



**ORDINARY MEETING  
OF COUNCIL**

**AGENDA  
OPEN MEETING**

**18 January 2021**

18 January 2021

## **Notice of Meeting – Ordinary Meeting of Council**

In accordance with the *Local Government (Meeting Procedures) Regulations 2015* NOTICE is hereby given that the next Ordinary Meeting of the Waratah-Wynyard Council will be held at the Council Chambers, 21 Saunders Street, Wynyard on Monday 18 January 2021 with the Business of the meeting to be in accordance with the following agenda paper.

### **General Manager's Certification**

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

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



Shane Crawford  
GENERAL MANAGER

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

18 January 2021

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

Dear Shane,

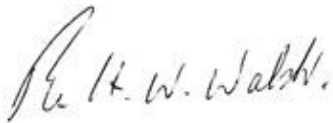
#### **COUNCIL MEETING**

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

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

I request that you make the necessary arrangements for the next ordinary meeting of Council to be convened on Monday 18 January 2021 commencing at at the Council Chambers, 21 Saunders Street, Wynyard.

Yours sincerely



Cr Robby Walsh  
MAYOR

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

**AGENDA OF AN ORDINARY MEETING OF THE WARATAH-WYNYARD COUNCIL TO BE HELD AT THE COUNCIL CHAMBERS, 21 SAUNDERS STREET, WYNYARD ON MONDAY 18 JANUARY 2021, COMMENCING AT 6PM.**

	<b>From</b>	<b>To</b>	<b>Time Occupied</b>
Open Council			
Planning Authority			
Open Council			
Closed Council			
Open Council			
TOTAL TIME OCCUPIED			

#### **DIGITAL RECORDING OF COUNCIL MEETINGS POLICY**

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

#### **ACKNOWLEDGEMENT OF COUNTRY**

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

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<b>1.0 RECORD OF ATTENDANCE</b>
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Legislative Reference:

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

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

*(a) attendance and apologies.*

**1.1 ATTENDANCE**

**1.2 APOLOGIES**

**1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Nil received.

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<b>2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING</b>
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Legislative Reference:

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

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

*(b) Confirmation of the minutes.*

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

### **RECOMMENDATION**

**That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at Council Chambers, 21 Saunders Street, Wynyard on Monday 14 December 2020, a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.**

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



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<b>3.0 DECLARATIONS OF INTEREST</b>
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Legislative Reference:

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

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

**Councillor and Agenda Item Number**

**Staff and Agenda Item Number**

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**4.0 COUNCILLORS ANNOUNCEMENTS AND REPORT****4.1 ANNOUNCEMENTS BY MAYOR**

Nil received.

**4.2 MAYOR'S COMMUNICATIONS****RECOMMENDATION**

**That Council note the Mayors Communications**

8/12/20	Meeting with General Manager
8/12/20	Meeting with Deputy Mayor and Consultant
8/12/20	Councillor Workshop
9/12/20	Meeting with Constituents
14/12/20	Probus Club Function
14/12/20	Council Meeting
15/12/20	Meeting with Deputy Mayor and General Manager
21/12/20	Mayors Message – East Wynyard Playground

**4.3 REPORTS BY DELEGATES**

Nil received.

**4.4 NOTIFICATION OF COUNCIL WORKSHOPS**

*Legislative Reference:*

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

*The agenda of an ordinary meeting of a council is to provide for, but is not limited to, the following items:  
(c) the date and purpose of any council workshop held since the last meeting.*

**RECOMMENDATION**

**That the Council note the following Councillor Workshops**

	There have been no workshops since the December Council Meeting
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**Upcoming Workshops - Indicative Only**

1/2/21	Boat Harbour Beach Masterplan – progress update
8/2/21	LGAT Meeting Motions
22/2/21	Business North West presentation

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## Councillor Attendance Records

Meetings attended during 2020/21 (to 11 January 2021)

	<b>Ordinary Meetings 2020/21 (5)</b>	<b>Special Meetings / AGM 2020/21 (2)</b>	<b>Workshops 2020/21 (16)</b>	<b>Weeks Leave Approved</b>
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

## 5.0 PUBLIC QUESTIONS AND STATEMENTS

Legislative Reference:

*Local Government (Meeting Procedures) Regulations 2015 Regulation 31*

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

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

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

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

- (1) *Members of the public may, during the public statements or the Planning Authority segments of the order of business, with the consent of the Presiding Member make a public statement on any matter that appears on the agenda for that meeting provided that:*
  - (a) *The member of the public submits to the General Manager prior to the commencement of the meeting the public statement in a form acceptable to the General Manager and which includes the name and residential or contact address of the member of the public;*
  - (b) *The public statement precedes discussion of any matter which requires a decision to be made at the meeting but otherwise at item (11) of order of business at clause 4.2;*
  - (c) *The public statement is limited to a maximum period of 3 minutes, unless otherwise determined by the Presiding Member; and*
  - (d) *No discussion or questions relating to the statement are permitted, unless otherwise determined by the Presiding Member.*
- (2) *Fifteen minutes is to be allocated for the public statement time.*
- (3) *Once all statements have been made, nothing prevents the unused part of the statement time period from being used for other matters.*
- (4) *If the 15-minute period set aside for public statements is reached, Council, by resolution, may resolve to extend the period for an additional 15 minutes to allow statements to be made.*
- (5) *No more than two 15-minute extensions to the time for public statements are to be permitted.*
- (6) *Procedures for public statements are to be in accordance with policy adopted from time to time by the Council and, where the policy is silent on a matter, the procedures for that matter are to be determined by the Presiding Member.*

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

Nil received.

**5.2 PUBLIC QUESTIONS RECEIVED IN WRITING**

Nil received.

**5.3 PUBLIC QUESTIONS WITHOUT NOTICE**

Legislative Reference:

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

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

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

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

*(5) The Chairperson may –*

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

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

**5.4 PUBLIC STATEMENTS RECEIVED IN WRITING**

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

Nil received.

**5.5 PUBLIC STATEMENTS WITHOUT NOTICE**

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## **6.0 PLANNING AUTHORITY ITEMS**

Legislative Reference:

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

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

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

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

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

Legislative Reference:

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

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

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

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

*(5) The Chairperson may –*

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

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

Nil received.

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

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

Nil received.

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## 7.0 MATTER RAISED BY COUNCILLORS

Legislative Reference:

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

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

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

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

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

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

#### 7.1.1 CR C EDWARDS- FORESHORE MARKETS

##### QUESTION

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

##### OFFICERS RESPONSE

The Market Coordinator is responsible for the operation of the market. Bookings are made through the Foreshore Market Facebook Page.

If the public contact Council regarding the booking of a stall at the market, they are referred to the Market Coordinator. The Market Coordinator speaks with the stallholders (charity, or otherwise) and explains bookings and payment. This has been done in person, via the telephone and also through private message on Facebook. The Market Coordinator has spoken to all of the stallholders who have requested to use the charity site, with the Charitable Sites information from the guidelines.

The Foreshore Market Stallholder Registration Form and Guidelines were due to be reviewed and updated. Covid 19 considerations were included in the updates. The new document was handed out to Market Stallholders by the Market Coordinator on the weekend of October 17/18, 2020. The guidelines include the following in regard to Charitable Sites:

##### ***Charitable Sites***

*Wynyard Foreshore Market allocates one free stall space for use by charity groups and fundraisers at each market. To utilise this space, the charity needs to provide a letter of verification from the organisation they are raising funds on behalf of.*

*Charities may register to use the space for up to six free market stalls per calendar year. Once a charity has exceeded the six free markets per calendar year, the charity is required to pay for a site. If no other user is in the free charity space, a charity who has already exceeded their six free uses may occupy the charity site for free, but priority will be given to other charities.*

*Please contact the Market Coordinator directly to reserve the free charity space.*

A social media post was made on Council's Facebook page, advising the public of the free charity space available.

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## **7.1.2 CR D FAIRBROTHER - BASS HIGHWAY UPGRADES**

### **QUESTION**

At the November Council Meeting, 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.

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

### **OFFICERS RESPONSE**

A response was received from the Department of State Growth on 24 December 2020. A Copy of the letter is attached below.



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## Department of State Growth

STATE ROADS DIVISION

Salamanca Building Parliament Square  
4 Salamanca Place, Hobart TAS  
GPO Box 536, Hobart TAS 7001 Australia  
Email [info@stategrowth.tas.gov.au](mailto:info@stategrowth.tas.gov.au) Web [www.stategrowth.tas.gov.au](http://www.stategrowth.tas.gov.au)  
Your Ref: / Our Ref: D20/316216



Mr Robby Walsh  
Mayor  
Waratah-Wynyard Council  
By email: [sblanc@warwyn.tas.gov.au](mailto:sblanc@warwyn.tas.gov.au)

Dear Mayor Walsh

Thank you for your letter on the 2 December 2020 regarding the Bass Highway upgrade through Boat Harbour, and Council's concerns about the distance between this project and an existing house.

As you are aware, the Bass Highway – Boat Harbour Primary School Turning Facilities project is part of a suite of projects which will upgrade the Bass Highway west of Wynyard. This project will provide safer access to and from Boat Harbour Primary School, Dobsons Lane, Fists Lane and the Boat Harbour store for the local community, and improve the safety and efficiency of the Bass Highway for all road users.

The initial design for the upgrade required the acquisition and demolition of the house at 17385 Bass Highway, Boat Harbour, which is co-owned by two separate parties.

An offer was made to the two parties to acquire the property in its entirety. This offer was deemed unacceptable by one of the parties, meaning that the full acquisition could not proceed.

The Department of State Growth redesigned the project to minimise the amount of acquisition, which meant that the house could be retained in its current position.

I understand this project was discussed with Council multiple times between March 2019 and February 2020, and that Council were made aware of the change to the design in May 2020, as part of communication issued to the Bass Highway – Wynyard to Marrawah Corridor Strategy working group. I am advised that no response was received from Council at the time that the revised plan was issued.

The project has now reached practical completion. The edge of the traffic lane is now approximately 6 metres from the front of the property. The house is separated from the highway by a safety barrier, which has been installed 2 metres from the edge of the traffic lane, and a 2.5-metre-wide footpath. The fencing on the property boundary was altered from a picket fence to a 1.8-metre-high lapped paling fence at the request of the current occupant.

I understand that both the design consultant and construction contractor have continued to liaise with the current occupant of the house during the design and construction phases of the project, to minimise the impact this project is having on the property.

I trust this information is of assistance to you in responding to Council's concerns.

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The Department looks forward to working with Council further as we continue to upgrade the Bass Highway between Wynyard and Marrawah.

Yours sincerely



Denise McIntyre  
**A/General Manager, State Roads**

23 December 2020

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

Nil received.

## **7.3 COUNCILLOR QUESTIONS WITHOUT NOTICE**

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

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<b>8.0 NOTICE OF MOTION</b>
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Legislative Reference:

*Local Government (Meeting Procedures) Regulations 2015; Regulation 16*

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


Nil received.

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## 9.0 REPORTS OF OFFICERS AND COMMITTEES

### 9.1 PUBLIC LAND DISPOSAL CONSULTATION OUTCOME - 9 MARTIN STREET, WYNYARD

To: Council  
Reporting Officer: Project Support Officer  
Responsible Manager: Director Organisational Performance  
Report Date: 14 December 2020  
File Reference: Property Mgmt (Council) - Acquisition & Disposal of Council Land/Buildings  
Enclosures: 1. Objection - Sale of Public Land 

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#### RECOMMENDATION

##### That Council:

1. Note the outcome of the public land disposal process for 9 Martin Street following the 21-day consultation process;
2. Resolve to proceed with sale of the land; and
3. Advise the objector of their right to appeal under *Section 178A of the Local Government Act 1993*.

#### PURPOSE

This report has been prepared to assist Council in considering the sale of land at 9 Martin Street, Wynyard.

#### BACKGROUND

Council recently workshopped a number of parcels of land that are considered surplus to Council needs. Following that discussion, a decision was made in the closed session of the November 16 Council meeting determining to proceed with the formal public land disposal process for 9 Martin Street.

An Officers report was presented to Council at the February 2018 Council Meeting, titled Proposed East Wynyard Foreshore Masterplan, which sought endorsement in relation to the Council adopted Open Space Sport and Recreation Plan 2017-2027. One of the key recommendations (No. 124, pg. 41) of this plan included: -

*Consider consolidating the number of sites with play equipment, providing strategic hubs along the coast, central to the town in the west, and to the north, that can provide social/family recreation spaces for the Wynyard Community in the long-term.*

The resolution to this 2018 report was;

MOVED BY	CR BRAMICH
SECONDED BY	CR FRIEDERSDORFF

##### That Council:

1. Adopt the Draft East Wynyard Foreshore masterplan;
2. Consider implementation of the proposed playground and landscaping elements for the 2018/19 budget;
3. Consider rationalising the existing 4 local playground sites, 2 at the East Wynyard Foreshore, 1 at 9 Martin Street and 1 at 25 Lockett Street in order to fund the proposed district level playground; and

- 
- 
4. **Remain flexible in the implementation of the East Wynyard Foreshore masterplan as it assesses cost and benefits in consultation with the community and users into the future**

The MOTION was put and was CARRIED unanimously

IN FAVOUR

	CR BRADLEY	CR BRAMICH	CR DUNIAM
CR FAIRBROTHER	CR FRIEDERSDORFF	CR HYLAND	CR WRIGHT

The new Rotary Park Playground is now complete.

### DETAILS

9 Martin Street, Wynyard has a land use description as Park, Recreation Area Authority and zoned 10.0 General Residential. It is an area of 0.3313ha.

The land is considered suitable for affordable housing with the potential of offering between four to six units. This report has been prepared to allow Council to consider listing the property for sale on the open market, allowing a purchaser to acquire and develop the site.



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## **Playground Rationalisation**

The land does contain a small playground. Council has a formal resolution on record (February 2018) to consider consolidating playground sites in the East Wynyard area in order to assist in the funding of the district level playground now provided at Rotary Park.

The Rotary Park Playground has been very well received in the community with a great deal of usage and enjoyment.

In considering rationalising the existing playgrounds, there are now two playgrounds within proximity of the new Rotary Park Playground (within 500m). These being 25 Lockett Street and 9 Martin Street, both sites have local level playground equipment.

If Council accept the recommendation to list the property for sale, the playground equipment would be removed prior to listing on the open market with any equipment of any value to be repurposed.



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## Public Land Disposal Process

9 Martin Street, Wynyard is listed on the Public Land Register and is therefore subject to a 21-day public consultation process under the *Local Government Act 1993*. The 21-day public consultation process has occurred in accordance with Section 178.

The Sale of Public Land Notice – 9 Martin Street was advertised in The Advocate newspaper on Wednesday 2 December and Saturday 5 December 2020. A notice was also displayed on the property on Wednesday 2 December 2020 and placed on Councils web site.

The consultation period concluded 23 December 2020 with one objection received. Council must consider the objection lodged as a part of its decision-making process. The objection is attached for the information of Councillors and included:

*“Recently I had come across a piece of a4 paper attached to a small stick post stating the park will be put up for sale and was concerned how many residents nearby had actually noticed. So I took it upon myself to talk to the people of Martin street and regular uses of the park and identified that they hadn’t noticed the sign and had a large number of negative reactions for the sale of the property and I would like to object the sale of the property on behalf of Martin street, as many residents of this area don’t have the capacity/services to object.*

*The park is a safe community environment for all family’s and local residents and has been for a long time. Local Children interact on a daily basis at the park as it has easy and safe access. During a time of COVID We understand the new east Wynyard development playground has recently opened up has gained a lot of interest, but the access for the young children of Martin street is a concern as they are crossing a busy road and is a larger walking distance from their home.*

*If this property is to be sold privately, a benefit for the council would be to receive rates, but if you weigh that against a safe community environment with easy access and promote what could be a larger recreation area for Martin street with replacing the out-dated playground with a BBQ area or any type of community recreational area.*

*Thank you for your consideration and we hope you can understand why we would like to keep this community area.”*

In summary, the objection included concerns relating to:

- The process for advertising
- The capacity of residents to object
- Children safety and loss of community recreation area

Basis of Objection	Additional Information
<p><b>Advertising</b></p> <p><b>Residents capacity / services to object</b></p>	<p>Council advised the public that an objection to the proposed sale may be made within 21 days of the first publication. Methods used included advertising in the local newspaper and placing a notice on site. Additional information was also provided on Council's web site. Council has complied under the Act which states:</p> <p><i>"If a council intends to sell, lease, donate, exchange or otherwise dispose of public land, the general manager is to–</i></p> <p><i>(a) publish that intention on at least 2 separate occasions in a daily newspaper circulating in the municipal area; and</i></p> <p><i>(ab) display a copy of the notice on any boundary of the public land that abuts a highway; and</i></p> <p><i>(b) notify the public that objection to the proposed sale, lease, donation, exchange or disposal may be made to the general manager within 21 days of the date of the first publication."</i></p>
<p><b>Children safety and loss of community recreation area</b></p>	<p>Council adopted the Open Space Sport and Recreation Plan 2017-2027 at the February Meeting in 2018. The community was consulted in the development of this Plan.</p> <p>One of the key recommendations (No. 124, pg. 41) of this plan included: -</p> <p><i>Consider consolidating the number of sites with play equipment, providing strategic hubs along the coast, central to the town in the west, and to the north, that can provide social/family recreation spaces for the Wynyard Community in the long-term.</i></p> <p>There are considered ample recreation spaces within the local area. Council is currently considering a revised East Wynyard Foreshore Masterplan. Access to and from the new Rotary Playground will be considered as part of this document.</p>

## STATUTORY IMPLICATIONS

### Statutory Requirements

The *Local Government Act 1993* Sections 178, 178A and 178B outlines the process for the sale of Public Land as follows:

#### **178. Sale, exchange and disposal of public land**

- (1) A council may sell, lease, donate, exchange or otherwise dispose of public land owned by it in accordance with this section.
- (2) Public land that is leased for any period by a council remains public land during that period.
- (3) A resolution of the council to sell, lease, donate, exchange or otherwise dispose of public land is to be passed by an absolute majority.
- (4) If a council intends to sell, lease, donate, exchange or otherwise dispose of public land, the general manager is to–
  - (a) publish that intention on at least 2 separate occasions in a daily newspaper circulating in the municipal area; and
  - (ab) display a copy of the notice on any boundary of the public land that abuts a highway; and
  - (b) notify the public that objection to the proposed sale, lease, donation, exchange or disposal may be made to the general manager within 21 days of the date of the first publication.
- (5) If the general manager does not receive any objection under [subsection \(4\)](#) and an appeal is not made under [section 178A](#), the council may sell, lease, donate, exchange or otherwise dispose of public land in accordance with its intention as published under [subsection \(4\)](#).
- (6) The council must –
  - (a) consider any objection lodged; and



- (b) by notice in writing within 7 days after making a decision to take or not to take any action under this section, advise any person who lodged an objection of –
  - (i) that decision; and
  - (ii) the right to appeal against that decision under [section 178A](#) .
- (7) The council must not decide to take any action under this section if –
  - (a) any objection lodged under this section is being considered; or
  - (b) an appeal made under [section 178A](#) has not yet been determined; or
  - (c) the Appeal Tribunal has made a determination under [section 178B\(b\)](#) or [\(c\)](#) .

