



## **AGENDA**

### **Annual General Meeting**

**Tuesday, 2 November 2021**

**At 5.30pm**

**Council Chambers, 21 Saunders Street, Wynyard**

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Notice is given that an Annual General Meeting of Council will be held at the Waratah-Wynyard Council Chambers, 21 Saunders Street, Wynyard on Tuesday 3 November 2021 commencing at 5.30pm.

A handwritten signature in black ink, appearing to read 'Shane Crawford', is positioned above the printed name.

Shane Crawford  
GENERAL MANAGER

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## **ORDER OF BUSINESS**

### **Open Session**

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DIGITAL RECORDING OF COUNCIL MEETINGS

The Public is advised that it is Council policy to record and live stream 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 recording is authorised by the Local Government (Meeting Procedures) Regulations 2015.

**1.0 Present**

Councillors

In Attendance

**2.0 Apologies**

**3.0 Welcome**

**3.1 Acknowledgement of Country**

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.

**4.0 Annual General Meeting Statutory Requirements**

The General Manager to advise the meeting of the statutory provisions relating to the holding of an Annual General Meeting.

Section 72B. of the *Local Government Act 1993* (as amended) provides that in relation to an Annual General Meeting.

**72B. Annual General Meeting**

- (1) A council must hold an Annual General Meeting on a date that –
- (a) is not later than 15 December in each year; and
  - (b) is not before 14 days after the date of the first publication of a notice under [subsection \(2\)](#).
- (2) A council must publish a notice in a daily newspaper circulating in the municipal area or other prescribed newspaper specifying the date, time and place of the Annual General Meeting.
- (3) If a quorum of the council is not present at an Annual General Meeting –
- (a) the Annual General Meeting is to be reconvened and held within 14 days; and
  - (b) a notice is to be published in a daily newspaper circulating in the municipal area specifying the date, time and place of the Annual General Meeting.
- (4) Only electors in the municipal area are entitled to vote at an Annual General Meeting.
- (5) A motion at an Annual General Meeting is passed by a majority of votes taken by a show of hands or by any other means of ascertaining the vote the council determines.
- (6) A motion passed at an Annual General Meeting is to be considered at the next meeting of the council.
- (7) The general manager is to keep minutes of the Annual General Meeting.

**5.0 Confirmation of Previous Minutes**

**RECOMMENDATION**

**“That the Minutes of the Annual General Meeting of the Waratah-Wynyard Council, held at 21 Saunders Street, Wynyard on 2 November 2020, a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.”**

The minutes of the meeting are attached in Appendix 1.

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

**6.0 Annual Report Public Submissions**

Under the provisions of the *Local Government Act 1993*, Council invited the community to make submissions on its Annual Report for discussion at the Annual General Meeting. The closing date for submissions was Wednesday 27 October, 2021.

There were no submissions received at the time of agenda compilation.

**7.0 Annual Report 2020/21****RECOMMENDATION**

**That Council note the Annual Report for the year ended 30 June 2021.**

**PURPOSE**

To adopt the Annual Report in line with legislative requirements. The Annual Report is provided in Appendix 2 for receipt and noting.

**BACKGROUND**

The Annual Report of the Council for 2020/21 has been prepared pursuant to section 72 of the *Local Government Act 1993*.

Council is required to prepare an Annual Report detailing its achievements in respect of goals and objectives for the financial year.

**DETAILS**

Council's strategic planning framework guides Council in identifying community needs and aspirations over the long term (Our Vision), 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 Annual Plan and Budget Estimates are set in June each year and progress reporting occurs to Council on a quarterly basis.

The Annual Report provides highlights of the Council's achievements throughout the year together with a performance report on activities listed in the 2020/21 Annual Plan.

As required, the Annual Financial Report for the year ended 30 June 2021, together with the Independent Audit Report are included within the Annual Report. Council formally received the audited financial statements at the October meeting.

In accordance with Section 72(2)(d) and (3) of the *Local Government Act 1993*, Council placed advertisements in the Advocate Newspaper on 16 October 2021 and 23 October 2021 notifying the public of the Annual General Meeting on Tuesday 2 November 2021 and invited submissions from the community on the Annual Report.

