



**ORDINARY MEETING
OF COUNCIL**

**AGENDA
OPEN MEETING**

15 August 2022

10 August 2022

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 15 August 2022 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

10 August 2022

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

Dear Shane,

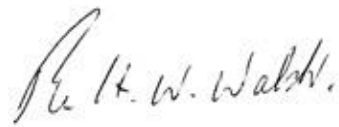
COUNCIL MEETING

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 15 August 2022 commencing at 6:00pm 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 15 AUGUST 2022, COMMENCING AT 6:00PM**

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

DIGITAL RECORDING OF COUNCIL MEETINGS POLICY

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

ACKNOWLEDGEMENT OF COUNTRY

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

1.0 RECORD OF ATTENDANCE

Legislative Reference:

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

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

(a) attendance and apologies.

1.1 ATTENDANCE

1.2 APOLOGIES

Nil received.

1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil.

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Legislative Reference:

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

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

(b) Confirmation of the minutes.

2.1 CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY COUNCIL MEETING

RECOMMENDATION

That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at Council Chambers, 21 Saunders Street, Wynyard on Monday 18 July 2022, 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.

GENERAL MANAGERS COMMENT

Some comments made at the July Council meeting in the Planning Authority public question and statement section have been excluded from the minutes on the basis they were false, defamatory and baseless allegations. Incorrect and misleading comments were made specifically in regards to property ownership at River Road and associated dealings with Council.

Prior to the commencement of public question time at each meeting the Mayor states:

“The Council encourages community participation in its meetings through the opportunity for public questions and statements. Consistent with Council’s core values, councillors and Staff strive to ensure all people are treated with respect and integrity. We expect our residents and ratepayers to apply similar standards in their dealings with Council. As Mayor, it is my responsibility to maintain the orderly conduct of Council meetings, and to determine whether a question or statement is out of order due to the use of offensive, objectionable or defamatory expressions. I ask members of the public to show proper consideration and courtesy in their comments.”

Mr Paul and Mrs Teresa West of 66 River Road, Wynyard provided a submission to the Waratah-Wynyard Local Provisions Schedule. Mr & Mrs West have owned their property at 66 River Road since 1988 and as such were as entitled to provide a submission as anyone else in this public process. At the July Council Meeting there was comments relating to the ownership of this property which were false, misleading and defamatory. It is accepted the Council in its original s.35(f) Report had incorrectly indicated that the submission was from River Road Consulting – a matter which when identified by Mr & Mrs West was subsequently corrected.

Mr West was the General Manager of Waratah-Wynyard Council during 2002-2008 and has remained a ratepayer and active community member since this time. To assert this former association with the Council should have in some way precluded Mr & Mrs West from having

the right to provide a submission during a public process on the zoning which directly affects their property fails any procedural fairness test. At no time has Mr & Mrs West tried to influence the Council's decision in relation to the potential future rezoning of the River Road area – they have respected the process and contributed their personal views through the publicly available process. Council should have immediately responded to, and corrected, the defamatory allegations made by a member of the public at the meeting and apologises to Mr & Mrs West for any distress caused.

3.0 DECLARATIONS OF INTEREST

Legislative Reference:

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

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

Councillor and Agenda Item Number

Staff and Agenda Item Number

4.0 COUNCILLORS ANNOUNCEMENTS AND REPORT

4.1 ANNOUNCEMENTS BY MAYOR

Nil received.

4.2 MAYOR'S COMMUNICATIONS

RECOMMENDATION

That Council note the Mayors Communications

11/7/22	Councillor Workshop
12/7/22	Meeting with General Manager
15/7/22	Meeting with Local Government Minister, Nic Street MP
18/7/22	Council Meeting
25/7/22	Opening of Elliot Research Dairy
26/7/22	Meeting with General Manager
26/7/22	Presentation of fundraising cheque to Serenity House
1/8/22	ABC "Mayors on Radio" interview
2/8/22	Meeting with General Manager
4/8/22	UTAS West Park Campus Tour
4/8/22	Labour Party Economic Team Presentation
5/8/22	Meeting with Constituent
8/8/22	Councillor Workshop

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 Workshops

1/8/22	TasWater - General Update Anita Dow Shadow Minister for Local Government – General Update Local Government Reform
8/8/22	Ballad Avenue Options Review Yolla Public Toilet Local Government Code of Conduct Review

Councillor Attendance Records

Meetings attended during 2021/22 (Up to – 30/6/22)

	Ordinary Meetings 2021/22 (12)	Special Meetings / AGM 2021/22 (1)	Workshops 2021/22 (24)	Community Conversations 2021/22 (6)	Weeks Leave Approved
Mayor Robert Walsh	10	1	24	6	5
Deputy Mayor Mary Duniam	12	1	23	3	1
Cr Maureen Bradley	12	1	21	4	
Cr Gary Bramich	12	1	24	6	
Cr Andrea Courtney	10	1	21	3	
Cr Celisa Edwards	12	1	24	6	
Cr Darren Fairbrother	10	1	19	2	
Cr Kevin Hyland	12	1	23	6	

Meetings attended during 2022/23 (1/7/22– 8/8/22)

5.0 PUBLIC QUESTIONS AND STATEMENTS

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

5.1.1 T LOCK - CR FAIRBROTHER

QUESTION

Mr Tony Lock of Boat Harbour asked two questions of Cr Fairbrother:

1. Are you Cr Fairbrother prepared to give our Council and Community the reassurance that you will seek the help that you so desperately are in need of and stop playing the victim?
2. Can Cr Fairbrother also kindly explain why he feels justified in staying on as a Councillor given the nature of his crimes and given the fact that he is no longer welcome by anyone to represent us?

The questions were taken on notice

OFFICERS RESPONSE

Cr Fairbrother had not provided a response to the question at the time of issuing the agenda.

5.1.2 C HUTCHISON - RIVER ROAD ZONING

QUESTION

Mr Hutchison asked if Council have any other former employees or mates living in the River Road vicinity who would benefit from such proposed rezoning of their property?

The question was taken on notice.

OFFICERS RESPONSE

In line with privacy obligations, Council will not provide names and addresses of property owners.

5.2 PUBLIC QUESTIONS RECEIVED IN WRITING

5.2.1 J POWELL - FUNDING QUERY

QUESTION

"I understand that as part of the arrangement to allow TasWater to decommission the Heritage Waratah Reservoir the then Minister for State Growth, Michael Ferguson provided the Council with a sum of \$300, 000.

What is the plan for the use of this money? How much of this financial windfall will be used to support the Waratah Community?"

OFFICERS RESPONSE

The assertions made in the question are not correct. There is no “arrangement” or funding formally linked to the decommissioning of the Waratah Dam.

In August 2020, the Tasmanian Liberal Government announced a contribution of \$300,000 to Council to improve walking tracks at the Waratah Falls and revitalise the Waratah Rail Bridge as a tourism experience. Both projects are seen as community priorities, identified in the Waratah Community Plan being progressed by the Waratah Community Board.

The Waratah Railway Bridge is a key priority project of the Waratah Community Plan. The railway line between Mt Bischoff and Burnie was an important part of Waratah’s mining history with many historical photographs of the rail line in the community. The old railway bridge in the centre of Waratah has deteriorated and is now closed off to the public.

Once complete the project will deliver a viewing platform and bridge, interpretation in line with the community’s heritage focus, with footpaths and DDA access.

Council has been negotiating with the government to allocate all of the proposed \$300,000 funding to the Railway Bridge project. An updated grant deed is yet to be received. The project is currently at the detailed design stage and expected to be completed this financial year.

Council has secured a further \$500,000 through the Local Roads and Community Infrastructure grants to allocate towards improvement to the Waratah Falls, specifically to add improved features for tourists such as upgrading the pathway, viewing platforms, signage and parking improvements. These funds are expected to be spent within the current financial year.

5.2.2 C HUTCHISON - CR FAIRBROTHER

QUESTION

In regard to recent interactions that have been suggested between Cr. Fairbrother and Council:-

- a) Did Councillor Fairbrother recently apply to Council for a leave of absence?
- b) If so, what was the reason for this leave of absence application?
- c) If a leave of absence application was recently requested by Councillor Fairbrother, can Council please advise the public whether this application was approved or rejected, or still pending?
- d) If a leave of application was approved or rejected, what was the basis for this decision?
- e) If a leave of application was approved or rejected, which individual(s) made this decision?

OFFICERS RESPONSE

Leave of Absence requests and reasons for such are considered by Council as part of their Closed Session and therefore details of these discussions remain confidential.

Any approved Leave of Absence requests are listed on the public agenda in Section 1.3.

5.2.3 C HUTCHISON - CODE OF CONDUCT

QUESTION

Has Council received a response from the Local Government Division (Tasmania)

Or the Minister for Local Government regarding strengthening the Code of Conduct for local Councillors or bringing forward a Bill to amend the Local Government Act, as per Deputy Mayor Duniam's motion in June that sought legislative reform? If so, can Council please outline the details of this response?

OFFICERS RESPONSE

Following the June Council Meeting a letter was forwarded to the Director of the Local Government Division. Acknowledgement of the letter has been received with full response yet to be provided.

In addition, following a request by Cr Bramich, a further letter was sent to the Premier, Mr Jeremy Rockliff and the Minister for Local Government Mr Nic Street. No response to those letters had been received at the time the agenda was completed.

Council has been advised that consultation on proposed changes to the Code of Conduct is underway. The covering letter is relevant to the points raised in the question and is attached for information.

Enquiries: Sally Blanc
Phone: (03) 6443 8311
Our Ref:

5 July 2022

The Director
Local Government Division
Department of Premier and Cabinet
GPO BOX 123
HOBART TAS 7001

Dear Sir,

RE: AMENDMENTS TO *LOCAL GOVERNMENT ACT 1993*.

Please be advised that at the Waratah-Wynyard Council Meeting on 20 June 2022 a motion was passed unanimously to recommend changes to the *Local Government Act 1993*.

A copy of the resolution, background information and officer's comments are attached for your records.

Please do not hesitate to contact me if you wish to discuss.

Yours sincerely,



Shane Crawford
GENERAL MANAGER
Encl.

ENCLOSURE

EXCERPT FROM MINUTES OF ORDINARY COUNCIL MEETING 22 JUNE 2020

ITEM 8.1 NOTICE OF MOTION – AMENDMENTS TO LOCAL GOVERNMENT ACT (1993)

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

That Council write to the Local Government Division (Tasmania) requesting that the Tasmanian State Government:

1. Review the eligibility criteria, for potential candidates to nominate for and/or hold the office of Local Government Councillor in Tasmania, to include the following:
 - (a) requirement for a mandatory Police Check;
 - (b) requirement to provide criminal history; and
 - (c) requirement for current Working with Vulnerable People registration
2. review and strengthen the Code of Conduct taking into account the prescriptive mandatory codes that provide minimum standards to regulate the conduct of Tasmanian Councils (Councillors and staff) and their relationships within the sector and between Councils and consumers;
3. review the Code of Conduct process to ensure fairness and equity for all Code of Conduct participants and reduce ethics and compliance risks;
4. provide clear penalty guidelines to include the ability to suspend and stand down a Councillor in circumstances that align with breaches of the Local Government Act (1993) and of the Code of Conduct;
5. develop a Model Member Code of Conduct that is strongly aligned with the public trust placed in us as Councillors on all occasions, and that each individual Councillor will:
 - (a) act with integrity and honesty
 - (b) act lawfully
 - (c) treat all persons with civility, and
 - (d) lead by example and act in a way that secures public confidence in the office of councillor; and
6. complete full review and finalise process prior to local government elections 2022.

The MOTION was put and was CARRIED.

IN FAVOUR

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

BACKGROUND INFORMATION

The *Local Government Act 1993* (the Act) is a prescriptive tool that gives basic mandatory legal guidelines for all elected representatives and employees within the local government sector.

The role of councillor in local government is a vital part of our country's system of democracy. In voting for a local councillor, the public is imbuing that person and position with their trust. As such, it is important that as councillors we can be held accountable and should all adopt the behaviours and responsibilities associated with the role.

The conduct of an individual councillor affects the reputation of all councillors and community. The role of councillor should be one that people aspire to and want to participate with. Councils need to attract individuals from a range of backgrounds and circumstances who understand the responsibility they take on and are motivated to make a positive difference to their local communities.

As councillors, we all represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent everyone taking decisions fairly, openly, transparently and with civility. Councillors should also be treated with civility by members of the public, other councillors and council employees.

Members have both individual and collective responsibility to maintain these standards, support expected behaviour and challenge behaviour which falls below expectations. This may also present a requirement for a Working with Vulnerable People Check, which has become a crucial legal check in Tasmania to help reduce crime, sexual offences, improper behaviours and harm to the vulnerable members of our society. Working with Vulnerable People Registration extensively covers all services that have direct or indirect contact with vulnerable populations, including children.

Subsequently, it is of equal importance that any potential or elected representative in local government in Tasmania provide their criminal history as a measure of openness and accountability to verify eligibility for the office of Councillor in local government in Tasmania. Currently, the *Tasmanian Local Government Act (1993)* does not specifically prohibit a particular action or support the provision of this information in the interests of public safety.

It is necessary therefore, that the *Tasmanian Local Government Act (1993)* and the *Tasmanian Local Government Code of Conduct* be designed to strongly protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Currently, the current *Tasmanian Local Government Code of Conduct* as prescribed under Part 3, Division 3A of the *Local Government Act 1993* (the Act) is the only legitimate process for Councils and Councillors to diminish the risk of conflict between members and between members and the public, and thereby avoid the likelihood of breaches.

It is evident that the current Code of Conduct framework and terms of reference do not meet the requirements to fully determine level of seriousness and materiality. It is noted that a Councillor may be suspended from office for a period of 3 months for breaching

the Code of Conduct and even be convicted of a criminal offence. Currently, there are no grounds for heavier penalties or disqualification from office, despite the seriousness of the offence or even statutory breaches resulting in criminal prosecution. This is also strongly evident when relating the Waratah-Wynyard Council situation and their Councillor was placed on the Protective Persons Register (Sex Offenders Register) for two years and no appropriate level of suspension and/or penalty can be applied under the current Code of Conduct conditions.

The example provided by the Local Government Association (UK) establishes Model Member Code principles that strongly support the local government sector to continue to aspire to high standards of leadership and performance:

Selflessness: Holders of public office should act solely in terms of the public interest.

Integrity: Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity: Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability: Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness: Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty: Holders of public office should be truthful. Leadership Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

OFFICERS COMMENT

The most recent LGAT agenda stated in relation to the Code of Conduct review:

The State Government commenced a review of the Code of Conduct Framework in mid-2021.

This came after a period of sustained advocacy from LGAT and the sector. The discussion paper, released in July 2021, suggested the following reforms:

- Strengthening the grounds for the Code of Conduct Panel Chairperson to dismiss complaints at the initial assessment stage through the introduction of a new 'public interest' test.*
- Removing a perceived conflict of interest for the Code of Conduct Panel Chairperson at the initial assessment stage and ensuring that a legal member of the Panel undertakes all initial assessments.*

-
- *Improving confidentiality requirements in relation to the formal Code of Conduct complaints process.*
 - *Improving council dispute resolution policies to minimise the number of issues that are escalated to the Code of Conduct Panel in the first place.*

Late last year the Government released its response to the sector and community feedback confirming that they will proceed with the changes proposed in the discussion paper as well as some additional reforms that seek to provide greater clarity and consistency in the handling of complaints. The Government also committed to further work to ensure the Code of Conduct Framework remains effective into the future. The Government is aiming to introduce amendments to the Local Government Act in the Autumn 2022 session of Parliament.

Given this work underway, it is sensible that any suggested changes or considerations are passed to the relevant bodies as soon as possible.

The same agenda, in relation to amendments of the Local Government Act stated:

In late 2021, the Government agreed to consider sector priority amendments to the Local Government Act ahead of the 2022 elections. LGAT wrote to all Mayors and General Managers / CEOs to seek feedback on which of the approved reforms should be progressed.

Feedback from the sector indicated that the preferred amendments are:

- 1. Reform 11 – Move administration of the General Manager’s Roll from councils to the Tasmanian Electoral Commission.*
- 2. Reform 10 – Introduce caretaker provisions.*
- 3. Reform 9 – Simplify the voting process to reduce informal voting rates and Reform 34 - Simplify what is a conflict of interest (equal weighting).*

Other popular amendments were (in no particular order):

- *Reform 5 – Reform eligibility for the General Manager’s Roll.*
- *Reform 6 – Reform the voting franchise to reflect ‘one person, one vote’ principle in any one municipality.*
- *Reform 12 – Introduce a pre-nomination training package.*
- *Reform 14 – Require the disclosure of gifts and donations received by local government candidates during the electoral period.*

Again, any suggested reform items, or matters to be considered prior to the Local Government elections in 2022 need to be forwarded to relevant authorities as soon as possible.

Since the case of Councillor Fairbrother finalised in the Magistrates Court, media have reported that the State Government is considering its options in relation to changing legislation which outline who is entitled to be a councillor.

Minister for Community Services and Development
Minister for Hospitality and Events
Minister for Local Government
Minister for Sport and Recreation
Leader of the House

Level 5, 4 Salamanca Place, HOBART TAS 7000 Australia
GPO Box 113 HOBART TAS 7001 Australia
Ph: +61 3 6165 7794
Email: nic.streets@dpac.tas.gov.au



Councillor Robby Walsh
Mayor
Waratah-Wynyard Council

Via email: mayor.rwalsh@warwyn.tas.gov.au

Dear Mayor,

I am writing to update you on the Government's progress on the review of the Local Government Code of Conduct Framework (the Framework).

As you are aware, there has been public criticism of the Framework since it was first introduced in 2016. In response, the Tasmanian Government commenced a review of the Framework in 2020. Since then, the Department of Premier and Cabinet's Office of Local Government (OLG) has consulted widely with the Local Government Association of Tasmania (LGAT), the sector and the community.

Between July and August 2021, the Government consulted with the public about potential targeted legislative changes with the release of a *Code of Conduct Framework Discussion Paper*. The Government's response to the submissions received was released on 20 December 2021. In its response, the Government committed to reform across six key areas: improving consistency and clarity across councils; using dispute resolution processes for less serious issues; focusing initial assessment on more serious allegations; increasing confidence in the assessment and investigation process; stronger monitoring of compliance with sanctions; and positioning the framework for the future.

I acknowledge that there has been further public criticism of the Framework recently, owing to the unacceptable conduct of some councillors. Some of these behaviours have raised additional issues relating to penalties and eligibility for nomination as councillor which I recognise are important and need to be properly consulted on and resolved but are beyond the scope of the targeted legislative changes advanced in the Discussion Paper and the Government's response.

The draft Local Government Amendment (Code of Conduct) Bill 2022 (the draft Bill), which contains the targeted legislative changes, has been released for public consultation. Changes relating to penalties and eligibility for nomination as councillor will be consulted on separately, in the near future.

The main changes proposed in the draft Bill are a standard code of conduct for councils, voluntary adoption of a behaviour standard policy for councillors, mandatory local dispute resolution policy in councils, an improved process for the initial assessment of complaints, and the disclosure and management of interests by Panel members.

Councils will be required to adopt a dispute resolution policy within 12 months after the commencement of the amendments. The draft Bill provides that a dispute resolution policy is to contain the prescribed information and include the processes to be followed in respect of prescribed matters.

In anticipation of the commencement of the amendments, the Government has prepared a draft of the prescribed information to be included in every council's dispute resolution policy (the draft prescribed information) and is seeking public feedback on both the draft Bill and the draft prescribed information.

The feedback on both documents will inform concurrent amendments to the *Local Government Act 1993* and the *Local Government (General) Regulations 2015*.

I acknowledge that changes associated with the local dispute resolution processes and reclassifying the Executive Officer position to reflect increased responsibility for compliance monitoring might result in increased costs to councils. However, I anticipate that these costs will be offset by the reduction in the net overall costs to councils of the formal Code of Conduct Panel process.

The consultation period is open for five weeks until 5 September 2022. I encourage you to bring this consultation process to the attention of interested individuals or groups in your community.

For more information on the consultation process, please visit the Department of Premier and Cabinet's OLG website at

<https://www.dpactas.gov.au/divisions/local-government/local-government-code-of-conduct/code-of-conduct-framework-review>

Finally, I wish to advise that following the consultation process, OLG will work with LGAT to assist councils with the development of their dispute resolution policies. The Government will also commence a review of the Model Code of Conduct during this period. This is alongside the ongoing feasibility study of transferring the Framework, or elements of it, to the Tasmanian Civil and Administrative Tribunal, which is expected to be completed early 2023.

If you have any queries in relation to this matter, please contact the OLG on 6232 7022.

Yours sincerely



Nic Street MP
Minister for Local Government

5.3 PUBLIC QUESTIONS WITHOUT NOTICE

Legislative Reference:

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

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

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

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

(5) The Chairperson may –

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

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

5.4 PUBLIC STATEMENTS RECEIVED IN WRITING

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

Nil received.

5.5 PUBLIC STATEMENTS WITHOUT NOTICE

6.0 PLANNING AUTHORITY ITEMS

6.1 PUBLIC QUESTIONS WITHOUT NOTICE – RELATING TO PLANNING MATTERS

Nil received.

6.2 PUBLIC STATEMENTS - RELATING TO PLANNING MATTERS

Nil received.

6.3 BOARDWALK REPLACEMENT & PATH UPGRADE LOCATED AT OLD BASS HIGHWAY, WYNYARD - DA 73/2022

To: Council
Reporting Officer: Town Planner
Responsible Officer: Manager Development and Regulatory Services
Report Date: 13 July 2022
File Reference: Crown Land
Supporting Documents: 1. Consolidated advertised documents 
2. Representation 
3. Signed extension of time 

RECOMMENDATION

That Council, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Waratah-Wynyard Interim Planning Scheme 2013*, grant approval for the boardwalk replacement and path upgrade at Old Bass Highway, Wynyard subject to the following conditions: -

CONDITIONS:

1. The development is to be generally in accordance with the application as submitted and endorsed documents as listed:
 - (a) Proposal plans with Section Maps #1 - #5 as prepared by the applicant.
 - (b) Boardwalk elevation with Reference Number 14568 and Sheet Number 2 Rev. A as prepared by the applicant and dated 5 July 2019.
2. All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.
3. Control measures are to be installed for the duration of the construction phase so as to limit the loss of soils and other debris from the site.
4. The proposed works are to be undertaken in accordance with the current edition of Tasmanian Coastal Works Manual DPIPW 2011 as well as NRE's (formerly DPIPW) Wetlands and Waterways Works Manual.
5. This development/use is not to result in the generation of environmental harm or nuisance as defined in the *Environmental Management and Pollution Control Act 1994*.

