several old trees in the location of the current right of way, if a right of way occurs on the newly created titles the representor believes this would be a loss of private enjoyment of the land. If titles were created with no right of way over the land there would be no objection.</p>	<p><b>Planning Response:</b></p> <p>(1) The Right of Way cannot be removed or amended without the consent of all parties to the Right of Way. The Right of Way is to facilitate access to and from Port Road. There is no need for a landowner to access the Right of Way to the west of their respective property. It is highly unlikely that lots 1, 14, 16 and 12 would request access to 317 Port Road.</p>



---

---

**Representor – P Gaylard obo P & C Gaylard and B & N Murphy****Issues Raised**

The representors' issues raised have been summarised as the following:

- (1) Unable to find a Geotechnical Report, it should have been included and available for the general public to view.
- (2) A neighbour at 317 Port Road Boat Harbour was not notified by Council at the same time as the adjoining landowners. It is acknowledged this property is not technically an adjoining landowner, however is directly affected by the development as it has a right of way over land at 305 and 307 Port Road Boat Harbour. The owners of this parcel should have been notified at the same time affected adjoining landowners were. The advertising of this application is faulty.
- (3) The geotechnical report was unavailable online and the owners of 317 Port Road were not notified. Does this mean the advertising process was faulty and the development needs to be re-advertised?
- (4) The application suggests some parts of the proposal would provide underground electricity supply and some should be allowed to be provided overhead. All electricity supply should be provided underground. Overhead powerlines spoil the landscape and will have a detrimental effect on the view from our property.
- (5) The lot sizes are small more reflective of a General Residential zone not a Low Density Residential zone. Thirteen (13) of nineteen (19) blocks are proposed to be 700m<sup>2</sup> or less. The majority of the development. They do not fit the larger than normal block size as required by the zone.
- (6) The modified creek or waterway coming down the escarpment has been considered in the application the fact that it has flooded areas of the proposed development blocks 16, 17, and 19 has not. The previous landslip assessment took into consideration a dam hazard. The previous report stated a large flood, flood waters will spill out and sheet flow through a number of properties, including lots 16, 17 and 19 of the subdivision. In the four years we lived here we have seen the creek overflow and flood those properties twice.
- (7) The traffic report states that pedestrians are catered for. Concerned where the driveway to 301 Port Road and the Right of way to 317 Port Road joins Port Road there is no

**Planning Response:**

- (1) A Geotechnical Report was provided as part of the application and available online. Due to the size of the documents that application was in two parts. The Geotechnical report was in Part 2.
- (2) The property at 317 Port Road Boat Harbour Beach does not adjoin the proposal. Therefore, did not receive an adjoining land owner notice. The owners of 317 Port Road do have a benefiting interest over a Right Of Way that runs through the proposal, but they do not own the land subject to the application. The application does not need to be re-advertised.
- (3) The application was available online. The applicant completed the declaration on the application form that landowners had been notified. The application does not need to be re-advertised.
- (4) Overhead electricity provision is a discretionary matter considered under the planning scheme. The applicant is able to request overhead electricity provision, but needs to demonstrate compliance with the relevant performance criteria. Full assessment of this clause (12.4.9) is provided under the relevant planning assessment.
- (5) The minimum lot size in the Low Density Residential zone is 500m<sup>2</sup>. All blocks proposed are greater than the 500m<sup>2</sup> in area required by the acceptable solution.
- (6) Flooding might suggest that the current drain and infrastructure is insufficient. It would appear that the current culverts decrease in size leading to the outlet. This opposes stormwater drainage convention. The proposal is to be conditioned to provide stormwater infrastructure to meet current requirements.
- (7) The subject location is a slow speed environment and 6 new dwellings will not significantly increase traffic movements.
- (8) There are no footpaths provided anywhere else in Boat Harbour Beach. This is a low speed environment and the additional six lots are not considered to create an unacceptable amount of traffic movements to further require a footpath, where they wouldn't connect to another.
- (9) Council would not be able to seal Final plans of Lot 1 until the Right of Way is reduced in width. It is noted that Lot 1 forms part of Stage 3 of the development (the last stage) in order to complete this.

<p>safe pedestrian access for a short distance. Pedestrians are forced to use the roadway on a bend that limits the line of sight for oncoming traffic. This is not safe for the extra traffic generated by the additional six blocks particularly for school children catching and returning from the school bus.</p> <p>(8) Pedestrian access should be addressed on Port Road.</p> <p>(9) The reduction of width of the right of way on block 1 from 12.9m to 6m has not been finalised. Until this is finalised this will reduce the ability to utilise the site to build a dwelling that meets council standards, therefore if the reduction does not go ahead this will adversely affect the use of the block and it won't fit within Council guidelines.</p> <p>(10) Should the development go ahead with this pending?</p> <p>(11) It is noted that the developer is limiting the height of dwellings on some of their blocks so as not to diminish the view from other blocks in the development. Can other blocks behind the development and that building heights be limited to one or two storey dwellings?</p> <p>(12) Distance between the property boundary and roadway has vegetation particularly between lot 16 and lot 17, close to the boundary has a tree fern. Understand the sight line distance needs to be clear for access and egress but believe this fern and vegetation along the boundary line could remain. As the line of sight is larger than many suburban driveways.</p> <p>(13) The easement on lot 1 is a right of way for 301 Port Road and is in fact the only access to Port Road from the site. There is a resident on site and the right of way is used on a daily basis. It is also a right of way for 317 Port Rd which does have alternative access to Port Road. We believe others including ourselves will be allowed to use the right of way. The right of way will be on lots 14, 16 and 17 as shown on the drawings. Will the right of ways and benefiting titles be on the new titles lot 1, 14 16 and 17?</p> <p>(14) Council has a planning scheme that is established for the good of the community and developers applications should adhere to the scheme.</p>	<p>(10) Council will not be able to seal Final Plans of Lot 1 until the Right of Way is reduced in width. It is noted that Lot 1 forms part of stage 3 of the development.</p> <p>(11) Height restrictions are set by the planning scheme. A developer can impose further restrictions on development by placing covenants on their titles. Covenants are not enforceable by Council and instead can only be enforced by the developer should they choose.</p> <p>(12) The sight lines have been assessed by Council's Engineering Services Department, and the development of the access to lots 14-19 have been conditioned to remove and maintain vegetation planting back to the property boundary line.</p> <p>(13) The Right of Way cannot be removed without the consent of all parties to the Right of way. Therefore it would remain.</p> <p>(14) All development is assessed against the planning scheme.</p>
--	---

---

## INTERNAL REFERRALS

### Manager Engineering & Projects

Construction of civil engineering work associated with the Development is to comply with the requirements of Council's Policy PR003 Standard requirements for construction of new infrastructure assets and the replacement of existing infrastructure assets.

Relevant engineering plans, specifications, calculations and computations are to be prepared or certified by a Chartered Professional Engineer and submitted to the Director Infrastructure and Development Services for approval. No work is to commence until a Construction Certificate has been issued by the Director Infrastructure and Development Services.

Connection of stormwater drains to Council's drainage network is to occur only in accordance with the requirements and approval of the Director Infrastructure and Development Services.

A twelve (12) month maintenance period is to apply to all works within the development which are to become Council infrastructure. A maintenance bond of 5% of the cost of the civil works as approved by the Director Infrastructure and Development Services is to be lodged with Council prior to:

*the issue of the Maintenance Period Commencement document; or  
prior to sealing of the Final Survey Plan.*

New kerb crossovers for lots 1 to 10 are to be constructed off the internal subdivision road in accordance with Tasmanian Standard Drawing TSD-R09-v1, Urban Roads Driveway, TSD-R16-v1 Concrete kerbs and Channels Vehicular Crossings and the conditions in a "Activity in Road Reservation Permit".

Reinforced concrete driveway slabs for lots 1 to 10 are to be constructed between the kerb crossover and the property boundary in accordance with Tasmanian Standard Drawing TSD-R09-v1, Urban Roads Driveways and the conditions in a "Activity in Road Reservation Permit".

Loading and unloading of vehicles is to be confined to within the boundaries of the property.

A stormwater connection point including an accessible inspection opening at ground level is to be constructed at the lowest point of the lot to permit connection to Council's stormwater drainage reticulation network. The connection point is to be inspected and approved by the Director Infrastructure & Development Services before backfilling.

A Stormwater Management Plan is to be provided, including the construction of a reticulated stormwater drainage system with individual lot connections, road drainage and method of discharge in accordance with the reasonable requirements of the Director Infrastructure and Development Services. The design return interval for the reticulation

---

---

network is to be 1 in 10 year ARI for property only, 1 in 20 Year ARI for road drainage and provision is to be made to contain a 1 in 100 year ARI major overland flow-path. The major overland flow-path is also to be designed to consider a modelled dam break scenario.

Erosion and sediment control measures that meet the reasonable requirements of the Director Infrastructure and Development Services are to be implemented and maintained during the course of the development to minimise downstream sediment transfer, particularly with respect to water courses, stormwater outlets and disturbed ground.

Before site disturbance or construction commences an environmental management plan is to be prepared and submitted for approval by the Director Infrastructure & Development Services, The plan is to outline proposed practices in relation to:

1. Temporary run-off and erosion controls, which are to be installed before the development commences. Controls are to include, but are not limited to:
  - i. Minimisation of site disturbance and vegetation removal;
  - ii. Diversion of up-slope run-off around cleared and/or disturbed areas, areas to be cleared and/or disturbed or filled providing such diverted run-off does not cause erosion and is directed to a legal discharge point;
  - iii. Installation of sediment retention traps (e.g. sediment fences, etc.) at the down slope perimeter of a disturbed area or stockpile to prevent unwanted sediment and other debris escaping from the land;
  - iv. Rehabilitation of all disturbed areas as soon as possible.
2. Weed management
3. Storage facilities for fuels, oils, greases, chemicals and the like
4. Litter management

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

A 15m wide road reservation, with lot boundaries splayed where necessary is to be provided and shown as "Road" on the final survey plan lodged for sealing.

The road reservation is to be widened to a minimum of 25m in accordance with Tasmanian Standard Drawing TSD-R07-v1, Urban Roads Cul-De-Sac Turning Heads with lot boundaries splayed where required to accommodate a vehicular turning area and shown as "Road" on the final survey plan lodged for sealing.

The road is to be of compacted crushed rock pavement, designed in accordance with the Austroads Pavement Design Guidelines, with a pavement width of 6m measured lip of kerb to lip of kerb and a minimum total pavement thickness of 300mm plus a 40mm asphalt seal, concrete kerb and channel all in accordance with the Tasmanian Standard Drawing TSD-R06-v1, Urban Roads Typical Sections and Pavement Widths, and is to be constructed to the reasonable requirements of the Director Infrastructure & Development Services.

---

---

A 40mm asphalt overlay is to be provided on Port Road for the full pavement width, 15m either side of the subdivision road.

Road intersections, both internally and within the Council road network are to be assessed in regard to the various requirements of the Austroads Guide to Traffic Management set. All upgrade and works required to achieve compliance with the Austroads Guide to Traffic Management set are to be addressed

The applicant is to supply and install traffic management devices that include, but are not limited to, signage and line marking in accordance with the suite of AS 1742 standards and which meet the requirements of Department of State Growth. Before a Construction Certificate may be issued, the applicant or his designer is to prepare a set of traffic management drawings that are to be submitted to and approved by Department of State Growth.

Concrete kerb and Channel type KC is to be constructed in accordance with Tasmanian Standard Drawing TSD-R14-v1, approved Concrete Kerbs and Channels Profile Dimensions on both sides of internal roads.

A court bowl of radius 9m and otherwise in accordance with Tasmanian Standard Drawing TSD-R07-v1, Urban Roads Cul-De-Sac Turning Heads is to be provided at the termination of the internal road to facilitate the turning movement of large service vehicles. Construction is to be of equivalent standard to the internal road.

Street lighting is to be provided in accordance with AS 1158 and the requirements of Aurora Energy Pty Ltd and the Director Infrastructure & Development Services. The street lighting is to be designed to minimise off site glare and reflected light. The use of non-standard lighting poles is not permitted in the development.

Power is to be provided to each lot in the development in accordance of the requirements of Aurora Energy and IPWEA standard drawings and specifications.

Before site disturbance or construction commences, a plan of management is to be prepared and submitted for approval by the Director Infrastructure & Development Services. The plan is to provide relevant project management information and outline proposed construction practices, including, but not limited to:

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

---

Notes:

The development is to comply with the Road Access and Stormwater Drainage Assessment dated 2 March 2018.

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

**Environmental Health Officer**

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: 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 application was referred to TasWater on 1 May 2018. The response was received on 10 May 2018 and forms Part B of this permit.

**PLANNING ASSESSMENT**

The subject site is zoned Low Density Residential under the *Waratah-Wynyard Interim Planning Scheme 2013*.

The application does not meet all of the acceptable solutions. The application is therefore submitted as a discretionary application under Section 57 of the *Land Use Planning & Approvals Act 1993* (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 relevant provisions for the Low Density Residential Zone Code and relevant Codes is provided below.

Suitability of a site or lot for use or development (12.4.1 P1)

<p><b>A1</b></p> <p>A site or each lot on a plan of subdivision must –</p> <p>(a) have an area of -</p> <p>(i) not less than 500m<sup>2</sup> excluding any access strip; or</p> <p>(ii) if in a locality shown in the Table to this clause, not less than the site area shown for that locality; and</p> <p>(b) contain a building area of not less than 10.0m x 15.0m -</p> <p>(i) clear of any applicable setback from a frontage, side or rear boundary;</p> <p>(ii) clear of any applicable setback from a zone boundary;</p> <p>(iii) clear of any registered easement;</p> <p>(iv) clear of any registered right of way benefitting other land;</p> <p>(v) clear of any restriction imposed by a utility;</p> <p>(vi) not including an access strip;</p> <p>(vii) accessible from a frontage or access strip; and</p> <p>(viii) if a new residential lot, with a long axis within the range 30° east of north and 20° west of north</p>	<p><b>P1</b></p> <p>A site or each lot on a plan of subdivision must</p> <p>(a) be of sufficient area for the intended use or development without likely constraint or interference for –</p> <p>(i) erection of a building if required by the intended use;</p> <p>(ii) access to the site;</p> <p>(iii) use or development of adjacent land;</p> <p>(iv) a utility; and</p> <p>(v) any easement or lawful entitlement for access to other land; and</p> <p>(b) if a new residential lot, be orientated to maximise opportunity for solar access to a building area</p>
<p><b>Planning Comment:</b></p> <p>Proposed lot 4 does not have sufficient building envelope to comply with A1(b). Additionally, lots 1 to 4, and 13 and 15 do not comply with A1(b)(viii). Therefore, the subdivision is to be assessed against the performance criteria.</p> <p>The proposed lots 1-4, 13 and 15 are all capable of being orientated east west, and given the sun's path during winter, lots orientated east to west generally have greater area to gain sun than the dwelling orientated north south. Furthermore, all lots have a north facing slope, reducing the likelihood of having their solar access being built out in the future as each lot is developed.</p> <p>The proposed lots have been orientated in order to allow a suitable building area on site. The design of future dwellings can be further considerate of solar access. As the lots are of sufficient size, future dwellings can be orientated to meet the relevant solar requirements of the Building Act 2016 and the National Construction Code. The lot sizes will also allow for adequate separation from adjoining buildings.</p> <p>The proposal is considered to comply with the performance criteria, subject to conditions.</p>	

Setback of development for sensitive use (12.4.7 P1)

<p><b>A1</b></p> <p>A building containing a sensitive use must be contained within a building envelope determined by</p>	<p><b>P1</b></p> <p>The location of a building containing a sensitive use</p>
--	---

<p>–</p> <p>(a) the setback distance from the zone boundary as shown on the Table to this clause; and</p> <p>(b) projecting upward and away from the zone boundary at an angle of 45° above the horizontal from a wall height of 3.0m at the setback distance from the zone boundary</p>	<p>must –</p> <p>(a) minimise likelihood for conflict, constraint or interference by the sensitive use on existing and potential use of land in the adjoining zone; and</p> <p>(b) minimise likely impact from existing and potential use of land in the adjoining zone on the amenity of the sensitive use</p>
--	---

**Planning Comment:**

Proposed lots 3, 4, 5, 6 and 7 are unable to locate a building envelope for a sensitive use clear of the 50m setback to Rural Resource zone. Therefore the subdivision is to be assessed against the performance criteria.

The location of the proposed building envelopes is within an established residential area of Boat Harbour Beach. The immediate adjoining Rural Resource zone parcel of land is particularly constrained by size and topography. The topography and slope of the Rural Resource zoned land to the west significantly impacts and limits the ability for agricultural activity. Furthermore the DPIPWWE land capability mapping categorise this as class 6 and 7 soil, this is likely to be a reflection of the constraints on the parcel. The potential use of the land in the adjoining zone is not considered to be further constrained as a result of the subdivision.

The lots minimise impact from existing and potential use of land in the adjoining zone creating lots that can achieve setbacks of approximately 16m to the zone boundary, greater than that reflected on current developed lots in the Low Density Residential in Boat Harbour Beach.

The design of future dwellings can be considerate in order to achieve further minimised impact on this adjoining zone.

The proposal is considered to comply with the performance criteria.

