



**ORDINARY MEETING
OF COUNCIL**

**MINUTES
OPEN MEETING**

17 August 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 HELD AT THE COUNCIL CHAMBERS, 21 SAUNDERS STREET, WYNYARD ON MONDAY 17 AUGUST 2020, COMMENCING AT 6.02PM.

	From	To	Time Occupied
Open Council	6.02PM	7.21PM	79MINS
Planning Authority	N/A		0MINS
Closed Council	7.21PM	7.33PM	12MINS
Open Council	7.33PM	7.33PM	0MINS
TOTAL TIME OCCUPIED			91MINS

AUDIO RECORDING OF COUNCIL MEETINGS POLICY

The Chairman declared the meeting open, 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 advised that Council would be Livestreaming the meeting to the public.

ACKNOWLEDGEMENT OF COUNTRY

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

1.0 RECORD OF ATTENDANCE

1.1 ATTENDANCE

Mayor Robby Walsh
Councillor Maureen Bradley
Councillor Gary Bramich
Councillor Mary Duniam
Councillor Celisa Edwards
Councillor Darren Fairbrother

IN ATTENDANCE

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

1.2 APOLOGIES

Councillor Andrea Courtney

1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Councillor Kevin Hyland

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**2.1 CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY COUNCIL MEETING**

MOVED BY	CR DUNIAM
SECONDED BY	CR BRAMICH

That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at Council Chambers, 21 Saunders Street, Wynyard on Monday 20 July 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.

IN FAVOUR

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

2.2 CONFIRMATION OF MINUTES OF PREVIOUS SPECIAL COUNCIL MEETING

MOVED BY	CR DUNIAM
SECONDED BY	CR BRAMICH

That the Minutes of the Special Meeting of the Waratah-Wynyard Council held at Council Chambers, 21 Saunders Street, Wynyard on Monday 3 August 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.

IN FAVOUR

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

3.0 DECLARATIONS OF INTEREST

Councillor and Agenda Item Number

Nil

Staff and Agenda Item Number

Nil

4.0 COUNCILLORS ANNOUNCEMENTS AND REPORT

4.1 ANNOUNCEMENTS BY MAYOR

The Mayor advised that council has won the Tasmanian LG Professionals Community Services Delivery Award for the Communication and Engagement Strategy.

The award was received for Council work in improving community engagement and communication practices including, development of the strategy itself the revamp of website, community conversations programs, multiple surveys of community, the establishment of working groups to collaborate on key projects and initiatives. The Director of Community and Engagement noted the key focus on this area across all areas of council for many different projects.

4.2 MAYOR'S COMMUNICATIONS

13/7/2020	Councillor Workshop
14/7/2020	Bush Watch Meeting
14/7/2020	UPC Renewables Update
14/7/2020	Meeting with General Manager
15/7/2020	Wynyard Winter Bowls Opening Event
15/7/2020	Opening of Zoo Villas
20/7/2020	Council Meeting
21/7/2020	Meeting with General Manager
21/7/2020	Meeting with Sustainable Timbers Tasmania
22/7/2020	LGAT General Meeting
22/7/2020	Jim's Plains Renewable Energy Information Session
27/7/2020	Ten Days on the Island Office Opening
27/7/2020	Councillor Workshop
28/7/2020	Meeting with General Manager
28/7/2020	Meeting with Anita Dow
28/7/2020	Farewell Morning Tea for Keith Price
28/7/2020	Meeting with Constituents
3/8/2020	Councillor Workshop
3/8/2020	Meeting with General Manager
4/8/2020	Meeting with Deputy Mayor
4/8/2020	Meeting with General Manager
5/8/2020	Mayors Message Filming East Wynyard Playground

MOVED BY	CR BRAMICH
SECONDED BY	CR DUNIAM

That the Council note the Mayors Communications

The MOTION was put and was CARRIED.

IN FAVOUR

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

4.3 NOTIFICATION OF COUNCIL WORKSHOPS

Upcoming Workshops - Indicative Only

26/8	Joint Workshop with Circular Head Council – FOGO Discussion
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Councillor Attendance Records

Meetings attended during 2020/21 (to 7 August 2020)

	Ordinary Meetings 2020/21 (1)	Special Meetings 2020/21 (1)	Workshops 2020/21 (3)	Weeks Leave Approved
Mayor Robert Walsh	1	1	3	
Deputy Mayor Mary Duniam	1	1	3	
Cr Maureen Bradley	1	1	3	
Cr Gary Bramich	1	1	3	
Cr Andrea Courtney	1		2	
Cr Celisa Edwards	1	1	3	
Cr Darren Fairbrother	1	1	3	
Cr Kevin Hyland	1	1	3	

MOVED BY	CR DUNIAM
SECONDED BY	CR EDWARDS

That the Council note the following Councillor Workshops

27/7	Settlement Strategy Wynyard Police Discussion Ruth Forrest MLC Discussion Tulip Festival Loo with a View
3/8	Shared Services Discussion Wynyard Transfer Station Fees

The MOTION was put and was CARRIED.

IN FAVOUR

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

5.0 PUBLIC QUESTIONS AND STATEMENTS**5.1 RESPONSE(S) TO PUBLIC QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING****5.1.1 C HUTCHISON - SEAWALL AND BOARDWALK****QUESTION**

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: -

- a) 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?
- b) Were these costs paid to contractors?
- c) 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?
- d) Will there still be funds for further developing the Gutteridge Garden area such as dedicated playground space for children?

OFFICERS RESPONSE

Councillor Officers advise the following in response to the above questions: -

Firstly and most importantly it should be noted that the figures listed in the financial report are figures in the current financial year not over the life of the project.

- a) Difficult ground conditions were encountered over a short section resulting in additional costs for cased bored piers, reinforced concrete works and armour rock scour protection. These conditions were only encountered once work commenced.
- b) Additional costs were paid to contractors who completed the works.
- c) The Waterfront Seawall and Boardwalk are a sub-project of the Wynyard Waterfront Project that is a joint Federal, State and Council funded project. The Seawall and Boardwalk comprise an estimated \$2,000,052 of the estimated total project cost of \$7,112,000. An additional budget of \$75,000 was added for the Camp Creek Bridge.

Actual costs of the Boardwalk and Seawall projects total \$2,180,782, which is \$105,730 over budget. A detailed analysis of the project costs against budget was provided on the Special Council meeting agenda of 3 August 2020.

This amount will have no impact on the funds received for the Waterfront Project from the State or Federal governments. Budget overruns will be funded by Council.

- d) The development of Gutteridge Gardens and addition of playground equipment was not a component of this stage of the Wynyard Waterfront Development Plan. Preliminary discussions were had by the Wynyard Waterfront Working Group regarding a playground, lighting and other components and agreed that this would be considered in

a future stage. There are no dates set for this to occur given Council's current focus on the ANZAC park all-ability playground and the East Wynyard foreshore Playground.

5.1.2 C HUTCHISON - UNPAID RATES

QUESTION

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.

OFFICERS RESPONSE

Council officers advise that Council has a broad range of powers to recover rates including the power to sell properties in accordance with Section 137 of the Local Government Act (1993) where debts have been outstanding for 3 years or more. All viable options however are explored prior to selling a property to recover rates.

Due to Councils capacity to recover rates against the property, it is rare for a property debt to be waived and the total debtor based is expected to be recoverable.

As at 24 July there were a total of 462 assessments (properties) with rates outstanding. This compares with a total of 387 as at the same time last year. The increase is attributable to a decline in the economic conditions and Councils decision to provide relief to ratepayers suffering hardship through more generous payment arrangements under the Financial Hardship Policy.

Council has engaged with 194 ratepayers under Councils policy. As of 30 June, 44 of the 194 ratepayers contacted under Councils financial hardship policy were not eligible for assistance and therefore were subsequently lodged with Tas Collections in July.

All other ratepayers with an outstanding account fell into one of the following categories:

- Ratepayers already lodged with Tas Collections (and in many cases with legal action already in progress)
- Ratepayers with a pre-existing payment arrangement
- Ratepayers that currently have their property on the market or with a receiver appointed (and therefore settlement is expected in full when the property sells)
- Properties with outstanding amounts of less than \$100 (often short paid and recoverable on issue of next notice).

A total of 97 properties are eligible for sale (with rates outstanding of 3 years or more). Many of these properties will not be formally considered by Council to sell for recovery due the abovementioned activities.

5.1.3 MR K DORSEY - SHARED SERVICES

QUESTION

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.

OFFICERS RESPONSE

Following the carrying of the above motion at the Burnie City Council Meeting on 23 July 2020, Councillors discussed Mr Dorsey's motion at a workshop on 3 August 2020.

Burnie City Council are yet to formally approach Waratah-Wynyard regarding the matter and no discussions between the two Councils have taken place.

5.1.4 CR HYLAND- LOADING DOCK WOOLWORTHS

QUESTION

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.

OFFICERS RESPONSE

Officers advise that formal compliance actions have commenced.

5.2 PUBLIC QUESTIONS RECEIVED IN WRITING

Nil received.

5.3 PUBLIC QUESTIONS WITHOUT NOTICE

5.3.1 MR C HUTCHISON – STAFF MATTERS

Mr Hutchison of Preolenna raised a number of concerns and allegations regarding staff, specifically related to a Circular Head Community Meeting on 30 July.

The Mayor asked Mr Hutchison to cease his questioning and asked that any allegations against staff be presented in writing to the General Manager.

5.4 PUBLIC STATEMENTS RECEIVED IN WRITING

Nil received.

5.5 PUBLIC STATEMENTS WITHOUT NOTICE

Nil.

6.0 PLANNING AUTHORITY ITEMS

THERE WERE NO PLANNING MATTERS AT THIS MEETING

7.0 MATTERS RAISED BY COUNCILLORS**7.1 RESPONSE(S) TO COUNCILLOR QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING****7.1.1 CR G BRAMICH - BASS HIGHWAY****QUESTION**

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.

OFFICERS RESPONSE

Council Officers contacted the Department of State Growth (the Department) who advised that their contractors are inspecting this section of road two times each week. If there are pavement issues, such as potholes or edge breaks, then they are obligated to submit a maintenance request into their system. This will automatically generate a task and associated time frames for repairs to be scheduled for the defect found.

The Department also recommended that if there are pavement issues that are deemed dangerous, they should be lodged through the 24/7 Emergency Number on 1300-139-933. These issues are then logged / addressed and there will be history of the issues.

Please note that the Maintenance Contractor only has to inspect two times weekly as part of the current contract, so anything outside that time frame would only be picked up on their next routine inspection, thus why using the emergency number would assist all parties.

7.1.2 CR FAIRBROTHER- SHARED SERVICES**QUESTION**

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.

