



**ORDINARY MEETING
OF COUNCIL**

**MINUTES
OPEN MEETING**

21 MAY 2018

7 May 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 21 May 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

7 May 2018

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

Dear Shane,

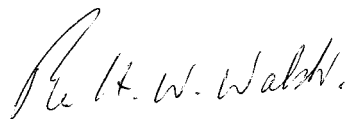
COUNCIL MEETING

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 21 May 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:

	AUDIO RECORDING OF COUNCIL MEETINGS POLICY		DOC NO: GOV. 017	
			VERSION 1	DATE 18 July 2011
CONTROLLER: GENERAL MANAGER	APPROVED BY: COUNCIL	REVIEW DATE: 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:
- Increase the accountability of the government to the people of Tasmania;
 - Increase the ability of the people of Tasmania to participate in their governance; and
 - 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

1.0	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED.....	9
1.1	ATTENDANCE.....	9
1.2	APOLOGIES.....	9
1.3	LEAVE OF ABSENCE PREVIOUSLY APPROVED.....	9
2.0	CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	10
2.1	CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY COUNCIL MEETING	10
3.0	DECLARATIONS OF INTEREST	11
3.1.1	COUNCILLOR AND AGENDA ITEM NUMBER	11
3.1.2	STAFF AND AGENDA ITEM NUMBER.....	11
4.0	COUNCILLORS ANNOUNCEMENTS AND REPORT	12
4.1	ANNOUNCEMENTS BY MAYOR.....	12
4.2	MAYOR'S COMMUNICATIONS.....	12
4.3	REPORTS OF DELEGATES.....	13
4.3.1	CR DUNIAM – PRESENTATION OF PHD	13
4.4	NOTIFICATION OF COUNCIL WORKSHOPS	15
5.0	PUBLIC QUESTIONS AND STATEMENTS	16
5.1	RESPONSE(S) TO PUBLIC QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING	17
5.2	PUBLIC QUESTIONS RECEIVED IN WRITING.....	17
5.3	PUBLIC QUESTIONS WITHOUT NOTICE	17
5.3.1	MR KEN EWINGTON – BOWLS CLUB LIGHTING	17
5.3.2	MR KEN EWINGTON – TRANSFER STATION	18
5.4	PUBLIC STATEMENTS RECEIVED IN WRITING	18
5.5	PUBLIC STATEMENTS WITHOUT NOTICE.....	18
5.5.1	MR KEN EWINGTON – SIGNAGE	18
6.0	PETITIONS / DEPUTATIONS / PRESENTATIONS.....	19
6.1	PETITIONS	19
6.2	DEPUTATIONS AND PRESENTATIONS	19
7.0	PLANNING AUTHORITY ITEMS.....	20
7.1	PUBLIC QUESTIONS WITHOUT NOTICE –RELATING TO PLANNING MATTERS.....	20
7.2	PUBLIC STATEMENTS – RELATING TO PLANNING MATTERS.....	20
7.2.1	MR JUSTIN MCERLAIN – D/A 018/2018 BOARDWALK DEVELOPMENT	20
7.2.2	MRS ANNABEL MOONEY – D/A 2/2018 300 SISTERS BEACH ROAD	21
7.3	BUSINESS AND PROFESSIONAL SERVICES (VETERINARY CENTRE) LOCATED AT 24 SAUNDERS STREET, WYNYARD – DA 24/2018.....	22
7.4	VISITOR ACCOMMODATION (FARM STAY) – LOCATED AT 300 SISTERS BEACH ROAD, BOAT HARBOUR – DA 2/2018	36
7.5	BOARDWALK DEVELOPMENT – WYNYARD FORESHORE, BETWEEN WYNYARD WHARF AND WYNYARD YACHT CLUB – DA 018/2018.....	49

8.0	MATTERS RAISED BY COUNCILLORS	78
8.1	RESPONSE(S) TO COUNCILLOR QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING	78
8.1.1	CR BRAMICH – SALE OF GRADER	78
8.1.2	CR FAIRBROTHER – FREEDOM CAMPING	78
8.1.3	CR BRAMICH – WEED MANAGEMENT	78
8.2	COUNCILLOR QUESTIONS RECEIVED IN WRITING	81
8.3	COUNCILLOR QUESTIONS WITHOUT NOTICE	81
8.3.1	CR BRAMICH –GRANT FUNDING FOR WATERFRONT DEVELOPMENT	81
8.3.2	CR FAIRBROTHER GRANT FUNDING FOR WATERFRONT DEVELOPMENT	81
8.3.3	CR FRIEDERSDORFF – ENTRANCE.....	81
8.3.4	CR HYLAND – DAIRY WASTE MANAGEMENT	82
9.0	NOTICES OF MOTION	83
10.0	REPORTS OF OFFICERS AND COMMITTEES	84
10.1	PROPOSED FEES AND CHARGES FOR THE 2018-19 FINACIAL YEAR.....	84
10.2	REVIEW OF RESOURCE SHARING ARRANGEMENTS BETWEEN CIRCULAR HEAD AND WARATAH-WYNYARD COUNCILS	97
10.3	NAMING OF EMILY CRESCENT, SOMERSET	108
10.4	B4 EARLY YEARS COALITION MEMBERSHIP	113
10.5	WARATAH-WYNYARD AUDIT PANEL COMMITTEE – 2018 AUDIT PANEL CHARTER	119
10.6	FINANCIAL REPORT FOR THE PERIOD ENDED 30 APRIL 2018.....	126
10.7	SENIOR MANAGEMENT REPORT.....	133
10.7.1	PLANNING PERMITS APPROVED UNDER DELEGATION –.....	136
10.7.2	BUILDING PERMITS APPROVED –.....	136
10.7.3	OPEN ACTION LIST –PREVIOUS COUNCIL MEETINGS - SUMMARY OF MATTERS REQUIRING ACTION.....	137
11.0	MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING.....	140
12.0	CLOSURE OF MEETING TO THE PUBLIC.....	142
13.0	RESUMPTION OF OPEN MEETING	143
14.0	PUBLIC RELEASE ANNOUNCEMENT	143

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
21 MAY 2018 COMMENCING AT 6:00 PM**

	From	To	Time Occupied
Open Council	6.00PM	6.18PM	18MINS
Planning Authority	6.18PM	6.58PM	40MINS
Open Council	6.58PM	7.21PM	23MINS
Closed Council	7.21PM	7.32PM	11MINS
Open Council	7.32PM	7.32PM	0MINS
TOTAL TIME OCCUPIED			92MINS

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

Deputy Mayor Mary Duniam

Cr Gary Bramich

Cr Maureen Bradley

Cr Darren Fairbrother

Cr Alwyn Friedersdorff

Cr Kevin Hyland

IN ATTENDANCE

Shane Crawford – General Manager

Daniel Summers – Director Infrastructure and Development Services

Tracey Bradley – Director Corporate and Community Services

Ashley Thornton – Senior Town Planner

Sally Blanc – Executive Officer

1.2 APOLOGIES

Nil

1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil

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 DUNIAM
SECONDED BY	CR FRIEDERSDORFF

That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at the Council Chambers, 21 Saunders Street, Wynyard on Monday 16 April 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 DUNIAM
CR FAIRBROTHER	CR FRIEDERSDORFF	CR HYLAND	

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.

3.1.1 Councillor and Agenda Item Number

Cr Bradley – Planning Matter Item 7.4

3.1.2 Staff and Agenda Item Number

Nil

4.0 COUNCILLORS ANNOUNCEMENTS AND REPORT

4.1 ANNOUNCEMENTS BY MAYOR

Nil

4.2 MAYOR'S COMMUNICATIONS

MOVED BY	CR BRAMICH
SECONDED BY	CR HYLAND

That the Council note the Mayor's Diary.

Date	Purpose
9/4/18	Councillor Workshop
10/4/18	Bushwatch Meeting
10/4/18	Meeting with General Manager
12/4/18	Meeting with Justine Keay MP and Shadow Minister for Regional Development Stephen Jones
14/4/18	Deputy Mayor – Somerset Surf Club Annual Dinner
16/4/18	Meeting with Burnie Airport Corporation
16/4/18	Agenda Settlement Meeting
16/4/18	Council Meeting
23/4/18	Meeting with TasWater (Mike Brewster CEO & Miles Hampton Chairman)
23/4/18	Councillor Workshop
24/4/18	Meeting with General Manager
25/4/18	Wynyard ANZAC Day Services
25/4/18	Deputy Mayor – Somerset ANZAC Day services
25/4/18	Cr Bradley – Waratah ANZAC Day services
26/4/18	Metro Tas Annual Function
27/1/18	Coast FM Mayors Radio Show
30/1/18	Rural Medical Student Welcome event
30/4/18	Councillor Workshop
3/5/18	Rural Medical Students Presentation
7/5/18	Councillor Workshop
8/5/18	Meeting with General Manager
9/5/18	Meeting with Constituent
9/5/18	Ransley Veteran Car Collection Book Launch
9/5/18	Joint Council Workshop (Burnie and Circular Head)
10/5/18	TasWater General Meeting

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR DUNIAM
CR FAIRBROTHER	CR FRIEDERSDORFF	CR HYLAND	

4.3 REPORTS OF DELEGATES

Nil

4.3.1 CR DUNIAM – PRESENTATION OF PhD

As a councillor and Deputy Mayor, and now a Doctor of Philosophy I wish to present a copy of my PhD to Waratah-Wynyard Council tonight for it to be placed in our Council library. My PhD titled: Local government and social enterprises in Tasmania: exploring relationships that build community value is the culmination of 5 years research and writing. My focus was local government in Tasmania and its relationships with community, and in this case social enterprises, about which there has been no academic research to date. Local governments are representatives of the people and as such are agents of place. As agents of place, the primary role of local government is to shape place for the people through community engagement and community development. My findings found that local government is being challenged to reform its role and rethink how it engages with community, and to recognise that communities themselves can and do create positive local social and economic change. For example, the Liverpool Council in UK was pressured into making 200 or so of its employees redundant. The challenge for this council was to determine how to maintain service delivery with this massively reduced workforce. This council established a social enterprise mentoring and support service for its redundant employees, assisting them in the establishment of local social enterprises which in turn provided services through social procurement with this council.

Social enterprises, the other half of my research, are commercial entities that sit in the not-for-profit sector. However, they do make a profit, but all profits go back into the operations of the social enterprise because there are no dividends for shareholders. My research identified that in USA, UK, Europe and in particular Canada, there is substantial financial and policy support for social enterprises from all levels of government. There are over 20,000 social enterprises Australia-wide, whose activities build the capacity of disengaged and long-term unemployed people of all ages through training, employment and business mentoring. This suggests that social enterprises are also agents of change, but from a social change perspective. Social enterprises already have a substantial presence in our municipal area – Vincent Industries and the Lobster Farm to name a couple.

A significant finding of my research was that all local government case studies believe the role of local government is no longer just roads, rates and rubbish. For example, one Tasmanian case study council has in fact established a social enterprise medical centre, employing doctors to provide primary health care in a town where there were none. This social enterprise is managed by a community board, and raises funds to support this social enterprise. All participating councils strongly emphasised that the changing role for local government will be quite momentous in terms of becoming major players in the provision of social support programs in the not too distant future and that there is an absolute need for local government in Tasmania to adopt more entrepreneurial practices to build socio-economic sustainability.

I have concluded in my thesis that further research into local government in Tasmania would benefit both the local government sector and the State government particularly in the context of strategic and policy development for the future survival and growth of local government in Tasmania.

MOVED BY	CR DUNIAM
SECONDED BY	CR FAIRBROTHER

That Cr Duniam's PhD document be accepted to the Council Library.

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR DUNIAM
CR FAIRBROTHER	CR FRIEDERSDORFF	CR HYLAND	

4.4 NOTIFICATION OF COUNCIL WORKSHOPS

Legislative Reference:

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

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

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

MOVED BY	CR DUNIAM
SECONDED BY	CR BRAMICH

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

23/4/18	2018/19 Budget workshop
30/4/18	Presentation by BMX Club
30/4/18	Discussion regarding Cruise Ship program
30/4/18	B4 Coalition Membership discussion
7/5/18	Introduction Tasmanian Planning Scheme
7/5/18	Annual Plans Actions overview
7/5/18	2018/19 Budget workshop
7/5/18	Resource Sharing and Shared Services discussion
9/5/18	Joint Workshop with Circular Head and Burnie City Council's to discuss Shared Services and Resource Sharing
14/5/18	2018/19 Budget workshop
14/5/18	Discuss Cradle Coast Authority & Local Government Association of Tas. Agenda items.

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR DUNIAM
CR FAIRBROTHER	CR FRIEDERSDORFF	CR HYLAND	

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

Nil

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 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 if when council would address the matter and do something for the elderly and disables 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.

5.3.2 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.

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 KEN EWINGTON – SIGNAGE

Mr Ewington of Flowerdale made at statement regarding the location, condition and adequacy of signs in the municipal area. He listed several examples including:-

- The location of signs at the Wynyard cemetery;*
- He noted that Wynyard Foreshore Market speed signs were not being changed on Market Days to reduce speed to 40kmph as required.*
- Inadequate safety signs at entrance to transfer station,*
- No emergency meeting point signs at transfer station,*
- No first aid facilities at transfer station.*
- No tourism signs at airport directing people to the Information Centre*

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

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*.

THE PLANNING AUTHORITY COMMENCED AT 6.18PM

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.

Nil

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 JUSTIN MCERLAIN – D/A 018/2018 BOARDWALK DEVELOPMENT

Mr McErlain of Wynyard made a statement regarding the development application for the Waterfront Boardwalk and noted his concerns re impact on amenity and potential noise issues for his business. He requested that a decision on the application be deferred until further discussions were held with Council.

He stated that:

This is a project that we see as valuable, and important to get right from the first instance.

We have spent the best part of 16 years building up this business from a rundown motel to a thriving tourism asset the Waterfront Accommodation precinct with our unique Coastal Pods and Motel.

We have spent over \$2.5 million building this business up by refurbishing the existing Motel and expanding with additional land and the Coastal Pods. We now employ 12 staff and contribute over \$1.5 million annually to the local economy.

Our property has been received over a thousand reviews now with an average of 98 % for the Coastal Pods and 90 % for the Motel; The Coastal Pods are in the top 2% of all star rated properties in Australia.

Its taken a lot of hard work over the last 16 years with dedication of our staff and our Capital contribution and operation. The most frequently cited appeal of our accommodation by our guests is the riverside location, views and peaceful ambience.

As you can understand, we are not going to put at risk anything that may compromise our investment, our employee's jobs, nor our promise to our guests for quiet, comfortable, accommodation that delivers on the trigger appeals that make them want to stay in Wynyard.

After reviewing the proposed DA design we cannot agree that the current design will protect our guest amenity- indeed aspects of the design hold serious implications in terms of noise and visual impact. Despite our best efforts to negotiate this prior to the submission of the DA to avoid any protracted resolution processes, thus stalling the project further, these have not been fruitful hence our formal submission as part of the DA process.

We believe we are all seeking to do the same thing here, and we feel we are close to achieving a design outcome that will work for all parties. We therefore ask you when you consider the DA tonight to not decide an outcome but postpone or withdraw the DA until we can get a mutually agreed outcome in relation to the design and safety issues we have raised. We are more than willing to work with council representatives to get a design resolution here, in this way we can avoid further delays and get this project moving without having to escalate this any further.

7.2.2 MRS ANNABEL MOONEY – D/A 2/2018 300 SISTERS BEACH ROAD

Mrs Mooney of Sisters Beach made a statement regarding her development application for 300 Sisters Beach Road encouraging Councillors to approve the application.

7.3 BUSINESS AND PROFESSIONAL SERVICES (VETERINARY CENTRE) LOCATED AT 24 SAUNDERS STREET, WYNYARD – DA 24/2018

To: Council
Reporting Officer: Town Planner
Responsible Manager: General Manager
Report Date: 9 May 2018
File Reference: 7075558
Supporting Documents: **REFER ATTACHMENT A**
Development Application Form x 4 pages
Location Map x 1 page
Title Documents x 2 pages
Proposal Plans x 3 pages
Information Requests x 2 pages
Planning report Amended x 17 pages
TasWater conditions x 2 pages
Representation 1 – E Summers, L Summers, D Edgerton and J Smith x 1 page
Representation 2 – B Judd x 3 pages
Extension of time x 1 page

PURPOSE

The purpose of this report is for Council to consider the merits of Development Application DA 24/2018 against the requirements of Council's Planning Scheme.

BACKGROUND

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

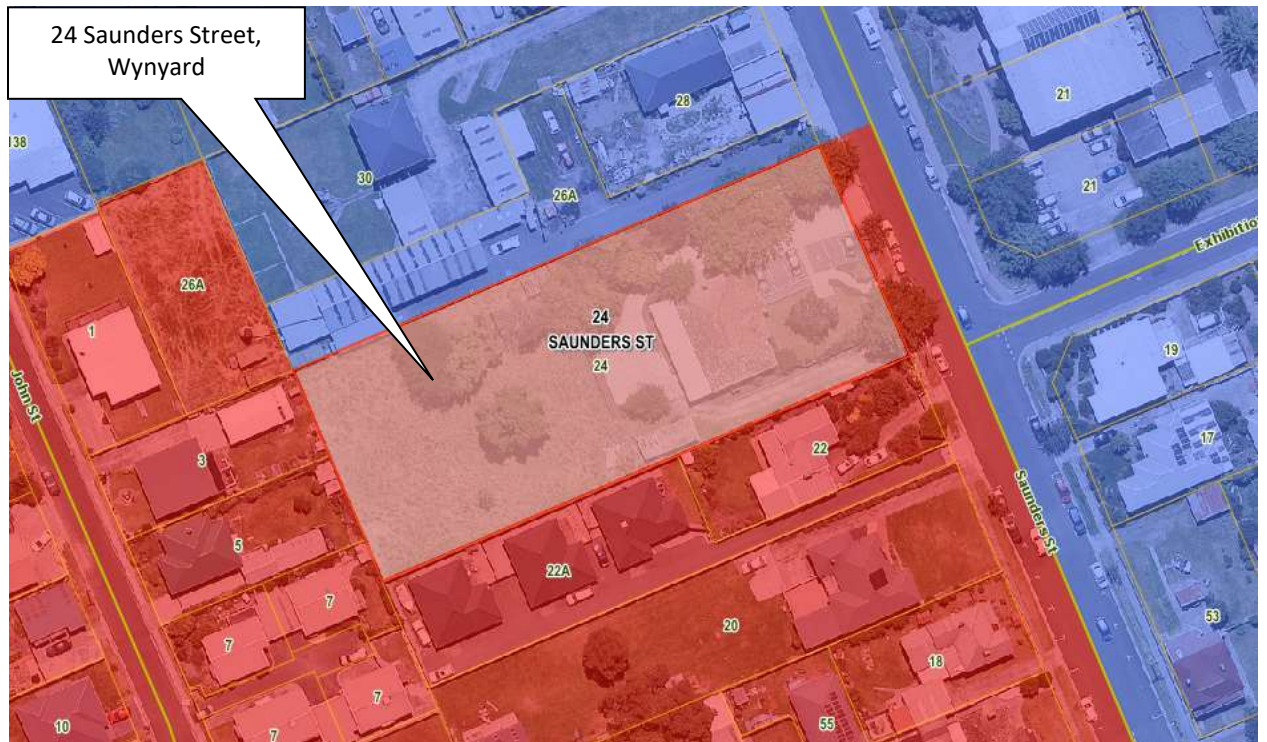


Figure 1- Subject Site with zoning

The subject property is located at 24 Saunders Street, Wynyard, and has an area of 4047m². The lot is accessed by Saunders Street to the east and has two crossovers. The property is currently improved with an existing carpark and developed with what had most recently been used as a doctor's surgery.

The site is zoned General Residential, with adjoining land to south and west also zoned General Residential, whilst land to the north and east is zoned General Business.

DETAILS

The applicant is seeking approval for a change of use application to a Business and Professional Services use (Veterinary Centre) under the *Waratah-Wynyard Interim Planning Scheme 2013*. The proposal is utilising the existing building, with no further development required to the building. The proposal includes four consultation rooms, a procedure room, waiting room, staffroom, and reception and amenity facilities. The proposal includes two new signs, identifying the name of the practice.

The planning scheme has recently had an urgent amendment completed to add veterinary services as a Discretionary use in the General Residential zone. The Tasmanian Planning Commission deemed this to be an omission in the translation process from the *Waratah-Wynyard Planning Scheme 2000* to the *Waratah-Wynyard Interim Planning Scheme 2013*.

It is noteworthy that the Veterinary Centre has commenced operating. This has been due to a misunderstanding of direction from the Tasmanian Planning Commission to the land

owner. On adoption of the urgent amendment, the Commission advised that the matter had been resolved. The land owner took this to mean that the entire planning process had been completed, and did not realise that a development application was still required.

This report assesses the proposal against the *Waratah-Wynyard Interim Planning Scheme 2013* (the Scheme) and takes into account the representations received during the public exhibition period. The proposal is defined as a Business and Professional Services Use Class, a Discretionary use under the Planning Scheme. The applicant is applying for discretion under the following clauses:-

- Discretionary Permit Use 10.3.1 (P1);
- Impact of Use 10.3.2 (P2); and
- Location and configuration of development 10.4.11.1 (P4).

CONSULTATION PROCESS

The consultation process was the public exhibition period set out in the *Land Use Planning and Approvals Act 1993 (LUPAA)* and involved notification of adjoining land owners, public notices on-site and advertising in a daily newspaper. The application was placed on public exhibition for a period of 14 days as required under LUPAA. The period for representations closed on 30 April 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.

Representor – E Summers, L Summers, D Edgerton & J Smith
Issues Raised
The representors' issues raised have been summarised as the following:
<ol style="list-style-type: none">1. Are dogs to be housed on the block of land behind the centre? Concerns around barking and noise.2. Are large animals such as horses and cows to be roaming or aggristed on the block? The fences are not designed for those sized animals.3. Are animals to be buried on the block?
Planning Response:
<ol style="list-style-type: none">1. The application is not applying to use the block of land for storing or housing of animals. The application has detailed the area as providing relief for animals on a lead. No details have been provided in order for animals to be housed in this location. A further planning permit would be required to expand the development to allow the use of the rear portion of the site to house animals.2. A further planning permit would be required to expand the development to allow the use of the rear portion of the site to house animals.3. The proposal is for a veterinary centre. The application does not include provision to bury animals on-site. Such a use, described a Crematoria and Cemeteries, is prohibited within the General Residential Zone.

Representor – B Judd
Issues Raised
The representors' issues raised have been summarised as the following:
<ol style="list-style-type: none"> 1. The air-conditioner/ heat pump noise running throughout the evening is keeping the adjoining landowner awake. The representation further notes, this has been negotiated with operator to resolve the evening fan noise.
Planning Response:
<ol style="list-style-type: none"> 1. The operator and adjoining landowner have negotiated the subject heat pump operate on a timer basis to allow for low level fan noise to turn off during the evening.

INTERNAL REFERRALS

Engineering Services Department

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

1. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
2. No part of the fence signage is to be internally or externally illuminated.
3. Loading and unloading of vehicles is to be confined to within the boundaries of the property.
4. Vehicular access to and egress from the site is to occur only in a forward motion.

Note:

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

Environmental Health

The following environmental health notes were recommended.

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

EXTERNAL REFERRALS

The application was referred to TasWater on 12 April 2018. The response was received on 19 April 2018 and forms Part B of this permit.

PLANNING ASSESSMENT

The subject site is zoned General Residential under the *Waratah-Wynyard Interim Planning Scheme 2013*. The use is a Business and Professional Services Use which is a Discretionary use within the zone. The application is therefore submitted as a discretionary application under Section 57 of the *Land Use Planning & Approvals Act 1993* 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 discretionary provisions for the General Residential Zone Code and relevant Codes is provided below.

