



**ORDINARY MEETING
OF COUNCIL**

**AGENDA
OPEN MEETING**

19 October 2020

14 October 2020

Notice of Meeting – Ordinary Meeting of Council

In accordance with the *Local Government (Meeting Procedures) Regulations 2015* NOTICE is hereby given that the next Ordinary Meeting of the Waratah-Wynyard Council will be held at the Council Chambers, 21 Saunders Street, Wynyard on Monday 19 October 2020 with the Business of the meeting to be in accordance with the following agenda paper.

General Manager's Certification

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

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



Shane Crawford
GENERAL MANAGER

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

14 October 2020

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

Dear Shane,

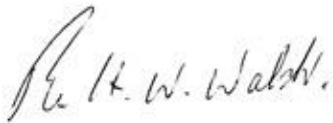
COUNCIL MEETING

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

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

I request that you make the necessary arrangements for the next ordinary meeting of Council to be convened on Monday 19 October 2020 commencing at 6pm at the Council Chambers, 21 Saunders Street, Wynyard.

Yours sincerely



Cr Robby Walsh
MAYOR

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

AGENDA OF AN ORDINARY MEETING OF THE WARATAH-WYNYARD COUNCIL TO BE HELD AT THE COUNCIL CHAMBERS, 21 SAUNDERS STREET, WYNYARD ON MONDAY 19 OCTOBER 2020, COMMENCING AT 6PM

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

DIGITAL RECORDING OF COUNCIL MEETINGS POLICY

The Chairman is to declare the meeting open (time), welcome those present in attendance and advise that the meeting will be digitally recorded, in accordance with the Council Policy **GOV.017 – Digital Recording of Council Meetings** to “record meetings of Council to assist in the preparation of minutes and to allow live streaming of Council Meetings.

ACKNOWLEDGEMENT OF COUNTRY

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

1.0 RECORD OF ATTENDANCE

Legislative Reference:

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

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

(a) attendance and apologies.

1.1 ATTENDANCE

1.2 APOLOGIES

1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil received.

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING
--

Legislative Reference:

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

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

(b) Confirmation of the minutes.

2.1 CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY COUNCIL MEETING

RECOMMENDATION

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

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

3.0 DECLARATIONS OF INTEREST

Legislative Reference:

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

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

Councillor and Agenda Item Number

Staff and Agenda Item Number

4.0 COUNCILLORS ANNOUNCEMENTS AND REPORT

4.1 ANNOUNCEMENTS BY MAYOR

Nil received.

4.2 MAYOR'S COMMUNICATIONS

RECOMMENDATION

That Council note the Mayors Communications

11/9/20	DEPUTY MAYOR – Rural Medical Students presentation
14/9/20	Councillor Workshop
15/9/20	Meeting with General Manager
15/9/20	Meeting with Constituent
15/9/20	NW Selling Group Meeting
19/9/20	Wynyard Fire Brigade Function
21/9/20	TasWater Meeting
21/9/20	Council Meeting
22/9/20	Meeting with General Manager
22/9/20	UPC Community Information Session
22/9/20	Meeting North West Community Market
23/9/20	Meeting with Combined Churches Representative
24/9/20	Tas Water Owners Representative Meeting
29/9/20	Meeting with Constituent
29/9/20	Public Meeting NWCM
3/10/20	Wynyard Yacht Club Season Opening
5/10/20	Councillor Workshop
6/10/20	Meeting with General Manager
6/10/20	Meeting with Constituent
7/10/20	Business North West Breakfast Meeting
7/10/20	Women of the World Luncheon
9/10/20	DEPUTY MAYOR – Spring Loaded - Gopher Race Presentations
9/10/20	DEPUTY MAYOR – Lobster Ponds New Partnership Function

4.3 REPORTS BY DELEGATES

Nil received.

4.4 NOTIFICATION OF COUNCIL WORKSHOPS

Legislative Reference:

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

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

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

RECOMMENDATION

That the Council note the following Councillor Workshops

5/10/20	Wynyard Multi-Purpose Facility Council Values Workshop
12/10/20	Surplus Land Disposal Forsters Road Discussion Public Toilet Service Levels Wynyard Multi-Purpose Facility

Upcoming Workshops - Indicative Only

26/10/20	Settlement Strategy
3/11/20	Annual General Meeting (TBC)
23/11/20	Cradle Coast Authority
30/11/20	UTAS presentation

Councillor Attendance Records

Meetings attended during 2020/21 (to 12 October 2020)

	Ordinary Meetings 2020/21 (3)	Special Meetings 2020/21 (1)	Workshops 2020/21 (9)	Weeks Leave Approved
Mayor Robert Walsh	3	1	7	
Deputy Mayor Mary Duniam	3	1	9	
Cr Maureen Bradley	3	1	9	
Cr Gary Bramich	3	1	9	
Cr Andrea Courtney	2	0	7	
Cr Celisa Edwards	3	1	9	
Cr Darren Fairbrother	3	1	9	
Cr Kevin Hyland	1	1	4	5

5.0 PUBLIC QUESTIONS AND STATEMENTS

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015 Regulation 31

- (1) *A member of the public may give written notice to the general manager 7 days before an ordinary meeting of the Council of a question to be asked at that meeting.*
- (3) *The Chairperson at an ordinary meeting of a council must ensure that, if required, at least 15 minutes of the meeting is available for questions to be asked by members of the public.*
- (4) *A question by any member of the public under this regulation and an answer to that question are not to be debated at the ordinary council meeting.*
- (7) *A council is to determine any other procedures to be followed in respect of question time.*

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

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

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

- (1) *Members of the public may, during the public statements or the Planning Authority segments of the order of business, with the consent of the Presiding Member make a public statement on any matter that appears on the agenda for that meeting provided that:*
 - (a) *The member of the public submits to the General Manager prior to the commencement of the meeting the public statement in a form acceptable to the General Manager and which includes the name and residential or contact address of the member of the public;*
 - (b) *The public statement precedes discussion of any matter which requires a decision to be made at the meeting but otherwise at item (11) of order of business at clause 4.2;*
 - (c) *The public statement is limited to a maximum period of 3 minutes, unless otherwise determined by the Presiding Member; and*
 - (d) *No discussion or questions relating to the statement are permitted, unless otherwise determined by the Presiding Member.*
- (2) *Fifteen minutes is to be allocated for the public statement time.*

-
-
- (3) *Once all statements have been made, nothing prevents the unused part of the statement time period from being used for other matters.*
 - (4) *If the 15-minute period set aside for public statements is reached, Council, by resolution, may resolve to extend the period for an additional 15 minutes to allow statements to be made.*
 - (5) *No more than two 15-minute extensions to the time for public statements are to be permitted.*
 - (6) *Procedures for public statements are to be in accordance with policy adopted from time to time by the Council and, where the policy is silent on a matter, the procedures for that matter are to be determined by the Presiding Member.*

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

5.1.1 MS S ROBERTSON - TREE PLANTING

QUESTION

Ms Robertson of Wynyard asked for an update on tree planting and landscaping in the following areas:

- a) When will landscaping and tree planting be completed at Camp Creek now that the area has drained following the land reclamation; what type of trees will be planted.
- b) When will trees be planted to replace the Macrocarpa trees that were removed on the East Wynyard Foreshore; what type of trees will be planted.
- c) When will landscaping and tree planting be completed at the new Multi-Purpose Facility when the project is completed, particularly to hide the back side of the building from the main road.

The General Manager advised:

- a) The question was taken on notice
- b) The East Wynyard Foreshore Masterplan is currently being reviewed and this will include planting and landscaping plans. The planting of new trees was put on hold until this review has been completed.
- c) A landscaping plan is included in the design plans for the Multi-Purpose Facility. A copy of the plan will be made publicly available.

OFFICERS RESPONSE

The vision for the reclaimed Camp Creek site includes reconnecting the pathway in this area and extensive planting of a mixture of native and European trees with some picnic tables and benches. The soil quality of the finished filling works is still a little suspect and may need improvement however the propagation and growing of native species for plantings is underway.

5.2 PUBLIC QUESTIONS RECEIVED IN WRITING

Nil received.

5.3 PUBLIC QUESTIONS WITHOUT NOTICE

Legislative Reference:

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

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

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

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

(5) The Chairperson may –

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

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

5.4 PUBLIC STATEMENTS RECEIVED IN WRITING

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

Nil received.

5.5 PUBLIC STATEMENTS WITHOUT NOTICE

6.0 PLANNING AUTHORITY ITEMS

Legislative Reference:

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

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

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

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

6.1 PUBLIC QUESTIONS WITHOUT NOTICE – RELATING TO PLANNING MATTERS

Legislative Reference:

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

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

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

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

(5) The Chairperson may –

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

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

6.2 PUBLIC STATEMENTS - RELATING TO PLANNING MATTERS

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

6.3 RIDING SCHOOL LOCATED AT 301 PAGES ROAD, MOORLEAH - DA 100/2020

To: Council
Reporting Officer: Town Planner
Responsible Officer: Manager Development and Regulatory Services
Report Date: 30 September 2020
File Reference: 2155815
Supporting Documents: 1. Consolidated Planning Application documents 
2. Representation 
3. Signed Extension of time 

RECOMMENDATION

That Council, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Waratah-Wynyard Interim Planning Scheme 2013*, approve a riding school at 301 Pages Road, Moorleah, subject to the following conditions: -

Part A Conditions:

- (1) The development is to be generally in accordance with the application as submitted and endorsed documents as listed:
 - i. Proposed overheads as provided by the applicant.
 - ii. Proposed elevations as prepared by the applicant.
 - iii. Supporting Planning Statement with reference 20.015 as prepared by Teresia Williams of Plan Place Pty Ltd dated 1 July 2020.
- (2) All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.
- (3) Control measures are to be installed for the duration of any works so as to limit the loss of soils and other debris from the site.
- (4) Loading and un-loading of vehicles is to be confined to within the boundaries of the property.
- (5) Stormwater is to be fully contained within the boundaries of the property.
- (6) The proposed development is to be clad in materials with a light reflectance value less than 40%.
- (7) Pre-lodgement stormwater and road access is to be in accordance with pre-lodgement road access and stormwater advice dated 27 August 2020.
- (8) All proposed buildings are to be setback a minimum of 10m from the side and rear boundaries of the site.

Notes: -

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

-
- An “Activity in Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
 - This project must be substantially commenced within two years of the issue of this permit.
 - The applicant is advised to consult with a building surveyor to ensure the development is constructed in accordance with *Building Act 2016*.
 - This permit is based on information and particulars set out in Development Application DA 100/2020. Any variation requires an application for further planning approval of Council.
 - This development/use is not to result in the generation of environmental harm or nuisance as defined in the *Environmental Management and Pollution Control Act 1994*.
 - Due to the predicted number of staff (2) that will be on site at any one time and the possible predicted number of clients that could be on site each hour (3) toilet facilities and hand washing facilities will be required to be provided for these people and will be flagged at the Building/Plumbing application stage.
 - The quality of water provided for these facilities and possibly for drinking purposes will also be considered at the Building/Plumbing application stage.
 - Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact TasNetworks on 1300 137 008 to ensure these works do not impede on existing electricity easements and are at a safe distance from powerlines. Failure to do so could result in the relocation of electricity assets at your cost.
 - Under Section 61 (4) of the *Land Use Planning and Approvals Act 1993*, the applicant has the right to lodge an appeal against Council’s decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to the Resource Management and Planning Appeal Tribunal, G.P.O. Box 2036, Hobart, 7001. Updated Notices of Appeal are available on the Tribunal’s website at www.rmpat.tas.gov.au.

PURPOSE

The purpose of this report is for Council to consider the merits of the application DA100/2020 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013* (Planning Scheme).

BACKGROUND

The subject site is located at 301 Pages Road, Moorleah and is zoned Rural Resource, as is all adjoining land under the Planning Scheme. The site has an area of 4.46ha and is accessed from Pages Road via an existing constructed access crossover. The site currently is improved with a driveway, an outbuilding, associated water tanks with gravity fed animal water troughs and a garden area.

The adjoining lots to the south and west are currently developed with residential dwellings and associated outbuildings.

The boundary to the immediate west is a Crown owned Road reserve. Immediately east the site adjoins the Inglis River. A locality plan is provided in Figure 1 below:

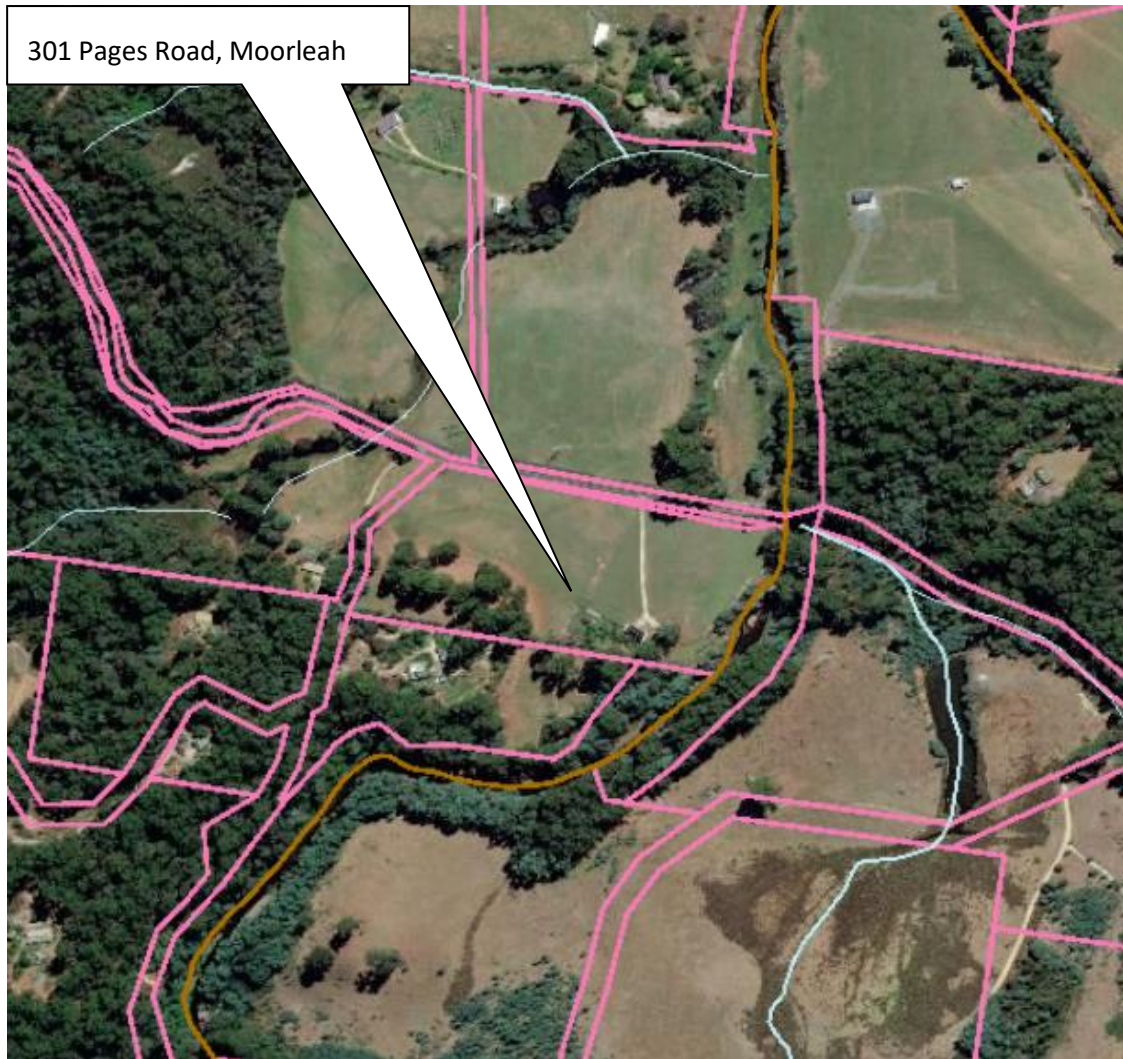


Figure 1: Locality Plan (Source: theList map)

DETAILS

The applicant is seeking approval for a riding school with outdoor dressage arena and three shipping containers joined with a roof to create a stable/under cover area on property described as 301 Pages Road, Moorleah (CT2/138401).

The proposal includes the installation of one (1) 14m x 2.5m x 3m shipping container and two (2) 7m length containers, placed end to end with an overall length of approximately 14m, measuring 2.5m wide and 3m in height. These containers will run parallel, creating a 10m space between the containers which will be roofed. The overall maximum height of the roofing will reach 4.5m from natural ground level.

The proposal also details a 60m x 20m dressage arena (unroofed), located to the west of the driveway upon entering the site. The dressage arena will be fenced by wooden vertical posts and a white horizontal rail. No cut and fill arrangements are required for construction. However, construction will consist of drains measuring 500mm x 300mm x 20m with trenches to be lined with Geotech fabric into which a subsoil draincoil pipe encased in a sock will be located. The whole arena will then be covered with 100mm x 20mm washed aggregate and a layer of composite gravel (75mm). The arena's surface will be compacted and a layer of washed quartz sand will complete the surface for an all-weather arena.

CONSULTATION PROCESS

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

- Development Application Form X 3 Pages
- Title Documents X 3 Pages
- Supporting Documentation Report X 8 Pages
- Additional Information Response X 3 Pages
- Proposal Plans X 4 Pages


The period for representations closed on 9 September 2020. One (1) representation was subsequently received. A map demonstrating the relationship between the subject site and the representors' property is shown in Figure 2.

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

Representors: MA & JM Purton

Issues raised:	Response:
<p>We assert that the development does not demonstrate compliance with the Waratah/Wynyard Planning Scheme 2013.</p> <p>In the planning scheme a 'resource development' is defined as:</p> <p><i>"use of land for propagating, cultivating or harvesting of plants or for keeping and breeding of livestock or fish stock. If the land is so used, the use may include the handling, packing and storing of produce for dispatch to processors, Examples include agricultural use, aquaculture, bee keeping, controlled environment agriculture, crop production, horse stud, intensive animal husbandry, plantation forestry and turf growing."</i></p> <p>Whilst a riding school is obviously dependent upon having horses on site, that alone cannot be consistent with any interpretation of what is described here. The owners advise in their application that other people's horses will be brought regularly to the site to facilitate riding instruction. However, they have not stated they will be keeping horses on site, and if so, how many. The sheer act of having a small number of animals on site does not fulfil the definition inferred as a resource development use.</p>	<p>A planning response has been provided below under planning assessment against clause 26.3.1 discretionary matter.</p> <p>Clause 8.2 of the Planning Scheme sets out the requirements for categorising use or development into one of the use classes contained in Table 8.2. In terms of uses not specifically mentioned as an example under one of the classes contained in Table 8.2, the Planning Scheme states that use or development which fits the description of more than one use class must be categorised into the use class which most specifically describes the proposed use – see Clause 8.2.3. Similarly, Clause 8.2.4 states that use or development which does not readily fit into any use class must be categorised into the most similar use class.</p> <p>Of the 34 use classes outlined under Table 8.2, 28 use classes can be immediately excluded as unsuitable categorisations for example motor racing facility, utilities, port and shipping, food services, residential etc.</p> <p>Both the definition and examples of the following six use classes were considered: Business and professional services, Domestic animal breeding boarding or training, Resource development, Passive recreation, Sports and recreation and Tourist operation.</p>

<p>Agricultural Land defined within the Planning Scheme: <i>'means all land that is in agricultural use, or has the potential for agricultural use, that has not been zoned or developed for another use...'</i></p> <p>Agricultural Use is defined as: <i>'use of land for propagating, cultivating, or harvesting of plants or for bee keeping and breeding of animals, excluding pets. It includes the handling, packing and storing of plant and animal produce for dispatch to processors. It includes controlled environment agriculture, intensive tree farming and plantation forestry'</i></p> <p>The land at 301 Pages Road is zoned Rural Resource. It is agricultural land. Historically it has been used for this purpose, for grazing, and growing of food. In 2017 the Tasmanian Planning Commission examined a change of zoning for this block, amongst others in this area, to Rural Living. Their findings comprehensively concluded that this valley was significant for agriculture, mining and forestry, was largely unconstrained for those uses, and was to remain classified as rural resource. Therefore, particular emphasis must be given to uses which support this finding.</p> <p>The Oxford Dictionary defines a 'riding school' as "an establishment where horse riding is taught". Whilst horses are classified as livestock, it is recognized that their general purpose is not for primary production. Aside from the purpose of breeding at a stud, most would be considered as companions or pets. Taking into consideration all the definitions, a riding school is not then able to be characterized as an agricultural use, a primary industry use or a resource development use.</p>	<p>The proposal is for a commercial use in that the applicants wish to establish a riding school. Business and professional services use refers to use of land for administration, clerical, technical, professional or similar activities.</p> <p>It has been determined that the definition of resource development has the best fit use class for the proposed riding school. Given the resource development use class provides an example of horse stud, this is considered the most suitable fit for the proposed stable area and dressage arena for the purposes of lessons.</p> <p>The application is to be considered under the current planning scheme and the current zoning. The Rural Resource zone provisions are applicable to the application. The Rural Resource zone does provide a pathway for a horse-riding school to be applied for on the land and as such must address the relevant provisions of the scheme. It has been determined that the application seeks discretion at clause 26.3.1 Requirements for discretionary non-residential use of the Planning Scheme. A full assessment of this clause is provided under Planning Assessment of this Report.</p> <p>Given the resource development use class provides an example of horse stud, this is considered the most suitable fit for the proposed stable area and dressage arena for the purposes of lessons. As horse stud is listed as an example in the definition it alludes to the planning scheme not necessarily treating horses as companion pets but agricultural livestock.</p>
<p>The DA is not consistent with 26.3.1. (P.1). Discretion must demonstrate consistency in this clause with the Local Area Objectives, but it must also show it is required to locate to rural resource land for a number of reasons, including to access specific naturally occurring resources on site, to access infrastructure on site, to access products of primary industry from a use on site and to support a primary industry use on site, or all of the above on adjacent land. It does not do that. It also needs to minimise the likelihood for permanent loss of land for existing and potential primary industries use, and not constrain or interfere with that use on site or on adjacent land.</p> <p>Our land adjoins the proposed development. It is used for agriculture. There exists the potential for conflict of use if the application is granted. We regularly and lawfully use firearms on our land to prevent damage to our market garden by</p>	<p>It has been determined that the application seeks discretion at clause 26.3.1 Requirements for discretionary non-residential use of the Planning Scheme. A full assessment of this clause is provided under Planning Assessment of this Report.</p> <p>The use of firearms is not a consideration under the <i>Waratah-Wynyard Interim Planning Scheme 2013</i>.</p> <p>Please note the use of firearms is governed under the <i>Firearms Act 1996</i>. Section 113 of the <i>Firearms Act 1996</i> states a person <i>must not discharge a firearm within 250m of a dwelling house except- On an approved range or with the consent of the occupier of the dwelling house</i>. The below image provides a heat map of neighbouring dwellings located within 250m of the neighbouring dwelling.</p>

<p>browsing wildlife that enter our property. This activity is necessary, and ongoing. We are aware that other landowners in the vicinity, do likewise. The use of firearms is consistent with what is appropriate within the rural resource zone. There exists the potential for it to be inconsistent with the type of application sought.</p>	
<p>The application lacks basic information and is ambiguous in its detail. For example, aside from times of the 7 day a week operation of the proposed use there is no other explanation or detail regarding that. Assuming that income is to be made from the proposal there is no business plan or information which constitutes that it is a resource development use.</p> <p>There is a reference to \$5,000-6,000 as the estimated cost of total works for the development. Even if this figure is underestimated it could not be considered a significant investment in a resource development, in proportion to the land value. There is no detail about the proposed layout and uses of the buildings to be constructed. How many if any animals are to be kept on the property?</p> <p>Aside from a very basic hand drawn diagram of 3 shipping container dimensions there is little detail as to the orientation or the overall footprint of the structures on the land, plumbing, cladding etc influencing the amenity of the land, distances from boundaries etc. Drawings are not to scale. As such the information is difficult if not impossible to meaningfully interpret or assess.</p>	<p>There are basic details of the proposed containers associated roofed area and unroofed dressage arena provided as part of the application. The application does provide information in relation to the client base likely to be more popular in daylight savings hours, after school for students and riders to be bought by parents and guardians. Lesson participants numbers will vary from one rider to small groups of three riders. Times provided on the application form are the maximum times for lessons. Income is not a consideration of the planning scheme. A business plan is not directly required under the planning scheme.</p> <p>It is acknowledged that resource development uses from agricultural grazing, to dairy operations to horse riding lessons can occur at varying scales. Proposed investment amount of a development proportionate to a land value is not a consideration of the planning scheme. This reference is used only as a means of determining a fee structure for planning applications.</p> <p>Grazing of livestock, such as horses or ponies on the site, does not require a planning permit.</p> <p>The application has provided overhead plans that are proportionate, not to scale, showing the approximate location of the new arena and has marked up the location of the new containers to be used for the purposes of the stables. Setback distances have been confirmed to meet the acceptable solution by the consultant planners report and appear to meet the acceptable solution setbacks as all work is located to the west of the driveway. This can also be added as a condition to any permit.</p>

	<p>Plumbing is assessed at the Plumbing and Building application stage. Council's Planning Scheme at clause 26.4.1 Suitability of a site or lot on a plan of subdivision for use or development, addresses the site being capable of appropriate servicing and it was determined that the proposed site met the acceptable solution. The site is greater than 5000m² and therefore on-site stormwater can be managed within the title boundary clear of the on-site sewage disposal system.</p> <p>Clause 8.1 Application requirements of the <i>Waratah-Wynyard Interim Planning Scheme 2013</i> provides a list of what is required to lodge a planning application. A scaled drawing set is not a requirement in order to provide a valid planning application, however it can be included in an application should a planning authority consider it necessary to satisfy the proposed development or use complies with a relevant standard.</p>
<p>Pages Road is a busy thoroughfare. It is a main arterial route for commuters to several outlying rural areas. The road is used by semi-trailer log trucks up to 6 days a week for up to 20 hours a day. It is frequently used by gravel and other trucks and farm machinery, not to mention tourists, and hoons. There is a substantial amount of traffic on weekends.</p> <p>The application proposes to use the existing entry to the property. It states that there may be up to 10 horse float movements to and from the property per day.</p> <p>Access to the site is narrow and difficult. The driveway is in close proximity to the Inglis River bridge, and when travelling from an easterly direction is obscured from view. If any development is to proceed, alterations to the entry would be necessary to ensure public safety.</p>	<p>Pre-lodgement advice was provided to the applicant on the 27 August 2020 and is recommended to form a condition on any planning permit issued for the proposal.</p> <p>The access was again assessed by Council's Technical Officer in the Engineering Department who deemed the sight line distances were suitable for the proposed riding school and met TSD RF01-v1 Guide to Intersection and Domestic Sight Distance Requirements.</p>
<p>The application specifically states that no residential use is sought. There exists on the land at 301 Pages Road a large 4-bay Colourbond barn/machinery shed/hay shed. The permit issued for the construction of that shed expressly prohibits it from being used for habitation.</p> <p>The previous owners of the property were persistently using the shed, and also 2 caravans which were kept on site, to reside in. That residential use resulted in fettering the agricultural use of our land, most specifically in relation to the use of firearms by us to control browsing wildlife in our market garden. It became necessary to take civil action to prevent habitation, and so rectify the fettering that was occurring. The Waratah/Wynyard Council was a party to that proceeding. We obtained a court order to prevent the habitation of</p>	<p>Correct. The existing shed on-site has been approved for rural storage purposes only. There is no current approval for a residential use on the site.</p> <p>The use of the land by previous owners has no standing in the consideration of this planning permit application for a riding school.</p> <p>The use of firearms is governed under the <i>Firearms Act 1996</i>.</p>

<p>the shed, caravans and all other structures on the land, and the use of the land for habitable purposes. That order is still current. We have sought legal advice as to whether a change of ownership of the property has affected its operation and relevance and are advised that the order is intended to run with the land regardless of ownership, and still applies.</p> <p>We note the applicants do not reside in the Waratah/Wynyard municipality. According to the contact details in their application they live in the south of the State. Aside from during the Corona Virus lockdown restrictions limiting people's movements since purchasing the property, we have observed the new owners in regular attendance at the property. We have concluded they perhaps do not own a residence in the vicinity as they stay on site, using the shed for habitation.</p> <p>They have not proposed the existing shed be used as part of the resource development use. It is not being considered for use as stables etc, in keeping with its true purpose. It is entirely possible, if not highly likely that if the development is approved, the shed will become the on-site dwelling.</p> <p>We submit the application for a riding school at 301 Pages Road, Moorleah is not consistent with a use in the Rural Resource Zone, that it does not demonstrate compliance with the relevant provisions of the Planning Scheme and that the application should be refused.</p>	<p>This information will also be forwarded onto Council's Compliance Officer to monitor and undertake investigation into any non-compliance on the site.</p> <p>The application proposes no changes to the existing shed on-site. If this shed were to be used as a dwelling, further planning approval would be required prior to doing so. This is not what has been applied for as part of the current planning application.</p>
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INTERNAL REFERRALS

Engineering Services Department

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

- (1) All costs associated with the proposed development including those related to infrastructure extensions or upgrades to council assets are to be met by the developer.
- (2) In the course of undertaking the development/use there is to be no damage caused to any council owned infrastructure or property.
- (3) Loading and un-loading of vehicles is to be confined to within the boundaries of the property.
- (4) Stormwater is to be fully contained within the boundaries of the property.

Notes:

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

Road access and stormwater is to be in accordance with pre-lodgement advice.

Environmental Health

The following environmental health conditions and notes were recommended.

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

Note:

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

Due to the predicted number of staff (2) that will be on site at any one time and the possible predicted number of clients that could be on site each hour (3) toilet facilities and hand washing facilities will be required to be provided for these people and will be flagged at the Building/Plumbing application stage.

The quality of water provided for these facilities and possibly for drinking purposes will also be considered at the Building/Plumbing application stage.

EXTERNAL REFERRALS

The application did not require any external referrals.

PLANNING ASSESSMENT

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

The use is a Resource Development use which is a Discretionary use within the zone, should the application meet all the relevant acceptable solutions of the planning scheme.

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

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

26.0 Rural Resource Zone

26.1.2 Local Area Objectives

The priority purpose for rural land is primary industry dependent upon access to a naturally occurring resource;

Air, land and water resources are of importance for current and potential primary industry and other permitted use;

Air, land and water resources are protected against –

- (i) permanent loss to a use or development that has no need or reason to locate on land containing such a resource; and
- (ii) use or development that has potential to exclude or unduly conflict, constraint, or interfere with the practice of primary industry or any other use dependent on access to a naturally occurring resource;

Primary industry is diverse, dynamic, and innovative; and may occur on a range of lot sizes and at different levels of intensity;
 All agricultural land is a valuable resource to be protected for sustainable agricultural production;
 Rural land may be used and developed for economic, community, and utility activity that cannot reasonably be accommodated on land within a settlement or nature conservation area;
 Rural land may be used and developed for tourism and recreation use dependent upon a rural location or undertaken in association with primary industry
 Residential use and development on rural land is appropriate only if –

- (i) required by a primary industry or a resource-based activity; or
- (ii) without permanent loss of land significant for primary industry use and without constraint or interference to existing and potential use of land for primary industry purposes

26.1.3 Desired Future Character Statements

Use or development on rural land –

may create a dynamic, extensively cultivated, highly modified, and relatively sparsely settled working landscape featuring –

- (i) expansive areas for agriculture and forestry;
- (ii) mining and extraction sites;
- (iii) utility and transport sites and extended corridors; and
- (iv) service and support buildings and work areas of substantial size, utilitarian character, and visual prominence that are sited and managed with priority for operational efficiency

may be interspersed with –

- (i) small-scale residential settlement nodes;
- (ii) places of ecological, scientific, cultural, or aesthetic value; and
- (iii) pockets of remnant native vegetation

will seek to minimise disturbance to –

- (i) physical terrain;
- (ii) natural biodiversity and ecological systems;
- (iii) scenic attributes; and
- (iv) rural residential and visitor amenity;

may involve sites of varying size –

- (i) in accordance with the type, scale and intensity of primary industry; and
- (ii) to reduce loss and constraint on use of land important for sustainable commercial production based on naturally occurring resources;

is significantly influenced in temporal nature, character, scale, frequency, and intensity by external factors, including changes in technology, production techniques, and in economic, management, and marketing systems

26.3.1 Requirement for discretionary non-residential use to locate on rural resource land

<p>A1</p> <p>There is no acceptable solution</p>	<p>P1</p> <p>Other than for residential use, discretionary permit use must –</p> <ul style="list-style-type: none"> (a) be consistent with the local area objectives; (b) be consistent with any applicable desired future character statement; (c) be required to locate on rural resource land for operational efficiency – <ul style="list-style-type: none"> (i) to access a specific naturally occurring resource on the site or on adjacent land in the zone;
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	<ul style="list-style-type: none"> (ii) to access infrastructure only available on the site or on adjacent land in the zone; (iii) to access a product of primary industry from a use on the site or on adjacent land in the zone; (iv) to service or support a primary industry or other permitted use on the site or on adjacent land in the zone; (v) if required – <ul style="list-style-type: none"> a. to acquire access to a mandatory site area not otherwise available in a zone intended for that purpose; b. for security; c. for public health or safety if all measures to minimise impact could create an unacceptable level of risk to human health, life or property if located on land in a zone intended for that purpose; (vi) to provide opportunity for diversification, innovation, and value adding to secure existing or potential primary industry use of the site or of adjacent land; (vii) to provide an essential utility or community service infrastructure for the municipal or regional community or that is of significance for Tasmania; or (viii) if a cost benefit analysis in economic, environmental, and social terms indicates significant benefits to the region; and (d) minimise likelihood for – <ul style="list-style-type: none"> (i) permanent loss of land for existing and potential primary industry use; (ii) constraint or interference to existing and potential primary industry use on the site and on adjacent land; and (iii) loss of land within a proclaimed irrigation district under <i>Part 9 Water Management Act 1999</i> or land that may benefit from the application of broadscale irrigation development
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Planning Comments: Complies

The proposal falls within the 'Resource Development' use category. It is required be assessed through the discretionary non-residential use pathway as it cannot meet either the no permit required, or the permitted qualifications contained in Clause 26.2 Use Table.

