



**ORDINARY MEETING  
OF COUNCIL**

**MINUTES  
OPEN MEETING**

**20 July 2020**

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

**MINUTES OF AN ORDINARY MEETING OF THE WARATAH-WYNYARD COUNCIL TO BE HELD AT THE COUNCIL CHAMBERS, 21 SAUNDERS STREET, WYNYARD ON MONDAY 20 JULY 2020, COMMENCING AT 6.04PM**

	<b>From</b>	<b>To</b>	<b>Time Occupied</b>
Open Council	6.04PM	6.22PM	18MINS
Planning Authority	6.22PM	6.25PM	3MINS
Open Council	6.25PM	8.13PM	108MINS
Closed Council	8.13PM	8.19PM	6MINS
Open Council	8.19PM	8.19PM	0MINS
TOTAL TIME OCCUPIED			135MINS

**AUDIO RECORDING OF COUNCIL MEETINGS POLICY**

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

**ANNOUNCEMENT LIVE STREAMING OF COUNCIL MEETING**

The Mayor to advise that Council will be Livestreaming the meeting to the public

**ACKNOWLEDGEMENT OF COUNTRY**

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

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<b>1.0 RECORD OF ATTENDANCE</b>
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**1.1 ATTENDANCE**

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

## IN ATTENDANCE

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

**1.2 APOLOGIES**

Nil received.

**1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Nil received.

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<b>2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING</b>
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**2.1 CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY COUNCIL MEETING**

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

**That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at Council Chambers, 21 Saunders Street, Wynyard on Monday 22 June 2020, 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 DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR BRAMICH	CR HYLAND	CR COURTNEY	CR BRADLEY

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<b>3.0 DECLARATIONS OF INTEREST</b>
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**Councillor and Agenda Item Number**

Nil

**Staff and Agenda Item Number**

Nil



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## 4.0 COUNCILLORS ANNOUNCEMENTS AND REPORT

### 4.1 ANNOUNCEMENTS BY MAYOR

Nil received.

### 4.2 MAYOR'S COMMUNICATIONS

15/6/20	Councillor Workshop
16/6/20	Meeting with General Manager
16/6/20	Meeting with Minister Jaensch
17/6/20	Mayors Message Filming – Betty's Lane
22/6/20	Council Meeting
23/6/20	Meeting with General Manager
29/6/20	Meeting with Senator Anne Urquhart
29/6/20	Councillor Workshop
30/6/20	Meeting with General Manager
3/7/20	CCA Mayor and General Managers meeting with Rebecca White MP, Anita Dow MP and Shane Broad MP
3/7/20	Advocate Media re Transfer station
6/7/20	Meeting with Constituent
6/7/20	LGAT Meeting with Minister Shelton
7/7/20	West x North West Tourism Meeting
7/7/20	Meeting with Regional Tourism Organisation and Friends of Oldina Forest
7/7/20	Meeting with General Manager
11/7/20	Lions Changeover Dinner
13/7/20	Councillor Workshop
14/7/20	Bush Watch Meeting
14/7/20	Meeting with General Manager

MOVED BY	CR DUNIAM
SECONDED BY	CR BRAMICH

### **That the Council note the Mayors Communications**

The MOTION was put and was CARRIED unanimously.

#### IN FAVOUR

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR BRAMICH	CR HYLAND	CR COURTNEY	CR BRADLEY

**Cr Edwards left the meeting at 6.06pm.**

### 4.3 REPORTS BY DELEGATES

Nil received.

#### 4.4 NOTIFICATION OF COUNCIL WORKSHOPS

##### Upcoming Workshops - Indicative Only

27/6/20	Wynyard Police Oldina Reserve Settlement Strategy Tulip Festival
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##### Councillor Attendance Records

Meetings attended during 2019/20 (to 30 June 2020)

	Ordinary Meetings 2019/20 (12)	Special Meetings 2019/20 (1)	Workshops 2019/20 (37)	Weeks Leave Approved
Mayor Robert Walsh	12	1	37	
Deputy Mayor Mary Duniam	12	1	35	2
Cr Gary Bramich	12	1	36	
Cr Andrea Courtney	9	1	21	2
Cr Celisa Edwards	12	1	31	2
Cr Darren Fairbrother	12	1	36	
Cr Allie House**	9	1	26	2
Cr Kevin Hyland	9	1	18	4
Cr Maureen Bradley#	0	0	1	

\*\*Note that Cr House resigned as of 5 June 2020

# Note that Cr Bradley commenced on 29 June 2020

MOVED BY	CR DUNIAM
SECONDED BY	CR HYLAND

##### That the Council note the following Councillor Workshops

22/6	<ul style="list-style-type: none"> <li>• Waratah Dam</li> <li>• Wynyard CBD Civic Square Shade Structure</li> </ul>
29/6	<ul style="list-style-type: none"> <li>• Audit Panel Presentation</li> <li>• Discussion re Waste Fees and Tip Tickets</li> <li>• Discussion re Committee and Workgroup representation</li> </ul>
13/6	<ul style="list-style-type: none"> <li>• Rural Road Safety Audit</li> <li>• Community Grants</li> <li>• Meeting Procedures</li> </ul>

The MOTION was put and was CARRIED.

##### IN FAVOUR

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

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## 5.0 PUBLIC QUESTIONS AND STATEMENTS

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

Nil received.

### 5.2 PUBLIC QUESTIONS RECEIVED IN WRITING

#### 5.2.1 C HUTCHISON - WYNYARD WASTE TRANSFER STATION

##### QUESTION

The Wynyard Waste Transfer Station is currently managed by a private entity, as tendered by Council. With the announcement of the free disposal of non-commercial waste for local residents, as well as the removal of tip tokens for ratepayers, what steps has Council taken to compensate for the loss of revenue that this business may suffer as a result of the decisions made by Council? Can more detail be provided about the arrangement made in lieu of the decision made regarding access to the waste transfer station?

##### OFFICERS RESPONSE

The transfer station operation via contract is not affected by the recent removal of tip tickets therefore no compensation to the contractor is required in this instance. Fees previously paid and those that are continued to be paid by non-residents or commercial users for the deposit of waste are collected by the contractor for and on behalf of Council.

The current operator is contractually permitted to on sell materials recovered from waste streams to offset the cost to Council for the operation of the site and to reduce the volume of waste being sent to landfill.

#### 5.2.2 C HUTCHISON - COUNCILLOR WORKSHOPS

##### QUESTION

I wish to express my gratitude to Councillors for speaking up against what many would say to be unfair accusations from former Councillor, Allie House, which I highlighted in the June council meeting in the hope that Councillors would respond. It is clear that a lot of work had been invested into particular documents, including the 2020/21 budget.

##### Cr. Duniam

*"We have worked through all the parts of this document, very thoroughly. I need to emphasise that we won't just be rubber stamping it. We have been through absolutely everything, every detail. This plan is a good way forward. We should be very proud of this particular document because it does show that we are working for our community."*

##### Cr. Bramich

*"I can assure whoever is interested, we've spent hours and hours and hours over many months on this, and it is certainly not rubberstamped. I think this is a good outcome, considering the situation we are in. There's going to be a lot of money spent in our community to get things back as good as we can get them again. We've workshopped it that many times and I think if the community have a good look at it, they should be happy too."*

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**Cr. Bramich** - In reference to the Somerset Soccer Club upgrades, following modifications to OSSR: *"This is another item that has been workshopped, we've had onsite inspections and it has been discussed now over a number of years. Yes, we didn't get our way with the full plan, but this is another item that's not going to be rubber-stamped. We've put a lot of time and effort into this."*

From this, I believe it would be of little concern to those Councillors to engage further in transparency measures to reassure the community.

Therefore, will Council and Councillors consider the video recording of Councillor Workshops to provide the public with greater opportunities to see the great work that Councillors are doing for the community, considering that this Council now has the adequate equipment for such an arrangement?

### **OFFICERS RESPONSE**

Council workshops are informal meetings, held for the purpose of providing elected members with information on specific matters. Workshop procedure is not governed by the *Local Government Act* or the *Local Government (Meeting Procedures) Regulations*. Council workshops provide the time needed to explore important matters in detail and are closed to the public, although guests may be invited if required.

Council has no intent to record workshops. Regulation 8 of the *Local Government (Meeting Procedures) Regulations* requires General Managers to report in each ordinary meeting agenda the date and purpose of any council workshop held since the last meeting.

## **5.3 PUBLIC QUESTIONS WITHOUT NOTICE**

### **5.3.1 MR C HUTCHISON – SEAWALL AND BOARDWALK**

Mr Hutchison of Preolenna noted that according to the Financial Report in tonight's agenda on page 98 in the Capital works summary, Sea Wall and Boardwalk costs went over budget from a budgeted \$500,000 to over 1 million dollars. Reason given: "Project over budget due to site conditions and additional foundation works required on the Sea Wall and Board Walk." He asked: -

- Can Council please outline more detail about those site conditions, what additional foundation works were required and specifically where - and why these weren't factored into the costs?
- Were these costs paid to contractors?
- Does this cost come out of the general budget or does this decrease the available pool of funds received from the state and Federal government for the multi-million dollar developments along the Inglis River?
- Will there still be funds for further developing the Gutteridge Garden area such as dedicated playground space for children?

The General Manager took the questions on notice.

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### **5.3.2 MR C HUTCHISON - UNPAID RATES**

Mr Hutchison of Preolenna noted that it was concerning that unpaid rates and charges to this Council amount to approximately half a million dollars ongoing at the end of each financial year/ rate cycle and asked : -

- a. How many property owners in total are not paying their rates to Council (is it just this figure stated on page 97 of the agenda: "Unfortunately, there were 44 ratepayers that were either ineligible for assistance or unable/unwilling to work with Council to enter an arrangement therefore were lodged with Tas Collections after 1 July." )
- b. Does this figure of between 400k and 650k actually get recovered each year or waived, and
- c. How successful is Tas Collections in recovering these losses according to data from earlier years.

The Director of Organisational Performance advised that outstanding rates represents 5.06% of rates levied for that year. She confirmed that there were more than 194 properties with outstanding rates. 194 was the number of ratepayers that Council had contacted under the hardship policy and that some ratepayers have multiple properties. She advised that the debt base is expected to be fully recoverable by Council due to the broad range of powers it has to recover rates where they are unpaid for more than three years. The Director Organisational performance advised that she would need to confirm the total assessments outstanding and took the question on notice.

Mr Hutchison then asked if there are properties that have rates owing for longer than 5 or 10 years.

The Director of Organisational Performance took the question on notice.

### **5.3.3 MR K DORSEY – SHARED SERVICES**

Mr Dorsey tabled a report from KPMG (Dated 2002) regarding the benefits of shared services between councils and noted that Burnie City Council (BCC) and Waratah-Wynyard Council should be working together to gain more benefits for the community.

He asked if Councillors would consider a joint meeting to explore means to combine services.

The Mayor advised the matter would be workshopped with Councillors should the motion before BCC be carried at their next council meeting.

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## 5.4 PUBLIC STATEMENTS RECEIVED IN WRITING

Nil received.

**Cr Edwards returned to the meeting at 6.11pm.**

## 5.5 PUBLIC STATEMENTS WITHOUT NOTICE

### 5.5.1 MR C HUTCHISON - TABLE CAPE PROJECTS AND SHARED SERVICES

#### A) Loo With A View

At the Last Council meeting, Cr. Courtney asked if there are any alternative projects that Council has in mind for Table Cape, which the GM responded not at this point. It is disappointing to hear that Council staff only have a one track mindset, but that there is room to think about alternative projects.

Following a conversation with Cr. Hyland, he informed me that there is an easement provided at least part of the way between the Fossil Bluff area and Table Cape, which would allow for a walking or cycling trail, and I do remember seeing a Council plan at some stage with a board walk/ trail combination from Fossil Bluff to Boat Harbour Beach via the Table Cape Coastline that would allow for cycling / walking. This suggestion has also recently been made from a community member too. If the Council is going to seek external funding for tourism projects to 'Reimagine our region' then it would be nice if Council could consult the community to rate the project ideas alongside any others, such as the trail, which I think has a lot of merit but would require a great deal of external funding. One thing that has become apparent in the last week is how disappointed the community are in the current Council provision of public toilets, many comments that this Council could improve existing maintenance schedules and infrastructure.

In the Reimagining our Region report, there were a range of other ideas that could be facilitated by Council, other than just the Loo with a View to create Table Cape as a 'must stop' hub. These public facilities could support or allow private operators to build on the interest generated.

#### **Table Cape ideas from Report**

- Cantilever Lookout
- Augmented reality experience to substitute tulip fields in bloom
- Outpost location for Wynyard Visitor Info
- New observatory building that references tulips in design, incorporating lookout, info, interpretation, and amenities (i.e. A small interpretive centre like on top of the Nut/chairlift exit)
- Better signage between Lighthouse and Lookout (along walking track)
- Maintain lighthouse tours
- Pop up food offerings

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## **Other ideas for Waratah-Wynyard that don't necessarily focus on Table Cape**

- Supporting facilities for fishing Experiences from Wynyard, including - Fishing tours and Charters, Fresh off the boat tastings
- Paddock crop name signage along rural roads/highway
- Build public infrastructure and detailed maps for nature based tourism in bush and along rivers (identify existing sites and sites with potential).
- Provide encounters with wildlife in the Tarkine - i.e. Install signage/interpretation e.g. Lobster crossing, Platypus Crossing, Tasmanian Tiger spotted here (Date); this way to the Tasmanian devils and the Tarkine etc.
- Complete guide to Arthur River kayak spots and available commercial operators (i.e. based from Yolla and/ or Meunna)
- Borrowed from Nut suggestions:
- Infrastructure & Funds (i.e. strategic land acquisition, landscaping/engineering, designs, and/or facility provision), to support private operators of Down Hill Ziplines, Luge courses, or coastering or rock climbing experiences in tourism hot spots at Table Cape, Rocky Cape National Park, or an Inland public area - in cooperation with PWS/STT/Stakeholders (PTPZ, FPPF)
- Design, planning, infrastructure, and amenities for Treetops camping / Tree houses and glamping in inland public land - in cooperation with STT/Stakeholders (Nature reserve, conservation area, PTPZ, FPPF)
- Fish trap signage and First nations historical interpretations - Freestone Cove, Western Bay Boat Harbour Beach, along coast - in cooperation with PWS/Stakeholders.

### **B) Voluntary cooperation between Councils**

Amalgamations, resource sharing and combined services between Councils continue to be raised as an issue by various sectors of the community. Burnie City Councillor, Ken Dorsey has a motion on his Council's agenda tomorrow night which would further explore a stronger relationship with the Burnie City Council. Pending this outcome, I believe the ball is in this Council's court and I would like to know what each Councillor thinks on either of these topics before Burnie City Councillors make their decision and what Councillors think the future direction of this Council should be. So I make the request that each Councillor make a short public statement, either now, or at some point in tonight's meeting.

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<b>6.0 PLANNING AUTHORITY ITEMS</b>
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**PLANNING AUTHORITY OPENED AT 6.22PM**

**6.1 PUBLIC QUESTIONS WITHOUT NOTICE – RELATING TO PLANNING MATTERS**

Nil received.

**6.2 PUBLIC STATEMENTS - RELATING TO PLANNING MATTERS**

Nil received.



### 6.3 MULTIPLE DWELLINGS (5 UNITS) AT 5 SANDY CRESCENT, WYNYARD - DA 41/2020

To: Council  
Reporting Officer: Town Planner  
Responsible Officer: Manager Development and Regulatory Services  
Report Date: 3 July 2020  
File Reference: 2603235

Supporting Documents: 

1. Consolidated Document Set
2. Representation
3. Extension of time agreement
4. TasWater Conditions
5. TasRail Conditions and Notes

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#### PURPOSE

The purpose of this report is for Council to consider the merits of the application DA 41/2020 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013* (Planning Scheme).

#### BACKGROUND

The subject property is located at 5 Sandy Crescent, Wynyard. The site is 2996m<sup>2</sup> in area. The lot is accessed by Sandy Crescent to the north, with a frontage of 6.6m as the site is an internal lot. The property is currently vacant.

The site is zoned General Residential, with adjoining land to the north, east and west also zoned General Residential. Land to the south is a rail corridor, and is zoned Utilities.

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



Figure 1- Source: MapInfo

**DETAILS**

The applicant is seeking approval for five (5) multiple dwelling units under the *Waratah -Wynyard Interim Planning Scheme 2013*. The proposal is for 5 x 3-bedroom units, each with an internal garage. Each unit is one storey, with a maximum height of 4.3m and a floor area of 160m<sup>2</sup>.

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

- Setbacks and building envelope for all dwellings (10.4.2 P3);
- Site coverage and private open space for all dwellings (10.4.3 P2);
- Privacy for all dwellings (10.4.6 P3);
- Setback of development for sensitive use (10.4.12 P1, P2) and
- Provision for parking (E9.5.1 P1).

This application is identical to an application that was lodged and subsequently approved in August 2017, after being determined at a Council meeting. This application was also for 5 x 3-bedroom units with an identical site arrangement. It appears the applicant let the planning permit DA68/2017 lapse, without applying for an extension and therefore the new application has been lodged.

**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 29 June 2020. One (1) representation was 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: Mr and Mrs Redpath**

<b>Issues Raised:</b>	<b>Planning response:</b>
<p>Stormwater inadequacy. A similar application some time ago stated that stormwater was at capacity. Please advise what has changed, to ensure that no additional run-off occurs to my lot.</p> <p>This land is already water dense, and additional units will make already wet adjoining properties worse.</p>	<p>The previously approved multiple dwelling application had not been assessed as being at capacity for stormwater purposes. Additionally, Council must assess the application on it's own merits with what is currently before them.</p> <p>The subject site is located within Council reticulated stormwater network. The dwelling and hardstand area has had pre-lodgement advice from Council's Engineering Department recommending for any permit issued to note that this be in accordance with this advice.</p>
<p>Traffic congestion is likely to occur from the proposed 5 x 3-bedroom dwellings on an internal lot, with no visitor carparking spaces. The internal lot is also located on a bend in Sandy Crescent which is likely to cause traffic congestion cause by too much housing on an internal lot and obstructed view for residence in the area.</p>	<p>The proposal is seeking a relaxation to the carparking requirements on the site and this is assessed in full under clause E9.5.1 under the planning assessment portion of this report. It has been a recommendation should a permit be approved that parking be conditioned on the site.</p>

<p>Loss of property value and out of character. The realistic potential for an additional 30 people to be living in the space next to my property will significantly reduce the value of my property.</p> <p>Overshadowing and reduced privacy of our backyard due to a proposed dwelling have a 2m setback from the side boundary.</p> <p>Out of character, all lots were enforced to build 50m from the railway, which resulted in properties being unable to place multiple dwellings on the lots. This is a quiet street with open spaces due to original restrictions. The proposal must reflect the neighbourhood character and the density on this property does not reflect that.</p>	<p>Loss of property value is not a consideration under the <i>Waratah-Wynyard Interim Planning Scheme 2013</i>.</p> <p>Overshadowing is a consideration under the planning scheme when a setback relaxation is sought. The application is seeking a rear boundary setback relaxation and is assessed under clause 10.4.2. However, the application meets the side boundary setbacks, locating the nearest dwelling 2m from the side boundary instead of the acceptable 1.5m from the side boundaries.</p> <p>It is noted the current title does have a covenant listed on the easements page of the title in relation to which portion of the site is to be left free of buildings. However, this is not a consideration of the planning scheme. Instead this is a civil matter between the landowners and the original subdivider.</p> <p>The General Residential Zone does provide for density requirements for multiple dwellings with a site area of 325m<sup>2</sup> per dwelling. This application meets this acceptable solution and is not seeking a relaxation to this portion of the planning scheme.</p>
<p>Loss of vegetation is listed as a concern. However, drainage of the area is a concern given the density and current rainwater drainage of the area is likely to place a bigger environmental impact than the building of a single dwelling.</p>	<p>Currently the site is cleared, no threatened species are mapped as being located on the site.</p> <p>Drainage in the form of stormwater from roofed areas and hardstand areas will be conditioned to connect into Council reticulated stormwater network. Further improving the current arrangements of the site and area.</p>
<p>Noise levels will create a significant detriment from the traffic of 5 x 3-bedroom units, up and down the internal driveway running past my house and other adjoining properties.</p>	<p>An environmental health note will be placed on any permit to ensure that no noise nuisance as defined by the <i>Environmental Management and Pollution Control Act 1994</i> is to occur.</p>

**INTERNAL REFERRALS**

Engineering Services Department

1. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
2. Loading and unloading of vehicles is to be confined to within the boundaries of the property.
3. 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 on site and directed to a stormwater system designed to cater for a 1 in 20 years ARI storm and discharged to a legal point of discharge to the reasonable requirements of the Director Infrastructure and Development Services.
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.