OFFICERS RESPONSE

A workshop was arranged on 3 August 2020 following the successful carrying of the motion at the Burnie City Council meeting. Burnie City Council is yet to formally contact Waratah-Wynyard regarding their motion.

7.1.3 CR COURTNEY- RESOURCE SHARING

QUESTION

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.

OFFICERS RESPONSE

An overview of all current resource sharing and shared services activities was provided to Councillors at the workshop held on 3 August.

7.1.4 CR BRAMICH- STAIRS AT HEPPLES RD BOAT HARBOUR BEACH

QUESTION

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

OFFICERS RESPONSE

Council has external specialists conduct condition assessments of stairs and bridges at regular intervals. In response to the above concerns, these contractors state:

7.1.5 CR COURTNEY- COASTAL EROSION

QUESTION

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. Council could possibly lobby for latest information to be the reference source for the planning scheme.

OFFICERS RESPONSE

The Coastal Inundation and Coastal Erosion maps included within the draft Waratah-Wynyard Tasmanian Planning Scheme have originated from the Department of Premier and

Cabinet (DPAC), Office of Security and Emergency Management’s Mitigating Natural Hazards through Land Use Planning Project, which includes the three coastal erosion hazard bands and the coastal erosion investigation area. These overlays are available as layers on the LIST and are titled ‘Coastal Erosion Hazard Bands 20161201’ and ‘Coastal Inundation Hazard Bands 20161201’. In the background information when selecting the layer, there is a link to the report which is titled *Coastal Inundation Mapping for Tasmania - Stage 4*.

7.1.6 CR FAIRBROTHER- RESPONSE TO CORRESPONDENCE

QUESTION

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.

OFFICERS RESPONSE

A reply to the correspondence regarding a planning matter has been provided.

7.1.7 CR FAIRBROTHER - MINOR BOUNDARY ADJUSTMENT

QUESTION

Cr Darren Fairbrother asked what constitutes a minor boundary adjustment.

OFFICERS RESPONSE

The Councillor is referring to the Adjustment of a Boundary provisions of the planning scheme. It is Special Provision 9.3, with the clause inserted below. A proposal must comply with all of the below to qualify as a boundary adjustment. Where this is not achieved, then the proposal will need to demonstrate compliance with the subdivision standards relevant to the zone of the property.

9.3 Adjustment of a Boundary

9.3.1

An application for a boundary adjustment is permitted and a permit must be granted if:

- (a) no additional lots are created;*
- (b) there is only minor change to the relative size, shape and orientation of the existing lots;*
- (c) no setback from an existing building will be reduced below the applicable minimum setback requirement;*
- (d) no frontage is reduced below the applicable minimum frontage requirement; and*
- (e) no lot boundary that aligns with a zone boundary will be changed.*

7.1.8 CR FAIRBROTHER - ZONING ISSUE

QUESTION

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

OFFICERS RESPONSE

Council officers are aware of the specific property to which Councillor Fairbrother is referring and have been discussing the matter with the property owner.

In this case, a development application has been lodged for the proposal, with a request for further information issued. A response has not been provided to date. The application remains on stop clock.

It was suggested that the site would have been zoned Village under the 2000 Planning Scheme, and therefore should be Low Density Residential under the current planning scheme. This is not the case and the site was zoned Rural, and therefore was appropriately zoned Rural Resource when the current scheme was adopted.

7.1.9 CR DUNIAM - LETTER FROM RATE PAYER

QUESTION

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

OFFICERS RESPONSE

A response has been provided to the letter and a copy provided to Councillors.

7.1.10 CR FAIRBROTHER - LEGAL ADVICE

QUESTION

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.

OFFICERS RESPONSE

A summary of the initial legal advice obtained is included below. An extract of the initial advice, prior to commencement of the works states:

The Boat Harbour Beach area in the municipal area of Waratah-Wynyard has been subject to land slips. Land slips are reported to have occurred in 1969, 1971, 2013 and 2016.

After an investigation into the vulnerability of Port Road to land slip movement it has been recommended to the Council that it carry out immediate drainage works to land that adjoins or is near Port Road, Boat Harbour. The object of the drainage works is to try and mitigate any further land slip that might occur as a result of the failure of Port Road.

We have been provided with an aerial photograph that shows an area of land that surrounds part of Port Road at Boat Harbour. Portrayed on the photograph is an area marked in blue in which it is intended to install 150 mm PVC drainage pipe which is in the road reserve and joining the blue line is a red line that sweeps up the hill past land owned by Gregory and Brane, a Body Corporate at 263 Port Road and land owned by the Elphinstone's.

Our advice is sought as to the Council's right to enter the land and carry out the drainage work.

S34 of the Local Government (Highways) Act 1982 (LGHA) provides power to a Council to make, cleanse and keep open all drains and water courses which it considers necessary in and through any land adjoining or near a local highway maintainable by the corporation (the writer's emphasis). We understand that Port Road is a local highway maintainable by the Council. Thus, s34 is the relevant head of power for the Council to use to carry out the proposed work. There are no existing drains or water courses and so the Council have to rely on that part of s.34 that allows for the construction of drains and as the area in red does not adjoin then it will rely on the power to do the work on land that is near the local highway of Port Road.

Whilst s34 impliedly gives the right for the Council to enter the affected land, there is another power of entry provided to the Council by s20A of the Local Government Act (LGA). S20A provides as follows:

20A. Powers of entry

- (1) In order that a council may perform its functions or exercise its powers under this or any other Act, the general manager may authorise a person to enter land for a specific purpose or in general.*
- (2) An authorised person need not be an employee of a council.*
- (3) The general manager must give notice to the owner or occupier of the land before entry is made under subsection (1) unless –*
 - (a) an emergency exists; or*
 - (b) the entry is in relation to an application by the owner or occupier for a licence, permit or other approval given by the council; or*
 - (c) notice would defeat the purpose of the entry.*

(4) A person entering land under this section is to produce the identity card issued to that person under section 20B.

(5) The general manager may revoke an authority under this section.

In our view the Council does have the statutory power to enter the land owned by Gregory and Brane, the Body Corporate and the Elphinstone's and undertake the drainage work that has been foreshadowed

Council officers then proceeded with the works, awarded the contract and the project commenced. Subsequent advice, following receipt of a complaint, states:

1.1. The position adopted by Council to date is that the drainage works are exempt from requiring planning approval because of section 34 of the Highways Act.

1.2. Whilst that position is understandable, unfortunately section 34 of the Highways Act does not provide an exemption from requiring a planning permit. Instead, the relevant exemptions that could apply to the drainage works are contained within the Scheme itself.

1.3. I am of the opinion that the cut to provide access to the site of the drainage works could be considered to the 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.

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

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

1.6. I am of the opinion that no offence in relation to section 152(2)(a) of the Building Act, relating to excavation within a landslip area, has been committed in respect of the drainage works because the exception within the Building Regulations applies.

1.7. It is also possible that the cut and excavation for access to the drainage works site could conform with the exception under the Building Regulations in that it may "allow rainwater or seepage to drain from the site". However, this question is best answered by an engineer, possibly CSE.

1.8. Another aspect of section 152(2) of the Building Act arguably has been triggered as there has been the use of earthmoving equipment on the Property to carry out both the cut and the drainage works, per section 152(2)(b) of the Building Act. It is therefore also important to consider whether the exemption for the use of this machinery applies.

1.9. I am of the opinion that the exemption under regulation 13(1)(e) of the Building Regulations has been satisfied and that it is able to be argued that the requisite permission has been given by the permit authority, Council, as the work has been carried out on its behalf.

1.10. We recommend that Council:

(a) obtain retrospective planning approval for the drainage works and cut for access to the site of the drainage works and prepare a development application and have this assessed in the normal way; and

(b) seek the independent opinion of an engineering expert in respect of whether the cut for access to the site of the drainage works has been carried out in such a way to “allow rainwater or seepage to drain from the site”. If the cut has not been made to ensure this occurs, or further works to facilitate or support this is recommended, Council should implement those recommendations.

7.1.11 CR FAIRBROTHER - IMPACT OF PLANNING SCHEME CHANGES

QUESTION

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

OFFICERS RESPONSE

The vast majority of properties have had their current zone translated into the corresponding zone under the Tasmanian Planning Scheme.

Any instances where there has been a change in zoning has been addressed in Council’s submission to the Tasmanian Planning Commission. This report was considered at and endorsed by Council at the June 2019 Council meeting. These changes would be a mixture of losses and gains in development potential.

7.1.12 CR FAIRBROTHER - FORSTERS ROAD RE-NAMING

QUESTION

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

OFFICERS RESPONSE

Council officers have been working with the Wynyard Historical Society to verify the history of the naming of Forsters Road. A survey is currently being conducted with property owners and a report will be prepared for Council consideration at the September 2020 meeting.

7.1.13 CR EDWARDS - CLEANING PUBLIC TOILETS

QUESTION

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.

OFFICERS RESPONSE

Below is the current cleaning schedule for Council's public toilets: -

Servicing of public toilets and change room spaces includes:

- a) The thorough cleaning/disinfecting of floor, walls, toilet, basin, appliances etc.
- b) Graffiti removal
- c) The emptying of bins/containers within these facilities and disposal of waste (if required)
- d) Removal of debris, litter and other disposed items
- e) Replacement of toilet paper as stocks begin to diminish (Council supplies toilet paper)

These facilities are regularly cleaned and may be subject to peak demand periods during warmer months. Public toilets are washed out, cleaned (including graffiti removal) and disinfected **prior to 9:00am** every day to avoid disruption to customers.

For toilets which require two services per day the second service includes sweeping, removal of waste paper etc. In all cases urinals, where fitted in the toilets, are cleaned at least once per week, or as required, with urinal cleanser.

Particular attention is given to cleaning grout lines in facilities with a tiled floor as this is the most likely area to absorb odours. Sweeping behind doors and cleaning in corners of the facilities are also areas for attention.

The following table describes the public amenities included at the time of awarding the current contract and the expected cleaning frequency:

LOCATION	# of ACCESSIBLE CUBICLES	# of STANDARD CUBICLES	# of CHANGE ROOMS	# of PARENTING ROOMS	# of OTHER AREAS	CLEANING FREQUENCY
Sisters Beach – Boat Ramp	1	0	0	0	N/A	1 Dec – 28 Feb: Twice Daily Remaining Year: Daily
Sisters Beach – Foreshore	1	3	3	1	N/A	1 Dec – 28 Feb: Twice Daily Remaining Year: Daily
Boat Harbour – Foreshore	1	3	1	1	N/A	1 Dec – 28 Feb: Twice Daily Remaining Year: Daily
Wynyard – Woolworths CBD	1	3	0	1	N/A	Twice daily
Wynyard – Gutteridge Gardens	1	3	0	1	N/A	Daily
Wynyard – Foreshore	1	3	3	1	N/A	Twice daily
Somerset – French’s Road Nature Reserve	0	1	0	0	N/A	Monthly
Somerset – Surf Club Female	1	2	See other	0	Shared wash basin and change room space	1 Dec – 28 Feb: Twice Daily Remaining Year: Daily
Somerset – Surf Club Male	1	1	See other	0	Shared wash basin and change room space	1 Dec – 28 Feb: Twice Daily Remaining Year: Daily
Somerset – Cam River	2	0	0	0	N/A	1 Dec – 28 Feb: Twice Daily Remaining Year: Daily
Somerset – CBD	1	3	0	1	N/A	Twice daily

7.2 COUNCILLOR QUESTIONS RECEIVED IN WRITING

Nil received.

