



**ORDINARY MEETING
OF COUNCIL**

**MINUTES
OPEN MEETING**

23 January 2023

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

MINUTES OF AN ORDINARY MEETING OF THE WARATAH-WYNYARD COUNCIL HELD AT THE COUNCIL CHAMBERS, 21 SAUNDERS STREET, WYNYARD ON MONDAY 23 JANUARY 2023, COMMENCING AT 6.08PM

	From	To	Time Occupied
Open Council	6.08PM	6.43PM	35MINS
Planning Authority	6.43PM	7.10PM	27MINS
Open Council	7.10PM	8.02PM	52MINS
Closed Council	8.02PM	8.24PM	22MINS
Open Council	8.24PM	8.24PM	0MINS
TOTAL TIME OCCUPIED			136MINS

AUDIO RECORDING OF COUNCIL MEETINGS POLICY

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

ACKNOWLEDGEMENT OF COUNTRY

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

1.0 RECORD OF ATTENDANCE

1.1 ATTENDANCE

Mayor Mary Duniam
Councillor Gary Bramich
Councillor Andrea Courtney
Councillor Celisa Edwards
Councillor Kevin Hyland
Councillor Dillon Roberts
Councillor Michael Johnstone
Councillor Leanne Raw

IN ATTENDANCE

Shane Crawford - General Manager
Daniel Summers - Director Infrastructure and Development Services
Samantha Searle - Director Organisational Performance
Tracey Bradley - Director Community and Engagement
Ashley Thornton - Manager Development and Regulatory Services
Sally Blanc - Executive Officer

1.2 APOLOGIES

Nil received.

1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil received.

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING
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2.1 CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY COUNCIL MEETING

MOVED BY	CR COURTNEY
SECONDED BY	CR EDWARDS

That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at Council Chambers, 21 Saunders Street, Wynyard on Monday 12 December 2022, a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

3.0 DECLARATIONS OF INTEREST

Councillor and Agenda Item Number

Nil

Staff and Agenda Item Number

Nil

4.0 COUNCILLORS ANNOUNCEMENTS AND REPORT

4.1 ANNOUNCEMENTS BY MAYOR

Nil received.

4.2 MAYOR'S COMMUNICATIONS

MOVED BY	CR HYLAND
SECONDED BY	CR EDWARDS

That the Council note the Mayors Communications:

MAYOR DR MARY DUNIAM	
7/12/22	Mayors Workshop and Dinner
8/12/22	LGAT Annual Conference
9/12/22	LGAT Annual Conference
12/12/22	Council Meeting
13/12/22	CCA Representatives Meeting
14/12/22	UTAS Graduation Ceremonies
14/12/22	***Australia Day Meeting
14/12/22	Opening of Waterfront Project
16/12/22	Future of Local Government Briefing Session
19/12/22	Table Cape Primary School Presentations
19/12/22	Somerset Primary School Year 6 Presentations
19/12/22	International Women's Day Funding Meeting
20/12/22	Wynyard High School Presentation Evening
21/12/22	Yolla High School Presentations
22/12/22	Meeting with Inspector Adrian Shadbolt
9/1/23	Meeting with Wynyard Yacht Club
9/1/23	Meeting with Fairy Godmothers
16/1/23	Presentation of Tidy Town Awards to Local Winners

*** Non-Mayoral Activities

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

4.3 REPORTS BY DELEGATES

Nil received.

4.4 NOTIFICATION OF COUNCIL WORKSHOPS

Councillor Attendance Records

New Council Commenced 8/11/22 Meetings attended during 2022/23 (to 16/1)

	Ordinary Meetings 2022/23 (2)	Special Meetings 2022/23 (0)	Workshops 2022/23 (7)	Community Conversations 2022/23 (0)	Weeks Leave Approved
Mayor Dr Mary Duniam	2	0	7	0	0
Deputy Mayor Celisa Edwards	2	0	6	0	0
Cr Gary Bramich	2	0	7	0	0
Cr Andrea Courtney	2	0	7	0	0
Cr Kevin Hyland	2	0	7	0	0
Cr Michael Johnstone	1	0	7	0	0
Cr Leanne Raw	2	0	7	0	0
Cr Dillon Roberts	2	0	7	0	0

MOVED BY	CR BRAMICH
SECONDED BY	CR ROBERTS

That the Council note the following Workshops:

12/12/22	Stadium Discussion GM Performance Review
16/1/23	Strategic Vision Work Community Conversations Councillor Budget Requests Future of Local Government Report Social Media Policy and Guidelines

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

5.0 PUBLIC QUESTIONS AND STATEMENTS

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

5.1.1 C HUTCHISON - MEETING PROCEDURES

QUESTION

Mr Hutchison of Preolenna asked if council could advise what section of meeting procedures permit councillors to call a point of order on a member of the public during public question time.

The General Manager took question on notice to advise which section applicable.

OFFICERS RESPONSE

Section 23 of Council's Meeting Procedures Policy relates to Points of Order and states -

(1) A councillor at a meeting may raise a point of order if:

(a) a councillor speaking raises an issue that is irrelevant to the motion being discussed;

(b) a councillor speaking is being interrupted or distracted;

(c) the councillor is of the opinion that a meeting procedure is contrary to the Act or these regulations;

(d) the councillor has been misrepresented during the debate; or

(e) a statement is made by a councillor speaking that the councillor raising the point of order believes is, or is likely to be, offensive to a councillor or to another individual.

(2) A councillor who is interrupted by the taking of a point of order is to cease speaking.

(3) The chairperson is to deal with a point of order as soon as it is raised and before the meeting resumes to deal with other business.

(4) The chairperson's ruling on a point of order:

(a) is not to be questioned; and

(b) is binding on the meeting.

5.2 PUBLIC QUESTIONS RECEIVED IN WRITING

5.2.1 J POWELL - LAND SALE

QUESTION

On 8 January 2002 I posted this on Tasmanian Times [Weeds For Sale by Waratah-Wynyard Council - Tasmanian Times](#). Nothing has been announced on your website as to the progress of this sale. Please advise what is happening if anything. This is Community Land adjacent to the heritage Old Powerhouse Loop track and should be utilised to support this [The Waratah Loop - Tasmanian Times](#)

OFFICERS RESPONSE

The article referred to by Mr Powell refers to 0 Quiggin Street Waratah. Council at its meeting in February 2022 resolved to proceed with the sale of 0 Quiggin Street, Waratah. This decision was made following a public land disposal process in accordance with the *Local Government Act*.

The sale of this property will not proceed. A search for the property's title identified that this land is owned by the Crown and not by Council.

5.2.2 J POWELL - WARATAH COMMUNITY BOARD

QUESTION

You asked for applications for members of the Waratah Community Board during the second half of 2022. To date there has been ZERO announcement of who has been appointed. Please advise of the outcome because I am aware of a couple of Waratah Residents who applied and have had ZERO response to their applications – hardly a good example of community consultation!

OFFICERS RESPONSE

The period for expressions of interest in Waratah Community Board was extended to ensure interested community members had ample opportunity to apply. All applicants were advised of the outcome of the expression of interest outcome.

At the September 2022 meeting Council adopted the following recommendation:

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.**

Council has been working with board members to schedule the induction for members. This occurred on Saturday 14 January. The new board members will determine a communication strategy for their term including an announcement of board members, chairperson and other operational matters.

5.3 PUBLIC QUESTIONS WITHOUT NOTICE

5.3.1 MR K EWINGTON - COMPLIANCE OFFICER

Mr Ewington of Flowerdale advised he had been unable to contact Council's Compliance Officer to discuss issues occurring near his home in Flowerdale.

The Director of Infrastructure and Development Services advised that the Compliance Officer had been away unwell during December and January and that he would arrange for another officer to contact him.

5.3.2 MR K EWINGTON - DOMESTIC AND FERAL CAT MANAGEMENT

Mr Ewington of Flowerdale asked what processes council has in place to manage domestic and feral cats.

The Director of Infrastructure and Development Services advised council's role is education and dissemination of information. This is a joint effort under the Cradle Coast Authority.

5.3.3 MR C HUTCHISON - DISCLOSING TENDER AMOUNTS

Mr Hutchison of Preolenna asked if there were any barriers to disclosing tenders/transactions below \$100,000 and if not can Council please advise how much River Road Consulting was contracted for as a measure of accountability.

The General Manager took the question on notice.

5.3.4 MR C HUTCHISON - OUTSTANDING QUESTIONS

Mr Hutchison of Preolenna provided a list of questions from previous Council Meetings he believes have not been addressed.

The General Manager took the question on notice.

5.4 PUBLIC STATEMENTS RECEIVED IN WRITING

Nil received.

5.5 PUBLIC STATEMENTS WITHOUT NOTICE

5.5.1 MR K EWINGTON - COUNCIL'S ROLE MANAGING ENVIRONMENT FOR THE COMMUNITY

Mr Ewington of Flowerdale made a statement regarding the management of weeds in the municipal area

He noted that council's role and responsibility is to prevent the spread of weeds, such as Slender Thistle, through weed management programs.

He stated that property owners have a responsibility to stop weeds on their property spreading to neighbouring properties.

He advised that he is continually having to go through Bio-Security to have the same neighbouring property owners to control weeds to try and stop spread to neighbouring properties.

He noted he has spent around \$9000 in last seven years trying to control weeds from spreading through community himself.

He stated that Weeds could be controlled with proper Weed Management Programs being put in place.

5.5.2 MR C HUTCHISON - VARIOUS MATTERS

Mr Hutchison made a statement querying meeting procedure and in particular Councillors ability to call point of order during public question time; accountability of councillors to ensure accountability and transparency; silencing of community members and councillor inferences to comments he made.

6.0 PLANNING AUTHORITY ITEMS**PLANNING AUTHORITY OPENED AT 6.43PM****6.1 PUBLIC QUESTIONS WITHOUT NOTICE – RELATING TO PLANNING MATTERS**

Nil received.

6.2 PUBLIC STATEMENTS - RELATING TO PLANNING MATTERS**6.2.1 MR R FINNIS - HEIGHT OF PROPERTY**

Mr Finnis of Boat Harbour Beach (BHB) made a statement regarding the height of the proposed new house to be constructed next door to his home, he also noted it is right up to the boundary of his property. He stated this was not in tune with the character of BHB and asked that councillors consider this while making a decision. He stated he is concerned that construction will impact on his property.

6.2.2 MR J GARDINER - DEVELOPMENT APPLICATION FOR 264 PORT ROAD BOAT HARBOUR BEACH












Mr Gardiner of Boat Harbour Beach made a statement regarding the development application for the property at 264 Port Road Boat Harbour Beach. He noted that the block is very small (284m²) with a significant set-back required.

Mr Gardiner discussed points that he had included in his representation and which are detailed in the report being considered on this agenda.

Mr Gardiner asked that Councillors consider his concerns in their decision.

6.3 DEMOLITION OF EXISTING DWELLING & OUTBUILDING AND NEW REPLACEMENT DWELLING LOCATED AT 264 PORT ROAD, BOAT HARBOUR BEACH - DA 199/2022

To: Council
Reporting Officer: Town Planner
Responsible Officer: Manager Development and Regulatory Services
Report Date: 14 October 2022
File Reference: 7087532
Supporting Documents:

1. Consolidated advertised documents 
2. Consolidated re-advertised documents 
3. Representation A.1 
4. Representation A.2 
5. Representation B.1 
6. Representation B.2 
7. Representation C.1 
8. Representation C.2 
9. Representation D.1 
10. Representation D.2 
11. Signed extension of time 

PURPOSE

The purpose of this report is for Council to consider the merits of the application DA 199/2022 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013*.

BACKGROUND

The subject site is located at 264 Port Road, Boat Harbour Beach and has an area of 284m². It is located within the Low Density Residential zone and has access onto Port Road. The site currently contains a single dwelling.

The adjoining titles to the north and south both contain single dwellings and associated domestic infrastructure. Land to west across Port Road contains a multiple dwelling development. To the east is 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 demolition of the existing dwelling on the site and construction of a new dwelling.

The proposed dwelling is split across three levels with a maximum height of approximately 9m above natural ground level and a building footprint of approximately 145m². The upper floor has an area of 51m² and comprises a bedroom with ensuite, study, internal stairs, and void to the ground level. An 11m² deck adjoins the north-eastern elevation. The ground (street level) floor has an area of 99m² and consists of an entry courtyard & patio, two bedrooms, bathroom, combined kitchen/dining/living area, and internal stairs. A 35m² deck for alfresco dining is accessed from the living area. The lower (beach side) floor has an area of 56m² and comprises a guest bedroom, rumpus room, combined bathroom/laundry, internal stairs and two storerooms. A 35m² deck adjoins the north-eastern elevation.

Also included are a series of retaining walls, tiered garden beds and external stairs to facilitate access through the site from Port Road to the beach. The maximum depth of cut proposed is approximately 2.7m.

The dwelling is clad and roofed in a mix of Colorbond, cement, timber, and glass. It is setback 2.6m from the frontage, 1.05m from the southern side boundary, approximately 3.7m from the eastern rear boundary and 0m from the northern side boundary.

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:

- 12.4.1 Suitability of a site or lot for use or development (P1);
- 12.4.2 Dwelling density (P1);
- 12.4.3 Location and Configuration of Development (P1, P2, P3, P4, P6);
- 12.4.4 Visual and acoustic privacy for residential development (P1);
- 12.4.6 Frontage fences (P1);
- E9.5.1 Provision for parking (P1); and
- E10.6.2 Development in a shoreline area (P1).

CONSULTATION PROCESS

The consultation process was the public exhibition period set out in the *Land Use Planning and Approvals Act 1993* (LUPAA) and involved notification of adjoining landowners, public notices on-site and advertising in a daily newspaper. The application was placed on public exhibition for a period of 14 days as required under LUPAA. Following the advertising period, a revised design of the dwelling was submitted to Council which necessitated re-advertising for a further 14 days.

The following documentation was advertised:

- Development application form x 3 Pages;
- Title documents x 6 Pages;
- Supporting report x 25 Pages;
- Proposal plans x 11 Pages; and
- Hazard report x 84 Pages.

The period for representations closed on 7 December 2022. Eight (8) representations were subsequently received, four of which (A.1, B.1, C.1, D.1) were received in the initial advertising period, and the same representors submitted in the second advertising period:

- Representation A.1 – M Neilson
- Representation A.2 – M Neilson
- Representation B.1 – T Nador
- Representation B.2 – T Nador

- Representation C.1 – R Finnis
- Representation C.2 – R Finnis
- Representation D.1 – EnviroPlan (on behalf of J Gardner)
- Representation D.2 – EnviroPlan (on behalf of J Gardner)

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 representors’ properties

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 the complete representations, particularly the plans included as part of representations D.1 and D.2. These are included as an enclosure to this report.

Representations A.1, A.2, B.1, B.2: M Neilson & T Nador

Issues raised:	Response:
Overshadowing of northern windows in Units 2/260 Port Road and 3/360 Road and visual bulk of southern elevation of proposed dwelling when viewed from 260 Port Road (Representations A.1, A.2, B.1 and B.2).	Shading diagrams were submitted with the application indicating the extent of shade cast by the proposed development throughout the shortest day of the year, i.e., worst case scenario. The diagrams do not show any increase in shading on the units at 260 Port

Issues raised:	Response:
	<p>Road, which are located at least 11m south of the proposed dwelling.</p> <p>In terms of visual impact, the existing terraces for both Units 2 & 3/260 Port Road are located further east than the proposed dwelling, mitigating issues associated with a direct line of sight to the dwelling. Both the terraces and main kitchen/dining/living areas in each unit are orientated east overlooking the beach. The proposed dwelling does not directly adjoin the units at 260 Port Road and will be less visually apparent on the units than existing development to the south at 258 Port, which comprises multiple dwellings of considerable bulk and prominence.</p> <p>The proposal is consistent with the type of multi-storey housing facing onto the Boat Harbour Beach coastal reserve.</p>

Representations C.1, C.2: R Finnis

Issues raised:	Response:
<p>Overshadowing of 266 Port Road and impact on privacy.</p>	<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>The property at 266 Port Road is north of the subject site. Due to the apparent migration of the sun across the sky throughout the day it is not possible to cast a shadow to the north.</p> <p>Clause 12.4.4 of the Planning Scheme relates to privacy between dwellings. This clause is only applicable to doors and/or windows to habitable rooms and balconies/decks/car parks/carports with finished floor levels more than 1.0m above natural ground level.</p> <p>As outlined in the discussion under Clause 12.4.4, the only portions of the proposed dwelling which require assessment against Performance Criteria P1 for this Clause is the window to the dining area of the middle level of the dwelling.</p> <p>The window to the dining area is orientated east over the beach and does not directly look out over 266 Port Road. To further minimise the chance of overlooking the adjoining property, a series of 0.5m deep solid aluminium privacy fins</p>

Issues raised:	Response:
	<p>are to be located along the window. The privacy fins span the height of the window and ensure views are directed towards the ocean rather than the dwelling at 266 Port Road.</p> <p>Privacy concerns which do not directly relate to a discretion invoked by the application, for example overlooking of an adjoining property's backyard, are not relevant considerations for Council as a Planning Authority.</p>
<p>Potential for damage to 266 Port Road during construction, stability of proposed building and potential for access to representor's property to be blocked during the construction stage.</p>	<p>The subject site is mapped as being subject to a low level risk of landslip. The proposal does not require assessment against the Planning Scheme's hazard management code and complies with the acceptable solution for Clause E4.6.1 of the Change in Ground Level Code. Construction requirements and safety of the development, including whether the design complies with the <i>Building Act 2016</i> and the National Construction Code, will be addressed at the building/plumbing permit stage. It is not a matter for Council's consideration as a Planning Authority.</p> <p>Regarding obstruction of vehicle access, it is the responsibility of all property owners to ensure vehicles are parked in a legal manner clear of any private or public roads. This includes commercial vehicles.</p>
<p>Concerns the design is not in keeping with the original shack type developments in Boat Harbour Beach and intrudes on the highwater mark. The building is outside what is fair and reasonable for the size of block.</p> <p>Inconsistency with Town Plan for Boat Harbour Beach and the spirit of the area. The dwelling is not a single structure on the street level and is not built on the same footprint as the original building.</p> <p>Council has a responsibility to protect what is left of Boat Harbour Beach on behalf of its own ratepayers and Tasmanians and should stick to the original vision for Boat Harbour Beach.</p>	<p>Clause 12.4.3 of the Planning Scheme allows Council to consider buildings on the lower side of Port Road which are not single storey on the road elevation provided there is not an unreasonable loss of outlook for the dwelling immediately opposite on the higher side of the road. As demonstrated in the discussion under Clause 12.4.3 A6/P6, the view of the ocean from the building opposite the subject site at 22/263 Port Road will remain largely unobscured by the proposed development.</p> <p>This clause also allows Council to consider development on a lot with a higher site coverage than the 30% maximum for Boat Harbour Beach provided relevant criteria are met. As demonstrated in the discussion under P3 for Clause 12.4.3, site coverage on other lots along Port Road varies from approximately 23% to over 60% with development on lots at 258, 260, 268 and 272 Port Road all exceeding the acceptable solution site coverage of 30% for</p>

Issues raised:	Response:
	<p>Boat Harbour Beach. The density of development proposed is consistent with the surrounding area and satisfies the requirements of the Planning Scheme.</p> <p>Regarding proximity to the highwater mark, only the north-eastern corners of the ground/street level and lower level decking of the development are located within 30m of the mean high water mark (MHWM). The remainder of the building, including all bedrooms and main living areas are compliant with setback requirements. The proposed works are located on an established residential site that does not form part of any active management area for coastal erosion, recession, or inundation and which is not mapped on the state mapping system, LISTmap, as being at risk of sea level rise by 2100.</p> <p>The bulk and design of the proposed dwelling is consistent with larger structures on the lower side of Port Road and further south along Fenton Crescent, which is dominated by residential buildings featuring prominently on the beach.</p> <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>Consistency or compliance with strategic Council documents, including the Boat Harbour Beach Master Plan, is not a consideration under the Planning Scheme. Impact on issues such as property values or historic value of the area is not directly relevant to any discretions invoked by the development. No specific area plans, heritage overlays or similar planning provisions apply to Boat Harbour Beach.</p>
<p>The re-advertised proposal is not significantly different from the plans originally advertised. Why has the application been modified prior to the original one being tabled?</p> <p>Concerns Council is colluding with the developer and has contacted the developer with advice on how to appease objections.</p>	<p>For the current proposal, Council's Planning Department communicated to the applicant that the proposal was unlikely to be supported by the Planning Department due to a number of issues, some of which correlated with matters raised in representations. The applicant is then faced with three options, to proceed with the application as it stands, withdraw the</p>