Notes: -

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

- An "Activity in Road Reservation" permit must be obtained from Council for all activity within the Road Reservation.
- This project must be substantially commenced within two years of the issue of this permit.

-
- The applicant is advised to consult with a building surveyor to ensure the development is constructed in accordance with *Building Act 2016*.
 - This permit is based on information and particulars set out in Development Application DA 73/2022. Any variation requires an application for further planning approval of Council.
 - Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact TasNetworks on 1300 137 008 to ensure these works do not impede on existing electricity easements and are at a safe distance from powerlines. Failure to do so could result in the relocation of electricity assets at your cost.
 - Under Section 61 (4) of the *Land Use Planning and Approvals Act 1993*, the applicant has the right to lodge an appeal against Council's decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to the Tasmanian Civil and Administrative Tribunal, G.P.O. Box 1311, Hobart, 7001. Updated Notices of Appeal are available on the Tribunal's website at www.tascat.tas.gov.au

PURPOSE

The purpose of this report is for Council to consider the merits of the application DA 73/2022 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013*.

BACKGROUND

It has been identified that the boardwalk that is located along the eastern foreshore does not meet shared pathway standards and as such an upgrade to the infrastructure is proposed to better support the use of the reserve area. The infrastructure is well-utilised by residents and visitors particularly during peak tourist periods and in the warmer months. The boardwalk is also integral to the pedestrian movement for the regular Foreshore Market and Park Run events.

The boardwalk upgrade and replacement project forms part of the adopted Waratah Wynyard Council (WWC) East Wynyard Foreshore Master Plan works program.

Once upgraded, the boardwalk will connect with the future coastal pathway project that has already commenced in the North-West coastal region.

DETAILS

In order to comply with shared pathway standards, it is proposed that the existing boardwalk and existing concrete pathway is widened to 2.6m. This will require some sections to be removed and replaced. New sections will have slip resistant surface applied to improve user safety and pathway longevity. The removal and replacement will predominantly be in the western edge of the reserve area. The existing concrete path will be widened, and some minor realignment is proposed.

Concept drawings below denote the length and location of the boardwalk and pathway and the sections to be removed.



Figure 1: Context map of East Wynyard – Foreshore Area circled in red (Source: LISTMap)

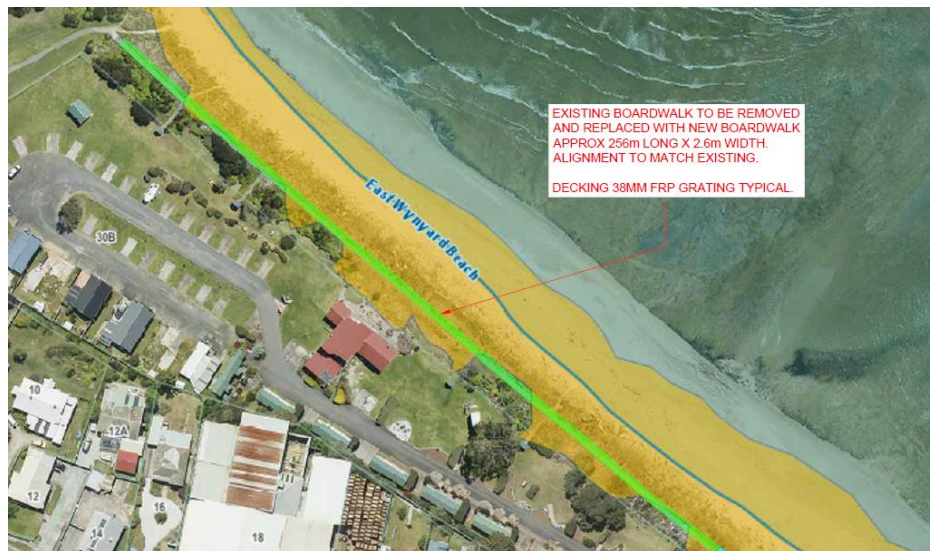


Figure 2: Concept map #1 - Boardwalk upgrade (Source: Applicant)

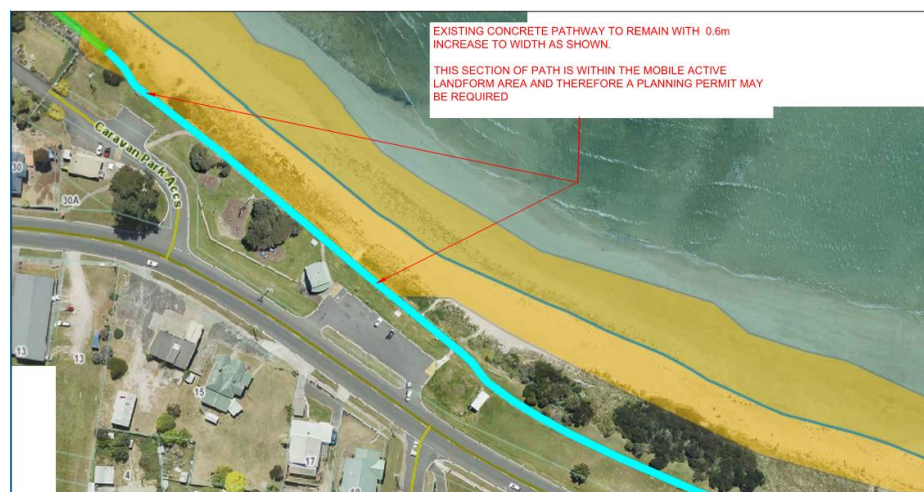


Figure 3: Concept map #2 - Footpath upgrade (Source: Applicant)



Figure 4: Concept map #3 - Footpath upgrade (Source: Applicant)



Figure 5: Concept map #4 - Footpath upgrade (Source: Applicant)



Figure 6: Concept map #5 - Footpath upgrade (Source: Applicant)

The boardwalk and pathway are located in the Environmental Management Zone. The applicant is applying for discretion under the following clauses: -

- 29.4.3 Location and configuration of development (P1, P3); and
- E10.6.2 Development in a shoreline area (P1).

CONSULTATION PROCESS

The consultation process was the public exhibition period set out in the *Land Use Planning and Approvals Act 1993* (LUPAA) and involved notification of adjoining landowners, public notices on-site

and advertising in a daily newspaper. The application was placed on public exhibition for a period of 14 days as required under LUPAA. The following documentation was advertised:

- Development Application Form x 3 Pages;
- Crown Landowner Consent x 2 Pages;
- Proposal Plans x 7 Pages; and
- Supporting Documentation Report x 8 Pages.

The period for representations closed on 4 July 2022. One (1) representation was received.

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

A copy of the photos submitted with the representation is included as Figure 7 below the representation summary and response table.

Representation – J Irwin

Issues Raised:	Planning Response:
<p>Widening the existing footpath 0.6(m)</p> <p>The existing pathway is already used by vehicles going to the playground entering from the access lane at the end of Mount Hicks roundabout. Despite a sign prohibiting entry other than for permitted vehicles, this continues to be a problem. Two of the most serious incidents occasioned a full size tourist bus and another driver who forced pedestrians off the path as they drove to the playground.</p> <p>Widening is a fair and reasonable proposal, but this will undoubtedly invite more occurrences as I have described.</p> <p>A solution which maintains residents' access while addressing the risk management issue for pedestrians and cyclists does need to be addressed.</p>	<p>The proposed boardwalk and pathway upgrade are a requirement in order to become compliant with Australian Standards (AS2156.1 – 2001) Shared Pathway Standards.</p> <p>Dangerous driving and/or prohibited use of public areas is regulated by the Tasmanian Police Service.</p> <p>Limited access through use of bollards etc will be considered by Council but does not require consideration under the <i>Waratah-Wynyard Interim Planning Scheme 2013</i>.</p>
<p>Lighting of the footpath</p> <p>This DA is silent on this issue. The original East Wynyard Foreshore Master Plan did refer to lighting on the walkway.</p> <p>Given the very, very few people who do use this path in the dark lighting does seem to be an unnecessary cost however, if it is deemed to have merit our suggestion is the lighting is sensor driven rather than all night lighting and that the light beam is directed away from the houses i.e. north facing only, and targeted down to the path.</p>	<p>Lighting is not included in the development standards within the Environmental Management Zone and therefore not a consideration under the <i>Waratah-Wynyard Interim Planning Scheme 2013</i>.</p> <p>However, it is noted that lighting is not included within Council's project to replace the boardwalk and upgrade the footpath.</p>

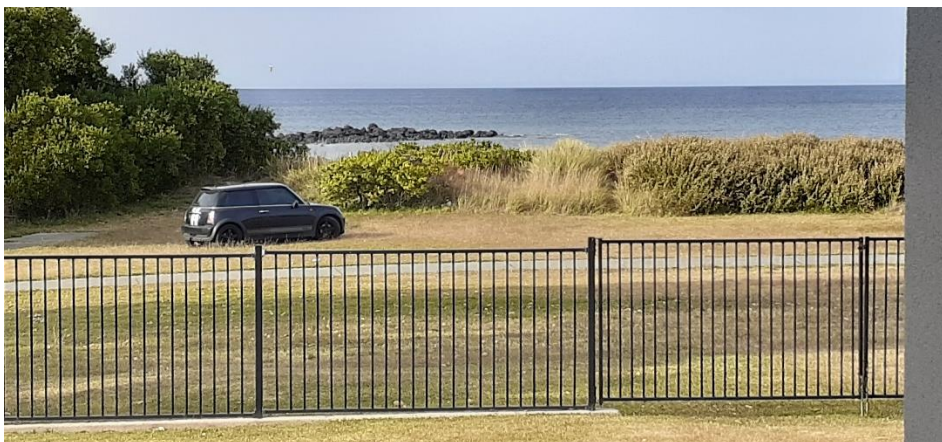


Figure 7: Photographs of cars parking behind 34 Old Bass Highway (source: J Irwin)

INTERNAL REFERRALS

Engineering Services Department

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

1. All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.

Note: A “Works within the Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.

Environmental Health

The following Environmental Health conditions were recommended:

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

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

EXTERNAL REFERRALS

The application was referred to the Department of Natural Resources and Environment Tasmania (NRE Tas) on 16 June 2022. A response was due on 26 June 2022 and no response was received. It is therefore considered that NRE Tas have no objections to the proposal.

The application did not require any other external referrals.

PLANNING ASSESSMENT

The subject site is zoned Environmental Management under the *Waratah-Wynyard Interim Planning Scheme 2013*. The proposal is categorised as a Passive recreation use, a Permitted use in the zone should the application meet all the relevant Acceptable Solutions.

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

An assessment of the proposal against the relevant discretionary provisions for the Environmental Management Zone and relevant Codes is provided below.

29.4.3 Location and configuration of development

A1 A building and any development area must be setback – (a) not less than 20.0m from the frontage to a road; or (b) if the development is on land that adjoins a road specified in the Table to this Clause, not less than the setback specified from that road; and (c) not less than 10.0m from each side boundary; (d) not less than 10.0m from the rear boundary; or (e) in accordance with any building area shown on a sealed plan.	P1 The setback of a building and development area from the frontage or from a side or rear boundary must – (a) be consistent with prevailing frontage setbacks for any existing and approved building or structure on the site or on adjacent land; (b) provide a sufficient physical and visual separation between the road and any use on the site sufficient to buffer or screen the site to view from a road or public place; and (c) provide measures to attenuate visual impact of the site
Planning Comments: Complies The proposed boardwalk replacement and path upgrade development is situated within a crown reserve, it therefore cannot comply with setback requirements. The subject site is also immediately adjacent to a site with roadside frontage (Old Bass Highway).	

The proposed development is upgrade and repair works to existing infrastructure on the site. The boundary setbacks are largely unchanged with only a minor reduction due to the proposed widening of the boardwalk and concrete paths. The path widening will be to the south and therefore not further imposing upon the shoreline. The placement of these pathways is consistent with this type of infrastructure in the coastal area of the municipality

The boardwalk and paths are intended as a physical alternative to road for use by pedestrians. Visibility is permeable for safety and legibility. Separation will also be consistent with the existing built form and other public infrastructure in the area. The boardwalk is nestled into the shoreline dunes and coastal vegetation and the concrete pathway is integrated into the adjacent bitumen parking and grassed areas and is not imposing on the existing streetscape.

It therefore is considered that the proposal complies with the performance criteria.

A3

A building or a utility structure must be –

- (a) not less than 15m below the level of any adjoining ridgeline;
- (b) not less than 30m from any shoreline to a marine or aquatic water body, water course, or wetland;
- (c) below the canopy level of any adjacent forest or woodland vegetation; and
- (d) clad and roofed with materials with a light reflectance value of less than 40%.

P3

(a) a building or structure must –

- (i) not be visually apparent on a skyline;
- (ii) not be visually apparent above the adjacent vegetation canopy;
- (iii) not be visually apparent on the shoreline or a marine or aquatic water body, water course, or wetland where possible; and
- (iv) not be visually apparent as a result of the reflection of light from an external surface; or

(b) the location of a visually apparent building or structure must –

- (i) be essential and unavoidable in order to provide an overriding community benefit; or
- (ii) incapable of change due to an exceptional circumstance.

Planning Comments: Complies

The proposed development will be located within 30m of the shoreline. The proposal must be assessed against the performance criteria.

As per the below diagram the boardwalk is located 19.46m from the shoreline at the north-western section.



Figure 8: Proximity of the boardwalk and pathway to the shoreline (Source: LISTMap)

The boardwalk is replacing the existing access pathway and the concrete path is being realigned and widened in-situ. These structures are unlikely to be more visually apparent on the shoreline and/or foreshore streetscape than the existing boardwalk and pathway. The boardwalk and pathway provide an eco-sensitive access and accessibility to the foreshore environment for the general public and the original design of the infrastructure has been intended for the pathways to be integrated into the landscape.

The boardwalk is to be constructed from fibreglass reinforced plastic (FRP) and the concrete path widened using materials to match existing (concrete). FRP is not a reflective material and the concrete will temper and weather with age as has the existing surface.

Both pathways are required to be upgraded in order to comply with Australian Standards for shared pathway width and this inherently delivers community benefit. Pathway location is constrained by the existing placement and adjacent infrastructure.

It therefore is considered that the proposal sufficiently meets the performance criteria.

E10.6.2 Development in a shoreline area

<p>A1</p> <p>There is no acceptable solution</p>	<p>P1</p> <p>Development must –</p> <ul style="list-style-type: none"> (a) be required to locate in, over, on or under the shoreline, sea or tidal waters for operational efficiency; (b) avoid unreasonably or unnecessarily impact on existing or potential access by the public to shoreline land or waters; (c) minimise impact on scenic quality of the seashore area; (d) minimise impact on amenity or aesthetic appearance of the seashore area as a result of – <p>nature and operational characteristics of the development;</p>
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	<p>location;</p> <p>bulk, size, and overall built form of any building or work;</p> <p>overshadowing; or</p> <p>obstruction of views from a public place; and</p> <p>(e) minimise immediate or cumulative adverse effect for –</p> <p>tidal, wave, current, or sediment movement processes;</p> <p>coastal landforms, seabed, and other geomorphic features, including sand dunes and mobile landforms;</p> <p>vulnerability to erosion and recession;</p> <p>natural cycles of deposition and erosion;</p> <p>conservation of biodiversity and marine habitat, including during critical lifecycle stages of individual and migratory species;</p> <p>drainage from a water course, wetland, ground water, flood, stormwater, or tidal water;</p> <p>) coastal water quality;</p> <p>i) likely interference or constraint on use of public areas;</p> <p>any scientific, architectural, aesthetic, historic of special cultural value;</p> <p>exposure to or increased risk from a natural hazard, including sea level rise, storm surge, or inundation as a result of climate change;</p> <p>coastal protection and rehabilitation works required to address erosion, instability, regression, or inundation;</p> <p>) collection, treatment, and disposal of waste, including bilge waters and excavated or dredged sediment;</p> <p>(xiii) economic activity dependent for operational efficiency on a seashore location;</p> <p>v) public safety and emergency services;</p> <p>) marine navigation and communication systems;</p> <p>i) safety of recreational boating; and</p> <p>ii) be consistent with the current edition of <i>Tasmanian Coastal Works Manual DPIPWE 2011</i></p>
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Planning Comments: Complies

The proposed development will be located within the shoreline area which triggers consideration of the code. The proposed work is to be undertaken on an actively mobile landform as referred to in clause 1.4 of the *Tasmanian State Coastal Policy 1996* and is not deemed as engineering or remediation works. The proposal must be assessed against the performance criteria.

The proposal is a replacement of existing infrastructure in the same location whereby little or no impact has previously arisen. The development is consistent with the aesthetic, amenity and function, in terms of accessibility, of coastal boardwalks and pathways. Similarly, the visual amenity when viewed from the adjacent road or other properties will not be altered due to this being an established presence of built form on the site.

With regard to the development minimising any immediate or cumulative adverse effect from the increased natural hazard risks (P1)(e)(x), it has been identified that the development (boardwalk replacement) is being built within an actively mobile landform and within an area that has little vegetation coverage. The infrastructure will be subject to typical coastal erosion; however the project has been designed to engineering standards and is subject to building regulations.

The applicant has indicated that works will be carried out in accordance with an Environmental Management Plan.

There are no threatened species identified as being present in the vicinity of the proposed development as confirmed on LISTMap, and it is understood that no large-scale vegetation removal is required to facilitate the proposal.

The proposal has been assessed against a range of instruments including the Tasmanian Coastal Works Manual DPIPW 2011 and it has been resolved that this development is not likely to have adverse immediate effects on the surrounding landscape and will not contravene current development standards and requirements.

Further, a note will be included on any permit issued requiring proposed works to be undertaken in accordance with the current edition of NRE's (formerly DPIPW) Wetlands and Waterways Works Manual.

It therefore is considered that the proposal complies with the performance criteria.

STATUTORY IMPLICATIONS**Land Use Planning and Approvals Act 1993**

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

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

STRATEGIC IMPLICATIONS

No significant strategic implications were identified.

POLICY IMPLICATIONS

No policies of Council were identified as being relevant to this matter.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

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

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

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

COMMENT

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

The proposal is for the replacement and minor re-alignment of existing infrastructure. It has been determined that the impact to the shoreline and streetscape is therefore no greater than that of the current placement of the boardwalk and concrete pathways. The visual amenity of the area remains unblemished, and the environmental integrity of the shoreline area is maintained.

The development proposal will ensure that Australian Standards (AS2156.1 – 2001 : Shared Pathway Standards) are adhered to in terms of public safety requirements.

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

6.4 STORAGE FACILITY (17 X STORAGE UNITS) LOCATED AT 32 WRAGG STREET, SOMERSET - DA 87/2022

To: Council
Reporting Officer: Town Planner
Responsible Officer: Manager Development and Regulatory Services
Report Date: 1 August 2022
File Reference: 7051409
Supporting Documents: 1. Consolidated advertised documents 
2. Representation 
3. Signed extension of time 

RECOMMENDATION

That Council, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Waratah-Wynyard Interim Planning Scheme 2013*, grant approval for a storage facility (17 x storage units) at 32 Wragg Street, Somerset subject to the following conditions: -

CONDITIONS:

1. The development is to be generally in accordance with the application as submitted and endorsed documents as listed:
 - (a) Proposal Plans with Project Number 2122-22 as prepared by Rosene Cox Building Design and Drafting and dated 12 April 2022.
 - (b) Supporting letter with aerial view as prepared by applicant.
2. Fencing along the northern boundary to the Bass Highway is not to exceed 3m in height.
3. All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.
4. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
5. Off-street parking accommodation is to be provided for a minimum of two (2) vehicles and one (1) large rigid truck. Vehicle parking spaces and associated driveways and turning areas are to be designed in accordance with AS 2890.1 and be approved by the Director Infrastructure & Development Services.
6. The space between Units 13 and 14 is to be retained for rigid truck manoeuvrability.
7. Loading and un-loading of vehicles is to be confined to within the boundaries of the property.
8. Off street car parking and hardstand areas are to be surfaced in an all-weather material such as concrete, asphalt or bitumen spray seal. All stormwater runoff from the car parking and hardstand areas is to be collected onsite and directed to a stormwater system designed to cater for a 1 in 20 year ARI storm and discharged to

a legal point of discharge to the reasonable requirements of the Director Infrastructure & Development Services.

9. During the construction phase suitable short-term traffic management for the temporary works is to be utilised to allow access only for heavy vehicles via right turn in and left turn out manoeuvres in accordance with the traffic impact assessment prepared by Andrew Howell, BEng(Hons), MEngSci February 2022.
10. Stormwater from the development is to be connected and discharged into Council's stormwater drainage network.
11. Control measures are to be installed for the duration of the construction phase so as to limit the loss of soils and other debris from the site.

Notes: -

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

- An "Activity in Road Reservation" permit must be obtained from Council for all activity within the Road Reservation.
- This project must be substantially commenced within two years of the issue of this permit.
- The applicant is advised to consult with a building surveyor to ensure the development is constructed in accordance with *Building Act 2016*.
- This permit is based on information and particulars set out in Development Application DA 87/2022. Any variation requires an application for further planning approval of Council.
- This development/use is not to result in the generation of environmental harm or nuisance as defined in the *Environmental Management and Pollution Control Act 1994*.
- If any asbestos or asbestos containing materials are found/present during the demolition of any building/dwelling on this site, that asbestos and material is to be disposed of according to the Workplace Health and Safety requirements, the *Environmental Management and Pollution Control Act 1994*, or any other legislative requirements.
- Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact TasNetworks on 1300 137 008 to ensure these works do not impede on existing electricity easements and are at a safe distance from powerlines. Failure to do so could result in the relocation of electricity assets at your cost.
- Under Section 61 (4) of the *Land Use Planning and Approvals Act 1993*, the applicant has the right to lodge an appeal against Council's decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to the Tasmanian Civil and Administrative Tribunal, G.P.O. Box 1311, Hobart, 7001. Updated Notices of Appeal are available on the Tribunal's website at www.tascat.tas.gov.au

PURPOSE

The purpose of this report is for Council to consider the merits of the application DA 87/2022 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013* (Planning Scheme).