Road access and stormwater drainage is to be in accordance with the Road Access and Stormwater Drainage Assessment dated 9 June 2017.

**Environmental Health**

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: 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 24 April 2020. The response was received on 28 April 2020 and forms Part B of this permit.

The application was referred to TasRail on 24 April 2020. No response was received as of the 6 July 2020 and therefore some follow up enquiries were made and discovered a new email was now used for referrals. Subsequently the application was re-referred, and a response was received on 9 July 2020. TasRail has no objection to the proposal, subject to the addition of notes to the planning permit and a condition in relation to a new Colorbond or similarly solid fence being installed on the boundary.

**PLANNING ASSESSMENT**

The subject site is zoned General Residential under the *Waratah-Wynyard Interim Planning Scheme 2013*. The use is Residential, which is a Permitted use within the zone, should the application meet all of the relevant acceptable solutions.

The application does not meet all of the acceptable solutions. The application is therefore submitted as a discretionary application under Section 57 of the *Land Use Planning & Approvals Act 1993* 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.

**10.4.2 Setbacks and building envelope for all dwellings**

<p><b>A3</b></p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a</p>	<p><b>P3</b></p> <p>The siting and scale of a dwelling must:</p> <p>(a) not cause unreasonable loss of amenity by:</p> <p>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</p> <p>(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</p> <p>(iii) overshadowing of an adjoining vacant lot; or</p> <p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the</p>
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**Enclosure 5 TasRail Conditions and Notes**

<p>height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and</p> <p>(b) only have a setback within 1.5 m of a side boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or</p> <p>(ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).</p>	<p>dwelling when viewed from an adjoining lot; and</p> <p>(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.</p>
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**Planning Comment: Complies**

The proposal is seeking a rear setback relaxation down to 3.5m for unit 3. The proposal does not meet the prescribed rear setback of 4m, and is therefore to be assessed against the performance criteria.

The proposed multiple dwelling will not cause any overshadowing of a dwelling, private open space or vacant lot, as the subject property to the south is a railway reserve.

The limited single storey height dwelling reduces the bulk of the building, and is considered reasonable for the General Residential Zone, especially when being viewed from the Utilities Zone.

There is no dwelling within the road reserve. Therefore, separation for privacy is not an issue.

The proposal is considered to comply with the performance criteria.

**10.4.3 Site coverage and private open space for all dwellings**

<p><b>A2</b></p> <p>A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p>(i) 24 m<sup>2</sup>; or</p> <p>(ii) 12 m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(b) has a minimum horizontal dimension of:</p> <p>(i) 4 m; or</p> <p>(ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p>	<p><b>P2</b></p> <p>A dwelling must have private open space that:</p> <p>(a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children’s play and that is:</p> <p>(i) conveniently located in relation to a living area of the dwelling; and</p> <p>(ii) orientated to take advantage of sunlight.</p>
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<p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p>	
<p><b>Planning Comment: Complies</b></p> <p>All proposed units have private open space that exceeds the 24m<sup>2</sup> requirement that is greater than 4m wide and is directly accessible from a habitable room. However, proposed Unit 5 has its private open space located to the south of the proposed unit and therefore must address the performance criteria.</p> <p>Proposed unit 5 has a total of 176.81m<sup>2</sup> of proposed private open space. This is conveniently accessed by the dining area of the dwelling at the south and through the laundry door to the east. This area is considered ample in size and location to serve as an extension of the dwelling for outdoor relaxation, dining, entertaining and child's play.</p> <p>This private open space extends to the north of the visitor car parking space and makes use of the western (afternoon) sunlight. It also extends to the east, making use of the early morning sunlight.</p> <p>The proposal is considered to comply with the performance criteria.</p>	

**10.4.6 Privacy for all dwellings**

<p><b>A3</b></p> <p>A shared driveway or parking space(excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5 m; or</p> <p>(b) 1 m if:</p> <p>(i) it is separated by a screen of at least 1.7 m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.</p>	<p><b>P3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise detrimental impacts of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>
<p><b>Planning Comment: Complies</b></p> <p>Units 4 and 5 front the internal driveway. There is no setback to the shared driveway. Therefore, the application is to be assessed against the performance criteria.</p>	

The proposal provides screening on the western facades of the two units which provide privacy to the living areas of the dwelling. This screening will be 1.7m in height from natural ground level, and will enable sunlight penetration over the top of the screen to the living spaces. The screening will protect the units from vehicle noise and lights.

The proposal is considered to comply with the performance criteria.

**10.4.12 Setback of development for sensitive use**

<p><b>A1</b></p> <p>A building containing a sensitive use must be contained within a building envelope determined by –</p> <ul style="list-style-type: none"> <li>(a) the setback distance from the zone boundary as shown in the Table to this clause; and</li> <li>(b) projecting upward and away from the zone boundary at an angle of 45° above the horizontal from a wall height of 3.0m at the required setback distance from the zone boundary</li> </ul>	<p><b>P1</b></p> <p>The location of a building containing a sensitive use must –</p> <ul style="list-style-type: none"> <li>(a) minimise likelihood for conflict, constraint or interference by the sensitive use on existing and potential use of land in the adjoining zone; and</li> <li>(b) minimise likely impact from existing and potential use of land in the adjoining zone on the amenity of the sensitive use</li> </ul>
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**Planning Comment: Complies**

The proposal is for a sensitive use and does not have a setback of 10m from the Utilities Zone. Therefore, the application is to be assessed against the performance criteria.

The Utilities Zone to the south of the property is a railway reserve that is not currently in use. Whilst the rail line is not currently operational, this status could change at some time in the future.

The proposal was referred to TasRail, and TasRail has responded that they have no objections, subject to the applicant being made aware of potential impacts of developing in close proximity to a railway. These matters have been included within notes on the planning permit. A condition has been recommended in relation to the installation of a Colorbond or similarly solid fence on the shared boundary to assist with any potential impact. A number of these standard notes will not apply to the development of this site.

The proposal is considered to comply with the performance criteria.

**10.4.12 Setback of development for sensitive use**

<p><b>A2</b></p> <p>Development for a sensitive use must be not less than 50m from –</p> <ul style="list-style-type: none"> <li>(a) a major road identified in the Table to this clause;</li> <li>(b) a railway;</li> <li>(c) land designated in the planning scheme for future road or rail purposes; or</li> <li>(d) a proclaimed wharf area</li> </ul>	<p><b>P2</b></p> <p>Development for a sensitive use must –</p> <ul style="list-style-type: none"> <li>(a) have minimal impact for safety and efficient operation of the transport infrastructure; and</li> <li>(b) incorporate appropriate measures to mitigate likely impact of light, noise, odour, particulate, radiation or vibration emissions; or</li> <li>(c) be temporary use or development for which arrangements have been made with the relevant transport infrastructure entity for</li> </ul>
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	removal without compensation within 3 years
<p><b>Planning Comment: Complies</b></p> <p>The proposal is for a sensitive use and does not have a setback of 50m from the railway reserve. Therefore, the application is to be assessed against the performance criteria.</p> <p>The railway reserve to the south of the property is not currently in use. Whilst the rail line is not currently operational, this status could change at some time in the future.</p> <p>The proposal was referred to TasRail, and TasRail has responded that they have no objections, subject to the applicant being made aware of potential impacts of developing in close proximity to a railway and condition in relation to a new Colorbond or similarly solid fence be installed on the boundary. These matters have been included within notes on the planning permit. Design of the development in consideration of these notes will ensure mitigation of any potential amenity issues caused by use of the rail line.</p> <p>It is noted that a number of these standard notes will not apply to the development of this site.</p> <p>The proposal is considered to comply with the performance criteria.</p>	

**Traffic Generating Use and Parking Code**

**E9.5.1 Provision for parking**

<p>A1 Provision for parking must be –</p> <p>(a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code;</p>	<p>P1</p> <p>(a) It must be unnecessary or unreasonable to require arrangements for the provision of vehicle parking; or</p> <p>(b) Adequate and appropriate provision must be made for vehicle parking to meet -</p> <p>(i) anticipated requirement for the type, scale, and intensity of the use;</p> <p>(ii) likely needs and requirements of site users; and</p> <p>(iii) likely type, number, frequency, and duration of vehicle parking demand</p>
<p><b>Planning Comment: Complies</b></p> <p>The proposal is providing 10 on-site car parking spaces. A relaxation of 2 car parking spaces (visitor car parking spaces) is being requested. Therefore, the proposal is to be assessed against the performance criteria.</p> <p>Given that the site is an internal lot, there is no street frontage in front of the units for overflow car parking. The representation has raised concerns about increased car parking within the street.</p> <p>The site has sufficient hardstand area to be dedicated for visitor car parking spaces. Therefore, the proposal will be conditioned to provide allocated visitor car parking spaces within the site.</p> <p>The proposal is conditioned to comply with the acceptable solution.</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 the public representations received.

### Local Government (Building & Miscellaneous Provisions) Act 1993

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

## **STRATEGIC IMPLICATIONS**

There are no significant strategic implications identified.

## **POLICY IMPLICATIONS**

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

## **FINANCIAL IMPLICATIONS**

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

## **RISK IMPLICATIONS**

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

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

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 multiple dwelling application meets the relevant development standards. The proposal details development within proximity to the railway reserve to the south. The application was referred to TasRail, who have no objections to the proposal, provided the applicant is made aware of the potential amenity issues caused by use of the rail line.

The proposal meets all the required setbacks to adjoining residential properties. The minimal single storey height of the dwelling limits the visual impacts on adjoining properties. Sufficient parking will be conditioned to be provided on-site.

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 development.

MOVED BY	CR FAIRBROTHER
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 multiple dwellings (5 units) at 5 Sandy Crescent, 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 site plan, plans and elevations with drawing Design Type York 135 as prepared by Domestic Drafting Services and dated 26 July 2017.
  - b) Planning report as prepared by EnviroPlan and dated March 2020.
- (2) All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.
- (3) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
- (4) Loading and un-loading of vehicles is to be confined to within the boundaries of the property.
- (5) Two (2) visitor car parking spaces are to be provided within the site and are to be clearly marked.
- (6) 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.
- (7) 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 on site and directed to a stormwater system designed to cater for a 1 in 20 years ARI storm and discharged to a legal point of discharge to the reasonable requirements of the Director Infrastructure and Development Services.
- (8) Vehicular access to and egress from the site is to occur only in a forward motion.
- (9) Screening with a transparency of not greater than 30% and a minimum height of 1.7m is to be provided between the internal driveway and windows to the kitchen/living/dining areas of Units 4 and 5.
- (10) Each car parking space is to be numbered and line marked or otherwise delineated to identify the parking provided for each unit. Visitor parking spaces must be identified as such.
- (11) A Colorbond or similarly solid fence (not timber) is to be constructed at the rear of the lot on the shared boundary with the rail corridor, measuring a minimum of 1.8m in height, with a maximum of 2.1m in height.

**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 2020/00529-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.
- Road access and stormwater drainage is to be in accordance with the Road Access and Stormwater Drainage Assessment dated 9 June 2017.
- Attention is drawn to the existing railway corridor, (even if not in current operation) please familiarize yourself with impacts associated with living in close proximity to a rail line.
- 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 41/2020. 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 letterbox placement please contact 'Australia Post 64345580' for correct guidelines.
- A further fee is required for the signing and sealing of Final and Strata Plans. Please refer to Councils website for current Planning fees.
- Under Section 61 (4) of the *Land Use Planning and Approvals Act 1993*, the applicant has the right to lodge an appeal against Council's decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to the Resource Management and Planning Appeal Tribunal, GPO Box 2036, Hobart, 7001.

TasRail Notes: -

- Stormwater or effluent is not permitted to be discharged onto rail land or into the rail drainage system. Should there be a requirement for a service or asset to be installed on rail land in order to connect into an authorised stormwater or other outlet, a separate TasRail Permit is required and will only be approved subject to terms and conditions (costs apply). A Permit Application Form is available by contacting [property@tasrail.com.au](mailto:property@tasrail.com.au)
- Although the railway line through this area is currently non-operational, it is reserved for future transport use. For this reason TasRail recommends any person building, developing or purchasing property near rail corridor land take into account potential exposure to train and/or transport noise and vibration particularly in relation to building design, material specifications and lifestyle. It should also be noted that TasRail is required to ensure that planning and development proposals do not impede or preclude future transport use of the rail corridor.
- No obstruction, installation or works of any kind are permitted inside railway land for any purpose including for structures, unauthorised vehicles, drainage, water pipes, stormwater

**Enclosure 5 TasRail Conditions and Notes**

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discharge, electrical or service infrastructure, storage of materials, vegetation clearing, inspections etc. All access enquiries should be directed to [property@tasrail.com.au](mailto:property@tasrail.com.au)

- As per the *Rail Infrastructure Act 2007*, the Rail Infrastructure Manager (TasRail) may remove and dispose of unauthorised or unlawful service infrastructure and take such other action as it sees fit. Where this occurs, TasRail may recover its costs of doing so as a debt due to TasRail from that person and retain if applicable any proceeds of disposal. No action lies against TasRail for removing or disposing of the unauthorised or unlawful service infrastructure.
- Using or creating an unauthorised railway crossing is unsafe and strictly prohibited. All access enquiries should be directed to [property@tasrail.com.au](mailto:property@tasrail.com.au)
- As railway land is Crown Land, the Rail Infrastructure Manager is not required to contribute to the cost of boundary fencing.
- Access to the railway corridor or rail land for any purpose is strictly prohibited without a Permit issued by TasRail.

The MOTION was put and was CARRIED unanimously.

**IN FAVOUR**

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR BRAMICH	CR HYLAND	CR COURTNEY	CR BRADLEY

**PLANNING AUTHORITY CLOSED AT 6.25PM**

**TOWN PLANNER LEFT THE MEETING AT 6.25PM**

**PLANNING AUTHORITY CLOSED AT 6.25PM**

**7.0 MATTERS RAISED BY COUNCILLORS**

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

**7.1.1 CR EDWARDS - ACTION ON HOONING AND ILLEGAL DUMPING**

**QUESTION**

Cr Celisa Edwards asked if Council Officers could arrange a meeting with the Police or relevant Minister to discuss how the increasing issues of hooning around Wynyard and illegal dumping of rubbish can be addressed. Councillor Edwards also suggested a meeting with Ruth Forrest to discuss the illegal dumping matter.

**OFFICERS RESPONSE**

The Police are scheduled to attend a workshop on Monday 27 July. Ruth Forrest MLC will also attend a workshop on the same evening.

**7.1.2 CR BRAMICH - CONDITION OF BASS HIGHWAY**

**QUESTION**

Cr Gary Bramich asked that State Growth be contacted regarding the condition of the Bass Highway between Mt Hicks roundabout and Doctors Rocks.

**OFFICERS RESPONSE**

The Director of Infrastructure and Development has contacted the Department of State Growth expressing concern with the condition of the highway as requested. At the time of agenda preparation, a response is yet to be received.

**7.1.3 CR EDWARDS - SOAP DISPENSERS IN PUBLIC FACILITIES**

**QUESTION**

Cr Celisa Edwards asked if soap dispensers have been installed in public facilities.

**OFFICERS RESPONSE**

Officers advised that soap dispensers have been installed in some public toilet facilities, including behind Woolworths, Gutteridge Gardens and East Wynyard Foreshore.

Additional dispensers are on order and will be installed at remaining facilities once received.

Vandalism has occurred to some of the soap dispensers, but they were able to be reinstalled soon after.

#### 7.1.4 CR BRAMICH - TRAINING FOR COUNCILLORS

##### QUESTION

Cr Gary Bramich asked if the General Manager could provide Councillors with a list of training available for Councillors.

##### OFFICERS RESPONSE

The Local Government Association of Tasmania (LGAT) offer a range of training and professional development opportunities for Local Government Elected Members and Officers. Courses are listed on their website and Elected Members are advised when courses are occurring.

Following Local Government Elections there are an increased number of courses available aimed at new elected members. Waratah-Wynyard Council offered a two-day induction following the last election. Details of LGAT workshops conducted since the last election are at the end of this report.

LGAT offered a Regional Peer Advisor Program following the last election (extended through until the end of 2019) - a dedicated Mayor or former Mayor to provide confidential advice to new Mayors and councillors on the political and relationship aspects of the role. For the North West, the advisor was Christina Holmdahl.

Council's Councillor Allowances and Expenses Guidelines states –

##### 11.0 Professional Development and Conference/Seminar Attendance

##### A General

A.1 Council acknowledges an ongoing commitment to training and development will assist in the fulfilment of duties and responsibilities for Councillors.

A.2 Council will provide an annual budget allocation for Councillors for professional development purposes. Determination of attendance at any conferences and seminars should acknowledge equity for each Councillor to attend relevant conferences and seminars over their four-year term.

##### B Eligible Events

B.1 Priority is to be given to professional development opportunities organised by local government affiliated entities, for example: (a) The Local Government Association of Tasmania (LGAT); (b) Australian Local Government Association (ALGA); and (c) Municipal Association of Victoria (MAV).

B.2 Council supports the practice of the Mayor and Deputy Mayor plus two other Councillors attending the LGAT Annual Conference.

Periodically training is provided at Council workshop including sessions from the Integrity Commission and Equal Opportunity Tasmania.

Periodically training is provided at Council workshop including sessions from the Integrity Commission and Equal Opportunity Tasmania.

## **LGAT Professional Development, Events and Training**

LGAT's Professional Development, Events and Training Calendar is extensive, supporting both Elected Members, Executive and Officer Development. Ongoing training and development opportunities include workshops, online sessions, conferences, resources, seminars and webinars. Information and events are sent via direct email where audience is defined as well as to general council emails. Where appropriate LGAT also advertises these in the monthly Pulse enews, Twitter, LinkedIn and our website. These are also reported in the General Meeting Papers.

In preparation for the October 2018 Elections, LGAT prepared a range of resources and events in order to support development and training for both new and experienced Members. All information has been available on our website via our members section, sent directly via email to relevant audiences – including Elected Members and General Managers.