Clause 8.2 of the Planning Scheme sets out the requirements for categorising use or development into one of the use classes contained in Table 8.2. In terms of uses not specifically mentioned as an example under one of the classes contained in Table 8.2, the Planning Scheme states that use or development which fits the description of more than one use class must be categorised into the use class which most specifically

describes the proposed use – see Clause 8.2.3. Similarly, Clause 8.2.4 states that use or development which does not readily fit into any use class must be categorised into the most similar use class.

Of the 34 use classes outlined under Table 8.2, 28 use classes can be immediately excluded as unsuitable categorisations for example motor racing facility, utilities, port and shipping, food services, residential etc.

Both the definition and examples of the following six use classes were considered: Business and professional services, Domestic animal breeding boarding or training, Resource development, Passive recreation, Sports and recreation and Tourist operation.

The proposal is for a commercial use in that the applicants wish to establish a riding school. Business and professional services use refers to use of land for administration, clerical, technical, professional or similar activities, so there is some synergy.

Examples of uses which fall into the 'Resource Development' use class include agricultural use, aquaculture, bee keeping, controlled environment agriculture, crop production, horse stud, intensive animal husbandry, plantation forestry and turf growing. The inclusion of 'horse stud' as an example indicates that the Planning Scheme does not consider horses to be a domestic animal of the type which would fall under the use category of 'Domestic animal breeding, boarding or training'; if a 'horse stud' i.e. horse breeding is not an example of domestic animal breeding under the Planning Scheme then a riding school, which is a form of horse training, cannot be considered domestic animal training. Domestic animal breeding, boarding or training is therefore not the correct use class for the proposed development. Therefore, Resource Development is considered to be the best fit use category.

The proposed dressage arena portion of the application does alter the existing soil profile on-site and the proposed stable location will include a compacted screened aggregate base therefore a precautionary principle has been applied to the stable and has been treated as a resource development discretionary use classification and therefore must address the performance criteria.

The relevant test for Performance Criteria P1(a) requires demonstration that the proposed use is 'consistent' with the local area objectives; the proposal must be considered to be in harmony with the local area objectives when considering those objectives as a whole.

Clauses 26.1.2(a) and (b) relate to the importance of preserving natural resources for primary industry uses. The proposed horse-riding school and associated keeping of the horses and ponies on the site is dependent upon access to naturally occurring resources such as water and pasture suitable for grazing.

Clause 26.1.2(c) relates to the loss of resource and also the impacts of the proposed stable and dressage arena on adjoining uses dependent on access to the resources. It should be noted that the proposal will not contribute to a permanent loss of water resources as the site adjoins the Inglis River. A gravity fed tank occurs on-site already to service the water troughs. The stable and dressage arena portions of the proposal will be drained and stormwater will be managed on-site.

According to the Land Capability Survey 1999 (Grose CJ, Land Capability Handbook, Guidelines for the Classification of Agricultural Land in Tasmania, DPIWE) the subject title primarily contains class 5 land, with a small portion of class 5+6 land in the south-western corner of the property. Class 5 is defined as land unsuited to cropping and with slight to moderate limitations to pastoral use. Class 5+6 is defined as land of which at least 60% is unsuited to cropping and with slight to moderate limitations to pastoral use, and up to 40% is well suited to grazing but which is limited to occasional cropping or a very restricted range of crops. Neither of these classes of land are considered to be prime agricultural land for the purposes of the Planning Scheme; the subject site is located nearly 1km from the nearest prime agricultural land in any direction. This means that the land is unsuited to cropping and is best used for pastoral uses and grazing which will occur on the property associated with the riding school. Land approximately 100m to the north-east of the dwelling site is classified as 4 soil, which is land well-suited to grazing, but limited to occasional cropping. The classification, combined with the wet nature of the soil and relatively small properties, limits the potential of the area.

Primary industry is not defined in the planning scheme but is understood to incorporate resource development and extractive industry uses. Resource development is defined as:

use of land for propagating, cultivating or harvesting plants or for keeping and breeding of livestock or fishstock. If the land is so used, the use may include the handling, packing or storing of produce for dispatch to processors. Examples include agricultural use

The riding arena measures 20m x 60m to meet an Olympic size dressage arena and is particularly consistent with 26.1.2 (d) as it is considered a primary industry that is diverse, dynamic and innovative which will continue to operate on a range of lot sizes and different levels of intensity. If the horses are all in work and being used for riding lessons, then the site could be operating quite intensely. If horses have been turned out for winter and not ready for teaching, the intensity could be lower.

The addition of stables provides a diversification to be able to use the small site, subject to some pastoral limitations across the seasons, complimenting the agricultural land available on-site and is consistent with clause 26.1.2 (d) and (e).

The horse-riding school will offer a service that currently does not occur in the north-west region and therefore remains consistent with clause 26.1.2 (f), that activity cannot be reasonably accommodated on land within a settlement or nature conservation area and is considered more suitable to a rural area. The local area objectives for the Rural Resource zone state that the priority purpose for rural land is primary industry dependent upon access to a naturally occurring resource. They also state that primary industry use is diverse and can occur at differing levels of intensity. The proposed horse arena and stable is categorized as Resource Development use, which is a primary industry use and by its nature dependent upon a rural location. The keeping of horses is not suited to urban areas.

Local area objective (f) is primarily focused on economic, community, and utility activities that cannot reasonably be accommodated on land within a settlement or nature conservation area. Regarding local area objective (f), it is noted that a riding school can be considered as the type of business that is not suited to smaller lots within town boundaries, or for industrial areas. Activities relating to horses are more suited to land in rural areas. The proposal is consistent with 26.1.2 (g) as the rural land will continue to be used and developed for recreational purposes dependent upon a rural location and will be undertaken in association with the horses/livestock (primary industry) on the site. The proposal satisfies Performance Criteria P1(a).

The desired future character statements are provided under clause 26.1.3. It is considered the proposed riding school on rural land will continue to have a relatively sparsely settled working landscape with areas for agriculture. In this case horses will be grazing and the support building and work areas of substantial size and more utilitarian in character and visual prominence will occur by way of the containers joining roofed area and dressage arena. These will all be sited with priority for the operational efficiency of the site in order to load horses from floats and access to any stored rural supplies. The application will remain particularly consistent with clause 26.1.3 (a). The proposed development for a stable and dressage arena are considered to be of a substantial size that will continue to be utilitarian in character and located for operational efficiency to care for the livestock, consistent with 26.1.3 (iv). The application does not propose any residential development and pockets of remnant vegetation are intended to be kept as far as possible. The application therefore has no further impact on clause 26.1.3 (b).

The location of the proposed development (both the stable area and dressage arena) is located on relatively flat portions of the site and therefore physical disturbance to the terrain, ecological system, rural residential and visitor amenity is anticipated to be kept to a minimum. The proposed stable is proposed to be located over 120m away from the closest dwelling (the representors dwelling). This separation distance will assist with minimising disturbance to rural residential amenity when horses are confined rather than grazing.

The existing on-site services will be used and operation efficiency of the site is anticipated to be improved through utilising the land differently, with agricultural activities intended to complement the existing naturally occurring resources on-site, remaining consistent with 26.1.3 (d). The site will continue to be significantly influenced by weather as an external factor also remaining consistent with (e).

The proposed stable and dressage arena for the purposes of a riding school is required to locate on rural resource zoned land for operational efficiency in that many of the horses will also require suitable grazing area when not used for lessons. The site leads itself toward some grazing opportunities and plentiful naturally occurring water accessed on-site to support the riding school. The riding school's dressage arena and stable is required to be located on-site to access suitable area for pastures for grazing purposes, sufficient area for rural storage, sufficient area for keeping animals in work and exercised on-site and within the Rural Resource zone. By providing a dressage arena and stable with undercover area, the development will be able to respond to temporal nature of the small site and maximise the agricultural potential of the property.

The proposal satisfies Performance Criteria P1(b).

The dressage arena and stable will service, support and complement the primary industry of livestock grazing from horses on the site. The application is considered to comply with the performance criteria (c) (iv).

The proposed dressage arena and stable is required to provide an opportunity for diversifying the existing agricultural grazing use of the site. Previously the site had been sporadically grazed with cattle. The application is value adding to a potential primary industry use of the site for a horse-riding school. The application is considered to comply with performance criteria (c) (vi).

The subject site comprises 4.67ha and contains an existing outbuilding with facilities including a toilet and basin, clustered towards the south-east of the site and accessed from Pages Road. The proposed development for a stable and dressage arena is considered to be of a substantial size that will continue to be utilitarian in character and located for operational efficiency to care for the livestock, consistent with 26.1.3 (iv). Remnant vegetation will be retained along the Inglis River boundary as far as practicable.

The use of the word “minimise” imposes a requirement to substantially reduce, rather than eliminate, any possible impact.

It is worth noting that the site is not suitable for intensive agricultural operation due to the size. Existing infrastructure and proximity to residential uses further limit the scope of the site for enterprises such as forestry, controlled environment agriculture such as feedlots, and the swampy nature of the lot make it difficult to support more intensive agricultural enterprises for resource development or extractive industry use. The adjoining lot to the south is currently improved with a dwelling and operates a market garden. Similarly, lots to the west are both developed with an existing dwelling.

The primary industry potential of this site is limited due to its proximity to both existing hardstand areas with the existing shed and associated driveway, the proximity to existing sensitive use dwellings, the road and the fact that this location is relatively flat and low.

The property’s current agricultural value is limited. It is limited as a grazing operation due to the land being flat and swampy with approximately 3ha available for some agricultural grazing use. The site retains some regrowth bushland vegetation and has some soil constraints restricting the potential uses available to the site. Relatively poor soil and wet ground have also been supported by previous land capability assessments that have occurred for this site and nearby properties. It is considered that the proposed stable and dressage arena instead will provide an opportunity to intensify the potential primary industry capability of the site by providing these facilities. The structure may remove a small portion of pasture, however by removing this small portion and providing a stable and associated arena it can provide the potential for the primary industry use to operate in varying weather conditions and at a greater intensity and is therefore considered consistent with performance criteria (d) (i).

The proposed stable is to be located no closer than 120m from the nearest dwelling at the south-western corner of the lot. The proposed stable and arena has been located in south-eastern corner of the site, alongside the existing hardstand areas to minimise any interference to adjacent land and attempt to consolidate servicing within the site to one location, remaining consistent with performance criteria (d) (ii).

The site of the proposed dressage arena is not located within a proclaimed irrigation district under Part 9 of the *Water Management Act 1999* and is unlikely to benefit from the application of broadscale irrigation development due to the proximity to existing sensitive uses.

The proposal is considered to comply with the performance criteria.

STATUTORY IMPLICATIONS

Land Use Planning and Approvals Act 1993

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

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

representations received. It is noted that one representation was received during the exhibition period.

STRATEGIC IMPLICATIONS

POLICY IMPLICATIONS

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

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

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

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

COMMENT

The report is presented for Council's consideration, together with the recommendations contained at the beginning of this report and the attached application documents and representation.

It is considered that the proposed new riding school entailing a new stable and dressage arena meet the relevant performance criteria of the planning scheme. The proposal will not further increase the permanent loss of land for potential primary industry use as it will instead complement the agricultural potential of the small site.

The horse-riding school is an activity that cannot be reasonably accommodated on land within a settlement and is considered more suitable to a rural area. The local area objectives for the Rural Resource zone state that the priority purpose for rural land is primary industry dependent upon access to a naturally occurring resource. They also state that primary industry use is diverse and can occur at differing levels of intensity. The proposed horse arena and stable is categorized as Resource Development use, which is a primary industry use and by its nature dependent upon a rural location. The keeping of horses is not suited to urban areas.

The application is considered to comply with the Rural Resource Zone provisions and all other provisions of the *Waratah-Wynyard Interim Planning Scheme 2013*. It is therefore recommended that Council approve a planning permit for the proposed riding school including dressage arena and stable.

6.4 BOUNDARY RECONFIGURATION (4 INTO 4 LOTS) LOCATED AT HOARES LANE AND 687 MURCHISON HIGHWAY, ELLIOT - SD2089

To: Council
Reporting Officer: Town Planner
Responsible Officer: Manager Development and Regulatory Services
Report Date: 3 October 2020
File Reference: 1470805, 1470821, 3401889, 7668070
Supporting Documents: 1. Advertised Document Set 
2. Representation 
3. Signed Extension of Time Agreement 

RECOMMENDATION

That Council, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Waratah-Wynyard Interim Planning Scheme 2013*, approve the boundary reconfiguration (4 into 4 lots) at Hoares Lane and 687 Murchison Highway Elliot, subject to the following conditions:

Part A Conditions:

1. The development is to be generally in accordance with the application as submitted and endorsed documents as listed:
 - a) Proposal plans with Drawing Number 219159 Revision 2 as prepared by Micheal Wells of EnviroPlan and dated 10 March 2020.
 - b) Landslide Risk Assessment with Document Reference TG20168/1 as prepared by Dr Alan Chester of Tasman Geotechnics and dated 25 August 2020.
2. All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the developer.
3. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
4. Loading and unloading of vehicles is to be confined to within the boundaries of the property.
5. The development is to be in accordance with the Bushfire Hazard Management Report and Plan as prepared by Micheal Wells, of EnviroPlan and dated 10 March 2020.
6. Control measures are to be installed for the duration of the construction phase so as to limit the loss of soils and other debris from the site.
7. The location of the existing services on the site are to be identified and where necessary, separate private sewer, water and stormwater services, including on-site disposal systems, so they are contained wholly within the individual lots they serve.

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- 8. A Final Survey Plan submitted for sealing by the Council is to show all easements required for powerlines, sewerage, water, drainage purposes, vegetation and legal access.**
 - 9. Before the Final Plan may be sealed, all conditions of this permit are to be completed.**
 - 10. Road access arrangements are to be provided to Lot 3 and Lot 4 in accordance with Department of State Growth requirements letter dated 24 April 2020. This includes upgraded crossovers sealed from the road surface to the property boundary.**
 - 11. Stormwater and wastewater is to be fully contained within the respective boundaries of the properties.**

Notes: -

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

- This project must be substantially commenced within two years of the issue of this permit.
- An “Activity within the Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
- Any work in the Department of State Growths road reserve will require a works in road reservation permit from the Department of State Growth.
- The applicant is advised to consult with a Building Surveyor to ensure the development is constructed in accordance with the *Building Act 2016*.
- The development/use is not to result in the generation of environmental harm or nuisance as defined in the *Environmental Management and Pollution Control Act 1994*.
- This permit is based on information and particulars set out in Development Application SD2089. Any variation requires an application for further planning approval of Council.
- Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact Aurora Energy on 1300 132 003 to ensure these works do not impede on existing electricity easements and are at a safe distance from powerlines. Failure to do so could result in the relocation of electricity assets at your cost.
- Under Section 61 (4) of the *Land Use Planning and Approvals Act 1993*, the applicant has the right to lodge an appeal against Council’s decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to the Resource Management and Planning Appeal Tribunal, GPO Box 2036, Hobart, 7001.

PURPOSE

The purpose of this report is for Council to consider the merits of the application SD2089 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013* (Planning Scheme).

BACKGROUND

The subject site includes titles located at 134 Hoares Lane, CT2/44932, CT 6/170331, and 687 Murchison Highway, Elliot (CT 1/44932). All titles are located within the Rural Resource zone. Currently the title identified as 687 Murchison Highway has an existing access and dwelling with an associated outbuilding on-site.

Currently title CT 6/170331 is improved with two rural outbuildings.

CT 2/44932 is improved with seven rural outbuildings for the farm and 134 Hoares Lane is improved with an outbuilding.

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

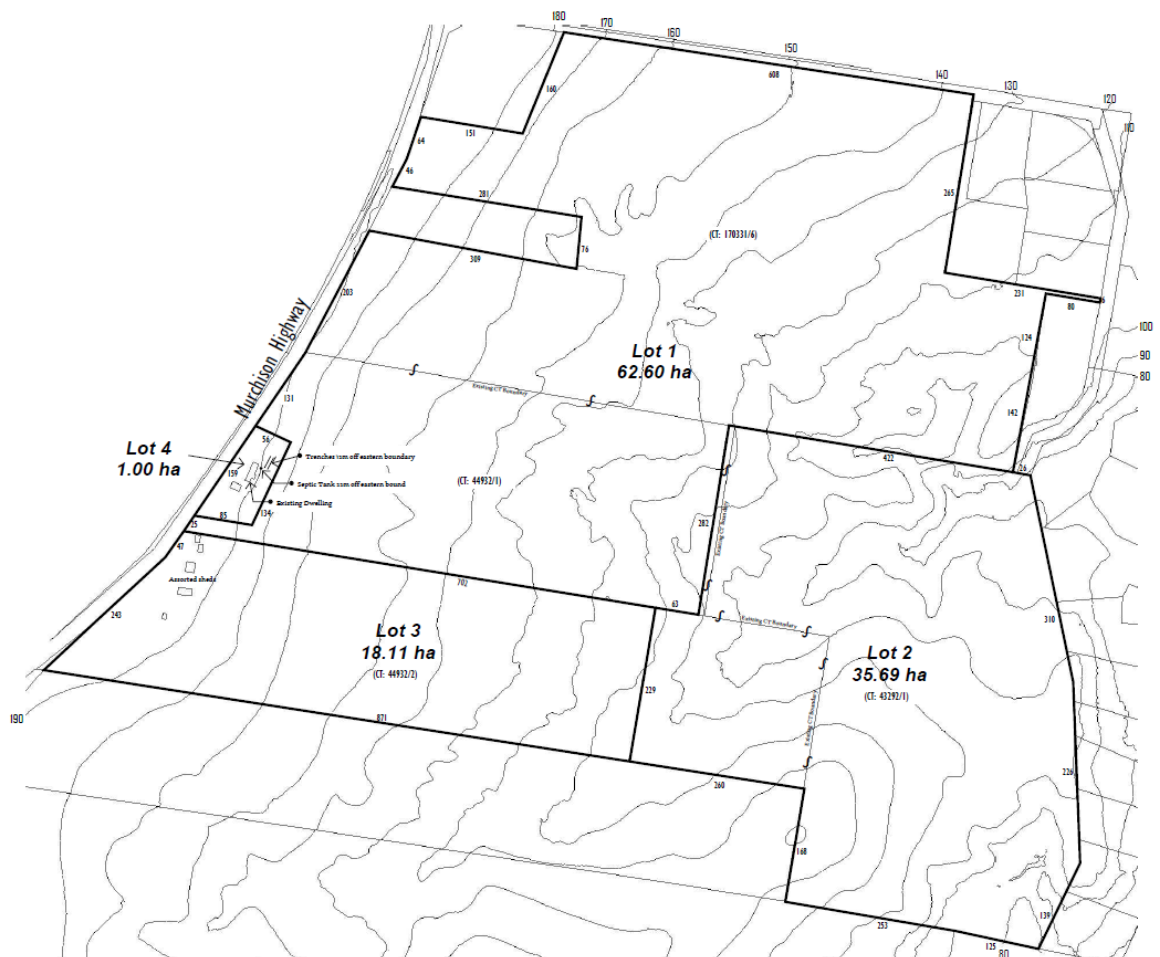


Figure 1: Proposal Plan as prepared by the applicant.

DETAILS

The applicant is seeking approval for a boundary reconfiguration (4 into 4 lots) on property described as 134 Hoares Lane, 687 Murchison Highway, CT2/44932, and CT 6/170331.

Figure 1 above indicates the proposed Lots.

A Table below is provided to demonstrate the characteristics of the proposed configured lots:

Proposed Lot	Size	Access Arrangement	Improvements
Lot 1	62.6ha	Murchison Highway & Hoares Lane	2 x outbuildings
Lot 2	35.69ha	Hoares Lane	Outbuilding
Lot 3	18.11ha	Murchison Highway	7 x rural outbuildings
Lot 4	1.00ha	Existing crossover, Murchison Highway	Existing dwelling and outbuilding

The proposed development will create two larger agricultural lots, one slightly smaller agricultural lot and a rural residential sized lot. The agricultural lots, proposed Lots 1, 2 and 3 will be used for cattle grazing and cropping conjointly. The proposed use of land on Lot 1 will incorporate the existing rural ground from 687 Murchison Highway including pastures, waterways and outbuildings associated with the agricultural farm operation. This will allow Lot 1 to operate at a greater capacity through consolidating agricultural land into a larger title that will also provide sufficient room for the installation of a pivot irrigation system for this property and allow additional crops and cattle to be rotated.

The report assesses the proposal against the *Waratah-Wynyard Interim Planning Scheme 2013* (the Planning Scheme) and takes into account any representations received during the public exhibition period. The subject properties are zoned Rural resource under the Planning Scheme. The proposal includes a boundary reconfiguration for the purposes of agricultural grazing defined as a resource development use class and the creation of a residential use lot in the Rural Resource zone. Both of which are considered permitted uses within the zone, should the application meet all the relevant Acceptable Solutions of the Planning Scheme. The applicant is applying for discretion under the following clauses: -

- 26.3.3 Residential Use
- 26.4.3 Location of development for sensitive uses
- 26.4.4 Subdivision
- E6.5.2 Use likely to be exposed to a natural hazard
- E10.6.1 Development in proximity to a water body, watercourse or wetland.

CONSULTATION PROCESS

The consultation process was the public exhibition period set out in the *Land Use Planning and Approvals Act 1993 (LUPAA)* and involved notification of adjoining land owners, public notices on-site and advertising in a daily newspaper. The application was placed on public exhibition for a period of 14 days as required under LUPAA. The period for representations closed on 14 September 2020. One (1) representation was received. The representation and planning responses to the issues raised are provided below. While every effort has been made to include all issues raised, this summary should be read in conjunction with the representations which are included as an enclosure to this report.

Representor: Mr D Frankcombe

Concerns raised:	Planning Response:
There is no need to change boundaries, irrigators can travel over the boundaries.	Council as a planning authority can only assess the applications that are submitted to them. The planning scheme does provide a pathway for an applicant to apply for a boundary reconfiguration process via a subdivision under clause 26.4.4 of the planning scheme. The applicant has addressed clause 26.4.4 P1 (a) confirming that the boundary reconfiguration is for the purposes of restructuring and reconfiguring land for primary industry use.
Both properties are 70 acres blocks in a rural farming area. One lot currently has a house which can be used to run the farm and the other leads itself to have a new house for future generations to run that portion of the farm.	Noted. Council as a planning authority can only assess the applications that are submitted to them.
We must make sensible decisions for the benefit of future generations to have opportunities for large farming blocks of land, instead making them available for only the wealthy.	Council as a planning authority are required to uphold their planning scheme and assess each application on a case by case scenario as submitted.
Do not agree with cutting the water off the main farm block.	Noted. The portion of the river that is being cut off one title is being added to another farming title and making another title larger instead.

INTERNAL REFERRALS

Engineering Department

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

1. All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the developer.
2. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
3. Loading and unloading of vehicles is to be confined to within the boundaries of the property.
4. A Final Survey Plan submitted for sealing by the Council is to show all easements required for powerlines, sewerage, water, drainage purposes, vegetation and legal access.
5. Stormwater and wastewater is to be fully contained within the respective boundaries of the properties.

Note:

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

Environmental Health

The following environmental health notes have been included.

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

EXTERNAL REFERRALS

The application was referred to the Department of State Growth on the 11 September 2020 and a response was received on the 11 September 2020.

This advice stated that road access arrangements are to be provided to Lot 3 and Lot 4 in accordance with Department of State Growth requirements letter dated 24 April 2020 to the applicant. This included upgraded crossovers sealed from the road surface to the property boundary for these lots. Also noting that any works within the road reservation would require a further works in road reservation permit from the Department of State Growth.

PLANNING ASSESSMENT

The subject site is zoned Rural Resource under the *Waratah-Wynyard Interim Planning Scheme 2013*. The applicable uses of the lots are Resource Development, which is a Permitted use, and Residential which is a discretionary use within the zone. The proposal does not meet all relevant acceptable solutions of the planning scheme and is therefore submitted as a discretionary application under Section 57 of the *Land Use Planning & Approvals Act 1993* and assessed under the *Waratah-Wynyard Interim Planning Scheme 2013* and relevant State Policies and Acts. Section 57(1) (b) of LUPAA allows Council to relax or waive the provisions of its Planning Scheme under a discretionary status.

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

26.3.3 Residential use

<p>A1</p> <p>Residential use that is not required as part of an other use must –</p> <ul style="list-style-type: none">(i) be an alteration or addition to an existing lawful and structurally sound residential building;(ii) be an ancillary dwelling to an existing lawful and structurally sound single dwelling;(iii) not intensify an existing lawful residential use;(iv) not replace an existing residential use;(v) not create a new residential use through conversion of an existing building;(vi) be an outbuilding with a floor area of not more than 100m² appurtenant to an existing lawful and structurally sound residential building; or	<p>P1</p> <p>Residential use that is not required as a part of other use must –</p> <ul style="list-style-type: none">(a) be consistent with local area objectives;(b) be consistent with any applicable desired future character statement;(c) be on a site within which the existing or proposed development area –(i) is not capable by reason of one or more of factors of topography, resource capability, size or shape of being utilised for resource development or extractive industry use; and(ii) is not capable of utilisation in the operations of a resource development or extractive industry enterprise, regardless of ownership; and
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<p>(vii) be home based business in association with occupation of an existing lawful and structural sound residential building; and</p> <p>(viii) there is no change in the title description of the site on which the residential use is located</p>	<p>(iii) does not constrain or interfere with existing or potential resource development or extractive industry use of land including the balance area on the site.</p> <p>(d) not be likely to impose an immediate demand or contribute to a cumulative requirement for public provision or improvement in reticulated or alternate arrangements for utilities, road access, or community service.</p>
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Planning Comment:

The proposed development will create two larger agricultural lots, one slightly smaller agricultural lot and a rural residential sized lot. The agricultural lots, proposed Lots 1, 2 and 3 will be used for cattle grazing and cropping conjointly. The reconfiguration of the agricultural land being removed from the dwelling to create Lot 1 will allow for the installation of pivot irrigators to be installed. Lot 2 will increase in size to include more water resources whilst Lot 3 will continue to contain many rural outbuildings.

The proposal will continue to improve the land available for agricultural cattle grazing and will allow for access to the dams on the agricultural title, whilst the residential property will be removed from the lot.

Proposed Lot 4 will become a residential use and the boundaries of the lot will be changed in the direction of the agricultural land. The title description will change, and the application therefore must address the performance criteria.

Lot 4 will continue to house the existing dwelling, on-site septic system, outbuilding, existing crossover and associated hardstand area and stormwater arrangements for these improvements. Based on TheList mapping layer of land capability, the majority of the site is mapped as having a soil classification of class 3 and considered prime agricultural land with a small pocket of class 5 located closer to Hoares Lane, east on the property. The existing dwelling and associated infrastructure associated with the dwelling that is already fenced separately to the farm is mapped as being located also on class 3 soil. As a result of the subdivision it is not envisioned that any further loss of agricultural land would occur as part of the proposal. The land agricultural being removed from the dwelling is to be consolidated into Lot 1. The proposal is considered to remain consistent with the local area objectives as the primary purpose will continue to be the rural land for a primary industry to allow further crop and cattle rotation.

The proposed use of land on Lot 1 will incorporate the existing rural ground of 687 Murchison Highway including pastures, waterways and outbuildings associated with the operation of the agricultural farm operation. This will allow Lot 1 to operate at a greater capacity through consolidating agricultural land into a larger title that will assist with the installation of pivot irrigation for this property and allow additional crops to be rotated.

The land and dwelling located in Lot 4 has sloping topography that falls away at the rear of the proposed new property boundary which will assist protecting the agricultural land on lot 1 from potential conflict with the residential use on Lot 4. The agricultural uses on Lot 1 will be supported by consolidating the paddocks of the agricultural land within a larger single title. No further loss of agricultural land is envisioned as part of the proposal. The proposal is considered to remain consistent with the local area objectives.

Proposed Lot 4 and the existing house that will remain within this title will not further alter the rural landscape as it is located to the north of the of the main developed lots within Elliot. Directly north of proposed Lot 4 are two residentially developed lots, with dwellings located close to the Highway. The proposal will remain consistent with the desired future character statements.

This particular area of land on Lot 4 is considered particularly constrained for agricultural use due to the proximity to Murchison Highway, the existing buildings and infrastructure supporting the dwelling, including fences, on-site septic and hardstand areas.

The existing topography will assist with minimising the potential for the residential use constraining the resource development to north east, east or southeast. Aside from the existing dwelling and any upgrade required to the existing on-site system, it is not anticipated that there will be any increase in requirement

for public provision of reticulated services or alternate arrangements for utilities, road access or community service.

The proposal complies with the performance criteria.

26.4.3 Location of development for sensitive uses

<p>A1</p> <p>New development, except for extensions to existing sensitive use where the extension is no greater than 30% of the existing gross floor area of the sensitive use, must –</p> <p>be located not less than –</p> <p>200m from any agricultural land;</p> <p>(ii) 200m from aquaculture or controlled environment agriculture;</p> <p>500m from the operational area boundary established by a mining lease issued in accordance with the Mineral Resources Development Act 1995 if blasting does not occur; or</p> <p>1000m from the operational area boundary established by a mining lease issued in accordance with the Mineral Resources Development Act 1995 if blasting does occur; or</p> <p>500m from intensive animal husbandry;</p> <p>100m from land under a reserve management plan;</p> <p>100m from land designated for production forestry;</p> <p>(viii) 50m from a boundary of the land to a road identified in Clause 26.4.2 or to a railway line; and</p> <p>clear of any restriction imposed by a utility; and</p> <p>not be on land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i> or land that may benefit from the application of broad-scale irrigation development</p>	<p>P1</p> <p>New development, except for extensions to existing sensitive use where the extension is no greater than 30% of the existing gross floor area of the sensitive use, must minimise –</p> <p>permanent loss of land for existing and potential primary industry use;</p> <p>likely constraint or interference to existing and potential primary industry use on the site and on adjacent land;</p> <p>permanent loss of land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i> or land that may benefit from the application of broad-scale irrigation development; and</p> <p>adverse effect on the operability and safety of a major road, a railway or a utility</p>
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Planning Comment:

The proposal is removing a residential use from an agricultural property. This results in creating a residential lot adjoining rural properties in the Rural Resource zone. Instead of being on the same site as an operational agricultural use, the dwelling will now be within 200m of agricultural land, as the proposal will reduce the rear boundary setbacks around the existing dwelling on proposed Lot 4 to approximately 12m. The proposal must address the performance criteria.

The proposed new Lot 4 aligns with the current fenced backyard, front yard and hardstand area of the existing dwelling on-site. This very small portion of land is highly modified that has the residential dwelling and associated infrastructure located on it and is considered insignificant in size considering the boundary adjustment to add the balance of this lot to proposed Lot 1.

This particular area of land on Lot 4 is considered particularly constrained for agricultural use due to the proximity to Murchison Highway, the existing buildings and infrastructure supporting the dwelling, including fences, on-site septic and hardstand areas.

The topography of the site falls away toward the rear of the dwelling assisting with minimising the potential conflict with the continues agricultural use from cropping and agricultural farming operation on Lot 1 to the rear due to grade separation.

The subject site is not located within a proclaimed irrigation district and the development will not have an adverse effect on the operability and safety of the Murchison Highway.

The proposal complies with the performance criteria.

26.4.4 Subdivision

<p>A1</p> <p>Each new lot on a plan of subdivision must be –</p> <p>(a) a lot required for public use by the State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority</p>	<p>P1</p> <p>A plan of subdivision to reconfigure land must –</p> <ul style="list-style-type: none"> (i) be required to restructure, re-size, or reconfigure land for primary industry use; and (ii) not create an additional lot; <p>A plan of subdivision to create a new lot must –</p> <ul style="list-style-type: none"> (i) be required for a purpose permissible in the zone; (ii) be of a size and configuration that is not more than is required to accommodate the nominated use in accordance with the applicable standards of this planning scheme for such use; (iii) retain the balance area for primary industry use (iv) minimise unnecessary and permanent loss of rural resource land for existing and potential primary industry use; (v) minimise constraint or interference to existing and potential primary industry use on the site and of adjacent land in the zone; and (vi) minimise unnecessary and permanent loss of land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i> or land that may benefit from the application of broad-scale irrigation development; or <p>A plan of subdivision to reduce the area of an existing lot on a sealed plan containing a lawful use must –</p> <p>not be land containing a residential use approved by a permit granted under the <i>Land Use Planning and Approvals Act 1993</i> as a required part of a permitted use;</p> <p>incorporate the excised area into an existing primary industry lot by amalgamation in a manner acceptable to the Recorder of Titles;</p>
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	<p>minimise likelihood for the existing use on the reduced area lot to further constrain or interfere with use of the balance area or adjacent land for an existing or potential primary industry use; and</p> <p>retain a lot with a size and shape that –</p> <p>can accommodate the lawful existing use or development in accordance with the applicable standards for that use; or</p> <p>does not further increase any non-compliance for use or development on the existing lot</p>
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Planning Comments:

The proposal is a subdivision via a boundary reconfiguration involving four (4) titles. Therefore, the proposal must address the performance criteria. Given the proposed new lot arrangement is for the purposes of reconfiguring land and not creating any further lots the proposed development has been assessed against clause P1 (a).