BACKGROUND

The subject site is located at 32 Wragg Street, Somerset and has an area of 1090m². It is located within the General Business zone and has access onto Wragg Street via a 7.56m wide access strip. The site currently contains a derelict building, which protrudes into the Crown land parcel to the north of the subject site.

The adjoining titles to the south contain a mix of dwellings with associated outbuildings, a contractor's workshop and vehicle workshop. The adjoining title to the east contains a dwelling and the title to the west contains an admin centre for a home-based childcare scheme. To the north is a Crown Land parcel zoned Utilities.

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

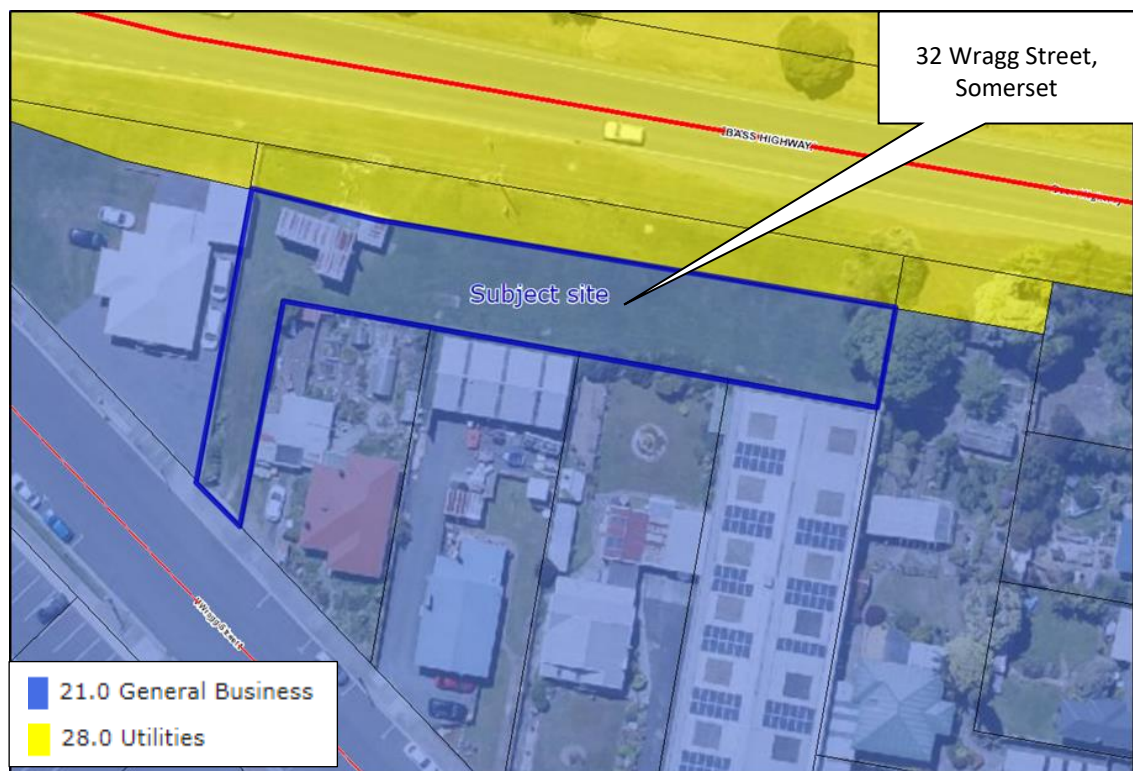


Figure 1: Subject site with zoning

DETAILS

The applicant is seeking approval for placement of 17 storage units on land at 32 Wragg Street, Somerset. It is also proposed to demolish the existing derelict building on the site.

Each storage unit has an area of 18.6m² (6.2m x 3m) with an approximate height of 2.4m. The units are orientated towards the northern portion of the subject site, 1m from the northern, eastern and western boundaries and 4.759m from the southern boundary. The proposal also includes fencing along the boundary to the Bass Highway, which is intended to mask the appearance of the storage units when viewed from the highway.

The proposed storage units are clustered into groups with parking spaces between Units 5 and 6, as well as Units 8 and 9. An additional space is provided between Units 13 and 14 to allow for large rigid trucks to reverse out of the space between Units 14 – 17 and the southern boundary. The storage units will be clad and roofed in Colorbond or similar corrugated steel. The units are intended for self-storage and will be accessible 24/7, however no permanent employees are proposed for the site, with a maximum of 2 employees visiting the site as needed during normal business hours.

This report assesses the proposal against the *Waratah-Wynyard Interim Planning Scheme 2013* (the Planning Scheme) and takes into account any representations received during the public exhibition period.

The subject property is zoned General Business under the Planning Scheme. The proposal is defined as a Storage Use Class. This is a Discretionary use within the zone and the proposal does not comply with all the acceptable solutions for Development Standards. The applicant is applying for discretion under the following Clauses of the Planning Scheme:

- 21.3.1 Discretionary Permit Use (P1); and
- 21.4.2 Location and Configuration of Development (P2).

Works within the Utilities zone are limited to demolition of the portion of the existing building currently located within the Crown land parcel to the north of the subject site. The development does not rely on any discretions under the Utilities zone provisions.

CONSULTATION PROCESS

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

- Development Application Form X 3 Pages;
- Crown Consent X 3 Pages;
- Title Documents X 2 Pages;
- Supporting Information X 4 Pages;
- Infrastructure Plan X 1 Page;
- Proposal Plans x 2 pages; and
- Traffic Impact Assessment x 19 Pages.

The period for representations closed on 18 July 2022. One (1) representation was subsequently received. A map demonstrating the relationship between the subject site and the representors' property is shown in Figure 2.



Figure 2: Relationship between the subject site and the representor's property

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

Note: Copies of the images included with the representation are also shown at the end of this table in Figures 3 and 4.

Representor – R Harding

Issues raised:	Response:
Currently there is a nice view to the sea from the main house (see approx. location of where this is usually viewed from) [see Figures 3 & 4].	<p>Clause 8.10 of the Planning Scheme sets out the matters which Council must have regard to when determining applications. This includes the content of any representations received, but only insofar as the matters raised in the representation are relevant to the particular discretion being exercised.</p> <p>The site is not subject to any restrictive covenants or easements applicable to height and there are no specific provisions under the Planning Scheme restricting development height other than the standard provisions of the General Business zone. These provisions include a standard building envelope, with a maximum permitted height of 10m. The proposed storage units are</p>

	<p>approximately 2.4m high, well below the permitted maximum, and comply with all setback requirements.</p> <p>Issues regarding visual impact on the representor's property are not matters for Council's consideration as the proposed development is located within the permitted building envelope.</p> <p>Regarding proposed reconfiguration of storage units as shown in Figure 4, Council is required to assess applications as submitted to Council and cannot require revision of plans for matters which are not relevant under the Planning Scheme. It is also noted that the suggested layout would remove the ability for a large rigid truck to be suitably accommodated on the site as required by the Traffic Generated Use and Parking Code.</p>
<p>I do have some concern about people parking out the front and blocking the parking space for 30 Wragg Street. At the moment this is a very open area and having a dedicated fence out to the road would help prevent parking in this area as it would block the access. People also park in front of this area to access the IGA across the road.</p>	<p>Table E9.1 of the Traffic Generating Use and Parking Code requires 1 car parking space per 300m² gross floor area for storage units as well as 1 large rigid truck space. The plans submitted with the application allow for a vehicle to be parked between Units 5 and 6 as well as Units 8 and 9. A condition has been included on the recommendation to Council for the area between Units 13 and 14 to be kept clear in order to allow adequate manoeuvrability for large rigid trucks reversing out of the space between Units 14 – 17 and the southern boundary. The proposal is considered to meet the Acceptable Solution for minimum parking requirements required under the Planning Scheme.</p> <p>Any vehicles visiting the site and using on street parking would need to comply with the relevant road rules, including parking within nominated areas and not blocking driveways. Non-compliance with these rules is a Police issue.</p> <p>Similarly, boundary fencing between adjoining property owners is civil issue under the <i>Boundary Fences Act 1908</i> and is not a matter for Council. Any fencing condition imposed by Council cannot override equal contribution costs or other relevant requirements under this Act.</p>



Figure 3: Representation image 1 with line of view and suggested area for fencing

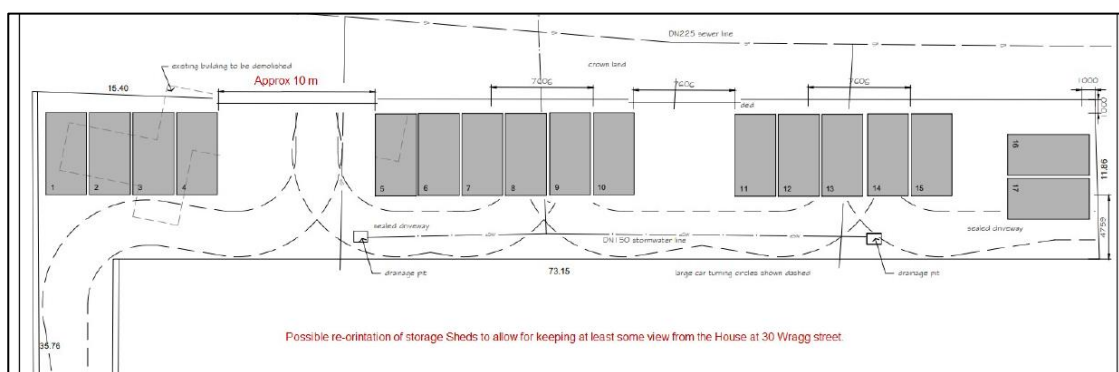


Figure 4: Representation image 2 with suggestion for revised layout

INTERNAL REFERRALS

Engineering Services Department

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

- (1) All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.
- (2) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
- (3) Off-street parking accommodation is to be provided for a minimum of one (1) vehicle. Vehicle parking spaces and associated driveways and turning areas are to be designed in accordance with AS 2890.1 and be approved by the Director Infrastructure & Development Services.
- (4) Loading and un-loading of vehicles is to be confined to within the boundaries of the property.
- (5) Off street car parking and hardstand areas are to be surfaced in an all-weather material such as concrete, asphalt or bitumen spray seal. All stormwater runoff from

the car parking and hardstand areas is to be collected onsite and directed to a stormwater system designed to cater for a 1 in 20 year ARI storm and discharged to a legal point of discharge to the reasonable requirements of the Director Infrastructure & Development Services.

- (6) During the construction phase suitable short-term traffic management for the temporary works is to be utilized to allow access only for heavy vehicles via right turn in and left turn out manoeuvres in accordance with the traffic impact assessment prepared by Andrew Howell, BEng(Hons), MEngSci February 2022.
- (7) Stormwater from the development is to be connected and discharged into Council's stormwater drainage network.

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

Environmental Health

The following environmental health conditions were recommended.

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

Notes:

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

If any asbestos or asbestos containing materials are found/present during the demolition of any building/dwelling on this site, that asbestos and material is to be disposed of according to the Workplace Health and Safety requirements, the *Environmental Management and Pollution Control Act 1994*, or any other legislative requirements.

EXTERNAL REFERRALS

The application was referred to TasWater on 29 April 2022. A response was received on 4 May 2022 advising that TasWater had determined that no response was required.

The application did not require any other external referrals.

PLANNING ASSESSMENT

The subject site is zoned General Business under the *Waratah-Wynyard Interim Planning Scheme 2013*. The proposal is categorised as a Storage use, a discretionary use in the zone.

The proposal is therefore submitted as a discretionary application under Section 57 of LUPAA and assessed under the *Waratah-Wynyard Interim Planning Scheme 2013* and relevant State Policies and Acts. Section 57(1) (b) of LUPAA allows Council to relax or waive the provisions of its Planning Scheme under a discretionary status.

An assessment of the proposal against the relevant discretionary provisions for the General Business zone is provided below.

21.0 General Business Zone

21.3.1 Discretionary permit use

A1 There is no acceptable solution.	P1 Discretionary permit use must – (a) be consistent with local area objectives; (b) be consistent with any applicable desired future character statement for the zone; and (c) be required to service requirements of the local and district resident and visitor population; (i) minimise potential to service a population beyond the local, district, or municipal community; (ii) have immediate, incremental or cumulative adverse effect on the regional pattern of retail and service provision; and (iii) displace retail, business, and professional use
Planning Comments: Complies The proposal is for storage use comprising 17 self-storage units. Local area objective (a) states that the zone is to provide an urban activity centre offering in one accessible location a mix of services of a type and range appropriate to service regular and some specialist needs of the immediate and wider resident population and visitors to the municipal area. Somerset is already serviced with established businesses to meet the regular needs of the immediate and wider resident population as well as visitors to the municipal area, including a post office, chemist, two service stations, newsagency, two independent grocers, butcher, bakery, a mix of takeaway and sit down dining options, two pubs and several retail outlets including homewares, stationary stores and a bicycle shop. Somerset also has services such as a medical centre, a variety of hairdressers/beauty salons and various other business and professional services including a planning consultant, building supplies and mechanic which are capable of catering for a number of the Somerset community's specialist needs. In addition to the variety of existing services there are vacant commercial premises available to purchase and/or lease in the Somerset area in both the main strip and in Somerset's nearby industrial area. There is adequate supply of commercial properties to service the additional needs of residents and visitors to the area for the foreseeable future. The local area objectives for the zone also state that use in the zone is to make efficient use of land and optimise available infrastructure through a priority for infill and	

redevelopment and adaptive reuse of existing sites and buildings. The subject site is an internal lot containing a derelict building with minimal opportunity to take advantage of foot traffic along Somerset's main shopping strip. There is also limited building area available on the site due to stormwater pipes and sewer mains crossing through the block at regular intervals. The location of the site between the Bass Highway and established dwellings mean that it is unlikely to be suited to either new sensitive use or noise generating commercial use such as a workshop or licensed venue. The proposal for self-contained units maintains access to service easements on the site and is consistent local area objective (b).

The desired future character statements contained in subsection (b) relate to use and development for general business purposes and are not applicable to applications for storage. Of the desired future character statements contained in subsection (a), the proposal is consistent with (a)(iv) in that it is not taking up land with a pedestrian frontage suited to retail or direct services. It is also consistent with (a)(i) and (a)(iii) as the proposed storage units are clustered together with sufficient parking provided on the site. Lessees of the storage units will be able to access their units round the clock consistent with desired future character statement (a)(vi).

The subject site is within walking distance of the town centre and is also located in close proximity to the Bass Highway. There are no other self-storage units in comparable proximity to Somerset, with the nearest storage facility located 1.8km away on Murchison Highway. The proposal provides a conveniently located storage facility which is consistent with the established pattern of mixed use and development in Somerset's General Business zone.

As demonstrated above, the proposal is unlikely to displace retail, business or professional use given the constraints of the site and the availability of other more suitable properties in Somerset's General Business zone.

In this manner, the proposal complies with P1 for this Standard.

21.4.2 Location and configuration of development

A2 An external car parking and loading area, and any area for the display, handling, or storage of goods, materials or waste, must be located behind the primary frontage elevation of a building	P2 An external car parking and loading area, and any area for the display, handling, or storage of goods, materials or waste, must – (a) not dominate the architectural or visual frontage of the site; (b) be consistent with the streetscape; (c) be required by a constraint imposed by size, shape, slope, orientation, and topography on development of the site; and (d) provide durable screening to attenuate appearance of a parking or loading area from a frontage and adjacent land
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Planning Comments: Complies

The Planning Scheme defines the primary frontage as the shortest frontage and for the subject site this is the Wragg Street frontage. The primary frontage elevation of the storage units is therefore the southern elevation. Assessment against P2 for this Clause is required as the large rigid truck loading and unloading area is located between Units 14 – 17 and the southern boundary.

The location of parking and loading spaces is constrained due to the need to position storage containers away from stormwater and sewer easements on the property and the narrow dimensions of the lot.

The subject site is an internal lot and parking areas will not be visible from Wragg Street to the south. Fencing is proposed along the northern boundary to the Bass Highway to mitigate the appearance of the site when viewed from the highway and there is existing fencing in place along the southern boundary of the site.

The proposal complies with P2 for this Standard.

STATUTORY IMPLICATIONS**Land Use Planning and Approvals Act 1993**

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

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

STRATEGIC IMPLICATIONS

No significant strategic implications were identified.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

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

LUPAA provides for penalties against a Planning Authority that fails to enforce its planning scheme (ss. 63a and 64). Going against advice provided in the planning report, without

seeking alternate qualified advice, may create unnecessary risk for the Council in exercising its statutory functions as a Planning Authority.

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





COMMENT

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

It is considered the proposal complies with Clause 21.3.1 Discretionary permit use (P1) and 21.4.2 Location and configuration of development (P2). The proposal provides a conveniently located storage facility on underutilised land in a commercial area. It is consistent with the established pattern of mixed use and development in the area and is unlikely to displace retail, business or professional use given the constraints of the site. Parking and loading areas are suitably screened from passing pedestrian and vehicle traffic and there will be no interference with service easements on the site.

The application complies with the General Business zone and all relevant code provisions of the *Waratah-Wynyard Interim Planning Scheme 2013*. It is therefore recommended that Council approve a planning permit for the proposed development.

6.5 WAREHOUSE (POTATO STORAGE) - STAGED DEVELOPMENT LOCATED AT 28 CALDER ROAD, WYNYARD - DA 128/2022

To: Council
Reporting Officer: Town Planner
Responsible Officer: Manager Development and Regulatory Services
Report Date: 13 July 2022
File Reference: 3016825
Supporting Documents: 1. Consolidated Advertised Documents 
2. TasWater Submission 
3. Representation 
4. Signed Extension of Time 

RECOMMENDATION

That Council, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Waratah-Wynyard Interim Planning Scheme 2013*, grant approval for the staged development of a Warehouse (potato storage) at 28 Calder Road, Wynyard subject to the following conditions: -

PART A CONDITIONS:

1. The development is to be generally in accordance with the application as submitted and endorsed documents as listed:
 - (a) Proposal Plans with Project Number 9404 and Issue Number P2 as prepared by Tasmanian Consulting Service and dated 24 May 2022.
 - (b) Site Detail Survey with Job Number 48999-1 as prepared by PDA Surveyors and dated 7 March 2022.
2. All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.
3. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
4. Loading and unloading of vehicles is to be confined to within the boundaries of the property.
5. Off street car parking and hardstand areas are to be surfaced in an all weather material such as concrete, asphalt or bitumen spray seal. All stormwater runoff from the car parking and hardstand areas is to be collected onsite and directed to a stormwater system designed to cater for a 1 in 20 year ARI storm and discharged to a legal point of discharge to the reasonable requirements of the Director Infrastructure & Development Services.
6. Roof water from the development is to be connected and discharged into the on-site detention system in accordance with Drawing No. 9404-703, 9404-705, 9404-706, 9404-710, P2, dated 24 May 2022 and 9404-Stormwater Calculations by Tasmanian Consulting Service. Typical stormwater design return intervals for property drainage is to be 1 in 20-year ARI.

-
7. Stormwater is to be contained within the boundaries of the property or directed to Council's stormwater drainage network.
 8. Control measures are to be installed for the duration of the construction phase so as to limit the loss of soils and other debris from the site.

PART B CONDITIONS:

1. The person responsible for the activity must comply with the conditions contained in Schedule 2 of Permit Part B which the Regulated Entity (trading as TasWater) has required the planning authority to include in the permit, pursuant to section 56Q of the Water and Sewerage Industry Act 2008, reference TWDA 2022/01003-WWC (attached).

Notes: -

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

- An "Activity in Road Reservation" permit must be obtained from Council for all activity within the Road Reservation.
- This project must be substantially commenced within two years of the issue of this permit.
- The applicant is advised to consult with a building surveyor to ensure the development is constructed in accordance with *Building Act 2016*.
- This permit is based on information and particulars set out in Development Application DA 128/2022. Any variation requires an application for further planning approval of Council.
- This development/use is not to result in the generation of environmental harm or nuisance as defined in the *Environmental Management and Pollution Control Act 1994*.
- Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact TasNetworks on 1300 137 008 to ensure these works do not impede on existing electricity easements and are at a safe distance from powerlines. Failure to do so could result in the relocation of electricity assets at your cost.
- Under Section 61 (4) of the *Land Use Planning and Approvals Act 1993*, the applicant has the right to lodge an appeal against Council's decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to the Tasmanian Civil and Administrative Tribunal, G.P.O. Box 1311, Hobart, 7001. Updated Notices of Appeal are available on the Tribunal's website at www.tascat.tas.gov.au

PURPOSE

The purpose of this report is for Council to consider the merits of the application DA 128/2022 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013* (Planning Scheme).

BACKGROUND

The subject site (CT 158801/2) is located at 28 Calder Road, Somerset and has an area of 6.887ha. It contains a potato storage facility and associated infrastructure, including a small office and has frontage onto both Stennings Road and Calder Road.

The site and adjoining lots to the east, south-east and to the north across Stennings Road are zoned General Industrial and used for a variety of commercial purposes. Land to the west is zoned Rural Resource and has approval for a grain and gravel storage facility. Land to the south-west and to the

south across Calder Road is also zoned Rural Resource and contains dwellings with associated outbuildings surrounded by grazing land.

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



Figure 1: Subject site with zoning

DETAILS

The applicant is seeking approval for an additional warehouse for potato storage and associated hardstand areas.

The new warehouse has an area of 6437m² and a maximum height of 10.37m. It comprises four cool store areas, each with a 4000t capacity, separated by air plenums connected to air handling plant rooms at the northern and southern ends of the building. The proposed hardstand areas include paved access around the warehouse as well as an expanded parking and loading/unloading area between the building and Stennings Road. It is also proposed to replace the existing fencing with 1.8m high wire mesh security fencing topped with 0.4m tension wire as well as upgrade existing gravel and paved areas. Landscaping and a battered area with a maximum height no greater than 1m and a less than 25% slope adjoin the new fencing.

