



**ORDINARY MEETING
OF COUNCIL**

**MINUTES
OPEN MEETING**

14 December 2020

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

MINUTES OF AN ORDINARY MEETING OF THE WARATAH-WYNYARD COUNCIL HELD AT THE COUNCIL CHAMBERS, 21 SAUNDERS STREET, WYNYARD ON MONDAY 14 DECEMBER 2020, COMMENCING AT 6.06PM

	From	To	Time Occupied
Open Council	6.06PM	6.30PM	24MINS
Planning Authority	6.30PM	6.55PM	25MINS
Open Council	6.55PM	7.25PM	30MINS
Closed Council	7.25PM	8.06PM	41MINS
Open Council	8.06PM	8.06PM	0MINS
TOTAL TIME OCCUPIED			120MINS

AUDIO RECORDING OF COUNCIL MEETINGS POLICY

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

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

1.1 ATTENDANCE

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

IN ATTENDANCE

Shane Crawford - General Manager
Samantha Searle - Director Organisational Performance
Rachael Hogge – Acting Director Community and Engagement
Ashley Thornton - Manager Development and Regulatory Services
Sally Blanc - Executive Officer

1.2 APOLOGIES

Nil received.

1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil received.

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

2.1 CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY COUNCIL MEETING

MOVED BY	CR DUNIAM
SECONDED BY	CR HYLAND

That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at Council Chambers, 21 Saunders Street, Wynyard on Monday 16 November 2020, a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

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

2.2 CONFIRMATION OF MINUTES OF ANNUAL GENERAL MEETING

MOVED BY	CR DUNIAM
SECONDED BY	CR BRAMICH

That the Minutes of the Annual General Meeting of the Waratah-Wynyard Council held at Council Chambers, 21 Saunders Street, Wynyard on Tuesday 3 November 2020, a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

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

3.0 DECLARATIONS OF INTEREST

Councillor and Agenda Item Number

Nil

Staff and Agenda Item Number

Nil

4.0 COUNCILLORS ANNOUNCEMENTS AND REPORT

4.1 ANNOUNCEMENTS BY MAYOR

Nil received.

4.2 MAYOR'S COMMUNICATIONS

10/11/20	Audit Panel Meeting
10/11/20	Meeting with General Manager
10/11/20	Northern Forage Drive Journey Briefing
11/11/20	Remembrance Day
12/11/20	CCA Representatives Meeting and AGM
13/11/20	Business Northwest – Premier Gutwein Presentation
14/11/20	DEPUTY MAYOR – Rotaract Charter Event
16/11/20	Council Meeting
16/11/20	Christmas Giving Tree Launch
17/11/20	Meeting with General Manager
17/11/20	BMX Track Publicity
19/11/20	Meeting with Constituent
20/11/20	DEPUTY MAYOR – Neighbourhood Watch 25 th Anniversary
21/11/20	DEPUTY MAYOR – Survivors of Suicide Day event
23/11/20	Councillor Workshop
24/11/20	Meeting with General Manager
24/11/20	NWCM Meeting
27/11/20	DEPUTY MAYOR – Health Tas Grant Program “Localmotion – Healthy Communities” Launch
27/11/20	Meeting with Anita Dow
30/11/20	Councillor Workshop
1/12/20	Bush Watch Meeting
1/12/20	Meeting with General Manager
2/12/20	Mayors Meeting
3/12/20	LGAT Conference and General Meeting
5/12/20	Wynyard Camera Club Function
7/12/20	Meeting with Wynyard Landcare President
7/12/20	Councillor Workshop

MOVED BY	CR BRAMICH
SECONDED BY	CR FAIRBROTHER

That Council note the Mayors Communications

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

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

4.3 REPORTS BY DELEGATES

Nil received.

4.4 NOTIFICATION OF COUNCIL WORKSHOPS

Councillor Attendance Records

Meetings attended during 2020/21 (to 9 November 2020)

	Ordinary Meetings 2020/21 (5)	Special Meetings / AGM 2020/21 (2)	Workshops 2020/21 (16)	Weeks Leave Approved
Mayor Robert Walsh	5	2	12	
Deputy Mayor Mary Duniam	5	2	16	
Cr Maureen Bradley	5	2	16	
Cr Gary Bramich	5	2	16	
Cr Andrea Courtney	4	1	15	
Cr Celisa Edwards	5	1	16	
Cr Darren Fairbrother	5	2	16	
Cr Kevin Hyland	3	2	9	5

MOVED BY	CR DUNIAM
SECONDED BY	CR HYLAND

That the Council note the following Councillor Workshops

23/11/20	Cradle Coast Authority Quarterly Update Draft Settlement Strategy Review LGAT Meeting Agenda Items
30/11/20	UTAS Presentation of Future Plans Waratah Falls Walk "Spring Loaded" Report Christmas Lights Competition
7/12/20	Management of Public Reserves Survive and Thrive Grants Sale of Properties Flood Mitigation Projects Sisters Beach Second Access Road Mountain Bike Trails
8/12/20	General Managers Performance Review

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

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

5.0 PUBLIC QUESTIONS AND STATEMENTS**5.1 RESPONSE(S) TO PUBLIC QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING****5.1.1 MR N HIGGINS - D/A 29/2020****QUESTION**

Mr Higgins of Wynyard asked council to advise the difference between the original development application (DA 45/2019A) that was assessed as a “discretionary” application and development application (DA 29/2020) that was assessed as an “acceptable solution” application

OFFICERS RESPONSE

The Manager Development and Regulatory Services has offered to meet with Mr Higgins to discuss the key differences. Mr Higgins has accepted this offer, but the meeting has not occurred at the time of writing this response.

The key points of difference between the two applications were:

- Increased setback from the north-western side boundary for unit site 11 to meet requirements of clause 10.4.6 Privacy for all dwellings (P1 and P2);
- Removal of unit site 29, and then re-orientation of unit 28 to ensure development occurs more than 30m from the mean high water mark. The setbacks for units 24 to 27 were also increased to address the requirements of the Water and Waterways Code;
- Access relocated to match alignment of the existing driveway access; and
- Design submitted under DA 29/2020 also ensured all units complied with the setback requirements under clause 10.4.2 (P3).

5.1.2 MR N HIGGINS - D/A 29/2020**QUESTION**

Mr Higgins of Wynyard asked if Council would provide any information regarding the traffic management plan submitted as part of D/A 29/2020 and any action to be undertaken by Council to facilitate the new development’s increased traffic through the junction.

OFFICERS RESPONSE

The traffic impact assessment recommended that no upgrades to the local traffic network were triggered by the proposal. The report undertook a comparison of vehicle movements between the proposal for 28 multiple dwellings and the existing caravan park use when operating at full capacity, and the vehicle numbers were found to be similar. No upgrade to the existing junction with the Old Bass Highway was deemed to be warranted.

5.2 PUBLIC QUESTIONS RECEIVED IN WRITING

5.2.1 MR C HUTCHISON - NORTHERN PRISON

QUESTION

Now that the state government has begun work on the Northern Prison in a similar vicinity as the original preferred site on Birralee Rd., Westbury, and given the time elapsed, will Council please advise where in the Waratah-Wynyard municipality was the proposed site for the Northern Prison, which sent to the state government during the Expressions of Interest process in 2019?

OFFICERS RESPONSE

The Northern Prison Expression of Interest (EOI) process is a confidential process run by the State Government. The Government has announced a preferred location and information concerning other submissions will not be released as not to cause any undue angst within communities across the State. Council has no intent to disclose any deliberations it had regarding the Northern Prison EOI.

5.2.2 MR C HUTCHISON - OUTSTANDING COUNCIL RATES

QUESTION

In relation to the 30 properties with outstanding Council rates of in excess of 10 years (https://issuu.com/inglismedia/docs/unpaid_rates_costs_the_community)

- a) what are the names of the title holders of these properties?
- b) what are some of the factors in or reasons for these unpaid rates?
- c) what is Council's reasoning for not succeeding in demanding these rates?
- d) what is Council's reasoning for choosing not to sell these properties?
- e) where in the municipality are these properties?
- f) what are the highest, lowest, median, and mean sizes of these properties?
- g) what is the total amount of rates demanded by Council on these 30 properties?

OFFICERS RESPONSE

As advised in an email provided to Mr Hutchison on 30 October 2020, properties that are eligible for sale for the recovery of rates and charges are currently being progressed to a sale stage. Those properties that are eligible for sale for the recovery of rates, many are in remote areas with unlocatable owners.

It is not appropriate for Council to disclose more information at this time. Council will formerly consider action for these properties in its closed meeting.

In accordance with the Local Government (Meeting Procedures) Regulations 2015; Regulation 15 A Council considers all matters that contain information of a personal nature; contains details of the personal hardship of any person; and/or information relating to a possible legal proceeding in the closed session of the Council meetings.

5.3 PUBLIC QUESTIONS WITHOUT NOTICE

5.3.1 C HUTCHISON - OLDINA RESERVE RESTITUTION COSTS

Mr Hutchison of Preolenna asked when Council last calculated the restitution costs for the Oldina Reserve picnic area and sounds and what were these costs.

The General Manager advised the last time costs were considered was five or six years ago. He advised that figures were currently being reviewed and that updated figures are expected early next year.

5.3.2 MR C HUTCHISON - SUSTAINABLE TIMBERS TASMANIA MEMORANDUM OF UNDERSTANDING (MOU)

Mr Hutchison of Preolenna asked if Council could please advise whether the General Community will have any input into the future of the Oldina Reserve or if only a select group of Stakeholders will oversee this process – is this part of the MOU between Council and Sustainable Timbers and what have they got on the table for the community.

The General Manager advised that the content of a MOU is currently being considered and the process to develop the MOU will commence in the new year.

5.3.3 J MCERLAIN - BURNIE CITY COUNCIL PLANNING MOTION

Mr McErlain of Wynyard asked that given the recent public meetings and associated discussion at Council regarding planning, would it be appropriate for Council to adopt a similar motion to the recent Burnie City Council Meeting:

..There will be a push in March 2021 for the Burnie City Council to ask for Local Government to investigate deleting the mandatory requirement for Council's to consider development applications, and set up an independent body to do the work".

The General Manager advised that Council has not yet discussed the Burnie City Council motion but will do so prior to the Local Government Association of Tasmania meeting to determine their position.

5.4 PUBLIC STATEMENTS RECEIVED IN WRITING

5.4.1 MR N HIGGINS - TASMANIAN PLANNING SCHEME PUBLIC CONSULTATION

SUMMARY/PURPOSE

Mr Higgins of Wynyard provided the following statement:

As you will be aware, a public meeting was held on the 20th Nov to discuss planning matters both state-wide and locally within the Waratah Wynyard municipality.

A few things came out of that meeting and one concerns the Council directly. I would like to put to the next Council meeting the following statement:

"A public meeting was held on the 20th Nov, at the Wynyard RSL to discuss Planning Matters of state-wide and local importance. 76 people attended, with a few watching a stream online. A number of statements and motions came out of this meeting and one in particular concerns the Waratah Wynyard Council:

The meeting calls on the Waratah Wynyard Council to hold public information sessions for the wider community explaining the implications of the proposed introduction of the new Tasmanian Planning Scheme for the Waratah Wynyard Council municipal area.

The sessions should make particular reference to the Local Provisions Schedule and explain the changes that will occur in planning in the municipality due to the introduction and adoption of the new Scheme."

OFFICER COMMENT

Any amendments/changes to Council's Planning Scheme are required, by legislation, to be put out for public consultation. Details on Council's consultation period will be available in the New Year.

5.5 PUBLIC STATEMENTS WITHOUT NOTICE

5.5.1 C HUTCHISON – 2020 IN REVIEW

Mr Hutchison of Preolenna made a statement regarding various matters including council's use of social media. He stated that he believes, that despite improvements in communications there are too many secrets discussions and decisions being made by Council without community input or knowledge.

5.5.2 J MCERLAIN – SURVIVE AND THRIVE GRANTS

Mr McErlain of Wynyard stated that as a business owner in Wynyard he wished to commend Council on this initiative and thank them for a grant to help with the establishment of a new experience for visitors to our region. He noted that the COVID pandemic has made 2020 a challenging year and any assistance to our community is much appreciated as we recover in the months and years ahead.

5.5.3 J MCERLAIN – BUSINESS NORTH WEST

Mr McErlain of Wynyard stated that as a representative of Business North West that they would like to engage more with Council and the wider community to work out how to prompt and support the municipality and wider region to position it for economic growth and rebound.

The have had recent success securing funding including (\$19,000) for the Emu Valley Rhododendron Gardens platypus cams and the launch of the Burnie 2.0 initiative.

Business North West would like to make a presentation to Councillors of all the projects we are working on and how we can assist the region at a workshop in the new year.

5.5.4 A CANNELL – WYNYARD FORESHORE MARKETS

Mrs Cannell of Wynyard read out the following statement:

Good evening,

I would firstly like to thank our Mayor and councillors for their time.

My name is Angela Cannell and I am the Coordinator of the Wynyard Foreshore Market. For those that don't know me I have been involved in markets for the last 15 years as both stallholder and coordinator. For the last 2 ½ years here at Wynyard and recently took on the running of the Burnie Farmers Market. My passion is events and in particular markets. After running SteamFest for 5yrs I decided I should get qualified and started studying at Utas in event management. This was when I thought I'll take on the Wynyard Market as an easy option to keep my hands in the industry and not lose touch. Possibly I underestimated the workload a little, but I love it still and would have it no other way. The market is my family and I would protect them all with all I have.