10.0 General Residential Zone

10.1.2 Local Area Objectives

- (a) Suburban residential area make efficient use of land and optimise available and planned infrastructure provision through a balance between infill and redevelopment of established residential areas and incremental release of new land
- (b) Suburban residential areas provide equivalent opportunity for single dwelling and multiple dwelling developments and for shared and supported accommodation through private, public, and social investment.
- (c) Suburban residential areas enable opportunity for convenient access to basic level services and facilities for education, health care, retail, social, and recreation purposes;
- (d) Suburban residential areas provide small-scale employment opportunities in home occupation and home based business.
- (e) The amenity and character of suburban residential use is commensurate with the location of housing and support activity within a shared urban setting, and is to take into account –
 - (i) the likely impact on residential use from the occurrence and operation of non-housing activity;
 - (ii) the effect of location and configuration of buildings within a site on –
 - a. apparent bulk and scale of buildings and structures;
 - b. opportunity for on-site provision of private open space and facilities for parking of vehicles;
 - c. opportunity for access to daylight and sunlight;
 - d. visual and acoustic privacy of dwellings; and
 - e. consistency of the streetscape; and
 - (iii) the relationship between new sensitive use and the use of land in an adjoining zone

10.1.3 Desired Future Character Statements

Use or development in a suburban residential area is to provide –

- (a) housing as a predominant but not exclusive form of development;
- (b) choice and diversity in the design, construction, and affordability of buildings;
- (c) buildings that are typically of one or two storeys;
- (d) buildings that are set apart from adjacent buildings to –
 - (i) reduce apparent bulk and scale;
 - (ii) enable each an opportunity for access to sunlight; and
 - (iii) assist visual and acoustic privacy between adjoining dwellings;
- (e) a streetscape in which buildings are setback consistently from the frontage;
- (f) site coverage that retains sufficient external ground area for recreation, service activity, and vehicle parking; and
- (g) an ordered pattern of lots and a well-connected internal road network

Discretionary Permit Use (10.3.1)

<p>A1</p> <p>There are no Acceptable Solutions</p>	<p>P1</p> <p>Discretionary permit use must –</p> <ul style="list-style-type: none"> (a) be consistent with local area objectives; (b) be consistent with any applicable desired future character statement; and (c) minimise likelihood for adverse impact on amenity for use on adjacent land in the zone
<p>Planning Comment: Complies</p> <p>The proposal is for a Veterinary Centre, which is classified as a Business and Professional Services use class. It is a discretionary permit use in the General Residential zone, and therefore is to be assessed against the performance criteria.</p> <p>The application is considered consistent with the local area objectives, as the proposal is making efficient use of land, using a current building to service the residential community and greater Wynyard community by offering service for their pets, complying with objective (a).</p> <p>The proposal provides convenient access to servicing the local community through veterinary services and employment opportunities are more likely to be provided in the clinic by offering the service at a central location, with more consulting space, and parking provided conveniently off-street. The proposal is consistent with objective (c) and (d).</p> <p>The amenity and character of the suburban area will not change as the exterior of the</p>	

building will be retained. Therefore, the Veterinary centre will remain consistent with objective (e). Any likely impact caused from the proposed use has been addressed by the building notes provided on Plan 18009-03 that detail the existing internal walls have stud frames of 90mm, with pink sonobatts with a rating of R2.7 Acoustic Insulation of 10mm thickness, as well as gyprock sound check plasterboard lining. The same insulation measures have also been included within the external walls. All windows have been double glazed.

The proposed change of use application is considered consistent with the local area objectives.

The proposal is consistent with the desired future character statements.

The proposal is applying for a change of use application from one Business and Professional Services use to another Business and Professional Services use class. The subject site is not currently set up as a dwelling, however housing does remain the predominant form of development on General residential zoned land along Saunders Street, remaining consistent with desired future character statement (a). The proposal relates to a change of use within the existing building, remaining consistent with (b).

The building will remain in its current form as a single storey building and therefore the bulk and scale of the building will remain consistent in the streetscape, and allows visual and acoustic privacy between adjoining dwellings to the south and west. The proposal remains consistent with (c), (d), and (e).

The proposal will utilise the existing carpark arrangements, site coverage will not increase as part of the application.

The subject property is 4047m² in area, with 18 car parking spaces available to continue servicing the centre on-site.

The veterinary centre is considered consistent with the desired future character statements.

The applicant has detailed the replacement of all external windows to double glazed windows to assist in noise control from the use. Further to this, the proposal continues to have a setback of 8.4m to the adjoining residential lot in the zone. The application has stated that the centre will operate with consultation hours limited to 9am to 6pm weekdays, and 9am to midday on Saturdays. Outside these hours is limited to infrequent emergencies only. Should this change, further application would be required in order to apply for extended hour of operation.

The proposal is considered to comply with the performance criteria.

Impact of Use (10.3.2 P2)

<p>A2 Permitted non-residential use must not generate more than 40 average daily vehicle movements.</p>	<p>P2 Use that is not in a residential use must – (a) be consistent with local area</p>
--	---

	<p>objectives;</p> <p>(b) be consistent with any applicable desired future character statement;</p> <p>(c) be dependent on the site for provision of significant social, economic, or environmental benefit to the local community; and</p> <p>(d) be required to obtain vehicular and pedestrian access from a no-through road as a consequence of –</p> <p>(i) the effect of topography on ability to create access upon a through road; or</p> <p>(ii) a regulatory limit on the ability to obtain pedestrian or vehicular access upon a through road; and</p> <p>(iii) have minimal likelihood for unreasonable impact on amenity for residential use on adjacent land in the zone</p>
--	--

Planning Comment: Complies

The proposed application is for the change of use to a discretionary use in the General Residential zone. The Business and Professional Services (veterinary centre) use class is a permissible non-residential use in the zone. Therefore, the application is to be assessed against the performance criteria.

The anticipated vehicle movement from the proposed veterinary centre is anticipated to be approximately 40 patients daily. The applicant details an expectation of around 5 people walking and an additional 5 staff. The level of vehicle movement is considered to be lesser than the previous operation of the doctors surgery use located on the site and furthermore the parking spaces on-site exceed the minimum required parking spaces to be provided on the site for a veterinary centre.

The application is considered consistent with the local area objectives, as the proposal is making efficient use of land, using a current building to service the residential community and greater Wynyard community by offering service for their pets, complying with objective (a).

The proposal provides convenient access to servicing the local community through veterinary services and employment opportunities are more likely to be provided in the clinic by offering the service at a central location, with more consulting space, and parking provided conveniently off-street. The proposal is consistent with objective (c) and (d).

The amenity and character of the suburban area will not change as the exterior of the building will be retained. Therefore, the Veterinary centre will remain consistent with objective (e). Any likely impact caused from the proposed use has been addressed by the building notes provided on Plan 18009-03 that detail the existing internal walls have stud frames of 90mm, with pink sonobatts with a rating of R2.7 Acoustic Insulation of 10mm thickness, as well as gyprock sound check plasterboard lining. The same insulation measures

have also been included within the external walls. All windows have been double glazed.

The proposed change of use application is considered consistent with the local area objectives.

The proposal is applying for a change of use application from one Business and Professional Services use to another Business and Professional Services use class. The subject site is not currently set up as a dwelling; however housing does remain the predominant form of development on General residential zoned land along Saunders Street, remaining consistent with desired future character statement (a). The proposal relates to a change of use within the existing building, remaining consistent with (b).

The building will remain in its current form as a single storey building and therefore the bulk and scale of the building will remain consistent in the streetscape, and allows visual and acoustic privacy between adjoining dwellings to the south and west. The proposal remains consistent with (c), (d), and (e).

The proposal will utilise the existing carpark arrangements, site coverage will not increase as part of the application.

The subject property is 4047m² in area, with 18 car parking spaces available to continue servicing the centre on-site.

The veterinary centre is considered consistent with the desired future character statements.

The proposed veterinary centre is a business and professional service that is dependent on the site being located on a central site, such as 24 Saunders Street, in order to provide social and economic benefit to the local community. The veterinary centre will service the local community and the broader Wynyard community. Being located centrally in Wynyard will allow for faster call out times and prompt responses to emergencies, in addition to providing products from the Veterinary Centre.

The proposal is not accessed via a no-through road, therefore (d) is not applicable.

The proposal is considered to comply with the performance criteria.

Location and configuration of development (10.4.11.1 P4)

<p>A4</p> <p>A garage, car port or external parking area and any area for the display, handling, or storage of goods, materials or waste, must be located behind the primary frontage of a building</p>	<p>P4</p> <p>A, garage, carport or an external car parking area and any area for the display, handling, or storage of goods, materials or waste, must –</p> <p>(a) be consistent with the streetscape;</p> <p>(b) be required by a constraint imposed by size, shape, slope, orientation, and topography on development of the site; and</p>
---	--

	(c) provide durable physical screening to attenuate appearance of the parking or loading area from a frontage and adjacent land
<p>Planning Comment: Complies</p> <p>The proposal is for a change of use for a veterinary centre. The proposed veterinary centre will continue to have a portion of its car parking provided between the building and the front of the site. Therefore the application is to be assessed against the performance criteria.</p> <p>The subject site currently has on-site parking provided at the frontage of the lot. This parking layout will remain, and is therefore considered consistent with the existing character and arrangement in the streetscape.</p> <p>The existing carpark arrangement is required by the existing layout and development of the site. This arrangement provides for ease of access for customers and patients alike to access the services inside the building without introducing further pedestrian and patient conflicts with internal traffic circulation, should parking be introduced to the rear of the building and closer to adjoining dwellings.</p> <p>The frontage boundary of the site is screened with an existing colorbond fence, providing a physical screening device to assist in attenuating the appearance of the car parking spaces from the frontage and adjacent land.</p> <p>The proposal is considered to comply with the performance criteria.</p>	

Part E Codes

Bushfire-Prone Areas Code

E1 Not applicable to this application.

Airport Impact Management Code

E2 The proposal complies with the Acceptable Solutions of this code.

Clearing and Conversion of Vegetation Code

E3 Not applicable to this application.

Change in Ground Level Code

E4 Not applicable to this application.

Local Heritage Code

E5 Not applicable to this application.

Hazard Management

E6 Not applicable to this application.

Signs Code

E7 Two (2) proposed signs were included as part of the application and are detailed on proposal plan 18009-03 as prepared by PLA Designs. The combined area of the two signs is 2.1m² and identifies the use on the site, Wynyard Veterinary Clinic. Sign 1 is located on the frontage fence whilst Sign 2 is an under awning sign located over the door on the northern wall. These signs were compliant with acceptable solution of the planning scheme and therefore a permit must be granted for these.

Telecommunications Code

E8 Not applicable to this application.

Traffic Generating Use and Parking Code

E9.5.1 Provision for parking

The proposal provides for 18 car parking spaces on-site, exceeding the 8 car parking spaces required for the Veterinary Centre under this code. The proposal complies with the acceptable solution.

Water and Waterways Code

E10 Not applicable to this application.

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* (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 any public representations received. It is noted that two (2) representations were received during the exhibition period.

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

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

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

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 proposed change of use application for a Veterinary Centre meets the relevant performance criteria of the planning scheme. The proposal details measures to minimise amenity impacts from the use operating alongside existing residential dwellings. This has been addressed with double glazed windows and further insulating both external and internal walls in order to reduce noise. There is no application to house animals in the open space at the rear of the lot.

The proposal meets all the required setbacks to adjoining residential properties. There will be no further changes to the existing building, the car parking arrangements will remain in the current configuration and therefore the visual impacts and streetscape will remain identical.

The application is considered to comply with the General Residential Zone 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 change of use.

MOVED BY	CR DUNIAM
SECONDED BY	CR HYLAND

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 Business and Professional Services (Veterinary Centre) at 24 Saunders Street , Wynyard 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) Proposal Plans with Drawing Numbers 18009-01, 02 and 03 as prepared by PLA Designs and dated 6 April 2018.**
 - b) Planning report as prepared by PLA Designs and dated 5 April 2018 - amended.****
- (2) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.**
- (3) No part of the fence signage is to be internally or externally illuminated.**
- (4) Loading and un-loading of vehicles is to be confined to within the boundaries of the property.**
- (5) Vehicular access to and egress from the site is to occur only in a forward motion.**
- (6) The premises is only to be open for the permitted use between the following hours:
 - Monday to Friday 9am to 6pm inclusive; and
 - Saturday 9am to 12pm inclusive.**

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 2018/00562-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 within the Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
 - The applicant is advised to consult with a Building Surveyor to ensure the development is constructed in accordance with the *Building Act 2016*.
 - 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*.
 - This permit is based on information and particulars set out in Development Application DA 24/2018. Any variation requires an application for further planning approval of Council.
 - The permit does not allow for the treatment or keeping of larger animals (farm animals) outside the confines of the building.
 - 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 powerlines. Failure to do so could result in the relocation of electricity assets at your cost.
 - Under Section 61 (4) of the *Land Use Planning and Approvals Act 1993*, the applicant has the right to lodge an appeal against Council’s decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to the Resource Management and Planning Appeal Tribunal, GPO Box 2036, Hobart, 7001.

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR DUNIAM
CR FAIRBROTHER	CR FRIEDERSDORFF	CR HYLAND	

7.4 VISITOR ACCOMMODATION (FARM STAY) – LOCATED AT 300 SISTERS BEACH ROAD, BOAT HARBOUR – DA 2/2018

To: Council
Reporting Officer: Acting Manager Development and Regulatory Services
Responsible Manager: General Manager
Report Date: 8 May 2018
File Reference: 7096420
Supporting Documents: **REFER ATTACHMENT B**
Development Application Form x 4 pages
Location Map x 1 page
Titles x 2 pages
Planning Submission x 22 pages
Development Plans x 21 pages
Geotechnical Assessment x 25 pages
Soil Investigation x 8 pages
Additional Info Request x 2 pages
Representation 1 –R Bradley x 1 page
Extension of time x 1 page

CR BRADLEY LEFT THE CHAMBERS AT 6.30PM

PURPOSE

The purpose of this report is for Council to consider the merits of an application for visitor accommodation (Farm Stay accommodation with 4 units and communal building) and associated works against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013* (the Planning Scheme).

BACKGROUND

The site is identified as 300 Sisters Beach Road, Boat Harbour. The title is identified as lot 1 on SP 235970. The property is improved with a dwelling and outbuilding. The property is zoned Rural Resource. The property has an area of 18.35ha, and is accessed via Sisters Beach Road.

The property could be described as being split into thirds. The southern portion of the site is heavily vegetated, and contains the dwelling and outbuilding. The middle portion is cleared and used for agriculture. The northern portion is steeply sloping, running down to the coastline.

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



Figure 1. Locality plan (Source: MapInfo)

The surrounding land is zoned Rural Resource and Rural Living to the east, and Environmental Management to the north, south and west. The property adjoins Rocky Cape National Park to the west and south. The property is cut by Sisters Beach Road, with the south-western corner separated from the rest of the property.

DETAILS

The use and development proposed is for a farm stay visitor accommodation experience, providing units with a maximum occupancy of 14 guests. The proposal includes 3 guest cabins, with an additional cabin providing bedrooms, a communal kitchen, dining area and greenhouse for the cultivation of vegetables and other crops. The proposal is designed around the agri-tourism model, with paddock to plate immersion central to the stay experience. Specifically, the business model is based on an integrated package of experiences and wherever possible, food is grown on-site. Guests are actively involved in the tending, harvesting, and preparation of food from both indigenous and non-indigenous crops and livestock. The layout of the accommodation supports this, with communal food preparation and dining facilities, kitchen garden, greenhouse and orchard.

The greenhouse, orchard and communal kitchen will be available to all guests, and to complement this, the proposal will also include chickens to provide eggs, and cattle and donkeys to complement the farm stay experience.

The existing dwelling on the site will be utilised as a caretakers accommodation. There will be two caretakers on-site, who will provide support to guests, and manage the greenhouse, chickens and cattle on site, whilst providing information and educating guests. The caretakers will also aid in the preparation of the farm produce for meals, and additional casual staff will be employed to assist in this process.

The proposed orchard and gardens will be established as a matter of priority during the building process to ensure that the core aspects of the proposed farm-stay experience is functional before bookings commence.

The proposal will also provide a small car parking area for visitors, which will be located on the northern side of the site and accessed via Sisters Beach Road. As the site is not within a serviced area, stormwater will be captured and reused on-site, and an on-site wastewater system will be provided.

This report assesses the proposal against the Planning Scheme and takes into account the representation received during the public exhibition period. The proposal is defined as a Visitor Accommodation, which is a Discretionary use under the Rural Resource Zone Code. The applicant is applying for discretion under the following clauses:-

- 26.4.3 Location of development for sensitive uses (P1)

Originally, the application was considered to be a straight Visitor Accommodation use, which is a discretionary use under the Rural Resource Use Table. The farm stay nature of the proposal was not clearly articulated within the application, and the proposal was considered discretionary against clause 26.3.1 requirement for discretionary non-residential use to locate on rural resource land.

Prior to a planning assessment report being prepared, the applicant chose to amend the application to provide greater detail regarding the proposal, and this supporting information demonstrated that the proposal met the requirements of a farm stay visitor accommodation. The application was subsequently re-advertised with the amended planning response and plans.

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 original period for representations closed on 26 February 2018. One (1) representation was received within the statutory period.

The application was then amended, causing it to be re-advertised. The application was again placed on public exhibition for a period of 14 days. The second period for representations closed on 2 May 2018. One (1) representation was received outside the statutory period, on 4 May 2018. The representor was the same representor from the original exhibition period, and submitted an amended representation. The representation is accepted under section 57(5) of LUPAA.

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

<p>Representor –R Bradley</p> <p>Issues Raised</p> <p>The representors’ issues raised have been summarised as the following:</p> <ol style="list-style-type: none"> 1. The land used for the development is viable agricultural land, and has a long history of agricultural use. 2. The proposal does not comply with the State Policy on the Protection of Agricultural Land. 3. The property is a unique site, being 36 acres, neighbouring a National Park, with wildlife and birds in abundance. 4. Previous owners improved the agricultural ability of the site, and planted many trees to stabilise the slope down to the coastline. 5. A farm stay on the site will ruin the agricultural ability of the site. 6. The proposal is contradictory. On one hand the report states that the land is class 7, and then they are going to run a farm on that land. 7. Agricultural use is supposed to be 200m away from development. 8. There will not be much farm land left due to the footprint of the development.
<p>Planning Response:</p> <ol style="list-style-type: none"> 1. As the proposal is for a farm stay accommodation, the site will retain agricultural use. 2. The planning scheme has been drafted in accordance with the State Policy on the Protection of Agricultural land. The development is not assessed directly against the State Policy. 3. Noted. Minimal tree removal is proposed as part of the proposal. It is considered that the proposal will not have an impact on wildlife or birdlife in the area. 4. Noted. The proposal is accompanied with a geotechnical assessment, with recommendations to ensure the safety of the development, and the integrity of the sloping site. 5. The units are located on the boundary of the agricultural land and the sloping land to the north of the site, minimising loss of agricultural land. Further, the land is designated as class 7 soil, which is the poorest class of soil land capability. 6. The conclusion drawn is that the applicant is planning on making the most of what is designated to be a poor standard of agricultural land. 7. The 200m distance mentioned equates to the distance in clause 26.4.3 of the planning scheme. This is the discretion that is triggered by the development. This issue is considered in detail under the planning assessment. 8. The units are located on the boundary of the agricultural land and the sloping land to the north of the site, minimising loss of agricultural land. The footprint of the development will result in the loss of approximately 10% of the land available for agriculture on the site.

INTERNAL REFERRALS

Engineering Services Department

The application was referred to the Engineering Services Department. A second access has been requested to provide access to the units. This additional access has been assessed and does not comply with required sight distances. This access is not approved, and the proposal will be conditioned to use the existing access to the site.

The following conditions were recommended:

1. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
2. Road access for the 4 visitor accommodation units is to be via the existing driveway access to 300 Sisters Beach Road Boat Harbour. The proposed new vehicular access located at the south-eastern corner of the site is not approved as it does not meet the Tasmanian Standard Drawing TSD-RF01-v1, Guide to Intersection and Domestic Access Sight Distance Requirements for the 100km/h speed limit.
3. Loading and un-loading of vehicles is to be confined to within the boundaries of the property.
4. Vehicular access to and egress from the site is to occur only in a forward motion.
5. Off street car parking and hardstand areas are to be surfaced in an all-weather material such as concrete, asphalt or bitumen spray seal. All stormwater runoff from the car parking and hardstand areas is to be collected onsite and directed to a stormwater system designed to cater for a 1 in 20 year ARI storm and discharged to a legal point of discharge to the reasonable requirements of the Director Infrastructure & Development Services.
6. Stormwater from the development is to be fully contained within the boundaries of the property.

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

If an alternative access to the existing driveway is required, the Developer is to submit a request to Council's Engineering Services Department, accompanied by a Traffic Impact Assessment that considers safe access sight distance.

Environmental Health

The application was referred to the Environmental Health Officer who recommended as follows:

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

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

The design of stormwater and wastewater disposal systems will be assessed at the Building and Plumbing application stage.

EXTERNAL REFERRALS

The application was not required to be referred to any external referral bodies. Parks and Wildlife Services and Crown Land Services were advised of the application as adjoining landowners. Neither party submitted comments on the application.

PLANNING ASSESSMENT

The subject site is zoned Rural Resource under the *Waratah-Wynyard Interim Planning Scheme 2013*. The use proposed is Visitor Accommodation (Farm Stay), which is a Permitted use within the Rural Resource Zone.

However, the proposal does not meet all of the acceptable solutions relevant to the proposed use and development and therefore a discretionary application is made under Section 57 of the *Land Use Planning & Approvals Act 1993* and assessed under the *Planning Scheme* 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.

The application requires the exercise of discretion in respect to clause 26.4.3 Location of development for sensitive uses (P1).

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

26.0 Rural Resource Zone

26.4.3 Location of development for sensitive uses

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

The entire property is mapped as class 7 soil, which is the poorest classification on the land capability scale. Despite this, the middle portion of the property has been used for agriculture for many years, and the proposal intends on continuing an agricultural use on the site. The portion cleared for agricultural use measures approximately 6ha in area, a third of the area of the property. The footprint of the proposal measures approximately 1ha in area. The units have been located on the edge of the cleared land, at the top of the slope down to the coastline. The footpath linking the units roughly line up with the edge of the cleared agriculture land. It is estimated that half of the footprint of the site would be within the land used for agriculture. Therefore, 10% of the current land used for agriculture will be converted to allow for the development of the farm stay. This is considered reasonable, given the extremely limited agricultural land use options for class 7 land.

Given the proposal is for farm stay accommodation, it would be impractical to separate the accommodation from the farm. Given that the uses are on the same site, it is considered that the future operator will be able to manage the site to limit land use conflict.

There is no agricultural use on adjoining sites. The site borders the Rocky Cape National Park, and a Rural Living subdivision known as Banksia Park. Therefore the proposal will not constrain any adjoining primary industry uses.

The subject site is not located within a proclaimed irrigation district, nor is the site identified as land that would benefit from a broad scale irrigation district complying with (c).

The proposal will have no impact upon operability and safety of a major road, a railway or a utility.

The proposal is therefore consistent with the performance criteria.

Part E Codes

Bushfire-Prone Areas Code

E1 Not applicable to this application.

Airport Impact Management Code

E2 Not applicable to this application.

Clearing and Conversion of Vegetation Code

E3 The application meets the acceptable solutions within this code.

Change in Ground Level Code

E4 The application meets the acceptable solutions within this code.

Local Heritage Code

E5 Not applicable to this application.

Hazard Management Code

E6 A Geotechnical Assessment was provided by a suitably qualified person from Geo-Environmental Solutions and considers the proposed development of the site in accordance with the acceptable solutions of the Code. The assessment summarised the proposed works will not adversely impact on the site or immediate surroundings and will not increase the current assessed landslide risk subject to conditions. The development is to be constructed in accordance with the recommendations of the Geotechnical Assessment.

Signs Code

E7 Not applicable to this application.

Telecommunications Code

E8 Not applicable to this application.

Traffic Generating Use and Parking Code

E9 The application meets the acceptable solutions within this code.

Water and Waterways Code

E10 Not applicable to this application.

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 one (1) representation was received during the exhibition period.

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

With 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 application is for a farm stay visitor accommodation proposal which will include, 3 guest cabins, with an additional cabin providing bedrooms, a communal kitchen, dining area and greenhouse for the cultivation of vegetables and other crops. The site will also incorporate an orchard, as well as chickens to provide eggs, and cattle and donkeys to complement the farm stay experience.

The existing dwelling on the site will be utilised as a caretakers accommodation. There will be two caretakers on-site, who will provide support to guests, and manage the greenhouse, chickens and cattle on site, whilst providing information and educating guests. The caretakers will also aid in the preparation of the farm produce for meals, and additional casual staff will be employed to assist in this process.