## **Online Resources - 2018**

LGAT developed a range of online resources in preparation for new and experienced Elected Members available immediately post the 2018 Local Government Election. These included instructional videos, written guides to support councillors in their role and information from a range of relevant statutory bodies. [These resources are available here](#) but also listed below:

### **Resources**

- Video Introduction from President of LGAT
- Video Introduction from CEO LGAT
- Video Introduction from the Local Government Division, Director, in State Government
- LG 101 Roles and responsibilities – Online resource and Instructional video
- Code of Conduct with the Local Government Division –Introductory video and resource
- Compliance with Local Government Legislation – Introductory video and Resource including 'the Good Governance Guide' developed by the Division in support with LGAT
- Effective Relationships – Instructional video and information
- Meeting procedures – Introductory video and information provided
- Chairing a meeting – Instructional video and information
- Strategic Planning – Introductory video and information
- Asset Management LG 101 – Introductory video and information
- Introduction to Land Use Planning – Introductory Video and Information

### **Other resources also provided included**

- Mayors Handbook - Comprehensive document on information for Elected Members
- Councillor Resource Kit – comprehensive document on information for Elected Members
- 101 For Newly Elected Councillors – Resource
- LG 101 Audit Office & Role of Auditor - Resource
- Council Meetings for Local Government - Resource
- LG 1010 COC and Compliance - Resource guide

- State Grants Commission - Resource guide
- Asset Management -Resource
- The Local Government Association of NSW (LGNSW) developed a **Local Government Capability Framework** which was available on the LGAT website

The following is a chronological list of all LGAT events from 30 October 2018 onward

The events highlighted in green are those directly for Elected Members

2018 Events Post elections 30 October 2018			
Date	Event	Audience	Location
October	Peer Advisor Program – offered to all members to support their role	Elected Members	Statewide
17 November	101 For Newly Elected Councillors training – comprehensive training day covering a range of activities	Elected Members	Launceston
6 <sup>th</sup> December	Mayors Workshop	Mayors	Launceston

2019 Events			
Date	Event	Audience	Location
February	Audit Panel Training	Elected Members	
23-24 March	Elected Members Professional Development Weekend	Elected Members	Launceston
30 May	Mayors Workshop	Mayors	Launceston Tramsheds
29 & 30 May	Statewide Waste Study Consultation	Local Gov and Industry	Hobart
6 & 7 June	Statewide Waste Study Consultation	Local Gov and Industry	Burnie and Launceston
6 June	Training for councillors – Roles and Responsibilities	EM, GM and Councillors	Online
7 <sup>th</sup> June	Land Use Planning for Councillors	EM's	
25 -28 June	Health and wellbeing forums	Council Community health/ engagement officers	Glenorchy Launceston/ Devonport
1 and 2 July	AURIN & LGAT Workshops	General Council officers and Planners	Hobart x2 Launceston x 2
3-5 July	LGAT Conference	EM's and Senior Council Officers	Hobart
15 August	Storytelling for leaders	EM's and Snr Council Officers	Hobart x 2
September 4 <sup>th</sup>	2IC Forum	Senior Council Staff	Launceston
13 and 14 September	Act Review Consultation	EM Council Officers	Hobart - Launceston



**COUNCILLOR QUESTIONS RECEIVED IN WRITING**

17 – 20 September	LGTBI workplace inclusion LG Staff	Council Staff	Burnie Devonport Hobart
25 September	General Managers Worktops	GM's	Hobart
19/20 November	Navigating social media	All	Hobart Devonport
5 December	Mayors Workshop	Mayors	Hobart
<b>2020 Events</b>			
<b>Date</b>	<b>Event</b>	<b>Audience</b>	<b>Location</b>
19 Feb 20	Stakeholder Celebration	Sponsor/ Stakeholder	Hobart
29 Feb – 1 March	Elected Member Weekend	EM	Launceston
6 March	IWD Luncheon	Local, Community, State employees and EM and GM's	Hobart
3&4 March	Spatial Data Workshop	Council health and wellbeing officers, community youth officers	Hobart and Devonport
16, 17, 18 March	Procurement Workshop	Procurement Officers	
<p>The following events were cancelled due to COVID-19</p> <ul style="list-style-type: none"> <li>- Emergency Management Forum</li> <li>- The Mayors Workshop</li> <li>- The General Managers Workshop</li> <li>- The LGAT Annual Conference</li> </ul>			
25 June	Webinar – Leading in a time of a pandemic	EM, GM's and Council Officers	Online
15 July	Webinar – Contemporary regulatory Environment	EM, GM's and Council Officers	Online

## **7.2 COUNCILLOR QUESTIONS RECEIVED IN WRITING**

### **7.2.1 CR D FAIRBROTHER - APPROVAL PROCESS - PIPE INSTALLATIONS BOAT HARBOUR**

#### **QUESTION**

That council clearly state and detail the application and approval process, or the exceptions granted for the recent pipe installation on the 3 Boat Harbour Beach properties that adjoin Port Rd by Council.

Recently a complaint was received that Council was undertaking work on private and Crown land that was in a high-risk landslide area which was believed to trigger a discretionary application in the rural resource zone. The complaint was passed onto the General Manager who in turn provided direction to the contractor.

Despite the direction, which was ignored, the contractor on behalf of council proceeded with the work.

The work involved forming and cutting a wider road into the area for access of trucks and the excavation and laying of pipe and material.

Post completion of the work, ongoing concern has been aired about the standard of work that Council has undertaken with rope tying the pipe to trees and star pickets supporting the pipe. Questions have also been aired as to whether the system has been designed to accommodate a 1/100 storm event and unanswered questions remain as to why it is that Council is exempt from the normal standards and the planning approvals it sets for the wider community.

#### **OFFICERS RESPONSE**

A complaint was received in relation to the drainage works being undertaken on behalf of Council above Port Road, Boat Harbour and associated investigation was undertaken and advice sought by Council officers. To summarise:

Council sought legal advice before starting the works and adopted the position that the drainage works are exempt from requiring planning approval because of section 34 of the *Highways Act*. Subsequently, in further advice received following the complaint, an indication was given that section 34 of the *Highways Act* does not provide an exemption from requiring a planning permit and the relevant exemptions that could apply to the drainage works are contained within the Scheme itself.

The earthworks, or cut, to provide access to the site of the drainage works can be considered temporary works and exempt pursuant to clause 5.6 of the Scheme as they facilitate the drainage works. However, the exemption under clause 5.6 of the Scheme can only apply if the drainage works themselves are no permit required.

Unfortunately, the exemptions provided under clauses 5.4, 6.2.1 and 6.2.3 of the Scheme do not apply and the drainage works are not exempt from requiring a permit under the Scheme.

Given the exemptions under the Scheme are not satisfied for the drainage works and those works are not exempt from requiring a planning permit, Council must now seek

retrospective approval for the drainage works and prepare a development application and have this assessed in the normal way.

Without providing the finite detail, it appears the excavation works satisfy the requirements of the *Building Act*.

In relation to the quality of the work, it is stipulated in the design that the pipes are to be secured by use of 12mm 316 Grade Stainless Steel cable anchored to rock. This condition will be met prior to practical completion being issued, however it is understood that marine grade rope and star pickets were used as an interim measure to secure the pipe prior to this occurring.

Furthermore, the design intent of this project was to intercept ground water penetration from a depression above Port Road to alleviate saturation of the hillside and reduce the risk of landslip, not to accommodate overland or sheet water flows for a 1/100 storm event

### **7.2.2 CR D FAIRBROTHER - COUNCILLOR VACANCY COSTS**

#### **QUESTION**

What is the estimated associated cost to Council and community to fill former councillor house's vacancy?

#### **OFFICERS RESPONSE**

The actual cost from the Tasmanian Electoral Commission for conducting the recent re-count to fill the vacancy created by Cr House's resignation was \$952.42.

### **7.2.3 CR D FAIRBROTHER - WASTE DEFINITION**

#### **QUESTION**

What is the definition of commercial waste versus residential waste?

#### **OFFICERS RESPONSE**

Domestic waste can be defined as what is reasonably expected to be generated from a day to day household use and in the quantities specified in the pricing table.

The commercial waste definition is intended to capture anything that is not deemed domestic waste.

In this regard, it is not domestic waste if it is: -

- Taken from a non-domestic premises, such as a business, church or educational facility
- Taken from a domestic premises under a commercial arrangement (e.g.: waste collected by a builder, landscaper or gardener under a commercial agreement)
- Generated at a domestic premises as a result of carrying out any of but, not limited to, the following activities: -
  - Manufacturing, mining and industrial processes
  - wholesale or retail trading

- accommodation services
- hospitality services, including catering
- primary industries, including agricultural, forestry and fishing
- activities related to concerts and other entertainment events
- other business activities, including administrative services

#### **7.2.4 CR FAIRBROTHER - BASS HIGHWAY UPGRADES BOAT HARBOUR**

##### **QUESTION**

Community input has been sought in the design phase of this upgrade. Concern has been raised about possible last-minute design changes that, if accurate, have not been widely circulated.

Can council enquire with State Growth about the status of the upgrade of the highway at Boat Harbour and seek information about any recent design changes and the rationale behind the plan and make clear the impacts on Council roads including the junctions of Fists Lane and Dobson's road as well as the impact on nearby businesses and properties

Can the plan be provided in the agenda so that it can be publicly available.

##### **OFFICERS RESPONSE**

On 27 May, Council were advised the following from the Department of State Growth:

I am writing to provide an update on the Department of State Growth's Bass Highway – Boat Harbour Primary School Turning Facilities project.

Construction on this project was due to commence in late 2019. However, following discussions with key stakeholders, it was identified that the design needed to be revised to minimise the impact of land acquisition.

The revised design still includes all elements of the previous design - it includes the realignment and widening of the highway to allow for the installation of a median turn lane to provide safer access to and from Boat Harbour Primary School, Dobson's Lane, Fists Lane and the Boat Harbour Store for the local community and will improve the safety and efficiency of the Bass Highway for all road users. Junction improvements will also be made at Boat Harbour Primary School, Fists Lane and Dobson's Lane. The primary difference between the previous design and the revised design is that the revised design has minimised the amount of land acquisition required.

The revised design went to tender Saturday, 30 May 2020. It is expected that construction will commence in Spring 2020.

Information relating to the project is included on the Department of State Growth's website, accessed through the following link, however the revised design is included below for information.

[https://www.transport.tas.gov.au/projectsplanning/road\\_projects/north\\_west\\_road\\_projects/BoatHarbour](https://www.transport.tas.gov.au/projectsplanning/road_projects/north_west_road_projects/BoatHarbour)

## Bass Highway - Boat Harbour Primary School Turning Facilities Project



[www.transport.tas.gov.au/road/projects/BassHighway](http://www.transport.tas.gov.au/road/projects/BassHighway)  
Department of State Growth



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## **7.3 COUNCILLOR QUESTIONS WITHOUT NOTICE**

### **7.3.1 CR BRAMICH – BASS HIGHWAY**

Cr Gary Bramich asked if there were any further updates on repairs to the Bass Highway and if not that we request an urgent response.

The Director of Infrastructure and Development Services advised that no response had been received to date and that he would follow-up.

### **7.3.2 CR FAIRBROTHER - SHARED SERVICES**

Cr Darren Fairbrother asked whether the request regarding discussions around Shared Services with Burnie City Council (BCC) could only be responded to should the motion be passed at their council meeting.

The General Manager took the question on notice and will arrange a workshop should the motion be passed at the BCC at their meeting Tuesday 21 July.

### **7.3.3 CR HYLAND - LOADING BAY AT REAR OF WOOLWORTHS**

Cr Kevin Hyland asked if there were any updates regarding the loading dock area at the rear of Woolworths to address conditions of permit.

The General Manager advised that officers have been having discussions with Woolworths with little success and will now be progressing the matter through more a formal process.

### **7.3.4 CR COURTNEY - RESOURCE SHARING**

Cr Andrea Courtney asked that a report be presented to Councillors on what resource sharing and shared services activities are currently occurring between Council and Burnie City Council before responding to Mr Dorsey's question.

The General Manager took the question on notice and agreed to present a report to Councillor Workshop.

### **7.3.5 CR BRAMICH – STAIRS AT HEPPLES RD BOAT HARBOUR BEACH**

Cr Gary Bramich noted the current tender to repair stairs at Hepples Road, Boat Harbour Beach and advised that he could see nothing wrong with the stairs and asked why work being completed. Cr Bradley agreed with this position.

The Director of Infrastructure and Development Services noted that advice regarding maintenance requirements had been provided by a Structural Engineer contracted by

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Council. He advised that he would provide the current information to Councillors and request contractor to review the requirement.

### **7.3.6 CR COURTNEY - COASTAL EROSION**

Cr Andrea Courtney noted recent issues with other councils of properties on the coast being lost or seriously damaged by recent severe storms, she noted that we should learn from this and insist that a more up-to-date coastal erosion report is used to make planning decisions. She asked that Council lobby for the release of the report commissioned last year by the State Government and that the report be used for planning decisions.

The Director of Infrastructure and Development Services advised that, for the purposes of council asset planning, the most up-to-date information will be used. The new Planning Scheme however, will require reference to specific documents via the planning scheme legislation. Council could lobby the State Government for latest information to be the referenced source for the planning scheme.

### **7.3.7 CR FAIRBROTHER - LOO WITH A VIEW**

Cr Darren Fairbrother asked if planning had commenced for the Loo with a View and if it could be stopped if most Councillors were opposed to it.

The General Manager advised that planning has not commenced at this stage. He noted that a decision had been made by Council to progress the feasibility study.

Cr Fairbrother fore-shadowed that the motion regarding the Loo with a View be “re-put” at the next Council Meeting.

### **7.3.8 CR FAIRBROTHER - RESPONSE TO CORRESPONDENCE**

Cr Darren Fairbrother advised he had been contacted by a member of the community regarding correspondence relating to 51 Dodgin Street that had been sent to Council and that they had not received a response. He asked if the matter had been addressed.

The General Manager took the question on notice.

### **7.3.9 CR FAIRBROTHER - BOUNDARY ADJUSTMENT**

Cr Darren Fairbrother asked what constitutes a minor boundary adjustment.

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

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### **7.3.10 CR FAIRBROTHER - ZONING ISSUES**

Cr Darren Fairbrother asked for copy of old zoning documents, querying change from Coastal Village zone to Rural Residential zone. He has been contacted by rate payer having issues regarding a boundary adjustment due to change in zoning. He asked that officers assist the ratepayer to resolve issues.

The Director of Infrastructure and Development Services took the question on notice and requested that Cr Fairbrother provide the details.

### **7.3.11 CR DUNIAM - LETTER FROM RATE PAYER**

Cr Mary Duniam asked if a response had been provided to a letter received from Helmut Ernst and that councillors please discuss content.

The General Manager took the question on notice.

### **7.3.12 CR FAIRBROTHER – LEGAL ADVICE**

Cr Darren Fairbrother asked if Councillors could be provided with a copy of the legal advice referred to in response to question in writing (Item 7.2.1 Approval Process – Pipe Installation Boat Harbour).

The General Manager asked why the information was required and Cr Fairbrother advised he wished to know why the first advice was invalid and second advice was in contradiction to first.

The General Manager took the question on notice.

### **7.3.13 CR FAIRBROTHER - IMPACT OF PLANNING SCHEME CHANGES**

Cr Darren Fairbrother asked if officers could advise how many properties will have building rights removed with the introduction of the new Planning Scheme.

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

### **7.3.14 CR FAIRBROTHER - FORSTERS ROAD RENAMING**

Cr Darren Fairbrother asked if there was any update on the renaming of Forsters Road.

The Director of Organisational Performance took the question on notice.



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### **7.3.15 CR EDWARDS - CLEANING PUBLIC TOILETS**

Cr Celisa Edwards asked what the process is for cleaning public toilets, are there set standards that must be met.

The Director of Infrastructure and Development Services took the question on notice and will provide details of how the cleaning contract is awarded and how standards are set.

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<b>8.0 NOTICE OF MOTION</b>
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**8.1 CR D FAIRBROTHER - REVIEW OF NEW WASTE DISPOSAL FACILITY COSTS**

**BACKGROUND INFORMATION**

The transition to the new cost structure has been welcomed by most but has had unintended consequences to a sector of the population. The intent of the motion is to further improve and provide clarity for ratepayers on aspects of the new process as well as correcting the identified anomalies to better refine and improve Council’s waste services.

**OFFICERS COMMENT**

The full extent of the revised fee structure was effective from 1 July 2020. As with any change, there is a transitional period, requiring education, awareness and identification of any unintended consequences.

A workshop can be scheduled to commence this review if the motion is successful.

MOVED BY	CR FAIRBROTHER
SECONDED BY	CR DUNIAM

**That Council undertake a review of the new waste disposal facility costs with the intent to make entry into the site more equitable for ratepayers:**

**AMENDMENT**

MOVED BY	CR HYLAND
SECONDED BY	CR BRADLEY

**That Council undertake a review July 2021 of the new waste disposal facility costs with the intent to make entry into the site more equitable for ratepayers**

The AMENDED MOTION was put and was LOST.

**IN FAVOUR**

CR HYLAND			CR BRADLEY

**AGAINST**

MAYOR WALSH		CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS	CR FAIRBROTHER	

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MOVED BY	CR FAIRBROTHER
SECONDED BY	CR DUNIAM

**That Council undertake a review of the new waste disposal facility costs with the intent to make entry into the site more equitable for ratepayers:**

The MOTION was put and was CARRIED unanimously.

**IN FAVOUR**

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR BRAMICH	CR HYLAND	CR COURTNEY	CR BRADLEY

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## 8.2 CR D FAIRBROTHER - SISTERS BEACH ACCESS

### BACKGROUND INFORMATION

Recent community feedback has indicated a heightened level of concern with one road in and one road out of Sisters Beach. whilst there is a fire safety plan for the area, identification of another road may well provide an additional layer of safety for the local community.

A number of fire trails exist in the area that may be able to be utilised without impacting on the natural environment. Ideally council may need to work collaboratively with other state government agencies and or neighbouring council to be able to identify a preferred route.

It is anticipated that the identification of a route may be able to be undertaken within the confines of the existing operational budget or alternatively the matter be deferred until 2021/2022 budget considerations.

### OFFICERS COMMENT

Some preliminary investigation of possible routes can be explored during 20/21 and utilisation of existing fire trails is a sensible option to explore first. Initial findings can be reported to Council in time for 21/22 budget deliberations. It is almost certain that to progress beyond this point some funding will be required to develop concepts for a preferred route if Council chooses to pursue this (estimated to be in the range of \$15,000-\$30,000).

To this end a future budget consideration to advance a concept will likely need to explore the following: -

- Order of cost, asset ownership and maintenance
- construction and design standard considerations relative to the intended end use
- legislative, environmental & aboriginal heritage implications and requirements
- land tenure
- potential partnering authorities (PWS, Crown, CHC, private land owners etc)

MOVED BY	CR FAIRBROTHER
SECONDED BY	CR DUNIAM

**That Council undertake an investigation into identifying a preferred secondary access to Sisters Beach.**

The MOTION was put and was CARRIED unanimously.