I would like to thank the Mayor, councilors, the council staff and in particular Chantelle and Tracy who I work closely with to ensure that the market runs smoothly. They have been essential during our recent trials as the Covid19 restrictions became essential. It is my very great pleasure to thank the council for its extraordinary work in protecting us all. Overwhelmingly the feedback I receive is positive and most people genuinely support the council.

I am here today to firstly introduce myself, thank you for your service and ensure that you are informed of the issues surrounding the current inappropriate posts circulating on Facebook regarding the new council rules on charities.

The new charity rules were designed to make things fairer for all stallholders and were a collaboration between myself, Council and stallholders. At times during the year there is a shortage of stall sites particularly in prime positions. With a large percentage of stallholders' being low income earners, they are under great financial pressure. Being turned away as a result of Covid19 restriction was often devastating for those families. With just 36 stalls when we re-opened with the fencing, I tried to wiggle people around to fit everyone, but some were turned away. As we faced our peak season this issue became more and more prevalent. Stalls were downsized so more could fit in, even after our reshuffling we still only had room for 48 stalls, and we were booked out each fortnight.

The new policy allows one charity spot per market. To date three charities have been required to pay the fee and have had no issue. The market has been ⅔ of the way booked by Tuesday the

week before the market just one day after I open bookings each week. The market just passed on the 13th of December we had 58 bookings and if it were not for the wind conditions there would have been no spaces in the main market. The new area has allowed for more spaces however they are smaller and there are less of them due to the need to leave room for pedestrian access.

Elaine Parry has only contacted me once before to book a charity spot for the market, on that occasion she was the second charity to book. She was informed that because she was second, she would need to pay for the spot, when asked if she still wanted it she did not respond. The space was left open for her, but she did not attend. Since that date she has not attempted to book at all or tried to attend. Should she have tried to book any markets after this she would likely have been first as the charity bookings have often not been booked until later in the week. People have also volunteered to pay her stall fees and she has declined.

There are some inaccuracies in Elaine Parry's Facebook post:

- *The space photographed is one of the official entrances and not available for stallholder use.*
- *The post did not outline that there was a charity space available at every market.*
- *The post states that she needs to pay for the site however she could have just booked earlier and received it for free.*
- *Later in her replies to the post she stated that it is up to the coordinator of the market which charity receives the spot. This is not true; it is done on a first in best dressed basis.*
- *She claims there were no responses, but council has kept up constant dialogue with her.*
- *On the market day that she took the photo she had not tried to book.*

In Australia it is against the law for charities to coerce people or organizations to give to their charity. By posting on Facebook about this she is essentially forcing council into a position where they might feel they have no choice but to waive the fees for her. Costs incurred while raising monies are either tax deductible or deductible from the money raised.

Stallholders have been understanding of the changes and are aware of the charity changes. The other charities themselves although not thrilled by the changes understand why the changes were needed.

6.0 PLANNING AUTHORITY ITEMS

PLANNING AUTHORITY OPENED AT 6.30PM

6.1 PUBLIC QUESTIONS WITHOUT NOTICE – RELATING TO PLANNING MATTERS

6.1.1 J WALKER - SPEED LIMIT SAMPSONS LANE

Mr Walker of Boat Harbour asked if Council would reduce the limit and install signage on Sampsons Road for the proposed development.

The General Manager advised that Council would be required to make a request to Department of State Growth for speed limits to be changed and it would need to be treated as a separate matter to the development applications.

6.2 PUBLIC STATEMENTS - RELATING TO PLANNING MATTERS

6.2.1 T DONNELLEY - D/A 71/2020

Mrs Donnolly of Boat Harbour made a statement regarding her application for short term accommodation development. She detailed the type of accommodation it would be, focused on being environmentally sustainable and she also noted that the small parcel of land was too small to allow any viable farming activity.

6.3 VISITOR ACCOMMODATION (4 CABINS), LOCATED AT 17328 BASS HIGHWAY, BOAT HARBOUR - DA71/2020

To: Council
Reporting Officer: Town Planner
Responsible Officer: Manager Development and Regulatory Services
Report Date: 25 November 2020
File Reference: 2194515

Supporting Documents: 1. Full Documentation Set 
2. Representation x 1 
3. Extension of Time 

PURPOSE

The purpose of this report is for Council to consider the merits of the application DA71/2020 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013* (Planning Scheme).

BACKGROUND

The subject site consists of an internal lot identified as 17328 Bass Highway, Boat Harbour (CT 250808/1) and has a total area of 4.65ha. Currently the site is improved with an existing dwelling and associated residential outbuilding. The site is accessed from Sampsons Lane via a registered right of way over the neighbouring lot to the south. The driveway is constructed as a single lane driveway through the existing right of way.

The subject lot has a site area of 4.65ha with the majority of the site cleared. Although the lot is 4.65ha, approximately two thirds of the site is mapped as medium landslip hazard. The site is a sloping site, not dissimilar to an amphitheatre in shape, facing north.

The site is zoned Rural Resource along with land to south, east and west, with land to the immediate north zoned Environmental Management and in Crown Land ownership as the coastal reserve. Two (2) locality plans identifying the property are provided in Figure 1 and Figure 2 below. Figure 1 also provides an indication of the access arrangement from Sampsons Lane.



Figure 1. Locality Plan Source: MapInfo.

Figure2. Source: TheList mapping

DETAILS

The applicant is seeking approval for four (4) visitor accommodation cabins on land described as 17328 Bass Highway, Boat Harbour (CT250808/1). The proposed four short-medium term stay visitor accommodation cabins will introduce four new sensitives uses to the site.

The proposed new visitor accommodation cabins are to be located within the south-western corner of the site. Each cabin will be a two- bedroom cabin, each with an ensuite. The total gross floor area of each cabin will be 128m², with an additional 39.7m² of decking at the north. Each cabin will appear to be sunk into the landscape with the site cut approximately 3.62m at maximum depths and the removed soil then to be used as fill to cover portions of the cabins on the roof. Wastewater and stormwater disposal for the visitor accommodation units is to be located to the south of the proposed cabins on the relatively flat portion of the site.

The proposal also details six (6) new carparking spaces and a rigid truck loading bay for servicing along the southern boundary of the existing driveway.

This 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 property is zoned Rural Resource under the Planning Scheme. The proposal is defined as a Visitor Accommodation Use Class, a Discretionary Use under the Planning Scheme. The applicant is applying for discretion under the following clauses: -

- Requirement for discretionary non-residential use to location rural resource land 26.3.1 (P1);
- Suitability of a site or lot on a plan of subdivision for use or development 26.4.1 (P2,P3);
- Location and configuration of development 26.4.2 (P1, P3); and
- Location of Development for Sensitive Uses 26.4.3 (P1).

CONSULTATION PROCESS

The consultation process was the public exhibition period set out in the *Land Use Planning and Approvals Act 1993* (LUPAA) and involved notification of adjoining landowners, 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 9 November 2020. One (1) representation has been 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.

Representation Summary:

Representation: Mr Walker	Planning Response:
Concerns regarding the traffic the proposal will introduce given the road is a narrow single lane gravel road.	<p>The planning application provided a Traffic Impact Assessment accompanying the application. This assessment took into consideration the further number of cars that could be anticipated by the proposed units, the narrow width of the driveway, the sight line distances along the relatively straight road, the standard of the road and subsequent driveway from the edge of Sampson's Lane.</p> <p>The report summarises that adequate arrangements are currently available to provide access for the proposed four new cabins.</p>
Speed limits in Tasmania on gravel roads including Sampson's Lane is 80km which is too high for this situation and I request that a limit of 30km be placed on the road if the application were to be approved. This is due to amount of farm machinery and shared use by myself with the addition of people using the cabins.	<p>Council is unable to change speed limits as Council does not have a head of power to do so. However, requests to alter speed limits can be applied for through the Department of State Growth and would need to subsequently be supported by elected members when referred to them.</p> <p>Department of State Growth's recommendation for gravel roads in Tasmania is generally 80km, unless otherwise signposted, or drive to the conditions as gravel roads can be unpredictable and conditions change quickly.</p> <p>Please do not hesitate in contacting Department of State Growth directly with this request.</p>

INTERNAL REFERRALS

Engineering Services Department

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

- (1) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
- (2) Loading and unloading of vehicles is to be confined to within the boundaries of the property.
- (3) Off-street car parking and hardstand areas are to be surfaced in an all-weather material. All stormwater runoff from the car parking and hardstand areas is to be collected on-site and directed to a stormwater system designed to cater for a 1 in 20-year ARI storm and disposed in accordance with Geotechnical Investigation and Landslide Risk Assessment by Geoton Pty Ltd Geotechnical Consultants dated 10 February 2020, and the reasonable requirements of the Director Infrastructure and Development Services.
- (4) Off-street parking spaces and associated driveways and turning areas are to be designed in accordance with AS 2980.1 and be approved by the Director of Infrastructure and Development Services.
- (5) Vehicular access to and egress from the site is to occur only in a forward motion.
- (6) Stormwater disposal is to be in accordance with Geotechnical Investigation and Landslide Risk report by Geoton Pty Ltd Geotechnical Consultants and dated 10 February 2020.
- (7) 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.

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 conditions and notes were recommended:

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

Notes:

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

The future Plumbing Application will require a full on-site wastewater report by a suitably qualified person designed to the satisfaction of Council's Environmental Health Officer. This report must satisfy the requirements of AS 1547:2012 and the *Building Act 2016* Directors Guidelines for Onsite Wastewater Management Systems.

The *Food Act 2003* applies to the provision of food. Please contact Council's Environmental Health Officer for the relevant requirements if at any time food is intended to be provided as part of the accommodation package.

Prior to commencing use, the premises must be registered with Council as a Private Water Supplier under the *Public Health Act 1997*. Further information on this requirement can be discussed with Council's Environmental Health Officer.

EXTERNAL REFERRALS

The application was referred to Department of State Growth on 23 October 2020. A response was received on the 3 November 2020 confirming that although the property has a Bass Highway address, the property does not have frontage or direct access to the Bass Highway. The access is instead via a right of way to Sampson's Lane, a local public road which is a proclaimed place of access to the limited access Bass Highway. Therefore, the property in question is not subject to an access license under the *Roads and Jetties Act 1935* and the Department has no objections to this proposed development.

The application was referred to the Burnie Airport Corporation on 23 October 2020 who confirmed that the property was not located within the OLS levels or the ANEF noise exposure forecast contour and therefore no comments or conditions are required from the airport, although noted that it is located within the approach pathway of the Burnie Airport.

PLANNING ASSESSMENT

The subject site is zoned Rural Resource under the *Waratah-Wynyard Interim Planning Scheme 2013*. The use is a Visitor Accommodation Use 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 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.

26.1.2 Local Area objectives

- (a) The priority purpose for rural land is primary industry dependent upon access to a naturally occurring resource;
- (b) Air, land and water resources are of importance for current and potential primary industry and other permitted use;
- (c) 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;
- (d) Primary industry is diverse, dynamic, and innovative; and may occur on a range of lot sizes and at different levels of intensity;
- (e) All agricultural land is a valuable resource to be protected for sustainable agricultural production;
- (f) 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;
- (g) Rural land may be used and developed for tourism and recreation use dependent upon a rural location or undertaken in association with primary industry
- (h) 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 –
- (a) 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
 - (b) 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
 - (c) 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;
 - (d) 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;
 - (e) 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 location 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; (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; (iv) 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 <p>(d) minimise likelihood for –</p> <ul style="list-style-type: none"> (i) permanent loss of land for existing and potential primary industry use;
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	<ul style="list-style-type: none"> (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 Part 9 <i>Water Management Act 1999</i> or land that may benefit from the application of broad-scale irrigation development
<p>Planning Comments: Does not comply</p> <p>The proposed is for four new visitor accommodation cabins, which do not comply with the acceptable solution and therefore must address the performance criteria.</p> <p>It is considered the proposal for the new cabins is not consistent with the local area objectives. Clause 26.1.2 (a) and (b) in particular relate to the importance of preserving natural resources for primary industry uses. The land is identified as class 1 and class 5 soil as indicated on TheList mapping. Therefore, it is considered that there is a natural resource that should be preserved, as primary industry is the priority purpose of the area. No land capability assessment was provided as part of the application and the application further states that the area has been previously used by adjoining landowners for grazing of stock. Aerial imagery of the site suggests that the south-western corner of the property has been used for cropping. This corner of the site has been used for the priority purpose of primary industry, and the proposal will remove the primary industry use. The application is not consistent with the local area objectives P1 (a).</p> <p>Clauses 26.1.2 (c) relates to the loss of resource and also impacts of the proposed use on the adjoining uses dependent on access to the resource. The proposal has not demonstrated a need or reason to be located on agricultural land, a part from access to a view. Four visitor accommodation cabins are likely to constrain adjoining agricultural uses. Locating a sensitive use adjacent to rural activities creates the risk of complaints and as a risk of these complaints the agricultural land can become further constrained, as a buffer to the sensitive use is required. The cabins are setback 13m from the southern boundary and 15m from the western boundary, so a sufficient buffer cannot be provided within the development site. The proposal is not consistent with the desired future character statements P1 (b).</p> <p>The proposed visitor accommodation cabins are not considered to be required to locate on rural resource land for operational efficiency to access a naturally occurring resource on the site or on adjacent land in the zone. A view is not a resource. It may be desirable for the accommodation to be located where a view is available, however it is not necessarily required for operation. Further infrastructure is required to service the cabins rather than it all being available on-site, thus creating a greater footprint and increasing permanent loss of prime agricultural land.</p> <p>The proposed visitor accommodation is not required to locate on this land to access a product of primary industry or other product of primary industry accessed on the site or adjacent land and is not considered to service or support a primary industry or other permitted use on the site or adjacent land in the zone.</p> <p>This particular location of the site is the only portion of the site that has been used consistently as an extension to the neighbouring farming property paddocks for the purposes of cropping and agricultural grazing. This particular corner of the site is identified as having a land capability of soil class 1. Land capability is an internationally accepted method of ranking the ability of land able to support a range of agricultural activities and consists of seven classes. Class 1 being the best and class 7 the poorest. The proposal is not required for security or for public health, or for a safety measure. The proposal does not meet the performance criteria P1 (c) (i), (ii) (iii), (iv) and (v).</p> <p>The cabins may provide the opportunity for diversification of the site, however the cabins are not considered to be value adding to secure the existing primary industry use on the site or adjacent land or to secure the potential primary industry use of the land. The proposal is not considered to provide an essential utility, community service, or infrastructure for the municipal or regional community or that of significance for Tasmania. Furthermore, a cost benefit analysis in economic, environmental and social terms has not been provided to indicate a significant benefit to the region and the scale of the accommodation proposal is unlikely to be able to demonstrate this at a regional level. The proposal does not meet P1 (c) vi), (vii) or (viii).</p> <p>The proposed four new visitor accommodation cabins must also meet (d) (i), (ii) and (iii). They must minimise the likelihood for permanent loss of land for existing and potential primary industry use on the site and on</p>	

adjacent land. The proposed cabins will be located partially under soil, however the provided geotechnical report also advises these structures will remain lightweight in nature and will therefore be limited with the amount of soil located on the roof. This portion of the site is currently able to be used for cropping and grazing in association with the neighbouring lot as viewed on Council's 2019 mapping and TheList mapping in Figure 1 and 2 in this report. The application states the roof will be used for planting or growing but it is unclear in what capacity. Introducing a new sensitive use in this location will create a further loss of the land for primary industry uses such as cropping and agricultural uses with the introduction of spray drift complaints and further noise. The application has not demonstrated how it minimises the interference to the existing and potential primary industry use on the site and adjacent land.