The application is considered to comply with the Rural Resource Zone 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 HYLAND
SECONDED BY	CR DUNIAM

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 Visitor Accommodation (Farm Stay) at 300 Sisters Beach Road, Boat Harbour 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) Proposal plans with Layout ID numbers A0.100 to 108, A1.100, A2.100.1 to 100.3, A2.101.1 to 101.3, A3.100.1 to 100.2 and A3.101.1 to 101.2, as prepared by Edition Office and dated 23 January 2018.
 - b) Geotechnical Assessment as prepared by Geo-Environmental Solutions and dated November 2017.
 - c) Planning report as prepared by Ireneinc and dated 10 April 2018.
- (2) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
- (3) 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.
- (4) Road access for the 4 visitor accommodation units is to be via the existing driveway access to 300 Sisters Beach Road Boat Harbour. The proposed new vehicular access located at the south-eastern corner of the site is not approved as it does not meet the Tasmanian Standard Drawing TSD-RF01-v1, Guide to Intersection and Domestic Access Sight Distance Requirements for the 100km/h speed limit.
- (5) Loading and un-loading of vehicles is to be confined to within the boundaries of the property.
- (6) Off street car parking and hardstand areas are to be surfaced in an all-weather material such as concrete, asphalt or bitumen spray seal. All stormwater runoff from the car parking and hardstand areas is to be collected onsite and directed to a stormwater system designed to cater for a 1 in 20 year ARI storm and discharged to a legal point of discharge to the reasonable requirements of the Director Infrastructure & Development Services.
- (7) Vehicular access to and egress from the site is to occur only in a forward motion.
- (8) Stormwater from the development is to be fully contained within the boundaries of the property.

(9) 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.

(10) Before site disturbance or construction commences a sediment and erosion control 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 appropriately located absorption areas;**
- **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.**

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

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 consult with a building surveyor to ensure the development is constructed in accordance with *Building Act 2016*.
- 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 design of stormwater and wastewater disposal systems will be assessed at the Building and Plumbing application stage.

-
- This permit is based on information and particulars set out in Development Application 2/2018. Any variation requires an application for further planning approval of Council.
 - If an alternative access to the existing driveway is required, the Developer is to submit a request to Council's Engineering Services Department, accompanied by a Traffic Impact Assessment that considers safe access sight distance.
 - 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 powerlines. Failure to do so could result in the relocation of electricity assets at your cost.
 - Under Section 61 (4) of the *Land Use Planning and Approvals Act 1993*, the applicant has the right to lodge an appeal against Council's decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to the Resource Management and Planning Appeal Tribunal, GPO Box 2036, Hobart, 7001.

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH		CR BRAMICH	CR DUNIAM
CR FAIRBROTHER	CR FRIEDERSDORFF	CR HYLAND	

CR BRADLEY RETURNED TO THE CHAMBERS AT 6.32PM

7.5 BOARDWALK DEVELOPMENT – WYNYARD FORESHORE, BETWEEN WYNYARD WHARF AND WYNYARD YACHT CLUB – DA 018/2018

To: Council
Reporting Officer: Town Planner (Consultant)
Responsible Manager: General Manager
Report Date: 8 May 2018
File Reference: 7077609
Supporting Documents: **REFER ATTACHMENT C**
Development Application Form x 4 pages
Location Map x 1 page
Consent letters x 2 pages
Planning Submission x 35 pages
Proposal drawings x 4 pages
Water Hydrology report x 14 pages
TasWater x 2 pages
Representation 1- x 4 pages
Extension of time x 1 page

PURPOSE

The purpose of this report is for Council to consider the merits of an application for a public boardwalk against the provisions of the *Waratah-Wynyard Interim Planning Scheme 2013* (Planning Scheme). The report also considers matters raised within a representation that was received during the public exhibition period.

BACKGROUND

The subject site encompasses eight parcels of land between the Wynyard Yacht Club and Wynyard Wharf in addition to a linear portion of the Inglis River directly adjacent to the foreshore and an existing pedestrian bridge which spans Camp Creek. A locality plan identifying the subject site is provided in Figure 1 below.



Figure 1 - Aerial view identifying the subject site

The land contained within the subject site is administered between Crown Land Services and Waratah-Wynyard Council. Accordingly, the applicant obtained landowner consent for the lodgement of the application in accordance with Section 52 (1B) of the *Land Use Planning and Approvals Act 1993*.

The subject site includes land within the Environmental Management, Open Space and General Residential zones. A locality plan illustrating the extent of zoning across the subject site is provided in Figure 2 below.



Figure 2 - Locality plan illustrating the zoning of the subject site

The subject site forms part of the Wynyard waterfront and foreshore precinct which extends from Gutteridge Gardens to the foreshore at east Wynyard. An existing walkway is located within a linear parcel of land that extends between Camp Creek to the east and the Wynyard Wharf to the west and is bound by the Inglis River to the north and private road located on the adjacent land to the south, which contains the Waterfront Wynyard motel.

The walkway is situated approximately 2m above the bed of the Inglis River and Camp Creek weir and comprises a narrow concrete footpath and nature strip. The walkway is retained by a brick seawall and is delineated from the adjacent land to the south by the kerb of the private road. The walkway is currently closed due to damage that has been sustained to the seawall, which has undermined the concrete footpath.

Image 1 and 2 below illustrate the current state of the walkway and seawall.



Image 1 - existing concrete footpath and damaged seawall looking east towards the yacht club



Image 2 - existing concrete footpath and damaged seawall looking north-west towards the wharf

DETAILS

The applicant is seeking approval for the construction of a public walkway on land which extends between the Wynyard Yacht Club and Wynyard Wharf. The proposed development includes the following components:

Demolition and reinstatement of seawall

- demolition of the existing brick seawall and concrete footpath that extends from the wharf to the Camp Creek footbridge;
- reinstatement of the seawall including:
 - refacing the wall with concrete;
 - constructing new concrete footings along the base of the seawall which will extend into the subgrade of the seawall;
 - constructing new footings above the toe of the seawall to support the boardwalk above.

Construction of a new boardwalk

- construction of a 3.5m wide boardwalk along the same alignment as the existing walkway. The boardwalk will extend over the adjacent watercourse for a width of approximately 2.8m;
- a stainless steel and galvanised balustrade system will extend along the northern side of the boardwalk to a height of approximately 1.1m. A linear concrete plinth, approximately 450mm in height, will extend along the southern side of the boardwalk, incorporating sections of seating. Landscaping beds will be located between the linear plinth and the kerb of the private road on the adjoining land to the south;
- a new asphalt footpath will be constructed from the western side of the pedestrian bridge to Goldie Street.

Upgrading of the pedestrian bridge

- the existing pedestrian bridge that spans Camp Creek will be upgraded which will primarily involve widening the decking from 2m to 3m and upgrading the balustrading to match the new boardwalk. The existing abutments will be retained;
- the upgrades to the pedestrian bridge are considered to be exempt works pursuant to clause 5.4.1 (c) of the Planning Scheme.

The boardwalk and new pedestrian bridge decking will comprise recycled plastic material with other materials including concrete, stainless and galvanised steel. Lighting will be incorporated throughout the boardwalk for navigation and safety purposes. The boardwalk will be enclosed by a fence approximately 1.1m in height that will be constructed to the southern side of the linear plinth.

Primary access to the boardwalk will be provided at the western and eastern ends. The western gateway, adjacent to the wharf area, will include a concrete fin safety wall to the north of the entrance and a concrete chicane structure to the south of the entrance. A gate will be located between the fin wall and chicane structure which will include a 'motor scooter' access gate and 1.6m wide access gate and will be supported by a feature mast which will have a height of approximately 4.4m. The gate and concrete structures will have a height of approximately 1.2m. The same entrance system will be repeated at the eastern end of the boardwalk with the exception of the fin safety wall.

Access between the boardwalk and adjoining land to the south (motel property) will be provided by a double access gate which will be located at the halfway point with two single access gates located between the double access gate and main entrance points to the east and west. These accesses will be delineated by chicane structures.

General (accessible) pedestrian entrance will be provided through the chicane structures. The main gates located at the eastern and western entrances will be opened during large events and for maintenance purposes. It is proposed to lock all access gates to the boardwalk between 11:00pm and 5:00am to prevent public access during these hours.

The boardwalk is categorised as Passive Recreation under the Planning Scheme which is a No Permit Required use within the Open Space and General Residential zone and a Permitted use within the Environmental Management zone.

The applicant is applying for discretion under the following clauses:

- Suitability of a site or lot for use or development 10.4.9 (P1) and (P2);
- Development other than a single or multiple dwelling 10.4.11 (P1) and (P2);
- Location and configuration of development 19.4.2 (P4);
- Setback from zone boundaries 19.4.3 (P1);
- Location and configuration of development 29.4.3 (P1) and (P3);
- Change in existing ground level and natural ground level E4.6.1 (P1);
- Development in proximity to a waterbody, watercourse or wetland E10.6.1 (P1); and
- Development in a shoreline area E10.6.2 (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 13 April 2018. One (1) representation was received during this period.

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

Representor – J McErlain and C Hilliger	
The representors' issues raised have been summarised as the following:	
1.	The proposed boardwalk does not satisfy the requirements of clauses 19.3.1 (d), 19.4.2, 19.4.3 (a) and (b) insofar as the amenity of adjoining land uses will be compromised through noise generated by the operation of the boardwalk and the potential for anti-social behaviour to occur along the boardwalk;
2.	The proposed boardwalk does not satisfy the requirements of clauses 19.4.1 and 29.4.2 insofar as no provision for stormwater drainage and disposal has been incorporated into the design;
3.	An engineering assessment has not been conducted to determine the capacity of the boardwalk to withstand accidental loading from small boats should they collide with the structure;
4.	No significant visual impact assessment has been provided to determine the visual impact the proposed boardwalk will have within the landscape;
5.	The development application does not address the State Coastal Policy 1996;

6. Scouring and weathering of the existing seawall has led to the seawall being damaged and potentially undermining the substrate on which the proposed boardwalk is to be located which has not been addressed within the application;
7. Any unforeseen impacts to the adjoining land to the south have not been addressed within the development application;
8. The proposed boardwalk would benefit from being relocated away from the adjoining property to the south which contains the motel to provide a buffer between the private road and boardwalk structure;
9. Hours of operation have not been addressed within the development application.

Planning Response:

The following responses are provided with respect to each of the above points:

1. Clause 19.3.1 does not apply to the development application on the basis that the use of land for passive recreation within the Open Space zone is not a discretionary permit use. Consideration of the provisions contained within standard 19.4.3 can only be had for the adjoining General Residential zoning and not to the General Business zone which applies to the adjacent land to the south that contains the motel. It has been determined that the proposed development complies with the relevant provisions that have been referenced. Full consideration of these clauses is presented under the Planning Assessment.

Notwithstanding this, it is recommended that a condition be applied to the permit which restricts the use of the boardwalk to between 11:00pm and 5:00am, which will formalise the commitment made within the development application. Restricting the usage of the boardwalk to outside these hours will assist with removing opportunities for anti-social behaviour along the boardwalk and any additional noise impacts that are generated by its use.

2. The proposed boardwalk will have minimal impervious surfaces which will minimise the need to collect and dispose of concentrated runoff. The decking will be pervious, which will allow water to drain into the watercourse below. Some stormwater will be captured within the landscaping beds. Accordingly, the proposed boardwalk is not expected to result in significant stormwater impacts.
3. The proposed boardwalk will undergo further engineering design to ensure that it can withstand and manage impacts that arise from the watercourse including stability, scouring and weathering. Specific assessments to address accidental collisions or similar loading pressures is outside the scope of the Planning Scheme;
4. The plans that were submitted including the elevations, visual representations and material annotations are considered suitable to determine the visual impact of the proposed boardwalk. Overall, the boardwalk is expected to be compatible with the surrounding area in terms of its built form and materiality, as detailed within the assessment;
5. The Planning Scheme has been prepared in accordance with the *Land Use Planning and Approvals Act 1993* which requires planning schemes to be prepared in accordance with all state policies, which includes the State Coastal Policy 1996. The inclusion of the Water and Waterways Code is evidence that the Planning Scheme takes into consideration the State Coastal Policy. It has been determined that the proposed boardwalk satisfies the relevant provisions of the Planning Scheme and by virtue of this, satisfies the State Coastal Policy;
6. Restoration of the existing seawall has been proposed in conjunction with the new boardwalk to expressly address the existing damage to the seawall and the integrity of the substrate;
7. Development has not been proposed on the adjacent land to the south. Notwithstanding this, any unforeseen damage that may occur during construction activities would need to be rectified in a manner that satisfies affected parties;

-
-
- | |
|--|
| <p>8. The planning assessment has been conducted based on the location of the boardwalk which has been depicted on the submitted site plan. It has been determined that the proposed location of the boardwalk satisfies all relevant provisions of the Planning Scheme. It is not recommended that the location of the boardwalk be altered from the submitted plans;</p> <p>9. It is recommended that a condition be applied to the permit requiring construction of the proposed boardwalk to occur within the hours specified by regulations under the Environmental Management and Pollution Control Act 1994, unless otherwise changed by Council.</p> |
|--|

INTERNAL REFERRALS

Engineering Services Department

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

1. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
2. Loading and un-loading of vehicles is to be confined to within the boundaries of the property.

Notes

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

Environmental Health

The following environmental health conditions are recommended:

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

Notes

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 15 March 2018. The response was received on 23 March 2018 and forms Part B of this permit.

PLANNING ASSESSMENT

The subject site is zoned General Residential, Open Space and Environmental Management under the Planning Scheme.

The application does not meet all the relevant acceptable solutions. The application is therefore submitted as a discretionary application under Section 57 of the *Land Use*

Planning & Approvals Act 1993 (LUPAA). 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 General Residential, Open Space and Environmental Management zones and relevant Codes is provided below.

General Residential Zone

10.2 Use Table

Use Class	Qualification	Status
Passive recreation	If a public park or reserve or a building or structure for local municipal or regional community.	No permit required

10.4 Development Standards

10.4.9 Suitability of a site or lot for use or development

Acceptable Solutions	Performance Criteria
<p>A1 <i>A site or each lot on a plan of subdivision must –</i> <i>(a) have an area of not less than 330m² excluding any access strip; and</i> <i>(b) if intended for a building, contain a building area of not less than 10.0m x 15.0m</i> <i>(i). clear of any applicable setback from a frontage, side or rear boundary;</i> <i>(ii). clear of any applicable setback from a zone boundary;</i> <i>(iii). clear of any registered easement;</i> <i>(iv). clear of any registered right of way benefiting other land;</i> <i>(v). clear of any restriction imposed by a utility;</i> <i>(vi). not including an access strip;</i> <i>(vii). accessible from a frontage or access strip; and</i> <i>(viii). if a new residential lot, with a long axis within the range 30° east of north and 20° west of north.</i></p>	<p>P1 <i>A site or each lot on a plan of subdivision must –</i> <i>(a) be of sufficient area for the intended use or development without likely constraint or interference for –</i> <i>(i) erection of a building if required by the intended use;</i> <i>(ii) access to the site;</i> <i>(iii) use or development of adjacent land;</i> <i>(iv) a utility; and</i> <i>(v) any easement or lawful entitlement for access to other land; and</i> <i>(b) if a new residential lot, be orientated to maximise opportunity for solar access to a building area.</i></p>
<p>Planning Comment: The portion of the subject site that comprises the General Residential zone is adjacent to the Camp Creek weir, is approximately 26m from the pedestrian bridge and forms part of a narrow linear parcel that extends along the river frontage. The portion of General Residential comprises a small rectangle approximately 10m² in area, which is not of sufficient size to achieve compliance with acceptable solutions (a) and (b). Assessment against the corresponding performance criteria is therefore required.</p> <p>Performance Criteria Assessment The portion of the site that comprises General Residential zone provides sufficient area for the proposed development, given the following:</p>	

<ul style="list-style-type: none"> a) it will allow for the erection of the sections of the boardwalk that will be located within the General Residential zone, as demonstrated by the site plan; b) the site forms part of an established public reserve which includes an existing concrete footpath adjacent to the river frontage. The proposed boardwalk will formalise pedestrian access along the river frontage. Access to and from the site will not be significantly altered by the proposed development; c) the proposed development will be contained within a small area between Camp Creek and the interface of the private road and Goldie Street. The boardwalk will be situated approximately 2m above the bed of the Camp Creek weir, and will be aligned along the northern side of the road. The location of the boardwalk will therefore not interfere or constrain existing and future use and development of adjacent land; d) the proposed development will not unreasonably constrain or be constrained by a utility; e) the proposed development will not impact any easement or lawful entitlement for access to other land; f) the site is not intended to support residential use or development. <p>The performance criteria are therefore satisfied.</p>	
<p>A2 <i>A site or each lot on a subdivision plan must have a separate access from a road –</i></p> <ul style="list-style-type: none"> (a) <i>across a frontage over which no other land has a right of access; and</i> (b) <i>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</i> (c) <i>by a right of way connecting to a road –</i> <ul style="list-style-type: none"> (i) <i>over land not required as the means of access to any other land; and</i> (ii) <i>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</i> (d) <i>with a width of frontage and any access strip or right of way of not less than –</i> <ul style="list-style-type: none"> (i) <i>3.6 m for a single dwelling development; or</i> (ii) <i>6.0 m for multiple dwelling development or development for a non-residential use; and</i> (e) <i>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</i> 	<p>P2 <i>(a) A site must have a reasonable and secure access from a road provided –</i></p> <ul style="list-style-type: none"> (i) <i>across a frontage; or</i> (ii) <i>by an access strip connecting to a frontage, if for an internal lot; or</i> (iii) <i>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</i> (iv) <i>the dimensions of the frontage and any access strip or right of way must be adequate for the type and volume of traffic likely to be generated by –</i> <ul style="list-style-type: none"> a. <i>the intended use; and</i> b. <i>the existing or potential use of any other land which requires use of the access as the means of access for that land; and</i> (v) <i>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</i> <p><i>(b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan.</i></p>

<i>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.</i>	
Planning Comment:	
The portion of the subject site that comprises the General Residential zone does not have sufficient frontage width that satisfies acceptable solution (d). Assessment against the corresponding performance criteria is therefore required.	
Performance Criteria Assessment	
In this instance, the purpose of the boardwalk is to provide safe and unobstructed pedestrian pathway for the length of the structure. The boardwalk has been designed to restrict vehicular access. It is therefore unnecessary to provide vehicular access to the site.	
Performance criteria (b) is therefore satisfied.	

10.4.11 Development other than a single or multiple dwelling

10.4.11.1 Location and configuration of development

Acceptable Solutions	Performance Criteria
<p>A1 <i>The wall of a building must be setback from a frontage –</i></p> <ul style="list-style-type: none"> <i>(a) not less than 4.5m from a primary frontage; and</i> <i>(b) not less than 3.0m from any secondary frontage; or</i> <i>(c) not less than and not more than the setbacks for any existing building on adjoining sites;</i> <i>(d) not less than for any building retained on the site;</i> <i>(e) in accordance with any building area shown on a sealed plan; or</i> <i>(f) if the site abuts a road shown in Table A1 to this clause, not less than the setback specified for that road.</i> 	<p>P1 <i>The setback of a wall of a building from a frontage or boundary must be –</i></p> <ul style="list-style-type: none"> <i>(a) consistent with the streetscape; and</i> <i>(b) required by a constraint imposed by –</i> <ul style="list-style-type: none"> <i>(i) size and shape of the lot;</i> <i>(ii) orientation and topography of land;</i> <i>(iii) arrangements for connection to a utility;</i> <i>(iv) arrangements for vehicular and pedestrian access;</i> <i>(v) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme;</i> <i>(vi) a utility; or</i> <i>(vii) any lawful and binding requirement –</i> <ul style="list-style-type: none"> <i>a. by the State or a council or by an entity owned or regulated by the State or a council to acquire or occupy part of the site; or</i> <i>b. an interest protected at law by an easement or other regulation.</i>
Planning Comment:	
The proposed boardwalk does not satisfy the minimum frontage setback of 4.5m requirement of acceptable solution (a). Assessment against the corresponding performance criteria is therefore required.	
Performance Criteria Assessment	
The proposed setback of the boardwalk from the frontage will:	

<p>a) be consistent with the streetscape in the surrounding area, which is characterised by the public reserve, concrete footpath and seawall structure which provides a barrier between the walking track and embankment of the river. The boardwalk will be low-lying relative to nearby buildings and incorporate protective barriers between the private road of the adjoining property to the south, and adjacent watercourse to the north; and</p> <p>b) is required by a constraint imposed by the size and shape of the site that comprises the General Residential zoning, which has a depth of approximately 2.4m.</p> <p>Performance criteria (a) and (b)(i) are therefore satisfied.</p>	
<p>A2 <i>All buildings must be contained within a building envelope determined by –</i></p> <p>(a) <i>the applicable frontage setback;</i></p> <p>(b) <i>a distance of not less than 4.0m from the rear boundary or if an internal lot, a distance of 4.5m from the boundary abutting the rear boundary of the adjoining frontage site;</i></p> <p>(c) <i>projecting a line at an angle of 45° from the horizontal at a height of 3.0m above natural ground level at each side boundary and at a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level if walls are setback –</i></p> <p>(i). <i>not less than 1.5m from each side boundary; or</i></p> <p>(ii). <i>less than 1.5m from a side boundary if –</i></p> <p style="padding-left: 20px;"><i>a. built against an existing wall of an adjoining building; or</i></p> <p style="padding-left: 20px;"><i>b. the wall or walls –</i></p> <p style="padding-left: 40px;"><i>i. have the lesser of a total length of 9.0m or one-third of the boundary with the adjoining land;</i></p> <p style="padding-left: 40px;"><i>ii. there is no door or window in the wall of the building; and</i></p> <p style="padding-left: 40px;"><i>iii. overshadowing does not result in 50% of the private open space of an adjoining dwelling receiving less than 3 hours of sunlight between 9:00am and 3:00pm on 21st June.</i></p> <p>(d) <i>in accordance with any building envelope shown on a sealed plan of subdivision.</i></p>	<p>P2 <i>Building height and location of a building in relation to a frontage and site boundaries must –</i></p> <p>(a) <i>minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling;</i></p> <p>(b) <i>minimise the apparent scale, bulk, massing and proportion relative to any adjacent building;</i></p> <p>(c) <i>be consistent with the streetscape;</i></p> <p>(d) <i>respond to the effect of the slope and orientation of the site; and</i></p> <p>(e) <i>provide separation between buildings to attenuate impact.</i></p>
<p>Planning Comment:</p> <p>The proposed boardwalk is unable to be contained within the building envelope that is prescribed by the acceptable solution, due to the small amount of the site within the General Residential zone. Assessment against the corresponding performance criteria is therefore required.</p> <p>Performance Criteria Assessment</p>	

The height and location of the proposed boardwalk is considered appropriate for the site and surrounding area, having regard to the following:

- a) the site is not adjacent to any residential use and development for it to impose constraint or interference on dwellings;
- b) The bulk, massing and scale of the proposed boardwalk will be significantly less than nearby buildings and utilities which include the motel, yacht club, wharf and associated car parking area, which will ensure that the boardwalk will remain recessive in the landscape relative to adjacent buildings;
- c) The proposed boardwalk will be compatible with the established fabric and character of the surrounding landscape and is expected to enhance the apparent streetscape setting of the area through the provision of a formalised and consistent structure which will extend from the yacht club to the wharf;
- d) The proposed boardwalk will extend over the waterbody of the Inglis River and Camp Creek in response to the change in ground level. The boardwalk will be supported by the seawall structure;
- e) Adequate separation will be provided between the motel building to the south and boardwalk by the presence of the private road which has an average width of approximately 8m. This distance, combined with the protective fencing, concrete plinth and landscaping is expected to provide a reasonable buffer to assist with attenuating impacts between the boardwalk and operation of the motel.

The performance criteria are therefore satisfied.