**Subdivision (12.4.8 P2)**

<p><b>A2</b></p> <p>A lot, other than a lot to which A1(b) applies, must not be an internal lot</p>	<p><b>P2</b></p> <p>(a) An internal lot on a plan of subdivision must be –</p> <p>(i) reasonably required for the efficient use of land as a result of a restriction on the layout of lots imposed by –</p> <ol style="list-style-type: none"> <li>a. slope, shape, orientation and topography of land;</li> <li>b. an established pattern of lots and development;</li> <li>c. connection to the road network;</li> <li>d. connection to available or planned utilities;</li> <li>e. a requirement to protect ecological, scientific, historic, cultural or aesthetic values, including vegetation or a water course; or</li> <li>f. exposure to an unacceptable level of risk from a natural hazard; and</li> </ol>
---	---



	(ii) without likely impact on the amenity of adjacent land
<p><b>Planning Comment:</b></p> <p>Two internal lots are proposed. Therefore, assessment against the performance criteria is required.</p> <p>A cul-de-sac is proposed to service one side of the subdivision. It is common practice to have internal lots at the end of a cul-de-sac to maximise lot yield.</p> <p>Lot 7 has access to the road network and all utilities. Setbacks and separation distances will be similar to the surrounding Low Density Residential zoned lots. The lot is designated with medium landslide, but development could be located outside of the landslide area. The Residential lot will not constrain the adjoining Residential uses.</p> <p>On the western side of the subdivision, lot 17 is also an internal lot. The internal lots are required due to the existing lot shapes, and are required for the efficient use of land. Each lot will have adequate access to the road network and utilities. Lot 17 will be impacted by the future stormwater improvements, but is of sufficient size for development to be located clear of this constraint. The Residential lots will not constrain the adjoining Residential uses.</p> <p>The proposal is considered to comply with the performance criteria, subject to conditions.</p>	

**Reticulation of an electricity supply to new lots on a plan of subdivision (12.4.9 P1)**

<p><b>A1</b></p> <p>Electricity reticulation and site connections must be installed underground</p>	<p><b>P1</b></p> <p>It must be impractical, unreasonable, or unnecessary to install electricity reticulation and site connections underground</p>
<p><b>Planning Comment:</b></p> <p>The proposal is for lots 2-8 are proposed to be connected underground. However, discretion is sought for all other lots to be connected to existing overhead services (Lots 1 and lots 9-19). Therefore, the proposal is to be considered against the performance criteria.</p> <p>The lots seeking discretion for overhead electricity have frontage to the existing overhead services provided in the street network on Port Road. They are within very close proximity to the existing overhead electricity reticulation lines. The applicant's planning response states that it is unreasonable to request new electricity reticulation to be installed underground, as overhead connections are consistent with the area, and already contribute visual obstructions within Boat Harbour Beach on Port Road.</p> <p>The proposal complies with the performance criteria.</p>	

**Part E Codes**  
**Bushfire-Prone Areas Code**

Subdivision: Provision of hazard management areas (E1.6.1 P1)

<b>A1</b>	<b>P1</b>
<p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or</p> <p>(b) The proposed plan of subdivision:</p> <p>(i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision;</p> <p>(ii) shows the building area for each lot;</p> <p>(iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone areas; and</p> <p>(iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone areas; and</p> <p>(c) If hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.</p>	<p>A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area, having regard to:</p> <p>(a) the dimensions of hazard management areas;</p> <p>(b) a bushfire risk assessment of each lot at any stage of staged subdivision;</p> <p>(c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability;</p> <p>(d) the topography, including site slope;</p> <p>(e) any other potential forms of fuel and ignition sources;</p> <p>(f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development;</p> <p>(g) an instrument that will facilitate management of fuels located on land external to the subdivision; and</p> <p>(h) any advice from the TFS.</p>

**Planning Comment:**

The proposal included a Bushfire Hazard Management Plan by Castellan Consulting and provides the following response: The acceptable solution requires a subdivision provides for hazard management areas (HMA) that provide for sufficient separation of building areas from bushfire prone vegetation reduce the

---

---

radiant heat levels, direct flame attack and ember attack at the building area.” The hazard management area is to be sized and located so it achieves separation between the bushfire prone vegetation and building area equal or greater than these required to achieve a Bushfire Attack Level (BAL) of a 19 or lower in accordance with AS3959. This is not achieved for all lots of the proposed subdivision, therefore the Bushfire report addresses the performance criteria for Lots 4, 5, 6, 7, 17 and 19.

The bushfire report summarises Lots 4, 5, 6, and 7 have two approach paths for fire into the area, one from the west or one from the south.

A fire from the west would be likely to be driven from a westerly wind, it would need to travel around the ridge in order to attack the site, with geography likely to slow a fire and reduce the intensity and wind pushing the fire south or southeast.

The fuels in the area directly to the south of the site consist of low to mid height Eucalypt species over a rocky escarpment with limited understorey when compared to a standard forest described in AS3959. The limited understorey will result in lower fuel loads which reduce the rate of spread and intensity of the fire on the fire line, further reducing the level of radiant energy impacting the structures within the development. The report concludes that by allowing Lots 4, 5, 6, and 7 to be allocated BAL 29 with building envelopes proposed will not increase the risk of fire to these lots.

Lots 17 and 19 are located at the western edge of the subdivision site. These proposed lots are alongside coastal scrubland located on a rocky outcrop with sparse low sitting vegetation. There are two vectors for fire to enter this area. Travelling through the coastal fringe from the west or via spotting or deliberate ignition from the beach or within the vegetation. Either event a resulting fire in the area would be unlikely to gather sufficient momentum during its approach taken on characteristics considered in the AS3959 document.

A BAL of 29 has been suggested and is likely that the calculation and method provided in the supporting report is overestimated fire intensity in the area due to the fuel load calculations and the rocky outcrop topography, therefore a cautious approach has been taken and this BAL will provide sufficient reduction in risk exposure to the site.

The proposal is considered to comply with the performance criteria.

The proposal included a Bushfire Hazard Management Plan by Castellan Consulting and details the proposal as compliant with the Code. The proposal complies with all other relevant acceptable solutions of this Code.

**Airport Impact Management Code**

E2 Not applicable to this application.

**Clearing and Conversion of Vegetation Code**

E3 Not applicable to this application. The development is exempt from the code as the clearing of vegetation is on previously cleared land.

**Change in Ground Level Code**

E4 The proposal complies with the exemptions from the Code.

**Local Heritage Code**

E5 Not applicable to this application.

---

---

**Hazard Management Code**

E6 The site includes designated medium and high risk landslide areas, and therefore the code is applicable.

Use likely to be exposed to a natural hazard (E6.5.2 P1)

<b>A1</b> If a use is on land within an area of risk from exposure to a natural hazard as shown on a map forming part of this planning scheme -  (a) use must not be for a critical use, a hazardous use, or a vulnerable use;  (b) use must not be residential use if the level of risk is medium or higher; and  (c) a hazard risk assessment must demonstrate a tolerable level of risk can be achieved and maintained for the nature and duration of the use	<b>P1</b> If use is on land within an area of risk from exposure to a natural hazard as shown on a map forming part of this planning scheme -  (a) a hazard risk assessment must demonstrate a tolerable level of risk can be achieved and maintained for the nature and duration of the use; and  (b) if a critical use, a hazardous use, or a vulnerable use, a cost-benefit analysis in economic, environmental, and social terms must establish there is a significant benefit to the community and there is no alternate site
<b>Planning Comment:</b>  The residential subdivision is located on land designated as medium and high risk landslide. Therefore the proposal must be assessed against the performance criteria.  A Hazard Risk Assessment has been submitted with the application, demonstrating that a tolerable level of risk can be achieved, subject to conditions. These conditions include: <ul style="list-style-type: none"><li>• Management of stormwater coming into and through the site, and also generated by future development;</li><li>• Provision of a rockfall fence along the rear boundary of lots that include the high risk landslide area (particularly lots 4, 5 and 6);</li><li>• Future development of lots 7, 11, 12, and 13 will need to engage good hillside construction practices, with special consideration given to footings, and no excavation deeper than 500mm;</li><li>• Lots 1 to 14 will require extensive subsoil drainage; and</li><li>• The minimisation of any underground service trenches, with all trenches to be designed in conjunction with a practising engineer so that they do not introduce water into the ground, but assist with drainage of the ground.</li></ul> The proposal is not for a critical, hazardous or vulnerable use.  The proposal complies with the performance criteria.	

The proposal complies with the relevant acceptable solutions within the development standard E6.6.2.

**Signs Code**

E7 Not applicable to this application.

**Telecommunications Code**

E8 Not applicable to this application.

## Traffic Generating Use and Parking Code

E9 The proposal complies with the relevant acceptable solutions within the code.

## Water and Waterways Code

The applicant has requested that this clause be considered for the modified creek running along the western edge of stage 1 of the development, as the planning authority considered the modified creek to meet the definition of a watercourse. Therefore, a precautionary approach will be taken and the proposal will be considered against the requirements of clause 10.6.1 (Development in proximity to a water body, watercourse or wetland).

It is noted that in this instance, the drain is piped in five locations over a length of approximately 100m, and is considered to be more in keeping with the drain definition, than that of a watercourse. The watercourse definition does not mention piping.

### Development in a shoreline area (E10.6.2 P1)

<p><b>A1</b></p> <p>There is no acceptable solution</p>	<p><b>P1</b></p> <p>Development must –</p> <p>(a) minimise risk to the function and values of a water body watercourse or wetland [R37] , including for -</p> <p>(i) hydraulic performance;</p> <p>(ii) economic value;</p> <p>(iii) water based activity;</p> <p>(iv) disturbance and change in natural ground level;</p> <p>(v) control of sediment and contaminants;</p> <p>(vi) public access and use;</p> <p>(vii) aesthetic or scenic quality;</p> <p>(viii) water quality management arrangements for stormwater and sewage disposal;</p> <p>(ix) modification of a natural drainage channel;</p> <p>(x) biodiversity and ecological function;</p> <p>(xi) level of likely risk from exposure to natural hazards of flooding and inundation; and</p> <p>(xii) community risk and public safety; and</p> <p>(b) be consistent with any advice or decision of a relevant entity administering or enforcing compliance with an applicable protection and conservation regulation for –</p> <p>(i) impact of the development on the objectives and outcomes for protection of the water body, watercourse or wetland; and</p> <p>(ii) any condition or requirement for protection of the water body, water course or wetland</p>
---	---

---

---

**Planning Comment:**

The western boundary of the site is a modified creek that is fed from a catchment in the hillsides above. The waterway in the lower reaches where the subdivision is proposed has a degraded flow control, driveways and introduced plant species.

The applicant has addressed the performance criteria suggesting there will be no change to the hydraulic function caused by the subdivision. Subsequently proposed lot 19 once development occurs will require a discharge point to the catchment.

No significant economic value is attributable to the creek at this location. There are no known economic rights or entitlements over the creek and no potential use of the creek that could generate economic activity.

Further lots are not considered to limit the use of this modified creek.

The creek does not support water based activity at this location. There would be no impacts on future potential of the creek to support water based activity.

There is no disturbance or change in ground level proposed as part of the subdivision.

The subdivision would not involve activity that would release sediment and contaminants at levels that will significantly impact the creek. Soil stabilization measures have been implemented following previous demolition activity. Subsequent development of lots such as lot 19 can implement appropriate sediment controls at a development and construction phase.

There would be no change or impact on public access and use of the creek.

The aesthetic and scenic quality of the creek is limited as many portions are piped with some portions now having introduced plant species present on portions of the channel. The subdivision is unlikely to change this.

The development will be conditioned accordingly to upgrade the stormwater drainage.

The creek already functions as a modified natural drainage channel. The subdivision would not change the nature of the drainage. Subsequent development will be connected into the upgraded piped stormwater.

The length of the creek affected by the subdivision supports a very limited range of native and introduced species. The intermittent flow of the modified creek means that most aquatic species are unable to remain year long. The land is located alongside an existing access way and is considered compromised as a creek.

The proposed subdivision does not involve development or activity that would further increase the level of risk due to flooding and inundation from the creek. Suitably sized drainage pipes adequate for a 1 in 100 year flood event will form part of the conditions of any permit, therefore further improving the current condition to manage the stormwater appropriately.

The proposal would not significantly impact the community risk and public safety profile.

The site is not subject to advice relating to protection or conservation regulation. Whilst naturally occurring, the lower reaches portion of this modified water channel can be reasonably addressed as a stormwater discharge. A condition has been recommended, requiring the preparation of a Stormwater Management Plan will ensure that the channel considers the impact of the development, as well as upstream activities, and will implement any upgrades required to ensure the safety of existing and future residents from storm events. Erosion and sediment control measures are also to be implemented during construction. Such requirements are relevant to drains and watercourses.

The proposed subdivision meets the performance criteria.

---

---

Clause 10.6.2 (Development in a shoreline area) is not applicable, as the proposal is more than 30m from the mean high watermark. The distance from closest part of the site to the mean high watermark measures approximately 45m.

## **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 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 any public representations received. It is noted that two (2) representations were received during the exhibition period, with two of the representations determined to be valid.

### *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 significant strategic implications identified.

## **POLICY IMPLICATIONS**

No policies of Council were identified as being relevant to this matter.

## **FINANCIAL IMPLICATIONS**

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

## **RISK IMPLICATIONS**

### *The Council*

Acting as a Planning Authority there is limited risk, 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.

The *Land Use Planning and Approvals Act 1993* 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.

The proposal meets the performance criteria by demonstrating the proposed lots can contain suitable building envelopes and be adequately serviced for residential use. The subdivision application has been submitted with a Hazard Risk Assessment that demonstrates that the development will have a tolerable level of risk from landslide.

The application is considered to comply with the Low Density Residential Code, the Hazard Management Code, and all other applicable codes of the *Waratah-Wynyard Interim Planning Scheme 2013*.

It is therefore recommended that Council approve a planning permit for the proposed development.

MOVED BY	CR FRIEDERSDORFF
SECONDED BY	CR BRAMICH

**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 Subdivision (4 into 19 lots) at 293, 305 and 307 Port Road, Boat Harbour Beach subject to the following conditions:-**

### **PART A CONDITIONS:**

- (1) The development is to be generally in accordance with the application as submitted and endorsed documents as listed:**
  - a. Subdivision plan with Job Number L17099-D04 as prepared by PDA Surveyors and dated 8 February 2018.**



- 
- 
- b. Planning report with Reference Number L17099 as prepared by PDA Surveyors and dated 1 May 2018.
  - c. Boat Harbour Risk Assessment as prepared by GHD and dated May 2018.
  - d. Boat Harbour Beach Subdivision Traffic Impact Assessment as prepared by Midson Traffic Revision Number 1 and dated 22 February 2018.
- (2) The development is to be in accordance with the submitted Bushfire Hazard Management Plan as prepared by Jarrod Burton and Ross Murphy of Castellan Consulting and dated 15 February 2018.
  - (3) New kerb crossovers for lots 1 to 9 are to be constructed off the internal subdivision road in accordance with Tasmanian Standard Drawing TSD-R09-v1, Urban Roads Driveway, TSD-R16-v1 Concrete kerbs and Channels Vehicular Crossings and the conditions in an "Activity in Road Reservation Permit".
  - (4) Reinforced concrete driveway slabs for lots 1 to 9 are to be constructed between the kerb crossover and the property boundary in accordance with Tasmanian Standard Drawing TSD-R09-v1, Urban Roads Driveways and the conditions in an "Activity in Road Reservation Permit".
  - (5) New kerb crossovers for lots 12 and 13 are to be constructed off Moore Street in accordance with Tasmanian Standard Drawing TSD-R09-v1, Urban Roads Driveway, TSD-R16-v1 Concrete kerbs and Channels Vehicular Crossings and the conditions in a "Activity in Road Reservation Permit".
  - (6) Reinforced concrete driveway slabs for lots 12 and 13 are to be constructed off Moore Street between the kerb crossover and the property boundary in accordance with Tasmanian Standard Drawing TSD-R09-v1, Urban Roads Driveways and the conditions in a "Activity in Road Reservation Permit".
  - (7) A driveway with a sealed surface is to be constructed for lots 19, 18, 17, 16, 15, 14, 11 and 10 from the edge of the bitumen surfaced pavement of Port Road to the property boundary in accordance with Tasmanian Standard Drawing TSD-R03-v1, Rural Roads Typical Property Access and TSD-R04-v1, Rural Roads Typical Driveway Profile.
  - (8) A 40mm asphalt overlay is to be provided on Port Road for the full pavement width, 15m either side of the subdivision road.
  - (9) A 15m wide road reservation, with lot boundaries splayed where necessary is to be provided and shown as "Road" on the final survey plan lodged for sealing.
  - (10) The road reservation is to be widened to a minimum of 25m in accordance with Tasmanian Standard Drawing TSD-R07-v1, Urban Roads Cul-De-Sac Turning Heads with lot boundaries splayed where required to accommodate a vehicular turning area and shown as "Road" on the final survey plan lodged for sealing.
  - (11) Power is to be provided underground for lots 2-8 in the development in accordance of the requirements of Aurora Energy and IPWEA standard drawings and specifications.
  - (12) The internal subdivision road is to be of compacted crushed rock pavement, designed in accordance with the Austroads Pavement Design Guidelines, with a

- 
- pavement width of 6m measured lip of kerb to lip of kerb and a minimum total pavement thickness of 300mm plus a 40mm asphalt seal, concrete kerb and channel all in accordance with the Tasmanian Standard Drawing TSD-R06-v1, Urban Roads Typical Sections and Pavement Widths, and is to be constructed to the reasonable requirements of the Director Infrastructure & Development Services.
- (13) Telecommunication services are to be provided to each lot in the development in accordance of the requirements of Telstra and IPWEA standard drawings and specifications.
- (14) Road intersections, both internally and within the Council road network are to be assessed in regard to the various requirements of the Austroads Guide to Traffic Management set. All upgrade and works required to achieve compliance with the Austroads Guide to Traffic Management set are to be addressed as part of the road design process.
- (15) The applicant is to supply and install traffic management devices that include, but are not limited to, signage and line marking in accordance with the suite of AS 1742 standards and which meet the requirements of Department of State Growth. Before a Construction Certificate may be issued, the applicant or his designer is to prepare a set of traffic management drawings that are to be submitted to and approved by Department of State Growth.
- (16) A court bowl of radius 9m and otherwise in accordance with Tasmanian Standard Drawing TSD-R07-v1, Urban Roads Cul-De-Sac Turning Heads is to be provided at the termination of the internal road to facilitate the turning movement of large service vehicles. Construction is to be of equivalent standard to the internal road.
- (17) Concrete kerb and Channel type KC is to be constructed in accordance with Tasmanian Standard Drawing TSD-R14-v1, approved Concrete Kerbs and Channels Profile Dimensions on both sides of internal roads.
- (18) Street lighting is to be provided in accordance with AS 1158 and the requirements of Aurora Energy Pty Ltd and the Director Infrastructure & Development Services. The street lighting is to be designed to minimise off site glare and reflected light.
- The use of non-standard lighting poles is not permitted in the development.
- (19) Connection of stormwater drains to Council's drainage network is to occur only in accordance with the requirements and approval of the Director Infrastructure and Development Services.
- (20) A stormwater connection point including an accessible inspection opening at ground level is to be constructed at the lowest point of the lot to permit connection to Council's stormwater drainage reticulation network. The connection point is to be inspected and approved by the Director Infrastructure & Development Services before backfilling.
-

- 
- 
- (21) A Stormwater Management Plan is to be provided, including the construction of a reticulated stormwater drainage system with individual lot connections, road drainage and method of discharge in accordance with the reasonable requirements of the Director Infrastructure and Development Services. The design return interval for the reticulation network is to be 1 in 10 year ARI for property only, 1 in 20 Year ARI for road drainage and provision is to be made to contain a 1 in 100 year ARI major overland flow-path. The major overland flow-path is also to be designed to consider a modelled dam break scenario.
- (22) The use of underground service trenches is to be minimised, with all trenches to be designed in conjunction with a practising engineer so that they do not introduce water into the ground, but assist with drainage of the ground.
- (23) The developer is to construct a 1.2m high rock catch fence comprising propped posts, wire and mesh along the rear boundaries of lots 4 to 7, prior to the signing and sealing of the Final Survey Plan for stage 3 of the subdivision.
- (24) Relevant engineering plans, specifications, calculations and computations are to be prepared or certified by a Chartered Professional Engineer and submitted to the Director Infrastructure and Development Services for approval. No work is to commence until a Construction Certificate has been issued by the Director Infrastructure and Development Services.
- (25) Construction of civil engineering work associated with the Development is to comply with the requirements of Council's Policy PR003 Standard requirements for construction of new infrastructure assets and the replacement of existing infrastructure assets.
- (26) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
- (27) On completion of work covered by a Construction Certificate a Chartered Professional Engineer is to certify by declaration that all work has been carried out fully in accordance with the approved plans, specifications, calculations, and computations. "Works as Constructed" drawings that comply with the requirements of Council's "Submission of digital –as-constructed information" template are to be supplied. Template can be obtained from Council's website.
- (28) The Final Survey Plan submitted for sealing by the Council is to show all easements required for powerlines, sewerage, water, drainage purposes and legal access.
- (29) A twelve (12) month maintenance period is to apply to all works within the development which are to become Council infrastructure. A maintenance bond of 5% of the cost of the civil works as approved by the Director Infrastructure and Development Services is to be lodged with Council prior to:
- (a) the issue of the Maintenance Period Commencement document; or
  - (b) prior to sealing of the Final Survey Plan.