The land is not located within a proclaimed irrigation district and would not benefit from irrigation due to neighbouring properties access to water for irrigation and irrigation over the northern mapped hazard landslip bands raises further topographical concern.

The proposal does not comply with the performance criteria.

26.4.1 Suitability of a site or lot on a plan of subdivision for use or development

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

The subject lot at 17328 Bass Highway, Boat Harbour has access via a benefiting right of way over a title of land identified as Lot 6 on plan 19223 located to the south onto Sampson's Lane. The two lots share the same access point from Sampson's Lane and therefore the proposal must address the performance criteria.

<p>The access to the site is across a road frontage and is existing with a current right of way registered on the subsequent benefiting and burdening titles.</p> <p>The applicant has provided a supporting Traffic Impact Assessment in relation to the existing access arrangement, as the proposed development will see an intensification in traffic movements due to the proposal.</p> <p>The prepared Traffic Impact Assessment summarised that peak traffic generation of the development is 2 vehicles per hour indicating that the risk of two vehicles passing within the laneway is very low, and the minimum width of the driveway is 3m. Given the narrow width of the driveway access this will result in very low operating speeds with good visibility along the access also reducing the risk of collision. The geometry of the laneway is straight, and vehicles can see the full length of the access and therefore can observe any vehicles within the laneway prior to entry in both directions.</p> <p>Localised widening is provided at the northern end of the access enabling a car to wait if necessary whilst a car is travelling along the access from the south.</p> <p>The proposal is considered to comply with the performance criteria and have a suitable road access across the right of way arrangement to cater for the proposed accommodation cabins.</p>	
<p>A3</p> <p>Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of connecting to a water supply –</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system R31 with a storage capacity of not less than 10,000 litres if–</p> <p>(i) there is not a reticulated water supply; and</p> <p>(ii) development is for –</p> <p>a. a single dwelling; or</p> <p>b. a use with an equivalent population of not more than 10 people per day</p>	<p>P3</p> <p>(a) There must be a water supply available for the site or for each lot on a plan of subdivision with an adequate level of reliability, quality, and quantity to service the anticipated use of the site or the intended use of each lot on a plan of subdivision; or</p> <p>(b) It must be unnecessary to require a water supply</p>
<p>Planning Comments: Complies</p> <p>The subject site currently has connection to on-site water storage of 10,000L however the current application in addition to the existing dwelling will potentially provide for a population of more than 10 people per day. Therefore, the proposal must address the performance criteria.</p> <p>The existing dwelling currently has a water supply provided and is considered adequate for the purposes of the dwelling. The proposed four new cabins are each capable of connecting to a water supply with a storage capacity greater than 10,000L and considered to be adequate in reliability, quality and quantity to service the proposed cabins.</p> <p>The proposal complies with the performance criteria.</p>	

26.4.2 Location and configuration of development

<p>A1</p> <p>A building or a utility structure, other than a crop protection structure for an agricultural use, must be setback –</p> <p>(a) not less than 20.0m from the frontage; or</p> <p>(b) if the development is for sensitive use on land that adjoins a road specified in the Table to this Clause, not less than the setback specified from that road;</p>	<p>P1</p> <p>The setback of a building or utility structure must be –</p> <p>(a) consistent with the streetscape; and</p> <p>(b) required by a constraint imposed by –</p> <p>(i) size and shape of the site;</p> <p>(ii) orientation and topography of land;</p>
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<p>(c) not less than 10.0m from each side boundary; and</p> <p>(d) not less than 10.0m from the rear boundary;</p> <p>or</p> <p>(e) in accordance with any applicable building area shown on a sealed plan</p>	<p>(iii) arrangements for a water supply and for the drainage and disposal of sewage and stormwater;</p> <p>(iv) arrangements for vehicular or pedestrian access;</p> <p>(v) a utility; or</p> <p>(vi) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme;</p> <p>(vii) any lawful and binding requirement –</p> <p>a. by the State or a council or by an entity owned or regulated by the State or a council to acquire or occupy part of the site; or</p> <p>b. an interest protected at law by an easement or other regulation</p>
<p>Planning Comments: Complies</p> <p>The proposed visitor accommodation cabins are located in the south-western corner of the title at 17328 Bass Highway, Boat Harbour. Only cabin 4 is considered to be located within the frontage boundary setback. Cabins 1, 2 and 3 comply with the frontage, side and rear boundaries. The proposal therefore must address the performance criteria.</p> <p>The proposed setback to the nearest boundary is 13.9m from cabin 4 to the southern frontage boundary. This setback is considered consistent with existing outbuildings on-site and the setbacks of an established dwelling on the neighbouring property identified as 17326 Bass Highway, Boat Harbour. The setbacks have been required due to the constraints imposed by the site with the shape and topography of the land in addition to allowing sufficient room for servicing the lot with water supply, sewage and stormwater arrangements.</p> <p>Parking is to be provided to the eastern side of the existing driveway access to the site, clear of utilities to the cabins.</p> <p>Furthermore, the proposed visitor accommodation cabins will be sunken into the earth, with earth on top of the roofs, so when viewed from the south and in particular Sampson’s Road, the buildings will not be visible and therefore will not have an effect on the streetscape.</p> <p>The proposal is considered to comply with the performance criteria.</p>	
<p>A3.1</p> <p>A building or utility structure, other than a crop protection structure for an agricultural use or wind power turbines or wind power pumps, must –</p> <p>(a) not project above an elevation 15m below the closest ridgeline;</p> <p>(b) be not less than 30m from any shoreline to a marine or aquatic water body, water course, or wetland;</p> <p>(c) be below the canopy level of any adjacent forest or woodland vegetation; and</p> <p>(d) clad and roofed with materials with a light reflectance value of less than 40%.</p> <p>A3.2</p>	<p>P3.1</p> <p>The location, height and visual appearance of a building or structure except for wind power turbines or wind power pumps must have regard to –</p> <p>(a) minimising the visual impact on the skyline;</p> <p>(b) minimising height above the adjacent vegetation canopy;</p> <p>(c) minimising visual impact on the shoreline or a marine or aquatic water body, water course, or wetland where possible; and</p> <p>(d) minimising reflection of light from an external surface.</p> <p>P3.2</p>

<p>Wind power turbines and wind power pumps must not exceed 20m in height.</p>	<p>Wind power turbines or wind power pumps must minimise their impacts on the broader landscape having regard to –</p> <ul style="list-style-type: none"> (a) the visual impacts of the development; (b) the characteristics of the vicinity of the site; (c) the characteristics of the wind resource; (d) the topography of the site and how that location affords access to wind; and (e) potential impacts on birds.
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Planning Comments: Complies

The proposed visitor accommodation cabins are located on the ridgeline of the site and although soil is proposed to be over the roof of the buildings, earthwork will be required prior to the construction occurring. A precautionary principal has been applied as the new building may be slightly above the current ridgeline and the application has been assessed against the performance criteria.

The proposed location, height and visual appearance of the four cabins will be kept to a minimum when viewed from the south, north in particular as they will be sunken into the site, with the proposed cut earth to be used and relocated on the new buildings roof. The proposed cabins will have a minimal impact on the skyline as they will be below the earth of the skyline.

The visual impact caused from the shoreline will be kept to a minimum as the buildings will sink back into the site, will be single storey and reflection of light from external surfaces is kept to a minimum due to the majority of the cabin being covered by earth.

Therefore, the proposal is considered to comply 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> <ul style="list-style-type: none"> (a) be located not less than – <ul style="list-style-type: none"> (i) 200m from any agricultural land; (ii) 200m from aquaculture or controlled environment agriculture; (iii) 500m from the operational area boundary established by a mining lease issued in accordance with the <i>Mineral Resources Development Act 1995</i> if blasting does not occur; or (iv) 1000m from the operational area boundary established by a mining lease issued in accordance with the <i>Mineral Resources Development Act 1995</i> if blasting does occur; or (v) 500m from intensive animal husbandry; (vi) 100m from land under a reserve management plan; 	<p>P1</p> <p>New development, except for extensions to existing sensitive use where the extension is no greater than 30% of the existing gross floor area of the sensitive use, must minimise –</p> <ul style="list-style-type: none"> (a) permanent loss of land for existing and potential primary industry use; (b) likely constraint or interference to existing and potential primary industry use on the site and on adjacent land; (c) permanent loss of land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i> or land that may benefit from the application of broad-scale irrigation development; and (d) adverse effect on the operability and safety of a major road, a railway or a utility
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<p>(vii) 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>(viii) clear of any restriction imposed by a utility; and</p> <p>(b) 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>	
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Planning Comments: Does not comply

The proposed development of the four cabins for short to medium term accommodation is a sensitive use and therefore the application must address the performance criteria.

The applicant states that *the development minimises the permanent loss of land for existing or potential primary industry use by utilising the rooftops as a growth medium. It does not likely constrain or interfere with existing or potential primary industry use on adjacent land as primary industry activities occur to the south of the proposal area and land to the west is a cliff face and not capable of primary industry use.*

The location of the proposed visitor accommodation cabins is likely to constrain primary industry use on adjacent property to the south. As previously noted, land to the south is used predominantly for cattle grazing and cropping on a rotational basis. This can be further viewed in mapped imagery with the subject siting location of the units also being included in the cropping operations on various occasions. Locating sensitive uses adjacent to rural activities creates potential for land use conflict, and as a result the use of the agricultural land can be constrained. The nature of these conflicts can be related to the impact of the rural activity, when spraying and irrigation is required of the pasture paddocks or crops and over-shoot can create amenity issues for sensitive uses, however the agricultural use should be the priority use. Land use conflict can lead to further separation distances being required between the uses, usually on the farmers side of the boundary, resulting in a larger portion of the farm unable to be utilised. The application does not meet P1 (a) or (b). Although the buildings will have a roof cover of some soil, no details are provided that the site is operating as a primary industry use or continual cropping or grazing.

The land is not located within a proclaimed irrigation district and would not benefit from irrigation due to neighbouring properties access to water for irrigation and irrigation over the northern mapped hazard landslip bands raises further topographical concern. The proposal complies with the P1 (c).

The proposal does not pose an adverse effect on the operability or safety of a major road as the development is located approximately 790m north of the Bass Highway. The proposal complies with P1 (d).

The performance criteria for this clause requires compliance with P1 (a), (b), (c) and (d) inclusive. The application is considered not to comply with P1 (a) and (b).

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

STRATEGIC IMPLICATIONS

There are no significant strategic implications identified.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

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

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

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

It is considered that the proposed four visitor accommodation cabins do not comply with the clauses 26.3.1 Requirement for discretionary non-residential use to locate on rural resource land and 26.4.3 Location of new sensitive use development. The proposal will remove land that has been used for primary industry and is likely to further increase constraints on the surrounding agricultural uses to the south and south-west. The application does not comply with the Rural Resource Zone provisions of the *Waratah-Wynyard Interim Planning Scheme 2013*.

