



**ORDINARY MEETING
OF COUNCIL**

**AGENDA
OPEN MEETING**

26 September 2022

21 September 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 26 September 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

21 September 2022

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

Dear Shane,

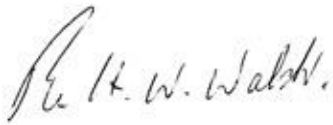
COUNCIL MEETING

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 26 September 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 26 SEPTEMBER 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

NOTE: CR DARREN FAIRBROTHER HAS BEEN SUSPENDED 15/8/22 – 15/11/22.

1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil received.

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING
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Legislative Reference:

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

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

(b) Confirmation of the minutes.

2.1 CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY COUNCIL MEETING

RECOMMENDATION

That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at Council Chambers, 21 Saunders Street, Wynyard on Monday 15 August 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.

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

It is great sadness that we note the passing of Her Majesty Queen Elizabeth II. Waratah-Wynyard Council joins the rest of Tasmania, Australia and the world in passing on its sympathies and condolences. Our thoughts are with her family at this very sad time.

For 70 years, Queen Elizabeth led through good times and in more challenging times and has been a constant throughout our lives. I have very fond memories of our Queen in 1953 as a seven year old school boy; I stood on the tarmac at the Wynyard Airport with all of the students from the Wynyard State School waving the flag to welcome Her Majesty as she left the aircraft and proceeded to walk to the terminal on her visit to the North West Coast of Tasmania.

Her Majesty brought calmness, resolution and professionalism to her role. The Queen will be remembered for her dedication to public duty, to service and the people of the Commonwealth during times of great change throughout her 70-year reign.

4.2 MAYOR'S COMMUNICATIONS

RECOMMENDATION

That Council note the Mayors Communications

10/8/22	Media - The Advocate: Launch new augmented reality game
10/8/22	Meeting with General Manager
11/8/22	Meeting With General Manager State Roads
15/8/22	Council Meeting
16/8/22	Meeting with General Manager
16/8/22	Media - ABC Radio: Tulip Festival
18/8/22	Vietnams Veterans Service ANZAC Park
22/8/22	Citizenship Ceremony
22/8/22	Councillor Workshop
23/8/22	Meeting with General Manager
23/8/22	Audit Panel Meeting
23/8/22	Media – the Advocate: Promote Tulip Festival Gopher Race
29/8/22	Future of Local Government Review – Interview
30/8/22	Meeting with General Manager
31/8/22	New Councillor Information Session – Wynyard
31/8/22	Cradle Coast Mayors Meeting
1/9/22	New Councillor Information Session – Waratah
5/9/22	Media: FM Radio Interview
6/9/22	Meeting with General Manager
10/9/22	NWFL Grand Final Function
12/9/22	Councillor Workshop
13/9/22	Cradle Coast Authority Representatives Meeting
15/9/22	LGAT Mayors Function
16/9/22	LGAT General Meeting

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

22/8/22	Health & Well Being Strategies Future of Local Government End of Financial Year Results
12/9/22	Sustainability and Environmental Advisory Panel LGAT General Meeting Agenda CCA Representatives Meeting Agenda OSSR Wynyard Sports Precinct planning ANZAC Park

Councillor Attendance Records

Meetings attended during 2022/23 (to 12/9/22)

	Ordinary Meetings 2022/23 (2)	Special Meetings / AGM 2022/23 (0)	Workshops 2022/23 (6)	Community Conversations 2022/23 (0)	Weeks Leave Approved
Mayor Robert Walsh	2	0	5	0	
Deputy Mayor Mary Duniam	2	0	5	0	2
Cr Maureen Bradley	2	0	6	0	
Cr Gary Bramich	2	0	6	0	
Cr Andrea Courtney	2	0	5	0	
Cr Celisa Edwards	2	0	5	0	
Cr Darren Fairbrother	0	0	0	0	Suspended 15/8/22 – 15/11/22
Cr Kevin Hyland	1	0	6	0	

5.0 PUBLIC QUESTIONS AND STATEMENTS**5.1 RESPONSE(S) TO PUBLIC QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING****5.1.1 C HUTCHISON - WYNYARD SPORTS PRECINCT****QUESTION**

Mr Hutchison of Preolenna asked various questions regarding the Wynyard Sporting Precinct Plan.

- What is the status of the Wynyard Sports Precinct?
 - The General Manager advised that the plan has been adopted and Council Officers are working with stakeholders to progress design and other matters.
- Has the Education Department or Minister agreed to the actions of the plan?
 - The General Manager advised that the Plan has been adopted by Council and officers are now working with all key stakeholders, including the education department and specifically the Wynyard High School to progress approvals, final designs and operational matters.
- Who will be responsible for maintenance?
 - The General Manager advised those determinations will be made as part of negotiations taking place at moment.
- Has the Education Department or Minister signed off actions of the plan, is there an MOU in place?
 - The General Manager advised he was unsure what paperwork had been signed and took the question on notice.

OFFICERS RESPONSE

To finalise the response above, officers advise that letters of support for the project have previously been received from the Department of Education and the Wynyard High School. An email confirming in principle support for the project has also been received from the Department of Education. These letters were received 5 October 2021.

Council officers are in the process of finalising a Memorandum of Understanding with key stakeholders for the precinct, which will be followed by development of formal agreements.

5.2 PUBLIC QUESTIONS RECEIVED IN WRITING

Nil received.

5.3 PUBLIC QUESTIONS WITHOUT NOTICE

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.

5.4.1 M CROPPER - MESSAGE TO COUNCIL

M CROPPER OF WYNYARD PROVIDED THE FOLLOWING STATEMENT:

AS A RATEPAYER I WISH TO EXPRESS MY THANKS TO OUR MAYOR AND SIX (6) REMAINING COUNCILLORS, ALONG WITH THE GENERAL MANAGER AND STAFF.

IT HAS BEEN A VERY TRYING TIME FOR ALL OF THEM AND I APPRECIATE THE WAY IN WHICH THEY HAVE RESPONDED TO THE CHALLENGES ON BEHALF OF THE COMMUNITY.

WELL DONE!

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 DWELLING, ANCILLARY DWELLING & RETAINING WALL LOCATED AT 1 SHELTER POINT COURT, BOAT HARBOUR BEACH - DA 95/2022

To: Council
Reporting Officer: Town Planner
Responsible Officer: Manager Development and Regulatory Services
Report Date: 16 August 2022
File Reference: 9688939
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 dwelling, ancillary dwelling, water tank and retaining wall at 1 Shelter Point Court, Boat Harbour Beach 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: 2021-9 as prepared by Rosene Cox Building Design & Drafting and dated 22 March 2022.
2. The ancillary dwelling is appurtenant to the main dwelling and is not to be occupied by a separate household.
3. All development, including eaves and/or minor protrusions, must be located within the boundaries of the site.
4. Consent is for two (2) on-site vehicle parking spaces beneath the proposed carport only.
5. 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.
6. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
7. Loading and unloading of vehicles is to be confined to within the boundaries of the property.
8. Stormwater from the development is to be connected and discharged into Council's stormwater drainage network.
9. Control measures are to be installed for the duration of the demolition and construction 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 95/2022. 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 & Administrative Tribunal (TASCAT), G.P.O. Box 2036, Hobart, 7001 (<mailto:resourceplanning@tascat.tas.gov.au>). Updated Notices of Appeal are available on the Tribunal’s website at <https://www.tascat.tas.gov.au/>.

PURPOSE

The purpose of this report is for Council to consider the merits of the application DA 95/2022 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013*.

BACKGROUND

The subject site is located at 1 Shelter Point Court, Boat Harbour Beach and it is located within the Low-Density Residential zone. It comprises 547m² and is a corner lot with frontage onto both Port Road and Shelter Point Court. The site is currently vacant.

Both the adjoining title to the south-west and lots to the north-west across Shelter Point Court are also vacant. The adjoining title to the south-east, 295 Port Road, contains a dwelling under construction. Land to the north-east across Port Road contains a coastal reserve administered by Crown Land Services and zoned Environmental Management.

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 a dwelling, ancillary dwelling and retaining wall.

The proposed dwelling has a floor area of 195m² and a maximum height of 4.653m. It comprises a combined kitchen/dining space, living room, main bedroom with ensuite, additional three bedrooms, laundry/bathroom with separate toilet and outdoor shower. The dwelling also includes a 30m² carport, 24m² roofed deck and 21m² unroofed deck.

The ancillary dwelling has a floor area of 28m², a maximum height of 3.164m and comprises an open studio with kitchenette and separate bathroom. Both the dwelling and ancillary dwelling are clad and roofed in a mix of Colorbond, brick veneer, cement and weatherboard.

The dwelling is setback 1.042m from Shelter Point Court to the north-west, 3.324m from Port Road to the north-east, 0.9m from the south-eastern side boundary and 7.477m from the south-western side boundary. The ancillary dwelling is setback 2.21m from Shelter Point Court and abuts the south-western side boundary.

The retaining wall has a maximum height of 1.4m and runs along the boundary to Port Road. It extends in both directions along portions of the frontage to Shelter Point Court and the south-eastern side boundary. A 30kL water tank is also proposed for the southern corner of the site.

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 Low Density Residential under the Planning Scheme. The proposal is defined as a Residential Use Class. This is a Permitted use within the zone, should the application meet all the relevant Acceptable Solutions. The proposal does not comply with all the acceptable solutions. The applicant is applying for discretion under the following Clauses of the Planning Scheme:

- 12.4.3 Location and Configuration of Development (P1, P2, P3);
- 12.4.6 Frontage fences; and
- E9.5.1 Provision for parking (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;
- Title documents x 12 Pages;
- Supporting letter x 3 Pages; and
- Proposal plans x 24 Pages.

The period for representations closed on 29 August 2022. One (1) representation was subsequently received. A map demonstrating the relationship between the subject site and the adjacent landowners is shown in Figure 2.



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

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

Issues raised:	Response:
<p>Being a new subdivision there is no precedent for having a habitable dwelling built on the boundary with no setback.</p> <p>I am unaware of any habitable buildings in Boat Harbour built on the boundary and believe that there should be a minimum setback of 0.9m, ideally the standard 1.5m.</p>	<p>There are several other properties in Boat Harbour Beach containing dwellings built on the boundary line. These include 13, 14 and 15 Moore Street, 14 Cummings Street, 5 Morton Street, as well as 264, 272, 274, 279 and 314 Port Road. The other dwelling approved in the street; 6 Shelter Point Court (DA 97/2021) also varied side boundary setbacks.</p> <p>Acceptable solution A2 for Clause 12.4.3 of the Planning Scheme permits development as close as 0m from a side boundary under the permitted pathway provided certain conditions are met. The ancillary dwelling complies with the height and overshadowing conditions but</p>

	<p>extends along more than 1/3 of the 14.25m long south-western boundary and therefore requires assessment against the applicable performance criteria. This includes consideration of issues relating to overshadowing, visual impact and separation between buildings.</p> <p>At 2.9m on the elevation facing the representors property, the ancillary dwelling is only 0.8m higher than the height of boundary fencing which can be erected without permission from Council. As shown in Figure 3, the majority of shade cast onto the representors property will be as a result of future boundary fencing.</p> <p>Please see the relevant section under Clause 12.4.3 of the Planning Assessment below for a full discussion of how the proposal satisfies the performance criteria.</p>
<p>The application has also been submitted with eaves overhanging the boundary. I have spoken with Council staff about this and they have advised this will be amended. However, there is no clear height on the plans regarding the southern measurement. At a minimum I believe this needs to be under 3m as specified in 12.0 low density residential zone, figure 12.4.3.</p>	<p>The site plan submitted with the application shows the ancillary dwelling abutting the south-western boundary. The site plan is unclear whether the shape shown represents the floor area (measured wall to wall) or roofed area. The elevation plans show eaves which extend beyond the wall of the ancillary dwelling. Unlike the General Residential zone, eaves and similar protrusions are not excluded from setback requirements.</p> <p>A condition is recommended to be included on any permit issued requiring all development including eave overhang to be located within the boundaries of the site. Should a permit be granted, and the developer need to move the ancillary dwelling further north to accommodate eaves this would be considered substantially in accordance with endorsed plans and would not require an amendment.</p> <p>Regarding the height of the ancillary dwelling, the elevation plans show that the building has a maximum height of 3.164m with a roof pitch of 3°. With a run of approximately 4.5-5m, the shorter elevation facing the representor's property has a maximum height of approximately 2.9m, less than the 3m maximum under Acceptable Solution A2 for Clause 12.4.3 of the Planning Scheme.</p>
<p>The properties at Boat Harbour are a premium price and I believe that a 7m long 3m high dwelling, with a fire wall would significantly</p>	<p>Clause 8.10 of the Planning Scheme sets out the matters which Council must have regard to when determining applications. This includes</p>

<p>devalue 3 Shelter Point Court and not fit in with precedent set for the area on a whole.</p>	<p>the content of any representations received, but only insofar as the content relates to the particular discretions being exercised.</p> <p>Potential impact on property values is not a relevant consideration under the Planning Scheme.</p> <p>The south-western elevation of the ancillary dwelling currently contains a small highlight window. Should a permit be granted a building surveyor may require this window to be removed as the property is in a bushfire prone area.</p> <p>Should this occur, the change would be considered substantially in accordance with endorsed plans and would not require an amendment provided there was no increase in length or height of the elevation facing the representor's property.</p> <p>The ancillary dwelling is clad and roofed in Colorbond and its appearance is more akin to a small outbuilding. There is sufficient space on the representor's property for a future dwelling appropriately separated from the ancillary dwelling.</p>
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INTERNAL REFERRALS

Engineering Services Department

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

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

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

EXTERNAL REFERRALS

The proposal did not require any external referrals.

PLANNING ASSESSMENT

The subject site is zoned Low Density Residential under the *Waratah-Wynyard Interim Planning Scheme 2013*. The use is a Residential Use which is a Permitted use within the Low Density Residential zone, should the application meet all the relevant acceptable solutions of the planning scheme.

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

An assessment of the proposal against the applicable clauses for the Low-Density Residential Zone and relevant Codes is provided below.

12.4.3 Location and configuration of development

<p>A1</p> <p>The wall of a building must be setback from a frontage –</p> <ul style="list-style-type: none"> (a) not less than 4.5m from a primary frontage; and (b) not less than 3.0m from any secondary frontage; or (c) not less than and not more than the setbacks for any existing building on each of the immediate adjoining sites; (d) not less than for any building retained on the site; (e) in accordance with any building area shown on a sealed plan; or (f) if the site abuts a road shown in the Table to this Clause, the setback specified for that road. 	<p>P1</p> <p>The setback of a wall of a building from a frontage must be –</p> <ul style="list-style-type: none"> (a) consistent with the streetscape; and (b) required by a constraint imposed by – <ul style="list-style-type: none"> (i) size and shape of the site; (ii) orientation and topography of land; (iii) arrangements for a water supply and for the drainage and disposal of sewage and stormwater; (iv) arrangements for vehicular or pedestrian access; (v) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme; (vi) a utility; or (vii) any lawful and binding requirement – <ul style="list-style-type: none"> a. by the State or a council or by an entity owned or regulated by the State or a council to acquire or occupy part of the site; or b. an interest protected at law by an easement or other regulation
<p>Planning Comments: Complies</p>	

Assessment against P1 for this Clause is required in relation to the setback of the proposed dwelling from both Shelter Point Court and Port Road and for the setback of the ancillary dwelling from Shelter Point Court.

The site is a corner block with a truncated frontage onto Shelter Point Court and frontage onto Port Road. The lot to the north-west across Shelter Point Court and the adjoining lot to the south-east contain dwellings currently under construction. Land north of Port Road is a coastal reserve and the title to the south-west is vacant.

Due to the dimensions of the subject site, which is a corner lot, there is insufficient space to locate the proposed development and comply with setback requirements for all title boundaries. The section of the dwelling which protrudes beyond the permitted building envelope for the Shelter Point Court setback is constrained to a corner of the open carport and a 1.8m high brick wall forming the exterior of the outdoor shower. It does not apply to the entire elevation.

Similarly, the main bulk of the dwelling complies with the permitted setback from Port Road. The protruding portions are restricted to the northernmost sections of the roofed deck and living area.

The ancillary dwelling is 2.2m from the boundary to Shelter Point Court but does not present as a prominent building due to the corner truncation, width of road reserve and its position behind the building line of the main dwelling.

Dwellings at 303 and 307 Port Road are located 2m or less from their respective frontages. The setback of the proposed dwelling is largely consistent with the streetscape.

In this manner, the proposal satisfies P1 for this Standard.

<p>A2</p> <p>All buildings must be contained within a building envelope determined by</p> <ul style="list-style-type: none"> (a) the applicable frontage setback; (b) if the site is in a locality shown in the Table to this Clause, not less than the setback distance specific from the feature specified; (c) projecting a line at an angle of 45° from the horizontal at a height of 3.0m above natural ground level at each side boundary and at a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level if walls are setback (i) not less than 1.5m from each side boundary; or (ii) less than 1.5m from a side boundary if wall height is not more than 3.0m; and – <ul style="list-style-type: none"> a. built against an existing wall of an adjoining building; or b. the wall or walls 	<p>P2</p> <p>Building height and location of a building in relation to a frontage and site boundaries must</p> <ul style="list-style-type: none"> (a) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling; (b) minimise the apparent scale, bulk, massing and proportion relative to any adjacent building; (c) be consistent with the streetscape; (d) respond to the effect of the slope and orientation of the site; and (e) provide separation between buildings to attenuate impact
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<ul style="list-style-type: none"> i. have the lesser of a total length of 9.0m or one third of the boundary with the adjoining land; ii. there is no door or window in the wall of the building; and iii. overshadowing does not result in <ul style="list-style-type: none"> a. less than 2 hours of continuous sunlight to a required minimum private open space area in an adjacent dwelling between 9.00am and 3.00pm on 21st June; or b. a further reduction in continuous sunlight to a required minimum private open space area in an adjacent dwelling if already less than 2 hours between 9.00am and 3.00pm on 21st June; or <p>(d) in accordance with any building envelope shown on a sealed plan</p>	
<p>Planning Comments: Complies</p> <p>The proposed dwelling does not comply with the permitted setback from Shelter Point Court, Port Road or the south-eastern boundary. The proposed ancillary dwelling does not comply with the permitted setback from Shelter Point Court and the south-western boundary. The water tank is less than the minimum 0.9m from a boundary under the exemptions contained in Clause 5.6.7 of the Planning Scheme. Assessment against Performance Criteria P2 is therefore required.</p> <p>The site is a corner block with a truncated frontage onto Shelter Point Court and frontage onto Port Road. The lot to the north-west across Shelter Point Court and the adjoining lot to the south-east contain dwellings currently under construction. Land north of Port Road is a coastal reserve and the title to the south-west is vacant.</p> <p>Shading diagrams based on the shortest day of the year i.e. worst case scenario were submitted with the application. A copy of the diagrams is shown below in Figure 3.</p>	

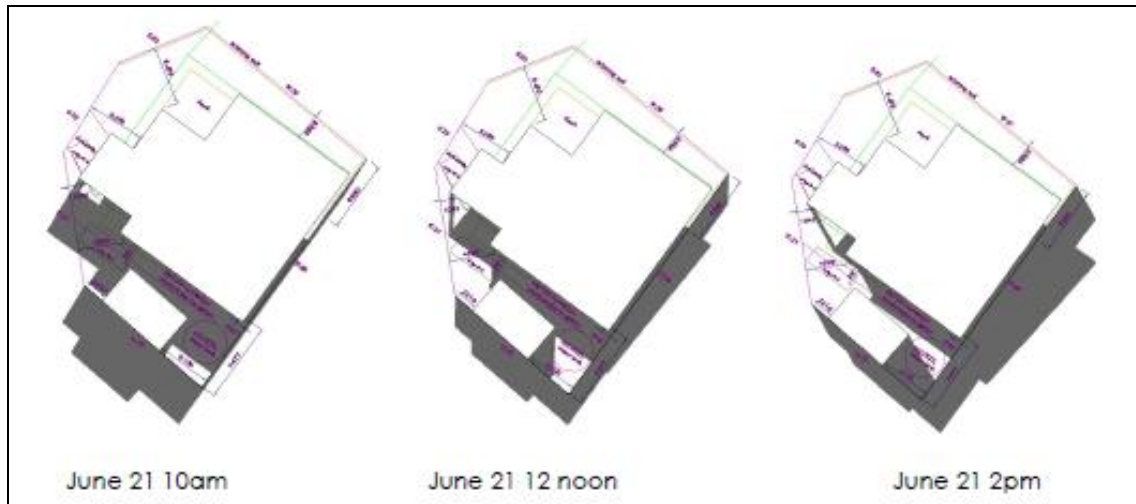


Figure 3: Shading Diagrams

The dwelling currently under construction on the lot to the south-east, 295 Port Road, is orientated on the eastern side of the lot away from the subject site, as is the main private open space area. The section of the dwelling closest to the site is a double garage with no windows. Habitable portions are at least 7m from the proposed dwelling and will not be overshadowed by the development. Shading will be confined to the garage and driveway area.

Shading on the vacant lot to the south-west, 3 Shelter Point Court, will primarily be constrained to the northmost portion of the lot during the morning and there will be minimal shading during the afternoon. The diagrams in Figure 3 include shade cast by standard boundary fencing, typically 1.8m – 2.1m high, which does not require planning approval. The majority of shading on 3 Shelter Point Court is due to fencing with the ancillary dwelling only extending the shaded area by a small amount.

There will be minimal impact on residential amenity to the north-east and north-west as the property adjoins public road in these directions. The proximity of the proposed dwelling to the frontage is consistent with dwellings on properties to the west at 303 and 307 Port Road.

Due to the dimensions of the subject site, which is a corner lot, there is insufficient space to locate the proposed development and comply with setback requirements for all title boundaries. The slope at the front of the site provides an additional constraint and has resulted in development being orientated towards the south-western boundary.

The dwelling and ancillary dwelling are single storey developments. The size and bulk of development is consistent with residential development in Boat Harbour Beach, including adjacent properties to the east at 293 and 295 Port Road and properties to the west at 6 Shelter Point Court and 307 Port Road. Visual impact to the south-east is mitigated by the inclusion of windows of different sizes to break up the bulk of the building and use of contrasting cladding materials.

The ancillary dwelling has a variable height of approximately 2.9m – 3.164m with the shorter side facing 3 Shelter Point Court. There are no large windows facing the property to the south-west which would result in privacy issues; openings in the south-western elevation are limited to a highlight window with a sill height 1.7m above floor level. It's appearance is more akin to a small outbuilding and there is sufficient space on the 588m² vacant lot to the south-west for a future dwelling appropriately separated from the ancillary dwelling.

The proposed water tank is located behind the building line of the proposed dwelling and ancillary dwelling from Port Road and Shelter Point Court and has been situated in the southern corner of the property to collect runoff from the proposed buildings. Boat Harbour

Beach is not serviced by TasWater’s reticulated water supply and the majority of properties contain large water tanks.

In this manner, the proposal satisfies P2 for this Standard.

<p>A3</p> <p>Site coverage must –</p> <ul style="list-style-type: none"> (a) not be more than 50%; or (b) if the site is in a locality shown in the Table to this Clause, not more than the site coverage for that locality; and (c) not include any part of a site required for the disposal of sewage or stormwater; or (d) be not more than any building area shown on a sealed plan 	<p>P3</p> <p>Site coverage must –</p> <ul style="list-style-type: none"> (a) provide a usable area for private open space, landscaping, and vehicle parking and service activity; (b) retain capacity in any area required for disposal of sewage or stormwater; and (c) be consistent with the streetscape
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Planning Comments: Complies

The subject site comprises 547m² and the proposed development has a combined roofed area of approximately 277m². Total site coverage is approximately 50.6%.

According to Table 12.4.3 A3, the maximum permitted site coverage for the locality of Boat Harbour Beach is 30%. Assessment against Performance Criteria P3 is required.

The private open space area for the site comprises both covered and uncovered north facing decks which provide access to the grassed area between the dwelling and the frontage. These decks have views over the coastal reserve and are an extension of the main living space. The proposal also includes a carport for vehicle parking which is accessible from the existing crossover onto Shelter Point Court.

The subject site is located in an area serviced by Council’s stormwater and TasWater’s reticulated sewerage infrastructure and water is via on-site supply. Stormwater runoff from the proposed development is to be directed into a water tank with overflow directed into Council’s stormwater main.

Site coverage on adjacent lots currently under development at 293 and 295 Port Road also exceed the permitted site coverage for Boat Harbour Beach as does development on properties to the west at 307, 312, 314 and 316 Port Road.

In this manner, the proposal satisfies P3 for this Standard.

12.4.6 Frontage Fences

<p>A1</p> <p>The height of a fence, including any supporting retaining wall, on a frontage or within a frontage setback must be –</p> <ul style="list-style-type: none"> (a) not more than 1.2m if the fence is solid; or (b) not more than 1.8m provided that part of the fence above 1.2m has openings that provide a uniform transparency of not less than 30%. 	<p>P1</p> <p>The height of a fence on a frontage or within a frontage setback must be reasonably required for the security and privacy of the site.</p>
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Planning Comments: Complies

The proposal includes a solid retaining wall which runs along the boundary to Port Road and extends in both directions along portions of the frontage to Shelter Point Court and the south-eastern side boundary. Assessment against P1 is required due to the 1.4m maximum height of the retaining wall.

According to the objective for this clause, frontage fences are to attenuate likely impact from activity on a road, on the site, or on adjacent land. Currently the site slopes steeply towards the road. Were this area to be fenced in a typical manner, areas of the site immediately behind the fence would be largely unusable. The height of the retaining wall has been designed to match the elevation of the majority of the lot and does not exceed 1m in height for the entire length. The retaining wall is intended to provide a level area for private open space for the dwelling and will clearly delineate the property from Port Road and Shelter Point Court.

In this manner, the proposal satisfies P1 for this Standard.

E9 Traffic generating use and parking code

E9.5.1 Provision for parking

<p>A1</p> <p>Provision for parking must be –</p> <p>(a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code;</p>	<p>P1</p> <p>(a) It must be unnecessary or unreasonable to require arrangements for the provision of vehicle parking; or</p> <p>(b) Adequate and appropriate provision must be made for vehicle parking to meet –</p> <p>(i) anticipated requirement for the type, scale, and intensity of the use;</p> <p>(ii) likely needs and requirements of site users; and</p> <p>(iii) likely type, number, frequency, and duration of vehicle parking demand</p>
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Planning Comments: Complies

According to Table E9.1, single dwellings in the Low Density Residential zone require 3 car parking spaces where there is also an ancillary dwelling on site. Although 3 car parking spaces are shown on the submitted site plan, one of these is not accessible from the site’s access onto Shelter Point Court. Assessment against Performance Criteria P1 is therefore required.

The ancillary dwelling is appurtenant to the main dwelling and will not be occupied by a separate household. With a floor area of 28m² it is less than half the maximum size for ancillary dwellings. It comprises a single open space with bathroom but does not have a defined living space or private open space area. Occupants of the ancillary dwelling are more likely to utilise the facilities of the main house on the site. The scale of the building does not warrant a third parking space as the two provided are considered to be sufficient for the intensity of residential use on the site.

In this manner, the proposal satisfies P1 for this Standard.

The proposal meets the Acceptable Solution for all other applicable Standards of the Low Density Residential zone provisions and relevant Codes.

STATUTORY IMPLICATIONS

Land Use Planning and Approvals Act 1993

The Council is established as a Planning Authority by definition under Section 3(1) of the LUPAA and must enforce the Planning Scheme under s48 of the Act.

In accordance with section 57 of this Act and Council's Planning Scheme, this proposal is an application for a discretionary permit. Council may approve or refuse discretionary permit applications after considering both Council's Planning Scheme and the public representations received. It is noted that one (1) representation was received during the exhibition period.

STRATEGIC IMPLICATIONS

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

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 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 that the proposed dwelling, ancillary dwelling, water tank and retaining wall comply with either the acceptable solution or satisfies the performance criteria for all

applicable standards of the Planning Scheme. The proximity of the dwelling to the street is consistent with other approved development on Port Road to the east and west and there are sufficient parking arrangements in place to cater for the intensity of residential use proposed. The size of the dwelling and associated development is consistent with the established pattern of residential development in Boat Harbour Beach.

The application is considered to comply with the provisions of the Low Density Residential Zone and Traffic Generating Use and Parking Code for the *Waratah-Wynyard Interim Planning Scheme 2013*. It is therefore recommended that Council approve a planning permit for the proposed development.

6.4 STAGED SUBDIVISION (78 LOTS, 2 ROAD LOTS AND DRAINAGE RESERVE) LOCATED AT 2-28 MOUNT HICKS ROAD, WYNYARD - SD2116

To: Council
Reporting Officer: Town Planner
Responsible Officer: Manager Development and Regulatory Services
Report Date: 16 August 2022
File Reference: 2158194
Supporting Documents: 1. Consolidated advertised documents 
2. Consolidated re-advertised documents 
3. Representation A 
4. Representation B 
5. Representation C.1 
6. Representation C.2 
7. Representation D.1 
8. Representation D.2 
9. Representation E 
10. 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 Staged Subdivision (1 into 78 lots & public open space lot) at 2-28 Mount Hicks Road, Wynyard (CT 138117/2) 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 Job Number 219067 with Revision Number 8 as prepared by Mitchell Hodgetts Surveyors and dated 8 July 2022.
 - b. Traffic Impact Assessment as prepared by CSE Tasmania and dated 11 February 2021.
2. The development is to be in accordance with the submitted Bushfire Hazard Management Plan as prepared by Scott Livingstone of Livingstone Natural Resources Services and dated 16 December 2021.
3. All costs required by the proposed development, including those related to infrastructure extensions, upgrades to Council assets and contribution to flood mitigation works are to be met by the Developer.
4. Construction of civil engineering work associated with the Development is to comply with the requirements of Council's Standard Requirements for the Construction of New Infrastructure Assets and the Replacement of Existing Infrastructure Assets Policy PR.003, for all infrastructure that will become a Council asset including the replacement or upgrade of existing infrastructure assets.