The proposed boundary reconfiguration of the lots is to increase the existing farming lots' capacities. The boundary reconfiguration will allow for a suitable configuration to install a pivot irrigator on CT 1/43292 and CT 6/170331. The boundary reconfiguration is required to provide enough space for its operation. The property comprising as Lot 1, Lot 2 and Lot 3 will remain as an operating farm and no other development is proposed.

The development will consolidate the productive agricultural land that can be used to the highest intensity for the purposes of the farm and intended to be used for cropping and will separate an existing surplus residential use from the farm land. It is noted that an existing dwelling will remain on proposed Lot 4. The reconfiguration will improve the scale of economy that can be achieved by Lots 1, 2 and 3 which will remain as part of the larger farm, whilst Lot 4 can be used as a lifestyle property similar to that of the existing dwellings to the north of the property.

The dwelling on proposed Lot 4 was not approved as a required residential use under the *Land Use Planning and Approvals Act 1993*.

Furthermore, proposed Lot 4 will be of a sufficient size retain adequate servicing for the residential use and will not increase any further non-compliance for residential use on the lot.

No additional lots are created.

The proposal complies with the performance criteria.

E6.5.2 Use likely to be exposed to a natural hazard

<p>A1</p> <p>If a use is on land within an area of risk from exposure to a natural hazard as shown on a map forming part of this planning scheme -</p> <p>use must not be for a critical use, a hazardous use, or a vulnerable use;</p> <p>(b) use must not be residential use if the level of risk is medium or higher; and</p> <p>(c) a hazard risk assessment must demonstrate a tolerable level of risk can be achieved and maintained for the nature and duration of the use</p>	<p>P1</p> <p>If use is on land within an area of risk from exposure to a natural hazard as shown on a map forming part of this planning scheme -</p> <p>(a) a hazard risk assessment must demonstrate a tolerable level of risk can be achieved and maintained for the nature and duration of the use; and</p> <p>(b) if a critical use, a hazardous use, or a vulnerable use, a cost-benefit analysis in economic, environmental, and social terms must establish there is a significant benefit</p>
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	to the community and there is no alternate site
<p>Planning Comments:</p> <p>The subject lots are mapped with a medium hazard band. One of these lots will become a residential use and therefore is required to address the performance criteria.</p> <p>The applicant provided a hazard risk assessment prepared by Alan Chester of Tasman Geotechnics indicating that a tolerable level of risk can be achieved and maintained on the lots, particularly the existing dwelling becoming a residential lot for the duration of the residential use.</p> <p>No specific landslide management measures have been required as part of the discussions and recommendations of the provided report.</p> <p>The proposal is not for a critical use, a hazardous use or a vulnerable use, therefore a cost benefit analysis has not been required.</p> <p>The proposal complies with the performance criteria.</p>	

E10.6.2 Development in proximity to waterbody, watercourse or wetland

<p>A1</p> <p>There is no acceptable solution</p>	<p>P1</p> <p>Development must –</p> <p>minimise risk to the function and values of a water body watercourse or wetland [R37] , including for -</p> <ul style="list-style-type: none"> (i) hydraulic performance; (ii) economic value; (iii) water based activity; (iv) disturbance and change in natural ground level; (iv) control of sediment and contaminants; (v) public access and use; (vi) aesthetic or scenic quality; (vii) water quality management arrangements for stormwater and sewage disposal; (ix) modification of a natural drainage channel; (vii) biodiversity and ecological function; (viii) level of likely risk from exposure to natural hazards of flooding and inundation; and (xii) community risk and public safety; and <p>be consistent with any advice or decision of a relevant entity administering or enforcing compliance with an applicable protection and conservation regulation for –</p>
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	<ul style="list-style-type: none"> (i) impact of the development on the objectives and outcomes for protection of the water body, watercourse or wetland; and (ii) any condition or requirement for protection of the water body, water course or wetland
<p>Planning Comments:</p> <p>The Code applies to the proposed development as tributaries, creeks and rivers cross the boundaries of proposed Lot 1 and Lot 2 and these boundaries will be within 30m of the watercourses that flow into Maldon Creek to the east. The proposed new boundaries in some locations will cross the creek. Therefore, the proposal must address the performance criteria.</p> <p>The proposed development will remove a boundary that currently crosses a tributary of Maldon Creek and a dam. The new boundary will be located to the west of the watercourse.</p> <p>The proposed development will not alter the existing buildings on the land located at Lot 1, Lot 2, Lot 3 or Lot 4 and there will be no change in ground level that could impact on Maldon Creek tributaries or associated dams spotted along the watercourse or any neighbouring tributaries as part of the application.</p> <p>The dwelling on proposed Lot 4 will retain a minimum setback from the closest dam 220m away. The existing areas for vehicle crossings of tributary to Maldon Creek will continue to operate in accordance with the current farming practices, which will not result in any further upgrades or alterations to the land or the creek and its tributaries.</p> <p>All other watercourses within the subject site will be retained within Lot 1 and Lot 2, and there are no further alterations to these bodies of water or watercourses as part of the application.</p> <p>The proposal remains consistent with the performance criteria.</p>	

STATUTORY IMPLICATIONS

Land Use Planning and Approvals Act 1993

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

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

Local Government (Building & Miscellaneous Provisions) Act 1993

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

STRATEGIC IMPLICATIONS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

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

The *Land Use Planning and Approvals Act 1993* provides for penalties against a Planning Authority that fails to enforce its planning scheme (ss. 63a & 64). Going against advice provided in the planning report, without seeking alternate qualified advice, may create unnecessary risk for the Council in exercising its statutory functions as a Planning Authority.

COMMENT

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

The proposed boundary reconfiguration via a subdivision from 4 lots into 4 lots meets the relevant performance criteria of the planning scheme. The proposed subdivision rearranges the titles for the primary purpose of benefitting the current farming practices on the property and increasing the size of the farming parcels.

The application is considered to comply with the Rural resource Zone provisions and all other applicable Codes of the *Waratah-Wynyard Interim Planning Scheme 2013*. It is therefore recommended that Council approve a planning permit for the proposed boundary reconfiguration.

7.0 MATTER RAISED BY COUNCILLORS

Legislative Reference:

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

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

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

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

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

7.1 RESPONSE(S) TO COUNCILLOR QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING**7.1.1 CR EDWARDS - 30B OLD BASS HIGHWAY****QUESTION**

Cr Celisa Edwards noted that following the recent approval of the development at 30B Old Bass Highway, known as Beach Retreat Tourist Park community members feel their voices have been lost with no opportunity to comment on the revised application and no notification to previous (original application- withdrawn prior to council meeting) representors or adjacent land owners regarding the approval.

Cr Edwards noted and agreed that there is a process that needs to be followed. She asked if work could be done around educating the community on how the planning scheme and approval process works and Council's role in acting as a Planning authority.

She also asked if it would be courteous (appropriate) to let previous (original application) representors or adjacent land owners regarding the approval of revised applications through a letter or small advertisement to enhance transparency.

She asked that as a Council can we be proactive moving forward and to look into improving this process for the community even though through the planning scheme it is not obligated to

The General Manager took the question on notice. He also noted that it should be made clear that the application was treated consistently with any other permitted application as per statutory requirements

OFFICERS RESPONSE

In relation to the matter at 30B Old Bass Highway, it is important to note the following:

The previous application for the subject site, DA 45/2019, was submitted to Council as a discretionary application under s57 of the *Land Use Planning and Approvals Act 1993 (LUPAA)*. Discretionary planning applications, such as DA 45/2019 are required to be advertised for two weeks. During this period of public exhibition Council is able to receive representations in regard to the proposal.

A number of representations were received in relation to DA 45/2019. The applicant and representors were advised that a report would be prepared by the Planning Department for Council to consider at its next public meeting (Tuesday 28 January 2020).

Council was advised by the applicant that they wished to withdraw their application prior to the Council meeting report being written. Formal assessment of DA 45/2019 ceased at this stage and representors were advised that the proposal had been withdrawn by the applicants and would not be proceeding to the January Council meeting.

In the event that a previously withdrawn application is resubmitted to Council, it is assessed as a new application and, if discretionary, advertised in accordance with relevant requirements.

Council received a new application for the subject site earlier this year, DA 29/2020. Upon assessment by the Planning Department, it was determined that the proposal was able to meet the Acceptable Solution for all applicable Standards of the *Waratah-Wynyard Interim Planning Scheme 2013* (Planning Scheme).

The full internal assessment undertaken by the Planning Department was reviewed by an independent planner who confirmed via email that the revised proposal met the criteria for a permitted application under s58 LUPAA.

Consequently, the application fell under s58 LUPAA and was deemed to be a permitted application. LUPAA does not permit Council to refuse to issue permits for permitted applications. These applications do not require advertising and/or notification of adjoining landowners.

Copies of documents associated with permitted applications are not available to members of the general public, unless the landowner/applicant has given their written consent to Council to provide copies of these documents. Following requests from Council, the applicant will not consent to release of documentation relating to this matter.

To summarise, the original application submitted was discretionary and required advertising to the public for representations to be received whereas the new application, with its differences that meet the Acceptable solutions for all applicable standards of the *Wynyard Interim Planning Scheme 2013*, did not allow members of the public the same opportunity for representation.

Council will continue to explore processes, systems and information that will make it easier for the community to understand the planning legislation, including the use of visual information and flowcharts that will be accessible on the Council website.

7.1.2 CR FAIRBROTHER - LANDSLIP B

QUESTION

Cr Darren Fairbrother referred to question 7.1.4 on this agenda and the response given regarding number of parcels of land affected by Landslip B and asked that further information be provided, specifically, what is the impact on those properties with the introduction of the Tasmanian Planning Scheme.

OFFICERS RESPONSE

Through further discussion with the Councillor, it has been determined that clarification is sought whether through the adoption of the Tasmanian Planning Scheme, development of land proclaimed as landslip B will be prohibited. Some advice provided previously is replicated below, in order to provide context.

There are two classification systems for assessing landslip risk to development in Tasmania - Proclaimed landslip areas (A and B) and designated landslip areas – High, Medium-high, Medium and Low. Proclaimed landslip areas are the original classification system, with designated landslip areas being developed more recently. The proclaimed landslip areas information was one data source used to develop the designated landslip areas, with Landslip A generally matching with High, and Landslip B typically matching with the Medium designation.

Proclaimed landslip areas are not incorporated into the current Waratah-Wynyard Interim Planning Scheme 2013 (IPS). The IPS instead uses designated landslip areas – High, Medium-high, Medium and Low. The new Tasmanian Planning Scheme will use the same designations

and mapping that is used in the IPS. There have been no changes or updates made to these maps, therefore there will be no new lots mapped as Medium landslip risk under the new scheme when compared to the current.

Currently, the *Building Act 2016* still relies upon the proclaimed landslip areas of A and B. This will change when Council adopts their version of the Tasmanian Planning Scheme, and the Building Act will also be based on the designated landslip areas maps – High, Medium-high, Medium and Low.

Review of the Landslip Hazard Code has identified a substantial list of exemptions from the Code under clause C15.4.1. These exemptions include:

- (a) use of land within a low or medium landslip hazard band, excluding for a critical use, hazardous use or vulnerable use;*
- (d) development on land within a low or medium landslip hazard band that requires authorisation under the Building Act 2016;*

These exemptions will mean that there will be less requirements for a standard development (e.g. Dwelling or shed) under the Tasmanian Planning Scheme than there are under the current planning scheme. Assessment of landslip will instead be pushed to the building permit stage of the project, which will still require the preparation of landslip hazard report, just at the latter stage of the approvals process.

This is a similar approach that was made to bushfire risk. Initially all bushfire assessment was included within planning schemes, but then the approach was adjusted. High risk bushfire assessment remains under planning schemes, but the majority of bushfire assessment is now undertaken at the building permit stage.

In accordance with the above, development of land under Landslip B will not be prohibited once adoption of the Tasmanian Planning Scheme is completed.

7.1.3 CR COURTNEY - COASTAL EROSION REPORT

QUESTION

Cr Andrea Courtney asked if the most recent Coastal Erosion Report commissioned by the State Government had been released to the public yet.

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

OFFICERS RESPONSE

No release has been approved by the State Government.

Further advocacy from the elected Councillors may be needed for public release of this information and/or any other studies as they become available.

It should also be noted however that the use of studies such as this in Council's Statutory role as a Planning Authority or other legislative means to guide private development is not currently available. Through the iCEP plan perhaps the role of education and awareness of information such as this for private property owners is a good first step for Council.

7.1.4 CR FAIRBROTHER - SETTLEMENT STRATEGY

QUESTION

Cr Darren Fairbrother asked what stage the Council's development of Local Provisions was and how Council's Settlement Strategy will fit with Local Provisions when the State Government is recommending not to include strategies in the draft State Planning Scheme.

The Director of Infrastructure and Development Services took the matter on notice to discuss the current process set by the State Government at a Councillor Workshop.

OFFICERS RESPONSE

The State Government advised councils not to incorporate strategic planning changes into the Local Provisions Schedules drafting in order to streamline and simplify the approval process of the Tasmanian Planning Schemes. This advice applies just to the initial development of the Local Provisions Schedule of the Tasmanian Planning Scheme.

The development of the Settlement Strategy will inform future amendments to Council's version of the Tasmanian Planning Scheme, after it is adopted. This will allow Council, and developers, to apply for rezonings and other changes to the Local Provisions Schedules through the draft planning scheme amendment process available under the *Land Use Planning and Approvals Act 1993*.

The process is

1. Develop and adopt the Local Provisions Schedules and Tasmanian Planning Scheme
2. Develop and adopt the Settlement Strategy
3. Take the recommendations from the Settlement Strategy to have these included within the Local Provisions Schedules and Tasmanian Planning Scheme through a draft planning scheme amendment.

7.2 COUNCILLOR QUESTIONS RECEIVED IN WRITING

7.2.1 CR EDWARDS - YARD ROAD

QUESTION

Could council officers please advise, for the benefit of property owners, when road maintenance is/will be scheduled to be carried out on the Yard Road

OFFICERS RESPONSE

There has been many enquires in relation to maintenance of Yard Road in recent years, primarily from one property owner.

In accordance with Council's Transport Infrastructure Service Level Document 2020 (SLD), Yard Road is considered a Class R10C, Minor Access Road. The function/description of a Class R10C road is to provide access for forestry or farm vehicles only and does not provide connection to residential amenity or through movement.

Council has adopted an intervention level or point at which maintenance works will be undertaken for class R10C roads, defined as '*When road is in use and impassable* by a 2wd vehicle*', for surface conditions including corrugations, potholes and rutting/heaving, & washouts/scouring. (**Definition of impassable: Impossible to travel along the roadway at a slow crawl*).

Council have undertaken traffic surveys of Yard Road using traffic count devices to ascertain the nature of traffic load on Yard Road. Upon retrieval of these traffic count devices, Council Officers have assessed the data collected and have determined that there is currently an annual average daily traffic (AADT) of 14 vehicles, comprising of some 29.6% larger vehicles.

Council Officers have also undertaken several drive through inspections, using a 2wd vehicle, in both wet and dry conditions to assess the driveability and impassability of Yard Road. The outcome of these inspections, assessments and data collation indicate that Yard Road is currently in a serviceable condition for a class R10C Road, in accordance with Council's SLD.

At this stage Council does not have any plans to improve the drainage or surface of Yard Road or undertake any maintenance works beyond what is defined in the SLD and intervention levels.

Council will continue to monitor the condition of Yard Road, and other roads within our municipality and undertake necessary maintenance as required.

7.3 COUNCILLOR QUESTIONS WITHOUT NOTICE

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

8.0 NOTICE OF MOTION

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015; Regulation 16

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

8.1 CR EDWARDS - MOUNTAIN BIKE TRAILS

PROPOSED MOTION

That Council undertake a workshop to discuss the feasibility of mountain biking trails within the Waratah- Wynyard municipal area, and officers prepare a subsequent report for consideration

BACKGROUND INFORMATION

Recent social media activity has shown there is a need for more physical endurance activities as individuals, groups or family provisions in our municipal area (Refer Attachment).

This could have many economic benefits. But none more so, than positive benefits for individuals, groups, families and youth for our social impact with our mental and physical wellbeing, in our current (climate world pandemic).

It is intended that an internal, desktop investigation would be sufficient at this early stage to ensure minimal cost to Council.

OFFICERS COMMENT

There are no actions associated with mountain biking being progressed by officers at this stage.

A workshop can be arranged for initial discussion but note there is considerable work and time required in developing detailed feasibility of such a venture.

Council would need to determine what, if any competitive advantage it has and whether such a facility would be able to stand up economically and/or would be dependent upon club volunteerism to be sustainable.

Costs, land ownership, maintenance, approvals and the regional question of Council's role in an already crowded market will need to be considered.

MOTION

That Council undertake a workshop to discuss the feasibility of mountain biking trails within the Waratah- Wynyard municipal area, and officers prepare a subsequent report for consideration

8.2 CR BRAMICH - RE-NAMING OF FOSTERS ROAD

PROPOSED MOTION

That Council:

1. Rescind the decision made at the September 2020 meeting to leave the name Fosters Road unchanged;
2. alter the name of Fosters Road to Forsters Road; and
3. notify the relevant authorities and landowners adjoining that road of the change

BACKGROUND INFORMATION

Tom and Bertha Forster and family lived on the land now known as Fosters Road from about 1937 to late 1970s when about 1980 Tom sold the family farm and moved to live with family at Myalla.

Descendants of the family have advised that Tom's dad Mick lived in the area on the same road earlier than 1937 and was one of if not the first early European settlers in that area. Jim Forster also lived on the land prior to World War 2 where he served like many Wynyard residents of the day in the 2nd/40th battalion in Timor and worked as a prisoner of War on the Burma Railway. Jim never returned home from the War.

Tom Forster was well known and respected member of the Wynyard community. He was a renowned keeper and breeder of poultry on the family property known as Riverdale farm. Tom and Bertha Forster were keen gardeners with a special interest in creating and selling prize winning daffodils. It is fair to say Wynyard was at the time known for Tom Forsters daffodils.

During the 1960s in the 1970s Wynyard residents would visit the Riverdale farm on Forsters Road to purchase flowers and/or chickens.

The Forster's flowers were not only known for their distinct colour and unique shape but for their unusual distinct names.

Toms Forster created flowers with names that often reflected people, places or things of importance to him.

Some of Tom's flowers were called names such as Alex Jesaulenko, Pharlap, Dennis Lillie, Rocky Cape, Slim Dusty to name just a few.

Toms grandchildren Neville, Cyril, Kevin and Philip Wise all have daffodils created by Tom and named after them. Tom and Berthas Forster daughter Nancy Wise still resides in Wynyard.

Many of Tom Forsters flowers can still be viewed at Kaydale Lodge and the former Biggins property at Yolla. Rumour has it that Tom Forsters ornamental poultry can also be seen in a garden off Seabrook Road??

The motion supports council recognising the early Forster family historical connection to the land and the Forsters family contribution to the poultry and gardening fraternity in the

Wynyard and surrounding districts by altering the road known as Fosters Road to be rightly known as Forsters Road

OFFICERS COMMENT

Council recently received a request to investigate the historical accuracy in the naming of *Fosters* Road to find if there was any evidence to suggest it was incorrectly named and signposted given that local knowledge indicated that the *Forster* Family once lived in the vicinity.

Initial internal investigations did not reveal any concrete evidence about the naming history of Fosters Road, however after engaging the Wynyard Historical Society there is some evidence to suggest that the road was intended to be named “Forsters Road” in recognition of the Forster family historical connection.

In response to the outcome of this research, an explanatory letter along with a survey were distributed to all residents currently addressed to Fosters Road, informing them of the situation with a request for them to complete the survey by Friday 28 August. After the deadline, responses were collated with only 2 residents in favour of the proposed name change. There are 16 parcels in total and of those there were 6 responses against the proposed name change, 8 did not provide a response.

The common sentiment in the opposing responses related to the burden of having to update their address with a myriad of institutions e.g. Banks, Insurance companies. There was at least one business owner that explained that the impost and associated cost would be substantially higher for them over a purely residential address.

Given the number of opposing responses, a report and recommendations were put to the September 2020 Council meeting and carried four votes to three:

That Council note:

- **Fosters Road name will remain unchanged; and**
- **Nomenclature have been notified of historical linkages to add/update historical references in placenames database.**

Council, as the defined addressing authority, have the power to make addressing decisions on behalf of the community.

If Council support the proposed motion to change the name of the Road, all owners of parcels currently addressed Fosters Road would be notified of the outcome and decision of Council and all relevant bodies notified in accordance with Councils Street Naming and Addressing Policy.

The proposed motion is consistent with Council’s Policy which aims to ensure uniqueness and historical significance in Street naming along with logical and clear assignment of parcel addressing.

MOTION

That Council:

- 1. Rescind the decision made at the September 2020 meeting to leave the name Fosters Road unchanged;**
- 2. alter the name of Fosters Road to Forsters Road; and**
- 3. notify the relevant authorities and landowners adjoining that road of the change.**

9.0 REPORTS OF OFFICERS AND COMMITTEES

9.1 AUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2020

To:	Council
Reporting Officer:	Director Organisational Performance
Responsible Manager:	Director Organisational Performance
Report Date:	25 September 2020
File Reference:	123
Enclosures:	1. Tasmanian Audit Office - Independent Audit Opinion ⇒ 2. Financial Report for the Year Ended 30 June 2020 ⇒

RECOMMENDATION

That Council receive the Annual Financial Report for the year ended 30 June 2020 and note that it will be included in the Annual Report for the year ended 30 June 2020.

PURPOSE

This report is provided to present to Council the Annual Financial Statements for the year ended 30 June 2020.

BACKGROUND

The Annual Financial Statements have been prepared in accordance with the requirements of the *Local Government Act 1993*, the *Audit Act 2008* and relevant Accounting Standards.

The Audit Opinion and the Annual Financial Statements are attached to this report and will be made available on Council's website and for viewing at Customer Services.

DETAILS

The Annual Financial Report comprises four financial statements, together with notes to the accounts. The 'notes' provide additional detail and explanation to the financial statements.

The Annual Financial Statements fully comply with the accounting standards Council's statutory obligations.

Council is currently in a relatively strong financial position. Over recent years it has improved its underlying operating position, has strong liquidity and cash flow, relatively low debt levels and its asset renewal requirements are being satisfactorily funded.

Performance

Despite difficult operating conditions throughout 2019/20, Council has reported a solid financial performance for the year ending 30 June 2020.

The financial impact of the Pandemic on Council's operating result for the year was \$0.550m. This included a reduction in planned Tas Water dividends of \$0.328m; impacts on Child Care operations; a reduction in tourism and sporting facility user charges; and additional leave expense.

Despite challenging operating conditions Council has recorded a small underlying operating deficit of \$0.026m, an unfavourable variance to budget of just \$0.112m.

Council's ongoing underlying operating position remains sustainable and the impacts are not expected to be ongoing beyond the pandemic duration.

Council's Financial Position

The net worth of Council as at 30 June 2020 was \$250.929m (\$220.585m in 2019).

This is predominantly made up of Council's investment in property, infrastructure, plant and equipment worth \$201.544m and Council's investment in TasWater of \$39.684m.

Council's cash balance at year-end was \$12.076m. Council's cash is subject to a number of internal and external restrictions that limit amounts available for discretionary or future use. This includes coverage of future commitments for infrastructure renewals, liabilities and reserve funds. \$2.101m of the funds on hand was restricted and committed to the fulfilment of future grant obligations and funds held in trust. Council's unrestricted cash at year end was \$9.974m. \$5.073m of unrestricted cash represents unspent funds for capital projects that are ongoing and scheduled for completion throughout 2020/21.

Council continues to have capacity to comfortably meet its financial obligations.

Financial Management Strategy & Sustainability Targets

The Waratah-Wynyard's Financial Management Strategy (FMS) is critical to Council's strategic planning process. It underpins Council's long-term financial sustainability while meeting the needs and expectations of our communities in delivering Council's strategic priorities.

Council is currently in a strong financial position with strong liquidity and cash flow, low debt levels, assets that are in good condition, and an ability to satisfactorily fund its asset renewal requirements. Council's operating position has also improved in recent years and is sustainable with its recurrent expenses able to be fully met by its recurrent revenue streams.

Council's financial performance and position for 2019-20 continues to be sustainable and consistent with the objectives and targets set in its FMS.

A generally accepted definition of financial sustainability is whether council has enough financial capacity to meet current and prospective financial requirements. Therefore, to be sustainable, council needs to have capacity to be able to manage financial risks without having to radically adjust current revenue or expenditure policies.

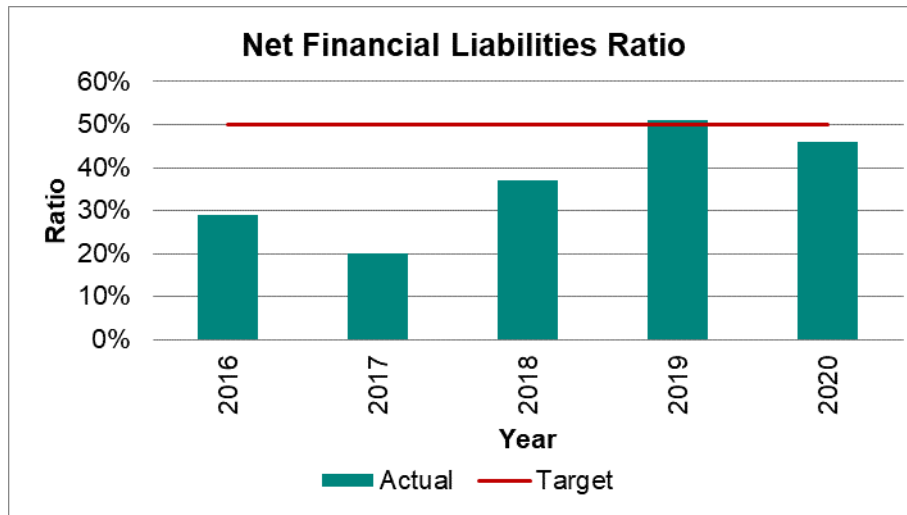
For the purposes of Section 84(2A) of the *Local Government Act*, Local Government (Management indicators) Order (S.R.2014, No. 36) has specified the following indicators of sustainability; the Tasmanian Audit Office has identified benchmarks for each.

Net Financial Liabilities Ratio

Indicates the extent to which net financial liabilities could be met by recurrent income.

A ratio above 50 per cent represents a low sustainability risk and may indicate that Council is holding cash reserves greater than it needs.

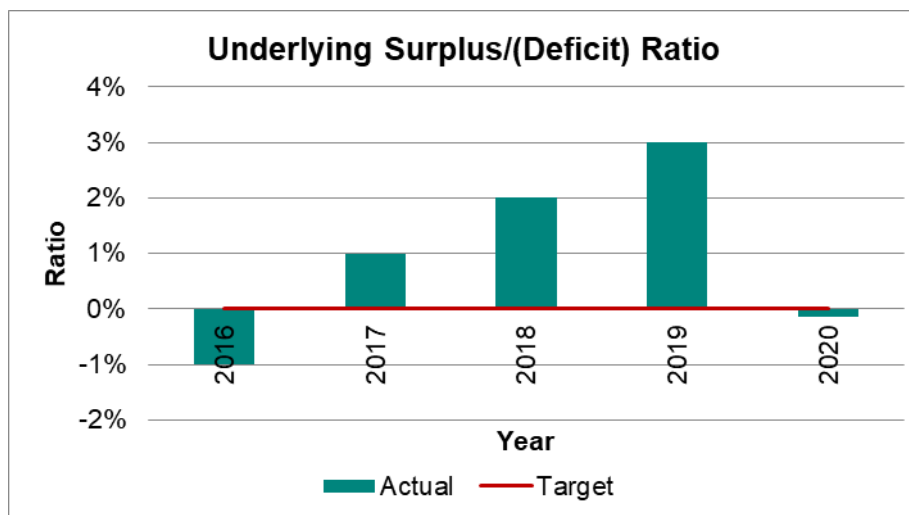
Councils 2019-20 ratio indicates that it is well placed to meet its financial liabilities.



Underlying Surplus or Deficit and Ratio

The operating surplus ratio is the operating surplus (deficit) expressed as a percentage of total revenue

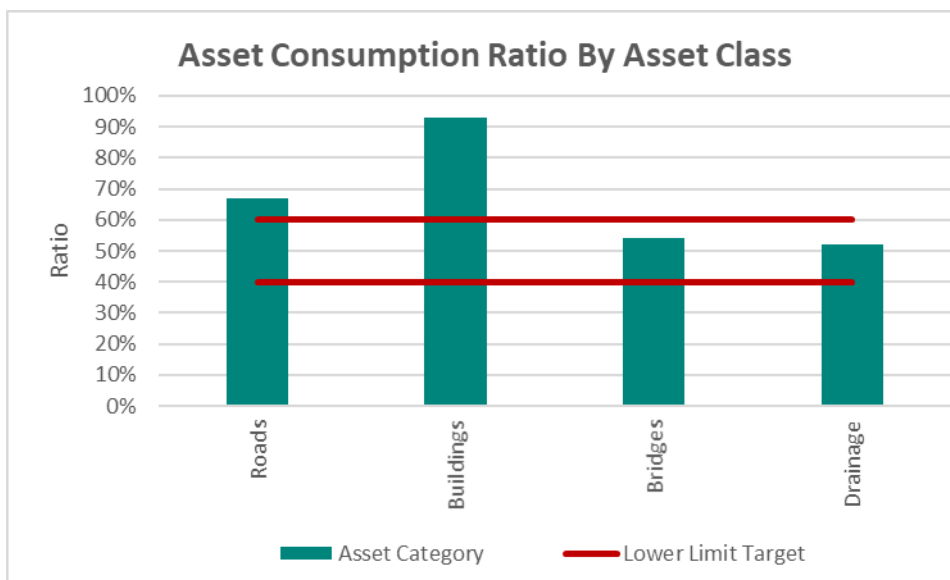
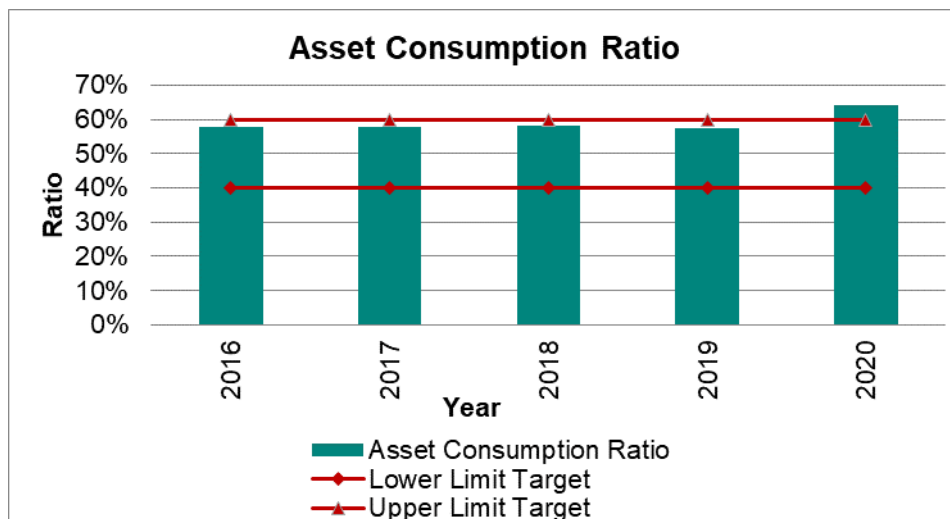
(Adjusted by excluding capital grants, contributed PP&E and asset revaluation increment / decrements).



Asset Consumption Ratio

The asset consumption ratio indicates the levels of service potential available in existing infrastructure managed by Council.

The higher the percentage, the greater future service potential is available to provide services to ratepayers. A ratio above 60 per cent may represent low sustainability risk and less than 40 per cent high sustainability risk. Council's Ratio as at 30 June 2020 exceeds the benchmark.

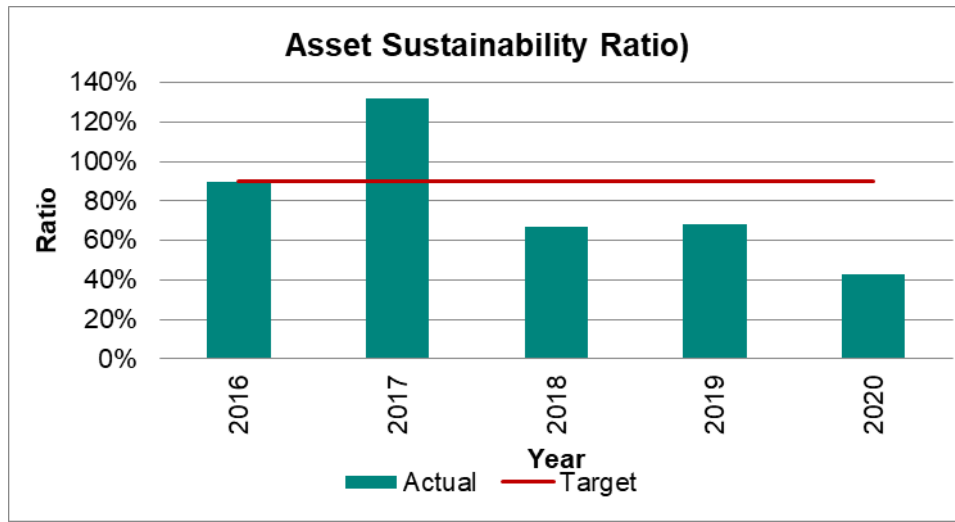


Asset Sustainability Ratio

This ratio calculates the extent to which Council is maintaining operating capacity through renewal of their existing asset base.

It is a measure of asset replacement expenditure relative to depreciation for a period.