The warehouse is setback 47m from the boundary to Stennings Road, 23m from the western boundary and further than 70m from all other boundaries. It is proposed to be constructed in two stages, with Stage 1 as the northern plant room and stores and Stage 2 as the southern plant room and stores. An additional stormwater detention basin is proposed to the south of proposed warehouse to cater for stormwater runoff from the warehouse.

This report assesses the proposal against the *Waratah-Wynyard Interim Planning Scheme 2013* (the Planning Scheme) and takes into account any representations received during the public exhibition period. The subject property is zoned General Industrial under the Planning Scheme. The proposal is defined as being within the Storage use class, a permitted use within the zone. The applicant is applying for discretion under Clause 25.4.1 Suitability of site or lot for use or development (P5).

CONSULTATION PROCESS

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

- Development Application Form X 3 Pages;
- Title Documents X 3 Pages;
- Supporting Information Report X 18 Pages;
- Proposal Plans X 20 Pages;
- Additional Information Response x 2 Pages; and
- Prelodgement Advice x 9 Pages.

The period for representations closed on 13 July 2022. One (1) representation was subsequently received. A map demonstrating the relationship between the subject site and the representor's property is shown in Figure 2.



Figure 2: Relationship between subject site and representor's property

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

Representation - Tasmanian Advanced Minerals

Issues Raised:	Planning Response:
<p>Objection to the surface water plan.</p> <p>Please refer to the attached correspondence with Council with respect to the surface water for the existing shed. It is a requirement of the current development that surface water is pumped from the existing detention pond to connect with the storm water line on Stennings Road. The existing shed had not been compliant on that issue and was forced to become compliant in 2013 by council.</p> <p>The new application does not mention that surface water from the new pond will be pumped to connect with the storm water line. Instead drawing no. 9404-706 (p 34/58) indicates that overflow from the new pond will flow by open drain onto the land and will then flow onto our property. This will result in the same problems as prior to 2013 when the original problem was rectified.</p> <p>I would like to request that surface water from the new development have the same requirement as the existing development, and be pumped from the pond, connecting to the Stennings Road stormwater line.</p>	<p>The applicant has submitted a stormwater assessment for the development Council's Engineering Department has undertaken an assessment of the proposed stormwater arrangements and determined that the ability to cater for a 1 in 100-year ARI is sufficient to accommodate anticipated level of stormwater from the proposed development without concentration on adjacent land. The proposal has been conditioned to comply with this stormwater design.</p> <p>In addition to that, the proposal has also been conditioned to ensure that all stormwater be retained on-site, or directed to Council's stormwater infrastructure. In the event that stormwater from this development impacts upon any adjoining properties, then the development will be operating outside the permit conditions and compliance action will be required.</p> <p>The existing storage shed (DA 24/2008) was approved under a different planning scheme. It is not considered necessary or practical to require the contents of the proposed detention basin to be piped to Stennings Road in order to meet the requirements of the current Planning Scheme or to appropriately manage stormwater from the proposed development.</p>

INTERNAL REFERRALS

Engineering Services Department

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

1. All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.
2. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
3. Loading and unloading of vehicles is to be confined to within the boundaries of the property.
4. Off street car parking and hardstand areas are to be surfaced in an all weather material such as concrete, asphalt or bitumen spray seal. All stormwater runoff from the car parking and hardstand areas is to be collected onsite and directed to a stormwater system designed to cater for a 1 in 20 year ARI storm and discharged to a legal point of discharge to the reasonable requirements of the Director Infrastructure & Development Services.

-
5. Roof water from the development is to be connected and discharged into the on-site detention system in accordance with Drawing No. 9404-703, 9404-705, 9404-706, 9404-710, P2, dated 24 May 2022 and 9404-Stormwater Calculations by Tasmanian Consulting Service. Typical stormwater design return intervals for property drainage is to be 1 in 20-year ARI.

6. Stormwater is to be contained within the boundaries of the property or directed to Council's stormwater drainage network.

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

Environmental Health

The following Environmental Health conditions were recommended:

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

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

EXTERNAL REFERRALS

The application was referred to TasWater on 28 June 2022. A response was received on 30 June 2022 and forms Part B of the recommended conditions.

The application did not require any other external referrals.

PLANNING ASSESSMENT

The subject site is zoned General Industrial under the *Waratah-Wynyard Interim Planning Scheme 2013*. The proposal is categorised as a Storage use, which is a Permitted use in the zone should the application meet all the relevant Acceptable Solutions.

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

An assessment of the proposal against the relevant discretionary provisions for the General Industrial zone is provided below.

25.4.1 Suitability of site or lot for use or development

A5	P5
A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>	(a) A site or each lot on a plan of subdivision must drain and dispose of stormwater – (i) to accommodate the anticipated stormwater a. currently entering from beyond its boundaries; and b. from the proposed development; (ii) without likelihood for concentration on adjacent land; (iii) without creating an unacceptable level of risk for the safety of life or for use or

	<p>development on the land and on adjacent land;</p> <p>(iv) to manage the quantity and rate of discharge of stormwater to receiving waters;</p> <p>(v) to manage the quality of stormwater discharged to receiving waters; and</p> <p>(vi) to provide positive drainage away from any sewer pipe, onsite sewage disposal system, or building area; or</p> <p>(b) It must be unnecessary to require arrangements for the drainage and disposal of stormwater</p>
<p>Planning Comments: Complies</p> <p>The subject site does not have a connection to Council's reticulated stormwater system. Assessment against P5(a) is therefore required.</p> <p>There is an existing on-site stormwater system for the existing warehouse, office and associated hardstand areas comprising a detention basin with overflow from this basin directed to a table drain on Stennings Road. An additional detention basin has been included in the planning application to cater for stormwater generated by the proposed warehouse and additional hardstand areas.</p> <p>Council's Engineering Department has undertaken an assessment of the proposed stormwater arrangements and determined that the ability to cater for a 1 in 100-year ARI is sufficient to accommodate anticipated level of stormwater from the proposed development without concentration on adjacent land. It is not considered that the proposal poses any significant risk to life or for use or development of adjacent land and the application has been conditioned to require all stormwater to be contained within the boundaries of the property, or alternatively .</p> <p>The detention basin has been located upstream and has been designed to filter out sediment in order to avoid uncontrolled discharge into receiving waters. The basin will collect stormwater from the roof of the warehouse via a piped system whilst runoff from hardstand areas will be directed into the existing basin and internal open channel network.</p> <p>The proposed stormwater arrangements are considered sufficient to satisfy P5(a) for this Standard. P5(b) is not applicable.</p>	

STATUTORY IMPLICATIONS

Land Use Planning and Approvals Act 1993

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

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

STRATEGIC IMPLICATIONS

No significant strategic implications were identified.

POLICY IMPLICATIONS

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

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

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

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

COMMENT

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

It is considered the proposal complies with Clause 25.4.1 Suitability of site or lot for use or development (P5). There are appropriate measures in place to adequately management stormwater within the boundaries of the property.

The application complies with the General Industrial zone and all relevant code provisions of the *Waratah-Wynyard Interim Planning Scheme 2013*. It is therefore recommended that Council approve a planning permit for the proposed development.

7.0 MATTER RAISED BY COUNCILLORS

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

7.1.1 CR BRADLEY - 10 YEAR SALMON FISHING PLAN

QUESTION

Cr Maureen Bradley asked if Council was going to do anything or educate themselves on the environmental damage to Coastlines caused by Salmon Farming.

OFFICERS RESPONSE

A "Towards a 10-Year Salmon Plan" discussion paper, has been released. Feedback on the Discussion Paper can be provided via web-based submission. Interested stakeholders can join an online feedback session. Feedback is open until 24 August.

www.nre.tas.gov.au/salmonplan

Councillors have been provided with information regarding the consultation process for the development of the 10 Year Salmon Fishing Plan. They have also been provided with opportunities to participate in the consultation process.

7.1.2 CR COURTNEY - PUBLIC APOLOGY REQUEST- CR KEN DORSEY

QUESTION

Cr Andrea Courtney requested that officers write to Burnie City Council demanding a public apology from Cr Ken Dorsey over comments made in the media following the June Meeting of Council, regarding the treatment of Cr Fairbrother, and that he retracts disparaging comments made about Councillors.

Cr Courtney also requested an apology of Cr Bradley for similar comments made on social media regarding the treatment of Cr Fairbrother.

The Acting General Manager advised that Council would write as requested.

The Mayor asked Cr Bradley if she wished to respond to Cr Courtney's question and Cr Bradley took the question on notice.

OFFICERS RESPONSE

A letter was provided to Burnie City Council as requested. An apology from Cr Dorsey was printed in the Advocate newspaper following the last Council Meeting.

Cr Bradley has provided a response to Cr Courtney's question via private email.

7.1.3 CR BRAMICH - LETTER TO PREMIER RE CR FAIRBROTHER

QUESTION

Cr Gary Bramich asked that Council to write to the Premier requesting a meeting with him regarding Cr Fairbrother to investigate options.

The matter was taken on notice.

OFFICERS RESPONSE

A letter was forwarded to the Premier. A response has not been received at the time of agenda compilation.

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.

8.0 NOTICE OF MOTION

Legislative Reference:


Local Government (Meeting Procedures) Regulations 2015; Regulation 16

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

Nil received.

9.0 REPORTS OF OFFICERS AND COMMITTEES

9.1 TOURISM PLAN

To: Council
Reporting Officer: Manager Tourism and Marketing
Responsible Manager: Director Community and Engagement
Report Date: 1 August 2022
File Reference: 1
Enclosures: 1. DRAFT Tourism Plan 2022 

RECOMMENDATION

That Council note the feedback from the public consultation period and adopt the Tourism Plan 2022-2025.

PURPOSE

To provide Council with a summary of feedback from the public consultation period and to present the Tourism Plan 2022-25 for adoption by Council.

BACKGROUND

In 2011, Council contracted the Cradle Coast Authority and Wayne Bolton Tourism Services to develop a strategic tourism plan focusing on the tourism activities of Council and to make recommendations as to how to structure and implement a sustainable and effective approach to tourism development.

This report outlined a series of proposed actions across six key areas: Infrastructure; Tourism Planning; Visitor Servicing; Community Events and Festival; Economic development (investment); and Marketing and Promotion.

Progress against key recommendations across the life of the 2011-2020 Tourism Plan was presented to Council in July 2021. An action to create a new Tourism Plan was adopted as part of Council's Annual Plan for 2021-22.

The Draft Tourism Plan 2022-27 was noted by Council at the July 2022 meeting and released for public comment. Three people submitted feedback during the consultation period.

DETAILS

The Waratah-Wynyard Council Draft Tourism Plan 2022-2027 celebrates achievements from the past decade of tourism planning and provides a summary of the key strategic priorities for Council over the next five years of tourism planning and actions.

The plan outlines roles and responsibilities of local government within the strategic framework of Tasmanian tourism. Priorities and recommendations are built around these key roles including the provision of public infrastructure, encouraging economic development, provision of visitor servicing, local marketing and the support of local events.

Priorities and recommendations are discussed under the three key themes of Support, Grow and Deliver.

Importantly, the plan also aligns with the strategic priorities of the State and Regional Tourism bodies, as well as Council's existing strategic plans including Cam River Master Plan, Open Space Sport and Recreation Plan, Waratah Community Plan, Wynyard Destination Action Plan and Fossil Bluff and Boat Harbour Beach Master Plans.

The priorities focus on the unique selling points of Wynyard and Surrounds as a destination and seek to build demand through the development of new hero products and a cluster of experiences that will drive year-round demand in a crowded marketplace.

The plan also briefly describes some global, national, state and local trends in order to create some context for the recommendations.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 5: Economic Prosperity
Desired Outcomes
5.1 We understand our local and regional potential, and we plan for and encourage investment in it.
Our Priorities
5.1.3 Support existing and encourage new innovative activities/industries to the area.
5.4.1 Develop a recognised brand and actively market the local government area.
GOAL 4: Community Recreation and Wellbeing
Desired Outcomes
4.4 Our community enjoys access to visually appealing safe spaces and facilities for recreation.
Our Priorities
4.4.2 Provide and maintain quality and safe places and spaces for physical, social and cultural activities, including shared and multi-use facilities where possible.
GOAL 7: Environment
Desired Outcomes
7.3 Our natural environment, unique surroundings and community assets are future ready in a changing climate.
Our Priorities
7.3.3 Innovative and sustainable design is encouraged through forward thinking and planning.
GOAL 3: Connected Communities
Desired Outcomes
3.3 Our natural and built environment aids the community with an active and healthy lifestyle.
Our Priorities
3.3.2 Facilitate activities and events that promote inclusion, health, safety and a sense of place.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Business & Industry	Specialised diversity of the economy – Value adding, diversification, innovation and employment. A resilient economy with global brand recognition and growing exports.
Tourism	Memorable visitor experiences all year round – The must-see destination, quality product, easy access, popular events and festivals with coordinated marketing. A longer season with increasing yields.
Strong communities and social capital	Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
Access and infrastructure	Local, regional and global transport and infrastructure access – Safe and efficient access alternatives, growing freight capacity, renewable energy, water management and contemporary communications. Community infrastructure that supports economic development.
Natural resource management	Managing abundant, natural and productive resources – Natural resource management is valued, and development is environmentally sustainable. The environment is clean and healthy with unspoilt beauty and biodiversity.
Health and Wellbeing	Maintaining good health and wellbeing – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.
Place making and liveability	Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The recommendations from the plan will be actioned within future operational budgets, with capital or special project budget allocations where appropriate. Some of the recommendations will be reliant on external funding to progress.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

The Draft Tourism Plan 2022-25 was released for public comment and feedback from July 18-29, 2022. There were 3 submissions made to Council during that time. No changes were made to the Plan as a result of the feedback, as the points raised are all able to be considered and/or pursued under the current Tourism Plan recommendations and through Annual Plan actions. The submissions, along with Officer comments, are detailed below:

Feedback received during the public consultation period (names and identifiers removed):

Comment	Officers Response
<p>I am excited to see the commitment Waratah Wynyard is showing to developing this area of Tasmania. In particular I note the Oldina Gravity concept mountain bike area. I would like to add to this idea, an extension of mountain biking tourism in NW Tasmania. As a rate payer in Waratah, I believe there is huge potential to develop MTB trails around Mt Bischoff in Waratah. The area is ripe for this type of development (think Derby!) and I think you could market the two towns together - one as Gravity and one as XC. Please consider this opportunity in your plan and don't limit Waratah investment to simply celebrating Philosopher Smith. It has a natural environment which is perfect for mountain biking and if you have any understanding of MTB tourism you will understand the enormous money this activity brings to towns.</p>	<p>Council commissioned a report on Mountain biking which was considered at the May 2022 meeting. As a result of this body of work, Council resolved the following:</p> <p><i>“note the information contained in the report and determine not to proceed with the development of Mountain Bike (MTB) trails at this time with the exception of the Oldina Gravity Area concept with a feasibility study to be undertaken if community support is demonstrated; and</i></p> <p><i>‘provide in principle support to explore the feasibility of developing a shared user pathway from Wynyard to Stanley utilising the disused Wiltshire rail corridor or other alternatives and seek Circular Head Council’s position on the matter.</i></p>
<p>1)These are some of the things that we have noted about tourism in Waratah 1/ People are using Waratah as a central point to tour Cradle, Corinna and even Strahan.</p> <p>2)the most popular walks around Waratah are the Waratah Loop incorporating the old power station and Ringtail Falls, Philosopher Falls Walk, Platypus viewing around the lakes and the Magnet Track. Whilst commenting on the future the proposed wheel-chair friendly boardwalk to the bottom of the Waratah falls is poorly thought out and will give very poor bang for your buck. The track to the base of the waterfall should follow the old road on the Bischof side that was put in to allow horse and carts to access the bottom and a carpark established to allow elderly and disabled to access by vehicle and with the old machinery out of the mill laying at the bottom, these could be placed with interpretation signs and with a barbecue could be a destination for travellers and locals.</p>	<p>1)This is supported by the strong visitor numbers at the Caravan Park, despite the pandemic.</p> <p>2)The Tourism Plan Priority “Deliver walking tracks and trails that create linkages encouraging increased use of recreational spaces and ease of movement throughout the municipal area.”, and specifically the recommendation “Explore new options for walking tracks at Waratah” would cover any further work Council wished to progress on the walks identified, therefore no changes to the report were made. It is anticipated that an Annual Plan action will be developed for 2022-23 specifically addressing this.</p> <p>Feedback provided that is specific to the Waratah Falls walk has been provided to the project managers for consideration as that project progresses in the current financial year.</p>
<p>1)Amongst many proposals in this draft published on the council website last week the following was recommended: “Deliver walking tracks and trails that create linkages encouraging increased use of recreational spaces and ease of movement throughout the municipal area.” It’s interesting that it avoids detailing works ‘outside the municipal area’ as that clearly discriminates against Waratah!</p> <p>2) This treatise outlines six potential walks in the Waratah region that should be pursued by the council to increase tourism and business activity for both Waratah and Wynyard!</p>	<p>Waratah is inside Council’s municipal area and is covered by the Plan. A recommendation under the Priority referred to by the representor refers specifically to Waratah ““Explore new options for walking tracks at Waratah”. The Plan also refers directly to a number of other projects in Waratah including the Waratah Community Board priority project Waratah Falls Walk; Maintaining tourism assets including Waratah Caravan Park, Athenaeum Hall and Kenworthy Stamper Mill; Investigate opportunities to enhance</p>

Comment	Officers Response
<ul style="list-style-type: none"> •The most obvious and simple one is the Old Powerhouse Loop as already outlined to the council numerous times, indeed supported by the major lease holder Sustainable Timbers Tasmania. •Another simple and obvious nature walk is a return walk on the southern perimeter of the heritage Waratah reservoir into the Knolle Plains to witness /understand Aboriginal heritage, protected species, unique vegetation and a portion of the history of Waratah. •Number three is a new concept, it being the climb – via a circuitous route – of the historic Mt Bischoff to the trig point. This could largely follow the existing old road to the top that entirely avoids the existing mining lease – see schematic below. <div data-bbox="258 777 936 1243" data-label="Image"> </div> <ul style="list-style-type: none"> •Number four is a revelation brought to light at the Bischoff Hotel by a well-known local. The little-known ‘pram track’ from the old Magnet mine to a site close to the Hotel. The name comes from its use by ladies for traversing with babies to/from the town as it is a slow decline. The track is now overgrown but was used by other locals in their youth. It combines both nature and mining history. •Number five is the existing track to Albert’s old mine site where sheds and shaker tables still exist. It is four kilometres out of town and with a steep decline but with little remediation needed I am told. •Number six is the all-wheel-drive track from the Magnet mine to Waratah Road following the old tramway to Waratah. It is still in use but with a need to be refurbished and cleared of fallen trees and debris etc. •And not to be forgotten but requiring a broader review and involvement other than the council is the famous Pebble Pathway: <u>Bold new frontier for Tasmanian tiger country with push to reinstate the ‘Pebble Pathway’.</u> 	<p>delivery of tourism services at Waratah; Deliver projects identified in the Waratah Community Plan; and seek funding for a Philosopher Smith statue. In addition, many of the recommendations are general in nature and as such do not exclude opportunities at Waratah.</p> <p>2)Council has previously commissioned work to investigate the feasibility of the development of a number of tracks/trails in Waratah, albeit a number of years ago now. It would be timely to conduct a review of that report and potentially revisit all of the options for walking tracks at Waratah as a complete project that assesses the condition, cost and benefits of all existing and potential tracks for future prioritisation. This could be managed in an Annual Plan action.</p> <p>The Tourism Plan Recommendation “Deliver walking tracks and trails that create linkages encouraging increased use of recreational spaces and ease of movement throughout the municipal area” would cover any further work Council wished to progress on the six walks identified, therefore no changes to the report were made.</p> <p>The information should be noted and considered within future planning frameworks.</p>

Comment	Officers Response
Now of course the question is: will the Waratah Wynyard Council take any notice of a positive and expansive suggestion from a resident of Waratah? Or would they collectively state, as per Michael Caton (<i>The Castle</i>) 'Tell him he's dreaming!'	

CONCLUSION

The Waratah-Wynyard Tourism Plan 2022-27 reflects on the challenges the global tourism industry has recently faced, and also considers the potential impacts and opportunities from emerging industry trends. The plan outlines key priorities and recommendations for the future strategic directions which are aligned with regional and state priorities and build on key brand strengths for the municipal area.

It is recommended Council adopts the Tourism Plan 2022-25.

9.2 COMMUNITY ACTIVATION GRANTS ROUND 1

To: Council
Reporting Officer: Manager Community Activation
Responsible Manager: Director Community and Engagement
Report Date: 8 July 2022
File Reference: 001
Enclosures: Nil

RECOMMENDATION

That Council allocate funding to the following organisations under round one of Council's 2022-2023 Community Activation Grants program:

Organisation	Project	Amount Recommended for Approval (\$)
Friends of Remnant Heathlands of Wynyard (Rees Campbell)	Praympi Reserve Boardwalk	2,000
Somerset Basketball Association	Shot Clock Wireless Upgrade	1,288
Waratah Men's Shed	Community Tables	966
Waratah Museum Society	Security Cameras	2,000
Wynyard Foreshore Parkrun	Equipment Storage Trolley	2,000
Yolla Memorial Hall	Repainting Interior	2,000
Vasiliki Erophile (Live Well Tasmania)	Yoga with Vasiliki	2,000
Artscape	Undercurrent Exhibition	1,600
Event Grants		
Christine Okunbor	Springing into Song at Wonders of Wynyard	995
Waratah Axemen's Association	2023 Woodchopping Carnival	2,000
	Total	\$16,849

PURPOSE

This report has been prepared to assist Council to determine allocation of grant funding to community organisations under round one of the 2022-2023 Community Activation Grants program.