- 
- 
- (30) 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.**
- (31) Loading and unloading of vehicles is to be confined to within the boundaries of the property.**
- (32) Erosion and sediment control measures that meet the reasonable requirements of the Director Infrastructure and Development Services are to be implemented and maintained during the course of the development to minimise downstream sediment transfer, particularly with respect to water courses, stormwater outlets and disturbed ground.**
- (33) Before site disturbance or construction commences an environmental management plan is to be prepared and submitted for approval by the Director Infrastructure & Development Services, the plan is to outline proposed practices in relation to:**
- 1. Temporary run-off and erosion controls, which are to be installed before the development commences. Controls are to include, but are not limited to:**
    - Minimisation of site disturbance and vegetation removal;**
    - Diversion of up-slope run-off around cleared and/or disturbed areas, areas to be cleared and/or disturbed or filled providing such diverted run-off does not cause erosion and is directed to a legal discharge point;**
    - Installation of sediment retention traps (e.g. sediment fences, etc.) at the down slope perimeter of a disturbed area or stockpile to prevent unwanted sediment and other debris escaping from the land;**
    - Rehabilitation of all disturbed areas as soon as possible.**
  - 2. Weed management**
  - 3. Storage facilities for fuels, oils, greases, chemicals and the like**
  - 4. Litter management**

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

- (34) Before site disturbance or construction commences, a plan of management is to be prepared and submitted for approval by the Director Infrastructure & Development Services. The plan is to provide relevant project management information and outline proposed construction practices, including, but not limited to:**
- 1. Contact details for principal, consultants and contractors including after hours numbers;**
  - 2. Traffic management plan including road works signage;**
  - 3. Proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on site);**
-

- 
- 
4. Identification of potentially noisy construction phases, such as operation of rock-breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;
  5. Site facilities to be provided; and
  6. Procedures for washing down vehicles to prevent soil and debris being carried onto the street.

**PART B CONDITIONS:**

- (1) The person responsible for the activity must comply with the conditions contained in Schedule 2 of Permit Part B which the Regulated Entity (trading as TasWater) has required the planning authority to include in the permit, pursuant to section 56Q of the Water and Sewerage Industry Act 2008, reference 2018/00670 WWC (attached).

Notes: -

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

- This project must be substantially commenced within two years of the issue of this permit.
- An "Activity in Road Reservation" permit must be obtained from Council for all activity within the Road Reservation.
- The applicant is advised to include a note on the titles for lots 7, 11, 12, and 13 to inform future owners that development of the lots will require further geotechnical investigations and reporting.
- 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*.
- The development is to comply with the Road Access and Stormwater Drainage Assessment dated 2 March 2018.
- This permit is based on information and particulars set out in Subdivision 2057. Any variation requires an application for further planning approval of Council.
- This permit is limited to use and development within the boundaries of the site, being land at 293, 305 and 307 Port Road, Boat Harbour Beach. Any use and development outside of the site boundaries may require further approvals or consent from the land owner.
- Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact Aurora Energy on 1300 132 003 to ensure these works do not impede on existing electricity easements and are at a safe distance from power lines. Failure to do so could result in the relocation of electricity assets at your cost.
- For letterbox placement please contact 'Australia Post 64345580' for correct guidelines.
- 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, GPO Box 2036, Hobart, 7001.

Cr Fairbrother moved an AMENDMENT to the MOTION

MOVED BY	CR FAIRBROTHER
SECONDED BY	CR BRAMICH

**That condition 11 is amended to state that:**

**All power is to be provided underground to each lot in the development in accordance of the requirements of Aurora Energy and IPWEA standard drawings and specifications.**

The AMENDMENT to the MOTION was CARRIED

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	
CR FAIRBROTHER			

AGAINST

	CR FRIEDERSDORFF		
--	------------------	--	--

The AMENDED MOTION was PUT

**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 Subdivision (4 into 19 lots) at 293, 305 and 307 Port Road, Boat Harbour Beach subject to the following conditions:-**

**PART A CONDITIONS:**

- (1) The development is to be generally in accordance with the application as submitted and endorsed documents as listed:**
  - a. Subdivision plan with Job Number L17099-D04 as prepared by PDA Surveyors and dated 8 February 2018.**
  - b. Planning report with Reference Number L17099 as prepared by PDA Surveyors and dated 1 May 2018.**
  - c. Boat Harbour Risk Assessment as prepared by GHD and dated May 2018.**
  - d. Boat Harbour Beach Subdivision Traffic Impact Assessment as prepared by Midson Traffic Revision Number 1 and dated 22 February 2018.**

- 
- 
- (2) The development is to be in accordance with the submitted Bushfire Hazard Management Plan as prepared by Jarrod Burton and Ross Murphy of Castellan Consulting and dated 15 February 2018.
  - (3) New kerb crossovers for lots 1 to 9 are to be constructed off the internal subdivision road in accordance with Tasmanian Standard Drawing TSD-R09-v1, Urban Roads Driveway, TSD-R16-v1 Concrete kerbs and Channels Vehicular Crossings and the conditions in an "Activity in Road Reservation Permit".
  - (4) Reinforced concrete driveway slabs for lots 1 to 9 are to be constructed between the kerb crossover and the property boundary in accordance with Tasmanian Standard Drawing TSD-R09-v1, Urban Roads Driveways and the conditions in an "Activity in Road Reservation Permit".
  - (5) New kerb crossovers for lots 12 and 13 are to be constructed off Moore Street in accordance with Tasmanian Standard Drawing TSD-R09-v1, Urban Roads Driveway, TSD-R16-v1 Concrete kerbs and Channels Vehicular Crossings and the conditions in a "Activity in Road Reservation Permit".
  - (6) Reinforced concrete driveway slabs for lots 12 and 13 are to be constructed off Moore Street between the kerb crossover and the property boundary in accordance with Tasmanian Standard Drawing TSD-R09-v1, Urban Roads Driveways and the conditions in a "Activity in Road Reservation Permit".
  - (7) A driveway with a sealed surface is to be constructed for lots 19, 18, 17, 16, 15, 14, 11 and 10 from the edge of the bitumen surfaced pavement of Port Road to the property boundary in accordance with Tasmanian Standard Drawing TSD-R03-v1, Rural Roads Typical Property Access and TSD-R04-v1, Rural Roads Typical Driveway Profile.
  - (8) A 40mm asphalt overlay is to be provided on Port Road for the full pavement width, 15m either side of the subdivision road.
  - (9) A 15m wide road reservation, with lot boundaries splayed where necessary is to be provided and shown as "Road" on the final survey plan lodged for sealing.
  - (10) The road reservation is to be widened to a minimum of 25m in accordance with Tasmanian Standard Drawing TSD-R07-v1, Urban Roads Cul-De-Sac Turning Heads with lot boundaries splayed where required to accommodate a vehicular turning area and shown as "Road" on the final survey plan lodged for sealing.
  - (11) All Power is to be provided underground to each lot in the development in accordance of the requirements of Aurora Energy and IPWEA standard drawings and specifications.
  - (12) The internal subdivision road is to be of compacted crushed rock pavement, designed in accordance with the Austroads Pavement Design Guidelines, with a pavement width of 6m measured lip of kerb to lip of kerb and a minimum total pavement thickness of 300mm plus a 40mm asphalt seal, concrete kerb and channel all in accordance with the Tasmanian Standard Drawing TSD-R06-v1, Urban Roads Typical Sections and Pavement Widths, and is to be constructed to

---

---

the reasonable requirements of the Director Infrastructure & Development Services.

- (13) Telecommunication services are to be provided to each lot in the development in accordance of the requirements of Telstra and IPWEA standard drawings and specifications.
- (14) Road intersections, both internally and within the Council road network are to be assessed in regard to the various requirements of the Austroads Guide to Traffic Management set. All upgrade and works required to achieve compliance with the Austroads Guide to Traffic Management set are to be addressed as part of the road design process.
- (15) The applicant is to supply and install traffic management devices that include, but are not limited to, signage and line marking in accordance with the suite of AS 1742 standards and which meet the requirements of Department of State Growth. Before a Construction Certificate may be issued, the applicant or his designer is to prepare a set of traffic management drawings that are to be submitted to and approved by Department of State Growth.
- (16) A court bowl of radius 9m and otherwise in accordance with Tasmanian Standard Drawing TSD-R07-v1, Urban Roads Cul-De-Sac Turning Heads is to be provided at the termination of the internal road to facilitate the turning movement of large service vehicles. Construction is to be of equivalent standard to the internal road.
- (17) Concrete kerb and Channel type KC is to be constructed in accordance with Tasmanian Standard Drawing TSD-R14-v1, approved Concrete Kerbs and Channels Profile Dimensions on both sides of internal roads.
- (18) Street lighting is to be provided in accordance with AS 1158 and the requirements of Aurora Energy Pty Ltd and the Director Infrastructure & Development Services. The street lighting is to be designed to minimise off site glare and reflected light. The use of non-standard lighting poles is not permitted in the development.
- (19) Connection of stormwater drains to Council's drainage network is to occur only in accordance with the requirements and approval of the Director Infrastructure and Development Services.
- (20) A stormwater connection point including an accessible inspection opening at ground level is to be constructed at the lowest point of the lot to permit connection to Council's stormwater drainage reticulation network. The connection point is to be inspected and approved by the Director Infrastructure & Development Services before backfilling.
- (21) A Stormwater Management Plan is to be provided, including the construction of a reticulated stormwater drainage system with individual lot connections, road drainage and method of discharge in accordance with the reasonable requirements of the Director Infrastructure and Development Services. The design return interval for the reticulation network is to be 1 in 10 year ARI for property only, 1 in 20 Year ARI for road drainage and provision is to be made to contain a 1 in 100 year ARI



---

---

major overland flow-path. The major overland flow-path is also to be designed to consider a modelled dam break scenario.

- (22) The use of underground service trenches is to be minimised, with all trenches to be designed in conjunction with a practising engineer so that they do not introduce water into the ground, but assist with drainage of the ground.
- (23) The developer is to construct a 1.2m high rock catch fence comprising propped posts, wire and mesh along the rear boundaries of lots 4 to 7, prior to the signing and sealing of the Final Survey Plan for stage 3 of the subdivision.
- (24) Relevant engineering plans, specifications, calculations and computations are to be prepared or certified by a Chartered Professional Engineer and submitted to the Director Infrastructure and Development Services for approval. No work is to commence until a Construction Certificate has been issued by the Director Infrastructure and Development Services.
- (25) Construction of civil engineering work associated with the Development is to comply with the requirements of Council's Policy PR003 Standard requirements for construction of new infrastructure assets and the replacement of existing infrastructure assets.
- (26) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
- (27) On completion of work covered by a Construction Certificate a Chartered Professional Engineer is to certify by declaration that all work has been carried out fully in accordance with the approved plans, specifications, calculations, and computations. "Works as Constructed" drawings that comply with the requirements of Council's "Submission of digital –as-constructed information" template are to be supplied. Template can be obtained from Council's website.
- (28) The Final Survey Plan submitted for sealing by the Council is to show all easements required for powerlines, sewerage, water, drainage purposes and legal access.
- (29) A twelve (12) month maintenance period is to apply to all works within the development which are to become Council infrastructure. A maintenance bond of 5% of the cost of the civil works as approved by the Director Infrastructure and Development Services is to be lodged with Council prior to:
  - (a) the issue of the Maintenance Period Commencement document; or
  - (b) prior to sealing of the Final Survey Plan.
- (30) 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.
- (31) Loading and unloading of vehicles is to be confined to within the boundaries of the property.
- (32) Erosion and sediment control measures that meet the reasonable requirements of the Director Infrastructure and Development Services are to be implemented and maintained during the course of the development to minimise downstream

---

---

sediment transfer, particularly with respect to water courses, stormwater outlets and disturbed ground.

**(33) Before site disturbance or construction commences an environmental management plan is to be prepared and submitted for approval by the Director Infrastructure & Development Services, the plan is to outline proposed practices in relation to:**

- 1. Temporary run-off and erosion controls, which are to be installed before the development commences. Controls are to include, but are not limited to:**
  - Minimisation of site disturbance and vegetation removal;
  - Diversion of up-slope run-off around cleared and/or disturbed areas, areas to be cleared and/or disturbed or filled providing such diverted run-off does not cause erosion and is directed to a legal discharge point;
  - Installation of sediment retention traps (e.g. sediment fences, etc.) at the down slope perimeter of a disturbed area or stockpile to prevent unwanted sediment and other debris escaping from the land;
  - Rehabilitation of all disturbed areas as soon as possible.
- 2. Weed management**
- 3. Storage facilities for fuels, oils, greases, chemicals and the like**
- 4. Litter management**

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

**(34) Before site disturbance or construction commences, a plan of management is to be prepared and submitted for approval by the Director Infrastructure & Development Services. The plan is to provide relevant project management information and outline proposed construction practices, including, but not limited to:**

- 1. Contact details for principal, consultants and contractors including after hours numbers;**
- 2. Traffic management plan including road works signage;**
- 3. Proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on site);**
- 4. Identification of potentially noisy construction phases, such as operation of rock-breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;**
- 5. Site facilities to be provided; and**
- 6. Procedures for washing down vehicles to prevent soil and debris being carried onto the street.**

---

---

**PART B CONDITIONS:**

- (1) The person responsible for the activity must comply with the conditions contained in Schedule 2 of Permit Part B which the Regulated Entity (trading as TasWater) has required the planning authority to include in the permit, pursuant to section 56Q of the Water and Sewerage Industry Act 2008, reference 2018/00670 WWC (attached).**

Notes: -

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

- This project must be substantially commenced within two years of the issue of this permit.
- An “Activity in Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
- The applicant is advised to include a note on the titles for lots 7, 11, 12, and 13 to inform future owners that development of the lots will require further geotechnical investigations and reporting.
- 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*.
- The development is to comply with the Road Access and Stormwater Drainage Assessment dated 2 March 2018.
- This permit is based on information and particulars set out in Subdivision 2057. Any variation requires an application for further planning approval of Council.
- This permit is limited to use and development within the boundaries of the site, being land at 293, 305 and 307 Port Road, Boat Harbour Beach. Any use and development outside of the site boundaries may require further approvals or consent from the land owner.
- Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact Aurora Energy on 1300 132 003 to ensure these works do not impede on existing electricity easements and are at a safe distance from power lines. Failure to do so could result in the relocation of electricity assets at your cost.
- For letterbox placement please contact ‘Australia Post 64345580’ for correct guidelines.
- 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, GPO Box 2036, Hobart, 7001.

---

The AMENDED MOTION was put and was CARRIED unanimously.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	
CR FAIRBROTHER	CR FRIEDERSDORFF		

**THE PLANNING AUTHORITY CLOSED AT 6.54PM**

**Ashley Thornton and Rebecca Plapp left the meeting at 6.54pm**

---

---

## **8.0 MATTERS 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.*

### **8.1 RESPONSE(S) TO COUNCILLOR QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING**

#### **8.1.1 CR FRIEDERSDORFF – ENTRANCE**

Cr Friedersdorff advised that she had been approached and asked why the Thistle Hut Café had a turning lane off the Bass Highway approved and previous applications by Cloverlea Nursery for similar traffic arrangements had not been granted by State Growth.

The General Manager took the question on notice.

*The Director of Infrastructure and Development Services advised that the query has been passed on to the Department of State Growth and staff are currently awaiting a response.*

#### **8.1.2 CR HYLAND – DAIRY WASTE MANAGEMENT**

Cr Hyland asked if Council staff could investigate the amount of effluent going over Rulla Road from a local dairy as he had received numerous complaints from residents.

Cr Bradley further noted the amount of mud on rural roads from tractors and farm machinery causing dangerous conditions for drivers.

The Mayor advised that Councillors should contact Council and advise staff in each instance so that investigation and action can occur as required.

The Director Infrastructure and Development Services took the question on notice.