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5. Relevant engineering plans, specifications, calculations and computations are to be certified by a Chartered Professional Engineer in the relevant field and submitted to the Director Infrastructure & Development for approval. No work is to commence until a Construction Certificate has been issued by the Director Infrastructure & Development.
 6. On completion of work covered by a Construction Certificate, a Chartered Professional Engineer in the relevant field is to certify by declaration that all work has been carried out fully in accordance with the approved plans, specifications, calculations and computations. "Works as Constructed" drawings that comply with the requirements of Council's "Submission of digital-as-constructed information".
 7. In the course of undertaking the development/use any damage caused to any Council owned infrastructure or property shall be repaired by the developer
 8. Necessary easements for powerlines, sewerage, water, drainage, legal access and the like are to be shown on the final survey plan lodged for sealing.
 9. A twelve (12) month defects liability period is to apply to all infrastructure within the development which are to become Council assets. A maintenance bond of 5% of the cost of the civil works as approved by the Director Infrastructure & Development is to be lodged with Council prior to:
 - a. the issue of the Maintenance Period Commencement document; or
 - b. prior to the sealing of the Final Survey Plan.
 10. A new kerb crossover is to be constructed for each allotment, in accordance with the latest version of Tasmanian Standard Drawing TSD-R09-Urban Roads Driveway, TSD-R16-Concrete kerbs and Channels Vehicular Crossings.
 11. A reinforced concrete driveway slab is to be constructed for each allotment between the kerb crossover and the property boundary in accordance with the latest version of Tasmanian Standard Drawing TSD-R09-Urban Roads Driveways.
 12. All bridging structures are to be designed in concrete and constructed in accordance with AS 5100 and designed with Flood Immunity for a 1% AEP rainfall ensemble.
 13. A 150Ø stormwater connection point including an accessible inspection opening at ground level is to be constructed at the lowest point of each allotment in accordance with the latest version of Tasmanian Standard Drawings TSD-SW25-Stormwater Property Connections to Mains.
 14. A stormwater reticulation network to safely drain the development is to be designed and constructed in accordance with the *Australian Rainfall and Runoff guidelines 2019*, Council's *Stormwater System Management Plan*, the Port Creek Flood Mitigation Works and approved construction issue drawings.

Individual lot connections are to be designed using 10% AEP rainfall ensemble. A piped network to wholly contain and discharge overland flow and stormwater from each lot is to be designed to a 5% AEP rainfall ensemble. A combination of clearly designated overland flow paths and piped network is to safely contain and discharge a 1% AEP rainfall ensemble.

Detailed engineering design, including a report on all parameters and assumptions of the design is to be submitted to Council for approval prior to the issue of drawings for construction.

No construction or site works can commence until compliance with this condition is achieved.

15. Subsoil drains are to be installed at the back of kerb, both sides of the internal subdivisional roads and the western side of Mount Hicks Road, for the full extent of the development site, in accordance with the latest Tasmanian Standard Drawing TSD-R12-Subsoil Drains Construction Details.
16. Before site disturbance or construction commences an environmental management plan is to be prepared and submitted for approval by the Director Infrastructure & Development, the plan is to outline proposed practices in relation to:
 - a. Temporary run-off, erosion and sediment controls, which are to be installed before the development commences. Controls are to include, but are not limited to:
 - i. Minimisation of site disturbance and vegetation removal;
 - ii. Diversion of up-slope run-off around cleared and/or disturbed areas, areas to be cleared and/or disturbed or filled providing such diverted run-off does not cause erosion and is directed to a legal discharge point;
 - iii. Installation of sediment retention traps (e.g. sediment fences, etc.) at the down slope perimeter of a disturbed area or stockpile to prevent unwanted sediment and other debris escaping from the land;
 - iv. Installation of sediment retention traps (e.g. sediment fences, etc.) at entry points to the stormwater system to prevent sediment and other debris escaping from entering the network
 - v. Rehabilitation of all disturbed areas as soon as possible.
 - b. Weed, Pest and Disease Management
 - c. Storage facilities for fuels, oils, greases, chemicals and the like
 - d. Litter Management
 - e. Dust Management
 - f. Washout Management
 - g. Acid Sulphate Soil Management
 - h. Quality Control arrangements including:
 - i. Supervision by appropriately qualified and experienced personnel
 - ii. Documented site procedures
 - iii. Record keeping
 - iv. Quality Control testing

Erosion control measures are to be maintained at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development.

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17. All disturbed surfaces on the land, except those set aside for roadways, footways and driveways, are to be covered with topsoil and seeded with approved grass and, where appropriate, revegetated and stabilised in accordance with the approved Environmental Management Plan, and to the satisfaction of the Director Infrastructure & Development.
 18. An 18-metre wide road reservation is to be provided for both internal subdivision roads, with lot boundaries splayed where necessary and shown as "Road" on the final survey plan lodged for sealing.
 19. The internal subdivision roads are to be of compacted crushed rock pavement, designed in accordance with the Austroads Pavement Design Guidelines, with a sealed pavement width of 8.9 metres measured from face of kerb to face of kerb (FOK). The pavement is to be designed for a 100-year life and a minimum 40mm asphalt seal in accordance with the latest Tasmanian Standard Drawing TSD-R06-Urban Roads Typical Sections and Pavement Widths and is to be constructed to the reasonable requirements of the Director Infrastructure & Development.
 20. Road intersections, both internally and within the Council Road network are to be assessed in accordance with the Austroad Guides to Traffic Management. All upgrade and works required to achieve compliance with the Austroad Guide to Traffic Management are to be addressed as part of the road design process. Supply and install traffic management devices that include, but are not limited to, signage and line marking in accordance with the latest suite of AS 1742 standards.
 21. Footpaths of 1.5 metre width and otherwise are to be constructed on one side of the internal subdivision roads and in accordance with the latest Tasmanian Standard Drawing TSD-R11-Urban Road Footpaths.
 22. A 1.5 metre wide footpath, including a pedestrian bridge at Port Creek, is to be constructed on the western side of Mount Hicks Road, immediately adjacent to lot boundaries in accordance with the latest Tasmanian Standard Drawing TSD-R11- Urban Roads Footpaths for the full extent of the development site commencing from Lot 27 to the rear boundary of 63 Old Bass Highway.
 23. Remove the existing driveway and vehicular crossing between 47 & 47D Old Bass Highway. Fill area with topsoil and seed with grass. Reinststate the vehicular crossing to kerb Type KC according to the latest version of Tasmanian Standard Drawings TSD-R14- Approved Concrete Kerbs & Channels Profile Details.
 24. A 2-metre-wide footpath is to be constructed from the court bowl of Lockett Street extension through to Old Bass Highway, between 47 & 47D Old Bass Highway in accordance with the latest Tasmanian Standard Drawing TSD-R11-Urban Roads Footpaths. The footpath construction is to incorporate a chicane in accordance with Austroad Guidelines, at the Old Bass Highway end of the path, and a lockable bollard at the subdivision end in accordance with the latest version of Tasmanian Standard Drawings TSD-R32- Barriers/Guard Rail Lockable Bollards.
 25. Two pedestrian crossings are to be constructed on Old Bass Highway just east of power pole 127163, in accordance with the latest Tasmanian Standard Drawings TSD-R18- Concrete Kerbs and Channels Access Ramps. A pedestrian refuge is to be constructed mid-way between pedestrian crossings on Old Bass Highway in accordance with the latest version of Tasmanian Standard Drawing TSD-R20-Traffic Islands.

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26. A 1.5m wide footpath is to be constructed linking into the footpath surrounding the East Wynyard playground in accordance with the latest version of Tasmanian Standard Drawing TSD-R11-Urban Roads Footpaths.
 27. A 3m wide concrete path is to be constructed from internal subdivision road, 'Road 02' to 'Road 1' (Lockett Street extension) in accordance with the latest Tasmanian Standard Drawing TSD-R09-Urban Roads Driveways, including lockable bollards at either end of the path according to the latest TSD-R32-Barriers/Guard Rail Lockable Bollards.
 28. All pedestrian access ramps are to be in accordance with the latest Tasmanian Standard Drawings TSD-R18-Concrete Kerbs and Channels Access Ramps.
 29. Concrete kerb and Channel type 'KCM' is to be constructed in accordance with the latest Tasmanian Standard Drawing TSD-R14, on both sides of the internal subdivision roads and Cul-de-sac's.
 30. Concrete kerb and Channel type 'KC' is to be constructed in accordance with the latest Tasmanian Standard Drawing TSD-R14, on the western side of Mount Hicks Road for the full extent of the development site.
 31. A court bowl of radius 9 metres and otherwise, in accordance with the latest Tasmanian Standard Drawing TSD-R08-Urban Roads Cul-De-Sac Turning Heads, is to be provided at the termination of both internal subdivision roads to facilitate the turning movement of large service vehicles. Construction is to be of equivalent standard to the internal subdivision roads.
 32. Road widening to 11m, measured to seal edges, to a 100-year design life is to be provided for Mount Hicks Road fronting the development site. The road widening design is to include moving the road centre line to the east for sufficient separation to property accesses, footpath and kerb and channel. The road widening design is not to be at the detriment of the Waratah-Wynyard Council Port Creek Flood Mitigation Works along the Port Creek tributary. The standard of road construction is to be of compacted crushed rock pavement, designed in accordance with the Austroads Pavement Design Guidelines with a minimum 40mm asphalt seal, and in accordance with the latest Tasmanian Standard Drawing TSD-R06-Urban Roads Typical Sections and Pavement Widths.
 33. A "BAR" turn treatment is to be constructed at the junction of Mount Hicks Road and "Road 02" in accordance with Austroads Guidelines, and the Traffic Impact Assessment by CSE Tasmania PTY LTD.
 34. The corner radius for the proposed internal subdivision roads and the junction with Mount Hicks Road must be designed to cater for 8.5 metre service vehicles movements in accordance with Austroads Design Vehicles and Turning Path Templates.
 35. Vehicular access during development is to be confined to the areas designated on the endorsed or approved plans.
 36. All manholes are to be located behind the kerb line.
 37. Street lighting is to be provided in accordance with AS 1158, the requirements of Aurora Energy Pty Ltd and to the approval of the Director Infrastructure & Development Services. The street lighting is to be designed to minimise off site glare and reflected light.

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- 38. Before site disturbance or construction commences, a Project Management Plan is to be prepared and submitted for approval by the Director Infrastructure & Development. The plan is to provide relevant project management information and outline proposed construction practices, including, but not limited to:**
- a. Contact details for principal, consultants and contractors including afterhours numbers;**
 - b. Traffic management plan including road works signage;**
 - c. Proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on site);**
 - d. Identification of potentially noisy construction phases, such as operation of rock-breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;**
 - e. Site facilities to be provided; and**
- a. Procedures for washing down vehicles to prevent soil and debris being carried onto the street.**
- 39. A Final Survey Plan shall be submitted to the Waratah-Wynyard Council for sealing of each stage of the development. The plan shall be drawn to scale and prepared in accordance with the requirements of the Recorder of Titles and shall form part of this permit when sealed.**
- 40. Before a final survey plan may be sealed, the developer is to provide a contribution in lieu of providing public open space in the development. The contribution is to be equivalent to five percent (5%) of the value of the new lots comprised in the plan. The contribution may be paid on a pro rata basis where the subdivision is to be staged.**
- 41. The applicant is to seek a private land valuation of the new lots as identified on the endorsed plan. A copy of the valuation is to be submitted to Council before or at the time of payment of the public open space contribution.**
- 42. The final survey plan is to describe the area called 'Public Recreation Space' on the subdivision plan as 'Drainage Reserve'.**
- 43. A contribution to the Port Creek Flood Mitigation Works of \$252,853 exl. GST is to be paid to Council. A pro-rata amount of the total contribution based on the number of lots in each stage of the development may be arranged with the Director of Infrastructure & Development. This pro-rata contribution per stage of development is to be indexed annually using the Consumer Price Index of Hobart released by the Department of Treasury and Finance and is to be applied from June 2022 onwards.**
- 44. The developer is to submit to Council nominations for street names within the new development for consideration in accordance with Street Naming & Addressing Policy LUP.006.**
- 45. A landscape management plan is to be prepared and lodged for approval by the Director Infrastructure & Development. Tree species selection and tree locations are to be finalised in conjunction with the Tree Management Policy PR.007.**
- 46. All line marking associated with the development will be white thermoplastic (with the exception of no standing lines) and comply with Department of State Growth Standard Drawings SD-81.001.**

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47. The developer will be responsible for supply and erecting of all street name signs associated with the development, inclusive of posts, sleeves, gib keys and any other product required to install. The location of street signs must be shown on construction issue drawings for approval by the Director Infrastructure & Development.
48. The existing open drain to the rear of properties between 49 to 63 Old Bass Highway, is to be upgraded and designed to a piped network and is to include all existing lot connections.

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 2022/00858-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.
- This permit is based on information and particulars set out in Development Application SD 2116. 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.
- A further fee is required for the signing and sealing of Final and Strata Plans. Please refer to Council’s website for current Planning fees.
- Prior to Sealing of the Final Plan of Survey, the developer must obtain a Consent to Register a Legal Document from TasWater and the certificate must be submitted to Council as evidence of compliance with the Part B Conditions of the Planning Permit. The application form for this consent document can be obtained from the TasWater website <http://www.taswater.com.au/Development/Forms>.
- 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 & Administrative Tribunal (TASCAT), G.P.O. Box 2036, Hobart, 7001 (<mailto:resourceplanning@tascat.tas.gov.au>). Updated Notices of Appeal are available on the Tribunal’s website at <https://www.tascat.tas.gov.au/>.

PURPOSE

The purpose of this report is for Council to consider the merits of the application SD 2116 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013* (Planning Scheme).

BACKGROUND

The subject site comprises 8.907ha and has frontage onto Mount Hicks Road of 231.44m and onto Old Bass Highway of 3.8m. It is located within the General Residential zone and is currently used for grazing purposes. To the north and west the subject site adjoins Wynyard's residential area. A further two residential lots adjoin the property to the south-east. Land to the east across Mount Hicks Road is also zoned General Residential but is currently used for grazing. The southern boundary of the property adjoins the rail corridor with Burnie Airport on the other side of the railway.

Portions of Port Creek forming part of Council's stormwater infrastructure cross through the property. As part of Council's servicing responsibilities upgrades are planned for the infrastructure in this area.

Under Clause 5.2.2 of the Planning Scheme, no planning permit is required for provision of stormwater infrastructure including pipes, open drains and pump stations, by or on behalf of Council, provided no work takes place in a mapped landslip area.

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

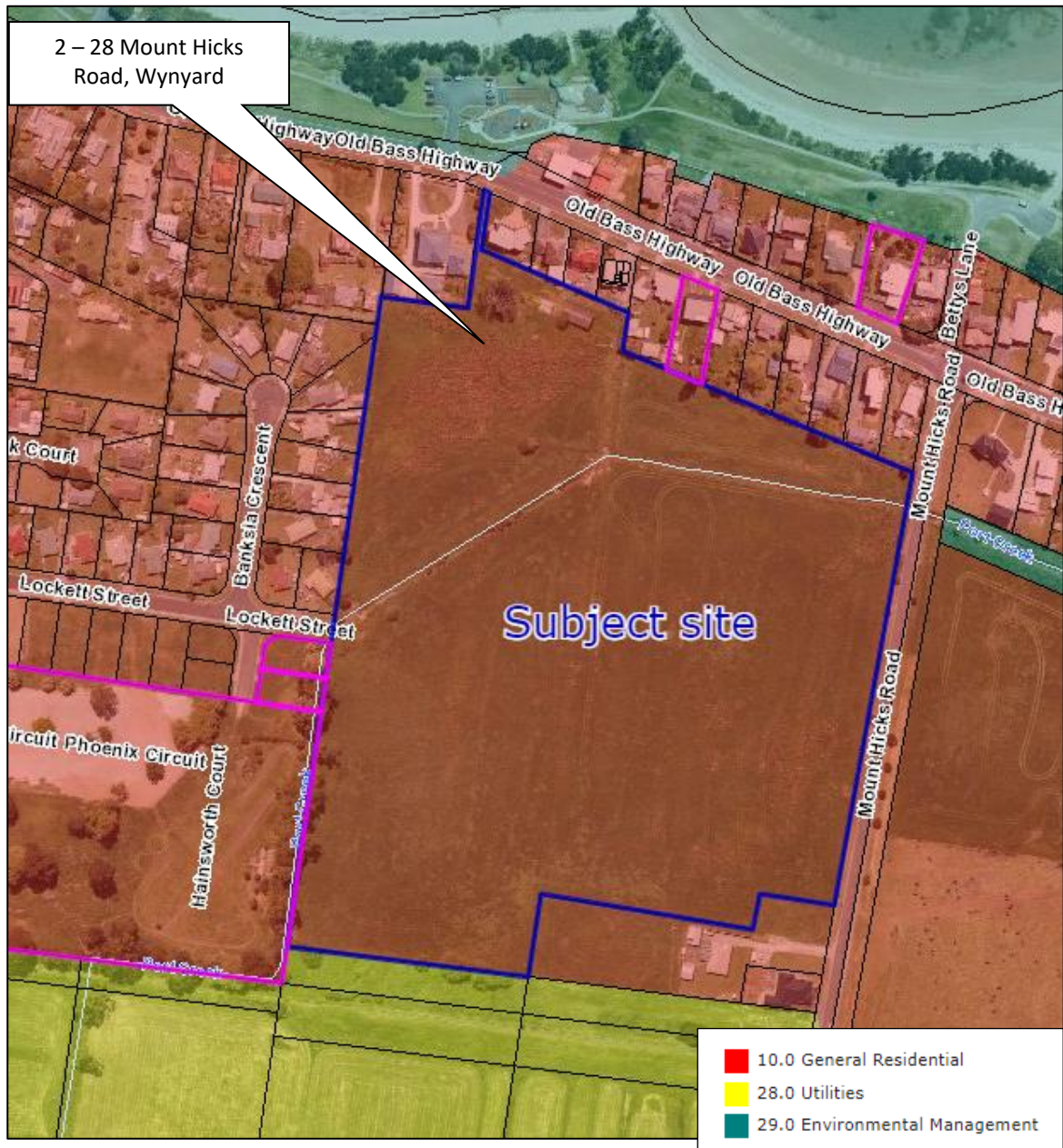


Figure 1: Subject site with zoning

DETAILS

The applicant is seeking approval for subdivision of 78 residential lots and a balance lot retained for drainage purposes. It is also proposed to undertake an extension to Lockett Street and to construct a new road splitting into two cul-de-sacs off Mount Hicks Road.

The properties of each residential lot are shown in the table below.

Lot No.	Area (m ²)	Frontage (m)	Lot No.	Area (m ²)	Frontage (m)
1	576.4	39.1	40	1482.9	4.1
2	543.8	18.6	41	1368.7	9.3
3	619.5	18	42	1594.1	3.7
4	711.4	18	43	1213.6	4.7
5	803.3	18	44	1441.2	14.6
6	957.5	18.5	45	682.4	3.7
7	499.5	12.4	46	612	18.9
8	825.7	3.6	47	604.1	18

Lot No.	Area (m ²)	Frontage (m)	Lot No.	Area (m ²)	Frontage (m)
9	1015.5	3.6	48	689.6	3.6
10	673.3	18.4	49	809.6	3.6
11	1120.6	7.3	50	694.1	20.2
12	884.6	7.1	51	585.5	18.4
13	923.7	7.1	52	652	3.6
14	1205.2	3.6	53	820.6	3.6
15	880.5	11.5	54	613.9	17.8
16	805	18.8	55	565.9	14.8
17	742.3	16.1	56	1054.9	3.6
18	1151.3	78	57	867.1	3.6
19	870.2	21.7	58	570	19
20	870.2	21.7	59	570	19
21	757.5	18.9	60	866.8	3.6
22	757.5	18.9	61	857.7	3.6
23	757.5	18.9	62	561.5	19.1
24	757.5	18.9	63	506	11.9
25	739.6	55.6	64	851.2	3.8
26	863.3	58.6	65	967.7	12.4
27	851.5	20.5	66	646.7	4.1
28	836.8	23.9	67	716	10.8
29	892	3.6	68	782	8
30	1012.4	3.6	69	794.9	3.7
31	731.9	23.9	70	859.5	3.7
32	742.1	23.9	71	563.3	18.3
33	1015.7	3.6	727	540	18
34	1144.3	3.6	73	693.3	25.6
35	879.9	27.8	74	1195.2	90.8
36	689.8	45.3	75	702.3	21.6
37	750.2	18.7	76	1463.9	34
38	920.4	19.1	77	678.9	18
39	1057	8.1	78	678.9	18

The lot intended for a drainage reserve runs through the centre of the lot, from the north-eastern corner to the south-western corner. It will contain the realigned Port Creek and a walking track. Additional public footpaths are proposed between Lots 10 and 11, Lots 53 to 56 and Lots 64 and 65. Neither the public footpaths nor walking track require planning approval.

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 Residential under the Planning Scheme. The proposal is defined as a Residential Use Class. This is a Permitted use within the zone, should the application meet all the relevant Acceptable Solutions. The proposal does not comply with all the acceptable solutions. The applicant is applying for discretion under the following Clauses of the Planning Scheme:

- 10.4.9 Suitability of a site or lot for use or development (P1),
- 10.4.13 Subdivision (P2),

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- 10.4.14 Reticulation of an electricity supply to new lots on a plan of subdivision (P1); and
 - E10.6.1 Development in proximity to a water body, watercourse or wetland (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. Owing to errors in one of the supporting documents and the omission of detail regarding flood mitigation works at Port Creek the application was re-advertised for a further 14 days.

The following documentation was advertised:

- Development application form x 3 Pages;
- Declaration under s52(2) LUPAA x 1 Page;
- Director of Housing consent x 2 Pages;
- Title documents x 23 Pages;
- Plan of subdivision x 1 Page;
- Supporting report x 33 Pages;
- Prelodgement advice from Engineering Department x 11 Pages;
- Traffic calculations x 7 Pages;
- TasWater submission to planning authority notice x 4 Pages;
- Sewerage infrastructure plans x 4 Pages;
- Bushfire hazard management report x 33 Pages;
- Proposal plans x 21 Pages;
- Traffic impact assessment x 27 Pages; and
- Preliminary plans for Council's flood mitigation works x 8 Pages

The period for representations closed on 29 August 2022. Seven (7) representations were subsequently received, four of which (A, B, C.1, D.1) were received in the initial advertising period:

- Representation A - J Jarvis (TasRail)
- Representation B – S Ashworth
- Representation C.1 – M Wells (Burnie Airport Corporation)
- Representation C.2 – M Wells (Burnie Airport Corporation)
- Representation D.1 – R & L Sullivan
- Representation D.2 – R & L Sullivan
- Representation E – B Howis

A map demonstrating the relationship between the subject site and the adjacent landowners is shown in Figure 2.



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

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

Issues raised:	Response:
<p>Council support for the subdivision (Representation D.2)</p> <p>Inclusion of the 'Port Creek Flood Mitigation Works' plans prepared for/by Council in the re-advertised documents indicates Council support for the application in spite of representations made as does the advice to applicants that the re-advertised proposal would still go to the September Council meeting.</p>	<p>The Port Creek Flood mitigation Works will be undertaken, regardless of the progress of this subdivision.</p> <p>Based on the information supplied, the development is reliant upon the flood mitigation works, which then required a copy of the plans for these works to be submitted by the applicant to support their application.</p> <p>Representors were advised that the application was to be re-advertised. As the advertising period required by LUPAA is 14 days and there was more than 14 days until the September Council meeting at the time of re-advertising, Council's Planning Department was able to confirm no change in Council meeting date was required.</p> <p>Applications are required to be heard at the next available Council meeting, whether the recommendation is approval or refusal.</p>
<p>Land use conflict: (Representation B)</p> <p>Zoning of subdivision and effect on zoning of adjoining properties, including rates.</p> <p>Whether existing activities including keeping of animals, use of machinery and truck parking at 30 Mount Hicks Road will be curtailed by the subdivision.</p>	<p>As shown above in Figure 1, the subject site is already zoned General Residential as is adjoining land to the north, west, east and south-east. This includes 30 Mount Hicks Road.</p> <p>Impact on Council rates is not a consideration under the Planning Scheme. However, it is unlikely the proposal would directly affect rates for adjoining properties as these are mainly determined by property specific valuations undertaken by the Office of the Valuer-General.</p> <p>Existing use rights under s12 LUPAA will remain unchanged by the proposal. As 30 Mount Hicks is already zoned General Residential the standard restrictions for noise and/or keeping of animals in an urban area apply to activities not covered by s12 LUPAA.</p>
<p>Traffic: (Representations A, B, D.1, D.2)</p> <ul style="list-style-type: none"> • Suitability of Mount Hicks Road to cater for subdivision, particularly new driveways, in terms of safety, increased traffic and different types of road users. • The TIA does not account for additional driveway crossings and kerb side parking requirements for properties fronting Mount Hicks Road. • What consideration does the TIA give to the future use of the railway with respect to 	<p>A Traffic Impact Assessment (TIA) prepared by Chris Martin of CSE Tasmania was submitted with the application. Mr. Martin is an experienced traffic engineer and a suitably qualified person.</p> <p>The TIA considered the suitability of existing and proposed roads to cater for the increase in traffic likely to be generated by the proposed development. The impact of lots fronting Mount Hicks Road was considered on pages 14-15 and 18-19 of the TIA.</p>

Issues raised:	Response:
<p>pedestrian access and sight distances for the rail corridor?</p>	<p>Neither Mr. Martin nor Council's Engineering Department have any concerns regarding the proposed subdivisions impact on the future safety of the road network in this area of Wynyard. The road layout of the proposed subdivision satisfies the necessary requirements under the Planning Scheme.</p> <p>In addition to the requirements of the Planning Scheme, s85 of the <i>Local Government (Building & Miscellaneous Provisions) Act 1993</i> (LGBMPA) gives Council the option to refuse to approve a plan of subdivision under certain circumstances. These include instances where Council is of the opinion that that the roads will not suit the public convenience (s85(a) LGBMPA).</p> <p>The proposal to provide access to the subdivision via an extension to Lockett Street and a new road splitting into two cul-de-sacs off Mount Hicks Road is a suitable design which is not anticipated to create any congestion issues. The proposed road layout maximises the development potential of the site and does not raise any safety concerns for Council's Engineering Department. The design is considered to be compatible with the existing road network in this area of Wynyard.</p> <p>The application, including the subdivision road layout, is consistent with s85 LGBMPA and is capable of complying with all relevant the requirements of the Planning Scheme, subject to the conditions that have been recommended by Council's Engineering Department.</p> <p>These conditions include construction of a 1.5m wide footpath, including pedestrian bridge, along Mount Hicks Road from the Lot 27 to 63 Old Bass Highway in order to facilitate safe pedestrian access. Additional public footpaths will be constructed between Lots 10 & 11, Lots 53/54 & 55/56 and Lots 64 & 65 as well as two pedestrian crossings on Old Bass Highway to provide safe access to public amenities, including the playground.</p> <p>Concrete kerb and channel is to be installed on the western side of Mount Hicks Road and the road widened to 11m for the full length of the subdivision in order to allow sufficient space for property access, footpath and kerb and channel. Additionally, a Basic Right Turn</p>

Issues raised:	Response:
	<p>treatment is to be provided in Mount Hicks Road, to facilitate access into the subdivision.</p> <p>Whether the increased traffic could pose a risk to the railway was not within the scope of the TIA and is not a relevant planning consideration. The developer will need to liaise separately with TasRail should widening Mount Hicks Road require alterations to the existing rail crossing.</p> <p>The Engineering Department supports a reduction of the speed limit along Mount Hicks Road to 60km/hr from south of the railway to the Old Bass Highway as recommended by the TIA. However, speed limit changes can only be approved by the Commissioner for Transport. Council would need to make an application to the commissioner separate from its role as a planning authority to reduce the speed limit along Mount Hicks Road.</p>
<p>Servicing & Fencing: (Representation B)</p> <ul style="list-style-type: none"> • Whether lots will be serviced by garbage collection and if so, whether the collection area will be extended to nearby landowners. • Whether nearby properties will be required to connect to extended TasWater network and costs associated. • Provision of boundary fencing and associated costs to adjoining landowners. 	<p>Although none of the matters raised opposite are relevant considerations under the Planning Scheme for the purposes of determining the application, the following comments are made:</p> <p>Council will consider whether to extend the garbage collection area as a result of the proposed subdivision. Should the area be extended along Mount Hicks Road, it is likely that the entirety of the length between the roundabouts on Old Bass Highway and the Bass Highway would be included.</p> <p>The subject site is already identified as being serviced land for both sewerage and water infrastructure. No extension of the sewer serviceable area is required for the proposal. Whether or not TasWater elects to extend this area in the future to incorporate residential lots at 30 and 32 Mount Hicks Road is a matter for TasWater.</p> <p>Boundary fences are a civil issue between adjoining property owners and fall under the <i>Boundary Fences Act 1908</i>.</p>
<p>Privacy: (Representation B)</p> <p>Requirement for opaque windows in the southern elevation of future dwellings on lots adjoining 30 Mount Hicks Road to protect privacy.</p>	<p>Potential impact on privacy of adjoining lots is not a matter for Council's consideration at the subdivision stage. Should the subdivision be approved, future dwellings will need to be assessed against the requirements of the Planning Scheme, including minimum standards for boundary setbacks and privacy considerations. Any application seeking to vary these standards, for example building closer to</p>