The Community Activation Grants offer two grant rounds each year. Typically, these grants are as follows:

Round	Open	Close	Assessed	Announced at Council Meeting
Round 1	1 July	26 August	September	October
Round 2	1 November	31 December	January	February

In 2022, due to the Local Government Elections, Council will enter into “Caretaker” mode, effectively pausing Council’s ability to make decisions regarding funding in September and October. Because of this, for this grant round only, Round One of the Community Activation Grant Round has been condensed into a shorter time period. This information, along with the shortened time frame, has been shared on Council’s webpage, through Council’s social media networks and information has been distributed by the Community Activation team to clubs and organisations in our areas.

For **Round One 2022/2023 ONLY**, the new timeline for Community Activation Grants is as follows:

Round	Open	Close	Assessed	Announced at Council Meeting
Round 1	1 July	5 August	8-12 August	15 August

BACKGROUND

Waratah-Wynyard Council has committed funding for the provision of a Community Activation grants program that supports community initiatives that encourage and enhance social and cultural wellbeing, recreation and that foster economic development and education pursuits. Grants are offered to assist in the provision of community projects and activities, support individuals selected to represent Australia and to sponsor local events that provide economic and social benefit for the community. There are two funding rounds each financial year.

DETAILS

Promotion of the Community Activation Grants was undertaken through advising with local community groups, organisations and event organisers. Application forms, guidelines and an acquittal form were available on Council’s website. Posts were made on Council’s social media sites regarding the open and closing dates of the Community Activation Grant round. The condensed time frame was noted. Council Officers were available to discuss the shortened timeline and offer support in completing applications, as appropriate.

Each applicant needed to provide details of the organization’s eligibility to receive a grant. In addition, the application was assessed against the assessment criteria outlined in the grant information.

Assessment Criteria

How each idea:

- Offered benefit to the Waratah-Wynyard community
- Encouraged or enhanced social and cultural wellbeing
- fostered economic development and/or educational pursuits
- would acknowledge Waratah-Wynyard Council for support

Council received 11 Community Activation Grant applications and 10 of these are recommended for approval. One (1) application did not proceed as one organisation put in two grants which is not allowed under the grant criteria.

Project Details

Organisation	Project	Details
Friends of Remnant Heathlands of Wynyard (FORHOW) (Rees Campbell)	Praympi Reserve Boardwalk	FORHOW have now fenced the reserve, and the WWC will be launching it as a public reserve in Spring this year. WWC will be placing interpretive signage near it and a QR code will link the reserve to its web page. A boardwalk is necessary to protect the plant from being trampled.
Somerset Basketball Association	Shot Clock Wireless Upgrade	Ongoing issues with the 24 second shot clocks synchronisation. Suggested upgrade to a wireless control system will synchronise clocks at either ends of the court. This will eliminate the confusion and frustration for teams.
Waratah Men's Shed	Community Tables	WMS hosts/holds a significant number of events through-out the year. They currently travel to and from Wynyard to borrow/return Council tables. The Grant will enable the purchase of tables which will be readily available to them.
Waratah Museum Society	Security Cameras	<p>The project is for security camera installation with the ability to record and to have remote access. This will improve the safety of volunteers working in the museum and ensure items are safe.</p> <p>Volunteers working alone will also feel confident they are protected from any false accusations, which is a concern to many.</p> <p>Professional installation will ensure correct placement and follow up support.</p>
Wynyard Foreshore Parkrun	Equipment Storage Trolley	This Grant will provide a lockable storage trolley to store Parkrun equipment required to run the events each Saturday morning.
Yolla Memorial Hall	Repainting Interior	Re-painting the interior of the Hall for community use.
Vasiliki Erophile (Live Well Tasmania)	Yoga with Vasiliki	A 15-week Yoga class/event to benefit all of the community especially low-socio-economic demographic vicinities in Wynyard. Assisting low-income people that would otherwise be unable to attend if too expensive.
Artscape	Undercurrent Exhibition	People's Choice Award Emerging Artist Award
Event Grants		

Organisation	Project	Details
Christine Okunbor	Springing into Song at Wonders of Wynyard	To produce and present a 60-minute music concert that features songs related to the cars in the Ransley collection.
Waratah Axemen's Association	2023 Woodchopping Carnival	Rated as one of the best carnivals in Tasmania which can be traced back to the 1880's in Waratah, this carnival features the cream of Australian men and women axemen.

The applications were reviewed and assessed against the assessment criteria by the Council Grants Committee.

Disbursement of Grant

All organisations awarded a grant are required to produce evidence of expenditure, such as quotations or invoices for payment, prior to the funds being disbursed.

Acquittal Process

All organisations that receive a grant, must complete a grant acquittal (a template is available on Council's website) at the end of the project, detailing how the funds were spent and outlining the outcomes of the project.

STATUTORY IMPLICATIONS

Statutory Requirements

The *Local Government Act 1993* states:

Grants and benefits

- 77. (1)** *A council may make a grant or provide a benefit that is not a legal entitlement to any person, other than a Councillor, for any purpose it considers appropriate.*
- (2)** *The details of any grant made, or benefit provided are to be included in the annual report of the council.*

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 3: Connected Communities
Desired Outcomes
3.2 We listen and engage with our community in decision making.
Our Priorities
3.3.2 Facilitate activities and events that promote inclusion, health, safety and a sense of place.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Business & Industry	Specialised diversity of the economy – Value adding, diversification, innovation and employment. A resilient economy with global brand recognition and growing exports.
Tourism	Memorable visitor experiences all year round – The must-see destination, quality product, easy access, popular events and festivals with coordinated marketing. A longer season with increasing yields.
Strong communities and social capital	Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
Health and Wellbeing	Maintaining good health and wellbeing – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.
Education	Lifelong learning and education – Education and lifelong learning is valued and there is access to vocational training and tertiary education. Education retention rates have increased.
Place making and liveability	Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.

POLICY IMPLICATIONS

The Community Activation grants program was delivered in accordance with the Community Activation Grant policy. The usual time frame for application assessment, decision and announcement was shortened due to Local Government “Caretaker” role in the build up to the election.

ENVIRONMENTAL IMPLICATIONS

The environmental implications of the Community Activation Grant program are that some of the projects will progress the objectives are consistent with Councils iCEP plan.

FINANCIAL IMPLICATIONS

Council has an annual allocation of \$40,000 in the 2022-2023 approved budget for Community Activation Grants.

RISK IMPLICATIONS

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


CONSULTATION PROCESS

All applicants will be advised of the outcome of their Community Activation Grant application in writing and provided with feedback on their application upon request.

CONCLUSION

It is recommended that the Council provide Community Activation Grants to the outlined organisations as recommended under round one of Council’s 2022-2023 Community Activation Grants program.

9.3 SOMERSET FORESHORE - TRAFFIC IMPACT ASSESSMENT

To: Council
Reporting Officer: Manager Engineering Services
Responsible Manager: Director Infrastructure and Development Services
Report Date: 14 July 2022
File Reference: .
Enclosures: 1. Somerset Foreshore Traffic Impact Assessment 

RECOMMENDATION

That Council note the Traffic Impact Assessment developed for the Somerset Foreshore and resolve to deliver the projects as recommended within the report in accordance with recommended staging

PURPOSE

To determine Council's position regarding the Traffic Impact Assessment undertaken for the Somerset Foreshore area.

BACKGROUND

With the development of a new All Abilities Playground approaching completion and the known future development of the Coastal Pathway along the Somerset Foreshore it is anticipated that the demand for parking and pedestrian connectivity in and around the Somerset Foreshore area will grow.

For this reason, Pitt and Sherry were engaged to undertake an independent Traffic Impact Assessment of the Somerset foreshore to determine what, if any, infrastructure improvements would be required to accommodate the growing demand in parking, pedestrian and cyclist continuity, road safety and traffic generation.

Pitt and Sherry have structured the TIA and report such that the project delivery is staggered into two stages.

- Stage 1 being the works required to compliment the ANZAC Park all abilities playground, nominally east of Falmouth Street.
- Stage 2 being the works required to compliment the Coastal Pathway, nominally west of Falmouth Street.

***NOTE** – The TIA and recommendations contained within are based on the ongoing use of the Playground and the Coastal Pathway, it is likely that there will be a short-term high-volume peak during the first summer of the playground opening, which may see numbers beyond predicted in the TIA.

DETAILS

The following matters were considered by Pitt and Sherry in developing the Traffic Impact Assessment, however based on minimal net benefit, high impact and cost were not recommended to pursue any further:

- One-way traffic loop on Bells Parade

- Full and partial closure of Bells Parade
- Roundabout at Falmouth Street/Bells Parade
- Roundabout at Falmouth Street/Esplanade

Furthermore, the following conclusions were provided:

- The current and post-development intersection operation within the study area is acceptable with the exception of the Bass Highway and Falmouth Street intersection. This intersection requires upgrading in the future regardless of the development and should be referred to the Department of State Growth to address.
- Traffic growth due to the developments have been estimated at a worst-case scenario of 38 additional vehicles in the peak hours, as seen in similar developments.
- Existing parking supply has been assessed and determined to be adequate to cater for the expected growth

A range of recommendations were provided by Pitt and Sherry to ensure that road safety objectives could be achieved and maintained into the future, these recommendations are provided in the table below:

Stage 1 – ANZAC Park	Stage 2 – Coastal Pathway
Formalisation of existing parking bays both on street and within off street car parks, including new DDA parking spaces	Installation of traffic calming – speed humps and colour contrast pavement at intersections
Installation of traffic calming – speed humps and colour contrast pavement at intersections	Parking control/restriction on narrow sections and bends
Installation of yellow audio tactile line on Bells Parade	Formalisation of existing parking bays on street
Upgrade of existing footpath on Falmouth and pedestrian linkage to the Coastal Pathway including pram ramps	Improved pedestrian continuity and linkage to the Coastal Pathway, including pram ramps
Parking control/restriction on narrow sections and bends	Line marking and delineation at intersections
Protection around existing power poles and parking restriction to ANZAC Park access areas	
Installation of footpath linkage adjacent playground	

STATUTORY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 6: Transport and Access
Desired Outcomes
6.2 Our transport and access network is sustainable, affordable and fit for purpose.
Our Priorities
6.2.2 Plan for all movements and modes of transport with a fit-for-purpose network.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Access and infrastructure	Local, regional and global transport and infrastructure access – Safe and efficient access alternatives, growing freight capacity, renewable energy, water management and contemporary communications. Community infrastructure that supports economic development.

POLICY IMPLICATIONS

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

Initial cost estimates were provided by Pitt and Sherry as part of the Traffic Impact Assessment, these estimates are provided below:

Initial Cost Estimate

Stage 1 – ANZAC Park	Stage 2 – Coastal Pathway
\$331,000	\$201,300

In reviewing the initial cost estimate provided by Pitt and Sherry it was found that they applied a high contingency (30%) and a 6% annual growth accumulation assuming a 2024 construction year. It is expected that actual cost will be significantly less than initial estimate if constructed in the 2022/23 financial year, a breakdown of reviewed cost estimate is provided below:

Reviewed Cost Estimate

Stage 1 – ANZAC Park	Stage 2 – Coastal Pathway
\$200,000	\$120,000

The current 2022/23 Annual Plan and Budget does not contain financial provision for the delivery of the projects recommended with the Traffic Impact Assessment. It is recommended that a budget allocation be made to the 2022/23 Annual Plan and Budget to allow the delivery of the projects recommended as part of stage 1 of the Traffic Impact

Assessment. This has been included in the financial report also on the August Council meeting agenda.

The expected ongoing life cycle costs of Council's asset base would be expected to increase immaterially by approximately \$900 for stage 1 works and \$500 for stage 2 works respectively.

RISK IMPLICATIONS

The risk implications of the report are primarily risks associated with efficient procurement project delivery.

It is known that the ANZAC Park all abilities playground is currently under construction and due to be opened in the Summer of 2022. To ensure that the recommendations of the Traffic Impact Assessment are delivered in a timely fashion and are in place prior to, or in conjunction with, the opening of the playground it is important to ensure that budget is assigned to the project and tendering/procurement is conducted early.

CONSULTATION PROCESS

No community consultation is planned prior to delivery of the scope of this project as both the Anzac Park All abilities playground and Coastal pathway are well known Council objectives. Residents adjoining the area will be directly informed of the supporting traffic infrastructure works and the greater community will be informed via Council's social media outlets.

CONCLUSION

That council note the Traffic Impact Assessment developed for the Somerset Foreshore and resolve to deliver the projects as recommended within the report in accordance with recommended staging. To achieve this in a timely manner and address early demand at the opening of the Anzac Park All abilities playground, an amendment to the 2022/23 Annual Plan and Budget of \$200,00 to facilitate delivery of stage 1 is seen as essential.

9.4 YOLLA PUBLIC TOILET LOCATION

To:	Council
Reporting Officer:	Manager Recreational Planning and Environment
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	25 July 2022
File Reference:	1
Enclosures:	1. Yolla Public Toilet - Multi Criteria Analysis 

RECOMMENDATION

That Council determine to construct a public toilet on the vacant land adjoining the Yolla Fire Station, subject to achieving a satisfactory agreement with the landowner.

PURPOSE

To seek Council approval to construct a DDA-compliant public toilet at Yolla, in alignment with councils Annual Plan actions and Open Space, Sport and Recreation Plan 2017-2027.

BACKGROUND

Yolla is a small rural village approximately 20km south of Wynyard. The township is located on the junction of Mount Hicks Road and the Murchison Highway. In 2016, the Australian Bureau of Statistics recorded 316 people living in Yolla and 149 private dwellings. The main township includes a school, general store, pharmacy, recreation ground and other businesses and assets.

Council has received community feedback suggesting that a public toilet is desired within Yolla. The closest public toilet to Yolla is within the Somerset CBD which is approximately 17 minutes' drive by car. If travelling south past Yolla, the next closest toilet is another 27 minutes' drive and located at the Hellyer Gorge Rest Stop. This means that at a minimum, travellers heading south from Somerset will need to travel at least 44 minutes before reaching a toilet, depending on the route chosen.

Both the Murchison Highway and Mount Hicks Road are common routes for trucks, visitors and local traffic. There are anecdotal reports that visitors often stop in at the general store to ask for access to a public toilet.

Council's adopted *Open Space, Sport and Recreation Plan 2017-2027* (OSSR) and its associated Public Toilets Issues Paper provides insights, guidelines and recommendations to improve Council's existing public toilet portfolio. Specifically, it recommends to:

Negotiate with a local business to provide a public toilet or open the toilet in the recreation ground for community use.

In March 2021, Council noted the findings of an *Options Review Paper* which presented two preferred locations for the public toilet (Yolla General Store and Yolla Recreation Ground), for further exploration. Since this time, Council officers have engaged a consultant to provide technical advice on the feasibility of these sites and spoken with relevant stakeholders. The wastewater assessment showed substantial technical issues with one of the preferred locations and significant stakeholder concerns were raised in relation to the second location. Given these results, Council determined in June 2022 to explore alternative locations before deciding the location for the public toilet.

DETAILS

A total of eleven sites were identified within the expanded locations review, including the original two preferred sites. Three were removed from further assessment given significant technical constraints which prevented a viable installation of a public amenities block.

A multi-criteria analysis (MCA) was used to consistently rank each remaining option and provide a recommendation to support future Council decision-making about the option most suitable to service the community. The results of the analysis against each option are included in the table below:

Site ID	Name	Land size and suitability	Proximity to township	Passive surveillance / Vandalism risk	Suitability of existing infrastructure	Stakeholder acceptance	Technical suitability	Order of Cost Ranking (10 = cheapest)	TOTAL
1	Yolla General Store	3	9	9	3	5	3	7	39
2	Yolla Memorial Hall								0
3	Catholic Church	10	8	8	3	5	9	9	52
4	Yolla Recreation Ground	7	7	7	6	2	9	10	48
5	Memorial Grove								0
6	Vacant Land adjacent old Service Station								0
7	Old Service Station - With shed	4	7	3	3	5	1	7	30
7	Old Service Station - No shed	8	7	8	3	8	6	4	44
8	Tavern	6	6	3	6	4	6	9	40
9	Fire Station	10	6	8	5	5	8	9	51
10	Pull-off Bay #1	5	2	2	3	2	4	7	25
11	Pull-off Bay #2	5	1	1	3	2	3	7	22

Information regarding each site has been provided in the attachments of this report.

Based on the findings of the MCA, the top three preferences are:

1. Site 3 – Catholic Church (privately owned land)
2. Site 9 – Fire Station (state owned land)
3. Site 4 – Yolla Recreation Ground (council owned land)

Options beyond the top three are not considered viable options as they are either technically challenging or unable to provide the desired value for the community (i.e., are cost prohibitive, aren't located close to town, or have potential conflicts with existing use).

Council officers contacted the landowners for the top two preferences, being the Catholic Church and the Fire Station. Based on the responses received of the consultation, the Catholic Church option was ruled out and the Fire Station is awaiting further advice from the landowner. Should the landowner of the Fire Station be willing to collaborate with Council on this project, further negotiations would be required to achieve an agreement for use of the land adjoining the fire station prior to construction commencing.

The Yolla Recreation Ground is owned by Council and therefore doesn't require any additional agreements for construction. Previous consultation in relation to this option has highlighted concerns regarding the increased activity around school grounds, possible parking difficulties during 'game day' and the potential for unwanted or antisocial behaviours. Some of these issues may be resolved through car park line marking, signage, and the potential installation of a CCTV camera.

STATUTORY IMPLICATIONS

Statutory Requirements

Any new construction or major works to existing buildings will trigger a requirement to meet current standards contained within the *Building Act 2016*. This includes the requirement for a public toilet block to include at least one accessible toilet.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 4: Community Recreation and Wellbeing
Desired Outcomes
4.3 We provide recreational opportunities to the community for all ages and abilities.
Our Priorities
4.3.1 Commit to ongoing recreation and open space planning to ensure evidence-based decisions are made about the role of Council and its partners in recreation.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Tourism	Memorable visitor experiences all year round – The must see destination, quality product, easy access, popular events and festivals with coordinated marketing. A longer season with increasing yields.
Access and infrastructure	Local, regional and global transport and infrastructure access – Safe and efficient access alternatives, growing freight capacity, renewable energy, water management and contemporary communications. Community infrastructure that supports economic development.
Health and Wellbeing	Maintaining good health and wellbeing – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.
Place making and liveability	Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.

POLICY IMPLICATIONS

The Asset Management Policy is relevant in this instance in assessing on going life cycle costs from new asset investments.

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The financial implications of construction can be difficult to determine based on conceptual ideas and plans. These costs can generally be more refined upon detailed planning and design that considers the technical aspects of the construction. In addition, the global pandemic has placed pressure on the construction industry which has resulted in reduced availability of qualified contractors and an increase in costs of materials.

Given the current circumstances, the construction of a DDA-compliant public toilet in Yolla is estimated to cost approximately \$280,000 to cover design, approvals, construction, and signage. It is anticipated that this would require an increase to operational costs of an estimated \$14,561 per year, depending on site-specific arrangements to be negotiated such as cleaning responsibility and frequency. The budgetary impact is equivalent to up to 0.17% General Rate increase. In line with Council's Financial Management Strategy, operational improvements would need to be achieved to fund the additional cost. This could be achieved by way of decreasing expenditure or increasing revenue streams.

Every effort will be made to reduce the cost of construction and ongoing operational costs through the procurement process and stakeholder negotiations.

RISK IMPLICATIONS

Council has committed through its Annual Plan to construct a public toilet in Yolla; however, a budget amount was not included in the setting of the 2022/23 capital budget given a site had not yet been determined. Amending the budget as per the recommendations of this report enables the delivery of the public toilet as committed. Without doing so, the construction cannot proceed until funding has been allocated in a future budget.

CONSULTATION PROCESS

Representatives of the Yolla General Store and the Yolla District School were contacted during the earlier work undertaken in 2021 on the original two locations selected. The Catholic Church and the Tasmanian Fire Service were also contacted in relation to possible collaboration for the installation of a toilet on their land.

If future funding is committed to construction, communications will occur with key stakeholders in respect to each phase of construction, as necessary.

CONCLUSION

Substantial research and analysis have been undertaken in respect to identifying a suitable site in Yolla to construct a public toilet that is considered value-for-money. A multitude of sites have been considered during the analysis and included consultation with private landowners as well as review of the public land available in Yolla.

It is therefore recommended that Council:

1. Amend the 2022/23 Annual Plan and Budget Estimates by \$280,000 to include the design and construction of a public toilet in Yolla. This has been included within another report on this agenda
2. **Construct a public toilet on the vacant land adjoining the Yolla Fire Station, subject to achieving a satisfactory agreement with the landowner.**

9.5 QUARTERLY INFORMATION REPORT - INFRASTRUCTURE AND DEVELOPMENT SERVICES

To:	Council
Reporting Officer:	Manager Engineering Services
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	1 August 2022
File Reference:	3/4
Enclosures:	Nil

RECOMMENDATION

That Council note the Corporate Quarterly Information Report for the Infrastructure and Development Services Department as at 30 July 2022.

PURPOSE

To provide statistical information and a quarterly update on the activities of Council for each Department. This report is the first quarterly report for the Infrastructure and Development Services Directorate, made up of the following Departments:

- Development and Regulatory Services
- Engineering Services
- Works and Services
- Asset Services
- Recreational Planning and Environment

BACKGROUND

Council have traditionally been provided with a whole of organisation quarterly statistical report. The purpose of the quarterly report was to provide Council with statistical information on the activities of Council for each department.

Following a review of organisational reporting with the aim of ensuring consistent and improved information sharing to Council a quarterly Information Report is provided each quarter for each Directorate with a snapshot of activities undertaken.

DETAILS

This report contains statistical and by exception information from the departments listed above. Information provided will be increased over each reporting period as measurable outcomes and feedback is captured.

Development and Regulatory Services

Project Updates

The nine north-west councils have been working with the Cradle Coast Authority in reviewing the Cradle Coast Regional Land Use Strategy. This review is in two parts. The first, which is to be delivered before the end of the year is to process urgent amendments which may be seen as restricting development, particularly with regard to delivering housing. The second process is a full review of the strategy, which is a 3-year project.

We have entered the new financial year, so renewal notices have been issued. A little over 50% of renewals have been processed, with details presented in the Statistics below.