**178A. Appeal**

- (1) Any person who lodged an objection under [section 178](#) may appeal to the Appeal Tribunal against the decision of a council under [section 178\(6\)](#) within 14 days after receipt of notice of that decision under [section 178\(6\)\(b\)](#) .
- (2) An appeal must be made in accordance with the [Resource Management and Planning Appeal Tribunal Act 1993](#) .
- (3) An appeal may only be made on the ground that the decision of the council is not in the public interest in that –
  - (a) the community may suffer undue hardship due to the loss of access to, and the use of, the public land; or
  - (b) there is no similar facility available to the users of that facility.
- (4) The Appeal Tribunal is to hear and determine an appeal in accordance with the [Resource Management and Planning Appeal Tribunal Act 1993](#) .
- (5) The decision of the Appeal Tribunal on hearing an appeal is final and [section 25 of the Resource Management and Planning Appeal Tribunal Act 1993](#) does not apply.

**178B. Determination of appeal**

In hearing an appeal against a decision of a council, the Appeal Tribunal may –

- (a) confirm that decision; or
- (b) set aside that decision; or
- (c) set aside that decision and –
  - (i) substitute another decision; or
  - (ii) remit the matter to the council for reconsideration.

**STRATEGIC IMPLICATIONS**

Strategic Plan Reference

<b>GOAL 4: Community Recreation and Wellbeing</b>
<b>Desired Outcomes</b>
We make publicly transparent decisions on spending and future directions while encouraging community feedback.
<b>Our Priorities</b>
1.6 Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
<b>Strong communities and social capital</b>	<b>Enduring community capital</b> – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
<b>Place making and liveability</b>	<b>Liveable places for all ages</b> – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.
<b>Governance and working together</b>	<b>Working together for Murchison</b> – Everyone plays a part in achieving the objectives of the Sustainable Murchison Community Plan. There is cooperation,

<b>Community Future Direction Theme</b>	<b>Key Challenges &amp; Opportunities:</b>
	resource sharing and less duplication between Councils. Leadership is provided across all community sectors.

### Council Strategy or Plan Reference

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

## **POLICY IMPLICATIONS**

### **Asset Management Policy**

Council's Asset Management Policy states that Council is to:

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

Council is often required to make decisions in the best interests of the community in the appropriate allocation of resources. Council's Financial Management Strategy includes the following principles which are applicable to this decision.

***“Principle 1: The community's finances will be managed responsible to enhance the wellbeing of residents.***

*Council will ensure it only raises the revenue it needs and will do so in the most efficient and equitable manner possible. Council will manage community funds according to best practice standards and ensure information regarding its financial management decisions is accessible to the community. Council will ensure it only delivers those services that cannot be delivered more efficiently and effectively by other providers.”*

***“Principle 4: Resources will be allocated to those activities that generate community benefit.***

*Council will ensure robust and transparent processes are in place for the allocation and prioritisation of resources through budgetary decision-making, as well as choosing the most effective methods for delivering specific services and projects. Strategies will include a vigorous cost-benefit analysis in preparing and assessing proposals. Council recognises its service obligations to the Waratah Wynyard community in its decision-making.”*

## **ENVIRONMENTAL IMPLICATIONS**

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

## **FINANCIAL IMPLICATIONS**

The Office of the Valuer General provided a market valuation of \$217,500 as at July 2016.

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A property appraisal has been sought and it was advised that based on the current market and land sales in similar areas, 9 Martin Street was valued at between \$150,000 - \$175,000. If Council were to develop / subdivide into residential building blocks, the blocks may sell individually for between \$65,000 - \$75,000 based on similar blocks which have been sold in the Lockett Street and Ballad Avenue areas.

It is recommended that if Council choose to proceed with the sale that the property be placed on the open market allowing a purchaser to acquire and develop the site.

Whilst the holding costs of this land are minimal, holding land that is surplus to Council's needs does incur costs in terms of lost opportunity. The land can provide benefit through potential for rates and charges income from any development.

### **RISK IMPLICATIONS**

The following risks have been identified relating to this matter.

- *Reputational Risk*  
The public land disposal process provided an opportunity for the community to provide feedback. Only one objection was received, however it is noted that the objection stated the community had a negative reaction to the sale but lacked the capacity/services to object. A stronger objection to the sale may become evident if the play equipment is removed.
- *Financial Sustainability*  
There is a financial risk to ensure that Council services are provided in an economically optimal way.
- *Community and Organisational Safety*  
The playground equipment is not well maintained, and the condition of the play equipment will worsen each year without a formal decision to either replace the existing playground or alternatively use the site for an alternate purpose.

### **CONSULTATION PROCESS**

Council has considered this land to be surplus to the community's needs and commenced the mandatory disposal process to ascertain community opinion.

A 21-day public consultation process has occurred in accordance with *Section 178* with one response being received by the closing date on 23 December 2020.

### **CONCLUSION**

It is recommended that Council consider the sale of 9 Martin Street Wynyard and by absolute majority resolve to sell and in accordance with *Section 176* advise the objector of their right to appeal under *Section 178A* of the *Local Government Act 1993*.

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## 9.2 ANNUAL UPDATE OF COUNCIL NATURAL RESOURCE MANAGEMENT AND WEED MANAGEMENT ACTIVITIES

To: Council  
Reporting Officer: NRM Officer  
Responsible Manager: Director Infrastructure and Development Services  
Report Date: 4 December 2020  
File Reference: 0101  
Enclosures: Nil

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### RECOMMENDATION

**That Council note the annual update on Council's Natural Resource Management (NRM) and Weed Management activities**

### PURPOSE

To provide an update of the status of specific actions defined in the Waratah Wynyard Council Weed Management Strategy adopted in December 2005 (The Plan) as well as other NRM activity over the previous 12 months.

### BACKGROUND

Waratah-Wynyard Council resource share an NRM officer with Circular Head Council. Since initial appointment as a Weeds Officer the position expanded in October 2015 to one under the broader auspices of natural resource management.

Environmental weed management is now manifested under the overarching natural resource management discipline. Although part of this report relates to weed management within the Waratah Wynyard Municipal area it is written with awareness that weeds do not recognise political boundaries and consequently movement of weeds across individual property or municipal boundaries is sometimes considered in this Council's weed management activities. However, there are tangible benefits from the resource shared model in weed management.

Weed management is not a static discipline with natural and anthropogenic factors influencing planning, actioning and reviewing any defined integrated weed management strategy in an ongoing and often inconsistent basis.

The **Weed Management** aspect of this report will address progress against the actioning of the five weed management issues captured in the 2005 plan during the past twelve months.

The **Natural Resource Management** section articulates the diverse range of issues encompassed within an evolving natural resource management discipline currently being addressed by Council.

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## DETAILS

### Weed Management

The weed management issues initially identified to be addressed in overarching Waratah Wynyard Weed Management Strategy 2005 are:

- (i) A co-ordinated approach to weed control
- (ii) Education, awareness and ownership
- (iii) Weed hygiene and the spread of weeds along corridors
- (iv) Weed invasion in coastal areas
- (v) Resources and continuity of the weed program

They remain relevant however it is considered that at this time it is appropriate that a sixth issue be reported on. This is:

- (vi) The effect of climate change on weeds management.

Although the priority weeds in the WWC municipality continue to be ragwort, pampas grass, gorse, broom and thistle species the momentum for crack willow management has waned as it has become resource starved and some instances where inappropriate mechanical removal of streamside willows has caused catastrophic river bank erosion. This in turn has initiated some tension with respect to removal of willows along stream sides. Crack willow management should continue to be an issue for consideration on Council land but where they are located on moving riverbanks in situations where council has no authority of responsibility to remove them is not council's business to remove them.

1. Infestations of several emerging species along roadside corridors are continually being monitored and treated by Council.

They are:

- Californian Stink Weed – *Navarretia squarossa*
- Montbretia – *Crocsmia X crocosmiiflora*

The NRM section is also aware of the threat of establishment of Paramatta Grass (*Sporobolus fertilis*) in the region. This residual grass species has the capacity to generate 80,000 seeds per square metre and can choke out pastures and sports field grasses once established.



**An image of a recently identified Paramatta Grass outbreak on the North West Coast. WWC should be vigilant and ensure that an infestation is not established within it's municipal boundary.**

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Some occasional and specific locally initiated projects may be funded through a competitive application process.

## **PROGRESS AGAINST IDENTIFIED WEED MANAGEMENT ISSUES IN 2020**

### **Co-ordinated approach to weed control**

A co-ordinated approach to weed management based on integrated action strategies is embraced by Council. The coordination is manifested through the processes of internal and external communication, cooperation and knowledge brokering.

The coordinated approach goes beyond simply weed management service delivery by Council to an evolving role of facilitating community weed management in areas where the past perceived jurisdictional need for Council to provide resources to undertake work has not been correct or in fact not legal.

Weed management decisions made in the prescribed coordinated approach are now generally evidence based rather than emotively conceived

#### **(i) Internal**

The recently implemented service level model through which Council delivers programmed actions logically has the delivery of weed management through the works department or contractors as required continues. This includes routine roadside vegetation (not just weeds) management and vegetation management within the parks and recreation section.

The current structure of the Infrastructure and Development Department continues to enable cross pollination of ideas between the service delivery and natural resource management disciplines of council through planning, or ad hoc, processes as required.

#### **(ii) External**

The Natural Resource Management officer continues to identify opportunities for as well as develop and foster formal and informal relationships / partnerships with peers and other relevant stakeholders within the private, public, scientific and not for profit sectors within the region, the State and nationally.

The Natural Resource Management officer recently participated with officers from Burnie and Central Coast Councils with an application to the Tasmanian State Government initiated Weed Action Fund for a regional approach to mapping Spanish Heath (*Erica lusitanica*) on private and government land within the Cradle Coast region.

## **2. Education, awareness and ownership**

The Natural Resource Management officer continues to keep up to date with contemporary weed management intelligence vectored through formal and informal peer group / stakeholder interaction and is receptive to nuances in the science of weed management, micro and macro factors, chemical and non-chemical treatment attitudes and innovations, and public perceptions of what they believe is required.

The recently adopted Council iCEP can now underpin sustainable weed management within the Waratah Wynyard municipal jurisdiction.

Further, information is gleaned from the NRM officer attending or presenting at organised technical forums relating to weed management.

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Although Council does not provide weed infestation mitigation services for non-Council properties it provides a quasi-weed management extension service at no cost to those who enquire about technical support or weed management direction to individuals or groups within the local community.

The Natural Resource Management Officer talks to schools, TAFE and other educational institutions regarding weed / NRM management issues as requested or required.

## **WEED HYGIENE AND THE SPREAD OF WEEDS ALONG CORRIDORS**

### **Council Maintained Corridors**

Vegetation continues to be maintained on Council road verges through a slashing and or herbicide application program usually on an annual basis. Work is either undertaken by directly by the works or parks and recreation sections or contractors. These activities do not specifically target weed species and the weed management outcome is generally supplementary to the sight line visibility and storm water run-off objectives in regard to road service provision.

The environmental weed species, Spanish heath, montbretia, slender thistles, Californian stinkweed, ragwort and pampas grass (infestations or individual plants) once identified were sprayed by a contractor. It is noted that the biomass of the montbretia, Spanish heath and Californian stinkweed infestations have been reduced significantly since the targeted annual program began five years ago. Small outbreaks continue but through inspection vigilance of previously recorded infestations coupled with public reporting the program is considered successful.

### **Non-Council Maintained Corridors**

The Natural Resource management officer continues to engage with the appropriate Department of State Growth or public utility (TasRail, Transend etc.) officers to ensure that any corridors that they manage have weed management program implementation.

This continues to be challenging as such programs appear to be substantially under resourced and with respect to State managed highways it is very difficult to enforce hygiene protocols for transport vehicles through the Waratah Wynyard Council area.

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## WEED INVASION IN COASTAL AREAS



*Sea Spurge is an environmental weed targeted within the Wynyard urban beach zone. With the biomass reduced through a targeted spraying program the residue has been hand weeded by the Wynyard Landcare volunteers.*

Environmental weeds in coastal areas owned by the State Government are either maintained by Crown Land Services or the Parks and Wildlife Service. The Natural Resource Management Officer informs appropriate State Government personnel of weed infestations on Crown land as required.

### **Resources and continuity of the weed program**

Waratah Wynyard Council continues to employ a Natural Resource Manager and supports weed management activities through appropriate resource provision and professional development support.

### **The effect of climate change on weeds management**

Climate change is expected to be manifested by temperature rise. Temperature rise can be expected to initiate plant migration through natural vegetation dynamics or enable others that are moved through anthropogenic process to become established in places they may have been transported to in the past but have failed to become established due to climate incompatibility. Small temperature fluctuations can have big consequences.

The natural resource management officer is currently on the alert for any observations relating to infestation outbreaks from previously unknown warmer climate weeds.



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## GENERAL WEED MANAGEMENT ACTIVITIES



*The Natural Resource Management Officer coordinates the treatment of environmental weeds infestations that fall outside the normal roadside vegetation management service levels as resources allow.*

## NATURAL RESOURCE MANAGEMENT

Natural resource management activities undertaken by the NRM officer have again been varied.

They have included continued coastal erosion investigation, liaison and reporting, liaison with Landcare groups, logistical assistance to the Sisters Beach Community Group with discussions with PWS to form a Wild Care group and attend onsite meetings to discuss relevant NRM issues.

The NRM officer liaises with relevant Crown Land Services and PWS officers as a first point of call to discuss environmental issues and seek appropriate solutions as required as well as preparing formal applications for approval for works on Crown land. An example of this is the communication between the NRM officer and PWS officers regarding the development of a Virtual Fence on Sisters Beach Road through the Rocky Cape National Park.

The NRM officer is also a member of the Integrated Council Environmental Plan (iCEP) Steering Committee up until the plan was adopted by Council.

## EXTERNAL NATURAL RESOURCE MANAGEMENT ASSOCIATION INVOLVEMENT

### Forum / Working Groups

The natural resource management officer has actively participated in the following Natural Resource Management forums in the past 2020 calendar year.

- West Coast - Fire Management Area Committee (FMAC) (Chair)
- Cradle Coast Cat Management Working Group (CCCNWG) (Chair)
- Cradle Coast – Rice Grass Project Reference Committee
- Resident Shorebird Monitoring Program, Stanley to Narawntapu National Park.

### Community Group Liaison

The natural resource management officer has undertaken liaison, technical advice and project planning as required with the following community groups.

- Wynyard Landcare Group

- 
- Frenchs Road Reserve: ongoing environmental management works
  - Fossil Bluff: Management Plan Development and ongoing environmental management works.
  - Sisters Beach Wildcare Group
  - Schools and other educational institution environmental interpretation and technical advice provision.

### **FRENCHS ROAD NATURE RESERVE**

The NRM officer continues to liaise with the Wynyard Landcare Group in the review of the MOU with Council. One key area of focus from the group has been the on-ground works within the Council owned Frenchs Road Nature Reserve. With consideration to the value of the volunteer work undertaken by the group periodical reviews of all their activities on Council land is vital.

The Wynyard Landcare group has recently provided Council with an action plan for the Frenchs Road Nature Reserve based on a previously Council resourced ***Frenchs Road Nature Reserve Vegetation Management Plan***



***Corey Gould (Manager Engineering and Projects) discusses the current Frenchs Road works plan with Landcare group member Peter Lawrence on site.***

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## FOSSIL BLUFF MANAGEMENT PLAN



*On site discussion between interested community members and the Director of Infrastructure and Development as well as Parks Wildlife and Heritage officers in relation to the development and implementation of the Fossil Bluff Management Plan.*

## VIRTUAL DEVIL FENCE

Council received funding from the Local Roads and Community Infrastructure Program (LRCIP) and have now completed the construction of a 'Virtual Devil Fence' on the Sisters Beach road between Banksia Park and the Sisters Beach eastern town boundary.

The fence was requested by members of the Sisters Beach Community Group due to increasing number of roadkill Tasmanian Devils in hotspots on that road.



The system works through a series of specifically placed beepers triggered by a vehicle head lights. The whistling sound (activate link below) discourages browsing and carnivorous marsupials from the road as vehicles pass.

<https://drive.google.com/file/d/1nqyMmaxJRCzsdqx2CvYRMUOP5PimAOiw/view>

The locations for the beepers, attached to existing or new guide posts, were recently set out (identified as white paint dots) on the road by an expert on Tasmanian devil behaviour and a member of the Sisters Beach Community Group. (See photographs below).



***Identification of the most effective locations for beepers to enable the construction of the Virtual Devil Fence was recently undertaken by volunteers through coordination of the Natural Resource Management officer.***

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## YORK STREET FUEL BREAK DEVELOPMENT AND IMPLEMENTATION PLAN



The existing firebreak will be improvised to a standard defined in the Community Bushfire Mitigation Plan: Fuel Break Implementation. Its function is to provide guidance regarding bushfire fuel management, for the establishment of a Fuel Break. The plan development, coordinated by the natural resource management officer was undertaken with considerable input from the Tasmanian Fire Service and compliant with defined Tasmanian and Commonwealth environmental and cultural heritage statutory requirements.



*A rare orchid species Chiloglottis trapeziformis (Photograph above) is found close to the fuel reduction zone while the entire reserve offers habitat for a diverse range of common as well as threatened fauna and flora species*

### STATUTORY IMPLICATIONS

#### Statutory Requirements

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

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## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL 7: Environment</b>
<b>Desired Outcomes</b>
Our natural and built environment aids the community with an active and healthy lifestyle.
<b>Our Priorities</b>
7.1 Provide education to facilitate awareness and appreciation of built and natural assets.

### Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Natural resource management	<b>Managing abundant, natural and productive resources</b> – Natural resource management is valued and development is environmentally sustainable. The environment is clean and healthy with unspoilt beauty and biodiversity.
Health and Wellbeing	<b>Maintaining good health and wellbeing</b> – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.
Place making and liveability	<b>Liveable places for all ages</b> – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.
Governance and working together	<b>Working together for Murchison</b> – Everyone plays a part in achieving the objectives of the Sustainable Murchison Community Plan. There is cooperation, resource sharing and less duplication between Councils. Leadership is provided across all community sectors.