Issues raised:	Response:
	<p>application, or modify the application to address compliance with the planning scheme.</p> <p>After being advised of the concerns of the Planning Department, the applicant chose to modify the initial design and submit a revised proposal for further consideration by Council.</p> <p>These revised plans were then advertised, as per the original plans, allowing the same opportunity for review and representation from the community.</p>

Representation D.1, D.2: EnviroPlan on behalf of J Gardner

Issues raised:	Response:
<p>The representation included plans of the proposed building which differ to the ones submitted to Council in terms of setback and height. These differences are due to the representor's claim that the plans submitted to Council are incorrect and based on approximations rather than accurate survey data. The representation also states that the building envelope shown on elevation plans is incorrect.</p>	<p>The building envelope shown on the applicant's plans is based on the rear boundary itself rather than the 4m setback under Clause 12.4.3 A2(c). The building envelope shown on the plans included on the representation is based on the 6m setback from the coastal reserve to the east. The approach of the Planning Department differs to both of these.</p> <p>The building envelope projects at an angle of 45o from the horizontal at a height of 3.0m before increasing to a maximum height of 8.5m. Starting the envelope from the rear boundary instead of the 4m setback allows for the 8.5m overall height limit to extend over a greater area of the site and starting it from the 6m setback results in more of the proposed dwelling being outside the building envelope.</p> <p>As outlined below in the planning assessment for Clause 12.4.3, the Planning Department has made its assessment of setback compliance/non-compliance on a building envelope commencing 4m from the rear boundary as required by the Planning Scheme. The 6m setback requirement from the reserve to the east affects a further 2m of the permitted building envelope. It is not the point from where the building envelope starts.</p> <p>As to whether the plans included with the application are accurate, Council's Planning Department adopts the approach that plans submitted to Council by a suitably qualified person have been prepared in good faith. For the current application the plans have been</p>

Issues raised:	Response:
	<p>prepared by Jason Licht, a Registered Architect (TAS & VIC) and a suitably qualified person.</p> <p>As is common with plans submitted for a planning application, a note was included stating the plans are not for construction purposes and that the drawings are suitable as a guide only and are not to be scaled.</p> <p>Planning permits issued by Council include the requirement that development is substantially in accordance with endorsed design plans. This means that should construction plans submitted for building approval differ from those approved under a planning permit, either a minor amendment to a permit or a new planning application will be required, depending on the scale of change.</p>
<p>The application does not demonstrate compliance with Clause 12.4.1 P1(iii) of the Scheme as use of adjacent land at 262 Port Road will be constrained by the development in terms of overshadowing.</p>	<p>Please see the Planning Assessment section below for a detailed assessment against Performance Criteria P1 for Clause 12.4.1 and demonstration of how relevant Performance Criteria has been satisfied.</p> <p>Regarding overshadowing of adjacent land, this issue is discussed in detail under Clause 12.4.3 of the Planning Assessment. Examination of the proposed plans and shading diagrams provided concluded that the increase in shading on adjacent land would not result in an unreasonable loss of amenity.</p>
<p>The application does not demonstrate compliance with A3/P3, A4/P4 or A5/P5 for Clause 12.4.1 of the Planning Scheme which relate to water, sewer, and stormwater servicing.</p>	<p>Clause 12.4.1 is concerned with ensuring that there are adequate provisions for a water supply and for the drainage and disposal of sewage and stormwater from sites and lots on a plan of subdivision.</p> <p>Compliance with a development standard can be achieved via meeting the acceptable solution or satisfying the corresponding performance criteria. The subject site has existing connections to TasWater's reticulated sewer supply and Council's stormwater infrastructure. The application did not require referral to TasWater as it is a single dwelling development and there are no sewer mains running across the site. Should a planning permit be issued, plumbing approvals for new connections to TasWater and Council infrastructure will need to be obtained prior to building work commencing. Should TasWater or Council's Engineering Department have issues with the detail of stormwater or sewer arrangements</p>

Issues raised:	Response:
	<p>this will be dealt with at the plumbing/building stage.</p> <p>Clause 12.4.1 only requires that the capability to connect to water/sewer/stormwater exists, or where it does not, appropriate on-site arrangements are available. The subject site is in a mapped serviced area for sewer and stormwater and is connected to a private water main. Clauses 12.4.1 A3/A4/A5 are all met.</p>
<p>The application does not comply with Clause 12.4.3 P1/P2 for the reduced setbacks from front and side boundaries and from the coastal reserve. It does not demonstrate consistency with the streetscape and uses incorrect measurements. It does not adequately address visual bulk and unreasonably overshadows adjoining land.</p>	<p>Council as a Planning Authority has discretion to approve development which does not comply with permitted setbacks from boundaries provided the relevant performance criteria are met.</p> <p>The majority of dwellings along the eastern side of Port Road fronting onto the beach are built in close proximity to the road, including 268, 272, 274 and 276 Port Road. The setback of the proposed dwelling is largely consistent with the streetscape. The bulk and design of the proposed dwelling is consistent with larger structures on the lower side of Port Road and further south along Fenton Crescent, which is dominated by residential buildings featuring prominently on the beach.</p> <p>The design of both 262 Port Road and the proposed dwelling at 264 Port Road ensures that both bedrooms as well as the combined kitchen/dining/living area of 262 Port Road will have sufficient opportunity for solar access throughout the day, with a clear line of sight for east facing windows overlooking the beach.</p> <p>Regarding private open space for 262 Port Road, although the extent of shade cast on to upper and lower terraces will increase as a result of the new dwelling, portions of both terraces will remain unaffected for some of the day and the majority of the terraced backyard, including the entire eastern ground level patio, will be clear of shade cast by the proposed development throughout the day.</p> <p>Please see the Planning Assessment section below for a detailed assessment of the application against Performance Criteria P1 & P2 for Clause 12.4.3 and demonstration of how relevant Performance Criteria has been satisfied.</p>

Issues raised:	Response:
<p>The application does not adequately address Performance Criteria P3 for Clause 12.4.3 of the Scheme. No landscaping or vehicle parking plans are included and no detail is proposed on sewerage disposal.</p>	<p>The roof for the street/ground level of the dwelling is to be landscaped with planter boxes as are portions of the concreted deck/courtyard on the lower level. This courtyard facilitates access to a grassed backyard with additional space for gardens/landscaping. Regarding vehicle parking, any permit issued will be conditioned to include provision of a parking space between the proposed dwelling and front boundary.</p> <p>The subject site is located in an area serviced by Council's stormwater and TasWater's reticulated sewerage infrastructure.</p> <p>Please see the Planning Assessment section below for a detailed assessment against Performance Criteria P3 for Clause 12.4.3 and demonstration of how relevant Performance Criteria has been satisfied.</p>
<p>The application does not demonstrate compliance with Clause 12.4.3 A4/P4 of the Scheme.</p>	<p>Clauses 12.4.3 A4/P4 relates to the requirement to locate parking areas behind the primary frontage of a building.</p> <p>Although the application does not include any garage/carport or external parking area, any permit issued will be conditioned to require provision of a single parking space between the dwelling and front boundary. The required space will be located in front of the primary elevation of the proposed dwelling as the steep topography of the subject site means that it is not feasible to provide vehicle access to the rear of the site, behind the main façade of the proposed dwelling. No built structure is associated with the parking space and it will be no more visually apparent than external parking spaces for adjacent properties at 266, 262 and 260 Port Road.</p>
<p>The application does not comply with 12.4.3 P6. The proposed dwelling is significantly taller than adjacent buildings when viewed from the road and the design does not consider the outlook of dwellings to the high side of the road.</p>	<p>Compliance with P6 for Clause 12.4.3 requires buildings on the lower side of a road to not be of a mass and height that results in an unreasonable loss of outlook from the immediately adjacent site on the high side of the road. The immediately adjacent site to the proposed dwelling is 22/263 Port Road.</p> <p>As demonstrated in the discussion under Clause 12.4.3 A6/P6, the view of the ocean from the building opposite the subject site at 22/263 Port Road will remain largely unobscured by the proposed development due to the slope of the land, corresponding AHD levels for both</p>

Issues raised:	Response:
	<p>buildings, design of the proposed building's roof and sill height of windows/glass door height in east facing windows for 22/263 Port Road.</p> <p>The property 20m to the south, 258 Port Road, also contains development which is not single storey on the road elevation. Unit 2/258 Port Road is spread across two levels, one at street/ground level and one above. The higher level includes habitable space (large walk-in-robe) for the main bedroom on the same level.</p> <p>The upper level of the proposed dwelling is also setback 3.3m further into the site than the ground/street level, or approximately 6m from the front boundary.</p> <p>Please see the Planning Assessment section below for a detailed assessment against Performance Criteria P6 for Clause 12.4.3 and demonstration of how relevant Performance Criteria has been satisfied.</p>
<p>The frontage fence is not required for security of the site and does not meet the requirements of Clause 12.4.6 P1. No security of the public frontage onto the beach is proposed. The fence is a design feature rather than being required for the security and privacy of the site.</p>	<p>The frontage fence has a maximum height above natural ground level of 2.4m but due to the slope of the site and elevation of Port Road it does not project above the level of the road for its entire height. The fence has been designed to be flush with the façade of the ground/street level of the building in order to provide adequate privacy for the patio and entry courtyard adjacent to the frontage and to provide a physical barrier for vehicle traffic along the street.</p> <p>There is no requirement to fence the eastern boundary of the site which adjoins the coastal reserve. The majority of properties adjoining the reserve do not fence this boundary due to the natural barrier provided by the topography of the area, which slopes steeply to the beach, and additional planning requirements associated with works in coastal areas.</p> <p>The proposal is considered to satisfy the requirements of P1 for Clause 12.4.6 of the Planning Scheme.</p>
<p>The proposal does not adequately address the provisions of the Change in Ground Level Code.</p>	<p>The application included a report addressing the requirements of the Hazard Management Code; however, the application did not need to be assessed against the provisions of this code as it is located in a mapped low level risk landslip area. Unlike the Hazard Management Code, it is not a requirement of the Change in</p>

Issues raised:	Response:
	<p>Ground Level Code that a landslide risk assessment or similar report be submitted in support of an application.</p> <p>The application includes sufficient detail to demonstrate compliance with the Acceptable Solution of Clause E4.6.1 of the Change in Ground Level Code. The proposed cut and fill is required to facilitate development of a single dwelling in a residential area serviced by Council's stormwater system.</p> <p>Construction requirements and safety of the development, including whether the design complies with the Building Act 2016 and the National Construction Code, will be addressed at the building/plumbing permit stage. It is not a matter for Council's consideration as a Planning Authority.</p> <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. No discretions are invoked by the application under the Change in Ground Level Code.</p>
<p>The proposal does not include provision for carparking in accordance with the requirements of Clause E9.5.1 of the Traffic Generating Use & Parking Code and was not advertised for this clause.</p>	<p>The application was advertised in accordance with the requirements of s57 LUPAA, which does not include listing all discretions triggered. Council chooses to do this of its own volition but occasionally a discretion may be inadvertently omitted. Omission of a discretion from the front page of the advertising documents/newspaper advertising is not a material flaw which invalidates an application, provided Council considers all relevant discretions when making its assessment.</p> <p>Council's Planning and Engineering Departments have considered the lack of parking provided for the proposal and have recommended a condition be included on any permit issued requiring provision of a single car parking space between the proposed dwelling and frontage. Provision of a single space is considered sufficient to meet the requirements of a single household.</p> <p>It is noted that the existing dwelling on the site is not currently supported by a formalised car parking space.</p>

Issues raised:	Response:
	Please see the Planning Assessment section below for a detailed assessment against the Traffic Generating Use and Parking Code.

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) Off-street parking accommodation is to be provided for a minimum of one (1) vehicle. Vehicle parking spaces and associated driveways and turning areas are to be designed in accordance with AS 2890.1 and be approved by the Director Infrastructure & Development Services or their delegate.
- (5) Off street car parking and hardstand areas are to be surfaced in an all-weather material such as concrete, asphalt or bitumen spray seal. All stormwater runoff from the car parking and hardstand areas is to be collected on-site and directed to a stormwater system designed to cater for a 1 in 20 year ARI storm and discharged to a legal point of discharge to the reasonable requirements of the Director Infrastructure & Development Services.
- (6) 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 application 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.

12.4.1 Suitability of a site or lot for use or development

A1	P1
<p>A site or each lot on a plan of subdivision must –</p> <ul style="list-style-type: none"> (a) have an area of - <ul style="list-style-type: none"> (i) not less than 500m² excluding any access strip; or (ii) if in a locality shown in the Table to this clause, not less than the site area shown for that locality; and (b) 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 benefitting 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>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>The minimum lot size in the Low Density Residential zone is 500m². The subject site comprises 284m². The proposal requires assessment against Performance Criteria P1 for this Clause.</p>	

The subject site contains an existing dwelling which is to be demolished to make way for a new dwelling.

The site does not contain any registered right of way, burdening easement or restriction imposed by a utility and has frontage onto Port Road of 13.47m. No changes are proposed for the location of the existing access or existing connections to reticulated sewerage, water, and stormwater infrastructure.

Regarding adjacent land, the adjoining lots to the north and south and to the west across Port Road have already been developed for residential use. They comprise a mix of single and multiple dwellings and associated outbuilding development.

The subject site adjoins a Crown Land administered public reserve to the east. The land is unlikely to be developed for anything other than its current purpose, which is a publicly accessible coastal reserve.

The subject site is adjoined by public land or established residential uses and the proposal is for a single dwelling. There will be minimal impact, if any, on the development potential of adjoining land as the land has already either been developed for residential purposes or set aside for public recreation use.

The proposal satisfies P1 for this Standard.

12.4.2 Dwelling Density

<p>A1</p> <p>The site area per dwelling must –</p> <p>(a) be not less than 500m² if the site has –</p> <p>(a) connection to a reticulated water supply;</p> <p>(b) connection to a reticulated sewer system; and</p> <p>(c) connection to a stormwater system; or</p> <p>(b) if the site is in a locality shown in the Table to this Clause, not less than the site area for that locality.</p>	<p>P1</p> <p>The number of dwellings on a site must be consistent with the capability of the land for residential use in terms of –</p> <p>(a) a suitable building area;</p> <p>(b) access from a road;</p> <p>(c) provision of a water supply;</p> <p>(d) disposal of sewage;</p> <p>(e) disposal of stormwater; and</p> <p>(f) a tolerable level of risk from a natural hazard.</p>
<p>Planning Comments: Complies</p> <p>The minimum lot size in the Low Density Residential zone is 500m². The subject site comprises 284m². The proposal requires assessment against Performance Criteria P1 for this Clause.</p> <p>The subject site contains an existing dwelling which is to be demolished to make way for a new dwelling. There will be no change to the number of dwellings on the site.</p> <p>The subject site is located in an area serviced by Council’s stormwater and TasWater’s reticulated sewerage infrastructure. Water is via a private connection. The site is located in an area subject to a low level landslip, however this level of risk does not require assessment under the Planning Scheme’s hazard management code.</p> <p>Existing arrangements for water supply and connections to reticulated sewerage and stormwater infrastructure are to be retained. The site does not have an existing crossover onto Port Road or dedicated parking space. A condition will be included on any permit issued to require a car parking space be provided between the dwelling and front boundary.</p>	

It is considered that the subject site is of sufficient size to cater for a single residential use and satisfies P1 for this Standard.

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> <p>The proposal is for the demolition and replacement of a single dwelling. The setback of the proposed dwelling from the frontage varies between approximately 2.6m to 3.3m. Assessment against Performance Criteria P1 is therefore required.</p> <p>The existing dwelling, which is to be demolished, is setback approximately 2.5m to 4.2m from the frontage. Portions of the existing building on the adjoining property to the south, 262 Port Road, are also located within 4m of the frontage as are dwellings to the west at 21/263 Port Road and 22/263 Port Road. The majority of dwellings along the eastern side of Port Road fronting onto the beach are built in close proximity to the road, including 268, 272, 274 and 276 Port Road. The setback of the proposed dwelling is consistent with the streetscape.</p> <p>The proximity of the proposed dwelling to the road is informed by the topography of the site, which slopes steeply away from the road. The building has been located on the most secure and accessible portion of the site and away from the sandy soils of the coastal reserve to the east.</p>	

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

A2

All buildings must be contained within a building envelope determined by

- (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 –
 - a. built against an existing wall of an adjoining building; or
 - b. the wall or walls
 - 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
 - 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

P2

Building height and location of a building in relation to a frontage and site boundaries must

- (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>9.00am and 3.00pm on 21st June; or</p> <p>(d) in accordance with any building envelope shown on a sealed plan</p>	
<p>Planning Comments: Complies</p> <p>The proposal is for the replacement of a single dwelling. The proposed dwelling is split across three levels with a maximum height of approximately 9m above natural ground level and a building footprint of approximately 145m².</p> <p>Portions of the dwelling protrude beyond the permitted building envelope in relation to all boundaries. It is also located within 6m of a reserve under the <i>Crown Lands Act 1976</i>. Assessment against Performance Criteria P2 is therefore required.</p> <p><i>Note: Elevations plans for the dwelling were submitted as part of the application and these plans were overlaid with an indicative building envelope demonstrating the extent to which the dwelling protruded beyond the permitted setbacks. However, the building envelope has not been determined per the requirements of A2(c) – instead of basing the envelope on the 4m rear boundary setback as required by the scheme, it has been based on the rear boundary itself.</i></p> <p><i>The building envelope projects at an angle of 45° from the horizontal at a height of 3.0m from a 4m rear boundary setback, before increasing to a maximum height of 8.5m. Starting the envelope from the rear boundary instead of the 4m setback allows for the 8.5m overall height limit to extend over a greater area of the site.</i></p> <p>For the purposes of this assessment, setback requirements have been determined by a building envelope commencing 4m from the rear boundary, with 2m of the permitted building envelope also being affected by the 6m setback requirement from the reserve.</p> <p>To the west, the subject site fronts Port Road. To the east, the subject site adjoins a public reserve managed by Crown Land Services. The proposal will not affect residential amenity in either of these directions.</p> <p>The adjoining lot to the north, 266 Port Road, contains a single dwelling and small shed. The shed and side deck are closest to the boundary shared with the subject site, with the dwelling on 266 Port Road varying in setback from 2.5m to 4.5m from the common boundary.</p> <p>Access to sunlight will not be affected by the proposed development due to its position south of 266 Port Road.</p> <p>Regarding visual impact, the southern elevation of 266 Port Road contains only a small window to the kitchen area and a single window to the bedroom. The existing shed on 266 Port Road blocks the subject site from view from the bedroom window. The kitchen in the dwelling at 266 Port Road is part of a large open kitchen/dining/living area with windows orientated east overlooking the beach. The main deck area is similarly located, with the south facing deck providing access to the dwelling from the street rather than serving as an area intended for use as private open space.</p> <p>Due to the slope of the site, the building appears as a two storey structure at most points, with the highest portion setback at least 6.5m from the dwelling at 266 Port Road. The articulated design and use of contrasting cladding materials help to mitigate the bulk and appearance of the northern elevation of the proposed dwelling, the majority of which is located within the permitted building envelope. The protruding portions for the northern elevation are confined to the north-easternmost corner of the upper level roof, portions of</p>	

the ground floor alfresco area associated roof, a portion of the brick courtyard wall adjacent to the frontage and the north-eastern corner of the lower level deck/stairs to the backyard.

Regarding the adjoining property to the south, 262 Port Road, shading diagrams were submitted with the application indicating the extent of overshadowing throughout the day. The diagrams include a projection of shading during the shortest day of the year, i.e., worst case scenario. Copies of these diagrams are shown below in Figures 3 – 5. They include both current and projected overshadowing onto 262 Port Road.