Open Space Zone

19.2 Use Table

Use Class	Qualification	Status
Passive recreation	If a public park or reserve or a building or structure for local municipal or regional community.	No permit required

19.4 Development Standards

19.4.2 Location and configuration of development

Acceptable Solutions	Performance Criteria
<p>A4 <i>A building or utility structure must be –</i></p> <ul style="list-style-type: none"> (a) <i>not less than 15m below the level of any adjoining ridgeline;</i> (b) <i>not less than 30m from any shoreline to a marine or aquatic water body, water course, or wetland;</i> (c) <i>below the canopy level of any adjacent forest or woodland vegetation; and</i> (d) <i>clad and roofed with materials with a light reflectance value of less than 40%.</i> 	<p>P4</p> <ul style="list-style-type: none"> (a) <i>The location, height and visual appearance of a building or structure must have regard to –</i> (i) <i>minimising the visual impact on the skyline;</i> (ii) <i>minimising height above the adjacent vegetation canopy;</i> (iii) <i>minimising visual impact on the shoreline or a marine or aquatic water body, water course, or wetland where possible; and</i> (iv) <i>minimising excessive reflection of light from an external surface; or</i> (b) <i>the location of a visually apparent building or structure must –</i> (i) <i>be essential and unavoidable in order to provide an</i>

	<i>overriding community benefit; or (ii) incapable of change due to an exceptional circumstance.</i>
<p>Planning Comment:</p> <p>The proposed boardwalk will be located within 30m of a watercourse. Assessment against the corresponding performance criteria is therefore required.</p> <p>Performance Criteria Assessment</p> <p>The location, configuration and visual appearance of the proposed boardwalk is considered appropriate for the site and surrounding area, having regard to the following:</p> <ul style="list-style-type: none"> a) the proposed boardwalk is located adjacent to the river frontage within a low-lying environment and will be considerably lower in height than nearby buildings and landscape features which form and contribute to the surrounding skyline. Visual impacts on the skyline will therefore be minimised; b) the proposed boardwalk will be significantly lower than nearby vegetation canopies which are located to the south of the motel building, and along the northern side of the Inglis River; c) the proposed boardwalk will provide a formalised walkway structure over an established public reserve. The form, scale and materiality of the proposed boardwalk will be considerably lower than nearby buildings and will be in keeping with the theme and intention of public infrastructure expected for foreshore reserves. <p>The site has been significantly modified and does not contribute any natural values. The extension of the boardwalk over the waterbody will be consistent with existing structures which include the pedestrian bridge that spans Camp Creek, the wharf infrastructure and associated pontoon. The nautical themed feature mast will be consistent with masts that are attached to boats which are berthed along the wharf. Overall, the proposed boardwalk will be compatible with the existing fabric of the surrounding area, which will assist with minimising any apparent visual impacts on the watercourses;</p> <ul style="list-style-type: none"> d) the boardwalk will comprise concrete, recycled plastic and galvanised and stainless steel elements. The bulk and massing of the boardwalk will be minimised by several transparent elements which includes the wire balustrade, entrance gates and low-lying seating structures. The main components of the boardwalk materials that will cause reflection include the metal elements. In this instance, the metal elements will be predominantly linear and narrow with minimal surface area to cause significant reflection. <p>In addition, the site is located within an environment that is subject to significant glare and reflection which is caused by the expansive glazing located on the northern elevation of the motel building and from the adjoining waterbody. Any reflection from the boardwalk will therefore not be excessive within the context of the surrounding landscape.</p> <p>Performance criteria (a) is therefore satisfied.</p>	

19.4.3 Setback from zone boundaries

Acceptable Solutions	Performance Criteria
A1 <i>Development of land with a boundary to another</i>	P1 <i>The location of development must –</i>

<p>zone must –</p> <p>(a) be setback from the boundary of land in an adjoining zone by not less than the distance for that zone shown the Table to this Clause;</p> <p>(b) not include within the setback area required from a boundary to land in a zone shown on the Table –</p> <p>(i) a building or work;</p> <p>(ii) vehicular or pedestrian access from a road if the boundary is not a frontage;</p> <p>(iii) vehicle loading or parking area;</p> <p>(iv) an area for the display, handling, operation, manufacturing, processing, servicing, repair, or storage of any animal, equipment, goods, plant, materials, vehicle, or waste;</p> <p>(v) an area for the gathering of people, including for entertainment, community event, performance, sport or for a spectator facility;</p> <p>(vi) a sign orientated to view from land in another zone; or</p> <p>(vii) external lighting for operational or security purposes; and</p> <p>(c) a building with an elevation to a zone boundary must be contained within a building envelope determined by –</p> <p>(i) the setback distance from the zone boundary as shown on the Table to this clause; and</p> <p>(ii) 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; and</p> <p>(d) the elevation of a building to a zone boundary must not contain an external opening other than an emergency exit, including a door, window to a habitable room, loading bay, or vehicle entry.</p>	<p>(a) minimise likelihood for conflict, constraint or interference from sensitive use on land in an adjoining zone; and</p> <p>(b) minimise likely impact on the amenity of the sensitive use on land in an adjoining zone</p>
---	---

Planning Comment:

The proposed boardwalk will be located within 4m of the General Residential zone. Acceptable solution (a) is unable to be met. Assessment against the corresponding performance criteria is therefore required.

Performance Criteria Assessment

In this instance, the portion of General Residential zoned land that the proposed boardwalk will be located adjacent to includes the section of General Residential zoning that the boardwalk will traverse, in addition the remaining zoning that is located to the south-east of the subject site, which encompasses a section of the motel land, Goldie Street road reserve and sewage pump station. The adjoining General Residential zone therefore does not contain any sensitive uses.

The performance criteria are therefore satisfied.

29.0 Environmental Management Zone

29.2 Use Table

Use Class	Qualification	Status
Passive recreation	None	Permitted

29.4 Development Standards

29.4.3 Location and configuration of development

Acceptable Solution	Performance Criteria
<p>A1 <i>A building and any development area must be setback –</i></p> <p>(a) <i>not less than 20.0m from the frontage to a road; or</i></p> <p>(b) <i>if the development is on land that adjoins a road specified in the Table to this Clause, not less than the setback specified from that road; and</i></p> <p>(c) <i>not less than 10.0m from each side boundary;</i></p> <p>(d) <i>not less than 10.0m from the rear boundary; or</i></p> <p>(e) <i>in accordance with any building area shown on a sealed plan.</i></p>	<p>P1 <i>The setback of a building and development area from the frontage or from a side or rear boundary must –</i></p> <p>(a) <i>be consistent with prevailing frontage setbacks for any existing and approved building or structure on the site or on adjacent land;</i></p> <p>(b) <i>provide a sufficient physical and visual separation between the road and any use on the site sufficient to buffer or screen the site to view from a road or public place; and</i></p> <p>(c) <i>provide measures to attenuate visual impact of the site.</i></p>
<p>Planning Comment:</p> <p>The boardwalk, including the asphalt footpath adjacent to Goldie Street road reserve and the interface with the Camp Creek footbridge, will be located within 20m of the road frontage. Assessment against the corresponding performance criteria is therefore required.</p> <p>Performance Criteria Assessment</p> <p>The location, configuration and visual appearance of the proposed boardwalk is considered appropriate for the site and surrounding area, having regard to the following:</p> <p>a) the proposed boardwalk will be consistent with the location of the existing concrete footpath, seawall, protective bollards and pedestrian bridge that spans Camp Creek which are contained within the subject site;</p> <p>b) the proposed boardwalk will form part of, and contribute to, the local road infrastructure and open space network. Physical and visual separation of the proposed boardwalk is therefore not considered necessary;</p> <p>c) any apparent visual impacts of the proposed boardwalk will be attenuated by the low-lying profile of the structure relative to adjacent buildings, use of recessive materials and transparency provided by different elements of the structure, and the inclusion of landscaping beds along the southern boundary of the boardwalk.</p> <p>The performance criteria are therefore satisfied.</p>	
<p>A3 <i>A building or a utility structure must be –</i></p> <p>(a) <i>not less than 15m below the level</i></p>	<p>P3 <i>(a) a building or structure must –</i></p> <p>(i) <i>not be visually apparent on a skyline;</i></p>

<p><i>of any adjoining ridgeline;</i></p> <p><i>(b) not less than 30m from any shoreline to a marine or aquatic water body, water course, or wetland;</i></p> <p><i>(c) below the canopy level of any adjacent forest or woodland vegetation; and</i></p> <p><i>(d) clad and roofed with materials with a light reflectance value of less than 40%.</i></p>	<p><i>(ii) not be visually apparent above the adjacent vegetation canopy;</i></p> <p><i>(iii) not be visually apparent on the shoreline or a marine or aquatic water body, water course, or wetland where possible; and</i></p> <p><i>(iv) not be visually apparent as a result of the reflection of light from an external surface; or</i></p> <p style="padding-left: 40px;"><i>(b) the location of a visually apparent building or structure must –</i></p> <p><i>(i) be essential and unavoidable in order to provide an overriding community benefit; or</i></p> <p><i>(ii) incapable of change due to an exceptional circumstance.</i></p>
---	--

Planning Comment:

The proposed boardwalk will be located within 30m of a watercourse. Assessment against the corresponding performance criteria is therefore required.

Performance Criteria Assessment

The location, configuration and visual appearance of the proposed boardwalk is considered appropriate for the site and surrounding area, having regard to the following:

- a) the proposed boardwalk will be located below all skylines that are relative to the subject site;
- b) the proposed boardwalk will be located below nearby vegetation canopies;
- c) the proposed boardwalk will provide a formalised walkway structure over an established public reserve. The form, scale and materiality of the proposed boardwalk will be considerably lower than nearby buildings and will in keeping with the theme and intention of public infrastructure expected for foreshore reserves.

The site has been significantly modified and does not contribute any natural values. The extension of the boardwalk over the waterbody will be consistent with existing structures which include the pedestrian bridge that spans Camp Creek, the wharf infrastructure and associated pontoon. The nautical themed feature mast will be consistent with masts that are attached to boats which are berthed along the wharf. Overall, the proposed boardwalk will be compatible with the existing fabric of the surrounding area, which will assist with minimising any apparent visual impacts on the watercourses;

- d) the boardwalk will comprise concrete, recycled plastic and galvanised and stainless steel elements. The bulk and massing of the boardwalk will be minimised by several transparent elements, which includes the wire balustrade, entrance gates and low-lying seating structures. The main components of the boardwalk materials that will cause reflection include the metal elements. In this instance, the metal elements will be predominantly linear and narrow with minimal surface area to cause significant reflection.

In addition, the site is located within an environment that is subject to significant glare and reflection which is caused by the expansive glazing located on the northern elevation of the motel building, and from the adjoining waterbody. Any reflection from the boardwalk will therefore not be excessive within the context of the surrounding landscape.

Performance criteria (a) is therefore satisfied.

Part E Codes**E1 Bushfire Prone Areas Code**

Not applicable to this application

E2 Airport Impact Management Code

Not applicable to this application

E3 Clearing and Conversion of Vegetation Code

Not applicable to this application

E4 Change in Ground Level Code**E4.6.1 Change in existing ground level or natural ground level**

Acceptable Solution	Performance Criteria
<p>A1</p> <p>Cut or fill must -</p> <p>(a) not be on land within the Environmental Living zone or the Environmental Management zone;</p> <p>(b) be required to -</p> <p>(i) provide a construction site for buildings and structures;</p> <p>(ii) facilitate vehicular access;</p> <p>(iii) mitigate exposure to a natural or environmental hazard;</p> <p>(iv) facilitate provision of a utility;</p> <p>(v) assist the consolidation or intensification of development; or</p> <p>(vi) assist stormwater management</p> <p>(c) not result in a modification of surface stormwater water flow to increase –</p> <p>(i) surface water drainage onto adjacent land;</p> <p>(ii) pooling of water on the site or on adjacent land; or</p> <p>(iii) the nature or capacity of discharge from land upstream in a natural or artificial drainage channel;</p> <p>(d) not destabilise any existing building or increase the requirements for construction of</p>	<p>P1</p> <p>Cut or fill must -</p> <p>(a) make arrangements for the drainage and disposal of stormwater;</p> <p>(b) make arrangements to stabilise any existing building or to increase the requirements for construction of any potential building on adjacent land;</p> <p>(c) manage drainage and disposal of intersected ground water;</p> <p>(d) safeguard the quality of receiving waters;</p> <p>(e) not require a retaining or support structure that would result in an area of influence within the boundary of adjacent land unless the owner of adjacent land has provided written consent to enter into an agreement under Part 5 Land Use Planning and Approvals Act 1993 registered on the title of adjacent land providing for the level of constraint; and</p> <p>(f) not encroach upon or expose, disturb, or reduce cover over an underground utility to less than 1.0m unless the relevant regulatory entity has advised –</p> <p>(i) it is satisfied the cut or fill will not result in harm to the utility; and</p> <p>(ii) any condition or requirement it determines are appropriate to protect the utility</p>

<p>any potential building on adjacent land;</p> <p>(e) manage disposal of intersected ground water;</p> <p>(f) safeguard the quality of receiving waters through measures to minimise erosion and release of sediments and other contaminants during each of the site preparation, construction and rehabilitation phase in accordance with Soil and Water Management on Building and Construction Sites 2009;</p> <p>(g) Not require a retaining or support structure that would result in an area of influence within the boundary of adjacent land; and</p> <p>(h) not encroach upon or expose, disturb, or reduce cover over an underground utility to less than 1.0m unless the relevant regulatory entity has advised –</p> <p>(i) it is satisfied the cut or fill will not result in harm to the utility; and</p> <p>(ii) any condition or requirement it determines are appropriate to protect the utility</p>	
<p>Planning Comment:</p> <p>A level of cut is required to accommodate a new footing along the base of the seawall, which is proposed to be restored. This area is located within the Environmental Management zone. Assessment against the corresponding performance criteria is therefore required.</p> <p>Performance Criteria Assessment</p> <p>The proposed cut is within the Environmental Management zone will be commensurate to the level of development in the context of the surrounding area, having regard to the following:</p> <ul style="list-style-type: none"> a) whilst no specific arrangements for drainage and disposal of stormwater are considered necessary, stormwater runoff will likely discharge into the adjacent watercourse through the permeable decking. Some stormwater will be captured within the landscaping beds with the remaining stormwater likely to be directed to the adjacent road kerb and channel where it will discharge into the Council stormwater system; b) the proposed works will be designed to restore the structural integrity of the existing seawall in addition to providing a foundation to support the boardwalk; c) any intersected ground water will be appropriately managed during the construction of the seawall which will occur within the high-water mark of the river; 	

- d) the seawall will be finished with an appropriate treatment to minimise the onset of scouring and weathering of the structure, which will assist with safeguarding the water quality of the adjacent watercourse;
- e) the proposed earthworks will not create an area of influence of within the boundary of the adjacent land to the south;
- f) the proposed earthworks will not encroach, expose or disturb any identified or known utility structures.

The performance criteria are therefore satisfied.

Local Heritage Code

E5 Not applicable to this application.

Hazard Management Code

E6 Not applicable to this code

Signs Code

E7 Not applicable to this code

Telecommunications Code

E8 Not applicable to this application.

Traffic Generating Use and Parking Code

E9 There are no requirements set for the Passive Recreation use class. The Code is therefore not applicable to the proposed boardwalk.

E10 Water and Waterways Code

E10.6.1 Development in proximity to a water body, watercourse or wetland

Acceptable Solution	Performance Criteria
<p><i>A1</i> <i>There is no acceptable solution</i></p>	<p><i>P1</i> <i>Development must –</i></p> <ul style="list-style-type: none"> <i>(a) minimise risk to the function and values of a water body watercourse or wetland [R37] , including for -</i> <ul style="list-style-type: none"> <i>(i) hydraulic performance;</i> <i>(ii) economic value;</i> <i>(iii) water based activity;</i> <i>(iv) disturbance and change in natural ground level;</i> <i>(v) control of sediment and contaminants;</i> <i>(vi) public access and use;</i> <i>(vii) aesthetic or scenic quality;</i> <i>(viii) water quality management arrangements for stormwater and sewage disposal;</i> <i>(ix) modification of a natural drainage channel;</i> <i>(x) biodiversity and ecological function;</i> <i>(xi) level of likely risk from exposure to natural hazards of flooding and inundation; and</i> <i>(xii) community risk and public safety; and</i> <i>(b) be consistent with any advice or decision of a relevant</i>

	<p><i>entity administering or enforcing compliance with an applicable protection and conservation regulation for –</i></p> <p><i>(i) impact of the development on the objectives and outcomes for protection of the water body, watercourse or wetland; and</i></p> <p><i>(ii) any condition or requirement for protection of the water body, water course or wetland</i></p>
<p>Planning Comment:</p> <p>The application included a modelling and flood risk assessment prepared by Water Technology which considered and determine the impact of the proposed boardwalk on the adjacent watercourses of Camp Creek and the Inglis River. Overall, the proposed boardwalk will minimise risk to the function and values of the watercourses, having regard to the following:</p> <ul style="list-style-type: none"> a) the Water Technology report concluded that the proposed boardwalk will have minimal impact on the hydraulic performance of the watercourses, recognising that the flood risk for properties and assets in the lower section of Camp Creek and the Inglis River adjacent to the boardwalk is low, and will not change as a result of its installation; b) the proposed boardwalk will have a negligible impact on the economic value of the watercourses; c) the boardwalk will be located above the interface of the high-water and low-water mark of the Inglis River and Camp Creek, and will be considerable distance from the main channel, which is used by the boating community. The proposed boardwalk is therefore not expected to have any impacts on water-based activities; d) the proposed boardwalk will not have a discernible impact on, or result in a significant change to, the natural ground level of the adjacent river bed; e) sediment and contaminate control will be provided through the restoration of the Sewall. Treatment will be applied to the face of the seawall which will minimise scouring at the base of the wall, and general weathering which is caused by water movement; f) the proposed boardwalk will enhance public access and use of the foreshore area; g) it has been established that the visual impact of the proposed boardwalk will be minimised within the context of its setting; h) no specific arrangements are required to manage and dispose of stormwater and sewage; i) the proposed boardwalk will result in the repair and restoration of an existing seawall which has modified the confluence of Camp Creek and the Inglis River. No additional modifications to the watercourses will occur as a result of the proposed boardwalk; j) the boardwalk will be located on land that has been significantly modified overtime to accommodate the existing seawall and walkway. Accordingly, minimal impacts to the biological and ecological functions of the adjacent watercourse are envisaged; k) there will only be a marginal change to flood levels as a result of the proposed boardwalk. 	

However, these changes will not lead to any significant changes in flooding extent or increase the flooding hazard or risk;

- l) in the event of a significant flood, the boardwalk will be closed, which will mitigate any risk to public safety;
- m) there are no identified protection or conservation regulations in place for the Inglis River and Camp Creek.

The performance criteria are therefore satisfied.

E10.6.2 Development in a shoreline area

<p>A1 There is no acceptable solution</p>	<p>P1 Development must –</p> <ul style="list-style-type: none"> (a) be required to locate in, over, on or under the shoreline, sea or tidal waters for operational efficiency; (b) avoid unreasonably or unnecessarily impact on existing or potential access by the public to shoreline land or waters; (c) minimise impact on scenic quality of the sea-shore area; (d) minimise impact on amenity or aesthetic appearance of the sea-shore area as a result of – <ul style="list-style-type: none"> (i) nature and operational characteristics of the development; (ii) location; (iii) bulk, size, and overall built form of any building or work; (iv) overshadowing; or (v) obstruction of views from a public place; and (e) minimise immediate or cumulative adverse effect for – <ul style="list-style-type: none"> (i) tidal, wave, current, or sediment movement processes; (ii) coastal landforms, seabed, and other geomorphic features, including sand dunes and mobile landforms; (iii) vulnerability to erosion and recession; (iv) natural cycles of deposition and erosion; (v) conservation of biodiversity and marine habitat, including during critical lifecycle stages of individual and migratory species; (vi) drainage from a water course, wetland, ground water, flood, stormwater, or tidal water; (vii) coastal water quality; (viii) likely interference or constraint on use of public areas; (ix) any scientific, architectural, aesthetic, historic or special cultural value; (x) exposure to or increased risk from a natural hazard, including sea level rise, storm surge, or inundation as a result of climate change;
---	---

	<ul style="list-style-type: none"> (xi) coastal protection and rehabilitation works required to address erosion, instability, regression, or inundation; (xii) collection, treatment, and disposal of waste, including bilge waters and excavated or dredged sediment; (xiii) economic activity dependent for operational efficiency on a sea-shore location; (xiv) public safety and emergency services; (xv) marine navigation and communication systems; (xvi) safety of recreational boating; and (xvii) be consistent with the current edition of Tasmanian Coastal Works Manual DPIPWE 2011
<p>Planning Comment:</p> <p>The proposed boardwalk is considered to meet the performance criteria, having regard to the following:</p> <ul style="list-style-type: none"> a) extending the boardwalk over the adjacent watercourses will enhance the operational efficiency of the boardwalk by widening the decking surface available for public use; b) the proposed boardwalk will be an extension to an existing public facility and will not alter access to the foreshore area, which is provided from other public facilities including the wharf and boat ramp; c) and d) it has been established that the visual impact of the proposed boardwalk will be minimised within the context of its setting; e) the Water Technology report concluded that the proposed boardwalk will have minimal impact on the hydraulic performance of the watercourses, recognising that the flood risk for properties and assets in the lower section of Camp Creek and the Inglis River adjacent to the boardwalk is low, and will not change as a result of its installation. <p>It is recognised that the new seawall will be engineered to protect and mitigate the foreshore against erosion, recession, instability issues and some inundation in the event of a flood or significant storm.</p> <p>The proposed boardwalk is not envisaged to cause any detrimental impacts to public safety and emergency services, marine navigation and communication systems or safety of recreational boating, given its proximity to the foreshore, avoidance of primary boating channels and distance from the public boat ramp.</p> <p>The performance criteria are therefore satisfied.</p>	

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 any public representations received. It is noted that one (1) representation was received during the exhibition period.

STRATEGIC IMPLICATIONS

There are no significant strategic implications identified.

POLICY IMPLICATIONS

The recommendation is in line with the adopted Open Space, Sport and Recreation Plan and Wynyard Waterfront Master Plan.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

With 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 application is for the construction of a public boardwalk. The application is generally considered to meet the relevant standards of the *Waratah-Wynyard Interim Planning Scheme 2013* subject to conditions.

The application is considered to comply with the General Residential, Open Space and the Environmental Management Zones 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.

Prepared by



George Walker
Consultant Town Planner

Date 10 May 2018

MOVED BY	CR DUNIAM
SECONDED BY	CR BRADLEY

That Council, pursuant to the provisions of the *Waratah-Wynyard Interim Planning Scheme 2013* (Planning Scheme), and in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve the Boardwalk Development adjacent to the Inglis River and Camp Creek 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) Planning Report prepared by GHD dated December 2017;**
 - b) Site Plan Drawing Ref. SK1.01 Rev. E prepared by GHDWoodhead dated 8 December 2017;**
 - c) 3D View + Section Plan Drawing Ref. SK1.02 Rev. E prepared by GHDWoodhead dated 8 December 2017;**
 - d) Main Gate - Typical Plan Drawing Ref. SK1.03 Rev. B prepared by GHDWoodhead dated 18 October 2017;**
 - e) Intermediate Gates - Typical Plan Drawing Ref. SK1.04 Rev. B prepared by GHDWoodhead dated 18 October 2017**
 - f) Camp Creek Modelling - Hydrology Report Memorandum prepared by Water Technology dated 8 December 2017.**

-
-
- (2) All access points to the boardwalk must be appropriately secured on a daily basis between 11:00pm and 5:00am to restrict access during this period.**
 - (3) All areas that are set aside for landscaping must be planted prior to the commencement of the approved use. The plant species within the designated landscaped areas may change overtime and must be maintained in a healthy and orderly state for the duration of the approved use.**
 - (4) During the construction phase, appropriate measures shall be undertaken to ensure all activities are conducted within the obligations set out within Section 24A of the *Environmental Management and Pollution Control Act 1994* and the *Environmental Management and Pollution Control (Noise) Regulations 2016*.**
 - (5) In the course of undertaking the development and use there is to be no damage caused to any Council owned infrastructure or property;**
 - (6) Loading and unloading of vehicles is to be confined to within the boundaries of the development site.**
 - (7) Control measures are to be installed for the duration of the construction phase so as to limit the loss of soils and other debris from the site.**

Notes: -

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

- 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 consult with a building surveyor to ensure the development is constructed in accordance with *Building Act 2016*.
- 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*.
- This permit is based on information and particulars set out in Development Applications 18/2018. Any variation requires an application for further planning approval of Council.
- 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 powerlines. Failure to do so could result in the relocation of electricity assets at your cost.
- For any access or works within Crown Land, please contact Crown Land Services prior to commencement.