### Council Strategy or Plan Reference

Council Strategy or Plan	Date Adopted:
Weed Management Strategy	Adopted December 2005
Central Area Development Plan	Adopted May 2019
Age Friendly Communities Plan 2019-2024	Adopted March 2019
Community Health and Wellbeing Plan 2019-2024	Adopted April 2019
iCEP (Integrated Council Environmental Plan 2020-2030)	Adopted August 2020
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

There are no new financial implications as a result of this report. Activities suggested in the Sisters Beach Road / Boat Harbour Roadside Vegetation Management Plan Project, presented to Council by Ian Ferris and the Frenchs Road Nature Reserve Plan will be assessed in future budget considerations.

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**RISK IMPLICATIONS**

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

**CONSULTATION PROCESS**


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

**CONCLUSION**

That the update on the Weed Management Strategy and various other NRM activities be noted.

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### 9.3 ANNUAL PLAN PROGRESS REPORT AS AT 31 DECEMBER 2020

To: Council  
Reporting Officer: Executive Officer - Governance and Performance  
Responsible Manager: Director Organisational Performance  
Report Date: 4 January 2021  
File Reference: 004.10  
Enclosures: 1. Annual Plan Action Report to 31 December 2020 

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#### RECOMMENDATION

**That Council note the 2020/21 Annual Plan progress report for the period to 31 December 2020.**

#### PURPOSE

This report is provided as an update on progress against the Annual Plan for the quarter ending 31 December 2020.

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

#### BACKGROUND

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

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

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

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

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

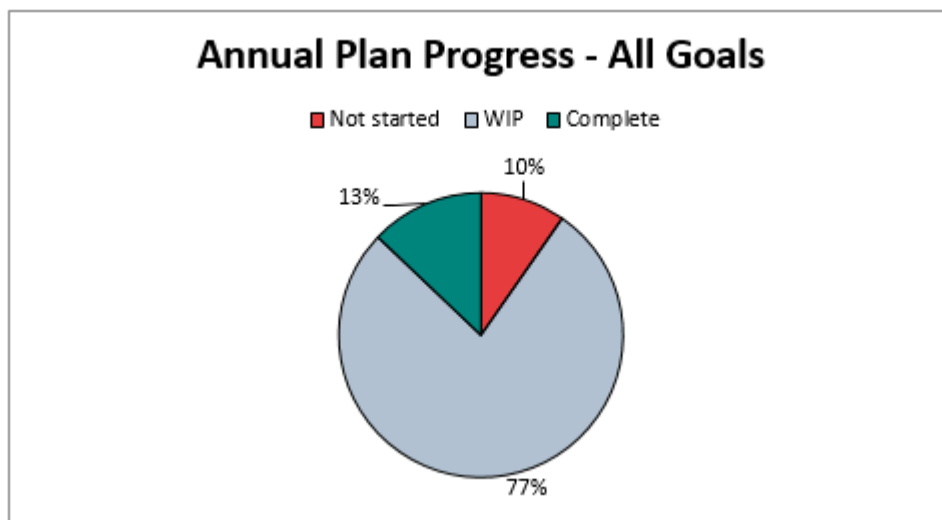
#### DETAILS

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

This year's annual plan set by Council is ambitious. The organisation is tracking well against the plan. As at 31 December solid progress had been made against the plan with 13% of actions fully complete and 77% of actions in progress.

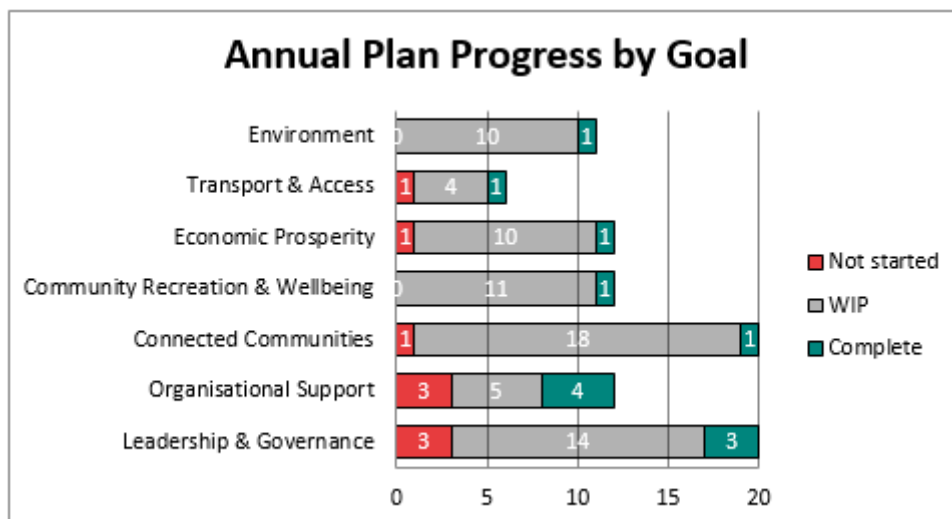


There is a total of 93 actions included in the Annual Plan and as at 31 December 2020 with progress having been made as follows:



- 12 actions complete (8 actions completed throughout the quarter)
- 33 actions between 90% and 100% complete
- 8 actions between 70% – 90% complete
- 39 actions at less than 70% complete
- 1 deferred action

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



## STATUTORY IMPLICATIONS

### Statutory Requirements

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

#### 71. Annual plan

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

(2) An annual plan is to –

(a) be consistent with the strategic plan; and

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

## **STRATEGIC IMPLICATIONS**

### Strategic Plan Reference

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

### Council Strategy or Plan Reference

<b>Council Strategy or Plan</b>	<b>Date Adopted:</b>
Annual Plan and Budget Estimates	22 June 2020

## **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**

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

## **RISK IMPLICATIONS**

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

## **CONSULTATION PROCESS**



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

## **CONCLUSION**

That the Council note the 20201/21 Annual Plan Action Progress Report to the 31 December 2020.

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## 9.4 RISK MANAGEMENT POLICY AND FRAMEWORK REVIEW

To:	Council
Reporting Officer:	Accountant
Responsible Manager:	Director Organisational Performance
Report Date:	14 December 2020
File Reference:	Governance - Policy - Council Policies
Enclosures:	1. Revised Risk Management Policy  2. Revised Risk Management Framework - Draft 

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### RECOMMENDATION

**That Council adopt the revised Risk Management Policy and Risk Management Framework as presented.**

### PURPOSE

This report has been prepared to enable Council to consider the revised Risk Management Policy and Framework.

### BACKGROUND

The Risk Management Policy and Framework was last reviewed and adopted by Council in June 2018 with a review date of July 2020. The Policy has been reviewed against the AS/NZ ISO 31000:2018 Risk Management- Guidelines.

### DETAILS

Risk is an inherent part of Councils activities and requires a risk response from Council to mitigate or take advantage of circumstances as they arise.

The Policy Framework outlines Council's commitment to implementing a strategic, consistent and structured corporate-wide approach to risk management in order to achieve an appropriate balance between realising opportunities for gains and minimising losses. The revised framework will assist Council in assessing and managing its various risks relating to the following categories:

- Strategic
- Financial
- Assets & Infrastructure
- Environmental
- Workers
- Public Safety
- Emergency Management
- Regulation & Compliance
- Corporate Business Systems
- Political

The Policy requires that an effective risk management framework be developed mitigate potential negative outcomes and to better realise sustainable opportunities present in the organisation's operations by:

- (a) Recognising risk management as an integral part of good management practice and decision making;
- (b) Creating and maintaining a risk management environment that enables Council to deliver high quality services and meet performance objectives in line with our principle of seeking continuous improvement;
- (c) Ensuring resources and operational capabilities are identified and deployed responsibly and effectively.
- (d) Demonstrating the application of the risk management process of identifying, analysing, evaluating and treating risks, as detailed in the Risk Management Standard, AS/NZS ISO 31000:2018 in the Risk Management Framework.

The purpose of the Framework is to link Council's risk philosophy, as described in the risk policy, with the actual process of risk management practices undertaken in the normal course of business and in accordance with the international standard.

The International Standard was revised in 2018 and the proposed new risk management framework has been developed in accordance with the new standard and therefore in accordance with best practice.

## STATUTORY IMPLICATIONS

### Statutory Requirements

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

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL 2: Organisational Support</b>
<b>Desired Outcomes</b>
We are a knowledgeable organisation—we demonstrate best practices in our business processes.
<b>Our Priorities</b>
2.4 Review and update systems and processes to ensure best practice and customer-centric outcomes.
2.2 Facilitate effective knowledge management practices.
2.3 Promote best practice and foster innovation.

<b>GOAL 1: Leadership and Governance</b>
<b>Desired Outcomes</b>
We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making.
<b>Our Priorities</b>
1.5 Build our knowledge base to apply in decision-making processes.
1.6 Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.

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## Sustainable Murchison Community Plan 2040

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

### **POLICY IMPLICATIONS**

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

### **ENVIRONMENTAL IMPLICATIONS**

Environmental Risks are separately identified in the Framework and incorporated in Councils risk management practices.

### **FINANCIAL IMPLICATIONS**

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

### **RISK IMPLICATIONS**

There are no additional risks identified from the adoption of this suite of policy documents. Without governing documents outlining Councils expectations regarding risk management, Council may not fully understand the risks inherent in its operations and decision making which would increase the risk to which Council is exposed (Strategic, Financial, Assets & Infrastructure, Environmental, Workers, Public Safety, Emergency Management, Regulation & Compliance, Corporate Business Systems, & Political).

### **CONSULTATION PROCESS**


This Policy and Framework has been reviewed in consultation with Councils Risk Management Committee and Senior Management Team.

### **CONCLUSION**

It is recommended that Council adopt the revised Risk Management Policy and Risk Management Framework as presented.

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## 9.5 PUBLIC INTEREST DISCLOSURE POLICY AND DELEGATIONS

To:	Council
Reporting Officer:	Director Organisational Performance
Responsible Manager:	Director Organisational Performance
Report Date:	6 January 2021
File Reference:	Governance - Policy - Council Policies
Enclosures:	1. Public Interest Disclosure Procedures 

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### RECOMMENDATION

#### That Council:

1. **Adopt the Public Interest Disclosure Procedures; and**
2. **Delegate the functions and powers of Council as a public body under Section 62A the Public Interest Disclosures Act 2002 to the General Manager.**

### PURPOSE

The purpose of this report is to update Council's existing Public Interest Disclosure Procedures.

The Office of the Ombudsman has released revised draft guidelines and model procedures. Council's documents have been updated in accordance with the model procedures.

The report also seeks appropriate delegation for the General Manager to apply the procedures in line with the Public Interest Disclosures Act 2002.

### BACKGROUND

The *Public Interest Disclosures Act 2002* (the Act) is Tasmania's whistleblowing legislation.

The purpose of the Act is to:

- encourage and facilitate disclosures of improper conduct by Tasmanian public officers and public bodies;
- protect persons making those disclosures and others from reprisals;
- provide for the matters disclosed to be properly investigated and dealt with; and
- provide all parties involved in those disclosures with natural justice.

The Ombudsman has several functions under the Act, including preparing and publishing guidelines and standards.

The Ombudsman's guideline sets out the key requirements for public bodies in relation to public interest disclosure procedures. It provides the minimum standard for what must be included in those procedures.

All public bodies are required to develop and publish procedures to handle public interest disclosures which comply with the Ombudsman's guidelines and standards. Large public bodies must submit their procedures for approval on establishment and then at least every three years.

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The Office of the Ombudsman has released revised guidelines and model procedures. Council's documents have been updated in accordance with the model procedures.

## **DETAILS**

Tasmania's whistleblowing legislation, the *Public Interest Disclosures Act 2002* (the Act), aims to reduce corruption, misuse of public positions and other forms of improper conduct in public bodies.

Research indicates that internal reporting is the primary way in which improper conduct is identified and addressed. It is best practice for public bodies to encourage and facilitate disclosures through robust procedures, fostering a positive and safe reporting culture and taking strong action when improper conduct is found.

### **Model Procedures**

All public bodies are required to develop and publish procedures to handle public interest disclosures which comply with the Ombudsman's guidelines and standards.

The procedures are designed to complement normal communication channels between supervisors and employees. Employees will continue to be encouraged to continue to raise appropriate matters at any time with their supervisors, and to use existing grievance procedures within the organisation where appropriate.

The procedures relating to disclosure include:

- to whom a disclosure should be made;
- that the discloser does not have to know or say that they are making a disclosure under the Act;
- the requirement for a risk assessment relating to potential harm to the discloser,
- an assessment as to whether the disclosure is a public interest disclosure – how this is to be done and who is to do it; and
- an assessment under section 64 as to whether a public interest disclosure may not have to be investigated – how this is to be done and who is to do it.

The procedures relating to investigations include:

- the appointment of the investigator;
- terms of reference, and who is to issue them;
- the need for an investigation plan, and what it should address;
- how the investigation should be conducted;
- referral to the Ombudsman and Tasmania Police, when this may be necessary, and who should decide;
- the maintenance of contact with the discloser and the Ombudsman; and
- the action to be taken after the investigation – who is to do what.

The revised procedures continue to allow protections from reprisal including steps that must be taken to support, and protect the welfare of, the discloser and witnesses including developing a support plan. The procedures if followed allow for procedural fairness and natural justice.

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## **Publication & Communication**

The procedures will be published to Council's web site. The level of detail may be too much for some people seeking to get a basic overview of the process for dealing with a public interest disclosure. Council will create our own supporting factsheets to accompany the Procedures.

Staff training will be provided utilising the Ombudsman's resources.

Once adopted, the Procedures are required to be submitted to the Ombudsman for assessment as to their compliance with the Guidelines and Standards issued by his office.

## **Delegation to the General Manager - Principal Officer**

It is recommended that Council provide delegation to the General Manager for the powers and functions of the Principal Officer under Section 62A of the Act. This includes responsibility as the Principal Officer for ensuring that the provisions of the Act are implemented including:

- preparing procedures for approval by the Ombudsman;
- receiving public interest disclosures and ensuring they are dealt with in accordance with the Act;
- ensuring the protection of witnesses;
- ensuring the application of procedural fairness in Council's procedures;
- ensuring the promotion of the importance of public interest disclosures and general education about the Act to all staff, and ensuring easy access to information about the Act and the procedures, and
- providing access to confidential employee assistance programs and appropriately trained internal support staff for those involved in the process.

The Principal Officer may delegate many of his or her functions to a Public Interest Disclosure Officer. It is intended that the General Manager appoint the Director Organisational Performance and the Executive Officer - Governance and Performance as Public Interest Disclosure Officers to assist him in carrying out Council's responsibilities under the Act.

## **STATUTORY IMPLICATIONS**

### Statutory Requirements

The *Public Interest Disclosures Act 2002* (the Act) governs the public interest disclosures for public bodies

Briefly, the Act works in this way:

- it gives certain people – public officers and contractors – the right to make disclosures about improper conduct or detrimental action to certain integrity agencies, other persons and bodies (*Part 2* of the Act, particularly *s 6*);
- it provides certain statutory protections for protected disclosures, even if the discloser does not reference the Act (*Part 3*);
- it dictates how the recipient of the disclosure is to deal with it (*Parts 4 to 8*);
- it treats the Ombudsman as the oversight agency in relation to the operation of the Act, including the default investigator, monitor of investigations by public bodies, and setter of standards under the Act;



- where the disclosure is handled by the Ombudsman or a public body, it requires a determination as to whether the protected disclosure is a public interest disclosure (ss 30 and 33);
- subject to exceptions, it requires investigation by the Ombudsman or public body of any public interest disclosure (ss 39 and 63);
- it requires such investigation to be conducted as soon as practicable, but if it is being conducted by a public body, not more than six months from the date of the determination that the disclosure is a public interest disclosure(ss 39A and 77A);
- it controls the way a disclosure is investigated, and provides investigative powers; and
- in the case of an investigation by a public body which results in a finding that the alleged conduct occurred, it requires the public body to take action to prevent that conduct from continuing or recurring, and to take action to remedy any harm or loss which may have arisen (s 75).

Powers of the Principal Officer are covered by *Section 62A and 62B* of the Act which states:

**62A. Role of principal officer**

- (1) *The principal officer is responsible for –*
  - (a) *preparing procedures for approval by the Ombudsman; and*
  - (b) *receiving public interest disclosures and ensuring they are dealt with in accordance with this Act; and*
  - (c) *ensuring the protection of witnesses; and*
  - (d) *ensuring the application of the principles of natural justice in the public body's procedures; and*
  - (e) *ensuring the promotion of the importance of public interest disclosures, including general education of all staff about the legislation, and ensuring easy access to information about both the legislation and the public body's procedures; and*
  - (f) *providing access, for persons making a disclosure and others involved in the process of investigation, to confidential employee assistance programs; and*
  - (g) *providing access, for persons making a disclosure and others involved in the process of investigation, to appropriately trained internal support staff.*
- (2) *The principal officer of a public body is to appoint one or more persons as public interest disclosure officers.*
- (3) *A public interest disclosure officer may be appointed for a period not exceeding 3 years and may be reappointed for further periods not exceeding 3 years.*
- (4) *Prior to the appointment or reappointment of a public interest disclosure officer, the principal officer must ensure that the officer to be appointed or reappointed has the skills and knowledge to fulfil the role of a public interest disclosure officer.*

**62B. Delegation by principal officer**

- (1) *The principal officer may by instrument in writing delegate to a public interest disclosure officer specified in the instrument the performance or exercise of such of his or her functions or powers under this Act (other than this power of delegation) as are specified in the instrument, and may, by instrument in writing, revoke wholly or in part any such delegation.*
- (2) *Notwithstanding any delegation under this section, the principal officer may continue to perform or exercise all or any of the functions or powers delegated.*
- (3) *Any act or thing done by or to a delegate while acting in the exercise of a delegation under this section has the same force and effect as if the act or thing had been done by or to the principal officer and is taken to have been done by or to the principal officer.*

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

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

### Sustainable Murchison Community Plan 2040

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

## POLICY IMPLICATIONS

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

## 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

- Legislative compliance  
Council must adopt a Policy that embodies the requirements of the Act. By adopting the model guidelines, the risk of the Policy's non-compliance is low. If the Guidelines are followed Council will comply with the provisions of the Act. Training will occur to ensure the requirements are fully understood across the organisation.

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- Reputational Risk

Instances of improper conduct can be costly to Council's reputation and may damage the public's confidence in the integrity of Council.

### **CONSULTATION PROCESS**

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

### **CONCLUSION**

That the Council adopt the Public Interest Disclosure Procedures as presented and provide delegation to the General Manager to undertake the powers and functions of the Principal Officer under Section 62A of the Act.

