



**ORDINARY MEETING
OF COUNCIL**

**MINUTES
OPEN MEETING**

20 February 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 20 FEBRUARY 2023, COMMENCING AT

	From	To	Time Occupied
Open Council	6.02PM	6.27PM	25MINS
Planning Authority	6.27PM	6.35PM	8MINS
Open Council	6.35PM	7.30PM	55MINS
Closed Council	7.30PM	7.50PM	20MINS
Open Council	7.50PM	7.50PM	0MINS
TOTAL TIME OCCUPIED			108MINS

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 Celisa Edwards
Councillor Gary Bramich
Councillor Andrea Courtney
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
Tracey Bradley - Director Community and Engagement
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 BRAMICH
SECONDED BY	CR COURTNEY

That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at Council Chambers, 21 Saunders Street, Wynyard on Monday 23 January 2023, 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

Cr Courtney queried that only one of her questions from the last meetings was recorded in the Minutes. The General Manager advised that, as per meeting procedures, if a Councillor question is asked and responded to on the night then no details are provided in minutes.

3.0 DECLARATIONS OF INTEREST

Councillor and Agenda Item Number

Cr Edwards - Items 8.1 and 19.1

Staff and Agenda Item Number

Nil

4.0 COUNCILLORS ANNOUNCEMENTS AND REPORT

4.1 ANNOUNCEMENTS BY MAYOR

AUSTRALIA DAY CELEBRATION

The Australia Day ceremony held in Gutteridge Gardens was a great success, with four(4) new citizens receiving their certificates of Australian Citizenship. The Australia Day Ambassador Vicki Purnell OAM spoke about her advocacy role for women and children and her passion about bringing attention to women's health challenges, particularly ovarian and gynaecological cancers, that many still find challenging to talk about.

The following awards were handed out for recognition of the great work of volunteers in our community:

Citizen of the Year : Jacky Harman – Holness

Jacky undertakes volunteer work; she works tirelessly to cook for the homeless, assist with the community bakery, volunteer at her local radio station and provide social and emergency crisis support within the community. She was nominated by four separate people.

Young Citizen of the Year: - Mishca Linden

Mischa is an avid environmental and youth advocate and a fantastic role model for her peers. She is passionate, keen to learn and put her learnings into action.

Mayors Award: - Yolla Football Club undefeated season / Grand Final Event 2022

The Yolla Football Club achieved a history-making feat with an undefeated season for both Seniors and Reserves.

This ceremony was followed by the Australia Day Family Fun Day hosted by both Waratah-Wynyard Council and Rotary Club of Somerset who successfully secured \$20,000 from the National Australia Day Council to fund this event.

FUTURE OF LOCAL GOVERNMENT REVIEW

Review of the second Local Government Reform document has been completed by this Council and submitted on Friday. A copy of Waratah-Wynyard Council's submission will be placed on the Agenda of the next Council meeting in March.

4.2 MAYOR'S COMMUNICATIONS

MOVED BY	CR HYLAND
SECONDED BY	CR ROBERTS

That the Council note the Mayors Communications:

MAYOR DR MARY DUNIAM	
17/1/23	Meeting with Community Group
19/1/23	Cr On-line Workshop
20/1/23	Executive Meeting Cradle Coast Authority
23/1/23	Council Meeting
26/1/23	Citizenship and Awards Ceremony
30/1/23	Councillor Workshop
1/2/23	Rural Clinical School Networking Event
2/2/23	DEPUTY MAYOR Hellyer Evening of Excellence
6/2/23	Councillor Workshop
7/2/23	Meeting with West North West Working
8/2/23	Executive Meeting Cradle Coast Authority
8/2/23	Meeting with Constituent
8/2/23	Cradle Coast Authority – recasting the Tasmanian Dream Urban Provocation
9/2/23	*** Burnie Library Learning Celebration
10/2/23	Meeting - LGAT Governance Group – Councillor Learning and Development
11/2/23	Waratah Wood Chopping Carnival
13/2/3	North West Flood Advisory Group meeting
13/2/23	Premier Rockcliff visit to Municipal Area.
13/2/23	Councillor Workshop

*** 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 13/2)

	Ordinary Meetings 2022/23 (3)	Special Meetings 2022/23 (0)	Workshops 2022/23 (9)	Community Conversations 2022/23 (0)	Weeks Leave Approved
Mayor Dr Mary Duniam	32	0	9	0	0
Deputy Mayor Celisa Edwards	3	0	8	0	0
Cr Gary Bramich	3	0	9	0	0
Cr Andrea Courtney	3	0	9	0	0
Cr Kevin Hyland	3	0	9	0	0
Cr Michael Johnstone	2	0	9	0	0
Cr Leanne Raw	3	0	9	0	0
Cr Dillon Roberts	3	0	9	0	0

MOVED BY	CR COURTNEY
SECONDED BY	CR BRAMICH

That the Council note the following Workshops:

6/2/23	Freedom Camping Future of Local Government – Submission Review Meeting Procedures Review Code of Conduct Review
13/2/23	Cam River Reserve Public Art Financial Management Strategy Planning Services Review Planning Scheme Update

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 - DISCLOSING TENDER AMOUNTS****QUESTION**

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

OFFICERS RESPONSE

A detailed response to Mr Hutchison's questions regarding procurement was provided in the December 2022 Council agenda.

The response detailed that compliance with Council's Procurement Policy and reporting obligations are heavily scrutinised and tested through Council's annual financial audit (by the Tasmanian Audit Office), periodic review by Council's Independent Audit Panel and an active internal audit program managed by the Audit Panel. Mt Hutchison can be assured there is ample "accountability" within existing processes.

The responses also noted that "Council is not able to release the commercial terms of its procurement engagements due to them being commercial in nature and confidential. As such Council will not release copies of procurement documentation to members of the public".

The December 2022 information stated "If Mr Hutchison remains unsatisfied with the information provided and has an allegation of improper conduct, he is encouraged to refer the matter to the Office of the Ombudsman.

...No further responses to public questions relating to this matter will be provided to Mr Hutchison."

5.1.2 C HUTCHISON - OUTSTANDING QUESTIONS**QUESTION**

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.

OFFICERS RESPONSE

A detailed response to Mr Hutchison's questions regarding procurement was provided in the December 2022 Council agenda.

The December 2022 information stated “If Mr Hutchison remains unsatisfied with the information provided and has an allegation of improper conduct, he is encouraged to refer the matter to the Office of the Ombudsman.”

Council reiterates that no further responses to public questions relating to this matter will be provided to Mr Hutchison.

5.2 PUBLIC QUESTIONS RECEIVED IN WRITING

5.2.1 J POWELL - POWERHOUSE LOOP REHABILITATION

QUESTION

QUESTION On 8 January 2022 - 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

On 5 Feb I posted this in *Tasmanian Times*

[Broken Bridge, Broken Promises, Broken Community - Tasmanian Times](#)

Given this clearly articulates Crown Land may be transferred to Council, and given the referenced land’s association with the LOOP access, it would be an ideal location for an advisory site for tourists with a resting gazebo, maps, information panels, and Heritage storyboards

When will the Council do this and start negotiations with STTAS and the State Government regarding the Powerhouse Loop rehabilitation?

Will you use the \$300,000 you received for destroying the Heritage Waratah Reservoir?

If not, why not?

OFFICERS RESPONSE

Council remains committed to delivering projects as outlined in the recently adopted Waratah Community Plan.

Funding of \$300,000 was received from the State Government for completion of projects within the plan. As such, in 2023 work will be undertaken on the Waratah Waterfall Walk and the Historic Rail Bridge Walkway, the latter using the allocated State Government funds.

There are no immediate plans to progress a Powerhouse Loop and associated infrastructure in the short term.

5.3 PUBLIC QUESTIONS WITHOUT NOTICE

5.3.1 N AUSTIN - MOTOR BIKE PARKING - File No 0302

Mr Austin of Wynyard noted that he had asked a question last year (*at the Annual General Meeting in October*) regarding the provision of specific parking spaces for motor bikes and that he had not received a response.

The General Manager noted that he recalled the question and agreed to follow-up and provide an update.

5.3.2 S COOPER - TRAFFIC SURVEY DART STREET

Mr Cooper of Wynyard noted that the Motion on the agenda regarding the Traffic Impact Assessment on the Corner of Dart Street was to include impacted businesses. As a business owner on the corner of Dart Street he asked why they had not yet been consulted regarding any possible changes to parking and traffic.

The General Manager noted that the motion on the agenda is to start the process and that all impacted businesses will be consulted during the process and are considered key stakeholders in the process.

5.3.3 K EWINGTON - IGA WYNYARD DISABLED PARKING BAYS

Mr Ewington of Flowerdale noted that construction of new car park at the Wynyard IGA had been completed but no disabled parking bays have been put in place. He noted that two bays are noted on plans and asked when they would be installed. He also noted that the disabled parking bay at Bruce's Café is not safe.