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

MOVED BY	CR FAIRBROTHER
SECONDED BY	CR COURTNEY

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 application for Visitor Accommodation four (4) Cabins at 17328 Bass Highway, Boat Harbour (Lot 1 on Plan 250808), on the following grounds;

- The application does demonstrates compliance with Clause 26.3.1 Requirement for discretionary non-residential use to locate on rural resource land of the *Waratah-Wynyard Interim Planning Scheme 2013* and in particular clause 26.3.1 P1 (a) Local Area Objectives, (b) the Desired Future Character Statements and (c) the proposal is required to locate on rural resource land for operation efficiency. The proposal is consistent with the local area objectives (26.1.2) of the planning scheme as the land is to be developed for a tourism venture of the cabins being located underground but capturing views of the north-west coast. Additionally, the proposal intends to grow seasonal produce on the rooftops of the cabins which indicates an importance to air, land and water resources. The development is consistent with the desired future character statements (26.1.3) of the planning scheme as the development places visitor accommodation between existing residential dwellings creating a small-scale residential settlement node and the development is significantly influenced by the character and scale of the site. The proposal is required to locate on the rural resource land to access a specific natural resource, being the breathtaking views of the coastline
- The application demonstrates compliance with Clause 26.4.3 P1 (a) and (b) Location of new sensitive use development of the *Waratah-Wynyard Interim Planning Scheme 2013*. The proposed cabins are constructed underground to minimise their appearance whilst enabling cropping over the rooftops which Minimises any permanent loss of land for existing or potential primary industry uses. Further it Minimises any constraint or interference to existing or potential primary industry uses on the site and on adjacent land as it is located in an area away from commercial cropping potentials. The underground nature of the proposal minimises as far as practicable any constraint or interference of adjacent land.

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 Project Number 219059, as prepared by EnviroPlan and dated 4 March 2020.
 - b) Geotechnical Investigation and Landslide Risk Assessment with Reference Number GL19192Ab as prepared by GeoTon and dated 10 February 2020.
 - c) Planning report and response to information request as prepared by EnviroPlan and dated May 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) Stormwater disposal is to be in accordance with Geotechnical Investigation and Landslide Risk report by Geoton Pty Ltd Geotechnical Consultants and dated 10 February 2020.**
 - (5) Loading and un-loading of vehicles is to be confined to within the boundaries of the property.**
 - (6) Off-street car parking and hardstand areas are to be surfaced in an all-weather material. All stormwater runoff from the car parking and hardstand areas is to be collected on-site and directed to a stormwater system designed to cater for a 1 in 20-year ARI storm and disposed in accordance with Geotechnical Investigation and Landslide Risk Assessment by Geoton Pty Ltd Geotechnical Consultants dated 10 February 2020, and the reasonable requirements of the Director Infrastructure and Development Services.**
 - (7) Off-street parking spaces and associated driveways and turning areas are to be designed in accordance with AS 2980.1 and be approved by the Director of Infrastructure and Development Services.**
 - (8) Vehicular access to and egress from the site is to occur only in a forward motion.**
 - (9) External colours and finishes are to have a maximum reflectance of 40%, details of proposed colours are to be submitted for approval by the Manager Development and Regulatory Services prior to construction.**
 - (10) 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.**
 - (11) Vegetation is to be retained and maintained on the surrounding slopes, in particular the downhill slopes of the proposed development.**
 - (12) All buildings must be located within the building envelope shown on Figure 6. All buildings must be setback a minimum of 6m from the main change of slope as shown on Figure 6. An additional more detailed investigation would be required for any development outside of the proposed building envelope.**
 - (13) All footings for buildings are to be socketed a minimum of 0.3m into highly weathered or better rock (basalt). An allowable bearing pressure of 400kPa is available for edge beams, strips, bored piers and pads founded as above.**
 - (14) All structures in this area are required to be of flexible lightweight construction.**
 - (15) Collected runoff from paved surfaces such as driveways should be piped to the stormwater system.**
 - (16) No stormwater is permitted to be discharged over the steep slopes to the north-east or north-west of the proposed development.**
 - (17) No uncontrolled discharge of water onto the ground surface is permitted.**
 - (18) All wastewater is to be disposed of using an Aerated Wastewater Treatment System (AWTS) and near surface subsurface irrigation. The area suitable for irrigation is shown on Figure 6.**

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-
- (19) **Fill on the site should be minimised and should be limited to less than 0.6m in height and battered at slope angles no steeper than 1 vertical to 3 horizontal (1V:3H) or alternatively should be retained.**
- (20) **No fill is permitted to be placed within 6m of the main change of slope as shown on Figure 6.**
- (21) **Cuts within the proposed development area should be battered at slope angles no steeper than 1 vertical to 3 horizontal (1V:3H) or alternatively should be retained. Any proposed cuts greater than 1m should be reviewed by an experienced geotechnical practitioner.**

Notes: -

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

- This project must be substantially commenced within two years of the issue of this permit.
- A “Works within the Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
- The applicant is advised to consult with a building surveyor to ensure the development is constructed in accordance with *Building Act 2016*.
- The future Plumbing Application will require a full on-site wastewater report by a suitably qualified designed to the satisfaction of Council’s Environmental Health Officer. This report must satisfy the requirements of AS 1547:2012 and the *Building Act 2016* Directors Guidelines for On-site Wastewater Management Systems.
- The *Food Act 2003* applies to the provision of food. Please contact Council’s Environmental Health Officer for the relevant requirements if at any time food is intended to be provided as part of the accommodation package.
- Prior to commencing use, the premises must be registered with Council as a Private Water Supplier under the *Public Health Act 1997*. Further information on this requirement can be discussed with Council’s Environmental Health Officer.
- It is recommended that the drawings of the proposed development be reviewed by an experienced geotechnical practitioner to ensure that they are in keeping with good hillside practices and the recommendations provided within this report.
- 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 71/2020. Any variation requires an application for further planning approval of Council.
- Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact Aurora Energy on 1300 132 003 to ensure these works do not impede on existing electricity easements and are at a safe distance from powerlines. Failure to do so could result in the relocation of electricity assets at your cost
- Under Section 61 (4) of the *Land Use Planning and Approvals Act 1993*, the applicant has the right to lodge an appeal against Council’s decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to

the Resource Management and Planning Appeal Tribunal, GPO Box 2036, Hobart, 7001.

The MOTION was put and was CARRIED.

IN FAVOUR

	CR BRADLEY	CR BRAMICH	
CR DUNIAM	CR EDWARDS	CR FAIRBROTHER	

AGAINST

MAYOR WALSH			CR COURTNEY
			CR HYLAND

PLANNING AUTHORITY CLOSED AT 6.55PM

7.0 MATTERS RAISED BY COUNCILLORS**7.1 RESPONSE(S) TO COUNCILLOR QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING****7.1.1 CR COURTNEY - EROSION CONTROL REPORT****QUESTION**

Cr Courtney noted that DPIPWE advise on their website that they will provide information and advice regarding erosion control matters. She asked that we find out when the report (referred to in Questions Taken on Notice Item 7.1.1) will be released so councillors can make decisions fully informed of risks.

OFFICERS RESPONSE

Council officers will continue to pursue release of any reports and information that will aid in decision making.

7.1.2 CR FAIRBROTHER - SEABROOK SUBDIVISION**QUESTION**

Cr Fairbrother is there anything council can do to facilitate completion of subdivision

OFFICERS RESPONSE

Council officers contacted the developer on 17 November 2020 to determine whether there was any update with the status/progress of the subdivision to which they replied that there has been no change or progress.

The item will be added to the workshop schedule in 2021 to discuss further.

7.1.3 CR FAIRBROTHER - BASS HIGHWAY UPGRADES**QUESTION**

Cr Fairbrother asked that the Mayor write to the Minister for State Growth regarding the plight of the property owner at the site of Bass Highway upgrades at Boat Harbour. Following the department's decision to leave the house in its current location, the owner is in an untenable position. If this were a new application for approval it would be rejected and therefore should not be allowed to occur

OFFICERS RESPONSE

A letter was forwarded to the Department of State Growth on 2 December 2020 (extract below). At the time of agenda compilation, a response was yet to be received.

7.1.4 CR FAIRBROTHER - PLANNING SCHEME AMENDMENTS

QUESTION

Cr Fairbrother asked if it was correct that some revisions had been made to Planning Scheme submission that Councillors had not seen before it was sent back to the Planning Commission.

OFFICERS RESPONSE

The General Manager was provided with authorisation to respond to changes requested by the Minister under the following decision from Council at the June 2019 meeting:

1. Pursuant to section 35 of the Land Use Planning and Approvals Act 1993, provide to the Minister for Planning a Local Provisions Schedule for the Waratah-Wynyard municipal area; and
2. The Draft Waratah-Wynyard Local Provisions Schedule include –
 - a) All of the mandatory content required in accordance with section 32 of the Land Use Planning and Approvals Act 1993;
 - b) The local provisions required for the specific circumstances and conditions of the Waratah-Wynyard municipal area;
 - c) The maps, including the draft zoning maps, that indicate the land to which the provisions of the State Planning Provisions are to apply; and
3. To authorise the General Manager to make amendments to the draft Local Provisions Schedule as may subsequently be required by the Minister for Planning.

In November 2019 the Tasmanian Planning Commission (TPC) requested clarifications regarding the following:

1. Zone mapping

- (a) Some instances of 'rezoning' are not identified in the supporting report or appear to have been made in error.
- (b) Some instances of 'rezoning' may require further justification to demonstrate compliance with the LPS criteria (section 34(2) of the Act).
- (c) The zone modifications and translations table need further work to complete. In particular further clarification is needed on the decision to zone land either Agriculture or Rural including clarifying and expanding on the meaning of 'consistency' and 'direct translation' in the note's column.

The majority of these were small errors (incorrectly zoning a road reserve different to the adjoining parcel) or required further justification. Typically, these were zonings in accordance with the recommendations from the Central Area Development Plans.

A full list of sites identified by the TPC, and Council's response for how each will be addressed will be provided to Council under separate cover.

2. Overlay mapping

- (a) Some instances of additional information being required - *justification*
- (b) Minor issues with mapping colours/hatching - *editing*

(c) Application of Future Coastal Refugia Area and justification in supporting report – *further justification*

3. Transitioning Particular Purpose Zone (PPZ) – Drafting issues of transitioning current PPZ into the new state-wide format

- (a) Omission of Desired Future Character Statements
- (b) Use of operational clauses relating to Parking and Signs
- (c) Relationship of provision for setback in General Industrial Zone P1.6.1 A3 and Table WAR-P1.8.1

4. Drafting

(a) Clarifications including Table C11.1 Coastal Inundation Hazard Bands AHD Levels – the figures used do not match the Department of Premier and Cabinet (DPAC) table – *Figures based on a previous version of the DPAC table and has been amended*

5. Supporting justification report

- (a) Editorial of figures numbering and references to figures in the text - *editing*
- (b) Need to refer to Appendices - *editing*
- (c) Further clarity required within the zone modifications and translations appendix – *More justification linking Agriculture and Rural zones back to the decision rules (aka methodology).*

None of the above issues will have an impact on individual properties or their proposed zoning. Further justification is required to meet the requirements of the Act or is required for the TPC to clearly understand the decision making process in developing the draft Local Planning Scheme

7.1.5 CR FAIRBROTHER - SHAREWASTE APPLICATION

QUESTION

Cr Fairbrother asked if council could download and utilise the ShareWaste application to monitor activity in the municipal area.

OFFICERS RESPONSE

The application allows users to sign up as either donors of organic waste or receivers for composting/recycling and are then able to connect with one another. Each user can be located via an electronic map. This map can be viewed by Council to understand how many people/businesses/groups take up use of the app in the municipal area.

7.1.6 CR COURTNEY - EXPENDITURE MONITORING

QUESTION

Cr Courtney asked if the General Manager could advise how Councillors could be provided with further information and detail of purchases, in light of proposed changes to the purchasing policy.

OFFICERS RESPONSE

The General Manager advised that financial reporting will be discussed at a workshop in early 2021.

7.2 COUNCILLOR QUESTIONS RECEIVED IN WRITING

Nil received.

7.3 COUNCILLOR QUESTIONS WITHOUT NOTICE

7.3.1 CR EDWARDS - FORESHORE MARKET

Cr Celisa Edwards asked what information was provided to charities when the revised fee structure was introduced?

The General Manager took the question on notice.

8.0 NOTICE OF MOTION

Nil received.

9.0 REPORTS OF OFFICERS AND COMMITTEES

9.1 DRAFT LIVEABLE WARATAH-WYNYARD SETTLEMENT STRATEGY

To:	Council
Reporting Officer:	Manager Development and Regulatory Services
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	3 December 2020
File Reference:	Settlement Strategy
Enclosures:	<ol style="list-style-type: none">1. Draft Liveable Waratah-Wynyard Settlement Strategy- Under Separate Cover 2. Appendix 1 Towns and Villages- Under Separate Cover 3. Appendix 2 Summary of Feedback- Under Separate Cover 4. Appendix 3 Policy review- Under Separate Cover 5. Appendix 4 Supply and Demand- Under Separate Cover 6. Appendix 5 Growth Area Assessment- Under Separate Cover 7. Appendix 6 Pause Places- Under Separate Cover 8. Appendix 7 Design Guidelines- Under Separate Cover 9. Appendix 8 Planning 101- Under Separate Cover 10. Appendix 9 Planning overview- Under Separate Cover 11. Settlement Strategy Summary- Under Separate Cover 

PURPOSE

The purpose of this report is to:

- Provide an overview of the draft Strategy, the issues it addresses and the recommendations that relate to those issues; and
- Determine whether the document is suitable for public exhibition, in order to receive comments prior to final review and adoption.

BACKGROUND

Council is required to undertake strategic planning, in order to provide a direction for the future of Wynyard, Somerset, Waratah, Boat Harbour Beach, Sisters Beach, Yolla and the isolated clusters of land zoned Rural Living throughout the municipality. Without this planning, strategic amendments cannot be made to Council's planning scheme.

The niche that this strategy is required to fill is defined by state and regional plans and in particular the Cradle Coast Regional Land Use Strategy and the Sustainable Murchison Community Plan.

Both these documents stress the importance of liveability as the key goal that we must strive for in our planning decisions. Liveability is increasingly seen as the key to economic success and contributes to everyone's quality of life.