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## 9.6 FINANCIAL REPORT FOR THE PERIOD ENDED 31 DECEMBER 2020

To: Council  
Reporting Officer: Financial Accountant  
Responsible Manager: Director Organisational Performance  
Report Date: 6 January 2021  
File Reference: 6  
Enclosures: Nil

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### RECOMMENDATION

**That Council notes Financial Reports for the period ended 31 December 2020.**

### PURPOSE

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

### BACKGROUND

The financial reports presented incorporate:

- Income Statement
- Balance Sheet
- Cashflow 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

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

### POLICY IMPLICATIONS

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

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**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 is currently in progress with an updated forecast to be provided on completion.

## Income Statement

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

INCOME STATEMENT as at 31 December 2020	Note	YTD Actual	YTD Budget	% Variance	YTD Variance		Budget
<b>Recurrent Income</b>							
Rate Revenue		11,452,366	11,434,382	0%	(17,984)	✓	11,434,382
User Charges	1	1,254,093	1,150,945	-9%	(103,148)	✓	2,213,600
Reimbursements/Contributions	2	180,653	260,167	31%	79,514	✗	519,959
Grants and Subsidies	3	930,024	864,159	-8%	(65,865)	✓	3,429,944
Interest	4	55,015	74,970	27%	19,955	✗	150,000
Distributions from Water Corporation		-	-	0%	-	✓	-
		<b>13,872,150</b>	<b>13,784,623</b>	<b>-1%</b>	<b>(87,527)</b>	<b>✓</b>	<b>17,747,885</b>
<b>Recurrent Expenditure</b>							
Employee Costs	5	3,538,960	3,605,807	-2%	(66,847)	✓	7,114,361
State Levies	6	135,976	255,405	-47%	(119,429)	✓	527,426
Remissions & Discounts		440,993	447,749	-2%	(6,756)	✓	447,749
Materials & Contracts	7	2,304,050	2,799,533	-18%	(495,483)	✓	5,565,142
Depreciation		2,232,456	2,232,456	0%	-	✓	4,466,666
(Gain)/Loss on Disposal	8	96,894	-	0%	96,894	✗	127,102
Borrowing Costs		14,441	12,670	14%	1,771	✗	24,307
Other Expenses		91,843	120,644	-24%	(28,801)	✓	275,890
		<b>8,855,613</b>	<b>9,474,264</b>	<b>-7%</b>	<b>(618,651)</b>	<b>✓</b>	<b>18,548,643</b>
<b>Surplus/(Deficit)</b>		<b>5,016,537</b>	<b>4,310,359</b>	<b>-16%</b>	<b>(706,178)</b>	<b>✓</b>	<b>(800,758)</b>
<b>Capital Items</b>							
Capital Grants/Contributions	9	359,697	4,331,231	92%	3,971,534	✗	4,850,823
Derecognition of Assets		-	-				
Asset Recognition		-	-				
<b>Comprehensive Surplus/(Deficit)</b>		<b>5,376,234</b>	<b>8,641,590</b>	<b>-38%</b>	<b>-3,265,356</b>		<b>4,050,065</b>

Explanations are provided for YTD variances to budget of \$50,000 or more.

1.	Note	2.	Commentary
3.	1	4.	User Charges - The ytd favourable variance is largely attributable to increased Child Care income. Refer to notes relating to ytd operating results for childcare operations below under 'Operating performance by department'.
6.	2	5.	
		7.	Reimbursements /Contributions is showing an unfavourable variance due to the timing of raising invoices and this should be more aligned with the budget from next month.
		8.	
9.	3	10.	Grants and Subsidies is showing a favourable variance due to the timing of receipts. Actual receipts are expected to be consistent with the annual budget.
		11.	
12.	4	13.	Interest revenue is below budget due to low interest rates. The forecast will be reassessed based on ytd cash flows over the coming weeks.
		14.	
15.	5	16.	Employee Costs is tracking favourably to budget. The forecast wages for the year is currently being recalculated and expected to be within budget overall.

1.	Note	2.	Commentary
<b>18.</b>	6	<b>17.</b>	
		<b>19.</b>	State Levies is showing a favourable variance to budget which relates to the timing of invoice payments only. The full budget will be spent in full.
		<b>20.</b>	
<b>21.</b>	7	<b>22.</b>	Materials and Contracts are tracking favourably to budget YTD. This is expected to be timing only with a later than expected start to some special projects (fire break works), and timing of garbage and waste management expenditure. The full budget is expected to be spent by year end.
		<b>23.</b>	
<b>24.</b>	8	<b>25.</b>	There are no known variances to the annual budget for loss on disposal of assets. The ytd loss relates will be adjusted following the processing of building revaluations in the new year. This will continue to be monitored as more information becomes available with asset take ups.
		<b>26.</b>	
<b>27.</b>	5	<b>28.</b>	Capital grants are lower than the YTD budget due to timing of receipts. The timing of this income type is not known with certainty until grant deeds are signed. All budgeted grants are expected to be received by year end.
		<b>29.</b>	
<b>30.</b>		<b>31.</b>	

**BALANCE SHEET**  
As at 31 December 2020

YTD Actual  
\$

Budget  
\$

		YTD Actual \$	Budget \$
<b>Current Assets</b>			
Cash Total	Cash & Cash Equivalents	15,047,411	4,536,858
Receivables Total	Receivables	2,000,964	880,000
Inventory Total	Inventories	119,104	119,036
Land For Resale Total	Land For Resale	-	-
Other Current Assets Total	Other Current Assets	2,579	488,897
	<b>Total Current Assets</b>	<b>17,170,058</b>	<b>6,024,791</b>
<b>Non-Current Assets</b>			
Property Plant & Equip Total	Property, Plant and Equipment	203,340,604	213,926,843
Investment in Water Total	Investment in Water	39,684,454	39,684,454
	<b>Total Non-Current Assets</b>	<b>243,025,057</b>	<b>253,611,297</b>
	<b>Total Assets</b>	<b>260,195,116</b>	<b>259,636,088</b>
<b>Current Liabilities</b>			
Payables Total	Payables	929,040	1,867,516
Financial Liabilities Total	Interest-Bearing Liabilities	63,930	353,319
Employee Provisions Total	Employee Provisions	1,813,807	1,864,593
	Provisions	-	-
	<b>Total Current Liabilities</b>	<b>2,806,777</b>	<b>4,085,428</b>
<b>Non-Current Liabilities</b>			
NC Financial Liabilities Total	Interest-Bearing Liabilities	802,396	2,796,993
Non Current Employee Provisions Total	Employee Provisions	64,156	65,952
Other NC Provisions Total	Provisions	216,999	223,075
	<b>Total Non-Current Liabilities</b>	<b>1,083,551</b>	<b>3,086,020</b>
	<b>Total Liabilities</b>	<b>3,890,327</b>	<b>7,171,448</b>
	<b>Net Assets</b>	<b>256,304,789</b>	<b>252,464,640</b>
<b>Equity</b>			
As per P&L	Current Year Result	5,376,234	4,050,065
<b>Accumulated Surplus Total</b>	Accumulated Surplus	157,697,908	155,955,039
Reserves Total	Reserves	93,230,646	92,459,536
	<b>Total Equity</b>	<b>256,304,789</b>	<b>252,464,640</b>



<b>STATEMENT OF CASHFLOWS</b>				
<b>As at 31 December 2020</b>	<b>YTD Actual</b>	<b>Budget</b>	<b>Balance Remaining</b>	
	<b>\$</b>	<b>\$</b>	<b>%</b>	<b>\$</b>
<b>Cash flows from operating activities</b>				
Employee Costs	(3,538,960)	(7,055,703)	50%	(3,516,743)
Materials and Contracts	(2,993,953)	(7,105,388)	42%	(4,111,435)
State Levies	(135,976)	(527,426)	26%	(391,450)
Other Expenses	(91,843)	(825,814)	11%	(733,971)
Rates and Charges	10,617,811	11,163,674	95%	545,863
User charges	1,254,093	2,213,600	57%	959,507
Interest	55,015	150,000	37%	94,985
Reimbursement of Expenses	180,653	519,959	35%	339,306
Government Grants	930,024	3,961,054	23%	3,031,030
<b>Net Cash provided by (used in) operating activities</b>	<b>6,276,864</b>	<b>2,493,956</b>	<b>252%</b>	<b>-3,782,908</b>
<b>Cash flows from investing activities</b>				
Payments for Property, Plant and Equipment	(3,750,390)	(17,382,278)	22%	(13,631,888)
Investment revenue from Water Corporation	6	6	100%	-
Proceeds from Sale of Property, Plant and Equipment	155,763	110,182	141%	(45,581)
Capital grants	359,697	4,983,323	7%	4,623,626
<b>Net cash provided by (used in) investing activities</b>	<b>-3,234,924</b>	<b>-12,288,767</b>	<b>26%</b>	<b>-9,053,843</b>
<b>Cash flows from financing activities</b>				
Borrowing Costs	(14,441)	(24,307)	59%	(9,866)
Loan Drawdowns (Repayments)	-	2,400,000	0%	2,400,000
Loan Repayments	(55,932)	(119,862)	47%	(63,930)
<b>Net cash provided by financing activities</b>	<b>-70,373</b>	<b>2,255,831</b>	<b>-3%</b>	<b>2,326,204</b>
<b>Net (Decrease) in Cash Held</b>	<b>2,971,567</b>	<b>(7,538,980)</b>	<b>-39%</b>	<b>(10,510,547)</b>
Cash at beginning of year	12,075,844	12,075,844	100%	-
<b>Cash at end of period</b>	<b>15,047,411</b>	<b>4,536,864</b>	<b>332%</b>	<b>-10,510,547</b>

## Operating Performance by Department

This statement provides an overview of operating performance by department

NET POSITION BY DEPARTMENT As at 31 December 2020	Note	YTD ACTUAL	YTD BUDGET	ANNUAL BUDGET
<b>Community &amp; Engagement</b>				
Children Services		73,953	(3,163)	(1,640)
Community Activation		(246,248)	(451,208)	(805,704)
Community Support		(211,200)	(192,162)	(377,895)
Tourism & Marketing		(233,699)	(246,767)	(491,576)
<b>Total Community &amp; Engagement</b>		<b>(617,194)</b>	<b>(893,300)</b>	<b>(1,676,815)</b>
<b>Council &amp; General Managers Office</b>				
Council		(659,032)	(718,663)	(1,296,636)
<b>Total Council &amp; General Managers Office</b>		<b>(659,032)</b>	<b>(718,663)</b>	<b>(1,296,636)</b>
<b>Infrastructure &amp; Development Services</b>				
Asset Services		(3,425)	(5,164)	10,400
Cemetery		(50,261)	(49,446)	(98,832)
Development Services		(322,327)	(323,776)	(700,403)
Engineering Support Services		135,599	211,478	110,972
Footpaths		(127,101)	(139,488)	(286,870)
Garbage		622,893	541,118	12,169
Public Halls		(77,632)	(98,184)	(192,573)
Public Toilets		(119,907)	(112,616)	(223,378)
Reserves		(505,360)	2,865,947	2,546,343
Sports		(128,545)	(275,320)	(503,430)
Stormwater Drainage		507,504	500,303	175,850
Transport		(1,977,666)	(1,353,240)	(2,678,103)
Waste		296,475	224,367	(283,335)
Works & Services		(23,827)	(40,653)	(48,265)
<b>Total Infrastructure &amp; Development Services</b>		<b>(1,773,579)</b>	<b>1,945,326</b>	<b>(2,159,455)</b>
<b>Organisational Performance</b>				
Administration		8,426,039	8,308,227	9,182,971
<b>Total Organisational Performance</b>		<b>8,426,039</b>	<b>8,308,227</b>	<b>9,182,971</b>
<b>Comprehensive Surplus/(Deficit)</b>		5,376,234	8,641,590	4,050,065

Explanations are provided for ytd budget variances below.

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### Children's Services

Childcare operations for the first quarter have outperformed the YTD budget set by Council. At the time of setting the budget the impact of the COVID-19 pandemic was unknown and operations have returned to normal levels earlier than budgeted.

Impacting on the favourable YTD result is a one-off payment from the government in transitional funding.

The operational budget and YTD operational results for childcare will be reviewed over the coming weeks and the forecast will be reassessed to estimate the annual favourable result expected compared to budget for the year.

### Community Activation

The YTD unfavourable variance to budget relates to timing of grant programs (both inward and outward). The funding for the Breathe Eat Move program has been received earlier than budgeted. The department is expected to be within budget overall for the year.

### Council

The YTD favourable variance is related to the timing of payments and will be back within normal variances next month.

### Engineering Support Services

YTD unfavourable variance relates to the timing of wages spent on capital projects to those projects. This will impact on the capital expenditure. Allocations will be made in January and assessed to ensure that the department will be on budget. At this stage are no known material variances to budget.

### Garbage

The YTD favourable variance relates to the timing of contract payments. The budget is expected to be spent by year end.

### Reserves

YTD unfavourable variances relates to the timing of yacht club multi use facility and coastal pathway capital grants.

Timing of capital grants are often unknown at the time of setting the budget. No material change to budget has been identified.

### Sports

The favourable variance relates to the receipt of an unbudgeted capital grant and the timing of seasonal expenditures

### Transport

YTD unfavourable variance relates to timing of capital funding which is expected to be received in full by year end.

Timing of capital grants are often unknown at the time of setting the budget. No material change to budget has been identified.

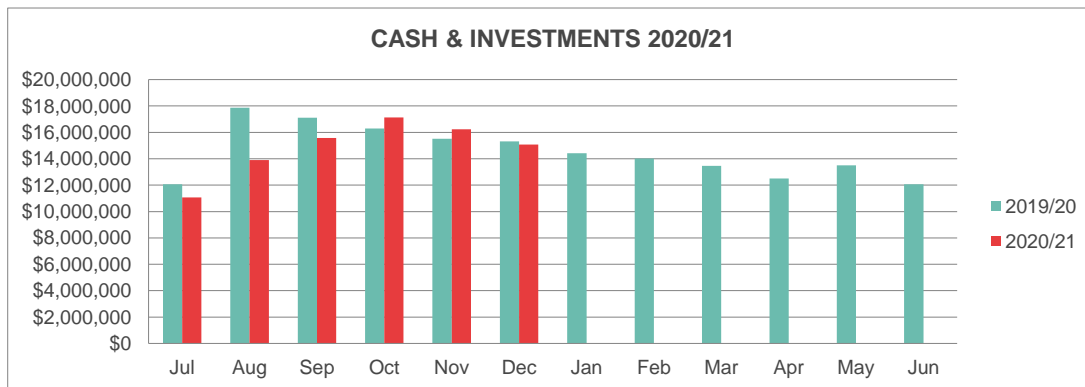
Waste

YTD favourable variance relates to the timing of contract payments. The budget is expected to be spent by year end

**Cash Position**

The following table provides an outline of Council’s cash and investment portfolio as at 31 December 2020. Total cash and investments on hand as at 31 December is \$15.083m

CASH POSITION As at 31 December 2020		\$	INVESTMENTS		\$	Weighted Average Return
Deposits	14,800,000		Commonwealth Bank Investments	281,469		0.00%
			ME Bank	6,500,000		0.57%
			NAB	6,800,000		0.64%
			ING	1,000,000		0.60%
			Bendigo Bank	500,000		0.70%
Petty Cash and Till Floats	1,600		Petty Cash and Till Floats	1,600		
Trading Account	281,469					
<b>BALANCE (ALL ACCOUNTS)</b>	<u><u>15,083,069</u></u>			<u><u>15,083,069</u></u>		0.60%



## Schedule of Investments

The following table provides Council's schedule of investment as at 31 December 2020.

### INVESTMENT SCHEDULE As at 31 December 2020

Institution	Credit Rating	Term (days)	Term Maturity Date	Rate	Investment	Portfolio %	Weighted Average Return
ME Bank	A2	0 at call		0.40%	300,000		
ME Bank	A2	91	4/01/2021	0.60%	500,000		
ME Bank	A2	120	12/01/2021	0.65%	1,000,000		
ME Bank	A2	150	6/04/2021	0.65%	500,000		
ME Bank	A2	120	16/02/2021	0.55%	1,000,000		
ME Bank	A2	120	26/02/2021	0.55%	1,000,000		
ME Bank	A2	90	2/02/2021	0.50%	500,000		
ME Bank	A2	152	12/04/2021	0.50%	500,000		
ME Bank	A2	120	30/03/2021	0.50%	500,000		
ME Bank	A2	140	22/04/2021	0.50%	700,000		
					6,500,000	43.92%	0.57%
Bendigo Bank	A2	212	6/06/2021	0.007	500,000		
					500,000	3.38%	0.70%
NAB	A1+	184	24/02/2021	0.75%	1,000,000		
NAB	A1+	181	4/03/2021	0.75%	800,000		
NAB	A1+	181	16/03/2021	0.70%	1,000,000		
NAB	A1+	122	25/01/2021	0.65%	1,000,000		
NAB	A1+	181	11/05/2021	0.55%	1,000,000		
NAB	A1+	212	3/06/2021	0.50%	1,000,000		
NAB	A1+	181	26/05/2021	0.45%	500,000		
NAB	A1+	182	11/06/2021	0.35%	500,000		
					6,800,000	45.95%	0.64%
ING	A1	270	7/05/2021	0.60%	1,000,000		
					1,000,000	6.76%	0.60%
Total Investment Portfolio					14,800,000	100.00%	0.60%
				RBA Cash Rate*	0.100		
				90 Day BBSWs Rate**	0.010		

\*source: [www.rba.gov.au](http://www.rba.gov.au) as at 1 December 2020

\*\*source: <https://www.asx.com.au/data/benchmarks/bbsw-10-day-rolling-history.pdf> as at 31 December 2020

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

## Rates Summary

The following table provides the detail of Council's Rates and Charges levied compared with the same time last year. The total rates collected as at 31 December is \$78,072 behind the same time last year. Council does however have 109 fewer properties with an amount outstanding.

Council has provided a greater level of early payment discounts in the current year due to the extension to 31 October. As a result of the extended discount period, Council's debt collection activities (issuing of reminder notices) is also later than last year. Collections will continue to be monitored closely.