7.3 COUNCILLOR QUESTIONS WITHOUT NOTICE

7.3.1 CR DUNIAM – DOG MANAGEMENT SIGNS

Cr Duniam asked for an update on when the dog management signs would be erected at beaches within the Waratah-Wynyard municipality.

The Director of Infrastructure and Development Services took the matter on Notice.

7.3.2 CR DUNIAM – CAM RIVER BRIDGE PROPOSAL

Cr Duniam asked for an update on the status of the new Cam River Bridge proposal.

The General Manager took the matter on Notice.

7.3.3 CR DUNIAM – ANZAC PARK PROJECT

Cr Duniam asked for an update on the all ability playground proposed for ANZAC Park.

The Director Community and Engagement noted that detailed designs are progressing and will be presented to Councillors at a workshop.

7.3.4 CR BRAMICH – CONDITION OF BASS HIGHWAY

Cr Bramich asked how does the general public know that there is a hotline to lodge requests for repairs and potholes to be fixed. Could signs be erected.

The General Manager noted that Council can promote the hotline through social media and website.

7.3.5 CR FAIRBROTHER – RESPONSE TO BURNIE CITY COUNCIL

Cr Fairbrother asked will Council be formally considering the Burnie City Council (BCC) motion before the Mayor of Waratah-Wynyard Council provides a response.

The General Manager noted that no formal request had yet been received from BCC and that there was, at this stage, no intention to bring the matter before Council for discussion.

The Mayor noted that he had met with Mayor Kons and passed on results of discussions that Councillors had at the recent Councillor Workshop.

7.3.6 CR BRADLEY - HEPPLES ROAD STAIRCASE

Cr Bradley noted the response to her previous question taken on notice regarding the Hepples Road stairs and advised she had since had discussions which raised questions regarding the age of the stairs and asked for the matter to be further reviewed.

The Director of Infrastructure and Development Services took the matter on Notice.

7.3.7 CR FAIRBROTHER – LAND SLIP B ZONE PROPERTIES

Cr Fairbrother asked how many properties in the municipality are within the Land Slip B Zone. What would the impact be for these properties with the introduction of the Tasmanian Planning Scheme.

The Director of Infrastructure and Development Services took the matter on Notice.

7.3.8 CR FAIRBROTHER – TOILET SEATS

Cr Fairbrother asked when the project to install toilet seats in public toilets would be completed.

The General Manager advised that the program had commenced and that he would advise timeframes for the remainder.

7.3.9 CR FAIRBROTHER – LETTERS OF ACKNOWLEDGEMENT

Cr Fairbrother asked that a letter be sent to Joan Rylah MP thanking her for her service to the community and council following her resignation from the Tasmanian House of Assembly. He also asked that a letter of support to be sent Felix Ellis MP who is the new incumbent.

9.0 REPORTS OF OFFICERS AND COMMITTEES

9.1 ICEP - INTEGRATED COUNCIL ENVIRONMENTAL PLAN 2020-2030 FOR FINAL ADOPTION

To:	Council
Reporting Officer:	Project Manager
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	28 July 2020
File Reference:	
Enclosures:	<ol style="list-style-type: none">1. Public Feedback Submissions - Response to draft iCEP2. Consultation Findings Discussion Paper3. Integrated Council Environmental Plan (iCEP) - Complete Version4. Integrated Council Environmental Plan (iCEP) - Summary Version

PURPOSE

To seek Council approval for the adoption of the iCEP 2020-2030.

BACKGROUND

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

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

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

The Council adopted the draft iCEP in May 2020 for the purposes of undertaking a public consultation period. A three week consultation period commenced on World Environment Day (5 June). The consultation was advertised through a media release, social media posts, short videos from community champions and a display on Council's website. At the close of the feedback period, 25 comments were received from the community. These comments were considered prior to finalising the plan.

DETAILS

The Waratah-Wynyard iCEP sets out the key priorities across five areas of Council and community life - Council-led sustainability; community adaptation and resilience; future-ready infrastructure; financial and economic sustainability; and environmental stewardship—so that our residents, workers and visitors alike can enjoy the benefits of a

more secure future. Importantly, the iCEP is not a standalone strategic document as it is intended to support more sustainable decision-making across the organisation and beyond.

The iCEP is intended to be an evidence-based plan – one element to the evidence is the community’s attitudes and beliefs around a changing climate and to comment on their hopes and concerns for the environmental future of Waratah-Wynyard. To understand this aspect, a six-week extensive consultation process was undertaken in 2019, where council received over 240 submissions from the community. In addition to the initial consultation period, technical research, benchmarking and internal workshops were held to identify the priorities and actions contained within iCEP’s Delivery Plan.

Once the draft iCEP was formally endorsed by Council, it was released to the community for a public feedback period on World Environment Day. Upon the close of this feedback period, 25 comments were received and are provided in full in the attachments to this report.

Generally, the feedback received was both positive and constructive. The vast majority of respondents praised Council on the efforts made to deliver a comprehensive environmental plan. Common themes from the consultation are included below:

1. The iCEP is comprehensive, thorough and well researched
2. Emphasis should be placed on building community capacity, health and wellbeing
3. Preference for a more concise document that removes repetition
4. Resourcing the iCEP and alternate NRM models should be considered by Council
5. Preference for a commitment to targets, definitive goals and timelines
6. Biodiversity should have a stronger focus
7. The iCEP clearly demonstrates Council’s leadership role

Amendments to the iCEP have been made as a result of considering the feedback received from the community. A summary of the feedback themes and response to the issues raised has been provided in the attached Consultation Findings Discussion Paper. While every effort has been made to incorporate all issues raised, this summary should be read in conjunction with the original feedback submissions also enclosed to this report.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

Sustainable Murchison Community Plan 2040

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

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

FINANCIAL IMPLICATIONS

The costs associated with sustainability and natural resource management will be dependent upon the role Council determines in endorsing the final iCEP. To effectively

manage the resources of Council the draft iCEP proposes a priority level of Essential, Important and Desirable for each action. The iCEP's success will largely be dependent upon the completion of the 'essential' priorities and therefore these actions will be the Council's main focus.

There was a strong theme within the feedback received that the Council consider how environmental management is resourced in the future, specifically in the context of budget and staffing levels given the increase in environmental concerns evidenced by the plan. While the consideration of staffing is related to the iCEP, it is considered an operational matter and therefore resourcing has not been specifically addressed within the plan but will require future consideration in terms of benefits and costs.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

Various staff across the organisation, Councillors, citizen scientists and industry experts have been consulted in the process of producing the iCEP.

Feedback received from community members has also informed the strategy document, both during its development and upon release of the draft plan. All comments received during the public feedback period were considered prior to the final endorsement of the iCEP.

CONCLUSION

It is therefore recommended that the Council adopt the Integrated Council Environmental Plan (iCEP) 2020-2030 and endorse the delivery plan contained within.

MOVED BY	CR FAIRBROTHER
SECONDED BY	CR DUNIAM

That Council adopt the Integrated Council Environmental Plan (iCEP) 2020-2030 and endorse the delivery plan contained within.

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.2 CAM RIVER RESERVE MASTER PLAN FOR FINAL ADOPTION

To: Council
Reporting Officer: Project Manager
Responsible Manager: Director Infrastructure and Development Services
Report Date: 28 July 2020
File Reference:
Enclosures:

1. Cam River Reserve Master Plan
2. Original Feedback Submissions
3. Consultation Findings Discussion Paper

PURPOSE

To seek Council approval for the adoption of the Cam River Reserve Master Plan.

BACKGROUND

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

The Council adopted the draft Cam River Reserve Master Plan in May 2020 for the purposes of undertaking a public consultation period. A three week consultation process commenced on the 12 June 2020. The consultation was advertised through social media posts, a master plan overview video, a mail-out to Somerset residents and a display on Council's website. At the close of the feedback period, 39 comments were received from the community including one article in the local newspaper. These comments were considered prior to finalising the plan.

DETAILS

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

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

In summary, the master plan proposes a total 23 actions to cover the elected themes of safe access and circulation; relaxation and amenities; nature, art and design; and passive recreation. The actions within the plan address key community concerns around losing open space, losing the natural character of the reserve and pedestrian safety. Additionally, the master plan also considers community aspirations recognised through the initial engagement period, such as including options for a heritage walk and providing more amenities that support picnicking and relaxation.

Once the draft master plan was formally endorsed by Council, it was released to the community for a public feedback period on the 12 June 2020. Upon the close of this feedback period, 39 comments were received (including one newspaper article), which are provided in full in the attachments to this report.

Generally, the feedback received highlighted the desire for upgrades in the reserve and reinforced the actions as listed in the draft. Common themes from the consultation are included below:

1. Swimming safety
2. Pedestrian access to the reserve – Considering mobility access and safe crossing to Anzac Park and the beach
3. Beautification of the area whilst maintaining its natural qualities
4. Preference to keep play equipment in the reserve
5. Requests that infrastructure supports family use, such as incorporating new park shelters and furniture into the reserve

Amendments to the Cam River Reserve Master Plan have been made as a result of considering the feedback received from the community. A summary of the feedback themes and response to the issues raised are provided in the attached Consultation Findings Discussion Paper. While every effort has been made to incorporate all issues raised, this summary should be read in conjunction with the original feedback submissions also enclosed to this report.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 3: Connected Communities
Desired Outcomes
Our natural and built environment aids the community with an active and healthy lifestyle.
Our Priorities
3.3 Deliver planning for activation through effective urban design and planning that promotes liveability, social gathering and connectedness, and which recognises and celebrates local history.
3.7 Promote and strengthen community safety to retain and attract families to live and recreate in Waratah-Wynyard.
GOAL 4: Community Recreation and Wellbeing
Desired Outcomes
Our community enjoys access to visually appealing safe spaces and facilities for recreation.
We provide recreational opportunities to the community for all ages and abilities.
Our Priorities
4.1 Commit to ongoing recreation and open space planning to ensure evidence-based decisions are made about the role of Council and its partners in recreation.
4.4 Provide and maintain quality and safe places and spaces for physical, social and cultural activities, including shared and multi-use facilities where possible.
4.5 Collaborate with community organisations that provide recreation opportunities to our community.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The master plan proposes the delivery of 23 actions over 5 years which amounts to a total estimated capital and operational spend of \$482,250 (15-20% predicted to be funded through renewals). As a result of achieving these actions, an additional \$23,000 is anticipated in recurrent annual costs (depreciation and maintenance) for the life of the master plan. This has reduced since the release of the draft master plan to account for the amendments made to the plan, particularly in the context of investigating market options for play equipment and/or interactive art.