The Waratah-Wynyard municipality enjoys exceptional environmental qualities and is the home of a resilient, resourceful and supportive community. The Liveable Waratah-Wynyard Settlement Strategy sets out a number of interconnected recommendations that will enable

Council to protect and enhance these qualities and leverage off them to make our towns and villages (even) more sustainable, inclusive, inspiring and nurturing places to live, work and visit.

DETAILS

Achieving this goal and meeting the targets set by regional policy requires this settlement strategy plans for compact towns and villages that provides attractive, welcoming, healthy and safe places and offers a diversity and choice in affordable, appropriate and accessible housing.

As well as meeting the priorities set by these regional plans this strategy is also required to complement local plans such as the Central Area Development Plans for Wynyard and Somerset, which establish a direction for our town centres, and the Open Space and Recreation Strategy, which identifies the actions required to meet the open space needs of community.

To ensure these regional and local strategies could be implemented in a way that addressed local priorities, hopes and concerns we sought to understand how the communities see their towns and villages and what you see as contributing to liveability through an online survey. 107 responses were received to the first round of consultation that has allowed Council to understand the issues that are important to the community and the factors that contribute or detract from liveability.

This and the findings of consultation with stakeholders has allowed Council to identify the key issues the strategy should address as outlined below. The stakeholders were from the fields of health, education, the real estate and development industry and primary research through social media with people who have identified themselves as hoping to move to Tasmania.

Issues and Challenges Addressed by The Strategy

Demographics: the composition of the Waratah-Wynyard community is changing and is at risk becoming increasingly unbalanced with a large proportion of older people. Households are generally becoming smaller and are envisaged to decline from 2.4 to 2.1 persons per dwelling over the next ten years, a reduction of 12.5% over that period.

Digitalisation: the region is at risk of falling on the wrong side of the digital divide which is increasingly an issue.

Climate change: like all regions this region is likely to be increasingly vulnerable to changes in rainfall, extreme weather events and droughts.

Public Health: the municipality has a high rate of many non-communicable diseases, the prevalence and severity of which are impacted by 'lifestyle' choices. These diseases impact the physical and psychological welfare of the community. The prevalence and impact of these diseases is likely to increase as the average age of the community goes up.

Transport: Vehicle use continues to grow. Active transport (walking, cycling, and using public transport) remains at a low level. There is a high level of car dependence in all settlements that make it difficult for people to choose to walk or cycle and so address issues of public health and vulnerability to resource availability.

Resource availability: Fossil fuels and their derivatives may not be so reliably accessible in the future.

Population: state government modelling suggests low growth or modest decline overall with such growth as there is concentrated in Wynyard. Other communities projected to decline. Population decline will make it harder to maintain services and decrease values.

Capitalising on assets: many of the municipality's assets are vulnerable to inappropriate development.

Community Values: there is a strong attachment to landscape, 'small town'/village character and weekend orientated lifestyles that manifests itself in a reluctance to support extensive expansion or intensification of settlements. This is particularly pronounced in Boat Harbour Beach and Sisters Beach.

Residential supply and demand: There is an adequate supply of zoned land within most zones to meet demand for between 10-20 years, as required by the Cradle Coast Regional Land Use Strategy (CRLUS). Shortfalls exist for General Residential lots in Somerset, Low Density General Residential lots in Wynyard and larger 'lifestyle' lots in Rural Living and Low Density Residential zones, particularly for high amenity aspirational lots. Boat Harbour Beach and Sisters Beach also represent desirable development locations. However much of the GRZ land in Wynyard is fragmented and relatively difficult to develop. Meeting the needs of an older community tends to require smaller properties nearer town centres where services, health care, public transport are more accessible. Such properties are under-represented in the housing stock and may present challenges reconciling them with the existing and valued built character.

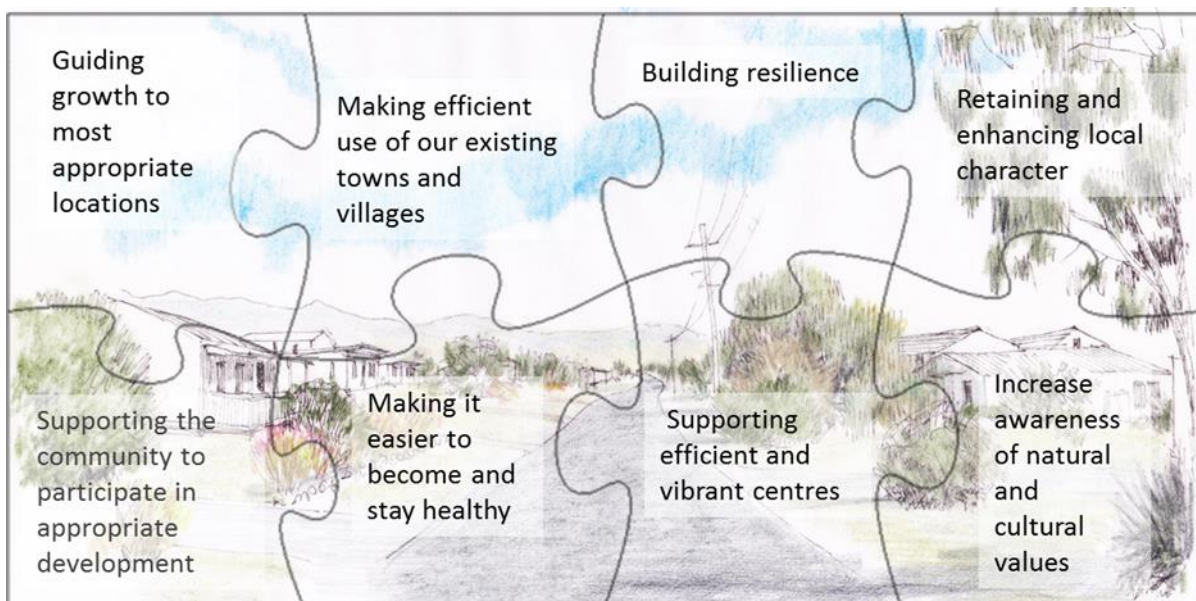
Industrial supply and demand: there is adequate industrial zoned land but will require careful planning to ensure it can be efficiently developed.

Commercial supply and demand: there is adequate commercial zoned land to meet identified demand.

Health and education provision: investigations with health providers revealed the imperative to address public health issues surrounding non-communicable diseases.

Priorities

Consideration of these issues led us to identify the following priorities:



Recommendations of the Strategy

The strategy recognises that supporting liveability requires more than just a narrow view of land use planning. Consequently, these recommendations are in two parts:

- Part 1 relates to use and development of land and outlines a series of measures to encourage appropriate development in the best locations; and
- Part 2 to seeks to retain and enhance the qualities of our towns and villages that make them such appealing places.

Both parts of the strategy seek to align Council's actions and policies with those of other Government agencies and the community to co-ordinate actions to achieve greater liveability.

STATUTORY IMPLICATIONS

Statutory Requirements

Without a settlement strategy, Council does not have the strategic planning in place to support draft planning scheme amendments to the planning scheme (rezonings).

The Settlement Strategy is required to be consistent with the Cradle Coast Regional Land Use Strategy.

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.
1.3 Encourage increased participation by all stakeholders.
GOAL 3: Connected Communities
Desired Outcomes
Waratah-Wynyard is a modern community—moving forward but not forgetting where it started.
Our Priorities
3.3 Deliver planning for activation through effective urban design and planning that promotes liveability, social gathering and connectedness, and which recognises and celebrates local history.
GOAL 5: Economic Prosperity
Desired Outcomes
Pathways to improve liveability now and in the future are provided.
Our Priorities
5.8 Ensure evidence-based allocation of infrastructure and land use to enable sustainable growth.
GOAL 6: Transport and Access
Desired Outcomes
Our transport and access network is sustainable, affordable and fit for purpose.
Our Priorities
6.4 Prioritise and address service gaps with a road hierarchy.

Sustainable Murchison Community Plan 2040

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:
Central Area Development Plan	Adopted May 2019

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The consultation as outlined below will be undertaken by Council officers. There are financial implications with undertaking the consultation in relation to printing, prizes for submitters, post return envelopes, refreshments and notices. It is envisaged the total costs for these will be less than \$650.

RISK IMPLICATIONS

The risk implications of the proposed consultation are as outlined below.

- **Reputational Risk**

With any form of community consultation there is always a risk that some may feel they have been excluded. The consultation plan as outlined below seeks to address these risks by explicitly grounding the recommendations in the findings of the first round of consultation and pursuing multiple avenues to access the community over a relatively long period.

The project team acknowledges it will be important to send a clear message that Council wants feedback. It is also important that Council makes it easy for the community to provide feedback in a timely manner.

It is best practice to undertake public consultation clear of any major holiday periods. With Christmas and the major summer holiday break season coming up but not quite upon us the consultation strategy outlined in attachment 1 proposes two phases. During Phase 1 the draft strategy will be available and open for comment and submissions and will run from 16 December 2020 to 15 January 2021. Given the current interest in planning within the community, it is considered that there would be benefit in making the draft strategy available for viewing as early as possible, essentially providing additional time for review and comment.

Phase 2 will encompass the active engagement component of the consultation, and will run from 16 January 2021 through to 19 February 2021, when people are back from holidays. The consultation plan is presented below.

- Technology

There is always risks with using multiple media. The risks of any one method failing are mitigated to an extent by the number of alternative methods of consultation. Using Council website and existing and tried software will assist in minimising that risk.

CONSULTATION PROCESS

The proposed consultation strategy is outlined below. As addressed previously, it is proposed that two phases of consultation be provided. Phase 1 is essentially an early release, where the draft strategy will be available for viewing and comments can be submitted on the strategy between 16 December and 15 January.

Phase 2 will then be the active consultation phase, which will include notification and promotion of the strategy, talk to a planner sessions held within each of the six communities, and easy access to online material. Phase 2 will run from 16 January to 19 February.

Consultation plan for Liveable Waratah-Wynyard Settlement Strategy:

Technique	Notes	Timing	
		Phase 1	Phase 2
Strategy launched on website			
Media release and strategy	To ensure broad outreach		
Advertisements in Notices section of Advocate			
On line questionnaires			
Distributed hard copy short summaries of the strategy	Summary to include QR code to take interested parties direct to Council website		
Hard copy questionnaires			
On site 'drop in' sessions in each settlement 'The Liveable Waratah Wynyard strategy road show'	Emphasis on the end of the consultation period in February to ensure it is a better time for participation		
Posters with QR codes for display in each settlement. Each poster illustrated with an image of the town it will be posted in.	Poster needs to be include QR code, website and postal address		
Community champions	Need at least one in each settlement to be briefed to encourage people to take part but not push a particular outcome. Therefore should be associated with the settlement, not specific issue.		

Technique	Notes	Timing	
		Phase 1	Phase 2
Invitations to key stakeholders	To ensure input of authorities and advocates in the fields of transport, health, environment and community development		
Incentive of going into a draw for a small prize(s)			
Media release and strategy	To ensure broad outreach		
Advertisements in Notices section of Advocate			
Collection of contact details for further correspondence /prize draw (optional for participants).			

Key messages of Phase 2 of the consultation will include:

- The strategy seeks to improve liveability in the six settlements and clusters of dwellings zoned Rural Living.
- It ties together existing plans, reviews and tweaks zoning and promotes improvements to the public realm.
- It will provide the evidence base to facilitate later changes to local planning scheme to tailor it to local conditions.
- Everyone's contribution is important and valued

The proposed consultation strategy includes the following amendments as a result of this workshop:

- Opportunity to review and comment before Christmas, and transition to active consultation to facilitate a broader range of consultation techniques after the holiday season.
- The consultation will be advertised in the notices section in the Advocate to start Phase 2.
- The strategy itself will be amended to include a more accessible introduction to planning and liveability to enable all interested parties to be involved in the planning process.

CONCLUSION

The Liveable Waratah-Wynyard Settlement Strategy has now proceeded to a sufficient state to be presented to the community. It is important that community views be sought and considered prior to being finalised. Endorsement is therefore sought to take the Plan to community consultation.

MOVED BY	CR DUNIAM
SECONDED BY	CR FAIRBROTHER

That Council:

- 1. Endorse the Draft Liveable Waratah-Wynyard Settlement Strategy for public release and that the Strategy be placed on public exhibition; and**
- 2. Facilitate a two-phase consultation strategy from 16 December 2020 through to 19 February 2021.**

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

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

The Manager Development & Regulatory Services left the meeting at 7.20pm

9.2 SURVIVE AND THRIVE GRANTS

To:	Council
Reporting Officer:	Manager Community Activation
Responsible Manager:	General Manager
Report Date:	3 December 2020
File Reference:	01
Enclosures:	1. Grant Listing - Confidential 2. Grant Overview - Confidential

PURPOSE

This report summarises the goals, participation, and resulting recommendations of the 2020 Survive and Thrive Community Grants.

BACKGROUND

The Survive and Thrive grants were launched by Waratah-Wynyard Council in October 2020 in response to COVID-19. The grant round was led by a four-member steering committee that was formed to oversee a process created and endorsed by the Council. The steering committee considered how to provide timely financial support to tourism, hospitality, business innovation and community activation in the Waratah-Wynyard municipality.

The Survive and Thrive grants were created to enable the continuation of economic activity and strengthening of the local economy and community post “first wave” COVID-19 shutdowns. The primary purpose of the Survive and Thrive grants was to help Waratah-Wynyard based businesses and community groups thrive and innovate to mitigate the effects of COVID-19.

DETAILS

Applications were collated internally with each applicant being notified that their application had been received and that a formal decision of Council would be made at the December meeting.