### IN FAVOUR

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR BRAMICH	CR HYLAND	CR COURTNEY	CR BRADLEY

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### **8.3 CR D FAIRBROTHER - REPLACEMENT OF PUBLIC TOILET**

#### **BACKGROUND INFORMATION**

The Public toilets in the Woolworths car park are perhaps the most utilised public conveniences in the municipality. I believe the popularity is due to the location and convenience and definitely not the attractive presentation.

As a Councillor commentary or feedback on the presentation is never positive regardless of the cleanliness as it only takes one user to impact on this at times.

Whilst Council has committed a line item in the budget this year to provide seats for public toilets the addition of toilet seats in this facility would be a welcome addition, but the users of the facility are more deserving of a higher standard of facility than the one on offer.

Preferably the new facility should be north facing, have access to natural light and either hydronic heating or under tile heating to alleviate constantly wet floors

#### **OFFICERS COMMENT**

There is currently no budget allocation for detailed design to be undertaken in the current financial year. An estimated minimum cost of \$5,000 would be required for this which could be achieved by amending the 20/21 budget to include.

The current toilet block is listed in the asset register as being constructed in 2005 with an asset useful life of 50 years (35 years remaining). Council is undertaking a revaluation of building assets in the 20/21 financial year. The best estimate of the resultant asset replacement value (as it will apply to the 2021/22 financial year) is \$225,000 for the current building.

Based on current pricing for public toilet construction, replacing with the same number of cubicles to a higher standard, gives an estimated cost (subject to detailed design and verification) in the order of \$275,000 – \$300,000 (including demolition of the existing facility).

Given that the existing facility still has 35 years remaining life on Council's asset register a demolition and rebuild of this facility in 2021/22 would likely result in an additional loss on disposal cost to Council of approximately \$150,000.

An estimated total project cost of demolition, rebuild (subject to detailed design) and the loss on disposal of the existing facility is estimated to be in the range of \$425,000 - \$450,000 if constructed in the 2021/22 financial year

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MOVED BY	CR FAIRBROTHER
SECONDED BY	CR COURTNEY

**That Council as a part of its 2021/2022 budget consider replacement of the public toilets in the Woolworths car park.**

The MOTION was put and was LOST.

IN FAVOUR

		CR FAIRBROTHER	

AGAINST

MAYOR WALSH	CR DUNIAM		CR EDWARDS
CR BRAMICH	CR HYLAND	CR COURTNEY	CR BRADLEY

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#### **8.4 CR D FAIRBROTHER - COUNCILLOR TRAINING**

##### **MOTION**

**That Council staff identify and advocate to councillors' avenues for an opportunity for training/mentoring that may arise from time to time. This is to promote councillors being more effective.**

##### **BACKGROUND INFORMATION**

Recent public comment was made that getting things done as a councillor was akin to hitting your head against a brick wall.

Providing training opportunities to Councillors may make banging one's head more effective.

##### **OFFICERS COMMENT**

Note that commentary on Councillor training has been provided on item 7.1.4 on this agenda. All of the training outlined in that response is communicated to Councillors and available on websites at all times.

##### **MOTION WITHDRAWN**

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## 8.5 CR D FAIRBROTHER - PARENTING LOUNGE

### BACKGROUND INFORMATION

Feedback has been received that Wynyard is lacking a dedicated area for the purposes of feeding young children by mothers.

Opportunity may exist for co-sharing an existing facility for the purpose stated at minimal cost

### OFFICERS COMMENT

Council Officers are not aware of this item being raised as an area of concern.

Should the motion be successful, officers will investigate if and where there are parenting facilities in the municipal area and if there is a gap in service delivery, identify potential locations for such a facility. A report on findings will be provided at the August Council meeting.

MOVED BY	CR FAIRBROTHER
SECONDED BY	CR COURTNEY

#### That Council:

1. **identify and/or provide a parenting lounge or feeding nook within close proximity to the CBD; and**
2. **once identified, promote and advocate the availability of the area to mothers with young children**

Cr Hyland moved an AMENDMENT to the MOTION

MOVED BY	CR HYLAND
SECONDED BY	CR DUNIAM

#### That Council:

1. **investigate the provision of/access to a parenting lounge or feeding nook within close proximity to the CBD OF Wynyard and Somerset; and**
2. **once identified, promote and advocate the availability of the area to mothers with young children**

The AMENDMENT was put and was CARRIED unanimously.

#### IN FAVOUR

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR BRAMICH	CR HYLAND	CR COURTNEY	CR BRADELY



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The AMENDED MOTION was put and CARRIED unanimously

**That Council:**

- 1. investigate the provision of/access to a parenting lounge or feeding nook within close proximity to the CBD OF Wynyard and Somerset; and**
- 2. once identified, promote and advocate the availability of the area to mothers with young children**

IN FAVOUR

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR BRAMICH	CR HYLAND	CR COURTNEY	

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## 9.0 REPORTS OF OFFICERS AND COMMITTEES

### 9.1 DECLARATION OF OFFICE

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	15 July 2020
File Reference:	0715
Enclosures:	1. TEC - Letter Declaring filling of Councillor Vacancy

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#### PURPOSE

The purpose of this report is to formally acknowledge the Declaration of Office following the recount to fill the Councillor Vacancy following Councillor Allie House's resignation.

#### BACKGROUND

A Councillor position became available when Cr Allie House resigned on 7 June 2020. A re-count was then conducted in accordance with section 307 of the *Local Government Act 1993*

Four eligible candidates consented to participate in the re-count with the result being declared on the 22 June 2020.

#### DETAILS

On the 22 June 2020 the Tasmanian Electoral Commission declared that Maureen Bradley was the successful candidate following a re-count to fill the position of Councillor.

Four eligible candidates consented to participate in the re-count with details included in the letter from the Tasmanian Electoral Commission attached to this report.

Councillor Bradley will make the declaration required by Regulation 40 of the *Local Government (General) Regulations 2015* prior to the Council Meeting 20 July 2020.

#### STATUTORY IMPLICATIONS

##### Statutory Requirements

Section 321 of the *Local Government Act 1993*, states that:

1. Any person elected as a councillor must make a prescribed declaration in a prescribed manner.
2. A person elected as a councillor who has not made a declaration must not –
  - (a) act in the office of councillor, mayor or deputy mayor; or
  - (b) take part in the proceedings of any meeting of the council or a committee.
3. A council is to acknowledge the making of a declaration at its meeting and the general manager is to record that fact in the minutes of that meeting.

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## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL 1: Leadership and Governance</b>
<b>Desired Outcomes</b>
We cherish fairness, trust and honesty in our conduct and dealings with all.
<b>Our Priorities</b>
1.6 Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.

### Sustainable Murchison Community Plan 2040

<b>Community Future Direction Theme</b>	<b>Key Challenges &amp; Opportunities:</b>
<b>Governance and working together</b>	<b>Working together for Murchison</b> – Everyone plays a part in achieving the objectives of the Sustainable Murchison Community Plan. There is cooperation, resource sharing and less duplication between Councils. Leadership is provided across all community sectors.

## POLICY IMPLICATIONS

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

## FINANCIAL IMPLICATIONS

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

## RISK IMPLICATIONS

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

## CONSULTATION PROCESS

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

## CONCLUSION

It is recommended that Council acknowledge the Declaration of Office made by Councillor Bradley.

MOVED BY	CR DUNIAM
SECONDED BY	CR BRAMICH

**That Council acknowledge the Declaration of Office made by Councillor Maureen Bradley**

The MOTION was put and was CARRIED unanimously.

### IN FAVOUR

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR BRAMICH	CR HYLAND	CR COURTNEY	CR BRADLEY

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## 9.2 COUNCIL COMMITTEE AND WORKING GROUP REPRESENTATIVES

To: Council  
Reporting Officer: Executive Officer  
Responsible Manager: General Manager  
Report Date: 24 June 2020  
File Reference: 0702  
Enclosures: Nil

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### PURPOSE

The purpose of this report is to update the membership of its committees and working groups following the resignation of ex Cr Allie House.

### BACKGROUND

The following table comprises Council's current committee membership and external representatives, with ex Councillor House being a representative on the Australia Day Committee

ORGANISATION /COMMITTEE	REQUIREMENT	APPOINTEES
Australia Day Committee	Mayor 2 Councillors	Mayor Deputy Mayor Allie House Andrea Courtney
Bush Watch Western District Committee	1 Councillor	Mayor
Cradle Coast Authority	Mayor Deputy Mayor	Mayor Deputy Mayor
LGAT Representative	Mayor Deputy Mayor (Proxy) General Manager	Mayor Deputy Mayor (Proxy) General Manager
TasWater (3 years)	Mayor Deputy Mayor (Proxy)	Mayor Deputy Mayor (Proxy)
Waratah-Wynyard Emergency Management Committee & SES Local Unit Liaison	Mayor or Representative	Celisa Edwards
Waratah Community Board	1 Councillor	Kevin Hyland

The following table comprises Council's current Working Groups with ex Councillor House being a representative on three of the Groups.

	<b>Elected Member Representatives</b>
Sisters Beach	Cr Edwards Cr Fairbrother Mayor (ex-officio)
Wynyard Show Grounds	Cr Bramich Cr Edwards Mayor (ex-officio)
WWC Environmental Plan	Cr Fairbrother Cr Courtney Cr House Mayor (ex-officio)
Cam River Reserve	Cr Duniam Cr House Mayor (ex-officio)
Somerset Sporting Precinct	Cr Duniam Cr Hyland Mayor (ex-officio)
Boat Harbour Masterplan	Cr Courtney Cr Fairbrother Cr House Mayor (ex-officio)

## **DETAILS**

It is appropriate for Council to nominate Elected Members to replace ex-Cr House on committees and working groups following her resignation.

Following discussions at a Councillor Workshop on 29 June, it was recommended that ex Cr House would not be replaced on the Environmental Plan working group as the work of that group is almost complete.

Similarly, it was also recommended that there was sufficient Councillor representation on the Cam River Reserve working group as the plan is nearing completion and therefore no replacement was required.

Councillor Bradley has expressed an interest in replacing ex Clr House on the Australia Day Committee and the Boat Harbour Beach Master Plan Working Group.

Separate to the resignation of ex Clr House, as per the *Cradle Coast Authority Rules (2018) Part 4 (8.1 & 8.2)* and due to the General Manager's appointment to the Cradle Coast Authority (CCA) Board, Deputy Mayor Duniam has become the second council representative for the CCA. In accordance with these rules, as both the Mayor and Deputy Mayor are now representatives, a substitute or proxy will only be appointed by the General Manager, in consultation with the Mayor, should one be required.

## **STATUTORY IMPLICATIONS**

### Statutory Requirements

The *Local Government Act 1993* provides as follows:

**23. Council committees**

- (1) *A council may establish, on such terms as it thinks fit, council committees to assist it in carrying out its functions under this or any other Act.*

- (2) A council committee consists of Councillors appointed by the council and any Councillor who fills a vacancy for a meeting at the request of the council committee.
- (3) A meeting of a council committee is to be conducted in accordance with prescribed procedures.
- 24. Special committees**
- (1) A council may establish, on such terms and for such purposes as it thinks fit, special committees.
- (2) A special committee consists of such persons appointed by the council as the council thinks appropriate.
- (3) The council is to determine the procedures relating to meetings of a special committee

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

GOAL 1: Leadership and Governance
<b>Desired Outcomes</b>
We are recognised for proactive and engaged leadership.
<b>Our Priorities</b>
1.7 Develop leadership that inspires and motivates, and which maintains a strong community and workplace culture.

### Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Strong communities and social capital	Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
Governance and working together	Working together for Murchison – Everyone plays a part in achieving the objectives of the Sustainable Murchison Community Plan. There is cooperation, resource sharing and less duplication between Councils. Leadership is provided across all community sectors.

## POLICY IMPLICATIONS

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

## FINANCIAL IMPLICATIONS

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

## RISK IMPLICATIONS

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

## CONSULTATION PROCESS

Councillors discussed the positions at a Councillor Workshop on 29 June and nominated newly appointed Cr Maureen Bradley to replace ex Cr House on the Australia Day Committee and the Boat Harbour Beach Masterplan Working Group.

## CONCLUSION

It is recommended that Council accept the changes to the Committee Representatives and Working Group Members for the remainder of the elected term.

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MOVED BY	CR BRAMICH
SECONDED BY	CR DUNIAM

- 1. appoint Councillor Maureen Bradley to the Australia Day Committee as outlined in the table below; and**
- 2. appoint Councillor Maureen Bradley to the Boat Harbour Beach Master Plan Working Group.**
- 3. Note the appointment of Deputy Mayor Mary Duniam as Cradle Coast Authority representative.**

The MOTION was put and was CARRIED unanimously.

**IN FAVOUR**

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR BRAMICH	CR HYLAND	CR COURTNEY	CR BRADLEY

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### 9.3 COVID-19 COUNCIL UPDATE

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	9 July 2020
File Reference:	0420
Enclosures:	Nil

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#### PURPOSE

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

#### BACKGROUND

Council was presented with a report on COVID-19 at the April meeting where a full update of activities was provided, and the first stimulus measures adopted. The Premier extended the State of Emergency until the August because of the current evolving issues in Victoria. The issue continues to evolve with regular changes to restrictions and legislation and an update report is provided to Council each month.

Councils role during this crisis are numerous and include:

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

#### DETAILS

##### Ensuring the Health and Safety of Employees

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

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



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As per last pay period in June, 35 separate employees have accessed Council's Pandemic Leave.

Most staff have now transitioned to working back at their place of work following easing of restrictions on 29 June 2020. A COVID-19 Safety Plan has been developed for the organisation and staff are working to ensure compliance with the requirements of the plan is always maintained.

### **Emergency Management**

The Tasmanian Government has extended the Declaration of a State of Emergency until the end of August 2020, with further advice to be provided on 24 July 2020.

Tasmanian borders are now closed to all except returning Tasmanian's and others that meet strict criteria and follow quarantine guidelines.

Council's Deputy Municipal Emergency Management Coordinator, Tracey Bradley continues to participate in North West Regional Emergency Management Committee meetings.

### **Maintaining Essential Services**

As restrictions have eased most Council sites have now re-opened. Whilst facilities may be reopened, there are restrictions and controls regarding cleaning and numbers of people allowed on site. Some aspects of a facilities may remain closed, such as changerooms.

Council markets will re-open Sunday 19 July with officers working closely with stall holders and the market co-ordinator to ensure safe practices are in place.

Soap dispensers have been installed in key public toilets throughout the municipal area, with further installations to occur once supplies are received.

As mentioned in the last report, Children's Services have been significantly affected by the impacts of COVID-19. As detailed in the Finance report on this agenda, the quarter 4 performance of this area is expected to be negatively impacted by \$139,000. A new financial model will be introduced by the Federal Government on 12 July with a transition back to the former fee subsidy model.

### **Sectoral Response**

The Local Government of Tasmania continues to take a strong leadership position for the sector with regular meetings convened for Mayors, General Managers, Minister Mark Shelton and Director of Local Government.

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

#### **EMERGENCY MANAGEMENT ACT 2006**

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

- [Directions under Section 40 - Persons arriving in Tasmania \(general\) - 8 July](#)
- [Directions under Section 40 - Persons arriving in Tasmania \(Victoria\) - 8 July](#)
- [Direction under Section 40 - Regulation of aircraft movement - 27 March](#)
- [Direction under Section 42 - Extension of Declaration of State of Emergency - 8 July](#)

#### **PUBLIC HEALTH ACT 1997**

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

- [Direction under Section 15 - Extension of Emergency Declaration](#)
- [Direction under Section 16 - Quarantine - No. 1](#)
- [Direction under Section 16 - Isolation - No. 2](#)
- [Direction under Section 16 - Residential Aged Care Facilities - No. 8](#)
- [Direction under Section 16 - Workplace COVID Plan - No. 1](#)
- [Direction under Section 16 - Management of Premises - No. 1](#)

#### **COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) ACT 2020**

- [Notice under Section 13 \(Extension of statutory timelines\) - Constitution Act 1934](#)
- [Notice under Section 13 \(Extension of statutory timelines\) - Land Use Planning Approvals Act 1993](#)
- [Notice under Section 15 \(Protection from offence against planning law\) - Land Use Planning and Approvals Act 1993](#)
- [Notice under Section 16 \(Extension of period of appointment, employment and certain authorities for benefit of Crown\) - Poisons Act 1971](#)
- [Notice under Section 17 \(Authorisation to take actions electronically\) - Local Government Act 1993, Local Government \(Meeting Procedures\) Regulations 2015](#)
- [Notice under Sections 18 \(Authorisation for meetings not to be held in person\) and 19 \(Public exhibition of certain documents\) - Local Government Act 1993, Local Government \(Meeting Procedures\) Regulations 2015](#)
- [Notice under Section 19 \(Public exhibition of certain documents\) - Land Use Planning and Approvals Act 1993, Land Use Planning and Approvals Regulations 2014](#)
- [Notice under Section 19 \(Public exhibition of certain documents\) - Water Management Act 1999](#)
- [Notice under Section 19 \(Public exhibition of certain documents\) - Land Use Planning Approvals Act 1993](#)
- [Notice under Section 20 \(Proceedings of courts, Tribunals, &c., may be authorised to not be required to be held in public\) - Justices Act 1959, Sentencing Act 1997](#)
- [Notice under Section 20 \(Proceedings of courts, Tribunals, &c., may be authorised to not be required to be held in public\) - Justices Act 1959, Criminal Code Act 1924, Sentencing Act 1997, Supreme Court Civil Procedure Act 1932](#)
- [Notice under Section 20 \(Proceedings of courts, Tribunals, &c., may be authorised to not be required to be held in public\) - Resource Management and Planning Appeal Tribunal Act 1993](#)

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- [Notice under Section 22 \(Provisions restricting rent increases or termination of commercial tenancies\) - Residential Tenancy Act 1997](#)
  - [Notice under Section 22 \(Provisions restricting rent increases or termination of commercial tenancies\)](#)
  - [Notice under Section 22 \(Provisions restricting rent increases or termination of commercial tenancies\) - Residential Tenancy Act 1997](#)
  - [Notice under Section 23 \(Waiver or refund of certain fees, &c.\) - Liquor Licensing Act 1990, Gaming Control Act 1993](#)
  - [Notice under Section 23 \(Waiver or refund of certain fees, &c.\) - Fire Service Act 1979](#)
  - [Notice under Section 23 \(Waiver or refund of certain fees, &c.\) - Taxi and Hire Vehicle Industries Act 2008](#)
  - [Notice under Section 23 \(Waiver or refund of certain fees, &c.\) - Vehicle and Traffic Act 1999](#)

### **Financial Stimulus**

Council adopted its Financial Hardship Policy which remains in effect until 31 October 2020. Under the policy ratepayers suffering financial hardship are able to enter into a payment arrangement for a period of between 3 and 12 months; or in extenuating circumstances, postpone payment of rates and charges for between 3 and 12 months.

Since the policy was adopted in April 2020, Council has been in contact with 194 ratepayers offering assistance. 75 of those ratepayers have since paid in full, 62 payment arrangements have been entered and 13 are currently under negotiation. Unfortunately, there were 44 ratepayers that were either ineligible for assistance or unable/unwilling to work with Council to enter an arrangement therefore were lodged with Tas Collections after 1 July.

Rates are expected to be distributed in late July. Council has extended the due date for by 60 days to 31 October 2020 providing all ratepayers with additional time to pay. Council officers will continue to work with those ratepayers suffering financial hardship under Councils policy and anyone having difficulty paying are encouraged to contact Council as soon as possible

### **Community and Economic Recovery**

Council officers continue to work with the community where needed.