<b>RATE SUMMARY</b>		<b>2020/21</b>		<b>2019/20</b>	
<b>For the period 1 July 2020 to 31 December 2020</b>		<b>%</b>	<b>\$</b>	<b>%</b>	<b>\$</b>
<i>Notice Issue Date - 24 July 2020</i>					
OUTSTANDING RATE DEBTORS (As at 1 July 2020)	5.00	602,240	4.27	507,597	
ADD CURRENT RATES AND CHARGES LEVIED (including penalties)	95.00	11,454,481	95.73	11,374,377	
GROSS RATES AND CHARGES DEMANDED	100.00	12,056,721	100.00	11,881,974	
LESS RATES AND CHARGES COLLECTED	80.41	9,694,271	80.85	9,606,580	
REMISSIONS AND DISCOUNTS**	8.87	1,069,055	8.23	977,732	
	89.27	10,763,326	89.08	10,584,312	
ADD PROPERTIES IN CREDIT	(3.11)	374,856	(2.46)	292,518	
UNPAID RATES AND CHARGES * (includes Deferred Rates)	13.84	1,668,252	13.38	1,590,180	
<b>**REMISSIONS AND DISCOUNTS</b>		<b>2020/21</b>		<b>2019/20</b>	
Early Payment Discount		441,683		388,328	
Pensioner Rebates		625,947		581,947	
Council Remissions and Abandonments		1,425		7,457	
		<u>1,069,055</u>		<u>977,732</u>	
Number of Rateable Properties		7,924		7,858	
Number of Unpaid Rateable Properties		1,507		1,616	
% not fully paid		19.02%		20.57%	

## Tenders & Contracts

In accordance with Councils Procurement Policy the following table is provided for all contracts awarded YTD over \$100,000.

Contract No And Description	Name and Address of Contract Holder	Contract Dates	Contract Extension Options	Contract Value at Start Date
743 – Construction of the Wynyard Waterfront Multi-Use Community Facility	Stubbs Constructions Pty Ltd 15 River Road, Burnie 7320	28/08/2020 – 26/11/2020	N/A	\$3,950,686.00
747 – Sisters Beach Recreation Park	AJ&M Construction Pty Ltd 3 Upper Stowport Road, Burnie, TAS 7320	5/10/2020 – 18/12/2020	N/A	\$215,551.00
748 - Coastal Engineering and Geotechnical Assessments	Alluvium Consulting Australia Pty Ltd Level 1, 105–115 Dover Street, Cremorne, VIC 3121	17/08/2020 – 18/12/2020	N/A	\$66,962.00
750 – Stairway Replacement (Hepples Road)	AJR Construct Pty Ltd 8 Donvista Drive, Don, TAS 7310	19/11/2020 – 29/01/2021	N/A	\$52,643.00
751 – Cardigan Street Recreation Ground Upgrades	CBB Contracting Pty Ltd 240 Old Surrey Road, Burnie 7320	1/10/2020 – 1/02/2021	N/A	\$182,313.28
752 – Cardboard Recycling – Collection and Processing	Veolia Environmental Services (Aust) Pty Ltd 95 Kennedy Drive, Cambridge 7170	26/10/2020 – 19/09/2024	2 years	In accordance with Schedule of Rates
753 – Green Waste Contract – (Mulch only) and Transport	Greg Fieldwick, Fieldwicks Crushing & Screening Pty Ltd, 6184 Frankford Highway, East Devonport 7310	01/07/2020 - 30/06/2022	1 + 1	In accordance with Schedule of Rate (unit rates)
PO38098 Supply and Delivery of Grader	William Adams PO Box 105 Somerset, TAS 7322	Procured through vendor panel	26/10/2020	N/A
PO38097 Supply of Backhoe	JF Machinery PO Box 62 Mowbray, TAS 7248	Procured through vendor panel	26/10/2020	N/A
754 – Construction of Wynyard Sports Centre Female Friendly Changerooms	Marcol Construction 74 Dodgin Street Wynyard TAS 7325	04/01/2021 – 17/05/2021	N/A	\$392,584.50

## Capital Works Summary

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

CAPITAL WORKS SUMMARY		Actual	Budget	% Spend of Budget	Forecast	Forecast	Forecast
As at 31 December 2020	Note	\$	\$		\$	vs Budget	Variance
<b>Buildings</b>							
Amenities		28,993	47,061	61.61%	47,061	✓	-
Community Facilities		606,070	4,510,169	13.44%	4,510,169	✓	-
Council Operational Buildings		77,944	241,384	32.29%	244,000	!	2,616
<b>Total Buildings</b>		<b>713,007</b>	<b>4,798,614</b>	<b>14.86%</b>	<b>4,801,230</b>	✓	<b>2,616</b>
<b>Parks &amp; Open Space</b>							
Childcare		-	60,000	0.00%	60,000	✓	-
Other		40,914	130,000	31.47%	130,000	✓	-
Other Infrastructure		123,063	246,872	49.85%	246,872	✓	-
Playgrounds		336,691	1,271,414	26.48%	1,271,414	✓	-
Recreational Reserves		22,792	301,340	7.56%	301,340	✓	-
Walkways & Tracks		60,727	2,783,235	2.18%	2,787,584	✓	4,349
Wynyard		3,047	6,000	50.78%	6,000	✓	-
<b>Total Parks &amp; Open Spaces</b>		<b>587,235</b>	<b>4,798,861</b>	<b>12.24%</b>	<b>4,803,210</b>	✓	<b>4,349</b>
<b>Plant &amp; Equipment</b>							
Other Plant & Equipment		33,307	172,783	19.28%	172,783	✓	-
Plant & Vehicle Replacements		452,253	794,641	56.91%	794,641	✓	-
Software & IT Replacements		104,702	251,724	41.59%	259,550	!	7,826
<b>Total Plant &amp; Equipment</b>		<b>590,262</b>	<b>1,219,148</b>	<b>48.42%</b>	<b>1,226,974</b>	✓	<b>7,826</b>
<b>Sporting Facilities</b>							
Camping		-	30,000	0.00%	30,000	✓	-
Indoor Recreational Facilities		67,679	668,041	10.13%	668,041	✓	-
Outdoor Sporting Facilities		173,702	296,321	58.62%	314,909	✗	18,588
<b>Total Sporting Facilities</b>		<b>241,381</b>	<b>994,362</b>	<b>24.28%</b>	<b>1,012,950</b>	!	<b>18,588</b>
<b>Stormwater</b>							
Flood Mitigation Works		11,287	2,400,000	0.47%	2,400,000	✓	-
Other Stormwater Works		28,056	82,397	34.05%	82,397	✓	-
<b>Total Stormwater</b>		<b>39,343</b>	<b>2,482,397</b>	<b>1.58%</b>	<b>2,482,397</b>	✓	-
<b>Transport</b>							
Bridge Renewals		395,675	654,313	60.47%	654,313	✓	-
Footpaths & Kerbs		115,598	195,870	59.02%	204,761	!	8,891
Other Transport		401,064	659,594	60.80%	669,844	!	10,250
Resheeting		367,854	935,150	39.34%	937,985	✓	2,835
Rural Reseals		66,028	616,057	10.72%	618,318	✓	2,260
Strategic Projects		-	46,337	0.00%	46,337	✓	-
Urban Reseals		16,378	126,462	12.95%	126,462	✓	-
<b>Total Transport</b>		<b>1,362,597</b>	<b>3,233,784</b>	<b>42.14%</b>	<b>3,258,021</b>	✓	<b>24,237</b>
<b>Total Capital Works Program 2020/21</b>		<b>3,533,826</b>	<b>17,527,166</b>	<b>20.16%</b>	<b>17,584,781</b>	✓	<b>57,616</b>



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## 2020/21 Capital Program Monthly Progress Report

Overall, the capital works program is progressing, with the flood mitigation and coastal pathways programs likely to carry over into next year.

Due to the short working month of December with Christmas leave from both Council and Contractors, progress on some capital works has been lower than usual. It is expected from mid-January for progress to increase.

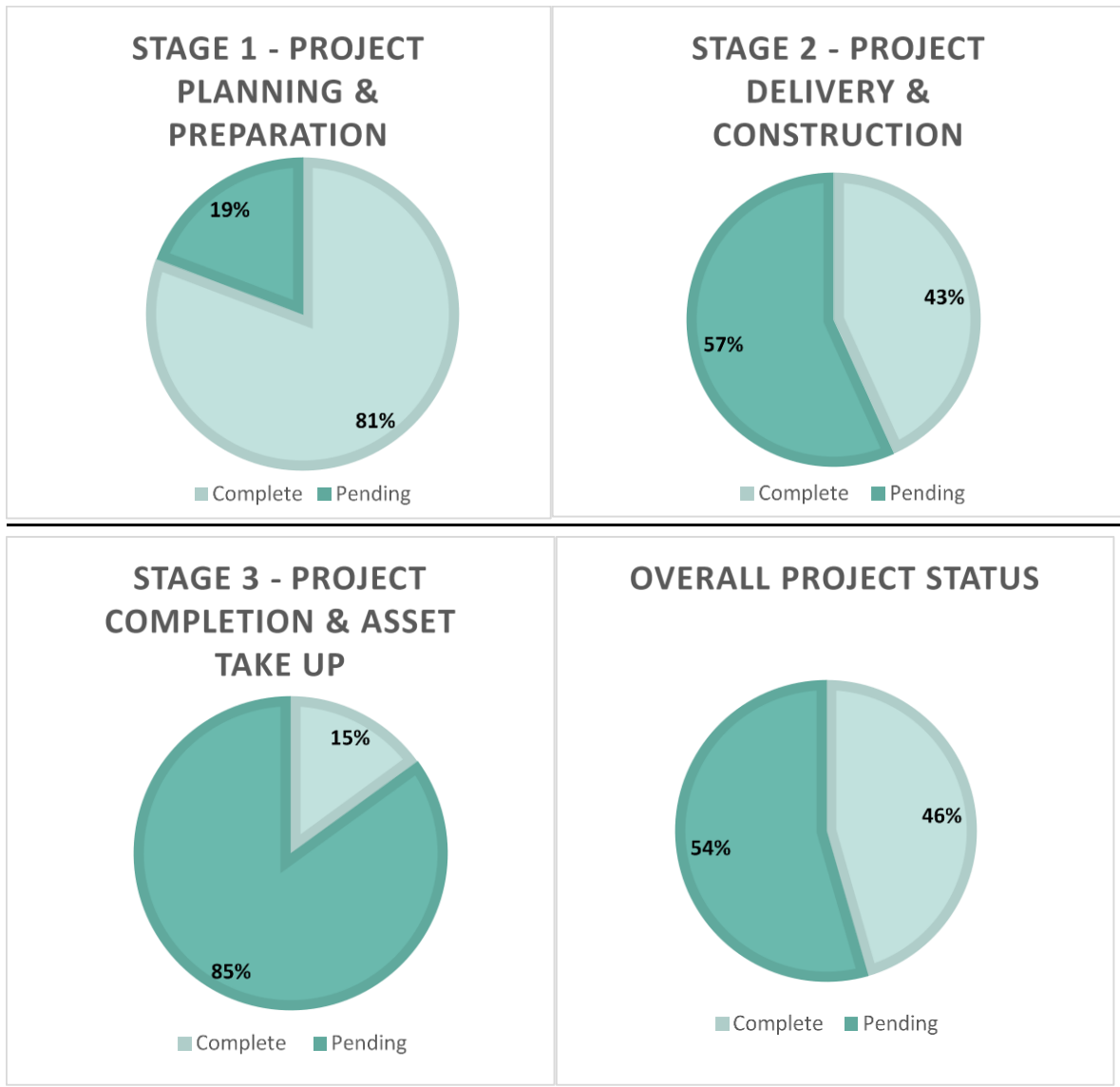
The overall project status completion is provided for each category of the program in the table below

Section	Total Project Completion (%)
Parks & Open Spaces	45.56
Transport	40.74
Stormwater	35.89
Sporting Facilities	47.50
Buildings	37.66
Plant & Equipment	40.90

STATUS %	STAGE
<b>BETWEEN 0% AND 25%</b>	<b>STAGE 1 - PROJECT PREPARATION INCLUDING, DESIGN, PERMITS, TENDER AND CONSULTATION, CONSTRUCTION APPROVAL</b>
<b>BETWEEN 25% AND 75%</b>	<b>STAGE 2 - PROJECT CONSTRUCTION AND DELIVERY</b>
<b>BETWEEN 75% AND 100%</b>	<b>STAGE 3 - PROJECT COMPLETION INCLUDING ASSET TAKE UP, DEFECTS LIABILITY PERIOD, AS CONSTRUCTED DRAWINGS</b>

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## **PARKS & OPEN SPACE**



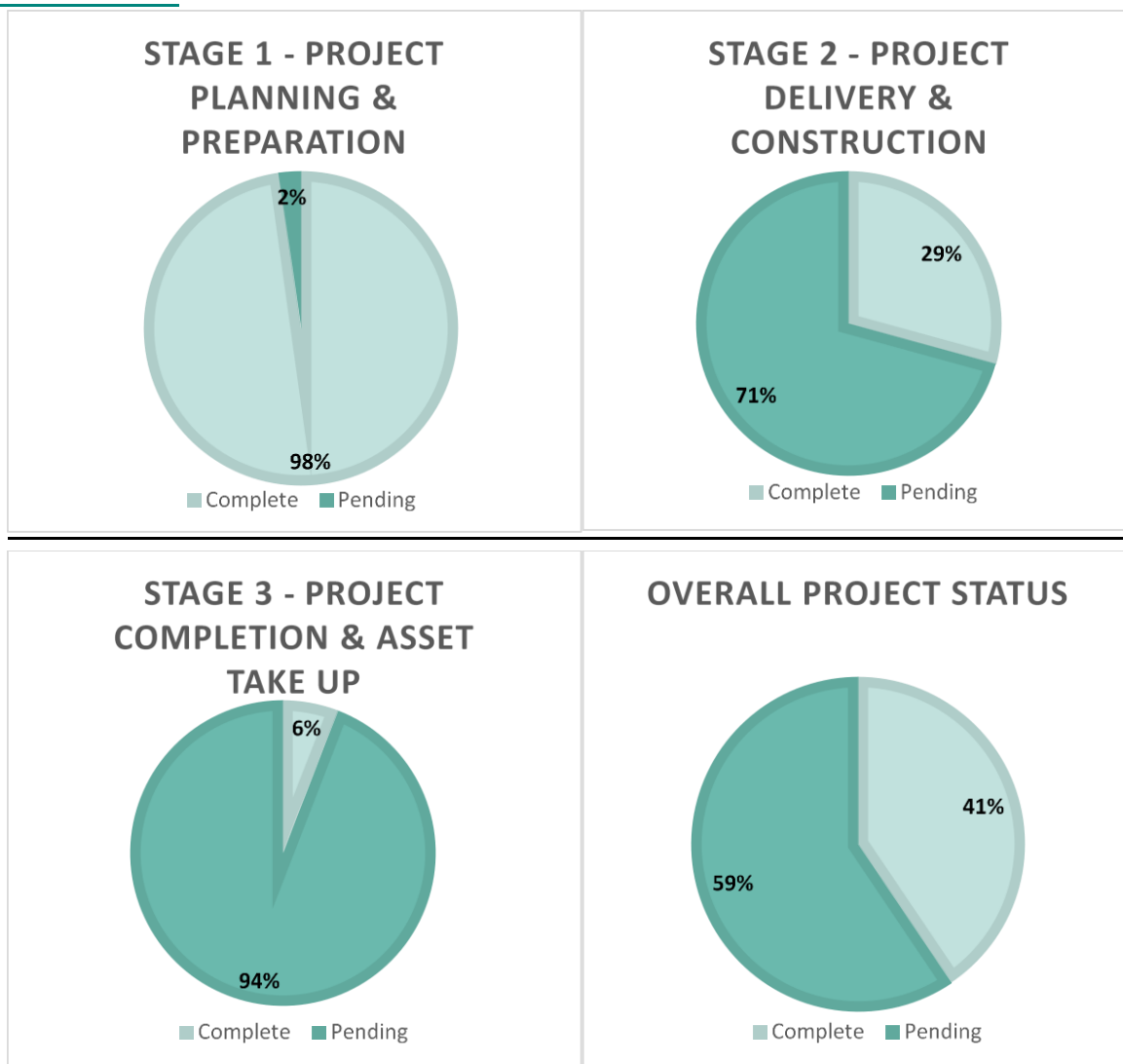
## **PARKS & OPEN SPACE cont.**

<b>Projects</b>	<b>Status(%)</b>
<b><u>Somerset</u></b>	
ANZAC Park All Ability Playground*	11.25
Cam River Master Plan Actions	12.50
Zig Zag Track Lighting	75.00
<b><u>Boat Harbour</u></b>	
Master Plan - Planning, Survey & Design	18.75
Replace Timber Walkway	25.00
Stairway Replacement (Hepples Rd)	20.00
<b><u>Sisters Beach</u></b>	
Skate & Recreation Area	67.50
<b><u>Waratah</u></b>	
Camping Ground - Coin Operated Whitegoods & Locking System	75.00
Philosopher Falls Walking Track Repairs	100.00
Waterfall Project Design	70.00
<b><u>Wynyard</u></b>	
Coastal Pathway*	6.25
East Wynyard Foreshore Beach Access	100.00
East Wynyard Foreshore Playground	67.50
Skate Park Remediation Works	100.00
Dog Park	7.50
Port Road Walking Track	25.00
Frenchs Road Masterplan Landcare Actions	17.50
Warawyn Child Care Playground Replacement	12.50
<b><u>Other</u></b>	
Coastal Geotechnical and Erosion Control Assessments	62.50
Furniture Renewal Program	37.50

### **Key project milestones/updates:**

- Somerset Zig Zag track lighting works are complete.
- Boat Harbour timber walkway replacement contract has been awarded – start date 22 February 2021.
- Sisters Beach Rec Park had bulk of works completed before Christmas.
- East Wynyard foreshore beach access is complete.
- Coastal geotechnical and erosion control assessments draft report has been received and awaiting final report to present to council in early 2021.
- East Wynyard Foreshore Playground construction now complete, with exception of the canopy and shade sail yet to be installed.