Issues raised:	Response:
	<p>a boundary, would need to be publicly advertised and adjoining landowners notified.</p>
<p>Airport Impact: (Representations C.1, C.2)</p> <ul style="list-style-type: none"> • Airport not notified as adjoining landowner and application not referred to Airport • No consideration of potential impact on airport & associated operations, including wildlife hazard to aircraft or lighting. • Completing Stage 1 without flood mitigation works will negatively affect the airport due to increased run off and potential to flood runway base. 	<p>Burnie Airport is not an adjoining landowner as it does not share a common boundary with the land subject to this application.</p> <p>The subject site has an elevation of less than 10m. The Obstacle Limitation Surface (OLS) over the site is 59.5m. The maximum permitted height for development in the General Residential zone is 8.5m. The proposal complies with the Acceptable Solution for all applicable Clauses of the Airport Impact Management Code and was not required to be referred to the relevant airport operator, being Burnie Airport Corporation.</p> <p>A condition will be imposed on any permit issued requiring detailed engineering design of the stormwater network be prepared and submitted for approval. This plan will need to be consistent with the Port Creek Flood Mitigation Works. It is expected that the Port Creek Flood Mitigation Works will need to be completed prior to any other site works commencing, including for Stage 1.</p>
<p>Flood risk & stormwater management: (Representations B, C.1, C.2, D.1, D.2, E)</p> <ul style="list-style-type: none"> • The application fails to investigate, consider, identify what the effect of only undertaking Stage 1 of the subdivision but no flood mitigation works will have on drainage and the flooding of nearby properties. • Flood mitigation works need to be undertaken before Stage 1 of the subdivision is commence but the application does not commit to these works being undertaken. The need for flood mitigation works is not independent of the proposed development. • Flood mitigation measures may protect the proposed lots but this will be at the expense of increasing risk to adjacent land including Burnie Airport and TasRail. • The proposal has not included a proper assessment of the potential to increase flood risk in the area; including localised and upstream impact. 	<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 content relates to the particular discretions being exercised.</p> <p>Flood risk and management of that risk is only relevant to the application in term of assessing compliance with the Performance Criteria for the Clause E10.6.1 of the Water and Waterways Code. As shown in the discussion under that Clause the proposal is considered to satisfy the requirements of P1 for Clause E10.6.1.</p> <p>As a planning authority Council cannot consider issues related to flood risk beyond what it is entitled to under relevant legislation. For the current proposal this is limited to the ability of the subdivision to meet the requirements of the <i>Urban Drainage Act 2013</i> and the Performance Criteria for Clause E10.6.1.</p> <p>Portions of Port Creek forming part of Council's stormwater infrastructure cross through the property. As part of Council's servicing</p>

Issues raised:	Response:
<ul style="list-style-type: none"> • No copy of the Water Technology report to Council has been included with the advertised documents and there are discrepancies between the flood mitigation measures in the Water Technology analysis and those proposed in the application. • Levee structures required to preserve all-weather access along Mount Hicks Road should be integrated into the development due to the nine additional driveways proposed for Mount Hicks Road. • No agreement has been made on the final design of flood mitigation structures. An agreed design between the developer, Council and Housing Tasmania needs to be finalised before any application is approved. • What protections are in place to compensate adjacent landowners should the development increase flooding on surrounding land during heavy rainfall events such as the June 2016 floods. • What plans are in place for flood assistance to landowners including traffic control and road re-direction if required. 	<p>responsibilities upgrades are planned for the infrastructure in this area. Changes will be required to the extent of these upgrades should the subject site be developed in order to ensure compliance with the <i>Urban Drainage Act 2013</i>.</p> <p>Under Clause 5.2.2 of the Planning Scheme, no planning permit is required for provision of stormwater infrastructure including pipes, open drains and pump stations, by or on behalf of Council, provided no work takes place in a mapped landslip area.</p> <p>Although the ability of the subject site to meet the requirements of the <i>Urban Drainage Act 2013</i>, and therefore comply with Clause 10.4.9 A5, rests on flood mitigation works being carried out, no planning approval is required for the works themselves.</p> <p>Standards conditions requiring a reticulated stormwater drainage system capable of meeting minimum standards will be included on any permit issued. This includes planning for 1 in 100-year ARI major overland flow-path.</p> <p>Council cannot endorse any final plan of survey to give legal effect to a subdivision unless all conditions of a permit have been complied with. A condition will be imposed on any permit issued requiring detailed engineering design of the stormwater network be prepared and submitted for approval. This plan will need to be consistent with the Port Creek Flood Mitigation Works. It is expected that the Port Creek Flood Mitigation Works will need to be completed prior to any other site works commencing, including for Stage 1. Without the mitigation works being undertaken, the subdivision would be unable to proceed unless the developers were able to devise a suitable alternative to meet the requirements of the <i>Urban Drainage Act 2013</i>.</p> <p>Copies of the Water Technology report and details of flood mitigation measures were not required to be advertised as part of the subdivision proposal and none of these documents form part of the plans which would be endorsed by Council as part of any planning permit issued. A final design of flood mitigation works is not required at the planning stage as these works do not require planning approval.</p>

Issues raised:	Response:
	<p>In terms of flooding assistance, this is a separate issue to be considered by Council under its Emergency Management Plans.</p>
<p>Earthworks (Representation D.2)</p> <p>The proposal does not adequately address the provisions of the Change in Ground Level Code.</p>	<p>The supporting report submitted with the application included sufficient information to demonstrate that earthworks on the site requiring planning approval (this does not include cut and fill associated with the Port Creek Flood Mitigation Works) are capable of being conditioned to meet the acceptable solution for Clause E4.6.1. No earthworks can commence on site without the consent of the Director Infrastructure & Development Services and further detail including appropriately engineered drawings will be required at this stage.</p> <p>The majority of cut and fill on the site was proposed as part of Stage 1 to elevate the levels of these lots and allow development prior to the flood mitigation works occurring. A condition will be imposed on any permit issued requiring detailed engineering design of the stormwater network be prepared and submitted for approval. This plan will need to be consistent with the Port Creek Flood Mitigation Works. It is expected that the Port Creek Flood Mitigation Works will need to be completed prior to any other site works commencing, including for Stage 1.</p>
<p>Coastal Hazard: (Representation E)</p> <p>The subject site is in an area mapped as being subject to a high risk of coastal inundation. Properties built in this location will not be insurable against loss or damage resulting from coastal inundation or flood events. Due diligence in the planning process needs to take these ongoing, increasing risks of coastal inundation, and the foreseeable consequences for property loss, into account.</p>	<p>Review of the State coastal inundation mapping demonstrates that the site is not impacted by any level of inundation (low, medium or high).</p> <p>Regardless, when determining an application Council can only take into consideration matters it is directed to under planning legislation.</p> <p>Coastal hazards including inundation, erosion and recession are dealt with under the Hazard Management Code however this code only applies to risks mapped and endorsed as part of the applicable Planning Scheme. No coastal hazard mapping has been endorsed as part of the <i>Waratah-Wynyard Interim Planning Scheme 2013</i>.</p> <p>Coastal hazards are also considered under Clause E10.6.2 of the Water and Waterways Code however this clause is only applicable to development within 30m of coastal waters or</p>

Issues raised:	Response:
	<p>the shoreline. It is therefore not applicable to the current application.</p> <p>There is no mechanism for Council to consider the implications of coastal hazards on the proposed subdivision when determining the application.</p>
<p>TasRail: (Representation A, B)</p> <ul style="list-style-type: none"> • What impact will the proposal have on the existing flooding from railway land onto the subject site and adjacent developed residential lots is an issue? • The application is dependent on upgrades to Council's stormwater network which will likely impact TasRail land. The proposal requires consent from TasRail. • The plans do not label the rail corridor appropriately. The rail corridor cannot be relied upon to support the subdivision for any reason. • The supporting report includes reference to the utilities zone and TasRail land which do not match the subdivision plan. • TasRail will need to give its consent for any related works and/or installations on State Rail Network land and noting such works will require a separate TasRail Permit for Works. • A condition should be imposed allowing TasRail to review any changes to the subdivision plan required as a result of the current design being unable to manage stormwater appropriately. • A Part V agreement should be registered on the titles for Lots 40 – 42 to make future landowners aware that the rail corridor could be reopened and/or building envelopes registered on the titles imposing a setback form TasRail land. 	<p>TasRail land does not form part of this application. Issues associated with runoff from TasRail land onto adjoining properties are not relevant matters for Council's consideration.</p> <p>Under Clause 5.2.2 of the Planning Scheme, no planning permit is required for provision of stormwater infrastructure including pipes, open drains and pump stations, by or on behalf of Council, provided no work takes place in a mapped landslip area.</p> <p>Although the ability of the subject site to meet the requirements of the <i>Urban Drainage Act 2013</i>, and therefore comply with Clause 10.4.9 A5, rests on flood mitigation works being carried out, no planning approval is required for the works themselves. As such any comments in the report regarding the benefits of modifying Port Creek, which runs over TasRail land, are not relevant to the planning assessment and TasRail consent is not required for the planning application in its current form.</p> <p>The flood mitigation works are funded and will proceed irrespective of this proposed subdivision.</p> <p>The supporting report submitted with the application does not form part of documents to be endorsed by the Planning Authority however the initial report includes reference to TasRail land and the utilities zone. These references were due to the report being based on a previous version of the subdivision plans which did include TasRail land. As the report did not match the subdivision plan submitted to Council, a revised report was provided removing reference to TasRail land and the Utilities zone and the application readvertised.</p> <p>It is acknowledged that further consultation with TasRail will be required prior to undertaking the flood mitigation works. This is an issue for Council's Engineering Department and/or the developer and/or relevant party tendered to do the works.</p>

Issues raised:	Response:
	<p>Should a permit be granted for the proposal and changes are required to the layout of the subdivision which are not substantially in accordance with endorsed plans, an application for a minor amendment or new planning permit would need to be lodged with Council. As an adjoining landowner, TasRail would be notified of either of these occurring and have the option to provide comment.</p> <p>Regarding title restrictions such as building envelopes or Part V agreements, the Planning Scheme already has sufficient development controls in place to manage impact on railways. The relevant setbacks for dwellings from railways is 50m. Should the subdivision be approved, future dwellings will need to be assessed against this requirement. Any application seeking to vary this standard to build closer to the railway would need to be publicly advertised and TasRail notified as an adjoining landowner.</p>

INTERNAL REFERRALS

Engineering Services Department

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

1. All costs required by the proposed development, including those related to infrastructure extensions, upgrades to Council assets and contribution to flood mitigation works are to be met by the Developer.
2. Construction of civil engineering work associated with the Development is to comply with the requirements of Council's Standard Requirements for the Construction of New Infrastructure Assets and the Replacement of Existing Infrastructure Assets Policy PR.003, for all infrastructure that will become a Council asset including the replacement or upgrade of existing infrastructure assets.
3. Relevant engineering plans, specifications, calculations and computations are to be certified by a Chartered Professional Engineer in the relevant field and submitted to the Director Infrastructure & Development for approval. No work is to commence until a Construction Certificate has been issued by the Director Infrastructure & Development.
4. On completion of work covered by a Construction Certificate, a Chartered Professional Engineer in the relevant field is to certify by declaration that all work has been carried out fully in accordance with the approved plans, specifications, calculations and computations. "Works as Constructed" drawings that comply with the requirements of Council's "Submission of digital-as-constructed information".
5. In the course of undertaking the development/use any damage caused to any Council owned infrastructure or property shall be repaired by the developer

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6. Necessary easements for powerlines, sewerage, water, drainage, legal access and the like are to be shown on the final survey plan lodged for sealing.
 7. A twelve (12) month defects liability period is to apply to all infrastructure within the development which are to become Council assets. A maintenance bond of 5% of the cost of the civil works as approved by the Director Infrastructure & Development is to be lodged with Council prior to:
 - a. the issue of the Maintenance Period Commencement document; or
 - b. prior to the sealing of the Final Survey Plan.
 8. A new kerb crossover is to be constructed for each allotment, in accordance with the latest version of Tasmanian Standard Drawing TSD-R09-Urban Roads Driveway, TSD-R16-Concrete kerbs and Channels Vehicular Crossings.
 9. A reinforced concrete driveway slab is to be constructed for each allotment between the kerb crossover and the property boundary in accordance with the latest version of Tasmanian Standard Drawing TSD-R09-Urban Roads Driveways.
 10. All bridging structures are to be designed in concrete and constructed in accordance with AS 5100 and designed with Flood Immunity for a 1% AEP rainfall ensemble.
 11. A 150Ø stormwater connection point including an accessible inspection opening at ground level is to be constructed at the lowest point of each allotment in accordance with the latest version of Tasmanian Standard Drawings TSD-SW25-Stormwater Property Connections to Mains.
 12. A stormwater reticulation network to safely drain the development is to be designed and constructed in accordance with the *Australian Rainfall and Runoff guidelines 2019*, Council's *Stormwater System Management Plan*, the Port Creek Flood Mitigation Works and approved construction issue drawings.

Individual lot connections are to be designed using 10% AEP rainfall ensemble. A piped network to wholly contain and discharge overland flow and stormwater from each lot is to be designed to a 5% AEP rainfall ensemble. A combination of clearly designated overland flow paths and piped network is to safely contain and discharge a 1% AEP rainfall ensemble.

Detailed engineering design, including a report on all parameters and assumptions of the design is to be submitted to Council for approval prior to the issue of drawings for construction.

No construction or site works can commence until compliance with this condition is achieved.

13. Subsoil drains are to be installed at the back of kerb, both sides of the internal subdivisional roads and the western side of Mount Hicks Road, for the full extent of the development site, in accordance with the latest Tasmanian Standard Drawing TSD-R12-Subsoil Drains Construction Details.
14. Before site disturbance or construction commences an environmental management plan is to be prepared and submitted for approval by the Director Infrastructure & Development, the plan is to outline proposed practices in relation to:

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- a. Temporary run-off, erosion and sediment controls, which are to be installed before the development commences. Controls are to include, but are not limited to:
 - vi. Minimisation of site disturbance and vegetation removal;
 - vii. Diversion of up-slope run-off around cleared and/or disturbed areas, areas to be cleared and/or disturbed or filled providing such diverted run-off does not cause erosion and is directed to a legal discharge point;
 - viii. Installation of sediment retention traps (e.g. sediment fences, etc.) at the down slope perimeter of a disturbed area or stockpile to prevent unwanted sediment and other debris escaping from the land;
 - ix. Installation of sediment retention traps (e.g. sediment fences, etc.) at entry points to the stormwater system to prevent sediment and other debris escaping from entering the network
 - x. Rehabilitation of all disturbed areas as soon as possible.
 - b. Weed, Pest and Disease Management
 - c. Storage facilities for fuels, oils, greases, chemicals and the like
 - d. Litter Management
 - e. Dust Management
 - f. Washout Management
 - g. Acid Sulphate Soil Management
 - h. Quality Control arrangements including:
 - v. Supervision by appropriately qualified and experienced personnel
 - vi. Documented site procedures
 - vii. Record keeping
 - viii. Quality Control testing

Erosion control measures are to be maintained at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development.

15. All disturbed surfaces on the land, except those set aside for roadways, footways and driveways, are to be covered with topsoil and seeded with approved grass and, where appropriate, revegetated and stabilised in accordance with the approved Environmental Management Plan, and to the satisfaction of the Director Infrastructure & Development.
16. An 18-metre wide road reservation is to be provided for both internal subdivision roads, with lot boundaries splayed where necessary and shown as "Road" on the final survey plan lodged for sealing.
17. The internal subdivision roads are to be of compacted crushed rock pavement, designed in accordance with the Austroads Pavement Design Guidelines, with a sealed pavement width of 8.9 metres measured from face of kerb to face of kerb (FOK). The pavement is to be designed for a 100-year life and a minimum 40mm asphalt seal in accordance with the latest Tasmanian Standard Drawing TSD-R06-Urban Roads Typical Sections and Pavement Widths and is to be constructed to the reasonable requirements of the Director Infrastructure & Development.

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18. Road intersections, both internally and within the council road network are to be assessed in accordance with the Austroad Guides to Traffic Management. All upgrade and works required to achieve compliance with the Austroad Guide to Traffic Management are to be addressed as part of the road design process. Supply and install traffic management devices that include, but are not limited to, signage and line marking in accordance with the latest suite of AS 1742 standards.
 19. Footpaths of 1.5 metre width and otherwise are to be constructed on one side of the internal subdivision roads and in accordance with the latest Tasmanian Standard Drawing TSD-R11-Urban Road Footpaths.
 20. A 1.5 metre wide footpath, including a pedestrian bridge at Port Creek, is to be constructed on the western side of Mount Hicks Road, immediately adjacent to lot boundaries in accordance with the latest Tasmanian Standard Drawing TSD-R11- Urban Roads Footpaths for the full extent of the development site commencing from Lot 27 to the rear boundary of 63 Old Bass Highway.
 21. Remove the existing driveway and vehicular crossing between 47 & 47D Old Bass Highway. Fill area with topsoil and seed with grass. Reinststate the vehicular crossing to kerb Type KC according to the latest version of Tasmanian Standard Drawings TSD-R14- Approved Concrete Kerbs & Channels Profile Details.
 22. A 2-metre-wide footpath is to be constructed from the court bowl of Lockett Street extension through to Old Bass Highway, between 47 & 47D Old Bass Highway in accordance with the latest Tasmanian Standard Drawing TSD-R11-Urban Roads Footpaths. The footpath construction is to incorporate a chicane in accordance with Austroad Guidelines, at the Old Bass Highway end of the path, and a lockable bollard at the subdivision end in accordance with the latest version of Tasmanian Standard Drawings TSD-R32- Barriers/Guard Rail Lockable Bollards.
 23. Two pedestrian crossings are to be constructed on Old Bass Highway just east of power pole 127163, in accordance with the latest Tasmanian Standard Drawings TSD-R18- Concrete Kerbs and Channels Access Ramps. With a pedestrian refuge constructed mid-way between pedestrian crossings on Old Bass Highway in accordance with the latest version of Tasmanian Standard Drawing TSD-R20-Traffic Islands.
 24. A 1.5m wide footpath is to be constructed linking into the footpath surrounding the East Wynyard playground in accordance with the latest version of Tasmanian Standard Drawing TSD-R11-Urban Roads Footpaths.
 25. A 3m wide concrete path is to be constructed from internal subdivision road, 'Road 02' to 'Road 1' (Lockett Street extension) in accordance with the latest Tasmanian Standard Drawing TSD-R09-Urban Roads Driveways, including 1 lockable bollard at either end of the path according to the latest TSD-R32-Barriers/Guard Rail Lockable Bollards.
 26. All pedestrian access ramps are to be in accordance with the latest Tasmanian Standard Drawings TSD-R18-Concrete Kerbs and Channels Access Ramps.
 27. Concrete kerb and Channel type 'KCM' is to be constructed in accordance with the latest Tasmanian Standard Drawing TSD-R14, on both sides of the internal subdivision roads and Cul-de-sac's.
 28. Concrete kerb and Channel type 'KC' is to be constructed in accordance with the latest Tasmanian Standard Drawing TSD-R14, on the western side of Mount Hicks Road for the full extent of the development site.

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29. A court bowl of radius 9 metres and otherwise, in accordance with the latest Tasmanian Standard Drawing TSD-R08-Urban Roads Cul-De-Sac Turning Heads, is to be provided at the termination of both internal subdivision roads to facilitate the turning movement of large service vehicles. Construction is to be of equivalent standard to the internal subdivision roads.
 30. A Road widening to 11m, measured to seal edges, to a 100-year design life is to be provided for Mount Hicks Road fronting the development site. The road widening design is to include moving the road centre line to the East for sufficient separation to property accesses, footpath and kerb and channel. The road widening design is not to be at the detriment of the Waratah-Wynyard Council Port Creek Flood Mitigation Works along the Port Creek tributary. The standard of road construction is to be of compacted crushed rock pavement, designed in accordance with the Austroads Pavement Design Guidelines with a minimum 40mm asphalt seal, and in accordance with the latest Tasmanian Standard Drawing TSD-R06-Urban Roads Typical Sections and Pavement Widths.
 31. A “BAR” turn treatment is to be constructed at the junction of Mt Hicks Road and “Road 02” in accordance with Austroads Guidelines, and the Traffic Impact Assessment by CSE Tasmania PTY LTD.
 32. The corner radius for the proposed internal subdivision roads and the junction with Mount Hicks Road must be designed to cater for 8.5 metre service vehicles movements in accordance with Austroads Design Vehicles and Turning Path Templates.
 33. Vehicular access during development is to be confined to the areas designated on the endorsed or approved plans.
 34. All manholes are to be located behind the kerb line.
 35. Street lighting is to be provided in accordance with AS 1158, the requirements of Aurora Energy Pty Ltd and to the approval of the Director Infrastructure & Development Services. The street lighting is to be designed to minimise off site glare and reflected light.
 36. Before site disturbance or construction commences, a Project Management Plan is to be prepared and submitted for approval by the Director Infrastructure & Development. The plan is to provide relevant project management information and outline proposed construction practices, including, but not limited to:
 - a. Contact details for principal, consultants and contractors including afterhours numbers;
 - b. Traffic management plan including road works signage;
 - c. Proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on site);
 - d. Identification of potentially noisy construction phases, such as operation of rock-breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;
 - e. Site facilities to be provided; and
 - b. Procedures for washing down vehicles to prevent soil and debris being carried onto the street.
 37. A Final Survey Plan shall be submitted to the Waratah-Wynyard Council for sealing of each stage of the development. The plan shall be drawn to scale and prepared in

accordance with the requirements of the Recorder of Titles and shall form part of his permit when sealed.

38. Before a final survey plan may be sealed, the developer is to provide a contribution in lieu of providing public open space in the development. The contribution is to be equivalent to five percent (5%) of the value of the new lots comprised in the plan, less the value of any public open space that is provided. The contribution may be paid on a pro rata basis where the subdivision is to be staged.
39. The applicant is to seek a private land valuation of the new lots as identified on the endorsed plan. A copy of the valuation is to be submitted to Council before or at the time of payment of the public open space contribution.
40. A contribution to the Port Creek Flood Mitigation Works of \$252,853 exl. GST is to be paid to Council. A pro-rata amount of the total contribution based on the number of lots in each stage of the development may be arranged with the Director of Infrastructure & Development. This pro-rata contribution per stage of development is to be indexed annually using the Consumer Price Index of Hobart released by the Department of Treasury and Finance and is to be applied from June 2022 onwards.
41. The developer is to submit to Council nominations for street names within the new development for consideration in accordance with Street Naming & Addressing Policy LUP.006.
42. A landscape management plan is to be prepared and lodged for approval by the Director Infrastructure & Development. Tree species selection and tree locations are to be finalised in conjunction with the Tree Management Policy PR.007.
43. All line marking associated with the development will be white thermoplastic (with the exception of no standing lines) and comply with Department of State Growth Standard Drawings SD-81.001.
44. The developer will be responsible for supply and erecting of all street name signs associated with the development, inclusive of posts, sleeves, gib keys and any other product required to install. The location of street signs must be shown on construction issue drawings for approval by the Director Infrastructure & Development.
45. The existing open drain to the rear of properties between 49 to 63 Old Bass Highway, is to be upgraded and designed to a piped network and is to include all existing lot connections.

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 3 June 2022. A response was received on 12 June 2022 and forms Part B of the permit conditions.

PLANNING ASSESSMENT

The subject site is zoned General Residential under the *Waratah-Wynyard Interim Planning Scheme 2013*. The use is a Residential Use which is a Permitted use within the General Residential zone, should the application meet all the relevant acceptable solutions of the planning scheme.

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

An assessment of the proposal against the applicable clauses for the General Residential Zone is provided below.

10.0 General Residential zone

10.4.9 Suitability of a site or lot for use or development

<p>A1</p> <p>A site or each lot on a plan of subdivision must –</p> <ul style="list-style-type: none"> (a) have an area of not less than 330m² excluding any access strip; and (b) if intended for a building, contain a building area of not less than 10.0m x 15.0m <ul style="list-style-type: none"> (i) clear of any applicable setback from a frontage, side or rear boundary; (ii) clear of any applicable setback from a zone boundary; (iii) clear of any registered easement; (iv) clear of any registered right of way benefiting other land; (v) clear of any restriction imposed by a utility; (vi) not including an access strip; (vii) accessible from a frontage or access strip; and (viii) if a new residential lot, with a long axis within the range 30° east of north and 20° west of north 	<p>P1</p> <p>A site or each lot on a plan of subdivision must –</p> <ul style="list-style-type: none"> (a) be of sufficient area for the intended use or development without likely constraint or interference for – <ul style="list-style-type: none"> (i) erection of a building if required by the intended use; (ii) access to the site; (iii) use or development of adjacent land; (iv) a utility; and (v) any easement or lawful entitlement for access to other land; and (b) if a new residential lot, be orientated to maximise opportunity for solar access to a building area
<p>Planning Comments: Complies</p> <p>Proposed Lots 2-7, 10, 16-17, 37, 45-48, 50-52, 54-55, 58-59, 62-63 and 71-72 cannot contain a 10m x 15m building area with a long axis between 30° east of north and 20° west of north clear of all relevant setbacks and require assessment against P1 for this Standard.</p> <p>Each of the proposed lots exceed the minimum lot size of 330m² and have frontage onto a public road. No lots are affected by a right of way or restriction imposed by a utility. Lots 37,</p>	

45, 48 and 52 contain sewer mains, however there is adequate space on these lots for a future dwelling clear of required easements.

The east-west long axis for lots 2 – 6, 37 and 45 – 48 provides maximum space for a future dwelling to take advantage of northern sunlight whilst still complying with minimum setback requirements. Although the nominated building areas for the remaining discretionary lots can be appropriately orientated, they cannot comply with all permitted setback requirements from side and rear boundaries. However, building areas are only indicative of potential dwelling locations. Should any lots be developed for residential use separate approval from Council will be required, including assessment of any dwelling design against the relevant clauses for location and configuration of development.

The proposal satisfies P1 for this Standard.

10.4.13 Subdivision

<p>A2</p> <p>A lot, other than a lot to which A1(b) applies, must not be an internal lot</p>	<p>P2</p> <p>(a) An internal lot on a plan of subdivision must be –</p> <p>(i) reasonably required for the efficient use of land as a result of a restriction on the layout of lots imposed by –</p> <ul style="list-style-type: none"> a. slope, shape, orientation and topography of land; b. an established pattern of lots and development; c. connection to the road network; d. connection to available or planned utilities; e. a requirement to protect ecological, scientific, historic, cultural or aesthetic values, including vegetation or a water course; or f. exposure to an unacceptable level of risk from a natural hazard; and g. without likely impact on the amenity of adjacent land
<p>Planning Comments: Complies</p> <p>Proposed Lots 8-9, 29-30, 33-34, 40, 42, 45, 48-49, 52-53, 56-57, 60-61, 64, 66 and 69-70 are internal lots and require assessment against P2 for this Clause.</p> <p>The proposal is for subdivision of a large vacant parcel of land which adjoins TasRail’s defunct western line to the south and contains portions of Port Creek. Due to the manner in which the proposed development seeks to meet the requirements of the <i>Urban Drainage Act 2013</i>, a drainage reserve containing the realigned creek runs through the centre of the lot, from the north-eastern corner to the south-western corner. Lot configurations which avoid internal lots would result in fewer lots due to the limited road configuration options as a result of the creek alignment.</p>	

The internal lots vary in size from 652m² to 1595m² and have been designed to allow sufficient separation between future dwellings and adjacent properties as well as to provide suitable hazard management areas for bushfire purposes. The inclusion of large internal lots maximises lot yield.

Each of the internal lots is intended for residential use and are capable of being serviced by TasWater’s reticulated water supply and sewerage infrastructure as well as Council’s stormwater network. No lot contains identified natural hazards or areas of ecological, scientific, historic, cultural or aesthetic value and all have frontage onto proposed roads of at least 3.6m.

The proposal will have minimal impact on adjacent residential land, which primarily comprises established residential lots but with some vacant land to the south-west. There is sufficient space on internal lots to comply with permitted setback requirements from boundaries and ensure adequate separation from existing and future residential development.

Impact on the railway to the south will likewise be minimal given that the rail line is non-operational and has been closed to rail traffic since 2003. Further, the proximity of any future residential use to the railway is likely to be consistent with adjoining residential lots to the east at 30 and 32 Mount Hicks Road or to the west along Martin Street. Some dwellings on these properties have no setback from TasRail land and abut the common boundary to the rail corridor.

The proposal satisfies P2 for this Standard.