### **STATUTORY IMPLICATIONS**

#### Statutory Requirements

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

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## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

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

### Sustainable Murchison Community Plan 2040

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

## POLICY IMPLICATIONS

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

## FINANCIAL IMPLICATIONS

Councils operating expenses for the 2020/21 financial year will be higher than usual as it supports agreed industry stimulus measures whilst also endeavouring to retain as many employees as possible during a very challenging period.

Council adopted a deficit budget for the 20/21 financial year at the June 2020 Council Meeting.

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

## RISK IMPLICATIONS

As reported previously, there are a range of health and safety risks presented by the pandemic. This includes mental health and the effects of this on both staff and the community.

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

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

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

**CONSULTATION PROCESS**

There was no additional consultation required as a result of this report.

**CONCLUSION**

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

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

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

The MOTION was put and was CARRIED unanimously.

**IN FAVOUR**

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR BRAMICH	CR HYLAND	CR COURTNEY	CR BRADLEY

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## 9.4 ADOPTION OF THE RURAL ROAD SAFETY AUDIT

To: Council  
Reporting Officer: Manager Engineering Services  
Responsible Manager: Director Infrastructure and Development Services  
Report Date: 10 July 2020  
File Reference: .  
Enclosures: 1. Rural Road Safety Audit - Final

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### PURPOSE

To present to Council the Rural Road Safety Audit prepared by HDS Australia.

### BACKGROUND

In July 2019 Council tendered for a specialist road safety firm to undertake a rural road safety of Council's entire rural road network owing to reports received from the Department of State Growth indicating a high occurrence of traffic accident in the rural road network.

Through this tender process HDS Australia was awarded the contract to undertake this project.

During the months following the award of the contract, HDS Australia undertook a road safety audit of Council's rural road network and delivered to Council the report detailing the outcomes of their assessment and recommendation in December 2019.

### DETAILS

The Rural Road Safety Audit identified 361 potential hazards within Council's rural road network.

These potential hazards have been classified in terms of risk and road hierarchy and recommended remedial actions have been proposed for each of the hazards identified.

The remedial actions proposed range from relatively simple treatment such as additional guide post installation and line marking through to significant road or intersection realignment works.

It is proposed that the recommendations are included with the Transport Asset Management Plan and Strategic Asset Management Plan for consideration in future budgets.

Summary of the findings of the Rural Road Safety Audit are included in the tables below;

Summary of findings	
Hazards Identified	
Risk Level	Total
High	24
Medium	104
Low	154
No works	79
Total	361

Hazards identified by Road Hierarchy					
	Risk Level				
Road Hierarchy	High	Medium	Low	No works	Total
1. State Highway	1	0	1	0	2
5. State Highway	3	2	15	26	46
7. Collector	7	4	2	3	16
8. Feeder	5	21	20	5	51
9. Local Access	6	38	27	3	74
10. Minor	2	39	89	42	172

Scope of works required					
	Risk Level				
Scope	High	Medium	Low	No works	Total
Signage	5	21	28	0	54
Design	13	52	4	0	69
Guardrail	2	1	6	0	9
Grading/ pothole repair	0	1	11	0	12
Intersection treatment	4	9	36	0	49
Guide posts	0	20	56	0	76
Line marking	0	0	8	0	8
Vegetation	0	0	5	0	5
N/A	0	0	0	79	79

## STATUTORY IMPLICATIONS

### Statutory Requirements

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

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## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL</b>
<b>Desired Outcomes</b>
Our transport and access network is sustainable, affordable and fit for purpose.
<b>Our Priorities</b>
6.2 Plan for all movements and modes of transport with a fit-for-purpose network.

### Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Access and infrastructure	<b>Local, regional and global transport and infrastructure access</b> – Safe and efficient access alternatives, growing freight capacity, renewable energy, water management and contemporary communications. Community infrastructure that supports economic development.

## POLICY IMPLICATIONS

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

## FINANCIAL IMPLICATIONS

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

## RISK IMPLICATIONS

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

## CONSULTATION PROCESS

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

## CONCLUSION

It is recommended that Council note the Rural Road Safety Audit prepared by HDS Australia and adopt the recommendations contain within this report for future project planning and deliberation via the Transport Asset Management Plan and Strategic Asset Management plan

MOVED BY	CR COURTNEY
SECONDED BY	CR HYLAND

### **That Council:**

- 1. Note the Rural Road Safety Audit prepared by HDS Australia**
- 2. Adopt the recommendations of the Rural Road Safety Audit for future project planning and deliberation via the Transport Asset Management Plan and Strategic Asset Management Plan**

The MOTION was put and was CARRIED unanimously.

### IN FAVOUR

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR BRAMICH	CR HYLAND	CR COURTNEY	CR BRADLEY



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## 9.5 SPEED LIMIT REDUCTION - CALDER ROAD

To:	Council
Reporting Officer:	Manager Engineering Services
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	10 July 2020
File Reference:	.
Enclosures:	1. Calder Road Speed Limit Reduction - Plan of works

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### PURPOSE

To determine Council's position in relation to recommendation to reduce the current speed limit on Calder Road

### BACKGROUND

Council have received several requests from the public to review the posted speed limit on Calder Road, owing to the intensity of development in the area, the general alignment of Calder Road and history of traffic accidents occurring. The most recent of these requests was received on the 18 June 2020 from the General Manager of North West Support Services seeking a review in the posted speed limit due to difficulties encountered when accessing and egressing a property on Calder Road.

### DETAILS

In order to evaluate the speed limit applicable to Calder Road, assessment of this area was included within the scope of the Rural Road Safety Audit undertaken by HDS Australia. HDS Australia determined that there had been 18 crashes in the past 5 years throughout this section of Calder Road and recommended a speed limit reduction from 100km/h to 80km/h and 60km/h closer to the Bass Highway. These works ranked fourth highest in terms of risk hierarchy compared to the total 360+ identified safety audit items discovered across the municipality.

An excerpt of their findings is included in the table below.

Current Issue and General Comments	Recommended Treatment
No guideposts on some corners. Bridge with guard rail with bull nose terminals, no signage on bridge. Double painted centreline but no RRPMs. Corner just north of Pages Road that may require advisory corner / speed / CAMS signage. Identified site by Council – Speed limit assessment over this length. 18 crashes recorded in the past 5 years over this 4km length of road (5 of these were at the intersection of Calder Road / Bass Highway which has recently been upgraded to a large roundabout).	Reduce speed from 100km/h to 80km/h, and 80km/h to 60km/h close to Bass Highway.

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## STATUTORY IMPLICATIONS

The Commissioner of Transport is the legal authority for setting and reviewing speed limits on all Tasmanian roads. The approval of the Commissioner of Transport must be obtained to reduce the current posted speed limit.

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL</b>
<b>Desired Outcomes</b>
Our transport and access network is sustainable, affordable and fit for purpose.
<b>Our Priorities</b>
6.2 Plan for all movements and modes of transport with a fit-for-purpose network.

### Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Access and infrastructure	<b>Local, regional and global transport and infrastructure access</b> – Safe and efficient access alternatives, growing freight capacity, renewable energy, water management and contemporary communications. Community infrastructure that supports economic development.

## POLICY IMPLICATIONS

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

## FINANCIAL IMPLICATIONS

The estimated cost to install speed limit signage to support the reduction of the speed limit on Calder Road is \$5,000. If approval from the Transport Commissioner is achieved, it is proposed to fund the speed limit signage works from the existing operational budget.

## RISK IMPLICATIONS

There should be a reduction in risk of traffic accidents on Calder Road if the speed limit is reduced as recommended by this report.

## CONSULTATION PROCESS

Approval from the Commissioner of Transport must be obtained to reduce the current posted speed limit. While requests for lowering the speed limit on this section of Calder Road have been received no broader public feedback has been sought in relation to seeking a speed limit reduction.

## CONCLUSION

It has been identified that the current speed limit on Calder Road is not suitable for its current demand and recommended that a speed limit reduction be applied to reduce the potential risk to road users. It is recommended that Council seek the approval from the Commissioner of Transport to reduce the speed limit on Calder Road as detailed.

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MOVED BY	CR BRAMICH
SECONDED BY	CR DUNIAM

**That Council seek approval from the Commissioner of Transport to reduce the speed limit on Calder Road from:**

- (a) 100km/h to 60km/h, from the Bass Hwy intersection with Calder Road to the existing rail corridor**
- (b) 100km/h to 80km/h from the existing rail corridor to the intersection of Calder Road and Pages Road**

The MOTION was put and was CARRIED.

**IN FAVOUR**

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

**AGAINST**

			CR EDWARDS

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## 9.6 MYALLA COMMUNITY CENTRE INC REQUEST FOR ASSISTANCE

To: Council  
Reporting Officer: Director Community and Engagement  
Responsible Manager: General Manager  
Report Date: 7 July 2020  
File Reference: 01

Enclosures:

1. Correspondence 5 February 2020 Myalla Community Centre Inc
2. Correspondence 2 June 2020 Myalla Community Centre Inc - Confidential
3. Correspondence 2 July 2020 Myall Community Centre Inc - Confidential

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### PURPOSE

The purpose of the report is for Council to consider a request from the Myalla Community Centre Inc. for a financial contribution towards the purchase of a mower.

### BACKGROUND

In November 2019 the General Manager and Director Community and Engagement met with members of the Myalla Community Centre Inc where Committee members raised the maintenance of the seven-acre grounds and the difficulty in continuing this work as their current mower was no longer serviceable.

### DETAILS

In February 2020 correspondence was received from the Myalla Community Centre committee requesting assistance with purchasing a replacement mower. A mower had been sourced from Public Direct Machinery Liquidators (NSW). There was a negotiated price of \$8,745 GST inclusive plus \$1,000 for cartage which was a short term offer for the purchase.

Further correspondence was received in early June advising of a variation in the cost of the mower. The purchase price for the mower and cartage was \$10,459. The Committee considered this to be a generous offer and agreed to the purchase of the mower through the president of the Myalla Community Centre Inc. The committee have requested financial assistance from Council for the mower.

Correspondence was received on 3 July 2020 from the Myalla Community Centre Inc providing clarification of the contribution the committee is seeking from Council towards the cost of the mower. The committee is seeking a 50% of the total cost contribution, \$5,229. Enclosed with the request, and included as a confidential attachment, is a copy of the financial statements for the Myalla Community Centre Inc for the 2018-2019 financial year.

The Myalla Community Centre Inc has been considering the establishment of an area for public camping at the recreation ground to provide additional income for community activities. The establishment of this facility would be dependent on planning advice, appropriate permits and an ability to maintain the grounds. A report relating to this matter will be provided to Council at a later date. Should this proposal proceed, mowing and maintenance will be a key consideration.

The grounds and buildings have been maintained by the committee since 2002, with all expenses met by the Myalla Community Centre Inc including insurance, power and public liability. To continue to maintain the property the purchase of the mower is a critical piece of machinery.

## STATUTORY IMPLICATIONS

### Statutory Requirements

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

### Strategic Plan Reference

<b>GOAL 4: Community Recreation and Wellbeing</b>
<b>Desired Outcomes</b>
Our community values, encourages and supports physical, social and cultural activities.
<b>Our Priorities</b>
3.4 Build community capacity through services and programs that strengthen, support and care for our community.

### Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
<b>Tourism</b>	<b>Memorable visitor experiences all year round</b> – The must see destination, quality product, easy access, popular events and festivals with coordinated marketing. A longer season with increasing yields.
<b>Strong communities and social capital</b>	<b>Enduring community capital</b> – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
<b>Health and Wellbeing</b>	<b>Maintaining good health and wellbeing</b> – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.
<b>Place making and liveability</b>	<b>Liveable places for all ages</b> – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.

## POLICY IMPLICATIONS

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

## FINANCIAL IMPLICATIONS

The financial implications of the report relate to the contribution determined by Council. The Myalla Community Centre Inc has requested a contribution of \$5,229 from Council. There are no allocations included in the 20/21 operational budget to cover this item and it would be an additional expense.

The Myalla Community Centre Inc financial statement for 2018-2019 reports a modest balance of cash in the bank.

## RISK IMPLICATIONS

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

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## CONSULTATION PROCESS

Council considered this request as part of the June workshop.

## CONCLUSION

The Myalla Community Centre Inc has successfully and independently managed the Myalla community centre and recreation ground since 2002. The purchase of a mower is the single largest purchase made to support the maintenance of the grounds. The original second-hand mower was provided by Council at the time of entering a lease with the Myalla Community Centre Inc. The committee is seeking a one-off contribution of \$5,229 towards the purchase price of the mower.

MOVED BY	CR DUNIAM
SECONDED BY	CR HYLAND

**That Council provide a financial contribution of \$5,229 to the Myalla Community Centre Inc toward the cost of a mower.**

The MOTION was put and was CARRIED unanimously.

## IN FAVOUR

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR BRAMICH	CR HYLAND	CR COURTNEY	CR BRADLEY

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## 9.7 QUARTERLY STATISTICS REPORT TO 30 JUNE 2020

To: Council  
Reporting Officer: Executive Officer - Governance and Performance  
Responsible Manager: Director Organisational Performance  
Report Date: 6 July 2020  
File Reference: 123  
Enclosures: Nil

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### PURPOSE

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

### BACKGROUND

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

### DETAILS

The following Departmental Statistical Reports are provided for the information of Council:

General Manager's Office	Staff Movements Recruitment Activity Council Trainees Current Staff Vacancies
Infrastructure & Development Services	Animal Control Environmental Health-Immunisations Public Health / Food Premises Inspections / Abatement Notices Health Approvals – Registrations Building Approvals Building Approvals Graph Planning Approvals Graph
Organisational Performance	Council Land Certificates (337)
Community & Engagement	Children's Services: <ul style="list-style-type: none"><li>• Warawyn Early Learning Centre</li><li>• Warawyn Wynyard OSHC</li><li>• Warawyn Boat Harbour After School Care</li><li>• St Brigid's After School Care</li></ul> Tourism: <ul style="list-style-type: none"><li>• WOW – total visitors by month</li><li>• WOW – Car collection visitors</li><li>• WOW – Income by Month</li><li>• Waratah:<ul style="list-style-type: none"><li>• Athenaeum Hall Utilisation</li><li>• Waratah Museum Visitors</li><li>• Caravan Park Income</li></ul></li></ul>

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## GENERAL MANAGERS OFFICE

### Staff Movements 1 April 2020 to 30 June 2020

Nil

### Recruitment Activity

Nil.

### Council Trainees

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

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

### Current Vacancies

Nil



## INFRASTRUCTURE AND DEVELOPMENT SERVICES

### Animal Control

Item	Apr/May/Jun 2020		2019/20	
	No.		No.	
Dogs Registered	26		2094	
Dogs Impounded	7		35	
Dogs Euthanised	2		2	
Dogs Adopted	3		11	
New Kennel Licences	0		8	
Licence Renewals	34		34	
Dogs Re-Claimed	3		28	
Livestock Impounded	0		0	
Infringement Notices	4		23	
Legal Action	0		0	

### Environmental Health - Immunisations

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

Council Staff Influenza Vaccinations May 2020, 64 staff vaccinated.

### Public Health / Food Premises Inspections / Abatement Notices

2019/2020	Notifiable Diseases	Inspections Of Registered Food Premises	Abatement Notices Issued
July	1	10	0
August	0	14	0
September	0	4	0
October	0	4	0
November	0	1	0
December	0	10	0
January	0	9	0
February	0	4	0
March	0	6	0
April	0	2	0
May	0	0	0
June	0	0	0
<b>TOTAL</b>	<b>1</b>	<b>64</b>	<b>0</b>

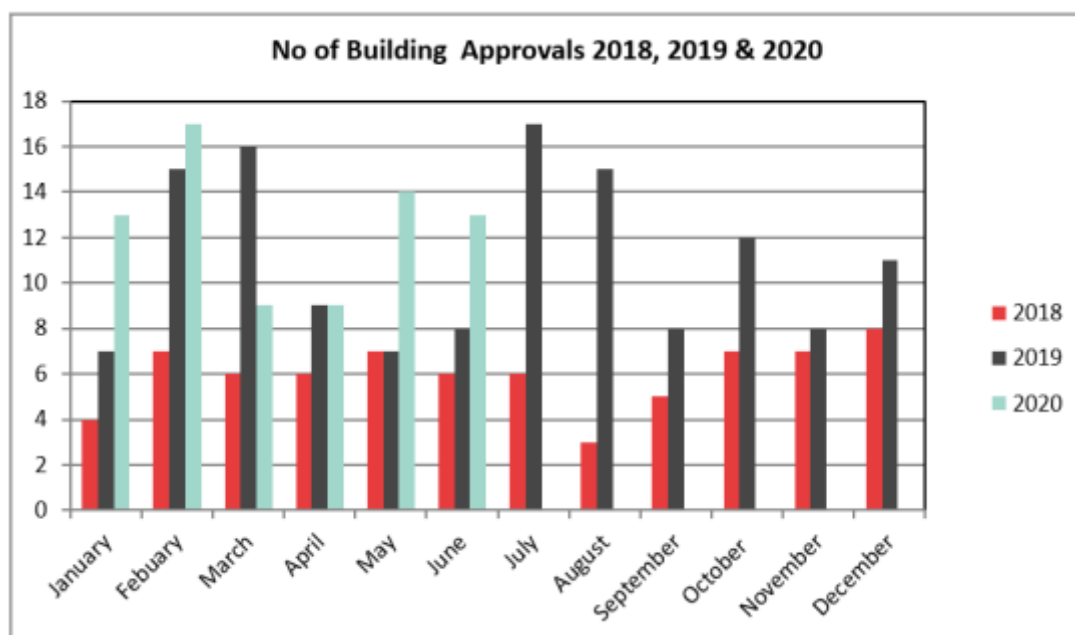
## Health Approvals – Registrations

Month	Food Premises (FP)	Temporary Food Premises (TFP)	Places of Assembly (PA)	Public Health Risk Activities (PHRA)	Private Water Suppliers (PWS)	Regulated Systems Air Cooling Systems
July	28	1	0	0	0	0
August	40	1	0	3	0	1
September	1	9	2	2	0	3
October	23	7	0	0	0	0
November	0	6	1	0	0	0
December	2	4	0	0	0	0
January	0	14	0	0	0	0
February	0	9	0	0	0	0
March	0	4	0	0	0	0
April	1	0	0	0	0	0
May	0	1	0	0	0	0
June	0	0	0	0	0	0
<b>TOTAL</b>	<b>95</b>	<b>56</b>	<b>3</b>	<b>5</b>	<b>0</b>	<b>4</b>