- 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 Hyland moved an AMENDMENT

MOVED BY	CR HYLAND
SECONDED BY	CR BRAMICH

That condition number two (2) should read:

The walkway is to be accessible at all times except for times of emergency or maintenance. In the event of noise and inappropriate behaviour on the boardwalk council will revisit the matter of restricted access at a later date.

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR DUNIAM
CR FAIRBROTHER	CR FRIEDERSDORFF	CR HYLAND	

The AMENDED MOTION was PUT

That Council, pursuant to the provisions of the *Waratah-Wynyard Interim Planning Scheme 2013* (Planning Scheme), and in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve the Boardwalk Development adjacent to the Inglis River and Camp Creek 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:**
- g) Planning Report prepared by GHD dated December 2017;**
 - h) Site Plan Drawing Ref. SK1.01 Rev. E prepared by GHDWoodhead dated 8 December 2017;**
 - i) 3D View + Section Plan Drawing Ref. SK1.02 Rev. E prepared by GHDWoodhead dated 8 December 2017;**
 - j) Main Gate - Typical Plan Drawing Ref. SK1.03 Rev. B prepared by GHDWoodhead dated 18 October 2017;**
 - k) Intermediate Gates - Typical Plan Drawing Ref. SK1.04 Rev. B prepared by GHDWoodhead dated 18 October 2017**

-
-
- l) Camp Creek Modelling - Hydrology Report Memorandum prepared by Water Technology dated 8 December 2017.**
- (2) The walkway is to be accessible at all times except for times of emergency or maintenance. In the event of noise and inappropriate behaviour on the boardwalk council will revisit the matter of restricted access at a later date.**
- (3) All areas that are set aside for landscaping must be planted prior to the commencement of the approved use. The plant species within the designated landscaped areas may change overtime and must be maintained in a healthy and orderly state for the duration of the approved use.**
- (4) During the construction phase, appropriate measures shall be undertaken to ensure all activities are conducted within the obligations set out within Section 24A of the *Environmental Management and Pollution Control Act 1994* and the *Environmental Management and Pollution Control (Noise) Regulations 2016*.**
- (5) In the course of undertaking the development and use there is to be no damage caused to any Council owned infrastructure or property;**
- (6) Loading and unloading of vehicles is to be confined to within the boundaries of the development site.**
- (7) Control measures are to be installed for the duration of the construction phase so as to limit the loss of soils and other debris from the site.**

Notes: -

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

- 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 consult with a building surveyor to ensure the development is constructed in accordance with *Building Act 2016*.
- 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*.
- This permit is based on information and particulars set out in Development Applications 18/2018. Any variation requires an application for further planning approval of Council.
- 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 powerlines. Failure to do so could result in the relocation of electricity assets at your cost.

-
-
- For any access or works within Crown Land, please contact Crown Land Services prior to commencement.
 - 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 MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR DUNIAM
CR FAIRBROTHER	CR FRIEDERSDORFF	CR HYLAND	

THE PLANNING AUTHORITY CLOSED AT 6.58PM

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 BRAMICH – SALE OF GRADER

Cr Bramich asked if the Council's second grader had been sold and how much was received. He also asked what the funds would be used for.

The Director Infrastructure and Development Services advised that the grader sold for approximately \$80,000, he advised he would confirm the amount.

The Director Infrastructure and Development Services confirmed that the grader sold for \$80,000.

8.1.2 CR FAIRBROTHER – FREEDOM CAMPING

Cr Fairbrother asked if there was an update from the Statewide Freedom camping Group.

The General Manager advised there had been no update and took on notice to follow-up.

An email was sent to all councillors on 18 April with an outline of the meeting.

8.1.3 CR BRAMICH – WEED MANAGEMENT

Cr Bramich asked if Weeds Management was being looked at on a State Basis and if it was not should Council consider preparing a motion for the July LGAT meeting.

The General Manager took the question on notice.

The overarching management instrument for weed management in Tasmania is **The Weed Management Act of 1999 (Tasmania)**. Technically the Crown (State Government) administers the Act but the government and its servants must comply with all aspects of it as does any other individual or collective entity. Due to the current structure of administration and compliance hierarchies it could be argued that the Crown has a clear

conflict of interest when government business silos are expected to comply with the Act but the final right of appeal rests with a Minister under whose jurisdiction they operate. Under the Act the Crown can appoint Weed Inspectors who have specific powers (as defined in **Part 5, Inspectors**)

Weed inspectors mainly are drawn from Local Government but can also be appointed as individuals or from entities that are considered by the Minister as having relevance to the position.

The Act identifies **Declared Weeds**, some of which already occur and are consequently problematic within Tasmania and some that have the capacity to infest Tasmania and become problematic. Declared weeds are classified as either Municipality A or Municipality B weeds. Each declared weed has a **Statutory Management Plan** which identifies the Municipality classification. In short, with Municipality A weeds it is a practical expectation that the weeds can be totally eradicated over time while Municipality B weeds need to be confined within property or municipality boundaries.

With current resources available to local Council weed management sections throughout the State it is impossible to manage every weed in every discrete location to the letter of the Act.

With respect to emerging potential for infestation in Tasmania it appears that climate change is the 'elephant in the room'. If temperatures continue to rise as expected, more weeds will be able to establish if biosecurity effectiveness is allowed to break down. The **Weed Management Act of 1999 (Tasmania)** is currently being reviewed. There is anecdotal evidence that the Act will be rescinded and a new Biosecurity Act will supersede it. Weed management provision is expected to come within a new Biosecurity Act and it is believed that a greater load of responsibility with respect to administering weed management and compliance will come to Local Government through its Councils. It is unlikely that appropriate and continuing resources will be transferred over to Councils, just the responsibility.

With respect to this matter Council's need to be vigilant, individually and collectively through LGAT and other avenues of lobby, with respect to the public comment period when the draft act is released. If the model for weed management that is expected manifests it will have a significant effect on Council's resources.

Given the current review of the Weed Management Act of 1999, it not considered advantageous to submit a motion for the LGAT meeting, however Council needs to closely monitor the proposed changes and keep in dialogue with LGAT to advance the best outcomes from the review

Biosecurity Tasmania employs officers who have the capacity to advise and otherwise assist Local Government weeds inspectors execute their duties pertaining to weed management. Recently they have been able to assist the Waratah Wynyard Natural Resource Management Officer under whose jurisdiction environmental and declared

weed management sits with respect to dealing with contentious weed management issues.

The capacity of the Council to address weed management issues is not always uniform as all actions must be compliant with the spirit and meaning of the Act and more specifically there is a heavy weighting on process directly relating to the type of weed and it's biology, it's classification by municipality, it's location as well as it's biomass.

Within the support information provided by DPIPWE at it's **Declared Weeds Index** site within the body of each weed chapter there is weed description, do's and don'ts advice as well as treatment (cultural, mechanical and chemical) advice.

It should be noted that such advice is useful and in most cases effective but in some cases there are other ways of dealing with infestations. There is not ever only one way of treating environmental and declared weeds although the guidelines provided by DPIPWE are extremely useful.

Education and cross pollination of ideas between stakeholders within the private and public sectors is invaluable. Waratah Wynyard Council fosters an integrated approach to weed management whereby several strategies can be used cohesively.

There appears to be an expectation from some areas that Councils should become fully engaged in playing the role of weed police and issuing infringement notices whenever and tangible or assumed breach of the Act. Although total eradication of environmental weeds within the Waratah Wynyard Municipality would be a highly desirable outcome, in the near future, it is unlikely. Notwithstanding this Council continues to press forward with a realistic approach to weed management and remains committed to continuing this process.

The strategy of building strong and effective communication lines with private and public sector stakeholders is efficacious with a steady bipartisan strategy evident.

It should be noted that environmental and declared weed management is underpinned by a successful and across the board **people management** strategy.

Institution	Responsibility
State Government	<ul style="list-style-type: none">• Develop, administer and review the Weed Management Act 1999 (Tasmania)• Provide leadership with respect to weed management matters within Tasmania and beyond as required.• Provide administrative support – resources, information and training- to appropriate stakeholders, including Councils• Manage declared weed infestations as prescribed within the Act.
Cradle Coast Authority	<ul style="list-style-type: none">• Provide leadership and direction with respect to weed management within the Cradle Coast region as required• Act as a conduit to securing resources for weed management as required within• Facilitate educational and extension activities relating to weed management within the Cradle Coast region as required

Local Government	<ul style="list-style-type: none"> • Provide leadership in relation to weed management issues within their discrete municipal jurisdiction as required • Host / provide weed inspector(s) within their discrete municipal jurisdiction as required. • Manage declared weed infestations within their discrete municipal jurisdiction as defined in the Act as required • Liaise with State Government personnel with respect to weed management matters as required. • Liaise with other Councils (especially neighbours) with respect to weed management issues • Liaise with and facilitate weed management matters with private land owners / managers as required.
------------------	--

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 BRAMICH –GRANT FUNDING FOR WATERFRONT DEVELOPMENT

Cr Bramich asked if any information had been received regarding the funding application for the Waterfront so that work at Camp Creek could be finished.

The General Manager advised that no notification had been received to date and that currently there was no indication as to when an announcement would be made.

8.3.2 CR FAIRBROTHER GRANT FUNDING FOR WATERFRONT DEVELOPMENT

Cr Fairbrother asked if Council could lobby decision makers to get results announced.

The General Manager advised that this was occurring on a very regular basis and that at this point there was no further action that could be taken.

8.3.3 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.

8.3.4 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.

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 PROPOSED FEES AND CHARGES FOR THE 2018-19 FINANCIAL YEAR**

To:	Council
Reporting Officer:	Manager of Financial Services
Responsible Manager:	Director Strategic & Financial Services
Report Date:	4 May 2017
File Reference:	
Enclosures:	Proposed Fees and Charges Table

PURPOSE

To provide a list of proposed Fees and Charges for use in the 2018-19 financial year

BACKGROUND

Council annually adopts the Fees and Charges to be charged in the next financial year as part of the budget process. Council historically adopts this schedule during the May meeting, prior to the finalisation of the Annual Plan, to allow time for notices and other changes to be made prior to the end of the financial year. The adopted Fees and Charges Schedule will form part of the Annual Plan document and be available on Council's website for viewing.

DETAILS

Attached is a proposed list of Fees and Charges for the 2018-19 financial year. All of Council's Fees and Charges have been reviewed as part of the budget process. Some fees have increased whilst others remain the same as the previous year.

General entry into the Wynyard Waster Transfer Station has remained at the same rate as 2017/18 as have charges associated with the Waratah Caravan Park and Camping Grounds.

The most notable changes to the fee schedule relate to child care due to significant changes to the way in which fee subsidies are applied under the new Commonwealth Child Care Subsidy system. Child Care Subsidy will replace the current Child Care Benefit and Child Care Rebate systems. There are also changes to operational subsidies that supported small services and where there is limited access to services. The change in the fee schedule reflects how the new system will change utilisation and access. The fee changes will vary depending on the eligibility criteria and for most families there will be a reduction in fees paid.

Work will continue on revising the sporting fees and charges over coming months in line with recommendations within the Open Space, Sport & Recreation Plan.

Many of the fees associated with the Tulip Festival fees have increased in line with costs associated with supplying marquees, generators and other equipment. Costs for stall holders remain competitive when compared with other events.

STATUTORY IMPLICATIONS

Statutory Requirements

Section 205 of the Local Government Act 1993 Division 7 states:-

(1) In addition to any other power to impose fees and charges but subject to subsection (2), a council may impose fees and charges in respect of any one or all of the following matters:

(a) the use of any property or facility owned, controlled, managed or maintained by the council;

(b) services supplied at a person's request;

(c) carrying out work at a person's request;

(d) providing information or materials, or providing copies of, or extracts from, records of the council;

(e) any application to the council;

(f) any license, permit, registration or authorization granted by the council;

(g) any other prescribed matter.

(2) A council may not impose a fee or charge in respect of a matter if –

(a) a fee or charge is prescribed in respect of that matter; or

(b) this or any other Act provides that a fee or charge is not payable in respect of that matter.

(3) Any fee or charge under subsection (1) need not be fixed by reference to the cost to the council.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

POLICY IMPLICATIONS

N/A

FINANCIAL IMPLICATIONS

Council's adopted Long Term Financial Plan assumes a growth of 5% in the fees and charges each year. Generally the proposed fees and charges are in line with this position.

Fees and Charges account for approximately \$2.45m of Council's income in the proposed budget for 2018/19, the majority of this income being generated from Child Care fees.

RISK IMPLICATIONS

In setting fees and charges, Council needs to consider capacity to pay and whether raising of a fee will negatively impact consumption. Should some of the proposed fees and charges not be supported it may impact on Council's ability to provide that particular service.

CONSULTATION PROCESS

Workshops have been held with Council regarding the proposed fees and charges schedule as part of the budget preparation process.

COMMENT

The Fees and Charges as a base have been increased by approximately 5% not withstanding rounding's, which is in line with the LTFP.

Some fees have increased more than 5% especially within the Child Care and Tulip Festival stall holders, which has been done to better reflect the cost of the services provided and changes to subsidies. The Waratah Camping ground fees have remained the same as last year.

MOVED BY	CR DUNIAM
SECONDED BY	CR FRIEDERSDORFF

That Council, in accordance with Section 205 of the *Local Government Act 1993*, adopt the Fees and Charges for the 2018-19 financial year and that they form part of the Annual Plan and Budget for 2018-19 year.

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR DUNIAM
CR FAIRBROTHER	CR FRIEDERSDORFF	CR HYLAND	

FEE DESCRIPTION	FEE BASIS	2017/2018 (\$)	2018/2019 (\$)	% Increase
CORPORATE SERVICES				
ADMINISTRATION				
Photocopying A4	per page	0.30	0.30	0.00%
Photocopying A3	per page	0.60	0.60	0.00%
Photocopying - Agenda Extracts (set by regulation)	per page	0.30	0.30	0.00%
Right to Information Request (set by Regulation - 25 fee units)	per application	38.75	39.50	1.94%
Code of Conduct Complaints (set by regulation)	per complaint	77.50	79.00	1.94%
FINANCE				
132 Certificates (set by Regulation - 30 fee units)	each	46.50	47.40	1.94%
337 Certificates (set by Regulation - 132.5 fee units)	each	205.37	209.35	1.94%
Rural Transaction Centre - Printing A4 Colour	each	0.40	0.40	0.00%
Rural Transaction Centre - Printing A4 Black/White	each	0.30	0.30	0.00%
CHILDREN/YOUTH SERVICES				
Wynyard Child Care Centre - Weekly	per week	350.00	380.00	8.57%
Wynyard Child Care Centre - Day	per day	82.00	95.00	15.85%
Wynyard Child Care Centre - (7.00 am to 1.00 pm)	per session	52.00	62.00	19.23%
Wynyard Child Care Centre - (1.00 pm to 6.30 pm)	per session	49.00	57.00	16.33%
Wynyard Child Care Centre - Before School	per session	20.00	22.00	10.00%
Wynyard Child Care Centre - After School	per session	25.00	32.00	28.00%
Wynyard Child Care Centre - Cancellation	cancellation Fee	standard fee for the session or service cancelled	standard fee for the session or service cancelled	
School Holiday Programme Fees	per day	52.00	60.00	15.38%
School Holiday Programme Fees (Long Day 7.00am - 6.00pm)	per day	60.00	N/A	0.00%
After School Hours Care	per session	25.00	32.00	28.00%
TOURISM				
Camping Ground - Unpowered Site	per day	22.00	22.00	0.00%
Camping Ground - Powered Site	per day	28.00	28.00	0.00%
Self-Contained Campers	per day	6.00	6.00	0.00%
Camping Ground - Facilities Use	per day	16.00	16.00	0.00%

FEE DESCRIPTION	FEE BASIS	2017/2018 (\$)	2018/2019 (\$)	% Increase
TULIP FESTIVAL				
Market Stall Holder Fee - Non Powered Site		16.00	16.00	0.00%
Market Stall Holder Fee - Powered Site		45.00	45.00	0.00%
Market Prepaid Reserved Powered Site - Annual Fee		630.00	650.00	3.17%
Market Prepaid Reserved Non Powered Site - Annual Fee		280.00	280.00	0.00%
Market Stall Holder Food Van Fee - Non Powered Site			35.00	0.00%
Market Stall Holder Food Van Fee - Non Powered Site 6months			350.00	0.00%
Festival Holders Fee 3x3 - Powered Site Own Marquee/Van (food and drink and corporate)		140.00	160.00	14.29%
Festival Holders Fee 3x3 - Powered Site Supplied Marquee (food and drink and corporate)		170.00	190.00	11.76%
Festival Holders Fee 3x3 - Non Powered Site Own Marquee/Van (food and drink and corporate)		120.00	140.00	16.67%
Festival Holders Fee 3x3 - Non Powered Site Supplied Marquee (food and drink and corporate)		150.00	170.00	13.33%
Festival Holders Fee 6x3 - Powered Site Own Marquee/Van (food and drink and corporate)		160.00	180.00	12.50%
Festival Holders Fee 6x3 - Powered Site Supplied Marquee (food and drink and corporate)		200.00	230.00	15.00%
Festival Holders Fee 6x3 - Non Powered Site Own Marquee/Van (food and drink and corporate)		140.00	160.00	14.29%
Festival Holders Fee 6x3 - Non Powered Site Supplied Marquee (food and drink and corporate)		200.00	220.00	10.00%
Entertainment Site		180.00	220.00	22.22%
Cocktail Party Entry		50.00	50.00	0.00%
Festival Holders Fee 3x3 - Powered Site Own Marquee/Van (craft)		120.00	130.00	8.33%
Festival Holders Fee 3x3 - Powered Site Supplied Marquee (craft)		150.00	160.00	6.67%
Festival Holders Fee 3x3 - Non Powered Site Own Marquee/Van (craft)		100.00	110.00	10.00%
Festival Holders Fee 3x3 - Non Powered Site Supplied Marquee (craft)		130.00	140.00	7.69%
Festival Holders Fee 6x3 - Powered Site Own Marquee/Van (craft)		140.00	150.00	7.14%
Festival Holders Fee 6x3 - Powered Site Supplied Marquee (craft)		180.00	190.00	5.56%
Festival Holders Fee 6x3 - Non Powered Site Own Marquee/Van (craft)		120.00	130.00	8.33%
Festival Holders Fee 6x3 - Non Powered Site Supplied Marquee (craft)		160.00	170.00	6.25%
Cool Room Hire			260.00	0.00%
EXHIBITION CENTRE				
Adult Entry	per person	8.00	8.50	6.25%
Concession Entry	per person	7.00	7.50	7.14%

FEE DESCRIPTION	FEE BASIS	2017/2018 (\$)	2018/2019 (\$)	% Increase
Child Entry under 15 free (must be accompanied by an adult)	per person	0.00	0.00	0.00%
School Groups (For up to 2 adults and 30 children)	per family	40.00	40.00	0.00%
Annual Pass	per person	17.00	17.00	0.00%
Group (15 people or more)	per person	4.50	5.00	11.11%
PUBLIC HALLS				
Hall/room - Private Function (Meetings, forum, party, wedding)	per day	120.00	125.00	4.17%
Hall/room - Private Function (Meetings, forum, party, wedding)	per hour	30.00	30.00	0.00%
Hall/room Hire - Private Function - Damage Bond		730.00	730.00	0.00%
Hall/room Hire - Key Bond (applies to all hirers)		62.00	60.00	-3.23%
Hall/room hire - Not for Profit Groups - Per Day	per day	50.00	50.00	0.00%
Hall/room hire - Not for Profit Groups - Per Hour	per hour	14.00	15.00	7.14%
DEVELOPMENT SERVICES				
BUILDING				
Building Act 2016 - Permit Authority				
Building Permit (<25,000 value) All Permits inclusive				
Category 1		0.00	0.00	0.00%
Category 2 - Filing Fee		150.00	60.00	-60.00%
Category 3 - Filing Fee		200.00	210.00	5.00%
Category 4		400.00	420.00	5.00%
Renewal/Extension of Building or Plumbing Permit		200.00	210.00	5.00%
Amend Building or Plumbing Permit		400.00	420.00	5.00%
Temporary Occupancy Permit		200.00	210.00	5.00%
Permit of Substantial Compliance		350.00	365.00	4.29%
Plumbing Permit (All Permits inclusive of Cert of Completion)				
Category 1 - Low Risk Plumbing Work (Owner, Competent Person)		0.00	0.00	0.00%
Category 2A - Low Risk Non-Notifiable Plumbing Work (Licenced Plumber)		0.00	0.00	0.00%
Category 2B - Low Risk Post Notifiable Plumbing Work (Licenced Plumber)		0.00	60.00	0.00%
Category 3 - Notifiable Plumbing Work (Licensed Plumber)		700.00	735.00	5.00%

FEE DESCRIPTION	FEE BASIS	2017/2018 (\$)	2018/2019 (\$)	% Increase
Category 4 - Plumbing Permit Work (Licensed Plumber)		900.00	945.00	5.00%
A 10% discount for all permits issued in electronic format only				
Building Certificate		200.00 + 200.00/hr inspection and report	210.00 + 210.00/hr inspection and report	5.00%
Training Levy Collection		0.2% of Building Value	0.2% of Building Value	0.00%
Building Permit Levy		0.1% of Building Value	0.1% of Building Value	0.00%
Building Inspection and Report		220.00/ hr	210.00/hr	-4.50%
Search & Copying of Building Plans		150.00 + copy fees per page	155.00 + copy fees per page	3.33%
Environmental Health Officer Report		400.00	420.00	5.00%
HEALTH				
Food Business Registration	annum	173.00	180.00	4.05%
Registration of Temporary Food Premises inc markets (Not Charged for charities and Not for Profit)	restricted timeframes	78.00	80.00	2.56%
Statewide Registration of a Mobile Business		173.00	180.00	4.05%
All one-off Temporary Food Stall permits (Not for Profit no fee applicable)		26.00	27.00	3.85%
Registration of Public Health Risk Premises	annum	173.00	180.00	4.05%
Registration of Regulated System	annum	173.00	180.00	4.05%
Registration of User/Supplier of Private Water Supply (N/A if Registered Food Business)	annum	173.00	180.00	4.05%
Place of Assembly Licence - Specific Event	day	173.00	180.00	4.05%
Hawkers & Street Vendor Licence	licence	173.00	180.00	4.05%
Transfer of Registration Fee		39.00	40.00	2.56%
PLANNING				
Subdivision Fees		All fees plus Notification and advertisement		0.00%
Subdivision	application	370.00 + 60.00 per lot	390.00 + 60.00 per lot	5.40%
Minor Amendment Application Fees	application	170.00	180.00	5.88%
Consolidation	application	300.00	315.00	5.00%

FEE DESCRIPTION	FEE BASIS	2017/2018 (\$)	2018/2019 (\$)	% Increase
Sealing of Final Plan	application	170.00	180.00	5.88%
Petition to amend a Sealed Plan	application		300.00 + 500.00 if a hearing is required	
Planning Permit Application Fees		All fees plus Notification and advertisement		0.00%
Planning Permit Application Fees	application < 80m ²	Min. Fee 285.00	Min. Fee 300.00	5.26%
Planning Permit Application Fees	application > 80m ²	285.00 (min)+ 1.50/m2	300.00 (min)+ 1.50/m2	5.26%
Processing and issuing of land use planning certificates		50.00	55.00	0.00%
Level 2 Activity - Additional Fee		2075.00 + advertising by quote	2180.00 + advertising by quote	0.00%
Minor Amendment Application Fees		170.00	180.00	5.88%
Visitor Accommodation application (in accordance with Interim Planning Directive no.2		0.00	250.00	0.00%
A 10% discount for all permits issued in electronic format only				
Other				
Planning Scheme Amendment - Ordinance &/or Rezoning	application	2,000.00	2,100.00	5.00%
Planning Scheme Amendment - Ordinance &/or Rezoning: Maps & Processing	application	2,000.00	2,100.00	5.00%
Planning Scheme Amendment - Combined application	application	2,000.00 (DA/SD fees additional)	2,100.00 (DA/SD fees additional)	5.00%
Extension of Time	application	170.00	180.00	5.88%
Part 5 Agreement (Lodgement & Stamp Duty Additional)	application	300.00	315.00	5.00%
Strata Titles	application	170.00+ 50.00/unit	180.00+ 50.00/unit	3.03%
Adhesion Orders	application	300.00	315.00	5.00%
Advertising - Level 2 Activity and Planning Scheme Amendment	application	By Quote	By Quote	0.00%
Printing of plans and documentation where application lodged electronically		By Quote	By Quote	0.00%
Search & Copying of Planning Permits including Plans & Certificates - A3		60.00 + copy fees/page	65.00 + copy fees/page	8.33%
A 10% discount applies for all permits issued in electronic format only				