The Director of Infrastructure and Development Services noted that the works to install the Disabled Parking bays are planned and will be completed as part of remaining works.

In regard to parking at Bruce's Café he noted that Officers are currently looking at this and that any changes will be included as part of works in line with the motion at Item 8.1 on the agenda tonight.

5.3.4 K EWINGTON - CAMPING IN WYNYARD AREA

Mr Ewington of Flowerdale asked when the Myalla Camping Ground would be available.

The Director of Community and Engagement advised that as of two weeks ago the Myalla Camping Ground is open and people are camping there. Payment is via honesty box and wonders of Wynyard

5.3.5 C HUTCHISON - MYALLA CAMPING GROUND

Mr Hutchison of Preolenna asked if there was a limit to the number of parking bays at Myalla.

The Director of Community and Engagement advised that 12 to 15 bays are available.

5.3.6 C HUTCHISON - MEETING PROCEDURE UPDATES

Mr Hutchison of Preolenna asked why there was a change to number of questions that can be asked by the public.

The General Manager advised that council can set its own limits and that it currently has more generous allowances than other councils; the proposed change brings procedures more in line with other Councils but still remains more flexible.

5.3.7 C HUTCHISON - DECEMBER MINUTES

Mr Hutchison of Preolenna asked why part of the response to his question in writing for the December was missing from the Minutes.

The General Manager took the question on notice.

5.3.8 C HUTCHISON - JANUARY COUNCIL MEETING AUDIO

Mr Hutchison of Preolenna advised that he believes his questions from the January Council Meeting recorded in the minutes were not reflected accurately and were different to the audio.

The General Manager took the question on notice.

5.3.9 C HUTCHISON - PROCUREMENT PROCESS

Mr Hutchison of Preolenna queried why the value of contracts cannot be provided, he noted that his research indicated that there was no legislation that says the amount can't be disclosed. He asked if council would advise how much River Road Consulting was paid.

The General Manager advised that the amount would not be disclosed.

5.4 PUBLIC STATEMENTS RECEIVED IN WRITING

Nil received.

5.5 PUBLIC STATEMENTS WITHOUT NOTICE

5.5.1 K EWINGTON - MANAGEMENT OF THE RURAL ENVIRONMENT

Mr Ewington of Flowerdale made a statement regarding the need to ensure that council is managing its rural environment including weed management and slashing of roadsides for safety.

Mr Ewington noted that the previous council contractor that has maintained road edges used proper equipment, used to trim hedges to stop encroaching on the road and used to ensure banks and corners trimmed to ensure line of sight for drivers. He also noted that Council is now doing this work in-house and no longer slashing to fence lines or banks / uneven banks, spending less hours on site. He suggested Council should go back to using a contractor for better economy and a better job

5.5.2 C HUTCHISON - MEETING PROCEDURES

Mr Hutchison of Preolenna made a statement noting he believes information was missing his public statement at the last meeting regarding River Road Consulting.

Mr Hutchison also stated that he believes changes to the meeting procedures were targeting specific people in the community. He also detailed changes to the Meeting Procedures Policy that he disagreed with.

6.0 PLANNING AUTHORITY ITEMS

PLANNING AUTHORITY OPENED AT 6.35PM

6.1 PUBLIC QUESTIONS WITHOUT NOTICE – RELATING TO PLANNING MATTERS

Nil received.

6.2 PUBLIC STATEMENTS - RELATING TO PLANNING MATTERS

Nil received.

6.3 OUTBUILDING (SHED) LOCATED AT 82 OLD BASS HIGHWAY, WYNYARD - DA 317/2022

To: Council
Reporting Officer: Town Planner
Responsible Officer: Manager Development and Regulatory Services
Report Date: 8 February 2023
File Reference: 7058889
Supporting Documents: 1. Consolidated advertised documents 
2. Representation 
3. Signed extension of time 

PURPOSE

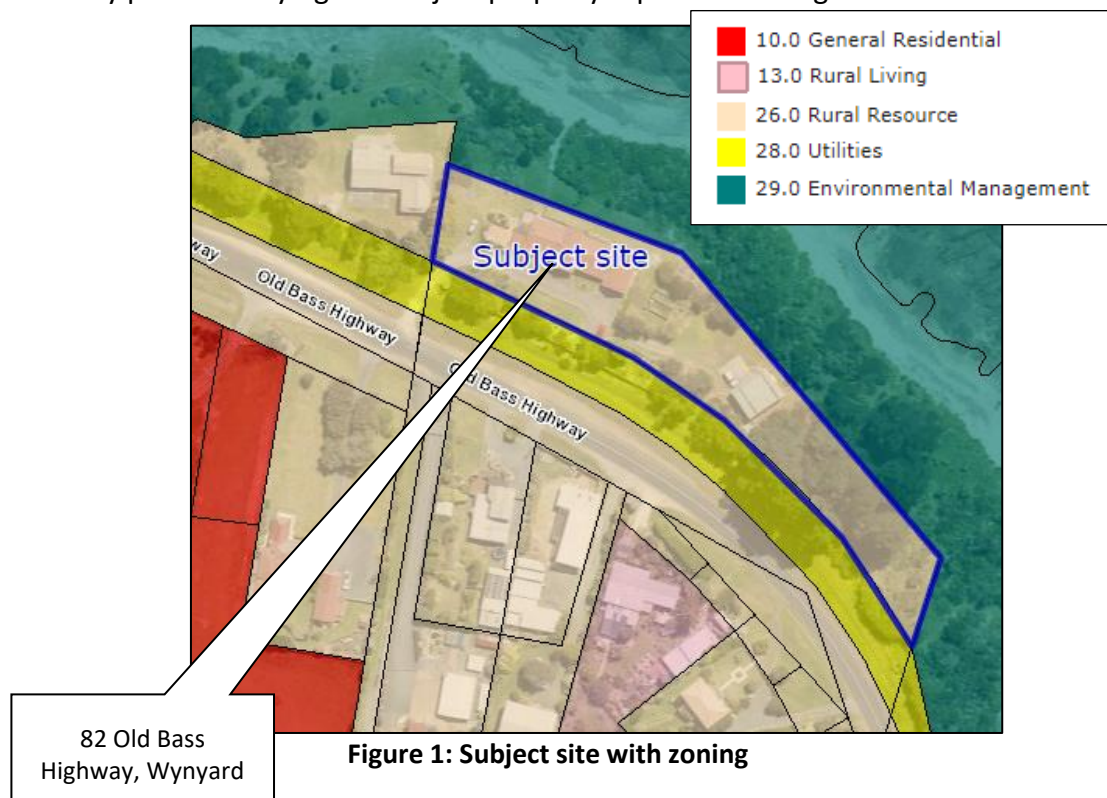
The purpose of this report is for Council to consider the merits of the application DA 317/2022 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013*.

BACKGROUND

The subject site is located at 82 Old Bass Highway, Wynyard and has an area of 4588m². It is located within the Rural Resource zone and has access onto the Old Bass Highway. The site currently contains a single dwelling and outbuilding.

The adjoining title to the west and lots to the south and south-east across Old Bass Highway also contain residential development and are similar in size to the subject site. To the west, the property adjoins Doctors Rocks Conservation Area. Land immediately to the south between the subject site and the road is a disused railway intended to form part of a coastal pathway.

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



DETAILS

The applicant is seeking approval for construction of an outbuilding taking the form of a shed with toilet.

The shed has a floor area of 36m² and a maximum height of 3.58m. It is clad and roofed in Colorbond with two roller doors in the eastern elevation and a door in the northern elevation for access. The shed is located between the existing dwelling and outbuilding on the site, at the head of the internal driveway. It is setback 10.8m from the northern boundary adjoining the Doctors Rocks Conservation Area and approximately 12m from the southern boundary, which contains a disused railway intended to form part of a coastal pathway.

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 Rural Resource under the Planning Scheme. The proposal is defined as a Residential Use Class. This is a Permitted use within the zone, if not a new residential use and 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:

- Suitability of a site or lot on a plan of subdivision for use or development 26.4.1 (P1, P5); and
- Location and configuration of development 26.4.2 (P1).

CONSULTATION PROCESS

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

- Development Application Form x 3 Pages
- Title Documents x 2 Pages
- Planning response x 2 Pages
- Proposal Plans x 18 pages

The period for representations closed on 23 January 2022. One (1) representation from Tasmania Parks and Wildlife (PWS) was subsequently received. The representation and planning responses to the issues raised are provided below. While every effort has been made to include all issues raised, this summary should be read in conjunction with the representation which is included as an enclosure to this report.

Issues raised:	Response:
The proposed building could be used as a habitable building and intensify the residential use of the site. The development has the potential to be occupied on a temporary or permanent basis.	The proposed development falls within the residential use category as it is a domestic outbuilding appurtenant to an established residential use. It is not intended as a habitable building.