## TRANSPORT



Projects	Status(%)
<b>Strategic Projects</b>	
IGA Junction Public Consultation & Design	23.75
Table Cape & Tollymore Rd Design - Survey & Investigation	5.00
<b>Bridge Renewal</b>	
Port Creek Bridge Replacement	100.00
<b>Rural Reseals</b>	
Buggs Lane (0000 - 0018m) - Surface	25.00
Calder Road (04577 - 06807m) - Surface	
Calder Road (06807 - 07343m) - Surface	25.00
Cummings Street (0000 - 0180m) Boat Harbour - Surface	25.00
Frenchs Road (0000 - 0005m) - Surface	25.00
Gates Road (0000 - 0425m) - Surface	25.00
Marshalls Road (0000 - 0038m) - Surface	25.00
Mount Hicks Road (01135 - 07153m) - Surface	25.00
Murdering Gully Road (0930 - 0958m) - Surface	25.00
Newhaven Drive (0395 - 0617m) - Surface	25.00

Projects	Status(%)
Old Mount Hicks Road (0000 - 0038m) - Surface	25.00
Old Mount Hicks Road (2367 - 2384m) - Surface	25.00
Preolenna Road (02690 - 04959m) - Surface	25.00
Reservoir Drive (1591 - 2292m) - Surface	25.00
Seabrook Road (3431 - 6355m) - Surface	25.00
Sisters Beach Road (0032 - 1623m) - Surface	25.00
<b><u>Urban Reseals</u></b>	
Gibbons Street Sec - 1 Surface	25.00
Goldie Street Sec - 9 Surface	25.00
Old Bass Highway Sec - 13 Surface	25.00
Old Cam Road Sec - 2 Surface	25.00
Old Cam Road Sec - 3 Surface	25.00
Simpson Street Sec - 1 Surface	25.00
Simpson Street Sec - 4 Surface	25.00
<b><u>Footpaths &amp; Kerbs</u></b>	
Gibbons Street - Footpath Extension (Cul-de-sac Eastern end)	62.50
Frederick Street Footpath	100.00
Gibbons Street Kerb Replacement	62.50
Smith Street Footpath Extension - Waratah	25.00
<b><u>Resheets</u></b>	
Aldersons Road (0044 - 0663m) - Surface	75.00
Beatties Road (0000 - 0934m) - Surface	25.00
Chalks Road (0000 - 0324m) - Surface	75.00
Dam Road (0000 - 0796m) - Surface	25.00
Deaytons Lane (0010 - 2171m) - Surface	100.00
Dudfields Road (0030 - 1688m) - Surface	30.00
Elliotts Road (0000 - 0126m) - Surface	75.00
Fists Lane (0000 - 0470m) - Surface	25.00
Fists Lane (0470 - 1532m) - Surface	25.00
Fists Lane (1532 - 1932m) - Surface	25.00
Franks Lane (0000 - 0654m) - Surface	75.00
Humbles Road (0007 - 0240m) - Surface	75.00
Irby Boulevard (0000 - 0052m) - Surface	75.00
Lancaster Road (0000 - 0298m) - Surface	75.00
Lowries Road (1920 - 4473m) - Surface	25.00
Lyons Road (0033 - 1152m) - Surface	25.00
Mount Myrtle Road (0000 - 0416m) - Surface	75.00
Myalla Road (13809 - 14670m) - Surface	25.00
Myalla Road (16660 - 17665m) - Surface	25.00
Old Dam Road (0000 - 0377m) - Surface	25.00
Pecks Road (0015 - 0120m) - Surface	25.00
Reservoir Drive (3765 - 4260m) - Surface	25.00
Reservoir Drive (4260 - 5490m) - Surface	25.00
Reservoir Drive (5490 - 7338m) - Surface	25.00
Rulla Road (4216 - 4668m) - Surface	75.00
Takone Road (13030 - 15618m) - Surface	100.00
Vicevich Road (0026 - 0203m) - Surface	75.00
West Calder Road (06166 - 08366m) - Surface	25.00
<b><u>Other</u></b>	
Pedestrian Refuge Falmouth Street, Somerset	75.00
Jackson Street Vulnerable Road User Crossing	75.00

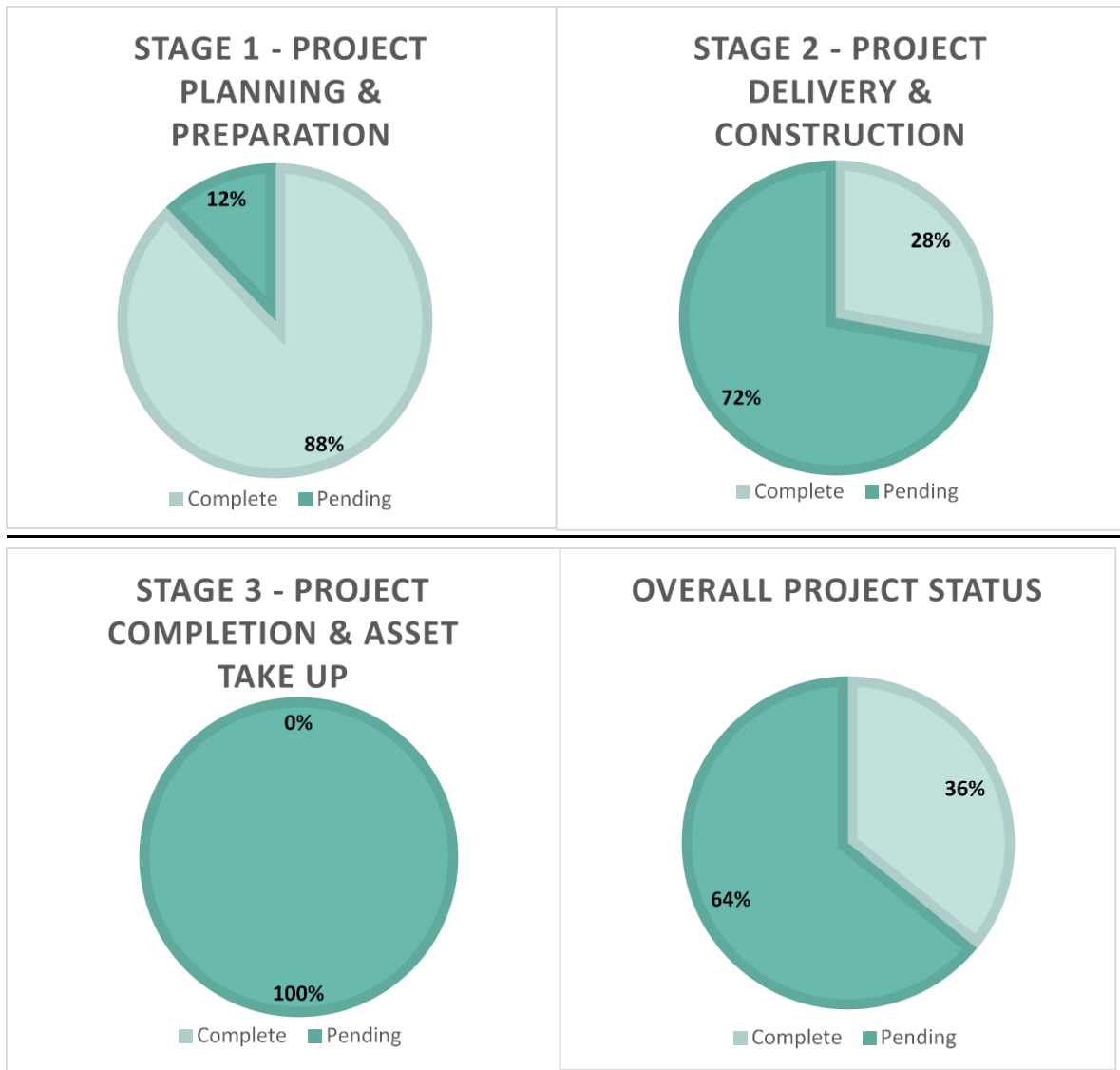
Projects	Status(%)
Goldie Street Pedestrian Crossing	25.00
Exhibition Link Vulnerable Road Users Link	25.00
Somerset CBD Masterplan Works	75.00
Wynyard CBD Plaza	72.50
Old Bass Highway - Port Creek Nurses Retreat Sealing Works	21.25
Design Work - Rural Road Safety Priorities	18.75
Port Creek Parking Area	21.25
Rural Road Culvert Upgrade Program	50.00

**Key project milestones/updates:**

- Port Creek bridge replacement is complete.
- Fredrick street footpath is complete.
- Deytons Lane and Takone Road resheeting are complete.
- Goldie Street pedestrian crossing contract has been awarded – start date due early in the new year.
- Somerset CBD Masterplan works almost complete following mural and windbreak installation in December.
- Wynyard CBD Plaza construction complete subject to final inspection on January 11 for opening of the public toilets.
- Falmouth Street Pedestrian Refuge construction complete.

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## STORMWATER



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## STORMWATER cont.

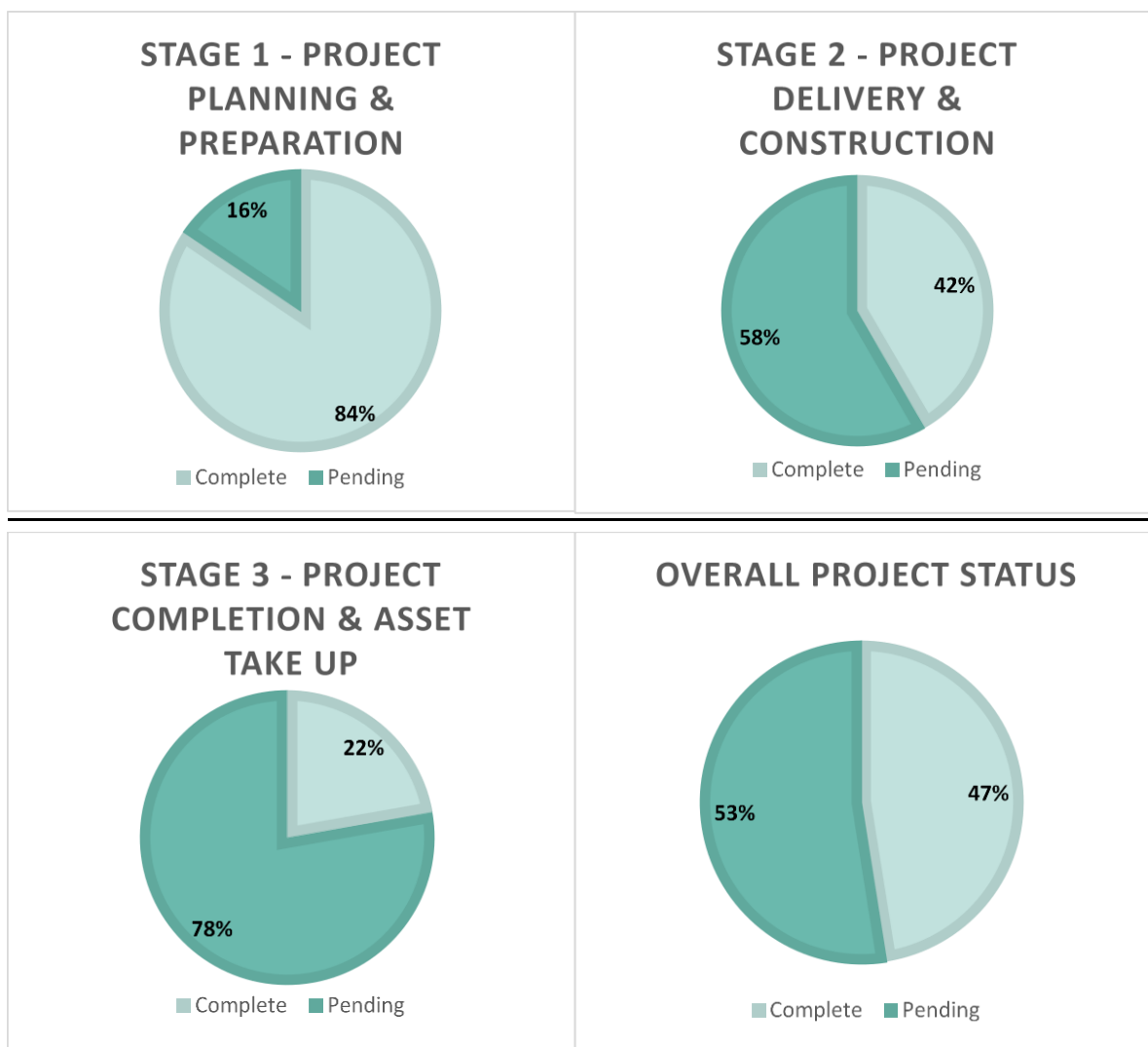
Projects	Status(%)
<b><u>Flood Mitigation</u></b>	
Big Creek	12.50
Cotton Street	25.00
Port Creek	16.25
<b><u>Other Stormwater</u></b>	
Replace stormwater pipe & manhole Church Street	25.00
Port Road Boat Harbour Drainage	72.50
Stormwater upgrade crn Dodgin & Austin St	75.00
Tyre Park (Waratah) Drainage and Playground Boxing	25.00

### **Key project milestones/updates:**

- Stormwater upgrades at the corner of Dodgin and Austin Streets is complete.
- Cotton Street flood mitigation planning is complete and project on track for March completion.



## SPORTING FACILITIES



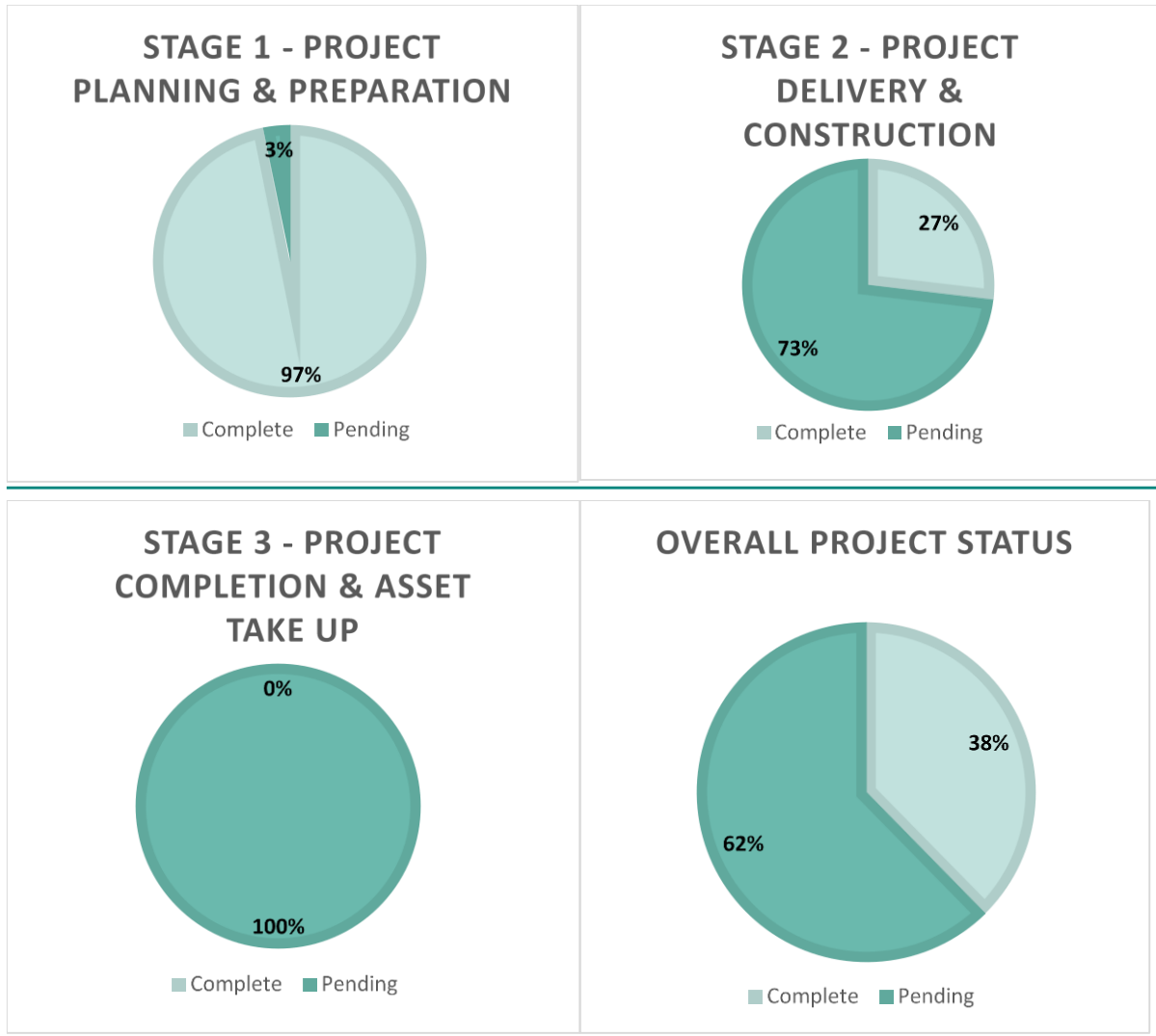
Projects	Status(%)
Somerset Soccer Goal Renewal	65.00
Cardigan Street Pitch and Irrigation Works (Stage 1)	65.00
Demolition of Grand Stand - Wynyard Showgrounds	12.50
Establishment of Freedom Camping Site	2.50
Somerset Indoor Rec Centre - repl skylights in western end (bowls club)	100.00
Wynyard & Somerset Basketball Rings*	25.00
Somerset Sporting Precinct Design	32.50
Wynyard Recreation Ground Changerooms	100.00
Wynyard Indoor Sports Centre - Changeroom Upgrades*	25.00

### Key project milestones/updates:

- Somerset soccer goal renewal. Main pitch has been realigned, the pump shed has moved. Pitch 2 is still to be moved and waiting feedback on possible lighting issues.

- 
- Sisters Beach establishment of freedom camping site is on hold as no interest was received through the EOI.
  - Somerset Indoor Rec Centre and Wynyard Rec ground changerooms are both complete.
  - Wynyard Indoor Sports Centre Changeroom contract has been awarded following the December Council meeting.