*Council's Highway, Public Reserves, Parking Areas and Stormwater By-Law states that "a person must not deposit or drop any material or allow any material to flow, fall, be dropped or in any other way be deposited on any highway except in accordance with a permit to do so".*

*Council Officers have continued to monitor the site at Rulla Road since the last Council Meeting and do not believe it to be an issue of concern at this time. As the Mayor advised at the last meeting, should there be any further issues or concerns, staff should be advised so appropriate investigation can occur.*

---

---

## **8.2 COUNCILLOR QUESTIONS RECEIVED IN WRITING**

**Nil**

## **8.3 COUNCILLOR QUESTIONS WITHOUT NOTICE**

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

### **8.3.1 CR FAIRBROTHER – TASWATER RISK ASSESSMENT**

*Cr Fairbrother asked if the full TasWater risk assessment regarding Waratah Dam could be provided to Councillors.*

*The General Manager advised he would ask TasWater if this was possible.*

### **8.3.2 CR FAIRBROTHER – BYLAW IMPLEMENTATION**

*Cr Fairbrother asked if Council's Bylaw discussions would be occurring so that any changes can be in place prior to the summer season as previously discussed.*

*The General Manager advised that discussions around the Bylaw would be held at a Councillor Workshop in the near future.*

### **8.3.3 CR BRADLEY – LAND BEHIND CAFÉ IN WARATAH**

*Cr Bradley asked if land matters behind the Mushroom Café in Waratah had been sorted out.*

*The General Manager took the question on notice.*

---

---

## 9.0 NOTICES 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 sub regulation (6) is to move the motion at the meeting, otherwise it lapses.*

Nil

---

---

## 10.0 REPORTS OF OFFICERS AND COMMITTEES

### 10.1 REVIEW OF RATES AND CHARGES POLICY

To:	Council
Reporting Officer:	Manager Financial Services
Responsible Manager:	General Manager
Report Date:	12 June 2018
File Reference:	FIN.005
Enclosures:	Draft Rates and Charges Policy – FIN.005

---

#### PURPOSE

The purpose of this report is to review Council's Rates and Charges policy in accordance with legislative requirements.

#### BACKGROUND

In accordance with legislation, Council's Rates and Charges Policy must be updated on a regular basis. Section 86 of the *Local Government Act 1993 (the Act)* requires councils to implement rates and charges policies to provide transparency in decision making and to educate their communities about how revenue is raised. Council is also required to review its rates policy following any major changes to rates charges.

#### DETAILS

The Rates and Charges Policy outlines Council's approach towards rating its community. This version has been updated from the previous revision to reflect alterations to rating process adopted as part of Council's Rates Resolution in recent years.

The policy itself covers a variety of areas including:

- General Rates and Valuation Basis
- Valuations
- Service Rates and Charges
- Payment Options
- Payment Methods
- Objections to Rates Notices
- Rebates and Remissions
- Recovery of Rates and Rate Relief
- Sales of Property if Rates Remain Unpaid

The Rates and Charges Policy will be made publically available on Council's website.



---

## STATUTORY IMPLICATIONS

### Statutory Requirements

The following statutes have application to the matter:

*Local Government Act 1993 -*

#### **General principles in relation to making or varying rates**

##### **86A.**

- (1) *A council, in adopting policies and making decisions concerning the making or varying of rates, must take into account the principles that –*
  - (a) *rates constitute taxation for the purposes of local government, rather than a fee for a service; and*
  - (b) *the value of rateable land is an indicator of the capacity of the ratepayer in respect of that land to pay rates.*

#### **Rating and charging policies to be made available to public**

##### **86B.**

- (2) *A council's rates and charges policy must contain–*
  - (a) *a statement of the policy that the council intends to apply in exercising its powers, or performing its functions, under this Part; and*
  - (b) *a statement of policy in respect of prescribed matters, if any.*
- (3) *A council's rates and charges policy in relation to the making or varying of a rate must take into account the principles referred to in section 86A(1).*
- 4) *A council must review its rates and charges policy–*
  - (a) *by the end of each successive 4-year period after 31 August 2012; and*
  - (b) *at the same time as, or before, making a type of rate, charge or averaged area rate in respect of a financial year, if a rate, charge or averaged area rate of that type was not made in respect of the previous financial year; and*
  - (c) *at the same time as, or before, making under [section 107](#) a variation of a rate or charge in respect of a financial year, if such a variation of that rate or charge was not made in respect of the previous financial year; and*
  - (d) *at the same time as, or before, setting a minimum amount under this Part; and*
  - (e) *at the same time as, or before, altering the circumstances in which a rate, charge or averaged area rate, or a variation of a rate or charge, is to apply to rateable land.*
- (5) *A council, as soon as reasonably practicable after adopting or altering its rates and charges policy, must make copies of the policy as so adopted or altered available to the public–*
  - (a) *in paper form, on payment of a reasonable charge; and*
  - (b) *in electronic form, at a website of the council, free of charge.*

---

---

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL 1: Leadership and Governance</b>	
<b>Desired Outcomes</b>	
We make publicly transparent decisions on spending and future directions while encouraging community feedback.	
We cherish fairness, trust and honesty in our conduct and dealings with all.	
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.	
<b>Our Priorities</b>	
1.5	Build our knowledge base to apply in decision-making processes.
1.6	Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.
1.7	Develop leadership that inspires and motivates, and which maintains a strong community and workplace culture.
1.8	Review and adjust service levels to provide value for money.

## POLICY IMPLICATIONS

There are no significant policy implications identified as part of this report.

## FINANCIAL IMPLICATIONS

Council must raise sufficient revenue from various sources to meet current and future spending needs, provide revenue stability and equality regarding intergenerational equity.

## RISK IMPLICATIONS

Council has an obligation to meet the requirements of the Act in relation to the development and review of a Rates and Charges Policy.

## CONSULTATION PROCESS

No consultation was undertaken as a result of this report.

---

## COMMENT

It is recommended that the Council endorse the draft Rates and Charges Policy. It will be reviewed for adoption annually as part of the budget preparation process.

MOVED BY	CR FRIEDERSDORFF
SECONDED BY	CR FAIRBROTHER

**That Council endorse the draft Rates and Charges Policy.**

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	
CR FAIRBROTHER	CR FRIEDERSDORFF		



**1.0 Purpose**

- 1.1 The purpose of this policy is to outline Council's approach towards rating its community and to ensure compliance with the requirements of Section 86 of the *Local Government Act 1993 (the Act)*.

**2.0 Background**

- 2.1 Council has adopted this policy setting out the objectives that it aspires to achieve within its area. Where Council commits to achieving standards or requirements that are not imposed upon it by statute, its commitment is to endeavour to achieve those standards or requirements within available resources.
- 2.2 Each financial year, Council provides numerous services including but not limited to:
  - a) Roads and bridges;
  - b) Street lighting;
  - c) Parks and reserves;
  - d) Children's services;
  - e) Tourism;
  - f) Youth activities;
  - g) Community services such as community grants and events;
  - h) Sporting facilities including various recreation grounds;
  - i) Emergency services (SES unit);
  - j) Building, Planning and Environmental Health services;
  - k) Animal Control;
  - l) Waste services including garbage pickups, recycling and the Waste Transfer Station;
  - m) Cemeteries;
  - n) Public toilets;
  - o) Stormwater services; and
  - p) Public halls.
- 2.3 In order to provide the services mentioned above, Council generates income from a variety of sources each financial year. Council must raise sufficient revenue from rates to meet current and future spending needs, provide revenue stability and equality regarding intergenerational equity.

**3.0 Policy**

**3.1 General rates and valuation basis**

Council has three choices under the Act for determining its rate charges:

- Land Value;
- Capital Value; and
- Assessed Annual Value (AAV).

DOC NO: FIN.005	VERSION NO: 2	APPROVAL DATE: 25 June 2018
CONTROLLER: General Manager	APPROVED BY: - COUNCIL	REVIEW DATE:



Council have chosen to rate using the AAV (Assessed Annual Value), or the value of the rental potential of the property, as the valuation basis. Council has adopted this valuation basis as it considers this method of valuation to be the best available to Council as prescribed in the Act, therefore the fairest method of distributing the rate responsibly across all property owners.

The AAV represents an independent assessment of the rental value of a property or a 4 per cent minimum of the capital value (whichever is the greater).

Council has determined that a minimum rate is to apply each year to ensure that all customers contribute towards the provision of basic services as a reasonable level.

The method Council uses to calculate the cent in the dollar for the general rate is the total revenue required from the general rate, divided by the total combined AAV of all rateable properties in the municipality.

### 3.2 Valuations

The Office of the Valuer-General (VG) provides the valuations to Council on a cyclical basis (usually each six (6) years). Council was last subject to a municipal wide revaluation with an effective date of 1 July 2016.

Under the Act, Council is mandatorily required to use the valuations provided to it in setting its rates each year. Council has no role in determining the valuation of properties and all ratepayers are able to dispute their valuation direct with the Valuer-General's Office.

Council is also provided with adjustment factors for the various classes of property in the municipal area by the Valuer-General each two years. Council is required to consider these adjustment factors in determining the rates and charges to apply.

### 3.3 Service Rates and Charges

In addition to the general rate, Council charges for other services under the benefit principle, in accordance with Sections 93 and 94 of the Act.

#### **Stormwater**

Council sets a Stormwater levy, based upon the operational expenditure for the function plus an allowance for capital renewals, for residents of Wynyard and Somerset.

#### **Waste Management**

Council provides an urban waste collection service and domestic recycling service. Levies apply for the Kerbside Garbage Collection and Kerbside Recycling Collection based upon cost recovery of each function.

DOC NO: FIN.005	VERSION NO: 2	APPROVAL DATE: 25 June 2018
CONTROLLER: General Manager	APPROVED BY: - COUNCIL	REVIEW DATE:





A charge per property for Waste Management Services is applied to cover the operational expenditure of the service as well as an allowance for capital renewals.

#### **Fire Service Levy**

Council is required by the provisions of the *Fire Services Act 1979* to collect the Fire Service levy on behalf of the Tasmanian Fire Service. The value of this levy is determined by the Tasmanian Fire Service and is not influenced by the Council. This rate is set in accordance with the provisions of section 93 of the Act.

#### **3.4 Payment options**

Payment options are determined by the Council each year as part of the budget process.

Options available for payment include:

- Payment in full by end of August to receive a 5% discount;
- Payment in full by the end of the first week in October (no discount option); or
- Payment by two equal instalments at the end of the third weeks of September and January.

Ratepayers having difficulty in paying their rates either in full or by the instalment dates are encouraged to make a payment plan by contacting Council's rates office.

#### **3.5 Payment methods**

Rates may be paid using the following methods:

- In person at Council offices with cash, credit card (MasterCard or VISA) or EFTPOS;
- At the Somerset Newsagency (cash and cheque only);
- By mail to Waratah Wynyard Council, PO Box 168, Wynyard, TAS 7325;
- By phone – (03) 6443 8333;
- BPay through various financial institutions;
- Centrepay (Centrelink direct debit system); and
- Bpoint over the phone or via Council website (credit card only).

#### **3.6 Objections to Rate Notices**

Property owners have the ability to object to the valuation provided by the VG. This is administered by the Valuation Department.

Council will consider any objections to rate notices in accordance with Section 123 of the *Local Government Act 1993*.



### 3.7 Rebates and Remissions

Any individual application for a rebate and/or remission from payment of rates is to be provided to Council in writing.

Council will annually consider whether to provide any rebate or remission to not-for-profit community organisations where they own or are responsible for the payment of rates. Any not-for-profit organisation that wishes to be considered for either a rebate or remission is required to make a formal application for Council to consider.

Council may also from time to time determine to provide a remission to a ratepayer, group of ratepayers or a class of ratepayers where it has determined that special circumstances exist.

A pensioner remission is available to property owners, through Council by meeting the State Government criteria for eligibility. Council provides the property owner with the remission, and a claim is sought from the State Government. This is generally available to pension, health care and DVA card holders.

### 3.8 Recovery of rates and rate relief

Council does not charge daily interest or penalty on outstanding amounts.

Recovery of outstanding amounts is collected in accordance with Council's debt collection policy.

Council may consider rate relief due to financial hardship under section 129 of the Act. Applications are to be made in writing and lodged with the General Manager.

### 3.9 Sale of Property if Rates Remain Unpaid

Under section 137 of the Act, Council may sell any property where the rates have been in arrears for three or more years. Council is required to:

- (a) Notify the owner of the land of its intention to sell the land;
- (b) Provide the owner with details of the outstanding amounts; and
- (c) Advise the owner of its intention to sell the land if payment of the outstanding amount is not received within 90 days. Except in extraordinary circumstances, Council will enforce the sale of land for arrears of rates.

## 4.0 **Legislation**

Part 9 of the Act provides councils with the legislative power to raise rates and charges.

DOC NO: FIN.005	VERSION NO: 2	APPROVAL DATE: 25 June 2018
CONTROLLER: General Manager	APPROVED BY: - COUNCIL	REVIEW DATE:

To provide services Council must consider the method by which it raises this revenue. Amendments to the *Local Government Act* in December 2011 have clarified that rates are a form of taxation.

The key principle in levying rates recognises that rates constitute a system of taxation on the community for local government purposes.

In developing this policy, Council has also given consideration to the following five principles that apply to the imposition of taxes on communities:

- a) Equity (taxpayers with the same income pay the same tax (horizontal equity), wealthier taxpayers pay more (vertical equity);
- b) Benefit (taxpayers should receive some benefits from paying tax, but not necessarily to the extent of the tax paid);
- c) Ability to pay (in levying taxes, the ability of the taxpayer to pay the tax must be taken into account);
- d) Efficiency (if a tax is designed to change consumer's behaviour, and the behaviour changes the tax is efficient, if the tax is designed to be neutral in its effects on taxpayers and it changes taxpayer's behaviour a tax is inefficient); and
- e) Simplicity (the tax must be understandable, hard to avoid, easy to collect).

The principle of "benefit" above supports the philosophy that rates should not be regarded as a user pays system and it should be recognised that benefits are consumed differently over the life cycle of a ratepayer.

To some extent these principles are in conflict with each other in practice. Councils must therefore strike a balance between:

- a) The application of the principles;
- b) The policy objectives of taxation;
- c) The need to raise revenue; and
- d) The effects of the tax on the community.

Council applies the principles of taxation; namely capacity to pay, benefit and simplicity to implement. Those with a higher capacity to pay tax should pay more than those with a lesser capacity to pay. Council balances this with the benefit principle as some groups benefit more from specific rates and charges, such as garbage, which are rated for as a separate charge.

#### **5.0 Responsibility**

The General Manager has overall responsibility for this policy.

#### **6.0 Minute Reference**

The Minute reference for this policy is

#### **7.0 Council Meeting Date**

This policy was adopted on 25 June 2018.

DOC NO: FIN.005	VERSION NO: 2	APPROVAL DATE: 25 June 2018
CONTROLLER: General Manager	APPROVED BY: - COUNCIL	REVIEW DATE:



---

## 10.2 ANNUAL PLAN AND BUDGET ESTIMATES 2018/2019

To: Council  
Reporting Officer: Manager Financial Services  
Responsible Manager: General Manager  
File Reference: 108.01 and 109.01  
Council Report Date: 13 June 2018  
Enclosures: **REFER ATTACHMENT C**  
2018/2019 Annual Plan and Budget Estimates

---

### PURPOSE

The 2018/19 Annual Plan has been prepared in accordance with the provisions of the *Local Government Act 1993* and Applicable Australian Accounting Standards and is presented to Council for consideration.

The budget estimates have been prepared in consultation with Councillors and staff through a series of workshops over the past few months. The revenue measures in the Budget Estimates include the proposed rates and service charges for 2018/2019 which are also presented to Council for adoption.

Following the adoption of the Annual Plan and Budget Estimates, arrangements will be made to raise and issue notices in respect of the rates and charges in July 2018.

The Annual Plan will be made available for public viewing on the Council's website at [www.warwyn.tas.gov.au](http://www.warwyn.tas.gov.au) or at the Council offices, 21 Saunders Street, Wynyard.

### BACKGROUND

The Annual Plan as presented seeks to satisfy the requirements of the *Local Government Act 1993*.

With the introduction of the *Local Government Act 1993* and the requirement for Council to present an Annual Report to the community specifically addressing the Council's achievements during the previous twelve (12) months, the Annual Plan is an integral part of the calendar of events for Council. The document outlines Council's plans for the next financial year along with the allocation of financial resources to achieve those plans.

The Annual Plan is the key document around which Council's operations will be delivered in 2018/2019 and will provide the focus for performance measurement in the 2018/2019 Annual Report. The preparation of the Annual Plan has taken into consideration the Council's adopted Strategic Plan and Action Plans.

The Annual Plan incorporates the budget estimates and performance indicators against which performance outcomes will be measured. The Plan includes Council's Income

---

Statement, Balance Sheet, Estimated Cash Flows, Capital Program, Fees and Charges Schedule and actions for the 2018/19 financial year.

By adopting the Annual Plan, Council is signalling to the community its intentions for the next twelve months.

## **DETAILS**

The Annual Plan document provides a summary description of the activities to be undertaken by Council during the next twelve (12) months.

### **Operational Budget**

The budget has been prepared on the basis of an estimated total income for 2018/2019 of \$22,783,341 and total expenditure of \$19,078,422.

Provision for depreciation of Council's assets of \$3,986,635 is included within the operational expenditure.

The Income Statement for the 2018/2019 budget projects a balanced budget. In terms of cash, Council is projecting a small underlying surplus of approximately \$85,000 for the year, with a closing cash position of approximately \$5 million, after all carry forward capital works have been completed.

The Council is acutely aware of the financial pressures that members of the community are facing and considered it reasonable this year to apply a modest General Rate increase of 2.00%. On the average residential property (with an AAV of 12,652) this equates to an increase of \$18.35 for the year or 35 cents per week.

### **Discount and Instalments**

Ratepayers have traditionally been encouraged to pay their rates in one lump sum within 30 days of the demand date, which would entitle them to a 5% discount for 2018/2019. Alternatively rates can be paid in two (2) equal instalments whereby no discount is applicable.