	<p>A standard condition will be placed on any permit issued highlighting that the building is not to be used for habitable purposes. Should the applicant wish to use the proposed shed as an ancillary dwelling or similar, additional approvals from Council would be required.</p>
<p>The application does not include a description of the current septic system and its location on site, nor its capacity to accommodate an increase in loading from the additional habitable building. The proposal needs to demonstrate that all wastewater and stormwater can be contained within the boundaries of the private property without interfering with the adjacent Conservation Area, as prescribed in the performance criteria listed sections 26.4.1 (P1) and 26.4.2 (P1).</p>	<p>Council records indicate that the existing on-site wastewater system, including associated land application and reserve areas, is located to the south of the proposed shed. The proposal will not result in an increase loading on the wastewater system, as the proposal does not cater for any additional residents on the property.</p> <p>The subject site is of sufficient size for the proposed development, being for a domestic outbuilding appurtenant to an established residential use, and the services required to support such a use, without undue constraint or interference with the coastal reserve. Please see the planning assessment below for a full discussion of how the proposal complies with Clause 26.4.1</p> <p>Regarding Clause 26.4.2 Location and configuration of development, the proposal only triggers Performance Criteria P1 for the reduced setback from the southern boundary. It complies with the Acceptable Solution 10m setback from the northern boundary adjacent to Doctors Rocks Conservation area.</p> <p>A full assessment of the on-site wastewater system will be undertaken at the building/plumbing application stage.</p>
<p>The DA also needs to address the Hazard Management Code in the Planning Scheme. The proposed habitable building is within the hazard management areas for Coastal Erosion and Coastal Inundation Hazard Bands. The proposal needs to include a Coastal Hazard Report to determine if it is an acceptable or unacceptable increase in risk to the shared coastal area.</p>	<p>When determining an application Council can only take into consideration matters it is directed to under planning legislation.</p> <p>The Hazard Management Code only applies to risks mapped and endorsed as part of the applicable Planning Scheme. No coastal hazard mapping has been endorsed as part of the <i>Waratah-Wynyard Interim Planning Scheme 2013</i>.</p> <p>Coastal hazards are also considered under Clause E10.6.2 of the Water and Waterways Code however this clause is only applicable to development within 30m of coastal waters or the shoreline. The proposed shed is approximately 50m from the mapped mean high-water mark according to LISTmap data. The Water and Waterways Code is therefore not applicable to the current application.</p> <p>There is no mechanism for Council to consider whether the proposed shed poses a risk to the shared coastal area.</p>

<p>The Conservation Area protects the last strip of vegetation stabilising dunes and preventing sediments from being swept away by tides and high winds. Loss of this vegetation will expose coastal properties and civil infrastructure to unabated erosion and inundation.</p> <p>Accelerating coastal erosion and inundation will result in a direct loss of biodiversity in the Doctors Rocks Conservation Area. The area provides habitat for Little Penguins, intertidal ecology, shore bird nesting and foraging areas as well as a haul out site for seals. PWS considered this DA to be a risk to the natural and cultural values of the Doctors Rock Conservation Area.</p>	<p>The proposal does not include any clearance of vegetation or works in the adjacent conservation area. The proposed shed is compliant with setback requirements from the boundary shared with the coastal reserve and the required setback from the shoreline. The subject site does not contain any mapped threatened flora or fauna or native vegetation community. The proposal has been conditioned to require all stormwater to be disposed of within title boundaries and to prohibit use of the shed for habitable purposes.</p>
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INTERNAL REFERRALS

Engineering Services Department

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

- (1) All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.
- (2) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
- (3) A driveway with a sealed surface is to be constructed from the edge of the bitumen surfaced pavement of the public road to the property boundary in accordance with Tasmanian Standard Drawing TSD-R03-v3, Rural Roads Typical Property Access & TSD-R04-v3, Rural Roads Typical Driveway Profile and the conditions in a "Activity in Road Reservation Permit".
- (4) Loading and un-loading of vehicles is to be confined to within the boundaries of the property.
- (5) Stormwater from the development is to be fully contained within the boundaries of the property.

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

Environmental Health

The following environmental health conditions were recommended.

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

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

A full assessment of the on-site wastewater system will be undertaken at the building/plumbing application stage.

EXTERNAL REFERRALS

The proposal did not require any external referrals.

PLANNING ASSESSMENT

The subject site is zoned Rural Resource under the Waratah-Wynyard Interim Planning Scheme 2013. The use is a Residential Use Class which is a Permitted use within the zone provided the application meets all the relevant Acceptable Solutions.

The proposal does not meet all of the Acceptable Solutions. Therefore, a discretionary application is made under s57 of the *Land Use Planning & Approvals Act 1993* (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 Rural Resource zone is provided below.

26.4.1 Suitability of a site or lot on a plan of subdivision for use or development

<p>A1</p> <p>A site or each lot on a plan of subdivision must –</p> <ul style="list-style-type: none"> (a) unless for agricultural use, have an area of not less than 1 hectare not including any access strip; and (b) if intended for a building, contain a building area – <ul style="list-style-type: none"> (i) of not more than 2000m² or 20% of the area of the site, whichever is the greater unless a crop protection structure for an agricultural use; (ii) clear of any applicable setback from a frontage, side or rear boundary; (iii) clear of any applicable setback from a zone boundary; (iv) clear of any registered easement; (v) clear of any registered right of way benefiting other land; (vi) clear of any restriction imposed by a utility; (vii) not including an access strip; (viii) accessible from a frontage or access strip 	<p>P1</p> <p>A site or each lot on a plan of subdivision must be of sufficient area for the intended use or development without likely constraint or interference for –</p> <ul style="list-style-type: none"> (a) erection of a building if required by the intended use; (b) access to the site; (c) use or development of adjacent land; (d) a utility; and (e) any easement or lawful entitlement for access to other land
<p>Planning Comments: Complies</p> <p>The subject site comprises an area of 4588m² and contains an existing dwelling and shed. The application is for an additional shed on the site for domestic storage purposes. The proposal relies on the performance criteria, as the site is not used for agricultural purposes and the lot size is less than 1ha.</p> <p>The adjoining title to the west and lots to the south and south-east across Old Bass Highway also contain residential development and are similar in size to the subject site. To the west, the property adjoins Doctors</p>	

Rocks Conservation Area. Land immediately to the south between the subject site and the road is a disused railway intended to form part of a coastal pathway. No properties in the surrounding area are used for resource development purposes or purposes other than those normally associated with residential use. There is a minimum distance of approximately 15m between adjoining sensitive uses, which is compatible with the proximity of adjoining residential uses along the stretch of Old Bass Highway between the Bass Highway and Seabrook Creek.

The subject site does not contain any registered easement, burdening right of way or restriction imposed by a utility. There are existing connections to reticulated water and electricity. Stormwater and wastewater are disposed of within the title boundaries and the property has a legal access onto Old Bass Highway via the disused railway.

The subject site is of sufficient size for the proposed development, being for a domestic outbuilding appurtenant to an established residential use, and the services required to support such a use, without undue constraint or interference to adjacent land.

In this manner, the proposal satisfies the requirements of P1 for this clause.

A5

Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater –

- (a) to a stormwater system provided in accordance with the *Urban Drainage Act 2013*; or
- (b) if stormwater cannot be drained to a stormwater system –
 - (i) for discharge to a natural drainage line, water body, or watercourse; or
 - (ii) for disposal within the site if –
 - a. the site has an area of not less than 5000m²;
 - b. the disposal area is not within any defined building area;
 - c. the disposal area is not within any area required for the disposal of sewage;
 - d. the disposal area is not within any access strip; and
 - e. not more than 50% of the site is impervious surface

P5

- (a) A site or each lot on a plan of subdivision must drain and dispose of stormwater –
 - (i) to accommodate the anticipated stormwater
 - a. currently entering from beyond its boundaries; and
 - b. from the proposed development;
 - (ii) without likelihood for concentration on adjacent land;
 - (iii) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land;
 - (iv) to manage the quantity and rate of discharge of stormwater to receiving waters;
 - (v) to manage the quality of stormwater discharged to receiving waters; and
 - (v) to provide positive drainage away from any sewer pipe, onsite sewage disposal system, or building area; or
- (b) It must be unnecessary to require the drainage and disposal of stormwater

Planning Comments: Complies

The subject site comprises 4588m² and stormwater is managed within the boundaries of the site. Stormwater runoff from the proposed development is to be directed into soakage trench adjacent to the northern boundary. No stormwater is to be directed into the coastal reserve.

The soakage trench is clear of existing and proposed building area, areas required for vehicle parking and manoeuvrability, and the on-site wastewater system on the southern side of the property. It is considered that the proposed arrangements are sufficient in size to ensure that stormwater is contained within the site without likelihood for concentration of water or the creation of an unacceptable level of risk for the site or adjacent land. To this effect, Council’s Engineering Department requires the following condition to be included on any permit issued:

All stormwater from the development is to be fully contained within the boundaries of the property.