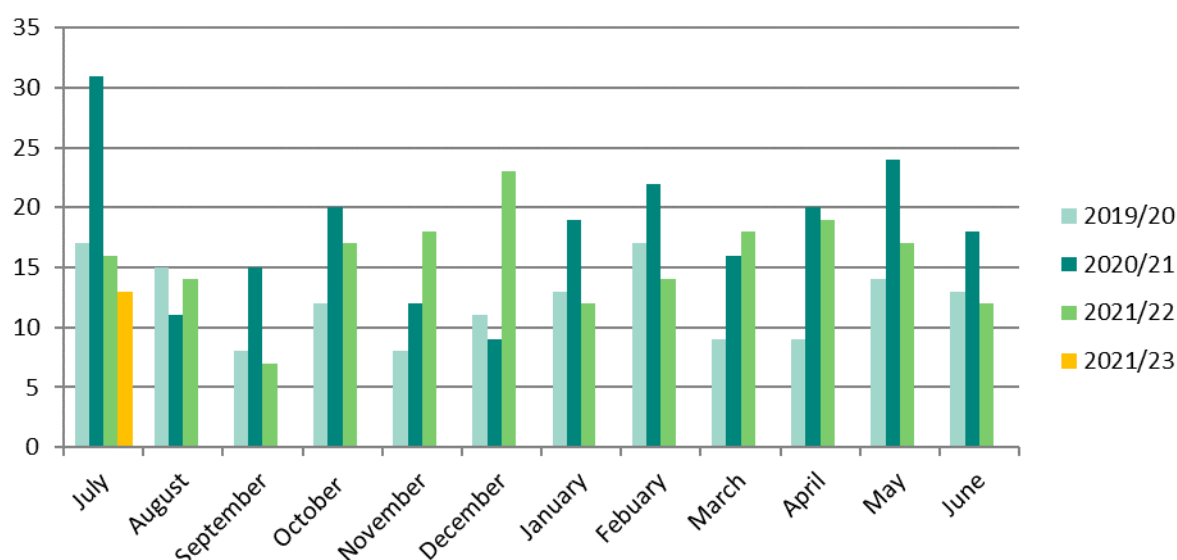
The section 35F report on the draft Local Provisions Schedule has been referred to the Tasmanian Planning Commission. We are now awaiting advice as to when the hearings on the matters raised during the consultation period will be held.

Council is currently involved in two planning appeals before the Tasmanian Civil and Administrative Tribunal – Resource and Planning Stream. The first is P2022/78 – 301 Pages Road, Moorleah – M7J Purton V Waratah-Wynyard Council and D&J Turner. The hearing was held on 20 and 21 July, and we are awaiting the decision of the tribunal.

The second matter is Enforcement – Appeal 125/21PE – 3 Hepples Road, Boat Harbour Beach. The hearing was held on 29 June and 18 July. We are awaiting the decision of the tribunal.

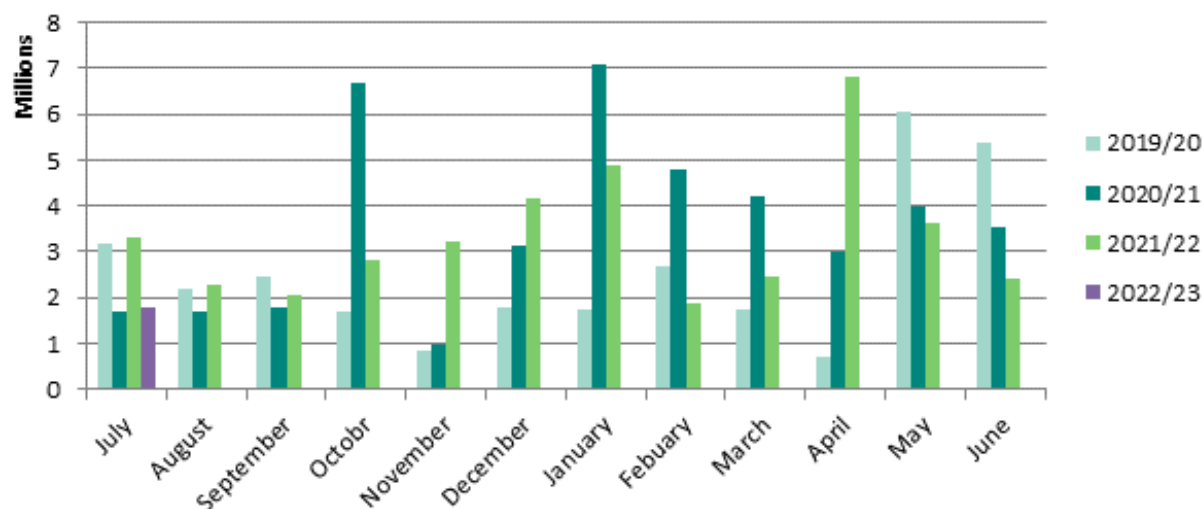
Statistics

No of Building Approvals

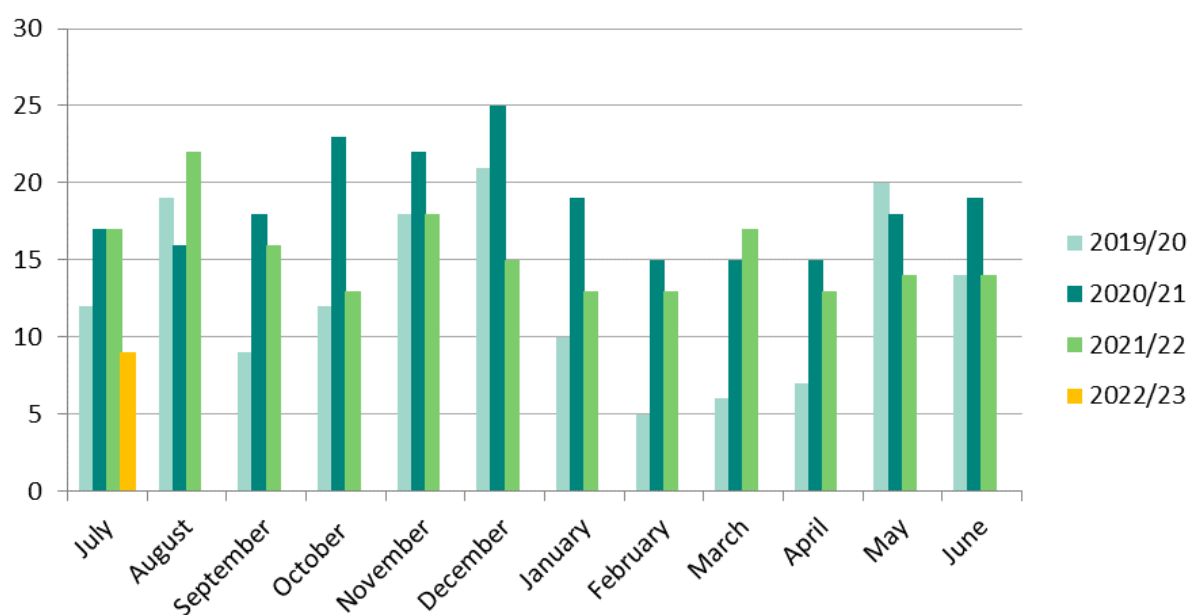


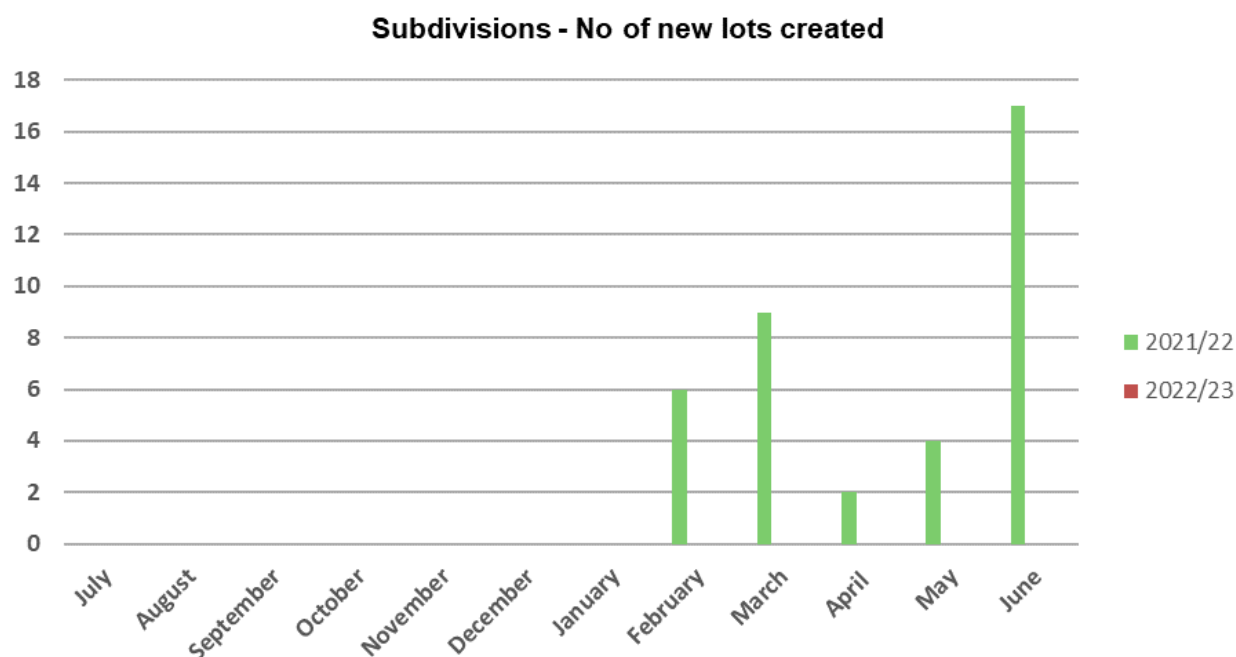
Building Approvals include Building Permits and Notifiable Building Work (Category 3)

Building Values



Planning Approvals





Environmental Health

Health Renewals for 2022-2023

Month	Food Premises (FP)	Private Water Suppliers (PWS)	Public Health Risk Activities (PHRA)	Regulated Systems Air Cooling Systems
Renewals Issued	118	29	3	4
Received July	58	0	2	2
August				

Animal Control

Item	May/Jun/Jul 2022	2022/2023YTD
	No	No.
Dogs Registered	1277	1277
Dogs Impounded	4	4
Infringement Notices	3	3

Recreational Planning and Environment

Project Updates

The new multi-million dollar Wynyard Waterfront Multipurpose Facility was completed and opened its doors for the first time towards the end of June. This long-awaited facility will provide an events space and is a significant milestone for the Wynyard Waterfront and Environs Masterplan. Occupancy of the building was achieved in time for tenants such as the Wynyard Yacht Club and Tasmanian Canoe Club to move in, and for Big hART to launch the Watershed Program ahead of an official opening to be scheduled with relevant stakeholders.



Photo courtesy of The Advocate

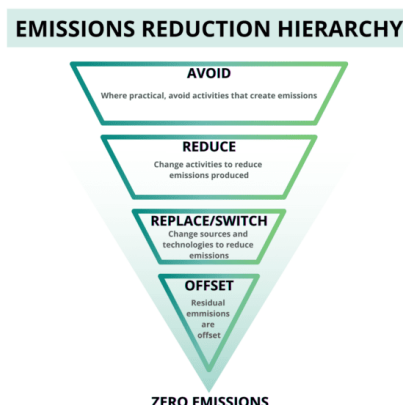
Upgrades to the Cardigan Street Recreation Ground were largely finalised during this quarter, with the completion of the roadside boundary fence marking the last major component of the master plan works.



The findings of the wastewater capacity assessment of two potential sites in Yolla to host a public amenities block were reviewed. Given the report identified significant technical issues with one of the preferred sites and the second location received substantial concerns from some stakeholders, Council officers have since broadened the scope of the sites to be assessed. The findings of the broader exploration of alternative sites will soon be finalised and Council can then progress to seeking approvals and tendering for construction.

Environment Services

During this quarter Council completed its first carbon footprint audit, which identified our operations produces the equivalent of 1,971 tonnes of carbon from the baseline year of 2020/2021. The successful completion of the carbon audit has enabled Council to commit to a 'Net Zero by 2030' position, which received newspaper and radio attention. Further work will be undertaken over the coming months to plan for emissions reduction improvements that can be considered as part of the 2023/24 budget deliberations and beyond.



Councils first Sustainability and Environmental Advisory Panel (SEAP) also progressed considerably throughout this reporting period. This involved the creation of the necessary framework and associated documents as well as calling for public nominations via Councils social networks. Nominations will close during August and evaluations for prospective panel members will commence soon after.

Emissions statistics provided below are based on fuel consumption from council fleet, plant and machinery only (partial scope 1 emissions), as well as electricity consumption (scope 2 emissions) on councils buildings and other assets. Scope 3 emissions have not been included.

WWC Quarterly Emissions Trend – 2022/23



Waste management services

Council participates in a number of waste diversion programs to provide opportunities for the community to correctly dispose of waste and encourage recycling. During 2021, Waratah-Wynyard agreed to participate in marine flare collections, a program initiated and managed by Marine and Safety Tasmania (MAST). The Wynyard Waste Transfer Station is one of many collection points around the state to manage end-of-life marine flares, which are required to be replaced every three years. There are considerable risks for the environment and staff if these flares are disposed to landfill. During the 2021/22 financial year, a total of 10,575 marine flares were collected from participating refuse sites around Tasmania, on top of a further 10,000 flares being collected as part of MAST's initial flare collection round. This is an excellent outcome and has ensured over 25,000 flares have been diverted from landfill.

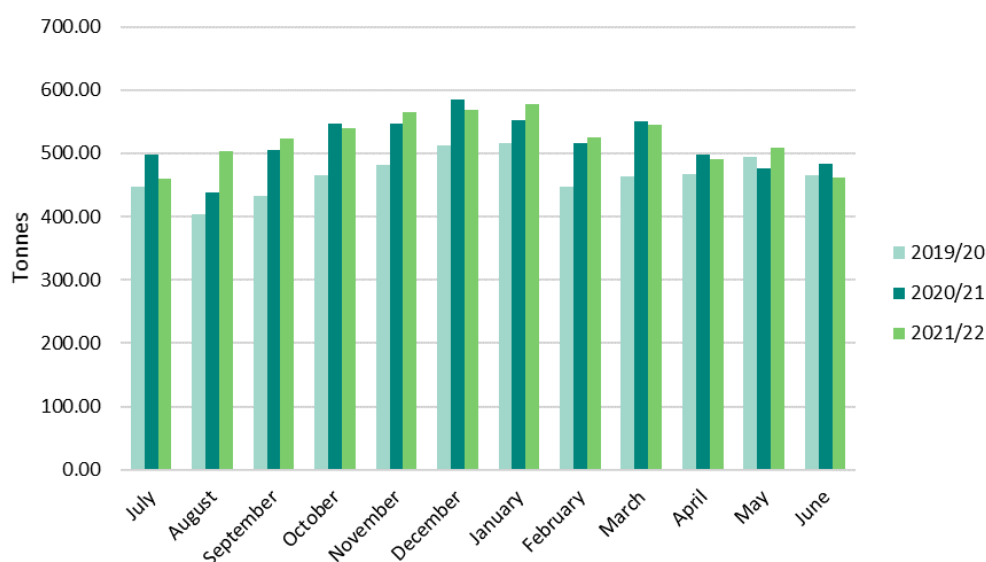


Waste management statistics provided below are inclusive of the waste derived from both the kerbside collection services and the waste transfer station (WTS) operations of Council.

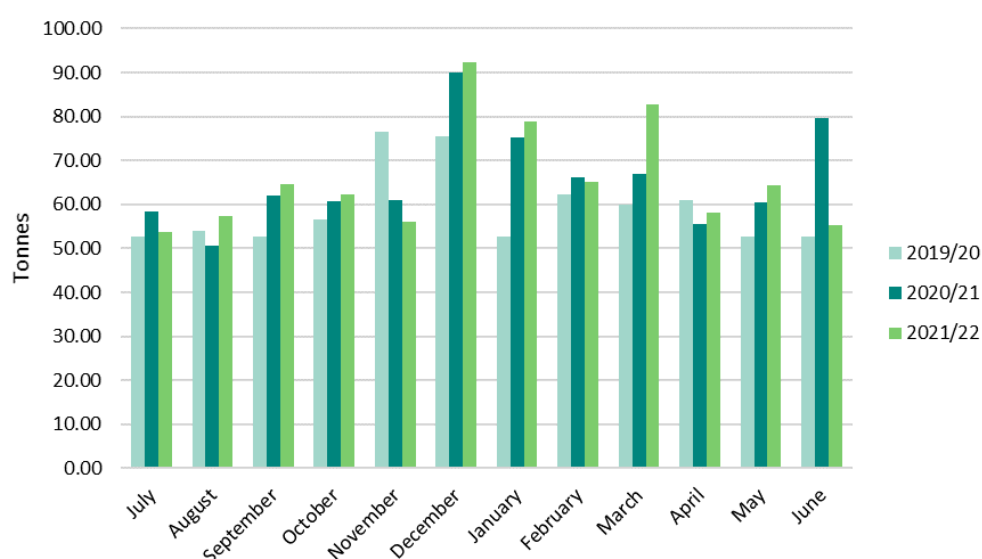
Tonnes of waste and recycling have been presented up to 30 June 2022. Number of WTS customers has been provided for the period 1 May – 24 July 2022. To summarise the waste statistics data for this quarter:

- There has been approximately 0.44% increase in kerbside recycling collection between 2020/21 and 2021/22
- There has also been a 1.15% increase in waste collected (kerbside and WTS) between 2020/21 and 2021/22
- The highest number of customers at the WTS was during May, with a total of 5054 visits
- Average number of customers/day at the WTS for the period 1 May-24 July is 140 visits

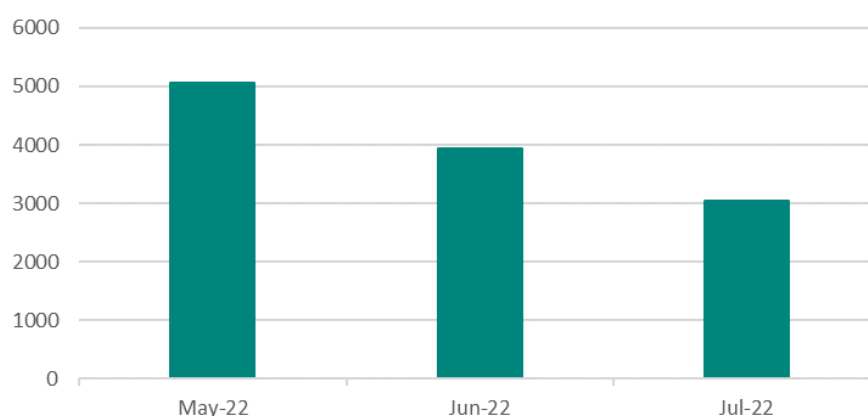
Tonnes of Waste to Landfill



Tonnes of Comingled Recycling



Wynyard Waste Transfer Station – Total No. Customers / Month



Graph representing data 1 May through to 24 July

Buildings and Facilities

During this period, the cleaning of public toilets and barbeques transitioned to a new contractor. This transition followed an earlier report recommending the separation of these services away from the public bin collections in an effort to ultimately improve the condition of public toilets and better meet the expectations of our community.

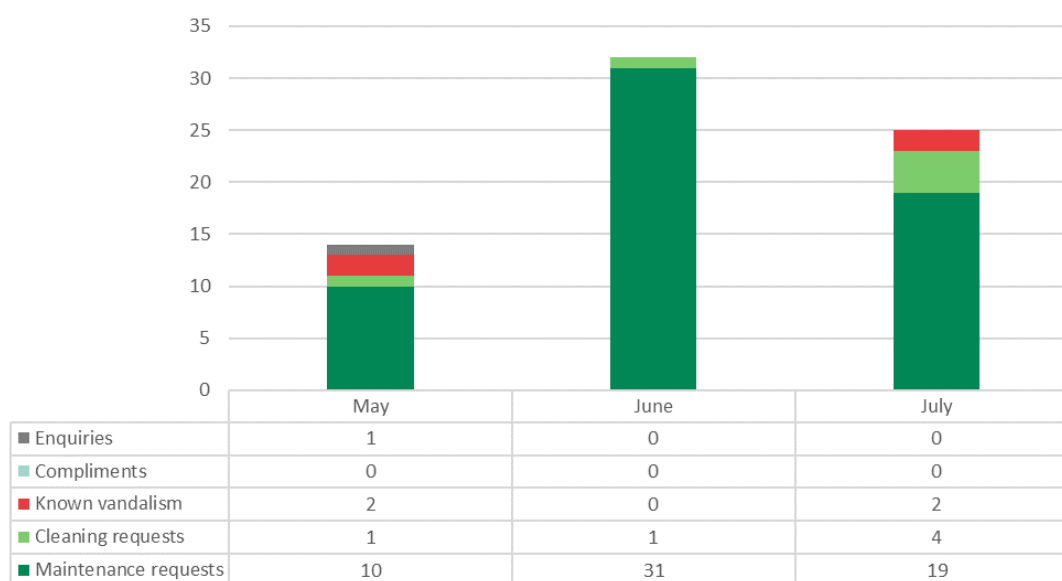
Statistics included below are all customer service requests for public toilets lodged *directly with Council* during the reporting period. In summary:

- Public toilet requests made up 18% of the total customer service requests received between 1 May-21 July
- 71 requests relating to public toilets were received during this period (average 0.87/day)
- Almost half of the public toilet requests (45%) were for maintenance requests, and approximately 42% of these were due to toilet blockages, through: technical fault,

excessive use of toilet paper or flushing of inappropriate item/s (either intentional or unintentional)

- Other maintenance faults included sticking or broken door locks, sticking flush buttons and dripping soap dispensers
- There were four reports of 'known vandalism', including two lots of graffiti, a fire, and other infrastructure damage

Public Toilets – Number of Service Requests by Type



Graph representing data 1 May through to 21 July

Recreational Planning

The Somerset Sporting Precinct Options Review was completed and noted by Council, which included a technical assessment for the feasibility of relocating community sports to a shared multi-use facility adjoining the Somerset Primary School. Decision-making on the preferred option moving forwards has been deferred until early 2023, following a targeted consultation and investigation process.