**STATUTORY IMPLICATIONS**Statutory Requirements

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

**STRATEGIC IMPLICATIONS**Strategic Plan Reference**GOAL 1: Leadership and Governance**

## **Desired Outcomes**

1.5 We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making.

## **Our Priorities**

1.5.1 Build our knowledge base to apply in decision-making processes.

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

## Sustainable Murchison Community Plan 2040

**Governance and working together - Working together for Murchison** – Everyone plays a part in achieving the objectives of the Sustainable Murchison Community Plan. There is cooperation, resource sharing and less duplication between Councils. Leadership is provided across all community sectors.

## **POLICY IMPLICATIONS**

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

## **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 in receiving this report.

## **CONSULTATION PROCESS**

The draft financial statements were referred to the Audit Panel for review at its meeting on 24 August 2021.

The Annual Report and Annual General Meeting have been advertised in accordance with legislation. No submissions have been received by the public in relation to the Annual Report.

## **CONCLUSION**

It is recommended that Council receive and note the Annual Report for 2020/21

**8.0 Notice of Motion****8.1 Mr C Hutchison – Oldina Reserve****MOTION**

**That Council plan, promote, and host a public community meeting (prior to December 17th 2021) regarding a collaborative community-council partnership to develop a multi-staged action plan for the Oldina Forest Reserve & Picnic Area.**

**BACKGROUND INFORMATION**

The Oldina Forest Reserve & Picnic Area is located adjacent Blackfish Creek, accessible by vehicle from Nursery Road (currently barricaded at the Oldina Road Junction), Beswicks Road (currently barricaded at the Blackfish Creek vehicle bridge), and Blackfish Road (barricaded at 700m from the Nursery Road Junction at the Reserve centre point).

The existing Oldina Forest Reserve & Picnic area is no longer managed & maintained to acceptable community standards by Sustainable Timber Tasmania. This has been well known to various sectors of the community for a number of years, and is evidenced by repeated site visits. However, there still remains significant interest within the community for a responsible party to provide adequate public amenities to accommodate a range of users to access this public recreation area. Access could be in a manner similar to the past, or in new ways as identified and agreed to by Waratah-Wynyard residents following extensive community consultation.

Many stakeholders, including community members, community organisations, Waratah-Wynyard Council, local representatives, & Sustainable Timber Tasmania have yet to discover and proceed towards a cost effective & secure solution to redevelop public amenities on this site and maintain it to acceptable safety standards.

It is time that the Waratah-Wynyard Council Councillors & Senior Management Team lead the way with co-creating a solution that involves community members at every step in the decision making process.

The first step, as the motion indicates, is for Council to host a community meeting that is open to the public. The purpose of this meeting will be to hear community concerns & listen to community solutions for regenerating and redeveloping the Oldina Forest Reserve, so that Council staff can investigate potential providers of these solutions and associated costs. These options can then be reported back to the community.

From the initial community meeting at a community facility such as the Railway Hall, Frederick St. Reserve, or Wynyard High School, Council could then establish a working group to plan future forums & planning discussions that has a minimum of 1 councillor & 1 council staff member to attend these working group run forums.

The end goal of this process will be to create a multi-staged action plan for the Oldina Reserve & Picnic Area for the future benefit of Waratah-Wynyard residents & visitors to the region.

**OFFICERS COMMENT**

The Oldina Reserve remains in the ownership and management of Sustainable Timbers Tasmania and ideas regarding the future of the site need to be directed through them. Council cannot plan for future use of a site without the permission or involvement of the land owner. Sustainable Timbers should host the forum should it proceed.

Council agrees that the Oldina Reserve has significant potential and progression of a plan for future use of the site is a worthy concept. For that reason, Council officers have been meeting with Sustainable Timbers Tasmania to progress a concept plan. Work to date has involved condition assessments of the site and determination of infrastructure and maintenance required for the site to be safe for use.

Sustainable Timbers and Council should be in a position to release details of their discussions prior to the end of the calendar year. This information should satisfy the action suggested by Mr Hutchison.

Should this not occur for any reason, facilitation of a meeting as suggested by Mr Hutchison would be a viable alternate option to progress plans for the site, pending approval and involvement of the land owners.

**8.2 Mrs L. Raw – Dog Management Policy Review – Proposed Working Group****MOTION**

**That Waratah Wynyard Council:**

- a) form a working group (to include MUCA DR representatives) to review the Dog Management Policy for May 2022 approval;**
- b) ensure the first meeting of the group to be no later than January 2022; and**
- c) have a major goal of the working group to explore shared usage of the East Wynyard Beach, as a peripheral edge to the Penguin Colony and a reinstated 'dogs off leash' walking area.**

**BACKGROUND INFORMATION**

The Waratah/Wynyard Council decided to ban dogs on the East Wynyard/Seabrook Beach (Map B & C) after a consultation process that Multiple Use of Conservation Areas Doctors Rocks (MUCA DR) missed.