10.4.14 Reticulation of an electricity supply to new lots on a plan of subdivision

<p>A1</p> <p>Electricity reticulation and site connections must be installed underground</p>	<p>P1</p> <p>It must be impractical, unreasonable, or unnecessary to install electricity reticulation and site connections underground</p>
<p>Planning Comments: Complies</p> <p>It is proposed to service the lots through a combination of above and below ground electricity connections as required by TasNetworks. Lots fronting onto Mount Hicks Road are likely to be connected to the existing overhead electricity supply whilst underground connections can be provided for lots fronting onto the new roads. It is considered impractical to require an installation of an underground electricity supply for lots capable of being serviced by the existing powerlines.</p> <p>The proposal satisfies P1 for this Standard.</p>	

E10 Water and Waterways Code

E10.6.1 Development in proximity to a water body, watercourse or wetland

<p>A1</p> <p>There is no acceptable solution</p>	<p>P1</p> <p>Development must –</p> <p>(a) minimise risk to the function and values of a water body watercourse or wetland, including for –</p> <p>(i) hydraulic performance;</p> <p>(ii) economic value;</p> <p>(iii) water based activity;</p>
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	<ul style="list-style-type: none"> (iv) disturbance and change in natural ground level; (v) control of sediment and contaminants; (vi) public access and use; (vii) aesthetic or scenic quality; (viii) water quality management arrangements for stormwater and sewage disposal; (ix) modification of a natural drainage channel; (x) biodiversity and ecological function; (xi) level of likely risk from exposure to natural hazards of flooding and inundation; and (xii) community risk and public safety; and <p>(b) be consistent with any advice or decision of a relevant entity administering or enforcing compliance with an applicable protection and conservation regulation for –</p> <ul style="list-style-type: none"> (i) impact of the development on the objectives and outcomes for protection of the water body, watercourse or wetland; and (ii) any condition or requirement for protection of the water body, water course or wetland
<p>Planning Comments: Complies</p> <p>The subject site contains portions of Port Creek. The proposal is for subdivision of this lot into 78 residential lots. This code applies for use or development on land within 30m of the bank of a water body, watercourse or wetland unless otherwise exempt. The definition of ‘development’ includes the subdivision, as per s3 LUPAA. The lots either side of the drainage reserve are within 30m of Port Creek as well as portions of the proposed roads. Assessment against the Performance Criteria for this Clause is required.</p> <p>Due to the manner in which the proposed development seeks to meet the requirements of the <i>Urban Drainage Act 2013</i>, a drainage reserve containing a realigned Port Creek runs through the centre of the lot, from the north-eastern corner to the south-western corner. A landscaped walking track is to be constructed alongside the creek to facilitate safe public access through the site. A landscaping management plan will be provided to Council’s Director Infrastructure & Development for approval to ensure the aesthetic quality of the area is maintained. The creek is of limited value for water-based activities due to its dimensions and the proposal will not alter this.</p> <p>As part of the subdivision, the existing waterway is to be directed away from the dam on the site to an existing drain. Culverts are to be installed where the proposed road crosses the waterway to maintain hydraulic performance.</p> <p>Stormwater from each proposed lot is to be connected into Council’s reticulated stormwater system. There will be no uncontrolled discharge into the creek. Council’s Engineering Department are satisfied that adequate stormwater management arrangements for the subdivision can be achieved in conjunction with the Port Creek Flood Mitigation Works have been completed. As the Port Creek Flood Mitigation Works are exempt from requiring a planning permit under Clause 5.2.2, they do not require assessment under the Water and Waterways Code.</p>	

Connections to TasWater’s reticulated water and sewerage infrastructure can be achieved for each lot and the proposal does not involve drawing on the creek as a water supply for domestic or fire-fighting purposes. The proposal will not negatively affect existing levels of risk regarding flooding or inundation as the detailed engineering design of the stormwater infrastructure will be designed in accordance with the Port Creek Flood Mitigation Works are commissioned and completed prior to any subdivision works commencing. Further, the following note will be included on any permit issued:

- 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*.

Change in ground level and modification of existing drainage arrangements will be constrained to works required to ensure the proposal meets the requirements of the *Urban Drainage Act 2013*.

The LISTmap does not identify any threatened flora or fauna in the vicinity of the subject site and the proposal did not require referral to an external agency regarding compliance with protection and conservation regulation. The portion of Port Creek is neither economically nor ecologically significant other than the fact it forms part of Council’s stormwater system.

In this manner, the proposal complies with P1 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 the LUPAA and must enforce the Planning Scheme under s48 of the Act.

In accordance with section 57 of this Act and Council’s Planning Scheme, this proposal is an application for a discretionary permit. Council may approve or refuse discretionary permit applications after considering both Council’s Planning Scheme and the public representations received. It is noted that seven (7) representations were received during the exhibition periods.

Local Government (Building & Miscellaneous Provisions) Act 1993

The application has been considered against the requirements of s85 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*. The application is generally consistent with these provisions.

While the drainage reserve has the ability to provide for some recreational use, its primary purpose is to accommodate Port Creek. Therefore, it is not considered as public open space. A monetary contribution in lieu of public open space will be conditioned with any permit issued.

STRATEGIC IMPLICATIONS

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

There are no environmental 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 that the proposed subdivision complies with either the acceptable solution or satisfies the performance criteria for all applicable standards of the Planning Scheme. The proposal makes efficient use of a large residential lot taking into consideration the creek running through the site and servicing requirements. Each of the proposed residential lots contain a suitable building area and the proposed road layout is considered to be suitable for the anticipated traffic volume generated by the subdivision.

The application is considered to comply with the General Residential Zone provisions for the *Waratah-Wynyard Interim Planning Scheme 2013* and is generally consistent with section 85 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*. It is therefore recommended that Council approve a planning permit for the proposed subdivision.

6.5 DWELLING EXTENSION LOCATED AT 151 IRBY BOULEVARD, SISTERS BEACH - DA 192/2022

To: Council
Reporting Officer: Town Planner
Responsible Officer: Manager Development and Regulatory Services
Report Date: 6 September 2022
File Reference: 9988488
Supporting Documents: 1. Consolidated advertised documents 
2. Representation 

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 dwelling extension at 151 Irby Boulevard, Sisters Beach 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 22071 and Drawing Number 03 Rev. B as drawn by PLA Designs and dated 29 July 2022.
 - (b) Proposal Plans with Project Number 22071 and Drawing Numbers 01 Rev. B, 02 Rev. C, 04 Rev. C and 05 Rev. C as drawn by PLA Designs and dated 4 August 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. Stormwater from the development is to be connected and discharged into Council's stormwater drainage network.
6. Control measures are to be installed for the duration of the demolition and construction 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*.

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- This permit is based on information and particulars set out in Development Application DA 192/2022. 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 & Administrative Tribunal (TASCAT), G.P.O. Box 2036, Hobart, 7001 (<mailto:resourceplanning@tascat.tas.gov.au>). Updated Notices of Appeal are available on the Tribunal's website at <https://www.tascat.tas.gov.au/>.

PURPOSE

The purpose of this report is for Council to consider the merits of the application DA 192/2022 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013*.

BACKGROUND

The subject site is located at 151 Irby Boulevard, Sisters Beach and has an area of 1014m². It is located within the Low Density Residential zone and has access onto Irby Boulevard. The site currently contains a water tank and single dwelling.

The titles to the south-east, 149 Irby Boulevard, and to the south-west across Irby Boulevard contain single dwellings and associated outbuildings. To the north-east is a coastal reserve administered by DPIPWE (Crown Land Services) and zoned Environmental Management.

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 alterations comprising a dwelling extension and deck at 151 Irby Boulevard, Sisters Beach.

The dwelling extension has a floor area of 102m² and a maximum height of 4.5m. It comprises an expanded kitchen/living/dining area, relocated bedrooms and main bathroom, walk-in-robe and ensuite addition for main bedroom, additional toilet and storage room with roller door. The proposal also includes a 57m² unroofed deck with covered alfresco area.

The development also includes alteration of the existing roofline as well as recladding and of the dwelling in a mix of Colorbond and weatherboard. The proposal has a setback of 1.12m from the north-western boundary, 5.65m from the north-eastern boundary, and 6.35m from the south-eastern boundary.

The proposed water tank replacement depicted in the plans does not require a permit from Council.

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 Low Density Residential under the Planning Scheme. The proposal is defined as a Residential Use Class. This is a Permitted use within the zone, should the application meet all the relevant Acceptable Solutions. The proposal does not comply

with all the acceptable solutions. The applicant is applying for discretion under the following Clauses of the Planning Scheme:

- 12.4.3 Location and Configuration of Development (P2); and
- E10.6.1 Development in proximity to a waterbody (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;
- Title Documents x 2 Pages;
- Supporting report x 15 Pages; and
- Proposal Plans x 5 pages.

The period for representations closed on 7 September 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 representors 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.

Representation – G Pearce

Issues raised:	Response:
<p>The representor would like the development to include rerouting the existing power supply to the subject site so it is no longer routed across their property. They have the following concerns regarding the existing powerline:</p> <ul style="list-style-type: none"> • The overhead route across our property is a constant safety concern given the proximity of vegetation • The overhead power supply is routed across our shed • It is an amenity visual impact. 	<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 content relates to the particular discretions being exercised.</p> <p>Electricity connections to lots are only considered under the Planning Scheme for applications involving subdivision.</p> <p>Requests to reroute existing connections and/or safety concerns about power lines should be referred to TasNetworks.</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 un-loading of vehicles is to be confined to within the boundaries of the property.
- (4) 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.

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

EXTERNAL REFERRALS

The proposal did not require any external referrals.

PLANNING ASSESSMENT

The subject site is zoned Low Density Residential under the *Waratah-Wynyard Interim Planning Scheme 2013*. The use is a Residential Use which is a Permitted use within the Low Density Residential zone, should the application meet all the relevant acceptable solutions of the planning scheme.

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

An assessment of the proposal against the applicable clauses for the Low-Density Residential Zone and relevant Codes is provided below.

12.4.3 Location and configuration of development

A2	P2
<p>All buildings must be contained within a building envelope determined by</p> <ul style="list-style-type: none">(a) the applicable frontage setback;(b) if the site is in a locality shown in the Table to this Clause, not less than the setback distance specific from the feature specified;(c) projecting a line at an angle of 45° from the horizontal at a height of 3.0m above natural ground level at each side boundary and at a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level if walls are setback<ul style="list-style-type: none">(i) not less than 1.5m from each side boundary; or(ii) less than 1.5m from a side boundary if wall height is not more than 3.0m; and –<ul style="list-style-type: none">a. built against an existing wall of an adjoining building; orb. the wall or walls<ul style="list-style-type: none">i. have the lesser of a total length of 9.0m or one third of the boundary with the adjoining land;ii. there is no door or window in the wall of the building; andiii. overshadowing does not result in<ul style="list-style-type: none">a. less than 2 hours of continuous sunlight to a required minimum	<p>Building height and location of a building in relation to a frontage and site boundaries must</p> <ul style="list-style-type: none">(a) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling;(b) minimise the apparent scale, bulk, massing and proportion relative to any adjacent building;(c) be consistent with the streetscape;(d) respond to the effect of the slope and orientation of the site; and(e) provide separation between buildings to attenuate impact

<p>private open space area in an adjacent dwelling between 9.00am and 3.00pm on 21st June; or</p> <p>b. a further reduction in continuous sunlight to a required minimum private open space area in an adjacent dwelling if already less than 2 hours between 9.00am and 3.00pm on 21st June; or</p> <p>(d) in accordance with any building envelope shown on a sealed plan</p>	
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Planning Comments: Complies

The proposed development is setback 1.12m from the north-western side boundary, and 5.65m from the north-eastern rear boundary. The dwelling protrudes beyond the permitted building envelope in relation to north-western side boundary and the deck is located within 6m of a reserve under the *Crown Lands Act 1976*. Assessment against Performance Criteria P2 is therefore required.

To the south-west, the subject site fronts Irby Boulevard. To the north-east, the subject site adjoins a coastal reserve managed by NRE Tas. The proposal will not affect residential amenity in either of these directions.

The proposed development is compliant with setback requirements from the dwelling to the south-east at 149 Irby Boulevard. There are no other dwellings within the immediate vicinity of the development. The property to the north-west, 153 Irby Boulevard, is a vacant residential lot with an area of 636m². There is sufficient space on this property to locate a future dwelling clear of the limited amount of shade which will be cast onto the property by the proposed dwelling extensions. Further, the proposed dwelling extensions are orientated away from 153 Irby Boulevard and are single storey minimising visual impact on future dwelling(s) to the north-west.

In this manner, the proposal satisfies P2 for this Standard.

E10 Water and Waterways Code

E10.6.1 Development in proximity to a waterbody, watercourse or wetland

<p>A1 There is no acceptable solution</p>	<p>P1 Development must –</p> <p>(a) minimise risk to the function and values of a water body watercourse or wetland including for -</p> <ul style="list-style-type: none"> (i) hydraulic performance; (ii) economic value; (iii) water based activity; (iv) disturbance and change in natural ground level; (v) control of sediment and contaminants; (vi) public access and use; (vii) aesthetic or scenic quality; (viii) water quality management arrangements for stormwater and sewage disposal;
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	<ul style="list-style-type: none"> (ix) modification of a natural drainage channel; (x) biodiversity and ecological function; (xi) level of likely risk from exposure to natural hazards of flooding and inundation; and (xii) community risk and public safety; and <p>(b) be consistent with any advice or decision of a relevant entity administering or enforcing compliance with an applicable protection and conservation regulation for –</p> <ul style="list-style-type: none"> (i) impact of the development on the objectives and outcomes for protection of the water body, watercourse or wetland; and (ii) any condition or requirement for protection of the water body, water course or wetland
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Planning Comments: Complies

An artificial open drain runs through the subject site, approximately 4m from the proposed development at its closest point. The proposal requires assessment against Performance Criteria P1 for this Standard.

All proposed development is confined within the boundaries of the site and clear of the registered easement over the open drain. The subject site is already serviced by a reticulated sewer and stormwater supply and the proposal does not include any changes in ground level or modification of any natural drainage channel. A note will be included on any permit issued as follows:

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

The open drain is located on private property and is not accessible to the general public. Issues pertaining to public access, community risk and public safety, economic development and the conduct of water-based activities are largely irrelevant. Further, the proximity of the proposed extensions to the open drain is compatible with the proximity of existing development on the site as well as development on other properties along Irby Boulevard, including 114 and 149 Irby Boulevard. The proposal is unlikely to have any significant impact on the hydraulic performance or economic value of the drain and its ability to function as part of Council’s stormwater system.

The subject site has not been identified as being at risk of any flooding or inundation under the Planning Scheme. Council’s Engineering Department has undertaken an assessment of the proposed development and requires the following condition to be included on any permit issued:

- Stormwater from the development is to be connected and discharged into Council’s stormwater drainage network.

The LISTmap does not identify any threatened flora or fauna in the vicinity of the subject site and the proposed development does not involve any works which directly affect the open drain. The proposal did not require referral to any other external agency.

The proposal satisfies P1 for this Standard.

The proposal meets the Acceptable Solution for all other applicable Standards of the Low Density Residential zone provisions and relevant Codes.

STATUTORY IMPLICATIONS

Land Use Planning and Approvals Act 1993

The Council is established as a Planning Authority by definition under Section 3(1) of the LUPAA and must enforce the Planning Scheme under s48 of the Act.

In accordance with section 57 of this Act and Council's Planning Scheme, this proposal is an application for a discretionary permit. Council may approve or refuse discretionary permit applications after considering both Council's Planning Scheme and the public representations received. It is noted that one (1) representation was received during the exhibition period.

STRATEGIC IMPLICATIONS

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

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 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.

CONCLUSION

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

It is considered that the proposed dwelling extension complies with either the acceptable solution or satisfies the performance criteria for all applicable standards of the Planning Scheme. The extensions are suitably separated from adjacent residential lots and have a setback from the coastal reserve and open drain running through the site consistent with other lots along Irby Boulevard.

The application is considered to comply with the provisions of the Low Density Residential Zone and Water and Waterways Code for the *Waratah-Wynyard Interim Planning Scheme 2013*. It is therefore recommended that Council approve a planning permit for the proposed dwelling extension.

6.6 APPLICATION FOR PLANNING SCHEME AMENDMENT PSA 1/2021 FOR 15275 BASS HIGHWAY, SOMERSET

To: Council
Reporting Officer: Town Planner
Responsible Officer: Manager Development and Regulatory Services
Report Date: 15 September 2022
File Reference: 2894052
Supporting Documents: 1. Directions from TPC 15 September 2022 

RECOMMENDATION

That Council, acting as the Planning Authority:-

- 1. Submits a modified planning scheme amendment as requested by the Tasmanian Planning Commission in accordance with section 41 of the *Land Use Planning Approvals Act 1993*; and**
- 2. Delegates the General Manager to provide any further modifications or submissions relevant to this planning scheme amendment to the Tasmanian Planning Commission.**

PURPOSE

The purpose of this report is to seek the Planning Authority's endorsement to provide the Tasmanian Planning Commission (TPC) with a modified draft amendment for 15275 Bass Highway, Somerset (CT 153130/4) to create a site specific qualification within the current General Industrial zoning in lieu of rezoning the site to Particular Purpose Zone 1.

BACKGROUND

On 21 December 2021 Waratah-Wynyard Council received an application from Equilibrium Town Planning on behalf of the landowner for a planning scheme amendment to rezone land from General Industrial to Particular Purpose Zone 1 under s33 of the *Land Use Planning and Approvals Act 1993* (LUPAA).

On 21 February 2022, the Planning Authority determined to initiate and certify a planning scheme amendment. The amendment was to rezone land at 15275 Bass Highway, Somerset (CT 153130/4) and 55 McKays Road, Somerset (CT 15471/1) from General Industrial under the *Waratah-Wynyard Interim Planning Scheme 2013* (WWIPS) to Particular Purpose Zone 1. Steps included within this process was notifying the Tasmanian Planning Commission (TPC) of the decision and exhibit the application for a period of 28 days.

Following the advertising period, during which no representations were received, the Planning Authority determined to endorse a Statement of Opinion drafted by the Planning Department, in accordance with s39 of LUPAA, regarding the notification process of PSA 1/2021.

The statement of opinion was provided to the TPC and a hearing date was set for Wednesday, 14 September 2022 at Council chambers. Further particulars were sought by the TPC on 5 August 2022 from both the landowner's representative, Equilibrium Town Planning, and Council's Planning Department. Responses were provided on 23 and 24 August

2022 respectively, and a submission from the Department of State Growth (DSG) was provided on 5 September 2022.

The hearing for PSA 1/2021 was attended by a panel from the TPC as well as members of Council's Planning Department, Equilibrium Town Planning and the landowner of 15275 Bass Highway, Somerset (the subject site). As a result of discussions at the hearing between attending parties a modified draft proposal was presented to the TPC from Council.

A formal direction to submit a certified version of the modified draft amendment to the TPC by 29 September 2022 was received on 15 September 2022.

DETAILS

The modified proposal seeks to create a site specific qualification (SSQ) within the current General Industrial zoning in lieu of rezoning the site to Particular Purpose Zone 1 and does not seek to alter the zoning or any other aspects of 55 McKays Road, Somerset (CT 15471/1). The TPC advised that readvertising is not required as the proposed modification is not a substantial change. The intention of the application has not changed, but an alternate method to deliver it within the planning scheme has been recommended. Additionally, the option of an SSQ was addressed within the application for the planning scheme amendment.

The primary aim of the initial draft amendment was to increase certainty for the existing uses on the site and provide security for the ongoing and potential future employment opportunities provided by the Seabrook Hotel. The existing Visitor Accommodation and Hotel Industry uses on the site are prohibited under the current General Industrial zoning for the WWIPS and will remain prohibited under the future General Industrial provisions for the incoming Tasmanian Planning Scheme (TPS). As an existing non-confirming use, Council can only consider applications for minor changes, which does not allow for expansion or upgrading of the Seabrook Hotel site.

Particular Purpose Zone 1 was specifically designed for the site at 15285 Bass Highway, Somerset. Although the provisions of this zone were drafted with the surrounding General Industrial zoned land in mind, many of the development standards have been tailored to the characteristics of 15285 Bass Highway which is comprised of a disused nunnery and shed centrally located on a large open lot. In contrast the subject site is well developed, containing the Seabrook Hotel, and is also irregularly shaped.

It was considered at the hearing that the setbacks and offset areas contained in the Particular Purpose Zone 1 would not be possible to achieve on the subject site. A separate zoning would also trigger the Attenuation Code under the TPS for surrounding industrial use and place an additional restriction on the metal fabrication industrial use to the east and south-east. Following discussions between attending parties a draft SSQ was informally submitted to the TPC panel.

The SSQ proposes the inclusion of the existing uses on the site, Visitor Accommodation and Hotel Industry, within the Discretionary use category for the General Industrial zone for this property only. General Retail & Hire has also been included but has been restricted to a bottle shop only. This has been proposed to ensure sale of alcohol from the site can continue should changes to gaming legislation occur or sales be located in a building separate from the hotel.

The maximum height limit in the General Industrial zone is 20m. The permitted height for the proposed SSQ has been reduced to 12m which is sufficient to allow for three storey

development and is commensurate with height limits for commercial/business areas under the incoming TPS. A height limit of 12m would assist in providing a limit on the intensification of future development, which responds to concerns raised by the Department of State Growth.

The General Industrial zone does not include any boundary setbacks for rear and side boundaries. A minimum permitted side and rear boundary setback of 5m is proposed with variations able to be considered under a discretionary pathway. The corresponding performance criteria is based on similar provisions elsewhere in the scheme for dealing with potential land use conflict.

A copy of the proposed SSQ is included in the table at the end of this report.

CONSULTATION PROCESS

This modified amendment has been prepared as a result of discussions during the hearing held 14 September 2022 and in response to formal directions made by the TPC and provided to Council on 15 September 2022. No further public advertising is required as the modification is not considered to be a substantial change.

STATUTORY IMPLICATIONS

In accordance with s41 LUPAA, the TPC has the ability to request a modification to a draft amendment after considering the application, including the section 39 report and all information provided at a hearing. Should the Planning Authority not provide the modification, then the TPC may reject the draft amendment.

POLICY IMPLICATIONS

There are no policy implications for this portion of the planning scheme amendment process.

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no financial implications for this portion of the planning scheme amendment process.

RISK IMPLICATIONS

Applications for planning scheme amendments are ultimately determined by the TPC. The Council is required in the first instance to decide whether to proceed and initiate the planning scheme amendment. Through discussions between Council, the TPC, property owner and their representative it was recommended that the original amendment initiated and certified by Council be modified to a SSQ as opposed to a rezoning.

The risk to Council if a modified planning scheme amendment is not endorsed and submitted to the TPC would be the refusal of the amendment in its current form. Refusal will lead to the continuation of a use on the subject site which is prohibited under the current General Industrial zoning and the protection offered by existing non-confirming use rights does not allow for the established use to suitably grow in response to the changing needs of the community.

COMMENT

It is recommended that the Planning Authority certify a modified draft amendment PSA 1/2021 for a site specific qualification for 15275 Bass Highway, Somerset and that the site specific qualification be of the form shown in the table to this report.

Reference Number	Site reference	Folio of the Register	Description (modification, substitution or addition)	Relevant Clause in Interim Planning Scheme
WWIPS-25.1	15275 Bass Highway, Somerset	CT153130/4	Additional discretionary use classes for this site are: (a) General retail and hire with the qualification “If for a bottle shop only”; (b) Hotel Industry; and (c) Visitor Accommodation	General Industrial zone - clause 25.2 Use Table
WWIPS-25.2	15275 Bass Highway, Somerset	CT153130/4	A substitution to Clause 25.4.2 for General Retail Hire (if for bottle shop only), Hotel Industry and Visitor Accommodation: A1 Building height must be no more than 12m. P1 A use listed as Discretionary must not compromise the use or development of surrounding properties for industrial activities that may have impacts in adjacent uses, having regard to: (a) The characteristics of the site; (b) The size and scale of the proposed use; and (c) The functions of the industrial area.	General Industrial Zone – Clause 25.4.2 Location and configuration of development
WWIPS-25.3	15275 Bass Highway, Somerset	CT153130/4	The addition of the following for General Retail Hire (if for bottle shop only), Hotel Industry and Visitor Accommodation: A1 Buildings must have a setback from a side or rear boundary of not less than 5m. P1 If abutting land zoned General Industrial, the setback or design of the development must: (a) Have regard to potential impacts of height, bulk and scale of industrial development, and emissions such as noise associated with proximity to that zone; and (b) Minimise likelihood for increase in conflict, constraint or interference with use in the General Industrial zone.	General Industrial Zone – Clause 25.4.2 Location and configuration of development

7.0 MATTER RAISED BY COUNCILLORS**7.1 RESPONSE(S) TO COUNCILLOR QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING**

Nil received.

7.2 COUNCILLOR QUESTIONS RECEIVED IN WRITING**7.2.1 CR EDWARDS - CLOSED MEETINGS****QUESTION**

Could council please explain why we have Closed Council Meetings where the public is unable to attend. Can you provide some examples of the types of topics discussed and voted on and explain why these topics cannot be on the Open Agenda?

Is there a possibility that some items which are on the Closed Agenda could be moved to the open agenda like when we had the Tenders Reports put in the Public Agenda?

OFFICERS RESPONSE

Closed meetings are held for dealing with confidential matters of Council. Any item discussed must meet strict criteria set out in the *Local Government (Meeting Procedures) Regulations 2015*.

Section 15 of the *Local Government (Meeting Procedures) Regulations 2015* states:

15. Closed meetings

...

(2) *A part of a meeting may be closed to the public when any one or more of the following matters are being, or are to be, discussed at the meeting:*

(a) personnel matters, including complaints against an employee of the council and industrial relations matters;

(b) information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposes to conduct, business;

(c) commercial information of a confidential nature that, if disclosed, is likely to –
(i) prejudice the commercial position of the person who supplied it; or
(ii) confer a commercial advantage on a competitor of the council; or
(iii) reveal a trade secret;

(d) contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal;

(e) the security of –

(i) the council, councillors and council staff; or
(ii) the property of the council;

(f) proposals for the council to acquire land or an interest in land or for the disposal of land;

(g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential;

(h) applications by councillors for a leave of absence;

(i) matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council;

(j) the personal hardship of any person who is resident in, or is a ratepayer in, the relevant municipal area.

(3) Unless subregulation (4) applies, a council or council committee must not close a part of a meeting when it is –

- (a) acting as a planning authority under the Land Use Planning and Approvals Act 1993 ; or
- (b) considering whether or not to grant a permit under that Act; or
- (c) considering proposals for the council to deal with public land under section 178 of the Act.

(4) A council or council committee may close a part of a meeting when it is acting or considering as referred to in subregulation (3) if it is to consider any matter relating to –

- (a) legal action taken by, or involving, the council; or
- (b) possible future legal action that may be taken, or may involve, the council.

(5) If at a meeting a council or council committee closes a part of the meeting, the grounds for the closure are to be recorded in the minutes relating to the part of the meeting that is open to the public.

...

(7) A council, or council committee, by simple majority may re-open a closed meeting to the public.

(8) While in a closed meeting, the council, or council committee, is to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential or released to the public, taking into account privacy and confidentiality issues.

(9) Subject to the Right to Information Act 2009 , any discussions, decisions, reports or documents relating to a closed meeting are to be kept confidential unless the council or council committee, after considering privacy and confidentiality issues, authorises their release to the public.

At Waratah Wynyard, in the 12 months from September 2021 to September 2022 only six (6) reports, other than standard reports have been heard in closed Council. All items listed in the closed agenda met the criteria of the legislation.

Reports included in the Closed Agenda over the last 12 months:

STANDARD/ REGULAR REPORT	PURPOSE	NUMBER	REGULATION REFERENCE
Senior Management Report	Update to Council on previous matters determined in closed Council as they are actioned or addressed.	(12) Report provided monthly	15 (g)
Leave of Absence Requests	Request by Councillors for personal or other leave.	(2)	15 (h)
OTHER REPORTS	PURPOSE	NUMBER	REGULATION
Personnel Matters	Contract and Performance Reviews, hiring decisions. This specifically relates to the General Manager Performance Review and contract discussions.	(3)	15 (a) 15 (c) (i)
Land Matters	Contracts and agreement negotiation.	(2)	15 (b) 15 (f) 15 (i)
Contract Agreements	Commercial contract arrangements	(1)	15 (d)

Council should consider as many reports in the open session of Council as possible and certainly meets this aim. In recent years, all tender reports (excluding commercial in

confidence financial detail) and Audit Panel minutes have been moved from the Closed Meeting to the Open Meeting.

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

8.1 CR M DUNIAM - REDUCTION OF SPEED LIMIT ON BALLAST PIT ROAD WYNYARD.

Enclosures: Nil

PROPOSED MOTION

That Council Officers undertake an assessment of Ballast Pit Road, Wynyard as soon as possible in order to provide the Department of State Growth, Transport Services the evidence required for consideration of a possible speed limit reduction.

BACKGROUND INFORMATION

This recommendation is in line with the significant safety issues raised by a resident of Ballast Pit Road, in an email to all Councillors and the General Manager dated 09/09/2022 as notated below.

“Ballast Pit Road is currently an unsigned, sealed, rural road, meaning the speed limit applicable is 100km/h. It has no line markings and no footpath.

The end of Ballast Pit Rd turns into Emerald Vale Rd, which is half sealed and half gravel, signposted at 50km/h

The access to Ballast Pit Road is Calder Road, which this council recently sought a reduction of speed from 100km to 80km, which the state government approved.

Concerns raised:

I have resided at Ballast Pit Road for approximately 9 years, during which time I have personally witnessed three car accidents (one through our neighbour's fence), and have had visitors at our property, along neighbours, state that they've nearly been wiped out by vehicles "flying" up the street. I've had several near misses pulling out of our driveway, which is on a very slight bend.

In March 2020 we watched our beloved 8-year-old, 30kg dog get clipped by a motorbike while he was standing stationary beside my husband, children and I on the road verge as we fixed a fence. The motorbike was travelling around the bend at full speed (I assume 100km). I heard the motorbike coming at speed and had a handful of seconds to ensure my children were away from the side of the road, and but not enough time to do the same for our dog. The motorbike rider sustained bike damage and a broken foot. Our dog was killed. We all witnessed/experienced it as a traumatic event. It narrowly missed my husband, and it could've been one of our children.