Whilst the ratio has not been met in the 2019-20 financial year, the ratio has been met on average over the 4-year period and Council is comfortable that asset renewal requirements are being satisfactorily met and provided for through its future planning. This is consistent with Council's asset management plans and life cycle data for assets.



STATUTORY IMPLICATIONS

Statutory Requirements

Section 72 of the *Local Government Act 1993* requires Council to prepare an Annual Report containing the Annual Financial Statements and other statutory requirements. The Annual Report must be considered at the Annual General Meeting, which is to be held no later than 15 December.

The Annual Financial Statements are required to be prepared in accordance with applicable Accounting Standards; Section 84 of the *Local Government Act 1993* and the *Audit Act 2008*.

The *Audit Act 2008* requires that the financial statements are to be prepared within 45 days of the end of the financial year and forwarded to the Auditor-General as soon as practicable. The Tasmanian Audit Office then has a further 45 days to complete the audit of the Statements.

Section 84 (4) of the *Local Government Act 1993* requires that ‘the General Manager is to ensure that the certified financial statements are tabled at a meeting of the council as soon as practicable’.

This is the first opportunity for the certified financial statement to be provided formally to Council.

Section 82 (4) of the Act states “a council may alter by absolute majority any estimate referred to in subsection (2) during the financial year”.

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
1.5 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.

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 as a result of this report.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONSULTATION PROCESS

The draft financial statements were referred to the Audit Panel for review at its meeting on 25 August 2020.

CONCLUSION

That the Audited Annual Financial Report for the year ended 30 June 2020 be received and that Council note that it will be included in the Annual Report for the year ended 30 June 2020.

9.2 OPEN SPACE, SPORT AND RECREATION PLAN - ANNUAL UPDATE

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	22 July 2020
File Reference:	2019 09-01
Enclosures:	1. Open Space, Sport and Recreation Plan 2017-2027 - Recommendations 

RECOMMENDATION

That Council note the annual status update on recommendations contained in the Open Space, Sport and Recreation Plan 2017-2027.

PURPOSE

To provide an annual update on the current status of recommendations contained in the Open Space, Sport and Recreation (OSSR) Plan 2017-2027.

BACKGROUND

The Open Space, Sport and Recreation Plan was a major planning initiative to provide an evidence-based long-term direction for the planning and management of the open space networks, including recreational and sporting grounds, and associated community facilities in both the Waratah-Wynyard and Circular Head Municipal Areas for a ten-year period from 2017 to 2027.

The Plan provides:

1. An open space, sport and recreation classification hierarchy based on catchment and function;
2. Standards for supply of open space, sport and recreation grounds, facilities and asset;
3. An open space, sport and recreation supply and demand analysis;
4. Master planning for identified key open space, recreation facilities and/or sports grounds. Specifically:
 - a. Wynyard Recreation Precinct, including the Showgrounds;
 - b. Frederick Street Reserve, including the BMX track;
 - c. Somerset Recreation Precinct
5. A comprehensive community engagement process; and
6. A prioritised and costed set of actions to achieve overall open space, sport and recreation vision and goals.

The vision for open space, sport and recreation in Waratah-Wynyard is:

“A diversity of recreation opportunities that enhance participation in physical and social opportunities, livability, the health and wellbeing of all residents and the economic, environmental and social sustainability of the region. These are delivered and promoted in a sustainable manner in partnership with other providers and users and attract new residents, businesses and visitors to the region”

OSSR was adopted by Council on 19 September 2017. The plan was developed by @leisure which is one of Australia's largest and leading sport, leisure and open space consultancies. The Plan was approved for public release by the Council at its meeting on 17 July 2017 and subsequently underwent a public engagement process over a seven-week period concluding on Friday 1 September 2017.

DETAILS

The OSSR Plan delivered a series of recommendations and are listed in the Plan.

An update on the actions taken or to be taken against these recommendations are listed in the table attached to this report.

Of the 204 recommendations made in the OSSR Plan, 127 have now been completed or have become standard business practice. Of the remaining 77, 46 have Annual Plan actions and/or budget allocations for the 20/21 financial year.

Items of note included:

1. Council adopted its new Integrated Community Environmental Plan (iCEP) in June 2020.
2. Completion of design and obtaining of funding for the Coastal Pathway
3. The new Fees and Charges Framework was adopted to promote equity and consistency across different organisations and facilities.
4. Completion of detailed design for the new All Ability Playground at ANZAC Park with project fully funded and construction expected to be completed this financial year.
5. Wynyard Waterfront and Environs Masterplan projects have been completed or commenced:
 - a. The wharf augmentation and parking improvements has been completed
 - b. The seawall has been upgraded
 - c. The Boardwalk which links Gutteridge Gardens to the coastal pathway has been completed
 - d. Construction has commenced on the Multi-Purpose Community Facility (incorporating the Wynyard Yacht Club).
6. The Wynyard BMX park upgrades have been completed.
7. East Wynyard Playground Stage One completed. Stage 2 to commence late October.
8. The Cam River Masterplan was adopted.
9. New changerooms and female friendly facilities have been completed at the Wynyard Recreation Ground.
10. Tender for Sisters Beach Recreation Park completed and construction commenced
11. Year one actions of the Community Health and Wellbeing, Age Friendly Communities and Youth Plans have been completed.

-
12. A Public Art Policy was adopted and committee formed
 13. A partnership was established between Council and the Building Somerset Futures group.
 14. The Zig Zag walking track has been upgraded.
 15. There has been disposal and acquisition of public land to meet the ongoing needs of the community
 16. The Wynyard CBD Civic Plaza including public toilets has commenced construction and is due for completion by late November 2020.
 17. Public toilets are being upgraded with soap dispensers and toilet seats.
 18. Installation of irrigation at Frederick Street Reserve and Somerset Recreation Ground (Cardigan Street).
 19. Council and Community Working Groups established to work together on key projects:

WORKING GROUP
Boat Harbour Masterplan Group
Somerset Sporting Precinct Plans
Sisters Beach Working Group
Wynyard Showgrounds Working Group
Environmental Plan Working Group
Cam River Reserve Working Group
ANZAC Park Working Group

Key items included in Annual Plan and Budget Estimates for delivery in 20/21:

1. Completion of the Multi-Purpose Community Facility
2. Construction of ANZAC Park Playground and car park upgrade
3. Completion of the Wynyard Recreation Ground Changerooms (existing changerroom component).
4. Complete Wynyard CBD plaza
5. Wynyard Indoor Sports Centre Changeroom Upgrades
6. Complete detailed design and planning for the Boat Harbour Beach Masterplan
7. Completion of Cam River Masterplan actions
8. Complete a feasibility study for Waratah Falls Walk
9. Develop Concept plan for a Sisters Beach Community Centre
10. Lighting to be installed on the Zig Zag walking track
11. Stage One of Cardigan Street Soccer Ground upgrades to be completed
12. East Wynyard Playground Stage two
13. Implement Public Camping Strategy and practices

14. Implementation of year two actions from Community Health and Wellbeing, Age Friendly Communities and Youth Plans
15. Development of detailed design for a Somerset Sports Precinct
16. Ongoing review of all leases, agreements to ensure equity and consistency
17. Developing a business case for a “Loo with a View” at Table Cape
18. Public toilets continue to be upgraded with soap dispensers and toilet seats
19. Coastal Engineering and Geotech reports are to be completed on five key coastal areas to advise council’s future actions
20. Establishment of a Dog Park in Wynyard
21. French’s Road Masterplan Landcare actions

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL
Desired Outcomes
We maintain and manage our assets sustainably.
Our Priorities
3.5 Provide high quality shared and multi-use community hubs that combine a range of recreational, sporting and educational uses.
1.1 Commit to best practice in community engagement.
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:
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.
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.
Health and Wellbeing	Maintaining good health and wellbeing – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.

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

Council Strategy or Plan Reference

Council Strategy or Plan
Waratah Community Plan
Destination Action Plan
East Wynyard Foreshore Master Plan
Central Area Development Plan
Age Friendly Communities Plan 2019-2024
Y Plan – (Youth) 2019-2024
Community Health and Wellbeing Plan 2019-2024
Strategic Asset management Plan
Tourism Plan (2011- 2020)
Communication and Engagement Strategy 2019/2021
Boat Harbour Beach Master Plan
iCEP
Cam river Masterplan
Open Space, Sport and Recreation Plan 2017-2027

POLICY IMPLICATIONS

There are no policy implications as a result of this report. Policy and/or guideline documents may be required as a part of individual projects and will be addressed at that time.

FINANCIAL IMPLICATIONS

There will be financial implications in addressing the recommendations within the OSSR Plan, these will be managed during the usual budget approval processes.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

There was no consultation undertaken in relation to this report.

CONCLUSION

It is recommended that the status update on the Open Space, Sport and Recreation Plan 2017 (the OSSR Plan) actions/recommendations be received and noted.

9.3 WARATAH COMMUNITY PLAN UPDATE

To: Council
Reporting Officer: Director Community and Engagement
Responsible Manager: General Manager
Report Date: 6 October 2020
File Reference: 11
Enclosures: Nil

RECOMMENDATION

That Council note the annual status update of the Waratah Community Plan 2018-2021

PURPOSE

To provide an update on the progress of the Waratah Community Plan 2018-2021 by the Waratah Community Board.

BACKGROUND

A report developed on 2017 identified the creation of a Community Board in Waratah functioning with the support of Council and focussed on achieving a Community Plan would provide an opportunity for the Waratah community to realise its tourism and community potential.

The process that was undertaken in Waratah was a first for Australia. It established a new relationship of trust between the community and Council through a Board of local leadership endorsed and supported by Council, focussed on achievement of a prioritised Community Plan. The relationship between the Board and Council is documented through a Community Board Charter.

The Community Plan and Board Charter were endorsed by Council in February 2018.

Following an expression of interest process the inaugural board members were endorsed at the April 2018 Council meeting.

The community members of the Waratah Community Board were appointed for a three-year term coinciding with the term of the current Waratah Community Plan:

Board Members

- Kevin Hyland (Council representative)
- Neil Thorne
- Anne Dunham
- Rosemary Dick
- Yvette Ekman (resigned)
- Tony Schmidt (Tourism Association)

DETAILS

The Waratah Community Plan 2018-2021 was developed with the community through a series of workshops, surveys and other engagement strategies. David Hammond of Hammond Robertson Ltd worked with community and Council officers using his expertise in development of Community Plans and Boards in New Zealand. The Community Plan identified a Vision and Values of the community and the three Big Anchor Projects that would be the priority for the community and the mandate for the Community Board to deliver.

The Anchor Projects:

1. Waratah Waterfall
2. Community Facilitator and Community Social Services
3. Railway Bridge Restoration

The Waratah Community Board has continued to focus on the progress of the priority Anchor Projects.

1. Waratah Waterfall

- The Waratah Tarkine Projects Class 1 short walk to the bottom of the falls has been reviewed with the proposal updated and cost estimates completed in preparation for a funding application.
- A funding commitment for \$100,000 has been received from the State government.
- The walkway at the top of the falls has been redeveloped.

2. Community Facilitator and Community Social Services

- The childcare facility has been reclassified under the planning scheme to accommodate community uses. The building will be re-launched at the December Board meeting as the Waratah Community Hub.
- There had been a playgroup operating in the building until closure due to COVID.
- ADRA (Adventist Development and Relief Agency) has established a food relief program at the centre and second-hand clothing and other items to support the community.
- Continuing to advocate to the Department of Health to secure funds from the sale of the Health/Ambulance building in Quiggin Street, Waratah for a community project officer and programs.
- A community facilitator, provided by Waratah-Wynyard Council, now operates from the building one day per fortnight to meet with and provide support to community members.

3. Railway Bridge Restoration

- An investigation was undertaken to determine the likelihood of the railway bridge being suitable for restoration. The recommendation was that the bridge was not suitable for restoration.
- A report with options for a walkway bridge and platform was provided to the Board.
- The adopted option for a walkway bride was presented to Council for endorsement.
- A funding commitment for \$200,000 has been received from the State government to progress this project.

The Community Board held five meetings over the past twelve months with one meeting in a virtual format.

STATUTORY IMPLICATIONS

Statutory Requirements

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

The Community Board is not a Committee of Council and does not have budget delegations or the ability to make decisions over Council resources.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

Sustainable Murchison Community Plan 2040

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

Council Strategy or Plan Reference

Council Strategy or Plan	Date Adopted:
Waratah Community Plan	Adopted February 2018
Age Friendly Communities Plan 2019-2024	Adopted March 2019
Community Health and Wellbeing Plan 2019-2024	Adopted April 2019

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONSULTATION PROCESS

The Board has open session at the end of each meeting which provides an opportunity for members of the community to receive feedback on activities of the Board and to ask questions. These minutes are available for community members and a briefing flyer is displayed on key actions from each meeting.

CONCLUSION

The Waratah Community Board is delivering on the key Priority Projects of the Waratah Community Plan 2018-2021. The Waratah Community Plan will be reviewed early in 2021.

9.4 WARATAH RAIL BRIDGE

To: Council
Reporting Officer: Director Community and Engagement
Responsible Manager: General Manager
Report Date: 7 October 2020
File Reference: 22
Enclosures: Nil

RECOMMENDATION

That Council:

1. **Note the State Government funding commitment of \$200,000 for development of the Waratah Rail Bridge as a tourism asset;**
2. **Authorise to proceed with design and construct tender for a walkway bridge and platform adjacent to the Rail Bridge; and**
3. **Note Council will consider funding the shortfall in cost of the project, once costs are confirmed at the time of tender.**

PURPOSE

This report has been prepared to advise Council of the State Government funding commitment for the Waratah Rail Bridge project and seek support to progress the design and construction tender for a walkway bridge and platform adjacent to the Rail Bridge.

BACKGROUND

The Waratah Rail Bridge was identified in the Waratah Community Plan as one of three priority projects for the community. The Waratah Community Board initially pursued the restoration of the Rail Bridge with funding from Council to undertake an investigation of the preservation, restoration or refurbishment of the Rail Bridge. The report provided a range of options including further investment in investigation of the structure. This and previous reports indicated the Rail Bridge was not suitable for restoration.

Alternative options were also considered which would make the Rail Bridge inaccessible and provide a new walkway bridge adjacent to provide a crossing over the lake and viewing opportunities of the Rail Bridge.

The option with the walkway on the south side of the Rail Bridge, incorporating a viewing platform and interpretation was endorsed by the Waratah Community Board for Councils consideration. Board members presented the options and their recommendation at a workshop on 15 June.

DETAILS

In the 2020/2021 Council Annual Plan action 4.4.2.1 *Implement adopted strategy for the Waratah Rail Bridge* was endorsed. The design and construct tender will progress the strategy for the Rail Bridge.

Council has received advice from the State Government of a funding commitment of \$200,000 for development of the Waratah Rail Bridge as a tourism asset. This commitment

is currently being formalised. The funding commitment provides further confidence in the value of this project and its potential to generate additional visitors to Waratah.

At the Waratah Community Board meeting in September a motion was carried unanimously by the Board to:

Request that Council provide a financial contribution to cover the difference between the State Governments grant of \$200,000 and the final cost of the project to construct a new pedestrian bridge with a viewing platform beside the historic Railway Bridge at Waratah.

Proposed design – with viewing platform and interpretive signage



STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 5: Economic Prosperity
Desired Outcomes
Our community values, encourages and supports physical, social and cultural activities.
Our Priorities
5.9 Actively manage community and economic growth through community engagement.

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.
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.

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

Council Strategy or Plan Reference

Council Strategy or Plan	Date Adopted:
Waratah Community Plan	Adopted February 2018
Destination Action Plan	Adopted January 2017
Age Friendly Communities Plan 2019-2024	Adopted March 2019
Community Health and Wellbeing Plan 2019-2024	Adopted April 2019

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The financial implications of this project will be determined by the tender process. The estimate provided was up to \$350,000 however this was dependant on design.

There State Government funding of \$200,000 is a significant contribution towards the cost of the project. Council will incur operational costs for depreciation and maintenance as a result of this project, with the exact amount to be determined following receipt of quotes.

RISK IMPLICATIONS

- **Reputational Risk**
Reputational risk could occur if Council does not support a project that has been endorsed through the Waratah Community Plan and has been funded by the state Government at Councils request.
- **Community and Organisational Safety**
Access to the bridge is currently prohibited however there has been some vandalism to the fencing with the bridge being accessed. The proposed works will include a permanent solution for preventing access.

CONSULTATION PROCESS

The Waratah Community Plan was developed through extensive community consultation. Reporting on the progress of the Rail Bridge occurs at the end of each Waratah Community Board meeting and briefing from each meeting are posted in the community.

CONCLUSION

The Waratah Rail Bridge has been closed to the public for many years. It has deteriorated and is unlikely to be returned to a safe standard. The Rail Bridge remains an iconic piece of infrastructure in Waratah and a historic reminder of the significant role Tin in Waratah played in the history of Tasmania.

9.5 TABLE CAPE LIGHTHOUSE TOURS

To:	Council
Reporting Officer:	Manager Tourism and Marketing
Responsible Manager:	General Manager
Report Date:	8 October 2020
File Reference:	1
Enclosures:	Nil

RECOMMENDATION

That Council notes the granting of a new licence for Table Cape Lighthouse Tours to Craig Parsey, Day Tours Tasmania.

PURPOSE

To note the successful conclusion of licence negotiations with preferred the operator and commencement date for new tour operations.

BACKGROUND

Council received approval from the Minister for the Environment, Parks and Heritage to offer a sub-licence to operate tours of this important heritage tourism asset and granted the first licence for tours of the lighthouse in June 2010. Since that time, three operators have held the licence, each choosing not to renew their initial three-year agreement.

The most recent operator, Michael Hyland, notified Council in writing of his intention not to renew in 9 June 2020. The process to gain agreement from the State Minister, Tasmanian Parks and Wildlife and Australian Maritime Safety Authority began soon after. Approval to conduct a new EOI process was granted on 6 August 2020. Advertising for the EOI commenced on 8th August in Advocate, on Council website, social media and was picked up widely by news media outlets.

In total 28 people enquired about the EOI, with several from interstate and even overseas through ABC website and social media sharing sources. All enquiries were followed up by the Manager, Tourism and Marketing and applicants were provided with statistics and other relevant information to inform their decision-making.

The EOI period opened on 8 August 2020 and closed on 27 August 2020. In that period, two parties completed a site inspection and four formal submissions were received.

DETAILS

A selection panel met on Wednesday 2 September 2020 to consider the submissions. The panel consisted of:

- Mayor, Waratah-Wynyard Council
- Manager, Tourism and Marketing, Waratah-Wynyard Council
- Parks and Reserves Manager (North-West Coast), Tasmania Parks and Wildlife Service

Submissions were received from:

- Craig Parsey, Day Tours Tasmania
- Janice Haynes, Lady of History
- John Stoukalo
- Roy Finnis

Applicants were assessed against the set of selection criteria included in the Expression of Interest document and scored using an assessment matrix.

It was the unanimous decision of the panel that Craig Parsey, Day Tours Tasmania presented the strongest submission, demonstrating relevant industry experience, existing business structures and strong commitment to growing the tour operation. A summary of submissions was discussed at a Council workshop on Monday 7 September and the successful operator was notified on Tuesday 8 September.

Licence negotiations between the Operator, Council and Parks and Wildlife began immediately, with Crown Land Services presenting a final licence to the operator for signing on 7 October 2020.

To date, the operator has secured two casual tour guides (one of whom was a previous lighthouse licence holder) and intends to begin business on 17 October 2020. His opening hours/days will be dictated by demand in the first few months, with the goal of moving to a 7 day a week operation by the summer holiday season.

STATUTORY IMPLICATIONS

Statutory Requirements

The lighthouse is contained within the Table Cape Conservation area, a 12.27 ha State Reserve declared under the *Nature Conservation Act 2002*.

The lighthouse itself, together with almost 1000m² of surrounding land is leased by the State to AMSA for the purpose of maritime navigation.

The *National Parks and Reserves Management Act 2002* allows the responsible Minister to grant leases or licences to occupy.

The lighthouse building is listed on the *Tasmanian Heritage List under the Historic Cultural Heritage Act 1995*. Any proposed works are required to be approved by the Tasmanian Heritage Council, subsequent to any planning approval for development under the *Land Use and Planning Approvals Act 1993*.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL
Desired Outcomes
Tourists and residents visit and appreciate our natural environmental attractions and unique surroundings.
Our Priorities
5.7 Support existing and encourage new innovative activities/industries to the area.

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.

Council Strategy or Plan Reference

Council Strategy or Plan	Date Adopted:
Destination Action Plan	Adopted January 2017
Tourism Plan (2011- 2020)	Annual Plan Action

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. There are no financial implications for Council for the running of the tours. The new operator will pay his own insurances, marketing and general business expenses. There is a peppercorn licence fee of \$1 should Council request it from the Operator. Council will continue the general maintenance of the site grounds as part of the operational budget, and AMSA maintains responsibility for the maintenance of the lighthouse building itself.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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




CONCLUSION

The Table Cape Lighthouse Tours licence has been granted to Craig Parsey, Day Tours Tasmania. The credentials of the new licence holder present opportunities for the tour operation to expand its potential as a key attraction for the Wynyard and Surrounds area. The obvious synergies with the operators existing tour business, which includes Bruny Island Lighthouse Tours, will provide strong marketing opportunities and an online booking presence that has been missing in the past.

9.6 YORK STREET/KATELYN DRIVE - FIRE BREAK RECOMMENDATIONS

To: Council
Reporting Officer: Director Infrastructure and Development Services
Responsible Manager: General Manager
Report Date: 30 September 2020
File Reference: Land Management

Enclosures:

1. Community Bushfire Mitigation Plan - Fuel Break Implementation - York Street 
2. York Street Reserve - Natural values with reference to fire management 
3. York Street Reserve - Firebreak and Fuel Management Project Aboriginal Heritage Assessment Report 

RECOMMENDATION

That Council:

1. Note the enclosed reports relating to fuel breaks in York Street/Katelyn Drive
2. Seek quotes for the Shaded Firebreak works as specified in *Community Bushfire Mitigation Plan – Fuel Break Implementation – York Street*
3. Note the recommendation to not undertake works during Wedge tailed Eagle breeding season (July to February) given the presence of a nearby Wedge tailed Eagle nest within 500m of the work site.

PURPOSE

To present to Council the reports undertaken in regard to the York Street/Katelyn Drive bushfire hazard concerns raised.

BACKGROUND

There have been two previous reports to Council on this matter along with a budget allocation for 2020/21 of \$100,000: -

In the minutes of 17 February 2020 Council meeting the following is recorded: -

5.1.6 MR B WALSH - KATELYN DRIVE FIREBREAK

QUESTION

Mr B Walsh of Wynyard asked if anything is being done about a fire break at the rear of Katelyn Drive Wynyard. He noted that on the radio on 28 January TasFire Service advised that a 30m firebreak is required and that there is currently only a 5.5m firebreak.

The General Manager advised that council regularly inspects and maintains fire breaks. He took the question on notice to provide a detailed response

OFFICERS RESPONSE

Council officers are arranging to meet onsite with TasFire Service personnel to determine if our current practices are adequate. Recommendations from this meeting will be reported to Council and to Mr Walsh.

And in the minutes of the 20 April 2020 the following was resolved: -

MOVED BY	CR DUNIAM
SECONDED BY	CR BRAMICH

That Council:

- 1. Note the report on the Katelyn Drive firebreak; and**
- 2. Plan and budget for fuel reduction works at the Katelyn Drive bush reserve during the 2020/21 Financial year, prior to the next summer period**

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

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

DETAILS

Following the adoption of the 2020/21 Annual Plan and Budget Estimates, Council officers have sought reports (as enclosed) on the natural values and any aboriginal heritage values of the Katelyn Drive/York Street reserve as they relate to undertaking firebreak works.

The reports received were then shared with Tas Fire Services so that a final recommendation could be made that has due regard to any matters raised in either of the two reports commissioned.

These reports are now presented to Council with an updated recommendation to construct a shaded firebreak with 32 metres separation between the nearest face of any buildings and the bushfire hazard.

The intent of the resolution passed by Council on 20 April 2020, specifically for *fuel reduction works prior to the next summer period*, must be tempered by the presence of a wedge tailed eagles nest within 500 metres of this site, resulting in a recommendation to avoid works during breeding season (July to February). In this regard, the earliest works could begin would be March 2021.

It should also be noted that in the natural values assessment report there is a recommendation to avoid burning or impacting the area occupied by the threatened orchid *Chiloglottis trapeziformis* within a 30-50m buffer. Further, the lesser firebreak width combined with regular burns is most likely to have an impact upon this threatened orchid due to the need for regular burns.

No aboriginal relics were found in the area of the proposed fire break as detailed in the enclosed report.

The next step, subject to Council resolution, is for Council officers to seek quotes for the firebreak works to be undertaken in accordance with the enclosed report *Community Bushfire Mitigation Plan – Fuel Break Implementation – York Street*

STATUTORY IMPLICATIONS

Statutory Requirements

The relevant Statutory considerations for undertaking fire break works in this location have been addressed by the enclosed reports.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 7: Environment
Desired Outcomes
Stewardship of our land, water and marine ecosystems respects past, present and future generations.
Our Priorities
7.1 Provide education to facilitate awareness and appreciation of built and natural assets.
7.6 Practice effective urban and landscape design and planning that promotes liveability and connectivity and recognises local heritage.

Sustainable Murchison Community Plan 2040

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

Council Strategy or Plan Reference

Council Strategy or Plan
iCEP

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The recommended works along with reports procured to date are predicted to fit within the original budget allocation of \$100,000 subject to quotes being received.

RISK IMPLICATIONS

- Reputational Risk
There is some risk to reputation to Council in undertaking these works depending upon an individual community members perspective of the trade offs between natural conservation and bushfire risk protection
- Environmental Impact

The potential impacts upon threatened flora and fauna are identified and recommendations made to manage them via the Natural values report.

- **Community and Organisational Safety**

Undertaking the recommended shaded fuel break will improve community safety in terms of bushfire risk in this location

CONSULTATION PROCESS

Consultation has occurred with Tas Fire Service resulting in the reports presented which takes into account the natural and heritage value of this reserve.

Neighbouring residents have not been consulted but should be informed prior to works occurring. Consultation of neighbouring residents as a stakeholder is not considered feasible unless Council has a decision to undertake or not undertake fire break works based upon feedback received in a community consultation exercise.

CONCLUSION

With consideration to existing threatened flora (the orchids) and fauna (the wedge tail eagle nest) the recommendation to undertake the shaded fuel break as specified by Tas Fire Service outside of the eagle breeding season (July to Feb) will achieve fire break protection for residents with minimal impact upon the natural values of the adjacent bush land reserve.

9.7 FIXING OF COUNCIL MEETING DATES 2020

To: Council
Reporting Officer: Executive Officer
Responsible Manager: General Manager
Report Date: 1 October 2020
File Reference: 01
Enclosures: Nil

RECOMMENDATION

That Council approve scheduling of Ordinary Council Meetings for the third Monday of each month commencing at 6:00 pm for the period from January 2021 to December 2021, or according to the Schedule below:

DATE OF MEETING	TYPE OF MEETING
Monday 18 January 2021	Ordinary Council Meeting
Monday 15 February 2021	Ordinary Council Meeting
Monday 15 March 2021	Ordinary Council Meeting
Monday 19 April 2021	Ordinary Council Meeting
Monday 17 May 2021	Ordinary Council Meeting
Monday 21 June 2021	Ordinary Council Meeting
Monday 19 July 2021	Ordinary Council Meeting
Monday 16 August 2021	Ordinary Council Meeting
Monday 20 September 2021	Ordinary Council Meeting
Monday 18 October 2021	Ordinary Council Meeting
Monday 15 November 2021	Ordinary Council Meeting
Monday 13 December 2021	Ordinary Council Meeting

PURPOSE

The purpose of this report is for Council to determine meeting dates and times for Council for the 2021 calendar year.

BACKGROUND

Council has over the past year generally conducted its Ordinary Council Meeting on the third Monday of each month, starting at 6:00pm, and held at the Council Chambers in Wynyard.

This report has been prepared to enable the timing of Ordinary Meetings to be determined by the elected Council. For Council to be open, accessible and accountable to its community, and to encourage communication and engagement, consistency in the meeting schedule allows residents and stakeholders to know with some certainty when Council meetings are normally held.

DETAILS

The Council may determine the most appropriate timing for Ordinary Meetings. The only provision included within the *Regulations* is that an Ordinary Meeting is to be conducted at least once per month. All meetings are to commence after 5:00pm unless determined otherwise by the Council by absolute majority therefore, Council can determine to commence meetings at any time which suits the majority of Councillors.

A 6:00 pm start for meetings has been in place for some time now to allow both Councillors and residents time to complete normal daily work routines and attend Council meetings in a refreshed and unhurried state of mind.

The proposed dates lists the December meeting one week earlier to allow for opportunity for leave.

STATUTORY IMPLICATIONS

Statutory Requirements

Section 18 (3) of the *Local Government Act 1993* provides that a meeting of Council is to be conducted in accordance with the prescribed procedures.

The *Local Government (Meeting Procedure) Regulations 2015* states:

4. Convening meetings of council

- (1) *The mayor of a council may convene council meetings.*
- (2) *The general manager of an existing council is to convene the first ordinary meeting of a council following an ordinary election.*
- (3) *The Minister is to convene the first ordinary meeting of a newly established council on a date determined by the Minister.*
- (4) *An ordinary meeting of a council is to be held at least once in each month.*
- (5) *The general manager is to convene an ordinary meeting of a council if the mayor has not convened such a meeting in the previous calendar month.*
- (6) *The mayor of a council, or the general manager if the mayor has not done so, must convene a special meeting of the council at the request of a majority of Councillors.*
- (7) *A request for a special meeting of a council must –*
 - (a) be in writing and signed by the Councillors; and*
 - (b) include details of the subject matter and any motion to be dealt with by the meeting; and*
 - (c) be lodged with the mayor.*
- (8) *The mayor of a council, or the general manager if the mayor has not done so, must convene a special meeting of the council if the council so determines.*

6. Times of meetings

- (1) *A meeting is not to start before 5 p.m. unless otherwise determined by the council by absolute majority or by the council committee by simple majority.*
- (2) *After each ordinary election, a council and a council committee are to review the times of commencement of meetings.*

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL
Desired Outcomes
We are a knowledgeable organisation—we demonstrate best practices in our business processes.
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:
Strong communities and social capital	Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
Education	Lifelong learning and education – Education and lifelong learning is valued and there is access to vocational training and tertiary education. Education retention rates have increased.
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

Council meetings are conducted in line with the *Waratah-Wynyard Council Meeting Procedures* as amended and adopted on 17 June 2019.

FINANCIAL IMPLICATIONS

The conduct of any Council meeting has costs associated with the development of reports and agendas, their public distribution and the involvement of some Council officers after normal business hours.

The conduct of meetings at venues other than the Council Chamber will also incur some additional costs in terms of staff time and transport costs in the setting up of venues suitable for a Council meeting.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

CONCLUSION

It is recommended that Council adopt the meeting dates for 2021 as listed.

9.8 QUARTERLY STATISTICS REPORT TO 30 SEPTEMBER 2020

To: Council
Reporting Officer: Executive Officer - Governance and Performance
Responsible Manager: Director Organisational Performance
Report Date: 1 October 2020
File Reference: 004.10
Enclosures: Nil

RECOMMENDATION

That Council note the Quarterly Statistics Report to 30 September 2020.

PURPOSE

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

BACKGROUND

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

DETAILS

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

General Manager's Office	Resource Sharing Quarterly Report Human Resources <ul style="list-style-type: none">• Staff Numbers & Statistics• Departures• Turnover Rate• New Starters• Recruitment Activity Workplace Health & Safety <ul style="list-style-type: none">• Incident & Hazard Reporting• Lost Time Injury Frequency Rate
Community & Engagement	Tourism: <ul style="list-style-type: none">• Web Site Visits• Wonders of Wynyard (WOW)• Waratah Children's Services: <ul style="list-style-type: none">• Warawyn Early Learning Centre• Warawyn Wynyard OSHC• Warawyn Boat Harbour After School Care• St Brigid's After School Care

Infrastructure & Development Services	Building <ul style="list-style-type: none"> • Building Approvals • Building Values • Environmental Health-Immunisations Environmental & Public Health <ul style="list-style-type: none"> • Immunisations • Inspections – Food Premises • Health Approvals Planning <ul style="list-style-type: none"> • Planning Approvals Waste <ul style="list-style-type: none"> • Waste to Landfill
Organisational Performance	Council Certificates

GENERAL MANAGER'S OFFICE

RESOURCE SHARING QUARTERLY REPORT TO 30 SEPTEMBER 2020

Council continues to support and action the resource sharing agreement between Circular Head and Waratah Wynyard Councils. This agreement continues to provide a valuable collaborative approach to meeting increasing community expectations and innovation in service delivery.

The formal resource sharing arrangement helps both Councils to:

- Secure future viability for their communities;
- Deliver better and relevant services;
- Retain their own unique identity;
- Maintain final decision making with each Council;
- Be proactive and choose mutually beneficial alliance;
- Make long term cost savings;
- Spend savings on more projects and resources;
- Develop economies of scale; and
- Attract skilled staff.