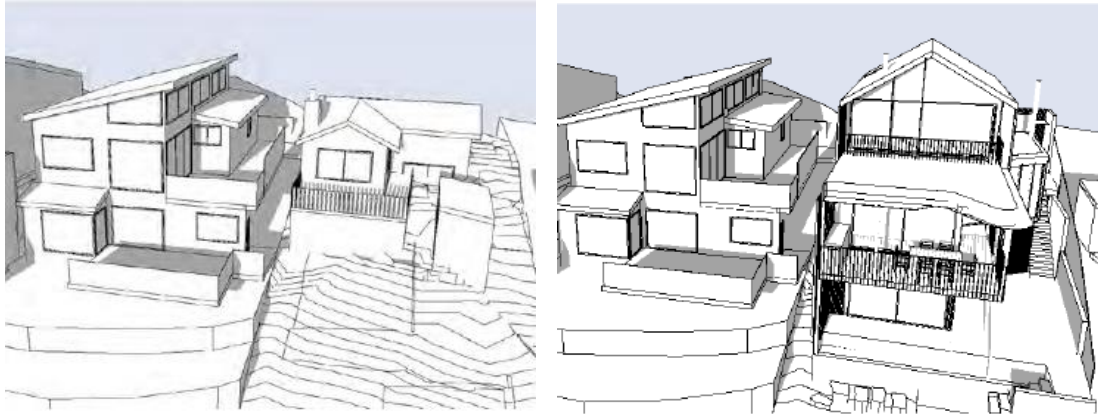


Figure 3: Existing (L) and proposed (R) overshadowing 9:00am

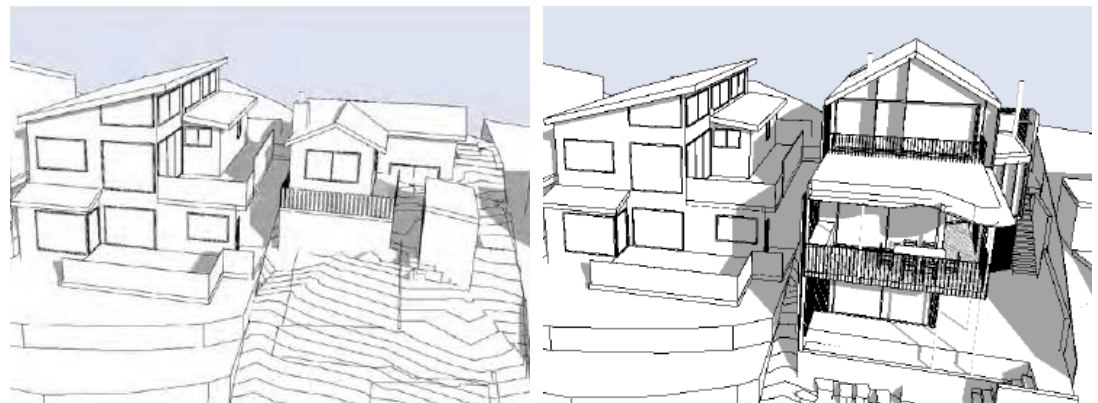


Figure 4: Existing (L) and proposed (R) overshadowing 12:00pm

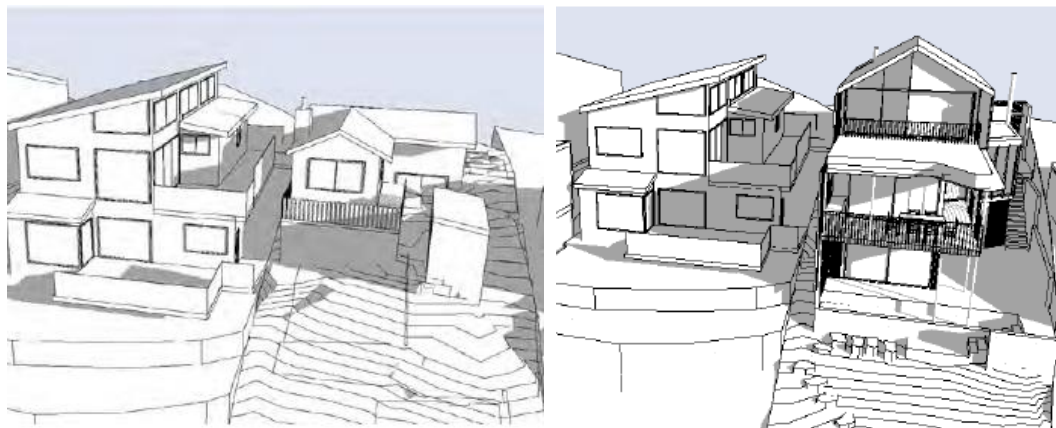


Figure 5: Existing (L) and proposed (R) overshadowing 3:00pm

The upper level of 262 Port Road comprises a bathroom, combined kitchen/dining/living area, and bedroom. The lower level consists of a study, bedroom with ensuite and laundry. As demonstrated above, the proposal will result in an increase in overshadowing of upper and

lower levels of 262 Port Road, primarily after midday and affecting the upper and lower terraces as well as the northern side of the dwelling.

However, the glass windows under the roofline of 262 Port Road and east facing windows on the upper level will not be affected by the development and there remains sufficient opportunity for sunlight to enter the main habitable (kitchen/dining/living) space of the dwelling.

The bedroom on the upper level of 262 Port Road is located on the southern side of the dwelling and will not be affected by the proposed dwelling. The bedroom on the lower level is also located on the southern side of the building, with windows looking out towards the beach. Solar access to this bedroom will not be affected until the afternoon.

The design of both 262 Port Road and the proposed dwelling at 264 Port Road ensures that both bedrooms as well as the combined kitchen/dining/living area of 262 Port Road will have sufficient opportunity for solar access throughout the day, with a clear line of sight for east facing windows overlooking the beach. Regarding private open space for 262 Port Road, although the extent of shade cast on to upper and lower terraces will increase as a result of the new dwelling, portions of both terraces will remain unaffected for some of the day and the majority of the terraced backyard, including the entire eastern ground level patio, will be clear of shade cast by the proposed development throughout the day.

In order to mitigate visual impact on the dwelling to the south, the building has a tiered design and appears as a two storey structure at most points. It is clad in fibre cement with panels of timber slats to provide screening. The northern elevation of 262 contains an obscured bathroom window, sliding glass doors to the living area and highlight windows beneath the skillion roof. The highlight windows are intended to provide solar access and do not provide the opportunity for looking out over 264 Port Road. The living room in 262 Port Road is part of a large open kitchen/dining/living area with windows orientated east overlooking the beach. The main terrace area on the upper level is also orientated east, with the north facing section of terrace providing access to the dwelling from the street and clothes drying area rather than serving as an area primarily intended for use as private open space. An image showing the location of windows for 262 Port Road is shown below in Figure 6.



Figure 6: Northern & Western Elevations – 262 Port Road

The proposed dwelling is also separated from development on adjoining lots by a minimum distance of approximately 1m for terrace/deck areas, or 3.5m in the case of habitable buildings. This is consistent with separation between buildings along the beachfront, which

<p>varies from less than 1m to approximately 6m. The overall bulk and design of the proposed dwelling is consistent with larger structures on the lower side of Port Road.</p> <p>The proposal is considered to satisfy the requirements of P2 for this Standard.</p>	
<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
<p>Planning Comments: Complies</p> <p>The subject site comprises 284m² and the proposed development has a building footprint of approximately 145m². Total site coverage is approximately 51%.</p> <p>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.</p> <p>Private open space areas for the site include decks on both the upper and ground floors as well as a concreted deck/courtyard on the lower level which facilitates access to the grassed backyard with views over the coastal reserve.</p> <p>The subject site is located in an area serviced by Council’s stormwater and TasWater’s reticulated sewerage infrastructure and water is via a private main. Existing arrangements for water supply and disposal of waste are to be retained. Stormwater runoff from the proposed development is to be directed to the existing stormwater connection within the property.</p> <p>The site does not currently have provision for parking on-site. It will be a condition of any permit issued that a car parking space be provided between the dwelling and front boundary.</p> <p>Site coverage on other lots along Port Road varies from approximately 23% to over 60%. Development on lots at 258, 260, 268 and 272 Port Road all exceed the acceptable solution of 30% site coverage for Boat Harbour Beach.</p> <p>In this manner, the proposal satisfies P3 for this Standard.</p>	
<p>A4</p> <p>A garage, carport or an external car parking area and any area for the display, handling, or storage of goods, materials, or waste, must be located behind the primary frontage of a building</p>	<p>P4</p> <p>A garage, carport or an external car parking area and any area for the display, handling, or storage of goods, materials, or waste, must –</p> <ul style="list-style-type: none"> (a) not dominate the architectural or visual frontage of the site; (b) be consistent with the streetscape; (c) be required by a constraint imposed by size, shape, slope, orientation, and

	<p>topography on development of the site; and</p> <p>(d) provide durable physical screening to attenuate appearance of the parking or loading area from a frontage and adjacent land</p>
<p>Planning Comments: Complies</p> <p>Although the application does not include any garage/carport or external parking area, any permit issued will be conditioned to require provision of a single parking space between the dwelling and front boundary. The required space will be located in front of the primary elevation of the proposed dwelling and assessment of P4 for this Standard is therefore required.</p> <p>The steep topography of the subject site means that is not feasible to provide vehicle access to the rear of the site/behind the main façade of the proposed dwelling. No built structure is associated with the parking space and it will be no more visually apparent than external parking spaces for adjacent properties at 266, 262 and 260 Port Road.</p> <p>The proposal satisfies P4 for this Standard.</p>	
<p>A6</p> <p>If on a site at Boat Harbour, a building on the lower side of a road must be single storey on the road elevation.</p>	<p>P6</p> <p>If on a site at Boat Harbour a building on the lower side of a road must be located within the site and be of a mass and height that does not result in an unreasonable loss of outlook from the immediately adjacent site on the high side of the road.</p>
<p>Planning Comments: Complies</p> <p>The proposal is for the demolition and replacement of a dwelling on the lower side of Port Road. The dwelling appears as a two storey structure on the road elevation and requires assessment against the Performance Criteria.</p> <p>The dwelling protrudes approximately 5m above the level of the road at the front of the site, with the overall roof level of the building at 16.97 AHD. The immediately adjacent site on the higher side of Port Road is 22/263 Port Road, which forms part of a unit development. The unit contains windows/sliding doors to bedrooms and living areas which face east and look out over the subject site towards the beach. Due to the layout of the unit, position of the proposed dwelling on 264 Port Road and the peaked roof design, only the window and sliding doors to the two bedrooms on the southern side of the dwelling will look directly out over the proposed dwelling. The glass sliding doors to the living area of 22/263 Port Road primarily look out over 266 Port Road which is single storey.</p> <p>According to Council records the unit at 22/263 Port Road is located at an elevation of approximately 15.3 AHD. The bottom of the bedroom window and glass sliding door panels are at least 16.3 and 15.8 AHD respectively with the tops being approximately 17.9 AHD. As the proposed dwelling has a peak height of 16.97 AHD it will not block the entirety of either the window or sliding glass doors. Further, the roof of the proposed dwelling tapers from the peak height at a 40° angle to an approximate height of 15.03 AHD, below the sill height of the window and bottom of the glass sliding door panels of the opposing unit.</p> <p>The bulk of the proposed dwelling is not in the immediate line of sight for 22/263 Port Road, the living room looks over the adjacent building at 266 Port Road and the view from both</p>	

bedrooms will remain mainly unobscured. The existing outlook from 22/263 will not be unreasonably affected by the proposed development.

The proposal satisfies P6 for this Standard.

12.4.4 Visual and acoustic privacy for residential development

<p>A1</p> <p>A door or window to a habitable room, or any part of a balcony, deck, roof garden, parking space or carport of a building must –</p> <p>(a) if the finished floor level is more than 1.0m above natural ground level -</p> <ul style="list-style-type: none"> (i) be not less than 6.0m from any door, window, balcony, deck, or roof garden in a dwelling on the same site; (ii) be not less than 3.0m from a side boundary; (iii) be not less than 4.0m from a rear boundary; and (iv) if an internal lot, be not less than 4.5m from the boundary abutting a rear boundary of an adjacent frontage site; <p>(b) if less than the setbacks in clause A1(a) -</p> <ul style="list-style-type: none"> (i) be off-set by not less than 1.5m from the edge of any door or window in another dwelling; (ii) have a window sill height of not less than 1.8m above finished floor level; (iii) have fixed and durable glazing or screening with a uniform transparency of not more than 25% in that part of a door or window less than 1.7m above finished floor level; or (iv) have fixed and durable external screen other than vegetation of not less than 1.8m height above the finished floor level and with a uniform transparency of not more than 25% located for the full width of the door, window, balcony, deck, roof garden, parking space, or carport 	<p>P1</p> <p>Likelihood for overlooking from a door or window in a habitable room or from any part of a balcony, deck, roof garden, parking space, or carport of a building must be minimised by –</p> <ul style="list-style-type: none"> (a) physical separation from the door, window balcony, deck, or roof garden in an adjacent dwelling; (b) off-set from a door or window to a habitable room in an adjacent dwelling; (c) effective use of screening other than vegetation; or (d) effect of topography and natural features
<p>Planning Comments: Complies</p> <p>The proposed dwelling is split across three levels – lower level, ground/street level and upper level. The upper level as well as portions of the street/ground level have a finished floor level more than 1.0m above natural ground level. Of these levels, only the window to the dining area on the ground floor/street level does not comply with the listed acceptable solutions.</p>	

The window to the dining area is orientated east over the beach and does not directly look out over 266 Port Road. To further minimise the chance of overlooking the adjoining property, a series of 0.5m deep solid aluminium privacy fins are to be located along the window. The privacy fins span the height of the window and ensure views are directed towards the ocean rather than the dwelling at 266 Port Road.

The combination of privacy fin screen and the orientation of the window away from adjoining land satisfies P1 for this Clause.

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> <p>(a) not more than 1.2m if the fence is solid; or</p> <p>(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>	<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 new fencing within the frontage setback with a maximum height above natural ground level of 2.4m. However, due to the slope of the site and elevation of Port Road the fence will not project above the level of the road for its entire height. The fence has been designed to be flush with the façade of the ground/street level of the building in order to provide adequate privacy for the patio and entry courtyard adjacent to the frontage and to provide a physical barrier for vehicle traffic along the street. The size and height of the fence is consistent with the appearance of the frontage fence for the adjoining property at 266 Port Road.

The proposal satisfies P1 for this Standard.

E10.6.2 Development in a shoreline area

<p>A1</p> <p>There is not acceptable solution.</p>	<p>P1</p> <p>Development must –</p> <p>(a) be required to locate in, over, on or under the shoreline, sea, or tidal waters for operational efficiency;</p> <p>(b) avoid unreasonably or unnecessarily impact on existing or potential access by the public to shoreline land or waters;</p> <p>(c) minimise impact on scenic quality of the sea-shore area;</p> <p>(d) minimise impact on amenity or aesthetic appearance of the sea-shore area as a result of -</p>
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	<ul style="list-style-type: none"> (i) nature and operational characteristics of the development; (ii) location; (iii) bulk, size, and overall built form of any building or work; (iv) overshadowing; or (v) obstruction of views from a public place; and <p>(e) minimise immediate or cumulative adverse effect for -</p> <ul style="list-style-type: none"> (i) tidal, wave, current, or sediment movement processes; (ii) coastal landforms, seabed, and other geomorphic features, including sand dunes and mobile landforms; (iii) vulnerability to erosion and recession; (iv) natural cycles of deposition and erosion; (v) conservation of biodiversity and marine habitat, including during critical lifecycle stages of individual and migratory species; (vi) drainage from a water course, wetland, ground water, flood, stormwater, or tidal water; (vii) coastal water quality; (viii) likely interference or constraint on use of public areas; (ix) any scientific, architectural, aesthetic, historic or special cultural value; (x) exposure to or increased risk from a natural hazard, including sea level rise, storm surge, or inundation as a result of climate change; (xi) coastal protection and rehabilitation works required to address erosion, instability, regression, or inundation;
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	<ul style="list-style-type: none"> (xii) collection, treatment, and disposal of waste, including bilge waters and excavated or dredged sediment; (xiii) economic activity dependent for operational efficiency on a sea-shore location; (xiv) public safety and emergency services; (xv) marine navigation and communication systems; (xvi) safety of recreational boating; and (xvii) be consistent with the current edition of Tasmanian Coastal Works Manual DPIPWE 2011.
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Planning Comments: Complies

The proposal is for the demolition and replacement of a single dwelling. The subject site adjoins a coastal reserve to the east and a small portion of the proposed development is within 30m of the mean high water mark (MHWM), consisting of the north-eastern corners of the ground/streel level and lower level decking. The proposal therefore requires assessment against the Performance Criteria for this Clause.

The proximity of the proposed dwelling to the road is informed by the topography of the site, which slopes steeply away from the road. The building has been located on the most secure and accessible portion of the site and away from the sandy soils of the coastal reserve to the east.

The majority of the proposed dwelling is located further than 30m from the MHWM. No buildings are to be located in, over, on or under the shoreline. There are a number of public access points to the beach from Port Road, none of which are adjacent to the subject site. The proposed dwelling will have no impact on public access to either the coastal reserve, the beach or ocean.

The proposal is unlikely to significantly alter the appearance of the shoreline area. The lower side of Port Road and further south along Fenton Crescent is dominated by residential lots containing dwellings which feature prominently on the beach. In particular, 258 and 260 Port Road contain multi-dwelling development.

The proposal is a replacement of a single dwelling with another single dwelling and will not further intensify development within 30m of the MHWM or further constrain use of the coastal reserve.

The subject site is not identified as containing any threatened flora or fauna or other significant natural values and it is not utilised for drainage or waste management purposes. It is not of any significant economic value and is not used by emergency services, for marine navigation/communication or for recreational boating.

No changes to existing coastal water quality are expected as a result of the proposed development. Stormwater is to be piped into the existing stormwater connection. Construction of a building approximately 25m from the MHWM is considered unlikely to have

any significant adverse effect on tidal, wave, current, or sediment movement processes, coastal landforms, the seabed, or other geomorphic features. The proposed works are located on an established residential site that does not form part of any active management area for coastal erosion, recession, or inundation.

It is recommended that the following condition be included on any permit issued:

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.

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>
<p>Planning Comments: Complies</p> <p>According to Table E9.1, a single dwelling in the Low Density Residential zone requires 2 car parking spaces per dwelling. The plans submitted for the application do not include a garage/carport or any dedicated parking area. Assessment against P1 for this Clause is therefore required.</p> <p>There is no provision for parking for the existing dwelling on the site, as is common with many of the properties on the lower side of Port Road, including 268, 270 and 272 Port Road. Council’s Engineering Department has undertaken an internal assessment of the proposal and requires provision of a car parking space between the dwelling and front boundary, a reduction of the required two spaces to a single space.</p> <p>The proposed replacement dwelling is a single family home with one main kitchen/living/dining space plus a rumpus room. It has not been designed to service for multiple households. It is considered that one carparking space is sufficient to meet the requirements of the proposed dwelling.</p> <p>The proposal satisfies P1 for this Standard.</p>	

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 eight (8) representations were 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 as a result of this report 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 demolition of a dwelling and construction of a new dwelling complies with either the acceptable solution or satisfies the performance criteria for all applicable standards of the Planning Scheme. The dwelling design responds to the slope of the site to mitigate impact on adjacent properties and the shoreline. The new dwelling is similar to the established pattern of development on the southern side of Port Road and further south along Fenton Crescent.

The application is considered to comply with the provisions of the Low Density Residential Zone and applicable Codes for the Waratah-Wynyard Interim Planning Scheme 2013. It is therefore recommended that Council approve a planning permit for the proposed dwelling demolition and replacement dwelling.

MOVED BY	CR HYLAND
SECONDED BY	CR EDWARDS

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 new dwelling and demolition of existing dwelling at 264 Port Road, 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: 2096 and Drawing Numbers: A01-A11 as prepared by Licht. Architecture and dated 21 November 2022.****
- 2. All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.**
- 3. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.**
- 4. Loading and unloading of vehicles is to be confined to within the boundaries of the property.**
- 5. Off-street parking accommodation is to be provided for a minimum of one (1) vehicle. Vehicle parking spaces and associated driveways and turning areas are to be designed in accordance with AS 2890.1 and be approved by the Director Infrastructure & Development Services or their delegate.**
- 6. Off street car parking and hardstand areas are to be surfaced in an all-weather material such as concrete, asphalt or bitumen spray seal. All stormwater runoff from the car parking and hardstand areas is to be collected on-site and directed to a stormwater system designed to cater for a 1 in 20 year ARI storm and discharged to a legal point of discharge to the reasonable requirements of the Director Infrastructure & Development Services.**
- 7. Stormwater from the development is to be connected and discharged into Council's stormwater drainage network.**
- 8. 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.

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- 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 199/2022. 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/>.