In this manner, the proposal satisfies P5(a) for this Standard.

26.4.2 Location and configuration of development

<p>A1</p> <p>A building or a utility structure, other than a crop protection structure for an agricultural use, must be setback –</p> <p>(a) not less than 20.0m from the frontage; or</p> <p>(b) if the development is for sensitive use on land that adjoins a road specified in the Table to this Clause, not less than the setback specified from that road;</p> <p>(c) not less than 10.0m from each side boundary; and</p> <p>(d) not less than 10.0m from the rear boundary; or</p> <p>(e) in accordance with any applicable building area shown on a sealed plan</p>	<p>P1</p> <p>The setback of a building or utility structure must be –</p> <p>(a) consistent with the streetscape; and</p> <p>(b) required by a constraint imposed by –</p> <p>(i) size and shape of the site;</p> <p>(ii) orientation and topography of land;</p> <p>(iii) arrangements for a water supply and for the drainage and disposal of sewage and stormwater;</p> <p>(iv) arrangements for vehicular or pedestrian access;</p> <p>(v) a utility; or</p> <p>(vi) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme;</p> <p>(vii) any lawful and binding requirement –</p> <p style="padding-left: 40px;">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</p> <p>(c) an interest protected at law by an easement or other regulation</p>
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Planning Comments: Complies

The proposed outbuilding does not comply with the permitted setbacks from the southern boundary onto the rail line (frontage).

Both the existing dwelling and shed on the site are already non-compliant with minimum setback requirements under the Planning Scheme. The vacant portion of the site is approximately 32m at its widest point. It is not possible to construct a shed without triggering a reduction in setback to northern and/or southern boundaries. The proposed shed is located between the existing buildings on the property and is no closer to any boundary than existing development. It is compliant with setback requirements from the

Doctors Rocks Conservation Area and has been sited take advantage of the location of the existing driveway, and within the building footprint of a previous outbuilding on the site.

The scale, bulk and proportions of the proposed shed is consistent with the appearance of other dwellings in the Rural Resource zoned portion of Old Bass Highway, including development at 80, 201 and 207 Old Bass Highway. Each of these properties also have dwellings/outbuildings built in close proximity to Old Bass Highway. The proposal is consistent with the streetscape.

In this manner, the proposal satisfies the requirements of P1 for this Clause.

The proposal meets the Acceptable Solution for all other applicable Standards of the Rural Resource zone provisions and relevant Codes.

STATUTORY IMPLICATIONS

Land Use Planning and Approvals Act 1993

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

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

STRATEGIC IMPLICATIONS

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

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

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

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

COMMENT

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

It is considered that the proposed outbuilding complies with either the acceptable solution or satisfies the performance criteria for all applicable standards of the Planning Scheme. The proposed shed is appurtenant to an established residential use and the scale, bulk and proportions of the building is consistent with the appearance of other dwellings in the Rural Resource zoned portion of Old Bass Highway.

The application is considered to comply with the provisions of the Rural Resource zone for the *Waratah-Wynyard Interim Planning Scheme 2013*. It is therefore recommended that Council approve a planning permit for the proposed outbuilding (shed).

MOVED BY	CR HYLAND
SECONDED BY	CR ROBERTS

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 an Outbuilding (shed) at 82 Old Bass Highway, Wynyard subject to the following conditions: -

CONDITIONS:

- 1. The development is to be generally in accordance with the application as submitted and endorsed documents as listed:
 - (a) Proposal Plans with Project Number 21-758 as prepared by Lachlan Walsh Design and dated 9 December 2022.****
- 2. The outbuilding is not to be used for habitable purposes without further approval from Council.**
- 3. All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.**
- 4. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.**
- 5. A driveway with a sealed surface is to be constructed from the edge of the bitumen surfaced pavement of the public road to the property boundary in accordance with Tasmanian Standard Drawing TSD-R03-v3, Rural Roads Typical Property Access & TSD-R04-v3, Rural Roads Typical Driveway Profile and the conditions in a "Activity in Road Reservation Permit".**
- 6. Loading and unloading of vehicles is to be confined to within the boundaries of the property.**

-
7. **Stormwater from the development is to be fully contained within the boundaries of the property.**
 8. **Control measures are to be installed for the duration of the construction phase so as to limit the loss of soils and other debris from the site.**

Notes: -

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

- An “Activity in Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
- This project must be substantially commenced within two years of the issue of this permit.
- The applicant is advised to consult with a building surveyor to ensure the development is constructed in accordance with *Building Act 2016*.
- A full assessment of the on-site wastewater system will be undertaken at the building/plumbing application stage.
- This permit is based on information and particulars set out in Development Application DA 317/2022. 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 6.27PM

7.0 MATTERS RAISED BY COUNCILLORS**7.1 RESPONSE(S) TO COUNCILLOR QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING****7.1.1 CR COURTNEY - WHISTLE BLOWER POLICY****QUESTION**

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.

OFFICERS RESPONSE

Any employee who makes a disclosure is fully protected under Council policy and the law. The protection can also extend to a person who intends to make a disclosure.

The Public Interest Disclosures Model Procedures are prepared by the Ombudsman and adopted by Council. The last version of this document was adopted by Council on 18 January 2021 and approved by the Ombudsman on 8 April 2021.

The document is available on Council's website.

Section 11.2 states –

Part 3 of the Act gives various types of protection to a person who makes a protected disclosure. Below is a summary of some elements of Part 3.

A person who makes a protected disclosure:

- is not subject to any civil or criminal liability, or to any liability arising by way of administrative process, for making the protected disclosure (s 16);*
- does not by doing so commit an offence under a provision of any other Act that imposes a duty to maintain confidentiality, or which imposes any other restriction on the disclosure of information (s 17(1)(a)); and*
- does not by doing so breach an obligation by way of oath, or rule of law or practice, or under an agreement, which requires the discloser to maintain confidentiality or otherwise restricts the disclosure of information (s 17(1)(b)).*

If a disclosure is not made to the correct entity, the protections may not apply. For example, a discloser will not be protected if otherwise confidential information is disclosed to the media.

Part 3 of the *Public Interest Disclosures Act 2002* (the Act) as referenced above provides further detail. Section 19 of the Act states:

7.2 COUNCILLOR QUESTIONS RECEIVED IN WRITING

Nil received.

7.3 COUNCILLOR QUESTIONS WITHOUT NOTICE

7.3.1 CR COURTNEY - WHISTLE BLOWER POLICY

Cr Andrea Courtney asked if Council's Policy regarding Public Interest Disclosures could be updated to protect the whistle blower where there is evidence of breach of legislation within Council even if it does not meet the criteria for public interest. She also clarified that she does not believe it is an issue at this council but would like to see best practice in this council while the State updates their processes.

CR COURTNEY LEFT THE MEETING AT 6.48PM.

CR COURTNEY RETURNED TO THE MEETING AT 6.52PM

8.0 NOTICE OF MOTION**8.1 CR LEANNE RAW - REQUEST FOR TRAFFIC SURVEY AT THE JUNCTION OF OLD BASS HIGHWAY AND DART STREET WYNYARD**

Enclosures: Nil

CR EDWARDS LEFT THE MEETING AT 6.50PM.

PROPOSED MOTION

That Council do a traffic survey on the area at the junction of Dart Street and Old Bass Highway (and the immediate surrounds), to ascertain if any alterations can make the traffic and pedestrian flow smoother and safer.

BACKGROUND INFORMATION

A thriving business now exists on the corner of Old Bass Highway and Dart Street in Wynyard. The business by nature attracts a constant but healthy stream of patrons and moving and parked cars. Recent updates on the corner have seen partial success in helping flow of traffic and pedestrians. The corner is still congested for patrons, delivery trucks, buses and residents in the area.

The following request is designed to investigate the congestion, to inform and facilitate the making of any required alterations, for the area to be as safe as possible for all users.






The suggestions are designed to not have any negative impact on the key business, but to streamline access and improve useability.

Suggestions

- Move bus stops to option 1 or 2 (see map below).
To move them slightly away for the high use area.
- Put in a Loading Zone for truck deliveries (see map).
To provide a designated place for trucks to park safely and deliver to the business.
- Extend No Parking Zones in Dart Street (see map).
To give easier leaving and entering of Dart Street. Also, to allow for more than 1 lane of traffic access into and out of Dart Street for patrons and residents, but also importantly emergency vehicles. Option 1 is No Parking on one side of the street for a greater distance. Option 2 extends both sides of the existing No Parking, but a shorter distance as compared to Option 1.

I also recommend that Council liaise with the existing business owners for any more feasible options or solutions. See diagrams below.



Key	
	Suggested relocation of Metro Bus Stops. Options 1 & 2.
	Suggested Loading Zone for deliveries.
	Suggested extension of No Parking. Option 1.
	Suggested extension of No Parking. Option 2.
	Current No Parking.