Both Councils continue to pursue joint strategic tasks and projects which include sharing plant and equipment; undertaking joint procurement and contract management activities; policy development; review of business processes; and shared meeting attendance and joint Committee representations. Councils have worked on the following projects throughout the quarter:

Project/Area	Benefits Sought
Shared Plant & Equipment	
Investigating	Works Managers are actively investigating options to share equipment, including ability to reduce reliance on contractors where business case and scale support

Project/Area	Benefits Sought
Shared Procurement and Contract Management Activities	
<p>Shared procurement processes undertaken:</p> <ul style="list-style-type: none"> • Building asset revaluations – shared engagement 	<p>Reduction in duplications of effort and cost using one process, advertisement and assessment panel.</p> <p>Greater value for money achieved in through greater economy of scale.</p> <p>Less cost to suppliers in making one submission rather than two.</p>
<p>Procurement process bridge replacement was conducted jointly for bridge replacement program for 2020/21.</p> <p>Note: The result of the procurement was to award separate contracts in this instance, but this joint process allowed for</p>	<p>Administration and project management efficiencies.</p> <p>Potential to attract a wider sector of the market.</p> <p>Greater testing of the market and pricing options to consider for best value.</p>
<p>Coordination of specialist assessments</p>	<p>Whilst specialists are currently engaged by each Council, there is coordination in the logistics to benefit from travel efficiencies.</p>
Shared Policies & Procedures	
<p><u>Legislative Audits</u></p> <p>This is an ongoing program to undertake internal audits of Councils compliance with legislation.</p> <p>This program test Councils compliance with various legislative requirements. Throughout the quarter both councils undertook a Local Government Highways Act Audit.</p>	<p>The benefits of undertaking this program together include the efficiency gained from sharing specialised staff knowledge and use of a shared audit program and framework. This reduces the preparation time required to prepare and report on findings and makes the audit program cost effective.</p> <p>An added benefit for Circular Head Council is that the audit has some independence.</p> <p>The program itself provides Council with assurance in relation to compliance with its statutory obligations.</p>
Shared Meeting Attendance and Joint Committee Representations	
<p><u>Joint Council Workshop – 26 August 2020</u></p> <p>This joint workshop with Councillors focused on the Waste and Resource Recovery Strategy 2019-2024 and the merits of implementing a food and organic collection.</p>	<p>Reduced duplication of effort in presenting and preparing presentation on the merits of the program.</p> <p>Collaboration and sharing of ideas and perspectives.</p>
<p><u>Joint Executive Meeting - 18 August 2020</u></p> <p>Outcomes of the meeting:</p> <ul style="list-style-type: none"> • Progression of a shared internal legislative audit program. • Explores opportunities and learnings from shared procurement practices, including training. 	<p>Explore operational opportunities that could benefit both Councils.</p>

Project/Area	Benefits Sought
<ul style="list-style-type: none"> An agreed annual program of key assets and financial tasks. 	
<u>NRM Officer Joint rep on Western Fire Area Management Committee</u>	The NRM Officer's role across both councils enables representation of both communities in the consideration of bushfire planning.
<u>Western Emergency Management Committee</u> The committee is a joint committee of 3 councils: Burnie, Circular Head, & Waratah Wynyard Council	Broader input and sharing of skills and resources for emergency planning. Single plan and framework. Increased access to other government agencies who can attend one meeting between 3 rather than 3 individual meetings. Joint Responsibilities.
Shared Training	
<u>Leadership Training</u> Works teams at both councils undertaking combined leadership training.	Efficiencies of scale, common training and language. This opens scope for greater collaboration between teams when moving in similar directions.
<u>Shared Procurement Training</u> LGAT Vendor Panel training	Reduced administration cost in coordination of training and shared experiences and knowledge and increased flexibility of time.
Integrated Strategic & Operational Planning	
Health & Wellbeing Program Youth Plan Age Friendly Community Plan	Health and Wellbeing Plan, Youth Plan and Age Friendly Community Plan were developed across both municipal areas. An implementation plan was developed with shared responsibility for actions by both teams irrespective of location. Joint funding was received to implement a range of actions from the Health and Wellbeing Plan – a joint project officer will deliver this program over two across both Council areas.
Joint Project Delivery <ul style="list-style-type: none"> Transport Infrastructure Asset Management plans Transport Infrastructure Service levels Urban Stormwater Infrastructure Asset Management plans Urban Stormwater Infrastructure Service levels Waste and Resource Recovery Strategy 2019-2024 FOGO Feasibility Study Public Art 	Documentation efficiencies and joint learning across councils, whilst maintaining strategies and plans unique to each municipality. Collaboration draws on a wider pool of ideas and knowledge. Lowered costs from single and shared procurement of highly technical third-party advice (i.e. FOGO).

Project/Area	Benefits Sought
<ul style="list-style-type: none"> • Work Inspirations Youth Program • Youth Leaders Programs • Community Grants • I am Project 	
Other Shared Business Processes	
<p><u>Shared Audit Panel</u></p> <p>The Independent Audit Panel is shared between both Councils and King Island Council.</p>	<p>Benefits from the shared panel include a reduction in administration and cost in relation to recruitment and training of independent members.</p> <p>The knowledge of Panel members is enriched through exposure to multiple Council operating environments which adds value to their ability to identify risks for each organisation.</p>
<p>Dog Control Signage for Exercise areas Standardized formats across the two Councils. One set of standard signage designed and prepared at one Council.</p>	<p>Access to in house graphic design capability for both Council's.</p> <p>Avoid duplication of effort and increase consistency.</p>
<p><u>Mobile - Roads Defect Inspection Tool</u></p> <p>Methodology jointly developed by current Project Officers who were formerly works managers at each council with close to 100 years working knowledge.</p> <p>Mobile tool programming developed by shared GIS Officer</p>	<p>This is a significant step forward in our structured asset management approach which will provide many ongoing benefits: -</p> <ul style="list-style-type: none"> • Maintenance planning • Visual representation of defect in the road network to assist maintenance planning • Evidence based operational budgeting to meet Council's service standards.

As at 30 September 2020 there were 13 positions shared to varying degrees across the two Councils. The shared positions include:

Position	Split	Benefits
Employed by Waratah Wynyard Council:		
Director Community and Engagement	0.8 WWC 0.2 CHC	Enables the delivery of joint Community Wellbeing Plans and the collaboration of teams to deliver.
Manager Digital Innovation & GIS Services	0.8 WWC 0.2 CHC	Provide scale to develop and maintain GIS capacity at each Council.
Manager Development and Regulatory Services	0.5 WWC 0.5 CHC	Shared learnings applied to same legislative functions
Manager Asset Services	0.5 WWC 0.5 CHC	Each Council access to skill and resources. Same framework used across each Council.
Project Manager	0.5 WWC 0.5 CHC	Each Council accesses to the function. Similar or joint projects undertaken across both Council's
Graduate Civil Engineer	0.5 WWC 0.5 CHC	Similar or joint projects undertaken across both Council's. Each Council access to this resource, reduce reliance on consultant designers.
Infrastructure – Future Projects & Delivery Coordinator ¹	0.5 WWC 0.5 CHC	Reciprocal arrangement. Skill sharing, leave coverage, and collaboration.
² Compliance Officer		Reciprocal arrangement. Skill sharing, leave coverage, and collaboration.
Employed by Circular Head Council:		
Director Infrastructure & Development	0.45 CHC 0.55 WWC	Collaboration and greater access to technical, strategic, executive and management skills across both Councils
NRM Officer	0.5 CHC 0.5 WWC	Each Council accesses to the function. Similar program can be delivered with shared learning. Single representation at regional level
IT Coordinator	0.5 CHC 0.5 WWC	Access to key skills. Benefits where shared projects or systems are implemented. Learnings are shared.
Plumbing Compliance Officer	0.5 CHC 0.5 WWC	Each Council accesses to the function.
Manager Engineering and Projects ¹	0.5 CHC 0.5 WWC	¹ Reciprocal arrangement. Skill sharing, leave coverage, and collaboration.
² Compliance Officer		Reciprocal arrangement. Skill sharing, leave coverage, and collaboration.

¹ These two roles interchange as a reciprocal arrangement.

² Reciprocal leave coverage and weekend call out arrangements, particularly in the area of Animal Control

HUMAN RESOURCES

Staff Numbers					Statistics		
Staff Numbers	Full-time	Part-time	Casual	Total	Average Age	Female	Male
Indoor	38	15	8	61	48.96	39	22
Outdoor	29	1	0	30	49.85	1	29
Childcare	7	8	6	21	48.69	21	0
Total	74	24	14	112	49.08	61	51
Head Count	Fulltime equivalent (FTE) employees			90.76	Average Years of Service		11

Departures this Quarter			
Departures	Full-time	Part-time	Casual
Indoor	0	0	1
Outdoor	1	0	0
Childcare	0	0	0
Total Departures			2

Turnover Rate of Permanent Staff	
1%	Average (<i>Permanent Departure rate divided by total permanent employee rate</i>)
5%	Average Turnover for Public Administration

New Starters this Quarter			
New Starters	Full-time	Part-time	Casual
Indoor	0	1	0
Outdoor	0	0	0
Childcare	0	0	0
Total New Starters			1

Recruitment this Quarter			
Position	Open	Closed	Status
Project Officer – Community & Engagement	24-Feb-20	06-Mar-20	Closed
Contracts and Administration Officer - Infrastructure	11-Aug-20	31-Aug-20	Closed
Childcare Educator	31-Aug-20	28-Sep-20	Interviewing

WORK HEALTH AND SAFETY

Incident/Hazard Report Forms received this Quarter							
Type	Incident	Hazard	Near Misses	Injury/ Illness	Lost Time Injuries (hrs)	Property/ Plant Damage	Total Reports
Indoor	0	0	0	0	0	0	0
Outdoor	2	0	2	5	0	12	21

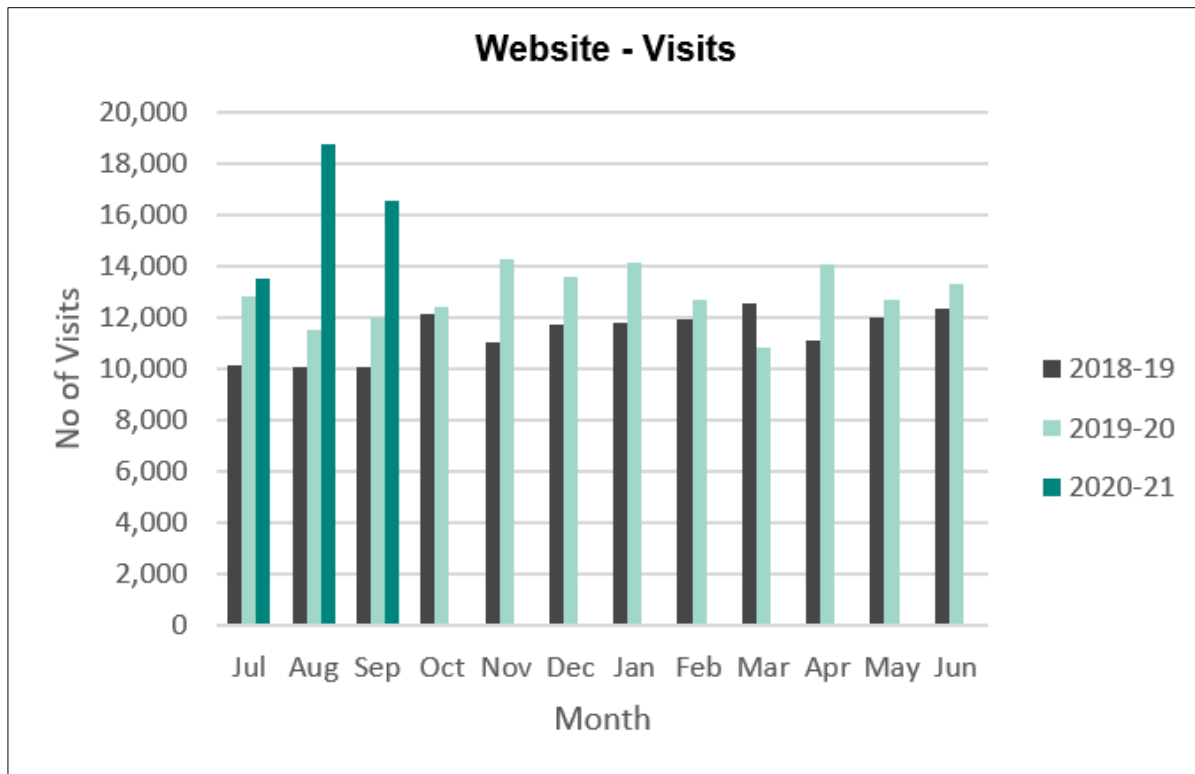
Lost Time Injury Frequent Rate (LTIFR) for this Quarter						
No. of LTI's	No. of FTE Employees	Weekly Hours	Weeks in Period	Hours Worked in Period	LTIFR	Industry Standard
1	90.76	38	12	41387	24.16	12.6

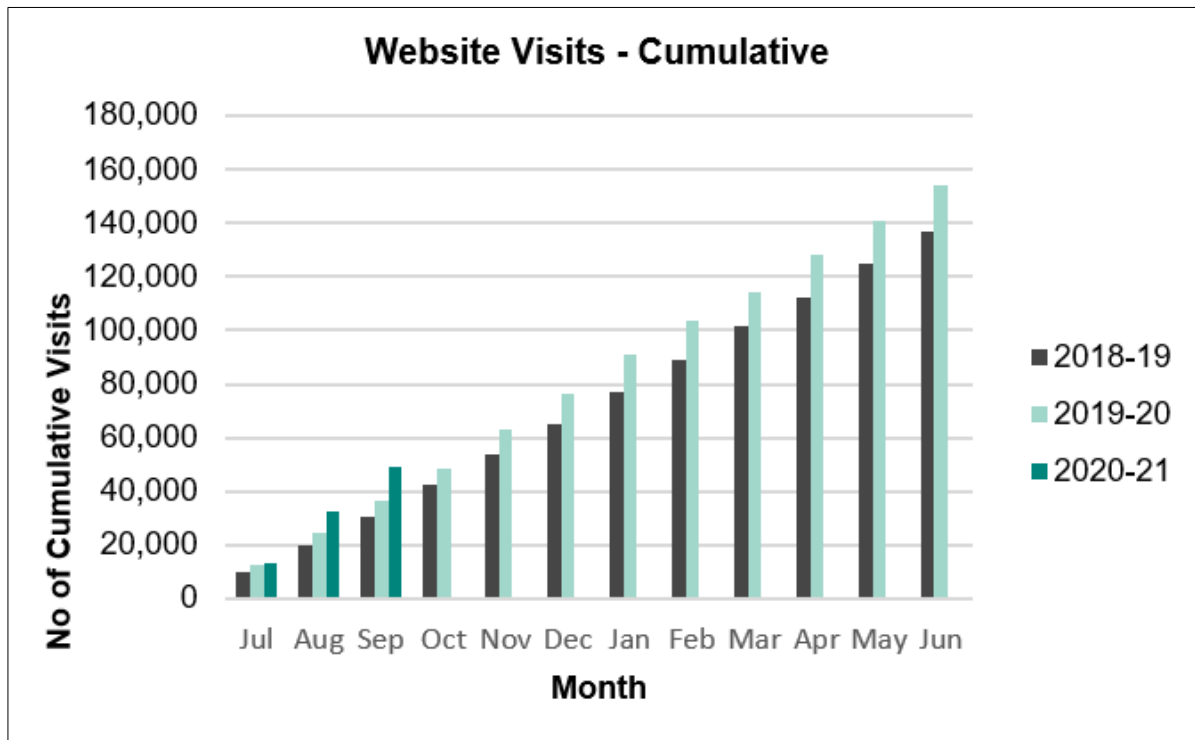
COMMUNITY AND ENGAGEMENT

TOURISM

Tourism - General

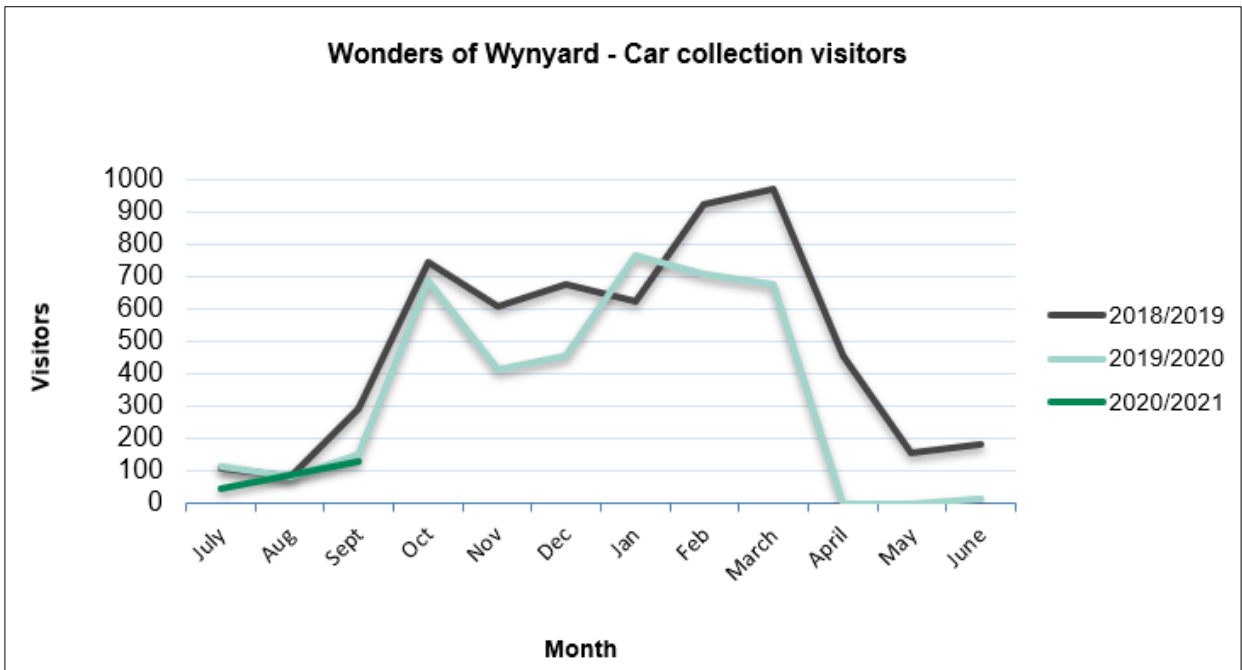
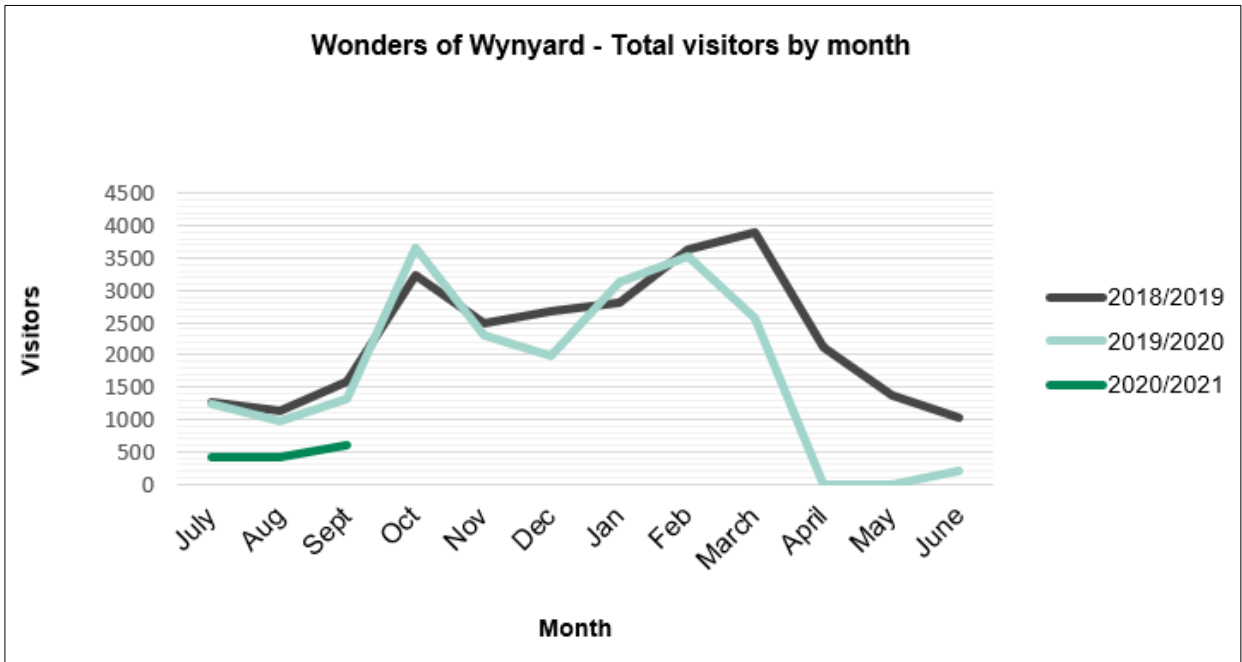
- 'Get Closer' campaign in market August/Sept – Mercury and weekend Examiner.
- Extremely positive results – happy operators who participated in co-operative advertising and great bookings achieved through the campaign. Stimulated immediate enquiries through the WOW and visitors to the car collection. Still running ads on social media.

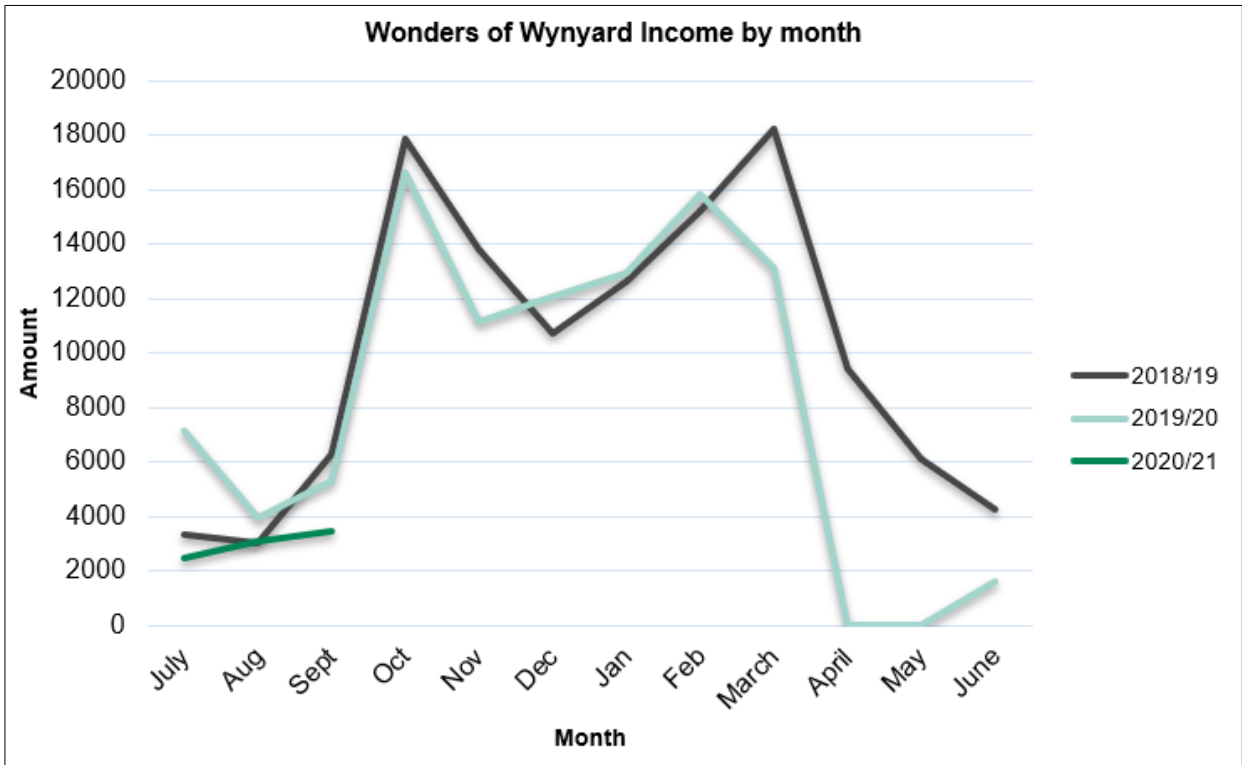




Wonders of Wynyard (WOW)

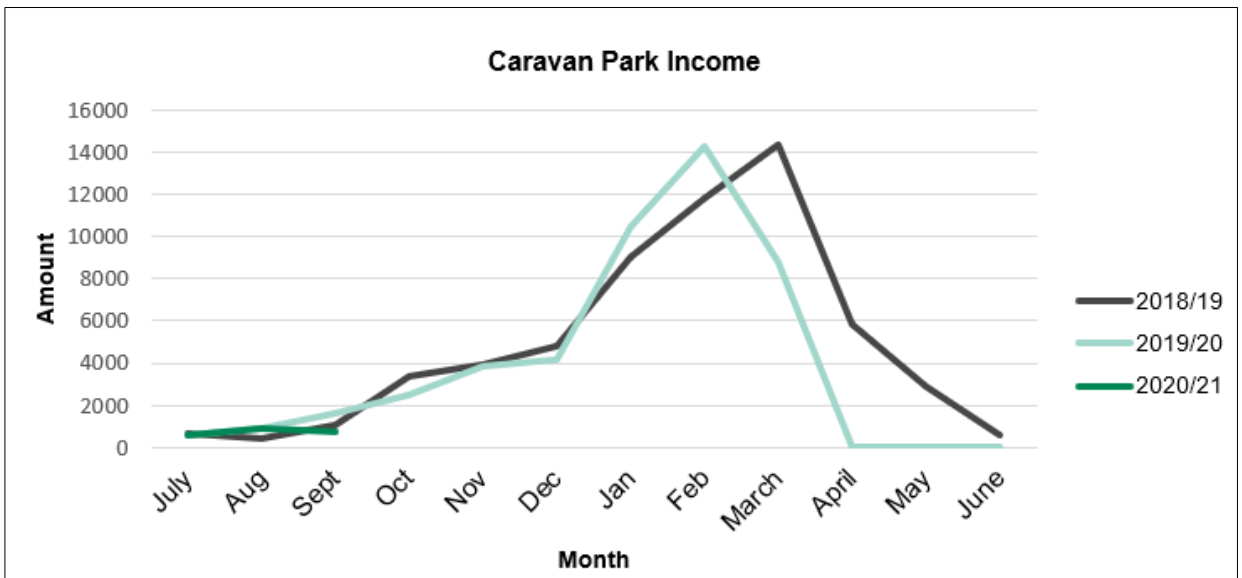
- WOW opened after COVID shutdown on 15 June (10am-4pm 5 days a week) – visitor numbers were initially low for July.
- Opening hours were increased to 7 days a week from 10 August (10am-4pm) to coincide with the ‘Get Closer’ intrastate marketing campaign. Numbers were pleasing, achieving up to half our ‘normal’ number of visitors for August after only a quarter the normal numbers in July. As a result of the marketing campaign there was an actual small increase in visitors to the car collection compared to the same time last year.
- From 21 September we returned to full summer hours – 9am-5pm, 7 days a week. Numbers through the door continued to be approximately half that of previous years. Again, visitors to the cars were strong – with just a 15% (23 ppl) decrease on last year.
- Sales have remained at a reasonable level, which is considered a positive outcome given the change in market to ‘domestic’ tourists – who are less likely to purchase traditional souvenirs. Removing brochure display income from the equation (as we are not charging operators this year), we have seen a 38% decrease in income for the period July-September.

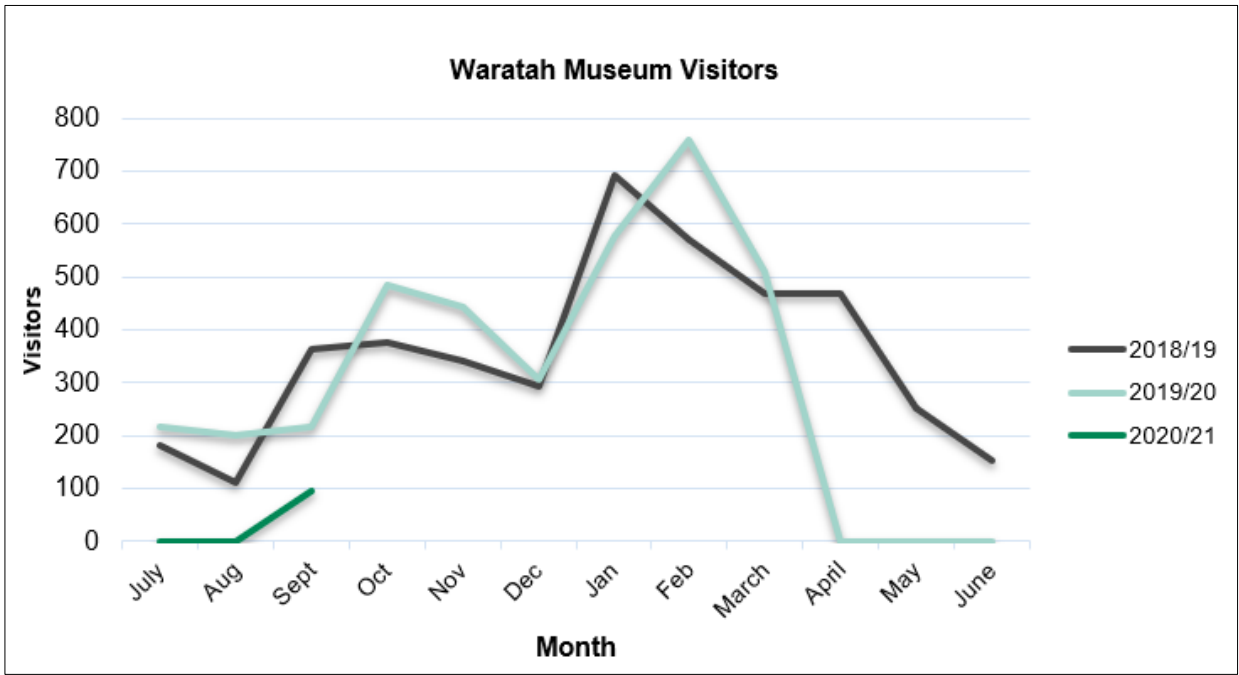




Waratah

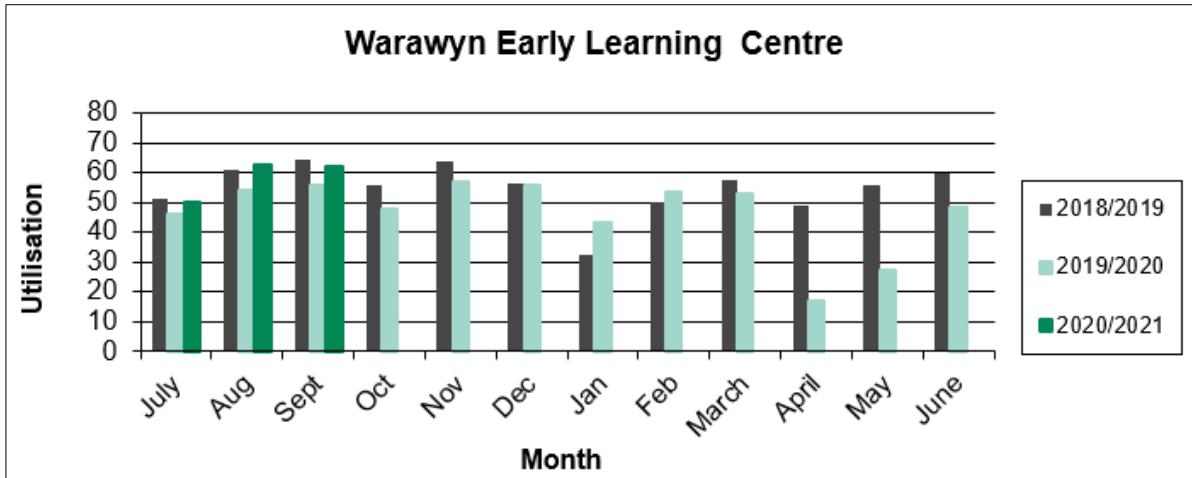
- The campground opened on 1 July after COVID shutdown period. Income for July-August was on par with previous years, with September down 52%. These figures are in line with other stats and to be expected with the barring of interstate caravanners into the State.
- Athenaeum Hall was closed for the quarter.
- Museum closed July-August and re-opened September with numbers 55% down on same time last year.