The quality of the grant applications received was high, with almost all applicants having strong project ideas. A panel of Council Officers independently assessed the applications using a matrix which numerically rated the strength of the responses to the questions posed in the application with a weighting of 1-5. 1 being low and 5 being high. Scores were given under the following headings:

- Project idea
- Addresses an opportunity that has risen from C19, or withstand and mitigate C19 effects
- Community benefit
- Sustainability - ongoing and recurrent costs can be met
- Capacity - resourced, equipped, able to deliver
- Promotion
- Budget - comprehensive and realistic

The three distinct categories each received a score based on the following:

- Tourism and Hospitality - Stimulates visitors to area
- Business Innovation - Implementation of a business solution in response to C19
- Community Activation - Activates community and spaces

The independent scoring was then compared, and the final grant recipients selected. The ratings of each assessor were very consistent, with only minor disparities.

One application under Tourism and Hospitality scored well for the project idea, however there were concerns regarding potential planning issues, and how realistic the timeline of project delivery could be if planning permits were not taken into consideration during the project conception.

The guidelines and application form clearly outline that it is the applicant's responsibility to achieve all relevant approvals and that the awarding of grant monies did not imply that Council permission was being given for the project. Successful applicants will need to pursue any necessary permits and permissions.

This report has been prepared to provide an overview of the grant process and outcome and makes a recommendation for the allocation of funding for the Survive and Thrive program for approval. All grant funding paid under the program will be disclosed and reported to the community in Council's Annual Report.

Successful Applicants			
No	Name of Organisation	Description of project	Amount Requested
Tourism & Hospitality			
1	Packwood-Hollings Family Trust T/A Alchymia Distillery	New Distillery & Cellar Door	\$ 10,000.00
2	The Waterfront Wynyard	Magical History Self-Guided e-Tour	\$ 9,869.00
3	Seabrook Golf Club	Overnight Van Parking, Payment Station, Signage	\$ 10,000.00
4	Providence Farm Stall	Summer Program Bringing the World to You	\$ 10,000.00
5	Tasmanian Multisport Adventures	Water Trailers	\$ 10,000.00
			\$ 49,869.00
Business Innovation			
6	Wynyard Fitness	Keeping Wynyard Healthy	\$ 10,000.00
7	Red Cow Organics Pty Ltd	Creating White Gold - Organic Butter Project	\$ 10,000.00
8	G & N French T/A French Sticks Bakery	New Door & Window to Public Space	\$ 10,000.00
			\$ 30,000.00
Community Activation			
9	Wynyard Landcare	Public Space Project	\$ 2,000.00
10	Wynyard Volunteer Marine Rescue	Purchase GPS Depth Sounder	\$ 1,713.00
11	Somerset Surf Life Saving Club	Somerset SLSC Australia Day Colour Explosion	\$ 1,715.00
12	Wynyard Garden Club	Wynyard Garden Club Competition	\$ 700.00
13	ADRA Tasmania	Waratah Food Co Op	\$ 2,000.00
14	C3 Church Wynyard	Christmas Light Drive Through	\$ 2,000.00
15	Somerset Basketball Association	SABA Small Equipment Items	\$ 1,099.00
			\$ 11,227.00

A summary of each of the successful applications is as follows –

Packwood-Hollings Family Trust T/A Alchymia Distillery – New Distillery & Cellar Door

We want to become a destination distillery for tourists to the NW of Tasmania and want to work collaboratively with other local businesses (Table House Farm, Tulip Farm, Providence Farm Stall, Wonders of Wynyard & Red Cow Dairies) to rebuild visitor numbers in line with priority 1 T21 action plan (WxNW) by creating a whole ‘tourist experience’ in the area. Our product will be small batch, hand crafted, premium product, only be available from the Cellar Door, or our online store. We will be using Tasmanian products in production of our spirit so the providence can be proudly showcased as part of our story at the Cellar Door. We will be employing local people to work at the Cellar Door.

The Waterfront Wynyard – Magical History Self-Guided e-Tour

Magical History Ride Tour – Visitors can use e-scooters or e-bikes to take a tour around Wynyard to experience our local history and stories. They will be given a map that will take them to a site that will have curated content they can access via a QR code. This content may be geological, Indigenous, thematic (e.g.: garden related or local history). It will be developed with the Wynyard Historical Association and will allow visitors to understand our local stories. Using storytelling will help align our brand to the Tasmanian Brand Experience.

Seabrook Golf Club – Overnight Van Parking, Payment Station & Signage

Set up low cost over night self-contained Van parking. Renew carpark lines, installing a secure payment station, providing new signage, modifying the road entrance at Seabrook Golf Club so the club can provide overnight mobile home parking from 4.00pm to 9.00am each day and purchasing an additional set of garbage bins

Providence Farm Stall – Summer Program “Bringing the World to You”

We want to a summer program during January and February 2021 with live entertainment Saturday evenings by Tasmanian artists. We also want to compliment the live show with an international food and cultural experience. People cannot travel overseas at the moment, so we want to bring the world to them, by inviting international cuisine food trucks to sell their food during our events e.g. Casa Paella (Spanish), French Crepes, Turkish Tukka. We will also offer our own international cuisine Portuguese and South African.

Tasmanian Multisport Adventures – Water Trailers

Our idea – in fact requirement – is to design, build and supply a drinking system that will service 700 plus competitors in a COVID friendly manner for the 2021 Gone Nuts 101 Adventure Run. With all the cancelled events in 2020 and COVID becoming better managed, we believe there is a great opportunity to run the event and attract many people to the Wynyard/Circular Head region, as people want events to compete in. We obviously need to take the safety of competitors seriously so we have come up with a design to build four water tanker trailers that will accommodate 1000 litre water pods so they can be moved around the course to deliver water as needed. The trailers will have a foot controlled, solar powered, 12-volt pumping system so as to make them contactless when competitors need to refill their water containers. The trailers will have the added benefit of saving on the potential high use of plastic bottles.

Wynyard Fitness – Keeping Wynyard Healthy

Purchase adult sized mountain bikes and safety equipment for the purpose of delivering programs with adults in the community. Wynfit currently have a number of junior bicycles

that have previously been purchased with grant funding through collaboration with Live Well, however these are not appropriate for adults to use. By securing additional fit for purpose equipment Wynfit will be able to target not only adults, but also families to participate in programs together.

Red Cow Organics Pty Ltd – Creating White Gold – Organic Butter Project

The project is to expand our dairy manufacturing capacity and increase the production of our organic cheese and dairy products. The project will involve the expansion of our cheese range and allow us to increase the volume of cheese produced from our dairy manufacturing facility. I.e. Farm fresh Organic Milk, National award-winning Cheese (Persian Feta, Brie, Swiss Style Cheese). With the loss of the majority of our food service/restaurant customers because of their closures from COVID-19 we saw the opportunity to focus our products more into the retail space.

GR & NI French T/A French Sticks Bakery – New Door & Window to Public Space

We are going to put a doorway and window on the side of our building to face the new public space at 15 Goldie Street. This will hopefully improve public movement between our bakery and the new public space so patrons can enjoy the area. Hopefully this will go a long way to sustain our business through another pandemic and we should be able to produce more space for social distancing.

Community Activation Grants

Wynyard Landcare Inc. – Wynyard Landcare Public Space Project

This project seeks to provide plantings of indigenous plants in the Fossil Bluff Conservation Area and adjacent park lands in the Fossil Bluff Precinct to enhance the biodiversity of the town's open spaces and contribute to a greater sense of community well-being and liveability.

The project is part of a larger strategy to rehabilitate the site to facilitate recreational users to appreciate and enjoy the flora and fauna while ensuring weeds and feral animals are controlled, and biodiversity conservation is enhanced.

Wynyard Volunteer Marine Rescue – Purchase of a GPS Depth Sounder

Funding will enable Wynyard VMR to purchase a GPS Depth Sounder to be fitted to our Rigid Hull Inflatable Rescue Boat. The GPS will allow us to more accurately locate vessels out of visual range and to navigate to precise locations and be safer in shallow waters. It will also allow us to meet safety and other requirements for maximum range of operations providing vital safety for our members and rescued public. The rigid inflatable rescue boat is used for close shore rescues and can be launched from almost any position along the coastline. It is ideal for smaller incidents that are closer to the coastline when the larger boat is unable to be launched saving valuable time during emergency call outs.

Somerset Surf Life Saving Club – Somerset SLSC Australia Day Colour Explosion

In order to boost spirits, we propose to hold the Somerset SLSC Australia Day Colour Explosion, a fun run, at Somerset Beach on Australia Day, 26 January 2021 for our members and the community. The event would emphasise fun over competition and be inclusive and accessible to all regardless of age, ethnicity, religious or cultural background, gender or socioeconomic status. It involves runners/walkers dressed in clean white T-Shirts, passing

through colour stations along the route where volunteers blast them with coloured dyed corn-starch out of bottles.

The exciting and vibrant event aims to showcase Somerset SLSC and the larger Surf Life Saving movement to the community, whilst celebrating everything that is great about Australia. Our aim is to provide a fun activity for the entire family to enjoy. The event will be managed by volunteers and the major expense is the coloured powder required.

Wynyard Garden Club – Prize Money for Garden Competition

The Wynyard Garden Club hold an annual Garden Competition each year. This competition encourages gardeners to be proud of their gardens and in turn beautify our municipality and hopefully encourage others to participate in the competition.

ADRA Tasmania – Waratah Food Co-Op

The ARDA Waratah Food Co-Op is operating at the Waratah Community Centre weekly to provide community members access to fresh and non-perishable food for a minimal donation. Additionally, the sale of second-hand items contributes to the purchase of food and material items required to operate the food Co-Op.

Somerset Amateur Basketball Association – SABA Small Equipment Items

We would like to purchase a portable Battery PA System. This will assist with communication at our award and presentation celebrations.

C3 Church Wynyard – Christmas Light Drive Through

Our regular Christmas events (Gingerbread Night, Carols) have become unfeasible to put on due to the COVID-19 restrictions. We had an idea to create a Christmas Light Display around the perimeter of our carpark that community members could drive through/around to view.

It is possible to create a “walk through” option but this would require greater management to ensure COVID-19 requirements are adhered to, therefore we would need more team members.

A full list of applications, including unsuccessful applications, have been attached to this report confidentially.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 3: Connected Communities
Desired Outcomes
We understand our local and regional potential, and we plan for and encourage investment in it.
Our Priorities
3.4 Build community capacity through services and programs that strengthen, support and care for our community.

GOAL 4: Community Recreation and Wellbeing
Desired Outcomes
Our community uses its voice to shape its future alongside a strong Council willing to listen and implement where reasonable and practical.
Our Priorities
5.2 Investigate and embrace new economic opportunities.

GOAL 5: Economic Prosperity
Desired Outcomes
Long-term sustainable economic growth is achieved through adaptability and innovation.
Our Priorities
3.6 Facilitate activities and events that promote inclusion, health, safety and a sense of place.

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.

Council Strategy or Plan Reference

Council Strategy or Plan
Waratah Community Plan
Destination Action Plan
Age Friendly Communities Plan 2019-2024
Y Plan – (Youth) 2019-2024
Community Health and Wellbeing Plan 2019-2024
Tourism Plan (2011- 2020)
Communication and Engagement Strategy 2019/2021
Financial Management Strategy
Open Space, Sport and Recreation Plan 2017-2027

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The recommended grants for approval are within the budgetary allocation. Correspondence with successful grant recipients will outline requirements and funding allocation.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

CONCLUSION

That the recommendations for the allocation of funding for the Survive and Thrive grants and Community Activation grants be accepted as provided in this report. A full list of successful applicants is to be published in the Annual Report.

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

That Council endorse the allocation of funding to successful applications for Survive and Thrive Grants and Community Activation Grants in accordance with the following table:

Successful Applicants			
No	Name of Organisation	Description of project	Amount Requested
Tourism & Hospitality			
1	Packwood-Hollings Family Trust T/A Alchymia Distillery	New Distillery & Cellar Door	\$ 10,000.00
2	The Waterfront Wynyard	Magical History Self-Guided e-Tour	\$ 9,869.00
3	Seabrook Golf Club	Overnight Van Parking, Payment Station, Signage	\$ 10,000.00
4	Providence Farm Stall	Summer Program Bringing the World to You	\$ 10,000.00
5	Tasmanian Multisport Adventures	Water Trailers	\$ 10,000.00
			\$ 49,869.00
Business Innovation			
6	Wynyard Fitness	Keeping Wynyard Healthy	\$ 10,000.00
7	Red Cow Organics Pty Ltd	Creating White Gold - Organic Butter Project	\$ 10,000.00
8	G & N French T/A French Sticks Bakery	New Door & Window to Public Space	\$ 10,000.00
			\$ 30,000.00
Community Activation			
9	Wynyard Landcare	Public Space Project	\$ 2,000.00
10	Wynyard Volunteer Marine Rescue	Purchase GPS Depth Sounder	\$ 1,713.00
11	Somerset Surf Life Saving Club	Somerset SLSC Australia Day Colour Explosion	\$ 1,715.00
12	Wynyard Garden Club	Wynyard Garden Club Competition	\$ 700.00
13	ADRA Tasmania	Waratah Food Co Op	\$ 2,000.00
14	C3 Church Wynyard	Christmas Light Drive Through	\$ 2,000.00
15	Somerset Basketball Association	SABA Small Equipment Items	\$ 1,099.00
			\$ 11,227.00

The MOTION was put and was CARRIED unanimously.