The proposed date to which the discount will be available is Wednesday 31 August 2018. Instalment due dates will be as follows:

- Friday 21 September 2018
- Friday 18 January 2019

The instalment due dates are consistent with those that applied in the last financial year.

---

Where neither the discount or instalment options are chosen as a payment method, then the total amount of rates is due and payable by Friday 5 October 2018.

Where ratepayers have difficulty in meeting the required payments on the due date/s alternative arrangements can be entered into by negotiation with staff. Arrangements do not usually extend beyond the twelve-month period however, staff are prepared to negotiate payment alternatives on a case-by-case basis.

The total rates estimated to be raised by Council for the 2018/2019 financial year are \$11,099,094. These include:

#### General Rate

The budget as presented involves an increase in real dollar terms, of the General Rate of 2.00% over the previous year.

#### Waste

It has been decided to highlight the individual waste charges to clearly show the cost of each service. These charges have not increased and are maintained at the 2017/18 levels.

##### Waste Collection Charge

The budget has factored in no increase for Waste Collection which is the charge for the kerbside Garbage Collection. Wynyard, Somerset, Boat Harbour and Sisters Beach residents receive weekly garbage collection service. Waratah residents receive a fortnightly garbage collection service.

##### Recycling Collection Charge

The budget has factored in no increase for Recycling Collection which is the charge for kerbside recycling collection. This service is provided to Wynyard, Somerset, Boat Harbour and Sisters Beach residents on a fortnightly basis.

##### Waste Management Charge

In an effort to reduce costs at the Waste Transfer Station Council has maintained the reduced opening hours and is reducing the amount of waste sent to landfill by removing recyclables and green waste thus there will be no increase in the \$100 per property fee for the 2018/2019 year. Included with this charge, property owners will receive 10 tip tickets which will be posted out in July along with the rates notice.

#### Fire Protection

The *Fire Services Act 1979* at section 81B states:

*The Commission must, not later than 30 April in each year, notify each local council of the contribution that the council is required to make in relation to the permanent brigade rating district land, composite brigade rating district land, volunteer brigade rating district land and general land in its municipal area for the immediately following financial year.*

The budget as presented requires a change in the rate in the \$AAV for urban properties to 0.428 cents and 0.395 cents for other properties. The minimum amount payable has remained at \$40 as advised by the State Fire Commission.

### Stormwater

The stormwater rates for Wynyard and Somerset remain the same as last year at 1.57 cents \$AAV and 1.61 cents \$AAV respectively.

The stormwater rate covers the full cost of providing this service to both the Somerset and Wynyard townships. Council's stormwater infrastructure is being assessed with regard to its flood capabilities into the future, which may result in increased costs into the future.

### Capital Works

For a variety of reasons, a number of the projects in the 2017/18 Capital Works Program had to be delayed last year resulting in a large budgeted infrastructure investment through Capital works of \$11.26M which includes \$5.25M in new assets and \$3.3M for the reconstruction, renewal and rehabilitation of our existing assets. An exact listing of carried forward projects will be reported to Council following the completion of the end of year reconciliation processes.

The Capital program is summarised in the following table:

<b>Area</b>	<b>Carry Forwards (\$)</b>	<b>Renewal (\$)</b>	<b>New and Upgrade (\$)</b>	<b>Total (\$)</b>
Governance	1,238,500		118,600	1,357,100
Strategic and Financial Services	25,000	100,000	100,000	225,000
Community and Corporate Services	40,000	80,000	106,100	226,100
Engineering Services		474,412	82,332	556,744
Waste management			25,000	25,000
Public Conveniences		7,500	7,500	15,000
Transport	757,000	1,902,653	3,973,680	6,633,333
Sporting Facilities		99,800	485,500	585,300
Parks and Gardens	632,000	493,500	346,000	1,471,500
Stormwater Drainage		153,600	10,000	163,600
<b>Totals</b>	<b>2,692,500</b>	<b>3,311,465</b>	<b>5,254,712</b>	<b>11,258,677</b>

---

## **Fees and Charges**

Council adopted Fees and Charges for the 2018/19 financial year at the May 2018 meeting however for completeness they are included within the Annual Plan document.

## **STATUTORY IMPLICATIONS**

The *Local Government Act 1993* outlines the responsibility of Council in relation to the preparation, adoption and implementation of its Annual Plan and Budget Estimates as follows:

### *Annual plan*

71. (1) *a council is to prepare an annual plan for the municipal area for each financial year.*
- (2) *An annual plan is to –*
- (a) *Be consistent with the strategic plan; and*
  - (b) *Include a statement of the manner in which the council is to meet the goals and objectives of the strategic plan; and*
  - (c) *Include a summary of the estimates adopted under section 82; and*
  - (d) *Include a summary of the major strategies to be used in relation to the council's public health goals and objectives.*
- (3) *As soon as practicable after a council adopts an annual plan, the general manager is to –*
- (a) *Make a copy of the annual plan available for public inspection at the public office during ordinary business hours; and*
  - (b) *Provide the Director of Local Government and the Director of Public Health with a copy of the annual plan.*

### *Estimates*

82. (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 estimates 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.

Part 9 of the *Local Government Act 1993* applies to Council's consideration of the rating provisions, in particular sections 90, 93 and 94 of the Act.

#### *General Rate*

- (90) (1) A council may, not earlier than 1 June and not later than 31 August in any year, in respect of each financial year, make one general rate for that year on all rateable land in its municipal area.
- (2) A council may make a general rate on rateable land whether or not it provides any services in respect of that land.
  - (3) A general rate is to be based on one of the following categories of values of land:
    - (a) The land value of the land;
    - (b) The capital value of the land;
    - (c) The assessed annual value of the land.
  - (4) In making a general rate, a council may set a minimum amount payable in respect of that rate if that rate does not include a fixed charge.
  - (5) A minimum amount payable in respect of a general rate may not be set by a council under subsection (4) if the minimum amount would –
    - (a) in respect of the 2012-2013 financial year, apply to more than the relevant percentage in respect of the council, as determined under section 89B for that financial year, of the number of areas of land that is rateable land to which no variation under section 107 of the general rate applies; or
    - (b) in respect of any other financial year, apply to more than the relevant percentage in respect of the council, as determined under section 89B for that financial year, of the number of areas of land that is rateable land to which no variation under section 107 of the general rate applies.

#### *Service Rate*

- 93 (1) A council may make a service rate for a financial year on rateable land for any, all or a combination of the following services:
- (a) .....
  - (b) .....
  - (c) Nightsoil removal;

- 
- 
- (d) Waste management;
  - (e) Stormwater removal;
  - (f) Fire protection;
  - (g) Any other prescribed service.
- (2) A service rate for a financial year is to be based on the same category of value of land as the general rate is based on under section 90(3) for that financial year.
  - (3) In making a service rate, a council may set a minimum amount payable in respect of that rate.
  - (4) A council must not make a service rate for a service referred to in subsection (1) in respect of land owned by the Crown if the council does not supply that service to that land.
  - (5) For the purpose of this Part, establishing, managing, providing or rehabilitating waste management facilities is to be taken to be part of
    - (a) a waste management service; and
    - (b) the supplying, or making available, of waste management services to land.

#### *Service Rate for Fire Protection*

- 93A (1) A council may make a service rate or several service rates in respect of the fire service contributions it must collect under the Fire Service Act 1979.
- (2) A service rate or service rates made under subsection (1) must be for the contribution specified in a notice issued under section 81B of the Fire Service Act 1979.

#### *Service Charge*

- 94 (1) In addition to, or instead of, making a service rate under section 93, a council, when making a general rate in respect of a financial year, may make a separate service charge for that financial year for any or all of the services specified in that section which the council supplies or makes available.
- (2) .....
- (2A) .....
- (3) A council may, by absolute majority, declare that a service charge varies within different parts of the municipal area according to any or all, or a combination of any or all, of the factors specified in section 107.
  - (3A) In addition to the powers conferred on a council under subsection (3), a council may, by absolute majority, vary a service charge according to the level of service provided.
- (4) A council must not make a service charge for a service referred to in section 93(1) in respect of land owned by the Crown if the council does not supply that service to that land.

---

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL 1: Leadership and Governance</b>	
<b>Desired Outcomes</b>	
We make publicly transparent decisions on spending and future directions while encouraging community feedback.	
We maintain and manage our assets sustainably.	
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.	
<b>Our Priorities</b>	
1.6	Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.
1.8	Review and adjust service levels to provide value for money.
1.9	Collaborate with, understand and satisfy our external customers' needs and values.

## FINANCIAL IMPLICATIONS

The Annual Plan incorporates the budget estimates and performance indicators against which performance outcomes will be measured for the 2018/19 financial year.

## RISK IMPLICATIONS

Council has a statutory requirement to annually adopt its Annual Plan and Budget Estimates. No risks have been identified in relation to the adoption of the Annual Plan or Budget Estimates included therein. Any delay in adoption of the Annual Plan may have an impact on Council's ability to satisfy its legislative requirements.

## CONSULTATION PROCESS

Given a changeover of General Managers throughout the year, consequently leading to a slight delay in the internal budget preparation processes, consultation on the budget for 2018/19 did not take place. This will be remedied in future years.

## COMMENT

The Annual Plan is a comprehensive document that endeavours to clearly outline the goals and objectives for the coming year and is a legislative requirement of Council.

It is recommended that the Council adopts the Rates Resolution, Annual Plan and Budget Estimates for 2018/2019 financial year.



---

---

MOVED BY	CR FAIRBROTHER
SECONDED BY	CR FRIEDERSDORFF

**That Council:**

- A. Adopts by absolute majority the Annual Plan and Budget Estimates, in accordance with Section 71 and 82 of the *Local Government Act 1993* (as amended), including the estimates of revenue and expenditure (including estimated capital works) for the 2018/19 financial year as detailed in the attached enclosure and documents;**
- B. Adopts by absolute majority the following Rates Resolution for the period 1 July 2018 to 30 June 2019:**

That in accordance with the provisions of Part 9 of the *Local Government Act 1993* (“the Act”) and the *Fire Service Act 1979*, the Council makes Rates and Charges for the period 1 July 2018 to 30 June 2019 in accordance with the following resolutions.

**1. Definitions and Interpretation**

In this resolution:

- 1.1 ‘AAV’ means assessed annual value as defined in the Act and adjusted under Sections 89 and 89A of the Act.**
- 1.2 ‘land’ means as defined in the Act.**
- 1.3 ‘General Land’ means all land within the municipal area of Waratah Wynyard (the municipal area) that is not within the township of Somerset or the township of Wynyard.**
- 1.4 ‘The Act’ means the *Local Government Act 1993*.**
- 1.5 Terms used in this resolution have the same meaning as given to them in Part 9 of the Act, unless it is inconsistent with context of this resolution.**
- 1.6 Each of the rates and charges made by this Resolution may be cited by reference to the heading immediately preceding the clause.**

---

---

**2. General Rate**

- 2.1 Council makes a General Rate under Section 90 of the Act of 7.64 cents in the dollar.**
- 2.2 Council sets a minimum amount payable in respect of that rate of \$190 in accordance with Section 90(4) of the Act.**
- 2.3 Council elects the AAV to be the basis of the general rate for the purpose of this Rates Resolution.**

**3. Fire Service Rates**

- 3.1 The following Fire Protection Rates are made pursuant to Sections 93 and 93(A) of the Act which the Council declares by absolute majority to be varied as follows:**
- (a) a rate of 0.427 cents in the dollar of AAV for all land within the township of Somerset and Wynyard; and**
- (b) a rate of 0.395 cents in the dollar of AAV on all General Land.**
- 3.2 With a minimum amount payable of \$40 for all land.**

**4. Waste Management Charges**

- 4.1 The following Waste Management Charges are made pursuant to Sections 94 and 94(3A) of the Act which the Council declares by an absolute majority to be varied according to the level of service provided as follows:**
- 4.2 \$100 for all land (other than land classified by the Valuer- General as land use code "bush or forestland (L3)" and land that is not used for any purpose listed in section 107(2) of the Act) for waste management services (other than kerbside collection) provided in the municipal area**
- 4.3 \$155 for all land to which the Council provides a kerbside garbage collection**
- 4.4 \$65 for all land to which Council provides a kerbside recyclables collection service**

**5. Stormwater Removal Service Rate**

- 
- 5.1 Council makes the following Stormwater Removal Service Rate under Section 93 of the Act for stormwater removal services for all land that Council supplies or makes available to which the:**
- (a) For land within the Wynyard drainage district, 1.57 cents in the dollar of the AAV ; or**
  - (b) For land within the Somerset district, 1.61 cents in the dollar of the AAV**

**6. Discount for Early Payment**

- 6.1 In accordance with the provisions of Section 130 of the Act the Council will provide a discount of 5.0% on the total current rates and charges specified in a rates notice, for payment of the total rates and charges (including all arrears) that are paid by 31 August 2018, but excluding the fire protection service rate.**

- C Authorises the General Manager by absolute majority, in accordance with section 82(6) of the Act, to make minor adjustments up to \$20,000 to any individual estimate item as deemed necessary during the financial year.**

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	
CR FAIRBROTHER	CR FRIEDERSDORFF		

---

### 10.3 SHARED SERVICES

To:	Council
Reporting Officer:	General Manager
Responsible Manager:	General Manager
Report Date:	12 June 2018
File Reference:	
Enclosures:	Draft Memorandum of Understanding (MoU)

---

#### **PURPOSE**

Following a number of reviews on shared services, and detailed discussions with the Burnie City and Circular Head Councils, the General Manager is seeking authority to enter into a MoU with the two Councils to investigate and develop plans to establish a Shared Services Entity.

It is anticipated this work will be undertaken with the possibility of the three Councils endorsing the establishment of a Shared Services Entity by June 2019.

#### **BACKGROUND**

The discussion of shared services has been on the agenda for the councils of the North West for many years.

Council participated in the Cradle Coast Authority Shared Services Project by Third Horizons and has received and been briefed on the Final Report delivered in September 2017.

The Report recommended the establishment of a shared service model consolidating the provision of standardised services to councils. Standardising these functions into a shared service model was seen to deliver cost efficiencies and improve the quality of outcomes. Removing responsibility for execution of these activities from individual councils, would also allow them to focus on core strategic activities.

The Report also recommended the establishment or expansion of sub-regional sharing arrangements, with councils working on establishing more structured sharing arrangements for high-potential functions. Commencing with higher value functions, councils could either expand or replicate existing sharing arrangements. Once sub-regional sharing has been successfully implemented for prioritised services, councils could seek to expand the sharing across other high-potential functions.

To implement these recommendations the consultant suggested a three phased approach. Phase 1 would focus on establishing a shared service model for the area with the highest potential (based on size of opportunity and ease of implementation) in order to realise short term benefits and build trust among the councils. It also recommended

that Information Technology be addressed in Phase 1 for it would be a key enabler to broader sharing. Phase 2 and 3 would then focus on medium potential opportunities. A phased strategy would address councils' objectives and maintain focus on longer term possibilities. Proposed phasing was outlined:

Model	Phase 1 High Potential Opportunities	Phase 2 Medium Potential Opportunities	Phase 3 Medium-Low Potential Opportunities
Shared Services	<ul style="list-style-type: none"> <li>&gt; Procurement</li> <li>&gt; Information technology</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Finance</li> <li>&gt; Human Resource Mgmt.</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Economic Development and Communications*</li> <li>&gt; Other Corporate*</li> </ul>
Sub-Regional Sharing		<ul style="list-style-type: none"> <li>&gt; Waste Management (Works and Services)</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Other Works and Services</li> <li>&gt; Community Services*</li> </ul>

This proposal meets the recommendations of the CCA Report, by commencing at a sub-regional level, but by planning to allow for scaling up to a regional level in the future. However it aims to address both Phase 1 and 2 activities during the term of the MoU.

Council has also been involved in a review of IT Shared Services through its relationship with Civica and a consortium of councils across Tasmania interested in developing a shared services model for the delivery of IT and business process services.

The consortia initially engaged Peter Carr to provide a report on the potential for a shared services model. In summary the Report identified that:

- a) Significant improvements can be made in the effective use and consolidation of;
  - Integrated financial systems
  - Human resource and Payroll systems
  - Property and regulatory systems
  - Asset management systems
  - Record management systems
  - Customer relationship systems
  - Enterprise function applications
  
- b) Consolidated shared services will help to;
  - secure future viability for all communities in the current economic, political and social climate;
  - deliver better and relevant services to the community;
  - assist to retain the identity of each municipal area;
  - maintain final decision making with each Council;
  - make long term cost savings to invest on much needed projects and administration resources;

- 
- secure the appropriate cost effective investment in under resourced IT service delivery;
  - develop economies of scale; and
  - attract skilled staff for high level business service, resilience and continuity.

Following consideration of this report, the consortia of Councils nominated the General Manager of Waratah-Wynyard Council and the Chair of Tas Communications to visit Brisbane and be introduced to a potential shared services model – the Corporate Administration Agency.

Following a report of the visit to the consortia of Councils, some concerns were expressed with the readiness of councils to progress given the limited understanding of governance and the overall administration of a shared services model. As a result Tas Communications engaged Peter Carr to undertake further work to develop a potential governance and administration framework, with a view to assisting councils in understanding if Tas Communications could be the vehicle to provide shared services.

Following a review of this work by north-west consortia councils, the General Managers of Burnie, Waratah-Wynyard and Circular Head Councils agreed that there was value in developing a detailed shared services model, however it was also agreed that Tas Communications would not be the preferred entity to deliver shared services.

As a result, the general managers have drafted a Memorandum of Understanding to work together on a Shared Services project to further develop a detailed shared services model. A copy of the draft MOU is attached.

The intent of the Shared Services Project is to develop a model for a formal long term arrangement to deliver shared IT and business process services between the three councils. One of the drivers of this approach is the willingness of the three Councils to work together to progress the development of a detailed model, including the allocation of financial and human resources. A further driver is recognition that more than three participating councils could introduce a level of complexity and diversity that would make the project unworkable. However other councils in the region have indicated an interest in the project and regular briefings will be provided to ensure the model is consistent with allowing further councils to join the shared services model in the future.

In discussions with Peter Carr, who has now joined the Hobart City council and no longer available to provide consultative services in the development of a Shared Services Model, a consultant has been identified to assist the three councils to undertake the shared services project.