It is anticipated that some of the actions within the plan, such as the land reclamation, could add to the costs associated with delivery of the master plan. As these costs are identified, they will be included with the other actions and submitted to Council as part of the annual budgeting process.

An allocation of \$231,933 has been made in the Council's 2020/21 capital budget for the purposes of delivering the Year 1 actions as set out in the master plan.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

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

feedback received during this process was considered prior to the final endorsement of the master plan.

CONCLUSION

It is therefore recommended that the Council adopt the Cam River Reserve Master Plan and endorse the action plan contained within.

MOVED BY	CR DUNIAM
SECONDED BY	CR EDWARDS

That Council adopt the Cam River Reserve Master Plan and endorse the action plan contained within.

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.3 ANNUAL UPDATE - BOAT HARBOUR BEACH MASTER PLAN

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	22 July 2020
File Reference:	004.01
Enclosures:	1. Boat Harbour Beach Masterplan

PURPOSE

The Boat Harbour Beach Masterplan (Masterplan) was developed to address community expectations and provide strategic plan for the area. This report reviews the current status of the Masterplan.

BACKGROUND

In 2016 Council commenced the development of a Boat Harbour Beach Development Masterplan. Through an expression of interest tender process, Council engaged ERA Planning Pty Ltd to lead a multi-disciplinary consultancy team to undertake analysis and planning through an extensive process involving:

- (a) Principal Consultant and Master Planning – ERA Planning Pty Ltd;
- (b) Architectural and Master Planning – Cumulus Studio; and
- (c) Stakeholder Engagement – Noa Group.

The Boat Harbour Beach Master Plan provides a unifying vision for the area particularly focusing on the management of public spaces around the beach area and the provision of supporting infrastructure and development. In this context, the Master Plan:

- Identifies the overall values of the place which should be protected;
- Examines the role and function of the Boat Harbour Beach area in the context of North West Tasmania;
- Identifies current opportunities and constraints;
- Aligns the interests of all stakeholders toward common goals and achieves cohesiveness in future actions by those stakeholders;
- Gives clarity to the community, business, investors and governance about the future direction for the area; and
- Provides an overarching framework to prioritise investment in the area.

At the commencement of the master planning process the following aims were identified:

- (a) Overall vision for the township based on key directions;
- (b) Develop clear objectives for the future development and character of the town including planning scheme requirements;
- (c) Consider and detail the key environmental constraints of the township;
- (d) Consider and detail key infrastructure constraints including car parking and access;

- (e) Establish a plan to improve the quality of the area available for public open space, including pedestrian access, BBQ facilities and play equipment;
- (f) Identify a settlement boundary having regard to key land constraints and values; and
- (g) Consider future details work that may be necessary to support implementation.

Extensive public consultation and engagement with key stakeholders was undertaken and the strategic directions identified through the process have guided the preparation of the master plan with feedback shaping the final proposal. Subsequent engagement undertaken via a survey sent to the Boat Harbour Beach community indicated support for public camping with the regulated site location to be determined by the final plan.

The final Boat Harbour Beach Masterplan was endorsed by Council in August 2019 with a working group made up of Councillors, Officers, Boat Harbour Surf Life Saving Club members and members of the public then established to progress the Masterplan.

DETAILS

The Boat Harbour Beach Masterplan can be accessed on the Council’s website:

<https://www.warwyn.tas.gov.au/governance/strategies-and-plans/>

Key Directions

The masterplan was developed with the following key directions as the driving focus:

KEY DIRECTION
Reshape and Improve areas of Public Open Space
Improve management of transport and movement
Boat Harbour is a place for everyone
Future development is compatible with the character of Boat Harbour
Public buildings within Boat Harbour are suitable for the needs of the community

Current Status

Seawall and Land Reclamation

It was agreed by the Boat Harbour Beach Masterplan Working Group (Working Group), that before any decisions could be made regarding project detailed design, that an indication was required from Parks as to whether approval would be forthcoming for reclamation of land as per the masterplan. This decision will impact the final layout and design of the site.

Council officers have over the last six months had various discussions with Parks and now have an indicative list of environmental impact reports required (this is not a guarantee of approval) to seek approval for Land Reclamation. It should be noted that at a minimum the existing seawall needs significant remediation works.

Council has sought tenders to complete a range of environmental impact assessment reports and recommendations to assist with planning coastal works and to inform the decision and approval processes. These reports will include information required to seek approval from Parks and EPA to reclaim land at Boat Harbour Beach as per the Boat Harbour Beach Masterplan.

Tender assessment for these reports is currently being completed. Once completed it is expected that reports required to complete request for works and EPA assessment will be available by December 2020. Work requested includes:

- Undertake Fauna/Flora sensitivity assessment
- Undertake Aboriginal Heritage assessment
- Undertake options assessment and analysis for methods of land reclamation including impact to adjacent services and stormwater discharge locations
- Undertake Coastal Geomorphology assessment
- Undertake cost analysis based on feasible options
- Deliver comprehensive report to Council clearly outlining preferred option and analytical results

Advice has been sought from the EPA regarding the project including if the project will be considered a level two project which triggers additional requirements.

Council will progress a request for an approval to lodge Development Application for the land reclamation through Crown Land Services as soon as plans and reports completed.

Once a decision is reached on this component of the masterplan the working group will then develop a timeline for all projects components as per the concept plans contained in the masterplan. The group has agreed that it will need to work on some projects concurrently as some – such as walking trails will be quick wins while others such as seawall remediation and land reclamation will take considerable time

Community Building

The Boat Harbour Surf Life Saving Club (Club) has been working on design plans for the community building which will also be the new home for the club and will include public toilet facilities. An updated design has recently been completed following feedback from club members and is currently being reviewed by the Working Group. Funding for the design was provided through Joan Rylah MP.

Operational and safety matters are being considered as part of the design process.

Pending

- Working with Parks to review all leases/licenses in the area so they can be simplified and updated when project final designs completed.
- Existing infrastructure to be reviewed (there are complimentary projects that will support this activity)
- Plan to be developed for walking track to the west
- Signage strategy for the area – update and improve existing in line with Council Branding Strategy, review opportunity for additional cultural/historical/environmental signage on walking tracks.
- Road design and public space design – is dependent on decision regarding land reclamation.

STATUTORY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance	
Desired Outcome:	
We make publicly transparent decisions on spending and future directions while encouraging community feedback.	
1.1	Commit to best practice in community engagement.
GOAL 3: Connected Communities	
Desired Outcome:	
We listen and engage with our community in decision making.	
Our community uses its voice to shape its future alongside a strong Council willing to listen and implement where reasonable and practical.	
3.3	Deliver planning for activation through effective urban design and planning that promotes liveability, social gathering and connectedness, and which recognises and celebrates local history.

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.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

\$20,000 has been approved for the 20/21 financial year to complete planning, survey and design work. Once this work is completed a budget submission will be prepared for the 21/22 financial year with funding and grant opportunities to be investigated and key to the progression of the project. A separate budget of \$120,000 was approved to complete environmental studies required for coastal erosion planning in the municipal area, the reports required for Masterplan approvals are included in these studies.

Councils Financial Management Strategy is pivotal in setting the high-level financial parameters that guide the mix, timing and affordability of future outlays. Council has adopted a range of masterplans and strategies in consultation with the community outlining future community aspirations which require a capital investment of approximately \$58m

over the next 10 years. In addition to the capital outlays, additional recurrent costs will be incurred and will need to be planned for and managed.

The Boat Harbour Beach Masterplan has been allowed for in the strategy and allows for up to \$500,000 to be spent over the next 3 years (in 2022). Council will pursue capital co-funding for the project from the state and federal governments with the view to delivering the masterplan over the next 5 years.

The Financial Management Strategy is a 10-year plan that is reviewed annually to consider changes in Councils operating environment and will be reassessed again late in this calendar year.

RISK IMPLICATIONS

- **Legislative compliance**

There is considerable work to be completed to ensure that all legislative requirements are met, particularly related to environment matters.

- **Reputational Risk**

While there is already high level of support for the Masterplan in the community, when/if the land reclamation is approved to proceed, community consultation will be critical to address concerns that parts of the community will have about the environmental impacts of this project.

- **Financial Sustainability**

As part of the investigations and planning this year, ownership of assets will be determined and any additional costs to council for maintenance and depreciation will need to be factored into future budgets.

It should be noted that external funding of capital works will be key to this project proceeding to construction.

- **Environmental Impact**

A key part of the planning for this project will be the preparation of reports that determine what environmental impacts there will be and how to mitigate those risks and indeed if those risks can be mitigated. Council officers have commenced working with Parks and the EPA to ensure we do everything required to act responsibly and in-line with Councils iCEP Strategy and all state and commonwealth requirements.

CONSULTATION PROCESS

The Council has established a working group to drive the project including key stakeholders, community members, elected members and staff. Officers will work with key stakeholders throughout the development of projects contained within the Masterplan. Key will be the development of a comprehensive communications plan to keep the community and interested parties informed.

CONCLUSION

It is recommended that Council note the review of the Boat Harbour Beach Master Plan actions.

MOVED BY	CR FAIRBROTHER
SECONDED BY	CR DUNIAM

That Council note the progress of implementation of the Boat Harbour Beach Master Plan.

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.4 COVID-19 COUNCIL UPDATE

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	22 July 2020
File Reference:	0420
Enclosures:	1. Premier's Economic & Social Recovery Advisory Council - Interim Report

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 end of 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.

The April resolution of Council indicated that these update reports would be provided as part of each Council agenda to allow an opportunity to review stimulus measures monthly to ensure their appropriateness until 30 August 2020. Therefore, this will be the final monthly COVID-19 report, unless there is an escalation of the current situation. Periodic summaries will be provided with changes and impacts reported to Council via the monthly Senior Management Report and/or Finance Report.

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 previous reports.

Council's Business Continuity team charged with the responsibility of enacting the Business Continuity Plan (BCP) have now ceased regular meetings and will schedule a review of recent months to seek learnings to improve the BCP document and processes.