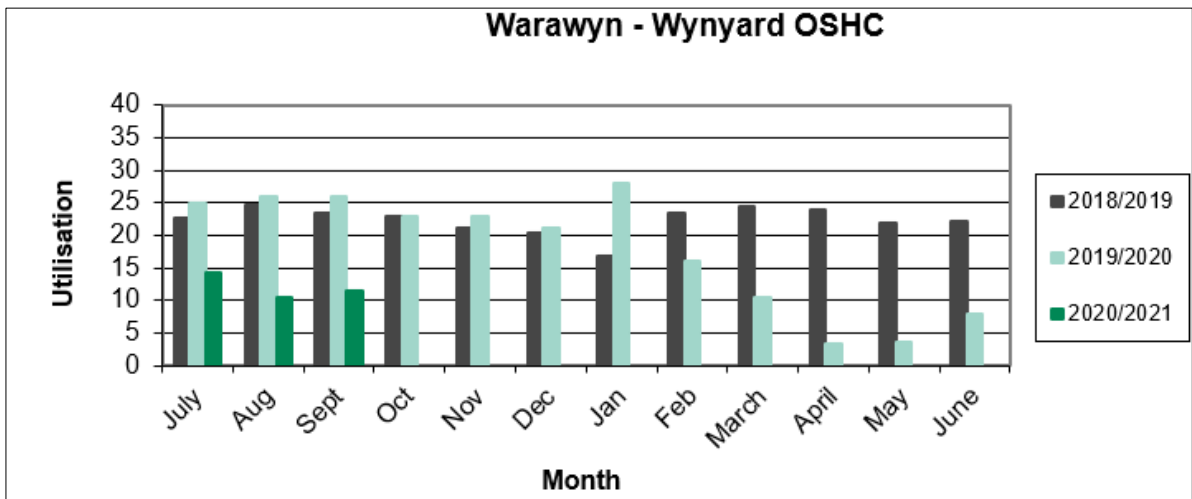


CHILDREN’S SERVICES

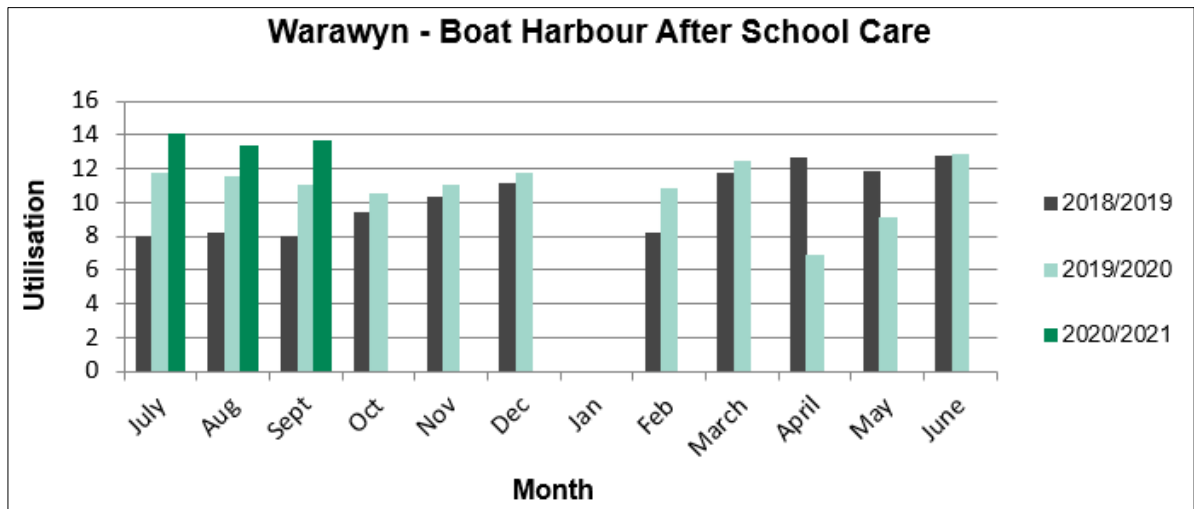
Warawyn Early Learning has experienced an increase in utilisation as families are reengaged in work and training.



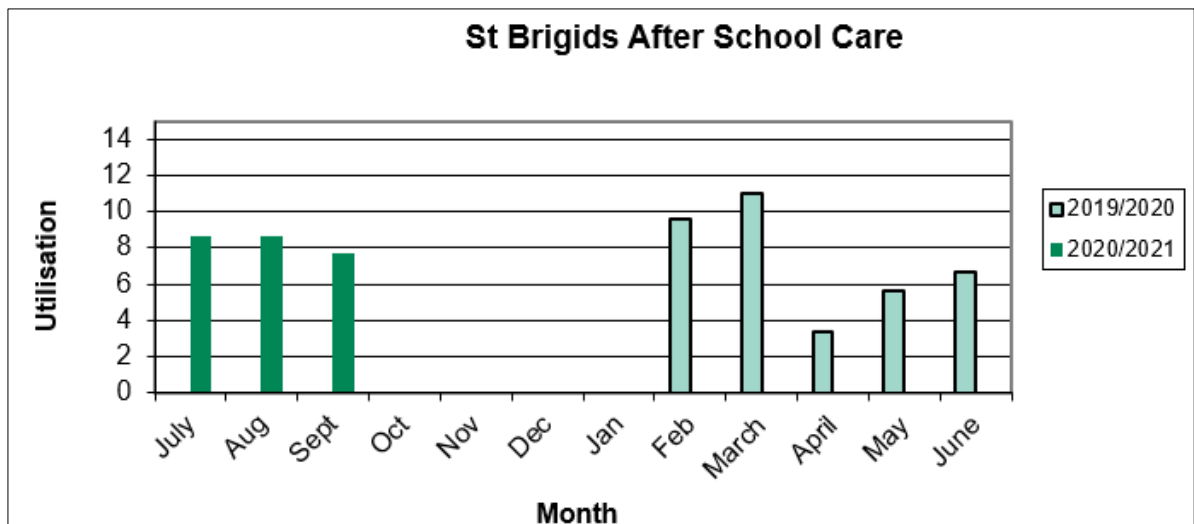
Warawyn – Wynyard OSHC utilisation is averaging around 10 children per day as the service has been split between the Wynyard and St Brigid’s programs. The service now operates as a single staff model reflecting demand for the service.



Boat Harbour after school care has experienced increased utilisation in recent months after the decline during the height of COVID.

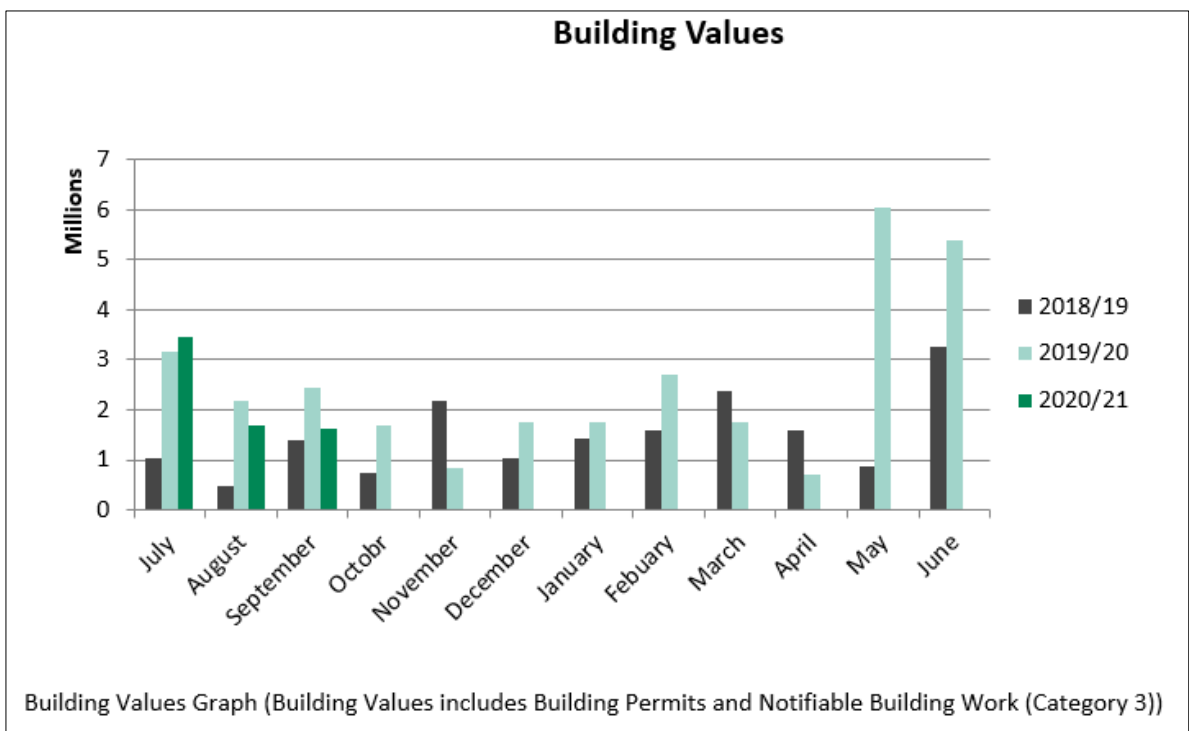
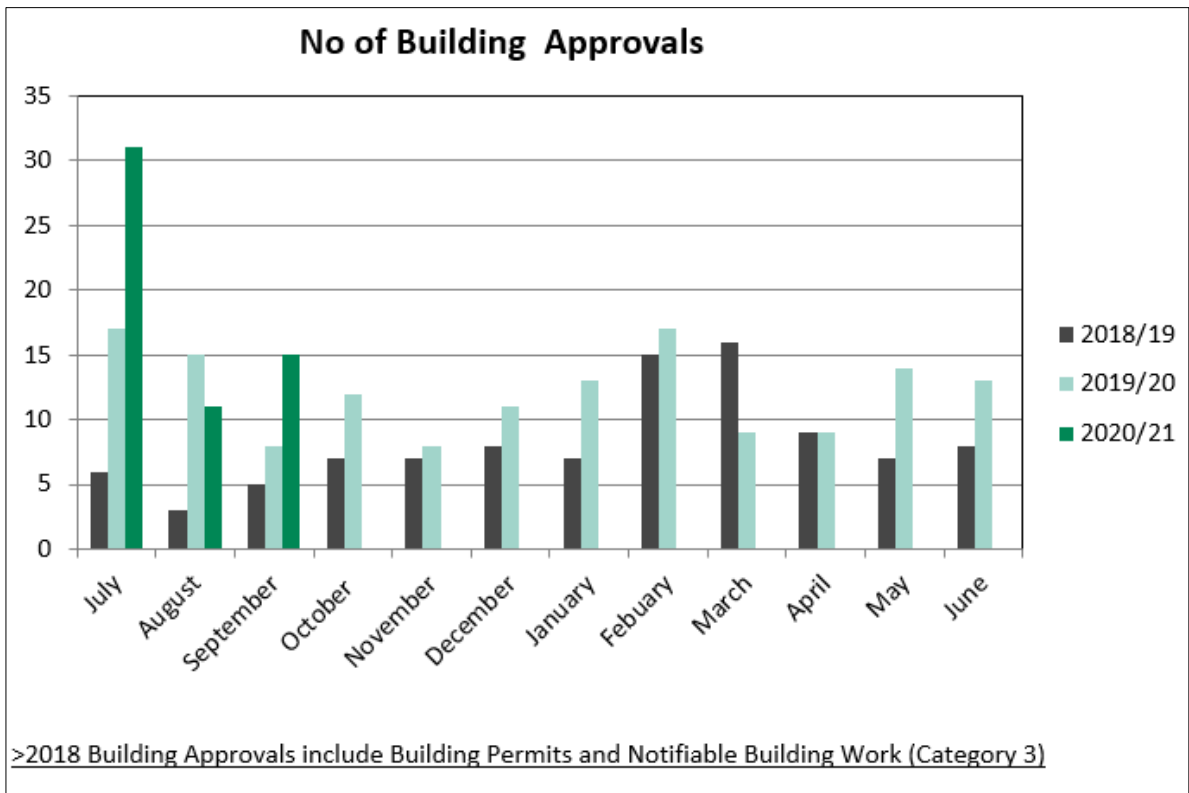


St Brigid's after school care utilisation remains consistent.



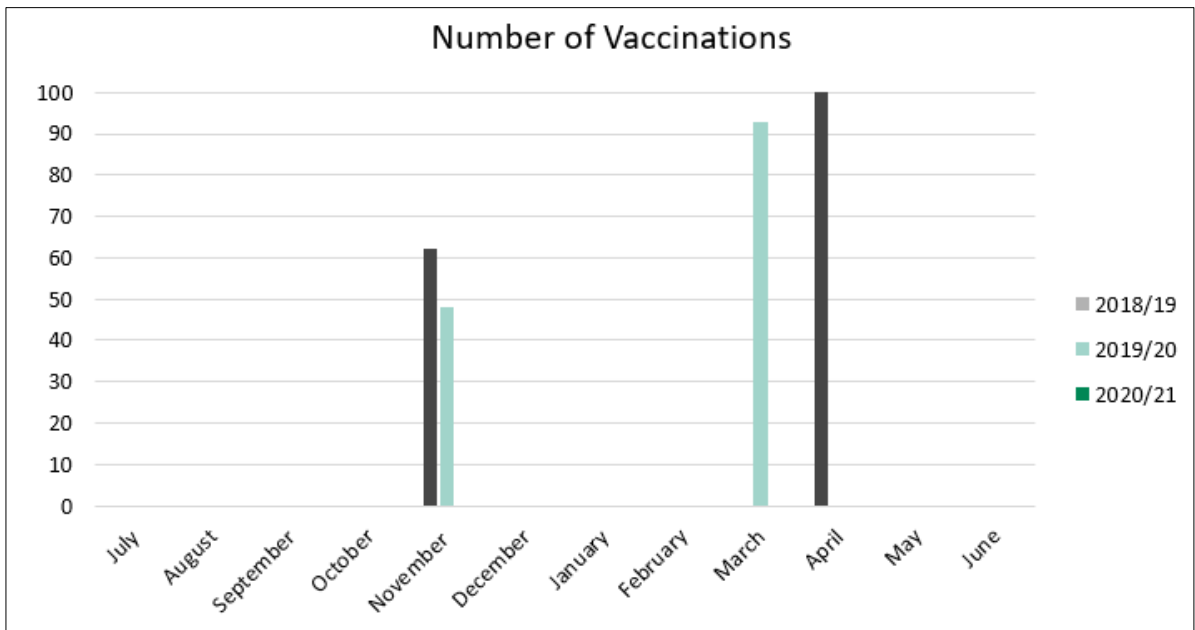
INFRASTRUCTURE AND DEVELOPMENT SERVICES

BUILDING

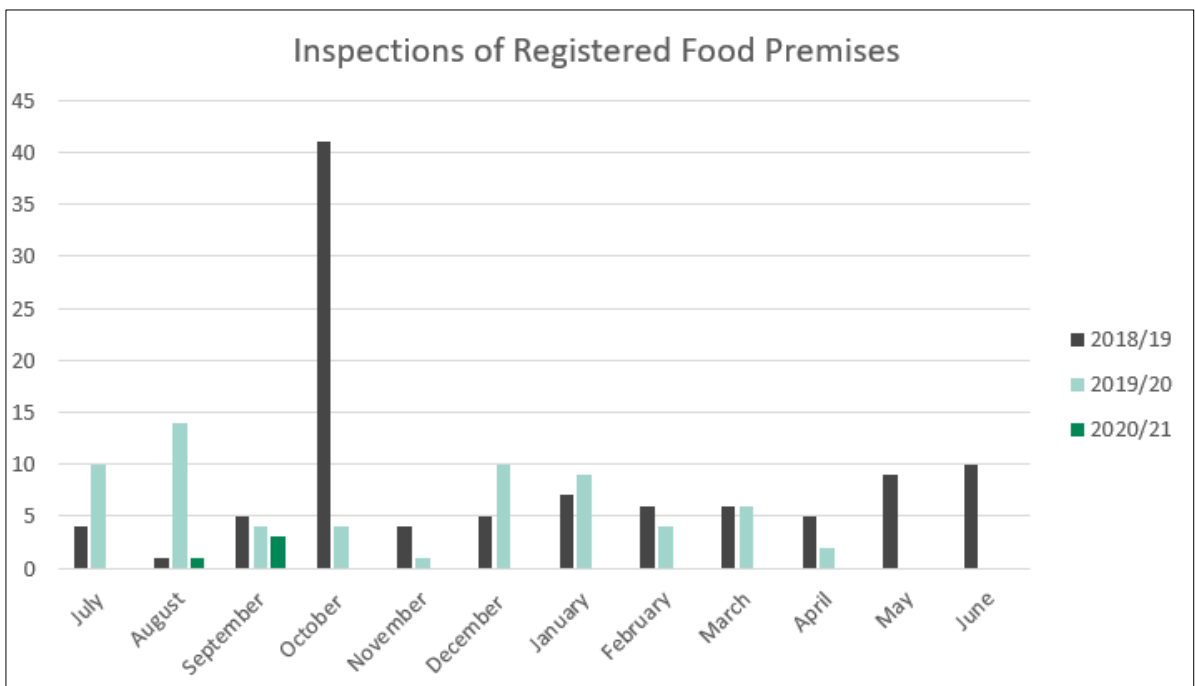


ENVIRONMENTAL AND PUBLIC HEALTH

Immunisations



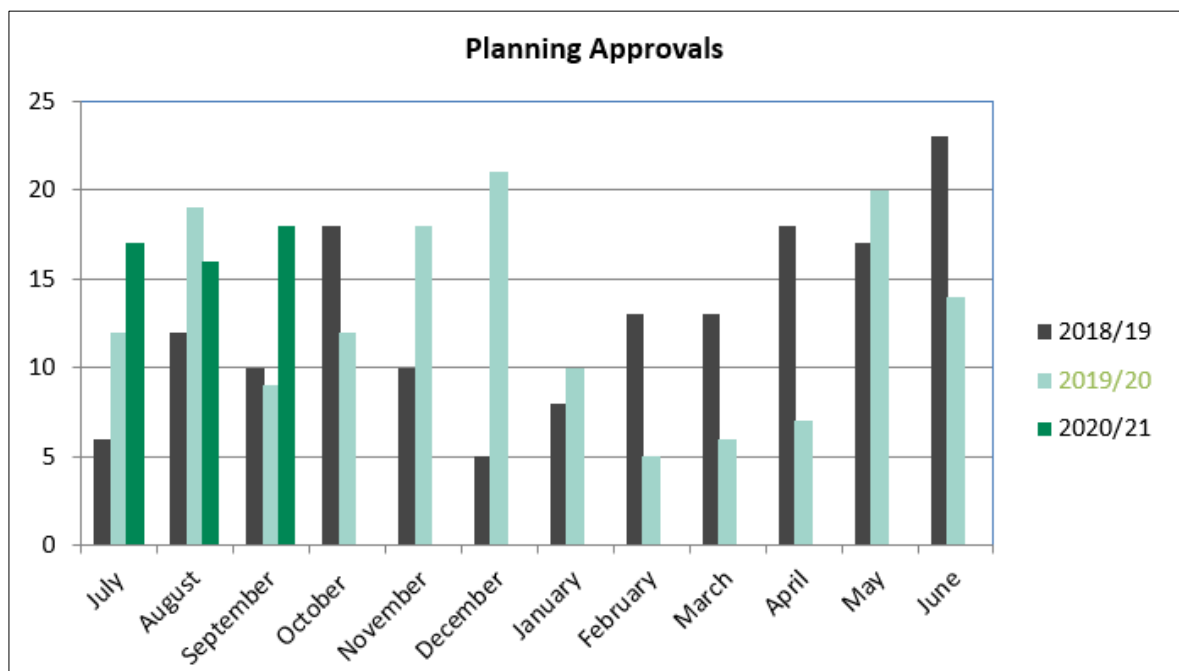
Inspections of Registered Food Premises



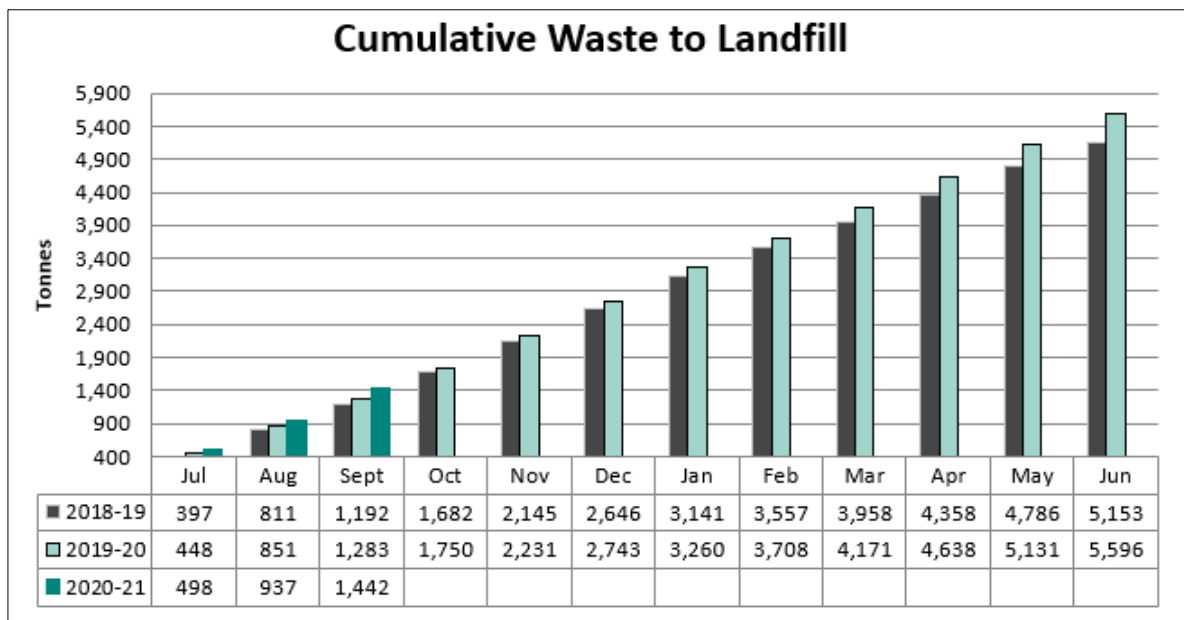
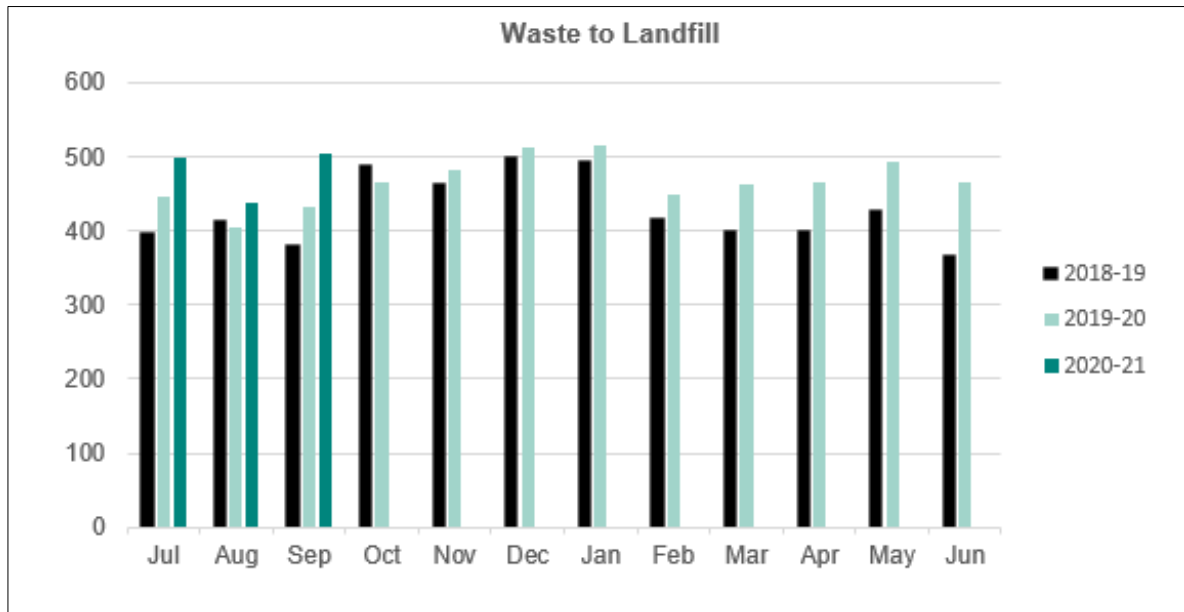
Health Approvals – Registrations

Month	Food Premises (FP)	Temporary Food Premises (TFP)	Places of Assembly (PA)	Public Health Risk Activities (PHRA)	Private Water Suppliers (PWS)	Regulated Systems Air Cooling Systems
July	0	1	0	1	0	8
August	46	0	0	1	0	0
September	30	4	1	2	0	0
October						
November						
December						
January						
February						
March						
April						
May						
June						
TOTAL	76	5	1	4	0	8

PLANNING



WASTE



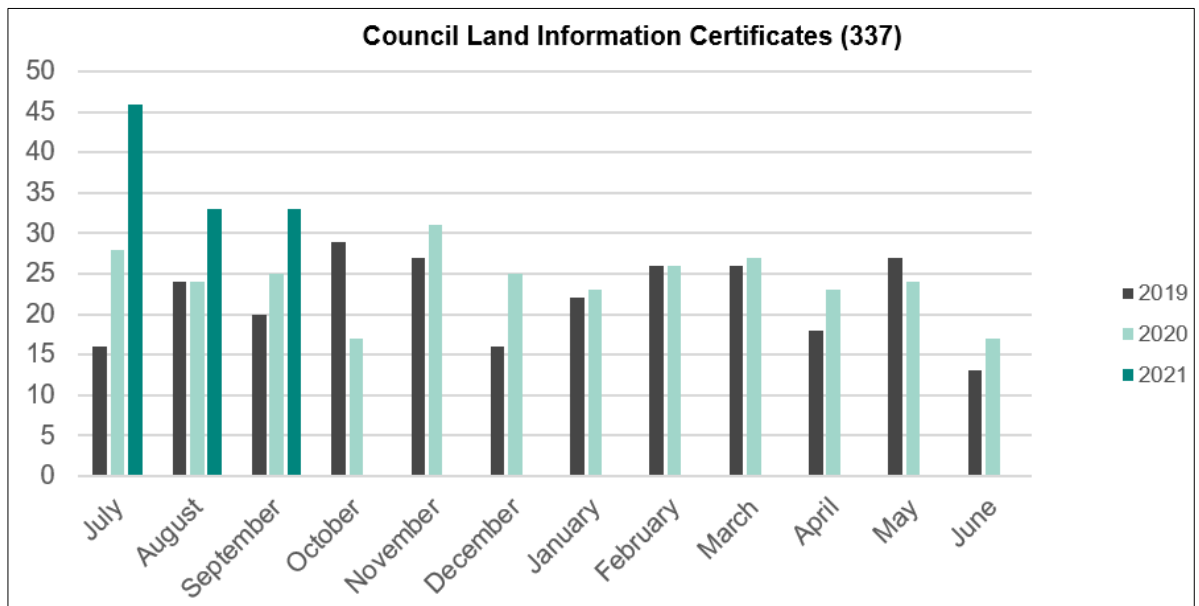
ORGANISATIONAL PERFORMANCE

Council Land Information Certificate (337)

A Council Certificate 337 provides information about whether there are any outstanding notices, permits or orders in relation to a property.

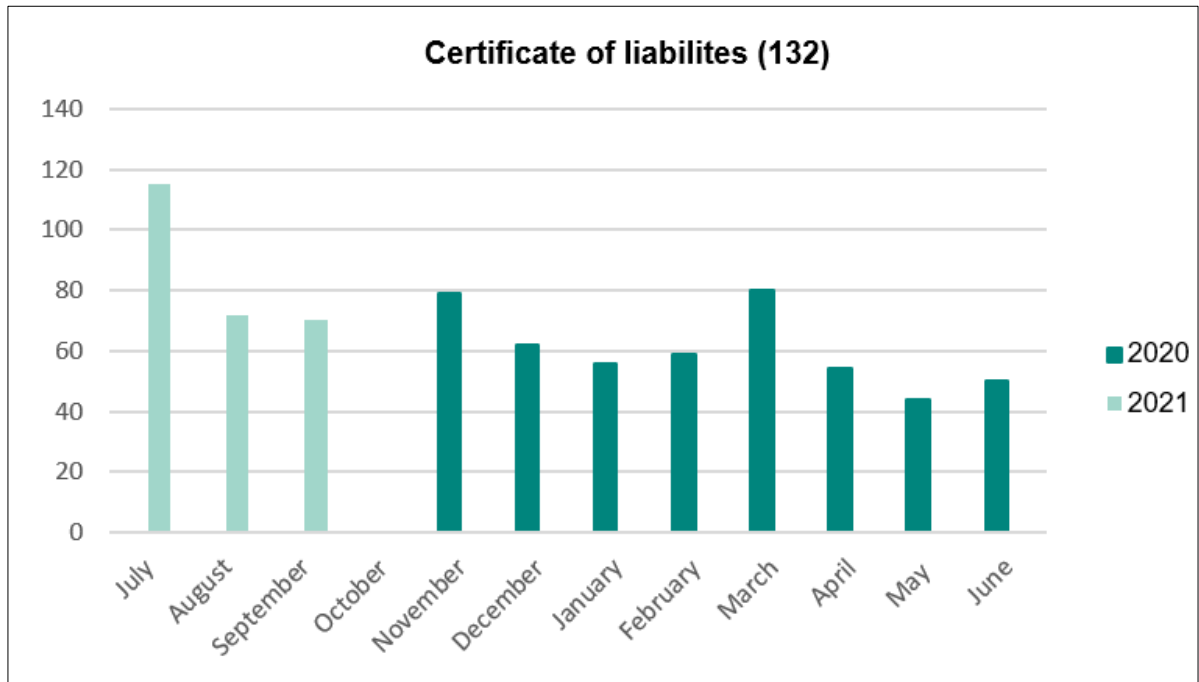
This may include:

- whether a Completion Certificate has been issued for building or plumbing permits;
- whether an Occupancy permit has been issued for a building; or
- whether there are any outstanding Orders on a site, etc. at the time of settlement.



Certificate of liabilities (132)

- (1) A person referred to in subsection (2) may apply to the general manager for a certificate stating:
- (a) the amount of any liability for rates, whether due or not on the land and outstanding interest or penalty payable in relation to the land;
 - (b) any amount received on account of rates that is held in credit against future liabilities for rates in relation to the land; and
 - (c) the amount of any charge on the land recoverable by the council.



STATUTORY IMPLICATIONS

Statutory Requirements

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

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
1.6 Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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


CONSULTATION PROCESS

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

CONCLUSION

The Departmental Quarterly Statistics Report for the months 1 July 2020 to 30 September 2020 are presented and it is recommended that the report be noted.

9.9 ANNUAL PLAN PROGRESS REPORT AS AT 30 SEPTEMBER 2020

To: Council
Reporting Officer: Executive Officer - Governance and Performance
Responsible Manager: Director Organisational Performance
Report Date: 1 October 2020
File Reference: 004.10
Enclosures: 1. Quarterly Annual Plan Progress Report 

RECOMMENDATION

That Council note the 2020/21 Annual Plan progress report for the period 30 September 2020.

PURPOSE

This report is provided as an update on progress against the Annual Plan for the quarter ending 30 September 2020.

By providing a regular update Council can see how the organisation is tracking in the delivery of commitments made to the community through the Annual Plan.

BACKGROUND

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

The Council adopted the 2020/21 Annual Plan and Budget Estimates on 22 June 2020.

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

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

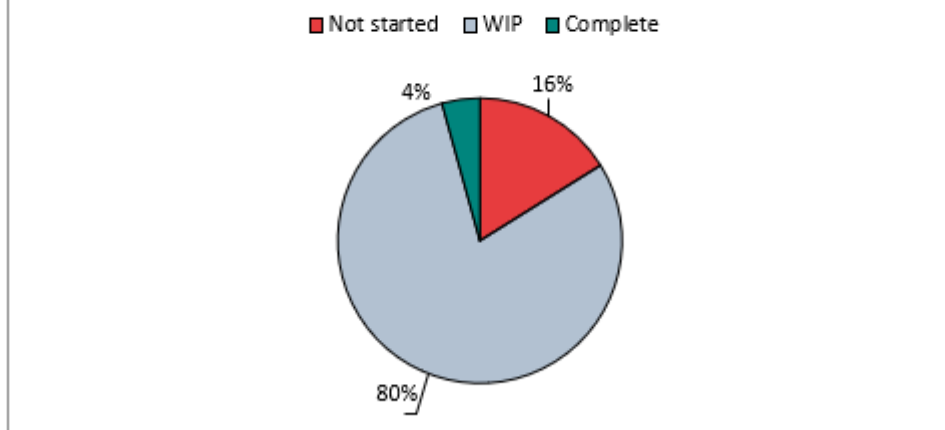
The activities and initiatives included in the Annual Estimates contribute to achieving the strategic objectives specified in the Strategic Plan.

DETAILS

The **attached** report provides an update on the progress of actions included in the Council's Annual Plan 2020/21.

As at 30 September solid progress had been made against the plan with 4% of actions fully complete and 80% of actions in progress.

Annual Plan Progress - All Goals

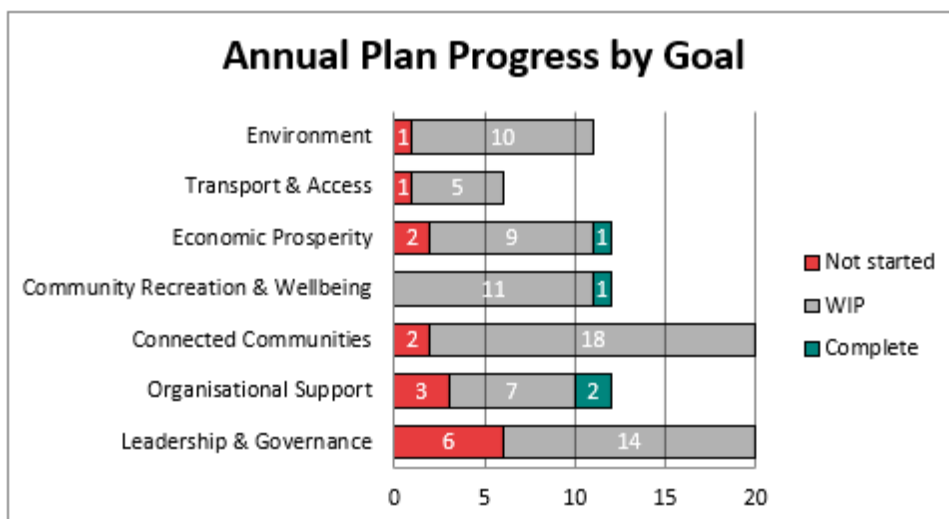


There is a total of 93 actions included in the Annual Plan and as at 30 September 2020 solid progress had been made with:

- 4 actions complete
- 44 actions between 90% and 100% complete
- 5 actions between 70% – 90% complete
- 39 actions at less than 70% complete
- 1 deferred action

The Asset Management System upgrade (Item 1.5.1.1) has been deferred until next financial year. Deferral will enable a more robust assessment process including the identification of needs to ensure that any system development is targeted and relevant to Council's needs.