East Wynyard Foreshore Master Plan - Collaboration with the Engineering Services Department has resulted in the early commencement of design for the 22/23 carpark improvement project (adjoining the rotary park playground). The boardwalk replacement, also scheduled for the 22/23 year, will be tendered for design and construction pending the receipt of the necessary approvals.

Feedback from the Ballard Avenue Recreation Reserve Options Paper, which proposed solutions for an off-leash dog park and freedom camping, was collated and analysed during this quarter. The feedback included a range of suggestions from the community regarding infrastructure investments and alternative sites for the proposed recreation uses. Council will now move to determining the outcomes following this analysis and then proceed with design and construction for freedom camping and an off-leash dog park for the preferred site/s within Wynyard.

Contracts and Reporting

During this quarter, improvements to the suite of templates and processes for tenders and quotation requests were completed. This ensures councils procurement practices for infrastructure related services can meet policy requirements as well as align with Australian Standards. Tender evaluation criteria to assess against environmental sustainability practices have also been embedded as per the principles of iCEP. Further refinements will be undertaken into the future as a continuous improvement exercise.

Statistics below describe the contract extensions in the current reporting period, based on the date the extension was approved. During this quarter, seven (7) contract extensions were executed across four (4) separate contracts:

No.	Contract	Contract Start Date	Original Expiry Date	Revised Expiry Date	Update
764	Camp Creek Final Rehabilitation Project	28/02/2022	23/05/2022	30/09/2022	Contract extension raised due to weather
756	ANZAC Park All Abilities Playground (2020/21)	18/10/2021	5/10/2022	4/11/2022	<ul style="list-style-type: none"> EOT#7 - Contract extension requested by contractor for extra fill - 10 days claimed. EOT#9 - Contract extension requested by contractor for tree removal works - 1 day claimed. EOT#11 - Contract extension requested by contractor to construct stormwater outfall - 8 days claimed.
743	Construction of the Wynyard Yacht Club and Multi-Use Community Facility	28/08/2020	14/04/2022	31/12/2022	Contract extension raised to enable civil construction works (partial completion achieved with occupancy of building)
727	Sports Facility Cleaning, Caretaking and Kiosk Operation	23/10/2018	24/04/2022	23/10/2024	Standard extension to end of term based on contract provisions. No further extensions available.

Engineering Services

Project Updates

Owing to several contributing factors, such as the COVID 19 pandemic, State, Federal and Local economic stimulus packages, material availability and shortages and a high demand in contractor and specialist availability, it has been identified that early contractor engagement and procurement is critical to achieving the goals and projects identified in the recently adopted 2022/23 Annual Plan and Budget.

It is also recognised that neighbouring Council's will adopt their own Annual Plan and Budgets on or around the same time as the Waratah-Wynyard Council and will be faced with similar challenges in terms of contractor engagement and project delivery. This may further

exasperate already challenging times in project delivery, resulting in a flood to the market and greater scarcity of contractor and specialist services.

To get ahead of the curve and to ensure the best possible chance of delivering projects committed to in the Annual Plan and Budget, Council has sought to release tenders and requests for quotation along with submissions for Planning and Crown approvals as early as possible post the adoption of the Annual Plan and Budget.

The table below provides an overview of the projects that Council staff have either been able to tender and award, tender to the market pending award or submit for Planning and Crown approvals:

Project	Status
Sisters Beach Estuary Rehabilitation	Tendered and awarded
West Calder Road - Bridge Replacement (Calder River)	Tendered and awarded
Calder Road - Bridge Replacement (Blackfish Creek)	Tendered and awarded
Oonah Road - Bridge Replacement (Cam River)	Tendered and awarded
Bassets Road - Bridge Replacement (Calder River)	Tendered, awarded and constructed
Saunders St & Goldie Street - Roundabout Seal	Tendered and awarded
2022/23 Reseal Program	Tendered and awarded
Pavement Marking Removal - Wragg Street	Tendered and awarded
Somerset Sports Centre - Line Marking Renewal	Tendered, awarded and constructed
IGA Intersection realignment	Tendered
Hepples Road surface repair works	Tendered
Yacht Club Pontoon	Tendered and awarded
Table Cape parking extension	Tendered, awarded and constructed
Stairway Replacement - Opposite Cumming Street	Submitted for Crown approval
Inglis River Walking Track - Options Study	Tendered
Somerset Foreshore - TIA Project delivery	Tendered
Boat Harbour Beach Master Plan (Building and Civil Works) – architect and support services	Tendered and awarded
TIA Austin Street	Tendered and awarded
Wynyard Recreation Ground Turf Wicket	Tendered
TIA Fossil Bluff	Tendered
Walking track counters	Tendered and awarded
Cummings St Boat Harbour – Stormwater Extension	Tendered
Wynyard Wharf – Mesh infill to pontoon	Tendered
East Wynyard foreshore	Submitted for Planning approval
East Wynyard foreshore Boardwalk	Submitted for Crown approval

The projects listed in the table above account for 60% of the projects that require procurement of contractor or specialist works in the 2022/23 Annual Plan and Budget:



Photos of projects tendered, awarded and constructed early:

Somerset Sports Centre Line Marking Renewal







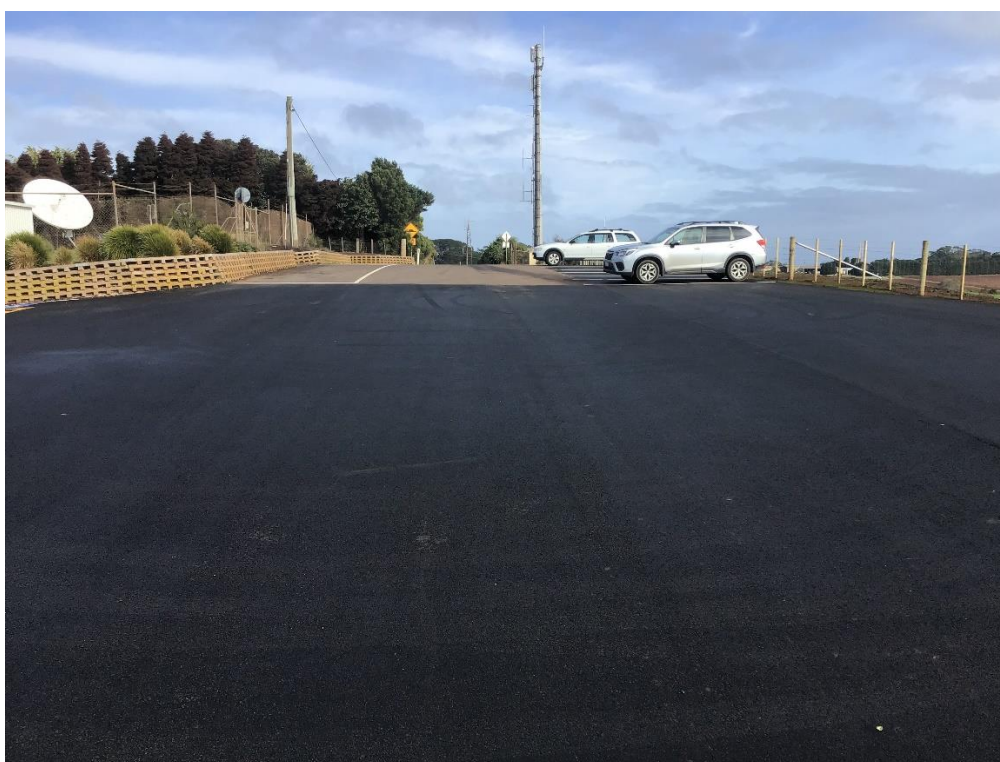
Bassets Road Bridge Replacement





Table Cape Lookout Car Park Expansion





National Heavy Vehicle Regulator permit applications

Consent Performance

Monthly Statistics for Jun 2022

30 Consents Received	32 Consents Completed	30 Consents Received & Completed	32 Consents Granted	(Blank) Consents Refused
--------------------------------	---------------------------------	--	-------------------------------	------------------------------------

Based on Received Date
Based on Completed Date
Based on both dates

Permit Application Type	Consents Received	%
Prime and semi-trailer - Higher Mass Limit (HML)	15	50.0%
B-Double - Higher Mass Limit (HML)	13	43.3%
Performance Based Standards (PBS)	1	3.3%
Truck and dog	1	3.3%
Total	30	100.0%

Permit Application Type	Consents Completed	%
Prime and semi-trailer - Higher Mass Limit (HML)	15	46.9%
B-Double - Higher Mass Limit (HML)	13	40.6%
Truck and dog	3	9.4%
Performance Based Standards (PBS)	1	3.1%
Total	32	100.0%

Completed Status	Completed	%
Granted	32	100.0%
Total	32	100.0%

Vehicle Class	Completed	%
Class 2	29	90.6%
Class 3	3	9.4%
Total	32	100.0%

Consent Performance

Consent Performance by month

Average days with Road Managers

All figures below are averages for the selected period

Due to inconsistencies in consent tracking, Total Time will not currently reflect the sum of New and Assessment time.

New and Assessment times are given for trend level analysis and guidance.

New Time

The period between receipt and allocation

5.43

Assessment Time

The period of assessment prior to completion

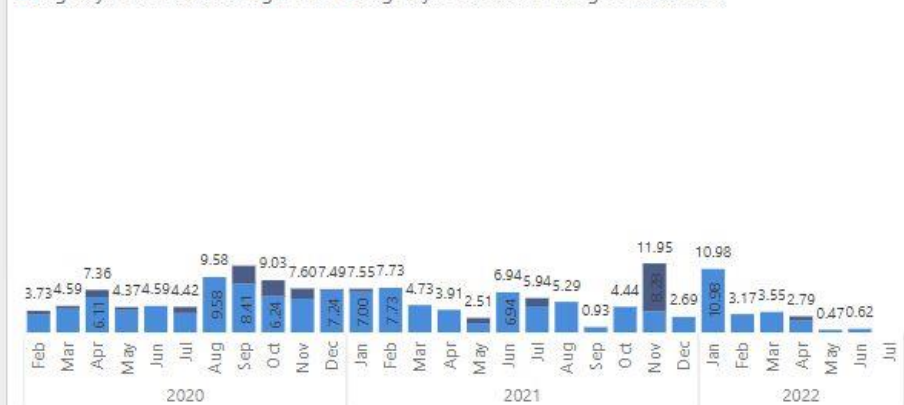
1.02

Total Time

The total time the consent was in the system

6.45

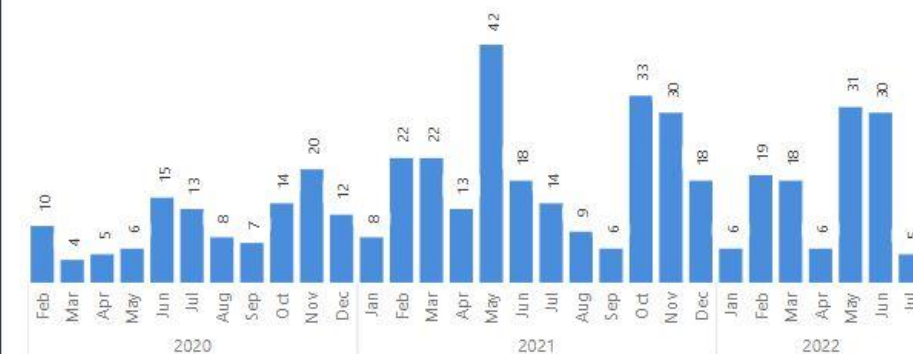
● Avg Days With Road Manager New ● Avg Days With Road Manager Assessment



Total Consents

Received

634



Completed

627



Road Access Volume

Permits

Permit counts represent permits issued unless specified otherwise

178

Permits Issued

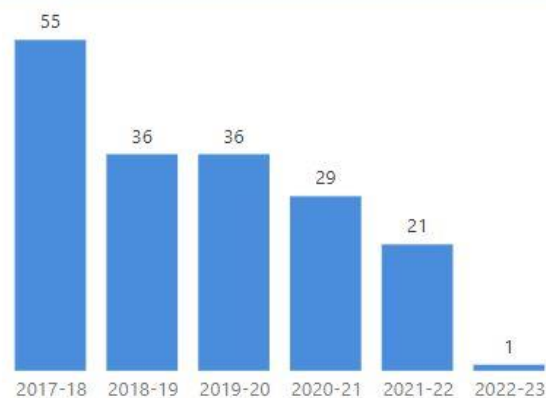
1

Road Managers

69

Customers

Permits by Issued Date



Average Vehicle Dimensions

Application Type	Permits	Avg Vehicle Height	Avg Vehicle Length	Avg Vehicle Width	Avg Vehicle Mass
+ B-Double	4	4.38	23.00		
+ B-Double - Higher Mass Limit (HML)	25	4.30	22.92		
+ Custom Oversize and/or Overmass (OSOM)	1	4.30	20.23	2.50	37.50
+ Oversize and/or Overmass (OSOM)	71	4.97	28.00	4.56	69.96
+ Performance Based Standards (PBS)	14				
+ Prime and semi-trailer	5	4.42	18.40	2.74	43.69
+ Prime and semi-trailer - Higher Mass Limit (HML)	34	4.31	19.00		
+ Special Purpose Vehicle (SPV)	7	4.08	16.43	2.89	57.50
+ Tow Truck - Underlift/hook	4	3.73	10.08	2.50	
+ Truck and dog	13	4.15	21.26	2.48	57.69

Road	Permits
+ Calder Rd	36
+ Lapoinya Rd	32
+ Preolenna Rd	32
+ Mount Hicks Rd	31
+ Pages Rd	31
+ Myalla Rd	29
+ Reservoir Dr	28
+ Fairlands Dr	25
+ Takone Rd	24
+ Maynes Link	19
+ Unknown	18
+ Coal Mine Rd	17
+ Frederick St	17
Total	158

Maximum Vehicle Dimensions

Application Type	Permits	Max Vehicle Height	Max Vehicle Length	Max Vehicle Width	Max Vehicle Mass
+ B-Double	4	4.60	25.00		
+ B-Double - Higher Mass Limit (HML)	25	4.30	25.00		
+ Custom Oversize and/or Overmass (OSOM)	1	4.30	20.23	2.50	37.50
+ Oversize and/or Overmass (OSOM)	71	6.60	45.00	8.00	154.50
+ Performance Based Standards (PBS)	14				
+ Prime and semi-trailer	5	4.60	19.00	3.80	50.50
+ Prime and semi-trailer - Higher Mass Limit (HML)	34	4.60	19.00		
+ Special Purpose Vehicle (SPV)	7	4.51	21.70	3.10	99.40
+ Tow Truck - Underlift/hook	4	3.80	10.60	2.50	
+ Truck and dog	13	4.50	23.00	2.50	62.00

Applications

Consents

Permits

Permit Finder

Help

Works and Services

Project Updates

Various operational and capital works have been completed during this quarter, a selection of images of progress are shown below: -

Storm clean ups were necessary in July and June involving fallen trees on roads from strong winds and debris in coastal reserves from surging seas: -



Footpath construction as part of the 2022/23 capital works program began on Old Bass Highway Wynyard: -





Footpath ramp upgrades on the corner of Inglis Street and Hales Street, Wynyard as part of Council's annual ongoing Footpath ramp upgrades to improve community access



Footpath construction as part of the 2022/23 capital works program linking Goldie Street to Gutteridge Gardens and the wharf area:



Preparation of Tulips in planter boxes and garden beds has commenced in anticipation of the return of the Festival for the first time since 2019



New mulching and plantings at the Wynyard indoor sports centre were completed by our trainees



Upgrade to the junction of Old Mount Hicks Road and Minnie's Link Road with asphalt seal occurred as part of the annual rural road's junction upgrades: -



In partnership with local volunteers the **Goldie Street Heathland plant translocation** to Frederick Street reserve was achieved along with renewal of soft-fall at the Wynyard Childcare centre



Asset Services

Project Updates

During this quarter Council Officers:

- completed and presented to Council for adoption the 2022 review of the Strategic Asset Management Plan (SAMP);
- commenced planning for the 2022/23 revaluation of Council's Urban stormwater asset class;
- progressed building security arrangements for the new Wynyard Waterfront Multi-use Facility;
- progressed expert assessment and reporting on HVAC improvement options for the Wynyard Council Administration Building; and
- are working to complete the annual EOFY asset capitalisation process for 2021/22 Capital Projects including calculation and reporting of depreciation and indexation of valuations for the Transport, Stormwater and Buildings asset classes.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
1.1 We make publicly transparent decisions on spending and future directions while encouraging community feedback.
Our Priorities
1.6.2 Develop leadership that inspires and motivates, and which maintains a strong community and workplace culture.

GOAL 2: Organisational Support
Desired Outcomes
2.1 We are a knowledgeable organisation—we demonstrate best practices in our business processes.
Our Priorities
2.1.1 Develop a learning culture that ensures staff have the knowledge and skills to maximise potential, and which empowers staff to achieve and grow.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Business & Industry	Specialised diversity of the economy – Value adding, diversification, innovation and employment. A resilient economy with global brand recognition and growing exports.
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,

Community Future Direction Theme	Key Challenges & Opportunities:
	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 as a result of this report.

CONSULTATION PROCESS

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

CONCLUSION

That Council note the Corporate Quarterly Information Report for the Infrastructure and Development Services Department.

9.6 AWARD OF CONTRACT 780 - PARK STREET REALIGNMENT AND CAR PARK WORKS

To: Council
Reporting Officer: Manager Engineering Services
Responsible Manager: Director Infrastructure and Development Services
Report Date: 26 July 2022
File Reference: .
Enclosures: 1. April 2022 Closed Session Report - Confidential
2. Tender Assessment Cover Page - Confidential

RECOMMENDATION

That Council award Contract 780 – Park Street realignment and car park works to Hardings Hotmix

PURPOSE

To determine Council's position in relation to tender submissions received for the construction of the Park Street realignment and car parks works associated with the Wynyard IGA Supermarket.

BACKGROUND

Council received concerns from the Wynyard High School Parents and Friends association in 2015 and commissioned a preliminary safety assessment of the Inglis Street/Church Street/Park Street junction.

Following the preliminary report Council commissioned a Central Area Development Plan and through multiple rounds of consultation and feedback with stakeholders an opportunity to combine improving the safety of this junction along with the development plans of the Wynyard IGA supermarket owners was devised.

The final Central Area Development Plan was adopted by Council in May 2019. This tender and subsequent contract form the delivery of these works, jointly funded by Council and the owners of the Wynyard IGA supermarket.

Provision of these works is to be undertaken by an external contract provider, owing to the expense of specialist equipment and skills required, the geometrical constraints of the site, the duration over which the works are to be undertaken and the forecast works scheduling of internal staff.

A call for tenders for provision of these works was published in the Advocate Newspaper and on the Tenderlink website on Wednesday 9 July 2022.

DETAILS

The Contract operates as a Schedule of Rates contract, based upon the anticipated quantities for project as identified within Councils Capital Works program. Tender price comparison and assessment is based upon the submitted total cost to Council to complete the works, given the unit rates submitted.

At the close of tenders on 28 July 2022 thirteen (13) prospective tenderers accessed the tender documents through Tenderlink and two (2) contractors submitted tenders for the works.

Tender submissions were received from;

- Hardings Hotmix
- Civilscape Contracting

Both Tenderers have a demonstrated experience within the industry, have established safety and management systems in place, and have been assessed as competent and capable in the performance of the works for which they have tendered. Both Tenderers have and continue to provide the services associated with this Contract to other Councils within Tasmania.

Each tender received has been assessed against a range of weighted criteria being:

- Criteria A – Tender Sum – 40%
- Criteria B – Project understanding, including quality and completeness of submission – 20%
- Criteria C – Capacity and resources, materials, plant and equipment to complete the works including financial viability – 15%
- Criteria D – Capability and relevant experience of personnel and management – 20%
- Criteria E – Quality management, including WHS, risk and environmental – 5%

Generally, the past services provided to Council by each of these companies have been considered satisfactory, and they have an understanding of the established requirements associated with performance of the works under contract. Each tenderer has provided sufficient evidence to demonstrate their competence and capability to perform the works, however there is a significant difference with the timeframes proposed to deliver the scope of the works.

The tender submission provided by Hardings Hotmix has given a commitment to have the Park Street realignment completed by mid-October and the bulk of the car park works completed and open to the public by the end of November 2022 with subsidiary DDA compliance works on Church Street to be undertaken in December 2022. Civilscape Contracting have provided a commitment to have the Park Street realignment works complete prior to Christmas 2022 with the bulk of the remaining carpark works to be undertaken from January 2023, however absolute start and finish dates have not been provided.

Time sensitivity is critical in delivery of the scope of this project, particularly given the potential user disruptions of prolonged works, commercial nature of the area and the period over which the works are to be undertaken. In this instance it is considered that having completed intersection and carpark works prior to the Christmas and school holiday period is more advantageous to both parties with respect to road safety, traffic and pedestrian continuity and commercial interests.

Accordingly, Hardings Hotmix are recommended to be awarded the contract with a calculated overall price to Council of \$238,886.88.

The owners of the Wynyard IGA supermarket have confirmed their agreement to enter into a joint funded contract as tendered by Hardings Hotmix.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 6: Transport and Access
Desired Outcomes
6.1 Our transport and access network can accommodate the changing needs of our industry and community.
Our Priorities
5.4.2 Ensure evidence-based allocation of infrastructure and land use to enable sustainable growth.

GOAL 6: Transport and Access
Desired Outcomes
6.2 Our transport and access network is sustainable, affordable and fit for purpose.
Our Priorities
6.2.2 Plan for all movements and modes of transport with a fit-for-purpose network.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Business & Industry	Specialised diversity of the economy – Value adding, diversification, innovation and employment. A resilient economy with global brand recognition and growing exports.
Access and infrastructure	Local, regional and global transport and infrastructure access – Safe and efficient access alternatives, growing freight capacity, renewable energy, water management and contemporary communications. Community infrastructure that supports economic development.