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

PLANNING AUTHORITY CLOSED AT 7.10PM

THE MANAGER DEVELOPMENT AND REGULATORY SERVICES LEFT THE MEETING AT 7.10PM.

7.0 MATTERS RAISED BY COUNCILLORS

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

7.1.1 CR COURTNEY - FOXGLOVE QUESTIONS

QUESTION

Cr Andrea Courtney asked how many times we have been asked the question about foxglove.

The General Manager took the question on notice.

OFFICERS RESPONSE

The majority of references to the management of Foxglove during public questions and statements have been part of the “statement” section of the meeting.

In March 2022, Council was asked questions about slashing of Foxglove and furthermore in July 2022 was asked about management of Foxglove.

7.2 COUNCILLOR QUESTIONS RECEIVED IN WRITING

Nil received.

7.3 COUNCILLOR QUESTIONS WITHOUT NOTICE

7.3.1 CR COURTNEY - CHANGING OF DATE FOR AUSTRALIA DAY CELEBRATIONS

Cr Andrea Courtney asked if a workshop could be held to discuss changing the date of Australia Day celebrations.

The General Manager agreed to include in workshop schedule.

7.3.2 CR COURTNEY - WHISTLE BLOWER POLICY

Cr Andrea Courtney noted the response to her previous question and asked what specifically, in the existing policy/policies, protects whistle blowers from unfair dismissal.


The General Manager advised that the overarching principals of the Unfair Dismissal legislation are through the *Fair Work Act*. He took the questions on notice to review the public interest disclosure policy in detail and provide specific references.

8.0 NOTICE OF MOTION

Nil received.

9.0 REPORTS OF OFFICERS AND COMMITTEES

9.1 DRAFT CEMETERY STRATEGY

To:	Council
Reporting Officer:	Manager Community Activation
Responsible Manager:	Director Community and Engagement
Report Date:	21 December 2022
File Reference:	001
Enclosures:	1. Draft Cemetery Strategy 

PURPOSE

The purpose of this report is to provide consideration of the Draft Cemetery Strategy release to the public for a period of consultation.

BACKGROUND

Waratah-Wynyard Council (WWC) is committed to providing a consistent and strategic approach to cemetery services. This Strategy has been developed to define Council's role in the provision of cemetery services and to ensure that the services are aligned with the needs of the community and are met both now and into the future.

DETAILS

This strategy applies to the cemeteries under the care and control of Waratah-Wynyard Council. The purpose of the cemetery strategy is to:

- Examine current service provision and management procedures
- Define Council's role in the provision of cemetery services
- Ensure that the services are aligned with the needs of the community
- Identify opportunities for community engagement and make recommendations.

In line with the purpose of the strategy, a number of conclusions have been drawn and subsequent recommendations made to provide a clear and consistent direction for the planning, management and operation of the cemeteries throughout the Waratah-Wynyard Local Government Area.

These operational improvements and strategic directions take into consideration a number of key drivers including:

- public expectations
- legislative and regulatory requirements
- industry standards and trends
- consistency with other Local Government Area's
- future demands on the provision of cemeteries.
- retainment of the key characteristics of the cemeteries within the area

The Cemetery Strategy has been developed to align with the council's existing policy framework. The Cemetery Strategy aligns with existing strategy frameworks and policies, including Community Plans (Age Friendly Community Plan, Health and Wellbeing Plan, Youth Plan), the Open Space, Sport and Recreation Plan 2017-2027, the Settlement Strategy, iCEP Plan and other corporate plans.

STATUTORY IMPLICATIONS

Statutory Requirements

Both State and Local Government have had a long-standing involvement in various aspects of burial and cemetery management. This includes:

- The provision and maintenance of public land for burial. Burial space has been provided by the State Government through the provision of cemeteries for over 200 years. Local government manages and operates many of Tasmania's cemeteries.
- Planning for land uses. State and local government undertake land use planning and designate broad land use zones. Competing interests for land can make cemeteries and crematoria development less competitive than other uses within a close proximity to urban areas.
- The administration of statutes governing cemeteries, including health standards. State Government legislation administering cemeteries and crematoria includes the Crown Lands Act 1989, the Local Government Act 1993, the Necropolis Act 1901, the Work Health and Safety Act 2011, the Public Health Act 2010, the Environmental Planning and Assessment Act 1979 and the regulations associated with these Acts. As previously noted, there is an array of legislation and regulations that provide the framework for the operation, management and planning of cemeteries.
- The provision of affordable interment, including the interment of deceased destitute persons. State Government has played a role in the provision of affordable interment by providing land for burial purposes; through management by volunteer trusts; and the provision of funds for interment of deceased destitute persons. Some local Council's provide a discounted fee to the State to further assist in the provision of burial space for deceased destitute persons.
- Peak Bodies. The peak body for the funeral industry in Tasmania is the Australian Funeral Directors Association (AFDA). Tasmania is covered by the Australasian Cemeteries and Crematoria Association (ACCA).

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
2.6.1 Promote best practice and foster innovation.

GOAL 1: Leadership and Governance
Desired Outcomes
3.1 Waratah-Wynyard is a modern community—moving forward but not forgetting where it started.
Our Priorities
3.1.1 Deliver planning for activation through effective urban design and planning that promotes liveability, social gathering and connectedness, and which recognises and celebrates local history.

GOAL 2: Organisational Support
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
7.3.3 Innovative and sustainable design is encouraged through forward thinking and planning.

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.
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, resource sharing and less duplication between Councils. Leadership is provided across all community sectors.

POLICY IMPLICATIONS

The strategy will assist Council to effectively manage and deliver cemetery services ensuring all statutory obligations are met and assets are safeguarded over the long-term, Council will review existing cemetery policies. Where gaps are identified, Council will establish a range of clear and concise policies, procedures and agreements for the management and operation of Waratah-Wynyard Council Cemeteries.

ENVIRONMENTAL IMPLICATIONS

To ensure sustainable funeral services and practices can be catered for in Waratah-Wynyard Council cemeteries, Council will investigate the increasing the range of interment options such as modern burial systems, columbarium walls, garden interments, monuments and natural burials.

FINANCIAL IMPLICATIONS

To ensure funding for Waratah-Wynyard Council cemetery services is appropriate to meet its short term and long-term cemetery commitments Council will seek to fully recover the full cost of burials through the setting of burial fees. Burial fees will be reviewed annually as a part of the Council's annual budget deliberations. Council will seek to strike a balance between full cost recovery and affordability when setting burial fees.

RISK IMPLICATIONS

Broad community consultation will enable all interested members of the community to inform the final strategy for Councils consideration.

There is always risks with using digital media. The risks of any one method failing are mitigated to an extent by the number of alternative methods of consultation. Using digital and traditional paper-based options to deliver feedback will assist in minimising that risk.

CONSULTATION PROCESS

The community will be given the opportunity to review and comment on the Draft Cemetery Strategy.

The opportunity to provide feedback and the associated time frame will be advertised via social media and through Council's website. Community members will be able to provide feedback through email, letter or by making an appointment with Manager Community Activation.

Direct notification of the consultation period and process will be made to stakeholders with a high level of engagement such as funeral directors.

The Draft Cemetery Strategy will be amended to incorporate community feedback, where appropriate prior to Council endorsement of the Final version.

CONCLUSION

The Cemetery Strategy is ready to proceed to the community for feedback and comments.

Council will be provided with community feedback prior to recommended adoption of the final plan.

MOVED BY	CR COURTNEY
SECONDED BY	CR ROBERTS

That Council endorse the Draft Cemetery Strategy for community consultation for a period of four weeks

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

9.2 COMMUNITY CONVERSATIONS

To: Council
Reporting Officer: Executive Officer
Responsible Manager: General Manager
Report Date: 13 January 2023
File Reference: 0301
Enclosures: Nil

PURPOSE

To review the Community Conversation community forums which were implemented to increase and improve community engagement, giving the public the opportunity to have one on one conversations with Councillors and Senior Staff in an informal setting.

BACKGROUND

Community Conversations were developed following a Notice of Motion at the April 2019 Council meeting where Council determined:

“That Council give in-principal support for establishing community engagement events, and that Council prepare a paper detailing options for conducting these, for consideration and adoption.”

The Community Conversation concept was developed as a result of this motion and has been running since July 2019 with brief interruptions due to Covid 19.

Following the Local Government Elections in October 2022 it is timely to review the program and determine how Council wishes to proceed.

DETAILS

Since the Community Conversations commenced in July 2019, there have been 20 forums held. COVID-19 caused forum events to be postponed indefinitely in 2020, with the need to change how the events were conducted when they resumed in February 2021. The following table shows details of forums held:

DATE HELD	LOCATION	ATTENDANCE
29/7/19	Wynyard	14
26/8/19	Waratah	21
30/9/19	Boat harbour	22
28/10/19	Sisters Beach	5
25/11/19	Yolla	9
2/12/19	Somerset	24
3/2/20	Wynyard	25
19/2/20	Waratah	50
3/2/21	Boat Harbour	20
17/2/21	Sisters Beach	4
17/3/21	Yolla	1
14/4/21	Waratah	12
12/5/21	Wynyard	6

DATE HELD	LOCATION	ATTENDANCE
16/6/21	Somerset	12
26/7/21	Boat Harbour	13
27/9/21	Sisters Beach	6
22/11/21	Yolla	3
24/1/22	Waratah	8
28/3/22	Wynyard	18
28/6/22	Somerset	2

The program has resulted in 170 ideas/opportunities being raised with Council and 87 service requests being lodged. All matters have been addressed or responded to.

The program has been very successful and continuation of the concept is recommended. The suggested approach is to hold a monthly forum across the six locations, meaning each area will receive two visits per year. Locations and venues will be determined in coming weeks should the recommendation be supported.

Some alterations to the arrangements are suggested for future forums, with more information to be made available for discussion, alternate venues to be considered and greater flexibility with the order/program pending upcoming projects and consultation.

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
3.5 Our community uses its voice to shape its future alongside a strong Council willing to listen and implement where reasonable and practical.
Our Priorities
1.1.1 Commit to best practice in community engagement.

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.
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.

Strategies and Plans

Name of Strategy / Plan
Age Friendly Communities Plan 2019-2024
Y Plan – (Youth) 2019-2024
Community Health and Wellbeing Plan 2019-2024
Corporate Strategic Plan 2017-2027
Communication and Engagement Strategy 2019/2021
Waratah Community Plan

The Communication and Engagement Strategy includes the following key principles. Goals and objectives:

Communications Strategy – Principles

1. We will keep stakeholders **informed** with timely communication about Council projects, events and other newsworthy items.
2. We will **listen** to our community by facilitating open, respectful two-way communication to build trust, encourage feedback and increase stakeholder understanding and support.
3. With consideration for the diversity of our community, we commit to **engaging** with our stakeholders in innovative and meaningful ways that broaden our communication reach and increase the level of stakeholder engagement.
4. We will **collaborate** with our stakeholders on major projects from conception to completion, incorporating feedback, advice and recommendations throughout the project lifecycle.
5. We will deliver a **consistent** brand message and implement strategies to build awareness and advocacy amongst our stakeholders

Communications Strategy - Engagement Goals

1. Develop an ongoing communications program to keep the community and key stakeholders informed about our programmes, services and decisions.
2. Build our reputation and identity through consistent messaging and engaging visual presence
3. Strengthen our Partnerships and community involvement through a council wide approach to communication, engagement and collaboration.
4. Build the capacity of staff and Councillors to communicate, engage and champion Council business.
5. Continue to build the tools and practice the principals of the International Association for Public Participation to become a leader in communication and community engagement.

Community Forums - Objective

1. To give the public the opportunity to meet councillors and staff and discuss ideas or concerns they may have in relation to their local area on a one on one/face to face basis.
2. Developing mutual trust and positive relationships with the public and key stakeholders.
3. An avenue to gain feedback on specific projects that are happening locally

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

A minor budget allocation of is included in the Annual Budget to cover costs of advertising and basic catering.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

A workshop was held with councillors to discuss results of Community Conversations to date and how to proceed into the future.

CONCLUSION

It is recommended that Council resume the Community Conversation program.

MOVED BY	CR COURTNEY
SECONDED BY	CR BRAMICH


That Council determine to resume a monthly Community Conversation program from March 2023

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

9.3 MANAGEMENT OF FOXGLOVE - UPDATE

To: Council
Reporting Officer: General Manager
Responsible Manager: Director Infrastructure and Development Services
Report Date: 12 January 2023
File Reference: 0107
Enclosures: 1. State Government Response to Foxglove Petition 

PURPOSE

To provide an overview of Council's position on management of Foxglove (*Digitalis Purpurea*) following recent public statements.

BACKGROUND

Council continues to receive public statements and questions regarding Council's management of the plant commonly known as Foxglove. As this plant is not a Declared Weed in Tasmania (or any other state) there is no legal head of power given to Council to allow enforcement actions to be taken.

A report was provided to the July 2022 meeting providing an update of Council's role in the management of this plant and a further update is contained within. Information contained within that report has not been repeated below.

DETAILS

A petition was lodged with the State Government in November 2022 containing 1,782 signatures. The petition stated:

The petition of the undersigned Residents of Tasmania draws to the attention of the House:

- The introduced ornamental plant commonly known as Foxglove (*Digitalis purpurea*) is an annual, biennial, or perennial plant that reproduces from seed, which spreads easily by wind, water, garden waste, bumblebee pollination, wildlife dispersal and transport by vehicle and machinery movement;*
- It flourishes in a wide variety of conditions, from open and sunny through to damp, shady places, especially in disturbed soil; Tasmania's acidic soils provide ideal conditions for its growth;*
- It excludes native flora and consequently native fauna;*
- Its leaves, flowers and seeds contain the cardiac glycoside digitoxin, which can be absorbed through the skin and is extremely poisonous, even fatal, to humans, wildlife and livestock;*
- The exponential growth rate of this plant across Tasmanian private land, agricultural land and bushland is alarming, due to the ease with which it reproduces and the difficulty inherent in its complete removal from sites of infestation;*

- *Seeds may remain viable for decades; and*
- *Despite the dangers of the plant, it is still sold in garden centres and promoted as an ornamental plant for home gardens.*

*Your petitioners, therefore, request the House to call on the Tasmanian Government to declare *Digitalis purpurea* a declared weed under the Weed Management Act 1999 due to its adverse impact on the Tasmanian landscape, flora and fauna, as described in Section 9(1) of the Act.*

The State Government’s response is attached in full, however, to summarise, they state –

- The declaration of foxglove as a declared pest is not recommended
- Strategic management of foxglove can be achieved through a number of actions, without declaration, including –
 - Development of a foxglove biosecurity program
 - Implementation of an education and awareness program
 - Discussions regarding restriction of sale and trade

Officers will write to the government to confirm action in these areas is required and will continue to work with Biosecurity Tasmania to discuss the current management status of foxgloves in the area.

STATUTORY IMPLICATIONS

Statutory Requirements

There are no statutory implications as a result of this report. The *Biosecurity Act 2019* and the *Biosecurity Regulations 2022* (which will soon replace the *Weed Management Act 1999* and *Weed Management Regulations 2017*) are the relevant legislative instruments.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 7: Environment
Desired Outcomes
7.5 Stewardship of our land, water and marine ecosystems respects past, present and future generations.
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:
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.
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.

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 is a risk of plant infestation in reserves and on properties if the plant does become an invasive species. Council will continue to monitor and advocate for action.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

There is a risk of plant infestation in the future if council is unable to instigate enforceable programs. A focus on education and annual spraying of roads will assist but not eradicate any future problems without a head of power to act.

CONSULTATION PROCESS

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

CONCLUSION

It is recommended that Council note the current situation regarding Foxglove and that officers continue to work with Bio Security Tasmania and other stakeholders at a regional and State level on this matter.

MOVED BY	CR COURTNEY
SECONDED BY	CR EDWARDS

That Council note the update on current Foxglove Management Practices.

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

9.4 REDUCTION OF SPEED LIMIT ON BALLAST PIT ROAD, WYNYARD

To: Council
Reporting Officer: Manager Engineering Services
Responsible Manager: Director Infrastructure and Development Services
Report Date: 12 December 2022
File Reference: .
Enclosures: Nil

PURPOSE

To provide Council with an assessment and determine a position regarding a Notice of Motion to assess Ballast Pit Road for consideration of a speed limit reduction request.

BACKGROUND

At the Ordinary September meeting of Council 2022 a Notice of Motion was raised to investigate a potential speed reduction on Ballast Pit Road, Wynyard. At which time the following recommendation was provided and carried unanimously.

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.

DETAILS

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 Growth, 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.

In undertaking assessment of the speed reduction proposal for Ballast Pit Road, the road environment and characteristics are assessed against the requirements of Australian

Standard 1742.4, *Manual of uniform traffic control devices, Part 4: Speed controls* along with data gathered from the placement of a traffic counter.

Road Characteristics (AS1742.4 Assessment)	
Road function	Combination of a Rural link road (R8) and Rural minor access road (R10a)
Road standard	Ballast Pit Road is a two-way sealed road for 1.74km before reducing to an unsealed road for 0.44km. The standard of Ballast Pit Road is in accordance with the Tasmania Standard Drawing TSD-R02-v3 and is free from any defects that trigger the intervention levels of the Roads Infrastructure Service Level Document 2021
Road owner	Waratah-Wynyard Council
Roadside development (A2)	Rural residential, farmland and quarrying
Road alignment (A3.1)	Ballast Pit Road has a generally flat alignment with relaxed horizontal geometry. Sight distance to approaching traffic and driveways throughout its length are generally good. The 85 th percentile speed is 85km/h. The road alignment generally allows travel speeds up to 100 km/h.
Road accesses / intersections (A3.2 and A3.3)	Road Intersections – 2 Property Accesses – 21 Farm Gates - 5
Traffic volume (A4.1)	Around 244 vehicles per day use Ballast Pit Road with a heavy vehicle usage of 54 vehicles per day.
Pedestrians (A4.2)	There are no pedestrian facilities and pedestrian activity is considered low.
Length (2.3.4)	Sealed – 1.74km Unsealed – 0.44km
Adjacent speed zones	<ul style="list-style-type: none"> • Ballast Pit Road currently has the default sealed rural road speed limit of 100km/h • Calder Road has a speed limit of 80km/h • Emerald Vale Road has a speed limit of 50km/h • Forsters Road has a speed limit of 80km/h
Crash history (2.3.3 (c))	Within the 2.18km length there have been 2 reported crashes over the last 10 years comprising of <ul style="list-style-type: none"> • Fatalities – 0 • Serious injury – 0 • Minor injury - 1 • First aid - 0 • Property Damage - 1

In consideration of this assessment, specifically:

- Low number of vehicle accidents
- Good vertical and horizontal geometry
- Adequate road and shoulder width
- 85th percentile speed is 85km/h

Based upon this assessment alone, there is limited justification to warrant a speed limit reduction request to the Transport Commissioner however Council's Rural Road Safety Audit undertaken in during the 2019/20 financial year by external consultants states: -

“Forsters Road – Ballast Pit Road intersection, limited site distance to the south of this intersection, recommendation to install advance warning T intersection signage and consider reducing speed to 60 km/h on Ballast pit Road through this zone.”

Furthermore, it is noted that the major link road (Calder Road) and the minor intersecting roads (Forsters Road and Emerald Vale Road) all have posted speed limits of 80km/h or below.

It is recommended that the current 100km/h speed limit for this road be reviewed to be consistent with the surrounding roads.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

No consultation with users or residents of Ballast Pit Road has been undertaken. Council may wish to write to property owners seeking feedback or notifying of this intent prior to lodging the speed reduction request.

CONCLUSION

The recommendation is to request the Transport Commission to review the posted speed limit to 80 kph.

MOVED BY	CR COURTNEY
SECONDED BY	CR JOHNSTONE

That Council note the information regarding the speed limit on Ballast Pit Road and request the Transport Commission to review the speed limit.

AMENDMENT

MOVED BY	CR EDWARDS
SECONDED BY	CR HYLAND

That Council note the information regarding the speed limit on Ballast Pit Road and:

- a) Notify the impacted stakeholders of Councils intent to request a review of the speed limit; and**
- b) Should no objectionable feedback be received from stakeholders; request the Transport Commission to review the speed limit.**

The AMENDMENT to the MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW



THE AMENDED MOTION BECAME THE MOTION

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

9.5 RISK MANAGEMENT POLICY REVIEW

To: Council
Reporting Officer: Director Organisational Performance
Responsible Manager: General Manager
Report Date: 21 December 2022
File Reference: Governance - Policy - Council Policies
Enclosures: 1. Risk Management Policy 
2. Risk Management Framework 

PURPOSE

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

BACKGROUND

All Council policies must be reviewed periodically to ensure that they remain current, relevant and compliant with relevant statutory obligations.