OFFICERS COMMENT

Council Officers are supportive of the motion and have had some early dialogue with Metro around relocation of the bus stop to ease congestion in this location.

Council Officers have the relevant technical knowledge and skill sets to undertake an audit of this area and consult with potentially impacted businesses and residents and provide recommendation to Council based on the suggested treatments.

It is anticipated that a report and recommendations could be presented at the May 2023 Council Meeting.

There are options to engage a third-party traffic engineer or consulting firm to undertake this assessment on behalf of Council, however, there is not budget allocation in the 2022/23 annual plan for this additional cost and it does not guarantee a faster turnaround to receive a report detailing recommendations.

It is recommended that Council Officers plan for and undertake a review of this area in consideration of the suggested treatments with the expectation that findings and recommendations would be reported to the May 2023 Council meeting

MOVED BY	CR RAW
SECONDED BY	CR HYLAND

That Council do a traffic survey on the area at the junction of Dart Street and Old Bass Highway (and the immediate surrounds), to ascertain if any alterations can make the traffic and pedestrian flow smoother and safer

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

CR EDWARDS RETURNED TO THE MEETING AT 6.55PM.

9.0 REPORTS OF OFFICERS AND COMMITTEES

9.1 WYNYARD WATERFRONT AND ENVIRONS MASTERPLAN - FINAL REPORT

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	22 November 2022
File Reference:	1201
Enclosures:	Nil

PURPOSE

The purpose of this report is to provide a final update on the Wynyard Waterfront and Environs Masterplan Project.

BACKGROUND

The Wynyard Waterfront and Environs masterplan(the Masterplan) was endorsed and adopted unanimously in June 2016 following extensive community consultation:

That the Council:

1. ***Endorse the revised Wynyard Foreshore and Environs Masterplan, dated June 2016, with the following changes;***
 - a. ***the playground in Gutteridge Gardens will cater for all abilities and is to be re-located to a position less central to the gardens;***
 - b. ***the Council will engage further investigative work to provide a full understanding of the Camp Creek flowrates and the creek behavior under flood conditions;***
 - c. ***the Council will work with adjoining neighbors in respect to design of the proposed multi-use community building housing the Wynyard Yacht Club to resolve details such as the location of public toilets;***
 - d. ***a right turn lane will be provided from Goldie Street into the Yacht Club precinct to address safety issues with vehicles stopped to turn into the precinct; and***

2. ***Establish a Wynyard Foreshore and Environs Masterplan Steering Committee, which includes representation from the existing Wynyard business community, to assist the Council in developing and finalising the detailed design, specification, and implementation of the Masterplan, including the proposed multi-use community use building and commercial tenancy. The committee is to be formed through an expression of interest process to be carried out by the General Manager.***

The masterplan consisted of five key projects:

1. Camp Creek remediation to improve the health of the river and create public open space;
2. A new car park and improved access to the Wynyard Wharf;

-
3. A New Board Walk along the Inglis River;
 4. A New Seawall; and
 5. A new multi-purpose community facility

The Wynyard Waterfront and Environs Masterplan sought to identify opportunities to stimulate economic activity and visitation to the precinct, plan for the provision of a node of activity for passive recreation, entertainment and accommodation; develop opportunities to diversify use and enhance amenity; encourage access and transparency along the waterfront; and encourage the development of complementary uses within the precinct.

The project involved a place making approach that has added to the public amenity and visual attractiveness of the town and foreshore; compliments the character of the area; encourages community and visitors of all groups to activity enjoy a healthy lifestyle; offers a friendly, relaxed and safe atmosphere; and provides a centre for future links into areas throughout our municipality. It ensures that the wharf area is intrinsically linked with that of the Wynyard CBD

A working Group was established with the first meeting held in November 2016 and was made up of community members, key stakeholders and Council representatives. *The Wynyard Waterfront and Environs Masterplan Community Reference Group* played a key role as community representatives in developing and finalising the detailed design, specification and implementation of the Masterplan.

The working group was established following a public expression of interest process and included the following community members and stakeholders:

- Ron Withers
- Ken Ewington
- Ellen Steiner
- John Irwin
- Annie Pendlebury
- Andrew Chaplin
- Peter Smith
- Justin McErlain
- Ken Spalding
- Pamela Rodwell
- Chris Symonds
- Steve Walker
- Rodney Hayes

The group proved to be committed to working together to delivering ideas and recommendations that ensured the best possible outcomes for the community. The group was involved in numerous reviews of plans and proposals volunteering their time over many months. Their contribution cannot be underestimated.

Time-Line - Council Decisions:

- 30/6/16 Council endorsed the Wynyard Waterfront Masterplan and the establishment of a working group to develop and finalise the detailed design for the various stages of the project;
- 10/10/17 Council approved detailed design budget of \$211,250
- 21/5/18 the development application for the Boardwalk was approved by council;
- 19/8/18 the development application for the final stage of the project, the Multi-Use Facility was approved;
- 08/19 Camp Creek remediation works commenced;
- 11/19 Seawall complete;
- 6/20 Boardwalk, Wharf Carpark and Wharf Access works complete;
- 3/8/20 the contract for building the facility was awarded to Stubbs Constructions;
- 08/22 Multi-purpose facility completed
- 12/22 Camp Creek Works completed.

DETAILS

The completion of the Wynyard Waterfront and Environs Masterplan project is a testament to the hard work of all involved, especially when facing obstacles from the recent pandemic.

The project, that commenced in 2019 when Australian Government Funding was received, has seen the foreshore precinct undergo a multimillion-dollar redevelopment that has connected Wynyard's town centre to the waterfront.

The project has delivered a new all-ability, multi-purpose building that is now being recognised as a leading facility for sailability, events and meetings.

It has increased accessibility and parking at the waterfront, improved the health of Camp Creek, replaced the Inglis River Seawall, constructed a new boardwalk and has developed Wynyard's public open space.

The Wynyard Waterfront and Environs Masterplan, funded by Building Better Regions Fund, the State Government and the Waratah-Wynyard Council, is an excellent example of how the community, key stakeholders and Council can work together to deliver exceptional fit-for-purpose precincts and facilities for all to enjoy.

Use of Multi-Purpose Facility

To date the usage of the Multi-Purpose Facility has met, if not exceeded, expectations. Since opening in June bookings for use of meeting and events spaces has been consistent with the Yacht Club also seeing increased membership and participation in programs.

General Points:

BighART programmes

- 147 community workshops and events since launching at the end of June
- 200 community members regularly engaged
- Audience travelling from as far as Smithton, Penguin and Launceston to access events
- Intergenerational programming

-
- Connecting unlikely members of the community, feeling a new sense of belonging
 - Facility is also state of the art for more corporate bookings in the community and from across the state.
 - Community pride in the facility

External Use of Facilities

Some of the external parties using the facility

- Wynyard High School
- North West Support Services
- UTAS
- North West Pathology
- Tasmanian Leaders

An example of some of the bookings at the new Facility for the month of November 2022:

- UTAS – Meeting rooms 2 full days
- Song writing workshops each week
- Purposeful Futures Workshop each week
- Creative Paper Workshops each week
- Open Jam Sessions weekly
- Sound production workshop
- Print Making workshops
- Youth Training Program
- 3 x Music Events
- Film Showing
- Yoga Retreat
- Yolla School STEM Workshop
- Tasmanian Leaders Dinner and Speaker
- 4 hour private booking
- Squid Theory (SBM) workshops 3 days
- 303 Sailing Course 5 days
- Award winning Sailability Program
- MAST powerboat license training
- Wynyard High School Leavers Dinner



Wharf Access and Carpark



Seawall



Boardwalk



Camp Creek Remediation (1)