## DETAILS

The Shared Services Project is facilitating a greater strategic alignment between the participating Councils through joint collaboration on addressing issues raised in previously completed IT services reviews.

The ability to review, consolidate and apply Lean processes through collaboration in the project supports the implementation of highly effective and efficient use of systems in Financial Management software, Human resource and Payroll, Property and Regulatory Services, Asset Management, Record Management, Customer Relationship and Enterprise function applications as they are all highly reliant on effective IT core processes.

The shared services draft MOU sets out the intent and purpose of the arrangement, with the implementation of the agreement the responsibility of the respective General Managers and a Project Manager.

Based on the initial report by Peter Carr the draft shared services agreement works schedule for the project is listed below but not limited to;

Action	Work Product or Deliverable	Description	Delivery Timeframe
Communication Plan	Develop a communication strategy	Identify key stakeholders and develop a communication strategy for the project.	June 2018
Establish Committee	Establish the committee of General Managers'	After execution of MOU establish the committee and formulate the governance arrangements.	June 2018
Appoint Project Officer		The Committee to appoint a project officer to work with each of the Foundation Councils and provide secretariat support to the Committee.	June 2018
Appoint Consultant		The committee to negotiate the engagement protocols and appoint a consultant.	June 2018
Identify Subject Matter Experts		Identify Subject Matter Experts, by Council, by Function to ensure appropriate resourcing. This activity should only be completed following identification of the stakeholders, the service catalogue, and the Project Management Office.	July 2018
Review Consortium Software	Applications Audit Report and Capability Model	Scope consolidated current state of IT environment to identify, align and map transition of existing key IT contracts, services and functions.	July 2018
Undertake Business-Technology Planning	Infrastructure Audit Report and Capability Model	Identify consolidated view of current state baseline infrastructure for all participants. Identify supplier consolidation opportunities, user profile and baseline Standard Operating Environment requirements for all participants for e.g. Microsoft, Service Desk, PCs.	August 2018

Action	Work Product or Deliverable	Description	Delivery Timeframe
Define the full Scope of Services and Delivery Models	Shared Services Service Catalogue	A documented collection of any and all business and information technology related services to be provided by the Shared Services entity.	September 2018
Consider selection of one service to trial resource sharing whilst other component of the project are being undertaken	Agreed commencement of resource sharing trial or determination not to proceed with this concept	Consideration to be given to selection of one discreet service or task that could be trialled for resource sharing which could in turn be used to generate learnings for future service delivery	September 2018
Workshop Identified Processes	Process Library	Work on mapping the existing systems to drive efficiencies, support automation, and engage participants in change.	November 2018
Establish Shared Service Levels	Service Levels	Shared Service Levels don't occur at the "Council Level" they occur at the SME level.	January 2019
Define Transparent Cost Model	Cost Model	These costs will initially include unit cost for services as opposed to transactional costs for Business Process Outsourcing. BPO style costing should be the target but come later.	February 2019
Develop Entity Model	Constitution or Rules	Development of an Entity Model including Constitution or Rules depending on the type of incorporated entity.	February 2019
Develop Project Report		Provide final report to Committee.	March 2019
Finalise Project		Committee to present report to Foundation Councils.	April 2019

It is proposed the MOU is entered for a 1 year term to complete the project.

The MOU sets out the financial arrangements including the contributions each Council will make to the Project.

The Project is proposed to be managed from Circular Head Council, with the Manager of Corporate Services being the lead officer for project delivery. The Project Manager will work with the three Council General Managers to form the operational committee referenced in the MOU.

The MOU also commits the three Councils to advise one another of any new initiatives they may each be undertaking over the period of the Project, and to assess the impact of the initiative on a shared services model and if there is value is any such initiative being implemented by all three Councils.



A consultant has been identified to assist the Councils to complete the Project. Neil McCaffrey was recommended by Peter Carr and has many years' experience undertaking similar work to that proposed in the Work Schedule.

## STATUTORY IMPLICATIONS

The Shared Services Project is to be carried out between the Councils within an MOU endorsed by the participating Councils. No significant issues have been identified affecting statutory obligations.

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL 1: Leadership and Governance</b>
<b>Desired Outcomes</b>
We make publicly transparent decisions on spending and future directions while encouraging community feedback.
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 are recognised for proactive and engaged leadership.
<b>Our Priorities</b>
Build our knowledge base to apply in decision-making processes.
Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.
Develop leadership that inspires and motivates, and which maintains a strong community and workplace culture.
Review and adjust service levels to provide value for money.
<b>GOAL 2: Organisational Support</b>
<b>Desired Outcomes</b>
We are a knowledgeable organisation—we demonstrate best practices in our business processes.
We are technology-enabled with information available on demand on different levels.
We are focused on the needs of our internal customers.
<b>Our Priorities</b>
Facilitate effective knowledge management practices.
Promote best practice and foster innovation.
Review and update systems and processes to ensure best practice and customer-centric outcomes.
Maintain and develop effective collaboration and resource-sharing practices with Circular Head Council.

---

---

## Sustainable Murchison 2040 - Community Plan

Community Future Direction Theme	Key Challenges & Opportunities:
Business & Industry	<i>Specialised diversity of the economy – Value adding, diversification, innovation and employment. A resilient economy with global brand recognition and growing exports.</i>
Governance and working together	<i>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.</i>

### **POLICY IMPLICATIONS**

There are no policy considerations impacting on this Report, however one of the drivers of this Project is to assist Council in meeting its Financial Management Strategy

### **FINANCIAL IMPLICATIONS**

It is anticipated that the total project value will be \$120,000 to \$180,000 depending on final negotiations with the consultant with each Council making the following contribution:

- Burnie City Council - 1/3 cash component
- Waratah Wynyard Council - 1/3 cash component
- Circular Head Council - In-kind Project Management (value around \$49K) plus balance cash component.

The financial benefits derived from shared services have not been fully measured since the earliest reports attached have been presented. This project will enable a further detailed analysis to occur.

All Councils will continue to explore maximum cost effective opportunities for the arrangement to generate further operational savings across the respective Councils.

There is also potential for some services to be shared during the life of the Project, with immediate savings.

### **RISK IMPLICATIONS**

There are a number of risks associated with this Project. These include:

- a) Financial Risk, with the Project taking longer than expected or due to scope creep;

- 
- b) Human Resource Risk, with the level of input required from staff, over and above normal workloads, to participate in the Project creating stress on staff and the organisation;
  - c) Political Risk, due to expectations from the three councils, community and other stakeholders not being met.

Financial risk will be mitigated through a detailed project proposal reviewed by a third party to ensure all tasks have been identified and resources allocated appropriately.

Human resource risk will be mitigated by ensuring staff workloads are managed, with tasks prioritised and sufficient time provided to complete shared services tasks.

It is proposed that the Project Committee will provide monthly updates to the three Councils, with the potential for a joint Council workshop/s during the life of the MoU for elected members to review the progress of the project.

However the Project will also assist in identifying, reducing and mitigating the current risks in IT resilience and the continuity of Council's business operations.

#### **CONSULTATION PROCESS**

A joint workshop with the three Councils was held on 9 May 2018.

#### **COMMENT**

It is therefore recommended that the Council authorise the General Manager to enter into a Memorandum of Understanding with the Burnie City and Circular Head Councils to investigate and develop plans to establish a Shared Services Entity.

MOVED BY	CR BRAMICH
SECONDED BY	CR FAIRBROTHER

**That Council authorise the General Manager to enter into a Memorandum of Understanding with the Burnie City and Circular Head Councils to investigate and develop plans to establish a Shared Services Entity.**

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	
CR FAIRBROTHER	CR FRIEDERSDORFF		

---

**BURNIE CITY COUNCIL  
WARATAH WYNYARD COUNCIL  
CIRCULAR HEAD COUNCIL**

**Shared Services Entity**

**MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding is made the \_\_\_\_\_ day of \_\_\_\_\_ 2018

**BETWEEN:** **BURNIE CITY COUNCIL** of 80 Wilson Street, Burnie Tasmania, 7320;  
**WARATAH WYNYARD COUNCIL** of 21 Saunders Street, Wynyard Tasmania, 7325;

**AND**  
**CIRCULAR HEAD COUNCIL** of 33 Goldie Street, Smithton Tasmania, 7330;

collectively known as the ("**Foundation Councils**")

**BACKGROUND**

- A. Each of the Foundation Councils are local government authorities established under the Local Government Act 1993.
- B. Each of the Foundation Councils owns and operates technologies for the provision of services to the public within its council area.
- C. The Foundation Councils wish to enter an arrangement with each other with respect to exploring the establishment of a shared services entity ("the Project").
- D. The Foundation Councils desire to formalise their agreement and understanding in relation to detailed exploration of establishing the Shared Services Entity and have agreed to enter into this Memorandum of Understanding in this regard. However, the Foundation Councils agree that this Memorandum shall not create any legal obligations and whilst recognising that there are no enforceable obligations between them the Foundation Councils agree to perform their obligations pursuant to this Memorandum in good faith and to the best of their abilities.

**AND THE FOUNDATION COUNCILS AGREE:**

**1. Definitions & Interpretation**

**1.1 Definitions**

- 1.1.1 "**Act**" means the *Local Government Act 1993*;
- 1.1.2 "**Works Schedule**" means the Schedule of Works attached to this Memorandum;
- 1.1.3 "**Project Manager**" will be an individual engaged by—the three Foundation Councils responsible for managing the Project
- 1.1.4 "**Provider material**" means any material owned or else held by an individual Council and available to be used by the other Foundation Councils in undertaking the Project;
- 1.1.5 "**Committee**" means the group of representatives appointed by each of the Foundation Councils in accordance with Clause 4.1 of this Memorandum;
- 1.1.6 "**Memorandum**" means this Memorandum of Understanding.

- 1.1.7 **“Project Costs”** means the costs incurred by the Foundation Councils in jointly undertaking the work to explore the establishment of the Provider
- 1.1.8 **“Shared Services Entity”** means a jointly owned independent corporate entity delivering agreed IT and business process services to its members
- 1.1.9 **“The Project”** means the portfolio of activities required to undertake detailed exploration to establish a Shared Services Entity,

**1.2 Interpretation**

- 1.2.1 The Background set out above forms part of this Memorandum and the Foundation Councils agree that the Background is true and accurate.
- 1.2.2 Unless the contrary intention appears:
- 1.2.2.1 Words noting the singular shall include the plural and vice versa.
- 1.2.2.2 Reference to any gender shall include every other gender and words denoting individuals shall include corporations and vice versa.
- 1.2.2.3 Reference to any Act of Parliament, statute or regulation shall include any amendment currently enforce at the relevant time and any Act of Parliament, statute or regulation enacted or passed in substitution therefore.
- 1.2.2.4 Headings are for convenience of reference only and do not affect the interpretation or construction of this Memorandum.
- 1.2.2.5 A requirement in this Memorandum for liaison and consultation is a requirement for full and frank discussion and includes a requirement where necessary and appropriate, for full disclosure of relevant information and material.

**2. Term**

- 2.1 The term of this Memorandum shall be one (1) year commencing on 1 July 2018 and expiring on 30 June 2019 unless otherwise agreed or extended by the Foundation Councils in writing.

**3. Negotiate In Good Faith**

The Foundation Councils agree that they will cooperate with each other and at all times act in good faith and with the joint objective of successfully and expeditiously concluding and carrying out all of the arrangements and agreements contemplated in this Memorandum.

**4. The Foundation Councils Obligations**

The Foundation Councils agree that each of them shall have the following obligations in respect of the Shared Services Entity:

#### 4.1 Membership of the Committee

- 4.1.1 to appoint the General Manager or delegated officer to the Committee;
- 4.1.2 to appoint a proxy for each of the representatives in Clause 4.1.1.1.
- 4.1.3 to delegate such powers to the representatives as are required and necessary to give effect to this Memorandum;
- 4.1.4 to delegate such powers to the Project Manager as are required and necessary to undertake the Project
- 4.1.5 to establish a Shared Services Provider Operational Committee to provide advice to the Committee

#### 4.2 Contribution

- 4.2.1 Each Foundation Council agrees to pay the amount set out in the Schedule to cover the costs of the Project
- 4.2.2 Each Foundation Council is responsible for its own costs in relation to work required by each Council internally to support the Project
- 4.2.3 One of the Foundation Councils will be nominated to act as the lead agent in engaging any consultants or other advisors to undertake work on the Project
- 4.2.4 to pay to within thirty (30) days of having received a tax invoice the amount specified in the tax invoice (GST inclusive) for its share of the Project Costs.

#### 4.3 Reporting

To consider reports and recommendations from its respective representatives on the Committee in relation to the administration of the Services.

#### 4.4 Governance Process

During the term of The Project, each Foundation Council agrees that it will review any new initiatives in terms of technology or business processes with the other Foundation Councils through the Committee.

Where the Committee agrees that an initiative has value under a Shared Services Framework it will be referred to Shared Services Provider Operational Committee for assessment and recommendation.

#### 5. Variation

The Foundation Councils agree that the terms and conditions of this Memorandum may be varied upon written agreement of the proposed variation by all the Foundation Councils.

#### 6. No Partnership

This Memorandum does not create or evidence a partnership between the Foundation Councils.

#### 7. Liability

- 7.1 The **Burnie City Council** shall indemnify and keep indemnified the other Foundation Councils against all actions, costs, claims, damages, charges in respect of injury, loss or damage resulting from any negligent act or omission of the **Burnie City Council**;

- 7.2 The **Waratah-Wynyard Council** shall indemnify and keep indemnified the other Foundation Councils against all actions, costs, claims, damages, charges in respect of injury, loss or damage resulting from any negligent act or omission of the **Waratah-Wynyard Council**; and
- 7.3 The **Circular Head Council** shall indemnify and keep indemnified the other Foundation Councils against all actions, costs, claims, damages, charges in respect of injury, loss or damage resulting from any negligent act or omission of the **Circular Head Council**.

#### 8. **Public Liability Insurance**

The Foundation Councils warrant that they retain public liability insurance to a minimum level of cover of \$50,000,000.

#### 9. **Acknowledgement**

The Foundation Councils acknowledge and agree that each of the Foundation Councils may in its own right engage the other Foundation Council's staff for their services; however any agreed costs incurred by the Council in doing so shall be borne solely by the respective Council.

#### 10. **Winding Up**

10.1 Subject to the Foundation Councils extending or otherwise entering into a new agreement, at the expiration of this Memorandum, each of the participating Foundation Councils at that time shall be provided with the following:

- 10.1.1 a readable copy of all records (hard copy or otherwise), in an appropriate format, associated with the Project
- 10.1.2 to the extent permitted by law, a copy of all software and computer programmes associated with the Project; and
- 10.1.3 a share of the proceeds in accordance with the percentages specified in the Cost Schedule upon the realisation of any of the assets forming part of the Services (as opposed to those owned by the individual Councils) after the payment of all liabilities (outstanding or contingent) if any.

#### 11. **Disputes Between Foundation Councils**

- 11.1 The Foundation Councils agree to work together in good faith to resolve any matter requiring their direction or resolution.
- 11.2 Where the Foundation Councils are unable to resolve a matter within twenty one (21) days of the matter being presented to them, the matter will be referred to the CEO of the Local Government Association of Tasmania (or his/ her nominee) for arbitration.
- 11.3 Notwithstanding Clause 16.2 the Foundation Councils agree to be bound by the decision of the appointed arbitrator (except in relation to any decision relating to the acquisition or disposal of any real property) and will endeavour to work together in good faith in the implementation of that decision.
- 11.4 The costs (if any) of arbitration shall be borne equally by the Foundation Councils involved in the arbitration.



## WORKS SCHEDULE

Action	Work Product or Deliverable	Description
Communication Plan	Develop a communication strategy	Identify key stakeholders and develop a communication strategy for the project.
Establish Committee	Establish the committee of General Managers'	After execution of MOU establish the committee and formulate the governance arrangements.
Appoint Project Officer		The Committee to appoint a project officer to work with each of the Foundation Councils and provide secretariat support to the Committee.
Appoint Consultant		The committee to negotiate the engagement protocols and appoint a consultant.
Identify Subject Matter Experts		Identify Subject Matter Experts, by Council, by Function to ensure appropriate resourcing. This activity should only be completed following identification of the stakeholders, the service catalogue, and the Project Management Office.
Review Consortium Software	Applications Audit Report and Capability Model	Scope consolidated current state of IT environment to identify, align and map transition of existing key IT contracts, services and functions.
Undertake Business-Technology Planning	Infrastructure Audit Report and Capability Model	Identify consolidated view of current state baseline infrastructure for all participants. Identify supplier consolidation opportunities, user profile and baseline Standard Operating Environment requirements for all participants for e.g. Microsoft, Service Desk, PCs.
Define the full Scope of Services and Delivery Models	Shared Services Service Catalogue	A documented collection of any and all business and information technology related services to be provided by the Shared Services entity.
Consider selection of one service to trial resource sharing whilst other component of the project are being undertaken	Agreed commencement of resource sharing trial or determination not to proceed with this concept	Consideration to be given to selection of one discreet service or task that could be trialled for resource sharing which could in turn be used to generate learnings for future service delivery
Workshop Identified Processes	Process Library	Work on mapping the existing systems to drive efficiencies, support automation, and engage participants in change.
Establish Shared Service Levels	Service Levels	Shared Service Levels don't occur at the "Council Level" they occur at the SME level.
Define Transparent Cost Model	Cost Model	These costs will initially include unit cost for services as opposed to transactional costs for Business Process Outsourcing. BPO style costing should be the target but come later.
Develop Entity Model	Constitution or Rules	Development of an Entity Model including Constitution or Rules depending on the type of incorporated entity.
Develop Project Report		Provide final report to Committee.
Finalise Project		Committee to present report to Foundation Councils.



**COST SCHEDULE**

	Burnie City Council	Waratah Wynyard Council	Circular Head Council
Project Costs	33.3%	33.3%	33.3%

Note: A contribution may be in-kind to an equivalent cash value.