As per last pay period 37 separate employees have accessed Council's Pandemic Leave.

All staff have now transitioned to working back at their place of work following easing of restrictions. 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. Strict hygiene and cleaning regimes remain in place. Offices are clearly signed with maximum numbers of users.

Working from home has allowed modernisation of processes, implementation of technology and a review of priorities with a review of flexible work practices now underway to evaluate suitability of this type of arrangement continuing into the future.

Emergency Management

The Tasmanian Government has extended the Declaration of a State of Emergency until the end of August 2020.

Border restrictions remain a key focus of the Government with regular updates provided in relation to this changing situation.

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

Maintaining Essential Services

All Council sites have now re-opened with associated Covid-19 plans in place. There remain some issues with the Wynyard Foreshore Market and compliance from patrons with the COVID plans, however stronger controls and measures will be implemented at each event.

Soap dispensers have been installed in approximately 50% of public toilets. Further installations will occur pending delivery of the soap dispensers

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 Tasmanian Government has called for submissions for the Independent Review into the North West COVID-19 outbreak. The Review will cover every aspect of the outbreak in the North West, including the actions and effectiveness of those actions taken in response with a closing date for feedback 14 August 2020.

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

EMERGENCY MANAGEMENT ACT 2006

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

- [Direction under Section 40 - Persons arriving in Tasmania \(general\) - 17 July](#)
- [Direction under Section 40 - Persons arriving in Tasmania from Affected Regions and Premises - 30 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

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. 9](#)
- [Direction under Section 16 - Workplace COVID Plan - No. 1](#)
- [Direction under Section 16 - Management of Premises - No. 1](#)
- [Direction under Section 16 - Assessment of persons from affected regions and premises - No. 1](#)

Economic Recovery

The COVID-19 pandemic has had a significant impact on the community. The scale of the economic and social impacts has, and continues to be, considerable.

The Tasmanian Government is currently developing strategies to minimise these impacts and to ensure the Tasmanian community is well placed to meet the challenges and opportunities that lie ahead. One of the measures the Government has implemented is the establishment of the Premier's Economic and Social Recovery Advisory Council (PESRAC) to provide advice on strategies to support the short to medium, and the longer-term recovery from COVID-19.

The PESRAC's work focusses on making recommendations on measures that can be implemented by Government, the community and the private sector to mitigate the impacts of COVID-19 and recover from it. Waratah Wynyard will develop its plan for supporting the local economy will be formalised over the coming months Council through the adoption of an Economic Recovery Plan. The plan will consider recommendations made by PESRAC in its recently released Interim Report. The report is attached for the information of Councillors.

In the short term, Councils annual plan and budget estimates had a significant focus on supporting our community and economy over the next 12 months. Economic development opportunities will be boosted through Councils ambitious \$16.230m capital expenditure program for 2020/21 which includes \$9.644m in new construction projects and brings

forward several projects to support the use of local employment and resources. Other measures in the annual plan and budget included:

- 0% rates and charges increase
- 0% increase for all user charges
- Community recovery grant program of \$0.100m
- Continuation of the Financial Hardship policy
- Extension of the early payment discount period of 60 days (to 31 October)
- Continuation of free entry to the waste transfer station for non-commercial residents
- Waiving food licence fees for 2020/21

Community Recovery Grants

In response to the unique economic opportunities and challenges of COVID-19, Council have committed \$100,000 to fund a proposed Survive and Thrive Grants program.

The primary purpose of the proposed Survive and Thrive Grant program is to help Waratah-Wynyard based businesses and community groups innovate and mitigate the effects of COVID-19. The Survive and Thrive Grants program has been put in place to enable the continuation of economic activity and strengthening of the local economy and community.

Council understand that practical assistance is required to support Businesses including tourism and hospitality and community organisations to adapt their service delivery model and work in new ways.

The proposed grants program is a time-limited, rapid response funding program for community groups and businesses who are currently facing changes in demand and/or operational challenges or opportunities .

This grants program is a practical way of supporting and strengthening local businesses and community groups to continue to provide services in our communities. The grant program is proposed to be divided into three distinct areas –

- 1) Business innovation
- 2) Tourism and hospitality
- 3) Community activation

Through access to timely funding assistance, this grants program will provide support to businesses and community groups in the Waratah-Wynyard communities to survive and thrive post COVID-19. The final details will be workshop[ed with Council in coming weeks with a view to release the program in early September.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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.

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 and note that the innovation and stimulus grants program will be released in early September.

MOVED BY	CR DUNIAM
SECONDED BY	CR BRAMICH

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

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.5 ACCESS TO PARENTING LOUNGE IN WYNYARD AND SOMERSET

To: Council
Reporting Officer: Director Community and Engagement
Responsible Manager: General Manager
Report Date: 6 August 2020
File Reference: 03
Enclosures: Nil

PURPOSE

This report has been prepared to provide Council with information relating to parenting facilities in Wynyard and Somerset CBD and to outline strategies to promote and advocate the availability of these facilities to parents.

BACKGROUND

At the July 20 Council meeting a motioned was adopted by Council -

That Council:

1. staff 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

DETAILS

An investigation of parenting facilities in Wynyard and Somerset CBD locations found the following facilities are available.

Wynyard

Rural Health Tasmania: Provide a parenting change room, which is regularly cleaned and serviced. There are also bottle heating facilities. A private area is available if requested for feeding or if happy they can use the lounge area. There is rear access for prams.

Location: 33 Goldie Street

Dixons Pharmacy: Provide a parenting room as part of their services.

Location: 112 Goldie Street

Private parenting rooms are also available at the Wynyard Medical Centre and Saunders Street Centre for patients

Somerset

Coastal Family Day Care: Promotes breastfeeding facilities. The facility is available during business hours.

Location: 34 Wragg Street

Private parenting rooms are also available at the Somerset Medical Centre for patients.

In addition to the facilities listed, Live Well Tasmania is considering providing a parenting space. They are currently renovating however anticipate work being complete in the coming

weeks. There will be access to a microwave, fridge and sink in the large room are and provisions could be made for a change table in this area.

The investigation found there are parenting facilities available however there seems to not be broad knowledge of these. To increase awareness all facilities will be promoted through social media, web site, WOW and Warawyn Early Years. Services can also be incorporated into the Residents kit and promotion on the customer television in the Council customer service area.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 4: Community Recreation and Wellbeing
Desired Outcomes
Our community is welcoming and supportive.
Our Priorities

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.

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

There are parenting facilities within the Wynyard and Somerset CBD. Providers reported promoting the facilities with limited utilisation. Additional promotion will be undertaken through Councils media and information channels to increase awareness.

MOVED BY	CR DUNIAM
SECONDED BY	CR BRAMICH

That Council note the Parenting facilities available in Wynyard and Somerset CBD locations.

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.6 AUDIT PANEL MEMBERSHIP

To:	Council
Reporting Officer:	Executive Officer - Governance and Performance
Responsible Manager:	Director Organisational Performance
Report Date:	28 July 2020
File Reference:	007.17
Enclosures:	1. Letter of Acceptance - Lisa Dixon

PURPOSE

This report is presented for the Council to consider the re-appointment of Lisa Dixon to the Audit Panel for a further three-year period.

BACKGROUND

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

Members of the Audit Panel may be a councillor (other than the Mayor), a councillor or employee of another council or a member of an Audit Panel of another council. Independent members of an Audit Panel must possess good business acumen, sound management and communication skills and have knowledge and expertise in areas of audit practice, financial management, relevant industries and governance processes, including, but not limited to, risk management.

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; and
- Whether the council has taken effective action in relation to previous recommendations.

DETAILS

The current Audit Panel members and their terms of office are as follows:

- Mr John Howard – Audit Panel Chair (Asset Management expertise) – expires 3 August 2022; and
- Stephen Allen was appointed to the Audit Panel commencing on 19 August 2019 to 18 August 2021.

- Mrs Lisa Dixon – Audit Panel member (Financial expertise) – expires 3 August 2020.

Stephen Allen was appointed following the resignation of Samantha Searle as his appointment to the Audit Panel Committee would be for the remainder her term.

A member of an Audit Panel will hold office for a period of no less than one (1) and no more than three (3) years and may be reappointed if eligible. Independent members are entitled to be paid remuneration and allowances as determined by the council.

Lisa Dixon is eligible for reappointment and has been offered a reappointment for a further three-year period from 3 August 2020 to 3 August 2023.

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

GOAL 1: Leadership and Governance	
Desired Outcomes	
We make publicly transparent decisions on spending and future directions while encouraging community feedback.	
We cherish fairness, trust and honesty in our conduct and dealings with all.	
We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making.	
Our Priorities	
1.5	Build our knowledge base to apply in decision-making processes.
1.6	Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.

POLICY IMPLICATIONS

There are no policy considerations relating to this recommendation.

FINANCIAL IMPLICATIONS

Costs associated with the Audit Panel are approx. \$11,000 per annum. There are no additional costs that will be incurred as a result of this resolution.

RISK IMPLICATIONS

The independent Audit Panel assists Council in its governance and oversight and monitoring and managing its organisational risk.

The Panel is an advisory body to Council providing independent advice and review as to whether management has in place a current and comprehensive risk management framework, and associated procedures for effective identification of and management of financial, business and environmental risks.

CONSULTATION PROCESS

King Island Council and Circular Head Council have been notified of the offer of re-appointment and will be considering the acceptance of the re-appointment at their respective meetings in August. The appointment to the shared panel requires formal approval by all three Councils.

CONCLUSION

MOVED BY	CR DUNIAM
SECONDED BY	CR EDWARDS

That Council approve the re-appointment of Lisa Dixon as independent member of the shared Audit Panel for a period of three years from 3 August 2020 to 3 August 2023 subject to approval of King Island and Circular Head Councils.

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.7 GENERAL MANAGER DELEGATIONS - HEAVY VEHICLE NATIONAL LAW

To:	Council
Reporting Officer:	Executive Officer - Governance and Performance
Responsible Manager:	Director Organisational Performance
Report Date:	28 July 2020
File Reference:	009.04
Enclosures:	Nil

PURPOSE

The purpose of this report is to facilitate a Council review of the *Heavy Vehicle National Law (Tasmania) Act 2013* authorisations and delegations of legislative powers and functions it has granted or approved to enable officers to undertake the day to day conduct of the Council's business.

BACKGROUND

The Council maintains a register of the delegations it has approved in relation to the exercise of its legislative powers and functions by Council officers.

In 2013 the Local Government Association of Tasmania (LGAT) commissioned a project to ensure Councils are provided with specific information about their legislative obligations that and the extent to which they can delegate the exercise of their legislative powers and performance of their functions and duties to officers.

LGAT engaged the legal firm Simmons Wolfhagen to undertake the requisite research and provide the project outcomes in a form usable by Councils and the database has been continuously updated since as legislation changes.