FEE DESCRIPTION	FEE BASIS	2017/2018 (\$)	2018/2019 (\$)	% Increase
INFRASTRUCTURE SERVICES				
ENGINEERING SERVICES				
Assess Construction Plans for Subdivisions (>3 lots) - Roadworks		735 + 12 per lot	770 + 12 per lot	4.76%
Assess Construction Plans for Subdivisions (>3 lots) - Drainage Works		350 + 15 per lot	365 + 15 per lot	4.20%
Road Reservation Permit Fees:				
Application to Open Road		120.00	125.00	4.17%
Inspection Fees		120.00	125.00	4.17%
New Crossover Application Fee		120.00	125.00	4.17%
Sight Distance Assessment Fee		120.00	125.00	4.17%
Location Charges (during bus hours)		120.00	125.00	4.17%
Supply plans of Council infrastructure - A4 (Colour)	per page	30.00	30.00	0.00%
Supply of digital GIS data	per theme	86.00	90.00	4.65%
Supply of Property Drainage Plans	copy	25.00	25.00	0.00%
New traffic counter information	per count	250.00	260.00	4.00%
ANIMAL CONTROL				
Registration Renewal Discount Period (closes 31/07/2017)				
Dogs - Domestic Unsterilised	per dog	46.00	48.00	4.35%
Dogs - Working Dog	per dog	23.00	24.00	4.35%
Dogs - Registered Breeder	per dog	23.00	24.00	4.35%
Dogs - Registered Greyhound	per dog	23.00	24.00	4.35%
Dogs - Sterilised	per dog	23.00	24.00	4.35%
Dogs - Pensioner (applies to first dog only, addnl dogs at standard applicable rate)	per dog	12.00	12.00	0.00%
Dogs - Guide Dog	per dog	0.00	0.00	0.00%
Dogs - Dangerous Dog		276.00	290.00	5.07%
Registration Renewal Non-Discount Period				
Dogs - Domestic Unsterilised	per dog	92.00	96.00	4.35%
Dogs - Working Dog	per dog	46.00	48.00	4.35%
Dogs - Registered Breeder	per dog	46.00	48.00	4.35%

FEE DESCRIPTION	FEE BASIS	2017/2018 (\$)	2018/2019 (\$)	% Increase
Dogs - Registered Greyhound	per dog	46.00	48.00	4.35%
Dogs - Sterilised	per dog	46.00	48.00	4.35%
Dogs - Pensioner 1 dog (applies to first dog only, addnl dogs at standard applicable rate)	per dog	24.00	24.00	0.00%
Dogs - Guide Dog	per dog	0.00	0.00	0.00%
Dogs - Dangerous Dog	per dog	276.00	290.00	5.07%
New Registration Non-Discount Period				
Dogs - Domestic Unsterilised	per dog	46.00	48.00	4.35%
Dogs - Working Dog	per dog	23.00	24.00	4.35%
Dogs - Registered Breeder	per dog	23.00	24.00	4.35%
Dogs - Registered Greyhound	per dog	23.00	24.00	4.35%
Dogs - Sterilised	per dog	23.00	24.00	4.35%
Dogs - Pensioner 1 dog (applies to first dog only, addnl dogs at standard applicable rate)	per dog	12.00	12.00	0.00%
Dogs - Guide Dog	per dog	0.00	0.00	0.00%
Dogs - Dangerous Dog	per dog	276.00	290.00	5.07%
Licences and Fees				
Dogs - Kennel Licence	per licence	184.00	190.00	3.26%
Dogs - Renewal of Kennel Licence	per licence	46.00	50.00	8.70%
Replacement Tags	each	5.00	5.00	0.00%
Impounding of Animals other than dogs	each impounding	Cost plus 20%	Cost plus 20%	0.00%
Maintenance of Animals other than dogs	per animal	Cost plus 20%	Cost plus 20%	0.00%
Dogs - Impounding Fee - 1st offence dog registered		69.00	70.00	1.45%
Dogs - Impounding Fee - 1st offence dog not registered		99.00	100.00	1.01%
Dogs - Impounding Fee - 2nd and subsequent offence		136.00	140.00	2.94%
Investigation and report fee		At cost	At cost	0.00%
CEMETERY FEES				
Exhumation	per exhumation	1,911.00	2,005.00	4.92%
Reservation of Wynyard memorial wall lot	per burial	382.00	400.00	4.71%
Wynyard Lawn cemetery interment - full size	per burial	1,782.00	1,870.00	4.94%

FEE DESCRIPTION	FEE BASIS	2017/2018 (\$)	2018/2019 (\$)	% Increase
Wynyard Lawn interment - under 5 years	per burial	764.00	800.00	4.71%
Other interments (including private burial)	per burial	2,292.00	2,405.00	4.93%
Ashes in wall or reservation or existing grave	per burial	428.00	450.00	5.14%
Record search fee	per record	26.00	27.00	3.85%
WYNYARD WASTE TRANSFER STATION				
Cars/Station Wagons	each	6.00	6.00	0.00%
Clean builders rubble conc, brick etc. (if not clean standard fees will apply)		50% of standard charge	50% of standard charge	0.00%
Clean Green Waste and timber (if not clean standard fees will apply)		50% of standard charge	50% of standard charge	0.00%
Utilities/Vans/Trailers (Less than 2.4m X 1.5m <u>and</u> maximum of 3.6m3 volume)	each	12.00	12.00	0.00%
Utilities/Vans/Trailers (Greater than 2.4m X 1.5m <u>or</u> greater than 3.6m3 volume)	each	24.00	24.00	0.00%
Wheelie Bin	each	6.00	6.00	0.00%
Trucks < 5t GVM	each	192.00	201.00	4.69%
Trucks 6-12t GVM	each	765.00	803.00	4.97%
Trucks 13-16t GVM	each	1147.00	1204.00	4.97%
Trucks 17-23t GVM	each	1528.00	1604.00	4.97%
Car Tyres	tyre	9.00	9.00	0.00%
Truck and Larger Tyres	tyre	27.00	28.00	3.70%
Tractor Tyres	each	44.00	46.00	4.55%
Refrigerators/Freezers - certified gas free	each	Free	Free	0.00%
Refrigerators/Freezers - uncertified	each	36.00	37.00	2.78%
Sorted Recyclables		Free	Free	0.00%
SOLID WASTE				
Disposal of Car Bodies - contact Council offices	each	Free	Free	0.00%
PARKS AND RESERVES				
Key Bond		50.00	50.00	0.00%

FEE DESCRIPTION	FEE BASIS	2017/2018 (\$)	2018/2019 (\$)	% Increase
Access to reserve electricity - small event (wedding, organised picnic)	each	50.00	50.00	0.00%
Access to reserve electricity - large event (festival, concert, etc) Per KW consumed minimum fee 50	kWh	1.00	1.00	0.00%
Circus		Hire Fee plus electricity usage at cost.	Hire Fee plus electricity usage at cost.	0.00%
Asset Protection Bond		To be determined on application	To be determined on application	
SPORTING GROUNDS & FACILITIES				
Bond		730.00	730.00	0.00%
Key Bond		50.00	50.00	0.00%
Line-marking - Estimates provided	per marking per ground	at cost	at cost	0.00%
Sporting ground hire fee - club	per club per season	1094.00	1148.00	4.94%
Sporting ground hire fee - casual user	per day	180.00	189.00	5.00%
Sporting ground hire fee - casual user	per hour per ground	34.00	35.00	2.94%
Indoor sports centre - Adults (not including lights)	per hour per court	22.00	23.00	4.55%
Indoor sports centre - West Wing - Adults (not including lights)	per hour per court	11.00	11.00	0.00%
Indoor sports centre - Junior (not including lights)	per hour per court	11.00	11.00	0.00%
Indoor sports centre - full day rate adult or junior (not including lights)	per day per court	180.00	189.00	5.00%
Indoor sports centre - Lights	per hour per court	10.00	10.00	0.00%
Squash Centre	token (20 mins)	5.00	5.00	0.00%
Squash Centre	per day all courts	100.00	105.00	5.00%
Squash Centre	per hour all courts	25.00	26.00	4.00%
Wynyard Wharf Berthing Fees - Commercial		135/metre	140/ metre	3.85%
- Gated Pontoon		1212.00	1272.00	4.95%
>8m up to 10m		1455.00	1,527.00	4.95%
>10m up to 16m		1821.00	1,912.00	5.00%
>16m		2436.00	2,557.00	4.97%
casual		135/week	140/week	3.85%

FEE DESCRIPTION	FEE BASIS	2017/2018 (\$)	2018/2019 (\$)	% Increase
PRIVATE WORKS				
Private Works	each			
ALL FEES GST INCLUSIVE IF APPLICABLE				

10.2 REVIEW OF RESOURCE SHARING ARRANGEMENTS BETWEEN CIRCULAR HEAD AND WARATAH-WYNYARD COUNCILS

To: Council
Reporting Officer: General Manager
Responsible Manager: General Manager
Report Date: 21 May 2018
File Reference:
Enclosures: Draft Resource Sharing Agreement May 2018

PURPOSE

To formally consider an extension of resource sharing arrangements with Circular Head Council.

BACKGROUND

Resource sharing between the Waratah-Wynyard Council (WWC) and Circular Head Council (CHC) was initiated in 2008 with the appointment of the Circular Head Council General Manager as General Manager of Waratah-Wynyard Council. Following that appointment, an approach was made to the WWC Mayor by the CHC Mayor proposing that the General Manager continues to work for CHC on a resource shared basis and this proposal was subsequently accepted by both Councils, and it was agreed to enter into a resource sharing agreement.

The initial (and subsequent) resource sharing agreement/arrangement was predicated on the Council's belief that resource sharing will help to:

- secure future viability for both communities in the current economic, political and social climate;
- deliver better and relevant services to the community;
- retain the identity of each municipal area;
- maintain final decision making with each Council;
- be proactive and choose alliance with 'like-minded players' with similar objectives to fully resource share;
- make long term cost savings to spend on much needed projects and resources;
- develop economies of scale; and
- attract skilled staff.

An initial two (2) year Resource Sharing Agreement (RSA) was adopted by both Councils in November 2008, providing a framework which:

- Outlines the intent of the agreement;
- Provides a statement of principle;
- Outlines the scope of the agreement;

-
-
- Provides an expectation for both Council to enter into a contract of employment with the shared General Manager;
 - Establishes governance arrangements including a resource sharing committee, reporting requirements, conflict settlement procedures; and
 - Provides provisions for either Council to amend and/or terminate the agreement.

A Resource Sharing Committee (RSC) was established in 2009 and has now ceased to operate.

In early 2009 KPMG were commissioned to prepare a report on Resource Sharing opportunities, identifying:

- Human resources
- Financial Management
- Planning and Development
- Works and Maintenance
- Plant and Equipment
- Joint Purchasing
- Contract & Community Services
- Regional issues

The Senior Management Teams of both Councils then reviewed the report and identified the following resource sharing priorities:

- Preparation of Long-Term Financial plans;
- Refinement of Asset Management Planning;
- Project Management;
- Strategy Development;
- Financial Reporting;
- Improved Human Resource Management; and
- Improved Records Management.

A Resource Sharing Action Plan: 2010-2013 containing 35 separate actions was developed with management responsibility allocated and reported quarterly to the RSC by the General Manager. There were some significant resource sharing achievements from this action plan including:

- Shared Technical Officer position for project management;
- Shared Plumbing Compliance Officer;
- Shared Weeds Officer;
- Joint contract for Animal Management Services;
- Joint Strategic Asset Management Approach;
- Communications Strategy, appointment of a shared Communications Officer; and
- Shared Human Resources Coordinator, Risk Coordinator and Occupational Health and Safety Officer.

In 2010 the RSA was extended for a further 3 years by both Councils concluding in 2013. During this time UTAS was commissioned to prepare a Resource Sharing Status Report in 2012. The key drivers were identified as making each Council stronger and better and to

create cost efficiencies to deliver lower rates. The UTAS report identifies some lead indicators for success:

- A Strong leadership (political and management)
- A genuine commitment to engage, consult and support
- Cultural change.

The RSA was reviewed and amended in January 2014 by removing the specific agreement to have a shared General Manager; rather, it referred to the employment of specific staff. The agreement was endorsed by the Council's for a 5 year period, concluding 30 November 2018.

In early 2015 the General Managers at Waratah-Wynyard and Circular Head Council undertook a further review of the resource sharing arrangements which resulted in the following:

- A broadening of the resource sharing arrangements to integrate the Councils strategic planning processes, such as the Sustainable Murchison Community Plan, Corporate Strategic planning Process, Open Space, Sport & Recreation Plan (etc)
- Substantial alignment of organisational structures between the two Councils
- Agreed to completed an Information technology review of both Councils
- The appointment of the Australian Centre of Excellence for Local Government (now University of Technology Sydney: Centre for Local Government) to complete a review of the resource sharing agreement to:
 - Establish clear resource sharing objectives
 - Identify and define a methodology to review both existing and potential future council services or functions that could be delivered through resource sharing;
 - Using the agreed methodology, undertake a review of services delivered by both councils so as to identify those functions suitable for delivery on a shared basis;
 - develop a business case to be considered by the two Councils, outlining the risks, benefits and costs associated with establishing the transition of functions in the short, medium and long terms; and
 - Develop a revised resource sharing action plan between the Councils.

The Key findings of the review were as follows:

- The resource sharing arrangements for staff, procurement and projects at Circular Head and Waratah-Wynyard Councils have been supported by a formal agreement and enabled by the now two General Managers. The arrangements are strongly supported by councillors and senior staff. Both councils have seen improved levels of service quality, economies of scope and scale and increased organisational development and strategic capacity.

-
-
- There are a range of success factors which have supported the arrangement including:
 - A common, agreed rationale/approach for resource sharing, in the absence of clear objectives;
 - Increased strategic capacity with shared staff at senior levels;
 - Incremental rather than transformational change over time which has helped build an organisational culture of resource sharing;
 - Transparency, equity and flexibility to create trust;
 - Shared leadership meetings to discuss and resolve shared issues; and
 - Technology and management systems are a vital key enabler for resource sharing as they support physical movement between locations and ensure efficiency of use.
 - Resource sharing is saving the Councils \$573,425 per year through the utilisation of shared staff and adding to the Councils economy of scope
 - Shared procurement resulted in \$237,800 worth of savings over the study period and is now a standard practice for both Councils
 - Joint projects resulted in \$184,388 worth of savings in the study period and is now a standard practice for larger strategic projects.

In recent years, collaboration continues between the two Councils. As at 1 May 2018, there are 17 shared employees, with the majority a 50/50 split. The two Councils continue to pursue strategic tasks and projects simultaneously and Workforce Planning and policy development are others that benefit from a combined approach.

DETAILS

Whilst the resource sharing agreement sets out the intent and purpose of the arrangement, the implementation of the agreement is the responsibility of the respective General Managers. Ongoing discussion will continue surrounding the operational details of resource shared employees, strategic direction and potential to maximise the benefit of this arrangement.

Short term actions must be implemented to improve information technology capabilities, reduce travel time and better clarify service levels.

In regards to the document, the proposed draft agreement:

- Removes all reference to the previous Resource Sharing Committee and requires the General Managers to hold at least one workshop per year with Councillors to provide an overview of resource sharing initiatives examined and undertaken
- Further defines the scope of the arrangement
- Requires a review of the arrangements twice per year, through the Joint Executive Management team

-
-
- Importantly states that the parties recognise and acknowledge that operational efficiencies can be gained by not requiring resource shared staff to travel to either Council when not necessary for certain tasks
 - Introduces the concept of a memorandum of understanding for shared employees which outlines the requirements of that particular role, including on-site presence, outputs, communication and any other relevant matter

It is proposed the arrangement is entered for a further five year term.

STATUTORY IMPLICATIONS

Resource sharing is carried out between the Councils within the respective Enterprise Agreements and the relevant workplace legislative framework. There are some legislative changes that have been suggested to the Local Government Division and Local Government Association of Tasmania which would facilitate greater efficiencies for these types of arrangements within the industry.

STRATEGIC IMPLICATIONS

Resource sharing is facilitating a greater strategic alignment between the Councils thorough joint initiatives such as the Sustainable Murchison Community Plan, occasional combined Council workshops and the combined Executive Management Team between the Councils.

POLICY IMPLICATIONS

As detailed in the report.

FINANCIAL IMPLICATIONS

The financial benefits derived from resource sharing have not been measured since the University of Technology Sydney: Centre for Local Government report in 2015.

Both Councils will continue to explore opportunities for the arrangement to generate further operational savings.

RISK IMPLICATIONS

There are minimal risk implications associated with the endorsement and monitoring of the plan.

CONSULTATION PROCESS

A joint workshop was held with Waratah-Wynyard Council and Circular Head Councils on Wednesday 9 May 2018 to specifically discuss the content of the proposed agreement.

MOVED BY	CR DUNIAM
SECONDED BY	CR HYLAND

That Council determine to extend the formal Resource Sharing Agreement with Circular Head Council for a further five year period in accordance with the attached agreement.

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR DUNIAM
CR FAIRBROTHER	CR FRIEDERSDORFF	CR HYLAND	

**Circular Head Council and
Waratah-Wynyard
Resource Sharing Arrangement
May 2018**

1. INTENT OF THE ARRANGEMENT

Given that the Waratah-Wynyard municipality and the Circular Head municipality are direct neighbours, each Council considers it is sensible and practical to explore a strategic alliance. The consideration of a resource sharing arrangement is driven by the belief that it would strengthen the future economic viability of each municipality.

The purpose of the arrangement is not solely economic. Both Councils believe that their role is central to the future sustainability of their communities and as such decisions must be taken with consideration of social outcomes as well as financial benefits. The Councils believe the resource sharing arrangement will help to:-

- Secure future viability for both communities in the current economic, political and social climate;
- Deliver better and relevant services to the community;
- Retain the identity of each municipal area;
- Maintain final decision making with each Council;
- Be proactive and choose alliance with "like minded players" with similar objectives to fully resource share;
- Make long term cost savings to spend on much needed projects and resources;
- Develop economies of scale;
- Attract skilled staff

2. STATEMENT OF PRINCIPLE

The Councils have entered into a Resource Sharing Arrangement for the mutual benefit of their communities. It is recognised that an arrangement such as this will not be without difficulties and both Councils are committed to working together in a spirit of problem resolution based on trust and open and honest communication. The Councils will work together to solve problems and make the arrangement a success.

3. SCOPE OF THE ARRANGEMENT

The resource sharing arrangement commences on 1 December 2018, and follows the inaugural arrangement which began on 1 December 2008. The agreement will expire at the conclusion of a five year period - 30 November 2023.

The scope of activities includes, but is not limited to:

- Sharing staff
- Integrated strategic and operational planning
- Joint procurement
- Sharing of plant and equipment
- Consistent policies and procedures
- Shared contact management

Draft Resource Sharing Agreement May 2018

4. THE ARRANGEMENT

This Resource Sharing Arrangement is between:
WARATAH-WYNYARD COUNCIL of Wynyard,
Tasmania. **CIRCULAR HEAD COUNCIL** of Smithton,
Tasmania

WHEREAS:

4.1 The councils are Local Governments constituted as such under *the Local Government Act 1993*.

4.2 Each Council has agreed to enter into an arrangement to share resources for the purpose of carrying out duties and performing functions under the *Local Government Act 1993* in the district of each Council on the terms and conditions contained in this Arrangement.

NOW THIS ARRANGEMENT WITNESSES as follows;

5. LOCAL GOVERNMENT ACT

The Arrangement and all activities undertaken pursuant to the Arrangement shall at all times comply with provisions of the *Local Government Act 1993* and all other legislation which binds the parties.

6. EMPLOYMENT OF STAFF

Having agreed to enter into this Resource Sharing Arrangement the parties agree that in respect to the employment of staff, the costs of employing specific staff will be shared upon a mutually determined arrangement by the respective General Managers.

7. SHARING OF EXPENSES AND SAVINGS

7.1 The Councils of Circular Head and Waratah-Wynyard have similar issues and fiscal responsibilities. Both Councils have agreed to the principle that costs of an employee are divided in accordance with mutually determined arrangements. In many cases this will be a partnership in which joint costs and savings are divided equally.

7.2 It is important that measurable outputs can be established to ensure each particular Council is receiving the level of service and deliverables it requires. The parties recognise and acknowledge that operational efficiencies can be gained by not requiring resource shared staff to travel to either Council when not necessary for certain tasks.

7.3 Resource sharing cost centres have been established to track actual expenditure. All remuneration and related costs will be charged through the account. Each quarter a

Draft Resource-Sharing Agreement May 2015

full reconciliation will be prepared and an invoice issued to each Council.

7.4 Where a vehicle is provided, the ownership of this asset will remain with the host Council. Recurrent expenses will be shared equally. The cost of change over (when the vehicle is traded in) will be considered as an operating cost and divided between the Councils based individual's memorandum of understanding (refer clause 7.5).

7.5 When a role is identified as one to be resource shared, the Councils shall agree to a memorandum of understanding which outlines the requirements of that particular role, including on-site presence, outputs, communication and any other relevant matter.

8. REVIEW

The Councils will conduct a review of the arrangements twice per year, through the Joint Executive Management team forum. This group is to-

- (a) Oversee the preparation and implementation of the Arrangement;
- (b) Develop and approve indicators which will facilitate monitoring the success of the arrangement;
- (c) Receive management reports and monitor resource sharing activities;
- (d) Track the cost benefits of the arrangement;
- (f) Make recommendations to each Council concerning Resource sharing matters, noting such recommendations are not binding on either Council; and
- (g) Monitor and review the evolution of the Arrangement;

9. GENERAL MANAGER TO REPORT

The General Managers must hold at least one workshop per year with Councillors to provide an overview of resource sharing initiatives examined and undertaken.

10. AMENDMENTS TO THE ARRANGEMENT

10.1 The Resource Sharing Arrangement may be amended by mutual agreement of the two Councils.

11. CONFLICT SETTLEMENT PROCEDURES

11.1 The Councils have agreed that disputes should be addressed early and in an open and conciliatory manner. The aim of this procedure is to ensure that issues do not escalate and be allowed to undermine the relationship between the Councils which is the foundation of the arrangement.

11.2 In the first instance the General Managers will use their best endeavours to identify and resolve any issues which may cause conflict or disputes.

11.3 Any conflict issues which need to be resolved more formally will be referred to a meeting of both Councils sitting jointly.

11.4 If the dispute is such that it is not successfully resolved through these internal procedures, a third party arbitrator will be engaged to resolve the issue. The Councils will each nominate an arbitrator and if they cannot agree on a suitable appointment the President of the Local Government Association of Tasmania will be asked to nominate one, and a person so nominated shall be the arbitrator.

12. TERMINATION OF THE ARRANGEMENT

12.1 No later than twelve months prior to the expiry of the term the Councils will decide whether the Arrangement is to be continued.

12.2 A Council which withdraws may be responsible for contractual commitments notwithstanding its decision to withdraw.

12.3 Either Council wishing to withdraw must attempt to resolve the issues by participating in the Dispute Settlement procedures.

12.4 By mutual agreement the arrangement may be terminated throughout the contact term with no less than twelve months' notice to cease

RESOLUTIONS OF THE COUNCILS

That the Circular Head Council of Smithton, Tasmania enter into the resource sharing arrangement with the Waratah-Wynyard Council of Wynyard, Tasmania and the Resource Sharing Arrangement be duly executed.

Waratah-Wynyard Council

Circular Head Council

In witness whereof the parties have executed this Resource Sharing Arrangement effective from 1 December 2018.