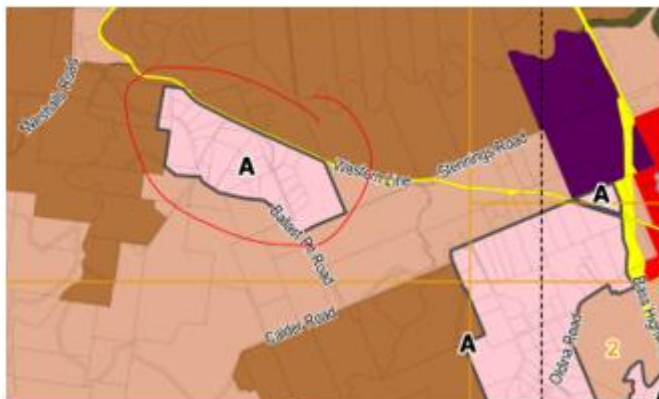
At the time, I discussed my concern with our road speed limit with a senior council staff member and was advised that it was not in councils' remit, as state government set and amend road speed limits. However, having watched the changes to Calder Road, I now know that not to be entirely true – that this Council do in fact make requests and recommendations for speed limit changes to areas based on being made aware of public safety concerns, and

so I raise this with you all to ensure that this matter is treated with the same sense of obligation.

Over the past few years, the street has become increasingly occupied with children, and additional properties have been built, with more in the pipeline. Residents walk their dogs daily, and it is now not usual to see mums push their prams and kids ride their bikes – all despite it being unsafe to do so as the speed is excessive and there is no footpath. All adjoining streets now have lower speed limits than Ballast Pit Road. The Tasmanian Planning scheme zones the area as “Rural Living” for which the TPC describes it as “providing for areas where residential development is a priority” (ref figures below).

It is absolutely clear that both by planning definition and by use that this is a residential area, and I ask this Council to put a motion to their next meeting to have the speed limit assessed and reduced to that which would be applied to any other sealed residential area and signposted accordingly. It would be wonderful to see line markings applied, particularly on bends and crests, and in the absence of a footpath or roadside track, erect cautionary signage indicating pedestrians frequent the area or that it has shared use.

I would also like to commend the WWC truck drivers, who I have found largely to drive with caution down the street – whether this is because they are being considerate because they’ve experienced it to be a shared use residential area, or whether they simply can’t drive a truck of their size on that road at 100km, is unknown. Either way, their responsibility is appreciated and should be considered as supporting evidence as to the excessive speed that is currently permitted along Ballast Pit Road.”



This a significant road safety issue raised by a resident of Ballast Pit Road which has obviously, for some time, caused considerable frustration and concern. It is on this basis that this Motion seeks support from the Council for the Department of State Growth to address this recommendation promptly to ensure the safety of Ballast Pit Road residents and road users.

OFFICERS COMMENT

Speed limits in Tasmania are approved and set by the Commissioner for Transport upon application and recommendation by a road authority with supporting evidence based on traffic engineering guidance and compliance with national standards. Below is an excerpt from the Department of State Growths, Transport Services, website providing a brief

description of the process. The website also provides a range of information on the formal process for altering a speed limit within Tasmania and can be accessed via the following link:

https://www.transport.tas.gov.au/roads_and_traffic_management/managing_the_roads/speed_limits_on_tasmanian_roads

Excerpt;

Speed limit changes are approved by the Commissioner for Transport.

The Commissioner for Transport is the legal authority for setting speed limits on all roads in Tasmania.

The Commissioner makes a decision after looking at an application and recommendation from the road manager, such as the State Roads Division of the Department of State Growth, or by a local council.

The Commissioner will typically base their decision on applicable traffic engineering guidance and national standards.

It would be prudent for Council Officers to undertake an assessment of Ballast Pit Road, including the placement of traffic count devices, review of available crash history and assessment of the general geometry of the road. This information provides an evidence base for Council to use in considering whether to support the request to reduce speed and equally acts as supporting evidence when an application is presented to the Transport Commissioner requesting a speed limit change.

The 20 July 2020 Council report recommendation for speed limit change on Calder Road was supported by a similar body of evidence as part of a third party commissioned rural road safety audit.

Council Officers have committed to the placement of available traffic count devices on key locations through the Wynyard area before, during and after the 2022 Tulip Festival event. For this reason, there would be some small delay in having these devices placed on Ballast Pit Road if Council choose to seek a report prior to determining this notice of motion.

MOTION

That Council Officers undertake an assessment of Ballast Pit Road, Wynyard as soon as possible in order to provide the Department of State Growth, Transport Services the evidence required for consideration of a possible speed limit reduction.

9.0 REPORTS OF OFFICERS AND COMMITTEES

9.1 WARATAH COMMUNITY BOARD

To:	Council
Reporting Officer:	Director Community and Engagement
Responsible Manager:	Director Community and Engagement
Report Date:	19 September 2022
File Reference:	Waratah Community Board
Enclosures:	1. Waratah Community Board Nominations - Confidential

RECOMMENDATION

That Council:

- 1) Endorse Anne Dunham, Rosemary Dick, Tony Schmidt, Kim Kecely, Roslyn Rogers and Peter Hawthorne for community membership of the Waratah Community Board for a three-year term coinciding with the term of the current Waratah Community Plan; and**
- 2) Advise all applicants of the outcome of the Expression of Interest process and thank them for their interest.**

PURPOSE

The purpose of this report is to recommend community membership for the Waratah Community Board as considered by the selection panel in accordance with the criteria outlined in the Board Charter.

BACKGROUND

In 2017, Council developed the inaugural Waratah Community Plan. This Plan included three priority projects:

1. Waratah Waterfall enhancement.
2. Rail Bridge Walkway development.
3. Community facilitator and community services.

The inaugural Board with seven members faced many challenges as they undertook the responsibilities of this leadership role. At the end of their term, with only four members, two years of COVID impact and a major disruption of the decommissioning of a dam near Waratah, they achieved significant progress across all priority projects.

- Waratah Waterfall enhancement – Lease secured, and feasibility study undertaken and \$500,00 funding for stage one development.
- Rail Bridge Walkway development – Investigation of option, design development and secured \$300,000 from State Government for design and construct.
- Community facilitator and community services. – Redevelopment of childcare facility to community hub, dedicated community facilitator at Waratah every fortnight and establishment of ADRA food bank and other services.

Council adopted the 2022-2025 Waratah Community Plan at the Council Meeting held on 18 July 2022. The 2022/2025 Community Plan will build on the work of the inaugural Board and provide an opportunity for further community led initiatives.

Consultation for the new plan included a survey (which was given to every household in Waratah), interviews and conversations. The feedback received from the community enabled a Draft Waratah Community Plan to be developed. This Draft was shared with the Waratah community at an Open Day. Further feedback on the Draft was accepted through interview and discussion at the Open Day. More feedback was given in the days following the Open Day via email.

The 2022-2025 Waratah Community Plan explains

- Community Planning
- role of community, board members and Council
- summary of previous achievements
- how the Plan was developed

The 2022-2025 Waratah Community Plan identifies five key themes:

- Social Connection
- Event for the Town – Revitalise Spaces
- Infrastructure
- Civic Pride
- Access to Services

DETAILS

After adoption of the Waratah Community Plan 2022 – 2025 an expression of interest process was undertaken to invite applications for Board member to progress the new plan.

In accordance with the Board Charter, existing Board members can apply for an additional term through the expression of interest process.

The EOI process was promoted throughout the community and after the initial closing date for applications the period of the EOI was extended to further encourage community members to apply as there were insufficient applications to form a Board.

The Expression of Interest Process included:

- Expression of interest promoted on Council website and social media
- Flyers in post office in Waratah inviting interested people to pick up an application pack from the Council Office in Waratah.
- The Expression of Interest applications were open to the public for a period of 4 weeks.
- Applicants were requested to complete the application form including the selection criteria as outlined in the Board Charter.

There were nine applications received which were collated for consideration by the selection panel. The selection panel consisted of Mayor Robby Walsh; Board Councillor Representative, and Chairperson Kevin Hyland; Director Community and Engagement,

Tracey Bradley and Community Activation Manager, Bronwyn Folden. Panel members considered the applications against the selection criteria, selecting a mix of experienced and new membership to support implementation of the new Community Plan and finalise the significant projects of the inaugural Board.

As there is not currently an active tourism association in Waratah an additional ordinary member was selected and is recommended.

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
1.3 We encourage broad community input to create a focussed and strong sense of belonging.
Our Priorities
13.1 Facilitate the meeting of community needs through strong advocacy and local and regional collaboration for shared outcomes.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
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.
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.
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

As part of the Community Board Charter, staff will consult on major policies and changes to levels of service or funding which affect the Waratah community. This is considered best proactive engagement and should improve the input into policy decisions in the area.

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are financial implications including operational costs in relation to the Board fees for members of the Community Board. A budget allocation has been made in the 2022-2023 operational budget.

RISK IMPLICATIONS

- Reputational Risk

Goodwill has been developed between Council and the community during the course of the first Community Plan implementation. It is important that both Council and the community continue to work together to ensure the ongoing success of this best practice community initiative.

To ensure the success of this initiative it will be important that Board members understand their obligations under the Community Board Charter including, the most critical component which is open and transparent dialogue and consultation between both parties on matters that relate to Waratah.

CONSULTATION PROCESS

There has been extensive consultation with the community in the development of the Waratah Community Plan 2022-2025 and the expression of interest process for new Board members.

CONCLUSION

Adoption of the second Waratah Community Plan for 2022-2025 is validation for this innovative model of community planning and community engagement. The new Board members will have the honour of delivering the construction phase of two of the priority projects from the last plan in addition to implementation of the new plan. It will be the collective experience and sound community engagement that will see this Board deliver for the Waratah Community.

9.2 APPOINTMENT OF THE SUSTAINABILITY AND ENVIRONMENTAL ADVISORY PANEL 2023-2025

To: Council
Reporting Officer: Manager Recreational Planning and Environment
Responsible Manager: Director Infrastructure and Development Services
Report Date: 1 September 2022
File Reference:
Enclosures: 1. Selection Panel Report - SEAP - Confidential

RECOMMENDATION

That Council appoint the following community representatives to the 2023-2025 Sustainability and Environmental Advisory Panel:

- Robin Krabbe
- Colin Hocking
- Hannah Sadler
- Sarah Smith
- Brenton Hosking
- Fiona Loughran
- Ian Newman
- Ian Ferris
- Peter Lawrence
- Wendy Bryant

PURPOSE

To appoint the community representatives to the inaugural Sustainability and Environmental Advisory Panel (SEAP) for the term spanning January 2023 – 30 May 2025.

BACKGROUND

At its 20 June 2022 ordinary meeting, Council adopted the framework for the first SEAP and authorised officers to commence advertisement for membership nominations.

As part of the Terms of Reference, membership was defined as having a minimum of 8 members, comprising:

MEMBERSHIP	APPOINTMENT & TERM	ROLE/S
Councillor(s)	Up to 2 Councillors appointed by Council for a period of 2 years (typical).	<ul style="list-style-type: none">▪ Act as Chairperson of the SEAP▪ To be the link between Council and SEAP▪ To table issues and concerns to Council on behalf of SEAP
Community representative(s)*	A minimum of 6 and up to 10 community representatives appointed by Council, through a registration of interest and selection process (see below), for a period of 2 years (typical).	<ul style="list-style-type: none">▪ Actively participate in meeting discussions in the interests of the wider community▪ Where appropriate, vote on matters addressed by the SEAP

MEMBERSHIP	APPOINTMENT & TERM	ROLE/S
Council Staff	A minimum of 2 officers are expected to attend each meeting, although this may vary pending resource availability. The officers who attend may vary from meeting to meeting (without prior approval) depending on the agenda content.	<ul style="list-style-type: none"> ▪ To provide advice to the SEAP ▪ Reporting on actions and/or matters arising from previous meetings back to the SEAP ▪ To provide administrative support to the SEAP, including but not limited to the preparation of agendas and minutes
<p>* - Community representatives shall live, work or have an active interest in the municipal area. Community representatives will be drawn from a cross-section of the community (where possible) and <u>shall</u> include at least:</p> <ul style="list-style-type: none"> • 1x young person (<24 years) with an interest in developing knowledge and networks within the environmental sector. It is acknowledged that young people may prefer not to attend a panel meeting alone. A young person may attend panel meetings with another young person but shall only hold one vote between them. • 1x community representative with links to the aboriginal community. 		

DETAILS

The community were invited to apply for SEAP membership from the 30 June through to the 14 August; a period of six weeks. The advertisement was placed on Council's social media on three separate occasions, with all information and application forms available on Council's website. Officers also made direct contact with a number of individuals within the community during the advertised period.

At the closing date, fourteen (14) applications were received, all of which addressed the selection criteria. There were no applications received from an aboriginal or youth representative, despite officers directly approaching individuals within the municipality who are connected to these groups. It is noted that there was also no applicant with a nominated interest or knowledge area within asset management, finance management or risk/insurance.

Each application was assessed against the nominated selection criteria, being:

- a) Demonstrated interest in conserving, maintaining and protecting the natural environment;
- b) Demonstrated experience/knowledge in environmental sustainability issues or asset/finance/risk management;
- c) Ability to achieve positive outcomes in a collaborative team environment;
- d) Demonstrated understanding of local government's role in environmental management; and
- e) Commitment to represent the interest of the community and a willingness to participate in community capacity building in environmental sustainability issues.

The members of the Selection Panel individually assessed each applicant against the selection criteria, which was then used to inform a discussion around the recommended panel composition. A copy of the Selection Panel Report has been included as a confidential attachment.

Overall, the standard of the applications received were of high-quality and the eventual scoring band was very narrow. The recommended composition of the SEAP includes

members with strengths in technical and scientific skillsets, alongside other applicants with demonstrated strengths in community collaboration and sustainability education.

Contact was made with community groups and individuals to encourage participation, but no aboriginal or youth representative stepped forward with an application. Given the volume of high-quality nominations, it is recommended that the final two community positions set aside for youth and aboriginal representatives are instead filled from the pool of applicants.

There are also two allocated positions available for councillor representation, which will be filled through a nomination process post the local government elections.

The intended commencement of the SEAP is scheduled for early in 2023; however, an informal meet-and-greet session will be held prior to Christmas which will be used to inform the SEAP's Action Plan for 2023-2025.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 7: Environment
Desired Outcomes
7.1 Council and the community minimise its resource consumption and carbon footprint.
Our Priorities
7.1.2 Advocate for effective environmental management and contribute to regional, state, and national climate change initiatives.

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.
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.
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

The establishment of the SEAP will help council to deliver the objectives of iCEP and the Environmental Sustainability Policy.

ENVIRONMENTAL IMPLICATIONS

The SEAP will aid council in achieving the sustainability actions set out within the iCEP and provide advice to council on decision-making that could have positive implications for the environment.

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

All relevant documentations for the SEAP were made available through the Council's website and community members were invited to self-nominate to the SEAP via council's social media channels.

CONCLUSION

The establishment of an environmental advisory panel is an action explicitly recommended within iCEP and is expected to provide immense value to council in its future decision-making on environmental and sustainability related matters. It is therefore recommended that Council appoint the community representatives as nominated in the body of this report.

9.3 QUARTERLY INFORMATION REPORT - ORGANISATIONAL PERFORMANCE

To: Council
Reporting Officer: Information Management Officer
Responsible Manager: Director Organisational Performance
Report Date: 31 August 2022
File Reference: 2401
Enclosures: Nil

RECOMMENDATION

That Council note the Quarterly Information Report for the Office of the General Manager and Organisational Performance Department as at 31 August 2022.

PURPOSE

To provide statistical information and a quarterly update on the activities of Council for activities undertaken within the following Directorates and Departments:

Office of the General Manager:

- People and Safety

Organisational Performance:

- Economic Development
- Governance and Information Systems
- Risk Management

BACKGROUND

This report is part of a regular reporting framework to inform Council of activities undertaken in across the organisation on a quarterly basis. Each month, a quarterly information report is provided on rotation for each Directorate:

- Community and Engagement (July, October, January, April)
- Infrastructure & Development Services (August, November, February, May)
- Organisation Performance (September, December, March, June)

PEOPLE AND SAFETY

The People and Safety Team provide human resource management services including health, safety and advice to maximise the value of Council's significant investment in a skilled workforce. The department has a focus on supporting the organisation to attract, retain and develop the workforce we need to deliver services to the community.

People and Safety statistics are provided for the quarter ended 30 June 2022.

Staff Numbers and Statistics

Staff Numbers as at:		30 June 2022					Total	Fulltime equivalent
	Permanent Positions		Temporary Positions					
	Full-time	Part-time	Full-time	Part-time	Casual			
Indoor	30	11	4	6	3	54	42.8	
Outdoor	27	3	5	0	0	35	31.3	
Childcare	8	7	0	4	7	26	17.0	
Total	65	21	9	10	10	115	91.1	

As at 30 June Council employed 115 people equivalent to 91.1 full time employees.

Statistics	Ave. Age	Female	Male	Yrs Service
Indoor	46.29	34	20	8.32
Outdoor	45.04	3	32	11.56
Childcare	40.01	26	0	9.21
Total	44.73	63	52	9.51

The average age of Council's workforce is 44.73.

Overall Council has a gender balanced workforce with 55% female works and 45% male. Leadership roles are gender balanced with 54% female and 46% male representation.

The most challenging area for Council to achieve gender balance is in non-traditional areas. The Depot continues to be have a high proportion of male workers and Childrens Services is a heavily female dominated workforce.

Council has good working conditions and a supportive work environment that assists in the attraction of a diverse workplace. All recruitment and selection decisions reflect Council's commitment to providing equal opportunity by assessing all potential candidates according to their skills, knowledge, qualifications and capabilities.

Turnover Rate of Permanent Staff

2.3% Average (Permanent Departure rate divided by total permanent employee rate).
9.5% Average Turnover (ABS).

Council has a good employment retention with the turnover rate continuing to be well below average. The average years of service provided by the current workforce is 9.51 years.

New Starters / Departures

New Starters & Departures this Quarter							
		Permanent Positions		Temporary Positions			Total
		Full-time	Part-time	Full-time	Part-time	Casual	
New Starters	Indoor	1	0	2	0	0	3
	Outdoor	1	0	0	0	0	1
	Childcare	0	0	0	0	0	0
	Total	2		2		0	4
Departures	Indoor	0	1	0	0	1	2
	Outdoor	0	0	0	0	0	0
	Childcare	0	1	0	0	2	3
	Total	2		0		3	5

Recruitment Activity

The following recruitment activity has occurred between 1 April and 30 June 2022.

Recruitment this Quarter			
Position	AtR* received	Offer Signed	Working days to fill
Civil Works Employee (To be readvertised at a later date)	01-Feb-22	On hold	Unfilled
Town Planner (Readvertised)	02-Mar-22	27-May-22	55
Community Development Officer	05-Apr-22	30-Jun-22	52
Manager of Governance and Information Systems	06-Apr-22	19-May-22	27
Childrens Services Educator Leader	08-Apr-22	16-Jun-22	45
Tourism Officer (Wonders of Wynyard)	19-May-22	Closed	TBC
Revenue Officer	10-Jun-22	Open	TBC
Administration Officer – Governance, Risk & Insurance	10-Jun-22	Open	TBC
<i>*ATR – Authority to Recruit approved by General Manager</i>			
Average days to fill vacancies this quarter			45

Absenteeism Rate / Labour Hire Engagement

	Absenteeism Rate				Labour Hire Engagement for period		
	Personal Leave Taken	Hours Worked	Absent Rate	Full Time Equivalent	Total Workers	Hours	Cost (ex. GST)
Indoor	1117	22481	4.7%	0.57	0	0	\$0
Outdoor	893	16667	5.1%	0.45	4	1027.5	\$49,015
Childcare	768	9039	7.8%	0.39	0	0	\$0
Total	2778	48187	5.5%	1.41	4	1027.5	\$49,015

Council is currently experiencing a higher the usual absenteeism rate due to illness. The average absenteeism rate for the quarter is 5.5% compared with an average absenteeism rate of 4.1% in 2021-22 and 3.3% in 2020-21.

WORK HEALTH AND SAFETY

Incident & Hazard Reporting

Incident/Hazard Report Forms received this Quarter							
	Incident	Hazard	Near Misses	Injury/ Illness	Lost Time Injuries (hrs)	Property/ Plant Damage	Total Reports
Indoor	2	0	0	1	0	0	3
Outdoor	1	0	2	4	238	9	16
Childcare	0	0	0	1	0	0	1
Total	3	0	2	6	238	9	20

Council has continued to experience improved reporting around incidents, hazards, and near misses. Reporting contributes to safety improvements and education to improve health and safety outcomes for the workforce.

Lost Time Injury

Lost Time Injury Frequent Rate (LTIFR) for this Quarter						
No. of LTI's	No. of FTE Employees	Weekly Hours	Weeks in Period	Hours Worked in Period	LTIFR	Industry Benchmark
1	91.1	38	12	41560	24.06	10.3

Council had seven (7) injuries throughout the reporting period. Of those injuries two (2) resulted in works compensation claims and one (1) resulted in lost time in the workplace of 239 hours.

Workers Compensation Cases

Workers Compensation Cases this Quarter					
	New	Ongoing	Finalised	Total at EOP	WC Hours
WC Cases	3	2	1	3	238

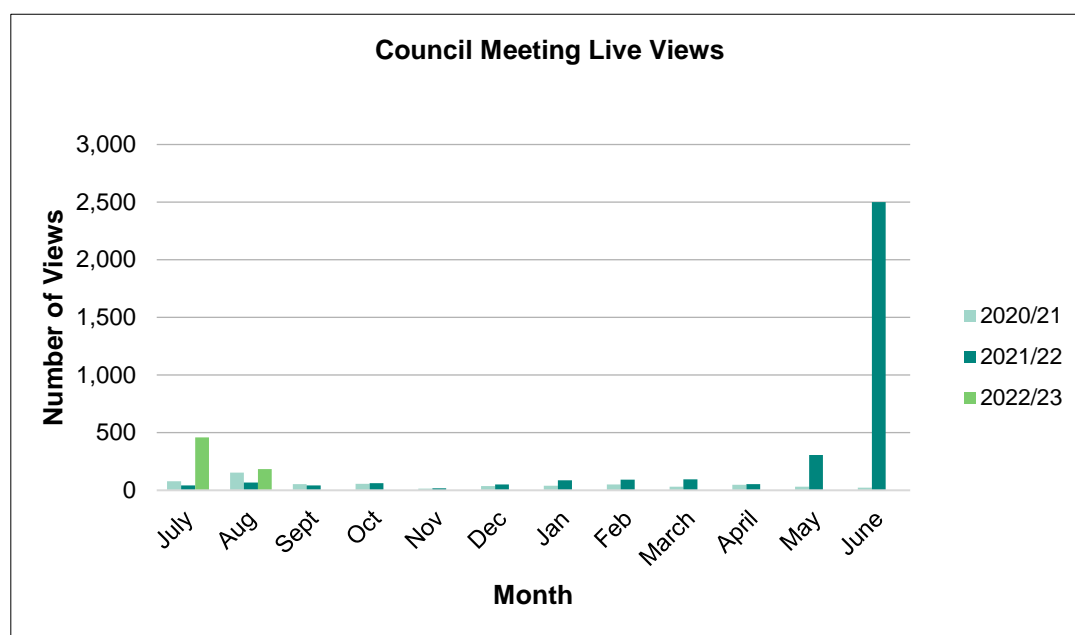
Council has two (2) ongoing works compensation claims from injuries that occurred in 2021.

Policy, Procedures and Guidelines Reviewed

The following People and Safety Policies, Procedures and Guidelines were created/reviewed this quarter:

People & Safety Strategic Plan
Employee Code of Conduct
Performance Management Policy & Procedure
Corporate Uniform and Dress Code Policy
Annual Performance Review Form
Recognition of Employees Policy
Fitness for Work Policy & Guidelines

Council Meeting Live Stream Views



Policies Adopted by Council

The following policies were adopted by Council from 1 May 2022 to 31 August 2022:

- Rates and Charges Policy
- Community Activation Grants Policy
- Enforcement Policy
- Caretaker Election Period Policy
- Dog Management Policy

Workplace Policies Reviewed

The Senior Management Team adopted the following for the quarter:

- Volunteer Management Policy & Guidelines
- Fitness for Work Policy & Guidelines
- WHS Communication and Consultation Procedure
- Performance Management Policy & Procedure
- Recognition of Employees Policy
- Employee Code of Conduct
- Surveillance Policy
- Workplace Mental Health and Wellbeing Policy
- Leave Management Policy

Complaints

Council received 5 formal complaints during the period May 2022 – August 2022.

Tenders & Contracts

In accordance with Council's Procurement Policy the following table is provided for all contracts awarded YTD for 2022/23 over \$100,000.

Contract No And Description	Name and Address of Contract Holder	Contract Dates	Contract Extension Options	Contract Value at Start Date
756 – ANZAC Park All abilities Playground	Hardings Hotmix PO Box 709 Ulverstone, TAS, 7315	18/10/2021 – 17/06/2022 – Contract extension to 04/11/2022 – Contract Extension to 08/11/2022	N/A	\$2,382,335.88
762 – Provision of Roadside Weed Spraying Services – re-awarded under GM authority in June 2022 awaiting signed contract with new provider	Coastal Landcare Services 55 Allegra Drive Heybridge TAS 7316	14/02/2022 – 30/06/2024	3 Years	\$ 49,591.43 pa.
764 – Camp Creek Final Rehabilitation	Gradco Pty Ltd 79-81 St Leonards Rd St Leonards, TAS 7250	28/02/2022 – 23/05/2022 Contract extension to 30/09/2022	N/A	\$297,488.97
769 – Cleaning Service for Council Facilities	ABC Health Care Services Pty Ltd	1/1/2022 – 31/12/2025	3 Years	\$131,488.50 pa.
771 – Provision of Public Toilet and BBQ Cleaning Services	Jones and Co Cleaning Solutions	01/06/2022 – 01/06/2025	3 Years	\$173,714.88 pa.
772 - Wynyard Yacht Club Pontoon and Boat Ramp	TasSpan Pty Ltd	19/04/2022 - 30/09/2022	N/A	\$328,355.00
776 – Calder Road – Bridge Replacement	Bridge Pro Engineering	18/07/2022 – 15/02/2023	N/A	\$737,300.00
779 – 2022/23 Provision of Bitumen Surfacing	Hardings Hotmix	03/10/2022 – 27/02/2023	N/A	\$245,330.54
780 – Park Street Realignment and Car Park Works	Hardings Hotmix	13/09/2022 – 09/12/2022	N/A	\$679,764.56
781 - Provision of Kerbside Refuse Collection Services	Veolia Environmental Services	01/10/2022 – 30/06/2025	3 + 5 year option	\$415,948.00
782 - Provision of Guard Rail - Design, Supply & Install	Protector-Rail	14/06/2022 – 08/07/2022	N/A	\$276,742.00
785 - Design and Construct Turf Wicket Block and Ancillary Works - Wynyard Recreation Ground	All Turf Tasmania	Acceptance 24/08/2022 – 27/01/2022	N/A	\$127,058.55
787 – Somerset Foreshore – Traffic Improvements	Hardings Hotmix	Acceptance 17/08/2022 – 04/11/2022	N/A	\$133,280.00

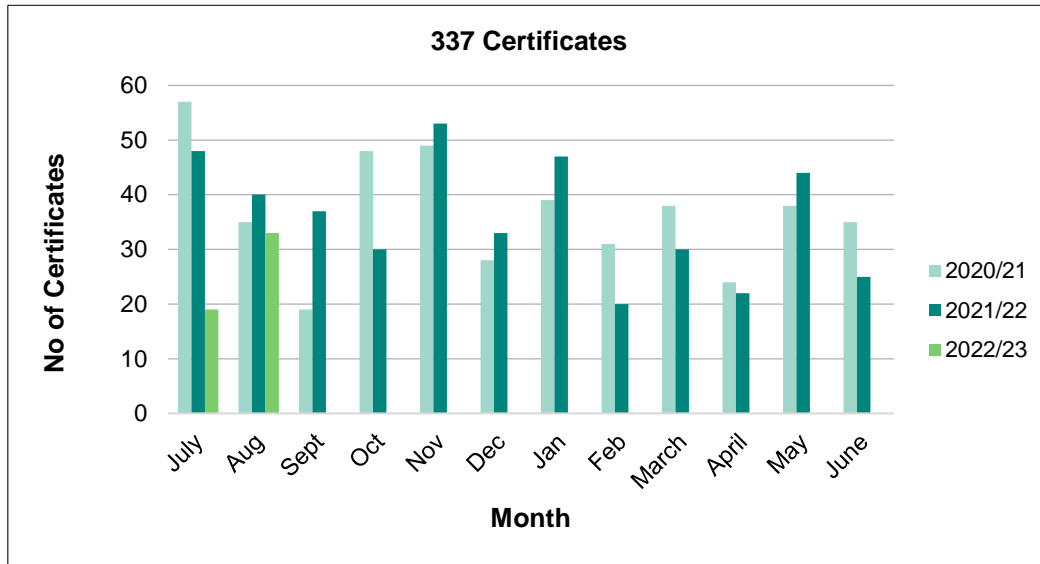
Non-Application of Public Tender Process

Contract	Contract Holder	Reason for non-Tender Process	Contract Dates	Contract Extension Options	Contract Value at Start Date
749 - Big Creek Flood Mitigation (Design)	Tetra Tech Coffey Registered Address: Level 19 Tower B Citadel Towers 799 Pacific Highway Chatswood NSW 2067 Postal Address: PO Box 7537 Cloisters Square Perth WA 6850 Office Street Address: Level 1 Bishops See 235 St Georges Terrace Perth WA 6000	A call for tenders for a combined 'design & Construct' package was released on 9 June 2021, and no tenders were received. A motion was put and carried at the ordinary Council meeting of August 21, to absolve the requirement of the formal tender process and seek procurement through a direct request for quotation process for the 'Design only' of flood mitigation works at Big Creek and Port Creek Wynyard.	29/09/2021	N/A	\$129,147.00
765 - Port Creek Flood Mitigation (Design)	Tetra Tech Coffey <i>Registered Address:</i> Level 19 Tower B Citadel Towers 799 Pacific Highway Chatswood NSW 2067 <i>Postal Address:</i> PO Box 7537 Cloisters Square Perth WA 6850 <i>Office Street Address:</i> Level 1 Bishops See 235 St Georges Terrace Perth WA 6000	A call for tenders for a combined 'design & Construct' package was released on 9 June 2021 and no tenders were received. A motion was put and carried at the ordinary Council meeting of August 21, to absolve the requirement of the formal tender process and seek procurement through direct request for quotation process for the 'Design only' of flood mitigation works at Big Creek and Port Creek Wynyard.	29/09/2021	N/A	\$81,653.00

Council and Land Information Certificates (337)

Graphical analysis is provided demonstrating the total number of certificates issued for the reporting period compared to last year.