DETAILS

The primary provisions for delegation of powers and functions are conferred by section 22 of the *Local Government Act 1993*, in the case of a Council, and section 64, in the case of a General Manager.

This review was undertaken in light of the changes to the *Heavy Vehicle National Law Act 2012 Queensland* which triggered a review of the Tasmanian legislation. *Heavy Vehicle National Law (Tasmania) Act 2013* makes the Heavy Vehicle National Law applicable in Tasmania. The Act results in the creation of the *Heavy Vehicle National Law (Tasmania) Act 2013* supplied by the Local Government Association of Tasmania (LGAT) legal advisors.

Basically, section 22 provides for a Council to delegate its powers and functions under any Act to the General Manager, apart from some express exceptions that are outlined in the section, and it also provides that the Council may authorise the General Manager to further delegate those powers and functions to other officers as necessary.

Where other legislation contains express provisions relating to delegation, those provisions prevail over the general power contained in the *Local Government Act 1993* but otherwise the general power applies.

This report addresses only those powers and functions that the Council may delegate directly to the General Manager and authorisation for the General Manager to further delegate those powers and functions.

Essentially, delegations are a matter for determination at the discretion of a Council, a General Manager or both but ultimately the efficiency and effectiveness of a Council's operations will be reflected in the extent to which its officers are properly empowered to carry out their roles in a timely manner.

The determinations that can only be approved by Council resolution are listed below for which authorisation is sought for the Council's common seal to be affixed to relevant instrument:

Legislation / Requirement	Function or Power	Type	Given By	Given To	Conditions or Restrictions
<i>Heavy Vehicle National Law Act Tasmania 2013</i>	All of Council's powers and functions under the <i>Heavy Vehicle National Law Act Tasmania 2013</i> namely: s16(b) of the <i>Heavy Vehicle National Law Act Tasmania 2013</i> – A road controlled by a local government authority, the local government authority.	Delegation	Council	General Manager or a person acting in that position	Nil
<i>Heavy Vehicle National Law Act 2012 Queensland</i> Note: <i>National Law is enacted in Queensland and the Heavy Vehicle National Law Act Tasmania 2013 makes the Heavy Vehicle National Law Act applicable in Tasmania.</i>	Pursuant to Section 118(1)(b) of the <i>Heavy Vehicle National Law Act 2012 Queensland</i> - Granting consent for exemption on mass or dimension restriction.	Delegation	Council	General Manager or a person acting in that position	Nil
	Pursuant to Section 124(1)(b) of the <i>Heavy Vehicle National Law Act 2012 of Queensland</i> – Granting consent for exemption (permit) on mass or dimension restriction.	Delegation	Council	General Manager or a person acting in that position	Nil
	Pursuant to Section 145(1)(b) of the <i>Heavy Vehicle National Law Act 2012 of Queensland</i> – Granting consent for a class 2 heavy vehicle authorisation.	Delegation	Council	General Manager or a person acting in that position	Nil
	Pursuant to Section 156(2) of the <i>Heavy Vehicle National Law Act 2012 of Queensland</i> – Asking the Regulator for a longer period to decide whether to grant consent for a mass or dimension authority.	Delegation	Council	General Manager or a person acting in that position	Nil
	Pursuant to Section 156(6) of the <i>Heavy Vehicle National Law Act 2012 of Queensland</i> – Providing written statement explaining road manager's reasons not to give consent for a mass or dimension authority.	Delegation	Council	General Manager or a person acting in that position	Nil
	Pursuant to Section 156A of the <i>Heavy Vehicle National Law Act 2012 of Queensland</i> – Decide whether to grant consent, after considering the specific matters in s.156A & provide written reasons to the Regulator for the decision in relation to consent.	Delegation	Council	General Manager or a person acting in that position	Nil
	Pursuant to Section 158 of the <i>Heavy Vehicle National Law Act 2012 of Queensland</i> - Deal with a request for consent and decide to give or not give consent for a mass or dimension authority.	Delegation	Council	General Manager or a person acting in that position	Nil
	Pursuant to Section 159(2) of the <i>Heavy Vehicle National Law Act 2012 of Queensland</i> – Notifying the Regulator that route assessment is required by the road manager in deciding whether to give consent and the fee payable.	Delegation	Council	General Manager or a person acting in that position	Nil
	Pursuant to Section 160(1) of the <i>Heavy Vehicle National Law Act 2012 of Queensland</i> – Specifying road condition(s) to which the granting of consent is subject.	Delegation	Council	General Manager or a person acting in that position	Nil
	Pursuant to Section 160(2) of the <i>Heavy Vehicle National Law Act 2012 of Queensland</i> – Providing the Regulator with a	Delegation	Council	General Manager or a	Nil

Legislation / Requirement	Function or Power	Type	Given By	Given To	Conditions or Restrictions
	written statement explaining the road manager's decision to grant consent subject to road conditions.			person acting in that position	
	Pursuant to Section 161(1) of the <i>Heavy Vehicle National Law Act 2012 of Queensland</i> – Specifying travel condition(s) to which the granting of consent is subject.	Delegation	Council	General Manager or a person acting in that position	Nil
	Pursuant to Section 161(2) of the <i>Heavy Vehicle National Law Act 2012 of Queensland</i> – Providing the Regulator with a written statement explaining the road manager's decision to grant consent subject to road conditions.	Delegation	Council	General Manager or a person acting in that position	Nil
	Pursuant to Section 162(2) of the <i>Heavy Vehicle National Law Act 2012 of Queensland</i> – Requesting specified vehicle condition(s) be imposed on the mass or dimension authority.	Delegation	Council	General Manager or a person acting in that position	Nil
	Pursuant to Section 167(2)(b) of the <i>Heavy Vehicle National Law Act 2012 of Queensland</i> – Giving notice to the Regulator of objection to the application of this section [which provides for expedited process for renewal of mass or dimension authority].	Delegation	Council	General Manager or a person acting in that position	Nil
	Pursuant to Section 169 of the <i>Heavy Vehicle National Law Act 2012 of Queensland</i> – Giving consent to the grant of a mass or dimension authority for a trial period or no more than 3 months.	Delegation	Council	General Manager or a person acting in that position	Nil
	Pursuant to Section 170 of the <i>Heavy Vehicle National Law Act 2012 of Queensland</i> – Provide the Regulator with a written objection to a renewal of a mass or dimension authority.	Delegation	Council	General Manager or a person acting in that position	Nil
	Pursuant to Section 174(2) of the <i>Heavy Vehicle National Law Act 2012 of Queensland</i> – Asking the Regulator to amend or cancel the mass or dimension authority granted by Commonwealth Gazette notice due to adverse effect of heavy vehicles.	Delegation	Council	General Manager or a person acting in that position	Nil
	Pursuant to Section 178(2) of the <i>Heavy Vehicle National Law Act 2012 of Queensland</i> – Asking the Regulator to amend or cancel the mass or dimension authority granted by Commonwealth Gazette notice due to adverse effect of heavy vehicles.	Delegation	Council	General Manager or a person acting in that position	Nil
	Pursuant to Section 645 of the <i>Heavy Vehicle National Law Act 2012 of Queensland</i> – Decide a review of a reviewable decision under the Act.	Delegation	Council	General Manager or a person acting in that position	Nil

STATUTORY IMPLICATIONS

Statutory Requirements

The following Acts and regulations include powers and functions that apply to local government and which may be delegated to Council officers:

- *Heavy Vehicle National Law (Tasmania) Act 2013*
- *Local Government Act 1993*

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making.
Our Priorities
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:
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 associated with this review of Council's appointments, authorisations or delegations.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this review of Council's appointments, authorisations or delegations.

RISK IMPLICATIONS

There are no significant risk implications associated with this review of Council's appointments, authorisations and delegations. Risk of adverse action does exist where the exercise of Council's legislative powers and functions occurs without proper authorisation or delegation and the purpose of this report is to recommend action that minimises exposure to such risk.

CONSULTATION PROCESS

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

CONCLUSION

The regular review of Council's Delegations Register is essential to ensuring that delegated functions and powers remain current and appropriate.

Adoption of the recommendations in this report will give effect to changes that are in line with information supplied by the LGAT's legal advisors to ensure that Council has appropriate authorisations and delegations in place.

MOVED BY	CR BRAMICH
SECONDED BY	CR EDWARDS

That Council:

- 1. Rescind the delegation dated the 11 December 2017 the to the General Manager under the *Heavy Vehicle National Law (Tasmania) Act 2013*.**
- 2. By absolute majority and in accordance with s.22 of the *Local Government Act 1993* approve the delegation to the General Manager under the *Heavy Vehicle National Law (Tasmania) Act 2013* subject to the relevant conditions and/or restrictions, of the powers and functions.**
- 3. Grant authorisation for the Council's common seal to be affixed to the instrument that gives effect to the decisions in resolution 2 above.**

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.8 NOMINATION OF MUNICIPAL EMERGENCY MANAGEMENT COORDINATOR AND DEPUTIES

To:	Council
Reporting Officer:	Director Community and Engagement
Responsible Manager:	General Manager
Report Date:	6 August 2020
File Reference:	01
Enclosures:	Nil

PURPOSE

To consider and nominate a Municipal Emergency Management Coordinator and two Deputy Municipal Emergency Management Coordinators in accordance with Section 23 of the *Emergency Management Act 2006* ('the Act').

BACKGROUND

Following the resignation of Julie Bernhagen who held the position as Council's Municipal Coordinator in accordance with the Waratah-Wynyard Emergency Management Plan and the Act, Council is required to appoint someone to the position to fulfil its obligations under the Act.

DETAILS

In accordance with Section 23 of the Act, Council is required to nominate a person to fulfil the positions of Municipal Emergency Management Coordinator and Deputy Municipal Emergency Management Coordinator.

The functions of the positions are to coordinate, advise and assist the Council on all matters pertaining to emergency management within the Municipal area. The specific powers and functions of the position are laid out in the Act.

Mr Muir-Wilson has a good understanding of the role of Emergency Management Coordinator through his involvement with social recovery and participation in regional emergency management meetings.

The North West Regional Emergency Management Committee recommended that each local government area consider appointing two Deputy Municipal Emergency Management Coordinators to provide sufficient support in delivery of emergency management functions.

Council has previously appointed one deputy position however the current COVID-19 pandemic has highlighted the potential difficulty relying on only one deputy appointment.

Mrs Bradley has the requisite background, skills and ability to undertake the position and has directorate responsibility for the emergency management function.

Mr Jamieson has skills and expertise consistent with undertaking a deputy role and has demonstrated an interest in this area.