- The old Wynyard Yacht Club



Old Yacht Club Meeting Room



New Multi-Purpose Facility



New Club Room



New Car park showing old club prior to demolition



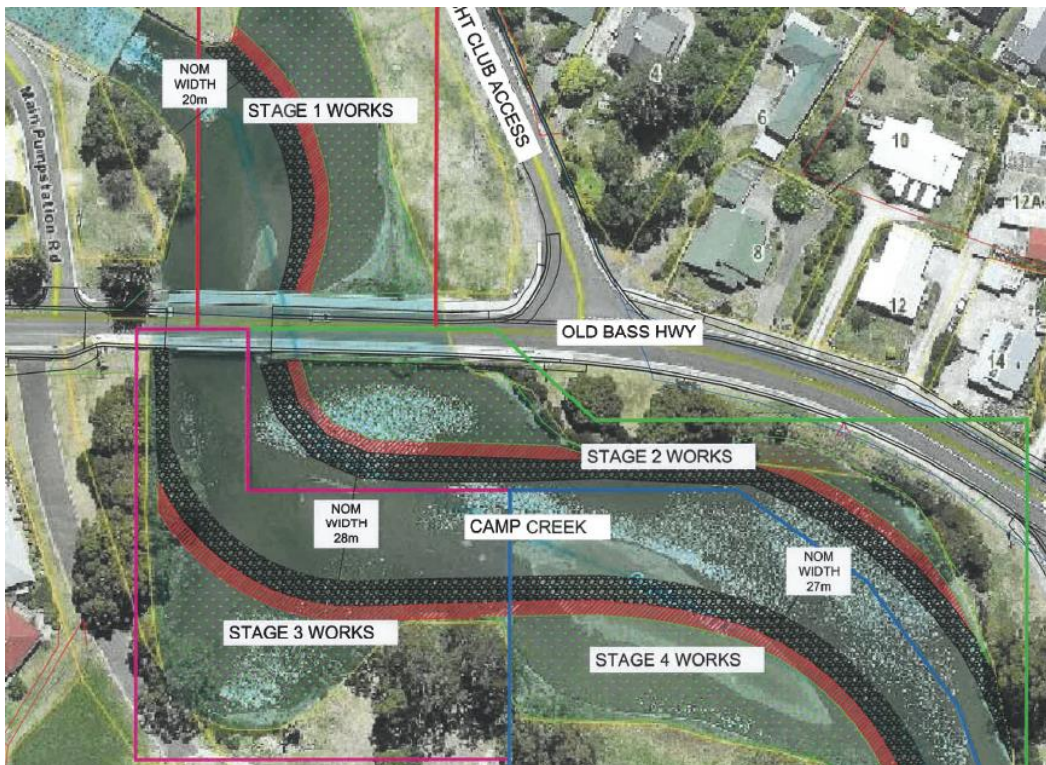
Café, Club rooms and Storage viewed from river



New Viewing Platform



Plan showing Camp Creek Works



- **New Club Signage (to be installed in coming days)** BighArt's program is known as the Watershed



Budget:

An estimated budget of \$7,112,806 was approved with funding from the following funding sources:

Tasmanian State Government – Seawall/Boardwalk 50% contribution	828,000
Tasmanian State Government – 2018 Election Commitment	1,100,000
Funded by Council	1,978,800
Federal Government - Building Better Regions fund	<u>3,206,006</u>
TOTAL	7,112,806

The initial budget was allocated as follows:

Camp Creek Remediation Stage 2	969,825
Wharf Access upgrades	476,832
New Seawall	997,749
New Boardwalk	1,002,300
Multi-Use Community Facility	3,666,100
TOTAL	7,112,806

As with most projects of this nature and complexity, there were a number of challenges and learnings faced throughout the project delivery timeframe. Some of the key project delays were caused by the following:

- All final tenders for the multi-use community facility received exceeded Project Budget
 - A Cost Saving review was conducted with Quantity Surveyor and Architect
 - Project repricing was submitted by three lowest tenderers
 - A further cost saving review was undertaken with the preferred tenderer
- Planning Appeal
- Amendments to design drawings for planning appeal and cost savings
- Building Approval time frame extended due to high volume of approvals (150% of previous year at same time).
- A peer review of site geotechnical report and structural design recommended using a piled foundation – 145 concrete filled bored piles up to 18m deep were installed adding/delaying the Project by four weeks.
- The Pandemic impact on resources and suppliers. Costs have significantly risen as a result.
- Structural Steel Sub-Contractor was overcommitted and unable to deliver requiring appointment of an alternate sub-contractor. This caused a major delay to progress of ten weeks.
- Experiencing substantial delays due to extended lead times required for supply of normally “off the shelf” construction materials.

- Pandemic related delays due to abnormal extremely high demand on construction materials and trade Labour resources across the country. Glazing, plastering and mechanical services were particularly impacted

An End of Project Independent Audit Report was completed by Crowe Audit Australia. The Audit report noted that council has complied, in all material aspects, with the requirement of the Grant Deed for the State and Federal grants. The audit verified the figures compiled by council officers and showed costs as follows:

Total Actual Costs

	2016 Estimated Budget	Final Audited Costs	VARIANCE
Camp Creek Remediation Stage 2	969,825	585,684	-384,141 (35.6%)
Wharf Access upgrades	476,832	369,939,	-106,896 (xx%)
New Seawall and Boardwalk	2,000,049	2,183,002	182,953 (8.3%)
Multi-Use Community Facility	3,666,100	5,040,388	1,374,288 (27.2%)
TOTAL	7,112,806	8,178,983	1,066,177 (13.0%)

Total Contributions

	2016 Estimated Contributions	Final Audited Contribution	VARIANCE
Tasmanian State Government – Seawall/Boardwalk 50% contribution	828,000	828,000	0
Tasmanian State Government – 2018 Election Commitment	1,100,000	1,100,000	0
Funded by Council	1,978,800	3,044,977	1,066,177 (13%)
Federal Government - Building Better Regions fund	3,206,006	3,206,006	0
TOTAL	7,112,806	8,178,983	1,066,177 (13%)

Despite all the delays to the project, there is only a 7.2% variation to the original budget (based on eligible expenses) which was set six years ago on preliminary designs. A total expenditure variation of 13% is within the standard industry variation of 20% on a project of this size.

The most notable/significant variations are listed below. Each variation was agreed between Project Manager and Contractor before they occurred using council procurement process.

DETAILS	AMOUNT
Meeting Room Extension	65,850
Projector & screens to club room & Meeting room	81,887
NBN/Data/Security	33,534
Car Park East & Neighbouring Driveway works	188,087
Change to structural steel contractor	77,370
Geotechnical report recommended using a piled foundation – 145 concrete filled bored piles up to 18m deep were installed	140,000
Additional Design Costs	123,707
TOTAL	710,435

The following expenditure items were approved separately prior to overall budget being set, They are included in the total expenditure for the project to give an accurate account of total cost.

COST	AMOUNT
Detail Design Multi-Purpose facility	211,250
Camp Creek environmental and water science reports	85,322
Wharf Access initial design work	4,305
Boardwalk and Seawall environmental and water science reports	85,322
	386,199

Taking the above into account, should these amount be added to budget, the final project variation becomes \$679,978.

As at the time of this report the precinct is complete except for a separate project to complete further car parking and some further cosmetic building alterations.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL
Desired Outcomes
4.4 Our community enjoys access to visually appealing safe spaces and facilities for recreation.
Our Priorities
2.6.1 Promote best practice and foster innovation.

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.

Community Future Direction Theme	Key Challenges & Opportunities:
Health and Wellbeing	Maintaining good health and wellbeing – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.
Education	Lifelong learning and education – Education and lifelong learning is valued and there is access to vocational training and tertiary education. Education retention rates have increased.
Place making and liveability	Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.
Governance and working together	Working together for Murchison – Everyone plays a part in achieving the objectives of the Sustainable Murchison Community Plan. There is cooperation, resource sharing and less duplication between Councils. Leadership is provided across all community sectors.

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

CONCLUSION

The successful completion of this project is a direct result of community consultation, involvement of key stakeholders throughout the project and the efforts of staff from all areas of Council.

It is recommended that Council note the final report for the completion of Wynyard Waterfront and Environs Masterplan.

MOVED BY	CR COURTNEY
SECONDED BY	CR ROBERTS

That Council:

- Note the final report and completion of the Wynyard Waterfront and Environs Masterplan; and**

2. Thank the contributors of the Wynyard Waterfront and Environs Masterplan Working Group

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 ACTIVATION GRANTS ROUND 2

To: Council
Reporting Officer: Manager Community Activation
Responsible Manager: Director Community and Engagement
Report Date: 11 January 2023
File Reference: 001
Enclosures: Nil

PURPOSE

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

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

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

BACKGROUND

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

DETAILS

Promotion of the Community Activation Grants was undertaken through advising with local community groups, organisations and event organisers. Application forms, guidelines and an acquittal form were available on Council's website. Posts were made on Council's social media sites regarding the open and closing dates of the Community Activation Grant round.

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

Assessment Criteria

How each project

- offers benefit to the Waratah-Wynyard community
- encourages or enhances social and cultural wellbeing

- fosters economic development and/or educational pursuits
- would acknowledge Waratah-Wynyard Council for support

Council received 10 Community Activation Grant applications and eight of these are recommended for approval. The two applications that were not recommended for approval as they were deemed ineligible due to the already being awarded grant funding in round one.