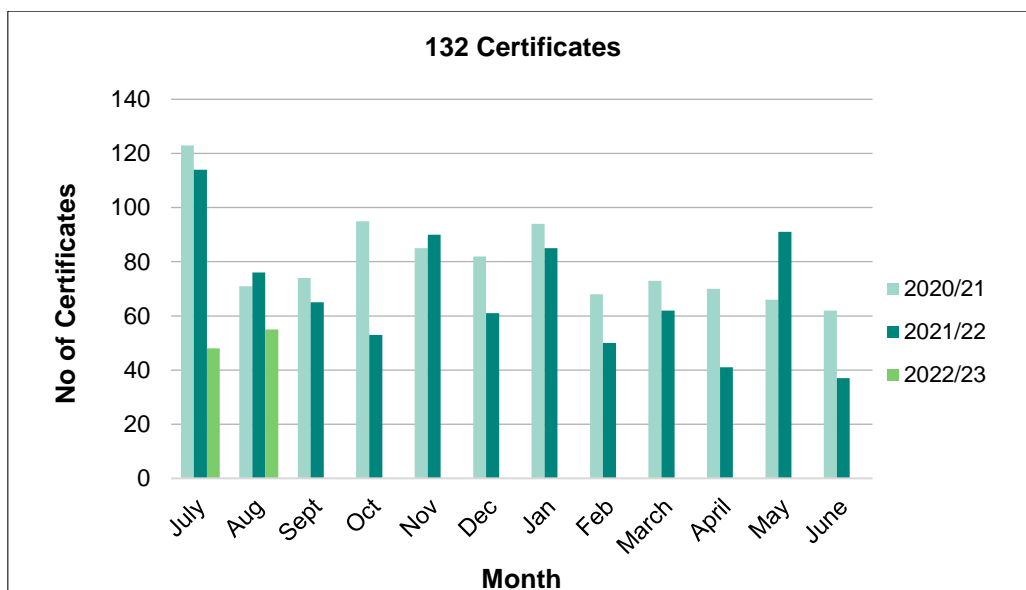
A Council Certificate 337 provides information about whether there are any outstanding notices, permits or orders in relation to a property. For the 2022/23 period there have been 52 Section 337 certificates completed as at 31 August 2022 compared with 88 in August 2021.



Certificate of Liabilities (132)

Graphical analysis is provided demonstrating the total number of certificates issued for the reporting period compared to last year.

Section 132 certificates are issued by Council on request usually as a part of selling a property. The certificate outlines rate and property liabilities. For the 2022/23 period there have been 103 Section 132 certificates completed as at 31 August 2022 compared with 190 in August 2021.



Addressing

New Street Names:

1. Phoenix Circuit Estate



a. New Street: *Phoenix Circuit*.

This new street Phoenix Circuit previously named Phoenix place had a change of generic as its extents changed and was no longer appropriate in its new configuration. New addressing will be allocated as parcels come online.

b. New Street: *Hainsworth Court*.

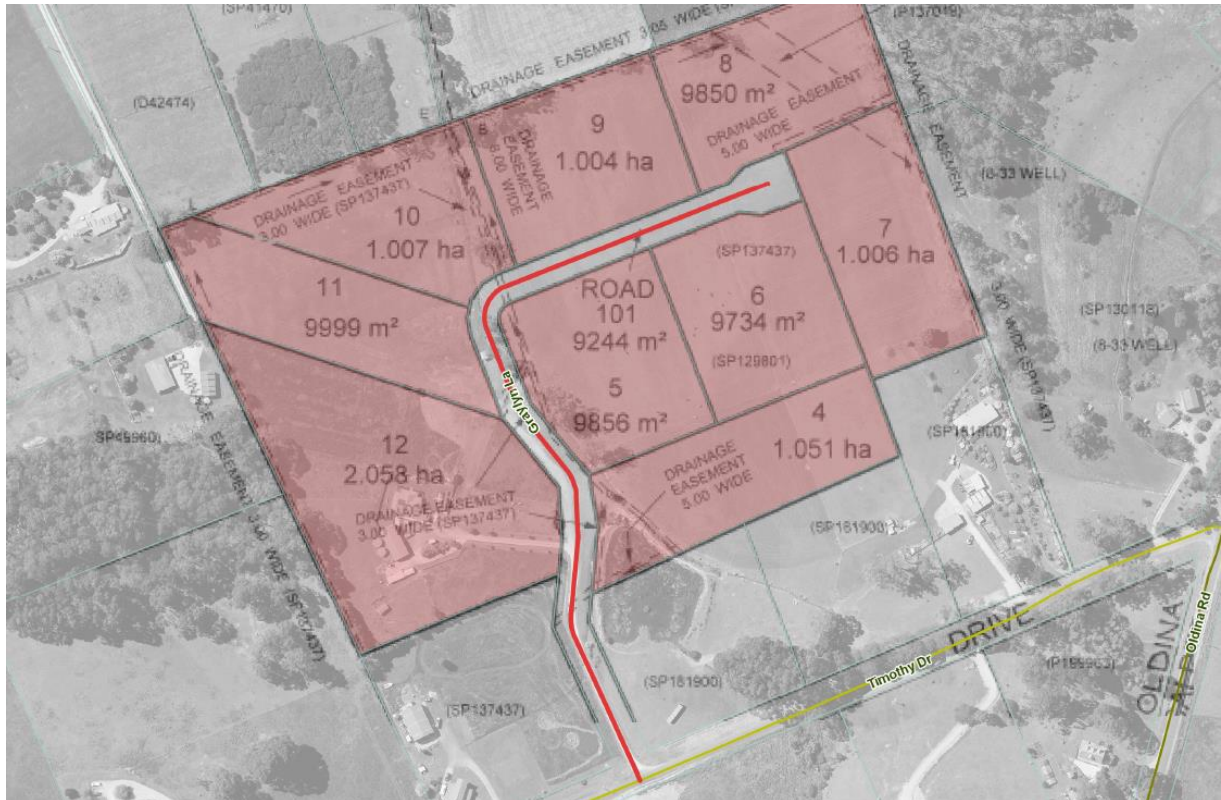
This new street currently under construction has been officially named.

New addressing will be allocated as parcels come online.

c. New Street: *Symonds Close*.

This new street currently under construction has been officially named. New addressing will be allocated as parcels come online.

2. Graylyn Lane Estate Stage #2



- a. New Street: *Graylyn Lane*, 9 newly addressed parcels, 8 new parcels and 1 existing parcel with changed primary property access.

The new street “Graylyn Lane” constructed in Stage #2 of Graylyn Lane Estate Graylyn Lane runs North off Timothy Drive and services 8 new parcels and 1 existing Parcel. This street name and all addressing of its serviced parcels submitted by the developer aligned with existing Council policy and are now live.

Brownfield Changes (Existing Streets)

1. Tippetts Road

- a. Existing Road “Tippetts Road” runs North Off Seabrook Road services 19 parcels 3 of which (19, 31, 33) have been recently re-addressed. The addressing of these recently created parcels align with existing Council policy and are now live.

2. Broomhalls Road

- a. Existing Road “Broomhalls Road” runs North Off Bass Highway services 15 parcels 1 of which (39) has been recently re-addressed. The addressing of these recently created parcels align with existing Council policy and are now live.

3. Bass Highway

- a. Existing Road “Bass Highway” runs East to West through the Waratah-Wynyard Municipal area and services 213 parcels 2 of which (17938, 18008) have been recently re-addressed. The addressing of these recently created parcels align with existing Council policy and are now live.

4. Waratah Road

-
- a. Existing Road “Waratah Road” runs West Off Murchison Highway services 84 parcels 1 of which (979) has been recently re-addressed. The addressing of these recently created parcels align with existing Council policy and are now live.

5. Vincent Street

- a. Existing Road “Vincent Street” runs between Mount Street in the North to Smith Street in the South services 16 parcels 2 of which (11, 15) have been recently re-addressed. The addressing of these recently created parcels align with existing Council policy and are now live.

6. Hales Street

- a. Existing Road “Hales Street” runs North Off Goldie Street services 77 parcels 2 of which (48A, 48B) have been recently re-addressed. The addressing of these recently created parcels align with existing Council policy and are now live.

Key corporate system development projects and their current progress status are outlined below.

Digital Transformation Strategy

The Digital Transformation Strategy is an internal operational strategy that was developed following an internal consultation with the Senior Management Team. The Strategy was presented to Council at a workshop in July and is supported by Council through a Year 1 budget allocation and annual plan action.

Council is heavily invested in software to deliver services and has recognised the need to invest in associated people and business processes to unlock the potential of its venture in ICT as an enabler to improved service outcomes. The Council is in a challenging but strong position to improve all aspects of its operations.

The Strategy creates a shared vision, includes a roadmap on how we plan to achieve it, enables business process improvement as we go, will inform investment needed, ensures the change is a positive experience for the workforce and is at a high level to allow for agility.

Phase 1 of the Strategy has commenced and is expected to take six months. This phase includes detailed planning and design work to:

- Validate investment required
- Ensure reduced costs can be achieved through consolidating applications
- Minimise project error
- Increase productivity of the project
- Provide a governance framework to manage the program and its risks

Key deliverables from Phase 1 include:

- Enterprise and Solution Architecture design
- Information Architecture
- Business process review (identification and prioritisation)
- Project management
- A clear target operating model; and a
- change plan which will form the basis for Council's transition to its preferred future state.

A separate report is included on this agenda to award a tender for the first phase of the project.

Authority Upgrade and new independent hosting in a Cloud Environment

Electronic Leave applications have been successfully tested within Organisational Performance with plans to roll out this functionality more broadly in the coming months.

This includes an easy-to-use App which will be available to enter leave applications on your own device.

Civica cloud migration is well underway, which will remove our reliance on Burnie City Council (Formerly Tascom). This migration will mitigate risks strengthening Council's Cyber Security this change has also included relocating Council's finance system into a secure independent Cloud environment. During Q1 the Pilot and proof of concept has been completed and a transition plan is being developed and will be executed in future quarters.

Online Leave & Timesheets

Operational improvements are being sought through the implementation of online timesheets and a self-service kiosk (accessible through PCs, tablets and smartphones). The project originally had four mini projects (or stages): Organisational Hierarchy, Work Patterns, Online Leave, and Online Timesheets. The project was expanded to include a Mobile Kiosk App.

Organisational Hierarchy– 100% Complete

Work Patterns– 100% Complete

Online Leave - 95% Complete

Mobile Kiosk App – 90% Complete

Online Timesheets- On Hold pending system improvements

The completion of this project has proven challenging with support calls remain outstanding for this project for matters that have arisen throughout the testing period. Currently 11 issues have been escalated to software bugs. The rollout of online leave will occur on release of the App interface which will enable mobile capability however the Mobile App is currently at a standstill awaiting resolution of rollout issues.

Information Management

Council's Information Management function provides and manages integrated and secure systems and processes to centralise collection, storage and retrieval of Council records and associated documentation for Council. The Team have been working on several projects to improve accessibility of information.

Property File Digitisation

Whilst most of Council's property files are digitised, some manual files remain. As part of the Digital Transformation Strategy, the remaining files will be digitised to improve access and reduce risk. File preparation and a request for quotation is underway to have this work scheduled for completion in the current financial year.

ECM

Staff have been working on reviewing the subject file structure within Council's electronic document management system to ensure that the filing structure is relevant and easily understood by staff and also meets Council's record keeping obligations under the Archives Act. This work has been ongoing over several months with good progress made. 23 of the 36 subject files have been reviewed and improved.

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, 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 General Manager and Organisational Performance Departments.

9.4 RESOURCE SHARING - ANNUAL REPORT

To: Council
Reporting Officer: Executive Officer
Responsible Manager: General Manager
Report Date: 6 September 2022
File Reference: 0911
Enclosures: Nil

RECOMMENDATION

That Council note the annual Resource sharing Report.

PURPOSE

To provide Council with an update on Resource Sharing arrangements between Circular Head and Waratah-Wynyard Council.

BACKGROUND

The existing resource sharing agreement between Circular Head and Waratah Wynyard Councils has been reinvigorated in recent months. This agreement continues to provide a valuable collaborative approach to meeting increasing community expectations and innovation in service delivery.

The formal resource sharing arrangement helps both Councils to:

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

Both Councils pursue joint strategic tasks and projects, including sharing plant and equipment, undertaking joint procurement and contract management activities, policy development, reviewing business processes, and shared meeting attendance and joint Committee representations.

DETAILS

In the 21/22 Financial Year Councils worked on the following projects:

Project/Area	Benefits Sought
Shared Plant & Equipment	
Investigating opportunities for sharing equipment.	On an ongoing basis, Works Managers actively investigate options to share equipment, including the ability to reduce reliance on contractors where business cases warrant it and scale support.
Shared Procurement and Contract Management Activities	
Building asset revaluations – shared engagement	Reduction in duplications of effort and cost using one process, advertisement, and assessment panel. Greater value for money achieved in through greater economy of scale. Less cost to suppliers in making one submission rather than two.
Bridge replacement procurement was conducted jointly for the replacement program.	Procurement was again conducted jointly, and this will continue. A reduction of \$19,500 per bridge was achieved for the joint tender.
Coordination of specialist assessments	Whilst specialists are currently engaged by each Council, there is coordination in the logistics to benefit from travel efficiencies.
Shared Transactional Services	In principle agreement reached for Circular Head Council to provide support to Waratah Wynyard Council in the provision of rates and charges services. This is a specialist skill set unique to local government and the shared arrangement will provide benefit to both Councils in sharing an experienced Rates Officer supported by lower-level staff at each Council which will allow on the job training and that will provide greater business continuity planning.
Shared Risk & Insurance	Opportunities are being explored to share a risk and insurance function. A new shared position was advertised throughout the year without success in finding a suitable candidate. Work is ongoing to achieve shared skills, knowledge, systems, reporting and joint risk steering committee in this area.
Shared Policies & Procedures	
Legislative Compliance This is an ongoing program to check each Council's compliance with the various legislative requirements applicable to the sector.	The benefits of undertaking this program together include the efficiency gained from sharing specialized staff knowledge and using a shared audit program and framework. This reduces the preparation time required to prepare and report on findings and makes the audit program cost-effective. An added benefit for Circular Head Council is that the audit has some independence. The program itself provides the Council with assurance about compliance with its statutory obligations.
Shared Meeting Attendance and Joint Committee Representations	
Joint Executive Meetings Meetings held to explore operational opportunities that could benefit both Councils.	17 August 2021 <ul style="list-style-type: none"> • Telecommunications and digital connectivity project • Discussed Regional Housing Market Webinar • Discussed procurement opportunities 9 November 2021 <ul style="list-style-type: none"> • Local Government Reform – updates and information to date

Project/Area	Benefits Sought
	<ul style="list-style-type: none"> • Discussed regional development <ul style="list-style-type: none"> ○ Sustainable Murchison overview ○ Identify and detail additional opportunities • Discussed end of financial year processes and possible improvements. <p>25 January 2022</p> <ul style="list-style-type: none"> • Discussed possible Digital Strategy and opportunities for joint IT projects <p>5 April 2022</p> <ul style="list-style-type: none"> • Explored and identified budget/annual plan actions that can be managed on combined basis with greater collaboration • Discussed Finance policy development • Discussed Asset Management • Discussed Community Projects (social recovery, H&WB project/plans) • Discussed Port Latta Landfill • Discussed Local Government Reform • Discussed joint strategic projects, progress and opportunities for new projects <p>28 June 2021</p> <ul style="list-style-type: none"> • Discussion of local government reform and potential impacts and anticipated timeframe. • Discussion of joint MOU and agreement on reinvigoration to provide clarity in relation to shared roles • Agreed to explore opportunities for elected member training post-election
NRM Officer Joint rep on Western Fire Area Management Committee	The NRM Officer's role across both councils enables the representation of both communities in consideration of bushfire planning.
<p>Western Emergency Management Committee</p> <p>The committee is a joint committee of 3 councils: Burnie, Circular Head, & Waratah Wynyard Council</p>	<p>Broader input and sharing of skills and resources for emergency planning continues. There is a single plan and framework.</p> <p>Increased access to other government agencies who can attend one meeting between three rather than three individual meetings. Joint response to State Evacuation plans provided to the state government.</p> <p>Appointment of joint deputy shared between both Councils – although initially supported - was revoked by State at the end of 2021. Joint submissions have been made to promote the positive outcomes from 2 deputies and shared resource.</p>
Shared Training	
Leadership Training	Benefits included efficiencies of scale, joint training and language. This opens the scope for greater collaboration between teams when moving in similar directions.
Shared Procurement Training	It reduced administration cost in the coordination of training and shared experiences and knowledge and increased flexibility of time.
Integrated Strategic & Operational Planning	
Digital Connectivity	Continued to jointly advocate for improved telecommunications, resulting in commitment through the Regional Connectivity Fund Round 2 for

Project/Area	Benefits Sought
	<ul style="list-style-type: none"> • North-West Coast Tasmania, Braddon (\$4,624,725) <ul style="list-style-type: none"> • The project will deploy four new Telstra macro mobile sites at Boat Harbour, Port Latta, Marrawah/Redpa and Lower Scotchtown, providing improved coverage across the Northwest Coast of Tasmania • Cradle Coast Agricultural Project, Braddon (\$279,000) <ul style="list-style-type: none"> • The project will deploy a fixed wireless network providing broadband coverage to the Cradle Coast agricultural precinct and neighbouring areas. The network will extend broadband connectivity and voice over LTE in the area.
Governance & Information Systems	<p>Agreement reached to combine Governance and Information System functions to achieve greater organisational alignment with systems and business processes. The new arrangements will provide benefit to both organisations through the sharing of skills and knowledge and will provide greater scale and business continuity to both teams. The shared team will oversee IT, spatial services, governance, and information management including corporate documents.</p> <p>Pre-existing arrangements for the sharing of spatial services and IT staff will be strengthened by these new arrangements.</p> <p>The combined team managed by a shared Governance and Information Systems Manager includes the following roles:</p> <p>Waratah-Wynyard Council Roles</p> <ul style="list-style-type: none"> • Governance Officer • Information Systems Officer <p>Circular Head Council Roles</p> <ul style="list-style-type: none"> • Information Technology Officer • Corporate Administration Assistant • Information Management Officer <p>Shared Roles</p> <ul style="list-style-type: none"> • Spatial & IT Services Coordinator (Employed by WWC) • IT Coordinator (Employed by CHC) • Governance Officer – Risk and Insurance (Employed by CHC)
Youth Plan	The Youth Plan was developed jointly. The implementation plans for delivery of actions was jointly developed for annual implementation.
Age-Friendly Community Plan	The Age Friendly Communities Plan was developed jointly. The implementation plans for delivery of actions was jointly developed for annual implementation.
Health & Wellbeing Program	<p>The Health and Wellbeing Plan was developed across both municipal areas. An implementation plan was developed with shared responsibility for actions by both teams.</p> <p>Joint funding was received (Breathe Eat Move Relax for a healthy lifestyle program (BEMR)) to implement a range of actions from the Health and</p>

Project/Area	Benefits Sought
	Wellbeing Plan – a joint project officer has delivered this program over two across both Council areas. This program is in the final stage of reporting and evaluation.
Asset Planning - Joint Project Delivery	<p>Documentation efficiencies and joint learning across councils, whilst maintaining strategies and plans unique to each municipality. Collaboration draws on a wider pool of ideas and knowledge.</p> <p>Lowered costs from single and shared procurement of highly technical third-party advice (i.e., FOGO).</p> <p>Shared projects this year to date include:</p> <ul style="list-style-type: none"> • Parks, Reserves & Sporting grounds Asset Management plans • Parks, Reserves & Sporting grounds Service levels • Urban Stormwater Infrastructure Asset Management plans • Urban Stormwater Infrastructure Service levels • Waste and Resource Recovery Strategy 2019-2024 implementation • Building Revaluations
Community Programs – Joint Project Delivery	<p>Documentation efficiencies and joint learning across councils, whilst maintaining strategies and plans unique to each municipality. Collaboration draws on a wider pool of ideas and knowledge.</p> <ul style="list-style-type: none"> • Public Art • Work Inspirations Youth Program • Youth Leaders Programs
GIS Modernisation Project	Continued work on modernisation will provide a web based Corporate GIS System for both Councils allowing for enhanced user administration, ubiquitous access from any device and common operating platform across both Councils.
Other Shared Business Processes	
<p>Shared Audit Panel</p> <p>The Independent Audit Panel is shared between both Councils and King Island Council.</p>	<p>Continued benefits from the shared panel include a reduction in administration and cost in relation to recruitment and training of independent members.</p> <p>The knowledge of Panel members is enriched through exposure to multiple Council operating environments which adds value to their ability to identify risks for each organization.</p>
Dog Control Signage	<p>Access to in house graphic design capability for both Councils.</p> <p>Avoid duplication of effort and increase consistency.</p>
Mobile - Roads Defect Inspection Tool	<p>Continued implementation - a significant step forward in our structured asset management approach which provides many ongoing benefits: -</p> <ul style="list-style-type: none"> • Maintenance planning. • Visual representation of defect in the road network to assist maintenance planning. • Evidence based operational budgeting to meet Council’s service standards.

As of 30 June 2022, there were 13 positions shared to varying degrees across the two Councils. The shared positions include:

Position	Split	Benefits
Employed by Waratah Wynyard Council:		
Director Community and Engagement	0.8 WWC 0.2 CHC	Enables the delivery of joint Community Wellbeing Plans and the collaboration of teams to deliver.
Director Infrastructure & Development	0.2 CHC 0.8 WWC	Collaboration and greater access to technical, strategic, executive and management skills across both Councils.
Manager Governance and Information Services NEW ROLE	0.5WWC 0.5 CHC	Enables increased alignment of corporate functions to promote ease of joint working
Spatial and IT Coordinator	0.80 WWC 0.20 CHC	Enables increased alignment of corporate functions to promote ease of joint working
Manager Development and Regulatory Services	0.5 WWC 0.5 CHC	Shared learnings applied to same legislative functions.
Manager Asset Services	0.5 WWC 0.5 CHC	Each Council access to skill and resources. Same framework used across each Council.
Project Officer x 2	0.5 WWC 0.5 CHC	Each Council accesses to the function. Similar or joint projects undertaken across both Councils.
Graduate Civil Engineer	0.5 WWC 0.5 CHC	Similar or joint projects undertaken across both Council's. Each Council access to this resource, reduce reliance on consultant designers.
Infrastructure – Future Projects & Delivery Coordinator ¹	0.5 WWC 0.5 CHC	Reciprocal arrangement. Skill sharing, leave coverage, and collaboration.
Asset Services Officer		Fee for service arrangement based upon project needs
Technical Officer – Engineering & Design		Fee for service arrangement based upon project needs
Projects & Asset Review Manager		Fee for service arrangement based upon project needs
² Compliance Officer		Reciprocal arrangement. Skill sharing, leave coverage, and collaboration.
Employed by Circular Head Council:		
NRM Officer	0.5 CHC 0.5 WWC	Each Council accesses to the function. Similar program can be delivered with shared learning. Single representation at regional level.
IT Coordinator	0.5 CHC 0.5 WWC	Access to key skills. Benefits where shared projects or systems are implemented. Learnings are shared.
Plumbing Compliance Officer	0.5 CHC 0.5 WWC	Each Council accesses to the function.
Manager Engineering and Projects ¹	0.5 CHC 0.5 WWC	¹ Reciprocal arrangement. Skill sharing, leave coverage, and collaboration.
² Compliance Officer		Reciprocal arrangement. Skill sharing, leave coverage, and collaboration.

NOTES:

1 These two roles interchange as a reciprocal arrangement.

2 Reciprocal leave coverage and weekend call out arrangements, particularly in Animal Control.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Resource-sharing directly supports the Leadership & Governance theme in both Councils' Corporate Strategic Plan.

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
1.5 We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making.
Our Priorities
13.1 Facilitate the meeting of community needs through strong advocacy and local and regional collaboration for shared outcomes.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Strong communities and social capital	Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
Governance and working together	Working together for Murchison – Everyone plays a part in achieving the objectives of the Sustainable Murchison Community Plan. There is cooperation, resource sharing and less duplication between Councils. Leadership is provided across all community sectors.

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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


CONSULTATION PROCESS

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

CONCLUSION

Resource-sharing continues to be an innovative solution to the challenges faced by both Councils and should be a feature of further responses to the Future of Local Government Review. It is recommended that Council note the annual Resource Sharing Report.

9.5 COMMUNICATIONS AND ENGAGEMENT STRATEGY ANNUAL REVIEW

To: Council
Reporting Officer: Marketing and Communications Officer
Responsible Manager: Director Community and Engagement
Report Date: 29 July 2022
File Reference: 1
Enclosures: 1. Communications and Engagement Strategy Action Plan 

RECOMMENDATION

That Council note the Communications and Engagement Strategy annual review.

PURPOSE

To present Council with a review of the third-year actions from the Communications and Engagement Strategy 2019-2021

BACKGROUND

At the June 2019 ordinary meeting, Council adopted the Communications and Engagement Strategy 2019-2021. This strategy reflects the changing communication landscape and the desire for Council to become more transparent with its community, increase engagement opportunities, encourage greater community participation in Council decision-making and encourage greater collaboration with key stakeholders.

DETAILS

The Strategy set out 21 different communication components that set ongoing communications performance standards for Council. These Communications components can be seen in the table below:

COMMUNICATIONS COMPONENT	Level of Practice			
	2010	2019	2020	2021
Written communications plan, flowing from strategic plan	0	1	4	4
Communications style guide	0	2	3	4
Consistent communications style, reinforcing branding (typeface, palette, structure, graphics, logo)	0	1	3	4
Key messages (existing, demonstrated)	0	1	4	4
Defined target audiences	2	4	4	4
Communications objectives	2	2	5	5
Language appropriate to target audiences	2	3	4	4
Appropriate number of communications tools (too many/too few)	1	2	4	4
Appropriate application of communications tools	1	2	3	4

COMMUNICATIONS COMPONENT	Level of Practice			
	2010	2019	2020	2021
Structured implementation of communications (timely, regular, proactive)	2	2	4	5
Engagement with media	3	2	4	4
Image library	3	3	4	4
Agreed responsibilities within staffing structure	2	2	4	4
Management support for communications	4	3	4	4
Organisation-wide embracing of communications (everyone represents the brand; all staff are advocates)	1	2	3	4
Identifiable brand (discernable brand values)	2	2	3	4
Website is easily navigable	4	3	5	5
Website has sensible content flow	4	3	5	5
Analysis of website visits	2	2	4	4
Use of new media	0	2	4	4
Public face engagement: Reception; face-to-face; telephone; processes	2	3	3	4

LEVEL OF PRACTICE KEY	0. Not performed	1. Ad hoc/not planned	2. Patchy
	3. Regular/ somewhat strategic	4. Demonstrated and strategic	5. Optimal practice

In addition to maintaining these ongoing communications performance standards, the plan set goals that are achieved through pro-active and strategic communication using tools such as Council’s website, social media (Facebook, Twitter, LinkedIn, Instagram and YouTube) and redesigning Council’s marketing materials.

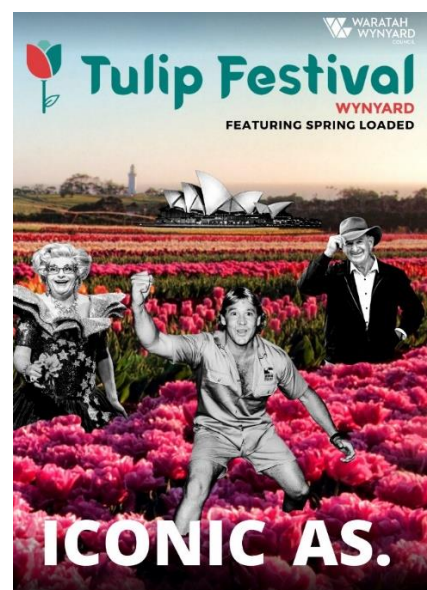
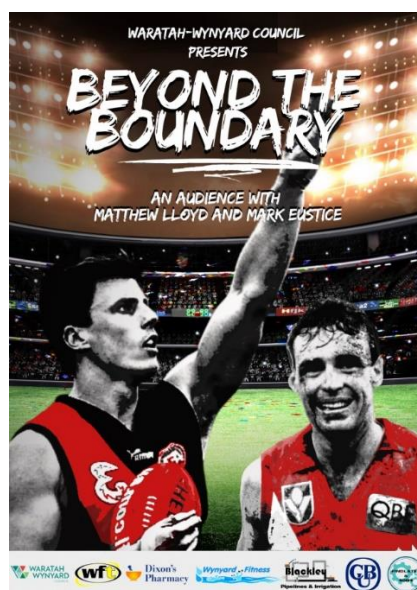
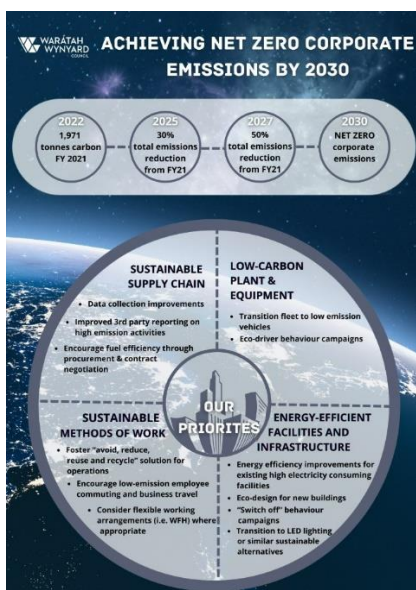
As part of the Communications and Engagement Strategy’s Year 3 actions, Council has rolled out a new signage strategy, with new branded signage being installed in all key facilities in the municipal area. The new signage was well received by Council’s Facebook community, with a post showcasing the new signage receiving 88 likes, 9 comments and 4 shares.