STATUTORY IMPLICATIONS

Statutory Requirements

Under Section 23 of the Act the Minister is to appoint a Municipal Emergency Management Coordinator and a Deputy Municipal Emergency Management Coordinator for each municipal area.

The *Emergency Management Amendment Act 2018* states that the amendments have been incorporated in the original act.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 3: Connected Communities
Desired Outcomes
Our community is welcoming and supportive.
Our Priorities
3.7 Promote and strengthen community safety to retain and attract families to live and recreate in Waratah-Wynyard.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Strong communities and social capital	Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

- Legislative compliance
It is a legislative requirement to comply with the Act. Failure to comply might adversely affect the Council's preparedness to optimise the safety, security and continuity of the community putting people at risk and leave the Council open to complaint and reputational risk.
- Community and Organisational Safety
Insufficient resources to carry out the function required under the *Emergency Management Amended Act 2018* could impact ability to maintain community and organisational safety.

CONSULTATION PROCESS

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

CONCLUSION

It is recommended that Council nominate Richard Muir-Wilson to be the Municipal Emergency Management Coordinator and Mathew Jamieson and Tracey Bradley to be Deputy Municipal Emergency Management Coordinators.

MOVED BY	CR BRAMICH
SECONDED BY	CR DUNIAM

That Council nominate Richard Muir-Wilson to be the Municipal Emergency Management Coordinator and Mathew Jamieson and Tracey Bradley to be Deputy Municipal Emergency Management Coordinators in accordance with Section 23 of the *Emergency Management Act 2006*

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.9 AWARD OF CONTRACT #748 - COASTAL ENGINEERING AND GEOTECHNICAL ASSESSMENTS

To: Council
Reporting Officer: Manager Engineering Services
Responsible Manager: Director Infrastructure and Development Services
Report Date: 30 July 2020
File Reference: .

Enclosures: 1. Tender Evaluation Cover Page - Confidential
2. Letter to WWC - Cost share of Sisters Beach report
3. Letter to Sister Beach Erosion Group 25-43 (SBEG 25-43)

PURPOSE

To determine Council's position in relation to tender submissions received for the provision of coastal engineering and geotechnical assessments at;

- Cam River Reserve, Somerset
- Anzac Park, Somerset
- Gutteridge Gardens, Wynyard
- Sisters Creek mouth public reserve area, Sisters Beach
- Boat Harbour Beach

BACKGROUND

The provision of engaging specialist coastal engineering and geotechnical services to undertake assessment of several areas within the Waratah-Wynyard municipality has been adopted in the 20/21 budget for an estimated \$120,000. The aim of the project is to undertake extensive engineering and geotechnical assessment and to provide Council with a report detailing potential options for future land reclamations and protection of coastal erosion and inundation. It is foreseen that the assessments and recommendations of this report will provide a level of confidence and justification for Council to pursue future projects at the sites noted above.

Provision of these works is to be undertaken by an external contractor, owing to the expense of specialist equipment and skills required.

A call for tenders for provision of these works was published in the Advocate Newspaper and on the Tenderlink website on Saturday 20 June 2020.

Concurrent with the call for tenders, Council have received a request from the State Government Parks & Wildlife Services to consider co-funding of a coastal erosion study for Sisters Beach areas affecting private property following joint lobbying from the Sister beach Erosion Group 25-43 (SBEG 25-43) and Council. The request from Parks & Wildlife Services would see Council make a financial contribution of \$23,000 towards the study procured by the State Government.

DETAILS

The contract operates as a Lump Sum contract, based upon estimated quantities to deliver the scope of the project. Tender price comparison and assessment of each individual tender,

based upon pre-defined tender criteria, defines the recommendation to Council to award the Contract.

At the close of tenders on 17 July 2020, twenty four (24) contractors had accessed the tender documents via Tenderlink and five (5) contractors submitted tenders for the works.

Tender submissions received from;

- Flussig Spatial
- Alluvium Consulting Australia
- GHD
- Pitt & Sherry
- Tasmanian Consulting Service

Each tender submission has been evaluated against a range of weighted key selection criteria by a selected tender review committee. The assessment documents have been provided to Councillors as a confidential attachment.

Whilst the recommended tenderer did not submit the lowest tender price, they did provide the most detailed tender submission, outlining clear understanding of the objectives Council is aiming to achieve, detailing extensive experience in undertaking similar assessment and provided details of staff with extensive local experience. The assessment documents provided to Councillors as a confidential attachment clearly details the scores achieved by the recommended tendered across the field of key selection criteria.

In considering all other matters associated with the project and tender submission it is recommended that Alluvium Consulting Australia be awarded the contract with a calculated tender value of \$66,962.

Awarding the tender as recommended allows Council to also make the requested \$23,000 contribution to the State Government funded Sisters Beach erosion study and remain under budget. The alternative is to seek funding from the State Government and have their report included as a variation to this contract. There would be efficiencies gained through this process, but is subject to further discussions with the Parks and Wildlife Service.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL
Desired Outcomes
We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making.
Our Priorities
5.8 Ensure evidence-based allocation of infrastructure and land use to enable sustainable growth.
1.5 Build our knowledge base to apply in decision-making processes.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

Whilst there are no direct policy implications associated with the proposed works it should be noted that the outcome of these assessments heavily support the recommendations of Councils Strategic view, supporting the principles of: -

- the Integrated Council Environmental Plan (iCEP),
- the Boat Harbour Masterplan,
- the Anzac park all abilities playground,
- the Coastal pathway &
- the Cam River Reserve Master Plan.

FINANCIAL IMPLICATIONS

Council has adopted a budget of \$120,000 to engage a specialist contractor to undertake the coastal assessments works during the 20/21 financial year. The recommended tender submission is \$66,962 allowing a surplus of \$53,038 against the budgeted figure. This allows the \$23,000 contribution requested from Parks & Wildlife Services to be made and still result in a budget surplus of \$20,038.

RISK IMPLICATIONS

In the conduct of any contract there are risks to Council, including time delays and poor quality of work. The use of experienced contractors coupled with contract documents will minimise any risk to Council. The broad tender assessment, beyond just price, is intended to mitigate risk.

CONSULTATION PROCESS

Initially there are no consultation requirements for undertaking the Coastal Engineering and Geotechnical Assessment. Further community and stakeholder consultation will be required based on the findings and recommendations of these assessments.

CONCLUSION

The tender submission by Alluvium Consulting Australia to undertake the required Coastal Engineering and Geotechnical Assessments is considered the best option available to Council, in taking into consideration all aspects of the tender submission. It is recommended that contract #748 be awarded accordingly.

MOVED BY	CR FAIRBROTHER
SECONDED BY	CR EDWARDS

That Council:

- 1. Award Contract #748 – Coastal Engineering and Geotechnical Assessments to Alluvium Consulting Australia**
- 2. Authorise the General Manager to make financial contribution of up to \$23,000 to Parks & Wildlife Services for an erosion study; or to have the report added to Contract #748 as a variation and seek appropriate contribution, pending discussions with Parks & Wildlife Services**

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.10 CAPITAL WORKS BUDGET AMENDMENTS 2020-21

To:	Council
Reporting Officer:	Director Organisational Performance
Responsible Manager:	Director Organisational Performance
Report Date:	5 August 2020
File Reference:	7.17
Enclosures:	<ol style="list-style-type: none">1. Summary of Carry Forward Budget Changes2. Final Capital Expenditure Report as at 30 June 20203. Revised Estimated Statement of Capital Expenditure for Year Ended 30 June 20204. Revised Estimated Statement of Comprehensive Income for the Year Ended 30 June 20215. Revised Estimated Statement of Financial Position as at 30 June 20216. Revised Estimated Statement of Cash Flows for the Year Ended 30 June 2020

PURPOSE

Revised estimated capital expenditure estimates for the year ending 30 June 2021 are provided to Council for consideration.

Revised estimated financial statements for the year ending 30 June 2021 are provided to Council for consideration (**attached**). Changes in the budget estimates will result in a closing cash balance as at 30 June 2021 of \$4.536m (previously \$5.609m).

BACKGROUND

When Council adopted its Annual Plan and Budget Estimates on 22 June 2020, the estimated capital works expenditure included an allowance for carry forwards from 2019-20 based on Council's knowledge at that time. Revised estimates have been prepared to recognise the actual expenditure for projects in progress as at 30 June and the impact of unspent funds on the new financial year.

The budget estimates also include assumptions in relation to final forecasts for balance sheet items (like receivables and payables). The revised estimated financial statements also allow for an updated forecast as at 30 June 2021 based on final known balances of assets and liabilities as at 30 June 2020.

On adoption of the revised estimates will supersede those previously adopted as part of the Annual Plan and Budget adopted at the 22 June 2020 meeting.

DETAILS

The capital works projects that had not been finalised by 30 June 2020, and were not identified in the 2020-21 budget, which need to have funds carried forward are highlighted in the table below.

Original budgeted capital works expenditure 2021	16,230,042
Add: Change in carry forward budgets	179,486
Add: Other budget amendments	862,568
Revised budgeted capital works expenditure 2021	17,272,096

The revised capital expenditure estimates result in an increase in expenditure of \$1,042,054 throughout 2020-21.

Carry Forward Budget Changes

The increase of \$179,486 to reflect changes in the carry forward budget relate purely to timing of project completion and the associated cash outflows. The final capital expenditure report and a summary of carry forward budget changes is **attached**.

Other Budget Amendments

Two projects have been identified as having been omitted from the original budget estimates and reflect recurrent renewal programs (Urban footpath DDA compliance and Parks Furniture). These projects have been included in the revised estimates.

The budget amendments include total funds required to complete projects already commenced and decisions made by Council since the budget was adopted on 22 June and/or throughout the 2020/21 financial year.

The amendments cover those projects where the original budget adopted by Council is not enough to complete the project and/or corrections to the original budget adopted by Council.

Should no adjustments be made, Council's capital works priorities will not reflect Council's actual priorities for the year.