## BUILDINGS

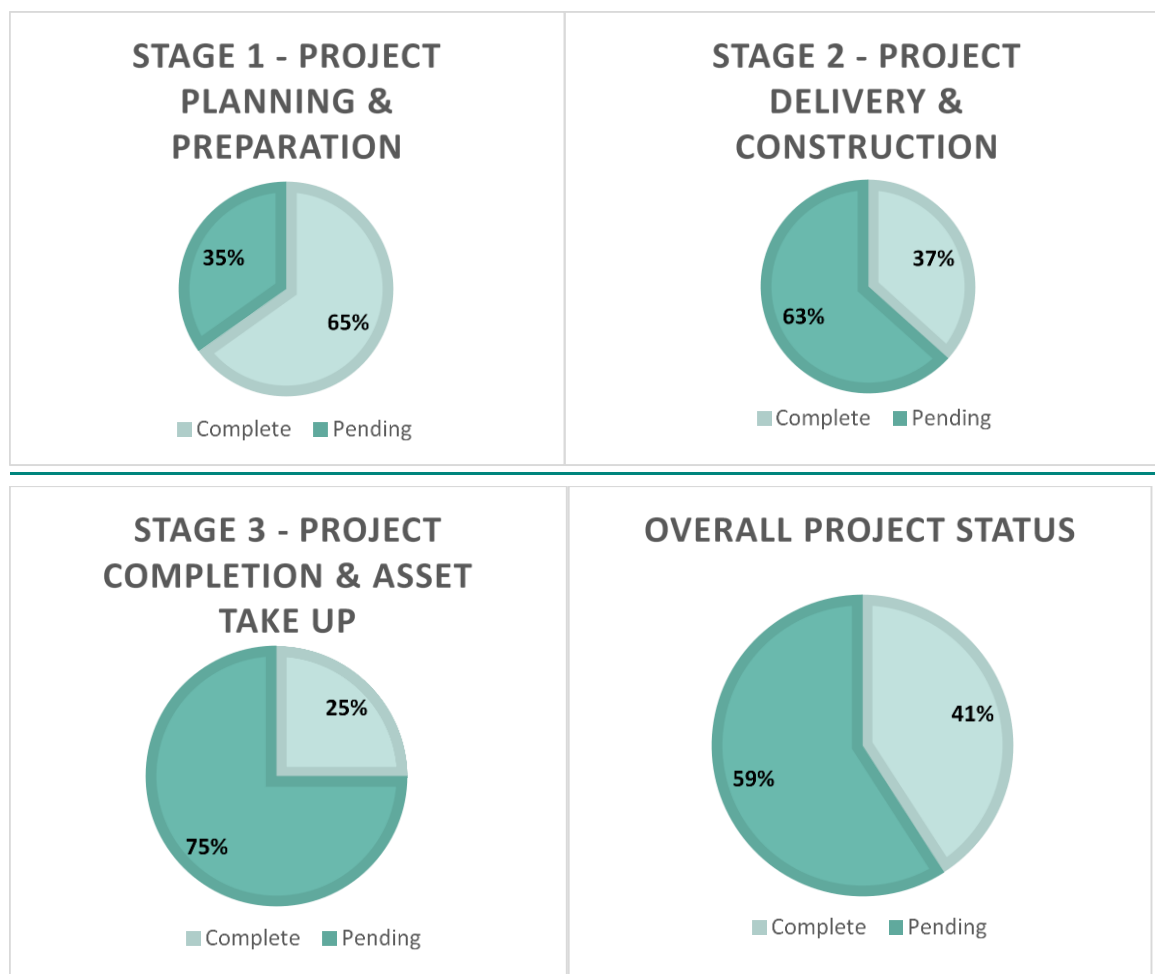


Projects	Status(%)
Community Centre - Sisters Beach Concept Plan	40.00
Council Chambers - concrete paver replacement (Council entry)	25.00
Moorleah Hall - front door replacement	50.00
Multi Use Community Facility (Yacht Club)*	32.50
Sisters Beach - East Blvd Toilets - Stainless Steel lining	75.00
Solar Panel System - Council Chambers	18.75
Toilet seat upgrades - ALL TOILETS	35.00
Waratah Depot - front gutter replacement	25.00

### Key project milestones/updates:

- Sisters Beach – East Blvd Toilets have been completed – final handover to be confirmed.
- Waratah Depot front gutter replacement – waiting on Tas Networks to move ahead.

## PLANT & EQUIPMENT




Projects	Status(%)
<b><u>Software &amp; IT Replacements</u></b>	
Combined Corporate GIS Modernisation	23.75
Corporate System Development - Online Timesheets	45.00
Aerial Photography	50.00
Finance/Assets Software	100.00
Online Booking System	0.00
HR Management System	0.00
IT Replacements	50.00
<b><u>Plant &amp; Vehicle Replacements</u></b>	
1002 - Grader - John Deere 772G - D18DX	72.50
1262 - Tip Truck - Hino Dual Cab - B84TI	0.00
1548 - Ride on Lawn Mower - Kubota ZD331 2P - F26CX	0.00
1572 - Mower - Tractor Drawn - Howard Stealth S2 340	5.00
3012 - Mitsubishi Triton Utility 4x4 Dual Cab Diesel - Shane - F57FY	0.00
Hydraulic Grader Blade	18.75
Backhoe Loader No 1 - Waratah - DM9921	100.00
3017 - Ford Ranger Utility 4x2 Flat Tray Diesel - E46PE	0.00

Projects	Status(%)
3048 - Holden Colorado Utility 4x4 Flat Tray Diesel - DEPOT - C32SB	0.00
<b><u>New Plant</u></b>	
Handheld GPS/Coordinate Recorder	20.00
Pipe Inspection Camera	100.00
<b><u>Other</u></b>	
Flag Poles - Council Chambers	22.50
Somerset CBD Art	47.50
Depot Trade Waste	40.00
Skate Park Art Boards	25.00
Public Art	11.25
Tulip Festival Flag Replacement	0.00
Outdoor Christmas Tree (Wynyard)	0.00
SES Roller Door Wynyard	25.00
SES 10 Piece Power Tool Set x 2	25.00
SES Emergency Lighting	25.00
Child Care Cot Replacements	100.00
Depot Radio	25.00
Recycling Bins	5.00
Signage Upgrade Program (inc \$10k for walking tracks)	20.00

#### **Key project milestones/updates:**

- Aerial Photography – a Tasmanian based contractor has been chosen with works to start early 2021.
- Sisters Beach devil fencing installation now complete.
- Pedestrian Crossing at Murchison Highway is complete.
- Anzac Park car parking improvements has awarded the contract for works – start date mid-January 2021.

## 9.7 SENIOR MANAGEMENT REPORT

To: Council  
 Reporting Officer: Executive Officer  
 Responsible Manager: General Manager  
 Report Date: 4 January 2021  
 File Reference: 1202  
 Enclosures: 1. Bus Network Changes 

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### RECOMMENDATION

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

### SUMMARY/PURPOSE

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

### GENERAL MANAGERS OFFICE

#### ACTIVITIES SINCE LAST COUNCIL MEETING

Listed below is a summary of activities undertaken by the General Manager during the period 6 December 2020 to 11 January 2021.

#### **Corporate**

- Participated in ongoing discussions with the Burnie City Council regarding the ownership of the rail corridor and the progress of the Coastal Pathway project
- Undertook meetings and completed all necessary paperwork as part of the General Manager performance appraisal
- Participated in meeting with consultants undertaking coastal assessments for status update and preliminary observations
- Participated in Joint Executive Management team meeting with Circular Head Council

#### **Community**

- Met with representatives from Waratah concerned with the proposed decommissioning of the Waratah Reservoir
- Met with the Chair of Councils Public Art Advisory Committee to discuss potential projects
- Participated in meeting of the Boat Harbour Beach Masterplan working group

#### **Industry**

- Nil

### **Other**

- Attended Strategic Board workshop of the Cradle Coast Authority
- Leave from 18 December 2020 through until 5 January 2021

### Council Closure

Council will be closed on Monday 25 January. Tuesday 26 January is the standard Australia Day Public Holiday which means Council services will also be closed that day.

### Ruth Forrest Right to Information

A request to obtain all information and planning applications relating to the proposed development at 30B Old Bass Highway was received from Ruth Forrest MLC as a Right to Information (RTI) request.

The information requested was determined exempt under the *Right to Information Act 2009*.

The Office of the Ombudsman have requested Council reissue its response to the RTI to add more detailed reasons for application of the exemptions and to further clarify the process for external review of Council's decision.

The reissued response was provided on Wednesday 13 January 2021.

### Bus Network

A letter from the Minister for Infrastructure and Transport, Hon Michael Ferguson MP, regarding changes to the North West Bus Network is attached for information.

**ADMINISTRATION – USE OF CORPORATE SEAL**

23/12/20	Grant Deed	20-21 Improving the Playing Field – U10 Basketball Rings Somerset and Wynyard

**POLICIES TO BE RESCINDED**

Nil



## WORKING GROUPS

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

	<b>Elected Member Representatives</b>	<b>Responsible Officer(s)</b>	<b>Status</b>
Sisters Beach	Cr Edwards Cr Fairbrother Mayor (ex-officio)	Director Community & Engagement Community Development Officer	The Working group is no longer meeting formally however will come together to plan the launch of the Recreation Park. A stakeholder group is currently working with the consultant on the Community Centre concept.
Wynyard Show Grounds	Cr Bramich Cr Edwards Mayor (ex-officio)	General Manager Recreation Liaison Officer Executive Officer (GM office)	Discussions have begun with sporting groups and High School about future use of grounds and development of Wynyard Sporting Precinct. Showground working group on hold for now.
WWC Environmental Plan	Cr Fairbrother Cr Courtney Cr House Mayor (ex-officio)	Project Manager – Infrastructure & Development Services	iCEP has been adopted with a series of actions identified. A timeline is currently being developed for implementation of first year action items. Environmental policy for Council to consider will be developed and consulted with the Steering group. A rapid review of potential policy requirements that align with iCEP has commenced.
Somerset Sporting Precinct	Cr Duniam Cr Hyland Mayor (ex-officio)	General Manager Manager Community Activation Recreation Liaison Officer	Options are currently being investigated relating to the sporting precinct. Spatial analysis has commenced to determine footprint/size requirements in order to meet sporting standards.
ANZAC Park		Director Community & Engagement	Work is continuing with the Fairy Godmothers and other stakeholders as required
Boat Harbour Masterplan	Cr Courtney Cr Fairbrother Cr Bradley Mayor (ex-officio)	General Manager Executive Officer (GM office)	Meetings occurring with timeline being developed with goal to have plans and approvals in place as soon as possible ready for funding opportunities.

PLANNING PERMITS APPROVED UNDER DELEGATION –DECEMBER 2020

DA No.	Applicants Name	Location	Development	Date Permit Issued	No of Days to Process	(D)Discretionary (P)Permitted
DA 131/2020	K & J Smith	12 Kenelm Avenue Sisters Beach	Dwelling Extension	4.12.2020	41	D
DA 104/2020	Hotondo Homes North West	340 Pinners Road West Takone	Dwelling Extension	4.12.2020	38	D
DA 178/2020	Abel Drafting Services P/L	Back Cam Road (CT210634-1)	Convert an Outbuilding to a Dwelling	4.12.2020	39	D
SD 2106 & DA 187/2020	PLA Designs Pty Ltd	43 Inglis Street Wynyard	Subdivision (1 into 2 lots) & Outbuilding	7.12.2020	31	D
DA 189/2020	PLA Designs Pty Ltd	2547 Murchison Highway Henrietta	Dwelling Extension	7.12.2020	31	D
DA 177/2020	Abel Drafting Services P/L	120 Hoares Lane Elliott	Dwelling & Outbuilding	9.12.2020	23	P
DA 171/2020	PLA Designs Pty Ltd	53A Old Mount Hicks Road Mount Hicks	Dwelling Extension	10.12.2020	41	D
DA 202/2020	EnviroPlan	39 Aldersons Road Wynyard	Dwelling & Outbuilding	14.12.2020	26	P
DA 165/2020	D & J Littlejohn	44B Blackabys Road Boat Harbour	Outbuilding	14.12.2020	61*	D
DA 75/2020	D W & L J Evans	Cottage 5, 267 Port Road Boat Harbour Beach	Change of Use (Part Building, Upstairs to Visitor Accommodation)	14.12.2020	59*	D
DA 190/2020	S Chugg	29 Ramsden Street Somerset	Dwelling and Outbuilding	17.12.2020	37	D
DA 194/2020	PLA Designs Pty Ltd	Lot 1 SP 175267 Smiths Road Wynyard	Dwelling	17.12.2020	39	D
DA 186/2020	Neville Humphreys	Unit 4, 2 Cotton Street Wynyard	Ramp (Dwelling Extension)	21.12.2020	24	P
DA 199/2020	Z Tammens & S Elphinstone	131 Oldina Road Wynyard	Outbuilding	21.12.2020	33	D
DA 160/2020	Abel Drafting Services P/L	614 Seabrook Road Mount Hicks	Outbuilding	21.12.2020	34	D
DA 196/2020 & SD 2108	PLA Designs Pty Ltd	9 Irbys Circus Sisters Beach	Multiple Dwelling, Carport and Subdivision (Staged)	21.12.2020	34	D
DA 214/2020	S Guizzo	289 Murchison Highway Somerset	Replacement Outbuilding	22.12.2020	18	P
DA 108/2019	Fairbrothers Body Works	12 Lewis Street Wynyard	Shed Extension (Carport/Awning)	22.12.2020	13	P
DA 185/2020	Abel Drafting Services P/L	1 Morton Street Boat Harbour Beach	Dwelling Extension	22.12.2020	33	D

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**REPORTS OF OFFICERS AND COMMITTEES**

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DA 200/2020	PLA Designs Pty Ltd	155 Lennah Drive Wynyard	Outbuilding	22.12.2020	19	<b>P</b>
DA 44/2020	C Barker & B Crow	700 Lapoinya Road Lapoinya	Dwelling Extensions (Carport & Roofing over Deck)	23.12.2020	7	<b>P</b>
DA 215/2020	T Englund	50 Deep Creek Road Wynyard	Outbuilding	23.12.2020	14	<b>P</b>

\*extension of time received

BUILDING PERMITS APPROVED – DECEMBER 2020

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

Permit Number	Applicants Name	Location	Development	Date Permit Issued	No of Days to Process	Related Planning Approval
2020-160-01	Abel Drafting Services P/L	5-7 & 9-11 Reservoir Drive Wynyard	Warehouse & Store	4.12.2020	10	DA 57/2020 & SD2092
2020-177-01	2B Build Pty Ltd	26C Lennah Drive Wynyard	Dwelling & Shed	11.12.2020	2	DA 47/2020
2020-178-01	J & N Taylor	124 Ingleford Road Calder	Dwelling Addition	18.12.2020	1	DA 58/2020
2019-133-01	Build It North West	1A Alicia Court Wynyard	Dwelling	18.12.2020	1	DA 52/2019



## COUNCIL MEETING ACTIONS

	ITEM	TOPIC	ACTION/STATUS	OFFICER	STATUS
17/9/18	10.1	Freedom Camping	That Council liaise with the Show Society to lodge a planning application to amend the use of showgrounds to allow self-contained caravans. Discussions with the Show Society, and other potential locations for freedom camping within Wynyard, is underway	EMT	Progressing
10/12/18	9.2	NOM Cr Edwards – PWS Audit of Sisters Beach properties Carried	That Council request Parks and Wildlife (PWS) complete their proposed assessment audits of beach front properties at Sister Beach by March/April rather than the proposed 30 June deadline. <i>Discussions underway to see if this can be incorporated into Council's erosion assessment. Waiting on PWS approval to proceed.</i>	DIDS	Ongoing
10/12/18	10.1	Wilkinson Street Highway Junction works Amended Motion carried	That Council on receipt of assurances from DSG that council legal expenses associated with any representation and associated legal process will be reimbursed <i>A further Preliminary Hearing is scheduled for Thursday 28 January 2020 and a Hearing scheduled for Thursday 4 February 2020</i>	MPE	Ongoing
22/6/20	8.2	NOM – Cr Fairbrother – Crown Land	Motion Carried - That Council consider that where areas of Crown land separate a road and a property boundary, for the purposes of planning, that the area be incorporated and or considered as a Part of the road reserve. <i>Council staff met with Minister Jaensch's office and they are going to follow up the option of Crown Land Services essentially providing a waiver that they have no interest where "impact" is limited to an existing access running through Crown Land. No further progress.</i>	MDRS	Progressing
20/7/20	8.2	NOM – D Fairbrother – Sisters Beach Access	Motion Carried: That Council undertake an investigation into identifying a preferred secondary access to Sisters Beach  <i>Matter discussed at Councillor Workshop 7/12/20 and work underway</i>	DIDS	Progressing
19/10/20	7.3.3	CQWON – Cr Fairbrother – Building and Planning Statistics Reporting	Cr Darren Fairbrother asked if it was possible to have additional information added to building and planning reporting contained within the Senior Management Report each month to enable Councillors to be aware of what is happening with current applications that may not have progressed to advertising. For example, applications received, awaiting additional information or currently on advertising. <i>Consideration for improved reporting will be incorporated into planning review to be done in first half of 2021</i>	GM	Progressing
19/10/20	7.3.4	CQWON – Cr Duniam – Electronic Notice Boards	Cr Mary Duniam asked if Council could investigate the installation of electronic noticeboards in the Civic Squares in Wynyard and Somerset. <i>It was agreed to investigate as part of the Signage Strategy currently being developed.</i>	GM	Progressing

19/10/20	8.2	NOM – Cr Bramich – Forsters Rd Naming	<ul style="list-style-type: none"> <li>☐ Rescind the decision made at the September 2020 meeting to leave the name Fosters Road unchanged;</li> <li>☐ alter the name of Fosters Road to Forsters Road; and</li> <li>☐ Notify the relevant authorities and landowners adjoining that road of the change</li> </ul> <p><i>Action has not yet progressed as waiting on Councillor Bradley to provide clarification on matter</i></p>	DOP	To be actioned
16/11/20	7.3.6	CQWON – Cr Courtney – Expenditure Monitoring	<p>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.</p> <p><i>The General Manager advised that officers would review the financial reports and report at a future Councillor workshop.</i></p>	GM	Pending workshop

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## 9.8 WARATAH DAM DECOMMISSIONING

To: Council  
Reporting Officer: General Manager  
Responsible Manager: General Manager  
Report Date: 13 January 2021  
File Reference: 2021  
Enclosures: 1. Letter from DPIPW   
2. Decommissioning Plan 

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### RECOMMENDATION

#### That Council:

1. **Note correspondence received from the Department of Primary Industries, Parks, Water and Environment regarding the proposed decommissioning of the Waratah Dam; and**
2. **Given previous correspondence with TasWater, determine not to submit a representation on the matter prior to the closure of the statutory notification period on 1 February 2021.**

### PURPOSE

To note correspondence received from the Department of Primary Industries, Parks, Water and Environment regarding TasWater's proposed decommissioning of the Waratah Dam.

### BACKGROUND

TasWater have stated that in August 2017, as part of regular and routine safety checks they observed increased seepage from the Waratah Dam wall. After further investigation, evidence of internal embankment erosion (piping) within the upper section of the dam wall was found.

TasWater considered this situation to be unsafe for the dam and water was released from the reservoir to prevent any further deterioration in the dam wall.

It was at this time that Council and the community were made aware of the issues. TasWater have continued to manage the water level of the reservoir.

There are a small number of community members, who have formed an advocacy group, Friends of the Waratah Reservoir, who have lobbied since this time for the restoration of the water levels and repair of the dam wall. Their attention in recent times has focussed on halting the decommissioning process.

TasWater claim that if the dam fails, it could be a risk to life and property, and state that an independent assessment puts the cost in the order of \$3.8 million dollars. The estimated decommissioning and rehabilitation costs are \$1 million dollars.

All reports relating to the dam commissioned by TasWater are available on their website.