IN FAVOUR

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

9.3 MANAGEMENT OF PUBLIC RESERVES POLICY AND GUIDELINES

To: Council
Reporting Officer: Project Manager
Responsible Manager: Director Infrastructure and Development Services
Report Date: 27 November 2020
File Reference:

Enclosures:

1. Management of Public Reserves - Policy 
2. Management of Public Reserves - Guidelines 
3. Management of Public Reserves - Pre-assessment Form 

PURPOSE

The policy and associated guidelines have been prepared to assist in the regulation, control and protection of public reserves and buildings that are owned or managed by the Council.

BACKGROUND

The Management of Public Reserves Policy is due for review so that it is in line with the revised Highway, Public Reserves, Parking and Stormwater By-Law, which was ratified in 2016.

At Council's 17 February 2020 ordinary meeting, a procedural motion was unanimously carried:

That the matter LAY ON THE TABLE for adoption after discussions with relevant surf clubs have been undertaken

This report aims to provide Council with a summary of the discussions with the relevant surf clubs and the amendments to the draft Management of Public Reserves Policy and associated guidelines.

DETAILS

The purpose of the Management of Public Reserves Policy and Guidelines is to provide a procedural framework that guides the practical implementation of the provisions set out in the Council's Highway, Public Reserves, Parking and Stormwater By-Law (No 1 of 2016). The guidelines describe the process for the hiring, closure and management of public reserves.

Following the procedural motion put by Council, officers approached the Boat Harbour Beach Surf Life Saving Club (BHBSLSC) and the Somerset Surf Life Saving Club (SSLSC) for comment. A representative from the BHBSLSC suggested that their preference would be for permitted camping for specified events, as argued by merit and subject to appropriate conditions. This sentiment was repeated by representatives of the SSLSC who also valued local camping for large multi-day events such as the Surf Enduro.

Further research has been conducted around event-based camping requests for Waratah-Wynyard Council. Historically, camping has been permitted for larger events such as the Great Tasmanian Bike Ride at Frederick Street in 2001. More recently, restricted camping has been permitted only for the purposes of asset or stock protection, such as for the Tasmanian 2020 Sabre Championships. In these cases, limits were placed on the number of

campers and were typically restricted to one or two units. Generally speaking, requests for camping arise from events with a demonstrated community benefit, although in some instances requests for camping have been made for private functions and in all of these cases, the requests have been denied.

The matter of allowing camping on Council owned or maintained facilities is a complex one that requires consideration of the intended users of the facility, the possible nuisance to neighbours, environmental sensitivity, the facility's ability to cope with camping (including sensitive infrastructure) and the possible impact to local accommodation providers. It is recognised that event-based camping, where it is appropriate and managed, can have economic benefits and be advantageous for local clubs and organisations.

This report and associated policy documents do not intend to resolve any debate around public camping; however, it is clear that there is a demand for event-based camping particularly when some events can exceed the capacity of local accommodation providers in the municipality.

The draft Management of Public Reserves Policy and Guidelines has been amended to provide clarity around camping on Council owned or maintained reserves and criteria in which requests for camping can be assessed in a way that is not intended to have a detrimental impact on local accommodation providers.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
We make publicly transparent decisions on spending and future directions while encouraging community feedback.
Our Priorities
1.9 Collaborate with, understand and satisfy our external customers' needs and values.
GOAL 4: Community Recreation and Wellbeing
Desired Outcomes
Our community values, encourages and supports physical, social and cultural activities.
Our Priorities
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:
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.
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.

Council Strategy or Plan Reference

Council Strategy or Plan	Date Adopted:
Open Space, Sport and Recreation Plan 2017-2027	Adopted September 2017

POLICY IMPLICATIONS

This policy will replace the 2010 version of the Management of Public Reserves Policy, effective immediately.

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

Lack of a Management of Public Reserves Policy and associated guidelines could leave Council vulnerable to risks associated with the management of public reserves and does not provide a uniform approach to the assessment and approval process attached to the hiring and use of Public Reserves

CONSULTATION PROCESS

The new documents have been developed following a review by an internal working group where minor changes to the content were made to reflect the intent of the by-law and current practice. Consultation was undertaken with the BHBSLSC and SSLSC as requested by the Council.

CONCLUSION

It is therefore recommended that the Council adopt the Management of Public Reserves Policy and Guidelines as attached.

MOVED BY	CR HYLAND
SECONDED BY	CR EDWARDS


That Council adopt the Management of Public Reserves Policy and associated guidelines with immediate effect.

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

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

9.4 REVIEW OF DEBT MANAGEMENT POLICY

To: Council
Reporting Officer: Director Organisational Performance
Responsible Manager: General Manager
Report Date: 19 November 2020
File Reference: 1
Enclosures: 1. Revised Debt Management Policy 

PURPOSE

This report has been prepared to enable council to consider the revised Debt Management Policy which contained a number of changes to assist Council in its debt collection practices.

BACKGROUND

The Debt Management Policy was last reviewed in November 2010 and has been reviewed to ensure that it remains current and relevant.

Council adopted a Financial Hardship Policy on 20 April 2020. The Policy was temporary in nature and on adoption it was recommended that Council review the policy for its ongoing appropriateness. The Policy expired on 31 October 2020.

DETAILS

The scope of the Policy covers rates and charges and extends to other Council sundry debtors (for rent, fees and charges).

Financial Hardship Provisions

It is recommended that some of the measures included in Councils temporary Financial Hardship Policy be continued and reflected in the Debt Management Policy.

The Financial Hardship Policy recognised that there are cases of genuine financial hardship requiring respect and compassion in special circumstances and allows Council officers to work proactively with debtors and ratepayers offer special payment arrangements to those able to demonstrate they are suffering from financial hardship.

The terms of special payment arrangements will be considered on a case by case basis and the terms including the period of arrangement will be proportionate to the applicant's demonstrated financial hardship circumstances.

Serious financial hardship involves both low income/cash flow and a low asset base. Personal property portfolios beyond a primary residence (or a business's primary operating space) can be employed to improve an applicant's cash flow and financial sustainability and is therefore outside the scope of the financial hardship provisions.

Arrears

If a debtor or ratepayer does not pay the rates on his or her property and does not have an agreed payment plan in place, Council may commence legal action to recover the outstanding amount. If Council takes such action the ratepayer will also be liable for legal costs associated with the action.

Payment Plans

The current Policy provides for the ability for ratepayers to enter a payment plan. Payment plans will be accepted where it can be demonstrated that the debt will be paid in full by 31 May each year.

The application process for a payment plan is less onerous than that required of a special payment arrangement of the Financial Hardship provisions.

Interest Penalties

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

A tool available to Council to assist in the recovery of rates is the application of interest penalties. The revised Policy introduces the application of a daily interest penalty on rates and charges that are in arrears. It is proposed that penalties be applied on arrears from 1 July 2021.

All ratepayers bear the cost of carrying the debt and costs associated with debt collection.

Arguments supporting the introduction of a penalty include:

- If the ratepayer had paid on time, Council would be in the position to earn interest on those funds and/or use them to the benefit of the community.
- There is an incentive to pay Council. Currently other debts may be prioritised by the ratepayer given there is no cost to delaying payment to Council.
- There is a cost to Council in debt collection activities. Legal fees are generally applied and recovered from the ratepayer however there are several activities that occur internally before legal action including time and effort applied to debt collection and production of reminder notices etc. The cost is currently covered by all ratepayers.
- Ratepayers can be encouraged to 'finance' the payment of rates by another means (refinancing with the bank etc).

Arguments against the application of interest penalties include:

- It does place greater pressure on those that are already struggling to pay and adds to the debt base to be recovered.
- Additional administrative process each month however this is mostly an automated process and is recoverable through penalties paid.

To mitigate any concerns regarding the introduction of the penalty, provision has been made in the Policy to allow for the remitting of penalties for those that have an approved special payment arrangement in place under the Financial Hardship provisions.

For typical circumstances that are not of financial hardship, rates must be paid by the due date otherwise a daily penalty will apply.

Its proposed that the rate of penalty be in accordance with the provisions of the Local Government Act 1993 which is in accordance with the following formula:

$$P = \frac{LTB+6\%}{365}$$

where –

P is the prescribed percentage;

LTB is the official ten-year long-term bond rate as determined by the Reserve Bank as at the close of business on the last day of business preceding 1 March.

STATUTORY IMPLICATIONS

Statutory Requirements

There is no statutory requirement to have a Debt Management Policy, however it is considered best practice to do so.

The Local Government Act (1993) provides powers to Council for the recover of Rates and Charges

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL
Desired Outcomes
We are a knowledgeable organisation—we demonstrate best practices in our business processes.
Our Priorities
1.6 Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.

Council Strategy or Plan Reference

Council Strategy or Plan	Date Adopted:
Financial management Strategy 2020-2030	Adopted March 2020

POLICY IMPLICATIONS

This Policy will replace the existing Debt Management Policy.

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

This Policy will provide parameters for the collection of debts and improve the

RISK IMPLICATIONS

- Legislative compliance
This Policy provides for the requirements under the Local Government Act (1993)

- **Reputational Risk**

It is important that council collects rates and charges in a fair and equitable manner. All ratepayers must contribute to the payment of services delivered by council. The Policy provides transparent and consistent set of standards in relation to the collection of debts by council.

- **Financial Sustainability**

It is important that debts are collected to ensure on going sustainability. Revenue raised must be collected. Aging debts are a financial risk to Council in that if debts are unable to be collected, there may be a direct operational impact if the debt has to be written off.

CONSULTATION PROCESS

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

CONCLUSION

It is recommended that Council adopted the revised policy and note the cessation of the Financial Hardship Policy on 31 October 2020.

MOVED BY	CR COURTNEY
SECONDED BY	CR HYLAND

That Council:

- 1. Adopt the revised Debt Management Policy; and**
- 2. Note the cessation of the Financial Hardship Policy on 31 October 2020.**

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

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

9.5 AWARD OF CONTRACT #754 - CONSTRUCTION OF THE WYNYARD SPORTS CENTRE CHANGEROOMS

To: Council
Reporting Officer: Project Manager
Responsible Manager: Director Infrastructure and Development Services
Report Date: 27 November 2020
File Reference:
Enclosures: 1. Tender Evaluation Summary - Confidential

PURPOSE

To determine Council's position in relation to the tenders submitted for the upgrades to the Wynyard Sports Centre.

BACKGROUND

The Open Space, Sport and Recreation Plan (OSSR), endorsed in 2017, provides key recommendations for the management of open space, sport and recreation in the municipal area. The OSSR identified issues at the Wynyard Sports Centre that relate to inadequate provision changerooms for both genders. The stadium's existing changerooms and amenities cannot service multiple teams of mixed gender during any given session and during peak use the sharing of changerooms by males and females is necessary and common.

The works proposed at the Wynyard Sports Centre aims to address these issues by constructing two additional changerooms and associated amenities to the rear of the existing building into vacant land. The works will also include a storage area which is currently lacking in the facility, amendments to align the existing disability toilet to current-day standards as well as provide an additional DDA compliant toilet that will be accessible from the external of the facility and will service neighbouring facility users.

A call for tenders was made through Councils electronic tendering portal 'Tenderlink'. At the close of tenders on 24 November 2020, two (2) tenderers provided a submission for the works.

DETAILS

The contract operates as a Lump Sum contract, based upon the anticipated scope of works for the project. Tender prices and assessment of the tender, based upon pre-defined tender criteria, defines the recommendation to Council to award the contract.

At the close of tenders, two tender submissions were received from:

- Marcol Construction
- Vos Construction & Joinery

The tenders received have been assessed against a range of weighted criteria being:

SELECTION CRITERIA		% WEIGHTING
Criteria A	Tender Sum	40
Criteria B	Project understanding including quality and completeness of submission	10
Criteria C	Capacity and resources, materials, Plant and Equipment to complete the works including financial viability	15
Criteria D	Capability and relevant experience of personnel and management.	20
Criteria E	Quality Management Systems, including WHS, Traffic, risk and environmental	15
		100

Tender price comparison and assessment is based upon the total lump sum excluding any provisional items offered by the Contractor. The prices received and the evaluation summary are provided to Councillors as a “Confidential Attachment”.

All valid tenders were checked for compliance against pre-determined criteria and evaluated by means of the weighted average from the evaluation panel. Whilst overall tender sum was considered as one of the evaluation criteria, tenders were also assessed based on relevant experience, quality management systems, project understanding and a demonstrated ability to deliver within the requested timeframe.

All tenderers have demonstrated experience within the industry and have been assessed as competent and capable in the performance of the works for which they have tendered. All tenderers have and continue to provide similar construction services across Tasmania. Each tenderer has provided sufficient evidence to demonstrate their competence and capability to perform the works within the timeframes and to the quality required.

In considering all other matters associated with the project and tender submission it is recommended that Marcol Construction be awarded the contract with a calculated tender value of \$392,584.50.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 4: Community Recreation and Wellbeing
Desired Outcomes
We provide recreational opportunities to the community for all ages and abilities.
Our Priorities
4.4 Provide and maintain quality and safe places and spaces for physical, social and cultural activities, including shared and multi-use facilities where possible.
4.5 Collaborate with community organisations that provide recreation opportunities to our community.

Sustainable Murchison Community Plan 2040

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

Council Strategy or Plan Reference

Council Strategy or Plan	Date Adopted:
Community Health and Wellbeing Plan 2019-2024	Adopted April 2019
Open Space, Sport and Recreation Plan 2017-2027	Adopted September 2017

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

This project has a budgeted sum of \$508,000, including a \$108,000 contribution from Council and the remaining \$400,000 being funded through the Local Roads and Community Infrastructure grant program. The project budget is intended to fund the construction works by contract, as well as design, approvals and overhead costs and a contingency allowance.