**EXECUTED** as a Memorandum of Understanding

**THE COMMON SEAL of BURNIE CITY COUNCIL** was hereunto affixed in accordance with its Constitution and by the authority of its directors:

.....  
Mayor

.....  
General Manager

**THE COMMON SEAL of WARATAH WYNYARD COUNCIL** was hereunto affixed in accordance with its Constitution and by the authority of its directors:

.....  
Mayor

.....  
General Manager

**THE COMMON SEAL of CIRCULAR HEAD COUNCIL** was hereunto affixed in accordance with its Constitution and by the authority of its directors:

.....  
Mayor

.....  
General Manager

---

## 10.4 RISK MANAGMENT POLICY

To:	Council
Reporting Officer:	Manager Corporate Services & Risk
Responsible Manager:	Director Corporate & Community Services
Report Date:	25 June 2018
File Reference:	
Enclosures:	Risk Management Policy

---

### PURPOSE

To ensure that Council has an updated Risk Management policy in place that is reviewed on a biennial basis. The Risk Management policy is a document developed to comply with the principles and guidelines of organisational risk management under Australian Standard ISO31000;2009.

### BACKGROUND

The Risk Management policy was originally developed in 2002 and has been reviewed regularly to ensure that it reflects current and contemporary risk management practices.

### DETAILS

The Risk Management Policy was developed to reflect the expectations of Council in identifying, analysing and evaluating risk and selecting the most effective way of treating it. This policy is used in conjunction with the Risk Framework through which other risk strategies and procedures are developed to create a systematic and consistent approach to this area.

The new Policy document sees some minor changes in layout to be more consistent with other policy documents. In addition, the Policy statement provides more detail around the delivery of risk management by Council. It should be noted that the overall content and intent remains unchanged and is consistent with the previous policy.

### STATUTORY IMPLICATIONS

#### Statutory Requirements

*Local Government (Audit Panels) Order 2014 S4*

*(2) For the purposes of section 85A(1)(d) of the Act, the following matters are specified as the matters that an audit panel is to consider in a review of the relevant council's performance:*

---

*(c) the accounting, internal control, anti-fraud, anti-corruption and risk management policies, systems and controls that the council has in relation to safeguarding its long-term financial position;*

## **STRATEGIC IMPLICATIONS**

### Strategic Plan Reference

<b>Key Focus Area:</b>	<b>LEADERSHIP AND GOVERNANCE</b> Waratah-Wynyard Council will deliver an openly transparent, inclusive, community-focussed governing body. We will pride ourselves on a strong sense of belonging and fairness based on trust, honesty and approachability.
<b>Outcome 1.5</b>	<b>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.</b>
<i>Operational Aim 1.5.2</i>	Maintain accountability by ensuring council decisions are evidence-based and meet all legislative obligations.

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

The financial implications of this policy are within the existing budget allocation in this area. It is a strategy to identify savings in terms of operation and reduction of insurance premiums.

## **RISK IMPLICATIONS**

Not meeting the requirements under the *Local Government (Audit Panels) Order 2014* S4(2)(c) .

## **CONSULTATION PROCESS**

Director Corporate & Community Services, Executive Management team and Senior Management team.

---

**COMMENT**

It is therefore recommended that the Council adopt the Risk Management policy, as outlined in the attachment to this report and that the policy become due for review in June 2020.

MOVED BY	CR FRIEDERSDORFF
SECONDED BY	CR BRAMICH

**That Council adopt the revised Risk Management Policy with immediate effect**

The MOTION was put and was CARRIED unanimously

**IN FAVOUR**

MAYOR WALSH	CR BRADLEY	CR BRAMICH	
CR FAIRBROTHER	CR FRIEDERSDORFF		

**1. SCOPE**

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

**2. PURPOSE**

To provide a commitment to organisation-wide risk management principles, systems and processes that ensures consistent, efficient and effective assessment of risk in all planning, decision making and operational processes. Risk Management is the responsibility of all stakeholders and our aim is to ensure that Risk is integrated into all our management systems and core operations so that it becomes an integral part of our culture.

**3. POLICY STATEMENT**

Waratah-Wynyard Council has developed and reviews an effective risk management framework and process to mitigate potential negative outcomes and to better realise sustainable opportunities present in the organisation’s operations. Waratah-Wynyard Council applies the risk management process as part of strategic planning to facilitate more effective problem solving, decision making and service delivery.

Waratah-Wynyard Council:

- Recognises risk management as an integral part of good management practice and decision making;
- Creates and maintains a risk management environment that enables Council to deliver high quality services and meet performance objectives in line with our principle of seeking continuous improvement;
- Ensures resources and operational capabilities are identified and deployed responsibly and effectively. Resources include the staffing for the risk management team and related work areas, computer based systems, documentation, tools and access to external risk management specialists; and
- Demonstrates the application of the risk management process of identifying, analysing, evaluating and treating risks, as detailed in the Risk Management Standard, AS/NZS ISO 31000:2009 in the Risk Management Framework.

**Legislative Requirements**

*AS/NZ ISO 31000:2009 Risk Management*  
*Work Health and Safety Act 2012*  
*Work Health and Safety Regulations 2012*

**Related Procedures/Guidelines**

Risk Management Framework  
 Strategic Risk Register  
 Operational Risk Register

DOC NO: - XXXX	VERSION NO: X	APPROVAL DATE: XX
CONTROLLER: General Manager	APPROVED BY: - Council	REVIEW DATE: XX

---

## 10.5 FINANCIAL REPORT FOR THE PERIOD ENDED 31 MAY 2018

To:	Waratah-Wynyard Council
Reporting Officer:	Accountant
Responsible Manager:	Manager Financial Services
Report Date:	5 <sup>th</sup> June 2018
File Reference:	100.10
Enclosures:	Financial Summary and Notes Cash Position and Rate Summary Capital Works Summary

---

### PURPOSE

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

### BACKGROUND

The financial reports presented incorporate:

- Financial Summary and Notes
- Cash Position
- Rate Summary
- Capital Works Summary

### DETAILS

Nil

### STATUTORY IMPLICATIONS

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

### STRATEGIC IMPLICATIONS

#### Strategic Plan Reference

<b>Key Focus Area:</b>	<b>CIVIC LEADERSHIP AND GOVERNANCE</b> <b>A well-managed Council that services the municipality with integrity and has a strong voice in the region</b>
<b>Outcome 4.3</b>	<b>Council is managed in a financially sustainable and responsible manner</b>
<i>Operational Aim 4.3.2</i>	Establish and maintain systems to support timely and efficient financial reporting

---

---

## **POLICY IMPLICATIONS**

The contents of this special purpose financial report are prepared under the guidance of Council policies.

## **FINANCIAL IMPLICATIONS**

No significant financial implications have been identified.

## **RISK IMPLICATIONS**

No significant risk implications have been identified.

## **CONSULTATION PROCESS**

Nil

## **COMMENT**

It is therefore recommended that the Council notes the Financial Reports for the period ended 31 May 2018.

MOVED BY	CR FAIRBROTHER
SECONDED BY	CR BRADLEY

**That Council notes Financial Reports for the period ended 31 May 2018.**

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	
CR FAIRBROTHER	CR FRIEDERSDORFF		



# Waratah-Wynyard Council

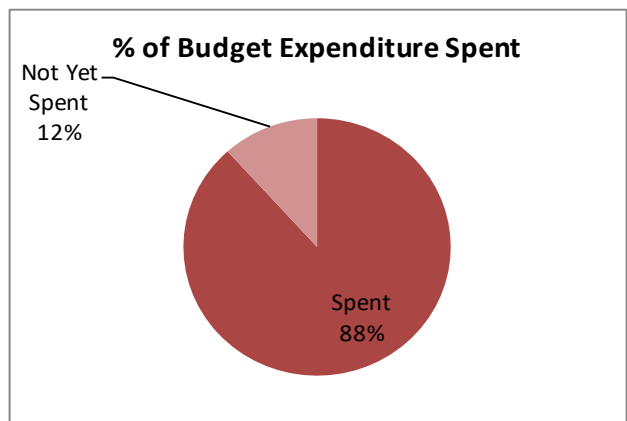
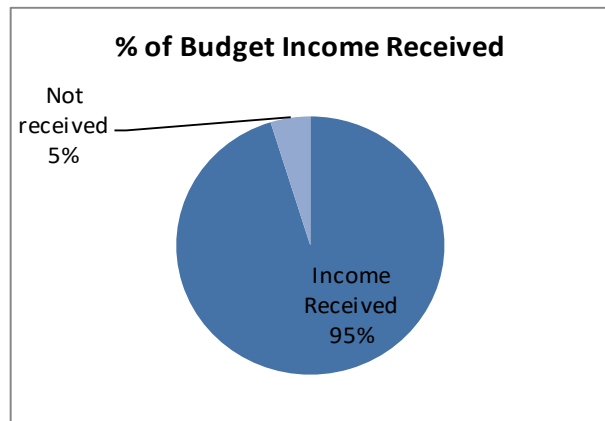
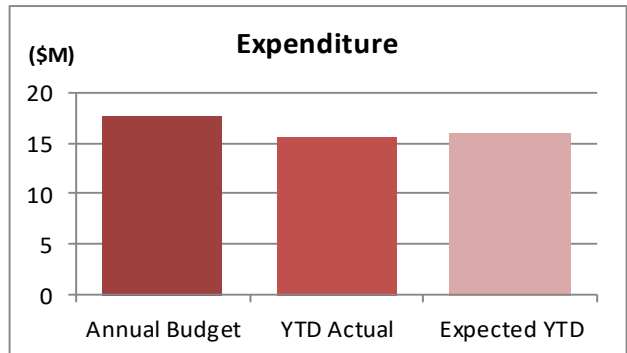
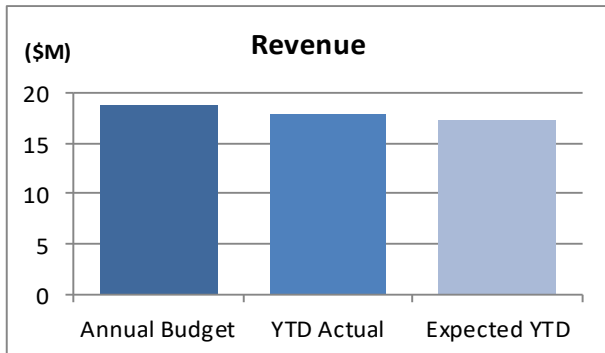
## FINANCIAL SUMMARY

### For the period ended 31 May 2018

REVENUE	Annual Budget \$	YTD Actual \$	Expected YTD \$	YTD Actual % of Budget %	Notes
Council & General Manager's Office	8,160	111,553	6,120	1,367.08	1.
Strategic & Financial Services	11,206,903	9,684,470	10,143,066	86.42	
Corporate & Community Services	1,760,959	1,706,688	1,579,376	96.92	
Infrastructure & Development Services	5,732,242	6,307,558	5,528,960	110.04	2.
<b>Total</b>	<b>18,708,264</b>	<b>17,810,269</b>	<b>17,257,522</b>	<b>95.20</b>	

EXPENDITURE	Annual Budget \$	YTD Actual \$	Expected YTD \$	YTD Actual % of Budget %	Notes
Council & General Manager's Office	1,022,339	861,713	885,685	84.29	
Strategic & Financial Services	1,778,652	1,568,643	1,717,238	88.19	
Corporate & Community Services	3,414,749	3,060,384	3,118,908	89.62	
Infrastructure & Development Services	11,490,523	10,147,544	10,212,538	88.31	3.
<b>Total</b>	<b>17,706,263</b>	<b>15,638,284</b>	<b>15,934,369</b>	<b>88.32</b>	

NET RESULT	Annual Budget	YTD Actual	Expected YTD
	<b>1,002,001</b>	<b>2,171,985</b>	<b>1,323,153</b>







## Waratah-Wynyard Council

### FINANCIAL SUMMARY NOTES

For the period ended 31 May 2018

Notes to Revenue	Annual Budget \$	YTD Actual \$	Expected YTD \$	YTD Actual % of Budget %
1. Council & General Manager's Office	8,160	111,553	6,120	1,367.08

\$100,000 grant received which was not allocated in 2018 budget. This grant was expected to be received during the 2016/17 financial year.

2. Infrastructure & Development Services	5,732,242	6,307,558	5,528,960	110.04
--	-----------	-----------	-----------	--------

Variances from actual to expected revenue includes:

- FAG's actual cashflow increments lower than expected due to forward payment in 2016/17
- Flood recovery grant received which was not allocated in 2018 Budget
- Agricultural Landscape Rehab Scheme (ALRS) Grant received, unallocated in 2018 Budget.

Notes to Expenditure	Annual Budget \$	YTD Actual \$	Expected YTD \$	YTD Actual % of Budget %
3. Infrastructure & Development Services	11,490,523	10,147,544	10,212,538	88.31

Increased expenditure to net off ALRS grant (Note 2.) that was unallocated in 2018 Budget, is to occur.

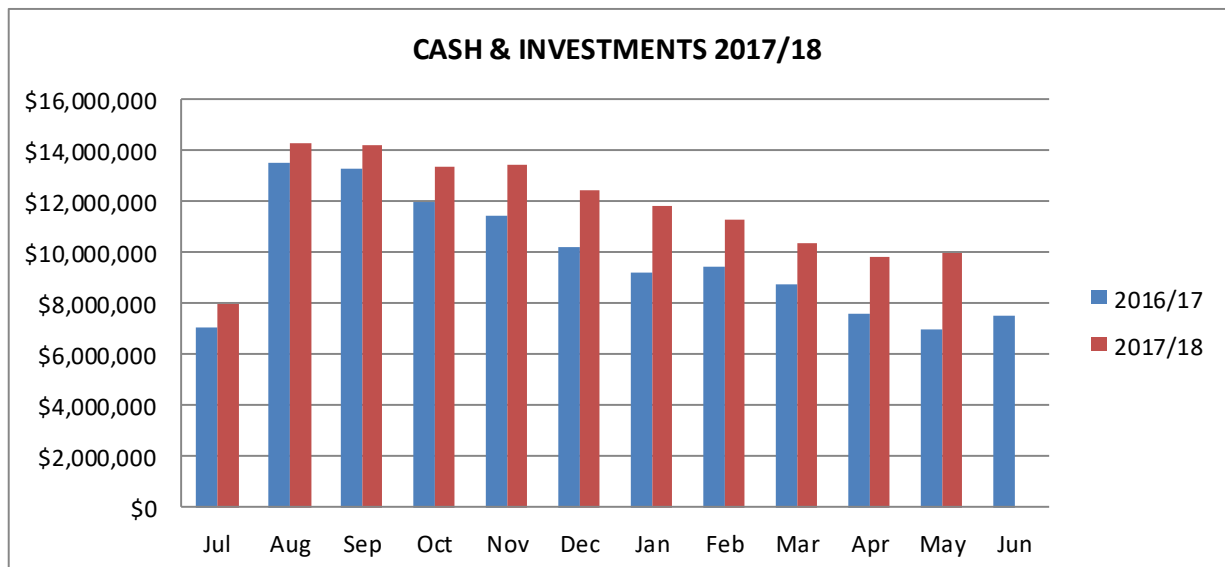


# Waratah-Wynyard Council

## CASH POSITION

For the period ended 31 May 2018

FINANCIAL INVESTMENTS	\$	INVESTMENTS	\$	Weighted Average
Deposits	9,500,000	Commonwealth Bank	467,612	1.25%
		ANZ	2,000,000	2.45%
		Bankwest	7,500,000	2.53%
<b> </b>				
Petty Cash and Till Floats	2,320	Petty Cash and Till Floats	2,320	
Trading Account	467,612			
<b>BALANCE (ALL ACCOUNTS)</b>	<u>9,969,932</u>		<u>9,969,932</u>	2.45%



Benchmarks: RBA Cash Rate\* 1.500  
 90 Day BBSWs Rate\*\* 1.980

\*source: [www.rba.gov.au](http://www.rba.gov.au) as at 31 May 2018

\*\*source: <https://www.asx.com.au/data/benchmarks/bbsw-10-day-rolling-history.pdf> as at 31 May 2018

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



## Waratah-Wynyard Council

### RATE SUMMARY

For the period 1 July 2017 to 31 May 2018

RATE SUMMARY	2017/18		2016/17	
	%	\$	%	\$
<i>Notice Issue Date - 28 July 2017</i>				
OUTSTANDING RATE DEBTORS (As at 1 July 2016)	4.04	459,917	3.30	363,930
ADD CURRENT RATES AND CHARGES LEVIED (including penalties)	95.96	10,913,326	96.70	10,675,097
GROSS RATES AND CHARGES DEMANDED	100.00	11,373,243	100.00	11,039,027
LESS RATES AND CHARGES COLLECTED	91.18	10,370,346	90.40	9,979,823
REMISSIONS AND DISCOUNTS**	8.46	962,119	8.37	924,515
	99.64	11,332,465	98.78	10,904,338
ADD PROPERTIES IN CREDIT	(3.97)	451,695	(3.54)	391,158
UNPAID RATES AND CHARGES (includes Deferred Rates)	4.33	492,473	4.76	525,847
**REMISSIONS AND DISCOUNTS		<b>2017/18</b>		<b>2016/17</b>
Discount		386,956		370,716
Pensioner Rebates		566,218		552,394
Council Remissions and Abandonents		8,945		1,405
		<u>962,119</u>		<u>924,515</u>



# Waratah-Wynyard CAPITAL WORKS SUMMARY For the period ended 31 May 2018

Capital Projects 2017/18	Notes	Budget \$	% Spend of Budget
<b>GOVERNANCE</b>			
Wynyard Wharf Entrance Augmentation		450,000	1%
New Board Walk and Seawall Renewal		825,000	0%
Office Refurbishment		850,000	72%
Council - Other		223,492	57%
		<b>2,348,492</b>	<b>31%</b>
<b>STRATEGIC &amp; FINANCIAL SERVICES</b>			
Wynyard Goldie St Carpark Development		897,000	46%
Other		25,000	67%
		<b>922,000</b>	<b>47%</b>
<b>CORPORATE SERVICES</b>			
Information Technology		40,000	67%
		<b>40,000</b>	<b>67%</b>
<b>COMMUNITY SERVICES</b>			
Children's Services		68,000	37%
		<b>68,000</b>	<b>37%</b>
<b>ENGINEERING SERVICES</b>			
Depot & Plant		488,000	40%
Waste Management		47,100	100%
Public Conveniences		10,000	102%
		<b>545,100</b>	<b>46%</b>
<b>TRANSPORT</b>			
Re-Sheeting		482,976	91%
Reseals - Rural		319,140	93%
Reseals - Urban	3.	180,128	118%
Footpaths		114,600	100%
Wynyard Wharf Masterplan Works	1.	122,000	157%
Somerset CBD Masterplan Works		690,000	54%
General - Other & Bridges		696,342	22%
		<b>2,605,186</b>	<b>69%</b>
<b>Sporting Facilities</b>			
Sporting Facilities	2.	52,000	159%
		<b>52,000</b>	<b>159%</b>
<b>PARKS &amp; GARDENS</b>			
Camp Creek Remediation		700,000	10%
Parks & Gardens - Other		505,000	86%
		<b>1,205,000</b>	<b>42%</b>
<b>STORMWATER DRAINAGE</b>			
Stormwater Pipe Replacements and Upgrades		81,250	100%
General		45,625	70%
		<b>126,875</b>	<b>89%</b>
<b>TOTAL CAPITAL WORKS PROGRAM 2017/18</b>		<b>7,912,653</b>	<b>50%</b>

1. Extra design cost for roundabout to bring turning circle up to required standard, land acquisition and legal costs related to increased footprint of roundabout, asphalt laid further up each of three approaches than anticipated to transition to existing surface, in particular Goldie Street.