TasWater concluded that given the issues identified, they would divest or decommission the dam. An expression of interest (EOI) process was conducted between 15 December 2017 and 31 January 2018 and no responses were received.

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A second EOI process was conducted from 20 March 2019 and closed on 22 May 2019 which resulted in two responses. TasWater's evaluation committee assessed the respondents technical and financial capacity to take of the ownership of Waratah Dam and one potential suitable candidate was identified. Ultimately, the EOI was not deemed suitable to progress despite involvement from Council and the State Government and concluded in late 2020.

TasWater have subsequently commenced the decommissioning process.

Another interested party was identified in late 2020 and discussions with this party continues.

Council have had a number of motions about this matter, the most recent following a Notice of Motion from Councillor Fairbrother in April 2019.

## **DETAILS**

Council is in receipt of a formal notification that an application has been lodged to decommission the Waratah Reservoir (Waratah Dam). Representation can be made to the Minister regarding the application until Monday 1 February 2021. The notification is attached.

The letter refers to information provided on the Department of Primary Industries, Parks, Water and Environment, which lists the following documents:

- Waratah Dam Application Decommission
- Waratah Dam Decommissioning Letter to DPIPWE
- Waratah Dam Decommissioning Plan
- Waratah Dam Risk Assessment Report
- Waratah Dam Maps
- Waratah Dam Flood Modelling
- Waratah Dam Flood Attenuation Study
- Waratah Dam Contour Map
- Waratah Dam Environmental Impact Assessment

The Waratah Dam Decommissioning Letter to DPIPWE states that TasWater's application to decommission the dam is based on the following key factors:

- Waratah Dam is not required for the supply of water or sewerage services to the Waratah township. The dam has not been used for water or sewerage services since TasWater commenced operations and assumed responsibility for the dam in 2013. It should also be noted there is no pipeline infrastructure attached to the dam – which would be required if the dam was to be used for water or sewerage services:
- *Water can be supplied to the Waratah township using the natural run of the Waratah River, requiring no upstream modifications or additional costs. Prior investigation by TasWater shows that Waratah's maximum peak daily demand for water is 0.117 megalitres (ML) per day, while the low river flows have been determined to be 1.73ML per day. Based on these figures, we consider there is a low likelihood that Waratah may experience water supply issues in the future.*



- 
- The embankment is in an extremely poor condition and is continuing to deteriorate. • The spillway and outlet are undersized and in poor condition.
  - The Societal Risk exceeds the tolerable limit and must be mitigated.
  - The dam currently has several serious dam safety deficiencies, and in its current state does not comply with modern dam engineering standards. As such, the dam would require major works, at significant financial cost, for it to be made compliant with modern standards, and with a Societal risk that is (ALARP – as low as reasonably practicable).

Entura's Decommissioning Plan is attached for information.

Residents concerned with losing the dam claim a range of reasons to fight for the dam to be maintained including historical reasons, environmental impacts, use of the water for firefighting and protection and the recreation potential of the area. These submissions have been circulated regularly via email to all Councillors.

Councils most recent submission to TasWater stated “

*Council wishes to formally raise concerns with the process and projected timeframes for the proposed decommissioning of the Waratah Dam.*

*It is understood that TasWater are proceeding with the next stage of the decommissioning process and will soon apply to receive necessary approvals for the work to be undertaken. It is also understood that an interested party in dam ownership has emerged. Whilst Council have not formally seen their submission, they appear to be a credible applicant, worthy of genuine consideration.*

*Council implore TasWater to expedite negotiations with the interested party to reach resolution and, if deemed suitable, commence the process of ownership transfer.*

*Under no circumstances should the decommissioning be undertaken whilst the negotiations remain unresolved. In fact, Council's position remains that the water source should be protected and kept for future generations.*

*Steps to mitigate risk, including lowering of the water level and enhancements to the spillway, have ensured the dam can remain in place until the negotiations are concluded. If the risk was high, TasWater would not have taken over eighteen months to conclude the public expression of interest process, only resolved as a result of Council intervention.*

*It is in everyone's' best interests for TasWater to make this determination sooner rather than later. In accordance with the first Expression of Interest process, Council are willing to undertake the negotiations on TasWater's behalf should this be required.*

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TasWater's reply, received on Friday 11 December 2020, states:

*We do understand the disappointment from some members of the community and council. In support of the community's desire to keep the reservoir, we spent over two years trying to find a new owner for the Waratah Dam, which was always our preferred outcome. Unfortunately, these efforts were not successful.*

*We have recently applied for a Dam Works Permit through the Department of Primary Industries, Parks, Water and Environment (DPIPWE) requesting approval to decommission the Waratah Dam. The works proposed will ensure the safe removal of the dam embankment.*

*The application process will take approximately three months to finalise and should we gain authorisation to remove the dam, it will take another three months to remove the dam and a further two and a half years to complete our rehabilitation plan.*

*We are in discussions with a party who has recently expressed interest in the reservoir. These discussions are continuing in parallel with our Dam Works Permit request.*

*The interested party has made it clear to us that decommissioning the dam has absolutely no impact on their project. They have undertaken their own investigations into the existing dam and have advised that should their project proceed their intent would be to construct a new dam wall and reinstate the previous full storage capacity of the dam. They have also advised that their bid for funding to conduct a feasibility study for this project was unsuccessful and their progress will be impacted as a result.*

*We are providing the interested organisation our support and expertise and will continue to do so, even beyond the decommissioning of the current dam, should our application be successful.*

*We have undertaken mitigation activities to make the dam safer by lowering the water level and enhancing the spillway, however this has not eliminated the risk and is not a long-term solution.*

*Based on the below, if we gain approval from DPIPWE, we will move to decommission the dam.*

- *An extensive EOI process was unable to find a new owner.*
- *Our works will have no impact on the decision of the party who has recently expressed interest in constructing a new dam at some point in the future*
- *The dam is unsafe and cannot be returned to full capacity*
- *We do not require it to supply drinking water to the town of Waratah as this can be done by run of river*
- *The cost to replace the dam is estimated at close to \$4M*

*Additionally, there are ongoing costs to maintain the dam in its current state, something we cannot continue to commit to, given the current financial environment driven by COVID-19 and our endeavours to return to paying dividends to our owner councils.*

Throughout the entire process, Council has maintained a role of advocacy and facilitation. Council has no desire or strategic benefit from having any form of dam ownership. The

Waratah Dam is not recognised as one of the three priority projects for Waratah in the current community plan.

Council’s Annual Plan has an action to “Work with TasWater and the Waratah community to facilitate a mutually agreed future for the Waratah Dam”.

Another interested party was identified in late 2020 and discussions with this party continues. It appears it may be some time before this party is in a position to make a determination on ownership, but they remain very interested. There is an argument to suggest the dam should be maintained until such time this process has concluded. This party has indicated that they may construct a new dam wall and reinstate the previous full storage capacity of the dam regardless of the outcome of the decommissioning process.

## STATUTORY IMPLICATIONS

### Statutory Requirements

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

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL</b>
<b>Desired Outcomes</b>
We encourage broad community input to create a focussed and strong sense of belonging.
<b>Our Priorities</b>
7.1 Provide education to facilitate awareness and appreciation of built and natural assets.

<b>GOAL</b>
<b>Desired Outcomes</b>
Stewardship of our land, water and marine ecosystems respects past, present and future generations.
<b>Our Priorities</b>
5.8 Ensure evidence-based allocation of infrastructure and land use to enable sustainable growth.

### Sustainable Murchison Community Plan 2040

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

### Council Strategy or Plan Reference

## POLICY IMPLICATIONS

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

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## **ENVIRONMENTAL IMPLICATIONS**

Environmental implications relating to the Waratah Dam are outlined in the reports available on TasWater and DPIPWE's websites.

## **FINANCIAL IMPLICATIONS**

There are no financial implications as a result of this report. Financial implications will occur should Council's involvement increase from current levels.

## **RISK IMPLICATIONS**

There are a range of complex and details risks arising from the proposed decommissioning of the Waratah Dam. It is a divisive matter that will garner strong opinion from either side of the argument.

Complexity is added given Council's role as a part owner of TasWater. Risks associated from this report are limited to reputational, however should the matter progress, financial, legislative, and environmental considerations will be evident.

## **CONSULTATION PROCESS**

This report outlines a statutory period for representations. Consultation and discussion on this matter has been ongoing over many months.

The majority of Councillors attended a public meeting and presentation with the people of Waratah on Tuesday 2nd of April 2021. The purpose of the meeting was to hear from TasWater and its consultants and other interested parties on the safety of the dam, related issues and the process associated with the calling of expression of interest for the takeover of ownership of the dam.

## **CONCLUSION**

It is recommended that Council note correspondence received from the Department of Primary Industries, Parks, Water and Environment regarding the proposed decommissioning of the Waratah Dam; and determine not to submit a representation on the matter prior to the closure of the statutory notification period on 1 February 2021.

Should Councillors support the submission of a representation, an alternate motion could read:

That Council:

- 1.** Note correspondence received from the Department of Primary Industries, Parks, Water and Environment regarding the proposed decommissioning of the Waratah Dam; and
- 2.** Authorise the General Manager to prepare and submit a representation on the matter prior to the closure of the statutory notification period on 1 February 2021

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## 9.9 MINUTES OF OTHER BODIES/COMMITTEES

### 9.9.1 MINUTES OF OTHER BODIES - WARATAH COMMUNITY BOARD - 5 DECEMBER 2020

To: Council  
Reporting Officer: Community Development Officer  
Responsible Manager: Director Community and Engagement  
Report Date: 23 December 2020  
File Reference: 0.0  
Enclosures: Nil

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#### RECOMMENDATION

**That Council note the unconfirmed minutes of the Waratah Community Board meeting held on 5 December 2020.**

#### PURPOSE

For Council to note the unconfirmed Minutes of the Meeting of the Waratah Community Board held on 5 December 2020.

#### BACKGROUND

The Waratah Community Board was established by Council in 2019 and the adoption of the Waratah Community Plan 2018-2021.

#### DETAILS

The key outcomes from the Waratah Community Board meeting included:

- **Waterfall**

Jenny Evans has completed the Waratah Falls Walk Concept Plan. The plan provides for a staged development of an all ability walk to a viewing platform at the base of the waterfall. The Board recommends that Council receive and adopt the plan as a key project for Waratah.

- **Railway Bridge**

The Board discussed options for the pedestrian bridge to be built beside the existing historic rail bridge. Before making a decision, Board members would like to invite Councils Engineer to address the Board and explain the options.

- **General Business**

- The Saunders Street Clinic has indicated that they are considering a GP service in Waratah commencing in the new year.
- Natural Burials, Lyndal Thorne spoke with the Board on the importance of providing for natural burials and suggested part of the Waratah Cemetery was an ideal location.
- The Chairman to follow up with West North West Tourism on the status of the Forage Trail and Whyte Hills Lookout development.

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## STATUTORY IMPLICATIONS

### Statutory Requirements

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

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL</b>
<b>Desired Outcomes</b>
We make publicly transparent decisions on spending and future directions while encouraging community feedback.
<b>Our Priorities</b>
1.1 Commit to best practice in community engagement.

### Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
<b>Tourism</b>	<b>Memorable visitor experiences all year round</b> – The must-see destination, quality product, easy access, popular events and festivals with coordinated marketing. A longer season with increasing yields.
<b>Strong communities and social capital</b>	<b>Enduring community capital</b> – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.

### Council Strategy or Plan Reference

Council Strategy or Plan	Date Adopted:
Waratah Community Plan	Adopted February 2018

## POLICY IMPLICATIONS

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

## FINANCIAL IMPLICATIONS

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

## RISK IMPLICATIONS

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

## CONSULTATION PROCESS

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

## CONCLUSION

It is recommended that Council note the Unconfirmed Minutes of the Waratah Community Board meeting held on the 5 December 2020.

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Unconfirmed minutes of the  
**Waratah Community Board** meeting  
held at the Waratah Community Hub  
at 12.05pm on Saturday 5th December 2020.

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**1. Present**

Tony Schmidt, Rosemary Dick, Neil Thorne, Anne Dunham & Cr. Kevin Hyland.  
Council Staff: Richard Muir Wilson

**2. Apologies**

Tracey Bradley

**3. Declaration of Conflicts of Interest**

Nil

**4. Presentations**

Jen Evans and Lyndal Thorne.

**5. Confirmation of the Minutes of the Waratah Community Board**

Moved Rosemary Dick and Seconded by Neil Thorne.

“That the minutes of the Waratah Community Board meeting held on the 26<sup>th</sup> September 2020 are a true and accurate record of the meeting.” CARRIED

**6. Correspondence**

6.1 Inward

- Jen Evans Consulting – Waratah Falls Walk Concept Plan

6.2 Outward

- Email: Minister for Health requesting an update on the Community Development Facilitator position in Waratah from the proceeds of the sale of the Health Centre. Recommended that the request also be brought to the attention of Roger Jaensch MHA as no response had been forthcoming from the Minister for Health.
- Yvette Ekman, letter of thanks for her service to the Waratah Community Board.

**7. Business Arising**

7.1 Fossey River rest area upgrade. Report to follow in the Waratah Tourism Association update.

7.2 Neil Thorne tabled a book titled Fires Farms & Forests: a human history of Surrey Hills. Suggested that this would be an excellent reference book for Council to purchase.

7.3 Guildford Wind Farms. Rosemary raised the current planning status of this project which involves the construction of 80 wind turbines in the vicinity of Talbots Lagoon and west to the Murchison Highway. An information brochure from the Developers was tabled outlining the stages to be passed before eventual approval.

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7.4 Whyte Hills Lookout. Anne reported that there had been no developments with respect to choosing an artist for the installation at the lookout. There were also queries in relation to the appropriateness of an Ocean Beach photograph featuring in a sign at the lookout.

7.5 Forage Trail. Signs had appeared on road sides promoting this trail, members of the Board queried the relevance of the trail to our area.

MOVED Neal Thorne and Seconded by Anne Dunham "That the chairman follow up with West North West Tourism regarding the Ocean Beach photograph and the Forage Trail".  
CARRIED

## **8. Waratah Community Plan**

### **8.1. Priority Project 1: Waratah Falls –**

Jen Evans attended and spoke to the Waratah Falls Walk Concept Plan. She explained how the all-inclusive walk had been re costed, its dimensions and method of construction along with the possibility of a staged development to match available funds. The estimated cost for the total project being \$3.7 million. Interpretation of the historic mining heritage of the area to be made a feature of the walk. Board members could forward suggestions to Jen Evans via Richard.

Recommendation that the Waratah Falls Walk Concept Plan be received and forwarded to Council for adoption as a key project for Waratah.

### **8.2. Priority Project 2: Community Development Facilitator and community social services**

Richard reported that he been visiting the Waratah Community Hub on a fortnightly basis and was available to meet with residents.

### **8.3. Priority Project 3: Railway Bridge Restoration -**

Recommendation that Councils Engineer attend our next Board meeting and explain the preferred option for the Rail Bridge.

## **9. Update from Waratah Tourism Association**

9.1 Tony reported that the Fossey River rest area is to be completely rebuilt to service not only small vehicles but also to provide parking for B Doubles, this would include a new toilet block and removal of the existing information cabin.

9.2 The St James Church spring fair had been a great success in early November.

## **10. General Business**

10.1 Rosemary suggested that the Board promote new health services for Waratah at the Hub, these could be provided by auxiliary or allied health care workers. Waratah has an ageing population and more residents are requiring medical assistance. Richard reported that the Saunders Street Clinic are interested on providing a visiting GP service to Waratah next year.

10.2 Seats for the Cenotaph. Anne is still interested in pursuing a Teddy Sheehan grant to fund new seats. A local family is also prepared to contribute towards the seats.

### **10.3 Natural Burials**

Pam and Lyndal Thorne joined the meeting. Lyndal provided an overview of natural burials in Tasmania which involved four essential parts:

- Bodies are not embalmed
- Coffins or preferably shrouds are biodegradable



- Graves are only dug to a depth of 500mm to assist with the quicker decomposition of the body
- Specific areas are set aside for natural burials separate to the traditional lawn cemetery. These areas can the revert back to the local flora and fauna.

The Board agreed that the Waratah Cemetery due to its size and location offered an ideal location for natural burials.

#### 11. Next Meeting

Next Meeting: To be advised.

#### 12. Meeting Closed 1:40

Date	Action	Who
18.07.2020	7.2 Natural Burials.  <b>ACTION:</b>  Natural burials and a dedicated area to be considered in the new Cemetery Strategy for Waratah Wynyard.	<i>Richard</i>

Board members then joined with 15 Waratah residents at the Hub for a BBQ lunch.

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## 10.0 MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING

Legislative Reference:

*Local Government (Meeting Procedures) Regulations 2015; Regulation 15*

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

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

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

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

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

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

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

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## RECOMMENDATION

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

<i>Matter</i>	<i>Local Government (Meeting Procedures) Regulations 2015 Reference</i>
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	<i>15 (2)</i>
<i>Confidential Report R15 (2) (f) proposals for the council to acquire land or an interest in the land or for the disposal of land</i>	<i>15 (2) (f)</i>
<i>Confidential Report R15 (2) (a) personnel matters, including complaints against an employee of the council and industrial relations matters – GM Performance Review</i>	<i>15 (2) (a)</i>
<i>Confidential Report R15 (2) (g) information of a personal nature or information provided to the council on the condition it is kept confidential</i>	<i>15 (2) (g)</i>
<i>Confidential Report R15 (2) (h) - Leave of Absence Request - Councillors</i>	<i>15(2)(h)</i>
<i>Confidential Report R15 (2) - Closed Senior Management Report</i>	<i>15(2)</i>

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**11.0 CLOSURE OF MEETING TO THE PUBLIC**

Legislative Reference:

*Local Government (Meeting Procedures) Regulations 2015; Regulation 15*

**RECOMMENDATION**

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

<b>Matter</b>	<b>Local Government (Meeting Procedures) Regulations 2015 Reference</b>
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) (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) (a) personnel matters, including complaints against an employee of the council and industrial relations matters – GM Performance Review</i>	15 (2) (a)
<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) (h) - Leave of Absence Request - Councillors</i>	15(2)(h)
<i>Confidential Report R15 (2) - Closed Senior Management Report</i>	15(2)

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<b>12.0 RESUMPTION OF OPEN MEETING</b>
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At ..... pm the Open Meeting was resumed.

<b>13.0 PUBLIC RELEASE ANNOUNCEMENT</b>
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The Chairman announced that pursuant to Regulation 15(9) of the *Local Government (Meeting Procedures) Regulations 2015* and having considered privacy and confidential issues, the Council authorised the release to the public of the following discussions, decisions, reports or documents relating to the closed meeting:

Min. No.	Subject	Decisions/Documents

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