The COMMON SEAL of
the WARATAH-WYNYARD COUNCIL
was duly affixed hereto
in the presence of

Council Mayor

The COMMON SEAL of
THE CIRCULAR HEAD COUNCIL
was hereunto affixed by the authority of a
resolution of the Council in the presence
of:

Council Mayor

10.3 NAMING OF EMILY CRESCENT, SOMERSET

To:	Council
Reporting Officer:	GIS Coordinator
Responsible Manager:	GIS Coordinator
Report Date:	21 May 2018
File Reference:	RS 388
Enclosures:	Correspondence received from Ilene Burrows 21/03/2018

PURPOSE

The purpose of this report is to allocate an official name to the recently constructed Access Road that services the new subdivision within the Old Somerset Primary school at Wragg Street Somerset.

BACKGROUND

A newly constructed subdivision now exists on the previous site of the Somerset Primary school Wragg Street. It is a condition of the subdivision process that the developer submit suggested name/s for any roads constructed as part of the subdivision. In this instance the developer has submitted the name “*Emily Crescent*” to be allocated to this new access road along with a historical explanation (Attached) as to this name selection.

Once this suggested name has been approved by Council, it can then be lodged via the placenames portal to be ratified by the Tasmanian Nomenclature Board.

DETAILS

Please refer to the attached correspondence from Ilene Burrows of Somerset outlining the historical significance of the suggested name.

STATUTORY IMPLICATIONS

Statutory Requirements

All road naming must be in accordance with Tasmanian Nomenclature rules and regulations.

All addressing must adhere to the Australian & New Zealand Rural and urban addressing standard (AS/NZS 4819:2011).

STRATEGIC IMPLICATIONS

There are no significant strategic implications identified.

Strategic Plan Reference

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

Sustainable Murchison Community Plan 2040

Access and infrastructure	Local, regional and global transport and infrastructure access – Safe and efficient access alternatives, growing freight capacity, renewable energy, water management and contemporary communications. Community infrastructure that supports economic development.
Health and Wellbeing	Maintaining good health and wellbeing – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.
Place making and liveability	Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.

POLICY IMPLICATIONS

The Naming of Streets Policy (LUP.006) may have some influence upon this matter.

FINANCIAL IMPLICATIONS

There will be a small cost associated with the placement of new street signs “*Emily Crescent*” at each intersection of this new road with Simpson Street, costing approximately \$500. This can be covered within the existing operational budget.

RISK IMPLICATIONS

Failing to allocate a street name could result in the delay of emergency services and in the connection of vital utilities including electricity, phone etc. The timely allocation of a street name will also allow the addressing of these new parcels and mitigate these aforementioned risks.

CONSULTATION PROCESS

Consultation with Ilene Burrows and the Tasmanian Nomenclature Board has been undertaken. Both parties are keen to have this new access road officially named and addressing allocated.

The correspondence from Ilene Burrows outlining the historical significance of the suggested name "*Emily Crescent*" has been attached for reference.

COMMENT

It is therefore recommended that the Council:

1. Assign the Name "*Emily Crescent*" to the newly constructed access road.
2. Advise the Tasmanian Nomenclature Board of Councils Recommendation of the new road name via the placenames portal.

MOVED BY	CR FRIEDERSDORFF
SECONDED BY	CR FAIRBROTHER

That Council:

1. **Assign the name "*Emily Crescent*" to the recently constructed road servicing the new subdivision located on the old Somerset Primary School, Wragg Street.**
2. **Submit the recommended name "*Emily Crescent*" to Nomenclature via the Placenames portal for ratification.**

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR DUNIAM
CR FAIRBROTHER	CR FRIEDERSDORFF	CR HYLAND	

New Street Name Proposal for Somerset Old School Site

Extract from original submission to Council dated 27 October, 2015.

“Somerset Rezoning and Development Proposal - PSA 2/2015

8A Simpson Street, 32 Falmouth Street & 12 and 8 Wragg Street, SOMERSET

This is a letter of representation to the above proposal for rezoning and development.

As a long term resident of Somerset, I wish to make some comments, suggestions and raise issues for consideration by the applicant and Council.

*I would like to suggest that the new subdivisional road be named “**Emily Crescent**” in recognition of the contribution made to the education of Somerset’s pioneering families by **Mrs. Emily Wragg**.*

Mrs Emily Mary Wragg (nee Harnett) and her husband (Mr. Thomas Dodd Wragg) sailed to Australia on “The Great Britain” in 1860 with their ten children Eliza (Mrs. Giles Ingram), Jessie (Mrs. Henry Wells), Lucy (Mrs. Charles Emmett), Ellen, Edith, Ethel, Sydney, Harold, Herbert (Captain) and Arthur. They first settled at Elliott but later purchased a one acre block, on the corner of Simpson Street and the Esplanade (now Murchison Highway) and built the first house in Somerset. This home called “Alpha House” became Somerset’s first shop and Post Office. Thomas Wragg and his son Captain Herbert Wragg, erected on this block the building which acted as the first Church (until 1883), meeting place and School.

Mr. Thomas Wragg was appointed Somerset’s official Postmaster in November 1864 and Emily assisted to discharge the post office duties. Emily and Thomas’ daughter, Jessie Emily Wragg (Mrs. Henry Wells), became Somerset’s first official Post Mistress between 1899 and 1903.

Mrs. Emily Wragg was Somerset’s first school teacher, conducting a private school between 1862 and 1865 in the small split paling church building on the Wraggs’ property. In 1865 Emily Wragg made application to the Board of Education and was appointed as Teacher of the Cam River School from 13th June, 1865 until 1881. In 1877 Miss Lucy Wragg applied to become a Teacher, after helping her mother as an unpaid Assistant. Lucy Wragg was appointed in charge of the Somerset Public School in 1881 until her marriage in 1889. Mrs. Emily Wragg kept the school open until a new teacher, Mr. Richard Holmes, arrived in 1890.

In 1870 a request was made by Mr. A.B. Willis of the Works Department, for the reservation of land on the District Map, to be set aside for a School. On 3rd August 1891, Mr. Holmes wrote to the Minister of Education asking for a new school and residence to be built at Somerset. A new building with two room school and residence was built on the western end of the land reserved from “State School Purposes” beside the “Police Reserve” on the corner of Bridge (now called Wragg Street) and Falmouth Streets.

The new Somerset State School opened on 11th January 1893 with Mr. Holmes continuing as Headmaster with one Assistant. The school operated from this site until the school transferred to eastern end (present location) in 1938. The Official Opening Day was 4 June 1940.

*There are still many descendants of Emily and Thomas Wragg living in the Somerset and surrounding districts. Emily and Thomas were the Great Grandparents of local historian and identity, Mr. Tom Wragg and his sister Mrs. Phyllis Billett (a retired business lady) of Burnie, now in their 90s and still living in Burnie***. Many of the descendants of the Wraggs attended the Somerset State School and later Somerset Primary School on the site being considered for rezoning and development.*

*It is considered the street name **Emily Crescent** to be a fitting tribute.*

It is of interest to note that the first bridge over the Cam River was built in 1862 and located up river from the current Bass Highway Bridge. The section of Wragg Street, between Murchison Highway and Falmouth Street, was formerly known as Bridge Street or Main Road and later became the Bass Highway. A new bridge was constructed over the Cam River in 1960's and former Wynyard Warden Councillor Ross Smith, proposed the new street name – Wragg Street - to honour the early pioneering family of Somerset."

****Please note: Mr. Tom Wragg has since passed away.*

Ilene Burrows

26 Athol Street Somerset

Tasmania. 7322

0407032236

somercam@netspace.net.au

10.4 B4 EARLY YEARS COALITION MEMBERSHIP

To:	Council
Reporting Officer:	Director Corporate and Community Services
Responsible Manager	Director Corporate and Community Services
File Reference:	
Council Report Date:	14 May 2018
Enclosures:	Nil

PURPOSE

This report has been prepared to assist Council to consider membership of the B4 Early Years Coalition. The B4 Early Years Coalition membership is a commitment to work collaboratively to ensure every child in Tasmania, is cared for and nurtured through the early years.

BACKGROUND

The B4 Early Years Coalition (B4) is a Tasmanian Government initiative supported through the Department of Education, to connect and support individuals and organisations across Tasmania, through collective impact.

The B4 Early Years Coalition Vision is:

Every child in Tasmania, is cared for and nurtured through the early years, no matter what.

And to achieve the following Goals:

1. Everyone values the early years
2. Everyone supports the early years
3. Everyone works together for the early years.

Working together across the three B4 Early Years Coalition goals will ensure everyone:

- is aware of, and understand the importance and lifelong benefits of strong healthy development, pregnancy to 4 years of age.
- has the skills, knowledge, resources and a role to support children, pregnancy to 4 years of age, their families and communities; and
- families, services, business and communities have the knowledge, skills and confidence to partner and ensure the best start for children, pregnancy to 4 years of age, their families and communities.

The B4 Early Years Coalition will connect people and organisations from across the Tasmanian community who are committed to supporting children, pregnancy to 4 years of age and their families.

The name B4 represents the early years of a child's life, pregnancy to age four, the years 'before' a child begins full-time school and the period before birth. These early years are

a time of rapid change and development for children, as they learn and grow and discover the world around them.

The B4 Early Years Coalition is based on the 'collective impact' model where organisations and individuals from across diverse sectors work together to address social issues. The B4 Early Years Coalition will bring together individuals, businesses, communities and government to think about what is wanted for our youngest community members and drive community action to achieve better outcomes for young children and their families. The coalition comprises of Leaders, Members and Supporters all of which impact and influence the outcomes either through their sector, organisation or as an individual.

Leaders are influential individuals from diverse backgrounds who after a public expression of interest have been appointed by the Minister for Education and Training in 2017. Leaders will represent and engage groups and individuals across identified sectors. The current Leader for Local Government is Tracey Bradley.

Members are organisations taking action to improve outcomes for children in the early years, working together with families and communities.

Supporters are individuals who are committed to supporting children in the early years and working together with families and communities.

STATUTORY IMPLICATIONS

Statutory Requirements

There are no statutory requirements identified.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance	
Desired Outcomes	
We encourage broad community input to create a focussed and strong sense of belonging.	
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.	
Our Priorities	
1.1	Commit to best practice in community engagement.
1.4	Facilitate the meeting of community needs through strong advocacy and local and regional collaboration for shared outcomes.
GOAL 3: Connected Communities	
Desired Outcomes	
We listen and engage with our community in decision making.	
Our natural and built environment aids the community with an active and healthy lifestyle.	

Our strong local economy allows for the development of affordable services and programs for all ages.	
Our community uses its voice to shape its future alongside a strong Council willing to listen and implement where reasonable and practical.	
Our Priorities	
3.1	Promote and work with stakeholders to provide affordable quality services.
3.2	Deliver engagement strategies that adapt to community needs to ensure effective communication and collaboration.
3.3	Deliver planning for activation through effective urban design and planning that promotes liveability, social gathering and connectedness, and which recognises and celebrates local history.
3.4	Build community capacity through services and programs that strengthen, support and care for our community.
3.5	Provide high quality shared and multi-use community hubs that combine a range of recreational, sporting and educational uses.
3.6	Facilitate activities and events that promote inclusion, health, safety and a sense of place.
3.7	Promote and strengthen community safety to retain and attract families to live and recreate in Waratah-Wynyard.
GOAL 4: Community Recreation and Wellbeing	
Desired Outcomes	
Our community is welcoming and supportive.	
Our community values, encourages and supports physical, social and cultural activities.	
We provide recreational opportunities to the community for all ages and abilities.	
Our community enjoys access to visually appealing safe spaces and facilities for recreation.	
Our Priorities	
4.1	Commit to ongoing recreation and open space planning to ensure evidence-based decisions are made about the role of Council and its partners in recreation.
4.2	Focus on the value of recreation in promoting the health and wellbeing of our community.
4.3	Employ land-use planning strategies to promote connectivity and equity in the allocation or use of open space for recreation purposes.
4.4	Provide and maintain quality and safe places and spaces for physical, social and cultural activities, including shared and multi-use facilities where possible.
4.5	Collaborate with community organisations that provide recreation opportunities to our community.
4.6	Encourage community providers to be welcoming, supportive and inclusive, and to provide for all ages, abilities and cultures.
GOAL 5: Economic Prosperity	
Desired Outcomes	
Education and training opportunities are available and targeted.	
Pathways to improve liveability now and in the future are provided.	
Our Priorities	
5.1	Promote value-adding to current production streams.
5.5	Support a variety of learning opportunities and encourage high school retention and pathways into college and tertiary education.
5.9	Actively manage community and economic growth through community engagement.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Strong communities and social capital	<i>Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.</i>
Health and Wellbeing	<i>Maintaining good health and wellbeing – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.</i>
Education	<i>Lifelong learning and education – Education and lifelong learning is valued and there is access to vocational training and tertiary education. Education retention rates have increased.</i>
Place making and liveability	<i>Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.</i>

FINANCIAL IMPLICATIONS

There are no financial implications identified from this activity

DETAILS

The evidence is clear as to why the Early Years are so important, nurturing healthy development in the early years lasts a lifetime, shaping the child, youth and adult they become. What happens in the early years impacts on a child's future health, education, social, emotional and physical wellbeing. Through new understanding of brain development we know the early years are the critical period for development and growth with early intervention more effective and able to achieve greater outcomes than interventions later in life.

Many challenges in adult society have their roots in the early years of life, including major public health problems such as obesity, heart disease, and mental health problems. Experiences in early childhood are also related to criminality, problems in literacy and numeracy, and economic participation.

- Despite amazing services, programs, passion and innovation in 2015 1 in 5 Tasmanian children were developmentally vulnerable in one or more of the 5 domains in the Australian Early Development Census (AEDC).
- Evidence shows pregnancy to 4 is a developmental window of opportunity that happens once in a child's life but sets up their life trajectories across multiple domains.

-
-
- The social climate change effect – Tasmanian children are now being raised in families and communities that are very different to the families and communities they were raised in, demanding different responses.
 - Investing support early and targeting those children and families at risk will not only change the child's life but Tasmania's social and economic future.
 - The smartest investment that can be made is in the early years when, investing early provides greater impact for intervention and investment.
 - There is no single policy, government department, organisation or program that alone, can ensure every child in Tasmania gets a great start, the early years needs a collective impact.

Local government is already doing many things to ensure children in the early years thrive. Having the closest and most direct connection with communities, families and children, local government has a unique opportunity to build on and support their community's capacity to ensure a great community for their children.

Waratah-Wynyard Council provides much of the built environment that supports families to spend time together, recreate and have a healthy lifestyle. Council also builds the connections that give families a sense of belonging. Advocacy and promotion of the important issues is a key role for Council and it is through this that services, programs and activities are implemented to enhance children's outcomes.

B4 Early Years Coalition Membership will document the important work being undertaken by Council to enhance outcomes for families and children and to build understanding of the critical role everyone plays in building communities.

A Member Action Plan will be developed as part of the membership. This will highlight activities which are already occurring and also provide an early years lens through which to evaluate Council programs.

RISK IMPLICATIONS

There are no significant risks identified.

COMMENT

Council provide a wide range of services, programs and activities which support families to raise strong, healthy children. Whilst not often recognised for supporting the early years, Council plays a critical role in building the environments and support systems that enhance children's lives.

It is therefore recommended that the Council become a Member of the B4 Early Years Coalition to improve outcomes for children in the early years, by working together with families and the community.

MOVED BY	CR DUNIAM
SECONDED BY	CR BRAMICH

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.

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR DUNIAM
CR FAIRBROTHER	CR FRIEDERSDORFF	CR HYLAND	

10.5 WARATAH-WYNYARD AUDIT PANEL COMMITTEE – 2018 AUDIT PANEL CHARTER

To:	Council
Reporting Officer:	General Manager
Responsible Manager:	General Manager
Report Date:	8 May 2018
File Reference:	007.17
Enclosures:	Waratah-Wynyard Council Audit Panel Charter

PURPOSE

This report is presented for the Council to consider the revised Audit Panel Charter.

BACKGROUND

In February 2014 the Tasmanian State Government passed legislation that requires all Tasmanian Councils to establish an Audit Panel. Ministerial Orders were subsequently issued that specify the minimum requirements and matters to be considered by the Audit Panel.

Under the Ministerial Order, Audit Panels must comprise between three and five members. A three member panel must have at least one independent member, that is, someone who is not a councillor, staff member or immediate past staff member of the Council. Audit Panels with four or more members must have at least two independent members. An independent member must be chair of the Audit Panel.

A member of an Audit Panel will hold office for not less than one year, and not more than four years, and may be reappointed if eligible. Independent members are entitled to be paid remuneration and allowances determined by the council.

The council provide an Audit Panel Charter to establish the administrative arrangements by which the panel is to perform its functions and its procedures in respect of meetings.

DETAILS

Along with the King Island and Circular Head Councils, the Council appointed a shared Audit Panel on 3 August 2015. The initial panel comprised four (4) independent members, with the Circular Head Council adding a Councillor to the panel when considering its matters.

The common Audit Panel members are:

- Mr Paul Arnold – Audit Panel Chair (Local Government/management expertise)
- Mrs Lisa Dixon – Audit Panel member (Financial expertise)
- Mr John Howard – Audit Panel member (Asset Management expertise)

After being appointed in August 2015, the panel members settled into the new role and performed well for the past 2 years. The panel members initial appointments expired on 3 August 2017 and in recognition of the panel's performance an offer or re-appointment was made to each of the Panel members for a further (2) year period in accordance with the charter. Council initially had a four panel membership but on invitation for re-appointment Mr Paul McCormick declined to continue. The remaining panel members agreed that the three remaining members provided a range of skills which is more than adequate to perform the audit panel role including Local Government, management, financial management and asset management.

The Audit Panel Charter was reviewed in March 2018 to allow for a smoother transition of new panel members. The Audit Panel considered it beneficial to Council to stagger changes to the panel membership rather than an all in – all out process. The attached Charter reflects those changes. Alterations to the Charter may prompt a change in Panel membership earlier than previously anticipated.

STATUTORY IMPLICATIONS

An Audit Panel is a mandatory requirement under sections 85 of the *Local Government Act 1993*.

Section 85A of the Act details the functions of the Audit Panels to include review Council's performance in relation to financial systems, financial management, governance arrangements, policies, systems and controls as well as all plans required under Part 7 of the Act.

Section 85B of the Act provides for Ministerial Orders to specify requirements for Audit Panels beyond those required under Section 85A

The Local Government (Audit Panels) Order was issued on 10 February, 2014

STRATEGIC IMPLICATIONS

GOAL 1: Leadership and Governance	
Desired Outcomes	
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.	
Our Priorities	
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.

POLICY IMPLICATIONS

The establishment of an Audit Panel provides an independent review mechanism for Council's policies and procedures.

FINANCIAL IMPLICATIONS

Costs associated with the Audit Panel have been minimal, comprising around \$11,000 for payment of fees to independent Audit Panel members. The cost has reduced proportionately with a move to a three (3) member panel.

RISK IMPLICATIONS

The establishment of an independent Audit Panel provides another layer of risk mitigation by providing independent oversight over Council's risk management framework and policy and procedural compliance.

CONSULTATION PROCESS

Council considered changes to the Charter in both February and August 2017 and this report is provided for consideration by Council to assist in the replacement of panel members following expiration of their tenure.

Council received new Guidelines from the Director of Local Government on the 20 March 2018 together with a Model Code of Conduct and Model Audit Panel Charter. These documents were forwarded onto the Audit Panel members on the same day as receipt and will be tabled and considered at the Audit Panel Meeting to be held on the 12 June 2018.

MOVED BY	CR DUNIAM
SECONDED BY	CR FRIEDERSDORFF

That Council adopt the Waratah-Wynyard Council Audit Panel Charter approved by the Audit Panel Committee on 6 March 2018.

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR DUNIAM
CR FAIRBROTHER	CR FRIEDERSDORFF	CR HYLAND	

AUDIT PANEL CHARTER

The Waratah-Wynyard Council Audit Panel has been established in compliance with Division 4 of the *Local Government Act 1993* (the Act) and the *Local Government (Audit Panels) Order 2014* (the Audit Panel Orders).

This Charter sets out the panel's objectives, authority, composition, tenure, functions, reporting and administrative arrangements.

Objective

The objective of the Audit Panel is to review the Council's performance under section 85A of the Act, and in compliance with the Audit Panels Order and to report to the Council its conclusions and recommendations.

Authority

The Council authorises the Audit Panel to:

- Obtain any information it requires from any employee or external party (subject to any legal obligation to protect information);
- Discuss any matters with the Tasmanian Audit Office (TAO), or other external parties (subject to confidentiality considerations);
- Request the attendance of any employee, including members of the Council at audit panel meetings; and
- Obtain legal or other professional advice, as considered necessary to meet its obligations, consistent with the financial resources available to the panel.

Composition and Tenure

The Audit Panel comprises not less than three (3) and up to four (4) four independent members appointed by the Council.

The Council will appoint the chairperson of the Panel.

Audit Panel members will appointed for a period of three years. Terms will be coordinated so that a position becomes vacant each year, rather than simultaneous vacancies. An adjustment to existing panel terms may be required in the first instance to coordinate this arrangement.

Audit Panel members may be re-appointed at the discretion of the Council, 6 months prior to the expiration date if both parties are agreeable.

Functions

When reviewing the Council's performance the Audit Panel is required to consider:

- The Council's financial system, financial governance arrangements and financial management;
- Whether the Annual Financial Statements of the Council accurately represent the state of affairs of the Council;
- Whether and how the strategic plan, annual plan, long term financial management plan and long term strategic asset management plans of Council are integrated and the processes by which, and the assumptions under which, those plans were prepared;
- 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;
- Whether the Council is complying with the provisions of the Act and any other relevant legislation; and
- Whether the Council has taken any action in relation to previous recommendations provided by the Audit panel to the Council, and, if it has so taken action, what that action was and its effectiveness.

Key Areas

In fulfilling its functions, the Audit Panel should consider the following key areas:

- corporate governance;
- human resource management, including policies, procedures and enterprise agreements;
- information and communications technology governance;
- management and governance of the use of data, information and knowledge; and
- internal and external reporting requirements.

Responsibilities of Panel Members

Members of an Audit Panel are expected to understand and observe the legal requirements of the Act and the Audit Panels Order.

Members are also expected to:

- act in the best interests of the Council;
- apply sound analytical skills, objectivity and judgement;
- express opinions constructively and openly;
- raise issues that relate to the Audit Panel's functions;
- pursue independent lines of enquiry; and
- contribute the time required to review the information provided appropriately.

Reporting

The Audit Panel is to provide a copy of its meeting minutes to the Council as a soon as practicable after each Audit Panel meeting

If the Audit panel has conducted a review under section 85A of the Act, the Audit Panel must provide a written report of its conclusions and recommendations to the Council as soon as practicable after the review is completed.

The chairperson will provide a verbal report to a Council workshop at least annually, but also on any occasion that a significant issue arises.

Administrative Arrangements

Meetings

- The Audit Panel will meet at least four times per year;
- The Audit Panel is to regulate its own proceedings in accordance with this Charter;
- The Chairperson may determine that a meeting is to be held in private. Where a meeting is held in private, the chairperson will report to the Mayor the reasons, and may be required to report to a meeting of Councillors;
- The General Manager and Financial Manager, or their delegates, are to attend Audit Panel meetings unless the Chairperson determines that a meeting is to be held in private; and
- The Audit Panel may invite any Councillor and/or employee of the Council and/or representative of the TAO to attend meetings of the Audit Panel.

Councillors may attend an Audit Panel meeting as observers, unless the chairperson has determined the meeting be held in private. A Councillor observer cannot participate in the meeting, for example, by asking a question or making a statement, unless invited to do so, by the chairperson.

Quorum

A quorum of the Audit Panel meeting is a majority of members including the Chairperson.

Work Plan

The Audit Panel is to develop an annual work plan that includes, but is not limited to, a schedule of meetings, and the known objectives for each meeting.

The forward meeting schedule should include the dates, location and proposed agenda items for each meeting.

Secretariat

The Council, in consultation with the Audit Panel, will appoint a person to provide secretariat support to the Audit Panel.

The secretariat will:

1. ensure the agenda for each meeting is approved by the chairperson;
2. ensure the agenda and supporting papers are circulated at least one week prior to the meeting; and
3. ensure the minutes of meetings are prepared and submitted to the council as soon as practicable after each meeting.