This Policy had a significant review at its last review date in January 2021. The Policy in its current format remains consistent with the requirements of the AS/NZ ISO 31000:2018 Risk Management Guidelines.

DETAILS

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

The Policy Framework outlines Council's commitment to implementing a strategic, consistent and structured corporate-wide approach to risk management in order to achieve an appropriate balance between realising opportunities for gains and minimising losses.

The framework assists Council in assessing and managing its various risks relating to the following categories:

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

The Framework is an important tool in assisting to drive good risk management practice including creating visibility and awareness of organisational risks. The purpose of the Framework is to link Council's risk philosophy, as described in the risk policy, with the actual process of risk management practices undertaken in the normal course of business. Like many organisations, achieving this alignment is a continual journey.

From a cultural perspective, the organisation has a high level of risk awareness and an understanding of the importance of risk management. Risks in some areas very well considered while other areas continue to rely on intuitive management and experience-based awareness.

From a business process perspective, the organisation has formal risk management processes in place including: -

- A Risk Management Framework and Policy that aligns with the International Standard and containing guidance on risk appetite for each type of risk.
- A current risk register which is managed centrally.
- Assignment of responsibility within the register and a program for updating risks with over 90% of all risks having been reviewed by risk owners in the past 12-18 months.
- Risk implications are included in all reporting to Council.

The organisation has progressed and improved the quality of its data and risk registers. The audit panel regularly review the organisations risks as a part of its role. Regular reporting occurs internally and to the Audit Panel.

Proposed Changes from This Review

The existing policy and framework continue to work effectively in practice and there are few changes proposed as a part of this review.

The Risk Management Policy contains no changes. The Framework includes some minor administrative and grammatical corrections only.

The Executive Team has reviewed the organisation’s risk arrangements in recent months and will partner with Circular Head Council and provide risk management services across both Councils. The internal Risk Committee will be a shared Committee consisting of the Executive Team members.

The shared arrangement will provide the ability for both Councils to share many business processes and tools, an efficiency as well as a benefit for those staff that work across both Councils. Waratah Wynyard Council’s Risk Management Framework (the most current framework) will be reviewed for consideration and formal adoption by both Councils.

The Risk Committee Terms of Reference have been altered to reflect this intent.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 2: Organisational Support
Desired Outcomes
2.1 We are a knowledgeable organisation—we demonstrate best practices in our business processes.
Our Priorities
2.2.1 Facilitate effective knowledge management practices.

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

On adoption of the Policy and Framework, this version will supersede the Policy last adopted by Council in January 2021.

ENVIRONMENTAL IMPLICATIONS

Environmental Risks are separately identified in the Framework and incorporated in Council's risk management practices.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONSULTATION PROCESS

This Policy and Framework has been reviewed by Council's Audit Panel.

CONCLUSION

The existing Risk Management Framework is working well in practice following a significant review in January 2021.

Changes to the Risk Committee Terms of Reference will facilitate the ability for Council to establish a joint Risk Management Committee with Circular Head Council.

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

MOVED BY	CR BRAMICH
SECONDED BY	CR ROBERTS



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

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

9.6 WORK HEALTH AND SAFETY

To: Council
Reporting Officer: General Manager
Responsible Manager: General Manager
Report Date: 16 December 2022
File Reference: WHS.001
Enclosures: 1. Elected Representatives WHS Review 
2. WWC Work Health and Safety Policy 

PURPOSE

To ensure that Council has an updated Work Health and Safety Policy in place that is reviewed on a biennial basis and meets the current legislative requirements.

BACKGROUND

This Work Health and Safety Policy has been reviewed to ensure it reflects current and contemporary Work Health and Safety practices.

In relation to the review of Work Health and Safety for elected members, at the August 2021 Local Government Association of Tasmania (LGAT) General Meeting members resolved that:

The Tasmanian local government sector confirms its commitment to ensuring a safe workplace for elected representatives and staff and, that LGAT calls on the State Government to commission a review of the workplace health and safety of the Local Government sector for elected representatives.

Discussions with the State Government resulted in agreement for the Office of Local Government to fund the engagement of a suitably qualified consultant to undertake the review, with LGAT to manage the work.

Edge Legal were awarded the review following a competitive tender process. Broadly the engagement involved:

- A State-wide online survey document able to be answered anonymously by elected representatives, senior staff and relevant regulators.
- One on one confidential interviews (by request and invitation) of elected representatives, senior staff and relevant regulators.
- Inviting written submissions from elected representatives, senior staff and relevant regulators.
- A review of the current regulatory environment in Tasmania and other relevant jurisdictions.
- Written feedback on the draft report from all participants and the broader sector.

DETAILS

Policy

The purpose of this Policy is to recognise the Council's commitment to its duty of care to provide a safe and healthy work environment.

The Policy applies to all workers including employees, contractors, volunteers, and Councillors. It also applies to visitors and members of the public.

The Work Health and Safety Policy reflects the shared expectations of Council in relation to the health and safety of all workers. In adopting this Policy Council is providing the strategic direction for this important aspect of the workplace.

The revised policy document sees some minor changes in legislative requirements. The policy statement provides detail around the delivery of Work Health and Safety by Council with the content and intent consistent with the previous policy.

Review – Elected Members

The following deliverables have been completed as part of this project:

- An Executive Summary of the review, including all recommendations (attached)
- The full report (publicly available on the LGAT website).
- Stand-alone reports on council, elected representatives and council staff responsibilities under the various legislative instruments (e.g. WH&S, Code of Conduct, Anti-Discrimination Act etc.).
- A statewide assessment of the health and safety hazards to elected representatives and appropriate risk mitigation actions (pursuant to the Work Health and Safety Act 2012) that can be taken by individual councils, depending on local circumstances.

At the December 2022 General Meeting of LGAT it was resolved “*That Members receive and note the Work Health and Safety Review – Elected Representatives and that the General Management Committee will review the recommendations and prepare an implementation plan for consideration at the General Meeting in March 2023*”. Endorsing the recommendations now will provide guidance to the Mayor for voting purposes for the March LGAT meeting.

STATUTORY IMPLICATIONS

Statutory Requirements

The Workplace Health and Safety obligations of Council are governed by the *Work Health and Safety Act 2012 (TAS)* and *Work Health and Safety Regulations 2012 (TAS)*.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
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 Build our knowledge base to apply in decision-making processes.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no additional financial obligations arising from this revised policy. Having a robust Work Health and Safety policy and procedures can assist in providing savings in terms of the operation and a reduction in workers compensation premiums.

RISK IMPLICATIONS

There are identified risks if the position of Council in relation to Work Health and Safety is not clearly articulated to stakeholders in terms of organisational culture.

The industry is facing challenges to safety of elected members, particularly from a mental health perspective, and greater improvements and support in this regard should be welcomed.

CONSULTATION PROCESS

This Policy has been reviewed with the Senior Management Team. The LGAT recommendations have been discussed at workshop.

CONCLUSION

That Council adopt the revised Work Health and Safety Policy, as outlined in the attachment to this report and provide in-principle support to the recommendations contained in the Work Health and Safety Review – Elected Representatives.

MOVED BY	CR EDWARDS
SECONDED BY	CR JOHNSTONE

That Council:



- 1) Adopt the revised Work Health and Safety Policy with immediate effect; and**
- 2) support in-principle the recommendations contained in the Work Health and Safety Review – Elected Representatives.**

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

9.7 SOCIAL MEDIA POLICY REVIEW

To: Council
Reporting Officer: Executive Officer
Responsible Manager: General Manager
Report Date: 16 December 2022
File Reference: 1201
Enclosures: 1. GOV.020 Social Media Policy 
2. GOV.020.01 Social Media Guidelines 

PURPOSE

To ensure that Council has a Social Media Policy and associated Guidelines that meet contemporary standards.

BACKGROUND

Council is required to review Council Policies periodically. Typically, Council policies are reviewed at least every four years, and are timed to occur following a Council election.

Council's current Social Media Policy was first adopted in December 2013 and has only received very minor edits since that time. Councils now need to communicate in a world that looks very different today than what it did a generation ago and even four years ago, and as such policies and practices must mature in line with changing technologies and community expectations.

DETAILS

Social media use, both for business and personal use, is an accepted manner of communication and engagement. The area is rapidly evolving with new platforms and patterns of use each year.

Social media has driven a level of connectedness and visibility. As a result, public scrutiny has increased, demanding a greater transparency from organisations in general, but local government in particular. The community has greater access to information from a range of sources, creating a knowledge base formed through the amalgamation of differing facts, opinions and personal representations – rather than relying on organisational and media statements alone. The policy and guidelines attached have been rewritten with many changes since the previous versions.

The document reflects today's standards and expectations and differentiates personal and corporate use of social media. It was included with the induction workshops for Council and discussed on Monday 28 November 2022.

STATUTORY IMPLICATIONS

Statutory Requirements

As referenced in the documents, appropriate use of social media covers a range of legislation including discrimination, defamation, privacy and the *Local Government Act 1993*.

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
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.
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 report.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

Staff and Councillors have reviewed policies in line with legislative requirements. No public consultation is required on this policy.

CONCLUSION

It is recommended that Council accept the updated policy as attached.

MOVED BY	CR ROBERTS
SECONDED BY	CR EDWARDS

That Council approve the updated Social Media Policy and Associated Guidelines with immediate effect

The MOTION was put and was CARRIED.

IN FAVOUR

CR BRAMICH		MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

AGAINST

	CR COURTNEY		

9.8 QUARTERLY INFORMATION REPORT - COMMUNITY AND ENGAGEMENT

To:	Council
Reporting Officer:	Director Community and Engagement
Responsible Manager:	General Manager
Report Date:	12 January 2023
File Reference:	Community and Engagement
Enclosures:	Nil

PURPOSE

To provide statistical information and a quarterly update on the activities of the Community and Engagement Department. This report covers the following areas:

- Customer Services
- Community Activation
- Tourism and Marketing
- Communications
- Wonders of Wynyard
- Warawyn Early Learning

BACKGROUND

The quarterly report is to provide to provide an overview of statistical information on the activities of Council for each department.

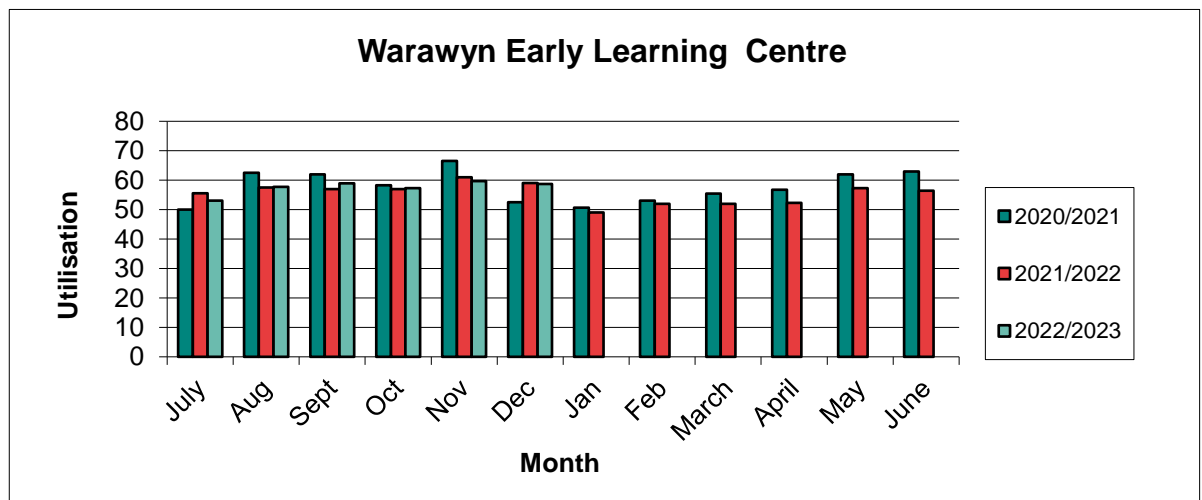
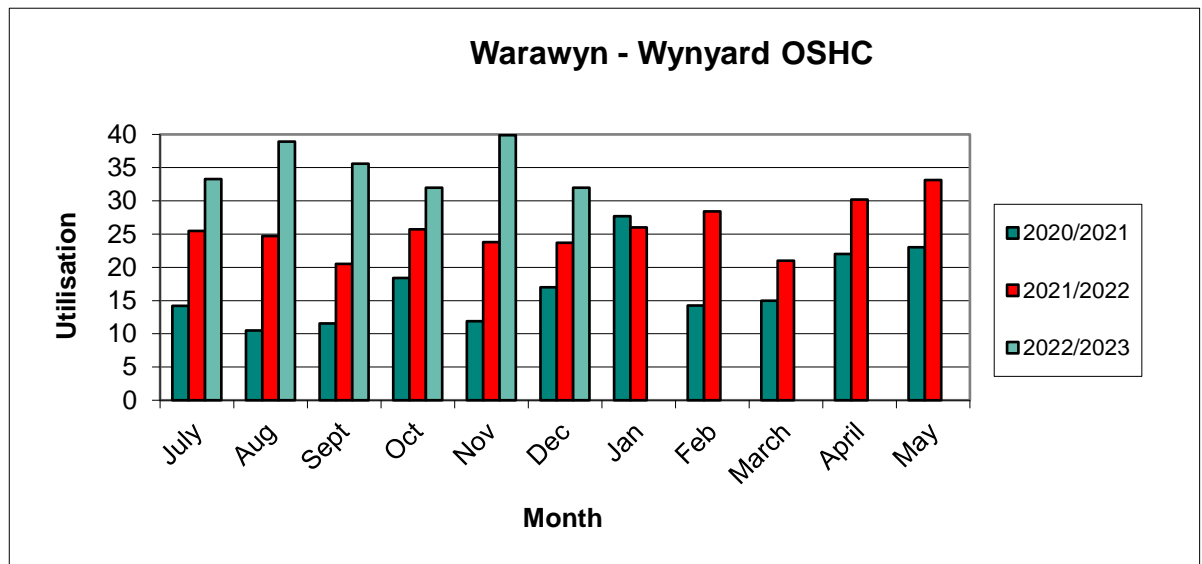
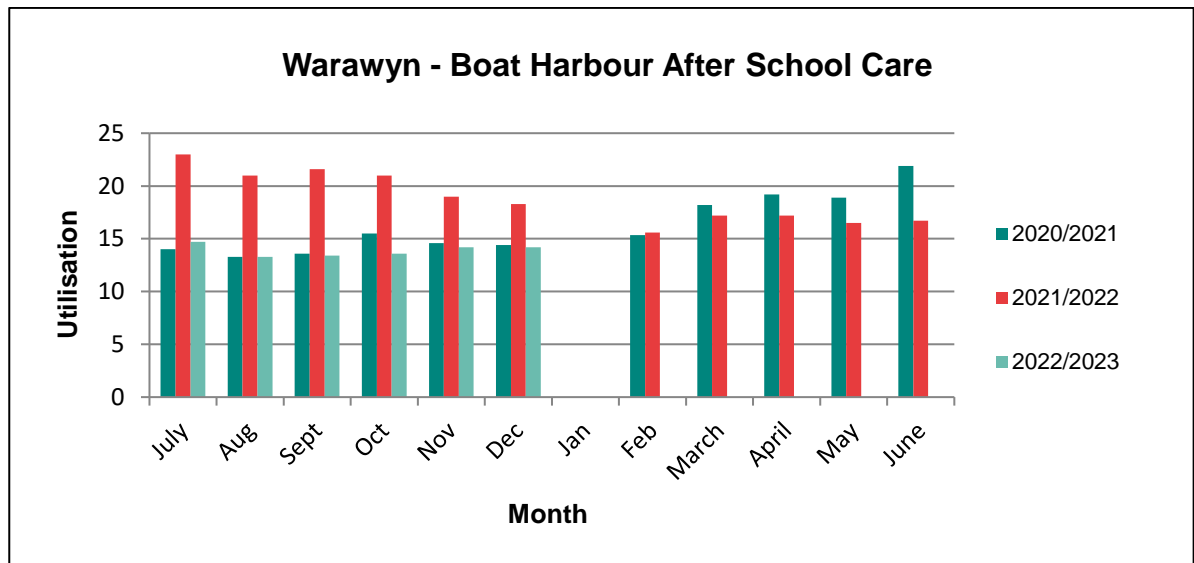
Following a review of organisational reporting with the aim of ensuring consistent and improved information sharing to Council a quarterly Information Report is provided each quarter for each Directorate with a snapshot of activities undertaken.

DETAILS

This report contains statistical and anecdotal information on the activities, projects and programs being delivered. The strategic context for these actions comes from a range of strategy documents including Health and Wellbeing, Age Friendly Communities and Youth Plans. The Open Space Sport and Recreation Plan, Communications and Tourism Plan.

Information provided will be refined over each reporting period as measurable outcomes and feedback is captured.

CHILDREN'S SERVICES



Christmas Party

Planning festive celebrations this year has come with a few added measures due to the changing nature of COVID-related social restrictions. Christmas celebration more important than ever this year — for children, families, and educators.

Celebrations are more than fun events — they teach children to recognise efforts, bond with friends, and dream about the future. Celebrations are connected to the Early Years Learning Framework in the following ways:

- When children congratulate each other and exchange gifts, they learn to interact in relation to others with care, empathy, and respect.
- Celebrations help children develop a sense of belonging to groups and communities.
- Enjoyable events help children become strong in their social and emotional wellbeing.

With a strong inclusion philosophy, our end-of-year celebration aim was to embrace all families and provide an opportunity to attend the Christmas celebration in person at the childcare centre. Each child was gifted with a book and activities added much needed Christmas cheer. A light morning tea was also provided for families.

Having the opportunity to celebrate with our families, COVID safely, was welcomed, and educators used the opportunity to share their program successes with parents whilst families used the opportunity to meet others and build connections.



Trainees building the future

As Australia's early learning sector continues to grow, its benefit to young children as well as to future prospects of the Australian economy are increasingly being recognised, both by the government and the general community.

Despite this political and cultural shift, the early learning sector is facing a recruitment challenge—there is a serious shortage of qualified, competent candidates, with early learning service providers struggling to fill the important roles of early childhood educators.

The agency responsible for early childhood education and care, the Australian Children's Education and Care Quality Authority (ACECQA), released its National Workforce Strategy in 2021. It revealed 25% of educators have been at their service for less than a year. This high turnover harms relationships with children who need continuity.

It is not yet known how many early learning educators have left the sector over the past two years but, according to lobby group Thrive by Five, employers were looking for more than 14,000 early learning staff in December 2021.

With limited success in recruiting qualified, experienced educators a decision to look at training our own was investigated.

Warawyn Early Learning welcomed Amy Bissett in 2020, Melissa Jamieson and Brooke McNear in 2021 to commence a Traineeship studying Certificate III in Children's Service.

This has been a great opportunity for Amy, Melissa, and Brooke to apply the theory they are learning in the workplace environment while undertaking qualifications that enable a pathway to apply the theory to the real-world experiences of working in an early childhood education setting

Amy, Melissa, and Brooke have also had consistent support through their trainer, co-workers, and employer. It has been highly beneficial for extending their knowledge in the sector through identifying mentors within the workplace who can support and guide their career journey. Providing mentoring and support has identified our leaders at the service.

The decision to train our own has been a rewarding and a valuable experience for the service, staff, and children and families.

Amy, Melissa, and Brooke have all successfully completed their qualifications which puts us in a good position for future staffing needs.



Parent Handbook

Warawyn services want every family attending one of our services to have the most current information they need when starting care. The service handbook was dated and needed a fresh approach.

Consultation with management, educators, families, and the broader community were held to ensure the parent handbook information supported families to confidently understand the process for attending care.

The parent handbook includes our core beliefs and values which shape everything we do and guides families from initial enrolment to developing meaningful family relationships with our services.