POLICY IMPLICATIONS

Whilst it is not policy related, these works strongly support the Central Area Development Plan, adopted by Council in May 2019

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Council's adopted Annual Plan and Budget has provided an estimated total Council contribution to the works of \$282,678.05 for the public infrastructure. When combined with estimated overhead costs of \$19,787, the tender submission received from Hardings Hotmix provides a favourable variation of \$24,003.

RISK IMPLICATIONS

In the conduct of any contract there are risks to Council, including time delays and poor quality of work. The use of experienced contractors coupled with contract documents will

minimise any risk to Council. The broad tender assessment, beyond just price, is intended to mitigate risk.




CONSULTATION PROCESS

Post the 2019 adoption of the Central Area Development plan by Council, the owners of the West End IGA have been closely consulted throughout the design and procurement process of this tender and each of the resident along the affected length of Park Street have been provided with a letter drop. The greater community has been advised through Council's social and media outlets. No further consultation is required to deliver the scope of this contract.

CONCLUSION

The tender submission by Hardings Hotmix for the construction of the Park Street realignment and IGA carpark works is considered the best option available to both Council and the IGA, in taking into consideration all aspects of the tender submission. It is recommended that contract #780 be awarded accordingly.

9.7 CAPITAL WORKS BUDGET AMENDMENTS 2022-23

To: Council
Reporting Officer: Director Organisational Performance
Responsible Manager: General Manager
Report Date: 4 August 2022
File Reference: Financial Management - Annual Plan and Budget - Adopted Budget/s
Enclosures: 1. Works in Progress - Proposed Budgets to be Carried Forward 
2. Revised Estimated Financial Statements 2022-23 
3. Coastal Pathway Project Timeline 

RECOMMENDATION

That Council adopt the:

- 1. Proposed capital works budget amendments (carry forwards) totalling \$9,915,011 as presented;**
- 2. Proposed capital budget amendments totalling \$642,733 as presented; and**
- 3. Revised Estimated Financial Statements for the year ended 30 June 2023, replacing the statements adopted in the Annual Plan and Budget Estimates on 20 June 2022.**

PURPOSE

Revised Estimated Financial Statements and capital expenditure estimates for the year ending 30 June 2023 are provided to Council for consideration.

The adjustments will ensure Council's capital works priorities are reflected in the budget estimates for the year.

BACKGROUND

When Council adopted its Annual Plan and Budget Estimates on 20 June 2022, the estimated capital works expenditure for projects that are ongoing was not known with certainty.

Revised estimates have been prepared to recognise the actual expenditure for projects in progress as at 30 June and the impact of unspent funds on the new financial year.

The budget estimates also include assumptions in relation to final forecasts for balance sheet items (like receivables and payables). The revised estimated financial statements also allow for an updated forecast as at 30 June 2023 based on final known balances of assets and liabilities as at 30 June 2022.

On adoption; the revised estimates will supersede those previously adopted as part of the Annual Plan and Budget adopted at the 20 June 2022 meeting.

DETAILS

This report is prepared annually following the end of the financial year for Council to consider and align its budget estimates with the expected completion of the capital work projects that were in progress as at 30 June.

The revised Estimated Financial Statements reflect updated cashflow estimates considering decisions made by Council since budget adoption (where applicable), changes to the expected timing of capital grants, and changes relating to the timing of completion of projects.

Any known material variances to the capital budget are also adjusted for to ensure that Council's Cash Flow estimates are accurate. Should no adjustments be made, Council's capital works priorities will not reflect Council's actual priorities for the year.

Capital Works Budget Amendments

Capital works budget amendments include budgets carried over for projects that are ongoing as at 30 June and a number of other budget amendments listed below.

The revised capital expenditure estimates result in an increase in expenditure of \$10,557,744 throughout 2022-23. \$9,915,011 relates to the timing of project funding budgeted for the last financial year and unspent as at 30 June 2022 (discussed below). \$642,733 relates to proposed budget amendments (Discussed below).

Original budgeted capital works expenditure 2022-23	\$11,411,024
Add: Budgets Carried Forward for Works in Progress	\$9,915,011
Add: Other budget amendments	\$642,733
Revised budgeted capital works expenditure 2022-23	\$21,968,768

Carry Forward Budget Changes

The increase of \$9,915,011 to reflect changes in the carry forward budget relate purely to the timing of project completion and the associated cash outflows. There are a total of 35 projects that are ongoing. Projects have been delayed for a variety of reasons including longer permit and approval times, construction delays, attraction of contractors, long lead times for plant and equipment, covid workforce impacts (both internal and external) and material shortages. Cost increases are evident across many capital projects.

A detailed list of budget amendments relating to carry forward capital works is **attached**.

Other Capital Budget Amendments

Other budget amendments include total funds required to complete projects already commenced and decisions made by Council since the budget was adopted on 20 June and/or throughout the 2021/22 financial year. They also include revisions to existing budgets following updated project expenditure forecasts. The following are recommended adjustments to the adopted capital budget:-

Description	Amount	Note:
ANZAC Park All-ability Playground	\$1,342,162	1

Description	Amount	Note:
Coastal Pathway	(\$1,983,060)	2
Yacht Club Pontoon and Boat Ramp	\$144,500	3
Stairway Replacement - Adjacent to 276 Port Road	\$11,694	4
Boat Harbour Beach - Western Seawall Repair	\$11,260	4
Somerset Foreshore Traffic Impact Assessment	\$200,000	5
Yolla Public Toilet	\$193,169	5
Calder Road - Bridge Replacement (Blackfish Creek)	(\$91,619)	6
Cardigan Street Recreation Ground - Lighting Upgrade	\$30,000	6
Multi-use Community Facility Works (Yacht Club)	\$433,000	7
Big Creek	\$201,627	8
Boat Harbour Beach Master Plan – Planning, Survey & Design	\$150,000	9
Total	\$642,733	

Note 1 The 2021-22 budget allocation of \$1,244,678 was for the first stage of this project only. The project is well underway and will be completed in full throughout the 2022-23 financial year.

The budget revision brings to account the full project expenditure. The full budget for the 2022-23 financial year is \$1,843,535 (after also accounting for budget available from 2021-22 to carry forward). The total project expenditure is \$2,586,839 is in line with that previously reported to Council in October 2021.

Note 2 The original budget estimates adopted by Council reflect completion of the Coastal Pathway in the 2022-23 financial year. It's proposed that the budget for this project be staged in line with the expected timeline for works delivery.

The project has commenced and it is in the planning stage with design of pathway and coastal erosion structures, environmental assessments, and planning approvals to occur before the anticipated tender process commencing in Dec 2022/Jan 2023.

The project plan anticipates the project to be completed in September 2024. The full project costs will be known with greater certainty following the tender evaluations and will be presented to Council for budgetary consideration when Council considers the tenders. \$103,057 has been spent

on the project to date with a further \$200,000 expected to be spent throughout the 2022-23 financial year for design and planning related tasks.

- Note 3 The budget for the Yacht Club Pontoon was adopted by Council in June 2022. The budget adopted was for Council's net contribution of \$132,242. The full project expenditure as reported to Council in June 2022 is \$276,742 with capital funding having been secured of \$144,500. The budget amendment is administrative in nature to reflect the gross capital expenditure expected. A corresponding adjustment has been made to capital funding. The result of the budget amendment remains a net cash contribution by Council of \$132,242.
- Note 4 These project budgets have been increased to reflect the total known forecast remaining expenditure. The projects will be over the original budget adopted by Council (by the amount of the budget amendment).
- Note 5 These projects are presented in this agenda for formal Council consideration.
- Note 6 These project budgets have been increased to reflect the total known forecast expenditure as a result of recent tender processes.
- The projects are amended to reflect known project costs following a tender and any associated project variations.
- Note 7 An additional allowance has been allowed for the immediate seawall and car park works at the Multi-use Community Facility (Yacht Club) of \$433,000. This allows for variations to the project plan and material cost increases experienced in the market.
- Note 8 An additional budget allowance is included for the Big Creek flood mitigation works. The costs for this project have varied due to a land acquisition requirement. The project is yet to go to tender and is therefore subject to market variability.
- Note 9 The Boat Harbour Beach Master Plan includes a proposed upgrade to the surf club and civil works. A \$150,000 allocation has been included to allow for planning this future strategic project, including design, planning, civil plans, relevant assessments and project management time.

Revised Cash as at 30 June 2023

Council's revised estimated of cash held as at 30 June 2023 is \$4,283,593 an increase of \$241,306. A reconciliation of the main changes to the change is detailed as follows:

Original budgeted cash as at 30 June 2023	\$4,042,287
Changes in opening cash position	10,423,529
Adjustments to capital works expenditure	(10,557,744)
Operational Grant Funding	(160,000)
Capital Grant Funding	\$375,681
Revised budgeted cash as at 30 June 2023	\$4,283,593

The above reconciliation contains adjustments to recognise a change in the opening cash position based on the June 2022 actual cash balance rather than the forecast at the time of setting the budget. Changes are a result of changes in payables and receivables as at 30 June, and differences between the actual operating results compared to the forecast result at the time the budget was adopted. It also includes unspent capital funding

The capital funding adjustment relates to the timing of capital grants.

STATUTORY IMPLICATIONS

Statutory Requirements

The *Local Government Act 1993* provides:

82. Estimates

- (1) *The general manager must prepare estimates of the council's revenue and expenditure for each financial year.*
- (2) *Estimates are to contain details of the following:*
 - (d) *the estimated capital works of the council;*
- (4) *A council may alter by absolute majority any estimate referred to in subsection (2) during the financial year.*

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
1.2 We maintain and manage our assets sustainably.
Our Priorities
1.5.2 Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The overall financial impact of the budget amendments is an increase in estimated capital expenditure of \$10,557,744.

Council's revised estimate of cash held as at 30 June 2023 is \$4,283,593, an increase of \$241,306.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

CONCLUSION

It is recommended that Council adopt the proposed capital works budget amendments totalling \$9,915,011 as presented, the proposed capital budget amendments totalling \$642,733 as shown, and the revised Estimated Financial Statements for the year ended 30 June 2023.

The adjustments will ensure Council's capital works priorities are reflected in the budget estimates for the year.

9.8 SENIOR MANAGEMENT REPORT

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	22 July 2022
File Reference:	1312
Enclosures:	Nil

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 9 July 2022 to 5 August 2022.

Corporate

- Council's Enterprise Agreement 2022 has been approved by the Fair Work Commission. A mention, before Deputy President Gostencnik, was held to discuss one particular clause which required variation, otherwise the agreement was accepted without change.
- Met with the General Manager of Circular Head Council, Vanessa Adams to continue discussions regarding resource sharing, existing arrangements and future opportunities.
- The Acting General Manager and Councillors attended a meeting with the Minister for Local Government
- Undertook a number of performance appraisals for direct reports

Community

- Met with representatives of Spencer Park who provided an overview of future plans for the entity
- Met with the CEO of the Tasmanian Minerals, Manufacturing and Energy Council, Ray Mostogl, to explore community engagement opportunities
- Met with representatives of Creative Paper to discuss its future in the region
- Attended a meeting of the Boat Harbour Beach Working Group
- Met with a developer regarding Council land access for a proposed development at Boat Harbour Beach

Industry

- Met with Regional Development Australia and Circular Head Council regarding the National Farmers Federation regional development precincts concept
- Met with representatives of the Tasmanian Government's Renewables, Climate and Future Industries Tasmania department to discuss the operations of the team with a focus on Renewable Energy Zones
- With Councillors, met with the Labor Party's Economic Team Anita Dow MP, Rebecca White MP and, Janie Finlay MP to discuss the State Budget, local government and planning, the Tasmanian Economy and an update on Councils priorities and issues important to the community.

Other

- Nil

ADMINISTRATION – Use of Corporate Seal

NIL		

POLICIES TO BE RESCINDED

Nil

WORKING GROUPS

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

	Elected Member Representatives	Responsible Officer(s)	Status
Wynyard Show Grounds	Cr Bramich Cr Edwards Mayor (ex-officio)	General Manager Recreation Liaison Officer Executive Officer (GM office)	No change from last meeting. Not likely to meet until after the local government elections.
Somerset Sporting Precinct	Cr Duniam Cr Hyland Mayor (ex-officio)	General Manager Manager Community Activation Recreation Liaison Officer	Options Review Paper presented and noted by council at the June meeting. Consultation is deferred until early 2023, the results of which will inform decision-making for the sporting precinct.
ANZAC Park		Director Community & Engagement	Construction has commenced. Group unlikely to meet again.
Boat Harbour Masterplan	Cr Courtney Cr Fairbrother Cr Bradley Mayor (ex-officio)	General Manager Executive Officer (GM office)	Detailed design, Crown Land Approvals and various reports required for a development application are being prepared. Group continues to meet as required

PLANNING PERMITS APPROVED UNDER DELEGATION - JULY 2022

DA No.	Applicants Name	Location	Development	Date Permit Issued	No of Days to Process	(D)Discretionary (P)Permitted
DA 58/2022	6ty Pty Ltd	1B Hogg Street Wynyard	Multiple Dwellings (21 Units)	05.07.2022	42	D
SD 2151	PLA Designs Pty Ltd	139 Calder Road & 194 Oldina Road Wynyard	Subdivision (2 into 2 lots)	11.07.2022	42	D
DA 105/2022	PLA Designs Pty Ltd	18 Moore Court Wynyard	Dwelling, Ancillary Dwelling & Outbuilding (Shed)	18.07.2022	42	D
DA 133/2022	Abel Drafting Services P/L	209 Nelsons Road Lapoinya	Dwelling Extension	20.07.2022	31	D
DA 131/2022	PLA Designs Pty Ltd	6 Thousand Hills Vista Sisters Beach	Dwelling & Outbuilding (Shed)	20.07.2022	30	D
DA 113/2022	R L Hogge	55 Lennah Drive Wynyard	Dwelling Extension	20.07.2022	32	D
DA 132/2022	Abel Drafting Services P/L	70 Hales Street Wynyard	Outbuilding (Shed)	20.07.2022	30	D
DA 126/2022	Waratah-Wynyard Council	29 Myalla Road Sisters Creek	Visitor Accommodation (12 x Self-Contained RV Camping)	20.07.2022	42	D
DA 140/2022	Abel Drafting Services P/L	109 Back Cam Road Somerset	Outbuildings (Carport & Shed)	28.07.2022	28	P

BUILDING PERMITS APPROVED – JULY 2022

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
BLD-W-2022-21-01	JD2 Consulting	Mine Road Savage River	Shed – Warehouse- Store	05/07/22	0	DA 187/2021
PSC-W-2019-3-01	Fairbrother Investments Pty Ltd	12 Lewis Street Wynyard	Workshop - Addition	28.07.2022	1	DA 108/2019


COUNCIL MEETING ACTIONS – OPEN COUNCIL

DATE	ITEM	TOPIC	ACTION/STATUS	OFFICER	STATUS
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 existing access running through Crown Land. No further progress.</i>	MDRS	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>Contract has been awarded to River Road Consulting to review Council's planning services. Expected to be completed within 6-8 weeks from commencement. Initial meeting, scheduled in July was deferred.</i>	GM	Complete
16/11/20	7.3.6	CQWON – Cr Courtney – Expenditure Monitoring	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. <i>A broader discussion on financial reporting will be undertaken following the election.</i>	DOP	Deferred
15/11/21	9.6	ROC – Future Use of 0 Ballad Avenue, Wynyard (187575)	Motion Carried - That Council: 1. note the Flora and Fauna Assessment Report for 0 Ballad Avenue, Wynyard. 2. instruct Council Officers to register the natural values identified at the site with the Department of Primary Industries, Parks, Water and Environment (DPIPWE) to inform future development compliance. 3. instruct Council Officers to continue to undertake appropriate weed containment management measures to prevent the spread and future occurrence of controlled weeds; and 4. defer the expression of interest for sale or development of the land for residential purposes in order to undertake an assessment into the site's suitability for other public recreational uses whilst preserving the natural values identified in the flora and fauna assessment. <i>Options are still being explored with report to be presented to Council in coming months.</i>	DOP	Progressing
21/2/22	8.3	NOM – D Fairbrother – Planning Matters	1. That Council writes to the respective Ministers and or State Government bureaucrats to request a review of the planning and building rules to provide for the following:	DIDS	Yet to commence

			<ol style="list-style-type: none"> a. Sufficient water storage for both domestic household use and water storage for firefighting purposes in landslip b areas and suggest as a minimum 20,000 L (10,000+10,000) for this purpose. b. Repair, replacement and renovation of existing buildings in areas of designated landslip A; and <ol style="list-style-type: none"> 2. Make representation to state cabinet members, local members of the house of assembly and local legislative councillors etc seeking their support for such changes 		
18/7/22	5.1.1	PQWON – T Lock – Cr Fairbrother	<p>Mr Tony Lock of Boat Harbour asked two questions of Cr Fairbrother:</p> <ol style="list-style-type: none"> 1. Are you Cr Fairbrother prepared to give our Council and Community the reassurance that you will seek the help that you so desperately are in need of and stop playing the victim? 2. Can Cr Fairbrother also kindly explain why he feels justified in staying on as a Councillor given the nature of his crimes and given the fact that he is no longer welcome by anyone to represent us? <p>The questions were taken on notice</p>	DF/GM	Progressing
18/7/22	7.1.2	PQWON – Planning Meeting C Hutchison	<p>Mr Hutchison asked if Council have any other former employees or mates living in the River Road vicinity who would benefit from such proposed rezoning of their property?</p> <p><i>Refer response this agenda</i></p>	MDRS	Complete
18/7/21	8.3.1	CQWON – Cr Bradley – Salmon Fishing	<p>Cr Maureen Bradley asked if Council was going to do anything or educate themselves on the environmental damage to Coastlines caused by Salmon Farming.</p> <p>The question was taken on notice</p> <p><i>Refer response this agenda</i></p>	GM	Complete
18/7/22	8.2.2	CQWON – Cr Courtney – Request for Public Apology	<p>Cr Andrea Courtney requested that officers write to Burnie City Council demanding a public apology from Cr Ken Dorsey over comments made in the media following the June Meeting of Council, regarding the treatment of Cr Fairbrother, and that he retracts disparaging comments made about Councillors. Cr Courtney also requested an apology of Cr Bradley for similar comments made on social media regarding the treatment of Cr Fairbrother.</p> <p>The mayor asked Cr Bradley if she wished to respond to Cr Courtney's question and Cr Bradley took the question on notice</p> <p><i>Refer response this agenda</i></p>	GM	Complete
18/7/22	8.2.3	CQWON – Cr Bramich – Letter to Premier re Cr Fairbrother	<p>Cr Gary Bramich asked that Council to write to the Premier requesting a meeting with him regarding Cr Fairbrother to investigate options.</p> <p><i>A letter was sent to the Premier on 3 August.</i></p>	GM	Complete

9.9 MINUTES OF OTHER BODIES/COMMITTEES

9.9.1 AUDIT PANEL ANNUAL REPORT 2021/22 AND ANNUAL WORK PLAN

To: Council
Reporting Officer: Information Management Officer
Responsible Manager: Director Organisational Performance
Report Date: 26 July 2022
File Reference: Audit Panel
Enclosures: 1. Audit Panel Annual Report 2021-22 
2. Audit Panel Annual Work Plan 

RECOMMENDATION

That Council:

1. note the Annual Report of the Audit Panel for the 2021/22 financial year; and
2. note the Annual Work Plan for the joint Audit Panel.

PURPOSE

The Audit Panel Chairperson provides an Annual Report to Council on the Audit Panel's activities and achievements for the previous 12 months and is presented to Council for noting.

BACKGROUND

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

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

The current members of the Shared Panel are:

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

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

DETAILS

Annual Report

The Chair of the Audit Panel, Mr John Howard, has provided an Annual Report summarising the Panel's activities for the 2021/22 financial year as well as a copy of the adopted Annual Work Plan jointly developed for both Waratah-Wynyard and Circular Head Councils.

A copy of the Annual Report and the Annual Work Plan are attached.

STATUTORY IMPLICATIONS

Statutory Requirements

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

Section 85A of the Act details the Audit Panels' functions to include review Council's performance concerning financial systems, financial management, governance arrangements, policies, systems and controls, and all plans required under Part 7 of the Act. Section 85B of the Act provides for Ministerial Orders to specify Audit Panels' requirements beyond those required under Section 85A.

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance	
Desired Outcomes	
We maintain and manage our assets sustainably.	
We cherish fairness, trust and honesty in our conduct and dealings with all.	
We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making.	
We are recognised for proactive and engaged leadership.	
Our Priorities	
1.5	Build our knowledge base to apply in decision-making processes.
1.6	Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.
1.7	Develop leadership that inspires and motivates, and which maintains a strong community and workplace culture.
1.8	Review and adjust service levels to provide value for money.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Governance and working together	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

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

FINANCIAL IMPLICATIONS

There are no financial implications in this recommendation.

Costs associated with the Audit Panel are approximately \$11,000 per annum.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

Not applicable.

CONCLUSION

It is recommended that Council note the Audit Panel Annual Report and Work Plan.

10.0 MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING

RECOMMENDATION

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

Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting	15 (2)
Confidential Report R15 (2) (c (i)) commercial information of a confidential nature, that if disclosed, is likely to-prejudice the commercial position of the person who supplied it Audit Panel Membership	15 (2) (c (i))
Confidential Report R15 (2) (h) - Leave of Absence Request – Councillors Nil received	15(2)(h)
Confidential Report R15 (2) - Closed Senior Management Report	15(2)

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:

Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting	15 (2)
Confidential Report R15 (2) (c (i)) commercial information of a confidential nature, that if disclosed, is likely to-prejudice the commercial position of the person who supplied it Audit Panel Membership	15 (2) (c (i))
Confidential Report R15 (2) (h) - Leave of Absence Request – Councillors Nil received	15(2)(h)
Confidential Report R15 (2) - Closed Senior Management Report	15(2)

12.0 RESUMPTION OF OPEN MEETING

At pm the Open Meeting was resumed.

13.0 PUBLIC RELEASE ANNOUNCEMENT

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

Min. No.	Subject	Decisions/Documents

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