In addition to implementing the signage strategy, Shunt Applied Creative was engaged to monitor Council’s performance for a 6-month period and rank engagement and growth of social media platforms in comparison to other Tasmanian Councils.

The impacts of Waratah-Wynyard Council’s social media engagement have been substantial, demonstrating the effectiveness of a strategic communication plan. It was recorded by Shunt Applied Creative that there was an increase in Facebook reactions by 149.1% and in an increase in Facebook engagement by 105% over a 90-day period in 2021. The Waratah-Wynyard Council was acknowledged by Shunt as “Facebook engagement and productivity leaders” when compared with all other Tasmanian Councils.

Council also earned 3,012 total reactions for the same 90-day period, which was a culmination of total likes, comments and shares on Facebook. Shunt noted the significance of the result stating, “In an unexpected result, Waratah-Wynyard led the state and the much bigger City of Hobart for the most total reactions”. Upon the completion of the Year 3 actions there have been other notable achievements in the digital space. Waratah-Wynyard Council’s social media following (on Facebook, Twitter, Instagram and YouTube) increased by a total of 30.6%, expanding its network of users across multiple platforms. YouTube views also vastly increased, with video views skyrocketing by 7252.9%.

As recognition for achievements in this space, Council was awarded the Local Government Professionals Tasmania’s Community Service Delivery Award for Social Media Engagement in August 2022. This award recognises Council’s evolving social media presence for the benefit of the community, and the strides Council has made in the last year to veer from the stoic digital persona common to Local Government. Council has been recognised for implementing artistic principles of graphic design and innovative methods of communication (such as Facebook polls) to capture the attention of its stakeholders on noisy social media platforms. By appealing to social values and cultural aesthetics, Council is demonstrating leadership in a space where Local Government entities are hesitant to evolve beyond corporate personas, positioning itself not only as a leader of the community, but also as an essential part of it.



STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL
Desired Outcomes
1.3 We encourage broad community input to create a focussed and strong sense of belonging.
Our Priorities
1.1.1 Commit to best practice in community engagement.
1.1.2 Strengthen our communication with the community using diverse communications channels relevant to the demographic.
3.2.1 Deliver engagement strategies that adapt to community needs to ensure effective communication and collaboration.
1.6.1 Encourage increased participation by all stakeholders.
3.5.2 Become a 24/7 accessible council through the use of technology.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Strong communities and social capital	Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.

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 as objectives for the 2021/22 financial year have been included in the annual plan and budget where required. Future tasks may require budget allocations in subsequent years.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

CONCLUSION

The Communications and Engagement Strategy has been prepared to support Council's Strategic Plan and as part of Council's commitment to open, transparent and active relationships between Council and the community, and to ensure Council is working towards delivering best practice communications and engagement outcomes.

The Strategy will be revised and updated for the 2023/24 financial year to reflect learnings of the first three years of actions. New strategic actions have been set to reflect the key priorities of the fourth year of the Strategy and are noted on the attached Action Plan.

This report provides a broad analysis of Council's progress against communication goals and highlights successes in this space. Future action plans will identify areas where there is still work to be done to build on the success of Council's engagement practices.

9.6 PUBLIC CONSULTATION POLICY

To: Council
Reporting Officer: Manager Tourism and Marketing
Responsible Manager: Director Community and Engagement
Report Date: 2 September 2022
File Reference: 1
Enclosures: 1. Public Consultation Policy 

RECOMMENDATION

That Council adopts the revised Public Consultation Policy as presented.

PURPOSE

This policy has been revised and is presented to Council for consideration and formal adoption.

BACKGROUND

The Public Consultation Policy was last adopted by Council on 18 February 2020. The policy has been reviewed in line with Council's procedures to review and update policies every two years. Since the last review, Council has strengthened its commitment to best practice communication and consultation strategies and the changes made to this policy align with this commitment.

DETAILS

The Waratah-Wynyard Council Public Consultation Policy is underpinned by the following principles, which have been revised to align with Council's Communication and Engagement Strategy and more accurately reflect Council's commitment to effective communication and consultation with the community.

- a) Council decision-making should be open, transparent and accountable;
- b) The Council will identify potential stakeholders in each specific circumstance;
- c) The Council will ensure information is easily understood and accessible to identified stakeholders, and include contact details for obtaining further information in all communications,
- d) The community has a right to be involved in and informed about key decisions affecting them;
- e) A range of appropriate opportunities will be provided for people to access information and to be involved, taking account the diversity of the community and their differing communication needs;
- f) The Council will listen and respond to community views in a balanced way, taking account of all submissions made by various stakeholders;
 - a. The Council's desire to balance community views and interests with other influences such as budgetary constraints.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

GOAL
Desired Outcomes
3.5 Our community uses its voice to shape its future alongside a strong Council willing to listen and implement where reasonable and practical.
Our Priorities
3.2.1 Deliver engagement strategies that adapt to community needs to ensure effective communication and collaboration.

GOAL
Desired Outcomes
1.3 We encourage broad community input to create a focussed and strong sense of belonging.
Our Priorities
1.1.2 Strengthen our communication with the community using diverse communications channels relevant to the demographic.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Strong communities and social capital	Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.

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 environmental implications as a result of this report.

CONSULTATION PROCESS

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

CONCLUSION

Council's policy review cycles create a regular opportunity for Council to consider its position on policy matters, align policies with current and best practices and reaffirm commitments and priorities. It is recommended Council adopt the reviewed and updated Public Consultation Policy as it is presented.

9.7 CAM RIVER RESERVE MASTERPLAN - ANNUAL UPDATE

To: Council
Reporting Officer: Contracts and Administration Officer
Responsible Manager: Director Infrastructure and Development Services
Report Date: 2 August 2022
File Reference: Cam River Masterplan
Enclosures: 1. Cam River Masterplan - Action Status Report 

RECOMMENDATION

That Council note the annual status update on the progress of the Cam River Reserve Master Plan.

PURPOSE

To provide Council with an annual update on the status of the actions contained within the Cam River Reserve Master Plan (CRiMP).

BACKGROUND

In Council's 2019/20 Annual Plan, Council recognised the need to develop a master plan for the Cam River Reserve. The plan provided an opportunity to review the currency of the previous Landscape Development Plan (adopted in 2012) and to address possible future changes that could impact on the reserve, such as the renewal of the vehicular bridge by the Department of State Growth. Following a three-week consultation process, 39 comments were received from the community and considered prior to the master plan being adopted by Council in July 2020.

The CRiMP provides Council with a clear vision for the future development and management of the area. The reserve is recognised as a significant parkland in Waratah-Wynyard, and it will continue to be developed as a naturally beautiful riparian reserve for relaxation, leisurely activity and social interaction. The master plan sets out to address key objectives of managing safety and pedestrian circulation, enhancing and protecting the natural values of the reserve and creating a natural entrance to the eastern side of the municipality.

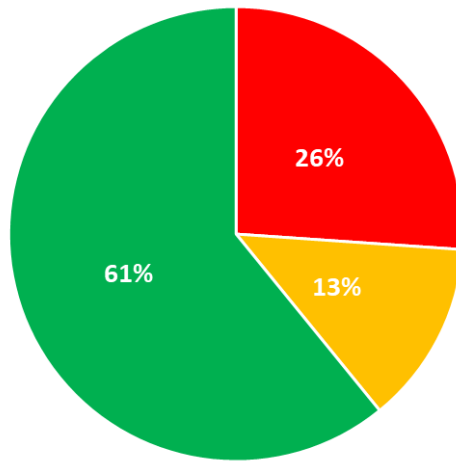
DETAILS

The CRiMP proposed a series of actions to cover the elected themes of safe access and circulation; relaxation and amenities; nature, art and design; and passive recreation.

A detailed update of the activities undertaken against each action has been included in the table attached to this report.

Of the 23 actions, fourteen have been completed and three are in progress. The remaining six actions have not started; however, one of these actions is planned to commence during the 2022/23 financial year. The remaining five 'not started' actions are not scheduled to commence until later in the five-year master plan.

■ Not Started ■ In Progress ■ Complete



There are three remaining actions listed as “in progress”, one is due for completion in current financial year, a second is part of a two-stage action for completion in year 5 and the final action in progress requires continuing liaison with Somerset Surf Life Saving Club around safety signage.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 3: Connected Communities
Desired Outcomes
3.3 Our natural and built environment aids the community with an active and healthy lifestyle.
Our Priorities
3.1.2 Promote and strengthen community safety to retain and attract families to live and recreate in Waratah-Wynyard.

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:
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

There are no financial implications as a result of this update. Individual projects undertaken as part of the CRiMP's recommendations will be subject to the Council's standard budget approval process.

RISK IMPLICATIONS

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


CONSULTATION PROCESS

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

CONCLUSION

It is therefore recommended that the Council note the annual status update on the progress of the Cam River Reserve Master Plan as being on track for full delivery within the timeframe originally agreed.

9.8 WASTE AND RESOURCE RECOVERY STRATEGY - ANNUAL UPDATE

To: Council
Reporting Officer: Contracts and Administration Officer
Responsible Manager: Director Infrastructure and Development Services
Report Date: 2 August 2022
File Reference: Waste and Resource Strategy
Enclosures: 1. Waste and Resource Recovery Strategy - Action/Objective Status Report 

RECOMMENDATION

That Council note the annual status update on the progress of the Waste and Resource Recovery Strategy 2019-2024.

PURPOSE

To provide Council with an annual update on the status of the actions recommended within the Waste and Resource Recovery Strategy 2019-2024 (WARRS).

BACKGROUND

The WARRS seeks to critically assess the way waste services are provided to customers to ensure that Council is meeting the needs of the community whilst still providing value-for-money services. It relates only to the activities which generate waste from households and business directly.

The WARRS is a commitment to achieving a 50% diversion of waste from landfill by 2024, in line with the previous regional waste diversion target, and the continuous improvement in the way Council manages waste generated within the community. To be in the best position to meet the target, Council must introduce progressive ways to minimise waste to landfill through implementing targeted activities and broad education and advocacy programs.

The strategic aim of the WARRS and its objectives are:

To grow a sustainable community through proactive waste initiatives and increasing materials recovery.



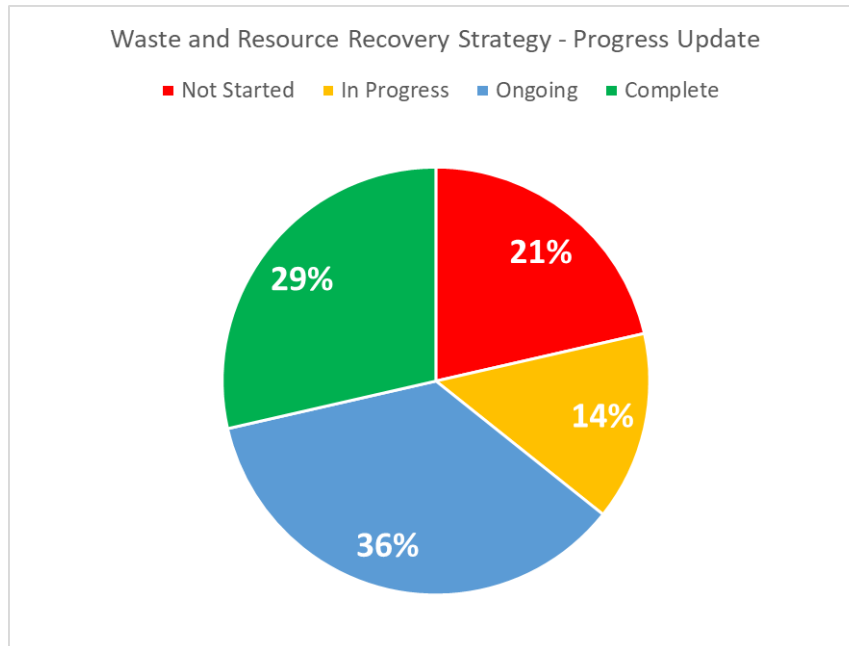
The WARRS was adopted by Council on the 19 August 2019.

DETAILS

The WARRS proposed a series of actions against four focus area of Materials Recovery; Education and Awareness; Environmental Compliance; and Value-for-money.

A detailed update of the activities undertaken against each action has been included in the table attached to this report.

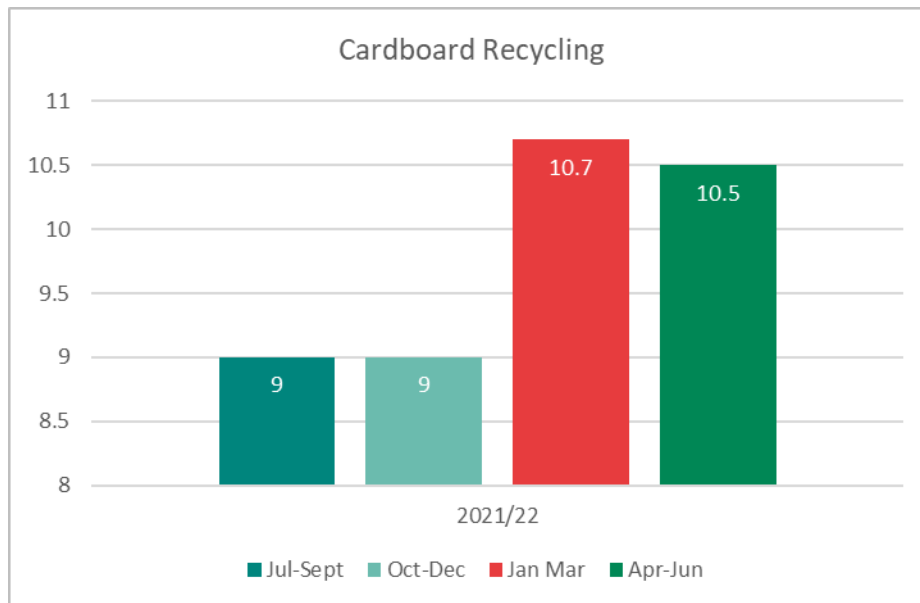
Of the 28 actions, eight have been completed, four are in progress and ten are embedded into standard business practices. The remaining six actions have not been started; however, three are included for commencement during the 2022/23 financial year.



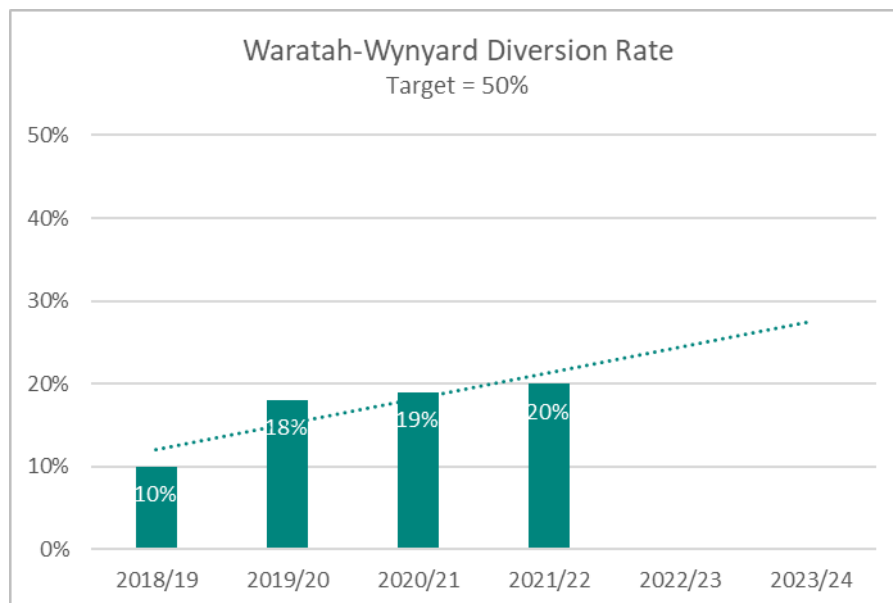
A key aim of the WARRS is to reach 50% diversion of waste from landfill by 2024/25, similar to the target set within the regional waste strategy. Council has continued to divert and reuse builders' rubble and green waste through its transfer station operation along with other recyclables (glass, aluminium, cardboard etc) and materials reused or on sold by the transfer station contractor. The accuracy and timeliness of the data for builder's rubble and green waste could be improved and was not able to be obtained in full during the preparation of this report.

The rate of cardboard recycling has increased over the last year. Waratah-Wynyard averaged 9.8 tonnes of cardboard diverted for recycling per quarter from the Waste Transfer Station.

The below data represents the estimated diversion rate for community waste within Waratah-Wynyard, based on waste and recycling tonnages from the kerbside and waste transfer station streams.



For the 2021/22 financial year, Council recorded an approximate 20% diversion rate which is 30% behind the 50% target rate.



One of the largest components of the Waratah-Wynyard community’s waste remains food and garden organics (FOGO) material. A feasibility study on a FOGO collection service was undertaken during 2020 and the final results tabled at the 16 November 2020 Council Meeting. The feasibility study suggested that a 54-58% recovery rate could be achieved if a kerbside FOGO collection service was implemented, and if not, it was acknowledged that the diversion target may not be met. Whilst there was potential for an improved diversion rate, the proposed service presented other challenges such as a perceived lack of value-for-money as considered through community feedback on the predicted service costs. There were also concerns of adding further costs to community members during a period of uncertainty due to COVID-19. For these reasons Council determined to note the contents of the study, promote alternative methods to encourage diversion of FOGO materials and not take up a FOGO service at that time.

In an effort to reduce food waste materials going to landfill, the Cradle Coast Waste Management Group (CCWVG) has been further exploring the possibility of a regional FOGO

collection service in the north-west area. It is anticipated a regional approach to FOGO collection will significantly lower the total cost of the service and provide approximately 18% savings in the bin lift rate for Waratah-Wynyard when compared to an individual council contract for the same services. Further analysis is yet to be completed on the costs and benefits of the proposed regional approach. Council will determine its position on participation in the regional FOGO contract in early 2023.

Efforts to divert waste from landfill will continue to be explored in line with the actions contained within WARRS.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 7: Environment
Desired Outcomes
7.1 Council and the community minimise its resource consumption and carbon footprint.
Our Priorities
7.1.1 Divert waste from landfill and build awareness around sustainable waster generation and management.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

There are no directly related environmental implications as a result of this progress update, however actions contained within the WARRS are intended to divert waste from landfill and reduce the community's environmental footprint.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this progress update. Individual projects undertaken as part of the WARRS' recommendations will be subject to the Council's standard budget approval process.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

CONCLUSION

It is therefore recommended that Council note the annual status update on the progress of the Waste and Resource Recovery Strategy 2019-2024.

9.9 CRADLE COAST WASTE MANAGEMENT GROUP - STRATEGIC PLAN 2023-2028

To: Council
Reporting Officer: Executive Officer
Responsible Manager: General Manager
Report Date: 16 August 2022
File Reference: 0901
Enclosures: 1. Cradle Coast Waste Management Group - Strategic Plan 2023-2028 

RECOMMENDATION

That Council note the Cradle Coast Waste Management Group Strategic Plan 2023-2028.

PURPOSE

For Council to note the Cradle Coast Waste Management Group Strategic Plan 2023-2028 which was adopted by the Cradle Coast Waste Management Group on 10 August 2022.

BACKGROUND

The Cradle Coast Waste Management Group (CCWMG) represents seven local government authorities in northwest Tasmania participating in a voluntary waste levy arrangement. The CCWMG is comprised on representatives from each of the participating council; Burnie City, Central Coast, Circular Head, Devonport City, Kentish, Latrobe and Waratah-Wynyard. The vision for CCWMG is to deliver a sustainable community in the Cradle Coast region of Tasmania by implementing strategies which minimise waste through increases in diversion and recovery.

The CCWMG prepares a five-year strategic plan which details projects and strategies for improvements in resource recovery and waste reduction for member councils.

Over the past fifteen years, the programs covered by the Annual Plan and Budget have been funded by a voluntary levy for landfilled waste, which in financial year 2022 the levy was charged at \$5.50 per tonne. On 1 July 2022, the Tasmanian State Government will begin collection of a legislated landfill levy of \$20.40 / tonne. No voluntary levies will be paid from this date. The state government have committed to funding the work of regional waste groups and has made a statement that all regional groups will be treated equitably, and that none will be worse off. On this basis, the 2022/23 Annual Plan and Budget has been developed based on a forecasted contribution of \$7.50 per tonne from the 1 July 2022.

DETAILS

The CCWMG has a strategic focus on four key areas:

1. **Regional planning and contract management:** Provide regional planning and coordination of waste infrastructure and services to provide improved resource recovery, delivering efficiencies and reducing costs of services/waste infrastructure with the Waste and Resource Recovery Board (WRRB) as funding partner.
2. **Waste diversion:** Diversion of materials from landfill to increase resource recovery, extend the life of existing landfills and reduce greenhouse gas emissions from waste.

-
3. **Partnerships:** Maintain partnerships with government, planning authorities and the three waste regions to shape waste management policies and regulation to influence future regulatory requirements and to identify programs and infrastructure best delivered with a state-wide approach.
 4. **Community engagement:** Work with the community and industry, through education and feedback, to take ownership of waste avoidance and reuse to improve the use of existing and future services.

The vision of the CCWMG is to deliver a sustainable community in the Cradle Coast region of Tasmania by implementing strategies which minimise waste through increases in waste diversion and recovery. In line with the region's strategic focus areas, the 2028 goal is to provide regional planning and coordination of waste infrastructure and services with the Tasmanian Government Waste and Resource Recovery Board (WRRB), increase waste diversion from landfill, maintain and develop partnerships between local councils, regional groups and to engage with the community to ensure sustainable waste management becomes a normal, embedded behaviour.

The challenges ahead

As part of the development of the 2023-2028 strategic plan, representatives from member councils provided input on challenges and opportunities. This feedback guided the development of this strategy and identified the following challenges:

- limited education opportunities leading to apathy in community regarding waste programs.
- regional inconsistency on pricing, contracts, transparency and education.
- lack of local, viable market for diverted material.
- contamination of divertible material.
- uncoordinated FOGO collection and implementation.
- contending perspectives of state and local government during a period of transition.
- limited infrastructure.

This strategic plan aims to address these challenges to meet the waste management vision of the region for the benefit of councils, residents, industry and protect the local environment while minimising carbon emissions from the region, improving environmental health outcomes, and strengthening the regional economy.

Objectives for the future

CCWMG has set measurable and achievable goals in the form of key performance indicators which will allow the group and member councils to track their progress over the 5-year plan:

1. By 2028, establish regionally consistent practices for waste management in all member council areas for consistent waste contracts, services and best practice principles.
2. By 2028, target 60% MSW resource recovery.
3. By 2028, target <10% contamination rate in kerbside recycling bins (based on annual kerbside recycling auditing).

4. By 2028, phase out priority single-use plastics.

Progress against these indicators will be measured using data provided by member councils, or collected during specific project work, and reported to the group on a regular basis.

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
2.1 We are a knowledgeable organisation—we demonstrate best practices in our business processes.
Our Priorities
13.1 Facilitate the meeting of community needs through strong advocacy and local and regional collaboration for shared outcomes.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Business & Industry	Specialised diversity of the economy – Value adding, diversification, innovation and employment. A resilient economy with global brand recognition and growing exports.
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.
Governance and working together	Working together for Murchison – Everyone plays a part in achieving the objectives of the Sustainable Murchison Community Plan. There is cooperation, resource sharing and less duplication between Councils. Leadership is provided across all community sectors.

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONSULTATION PROCESS

A workshop was held with member council representatives in Burnie on 17 February 2022 to discuss and identify existing and future challenges and opportunities for the CCWMG. Key themes discussed at the workshop are summarised in Table 1 below. These themes were used to inform development of the strategic plan.

Table 1 - Stakeholder consultation:

Challenges	Opportunities
<ul style="list-style-type: none">• Limited education opportunities leading to apathy in community regarding waste programs• Regional inconsistency on pricing, contracts, transparency and education• Lack of local, viable market for diverted material• Contamination of divertible material• Uncoordinated FOGO collection and implementation• Contending perspectives of state and local government during period of transition• Limited infrastructure	<ul style="list-style-type: none">• Improved regional consistency in governance arrangements, information sharing and contracts• Expansion of regional processing involving other groups and local employment• Further integration of regional systems• Increasing community commitment to best waste practice through community buy-in• Targeted solutions for key materials• Further support for Rethink Waste• Improved structure of key performance indicators• Regional leadership on procurement opportunities.

CONCLUSION

It is recommended that Council note the new Strategic Plan for the CCWMG.

9.10 AWARD OF CONTRACT - IT SYSTEMS PLANNING AND DESIGN

To: Council
Reporting Officer: Director Organisational Performance
Responsible Manager: General Manager
Report Date: 1 September 2022
File Reference: Purchasing Decisions - Financial Management - Authorisations
Enclosures: 1. Tender Assessment Summary - Confidential

RECOMMENDATION

That Council award the contract for planning and design of Council's IT Systems to AVEC Global PTY LTD (Avec).

PURPOSE

IT Systems planning and design forms part of Council's project plan for digital transformation. Council endorsed this program of work on adoption of its annual plan and budget estimates. This report is to award the tender for the first stage of the project.

BACKGROUND

This engagement marks the commencement of a digital transformation project. All projects require sound planning and design to validate and ensure an effective return on Council investment. Detailed planning reduces the risk of project error, increases opportunity for success, and enables overall productivity of the project.

Council is heavily invested in software to deliver services and has recognised the need to invest in associated people and business processes to unlock the potential of its IT as an enabler to improved service outcomes.

This engagement will provide a critical foundational body of work that will inform Council's digital transformation. Council is in a strong position to improve all aspects of its operations through improving its utilisation of its software applications and automating business processes.

This engagement includes an **enterprise architecture review** which will map Council's existing technical landscape, identify solutions and opportunities for consolidation and integration and provide a low-level detailed design of Council's future target operating model including quantifying any required investment and supporting **business case**.

The engagement will also give governance and structure to the Digital Transformation project by providing a clear **development roadmap**, a **change management plan** and **prioritisation** for automation.

The engagement also includes an **information architecture design** which includes establishment of an internal intranet platform (a common landing page for all internal users to access organisational resources and trigger processes online); and planning and adoption of Teams and SharePoint sites to facilitate better internal online collaboration.

DETAILS

The tender process was conducted through the Local Government Vendor Panel arrangement and opened on 8 July 2022 and closed on 29 July 2022.

31 Suppliers were invited to submit a response from the Local Government Vendor Panel Local Buys suppliers list. Four suppliers responded to the request.

- Avec Global
- Engage Squared
- Techquity
- Insight

The evaluation panel used a weighted assessment criterion to evaluate the supplier responses.

- Financial Quotation amount 40%
- Project understanding, including quality and completeness of submission 15%
- Capacity and Resources to complete the work 20%
- Capability and relevant experience of personnel and management 15%
- Response to brief – Compliance with specifications, customer service 10%

The above criterion was able to reduce the supplier suitability to three of the four suppliers as Techquity is a data centre supplier and provides storage of cloud services. This supplier would not be a suitable candidate for this phase of the Digital Transformation Strategy.

Based on the vast range of quotations, an Additional Evaluation Matrix was added to the evaluation process comparing.

- Average costs per day
- Project timeframe
- Resources provided
- Detailed deliverables

The AVEC submission was the strongest and had the greatest alignment to the Council's requirements in terms of project understanding, capacity, and resources to complete the project within the required timeframe, capability, and demonstrated experience. The average daily cost was less than Engaged Square and comparable to Insight. The total value of the proposed engagement is \$285,000.

STATUTORY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 2: Organisational Support
Desired Outcomes
1.5 We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making.
Our Priorities
1.5.1 Build our knowledge base to apply in decision-making processes.

GOAL 2: Organisational Support

Desired Outcomes
2.6 We attract, retain and develop the workforce we need.
Our Priorities
2.6.1 Promote best practice and foster innovation.

GOAL 2: Organisational Support
Desired Outcomes
2.5 We are future-focussed and value continuous improvement.
Our Priorities
2.4.1 Lead a positive and supportive culture which is resilient and adaptive to change.

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

There is currently an allocation of budget for the delivery of year 1 of the digital transformation project of \$639,000.

This engagement of \$285,000 will deliver on Phase 1 and will inform future investment for the organisation to achieve the desired strategic goals, including how the remaining current year budget might best be applied within this financial year. \$354,000 will remain of the current year's budget allocation.

On completion of this Phase 1, and in the second half of the financial year, Council will then move into Phase 2, which includes business process mapping and improving device and security management.