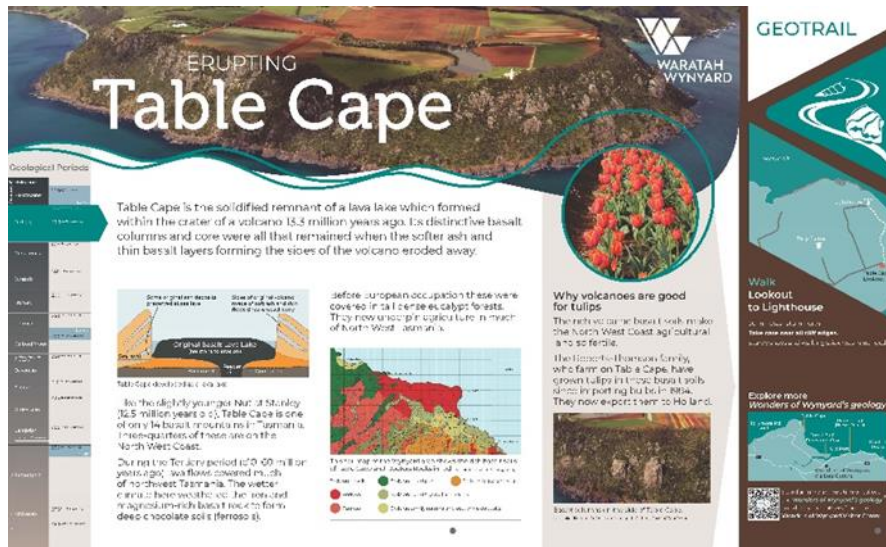
The handbook's visuals and images represent the services delivered by council and the learning happening within.

TOURISM

Projects

- Whyte Hills Lookout interpretive signage complete and installed – still waiting on State Growth to notify installation dates for the directional signage on the road.
- Table Cape Amenities –Architect EOI and design briefs reviewed, and preferred submission selected. Funding grant applied for under the Tourism Innovation Grants was not successful. Need to consider other funding options moving forward.
- Wynyard Geotrail – complete. Signage installed at Doctors rocks, Pines Point, Old Port, Fossil Bluff, Table Cape, Tollymore Rd lookout. Accompanying brochure for visitors available at WOW. QR code on signs and brochure linked to WOW webpage. Further information will be added to this site as part of the 2023/24 annual plan.





Promotion/advertising

New campaign – Colour OUTSIDE the lines. The idea plays on the concept of being a little outside the box and different – but also hints at the wonderful colour and vibrancy available in our scenery and our communities all year round (not just when the tulips are blooming). This will be rolled out as opportunities arise throughout the next 12 months. Example of first ads below:

- *Welcome to Tasmania* advertising for 2022-23 edition



WINNER
 Australian Tourism Awards 2021 Gold
 Visitor Information Services

colour
 OUTSIDE THE LINES

When everything seems to be going against you, remember that airplanes take off against the wind, not with it.
 Henry Ford (a real social influencer)

Have you ever thought about what life would be like without the innovation of Henry Ford and other leaders in the world's automobile industry? Visit our world-class collection of veteran cars (which includes the equal oldest Ford in the world), and wonder at the beauty of the design, technology and innovation that helped shape society as we know it.

Wonders of Wynyard
 8 Exhibition Link, Wynyard TAS 7320
 ph: 6443 8330 | www.waratah.wynyard.gov.au
 www.wondersofwynyard.com

- VETERAN CAR MUSEUM
- ART GALLERY
- LOCAL HISTORY
- BIKE HIRE
- TASMANIAN PRODUCE
- VISITOR INFORMATION

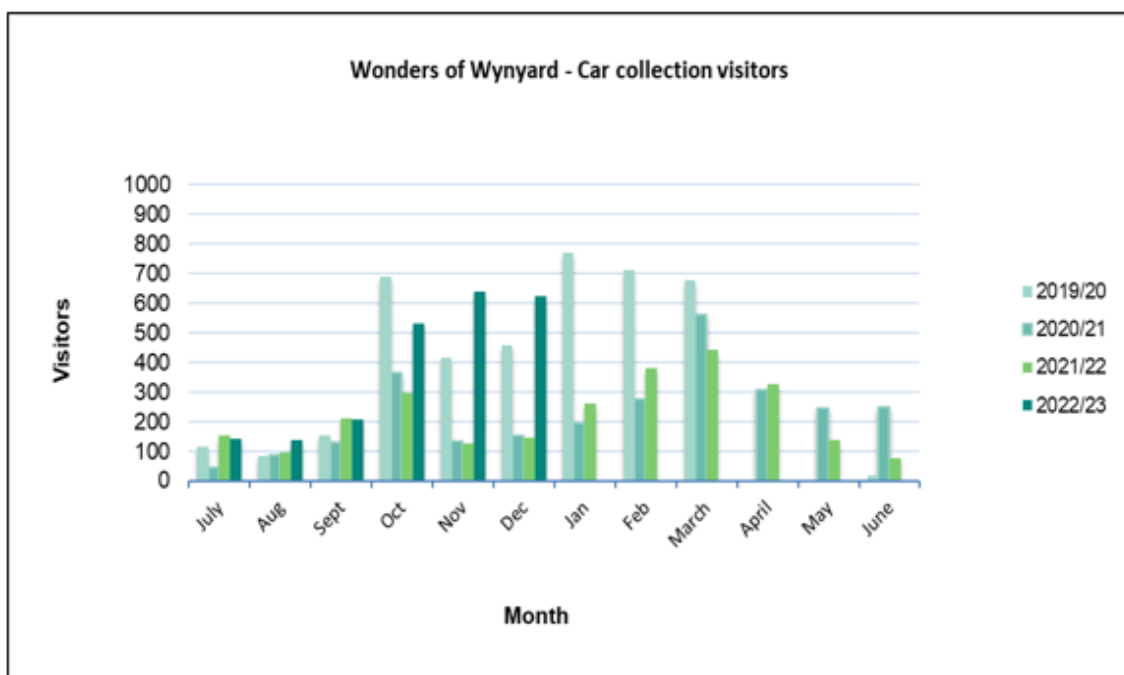
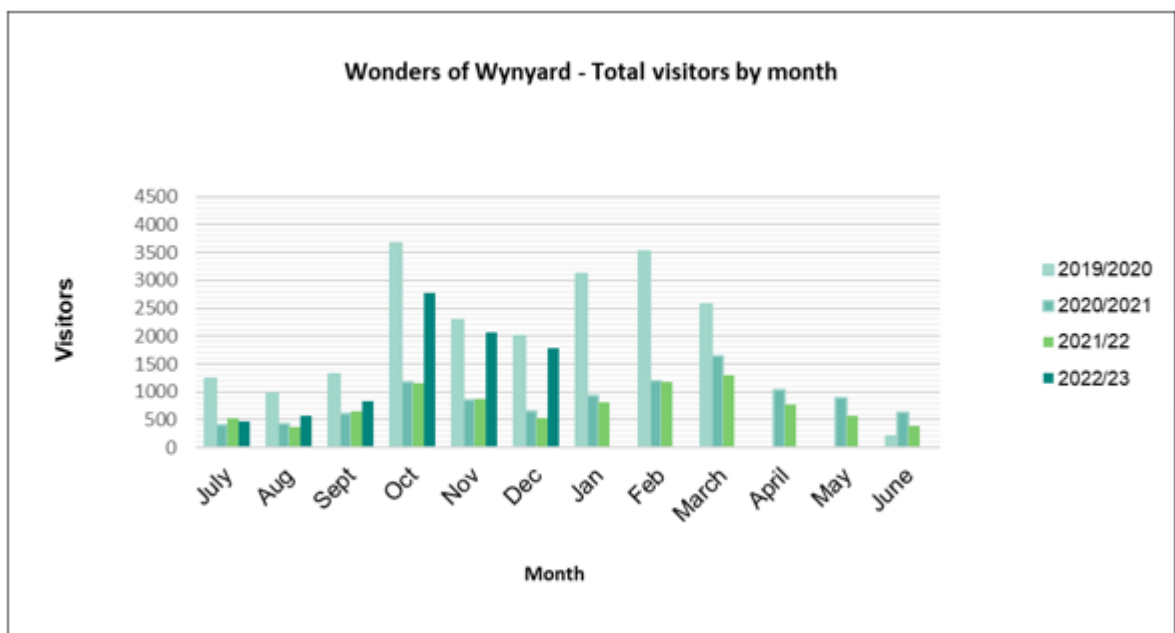
WOW general interest

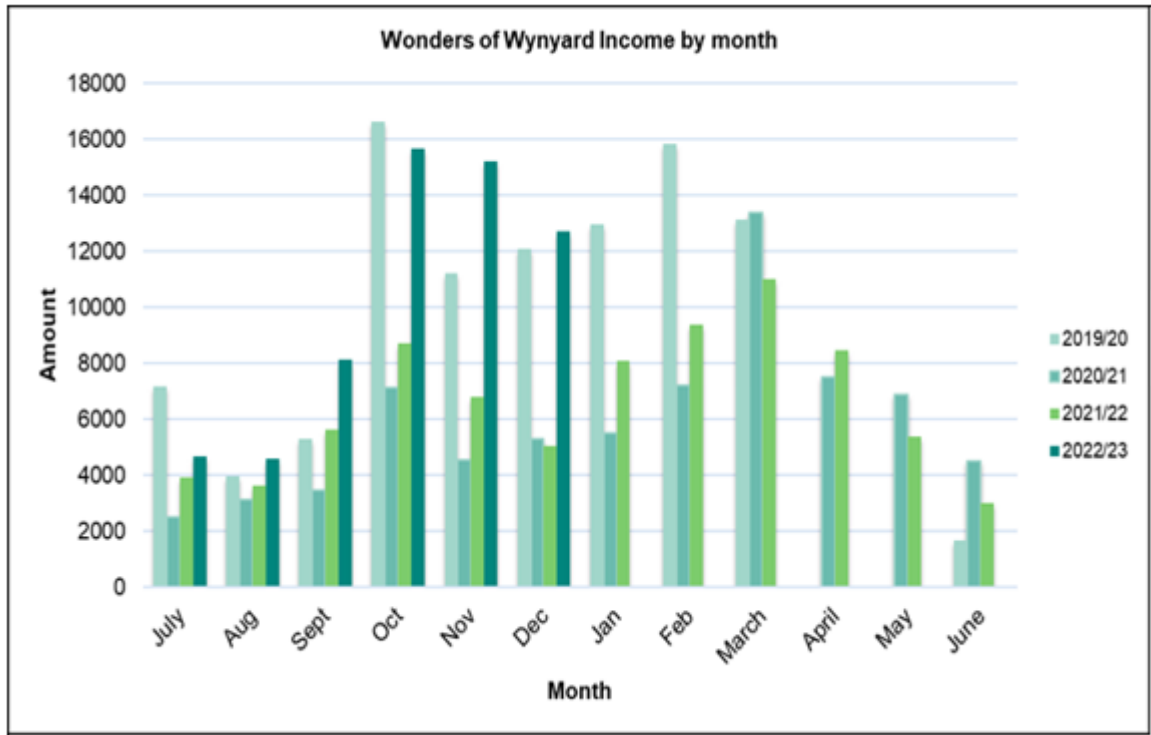
- The Volunteer’s Christmas Party was held at the Wynyard Bowls Club in early December. Thirty-four people attended and celebrated another successful year.
- Four cruise ships visited, totalling 357 passengers. Ten cruise ships are scheduled to visit between January and April 2023.

TOURISM STATISTICS OCTOBER-DECEMBER 2022

Wonders of Wynyard

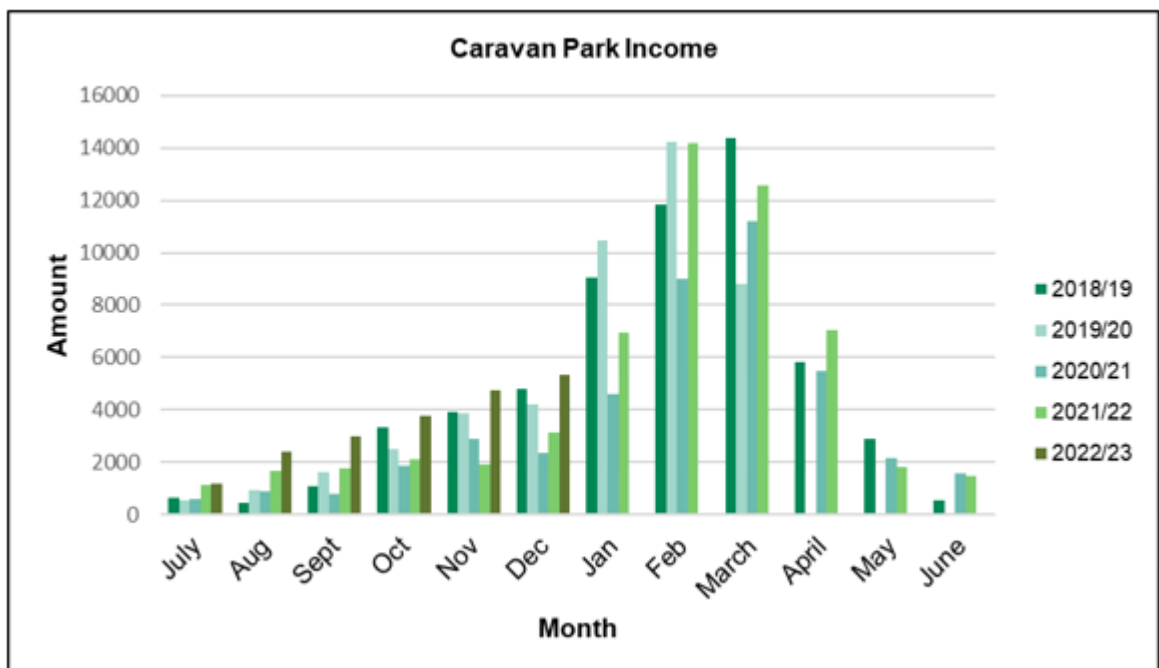
- Visitors have steadily increased, with December’s visitor rates growing by 235% on same quarter last year, with numbers almost having returned to pre-Covid levels.
- December’s income is also up 152% on the same quarter last year, with the November and December revenue exceeding pre-covid numbers.





Waratah

- Athenaeum Hall opened Saturday and Sundays 1pm-5pm from the 22 October.
- Staff will be taking after hours bookings/payments for the caravan park at the Hall on weekends, and have a mobile phone for other after hours contact
- Roadhouse have ended their after-hours agreement to take caravan park bookings
- The Waratah Caravan Park income has seen a steady increase in the 2022/23 year, with the October, November and December months exceeding pre-Covid figures.



COMMUNICATIONS AND ENGAGEMENT

Communications and Marketing summary (Oct-Dec 2022)

- **Marketing**

Throughout December, Council staff organised the 'Santa Claus is Coming to Council' special project, which encouraged the community to participate in local Christmas festivities. These festivities included photos with Santa Claus at Council Chambers, as well as writing Christmas letters to Santa. 239 Christmas letters were received throughout December, all of which received a Santa reply before Christmas. There were also 105 Christmas photoshoots conducted with Santa between 12-16 December 2022. These photos were then edited and emailed to the visitors prior to Christmas.



Communications

- Followers continue to increase on Council's social media platforms, with some notable growths including: Facebook (5.4%), LinkedIn (8.0%) and Youtube (9.1%).
- A corporate values internal communication campaign was launched in the newsletter to keep staff informed about how the organisational values are being implemented in each department. Managers have been sharing how they are incorporating Respect, Learning, Connection, Pride and Sustainability through departmental initiatives.
- Have Your Say campaigns have also been a focus of the last quarter, with topics such as the Inglis River, Yolla amenities, Oldina Forest Reserve and Wynyard Foreshore being open for public consultation.
- The Communication and Engagement Officer completed a Google Certification in Fundamentals of Digital Marketing to keep up to date with new communication technologies.

COMMUNITY ACTIVATION

Customer Service

The data for the period covering 1 October 2022 through to 9 January 2023 indicates that Council is responding to approximately 7-8 requests for service per day, which is double the general number of requests for service received in the previous two quarterly reporting periods.

Quick Statistics

1 October 2022 to 9 January 2023

- 551 requests for service registered in Conquest (Customer Request System).
- 512 have been actioned and completed.
- 2 closed and then reopened.
- 41 requests are currently open in Conquest and being progressed.
- 35 requests are “Closed but not Complete” (Require further resource allocation).
- 37 requests were from Waratah.

Weather Event – October 13 storm and wild weather saw an increase in calls and requests for service to Council. This event included trees over roads and triggered the inspection of infrastructure, such as bridges and retaining walls, due to flood and water damage. This weather event proceeded the closure of one lane on the Cam River Bridge.

Waste and Recycling – Continued to monitor the use of Waste and Recycling Hub that has been set up in the Council foyer. Recycling options for mobile phones, ink cartridges and batteries are the most popular items dropped off by the community for recycling over this period, but all of the recycling options are still being utilised.

Local Government Elections – For the first time, it was compulsory to vote in Local Government Elections. Ballot papers were delivered to all registered voters in the municipality in early October. Community members were encouraged to place postal votes but were also able to attend Council Chambers to cast their vote up until October 25. This created a significant and unanticipated increase in foot traffic at Customer Service.

Photographs with Santa Claus, Letters to Santa –This community activity created additional patronage in the reception area, with this increase being well handled by the Customer Service staff and wider Council team.

Recreation

Try Skills – Over one hundred students from grades 5-7 in the Waratah-Wynyard municipality attended Try Skills activities in October. Try Skills was well supported by local groups and organisations who volunteer to teach the children, and the schools who liaise with Council and the families regarding participation.

2022 Yamaha Australia Off-Road Championship – hosted in Wynyard October 8-9. This event drew more than 400 people to the community to experience the thrill of watching sprints, cross country and enduro races.

Opening of the Heathland Reserve – With the help of a Community Activation Grant, and assistance from Council, the Friends of Remnant Heathlands of Wynyard and their volunteers translocated over 60 species of plants to The Heathland Reserve, several of which are rare, and some the only example in the area. They also constructed an all-weather boardwalk for the public to appreciate these native plants while protecting the delicate heathland plant community.



Public Art

Sisters Creek Estuary Seat Canopy – This detailed metalwork has now been installed at the Sisters Creek estuary. It features spectacular birds, nests, leaves and feathers enveloping a comfy bench. This eye-catching artwork is a testament to the collaboration between the artists (Ad's Fabs), the Public Art Advisory Group, Wildcare and Waratah-Wynyard Council.



Waratah Tassie Tigers – As part of the Waratah Community Plan process, feedback was received from Waratah community members that they would like to see public art featuring Tassie Tigers in their community. The community members proudly told stories about Waratah’s unique links to the now extinct animals. A number of Tassie Tigers have now been fabricated and are the Public Art Advisory Group are awaiting input from the Waratah Community Board regarding sites for installation.

Artscape Undercurrent Art Exhibition – Council continued its support for this local annual exhibition that showcases the talents of artists in our community. This year over 50 works were submitted, and the opening night attracted 55 attendees.

Events

Spring Loaded 2022 – The 2022 Spring Loaded program of events was launched in early August, with events held across the month of October. 5000 hard copies of the program were printed and distributed across Tasmania. The online link to the program was downloaded 4712 times. The program featured over 70 different activities and events.

2022 Tulip Festival – 111 stalls, 26 volunteers for Tulip Festival business, with countless more engaged with community stalls.

Crowd estimation of 20,000 based on stall holder estimates and sales figures, Tulip Festival Coordinator estimates, drone footage, traffic data and aerial surveillance from helicopter flyovers.

Traffic Data – 19123 vehicles movements (including buses) were captured via traffic count units.



Sunday Wynyard Foreshore Market – Assisted with booking, use of facility and event support. Expressions of Interest were opened for the role of Waratah-Wynyard Council Foreshore Market Coordinator. Jess Bowers was the successful applicant.

Spring Loaded: After Dark – Approx. 300 community members attended this Council ran free event to celebrate the successful Spring Loaded program. Issues with light rain, high wind and access due to the closure of the Cam River Bridge may have impacted numbers, but all of the food vans reported selling out, or coming close to selling out, with good takings.

Entertainment by the Wynyard Municipal Band, Taiko Drummers, Slipstream Circus and Blake Blacklow.



Australia Day Awards – Nominations for Australia Day Awards are open to people who live in the Waratah-Wynyard Municipality. Council Officers are working alongside service clubs to host an award presentation and Aussie breakfast at Gutteridge Gardens



Recognition

Local Government Association of Tasmania's Award for Excellence - Waratah-Wynyard Council received this award for their submission *"Tulip Festival to Spring Loaded: Community Collaboration during a World-Wide Pandemic"*.