The following graph outlines progress against each of Council's strategic goals:



STATUTORY IMPLICATIONS

Statutory Requirements

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

71. Annual plan

(1) A council is to prepare an annual plan for the municipal area for each financial year.

(2) An annual plan is to –

- (a) be consistent with the strategic plan; and*
- (b) include a statement of the manner in which the council is to meet the goals and objectives of the strategic plan; and*
- (c) include a summary of the estimates adopted under section 82; and*
- (d) include a summary of the major strategies to be used in relation to the council's public health goals and objectives. The Annual Plan is part of a larger strategic planning framework.*

STRATEGIC IMPLICATIONS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

CONSULTATION PROCESS

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

CONCLUSION

That the Council note the 2020/21 Annual Plan Progress Report.

9.10 AWARD OF TENDER - SUPPLY OF DELIVERY - GRADER

To: Council
Reporting Officer: Project Works Manager
Responsible Manager: Director Infrastructure and Development Services
Report Date: 8 October 2020
File Reference: ?
Enclosures: 1. Plant Cost Evaluation - Grader - Confidential

RECOMMENDATION

That Council award tender for 'supply and delivery of grader' to William Adams

PURPOSE

To determine Council's position in relation to tender submissions received for the supply and delivery of a grader to the specifications set out in the tender documentation.

BACKGROUND

The supply and delivery of a replacement grader (plant no.1002) has been adopted in the 20/21 budget for an estimated \$398,000.

DETAILS

Tenders were called for the supply and delivery of a grader through the LGAT Vendor Panel, Local Buy.

At the close of tenders on 22 September 2020, three (3) suppliers had accessed the tender documents via Vendor Panel and submitted tenders for the supply and delivery of a grader.

Tender submissions were received from;

- William Adams – Caterpillar
- Komatsu – Komatsu
- RDO Equipment – John Deere

Each tender submission received has been reviewed against the key selection criteria and compiled into a Plant Cost Evaluation spreadsheet. The evaluation document has been provided to Councillors as a confidential attachment.

Whilst the recommended tenderer did not submit the lowest tender price, their predicted ongoing lifecycle cost of the machine is the lowest. Further to this, the recommended tenderer is local within the Waratah-Wynyard Council municipality, and in close proximity, which will prove beneficial for future machine maintenance and servicing, additionally, the warranty offered is the most comprehensive.

STATUTORY IMPLICATIONS

Statutory Requirements

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

Strategic Plan Reference

GOAL
Desired Outcomes
We maintain and manage our assets sustainably.
Our Priorities
1.5 Build our knowledge base to apply in decision-making processes.
2.1 Develop a learning culture that ensures staff have the knowledge and skills to maximise potential, and which empowers staff to achieve and grow.
2.3 Promote best practice and foster innovation.

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.

Council Strategy or Plan Reference

Council Strategy or Plan	Date Adopted:
Strategic Asset Management Plan (SAMP)	Adopted November 2019

POLICY IMPLICATIONS

Council's Asset Management policy is relevant in this instance in terms of considering life cycle costs.

FINANCIAL IMPLICATIONS

Council has adopted a budget of \$398,000 to purchase a replacement Grader during the 20/21 financial year. The recommended tender submission (changeover cost) is \$279,000 resulting in a surplus of \$119,000 against the budgeted figure.

The predicted hourly rate to operate the recommended grader is also lower in cost than that of the current model by about 10%.

RISK IMPLICATIONS

In the conduct of any purchasing of plant there are risks to Council, including time delays and poor quality of workmanship. The use of experienced and proven suppliers coupled with extended warranty periods will minimise any risk to Council. The broad tender assessment, beyond just price, is intended to mitigate risk.

CONSULTATION PROCESS

Internal consultation amongst the Works & Services Staff/Operators has taken place.

9.11 AWARD OF TENDER FOR SUPPLY OF BACKHOE

To: Council
Reporting Officer: Project Works Manager
Responsible Manager: Director Infrastructure and Development Services
Report Date: 8 October 2020
File Reference: ?
Enclosures: 1. Plant Cost Evaluation - Backhoe - Confidential

RECOMMENDATION

That Council award Tender 'Supply of Backhoe' to JF Machinery

PURPOSE

To determine Council's position in relation to tender submissions received for the supply and delivery of a Backhoe to the specification set out in the tender

BACKGROUND

The supply of a replacement Backhoe (machine 501) has been adopted in the 20/21 budget for an estimated \$159,600.

DETAILS

The tender process was conducted through the Vendor Panel, local buy process.

At the close of tenders on 22 September 2020, six (6) suppliers had accessed the tender documents via Vendor Panel and submitted tenders for the supply of a Backhoe.

Tender submissions received from;

- JF Machinery - JCB
- William Adams - Caterpillar
- DLM Machinery - New Holland
- Komatsu - Komatsu
- TTMI Machinery - Case IH
- RDO Equipment - John Deere

Each tender submission has been reviewed against the key selection criteria and loaded into a Plant Cost Evaluation spreadsheet. The evaluation document has been provided to Councillors as a confidential attachment.

Whilst the recommended tenderer did not submit the lowest tender price, their tender results in the lowest ongoing lifecycle cost to Council, additionally the warranty offered is the longest.

Also, as the recommendation is like for like (the existing backhoe is a JCB) all existing implements (buckets) are able to be used.

STATUTORY IMPLICATIONS

Statutory Requirements

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

Strategic Plan Reference

GOAL
Desired Outcomes
We maintain and manage our assets sustainably.
Our Priorities
1.5 Build our knowledge base to apply in decision-making processes.
2.1 Develop a learning culture that ensures staff have the knowledge and skills to maximise potential, and which empowers staff to achieve and grow.
2.3 Promote best practice and foster innovation.

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.

Council Strategy or Plan Reference

Council Strategy or Plan
Strategic Asset Management Plan

POLICY IMPLICATIONS

Council's Asset Management policy is relevant in this instance in considering the lowest ongoing lifecycle cost.

FINANCIAL IMPLICATIONS

Council has adopted a budget of \$159,600 to purchase a replacement Backhoe during the 20/21 financial year. The recommended tender submission is \$148,440 allowing a surplus of \$11,160 against the budgeted figure and also achieving the lowest ongoing lifecycle cost to Council.

RISK IMPLICATIONS

In the conduct of any purchasing of plant there are risks to Council, including time delays and poor quality of workmanship. The use of experienced and proven suppliers coupled with extended warranty periods will minimise any risk to Council. The broad tender assessment, beyond just price, is intended to mitigate risk.

CONSULTATION PROCESS

Internal consultation amongst the Works & Services Staff/Operators has taken place.

9.12 FINANCIAL REPORT FOR THE PERIOD ENDED 30 SEPTEMBER 2020

To: Council
Reporting Officer: Manager Financial Services
Responsible Manager: Director Organisational Performance
Report Date: 7 October 2020
File Reference: 1
Enclosures: Nil

RECOMMENDATION

That the Council notes Financial Reports for the period ended 30 September 2020.

PURPOSE

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

BACKGROUND

The financial reports presented incorporate:

- Income Statement
- Operating Performance by Department
- Cash Position
- Schedule of Investments
- Rates Summary
- Capital Works Summary
- Capital Works Progress

STATUTORY IMPLICATIONS

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

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

End of year statutory financial reports have been audited and are being presented to Council separately in this agenda. There are no known material variances anticipated for year-end against budget.

Income Statement

The Income Statement shows the performance of Council's recurrent operations.

INCOME STATEMENT as at 30 September 2020		Note	YTD Actual	YTD Budget	% Variance	YTD Variance		Budget
Recurrent Income								
			11,450,528	11,434,382	0%	(16,146)	✓	11,434,382
			655,266	578,378	-13%	(76,888)	✓	2,213,600
		1	47,356	131,594	64%	84,238	✗	519,959
		2	403,112	477,719	16%	74,607	✗	3,429,944
		3	25,622	37,485	32%	11,863	✗	150,000
		4	-	-	0%	-	✓	-
			12,581,884	12,659,558	1%	77,674	⚠	17,747,885
Recurrent Expenditure								
			1,599,142	1,593,969	0%	5,173	⚠	7,114,361
			117,761	119,224	-1%	(1,463)	✓	527,426
			246,438	298,536	-17%	(52,098)	✓	447,749
		5	882,227	1,359,578	-35%	(477,351)	✓	5,565,142
		6	1,116,228	1,116,228	0%	-	✓	4,466,666
			96,894	-	0%	96,894	✗	127,102
		7	-	-	0%	-	✓	24,307
			52,347	57,072	-8%	(4,725)	✓	275,890
			4,111,036	4,544,607	-10%	(433,571)	✓	18,548,643
Surplus/(Deficit)			8,470,849	8,114,951	-4%	(355,898)	✓	(800,758)
Capital Items								
			282,342	4,095,942	93%	3,813,600	✗	4,850,823
		8	-	-				
			-	-				
Comprehensive Surplus/(Deficit)			8,753,191	12,210,893	-28%	-3,457,702		4,050,065

Note	Commentary
1	User Charges - Usage of Council facilities is slowly increasing, however the ytd favourable variance is largely attributable to increased Child Care income compared to budget. Child care operations will be reviewed more holistically however at this stage no material variance is anticipated at year end against budget.
2	Reimbursements are below budget YTD due to timing of resource sharing and Council facilities electricity reimbursement billing. The level of reimbursements is expected to be within budget by year end.
3	Grants are below budget ytd due to timing only. All funds are expected to be received.
4	Interest revenue is below budget ytd and will be reassessed over the coming weeks against the budget. Interest rates and cash are below assumptions made in the budget estimates.
5	Remissions and discounts are less than budget however the early payment discount has been extended to 31 October and therefore the total remissions are expected may be consistent with budget. This will be reviewed again following the discount period.
6	Materials and Contracts are tracking favourably to budget YTD. This relates to timing of expenses only in relation to resource sharing, a later than expected start special projects (fire break works) and waste management expenditure. The full budget is expected to be spent by year end.
7	There are no known variances to the annual budget for loss on disposal of assets. The ytd loss relates to timing of processing only.

Note	Commentary
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8	Capital grants are lower than the YTD budget due to timing of receipts. The timing of this income type is not known with certainty until grant deeds are signed. All budgeted grants are expected to be received by year end.
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Operating Performance by Department

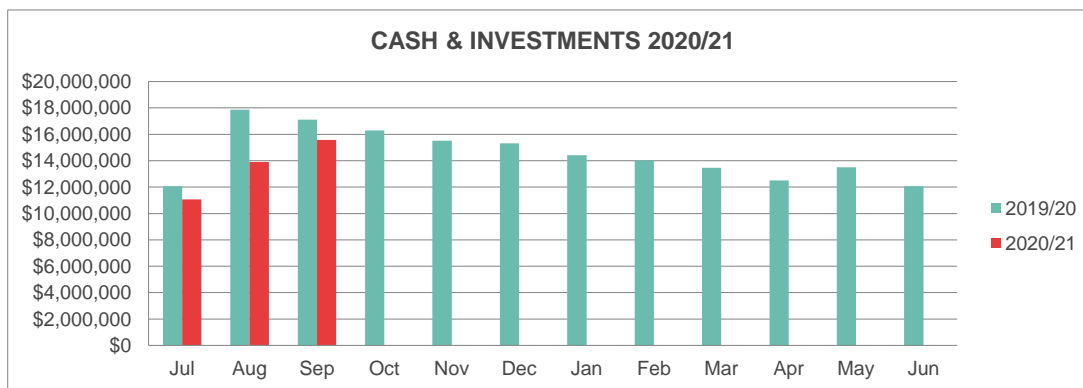
This statement provides an overview of operating performance by department.

NET POSITION BY DEPARTMENT As at 30 September 2020	Note	YTD ACTUAL	YTD BUDGET	ANNUAL BUDGET
Community & Engagement				
Children Services		54,978	17,304	(1,640)
Community Activation		(145,149)	(190,489)	(805,704)
Community Support		(117,194)	(119,201)	(482,794)
Tourism & Marketing		(96,623)	(118,571)	(491,576)
Total Community & Engagement		(303,988)	(410,957)	(1,781,714)
Council & General Managers Office				
Council		(357,448)	(322,505)	(1,296,636)
Total Council & General Managers Office		(357,448)	(322,505)	(1,296,636)
Infrastructure & Development Services				
Asset Services		(6,451)	10,550	10,400
Cemetery		(24,264)	(24,159)	(98,832)
Development Services		(132,261)	(121,652)	(700,403)
Engineering Support Services		193,195	268,970	110,972
Footpaths		(62,251)	(69,176)	(286,870)
Garbage		916,867	819,576	12,169
Public Halls		(35,611)	(50,476)	(192,573)
Public Toilets		(54,869)	(57,010)	(223,378)
Reserves		(174,841)	3,087,838	2,546,343
Sports		(4,221)	(195,420)	(503,430)
Stormwater Drainage		688,208	671,983	175,850
Transport		(946,566)	(338,827)	(2,678,103)
Waste		599,701	487,100	(283,335)
Works & Services		(23,710)	(26,192)	(48,265)
Total Infrastructure & Development Services		932,925	4,463,105	(2,159,455)
Organisational Performance				
Administration		8,481,701	8,481,250	9,287,870
Total Organisational Performance		8,481,701	8,481,250	9,287,870
Comprehensive Surplus/(Deficit)		8,753,191	12,210,893	4,050,065

Cash Position

The following table provides an outline of Council's cash and investment portfolio as at 30 September 2020. Total cash and investments on hand as at 30 September is \$15.58m.

CASH POSITION			INVESTMENTS		Weighted
As at 30 September 2020		\$		\$	Average Return
Deposits	14,408,026		Commonwealth Bank	1,169,488	0.00%
			Investments		
			ME Bank	6,608,026	0.64%
			NAB	5,800,000	0.71%
			ING	2,000,000	0.80%
Petty Cash and Till Floats	1,600		Petty Cash and Till Floats	1,600	
Trading Account	1,169,488				
BALANCE (ALL ACCOUNTS)	<u>15,579,114</u>			<u>15,579,114</u>	0.69%



Schedule of Investments

The following table provides Council's schedule of investments as at 30 September 2020.

INVESTMENT SCHEDULE As at 30 September 2020

Institution	Credit Rating	Term (days)	Term Maturity Date	Rate	Investment	Portfolio %	Weighted Average Return
ME Bank	A2	90	11/11/2020	0.65%	500,000		
ME Bank	A2	120	18/12/2020	0.65%	500,000		
ME Bank	A2	60	19/10/2020	0.60%	1,000,000		
ME Bank	A2	70	2/11/2020	0.62%	500,000		
ME Bank	A2	95	30/11/2020	0.65%	500,000		
ME Bank	A2	90	3/12/2020	0.65%	1,000,000		
ME Bank	A2	0		0.65%	1,608,026		
ME Bank	A2	120	12/01/2021	0.65%	1,000,000		
					6,608,026	45.86%	0.64%
NAB	A1+	90	16/11/2020	0.70%	1,000,000		
NAB	A1+	184	24/02/2021	0.75%	1,000,000		
NAB	A1+	181	4/03/2021	0.75%	800,000		
NAB	A1+	91	11/12/2020	0.70%	1,000,000		
NAB	A1+	181	16/03/2021	0.70%	1,000,000		
NAB	A1+	122	25/01/2021	0.65%	1,000,000		
					5,800,000	40.26%	0.71%
ING	A1	180	24/11/2020	1.00%	1,000,000		
ING	A1	270	7/05/2021	0.60%	1,000,000		
					2,000,000	13.88%	0.80%
Total Investment Portfolio					14,408,026		0.64%
				RBA Cash Rate*	0.250		
				90 Day BBSWs Rate**	0.090		

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

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

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

Rates Summary

The following tables provides the detail of Councils Rates and Charges levied compared with the same time last year. As anticipated with the discount period extended to 31 October the number of rateable properties not paid in full is higher than same time last year.

RATE SUMMARY		2020/21		2019/20	
For the period 1 July 2020 to 30 June 2021		%	\$	%	\$
<i>Notice Issue Date - 24 July 2020</i>					
OUTSTANDING RATE DEBTORS (As at 1 July 2020)	4.99	602,240	4.29	507,597	
ADD CURRENT RATES AND CHARGES LEVIED (including penalties)	95.01	11,457,282	95.71	11,336,247	
GROSS RATES AND CHARGES DEMANDED	100.00	12,059,522	100.00	11,843,844	
LESS RATES AND CHARGES COLLECTED	42.63	5,140,618	71.14	8,425,266	
REMISSIONS AND DISCOUNTS**	7.23	872,105	8.26	978,654	
	49.86	6,012,723	79.40	9,403,920	
ADD PROPERTIES IN CREDIT	(1.81)	218,587	(1.50)	177,229	
UNPAID RATES AND CHARGES * (includes Deferred Rates)	51.95	6,265,386	22.10	2,617,153	
**REMISSIONS AND DISCOUNTS		2020/21		2019/20	
Early Payment Discount		246,202		386,289	
Pensioner Rebates		619,149		584,908	
Council Remissions and Abandonments		6,754		7,457	
		<u>872,105</u>		<u>978,654</u>	
Number of Rateable Properties		7,924		7,858	
Number of Unpaid Rateable Properties		4,298		2,201	
% not fully paid		54.24%		28.01%	

Capital Works Summary

The Capital Works Summary provides a snapshot of the percentage of expenditure against the 2020/2021 Capital Works program. Timing of expenditure is based on the works plan and actual spend, and not reflective of the actual progress of the Capital Work, which is detailed under Capital Program Monthly Progress.

CAPITAL WORKS SUMMARY		Actual	Budget	% Spend of Budget	Forecast	Forecast	Forecast
As at 30 September 2020	Note	\$	\$		\$	vs Budget	Variance
Buildings							
Amenities		23,730	47,061	50.42%	47,061	✓	-
Community Facilities		113,242	4,510,169	2.51%	4,510,169	✓	-
Council Operational Buildings		77,944	241,384	32.29%	244,000	⚠	2,616
Total Buildings		214,916	4,798,614	4.48%	4,801,230	✓	2,616
Parks & Open Space							
Childcare		-	60,000	0.00%	60,000	✓	-
Other		737	130,000	0.57%	130,000	✓	-
Other Infrastructure		1,200	246,872	0.49%	246,872	✓	-
Playgrounds		299,172	1,271,414	23.53%	1,271,414	✓	-
Recreational Reserves		15,173	301,340	5.04%	301,340	✓	-
Walkways & Tracks		29,307	2,783,235	1.05%	2,787,584	✓	4,349
Wynyard		3,047	6,000	50.78%	6,000	✓	-
Total Parks & Open Spaces		348,635	4,798,861	7.26%	4,803,210	✓	4,349
Plant & Equipment							
Other Plant & Equipment		7,727	172,783	4.47%	172,783	✓	-
Plant & Vehicle Replacements		23,489	794,641	2.96%	794,641	✓	-
Software & IT Replacements		70,730	251,724	28.10%	251,724	✓	-
Total Plant & Equipment		101,946	1,219,148	8.36%	1,219,148	✓	-
Sporting Facilities							
Camping		-	30,000	0.00%	30,000	✓	-
Indoor Recreational Facilities		42,125	668,041	6.31%	668,041	✓	-
Outdoor Sporting Facilities		67,224	296,321	22.69%	312,159	⚠	15,838
Total Sporting Facilities		109,349	994,362	11.00%	1,010,200	⚠	15,838
Stormwater							
Flood Mitigation Works		10,387	2,400,000	0.43%	2,400,000	✓	-
Other Stormwater Works		6,479	82,397	7.86%	82,397	✓	-
Total Stormwater		16,866	2,482,397	0.68%	2,482,397	✓	-
Transport							
Bridge Renewals		181,602	654,313	27.75%	654,313	✓	-
Footpaths & Kerbs		52,475	195,870	26.79%	195,870	✓	-
Other Transport		308,718	659,594	46.80%	669,394	⚠	9,800
Resheeting		170,080	935,150	18.19%	937,976	✓	2,826
Rural Reseals		40,302	616,057	6.54%	616,057	✓	-
Strategic Projects		-	46,337	0.00%	46,337	✓	-
Urban Reseals		8,245	126,462	6.52%	126,462	✓	-
Total Transport		761,422	3,233,784	23.55%	3,246,410	✓	12,627
Total Capital Works Program 2020/21		1,553,134	17,527,166	8.86%	17,562,595	✓	35,429

The current year program is in its early stages and whilst a small number of forecast variances have been identified on individual jobs, not all capital works jobs have started. No material variations at year end are expected as some capital works are anticipated to come in under budget offsetting any over budget expenditure.

2020/21 Capital Program Monthly Progress Report

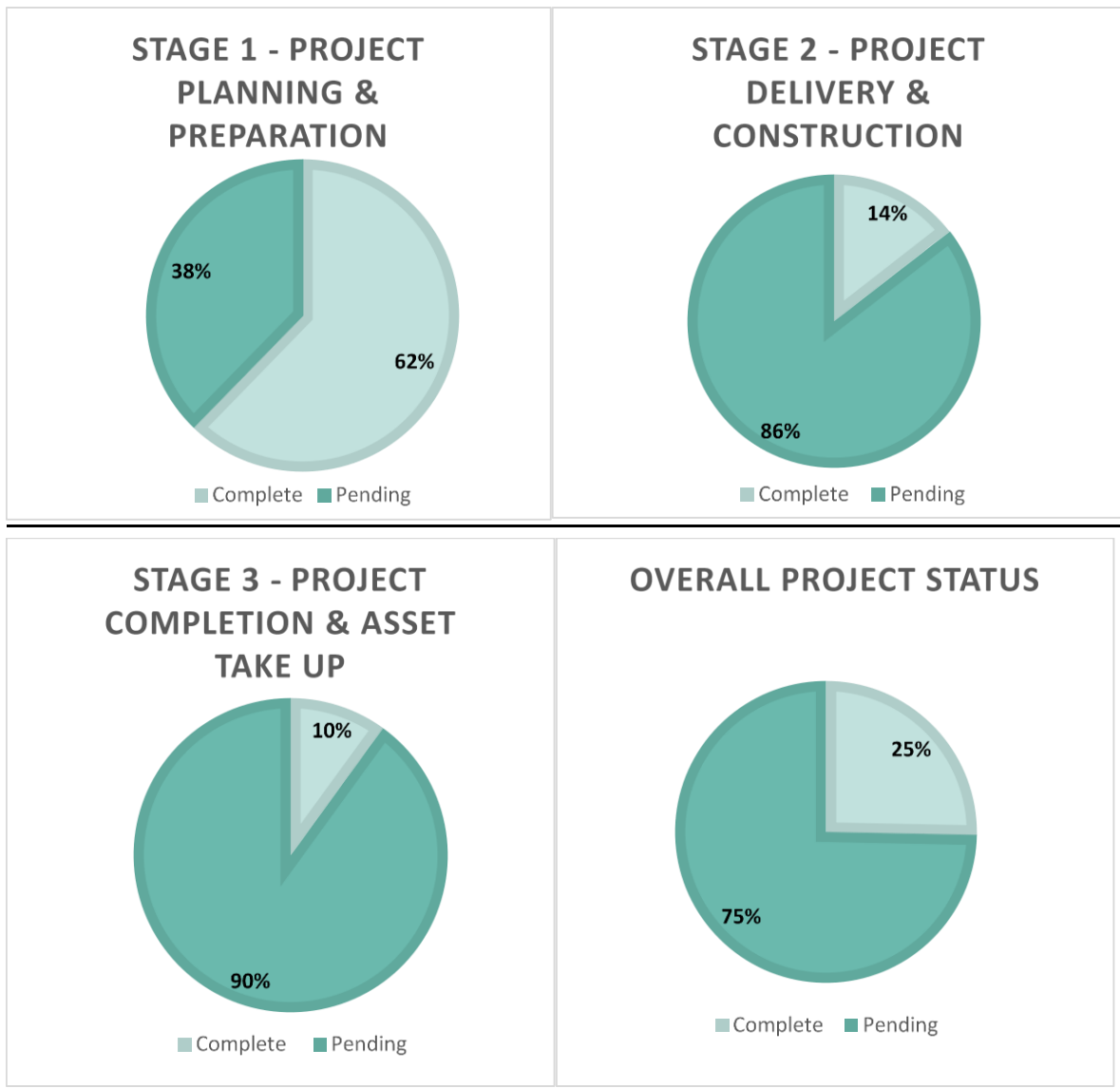
Overall the capital works program is on target for full completion with no foreseeable delays.

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

Section	Total Project Completion (%)
Parks & Open Spaces	25.31
Transport	33.97
Stormwater	21.07
Sporting Facilities	26.67
Buildings	20.00
Plant & Equipment	14.34

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

PARKS & OPEN SPACE



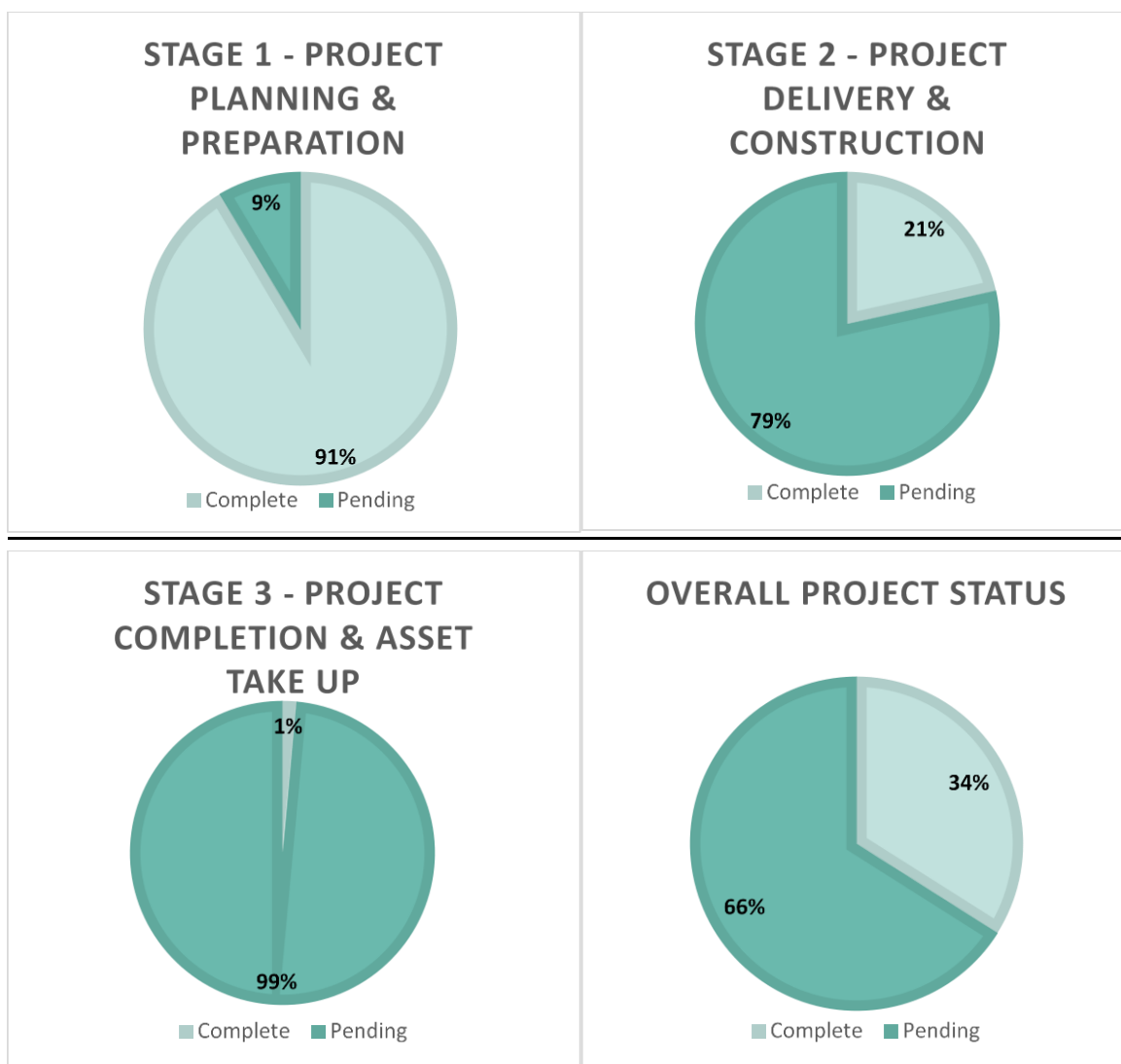
PARKS & OPEN SPACE cont.

Projects	Status(%)
Somerset	
ANZAC Park All Ability Playground*	11.25
Cam River Master Plan Actions	12.50
Zig Zag Track Lighting	25.00
Boat Harbour	
Master Plan - Planning, Survey & Design	18.75
Replace Timber Walkway	0.00
Stairway Replacement (Hepples Rd)	20.00
Sisters Beach	
Skate & Recreation Area	25.00
Waratah	
Camping Ground - Coin Operated Whitegoods & Locking System	25.00
Philosopher Falls Walking Track Repairs	25.00
Waterfall Project Design	7.50
Wynyard	
Coastal Pathway*	1.25
East Wynyard Foreshore Beach Access	100.00
East Wynyard Foreshore Playground	50.00
Skate Park Remediation Works	100.00
Dog Park	2.50
Port Road Walking Track	12.50
Frenchs Road Masterplan Landcare Actions	0.00
Warwyn Child Care Playground Replacement	0.00
Other	
Coastal Geotechnical and Erosion Control Assessments	32.50
Furniture Renewal Program	37.50

Key project milestones/updates:

- Works have commenced to construct the Sisters Beach Rec Park
- Coastal Geotechnical and Erosion Control assessments have commenced
- Philosophers Falls walking track repairs have commenced
- East Wynyard Foreshore Playground Stage 1 for young children complete. Stage 2 delayed due to Covid travel restrictions however Council is actively working towards completion by Christmas.