Project Details

Organisation	Project	Details
Oldina Landcare Group	Trail Camera for Feral Cat Tracking	Purchase a solar assisted, battery-operated Trail Camera to record the presence of non-native species to enable eradication programmes to be implemented.
Somerset Surf Life Saving Club	ANZAC Day Morning Tea	Provide a community morning tea to local veterans, their families and townspeople following ANZAC Day memorial services held in the Somerset community.
U3A Wynyard	“We’ve got your back!” Suitable Seating	10 comfortable and stable chairs for use by people with limited mobility.
Wynyard Garden Club	Wynyard Garden Club Competition	Garden competition to encourage a healthy lifestyle and involvement in community events.
Wynyard Landcare Group	Taking Biodiversity to the Community (Plants, guards & stakes)	Plants, guards and stakes for approx. 325 new plantings at locations within the WWC municipality.
Wynyard Lions Club	Christmas Parade	Costs associated with the Christmas parade, including the purchase of lollies, sound system hire, and float maintenance.
Wynyard Yacht Club	Marquee	Marquee to ensure Volunteer Marine Rescue team is easily identifiable and located quickly in the event of emergency. Provide UV protection.
Yolla Football Club	Line Marker	Line marker equipment to enable the club to mark up the field for game days.

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

Disbursement of Grant

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

Acquittal Process

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

STATUTORY IMPLICATIONS

Statutory Requirements

The *Local Government Act 1993* states:

Grants and benefits

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

STRATEGIC IMPLICATIONS

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

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

The Community Activation grants program was delivered in accordance with the Community Activation Grant policy.

ENVIRONMENTAL IMPLICATIONS

Some of the projects, including the Wynyard Landcare Group and Oldina Landcare Group, align with objectives within Councils iCEP plan.

FINANCIAL IMPLICATIONS

Council has an annual allocation of \$40,000 in the 2022-2023 approved budget for Community Activation Grants. In Round One \$16,849 was allocated and \$12,541 is recommended for approval in Round Two, leaving \$10,610 unspent at this stage.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

CONCLUSION

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

MOVED BY	CR RAW
SECONDED BY	CR JOHNSTONE

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

Organisation	Project	Amount Recommended for Approval (\$)
Oldina Landcare Group	Trail Camera for Feral Cat Tracking	\$541
Somerset Surf Life Saving Club	ANZAC Day Morning Tea	\$1640
U3A Wynyard	"We've got your back!" Suitable Seating	\$2000
Wynyard Garden Club	Wynyard Garden Club Competition	\$700
Wynyard Landcare Group	Taking Biodiversity to the Community (Plants, guards & stakes)	\$2000
Wynyard Lions Club	Christmas Parade	\$2000
Wynyard Yacht Club	Marquee for Volunteer Marine Rescue team	\$1660
Yolla Football Club	Line Marker	\$2000
	Total	\$12541

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 QUARTERLY INFORMATION REPORT - INFRASTRUCTURE AND DEVELOPMENT SERVICES

To:	Council
Reporting Officer:	Director Infrastructure and Development Services
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	31 January 2023
File Reference:	Nil
Enclosures:	Nil

PURPOSE

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

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

BACKGROUND

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

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

DETAILS

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

Development and Regulatory Services

Project Updates

Council has been undertaking the process of preparing the draft Waratah-Wynyard Local Provisions Schedule (LPS), which is required to enact the Tasmanian Planning Scheme.

On 6 February 2023 the Tasmanian Planning Commission directed Waratah-Wynyard Council to modify the Waratah-Wynyard draft Local Provisions Schedule under section 35K(1)(a) of the *Land Use Planning and Approvals Act 1993*. Council has also been directed to begin operating under the statewide Tasmanian Planning Scheme from 13 February 2023.

Consequently, the provisions of the Waratah-Wynyard Interim Planning Scheme 2013 will no longer be applicable. New applications received from 13 February 2023 will be assessed against the new planning scheme. Valid applications that were in process prior to this date will continue to be assessed against the Interim Planning Scheme. Applications that were submitted prior to 13 February 2023, but are deemed to be invalid applications, will need to be assessed against the new scheme once they become valid. This may require additional work by the applicant due to differences between the schemes.

In receiving this decision from the Commission; it is pleasing that they have accepted Council's recommendations in the vast majority of issues considered.

For further details on the planning scheme development and approval process, including the Commission's determination of matters considered at the hearings, please refer to the Tasmanian Planning Commission's website at [LPS-WAR-TPS – Tasmanian Planning Commission Website](#)

Public Health

During the quarter Council issued:

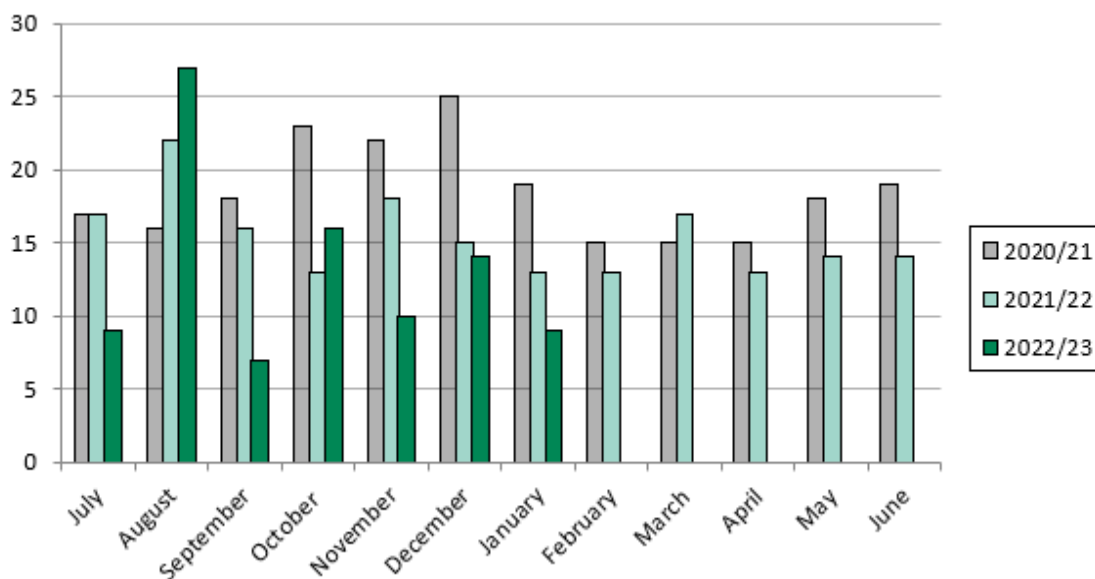
- Certificates of Food Registration; 15 Issued.
- Temporary Food Premises Permits; 10 Issued.
- Certificates of Registration for Private Water Suppliers; 4 Issued.

Animal Control

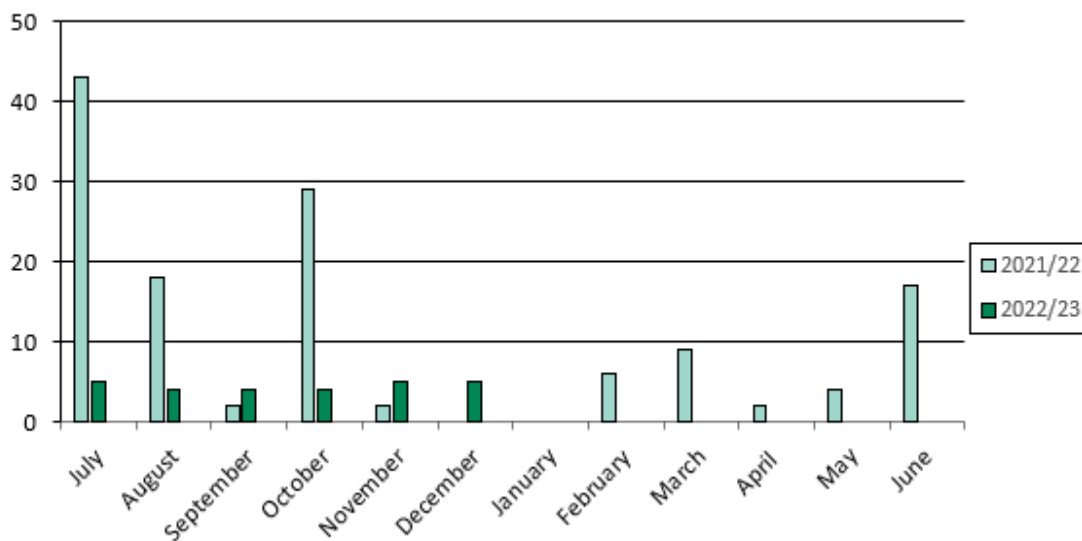
	November-December 2022 & January 2023	2022/2023 Year to Date
Dogs Registered	56	1990
Dogs Impounded	1	14
Infringement Notices Issued	4	9
New Kennel Licence	1	31