Keep Australia Beautiful Awards – In December, the town of Somerset won the Keep Australia Beautiful Tidy Town Award (Population category 1000 - 5000). Somerset also was awarded several certificates for local initiatives, such as the Vinnie's Van, Community Shed, Farm It Forward, Vinnies Community & Wellbeing Hub, Outstanding individual, Landcare and Anzac Park.



Health and Wellbeing

Frenchs Road Nature Reserve Open Day – Wynyard Landcare hosted an open day at the Council site. Participants were able to learn about native plants, birds and animal species that are sighted at the reserve, while discovering ways to enhance biodiversity and reduce climate change.

Breathe, Eat, Move, Relax Project – This two-year project concluded in December. The Project Officer is finalising work at community gardens, directories and Qigong sessions, to be sustainable beyond the conclusion of the funding

Waratah Museum – The Waratah Museum received a fresh coat of paint to the interior to help smarten it up ready for the tourism season.

Waratah Woodchopping – Waratah Woodchopping President, Chris Hawkins, has been meeting with Council staff in preparation for the 2023 Waratah Woodchopping Event.

Community Christmas Collection –\$865 in cash donation were converted into Woolworths essential vouchers, on top of a “ute load of gifts”. Team members from St Vincent’s de Paul sorted donations into children’s age groups, ready for the St Brigid’s conference to distribute to families in the lead up to Christmas 2022. The Christmas hampers, with back-to-school supplies, food and gifts were presented to families in the Waratah-Wynyard Council municipality by Vinnies.



Youth

Movers N Shakers Music - Council engaged Kristy Russell to hold fun, free children’s musical activities and entertainment in October. Over 35 children and 20 adults participated in the sessions, aimed at children from birth to 8 years.

Lil’ Fe Talent Show - Council engaged Lil Fi to host a kids talent show and chill out space at the Tulip Festival. The talent show was aimed at children 0-13. The area was also set up to offer a safe chill out zone for anyone to relax away from the stimulation of the festival.

Loop Jam – Council engaged Benjamin Hayward Segal of Recycle Create Play to host a digital music making experience at the Wynyard skate park in October. This free event, aimed at tweens and teens, attracted a large, intergenerational audience with over 60 participants including members from the Adult Day Centre, Vacation Care and local youths.

Waratah Wynyard Youth Leaders- met regularly throughout the quarter. The Youth leaders engaged in a number of projects, including helping to host the Spring Loaded After Dark event and working as “Enviro-Champs” at the Tulip Festival to help sort waste.

Waratah-Wynyard Council School Awards – In December Council provided monetary prizes to municipal schools to award to students for outstanding achievements.



Age Friendly Communities

Gopher Gold – held in conjunction with Dixon’s pharmacy the 2022 Gopher Gold gopher parade was a success with community members decorating their gophers and parading around Civic Park.





Christmas in Waratah- A new Christmas tree was installed outside the Waratah Council building to spread good cheer to the locals and visitors of the town.



Community Christmas Contributions – On behalf of Waratah-Wynyard Council the Community Activation Team distributed bags of lollies to Yolla Pharmacy, Waratah Museum Society, Boat Harbour Beach Surf Life Saving Club, Sisters Beach Neighbourhood Group and Somerset Fire Brigade to distribute to the young, and young at heart, to enjoy Christmas cheer. The deluxe Santa Suit was also made available for public use by municipal groups.

Community Assistance

- Wynyard Baptist Church Christmas Eve Carols – printing booklet
Value \$5500
- Lions Club Wynyard Christmas Parade – road closure, advertising, mail out, rubbish collection, bin empty
Value \$1190
- Department of Natural Resources and Environment – meeting space, PA system
Value \$250
- Wynyard High School– equipment (bean bags, gloves, garbage bags)
Value \$225
- Waratah Community Group –marquees
Value \$300
- Rotary Club Wynyard Walk for Hope – equipment/signs

Value \$60

- Wynyard Community Garden – marquees
Value \$100
- Wynyard Fitness – equipment/signs/flags/pigtails
Value \$680

Community Activation Grants

Community Activation Grants, Round 2, were opened. Council received 11 Community Activation Grant applications. All applications are now being assessed, ready to be awarded in February.

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
Our Priorities
3.5.1 Build community capacity through services and programs that strengthen, support and care for our community.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Business & Industry	Specialised diversity of the economy – Value adding, diversification, innovation and employment. A resilient economy with global brand recognition and growing exports.
Tourism	Memorable visitor experiences all year round – The must see destination, quality product, easy access, popular events and festivals with coordinated marketing. A longer season with increasing yields.
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.

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

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

Community and Engagement delivers a wide range of activities which directly impact on the health and wellbeing of the community. This report provides an overview of a selection of those activities. It is recommended that the report be noted.

MOVED BY	CR COURTNEY
SECONDED BY	CR HYLAND


That Council note the Quarterly Information Report for the Community and Engagement Department as at 31 December 2022

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

9.9 ANNUAL PLAN UPDATE REPORT 1 JULY 2022 TO 31 DECEMBER 2022

To: Council
Reporting Officer: Information Management Officer
Responsible Manager: Director Organisational Performance
Report Date: 9 January 2023
File Reference: Corporate Management - Planning
Enclosures: 1. Departmental Performance Report - December 2022 

PURPOSE

This report is provided as an update on the Annual Plan progress as at 31 December 2022. By providing a regular update, Council can see how the organisation is tracking in the delivery of commitments made to the community through the Annual Plan.

BACKGROUND

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

The Council adopted the 2022/23 Annual Plan and Budget Estimates on 20 June 2022.

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

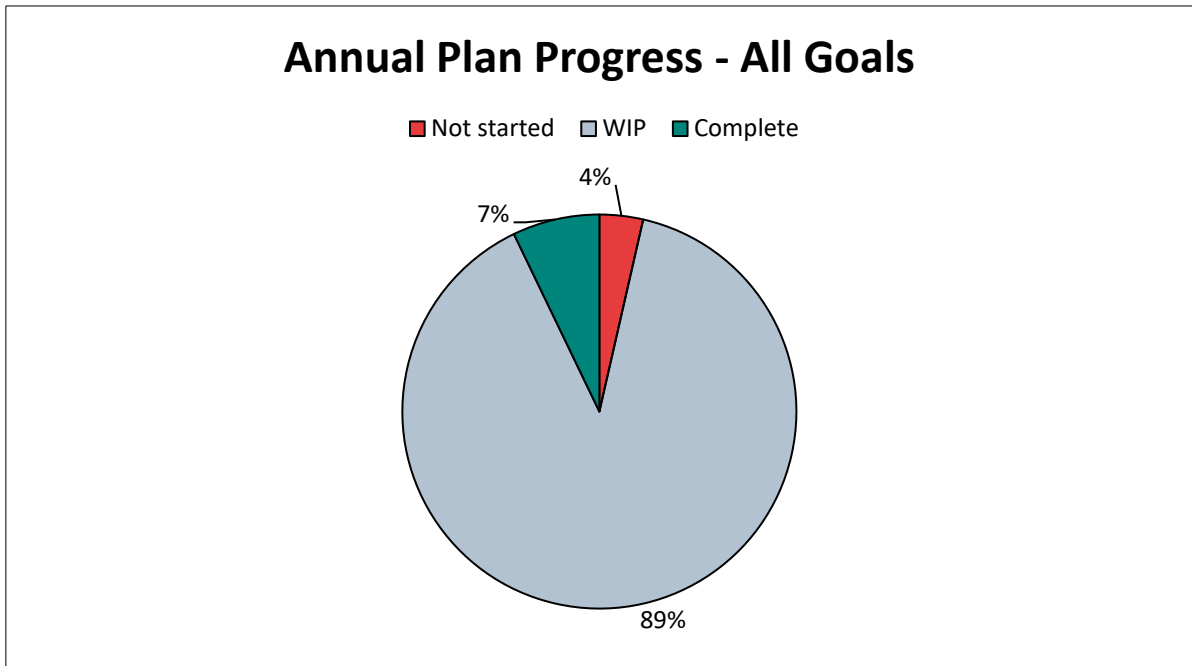
The activities and initiatives included in the Annual Plan and Budget Estimates contribute to achieving the strategic objectives specified in the Strategic Plan.

DETAILS

The **attached** report provides a progress report of actions against the Council's Annual Plan for 2022/23.

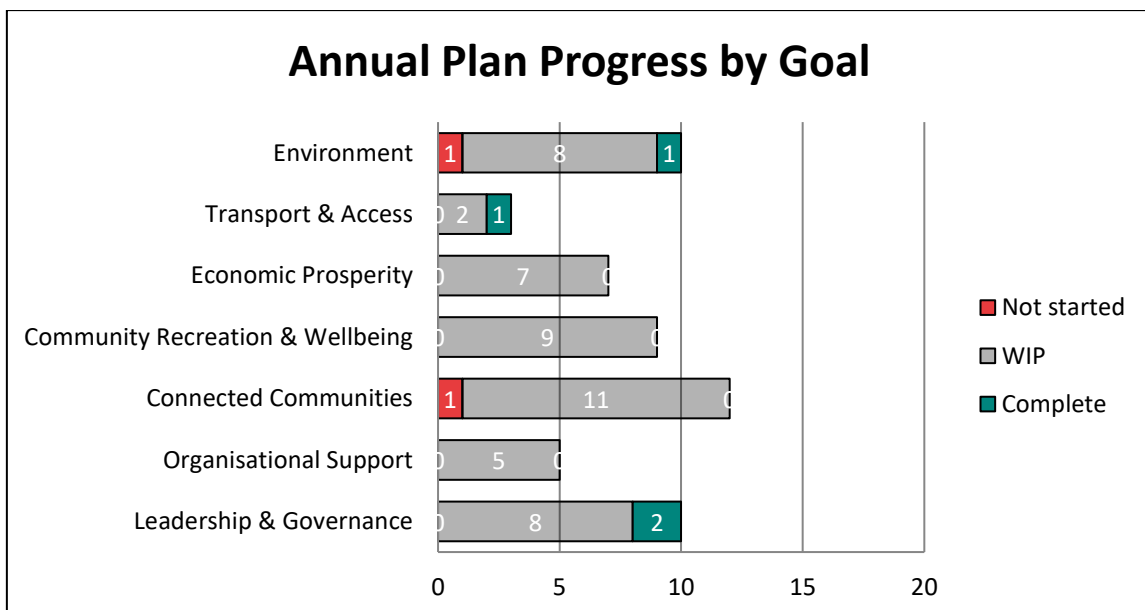
As of 31 December 2022, 50 actions are in progress (89%), 2 have not started (4%), and 4 actions have been fully completed (7%).

There was a total of 56 actions adopted in the Annual Plan and Budget. The below graphs present overall progress of the actions to date.



- 4 actions completed
- 28 actions at least 90% of monthly target
- 9 actions between 70% – 90% complete
- 7 actions at less than 70% complete
- 1 listed as ongoing
- 7 actions not started

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



STATUTORY IMPLICATIONS

Statutory Requirements

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

71. Annual plan
- (1) A council is to prepare an annual plan for the municipal area for each financial year.
 - (2) An annual plan is to –
 - (a) be consistent with the strategic plan; and
 - (b) include a statement of the manner in which the council is to meet the goals and objectives of the strategic plan; and
 - (c) include a summary of the estimates adopted under section 82; and
 - (d) include a summary of the major strategies to be used in relation to the council's public health goals and objectives. The Annual Plan is part of a larger strategic planning framework.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

Council Strategy or Plan	Date Adopted:
Annual Plan and Budget Estimates 2022/23	20 June 2022

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

Community and Engagement delivers a wide range of activities which directly impact on the health and wellbeing of the community. This report provides an overview of a selection of those activities. It is recommended that the report be noted.

MOVED BY	CR COURTNEY
SECONDED BY	CR HYLAND


That Council note the Annual Plan Update Report for the period 1 July 2022 to 31 December 2022.

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

9.10 CRADLE COAST AUTHORITY - ANNUAL REPORT 2021/22

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	16 December 2022
File Reference:	00301
Enclosures:	1. Cradle Coast Authority Annual Report 2021/22 

PURPOSE

The purpose of this report is to provide Council with an overview of the activities undertaken by the Cradle Coast Authority (CCA) for the 2021/22 financial year.

BACKGROUND

The CCA is the regional voice of North West Tasmania, established by nine Local Government Councils to represent and advocate the needs of the region. Membership now consists of eight Councils.

The CCA collaborates and facilitates a diverse range of projects and initiatives involving all tiers of government, industry and the community largely focused on Economic Development and Natural Resource Management.

The activities and strategic direction of the Authority are managed by a Board. Council's General Manager is a current member of this Board. The Mayor and Deputy Mayor are Council's current representatives on the Representatives Group, with the Mayor currently Deputy Chief Representative.

The three key functions of the CCA are Regional Economic Development, Natural Resource Management and Strategic Services; focusing on long-term sustainability and future prosperity.

DETAILS

The Annual Report provides a snapshot of the activities undertaken by CCA throughout the year.

Highlights and outcomes:

Economic Development

Regional Investment Framework (RIF)

- The framework provides a way for people to seek CCA's help advocating for regionally important projects and allows our region to speak with one voice when it comes to telling governments what is important to us.
- The RIF informed CCA's 2022 Federal Election Regional Advocacy Strategy.

Cradle Coast Future Energy Hub

- Development of a short series of videos of the career stories of people in the Tasmanian renewable energy sector.
- Development of two online modules supporting general awareness about the sector within the community

Constructing the Coastal Pathways

- Commenced construction of the Penguin to Sulphur Creek section.
- Construction of a pathway bridge across the Don River was completed in December 2021.
- Coastal Pathway West Ulverstone section tenders are being finalised.

Farm Vehicle Washdown and Effluent Dumping Facilities

- Smithton site business case approved by TasWater and additional funding sought by NRE and CCA.
- Preparation began for a Development Application (DA) for submission to the Burnie City Council.

Food Producers Network

- 45 women and 6 men from the Cradle Coast region have participated in the seven workshops conducted in the region. 19 participants joined two or more workshops. Nine participants completed Bootcamp 1. Two more Bootcamps will run in September 2022

Natural Resource Management

Regional NRM Strategy

- 2021-22 saw the completion of the three Tasmanian regions' 2030 NRM Strategies. The Cradle Coast Strategy contains 31 priorities for action, spanning the full range of NRM work on natural and agricultural assets across the three strategic themes of Land, Water and Biodiversity.

Some of the many programs include:

- Creating a Hooded Plover Stronghold on Three Hummock Island
- Protecting Our Productive Soils
- Regional Agriculture Landcare Facilitator (RALF)
- Giant Freshwater Crayfish Recovery – priority stream habitat protection and improvement
- The Tasmanian Weeds Action Fund (WAF)
- Community NRM Engagement Program
- Implementation of the Tasmanian Cat Management Plan (TCMP)
- NRM Aboriginal Traineeship Program

Strategic Services

Local Government Australian School-Based Apprenticeship (Asba) Program

- promotional material for Schools.
- Presented an overview of the program and local government careers to a range of Schools.
- Delivered 'A day in the life of West Coast Council' - a work experience program to engage students on the West Coast with Council.

- 15 EOIs were received from students. Following interviews, 11 positions were offered, and contracts signed.
- CCA employed two apprentices to complete their Cert III in Business.

Council Shared Services

- Provided internal audit services to West Coast Council.
- Provided joint Telstra arrangements on behalf of Member Council

Regional Planning Project

- Surveys undertaken to understand the social, economic and ecological context within which the planning system operates in the region which will help define an appropriate planning response.
- Submission to the State Planning Office (SPO) review of the State Planning provisions. The SPP defines (amongst other things) what can happen within any zone or land covered by a code. The submission made recommendations about how the SPP could be improved to provide better protection for NRM issues, better liveability in our towns, more appropriate housing for our community, and greater consideration of the impact of non-resident workers' accommodation (work camps) on a community, amongst other things.
- Identification of urgent changes to the CCRLUS that will enable it to function until the SPO finalise the structure for regional planning which will allow us to undertake a more thorough revision of the CCRLUS to ensure it is relevant to emerging challenges.

The full list of regionally important projects is available on the CCA website:

www.cradlecoast.com/regional-investment-framework/regionally-important-projects/

Further details are contained within the attached document.

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
Our community uses the renewable and natural environment to meet its energy needs and assist in reducing the effects of global warming.
Tourists and residents visit and appreciate our natural environmental attractions and unique surroundings.
Our Priorities
7.1 Provide education to facilitate awareness and appreciation of built and natural assets.
7.5 Facilitate monitoring of pollution trends and events by the relevant authorities in our community environment.

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 environmental implications resulting from this report. The 2030 CCNRM Regional Strategy is a significant guiding document intended to lay a blueprint for action based on good science and communication.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report. Council is a financial member of the CCA.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

CONCLUSION

It is recommended that Council note the Cradle Coast Authority Annual Report.

MOVED BY	CR EDWARDS
SECONDED BY	CR ROBERTS

That Council note the Cradle Coast Authority Annual Report 2021/22.

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

9.11 CRADLE COAST WASTE MANAGEMENT GROUP - ANNUAL REPORT 2021/22

To: Council
Reporting Officer: Manager Recreational Planning and Environment
Responsible Manager: Director Infrastructure and Development Services
Report Date: 19 December 2022
File Reference:
Enclosures: 1. Cradle Coast Waste Management Group Annual Report 2021/22 

PURPOSE

The purpose of this report is to advise Council of the activities undertaken by the Cradle Coast Waste Management Group (CCWMG) for the 2021/22 financial year.

BACKGROUND

The CCWMG is responsible for implementing the Cradle Coast Regional Waste Management Strategy 2017-2022.

The CCWMG was formed in 2007 and represents seven northwest Tasmanian municipal councils. The Councils are represented by each General Manager and management of programs and projects are implemented by staff of Dulverton Waste Management under the trading name Cradle Coast Waste Services (CCWS).

CCWMG's vision is to deliver a sustainable community in the Cradle Coast region of Tasmania. This is achieved through:

- the provision of regional waste diversion contracts which enable reduced costs to Councils and improve circular economy outcomes
- supporting Councils in delivering best practice waste management sites and services
- researching waste trends, community habits and industry infrastructure needs
- supporting these efforts through regional and Statewide communications campaigns.

Each year the CCWMG set an annual plan and budget for the upcoming twelve months aimed at achieving the outcomes of the regional strategy. The annual plan and budget is funded from a voluntary levy of \$5.50 per tonne of waste delivered to landfill.

This report tables the CCWMG's Annual Report for 2021/22 which outlines the progress during the year against the Annual Plan and Budget.

DETAILS

The CCWMG Annual Report 2021/22 provides a snapshot of the activities undertaken against the four Key Performance Indicators:

KEY PERFORMANCE INDICATOR	ACHIEVEMENTS
Achieve 50% diversion of municipal solid waste by 2022	Waste diversion across the region has been recorded as 39%; with an increase of approximately 4% against the 2020/21 financial year. The increased diversion has largely been the product of implementation of FOGO collection services in the Central Coast local government area.

KEY PERFORMANCE INDICATOR	ACHIEVEMENTS
Achieve 90% pass results for residential recycling bin assessments by 2022	A total of 30 suburbs/areas were included within the assessment schedule. Recycling bin pass rates are consistently at 85%, however no significant improvements towards the 90% can be seen over the five-year period. Further consideration will be given by the region to consider targeted education programs to improve this rate.
Reduce 25% of illegal dumping instances in hot spots by 2022	Unfortunately, a clear definition of a 'Hot Spot' was not detailed in the 2017-2022 Strategic Plan and a confirmation of how many existed in each municipality was not documented to create a base for data collection. It was anticipated that these would become evident in the data collection over time. Although lacking in definition and measurement capability, the five Actions identified in the 2017-22 Strategic Plan have been effective in maintaining the regional focus on reduction of illegal dumping and assisted in working towards the overall goal of reducing illegal dumping in the region. Requests for CCWMG assistance through the illegal dumping grants project have reduced over time and strategies implemented have had a direct result on the areas affected.
Collect and report on a standardised set of waste and resource recovery data	CCWMG developed a waste data collection portal to capture information for different waste streams collected at Council WTS and through CCWMG projects. Data captured in this portal has improved over the past few years with the 2021/22 data clearly indicating consistency of input from reporting entities. The improvement in data capture has indicated an increase in diversion activity.

The CCWMG 2021/22 Annual Report summarises progress against planned projects contained within the 5-year strategy, with 47 of an identified 52 being completed or ongoing as of 30 June 2022. A detailed list of each project and an update on its status is contained within the attached report.