TRANSPORT



Projects	Status(%)
Strategic Projects	
IGA Junction Public Consultation & Design	23.75
Table Cape & Tollymore Rd Design - Survey & Investigation	0.00
Bridge Renewal	
Port Creek Bridge Replacement	27.50
Rural Reseals	
Buggs Lane (0000 - 0018m) - Surface	25.00
Calder Road (04577 - 06807m) - Surface	
Calder Road (06807 - 07343m) - Surface	25.00
Cummings Street (0000 - 0180m) Boat Harbour - Surface	25.00
Frenchs Road (0000 - 0005m) - Surface	25.00
Gates Road (0000 - 0425m) - Surface	25.00
Marshalls Road (0000 - 0038m) - Surface	25.00
Mount Hicks Road (01135 - 07153m) - Surface	25.00
Murdering Gully Road (0930 - 0958m) - Surface	25.00

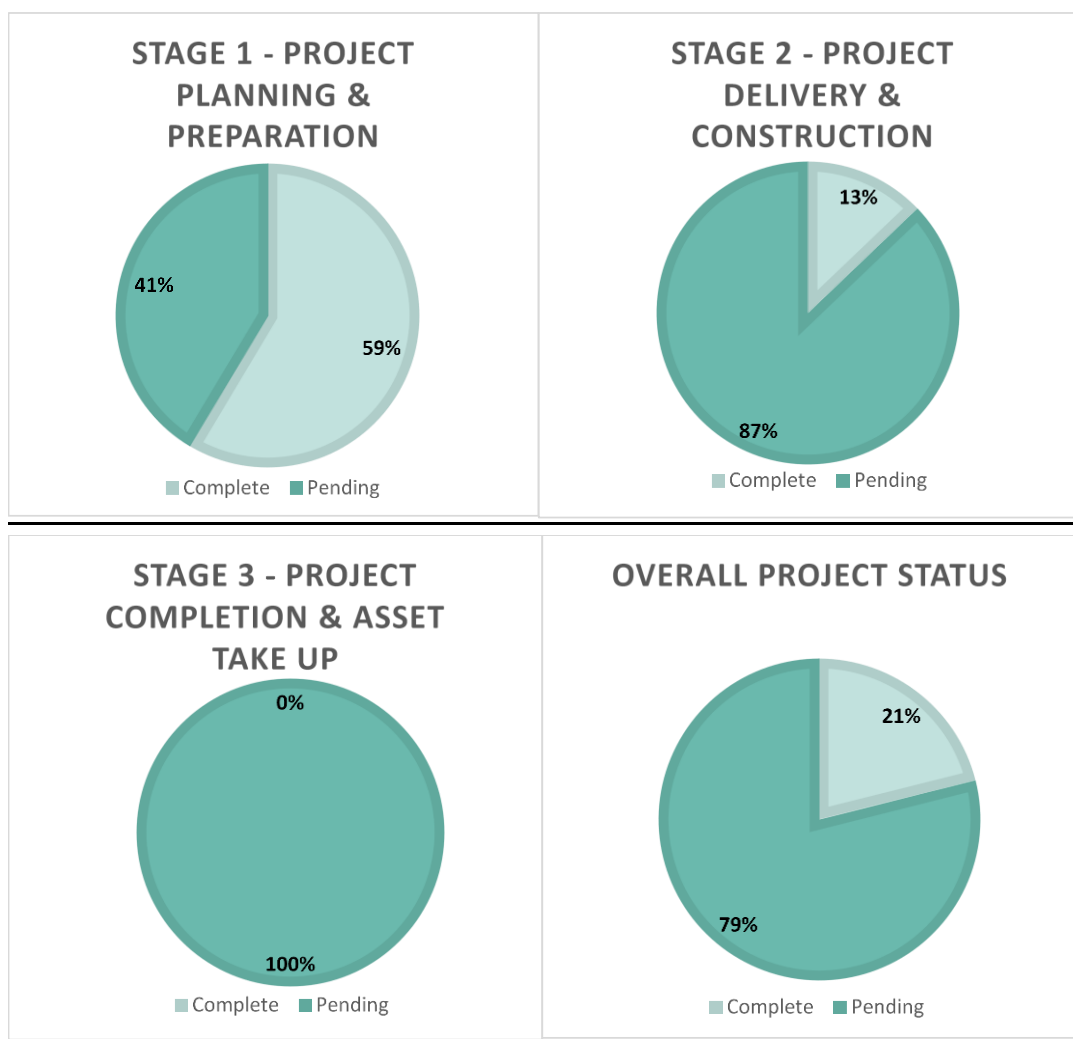
Newhaven Drive (0395 - 0617m) - Surface	25.00
Old Mount Hicks Road (0000 - 0038m) - Surface	25.00
Old Mount Hicks Road (2367 - 2384m) - Surface	25.00
Preolenna Road (02690 - 04959m) - Surface	25.00
Reservoir Drive (1591 - 2292m) - Surface	25.00
Seabrook Road (3431 - 6355m) - Surface	25.00
Sisters Beach Road (0032 - 1623m) - Surface	25.00
Urban Reseals	
Gibbons Street Sec - 1 Surface	25.00
Goldie Street Sec - 9 Surface	25.00
Old Bass Highway Sec - 13 Surface	25.00
Old Cam Road Sec - 2 Surface	25.00
Old Cam Road Sec - 3 Surface	25.00
Simpson Street Sec - 1 Surface	25.00
Simpson Street Sec - 4 Surface	25.00
Footpaths & Kerbs	
Gibbons Street - Footpath Extension (Cul-de-sac Eastern end)	75.00
Frederick Street Footpath	100.00
Gibbons Street Kerb Replacement	75.00
Smith Street Footpath Extension - Waratah	0.00
Resheets	
Aldersons Road (0044 - 0663m) - Surface	25.00
Beatties Road (0000 - 0934m) - Surface	25.00
Chalks Road (0000 - 0324m) - Surface	75.00
Dam Road (0000 - 0796m) - Surface	25.00
Deaytons Lane (0010 - 2171m) - Surface	25.00
Dudfields Road (0030 - 1688m) - Surface	25.00
Elliotts Road (0000 - 0126m) - Surface	75.00
Fists Lane (0000 - 0470m) - Surface	25.00
Fists Lane (0470 - 1532m) - Surface	25.00
Fists Lane (1532 - 1932m) - Surface	25.00
Franks Lane (0000 - 0654m) - Surface	35.00
Humbles Road (0007 - 0240m) - Surface	75.00
Irby Boulevard (0000 - 0052m) - Surface	75.00
Lancaster Road (0000 - 0298m) - Surface	75.00
Lowries Road (1920 - 4473m) - Surface	25.00
Lyons Road (0033 - 1152m) - Surface	25.00
Mount Myrtle Road (0000 - 0416m) - Surface	75.00
Myalla Road (13809 - 14670m) - Surface	25.00
Myalla Road (16660 - 17665m) - Surface	25.00
Old Dam Road (0000 - 0377m) - Surface	25.00
Pecks Road (0015 - 0120m) - Surface	25.00
Reservoir Drive (3765 - 4260m) - Surface	25.00
Reservoir Drive (4260 - 5490m) - Surface	25.00
Reservoir Drive (5490 - 7338m) - Surface	25.00
Rulla Road (4216 - 4668m) - Surface	75.00
Takone Road (13030 - 15618m) - Surface	25.00
Vicevich Road (0026 - 0203m) - Surface	75.00
West Calder Road (06166 - 08366m) - Surface	25.00
Other	
Pedestrian Refuge Falmouth Street, Somerset	72.50
Jackson Street Vulnerable Road User Crossing	62.50
Goldie Street Pedestrian Crossing	25.00
Exhibition Link Vulnerable Road Users Link	25.00
Somerset CBD Masterplan Works	75.00

Wynyard CBD Plaza	55.00
Old Bass Highway - Port Creek Nurses Retreat Sealing Works	0.00
Design Work - Rural Road Safety Priorities	8.75
Port Creek Parking Area	0
Rural Road Culvert Upgrade Program	0

Key project milestones/updates:

- Gibbons Street kerb and footpath works complete.
- Jackson Street pedestrian refuge nearing completion.
- Port Creek bridge replacement underway. Expected full completion in November.
- Planning stages completed for the resheeting and reseal projects. Worked expected to occur from October to March 2021.

STORMWATER

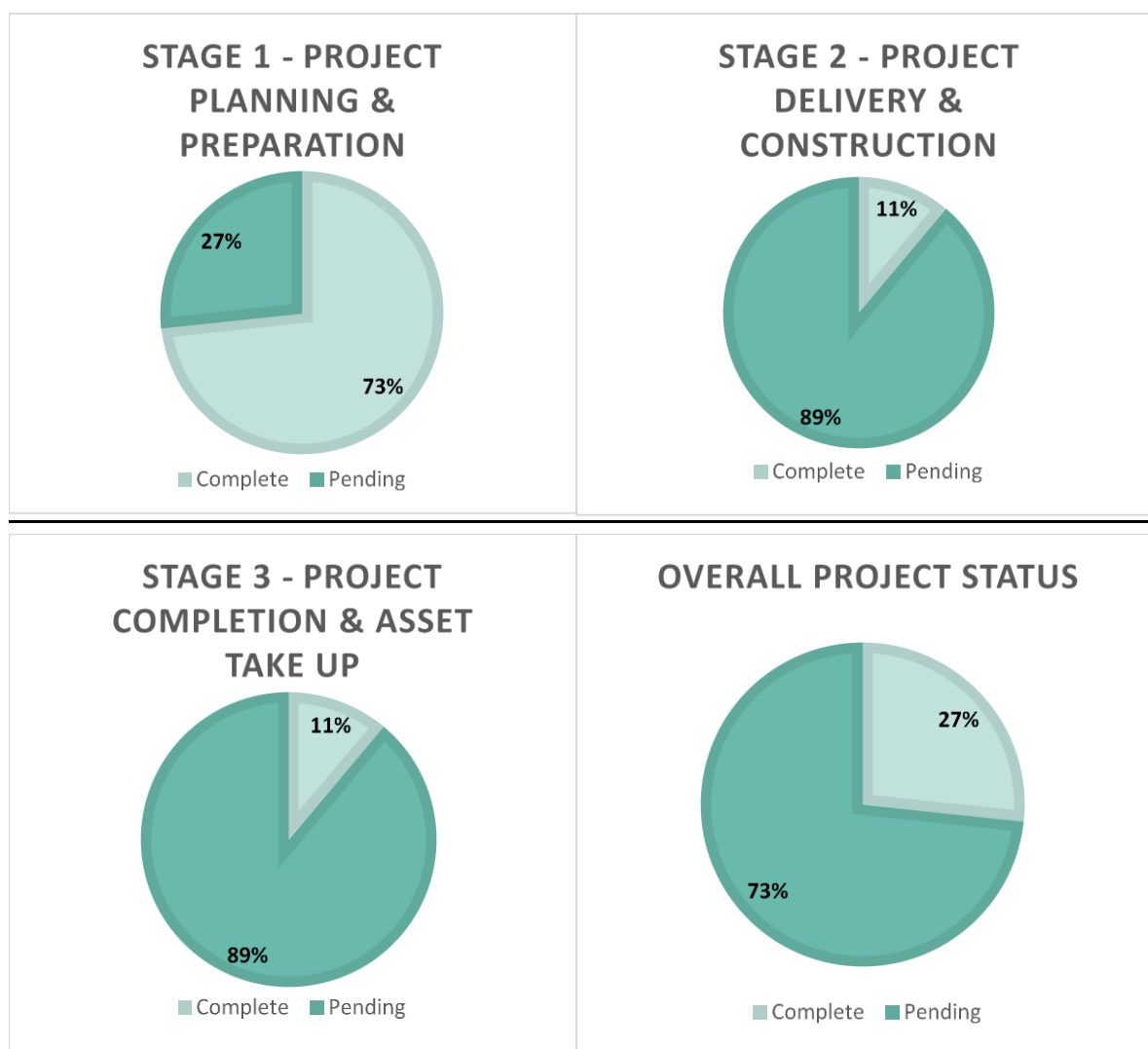


Projects	Status(%)
<u>Flood Mitigation</u>	
Big Creek	12.50
Cotton Street	23.75
Port Creek	16.25
<u>Other Stormwater</u>	
Replace stormwater pipe & manhole Church Street	0.00
Port Road Boat Harbour Drainage	70.00
Stormwater upgrade crn Dodgin & Austin St	0.00
Tyre Park (Waratah) Drainage and Playground Boxing	25.00

Key project milestones/updates:

- Design works on flood mitigation projects well advanced
- Most stormwater works pending summer weather

SPORTING FACILITIES

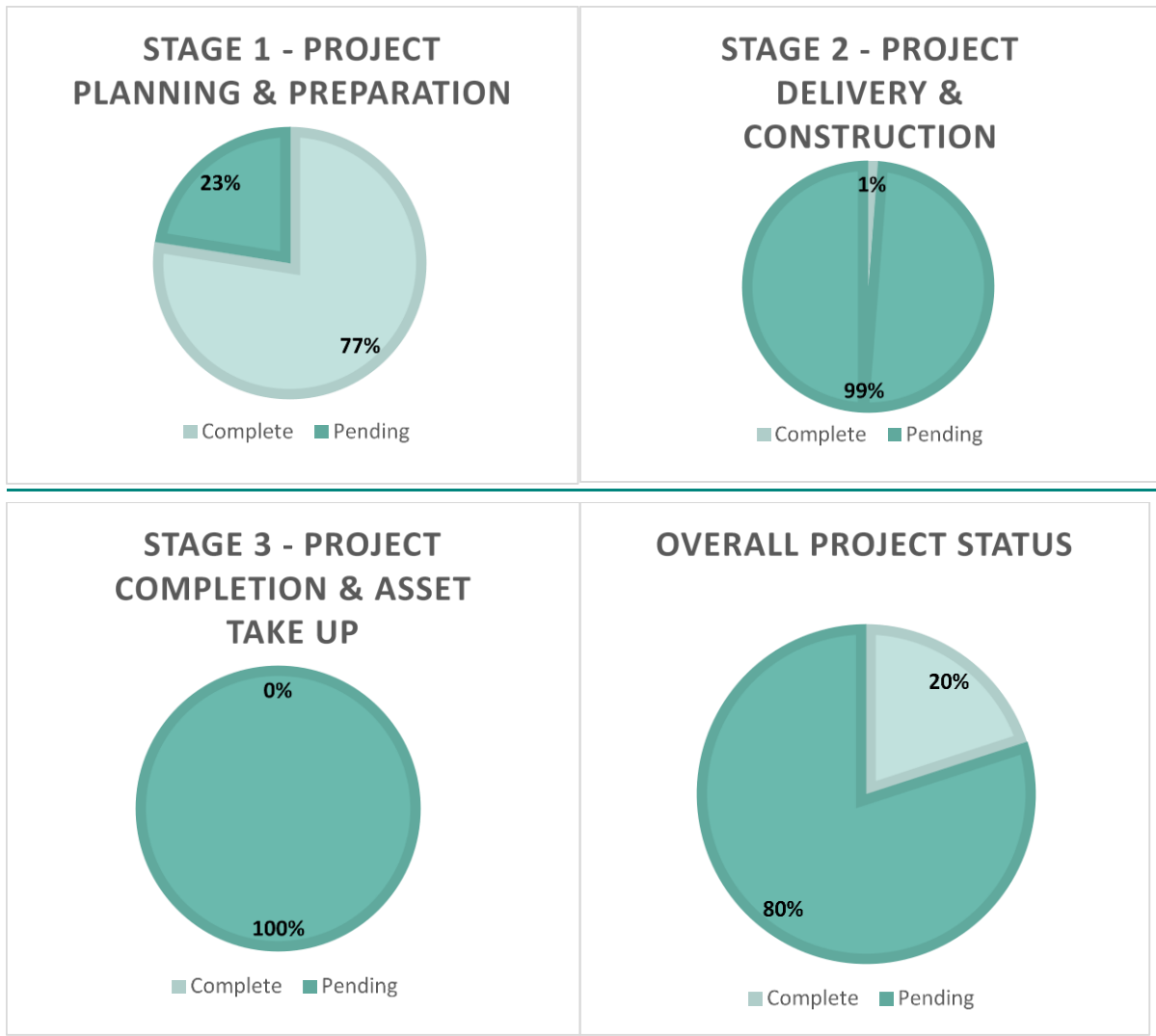


Projects	Status(%)
Somerset Soccer Goal Renewal	25.00
Cardigan Street Pitch and Irrigation Works (Stage 1)	25.00
Demolition of Grand Stand - Wynyard Showgrounds	12.50
Establishment of Freedom Camping Site	2.50
Somerset Indoor Rec Centre - repl skylights in western end (bowls club)	2.50
Wynyard & Somerset Basketball Rings*	25.00
Somerset Sporting Precinct Design	0.00
Wynyard Recreation Ground Changerooms	100.00
Wynyard Indoor Sports Centre - Changeroom Upgrades*	25.00

Key project milestones/updates:

- Cardigan Street pitch and Irrigation works tender awarded and start of works pending

BUILDINGS

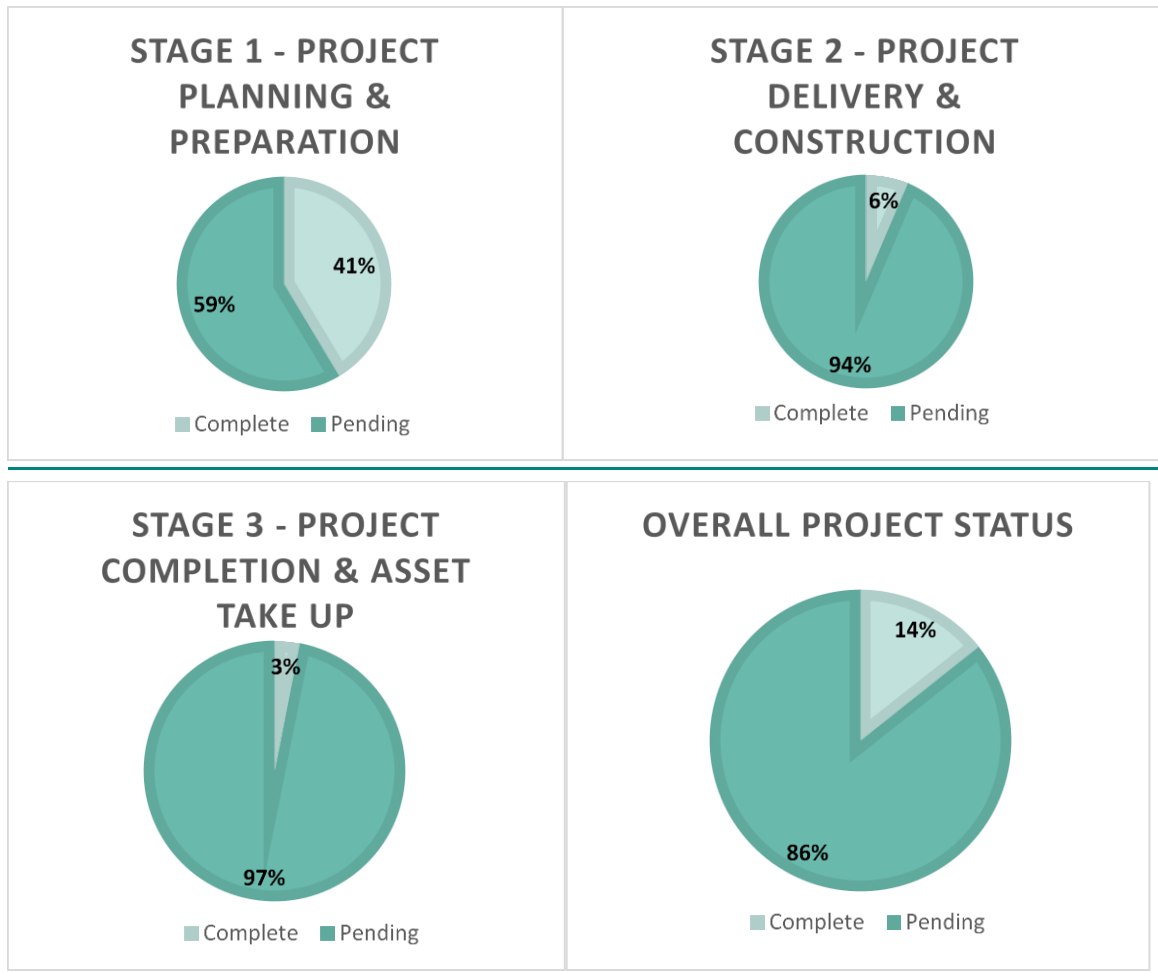


Projects	Status(%)
Community Centre - Sisters Beach Concept Plan	27.50
Council Chambers - concrete paver replacement (Council entry)	25.00
Moorleah Hall - front door replacement	25.00
Multi Use Community Facility (Yacht Club)*	27.50
Sisters Beach - East Blvd Toilets - Stainless Steel lining	2.50
Solar Panel System - Council Chambers	2.50
Toilet seat upgrades - ALL TOILETS	25.00
Waratah Depot - front gutter replacement	25.00

Key project milestones/updates:

- Works have commenced at the Multi-use Community Facility (Yacht Club)

PLANT & EQUIPMENT






Projects	Status(%)
Software & IT Replacements	
Combined Corporate GIS Modernisation	15.00
Corporate System Development - Online Timesheets	30.00
Aerial Photography	25.00
Finance/Assets Software	35.00
Online Booking System	0.00
HR Management System	0.00
IT Replacements	37.50
Plant & Vehicle Replacements	
1002 - Grader - John Deere 772G - D18DX	18.75
1262 - Tip Truck - Hino Dual Cab - B84TI	0.00
1548 - Ride on Lawn Mower - Kubota ZD331 2P - F26CX	0.00
1572 - Mower - Tractor Drawn - Howard Stealth S2 340	5.00
3012 - Mitsubishi Triton Utility 4x4 Dual Cab Diesel - Shane - F57FY	0.00
Hydraulic Grader Blade	18.75
Backhoe Loader No 1 - Waratah - DM9921	18.75
3017 - Ford Ranger Utility 4x2 Flat Tray Diesel - E46PE	0.00

Projects	Status(%)
3048 - Holden Colorado Utility 4x4 Flat Tray Diesel - DEPOT - C32SB	0.00
<u>New Plant</u>	
Handheld GPS/Coordinate Recorder	2.50
Pipe Inspection Camera	100.00
<u>Other</u>	
Flag Poles - Council Chambers	1.25
Somerset CBD Art	25.00
Depot Trade Waste	0.00
Skate Park Art Boards	25.00
Public Art	1.25
Tulip Festival Flag Replacement	0.00
Outdoor Christmas Tree (Wynyard)	0.00
SES Roller Door Wynyard	0.00
SES 10 Piece Power Tool Set x 2	0.00
SES Emergency Lighting	0.00
Child Care Cot Replacements	50.00
Depot Radio	25.00
Recycling Bins	5.00
Signage Upgrade Program (inc \$10k for walking tracks)	20.00

Key project milestones/updates:

- Childcare cot replacements well underway
- Tenders received and are being considered for the Grade and Backhoe replacements.
- Online timesheet project progressing well with a target live date of April 2021.

9.13 SENIOR MANAGEMENT REPORT

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	24 September 2020
File Reference:	1001
Enclosures:	<ol style="list-style-type: none"> 1. Letter - Dog Management Doctors Rocks Conservation Area  2. Transport Commission - Request for Speed Limit Reduction on Calder Road  3. Letter Minister Jaensch - Major Development Infrastruce Approval 

RECOMMENDATION

That the Council note the Senior Management Report.

SUMMARY/PURPOSE

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

GENERAL MANAGERS OFFICE

ACTIVITIES SINCE LAST COUNCIL MEETING

Listed below is a summary of activities undertaken by the General Manager during the period 12 September 2020 to 9 October 2020.

Corporate

- Met with Belinda Pratt, Office of the Coordinator General, to welcome her to her role and provide an overview of economic development activities
- Attended a meeting of the Sustainable Murchison Reference group
- Participated in a training session undertaken by LGAT regarding procurement and the national vendor panel
- As part of a review of the Strategic Plan, participated in a workshop to review the organisational values

Community

- Met with representatives of the Wynyard and Districts Cricket Club to discuss future facility and infrastructure options
- Met with representatives of the Wynyard Bowls Club to discuss a range of items including greenkeeping, leasing and rates

- Met with the newly appointed CEO of NBL Tasmania, Simon Brookhouse, regarding basketball opportunities in the area as a result of Tasmania's entry into the National Basketball League
- Met with representatives of the Wynyard Yacht Club to progress lease discussions for the new building
- Met with the owner/managers of Wynyard Waterfront Accommodation to discuss tourism opportunities
- Attended a meeting of the Boat Harbour Beach Working Group

Industry

- Attended a Board meeting of the Cradle Coast Authority
- With the Mayor, attended an Owners Representative meeting of TasWater

Other

On leave from 23 September and returned to work on 5 October. Acting General Manager, Daniel Summers attended:

- TasWater Owners Representative Meeting

Dog Management Zones Doctors Rocks

A letter was received from Parks and Wildlife Services (attached) advising they will designate dog access zones that conform with Council's traffic light system in the Doctors Rocks Conservation area and they wish to modify the zones as adopted by Council.

This results in a change to Council Policy. As such a report will be prepared for the next meeting with advertising of changes to occur to allow public consultation.

Major Infrastructure Development Approvals (North West Transmission Upgrades Project) Order 2020

Council received notification from Minister Roger Jaensch's office regarding an Order under the *Major Infrastructure Approvals Act 1999* relating to the North West Transmission Upgrades Project (letter attached).

Community Conversations Update

Community Conversation forums and determined that the forums will resume in January 2021.

Whilst a motion has been endorsed for the forums to be bi-monthly, it has been determined that a forum will be held each month from January to June 2021 to provide an opportunity for each community to have a forum following the cancellation of all forums from March due to COVID-19. The bi-monthly forum's will then commence from July 2021.

Christmas Closure Period

As per Council’s Enterprise Agreement and previous years, Council offices will be closed from mid-afternoon Wednesday 23 December 2020, re-opening Monday 4 January 2021.

Specific dates and times for the Waratah Post Office, Warawyn Childcare and the Waste Transfer Station will be advertised in the period leading up to the break.

Request for Speed Limit Reduction on Calder Road

Following a request from Council, the Transport Commission has approved reduction of speed limits on Calder Road (as per attached letter).

Council Officers will coordinate a notification process and advertising campaign, arrange appropriate signage and the new speed limit will take effect at the end of this period.

ADMINISTRATION – USE OF CORPORATE SEAL

18/9/20	Final Plan & Schedule of Easements	SD2092 5-7 & 9-11 Reservoir Drive Wynyard
17/9/20	Final Plan & Schedule of Easements	SD2059-A 209-211 Murchison Highway Somerset
24/9/20	Final Plan & Schedule of Easements	SD2098 23-25 Millpond Court Wynyard

POLICIES TO BE RESCINDED

Nil

WORKING GROUPS

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

	Elected Member Representatives	Responsible Officer(s)	Status
Sisters Beach	Cr Edwards Cr Fairbrother Mayor (ex-officio)	Director Community & Engagement Community Development Officer	The EOI for delivery of public camping in Sisters Beach has commenced and closed on 9 October. At the time of agenda preparation there had been no responses received. The tender for construction of the Rec Park was approved at the September Council meeting. Work on construction has now commenced. EOIs are being called for community members to join a stakeholder group to inform the development of a community centre in Sisters Beach has now closed and preparation is underway for the first meeting.
Wynyard Show Grounds	Cr Bramich Cr Edwards Mayor (ex-officio)	General Manager Recreation Liaison Officer Executive Officer (GM office)	Meetings are on hold whilst individual meetings are held with the Wynyard and Districts Cricket Club, Wynyard Football Club and Wynyard High School
WWC Environmental Plan	Cr Fairbrother Cr Courtney Cr House Mayor (ex-officio)	Project Manager – Infrastructure & Development Services	iCEP has been adopted with a series of actions identified. A timeline is currently being developed for implementation of first year action items. Environmental policy for Council to consider will be developed and consulted with the Working Group.
Somerset Sporting Precinct	Cr Duniam Cr Hyland Mayor (ex-officio)	General Manager Manager Community Activation Recreation Liaison Officer	Yet to commence – focus has been on resolution of operational issues at Langley Park
ANZAC Park		Director Community & Engagement	Detailed design is currently being reviewed with additional work required to address key requirements prior to consultation occurring,
Boat Harbour Masterplan	Cr Courtney Cr Fairbrother Cr Bradley Mayor (ex-officio)	General Manager Executive Officer (GM office)	The working group met on 8 October. Background work is currently being undertaken to gather required reports and information to progress to detailed design for site and to enable a planning application to be prepared. It is estimated that this should occur by February 2021.

PLANNING PERMITS APPROVED UNDER DELEGATION –SEPTEMBER 2020

DA No.	Applicants Name	Location	Development	Date Permit Issued	No of Days to Process	(D)Discretionary (P)Permitted
DA 99/2020	L Stewart	132 Calder Road Wynyard	Outbuilding	3.09.2020	41	D
DA 115/2020	G Edwards	47 Jackson Street Wynyard	Public Shelter (shade canopy)	3.09.2020	30	D
DA 96/2020	A Richardson	12 Strawberry Lane Boat Harbour	Indoor Pool	3.09.2020	36	D
DA 116/2020	C French	Old Bass Highway Wynyard (PID 2592732)	Signage (Mural)	3.09.2020	34	D
SD 2096	GHD Pty Ltd	1659 & 1699 Murchison Highway Yolla	Subdivision (Boundary Reconfiguration 2 into 2 lots)	9.09.2020	42	D
DA 111/2020	J L Walsh & E S Cameron	242 Myalla Road Myalla	Outbuilding (Shed/Carport)	11.09.2020	42	D
DA 80/2020	PLA Designs Pty Ltd	1A Kingsmill Street Wynyard	Outbuilding (Shed)	14.09.2020	39	D
DA 103/2020	R & J Berryman	192 Sisters Beach Road Boat Harbour	Outbuilding (Garage)	14.09.2020	39	D
DA 118/2020	M Watts	6 Haywoods Lane Somerset	Outbuilding (Garage)	21.09.2020	42	D
DA 125/2020	Abel Drafting Services	4A Banksia Avenue Sisters Beach	Dwelling, Outbuilding (Shed), and Water Tank	21.09.2020	38	D
DA 107/2020	PLA Designs Pty Ltd	2A Simpson Street Somerset	Outbuilding (Garage/Salon)	21.09.2020	40	D
DA 124/2020	P & A Loring	43 Boat Harbour Siding Boat Harbour	Dwelling	21.09.2020	39	D
DA 110/2020	T Beswick	126 Oldina Road Wynyard	Outbuilding (Shed)	25.09.2020	42	D
SD2099	Burnie Airport Corporation Pty Ltd	3 Airport Street Wynyard	Subdivision (7 into 5 lots)	29.09.2020	42	D
DA 113/2020	PLA Designs Pty Ltd	124 Inglis Street Wynyard	Outbuilding (Shed)	29.09.2020	42	D
DA 119/2020	Abel Drafting Services	24 Sisters Beach Road Sisters Beach	Outbuilding (Shed)	29.09.2020	41	D
DA 128/2020	G & G Aitken	2 Millpond Court Wynyard	Fence and Outbuilding	29.09.2020	39	D
DA 105/2020	PLA Designs Pty Ltd	36-38 Goldie Street Wynyard	Replacement Awning	29.09.2020	22	P

BUILDING PERMITS APPROVED – SEPTEMBER 2020

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

Permit Number	Applicants Name	Location	Development	Date Permit Issued	No of Days to Process	Related Planning Approval
2020-128-01	Oak Possability	2 Cotton Street Wynyard	Alterations & Change of use – Garage to habitable room conversion	2.09.2020	1	DA 179/2020
PSC-2020-5-01	Abel Drafting Services Pty Ltd	8 Ward Street Wynyard	Carport – As Built	18.09.2020	7	DA 32/2020
2020-131-01	Ian Ray – Abel Drafting Services Pty Ltd	80 Tippetts Road Mount Hicks	New Dwelling	21.09.2020	1	DA 64/2020
2020-127-01	Hotondo Homes NW	5 Sandy Crescent Wynyard	New Dwelling	28.09.2020	6	DA 41/2020

COUNCIL MEETING ACTIONS

	ITEM	TOPIC	ACTION/STATUS	OFFICER	STATUS
17/9/18	10.1	Freedom Camping	<p>Outstanding motion: 3. That Council liaise with the Show Society to lodge a planning application to amend the use of showgrounds to allow self-contained caravans.</p> <p><i>An EOI process for potential operators of a public camping site in Sisters Beach closed on 9 October with no applications having been received at the time agenda was prepared. A report will be presented to the November Council Meeting</i></p>	EMT	To be actioned
10/12/18	9.2	NOM Cr Edwards – PWS Audit of Sisters Beach properties Carried	<p>That Council request Parks and Wildlife complete their proposed assessment audits of beach front properties at Sister Beach by March/April rather than the proposed 30 June deadline.</p> <p>Audit and report still not done by PWS however commitment received now from State Govt to co-fund erosion/landscaping report. Officers currently working with PWS regarding reports and relationship with Council's current erosion investigations. Councils own erosion studies have commenced.</p>	DIDS	Ongoing
10/12/18	10.1	Wilkinson Street Highway Junction works Amended Motion carried	<p>That Council on receipt of assurances from DSG that council legal expenses associated with any representation and associated legal process will be reimbursed Directions Hearing was held 3 September 2020 and the matter will be listed for trial at a later date.</p>	MPE	Ongoing
18/2/19	10.2	York Street Bus Stop	<p>Motion Passed</p> <p>Progress design for alternative bus stop, with temporary relocation to be agreed with Dept. of Education. Follow-up observations to date have not revealed any specific safety concerns and no further action to date.</p> <p>Pending decision for Wilkinson Street.</p>	MPE	Ongoing
17/2/20	9.9	ROC – Management of Public Reserves Policy and Guidelines	Matter deferred pending discussions with relevant surf clubs	DIDS	In Progress

			Feedback has been received from the BHBSLSC and is being considered alongside the requirements of the Highway, Public Reserves, Parking Areas and Stormwater By-Law 2016, prior to bringing the matter back before the Council. Options are being explored to permit community event-based camping as a last resort and when it complies with conditions under council's existing use of facilities process, the by-law, and to ensure it minimises potential conflict with nearby property owners and businesses. Draft documentation will be workshopped with Council soon.		
22/6/20	8.2	NOM – Cr Fairbrother – Crown Land	<p>Motion Carried - That Council consider that where areas of Crown land separate a road and a property boundary, for the purposes of planning, that the area be incorporated and or considered as a Part of the road reserve.</p> <p>The Minister has advised that there is a process to resolve this issue, but more detail is required. Council has written to the Department of Primary Industries, Parks, Water and Environment to seek advice on the process to have the land designated as road reserve. Work ongoing.</p>	MDRS	In Progress
20/7/20	8.2	NOM – D Fairbrother – Sisters Beach Access	<p>Motion Carried: That Council undertake an investigation into identifying a preferred secondary access to Sisters Beach</p> <p>Scoping document to be drafted.</p>	DIDS	Yet to commence
20/7/20	9.5	ROC – Calder Road Speed Limits	<p>Motion Carried:</p> <p>That Council seek approval from the Commissioner of Transport to reduce the speed limit on Calder Road from:</p> <ul style="list-style-type: none"> (a) 100km/h to 60km/h, from the Bass Hwy intersection with Calder Road to the existing rail corridor (b) 100km/h to 80km/h from the existing rail corridor to the intersection of Calder Road and Pages Road <p>Approval has been received – refer attachment to this agenda</p>	DIDS	In Progress
17/8/20	7.3.3	CQWON - Cr Duniam – All Ability Playground	<p>Cr Duniam asked for an update on the all ability playground proposed for ANZAC Park.</p> <p>The Director Community and Engagement noted that detailed designs are progressing and will be presented to Councillors at a workshop.</p>	DCE	In progress

			<i>Currently working through scope to ensure all requirements are met. The Fairy Godmothers application for funds from the Tas Community fund has not progressed to the next round.</i>		
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9.14 MINUTES OF OTHER BODIES/COMMITTEES

Nil received.

10.0 MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015; Regulation 15

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

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

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

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

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

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

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

RECOMMENDATION

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

Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	<i>15 (2)</i>
<i>Confidential Report R15 (2) (f) proposals for the council to acquire land or an interest in the land or for the disposal of land</i>	<i>15 (2) (f)</i>
<i>Confidential Report R15 (2) (g) information of a personal nature or information provided to the council on the condition it is kept confidential</i>	<i>15 (2) (g)</i>
<i>Confidential Report R15 (2) (d) contracts, and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal</i>	<i>15 (2) (d)</i>
<i>Confidential Report R15 (2) - Closed Senior Management Report</i>	<i>15(2)</i>

11.0 CLOSURE OF MEETING TO THE PUBLIC

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015; Regulation 15

RECOMMENDATION

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

<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) (f) proposals for the council to acquire land or an interest in the land or for the disposal of land</i>	15 (2) (f)
<i>Confidential Report R15 (2) (g) information of a personal nature or information provided to the council on the condition it is kept confidential</i>	15 (2) (g)
<i>Confidential Report R15 (2) (d) contracts, and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal</i>	15 (2) (d)
<i>Confidential Report R15 (2) - Closed Senior Management Report</i>	15(2)

12.0 RESUMPTION OF OPEN MEETING
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At pm the Open Meeting was resumed.

13.0 PUBLIC RELEASE ANNOUNCEMENT

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

Min. No.	Subject	Decisions/Documents

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