When MUCA DR realised the beach was to be closed to dogs the group of concerned dog walkers negotiated with Parks and Wildlife, as suggested by the War/Wyn Council, to keep walking dogs on the East Wynyard/Seabrook Beach.

The Waratah/Wynyard Council decided not to honour this agreement, even though it was suggested by the Council that Parks and Wildlife were responsible for the area and are the ones to negotiate beach usage.

MUCA DR feels as users of this beach for decades, that they need to be involved in the Dog Management Policy review.





#### OFFICERS COMMENT

The proposed motion of forming a working group to review the Dog Management Policy and associated Declared Dog Areas is supported by officers. Previous commitment has been provided that the policy and associated declared dog areas would be reviewed in early 2022.

Consultation and feedback provided during discussions at the meetings of the group will formulate what, if any, changes are made to the existing documentation and presented for community consultation.

Council endorsed its Dog Management Policy and Declared Dog Areas at its meeting on 9 December 2019. This followed a consultation period in which Council received 87 submissions over the 15 business-day period, as well as a petition signed by almost 900 people. A new draft policy is likely to attract similar interest.

### 8.3 Mrs L. Raw – Dog Management Policy Review – East Wynyard Beach

#### MOTION

**That Waratah Wynyard Council reinstate that dogs can be walked off leash between 7AM and 6PM on the East Wynyard/Seabrook Beach. (Map A and C)**

#### BACKGROUND INFORMATION

Dog walking by responsible dog owners on the East Wynyard/Seabrook Beach between points B and C on the map does not interfere with the penguin colony that exists in the dog restricted area shown on the map in red.

- Responsible dog owners have been walking their dogs off leash on the East Wynyard/Seabrook Beach for many decades.
- A penguin colony has been protected with a no dogs allowed area for some years as part of the Doctors Rocks Conservation Area. (Map C & D)



- Despite the attacks the penguin colony is currently thriving, and the penguins are moving west. Parks and Wildlife have counted between 25 to 30 penguin burrows on the East Wynyard/Seabrook Beach between gates 1 & 3.
- Responsible dog owners have no cross over with the penguins on the East Wynyard/Seabrook Beach between gates 1 & 3 as the penguins leave their burrows at dawn and return after dusk. Responsible dog owners walk their dogs during daylight hours.
- There have been no dog attacks on penguins on the dogs off leash area on the East Wynyard/Seabrook Beach.

#### OFFICERS COMMENT

Council cannot enact the proposed motion without following relevant legislative steps. Sections 23 and 24 of the *Dog Control Act 2000* state:

##### **23. Restricted areas**

*(1) A council may declare an area to be an area where dogs, other than guide dogs or hearing dogs, are restricted from entering –*

*(a) during specified hours, days or seasons; or*

*(b) during specified hours, days or seasons unless they are on a lead; or*

*(c) at all times.*

*(2) A person must not take a dog that is not a guide dog or a hearing dog into a restricted area otherwise than in accordance with the declaration.*

**24. Public notice of intention to declare areas**

*Before a council resolves to make a declaration under this Division in relation to an area, it is to –*

*(a) notify, by public notice, the details of –*

*(i) the area; and*

*(ii) any condition relating to the use of that area; and*

*(iii) in the case of a restricted area or prohibited area, the reasons for the declaration; and*

*(b) invite submissions to be lodged within 15 working days after the notice is published; and*

*(c) consider any submissions lodged.*

It is preferred that changes to the declared areas be reviewed in line with the policy review and discussed with all stakeholders at a working group or similar such as proposed in the previous motion. Making this change in isolation of the review of the broader document will duplicate administrative effort and potentially confuse community engagement. Should the Motion at 8.2 be accepted, it is suggested that this group discuss the change suggested in this motion, rather than have a separate process.

**9.0 PUBLIC QUESTIONS WITHOUT NOTICE**

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

**10.0 PUBLIC STATEMENTS WITHOUT NOTICE**

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.

**11.0 Closure**

There being no further business the Annual General meeting closed at \_\_\_\_\_pm.