If the recommended tenderer is adopted, the estimated total cost of the project is \$503,636. This includes the costs associated with the construction by contract (\$392,585), design and approvals (\$10,400), furnishings (\$5,000), contingency allowance (\$62,398) and overheads allocation (\$33,253).

With a total estimated project cost of \$503,636 this is a forecast saving of approximately \$4,364.

RISK IMPLICATIONS

In the conduct of any contract there are risks to Council including time delays and poor quality of work.

The use of experienced contractors coupled with contract documents will minimise the risk to Council.

CONSULTATION PROCESS

The Wynyard Basketball Club have been engaged throughout the development of the design and will continue to be consulted during the works. Adjoining facility users, such as the Wynyard Community Garden, will also be advised of construction timeframes as part of the project.

CONCLUSION

It is therefore recommended that the Council award Contract #754 – Construction of Wynyard Sports Centre Changerooms to Marcol Construction.

MOVED BY	CR FAIRBROTHER
SECONDED BY	CR BRAMICH

That Council award Contract #754 – Construction of the Wynyard Sports Centre Changerooms to Marcol Construction.

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

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

9.6 FINANCIAL REPORT FOR THE PERIOD ENDED 30 NOVEMBER 2020

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

PURPOSE

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

BACKGROUND

The financial reports presented incorporate:

- Income Statement
- Operating Performance by Department
- Cash Position
- Schedule of Investments
- Rate Summary
- Tenders and Contracts
- 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 IMPLICATIONS

Strategic Plan Reference

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

COMMENT

YTD Operating results are tracking consistently with budget with no material variances to budget identified that will impact on the overall reported result of Council for the year.

A full budget review will occur over the coming weeks and Council will be provided with a revised forecast in the new year.

MOVED BY	CR DUNIAM
SECONDED BY	CR FAIRBROTHER

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

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

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

9.7 SENIOR MANAGEMENT REPORT

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	20 November 2020
File Reference:	1202
Enclosures:	Nil

SUMMARY/PURPOSE

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

GENERAL MANAGERS OFFICE

ACTIVITIES SINCE LAST COUNCIL MEETING

Listed below is a summary of activities undertaken by the General Manager during the period 8 November 2020 to 5 December 2020.

Corporate

- Participated in interviews for vacant Communications Officer role
- Participated in Waratah-Wynyard Council Audit Panel meeting of which the minutes are provided as a separate report on this agenda
- Met with JLT Risk Solutions, Council's Insurance Brokers for an update on areas of interest and a general risk and insurance overview
- Attended a meeting of the Sustainable Murchison Reference Group
- Attended three online sessions from the LG Professionals Annual Conference including the National Federation Awards in which Waratah-Wynyard Council was a finalist in the "*Community Service Delivery Award*" for the Communications and Engagement Strategy

Community

- Met with Chris Stunden, Secretary of the Wynyard Agricultural and Pastoral Society regarding a number of matters relating to the Wynyard Showgrounds
- Met with a community member regarding concerns with weed management
- Met with developers to clarify planning permit conditions
- Met with the Inglis Pony Club regarding club facilities
- Met with Sustainable Timbers Tasmania to progress discussions regarding a Memorandum of Understanding for the Oldina Reserve
- Met with Robin Krabbe, Live Well Tasmania, for an update on their activities and future plans

-
- Met with the Sisters Beach Erosion group for an update on their activities and to discuss their proposed next steps

Industry

- Attended a meeting of the Cradle Coast General Managers with the main discussion items a presentation from Dirk Dowling and Rob Potter of Mountain Biking Network Tasmania and updates from the Cradle Coast Waste Management Group.
- Attended an online briefing on the Tasmanian Drive Journey Project, specifically the Northern Forage Trail
- Attended the Cradle Coast Authority Representatives Meeting and AGM of which the minutes are provided as a separate report on this agenda
- Attended the LGAT General Meeting and Conference

Other

- Attended Board meeting of the Cradle Coast Authority
- Attended the Business North West Budget Briefing with speaker Premier Peter Gutwein
- Attended a Cradle Coast Authority Strategic Workshop
- Met with Member for Braddon, Anita Dow for an update on Council activities
- Participated in an Audit and Risk Committee meeting of the Cradle Coast Authority

Council Closure

Council will be closed on **Monday 25 and Tuesday 26 January** for the Australia Day Long Weekend.

Community Conversations

Community Conversations were postponed until further notice in line with Public Health guidelines in April 2020 due to COVID-19 restrictions.

Now that restrictions have lifted somewhat, Council will recommence the popular Community Conversations in the new year. A council motion was passed that moving forward, the Community Conversations would be held bi-monthly and that each town would have one forum per year.

To ensure that no community misses out because of the postponement a Community Conversations will be held each month until June. Council will then move to a bi-monthly schedule. A new advertising campaign will be conducted to encourage participation.

Following the greater participation in daytime events, the following dates have been set for next year with all Community Conversations being held from 10.30am -12.30pm

Boat Harbour Beach	Wednesday 27 January -10.30am-12.30pm
Sisters Beach	Wednesday 17 February – 10.30am-12.30pm
Yolla	Wednesday 17 March – 10.30am-12.30pm
Waratah	Wednesday 14 April – 10.30am-12.30pm
Wynyard	Wednesday 12 May – 10.30am-12.30pm
Somerset	Wednesday 16 June – 10.30am-12.30pm

ADMINISTRATION – USE OF CORPORATE SEAL

13/11/20	Final Plan & Schedule of Easements	7062415 – 4 Austin Street Subdivision 1 into 2 lots)
13/11/20	Final Plan & Schedule of Easements	3253740 – 56 Dodgin Street Wynyard Subdivision 1 into 2 lots
16/11/20	Grant Deed	WWC and Department of State Growth - Vulnerable Road Users Program
19/11/20	Final Plan & Schedule of Easements	D/A 102/2020 – 538 Seabrook Road Mt Hicks, boundary adjustment
19/11/20	Final Plan & Schedule of Easements	SD2058 – 24 West Jenner St Wynyard – 1 into 2 lots and demolition of carport.
2/12/20	Final Plan & Schedule of Easements	SD2079 – 4 Saunders Street Wynyard, subdivision (1 lot into 2)

MOVED BY	CR COURTNEY
SECONDED BY	CR DUNIAM

That Council note the monthly Senior Management Report.




The MOTION was put and was CARRIED unanimously.

IN FAVOUR

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

9.8 MINUTES OF OTHER BODIES/COMMITTEES

9.8.1 MINUTES OF OTHER BODIES/COMMITTEES - AUDIT PANEL COMMITTEE - 10 NOVEMBER 2020

To:	Council
Reporting Officer:	Executive Officer - Governance and Performance
Responsible Manager:	Director Organisational Performance
Report Date:	27 November 2020
File Reference:	007.17
Enclosures:	<ol style="list-style-type: none">1. Unconfirmed Minutes of Waratah-Wynyard Council Audit Panel Committee - 10 November 2020 2. 2021 Audit Panel Annual Work Plan 3. Waratah-Wynyard Council Audit Panel Performance Questionnaire Results 2020 

PURPOSE

The Audit Panel met on the 10 November 2020. The unconfirmed minutes, annual work plan for 2021, and the annual performance review questionnaire results are presented to Council for noting.

BACKGROUND

In February 2014 the Tasmanian State Government passed legislation that requires all Tasmanian Councils to establish an Audit Panel.

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

The common current Audit Panel members are:

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

The Audit Panel is required to hold at least four meetings per year, with a majority of members constituting a quorum.

DETAILS

The Audit Panel met on the 10 November 2020 at the Circular Head Council Chambers.

Recurrent Agenda Items

The Panel's annual work plan includes undertaking the following at each meeting:

Financial Management:

- Review action taken by Council on previous recommendations from the audit panel, what the action was and the effectiveness of the action.

Internal Controls and Risk Management:

-
- Determine whether the council has internal processes for determining and managing material operating risks in the following areas:
 - important accounting judgements or estimates that prove to be incorrect;
 - litigation claims and complaints against the council;
 - fraud, theft and other illegal and unethical behaviour, and
 - significant business risks, such as workplace health and safety and how these are managed by the council.
 - Review summary reports from the council's management on all suspect and actual frauds, thefts and material breaches of legislation, ensuring they have been reported to the council and the relevant authorities.

Legislative Compliance & Ethics

- Ensure council policies and procedures are appropriately designed and implemented and effective systems are in place to monitor compliance with council policies and procedures.

The Panel made no formal recommendations at the meeting held on 10 November 2020.

Special Focus Items:

In addition to the above recurrent considerations at each meeting, the work plan includes several special focus areas for each meeting. At this meeting the Panel:

- Reviewed and commented on the Annual Report for 2019/20 noting that the end of financial year result was almost break even.
- Noted Council's procurement framework changes and post meeting received a copy of the recently reviewed and adopted policy.
- Discussed Council's HR management framework, and Council's suite of policies and procedures and were advised that the planning for the next Enterprise Bargaining Agreement had commenced.
- Received and discussed Council's recently updated Information Management Policy and Guidelines.
- Endorsed the proposed work plan for the Panel for 2021.

Annual Performance Review

The results of the performance review questionnaire were collated outside the Panel meeting and will be formally noted by the Panel at its next meeting.

The report is attached for Council to note. The results of the questionnaire were very positive in relation to the objectives, functions and activities of the panel being met.

The panel believe that council staff reported information in a well presented and timely manner and that the information was very comprehensive. The Panel also commended council staff on their professional approach to the requests of the panel.

Some suggestions for improvement were:

- (a) internal advance planning where major work plan includes a guest that would normally not attend;
- (b) a covering letter from the Chair to Council advising what the major work items were and outlining any formal recommendations made for Council consideration and suggestions on how this could be achieved;
- (c) Audit Office seminars relative to the Audit Panel could be offered via Zoom;
- (d) agenda documents too lengthy;
- (e) Audit Panel meetings could be split to have some via Zoom;
- (f) greater engagement and attendance by elected members; and
- (g) consideration of the continuation of the Audit Panel representing three Councils.

The Panel's next meeting is scheduled for Tuesday 23 March 2021 at the Waratah-Wynyard Council Offices.

STATUTORY IMPLICATIONS

Statutory Requirements

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

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

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

The *Local Government (Audit Panels) Amendment Order 2015* was issued on 1 January 2016.

STRATEGIC IMPLICATIONS

GOAL 1: Leadership and Governance	
Desired Outcomes	
We maintain and manage our assets sustainably.	
We cherish fairness, trust and honesty in our conduct and dealings with all.	
We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making.	
We are recognised for proactive and engaged leadership.	
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.
1.7	Develop leadership that inspires and motivates, and which maintains a strong community and workplace culture.
1.8	Review and adjust service levels to provide value for money.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Costs associated with the Audit Panel have been minimal, comprising around \$11,000 for payment of fees to independent Audit Panel members.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

Not applicable.

COMMENT

It is recommended that Council note the Unconfirmed Minutes of the Waratah-Wynyard Council Audit Panel held on 10 November 2020 and released by the Chair on 24 November 2020 and also note the 2021 Audit Panel Annual Work Plan and the Annual Performance Review of the Audit Panel for 2020.

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

That Council:

- 1. Note the Unconfirmed Minutes of the Waratah-Wynyard Council Audit Panel meeting held on 10 November 2020;**
- 2. Note the 2021 Annual Work Plan for the Waratah-Wynyard Council Audit Panel; and**
- 3. Note the results of the Annual Performance Questionnaire for 2020.**

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

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

10.0 MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING

MOVED BY	CR DUNIAM
SECONDED BY	CR HYLAND

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

<i>Matter</i>	<i>Local Government (Meeting Procedures) Regulations 2015 Reference</i>
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) – Notices Of Motion</i>	15(2)
<i>Confidential Report R15 (2) (g) information of a personal nature or information provided to the council on the condition it is kept confidential</i>	15 (2) (g)
<i>Confidential Report R15 (2) (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) (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) (f,j) proposals for the council to acquire land or an interest in the land or for the disposal of land; AND the personal hardship of any person who is resident, or is a ratepayer in, the relevant municipal area</i>	15 (2) (f,j)
<i>Confidential Report R15 (2) (h) - Leave of Absence Request - Councillors</i>	15(2)(h)
<i>Confidential Report R15 (2) - Closed Senior Management Report</i>	15(2)

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

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

11.0 CLOSURE OF MEETING TO THE PUBLIC

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

That the Council RESOLVES BY AN ABSOLUTE MAJORITY to go into Closed Meeting to consider the following matters, the time being 7.25PM

Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) – Notices Of Motion</i>	15(2)
<i>Confidential Report R15 (2) (g) information of a personal nature or information provided to the council on the condition it is kept confidential</i>	15 (2) (g)
<i>Confidential Report R15 (2) (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) (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) (f,j) proposals for the council to acquire land or an interest in the land or for the disposal of land; AND the personal hardship of any person who is resident, or is a ratepayer in, the relevant municipal area</i>	15 (2) (f,j)
<i>Confidential Report R15 (2) (h) - Leave of Absence Request - Councillors</i>	15(2)(h)
<i>Confidential Report R15 (2) - Closed Senior Management Report</i>	15(2)

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

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

12.0 RESUMPTION OF OPEN MEETING

At 8.06pm the Open Meeting was resumed.

13.0 PUBLIC RELEASE ANNOUNCEMENT**RECOMMENDATION**

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

Min. No.	Subject	Decisions/Documents
NIL		

THERE BEING NO FURTHER BUSINESS THE CHAIRPERSON DECLARED THE MEETING CLOSED AT 8.06pm.

Confirmed,

MAYOR

18 January 2021