Project	Budget Amendment	Comment
Renew Chambers Facia & Eaves	6,840	Actual quotes higher than anticipated due to higher deterioration
Multi Use Community Facility	638,403	As reported to Council Special meeting held July 2020.
Somerset CBD Masterplan Works	19,257	Budget overrun due higher cost of canopy (previously advised to Council)
Wynyard CBD Plaza	97,788	Additional costs attributable to canopy design and construction.
Goldie Street Pedestrian Adjustment	13,763	Increase in line with additional funding received from State Growth announced 6 July.
Sisters Beach Rec Park	70,000	Expenditure associated with additional funding
Wynyard Recreation Ground Change Rooms	50,000	Additional costs in line with additional AFL funding.
Langley Park Install Grease Trap	2,000	Tas Water & Council permit fees , railing not allowed for in original budget estimates
Somerset Surf Club Install Grease Trap	1,000	Tas Water & Council permit fees , railing not allowed for in original budget estimates
Urban Footpaths DDA compliance	30,000	Recurrent Program - omitted for original estimates in error
Port Road Walking Track	-66,483	Duplicate line item removed. In 2020/21 budget twice
	862,568	

Revised Cash as at 30 June 2021

Council's revised estimated of cash held as at 30 June 2021 is \$4,536,858 a decrease of \$1,072,466. A reconciliation of the main changes to the change is detailed as follows:

Original budgeted cash as at 30 June 2021	5,609,324
Changes in opening cash position	(162,912)
Adjustments to capital works expenditure	(1,042,054)
Capital funding adjustment	\$132,500
Revised budgeted cash as at 30 June 2018	4,536,858

The above reconciliation contains adjustments to recognise a change in the opening cash position based on the June 2020 actual cash balance rather than the forecast at the time of setting the budget. Changes are a result of changes in payables and receivables as at 30 June, and differences between the actual operating results compared to the forecast result at the time the budget was adopted.

The capital funding adjustment relates to capital grants that have been confirmed but not yet allowed for in the budget estimates and include funding from State Growth for pedestrian crossings (\$12,500 Exhibition Link, \$15,000 for Jackson Street, \$35,000 Goldie Street) and \$70,000 expected for the Sisters Beach Rec park project.

STATUTORY IMPLICATIONS

The *Local Government Act 1993* provides:

82. *Estimates*

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

(2) *Estimates are to contain details of the following:*
(d) the estimated capital works of the council;

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

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.
Desired Outcomes
We are a knowledgeable organisation—we demonstrate best practices in our business processes.
Our Priorities
2.2 Facilitate effective knowledge management practices.

POLICY IMPLICATIONS

There are no specific policies that directly relate to the compilation of the budget.

FINANCIAL IMPLICATIONS

The overall financial impact of the budget amendments is an increase in estimated capital expenditure of \$1,042,054. The total capital expenditure for 2020-21 is now estimated to be \$17,272,096 (previously \$16,230,042).

The net change in cash position as at 30 June 2021 is a decrease of \$1,072,466 (\$5,609,324 to \$4,536,858).

RISK IMPLICATIONS

Adjustment to the Estimates allows Council to take into account changes not known when the budget estimates were adopted. There has been no change to the underlying principles used to prepare the original budget. Should no adjustments be made, Council's capital works priorities will not reflect Council's actual priorities for the year.

CONSULTATION PROCESS

The annual budget planning process involves input from staff, managers and Councillors over a number of months, and also the community via the strategic planning process.

COMMENT

This is an administrative process to ensure that Council's capital works budget reflects all works to be undertaken during the 2020-21 financial year.

MOVED BY	CR DUNIAM
SECONDED BY	CR EDWARDS

“THAT Council adopt the following statements replacing the statements adopted in the Annual Plan and Budget Estimates on 22 June 2020:

- 1) Revised Estimated Financial Statements for the year ending 30 June 2021**
- 2) Revised Estimated Statement of Capital Expenditure Estimated 2020-21.**

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.11 FINANCIAL REPORT FOR THE PERIOD ENDED 31 JULY 2020

To: Council
Reporting Officer: Accountant
Responsible Manager: Director Organisational Performance
Report Date: 6 August 2020
File Reference: 1
Enclosures: Nil

PURPOSE

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

BACKGROUND

The financial reports presented incorporate:

- Income Statement
- Cash Position
- Rate Summary
- Capital Works Program

STATUTORY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

COMMENT

Currently the Finance Team are in the process of finalising the 30 June 2020 statutory end of year reports ready for audit. These are scheduled for submission for audit on 14 August 2020.

Rates notices were sent out a week earlier than anticipated. The early payment discount date has been extended to 31 October providing ratepayers with an additional 60 days to pay their first instalment and/or pay their rates in full and receive a discount.

The Capital Works program, whilst larger than 2020, is well underway. More detailed reporting at a departmental level and statement of financial position will occur from September.

MOVED BY	CR FAIRBROTHER
SECONDED BY	CR DUNIAM

That Council:

- 1. Note the Financial Report for the period ended 31 July 2020; and**
- 2. Endorse the proposed fees and charges amendment for the Waste Transfer Station.**

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.12 SENIOR MANAGEMENT REPORT

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	28 July 2020
File Reference:	1202
Enclosures:	Nil

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 11 July 2020 to 7 August 2020.

Corporate

- Attended the Waratah Community Board meeting
- Attended a farewell and thankyou event for Keith Price for the work he has done in the implementation and delivery of the Try Skills program

Community

- Meeting with Kevin Walsh, Plant Manager, Fonterra, to discuss
- Meeting with Colin Paterson, UPC Renewables, for an update on their proposed project and specifically the proposed route for transmission lines
- Attended the official opening of Zoo Villas, new visitor accommodation in Saunders Street, Wynyard
- Met with Steve Whiteley, CEO; Dion McKenzie, Engagement and Land Manager and John McNamara, North West Region Manager of Sustainable Timber Tasmania to discuss the Oldina coupe and Oldina Forest Reserve
- Met with Football Federation Tasmania and the Somerset Soccer Club to discuss upgrades to the Cardigan Street site
- Met with members of the newly formed Waratah Residents Association who have established an incorporated body to progress community projects, commencing with the Power House walk
- Met with a representative of the Sisters Beach community regarding the Council decision to investigate a second access
- Met with a resident who raised a variety of concerns, but with the main focus being the recent change to waste transfer station fees and the impact on farmers

- Met with Scott Rankin to discuss BigHart and emerging partnerships that will focus on delivering a new and innovative COVID-19 recovery program and skills pathways for young people
- Met with Max Edwards and Dianne from the Senior Citizens Club who wish Council to revisit a previous decision regarding parking near their building
- Attended the Sisters Beach Community Association meeting

Industry

- Attended the Local Government Association of Tasmania (LGAT) Annual General Meeting and General Meeting
- Attended a TasWater Owners Representatives Group information session

Other

- Met with Anita Dow, MP, Labour Party, for an update on the activities of Council
- Attended the Cradle Coast Authority Risk and Audit Committee meeting

Insurance Renewals

Council's insurances have been renewed for the 2020/21 financial year. The below summary of costs outlines the policies held by Council and their associated cost.

Overall premiums have risen by 16% from \$302,548 to \$350,600. Council was anticipating an increase in its premiums and allowed for an increase of 15% in its budget estimates for the 2020/21 financial year.

Class of Protection	Expiring Premium	Year	Renewal Premium	Insurer
Public Liability Foreshore Market	1,444		1,551	Lloyd's of London through Sportscover Australia P/L
Community Liability Pack	2,458		3,185	QBE Insurance (Australia) Ltd
Cyber Liability	5,157		5,650	Chubb Insurance Australia Ltd
Councillors & Officers Liability	42,099		71,414	XL Insurance Company SE
Motor Vehicle	36,914		40,179	Zurich Australian Insurance Limited
Personal Accident	1,035		1,035	Chubb Insurance Australia Ltd
Corporate Travel	98		95	Chubb Insurance Australia Ltd
Workers Compensation	159,413		167,953	Allianz Australia Ins Ltd - Workers Comp
JLT Discretionary Trust	45,100		49,495	JLT (Municipal Asset protect) Disc Trust
Broker Fee	8,830		10,043	Fee Only
Total Cost	302,548		350,600	
% Increase			15.9%	

ADMINISTRATION – USE OF CORPORATE SEAL

25/7/20	Final Plan & Schedule of Easements	6 Martin Street Wynyard – Boundary reconfiguration
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MOVED BY	CR DUNIAM
SECONDED BY	CR EDWARDS

That Council:

- 1) Note the monthly Senior Management Report; and**
- 2) Rescind the Registration of Visitors to Council Workplaces Policy**

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.13 DIGITAL RECORDING OF COUNCIL MEETINGS POLICY

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	6 August 2020
File Reference:	GOV
Enclosures:	1. Digital Recording of Council Meeting Policy

PURPOSE

This report is presented to Council to update the current Audio Recording of Council Meetings Policy to incorporate video recording and live streaming of council meetings to better reflect current practices.

BACKGROUND

Council currently has in place a policy (**GOV.017 - Audio Recording of Council Meetings**) which allows council 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.

Following a notice of motion by ex-Councillor House at the August 2019 Council Meeting, officers tested and subsequently installed equipment to enable live streaming of Council Meetings to further improve the level of transparency and therefore public confidence in the integrity of Council.

Live streaming has increased the community's access to meetings and connection with council decision-making processes. It enables access to meetings by people in the community that may not otherwise be able to physically attend.

Due the current COVID-19 restrictions live streaming has also enabled full access to Council Meetings despite the lockdown period.

DETAILS

The current policy was specifically targeted at audio recording of meetings. A change to the name of the policy and minor wording updates will allow for the video and audio recording and the live streaming of Council Meetings.

STATUTORY IMPLICATIONS

Statutory Requirements

Local Government (Meeting Procedures) Regulations 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.
Our Priorities
1.2 Strengthen our communication with the community using diverse communications channels relevant to the demographic.

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

The GOV.017 Digital Recording of Council Meeting Policy is an update to the existing gov.017 Audio Recording of Council Meeting Policy to better reflect current practices.

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

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

CONCLUSION

It is recommended that the Digital Recording of Council Meeting Policy be adopted.

MOVED BY	CR DUNIAM
SECONDED BY	CR EDWARDS

That Council adopts the Digital Recording of Council Meetings Policy.

The MOTION was put and was CARRIED.

IN FAVOUR

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

10.0 MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING

MOVED BY	CR DUNIAM
SECONDED BY	CR BRADLEY

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) (h) applications by councillors for leave of absence</i>	15 (2) (h)
<i>Confidential Report R15 (2) - Closed Senior Management Report</i>	15(2)

The MOTION was put and was CARRIED.

IN FAVOUR

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

11.0 CLOSURE OF MEETING TO THE PUBLIC

MOVED BY	CR DUNIAM
SECONDED BY	CR EDWARDS

That the Council RESOLVES BY AN ABSOLUTE MAJORITY to go into Closed Meeting to consider the following matters, the time being <Enter time> PM

Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) (h) applications by councillors for leave of absence</i>	15 (2) (h)
<i>Confidential Report R15 (2) - Closed Senior Management Report</i>	15(2)

The MOTION was put and was CARRIED.

IN FAVOUR

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

12.0 RESUMPTION OF OPEN MEETING

At 7.33pm 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:

Min. No.	Subject	Decisions/Documents
NIL		

THERE BEING NO FURTHER BUSINESS THE CHAIRPERSON DECLARED THE MEETING CLOSED AT 7.33 pm.

Confirmed,

MAYOR

21 September 2020