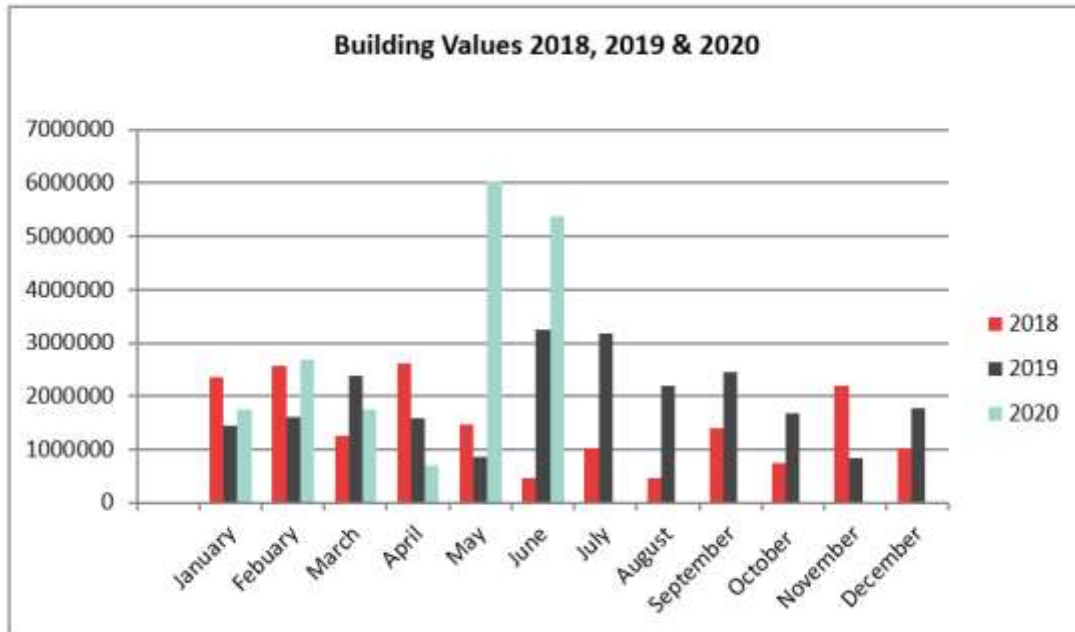
## Building Approvals

Month	Class 1a	Class 1b	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7b	Class 8	Class 9a	Class 9b	Class 9c	Class 10a	Class 10b
July	6	-	-	1	-	-	1	2	-	-	1	-	8	2
August	7	-	-	-	-	-	-	-	-	-	1	-	8	1
September	7	-	-	-	-	-	-	-	-	-	-	-	3	1
October	5	2	-	-	-	-	-	-	-	-	1	-	4	1
November	6	-	-	-	-	-	-	-	-	-	-	-	2	-
December	6	-	-	-	-	-	-	-	-	-	-	-	2	3
January	8	-	-	-	-	-	-	-	-	-	-	-	6	-
February	7	-	-	-	-	-	1	1	-	-	1	-	10	1
March	6	-	-	-	-	-	-	-	-	-	-	-	6	-
April	5	-	-	-	-	-	-	-	-	-	-	-	5	1
May	5	-	-	-	-	1	-	1	1	-	1	-	7	-
June	7	-	-	-	-	-	-	1	1	-	-	-	6	1
Total	75	2	-	1	-	1	2	5	2	-	5	-	67	11

## Building Approval Graph



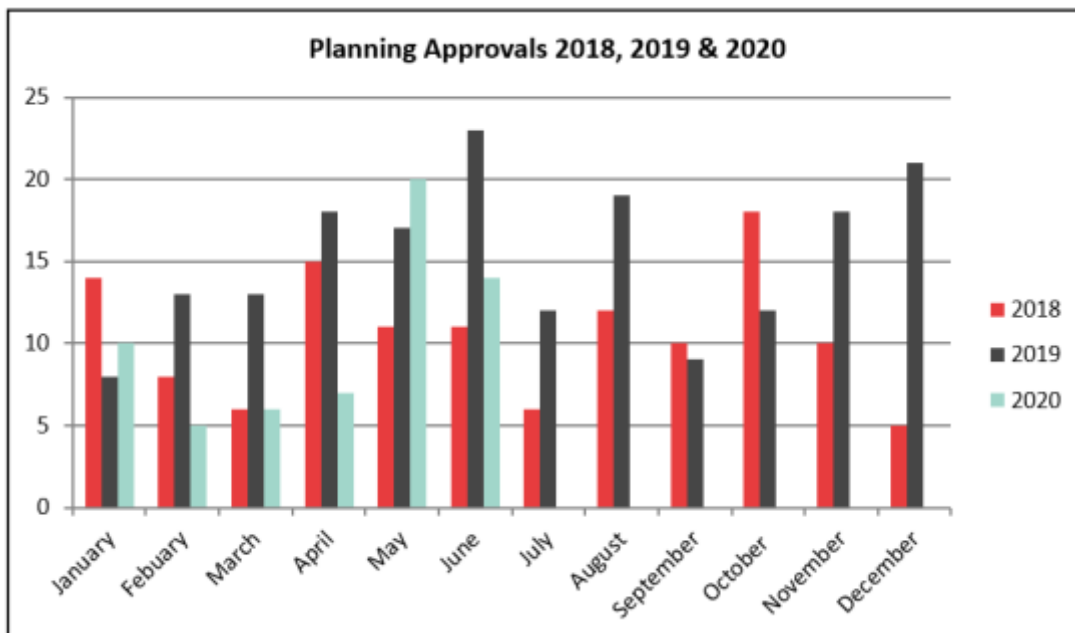
2018 Building Values includes Building Permits and Notifiable Building Work (Category 3)



Building Values Graph

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

Planning Approvals Graph



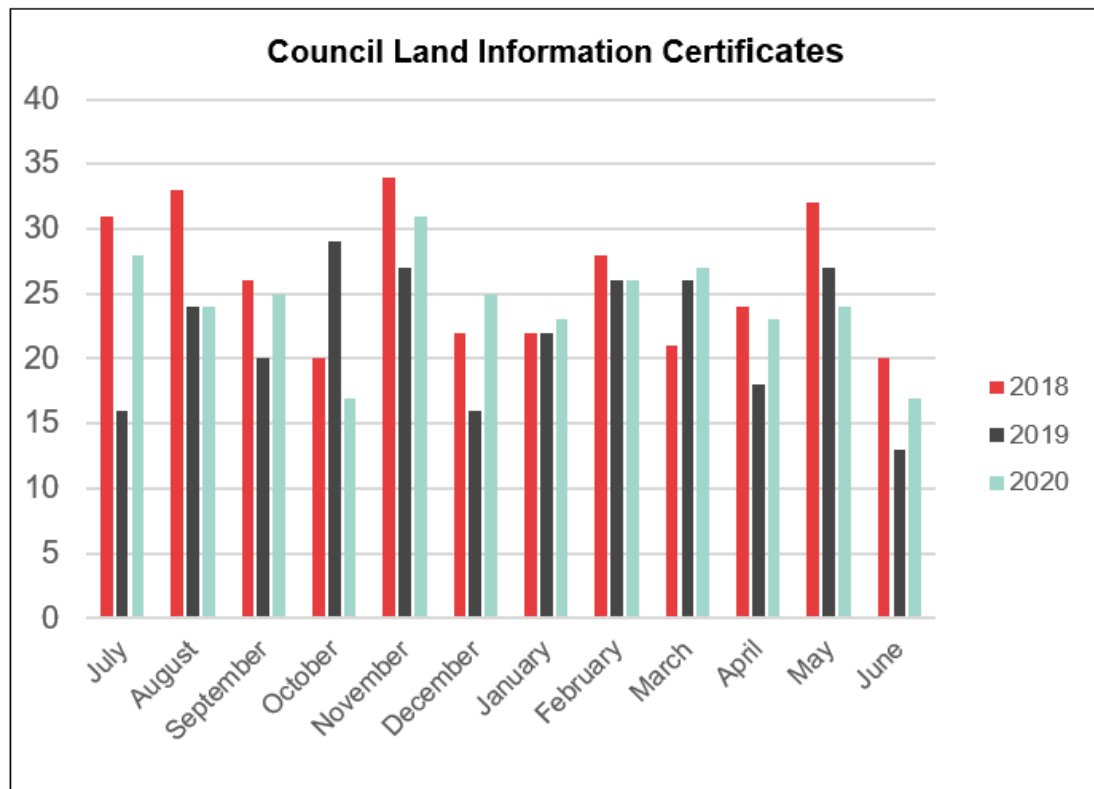
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## ORGANISATIONAL PERFORMANCE

### Council Land Information Certificates (Certificate of Councils' Power)

#### ***Council land information certificate (337)***

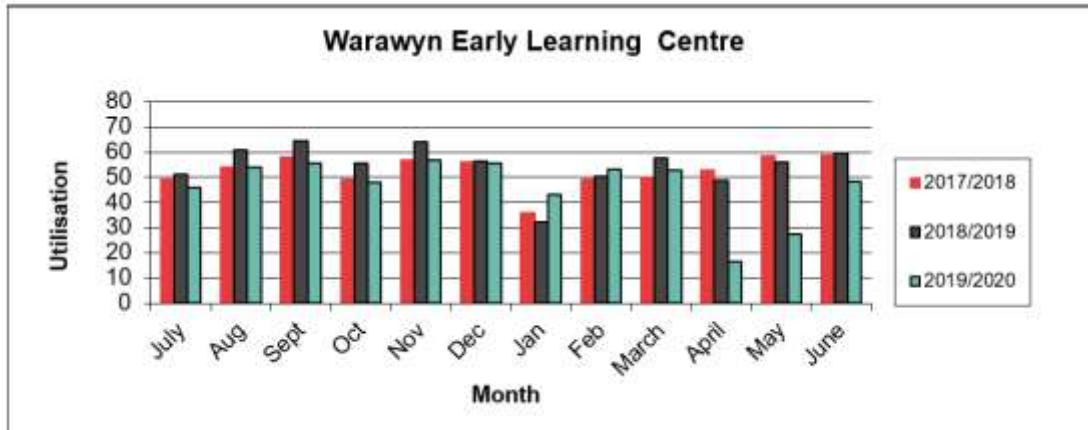
A Council Certificate 337 provides information about whether there are any outstanding notices, permits or orders in relation to a property. This may include: whether a Completion Certificate has been issued for building or plumbing permits, whether an Occupancy permit has been issued for a building,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



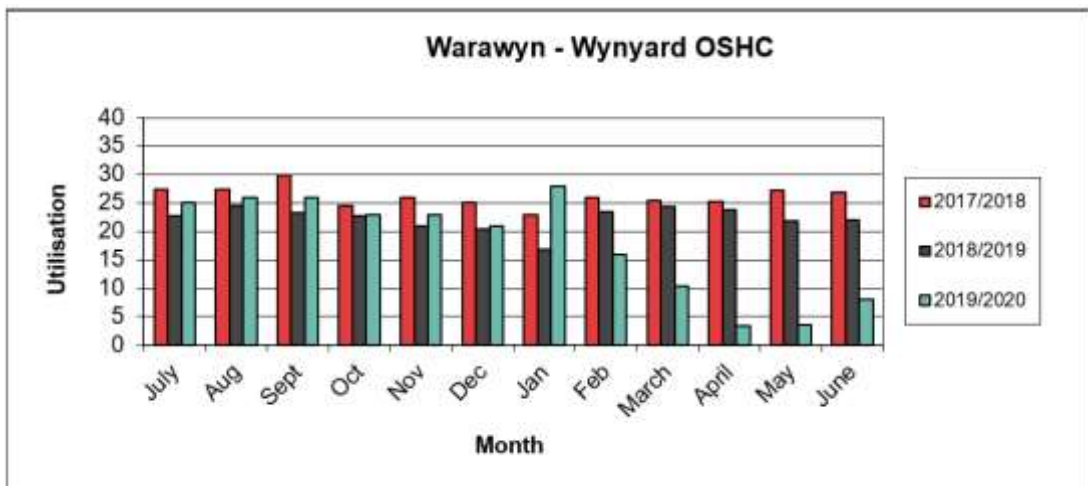
**COMMUNITY AND ENGAGEMENT**

Children’s Services

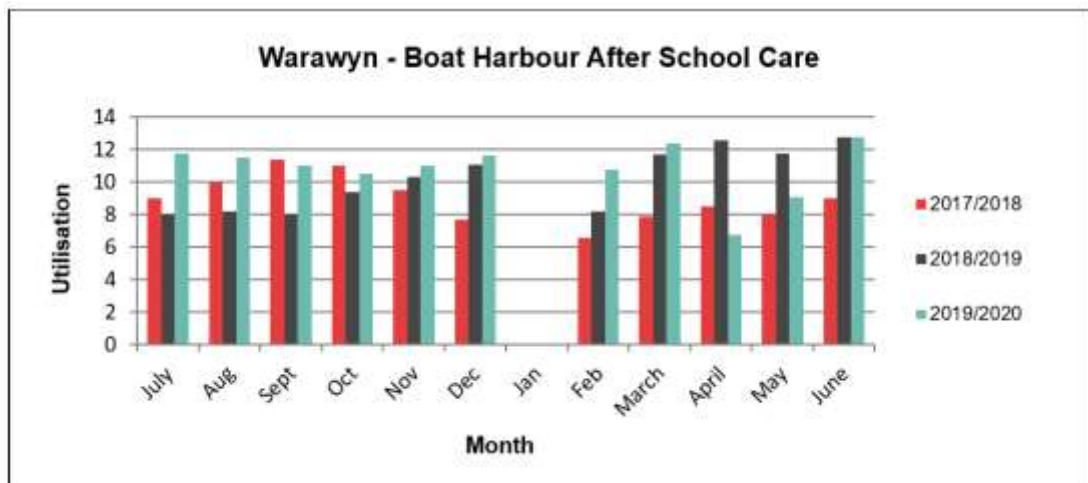
The centre is currently approximately 20% below performance for the previous year for this period. There are increasing enquiries and a strong indication that the centre will return to pre-COVID utilisation numbers.

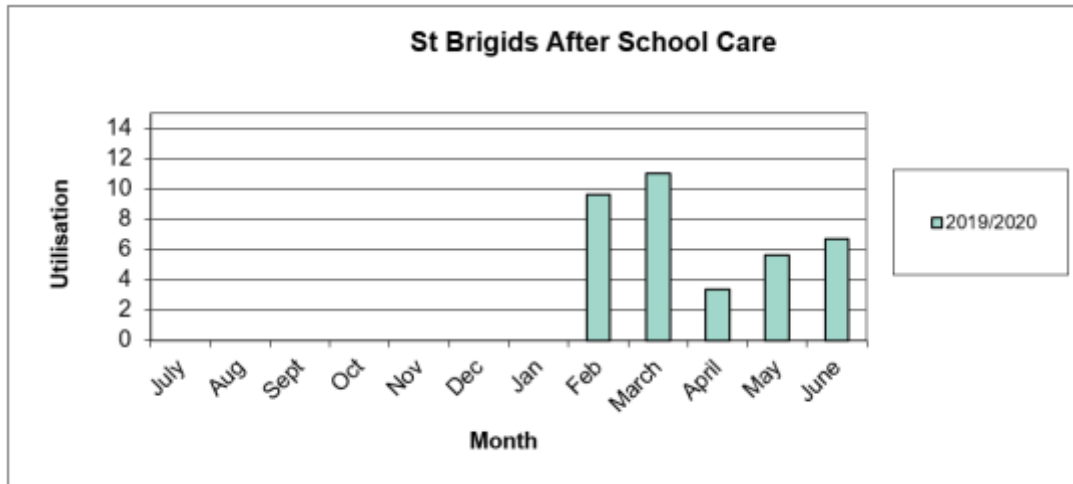


Utilisation has remained low for Warawyn Outside School Hours Care. Impacts of COVID on school attendance and holiday program continues.



Warawyn Boat Harbour after school care continues to perform well and has returned to pre-COVID utilisation levels.