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 environmental implications as a result of noting this report. The actions undertaken by the CCWMG are intended to directly improve the impacts on the environment.

FINANCIAL IMPLICATIONS

Total income generated from the waste levy and other sundry income equalled \$610,519 for the 12-month period. Expenditure for the year totalled \$573,965.

As at 30 June 2022, the CCWMG ended the year with a \$36,554 profit and a closing account balance of \$320,992. These funds will be directed into the future years of implementing the regional strategy.

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

This Annual report marks the completion of the five year Cradle Coast Waste Management Group Strategy 2017-2022 with the new 5 year strategy now in place.

MOVED BY	CR ROBERTS
SECONDED BY	CR JOHNSTONE

That Council note the Cradle Coast Waste Management Group – Annual Report 2021/22.

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

9.12 PUBLIC LAND DISPOSAL CONSULTATION OUTCOME - 4 GEORGE STREET, SOMERSET

To: Council
Reporting Officer: Director Organisational Performance
Responsible Manager: General Manager
Report Date: 6 January 2023
File Reference: 70433960
Enclosures: Nil

PURPOSE

This report has been prepared to assist Council in considering the sale of land at 4 George Street, Somerset.

BACKGROUND

Council is required to make decisions in the best interests of the community regarding the appropriate allocation of resources. As community needs change over time, it makes sense for Council to consider those changing needs and ensure that its investment in assets is provided in an economical way and results in value for money for the community. Holding assets that are surplus to Council's needs incur costs in terms of lost opportunity.

At its meeting on 12 December 2022, Council resolved to commence the public land disposal process by advertising its intention to sell 4 George Street, Somerset and inviting submissions from the public for consideration in its decision.

This report has been prepared to advise the outcome of that process and for Council to make a formal decision relating to the proposed sale of the property.

DETAILS



4 George Street Somerset

Council owns 4 George Street, Somerset. The property zoned General Residential has historically been utilised as a play centre for children. The land size is 827m².

The property has minimal utilisation with the Centre only having been accessed in recent years sporadically by a handful of families.

The property is dated and requires significant investment to bring to modern day standards. The land can provide benefit to the community through private ownership with the potential for rates and charges income from any development and the reduction on ongoing holding costs of approximately \$16k per annum.

The future potential for the property includes residential development with space for construction of residential units or redevelopment of the structure for a single home dwelling. The building is not currently suitable for residential occupation and would require some work including the installation of an adult sized bathroom.

Council's Central Area Development Plan adopted by Council in January 2019 does identify this property as potentially being suitable for commercial expansion of the CBD area. An application for rezoning would need to be made for this to occur.

Public Land Disposal Process

4 George Street, Somerset is subject to a 21-day public consultation process under the *Local Government Act 1993*. The 21-day public submission period has occurred in accordance with Section 178.

The Sale of Public Land Notice was advertised in The Advocate newspaper on 17 December and 31 December 2022. Council also placed a media release on its website on 19 December 2022. The notice was also physically placed on the property.

Council must consider any objections/submissions lodged as a part of its decision-making process.

The submission period concluded Tuesday 10 January 2023 with no submissions received.

Disposal Method

If Council proceed with the disposal, it is recommended that the disposal occur by way of online public auction. This method is consistent with the principles of Council's procurement policy and will provide for an open and transparent process, a competitive price, ethical and fair opportunity for all potential buyers.

STATUTORY IMPLICATIONS

Statutory Requirements

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

178. Sale, exchange and disposal of public land

- (1) A council may sell, lease, donate, exchange or otherwise dispose of public land owned by it in accordance with this section.
- (2) Public land that is leased for any period by a council remains public land during that period.
- (3) A resolution of the council to sell, lease, donate, exchange or otherwise dispose of public land is to be passed by an absolute majority.
- (4) If a council intends to sell, lease, donate, exchange or otherwise dispose of public land, the general manager is to—
 - (a) publish that intention on at least 2 separate occasions in a daily newspaper circulating in the municipal area; and
 - (ab) display a copy of the notice on any boundary of the public land that abuts a highway; and
 - (b) notify the public that objection to the proposed sale, lease, donation, exchange or disposal may be made to the general manager within 21 days of the date of the first publication.

- (5) If the general manager does not receive any objection under [subsection \(4\)](#) and an appeal is not made under [section 178A](#), the council may sell, lease, donate, exchange or otherwise dispose of public land in accordance with its intention as published under [subsection \(4\)](#).
- (6) The council must –
 - (a) consider any objection lodged; and
 - (b) by notice in writing within 7 days after making a decision to take or not to take any action under this section, advise any person who lodged an objection of –
 - (i) that decision; and
 - (ii) the right to appeal against that decision under [section 178A](#).
- (7) The council must not decide to take any action under this section if –
 - (a) any objection lodged under this section is being considered; or
 - (b) an appeal made under [section 178A](#) has not yet been determined; or
 - (c) the Appeal Tribunal has made a determination under [section 178B\(b\)](#) or [\(c\)](#).
- (8)

178A. Appeal

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

178B. Determination of appeal

- In hearing an appeal against a decision of a council, the Appeal Tribunal may –
- (a) confirm that decision; or
 - (b) set aside that decision; or
 - (c) set aside that decision and –
 - (i) substitute another decision; or
 - (ii) remit the matter to the council for reconsideration.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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
1.2.1 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,

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

POLICY IMPLICATIONS

Asset Management Policy

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

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

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

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

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

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

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Ultimately, the market will determine the disposal value of this property. Based on advice, it is recommended that the property be marketed at offers over \$375,000.

The operational costs of ownership of the property are approximately \$16,379 per annum.

Holding assets that are surplus to Council's needs does incur costs in terms of lost opportunity. The land can provide benefit to the community through private ownership with the potential for rates and charges income.

Cash from the sale could be applied to other new infrastructure spending.

RISK IMPLICATIONS

The following risks have been identified relating to this matter.

Reputational Risk

- Community needs change over time and while the building currently provides little community benefit. It can be assumed that the property would hold some sentimental value for those families that have used the centre in the past and there may be some disappointment expressed.
- Some members of the community may also feel that the property could assist in meeting a current demand for additional childcare places. Council is not the only provider childcare services. Council will not reduce its service offerings as a result of this assets disposal. Whilst the property is not considered suitable for Council's planned expansion of childcare services, other providers may express an interest in the property for this purpose.

Financial Sustainability

- There is a financial risk to ensure that Council services are provided in an economically optimal way. Assets should be utilised in order to provide community benefit.

CONSULTATION PROCESS

Council has this matter at a workshop held on 21 November 2022. A 21-day submission period has concluded following advertisements in line with the Act in the newspaper on 2 separate occasions and a physical notice on the property itself.

CONCLUSION

Community needs change over time, it makes sense for Council to consider those changing needs and ensure that its investment in assets is provided in an economical way and results in value for money for the community.

4 George Street is considered surplus to Council's needs. Advertisement of Council's intent to sell the property, has resulted in no objections to the sale.

It is recommended that Council proceed with the property by way of public auction and authorise the General Manager to enter a contract of sale.

MOVED BY	CR HYLAND
SECONDED BY	CR RAW

That Council:


- 1. Note the outcome of the public land disposal process for 4 George Street following the 21-day submission period;**
- 2. Resolve to proceed with the sale via online public auction; and**
- 3. Authorise the General Manager to enter a contract of sale as appropriate.**

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

9.13 AWARD OF CONTRACT 794 BOAT HARBOUR BEACH WESTERN SEAWALL REPLACEMENT

To: Council
Reporting Officer: Contracts and Administration Officer
Responsible Manager: Director Infrastructure and Development Services
Report Date: 9 January 2023
File Reference: Contract 794
Enclosures: 1. Design Drawings 
2. Tender Evaluation Summary - Confidential

PURPOSE

To seek a decision from Council in relation to the award of Contract 794 Boat Harbour Beach – Western Seawall Replacement.

BACKGROUND

Council has allocated funding for the replacement of a failed seawall located on the foreshore of the western bay of the Boat Harbour Beach foreshore area.

A design for the new seawall was prepared by Alluvium Consulting Engineers (attached).

Consultation on the seawall alignment occurred internally and with the Boat Harbour Beach Master Plan Working Group.

The wall design has been integrated into the design of the broader foreshore precinct.

Approvals processes for the project are in train including Crown Land consent processes and a Development Approval application (lodged).

Council's current crown lease over the foreshore will need to be amended to include the footprint of the new seawall. Discussions with Crown Lands have occurred in that regard and a draft revised lease plan issued for discussion.

Tenders for the project were called via public notice and the Tenderlink portal.

A mandatory tenderer briefing occurred 1 December 2022.

At the close of tender, 3 January 2023 three tender submissions were received.

DETAILS

The tender documents required that a lump sum price be submitted for the proposed scope of works. Provisional rates for the termination of the seawall at each end were sought to allow some flexibility in the extent of this work to respond to site constraints.

In many respects this is a relatively straight forward project from a construction perspective.

Lump sum prices provided, and an estimation of the provisional sum value are noted in the table below:-

Contractor	Lump sum fee (GST ex)	Provisional sum estimation (GST ex)	Potential total cost (GST ex)
Batchelor	\$431,270	\$42,000	\$473,270
Harding's Hotmix	\$354,761.97	\$37,044	\$391,805.97
One Earth	\$460,127	\$56,738	\$516,865

In reviewing the pricing schedule, the major price difference in the Harding's Hotmix price related to site establishment, their price being some \$60,000 less than Batchelor price. Aside from that element, the Batchelor and Harding Hotmix prices are reasonably comparable.

Harding Hotmix are a well-regarded and resourced company, with experience with revetment wall construction as such the lower site establishment price may relate to their confidence in being able to deliver the project in an efficient manner.

One Earth pricing was higher in respect to the supply and placement of the rock (major project element). Their establishment cost was roughly midway between the other two submissions.

To guide the assessment of the tender submissions a set of selection criteria were detailed in the tender document.

The table below identified the outcome from the assessment process.

Contractor	Score	Rank
Batchelor	85	2
Harding's Hotmix	87	1
One Earth	75	3

Based on the outcome from the assessment process, Harding's Hotmix score highest overall.

The quality of the Batchelor submission and addressing the sustainability criteria improved their qualitative score.

The Batchelor submission advised that they estimated that some 350 m³ of insitu rock may be able to be incorporated in the project, reducing the imported rock quality. This option was not priced but was put forward as a cost saving option.

The tender addendum noted that insitu rock, where deemed suitable, could be used in the project. The addendum also noted that this was a lump sum priced project, and the contractor wore risk on the rock quantities (within reason)

Based upon an average rock supply and place cost of \$89.59 per m³, there could be a price reduction on the Bachelor tender sum of \$31,354.75 GST ex.

Applying this saving in the Batchelor lump sum price to the assessment matrix, would result in Batchelor and Harding's Hotmix scoring equally against the tender criteria.

Noting that the Harding's Hotmix lump sum price would still be some \$45,153 less than the potential revised Batchelor price.

It is recommended that Contract 794 be awarded to Harding’s Hotmix for the tendered lump sum price of \$354,761.97, noting the expected additional provisional cost of \$37,044, making for a total expected cost of \$391,805.97.

STATUTORY IMPLICATIONS

Statutory Requirements

The tender process has complied with Council’s procurement policy

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 4: Community Recreation and Wellbeing
Desired Outcomes
4.4 Our community enjoys access to visually appealing safe spaces and facilities for recreation.
Our Priorities
4.4.2 Provide and maintain quality and safe places and spaces for physical, social and cultural activities, including shared and multi-use facilities where possible.

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.
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.
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 because of this report.

ENVIRONMENTAL IMPLICATIONS

The Boat Harbour Beach foreshore has a range of natural values that need to be protected.

A Natural Values assessment of the site of the planned works was prepared and the successful contractor will be required to work within the recommendations made in the report.

Development of the revetment design considered impacts on coastal processes.

Approval from the Crown is required for the project and works will be carried out in compliance with any approval conditions.

FINANCIAL IMPLICATIONS

Council has allocated \$365,816 for the Western Sea Wall project

Expenditure to date is:

Item	Value
Capital works overhead	\$25,607.00
Alluvium consulting	\$11,260
Total	\$36,867.00

Project Manager and direct supervision costs of the project are allowed for in the Capital works Overhead.

Net funding currently available is \$328,949.

The recommended tenders' overall price (including allowance for Provisional items) is \$391,805.97

There is an expected funding shortfall of \$62,856.97 for this project. This deficit will be funded through savings within the broader capital works program.

It is noted that this is a renewal project, as such operational cost implication will be managed within existing budget provisions.

RISK IMPLICATIONS

From a construction perspective this project will be relatively straight forward and normal construction risks can be managed by utilising appropriate systems and processes.

The foreshore area is sensitive environmentally and it will be important to constrain the construction footprint to that specified on the design drawings.

Compliance with approvals and permits issued for the project will be monitored by Officers.

From a community perspective concern may include:

- Traffic Management
- Interactions between community and contractor through shared spaces
- Any asbestos removal undertaken in an appropriate manner
- Works timed to reduce impact on community activity.
- Communication

These matters have been noted in tender documents and reinforced at the on-site tenders briefing.

Appropriate measures can be put in place to manage the identified risks.

CONSULTATION PROCESS

In developing the design concept internal consultation occurred. Feedback from the Boat Harbour Beach Working Group was sought. No concerns were raised.

A development approval is required for the works and the community can make comment through that process.

During the project community updates will be provide.

CONCLUSION

Harding’s Hotmix are recommended to be awarded contact 794 Boat Harbour Beach Western Sea Wall Replacement

MOVED BY	CR COURTNEY
SECONDED BY	CR BRAMICH

That Council award Contract 794 Boat Harbour Beach – Western Seawall Replacement to Harding’s Hotmix for the tendered lump sum of \$354,761.97, noting expected additional costs related to provisional works of \$37,044.

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

9.14 FINANCIAL REPORT FOR THE PERIOD ENDED 31 DECEMBER 2022

To: Council
Reporting Officer: Corporate Accountant
Responsible Manager: Director Organisational Performance
Report Date: 12 January 2023
File Reference: Financial Management - Reporting - Council
Enclosures: 1. Monthly Capital Progress Report - December 

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
- Operating Performance by Department
- Capital Works Summary
- Capital Works Progress Report (attached)

DETAILS

Council's year to date financial performance is consistent with the budget estimates. A number of favourable and unfavourable variances have been identified. Overall Council's results are expected to be within the budget set by Council.

Commentary on known forecast variances identified to date is provided throughout the report.

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.

MOVED BY	CR ROBERTS
SECONDED BY	CR HYLAND


That Council note the Financial Report for the period ended 31 December 2022

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

9.15 SENIOR MANAGEMENT REPORT

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	16 December 2022
File Reference:	1312
Enclosures:	1. Correspondence from Minister for Energy and Renewables re Renewable Energy Zones 

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 2 December 2022 to 13 January 2023.

Corporate

- Participated in a joint executive team meeting with Circular Head Council, where the focus of the meeting was digital and IT improvements
- Attended the formal opening of the Multi-Purpose Centre (Wynyard Yacht Club)
- Attended the inaugural Digital Transformation Strategy Steering Committee meeting in partnership with Circular Head Council

Community

- Acting General Manager and Mayor met with representatives of the Fairy Godmothers regarding progress with the Anzac Park playground
- Met with a resident concerned about driveway access and property accessibility
- Met with a resident concerned about a specific rural road issue

Industry

- Attended a Board Meeting of the Cradle Coast Authority
- Participated in a consultation session regarding the Austroads Life Line Freight Routes Risk Indicator tool
- Participated in meeting of North West General Managers
- Participated in Cradle Coast Waste Management Group meeting
- Participated in Regional Land Use Planning Oversight group meeting facilitated by the Cradle Coast Authority
- Attended the LGAT General Meeting and Annual Conference
- Attended Cradle Coast Authority Representatives meeting

Other

- Held regular catch up meeting with Ruth Forrest
- General Manager was on Annual Leave from 23 December, returning to work on 12 January

Renewable Energy Zones

Correspondence was received from the Hon. Guy Barnett MP, Minister for Energy and Renewables advising the State Government's announcement that the Northwest of Tasmania is to be the first region to be explored in detail for its potential to host the State's first Renewable Energy Zone (REZ). The letter stated:

REZs are primarily about developing new generation in areas that have the least impact with other land uses and values and will minimise future transmission build out. The next steps will require an understanding of how REZs can be best implemented from a local perspective and what your community expects in the way of benefits if they are to host a REZ.

Council is critical to the success of a REZ and a REZ Stakeholder Reference Group will be established in the region early next year and a series of engagement events that allows community to participate in the selection of a first REZ will be undertaken across the region.

Crown Lease

Council has recently taken over the Crown Lease for 15A Park Street Wynyard for the Wynyard Bowls Club.

On 14 January 2022 Waratah-Wynyard Council (WWC) received correspondence from the Wynyard Bowls and Community Club (WBCC) requesting that WWC take on the new lease with the Crown and become the lessee of 17b Park St, Wynyard TAS 7325.

WWC recognises the significant contribution WBCC provides to our community. The plans for the Wynyard Sports Precinct depict the club as an integral part of the precinct and wider Wynyard community and show the forward planning and intentions Council has for the area.

Under the new arrangement, WBCC continue to own and manage all assets on the leased land and meet all the operational and maintenance costs of all assets at the Wynyard Bowls Club. No other increase or change of service from WWC to WBC, with WWC not taking over any associated costs of maintaining the building assets, infrastructure, maintenance of playing surface or any other costs associated with running the facility.

ADMINISTRATION – Use of Corporate Seal

7/12/22	Final Plan and Schedule of Easements	SD2150 – 50 Inglis Street Wynyard (2 into 2 Lots)
14/12/22	Crown Land Lease`	17B Park Street Wynyard
16/12/12	Final Plan and Schedule of Easements	SD2112 96 Irby Boulevard (Boundary reconfiguration)
20/12/22	Adhesion Order	DA 26/2022 24-30 Fairlands Drive Somerset
20/12/22	Final Plan and Schedule of Easements	SD2145 1483 Calder road Calder (Boundary reconfiguration (2 lots into 2 lots)

POLICIES TO BE RESCINDED

NIL

MOVED BY	CR BRAMICH
SECONDED BY	CR RAW

That Council note the monthly Senior Management Report.

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

9.16 MINUTES OF OTHER BODIES/COMMITTEES

Nil received.

10.0 MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING

MOVED BY	CR COURTNEY
SECONDED BY	CR ROBERTS

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 Nil Received</i>	15(2)
<i>Confidential Report R15 (2) (g) information of a personal nature or information provided to the council on the condition it is kept confidential -Contract for BHB Seawall</i>	15 (2) (g)
<i>Confidential Report R15 (2) (a) personnel matters, including complaints against an employee of the council and industrial relations matters – General Manager Performance Review</i>	15 (2) (a)
<i>Confidential Report R15 (2) (h) - Leave of Absence Request – Councillors Nil Received</i>	15(2)(h)
<i>Confidential Report R15 (2) - Closed Senior Management Report</i>	15(2)

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

11.0 CLOSURE OF MEETING TO THE PUBLIC

MOVED BY	CR HYLAND
SECONDED BY	CR BRAMICH

That the Council RESOLVES BY AN ABSOLUTE MAJORITY to go into Closed Meeting to consider the following matters, the time being 8.02PM

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 Nil Received</i>	15(2)
<i>Confidential Report R15 (2) (g) information of a personal nature or information provided to the council on the condition it is kept confidential -Contract for BHB Seawall</i>	15 (2) (g)
<i>Confidential Report R15 (2) (a) personnel matters, including complaints against an employee of the council and industrial relations matters – General Manager Performance Review</i>	15 (2) (a)
<i>Confidential Report R15 (2) (h) - Leave of Absence Request – Councillors Nil Received</i>	15(2)(h)
<i>Confidential Report R15 (2) - Closed Senior Management Report</i>	15(2)

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

12.0 RESUMPTION OF OPEN MEETING

At 8.24pm the Open Meeting was resumed.

13.0 PUBLIC RELEASE ANNOUNCEMENT

MOVED BY	CR HYLAND
SECONDED BY	CR BRAMICH

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

Min. No.	Subject	Decisions/Documents
19.1	Purchase of Land	Supporting Information for decision

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

THERE BEING NO FURTHER BUSINESS THE CHAIRPERSON DECLARED THE MEETING CLOSED AT 8.24pm.

Confirmed,

MAYOR

20 February 2023