2. Change of scope in budget. Extra funding to meet the gap in overspend via external sources.

3. Preparation works not allocated in Budget.

---

---

## 10.6 SENIOR MANAGEMENT REPORT

To: Council  
Reporting Officer: General Manager  
Responsible Manager: General Manager  
Report Date: 14 June 2018  
File Reference: 009.02  
Enclosures:

---

### **SUMMARY/PURPOSE**

To provide information on issues of significance, matters of interest; 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 since the previous Council meeting -**11 May to 14 June 2018**. It also provides information on issues of significance or interest, statistical information and summaries of specific areas of operations

#### **Corporate**

Attended Audit Panel meeting. The primary focus of the meeting was the 2018/19 budget and annual plan. Minutes will be presented to Council separately.

Continued meetings with neighbouring Councils regarding opportunities for shared services.

Budget preparations were finalised following discussion with Council being undertaken at a series of workshops throughout April, May and June.

Met with the Acting Chief Executive Officer of Football Federation Tasmania, Michael McIntyre and President Bob Gordon to discuss the facilities at Cardigan Street and future of the Somerset Soccer Club.

Met with Greg Preece who has been appointed to progress the Cradle Coast Waste Management regional governance project. A workshop is scheduled for Council on 18 June.

#### **Community**

Met with representatives of the Sisters Beach Community Association who raised a number of matters including the recreational hard stand, freedom camping, coastal erosion and the future of the lake area.

---

---

Met with the Glenorchy City Council to ascertain their experiences with the decommissioning of the Tolosa Dam

Welcomed a number of Year 9 Wynyard High School students to Council's Work Inspirations program.

Attended a facilitated workshop at St Brigid's Primary School regarding their plans for new playgrounds and landscaping.

Met with Jackson Hills, Manager Tasmanian Football Council, AFL Tasmania regarding possibilities for the Wynyard Recreation Ground under the Levelling the Playing Field Grant Round.

Met with Michael Phillips, from the Gone Nuts event, who will provide an overview of the event to Council at a workshop in early July.

## **Industry**

Attended the TasWater General Meeting.

Attended a LGAT General Meeting. Items for decision at the meeting included TasWater, GMC representative (NW Region), statewide waste management and disposal of the Anglican Church assets. Presentations were received from Minister for Planning, Roger Jaensch and Reconciliation Tasmania's Fiona Hughes and Russell Reid.

Attended a meeting of the Cradle Coast General Managers where budget process and progression was the primary matter of discussion.

Attended a Project Briefing from GHD regarding the Transport Planning Study – Bass Highway between Coee and Wynyard. A workshop was held with Council on this matter.

Attended the Cradle Coast Authority Representatives Meeting. Items for decision at this meeting included the Annual Plan and Budget 2018/19; Director Appointment and Cruise Ship Funding. Presentations were received from John Perry, Coordinator General of Tasmania and representatives from Hydro Tasmania who provided an overview of the Battery of the Nation concept.

Met with Alex Tay, Director of Local Government and Lucy Schluter, Policy Analyst, from the Local Government Division to discuss a number of broad matters relating to the industry and highlight issues specific to Council

---

---

## Other

Attended a meeting with the Deputy Prime Minister Michael McCormack, Senator Richard Colbeck and Liberal Candidate Brett Whiteley to discuss the strategic importance of the Bass Highway between Wynyard and Marrawah and the need for capital improvement to the road.

Met with Anita Dow MP, Labor Member for Braddon to receive an outline of her new Shadow Ministries and provide an update on key projects for Council.

Met with Shane Broad MP, Labor Member for Braddon to provide an update on key projects for Council.

MOVED BY	CR BRAMICH
SECONDED BY	CR FAIRBROTHER

**That the monthly Senior Management Report be noted.**

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	
CR FAIRBROTHER	CR FRIEDERSDORFF		

### 10.6.1 PLANNING PERMITS APPROVED UNDER DELEGATION –

DA No.	Applicants Name	Location	Development	Date Permit Issued	No of Days to Process	(D)Discretionary (P)Permitted
29/2018	S B Murphy & J A Beard	22 Ronald Crescent Somerset	Outbuilding Extension	04/05/2018	41	D
33/2018	M J Bishop & D M Meyers	4 East Yolla Road Henrietta	Dwelling Extension (deck)	7/05/2018	35	D
42/2018	Greiner & Associates Pty Ltd	243 Gates Road Flowerdale	Dwelling Extension	7/05/2018	14	P
SD2056	K Townsend	29 & 31 Irby Boulevard Sisters Beach	Boundary Adjustment	7/05/2018	15	P
39/2018	M & T Crocker	78 Irby boulevard Sisters beach	Change of use	14/05/2018	37	D
38/2018	T & C Smith	7 Crosby Street Waratah	Change of use	14/05/2018	37	D
43/2018	J W Cuthbert & C J Graydon	62 Emerald Vale Road Wynyard	Outbuilding (Garage)	16/05/2018	28	P
21/2018	Hotondo Homes North West	1 Bells Parade Somerset	Dwelling Addition	16/05/2018	33	D
40/2018	Abel Drafting Services	13 Moore Court Wynyard	Dwelling (Temporary)	18/05/2018	38	D
37/2018	Paul Allen (PLA Designs)	1201 Oldina Road Oldina	Dwelling Extension	18/05/2018	27	P
28/2018	P Allen (PLA Designs)	16 Moore Court Wynyard	Dwelling & Outbuilding	24/05/2018	40	D

### 10.6.2 BUILDING PERMITS APPROVED –

**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
2018-48-01	Abel Drafting Services P/L	153 Old Bass highway Wynyard	Alteration & Additions to existing dwelling	14/05/2018	<b>7</b>	DA 26/2018
2018-38-01	Total Building & Excavations	8 Moore Court Wynyard	Dwelling	14/05/2018	<b>3</b>	DA 106/2017
2018-32-01	R C Cox	209 Deaytons Lane Elliott	New Dwelling & shed	16/05/2018	<b>2</b>	DA 115/2018
2018-50-01	Abel Drafting Services P/L	17b Park Street Wynyard	Additions	17/05/2018	<b>3</b>	DA 13/2018
2018-51-01	Brennan Reeves	50 Raglan Street Somerset	Demolition of existing dwellings and building 2 new units	17/05/2018	<b>3</b>	DA 94/2014



### 10.6.3 OPEN ACTION LIST –PREVIOUS COUNCIL MEETINGS - Summary of Matters Requiring Action

Meeting Date	Item #	Topic	Action/Status	Officer	Status	Date Closed
22-Jan-18	8.1.1	RTQON - Cr Hyland - Raw Sewerage Calder Road	Capacity of properties system currently being assessed.	DIDS	Ongoing	
22-Jan-18	8.3.1	CQWN - Cr Bradley - Thistle Hut Request for Public Toilet Signs	This sign has been installed within existing operational budget constraints	DIDS	Complete	28/5/18
19-Feb-18	9.1	NOM – Cr Wright – Camping on Crown Reserve. Motion Lost	General Manager to progress Freedom Camping strategy across municipal area working with Council with a commitment to have appropriate signage, rules and enforcement procedures in place in preparation for the high tourist period next summer. Statewide group continues to meet with updates provided by LGAT.	GM	Ongoing	
19-Feb-18	10.1	ROC – Proposed East Wynyard Foreshore Masterplan - Motion Carried Adopt the Draft East Wynyard Foreshore masterplan; <ul style="list-style-type: none"> <li>Consider implementation of the proposed playground and landscaping elements for the 2018/19 budget;</li> <li>Consider rationalising the existing 4 local playground sites, 2 at the East Wynyard Foreshore, 1 at 9 Martin Street and 1 at 25 Lockett Street in order to fund the proposed district level playground; and</li> <li>Remain flexible in the implementation of the East Wynyard Foreshore masterplan as it assesses cost and benefits in consultation with the community and users into the future</li> </ul>		DIDS	Not yet commenced	

Meeting Date	Item #	Topic	Action/Status	Officer	Status	Date Closed
19/3/18	5.3.1	QON – K Ewington – Transfer Station Opening Hours. Asked if Council could explain how it determined that 10.00am to 4.00pm were best hours of operation for Transfer Station to meet ratepayer needs. He asked if council could consider longer hours for those who work e.g. extend hours during day light savings, opening hours on the weekend, open on public holidays.	Waste Management will be reviewed as part of 18/19 budget and this matter will be reviewed as part of that work.  Meeting held with Mr Ewington to discuss	DIDS	Ongoing	
21/5/18	5.3.1	QON – Ken Ewington – Wynyard Bowls Club street lighting. Advised has previously raised issue of poor street lighting and asked when council would address the matter. The General Manager took the question on notice.	The issue of access to the Bowls club including parking arrangements was discussed with Mr Ewington in 6 June 2018 and potential improvements will be consulted with the Bowls club	DIDS	Ongoing	
21/5/18	5.3.2	QON – K Ewington – Transfer Station Safety Audit. Asked when Council would do a safety audit to address unsafe work practices and ensure the safety of community members. He asked for a response to be provided in writing. The Director Infrastructure & Development Services took the question on notice.	While other site auditing has been conducted by the Cradle Coast Waste Management group in the past a specific site safety audit has not. A range of suggestions were discussed with Mr Ewington on 6 June 2018  Meeting held with Mr Ewington to discuss	DIDS	Ongoing	
21/5/18	8.3.3	CQWN: Cr Friedersdorff Cr Friedersdorff advised that she had been approached and asked why the Thistle Hut had a turning lane of the Highway approved and previous applications by Cloverlea Nursey had not been granted by State Growth. The General Manager took the question on notice.	Awaiting advice from Department of State Growth	DIDS	Ongoing	

Meeting Date	Item #	Topic	Action/Status	Officer	Status	Date Closed
21/5/18	8.3.4	CQWN: Cr Hyland Cr Hyland asked if Council staff could investigate the amount of effluent going over Rulla Road from local dairy as he had received numerous complaints from residents. The Director Infrastructure and Development Services took the question on notice.		DIDS	Ongoing	
21/5/18	10.2	Draft Resource Sharing Agreement – that the formal agreement between Circular Head and Waratah-Wynyard Council be extended for a further 5 years	Motion Carried Agreement signed by Mayor	GM	Completed	20/6/18
21/5/18	10.3	Naming of Emily Crescent Somerset	Letters sent to impacted parties and signs have been ordered.	GISC	Completed	12/6/18
21/5/18	10.4	B4 Early Years Coalition Membership That the Council become a member of the B4 Early Years Coalition and works together with families and the community to improve outcomes for children in the early years.	Motion Carried – membership process completed	DCCS	Completed	12/6/18
21/5/18	10.5	WWC Audit Panel Committee – 2018 Audit Panel Charter That Council adopt the Waratah-Wynyard Council Audit Panel Charter approved by the Audit Panel Committee on 6 March 2018.	Motion Carried. New Charter provided to Audit Panel.	EOGP	Completed	4/6/18

---

---

**ADMINISTRATION - USE OF CORPORATE SEAL**

7/6/18	Final Plan & Schedule of Easements	SD2047 – Stage 1 Reservoir Drive and Smiths Road Wynyard (6 lots into 10)
--------	------------------------------------	---

**SUMMARY OF CORRESPONDENCE CIRCULATED**

Nil

---

---

**10.7 MINUTES OF OTHER BODIES/COMMITTEES – UNCONFIRMED MINUTES OF CRADLE COAST AUTHORITY REPRESENTATIVES MEETING 24 MAY 2018**

Reporting Officer: Executive Officer General Managers Office  
Responsible Manager: General Manager  
Report Date: 12 June 2018  
File Reference: 007.17  
Enclosures: **REFER ATTACHMENT D**  
CCA Reps Meeting Unconfirmed Minutes 24 May 2018  
Battery of the Nation Presentation  
CCA Update Presentation

---

**PURPOSE**

The unconfirmed minutes of Representative meetings held on 24 May 2018, are laid on the table and circulated.

**BACKGROUND**

The Cradle Coast Authority is the regional voice of North West Tasmania, established by nine Local Government Councils to represent and advocate the needs of the region.

The Authority collaborates and facilitates a diverse range of projects and initiatives involving all tiers of government, industry and the community. The three key areas of focus are Regional Economic Development, Natural Resource Management and Tourism.

**DETAILS**

The unconfirmed minutes of the meeting of the CCA Representatives of 25 May 2018 are circulated for noting.

The CCA Annual Plan and Budget for 2018/19 was endorsed at the meeting and is included in the attachments.

**STATUTORY IMPLICATIONS**

Not applicable

.

---

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL 1: Leadership and Governance</b>	
<b>Desired Outcomes</b>	
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.	
<b>Our Priorities</b>	
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:
Business & Industry	<i>Specialised diversity of the economy – Value adding, diversification, innovation and employment. A resilient economy with global brand recognition and growing exports.</i>
Tourism	<i>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.</i>
Access and infrastructure	<i>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.</i>
Natural resource management	<i>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.</i>
Governance and working together	<i>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.</i>

## POLICY IMPLICATIONS

Not applicable.

## FINANCIAL IMPLICATIONS

No financial implications have been identified.

## RISK IMPLICATIONS

No significant risk implications have been identified.

---

## CONSULTATION PROCESS

Not applicable.

## COMMENT

It is therefore recommended that Council note the Unconfirmed Minutes of the CCA Representatives Meeting held on 24 May 2018.

MOVED BY	CR BRAMICH
SECONDED BY	CR FRIEDERSDORFF

**That Council note the Unconfirmed Minutes of the CCA Representatives Meeting held on 24 May 2018.**

The MOTION was put and was CARRIED unanimously

## IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	
CR FAIRBROTHER	CR FRIEDERSDORFF		

---

---

## 11.0 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.*



MOVED BY	CR FRIEDERSDORFF
SECONDED BY	CR BRAMICH

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

<i>Matter</i>	<i>Local Government (Meeting Procedures) Regulations 2015 Reference</i>
<i>Confidential Report R15 (2) – Confirmation of Closed Minutes of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) - Issues Raised By Councillors</i>	15 (2)
<i>Confidential Report R15 (2) - Councillor Questions Received In Writing</i>	15 (2)
<i>Confidential Report R15 (2) - Response(s) To Councillor Questions Received In Writing</i>	15 (2)
<i>Confidential Report R15 (2) - Response(s) To Councillor Questions Taken On Notice From Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) - Councillor Questions Without Notice</i>	15 (2)
<i>Confidential Report R15 (2) - Notices Of Motion</i>	15 (2)
<i>Confidential Report R15 (2) (g) information of a personal nature or information provided to the council on the condition it is kept confidential;</i>	15 (2) (g)
<i>Confidential Report R15 (2)(h) - Leave Of Absence Request - Councillors</i>	15 (2)(h)
<i>Confidential Report R15 (2)(c) – Cheques And EFT's as at 31 May 2018</i>	15 (2)(c)
<i>Confidential Report R15 (2)– Closed Senior Management Report</i>	15 (2)

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	
CR FAIRBROTHER	CR FRIEDERSDORFF		

---

---

**12.0 CLOSURE OF MEETING TO THE PUBLIC**

Legislative Reference:

*Local Government (Meeting Procedures) Regulations 2015; Regulation 15*

MOVED BY	CR BRAMICH
SECONDED BY	CR BRADLEY

**That the Council RESOLVES BY AN ABSOLUTE MAJORITY to go into Closed Meeting to consider the following matters, the time being 7.16PM:-**

<b>Matter</b>	<b>Local Government (Meeting Procedures) Regulations 2015 Reference</b>
<i>Confidential Report R15 (2) – Confirmation of Closed Minutes of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) - Issues Raised By Councillors</i>	15 (2)
<i>Confidential Report R15 (2) - Councillor Questions Received In Writing</i>	15 (2)
<i>Confidential Report R15 (2) - Response(s) To Councillor Questions Received In Writing</i>	15 (2)
<i>Confidential Report R15 (2) - Response(s) To Councillor Questions Taken On Notice From Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) - Councillor Questions Without Notice</i>	15 (2)
<i>Confidential Report R15 (2) - Notices Of Motion</i>	15 (2)
<i>Confidential Report R15 (2) (g) information of a personal nature or information provided to the council on the condition it is kept confidential;</i>	15 (2) (g)
<i>Confidential Report R15 (2)(h) - Leave Of Absence Request - Councillors</i>	15 (2)(h)
<i>Confidential Report R15 (2)(c) – Cheques And EFT's as at 31 May 2018</i>	15 (2)(c)
<i>Confidential Report R15 (2)– Closed Senior Management Report</i>	15 (2)

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	
CR FAIRBROTHER	CR FRIEDERSDORFF		

---

---

**13.0 RESUMPTION OF OPEN MEETING**

At 7.21PM the Open Meeting was resumed.

**14.0 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
Nil		

THERE BEING NO FURTHER BUSINESS THE CHAIRPERSON DECLARED THE MEETING CLOSED AT 7.21PM.

Confirmed,

MAYOR  
16 JULY 2018