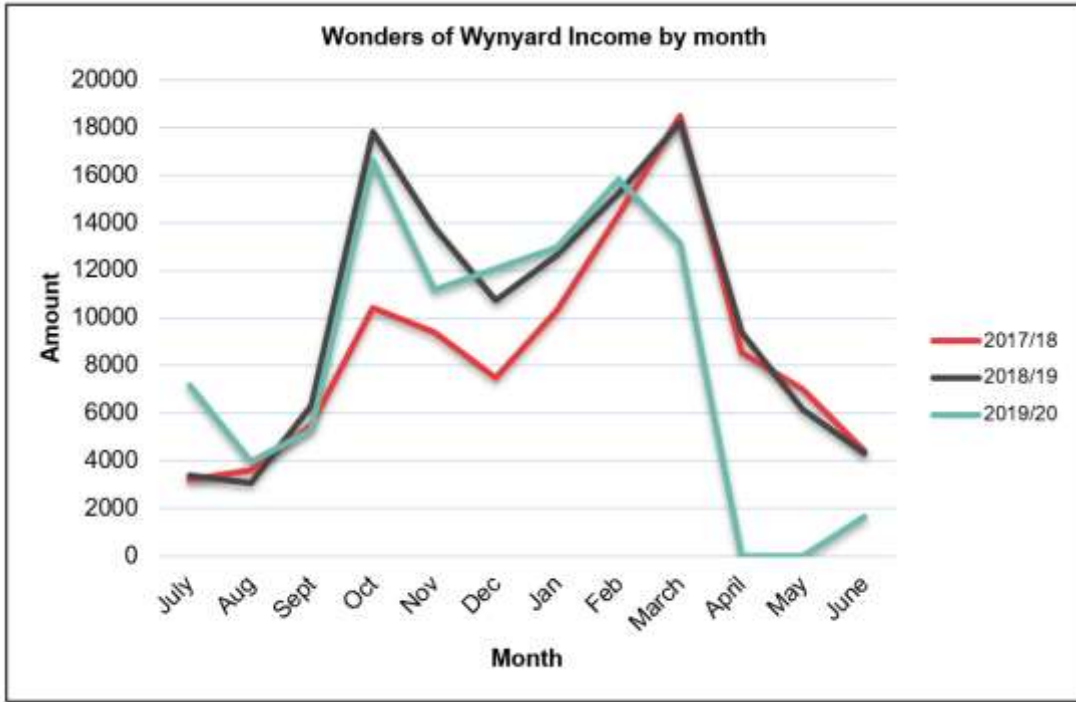


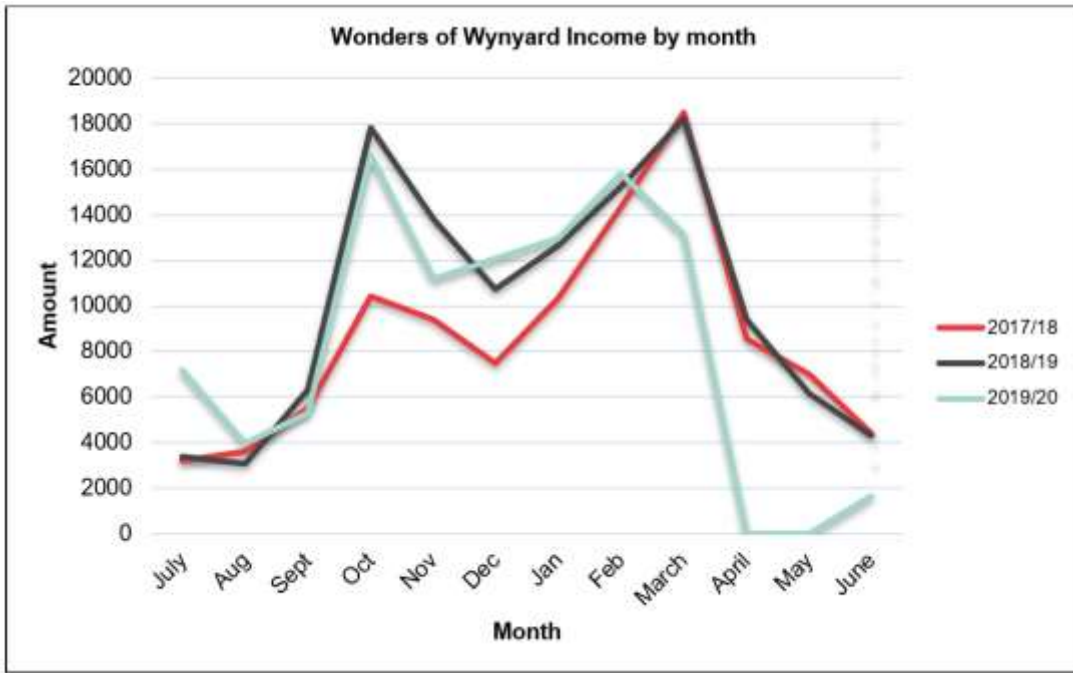


### Tourism

#### *April-June Summary – Wonders of Wynyard (WOW)*

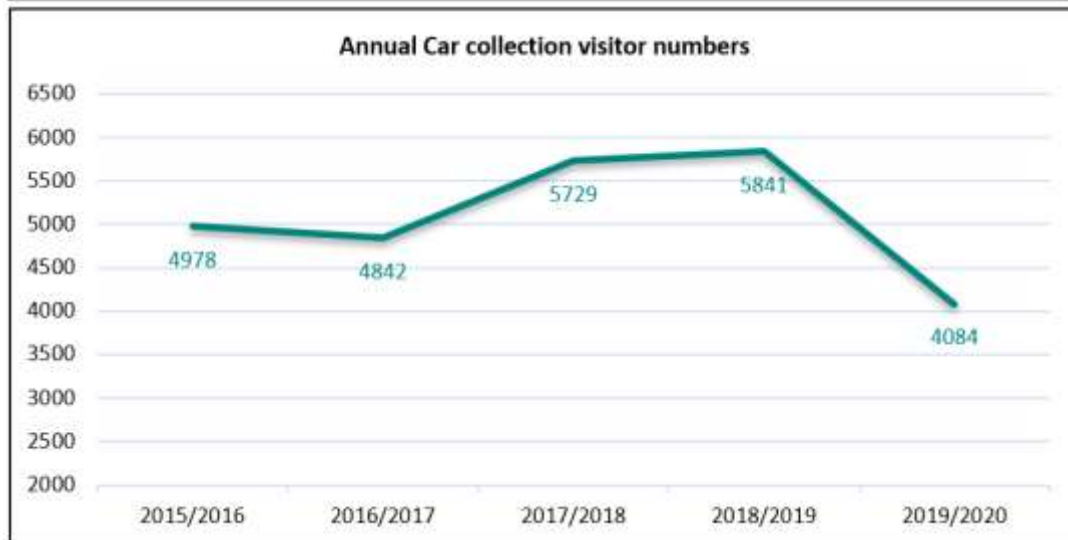
- WOW was closed due to COVID-19 at the end of March – with staff continuing to manage enquiries via phone and email until the 9 April, when the decision was made to close completely. As a result there was zero visitor numbers and income for April and May.
- WOW re-opened on the 15 June – with limited hours 10am-4pm Monday-Friday.
- Visitor numbers from the 15 June - 30 June were approximately half of what would normally be expected at that time of year – which was better than expected.
- Visitors to the car collection were harder hit – with numbers at around a quarter of what would be expected for the last two weeks of June. As there are no interstate or overseas visitors, and movement around the State has just begun, this was no surprise.
- Income for June was around one third of what was expected – held up mainly through late payments and processing for March tour bookings.
- Overall, however, due to a strong start to the year, the total visitor numbers for 2019/20 were down 6,363 (23%), car museum visitation down 30% and income down 17.5%.





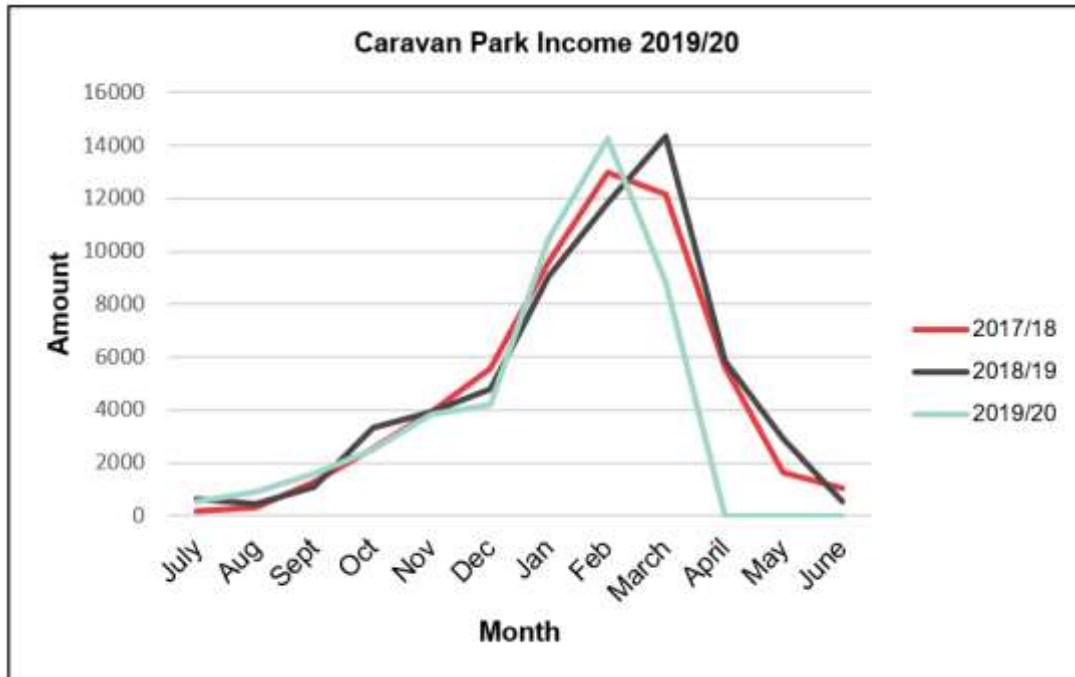


Financial year summaries for Wonders of Wynyard (WOW)



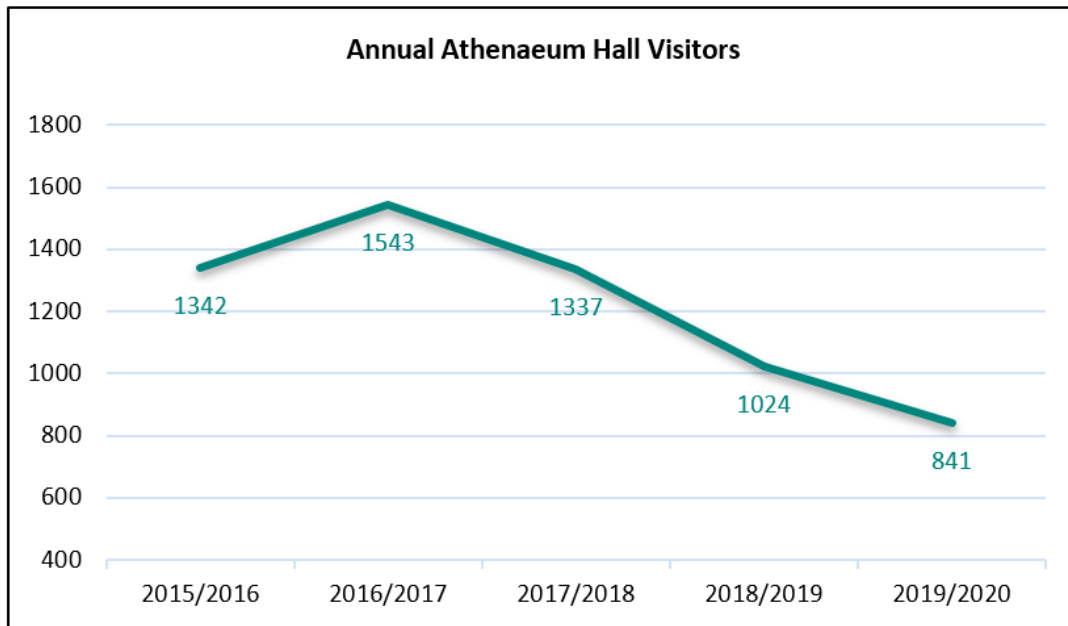
*Waratah April – June Summary -*

- The campground was closed on the 25 March in line with government directives – and remained closed until 1 July, therefore there are no figures for the quarter.
- Overall for the financial year 2019/20, income was down 19.8%
- Athenaeum Hall and Museum were closed for the quarter. Athenaeum Hall visitation continues to fall – notwithstanding the early closure due to COVID-19. Museum numbers were steady for the year prior to the early shutdown.



*Financial year summaries for Wonders of Wynyard (WOW)*





## STATUTORY IMPLICATIONS

### Statutory Requirements

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

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

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

### Sustainable Murchison Community Plan 2040

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

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### **POLICY IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

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

### **RISK IMPLICATIONS**

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

### **CONSULTATION PROCESS**

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

### **CONCLUSION**

The Departmental Quarterly Statistics Report for the months 30 April to 30 June 2020 are presented and it is recommended that the report be noted.

MOVED BY	CR DUNIAM
SECONDED BY	CR HYLAND

### **That Council note the Quarterly Statistics Report to 30 June 2020**

The MOTION was put and was CARRIED unanimously.

### **IN FAVOUR**

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR BRAMICH	CR HYLAND	CR COURTNEY	CR BRADLEY

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## 9.8 2020/21 ANNUAL PLAN - FINAL REPORT

To:	Council
Reporting Officer:	Executive Officer - Governance and Performance
Responsible Manager:	Director Organisational Performance
Report Date:	6 July 2020
File Reference:	004.10
Enclosures:	1. Departmental Monthly Performance Report to 30 June 2020

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### PURPOSE

This report is provided as an overview of the organisation's performance against the Annual Plan for the year ending 30 June 2020.

### BACKGROUND

The Annual Plan and Budget Estimates is developed by Council each year outlining key activities and initiatives for the year.

The Council adopted the 2019/20 Annual Plan and Budget Estimates on 24 June 2019.

Actions and initiatives that are ongoing will be carried forward as an action in the 2020/21 Annual Plan and will continue to be reported to Council throughout the year.

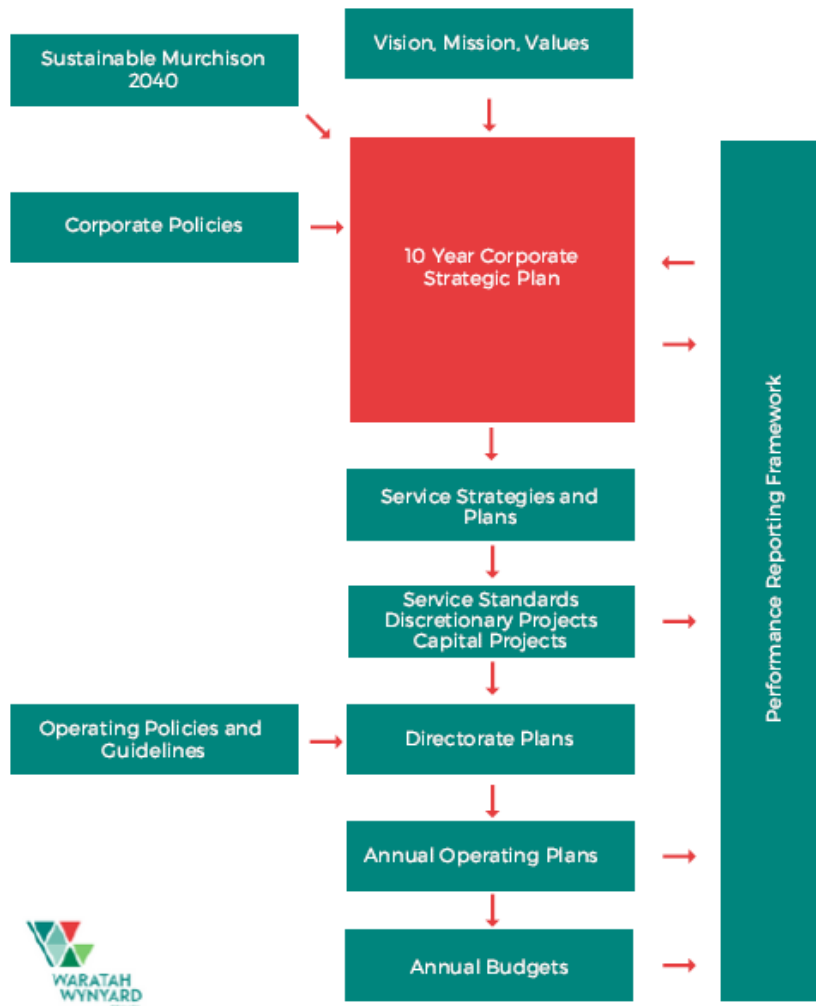
### DETAILS

The **attached** report provides an update on the progress of actions that were included in the Council's Annual Plan 2019/20.

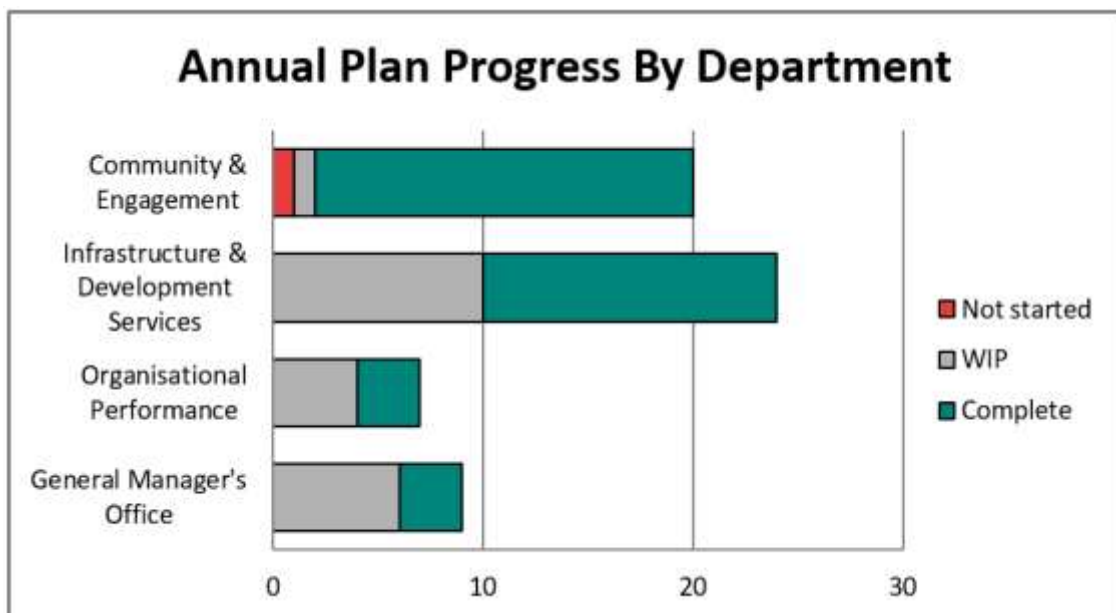
Council's 10 Year Corporate Strategic Plan 2017/27 was adopted in December 2016. The Annual Plan and Budget Estimates link to the achievement of the Strategic Plan within an overall planning framework.

The framework guides Council in identifying community needs and aspirations over the long term (Our Mission, Vision & Values), medium term (Strategic Plan) and short term (Annual Plan and Budget Estimates) and holds itself accountable through the Audited Financial Statements and Annual Report.

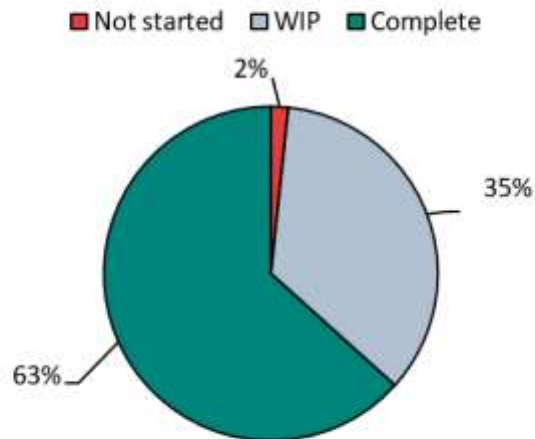
The activities and initiatives included in the Annual Estimates contribute to achieving the strategic objectives specified in the Strategic Plan. The diagram below depicts the strategic planning framework of Council.



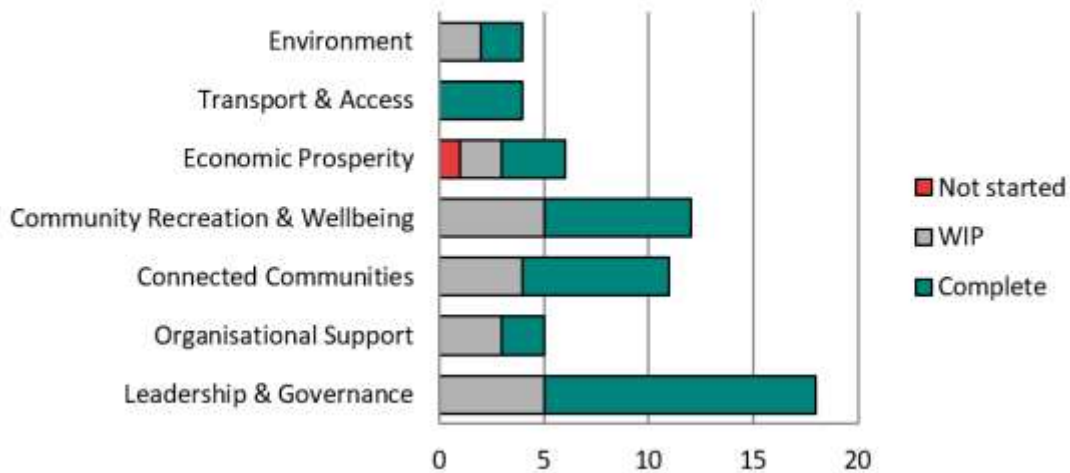
The following graphs show the overall progress as at 30 June 2020.



## Annual Plan Progress - All Goals



## Annual Plan Progress by Goal



Overall 63% of the annual plan actions are complete and 37% are ongoing.

A total of 60 actions were adopted within the Annual Plan. Of the 60 actions:

- 38 actions are complete.
- 18 actions are ongoing and will be carried over for completion in 2020/21.
- 4 actions are deferred.