Interests

Audit Panel members must declare to the chairperson any pecuniary or non-pecuniary interests that may affect them carrying out their functions. These are to include any past employment, consultancy arrangements and related party transactions.

At the beginning of each Audit Panel meeting, members are required to declare any potential or actual pecuniary or non-pecuniary interests that may apply to specific matters on the meeting agenda.

Where required by the chairperson, the member will be excused from the meeting or from the Audit Panels consideration of the relevant item.

Details of any pecuniary or non-pecuniary interest declared by members will be appropriately minuted. Where the chairperson has a conflict of interest, they will declare that conflict to the Mayor at least 7 days prior to the meeting, to allow the Mayor to make alternate arrangements should it be deemed appropriate.

Induction

The Council will provide new Audit Panel members with relevant information and briefings on their appointment to assist them to meet their Audit Panel responsibilities.

Remuneration

Remuneration

For 2015 the Chairperson of the Audit Panel shall be paid an annual fee of \$2,000 and a sitting fee of \$400 per meeting.

For 2015 other independent members of the Audit Panel shall be paid an annual fee of \$600 and a sitting fee of \$400 per meeting.

The annual and sitting fees payable to Panel members will be adjusted by CPI (Hobart) on reappointment / appointment.

Where relevant, reimbursement of travelling expenses shall be paid to Panel members in accordance with current schedules or determinations of the Australian Taxation Office.

The annual fee will be equally shared between the participating Councils.

Review of Charter

The Council will review this Charter every 2 years.

Approved

Mayor

Date:

10.6 FINANCIAL REPORT FOR THE PERIOD ENDED 30 APRIL 2018

To:	Waratah-Wynyard Council
Reporting Officer:	Accountant
Responsible Manager:	Manager Financial Services
Report Date:	11 th May 2018
File Reference:	100.10
Enclosures:	Financial Summary and Notes Cash Position 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

Key Focus Area:	CIVIC LEADERSHIP AND GOVERNANCE A well-managed Council that services the municipality with integrity and has a strong voice in the region
Outcome 4.3	Council is managed in a financially sustainable and responsible manner

<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 30 April 2018.

MOVED BY	CR DUNIAM
SECONDED BY	CR BRADLEY

That Council notes Financial Reports for the period ended 30 April 2018.

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR DUNIAM
CR FAIRBROTHER	CR FRIEDERSDORFF	CR HYLAND	



Waratah-Wynyard Council

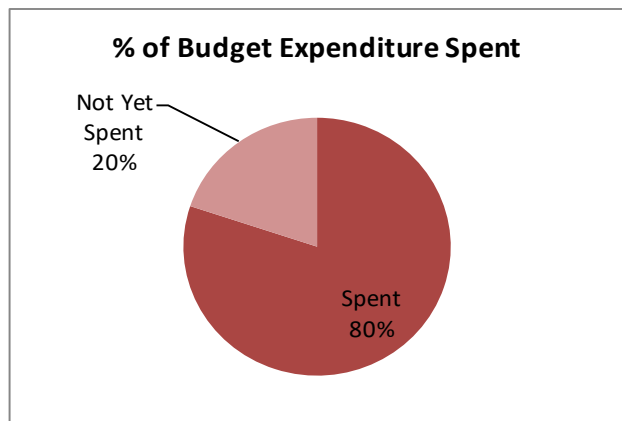
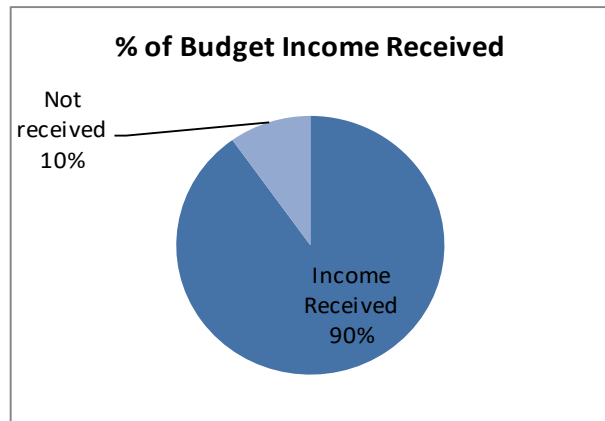
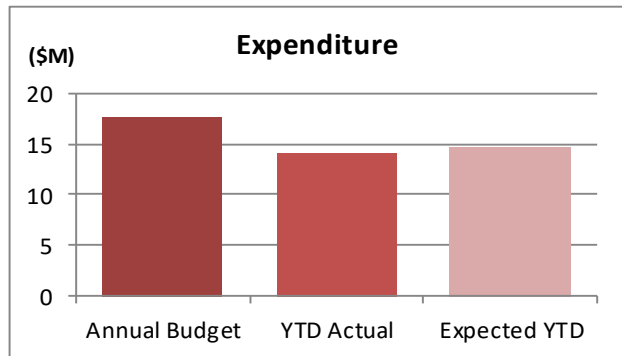
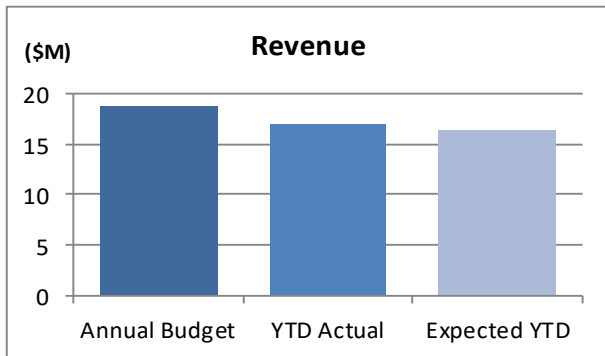
FINANCIAL SUMMARY

For the period ended 30 April 2018

REVENUE	Annual Budget \$	YTD Actual \$	Expected YTD \$	YTD Actual % of Budget %	Notes
Council & General Manager's Office	8,160	102,462	6,120	1,255.67	1.
Strategic & Financial Services	11,206,903	9,439,155	9,726,917	84.23	
Corporate & Community Services	1,760,959	1,555,922	1,438,113	88.36	
Infrastructure & Development Services	5,732,242	5,763,170	5,149,873	100.54	2.
Total	18,708,264	16,860,709	16,321,023	90.12	

EXPENDITURE	Annual Budget \$	YTD Actual \$	Expected YTD \$	YTD Actual % of Budget %	Notes
Council & General Manager's Office	1,022,339	792,967	833,881	77.56	
Strategic & Financial Services	1,778,652	1,512,993	1,667,093	85.06	3.
Corporate & Community Services	3,414,749	2,746,271	2,851,066	80.42	
Infrastructure & Development Services	11,490,523	9,129,442	9,300,749	79.45	4.
Total	17,706,263	14,181,673	14,652,789	80.09	

NET RESULT	Annual Budget	YTD Actual	Expected YTD
	1,002,001	2,679,035	1,668,234





Waratah-Wynyard Council

FINANCIAL SUMMARY NOTES

For the period ended 30 April 2018

Notes to Revenue	Annual Budget \$	YTD Actual \$	Expected YTD \$	YTD Actual % of Budget %
1. Council & General Manager's Office	8,160	102,462	6,120	1,255.67

\$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	5,763,170	5,149,873	100.54
--	-----------	-----------	-----------	--------

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. Strategic and Financial Services	1,778,652	1,512,993	1,667,093	85.06

Variances largely due to reduced labour costs arising from increases in sick and annual leave, above expectations.

4. Infrastructure & Development Services	11,490,523	9,129,442	9,300,749	79.45
--	------------	-----------	-----------	-------

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

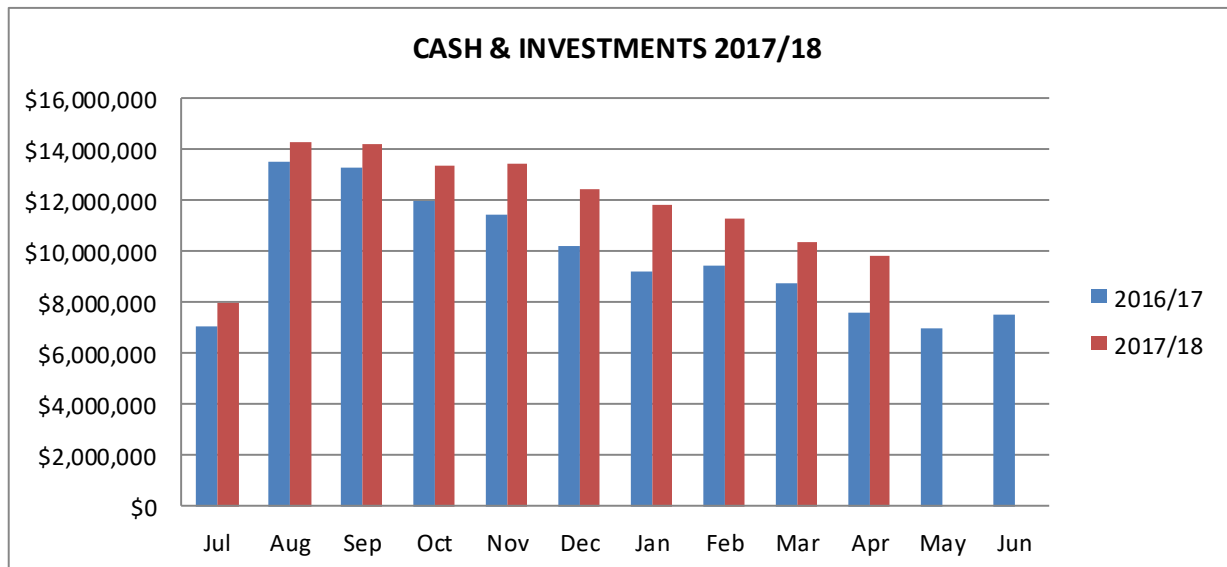


Waratah-Wynyard Council

CASH POSITION

For the period ended 30 April 2018

FINANCIAL INVESTMENTS	\$	INVESTMENTS	\$	Weighted Average
Deposits	9,700,000	Commonwealth Bank	82,268	1.25%
		ANZ	3,000,000	2.45%
		Bankwest	6,700,000	2.45%
Petty Cash and Till Floats				
Petty Cash and Till Floats	2,420	Petty Cash and Till Floats	2,420	
Trading Account	82,268			
BALANCE (ALL ACCOUNTS)	<u>9,784,688</u>		<u>9,784,688</u>	2.44%



Benchmarks: RBA Cash Rate* 1.500
 90 Day BBSWs Rate** 2.035

*source: www.rba.gov.au as at 30 April 2018

**source: <https://www.asx.com.au/data/benchmarks/bbsw-10-day-rolling-history.pdf> as at 30 April 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 30 April 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	10,913,608	96.70	10,679,576
GROSS RATES AND CHARGES DEMANDED	100.00	11,373,525	100.00	11,043,506
LESS RATES AND CHARGES COLLECTED	90.17	10,255,341	89.81	9,917,680
REMISSIONS AND DISCOUNTS**	8.46	961,943	8.37	924,515
	98.63	11,217,284	98.18	10,842,195
ADD PROPERTIES IN CREDIT	(3.47)	394,649	(3.17)	350,250
UNPAID RATES AND CHARGES (includes Deferred Rates)	4.84	550,890	4.99	551,561
**REMISSIONS AND DISCOUNTS		2017/18		2016/17
Discount		386,780		370,716
Pensioner Rebates		566,218		552,394
Council Remissions and Abandoments		8,945		1,405
		<u>961,943</u>		<u>924,515</u>



Waratah-Wynyard

CAPITAL WORKS SUMMARY

For the period ended 30 April 2018

Capital Projects 2017/18	Notes	Budget \$	% Spend of Budget
GOVERNANCE			
Wynyard Wharf Entrance Augmentation		450,000	1%
New Board Walk and Seawall Renewal		825,000	1%
Office Refurbishment		850,000	72%
Council - Other		223,492	52%
		2,348,492	31%
STRATEGIC & FINANCIAL SERVICES			
Wynyard Goldie St Carpark Development		897,000	34%
Other		25,000	87%
		922,000	36%
CORPORATE SERVICES			
Information Technology		40,000	58%
		40,000	58%
COMMUNITY SERVICES			
Children's Services		68,000	37%
		68,000	37%
ENGINEERING SERVICES			
Depot & Plant		488,000	20%
Waste Management		47,100	100%
Public Conveniences		10,000	102%
		545,100	28%
TRANSPORT			
Re-Sheeting		482,976	66%
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	60%
General - Other & Bridges		696,342	21%
		2,605,186	65%
Sporting Facilities			
Sporting Facilities	2.	52,000	159%
		52,000	159%
PARKS & GARDENS			
Camp Creek Remediation		700,000	10%
Parks & Gardens - Other		505,000	85%
		1,205,000	41%
STORMWATER DRAINAGE			
Stormwater Pipe Replacements and Upgrades		81,250	100%
General		45,625	70%
		126,875	89%
TOTAL CAPITAL WORKS PROGRAM 2017/18		7,912,653	46%

100%

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.

10.7 SENIOR MANAGEMENT REPORT

To: Council
Reporting Officer: General Manager
Responsible Manager: General Manager
Report Date: 7 May 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 -**10 April to 10 May 2018**. It also provides information on issues of significance or interest, statistical information and summaries of specific areas of operations

Corporate

Met with Andrew Harris, Project Director of the Planning and Building Portal (PABP) Project. The PABP Project aims to introduce a new online service that integrates Tasmania's planning, building and plumbing and related development approval services. The main elements of the online service will be:

- A comprehensive enquiry service.
- A state-wide application preparation and lodgement portal for all development, building, plumbing and related functions.
- An automated application referrals system for other approvals required by the state's planning, building and associated legislation.
- A centralised assessment workflow system for all development related applications, including planning, building and plumbing applications, as well providing reporting and document generation functionality.
- A comprehensive online application tracking service to include planning, building, plumbing and other authority processes.

With the Mayor met with the full Board of the Burnie Airport Corporation to discuss the future direction of the airport, challenges and opportunities for improvement.

Continued meetings with neighbouring Councils regarding opportunities for shared services, specifically in the provision of information technology. A joint workshop was held on Wednesday 9 May with Circular Head, Burnie City and Waratah-Wynyard Councils to

progress the concept.

Progress is being made with budget preparations and discussion with Council being undertaken at a series of workshops throughout April and May.

With the Mayor, met with Miles Hampton and Mike Brewster of TasWater to discuss the Waratah Dam.

Community

Met with representatives of the Wynyard Football Club to discuss a number of their current concerns. The introduction of two women's teams at the club has highlighted deficiencies with the current change rooms and amenities.

Attended the Wynyard Anzac Day parade and service.

Met with David Pease, President of the Somerset Sharks Soccer Club, who provided an overview of the clubs future and highlighted concerns with their current ground playing surface, lighting and the need for a gated facility.

Participated in a research session conducted by Live Well Tasmania's Robin Krabbe. In 2017 the Waratah-Wynyard Council and Circular Head Council in conjunction with Live Well Tasmania successfully submitted a proposal to investigate frameworks and assist with coalition building to ensure longer term improved outcomes in terms of building skills related to three main areas – Health, Education and Employment/participation.

Industry

Progressed investigations relating to previous Council decisions regarding land.

Met with Steve Gleeson (Leader, Corporate and Regional Partnerships) from Regional Australia Institute who has been engaged by the Cradle Coast Authority to undertake an assessment of the economic conditions, drivers and opportunities for targeted responses based on an approach that has been successfully used across other regions in Australia.

Other

Met with Justine Keay and the Shadow Minister for Regional Communications & Regional Services, Territories and Local Government, Stephen Jones to discuss funding opportunities.

Met with Roger Jaensch, MP to discuss a range of community and planning matters

Participated in a workshop on Shared Services with the Cradle Coast Authority and General Managers. An update on the agreed actions from the meeting will be provided at the next CCA reps meeting.

Notification was received on 24 April that the WWC EBA 2018 has been approved by the Fair Work Commission. A successful vote was taken by employees on 7 December 2017 and the document subsequently lodged for approval.

CAPITAL BUDGET AMENDMENTS APPROVED UNDER DELEGATION

Listed below are the capital budget amendments approved by the General Manager in accordance with section 82(6) of the *Local Government Act 1993*.

Capital Report Work Order		Budget	Spend	
2239	Public Art	10,000		Annual Program spend not placed in capital works program
2255	Konica Minolta Copier		16,860	Copier previously leased decided to purchase replacement as it provides more options at the end of its life
2258	Printer GM' s Office		1,587	Required due to printing of confidential documents
2261	Subaru Forester 2190		4,432	Over its disposal mileage
2262	Fertiliser Spreader		5,895	The old unit was not safe to use over 15 years old
2266	Coastal Pathway		6,261	Spends on design and start of actual project will be 2018-19

MOVED BY	CR DUNIAM
SECONDED BY	CR FRIEDERSDORFF

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 DUNIAM
CR FAIRBROTHER	CR FRIEDERSDORFF	CR HYLAND	

10.7.1 PLANNING PERMITS APPROVED UNDER DELEGATION –

DA No.	Applicants Name	Location	Development	Date Permit Issued	No of Days to Process	(D)Discretionary (P)Permitted
DA 9/2018	K McShane & D Colledge	199 Old Bass Highway Doctors Rocks	New Dwelling & Outbuilding extension	04/04/2018	39	D
SD 2054	R Robinson	1359 Murchison Highway Elliott	Subdivision (1 into 2 lots)	04/04/2018	42	D
DA 20/2018	Computertrans (Aust) Pty Ltd	41B Wragg Street Somerset	Under-awning sign	05/04/2018	25	D
DA 11/2018	Abel Drafting Services P/L	26 Goldie Street Wynyard	Dwelling extension	10/04/2018	40	D
DA 23/2018	C & G Radford	9 New Street Wynyard	Carport	12/04/2018	34	D
DA 22/2018	P Allen	6a Elfrida Avenue Sisters Beach	Dwelling	12/04/2018	27	P
DA 32/2018	M Swinden	46 Lennah Drive Wynyard	Carport	12/03/2018	17	P
DA 34/2018	T Kirkland	18 Ramsden Street Somerset	Respite Care	12/04/2018	16	P
DA 16/2018	Abel Drafting Services P/L	10 Newhaven Drive Somerset	Outbuilding	13/04/2018	32	D
DA 31/2018	G Coward	2 Calder Road Wynyard	Shed	13/04/2018	21	P
DA 155/2017 & SD2051	Steven Penton Building Design	65A & 65B Old Bass Highway	Dwelling & boundary adjustment	20/04/2018	26	P
25/2018	C Symonds & Wynyard Yacht Club	Jenner Street	Removal of slipway & demolition of 2 sheds	23/04/2018	39	D
26/2018	Abel Drafting Services P/L	153 Old Bass Highway	Dwelling extension	23/04/2018	35	D

10.7.2 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
2018-1-01	K Webb & Z Taylor	15 Fosters Road	New Dwelling & Garage	04/04/2018	2	DA 58/2017
2018-18-01	R A & J L Williams	Lot 3/161848 Wragg Street Somerset	New Dwelling	05/04/2018	1	DA 144/2017
2018-31-01	P J & M J Atkinson	Lot 2 Blackabys Road Boat Harbour	New Dwelling & Carport	05/04/2018	2	DA 3/2018
2018-6-01	S Newman	Lot 3 Back Cam Road Somerset	New Dwelling	05/04/2018	1	DA 79/2017
PSC-2018-3-01	Abel Drafting Services P/L	21 old Bass Highway Wynyard	Dwelling & outbuilding	05/04/2018	1	DA 21/2017
2018-41-01	6ty Pty Ltd	17368 Bass Highway Boat Harbour	Alterations/Additions	26/04/2018	1	DA 157/2017

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

Meeting Date	Item #	Topic	Action/Status	Officer	Status	Date Closed
22-Jan-18	5.3.1	Public Questions Without Notice -K Ewington - Standard of Airport Gardens. Mr Ken Ewington of Flowerdale asked when the Council would take action to have the Airport Corporation improve their surrounds including lawns, garden beds and signage	Mayor and General manager met with the Board of the Burnie Airport Corporation and raised the issues as outlined by Mr Ewington. Acknowledgment was provided that these matters would be followed up	GM	Completed	April 2018
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	Being considered as part of budget process.	DIDS	Ongoing	
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 . First meeting of Statewide group conducted on 19 March 2018 with the next scheduled for 23 May..	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"> Consider implementation of the proposed playground and landscaping elements for the 2018/19 budget; 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 Remain flexible in the implementation of 		DIDS	Not yet commenced	

Meeting Date	Item #	Topic	Action/Status	Officer	Status	Date Closed
		the East Wynyard Foreshore masterplan as it assesses cost and benefits in consultation with the community and users into the future				
19-Feb-18	10.2	ROC ANZAC Park Concept Plan Motion Carried That the Council form a reference group to progress detailed design of an all ability playground at Anzac Park, Somerset.	Stakeholder meetings being organised for first week of May. Reference Group has been formed and first meeting had been held.	GM	Completed	7/5/18
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,	DIDS	Ongoing	
16/4/18	8.3.3	CQWN – Cr Bramich -sales of Grader	The Director Infrastructure and Development Services confirmed that the grader sold for \$80,000.	DIDS	Complete	23/4/18
16/4/18	8.3.4	CQWN – Cr Bramich Weed Management	Cr Bramich asked if Weeds Management was being looked at on a State Basis and if it was not should Council consider preparing a motion for the July LGAT meeting. Refer Agenda item 8.1.3 21 May 2018	GM	Complete	7/5/18
16/4/18	10.5	ROC – Senior Mgmt. Report	Cr Fairbrother asked if there was an update from the Statewide Freedom camping Group. An email was send to all councillors on 18 April with an outline of the meeting.	GM	Complete	19/4/18

ADMINISTRATION - USE OF CORPORATE SEAL

1/5/18	Final Plan & Schedule of Easements	7086089 26 Lenah Drive Wynyard, subdivision (1 lot into 5 lots)
1/5/18	Request to amend sealed plan	26 Lenah Drive Wynyard
9/5/18	Part 5 Agreement	136-138 Goldie Street Wynyard

SUMMARY OF CORRESPONDENCE CIRCULATED

Nil

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 FRIDERSDORFF
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>	<i>15 (2)</i>
<i>Confidential Report R15 (2) - Issues Raised By Councillors</i>	<i>15 (2)</i>
<i>Confidential Report R15 (2) - Councillor Questions Received In Writing</i>	<i>15 (2)</i>
<i>Confidential Report R15 (2) - Response(s) To Councillor Questions Received In Writing</i>	<i>15 (2)</i>
<i>Confidential Report R15 (2) - Response(s) To Councillor Questions Taken On Notice From Previous Meeting</i>	<i>15 (2)</i>
<i>Confidential Report R15 (2) - Councillor Questions Without Notice</i>	<i>15 (2)</i>
<i>Confidential Report R15 (2) - Notices Of Motion</i>	<i>15 (2)</i>
<i>Confidential Report R15 (2)(h) - Leave Of Absence Request - Councillors</i>	<i>15 (2)(h)</i>
<i>Confidential Report R15 (2)(c) – Cheques And EFT's as at 30 April 2018 Unconfirmed Audit Panel Minutes</i>	<i>15 (2)(c)</i>
<i>Confidential Report R15 (2)– Closed Senior Management Report</i>	<i>15 (2)</i>

The MOTION was put and was CARRIED unanimously

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR DUNIAM
CR FAIRBROTHER	CR FRIEDERSDORFF	CR HYLAND	

12.0 CLOSURE OF MEETING TO THE PUBLIC

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015; Regulation 15

MOVED BY	CR DUNIAM
SECONDED BY	CR BRAMICH

That the Council RESOLVES BY AN ABSOLUTE MAJORITY to go into Closed Meeting to consider the following matters, the time being 7.21PM:-

Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
<i>Confidential Report R15 (2) – Confirmation of Closed Minutes of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) - 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)(h) - Leave Of Absence Request - Councillors</i>	15 (2)(h)
<i>Confidential Report R15 (2)(c) – Cheques And EFT's as at 30 April 2018 Unconfirmed Audit Panel Minutes</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 DUNIAM
CR FAIRBROTHER	CR FRIEDERSDORFF	CR HYLAND	

13.0 RESUMPTION OF OPEN MEETING

At 7.32pm 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 7.32pm.

Confirmed,

MAYOR
25 JUNE 2018