Costs for Phase 2 are not yet known, and prioritisation of system development will be made as Phase 1 progresses. The remaining \$354,000 current year budget allocation must remain flexible and subject to change. It is aimed, however, to cover the following initiatives within the current year's budget allocation: -

- Digitisation of remaining property and building files
- GPS Tracking software
- Conquest (asset system) upgrade to expand mobility, access, and functionality for field staff

A further update on the governance and information systems team's work, including infrastructure replacements and upgrades, is included in the Quarterly Organisational Performance Information report included in this agenda.

RISK IMPLICATIONS

In the conduct of any contract, there are risks to the Council, including time delays and poor quality of work. Using experienced vendors coupled with contract documents will minimise any risk to Council. The broad tender assessment, beyond just price, is intended to mitigate risk.

A key risk to the Digital Transformation project is limited resourcing. Council's governance and information systems department is small with limited capacity to deliver this body of work. This is not uncommon with the 2021 Local Government Digital Transformation Index Report reporting that 56% of Councils reporting that they want to digitally transform but lack the resources to do so. This engagement will reduce project risk by fully resourcing the specialist skills required for appropriate planning and design.

CONSULTATION PROCESS

The Digital Transformation Strategy is an internal operational strategy that was developed following an internal consultation with the Senior Leadership Team. The Strategy was presented to Council in July is supported by Council through a Year 1 budget allocation and an annual plan action to deliver year 1 of the Digital Transformation Project.


CONCLUSION

Good foundation setting is what is going to set the Council up for success in its Digital Transformation, foundational steps are key to any successful journey, and the panel feels Avec are the supplier to assist in achieving this.

Avec has a stronger supply of resources available to support the Governance and Information Systems Department compared to the other suppliers; this is an important criterion given Council has a small team, with limited capacity and skills to deliver the required specialist planning and design work. The panel are confident the delivery from Avec will be solid and have a reduced project risk with all required resourcing being provided.

It is recommended that Council award the contract for planning and design of Council's IT Systems to AVEC Global PTY LTD (Avec).

9.11 FINANCIAL REPORT FOR THE PERIOD ENDED 31 AUGUST 2022

To: Council
Reporting Officer: Corporate Accountant
Responsible Manager: Director Organisational Performance
Report Date: 5 August 2022
File Reference: Financial Management - Reporting - Council
Enclosures: 1. Capital Works Progress Report - August 

RECOMMENDATION

That Council note the Financial Report for the period ended 31 August 2022.

PURPOSE

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

BACKGROUND

The financial reports presented incorporate:

- Income Statement
- Balance Sheet
- Cashflow Statement
- Investments
- Rate Summary
- Grant Summary
- Capital Works Summary
- Capital Works Progress Report (attached)

DETAILS

Council's YTD results are consistent with the budget set by Council. Overall, the operational performance of Council is expected to be within the budget estimates set by Council.

The first full review of the forecast for the year will be provided at the October Council meeting.

STATUTORY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

Council Strategy or Plan Reference

Council Strategy or Plan	Date Adopted:
Financial Management Strategy 2022-2032	Adopted October 2021

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

All details are included in the attached reports.

Income Statement

The Income Statement shows the performance of Council's operations year to date. Councils YTD results are tracking consistently with the budget estimates set by Council.

Income Statement as at 31 August 2022

	YTD Actual	YTD Budget	%		YTD Variance	Budget
Recurrent Income						
Rate Revenue	12,946,946	12,938,563	0%	!	8,383	13,003,563
User Charges	615,822	465,563	32%	✓	150,259	2,793,375
Reimbursements/Contributions	140,817	114,046	23%	✓	26,771	684,274
Grants and Subsidies	-	-	0%	✓	-	3,627,366
Interest	26,742	14,833	80%	!	11,908	89,000
Distributions from Water Corporation	-	-	0%	✓	-	674,400
Total Recurrent Income	13,730,327	13,533,005	1%	✓	197,322	20,871,978
Recurrent Expenditure						
Employee Costs	1,564,823	1,576,898	-1%	✓	(12,075)	8,206,381
State Levies	-	115,046	-100%	✓	(115,046)	690,276
Remissions & Discounts	462,098	445,466	4%	!	16,632	445,466
Materials & Contracts	810,822	958,778	-15%	✓	(147,956)	5,752,670
Depreciation	819,944	819,944	0%	✓	-	4,919,663
(Gain)/Loss on Disposal	-	7,094	-100%	✓	(7,094)	42,565
Borrowing Costs	-	6,969	-100%	✓	(6,969)	41,816
Other Expenses	51,421	46,999	9%	!	4,422	281,991
Total Recurrent Expenditure	3,709,108	3,977,194	-7%	✓	(268,086)	20,380,828
Surplus/(Deficit)	10,021,219	9,555,810	-5%	✗	(465,408)	491,150
Capital Items						
Capital Grants/Contributions	295,980	-	0%	✓	295,980	4,071,776
Derecognition of Assets	-	-	0%	✓	-	-
Asset Recognition	-	-	0%	✓	-	-
Comprehensive Surplus/(Deficit)	10,317,199	9,555,810	-2%	✗	(169,428)	4,562,926

Balance Sheet

Council continues to be in a financially strong position. Council is budgeting a current ratio of 1.14 as at 30 June 2023 compared to a current ratio of 5.49 as at 31 August 2022.

Balance Sheet as at 31 August 2022

	YTD Actual \$	Budget \$
Current Assets		
Cash & Cash Equivalents	19,835,312	4,283,593
Receivables	4,612,366	951,000
Inventories	137,022	116,192
Other Current Assets	178,094	203,776
Total Current Assets	24,762,795	5,554,561
Non-Current Assets		
Property, Plant and Equipment	228,827,149	235,277,209
Investment in Water	44,027,052	44,027,000
Total Non-Current Assets	272,854,201	279,304,209
Total Assets	297,616,996	284,858,770
Current Liabilities		
Payables	2,332,807	3,188,016
Interest-Bearing Liabilities	350,715	355,437
Provisions	1,829,984	1,321,000
Total Current Liabilities	4,513,506	4,864,453
Non-Current Liabilities		
Interest-Bearing Liabilities	2,510,163	1,730,718
Provisions	184,595	165,830
Total Non-Current Liabilities	2,694,758	1,896,548
Total Liabilities	7,208,264	6,761,001
Net Assets	290,408,733	278,097,769
Equity		
Current Year Result	10,317,199	4,562,926
Accumulated Surplus	165,322,188	169,047,603
Reserves	114,769,346	104,487,240
Total Equity	290,408,733	278,097,769

Current Ratio

5.49

1.14

Council's cash is significantly higher at this time of year compared with that budgeted at 30 June due to the timing of Council's income and expenditures. Council collects 74% of its rates and charges income by 31 August. Council's cash will reduce over the course of the year due to progression of the capital works budget valued at \$21.968m. Council's receivables will reduce over the course of the year with some ratepayers electing to pay by instalment.

Cashflow Statement

As of 31 August Council had \$19.835m cash on hand. Based on budgeted income and expenditures, Council is budgeted to have \$4.283m of cash on hand as of 30 June 2023.

A key assumption of the budget is the completion of the capital works program as set by Council. To date, 4% of the capital budget has been spent.

Cashflow Statement as at 31 August 2022

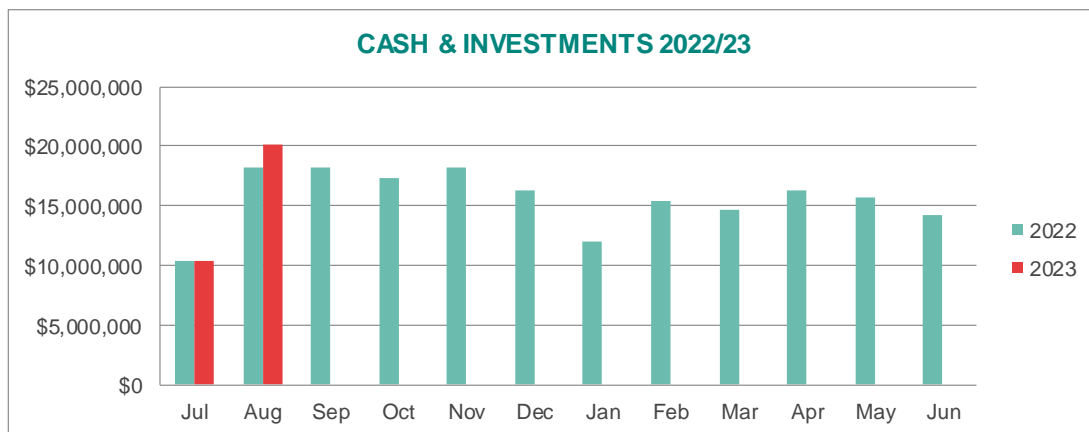
	YTD Actual	Budget		Balance
	\$	\$	%	\$
Cash flows from operating activities				
Employee Costs	(1,564,823)	(8,754,059)	18%	(7,189,236)
Materials and Contracts	(1,886,310)	(4,834,505)	39%	(2,948,195)
State Levies	-	(690,276)	0%	(690,276)
Other Expenses	(513,519)	(727,457)	71%	(213,938)
Rates and Charges	9,436,066	12,941,908	73%	3,505,842
User charges	626,072	3,422,633	18%	2,796,561
Interest	26,742	89,000	30%	62,258
Reimbursement of Expenses	140,816	684,274	21%	543,458
Government Grants	-	3,627,366	0%	3,627,366
Net Cash provided by (used in) operating activities	6,265,044	5,758,884	109%	(506,160)
Cash flows from investing activities				
Payments for Property, Plant and Equipment	(973,861)	(20,305,681)	5%	(19,331,820)
Investment revenue from Water Corporation	-	674,400	0%	674,400
Proceeds from Sale of Property, Plant and Equipment	-	237,690	0%	237,690
Capital grants	295,980	4,071,776	7%	3,775,796
Net cash provided by (used in) investing activities	(677,881)	(15,321,815)	4%	(14,643,934)
Cash flows from financing activities				
Borrowing Costs	-	(41,816)	0%	(41,816)
Loan Drawdowns	-	-	0%	-
Loan Repayments	-	(359,810)	0%	(359,810)
Net cash provided by financing activities	-	(401,626)	0%	(401,626)
Net (Decrease) in Cash Held	5,587,162	(9,964,557)	-56%	(15,551,719)
Cash at beginning of year	14,248,150	14,248,150	100%	-
Cash at end of period	19,835,312	4,283,593	463%	(15,551,719)

Investments

The following table provides an outline of Council’s cash and investment portfolio as of 31 August 2022. Total cash and investments on hand as of 31 August is \$20.083m. The weighted average return on investment earned on Council’s investment portfolio is 0.93%.

Investments as at 31 August 2022

	\$	INVESTMENTS	\$	Weighted Average Return
Deposits	11,850,000	Commonwealth Bank	8,231,129	0.00%
Petty Cash and Till Floats	1,600	Investments		
Trading Account	8,231,129	ME Bank	3,550,000	0.46%
		NAB	2,800,000	0.78%
		ING	2,500,000	1.53%
		CBA	3,000,000	1.53%
		Petty Cash and Till Floats	1,600	
Balance - All Accounts	20,082,729		20,082,729	0.93%



Rates Summary

The following table provides the detail of Council's Rates and Charges levied compared with the same time last year.

Council has several policies to assist in debt collections efforts, including interest penalties, financial hardship provisions providing flexibility for payment arrangements, and the ability for payment of rates and charges by four equal instalments. Ratepayers continue to be encouraged to contact Council if they are having difficulty paying.

28.04% (\$3,604,159) of the total rates levied for the year were outstanding as at 30 June 2022; this includes all aged rates and charges outstanding. This compares with \$3,166,699 outstanding as at 30 June in the prior year (26.04% of the total raised last year).

Rates Summary to 31 August 2022

	2022/2023		2021/22	
	%	\$	%	\$
<i>Notice Issue Date - 25 July 2022</i>				
Outstanding Rates Debtors (1 July 2022)		654,411		775,169
Less: Rates in Credit		(754,201)		(715,966)
NET RATES OUTSTANDING (1 July 2022)	(0.78)	(99,790)	0.49	59,203
Rates and Charges Levied	100.72	12,946,959	99.44	12,092,502
Interest Penalties Charged	0.06	7,413	0.07	8,810
GROSS RATES AND CHARGES DEMANDED	100.00	12,854,582	100.00	12,160,515
LESS RATES AND CHARGES COLLECTED	64.94	8,347,628	67.14	8,163,998
REMISSIONS AND DISCOUNTS**	8.55	1,099,306	8.67	1,054,108
	73.49	9,446,933	75.80	9,218,106
ADD PROPERTIES IN CREDIT	(1.53)	196,510	(1.84)	224,290
UNPAID RATES AND CHARGES *	28.04	3,604,159	26.04	3,166,699
(includes Deferred Rates)				
**REMISSIONS AND DISCOUNTS		2022/2023		2021/22
Early Payment Discount		443,472		437,278
Pensioner Rebates		654,408		615,405
Council Remissions and Abandonments		1,425		1,425
		1,099,306		1,054,108
Number of Rateable Properties		8,004		7,929
Number of Unpaid Rateable Properties		2,399		2,155
% not fully paid		29.97%		27.18%

Grant Summary

Grant Schedule as at 31 August 2022



	YTD Actual	Budget 2023
Capital Grants		
Multi Use Facility	-	320,601
Local Road & Community Infrastructure	-	564,685
Roads to Recovery	-	564,684
Waratah Rail Bridge	-	300,000
Park Street (IGA) Intersection	-	430,000
Calder Road - Bridge Replacement	295,980	713,324
Table Cape Amenities	-	512,690
Table Cape Lookout	-	135,250
James Philosopher Smith	-	110,000
Wynyard Squash Centre - Lighting	-	50,000
Dog Park & Freedom Camping	-	160,000
Rural Road Safety Audit	-	210,542
	295,980	4,071,776

Capital Works Summary

The Capital Works Summary provides a snapshot of the percentage of expenditure against the 2022/23 Capital Works Budget Estimates. Timing of expenditure is based on the works plan and actual spend and is not always reflective of the actual progress of the Capital Works project. The monthly Progress Report is attached for the information of the Council.

Summary Capital Expenditure Report				
	YTD Actual \$	Budget Estimate \$	Remaining Budget \$	% Spent
Buildings				
Amenities	1,091	858,878	857,787	0%
Community Facilities	830	218,129	217,299	0%
Childcare	55	34,475	34,420	0%
Council Operational Buildings	-	25,163	25,163	0%
Total Buildings	1,976	1,136,646	1,134,670	0%
Parks & Open Spaces				
Other Infrastructure	6,700	2,155,211	2,148,511	0%
Playgrounds	287,384	1,849,043	1,561,659	16%
Walkways & Tracks	5,506	1,295,492	1,289,985	0%
Recreational Reserves	7,205	2,143,782	2,136,578	0%
Total Parks & Open Spaces	306,796	7,443,528	7,136,733	4%
Plant & Equipment				
Other Plant & Equipment	-	84,749	84,749	0%
Plant & Vehicle Replacements	5,192	542,046	536,854	1%
Software & IT Replacements	-	763,869	763,869	0%
Total Plant & Equipment	5,192	1,390,664	1,385,472	0%
Sporting Facilities				
Indoor Recreational Facilities	15,576	723,623	708,047	2%
Outdoor Sporting Facilities	28,597	1,827,500	1,798,904	2%
Total Sporting Facilities	44,173	2,551,124	2,506,951	2%
Stormwater				
Flood Mitigation Works Total	28,074	3,150,518	3,122,444	1%
Other Stormwater Works	27,514	270,386	242,872	10%
Total Stormwater	55,589	3,420,904	3,365,316	2%
Transport				
Bridge Renewals	261,955	2,862,344	2,600,389	9%
Footpaths & Kerbs	69,525	210,647	141,122	33%
Other Transport	7,663	1,406,559	1,398,896	1%
Resheeting	89,260	348,323	259,063	26%
Rural Upgrades	1,050	983,711	982,661	0%
Rural Reseals	-	28,736	28,736	0%
Urban Reseals	-	185,182	185,182	0%
Total Transport	429,453	6,025,501	5,596,048	7%
Total	843,178	21,968,367	21,125,189	4%

9.12 SENIOR MANAGEMENT REPORT

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	25 August 2022
File Reference:	1312
Enclosures:	<ol style="list-style-type: none"> 1. Letter from Hon. Nic Street - Minister for Local Government  2. Letter from Director of Local Government - Notice of Motion re Councillor Conduct 

RECOMMENDATION

That Council note the monthly Senior Management Report

SUMMARY/PURPOSE

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

GENERAL MANAGERS OFFICE

ACTIVITIES SINCE LAST COUNCIL MEETING

Listed below is a summary of activities undertaken by the General Manager during the period 6 August 2022 to 9 September 2022.

Corporate

- Continued to have regular catch-up meetings with Circular Head General Manager Vanessa Adams
- Met with the General Manager State Roads, Denise McIntyre who provided an update on the current highway realignment works
- Completed performance reviews for all direct reports
- Participated in an Audit Panel meeting of Waratah-Wynyard Council

Community

- Held three new Councillor Information sessions, two in Wynyard and one in Waratah

Industry

- Attended a meeting of the Cradle Coast General Managers. The primary focus of the discussion was jobs and housing issues.
- Participated in an interview by Professor Richard Eccleston on behalf of the Local Government Review specifically relating to resource sharing and shared services
- Participated in the Future of Local Government Review Focus Groups Plenary Workshop
- Participated in Cradle Coast Waste Management Group meeting

Other

- Attended a meeting of the Cradle Coast Authority Audit and Risk Committee
- Attended a Board Meeting of the Cradle Coast Authority

Appeals update

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 on 17 August the tribunal affirmed Council's decision to approve the planning permit for a residential use and dismissed the appeal.

The second matter is Enforcement – Appeal 125/21PE – 3 Hepples Road, Boat Harbour Beach. The hearing was held on 29 June and 18 July. The tribunal have decided that an enforcement notice should be re-issued to the landowner and directed Council to make some amendments to the notice. The tribunal then gave both parties the opportunity to make submissions on the amended notice. No changes to the notice were made after submissions.

On 16 September, the tribunal finalised its decision, and ordered that the amended enforcement notice be issued to the land owner.

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ADMINISTRATION – Use of Corporate Seal

11/8/22	Grant Deed	\$20,000 – Assist with running of Tulip Festival
15/8/22	Strata Plan	D/A 16/2016 11 Austin Street, Wynyard – multiple dwellings
17/8/22	Crown Land Lease	Park Street Wynyard.
29/8/22	Strata Plan	D/A 218/2020 14 Millpond Court, Wynyard – multiple dwellings
30/8/22	Final Plan and Schedule of Easements	SD2128 – 88 Lenah Drive Subdivision (1 lot into 2)
8/9/22	Grant Deed	Premiers Fund for Children and Young People – Magic Park – Augmented Reality Application in WWC Recreation Spaces - \$12,600
15/9/22	Part V Agreement	9 Brighton Place Wynyard
15/9/22	Final Plan and Schedule of Easements	44 Dodgin Street Wynyard (1 lot into 2)

POLICIES TO BE RESCINDED

Nil

Tulip Festival Road Closures

Saturday 8 October: 6.00am – 9.30pm

- Goldie Street: from the Dodgin St roundabout to the Hogg St roundabout

DDA Parking

There will be twelve additional (temporary) accessible parking spaces on the day of the Tulip Festival Wynyard 2022, located at:

- a. James Muir Community Centre Car Park (6)
- b. Little Goldie Street Car Park (6)

Code of Conduct

A letter was received from the Hon. Nic Street Minister for Local Government in response to Councils letters of 28 July and 1 August seeking assistance regarding Councillor behaviour.

The Letter is attached for information.

Notice of Motion re Councillor Conduct

The Director of Local Government provided a response to Council’s Notice of Motion, of 20 June 2022, requesting State Government review of eligibility criteria for Councillors and the Code of Conduct Framework.

The response is attached for information.

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 – August 2022

DA No.	Applicants Name	Location	Development	Date Permit Issued	No of Days to Process	(D)Discretionary (P)Permitted
DA 130/2022	Quanex	13 Ramsden Street Somerset	Outbuilding (Garage)	1.08.2022	33	D
DA 135/2022	Zezt P/L	10 Terra Nova Drive Wynyard	Two (2) Silos & Fencing	3.08.2022	35	D
DA 137/2022	H & K Shrubshall	7 Bridge Street Sisters Beach	Outbuilding (Shed)	10.08.2022	42	D
DA 191/2022	EnviroPlan	264 East Yolla Road Henrietta	Dwelling, Ancillary Dwelling & Outbuilding (Shed)	10.08.2022	42	D
DA 144/2022	T Coates	3 Banksia Park Road Boat Harbour	Outbuilding (Shed)	10.08.2022	41	D
DA 146/2022	Quanex	11 Elfrida Avenue Sisters Beach	Outbuilding (Shed)	10.08.2022	30	D
DA 149/2022	PLA Designs Pty Ltd	8-10 Bridge Street Sisters Beach	Dwelling Extension	10.08.2022	26	P
DA 142/2022	Quanex	161 Old Bass Highway Wynyard	Shed	10.08.2022	22	P
DA 127/2022	S & P Cobbing	12A Arthur Street Somerset	Outbuilding (Shed)	10.08.2022	27	D
DA 154/2020	N & A Hill	124 Lennah Drive Wynyard	Outbuilding (Carport)	15.08.2022	34	D
DA 119/2022	RCC Design Pty Ltd	1280 Murchison Highway Yolla	Dwelling Extension	15.08.2022	47	D
DA 141/2022	PLA Designs Pty Ltd	329 Back Cam Road Somerset	Dwelling (Change of Use) & Deck	16.08.2022	46	P
DA 163/2022	S Maguire	105 Irby Boulevard Sisters Beach	Visitor Accommodation	16.08.2022	28	P
DA 148/2022	PLA Designs Pty Ltd	16 Boags Road Flowerdale	Outbuilding (Shed)	16.08.2022	35	D
SD 2146	Abel Drafting Services P/L	811 Murchison Highway & 2 Deaytons Lane Elliott	Subdivision (Boundary Reconfiguration)	22.08.2022	46	D
DA 172/2022	Abel Drafting Services P/L	3 Shekleton Road Wynyard	Staged Mechanical Workshop	23.08.2022	28	P
DA 115/2022	B & D Good	33 Simpson Street Somerset	Outbuilding (Shed) & Fencing	23.08.2022	42	D
DA 26/2022	JD2 Consulting Pty Ltd	24-30 Fairlands Drive Somerset	New Workshop Building & Office Extension	29.08.2022	40	D
DA 120/2022	Andrew Smith Architects	2/7 Que Street Waratah	Dwelling Extension	29.08.2022	28	P
DA 171/2022	M Ellis	10 Cummings Street Boat Harbour Beach	Outbuilding (Shed) & Demolition of Existing	29.08.2022	34	D
DA 136/2022	S Newman	340 Back Cam Road Somerset	Outbuilding (Shed)	31.08.2022	24	P
DA 152/2022	M Bulless	5 George Street Somerset	Outbuilding (Shed)	31.08.2022	38	D
DA 181/2022	S Lawes	315 Port Road Boat Harbour Beach	Dwelling Extension (Garage/Balcony and Lift)	31.08.2022	23	P
DA 175/2022	S. Group	73 Lennah Drive Wynyard	Dwelling	31.08.2022	23	P

BUILDING PERMITS APPROVED – August 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-2022-125-01	Abel Drafting Services	21-23 Reservoir Drive Wynyard	Storage Sheds x 3	17.08.2022	5	DA 64/2022
DEM-W-2022-127-01	David Denman & Associates	274 Port Road Boat Harbour Beach	Demolition - Dwelling	29.08.2022	5	DA 2/2022
PSC-W-2021-02-01	Abel Drafting Services	1553 Murchison Highway Yolla	Alteration & Addition - Pharmacy	22.08.2022	0	DA 7/2020



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
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: <ol style="list-style-type: none"> 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	<ol style="list-style-type: none"> 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: <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 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 	DIDS	Yet to commence

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><i>Due to Cr Fairbrothers Suspension this matter has been closed.</i></p>	DF/GM	Closed No Further Action
15/8/22	5.3.3	PQWON – C Hutchison - Wynyard Sports Precinct	<p>Mr Hutchison of Preolenna asked various questions regarding the Wynyard Sporting Precinct Plan.</p> <ul style="list-style-type: none"> • What is the status of the Wynyard Sports Precinct? The General Manager advised that the plan has been adopted and Council Officers are working with stakeholders to progress design and other matters. • Has the Education Department or Minister agreed to the actions of the plan? The General Manager advised that the Plan has been adopted by Council and officers are now working with all key stakeholders, including the education department and specifically the Wynyard High School to progress approvals, final designs and operational matters. • Who will be responsible for maintenance? The General Manager advised those determinations will be made as part of negotiations taking place at moment. • Has the Education Department or Minister signed off actions of the plan, is there an MOU in place. The General Manager advised he was unsure what paperwork had been signed and took the question on notice <i>Refer response this agenda</i> 	GM	Complete

9.13 MINUTES OF OTHER BODIES/COMMITTEES

9.13.1 MINUTES OF OTHER BODIES/COMMITTEES - AUDIT PANEL COMMITTEE HELD 21 JUNE 2022

To:	Council
Reporting Officer:	Information Management Officer
Responsible Manager:	Director Organisational Performance
Report Date:	5 September 2022
File Reference:	Audit Panel
Enclosures:	1. Letter to Council from Audit Panel Chairperson 3 September 2022  2. Audit Panel Minutes 23 August 2022 

RECOMMENDATION

That Council:

1. Note the Unconfirmed Minutes of the Audit Panel Committee meeting held on 23 August 2022; and
2. Accept the recommendations of the Panel as presented and instruct the General Manager to:
 - a) review plant hire rates and plant hire reporting to ensure plant hire costs are fully recovered from Council's capital projects and operational functions; and
 - b) review its budgeting methodology for personal leave, taking into account the accrued leave balances of staff.

PURPOSE

The Audit Panel met on the 23 August 2022 and the Unconfirmed Minutes were released by the Chair on the 03 September 2022 and are presented to Council for noting.

BACKGROUND

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

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

The 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

The Audit Panel met on 23 August 2022 at the Waratah-Wynyard Council.

The meeting reviewed the following standard agenda items:

- Business arising from previous meetings;
- General Manager Risk and Assurance Certificate;
- Communications from Council;
- Financial Management reports presented to Council. The Panel made several suggestions to improve the reports
- General Manager's Reports provided to Council;
- Minutes of Safety (OSHWELL) Committee;
- Internal audit progress on supplementary rates;
- Major Initiatives - corporate system developments update, annual plan progress report and business improvement review;
- Quarterly Statistic Report provided to Council.

The major work plan for the meeting covered:

- Financial management – review of financial statements
- Annual Audit and reporting – presentation of 2021-22 Audit strategy by Tasmania Audit Office and noting that most of the 2020-21 audit findings were expected to be completed for the 21-22 audit
- Long-term planning
- Internal controls and risk management
- Legal compliance and ethics – review of policy currency report
- Audit Panel Annual Report

There were two recommendations made to Council from issues arising at the meeting:

1. That Council review its plant hire rates and plant hire reporting to ensure plant hire costs are fully recovered from Council's capital projects and operational functions.
2. That Council review its budgeting methodology for personal leave, taking into account the accrued leave balances of staff.

The Panel's next meeting is scheduled to be held on 22 November 2022 via Teams to the Circular Head Council Offices.

This meeting was the final meeting of the current Chair, John Howard, whose term ends this month. Council appointed a new Chair, Stephen Allen, at its August meeting. The new independent member of the Panel, Paul Viney, will commence at the next meeting of the Panel scheduled to be held on 22 November 2022.

STATUTORY IMPLICATIONS

Statutory Requirements

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

Section 85A of the Act details the Audit Panels' functions to include a 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.

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

There are no consultation requirements as a result of this report

COMMENT

It is recommended that Council note the Unconfirmed Minutes of the Audit Panel Committee held on 23 August 2022. Management are supportive of the recommendations made by the Panel and therefore it is recommended that Council formally adopt the recommendations for management implementation.

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
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) – Notices Of Motion</i> NIL	15(2)
<i>Confidential Report R15 (2) (c)(ii) commercial information of a confidential nature, that if disclosed, is likely to-confer a commercial advantage on a competitor of the council.</i> CONTRACT – IT SYSTEMS PLANNING AND DESIGN	15 (2) (c) (II)
<i>Confidential Report R15 (2) (g) information of a personal nature or information provided to the council on the condition it is kept confidential</i> WARATAH COMMUNITY BAORD NOMINATIONS	15 (2) (g)
<i>Confidential Report R15 (2) (h) - Leave of Absence Request - Councillors</i> NIL	15(2)(h)
<i>Confidential Report R15 (2) - Closed Senior Management Report</i>	15(2)

11.0 CLOSURE OF MEETING TO THE PUBLIC**RECOMMENDATION**

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

<i>Matter</i>	<i>Local Government (Meeting Procedures) Regulations 2015 Reference</i>
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) – Notices Of Motion NIL</i>	15(2)
<i>Confidential Report R15 (2) (c)(ii) commercial information of a confidential nature, that if disclosed, is likely to-confer a commercial advantage on a competitor of the council. CONTRACT – IT SYSTEMS PLANNING AND DESIGN</i>	15 (2) (c) (II)
<i>Confidential Report R15 (2) (g) information of a personal nature or information provided to the council on the condition it is kept confidential WARATAH COMMUNITY BAORD NOMINATIONS</i>	15 (2) (g)
<i>Confidential Report R15 (2) (h) - Leave of Absence Request - Councillors NIL</i>	15(2)(h)
<i>Confidential Report R15 (2) - Closed Senior Management Report</i>	15(2)

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

13.0 PUBLIC RELEASE ANNOUNCEMENT

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

Min. No.	Subject	Decisions/Documents

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