18 Actions highlighted as ongoing to be completed throughout 2020/21:

Action	Progress	Department
1.1.1.1	Conduct the four-year review of the 10-year Strategic Plan.	Organisational Performance
1.2.1.1	Undertake a review of town planning services	Development & Regulatory Services
1.4.1.1	Review complaint handling procedures relating to services provided by Council to address legislative requirements.	Organisational Performance
1.5.1.1	Complete feasibility study for HR system to record training and qualifications to identify skill gaps.	Human Resources
2.2.2.1	Refine arrangements for resource shared employees, including development of individual MOU's.	General Manager
2.2.2.1	Complete a review of after-hours and call out arrangements.	Project Works and Services
2.6.1.1	Undertake a review of the internal employee classification system.	Human Resources
3.1.1.1	Design, develop and implement the next stage of Coastal Pathway – Cooee to Wynyard.	Infrastructure & Development Services
3.1.1.1	Develop a Municipal Signage Strategy.	Organisational Performance
3.1.1.2	Complete and implement CCTV project in Somerset and Wynyard CBD's.	Organisational Performance
3.4.1.1	Complete detailed design for infrastructure proposal for Warawyn Early Learning and seek funding for the project.	Children's Services
4.1.1.1	Work with Taswater and the Waratah community to facilitate a mutually agreed future for the Waratah Dam.	General Manager
4.2.1.1	Review and improve educational information relating to animal control.	Infrastructure & Development Services
4.4.1.1	Develop a masterplan for the Cam River area.	Infrastructure & Development Services
5.1.3.1	Review and update the Tourism Plan (2011-2020)	Tourism & Marketing
5.3.2.1	Develop detailed design and pricing for Inglis / Park / Church Street intersection and surrounding business area.	Engineering Services
5.4.2.1	Develop & deliver a Settlement Strategy to guide future growth and development within the municipality.	Development & Regulatory Services
7.2.1.1	Tasmanian Planning Scheme Implementation.	Development & Regulatory Services

4 Actions deferred include:

Action	Progress	Department
1.2.1.1	Undertake a review of town planning services.	Development & Regulatory Services
1.5.1.1	Complete feasibility study for a HR system to record training and qualifications to identify skill gaps.	Human Resources
4.3.1.1	Develop detailed design for the Somerset Recreation Precinct.	General Manager
4.4.2.1	Secure an operator for the café within the new multi-purpose (Yacht Club) facility.	General Manager



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## STATUTORY IMPLICATIONS

### Statutory Requirements

*The Annual Plan is prepared as part of the Budget Estimate process and is required under the Local Government Act 1993:*

71. *Annual plan*

- (1) *A council is to prepare an annual plan for the municipal area for each financial year.*
- (2) *An annual plan is to –*
  - (a) *be consistent with the strategic plan; and*
  - (b) *include a statement of the manner in which the council is to meet the goals and objectives of the strategic plan; and*
  - (c) *include a summary of the estimates adopted under section 82; and*
- (d) *include a summary of the major strategies to be used in relation to the council's public health goals and objectives. The Annual Plan is part of a larger strategic planning framework.*

## STRATEGIC IMPLICATIONS

The plan is consistent with the Waratah-Wynyard Corporate Strategic Plan 2017/27 and the Sustainable Murchison Community Plan 2040.

## POLICY IMPLICATIONS

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

## FINANCIAL IMPLICATIONS

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

## RISK IMPLICATIONS

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

## CONSULTATION PROCESS

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

## CONCLUSION

That the Council note the 2019/20 Annual Plan Progress Report.

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

**That Council note the 2019/20 Annual Plan Report to the 30 June 2020.**

The MOTION was put and was CARRIED unanimously.

### IN FAVOUR

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR BRAMICH	CR HYLAND	CR COURTNEY	CR BRADLEY

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## 9.9 WARATAH-WYNYARD AUDIT PANEL COMMITTEE - ANNUAL REPORT TO 30 JUNE 2020 AND AUDIT PANEL CHARTER

To:	Council
Reporting Officer:	Executive Officer - Governance and Performance
Responsible Manager:	Director Organisational Performance
Report Date:	6 July 2020
File Reference:	007.17
Enclosures:	<ol style="list-style-type: none"><li>1. Waratah-Wynyard Audit Panel Annual Report to 30 June 2020</li><li>2. Waratah-Wynyard Audit Panel Charter</li></ol>

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### PURPOSE

This report is presented for the Council to consider the Waratah-Wynyard Audit Panel's Annual Report for the 2019/20 financial year and to adopt 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.

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.

The functions of an Audit Panel as defined in Section 85A of the Act and in the Ministerial Order are to consider:

- Whether the annual financial statements accurately reflect the state of affairs of the council;
- how the strategic plan, annual plan, long term financial management plan and long term strategic asset management plan are integrated and the processes and assumptions under which those plans were prepared;
- whether the accounting, internal control, anti-fraud, anti-corruption and risk management policies, systems and controls safeguard the long term financial sustainability;
- whether the council complies with the provisions of the Act and other legislation;
- Whether the council has taken effective action in relation to previous recommendations; and
- Report to Council on an annual basis summarising its findings for the financial year.

### DETAILS

Along with the King Island and Circular Head Councils, the Council appointed a shared Audit Panel on 3 August 2015.

The common Audit Panel members are:

- Mr John Howard – Audit Panel Chair (Asset Management expertise)
- Mrs Lisa Dixon – Audit Panel Member (Financial expertise)
- Mr Stephen Allen - Audit Panel Member (Financial expertise)

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The Audit Panel presented their Annual Report to a workshop of Councillors on the 29 June 2020 and is attached for formal noting by Council.

The Charter is reviewed on an annual basis to approve the revised panel fees which are adjusted annually as at 1 July based upon the change in CPI (Hobart) for the 12 months to June.

The Charter has again been reviewed this year to allow for the annual increment in fee however it also including a change to the review period from annually to every 3 years. The revised Charter allows for an annual increment in line with CPI (Hobart) each year which provides greater administrative efficiency. The Charter will be reviewed earlier if there is a change in legislation.

## **STATUTORY IMPLICATIONS**

### Statutory Requirements

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 and subsequently amended to the *Local Government (Audit Panels) Amendment Order 2015*.

## **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.	
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.

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## **POLICY IMPLICATIONS**

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

## **FINANCIAL IMPLICATIONS**

There are no financial implications of the proposed recommendation outside allowing for an annual increment.

## **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**

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

## **CONCLUSION**

That the Waratah-Wynyard Audit Panel Annual Report for 2019/20 be noted and that the revised Waratah-Wynyard Audit Panel Charter for 2020 be adopted.

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

### **That Council:**

- 1. Note the Waratah-Wynyard Audit Panel Annual Report to 30 June 2020.**
- 2. Adopt the revised Waratah-Wynyard Audit Panel Charter.**

The MOTION was put and was CARRIED unanimously.

### **IN FAVOUR**

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR BRAMICH	CR HYLAND	CR COURTNEY	CR BRADLEY

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## 9.10 ASSET MANAGEMENT POLICY

To:	Council
Reporting Officer:	Executive Officer - Governance and Performance
Responsible Manager:	Manager Asset Services
Report Date:	9 July 2020
File Reference:	PR.004
Enclosures:	1. Asset Management Policy

---

### PURPOSE

This report is presented to Council to consider endorsement of the draft Asset Management Policy which was developed to ensure the sustainable provision of assets which are designed to meet the service delivery needs of the Waratah-Wynyard community.

### BACKGROUND

Waratah-Wynyard Council is responsible for the acquisition, operation, maintenance, renewal and disposal of an extensive range of physical assets with a replacement value in excess of \$258 million. These assets include roads, bridges, stormwater drainage, buildings, open space & recreation, footpaths, and associated operating assets.

The Asset Management Policy sets out the principles by which the organisation intends applying asset management to achieve its organisational objectives. The Policy overarches the Council's asset management system which includes:

- asset management objectives;
- a strategic asset management plan; and
- asset management plans, which are implemented in
  - Operational planning and control
  - Supporting activities
  - Control activities
  - Other relevant processes.

The draft Asset Management Policy has been reviewed and updated from the previous policy which was approved by the Council on 17 August 2015.

### DETAILS

The Asset Management Policy has been reviewed and no changes made to the policy presented to Council for adoption.

To ensure the Council's long-term financial sustainability, it is essential to balance the community's expectations for services with their ability to pay for the infrastructure assets used to provide the services. Maintenance of service levels for infrastructure services requires appropriate investment over the whole of the asset life cycle.

The draft Asset Management Policy establishes the following specific requirements:

- ensure that our infrastructure services are provided in an economically optimal way, with the appropriate levels of service to residents, visitors and the environment determined by reference to our financial sustainability;

- safeguard our assets including physical assets and employees by implementing appropriate asset management strategies and appropriate financial resources for those assets;
- ensure continuous improvement and seek innovative ways of meeting service delivery requirements;
- adopt the Financial Management Strategy as the basis for all service and budget funding decisions;
- ensure that Council budgeting and reporting are categorised in terms of operational, maintenance, renewal, upgrade and new expenditure classifications;
- meet the training needs in financial and asset management practices for councillors and staff;
- ensure resources and operational capabilities are identified and responsibility for asset management is allocated;
- provide high level oversight of financial and asset management responsibilities through Audit Panel/General Manager reporting to Council on development and implementation of the Strategic Asset Management Plan, Asset Management Plans and Financial Management Strategy;
- ensure appropriate risk management processes are considered and implemented; and
- meet legislative requirements for asset management.

It is intended that the Council consider the Asset Management Policy at its July meeting. The Financial Management Strategy was adopted by Council on the 16 March 2020.

## **STATUTORY IMPLICATIONS**

### Statutory Requirements

#### *Local Government Act 1993*

The *Local Government Act 1993* (s.70(c)) requires Councils to prepare an asset management policy for the municipal Area.

## **STRATEGIC IMPLICATIONS**

### Strategic Plan Reference

GOAL
Desired Outcomes
We maintain and manage our assets sustainably.
Our Priorities
1.6 Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.
GOAL
Desired Outcomes
Long-term sustainable economic growth is achieved through adaptability and innovation.
Our Priorities
5.8 Ensure evidence-based allocation of infrastructure and land use to enable sustainable growth.

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## Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Access and infrastructure	Local, regional and global transport and infrastructure access – Safe and efficient access alternatives, growing freight capacity, renewable energy, water management and contemporary communications. Community infrastructure that supports economic development.

### **POLICY IMPLICATIONS**

If approved, the draft Asset Management Policy will replace the previous policy which was approved by the Council on 17 August 2015.

### **FINANCIAL IMPLICATIONS**

The Strategic Asset Management Plan along with the Financial Management Strategy will outline the financial implications of managing the Council's assets in the necessary manner.

### **RISK IMPLICATIONS**

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

### **CONSULTATION PROCESS**

Council staff from various departments have been consulted in the review and updating of the previous Asset Management Policy.

### **CONCLUSION**

The draft Asset Management Policy is presented to Council for adoption.

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

### **That Council adopts the Asset Management Policy.**

The MOTION was put and was CARRIED unanimously.

### **IN FAVOUR**

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR BRAMICH	CR HYLAND	CR COURTNEY	CR BRADLEY

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## 9.11 FINANCIAL REPORT FOR THE PERIOD ENDED 30 JUNE 2020

To: Council  
Reporting Officer: Accountant  
Responsible Manager: Director Organisational Performance  
Report Date: 3 July 2020  
File Reference: 1  
Enclosures: Nil

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### PURPOSE

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

### BACKGROUND

The financial reports presented incorporate:

- Operating Performance Statement
- Operating Position by Department
- Cash Position
- Rate Summary
- Capital Works Summary
- Fees and Charges
- Capital Program Monthly Progress

### STATUTORY IMPLICATIONS

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

### STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

### POLICY IMPLICATIONS

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

### FINANCIAL IMPLICATIONS

Council must balance its service levels with the needs and expectations of the community and set appropriate levels of tax to adequately fulfil its roles and responsibilities.



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## **RISK IMPLICATIONS**

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

## **CONSULTATION PROCESS**

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

## **COMMENT**

This Financial Report is an interim report and transactional processing for the year is not yet complete. Balance day adjustments are also still occurring. Results for the year will vary. At this stage, the overall results are expected to be in line with the forecast undertaken earlier in the year.

Financial reports for the year ending 30 June 2020 will be finalised by 14 August 2020 and then subject to audit by the Tasmanian Audit Office. The final capital expenditure report will be provided to Council at its August meeting.

Also included in this report is an amendment to the fees and charges schedule for 2020/21 to formally reflect Councils intended and advertised COVID-19 measures to waive food licence fees for the 2020/21 financial year and to provide free entry for non-commercial waste to Waratah-Wynyard residents. These initiatives were included in the Annual Plan and Budget Estimates adopted by Council in June 2020

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

### **That Council:**

- 1. Notes Financial Reports for the period ended 30 June 2020.**
- 2. Endorse the proposed fees and charges amendment for the Waste Transfer Station and Food Registrations for the 2020/21 financial year in line with adopted COVID-19 stimulus measures**

The MOTION was put and was CARRIED unanimously.

### **IN FAVOUR**

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR BRAMICH	CR HYLAND	CR COURTNEY	CR BRADLEY

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## 9.12 SENIOR MANAGEMENT REPORT

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	3 July 2020
File Reference:	1202
Enclosures:	<ol style="list-style-type: none"><li>1. Waratah Community Defibrillator</li><li>2. Letter of Thanks - Bill French Memorial Bursary</li><li>3. Community Survey Action Outcomes 2019-20</li></ol>

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### SUMMARY/PURPOSE

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

### GENERAL MANAGERS OFFICE

#### ACTIVITIES SINCE LAST COUNCIL MEETING

Listed below is a summary of activities undertaken by the General Manager during the period 13 June 2020 to 10 July 2020.

#### **Corporate**

- Attended the Waratah-Wynyard Council Audit Panel meeting
- Met with Clr Bradley to provide a brief induction

#### **Community**

- Held a number of meetings
- Met with Parks and Wildlife/Property Services regarding the Boat Harbour Beach Masterplan and specifically the rock armour wall in the Western bay
- Participated in the Cooe to Wynyard Coastal Pathway Working group meeting
- Met with a resident regarding stormwater issues
- Met with Yacht Club representatives regarding the proposed lease for the new multi-purpose building
- Participated in Wynyard Showgrounds Working Group meeting

#### **Industry**

- Attended state-wide meeting with Minister Shelton to discuss industry COVID response and recovery
- Met with West by North West to provide an update on tourism related matters
- Met with Friends of the Oldina Forest and West by North West to hear their thoughts regarding the Oldina coupe

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## Other

- Met with Minister Jaensch and his Chief of Staff to discuss a range of general matters
- Met with Senator Anne Urquhart to discuss a range of general matters
- Attended a Cradle Coast Authority (CCA) Board meeting and meeting of the CCA Audit and Risk Committee
- Attended CCA facilitated meeting with Rebecca White MP, Anita Dow MP and Shane Broad MP

## Local Government Association of Tasmania (LGAT) General Meeting 4 December 2020

The following notice was received from Dr Katrena Stephenson, CEO of LGAT:

In accordance with the Rules of the Association, I give formal notice of the General Meeting of the Association to be held at the Wrest Point Casino Hobart on Friday 4 December 2020.

You are of course aware that in light of COVID-19 we have had to cancel our Annual Conference and restrict the AGM and July General Meeting to a format suitable for a remote meeting.

However, we anticipate that by December COVID-19 restrictions should have sufficiently eased so that we can meet in person, include additional elected members and have fulsome debate on a range of motions for which we have sought State Government feedback.

On that basis, councils are invited to submit motions on matters connected with the objectives of the Association or of common concern to members for inclusion in the agenda of the General Meeting.

We also hope to be able to share some exciting news about the format of our December meeting in the not too distant future and go some way to addressing the gap left by having to cancel our conference this year.

It is planned to distribute the agenda on Friday 6 November 2020 and motions will need to be received at the Association's offices by no later than close of business, Wednesday 2 September 2020. This lead time will ensure relevant matters can be forwarded to the State Government for comment in accordance with the Communication and Consultation Protocol Agreement. The responses from State Government will then be included with the agenda to provide councils with a full briefing of the issues to be considered. We will also provide councils the agenda four weeks in advance, instead of the usual two in December, to enable them to contribute fully to the debate on motions.

If councils consider a matter is of significant concern but that it may struggle to be supported, it is suggested that conversations ensue with potential likeminded councils to ensure procedural issues, such as having a motion seconded, can occur. This assists both the council/community where the issue exists and provides the opportunity for more rigorous debate and points of contention to be canvassed.

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A standard submission of motion template is available on our website [here](#) or will be forwarded by email upon request. Please note that detailed background comments are important in terms of ensuring there is an understanding by the reader of what is being sought. If possible, the motion should make clear either the action being asked of the Association or the policy position that the mover would like the sector to take. Where possible there should be consideration of how the motion aligns with the Association's strategic plan.

Please note, the Rules of the Association do not provide for the preparation of a Supplementary Agenda.

Should you require any assistance or advice on the background to issues of concern to your Council, the procedures to bring them forward or the wording of motions, Association staff would be only too pleased to assist. There are likely many matters that have previously been addressed or others that might be able to be dealt with administratively. Please keep this in mind and take advantage of the opportunity to discuss with the Association.

#### Community Obtains Defibrillator for Waratah

Community members Chris and Trevor Smith, the Bischoff Hotel and Patrons and an anonymous donor have raised enough funds to have an accessible defibrillator installed at the Waratah Post Office. A letter of thanks (attached) was received for Council support for the project. The defibrillator will be maintained by Council.

#### Bill French Memorial Bursary

A letter of thanks (attached) was received from Rylee Targett, the recipient of 2020 Bill French Memorial Bursary thanking Council for their support.

#### 2019 Community Survey

A report was provided to Council at the April 2020 council Meeting which provided an update on actions taken following the feedback received from the Community Satisfaction Survey conducted in 2019.

As part of the end of year results for 2019/20 key actions achieved have been communicated to residents through a series of information slides. A copy of these slides is attached to this report for information.

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**ADMINISTRATION – USE OF CORPORATE SEAL**

18/6/20	Final Plan & Schedule of Easements. Part 5 Agreement	118 Back Cam Somerset Subdivision 1 into 2 Hazard Management Area with neighbouring property
22/6/20	Petition to amend Sealed Plan	Removal of Easement Newlands Road Somerset
22/6/20	Final Plans	29 & 31 Irby Boulevard Sisters Beach Boundary adjustment
24/6/20	Grant Deed	\$828k – Department of State Growth Boardwalk and Seawall

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

**That Council note the monthly Senior Management Report**

The MOTION was put and was CARRIED unanimously.

**IN FAVOUR**

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR BRAMICH	CR HYLAND	CR COURTNEY	CR BRADLEY

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**10.0 MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING**

MOVED BY	CR BRAMICH
SECONDED BY	CR HYLAND

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

<i>Matter</i>	<i>Local Government (Meeting Procedures) Regulations 2015 Reference</i>
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) - Closed Senior Management Report</i>	15(2)

The MOTION was put and was CARRIED unanimously.

**IN FAVOUR**

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR BRAMICH	CR HYLAND	CR COURTNEY	CR BRADLEY

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**11.0 CLOSURE OF MEETING TO THE PUBLIC**

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 8.13PM**

<b>Matter</b>	<b>Local Government (Meeting Procedures) Regulations 2015 Reference</b>
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) - Closed Senior Management Report</i>	15(2)

The MOTION was put and was CARRIED unanimously.

**IN FAVOUR**

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR BRAMICH	CR HYLAND	CR COURTNEY	CR BRADLEY

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**12.0 RESUMPTION OF OPEN MEETING**

At 8.19pm the Open Meeting was resumed.

**13.0 PUBLIC RELEASE ANNOUNCEMENT****RECOMMENDATION**

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

<b>Min. No.</b>	<b>Subject</b>	<b>Decisions/Documents</b>
NIL		

THERE BEING NO FURTHER BUSINESS THE CHAIRPERSON DECLARED THE MEETING CLOSED AT 8.19pm.

Confirmed,

MAYOR

17 August 2020