Statistics

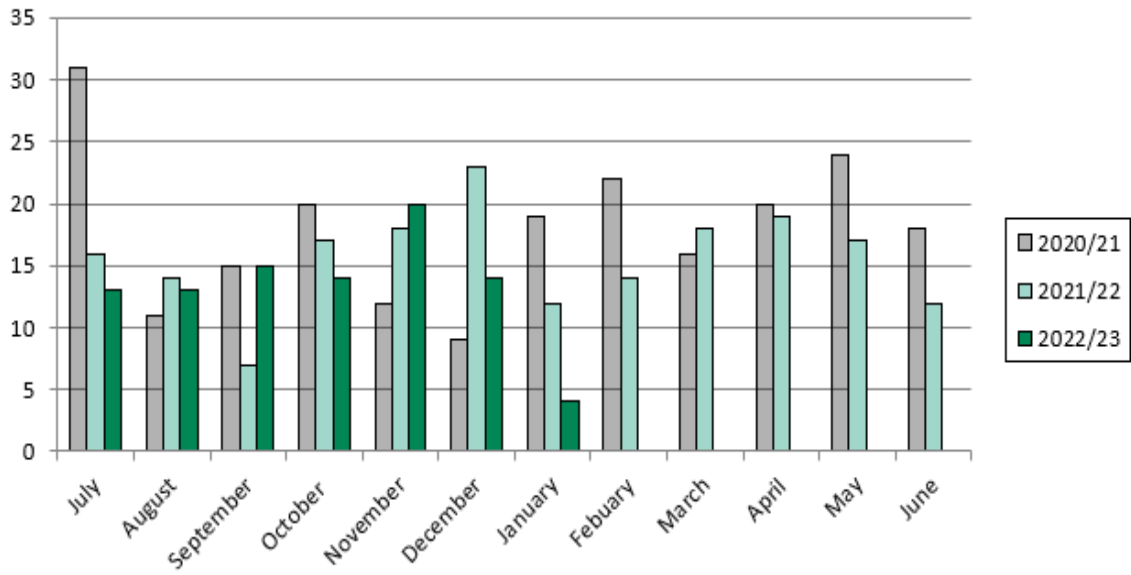
Planning Approvals



Subdivisions - No of new lots created

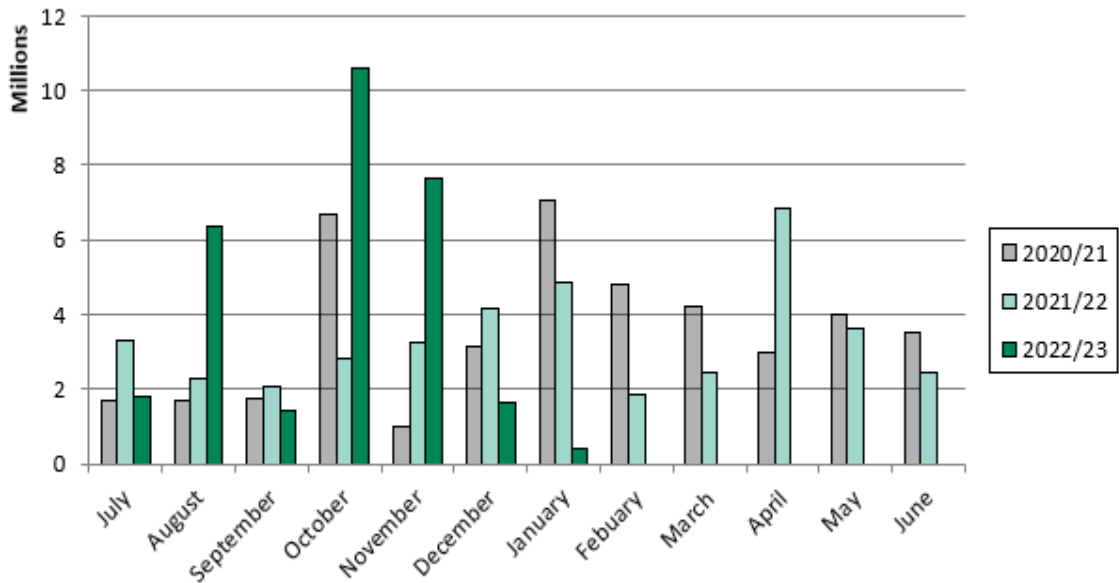


No of Building Approvals



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

Building Values



Building Values includes Building Permits and Notifiable Building Work (Category 3)

Engineering Services

Project Updates

Project	Status
ANZAC Park all ability playground	There has been some delay sourcing equipment and material, anticipated to be opened on the March long weekend 2023
ANZAC Park erosion mitigation	Awaiting lodgement of DA and procurement to commence works
Stairway replacement adjacent to 276 Port Road, Boat Harbour	Works commencing in February
Stairway replacement opposite Cumming Street	Procurement being undertaken
East Wynyard foreshore car park and pathway	Works schedule to commence in late February
Inglis River Walking track options study	Draft report received, currently under review
Sisters Beach estuary rehabilitation	Majority of works complete, some additional planting and landscaping to come
IGA Area intersection reconfiguration & car park	Main car park construction works functionally complete, additional footpath and DDA parking works to be completed by March
West Calder Bridge Replacement	Works Complete
Oonah Road Bridge	Works Complete
Bassets Road Bridge	Works Complete
Calder Road Bridge	Works scheduled for March
Robin Hill Road upgrade and seal	Works well underway with sealing booked in March
Urban Reseal program	Awarded and due for commencement in February
Old Bass Highway footpath linkage	Works Complete
Goldie Street Wharf area footpath linkage	Works Complete
Fossil Bluff traffic impact assessment	Report underway
Serrata Crescent Driveway works	Some delay in repositioning driveways, expect to be completed during March
Somerset foreshore traffic impact assessment works	Works currently being undertaken, expected to be complete prior to Playground opening
Port Creek flood mitigation	Tenders received and being reviewed
Big Creek flood mitigation	Likely to be tendered in March
22 Goldie Street	Works Complete
5 Stockdale Ave piped drain	Works Complete
Cumming Street Boat Harbour – stormwater extension	Likely March works commencement
Walking track counters	Works Complete

National Heavy Vehicle Regulator permit applications

Consent Performance

Monthly Statistics for Jan 2023

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



Permit Application Type	Consents Received	%
B-Double - Higher Mass Limit (HML)	9	42.9%
Truck and dog	5	23.8%
Prime and semi-trailer - Higher Mass Limit (HML)	3	14.3%
Oversize and/or Overmass (OSOM)	2	9.5%
Performance Based Standards (PBS)	1	4.8%
Prime and semi-trailer	1	4.8%
Total	21	100.0%

Permit Application Type	Consents Completed	%
B-Double - Higher Mass Limit (HML)	7	46.7%
Truck and dog	5	33.3%
Oversize and/or Overmass (OSOM)	2	13.3%
Prime and semi-trailer - Higher Mass Limit (HML)	1	6.7%
Total	15	100.0%

Completed Status	Completed	%
Granted	14	93.3%
Closed	1	6.7%
Total	15	100.0%

Vehicle Class	Completed	%
Class 2	8	53.3%
Class 3	5	33.3%
Class 1	2	13.3%
Total	15	100.0%

Consent Performance

Consent Performance by month

Average days with Road Managers

All figures below are averages for the selected period

Due to inconsistencies in consent tracking, Total Time will not currently reflect the sum of New and Assessment time. New and Assessment times are given for trend level analysis and guidance.

New Time

The period between receipt and allocation

5.17

Assessment Time

The period of assessment prior to completion

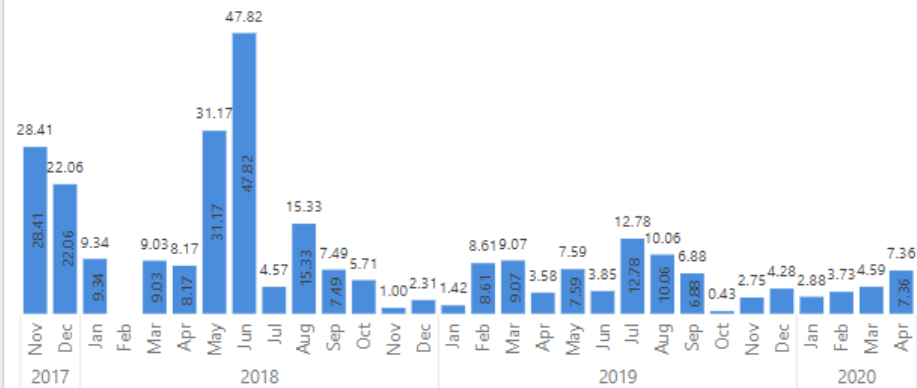
0.68

Total Time

The total time the consent was in the system

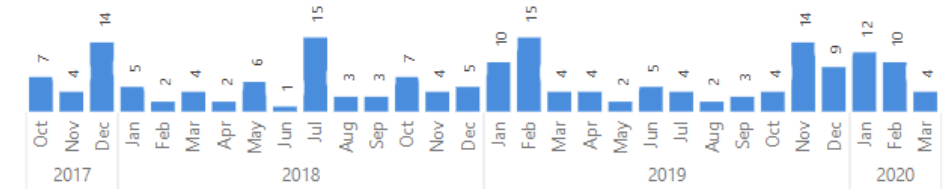
5.85

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

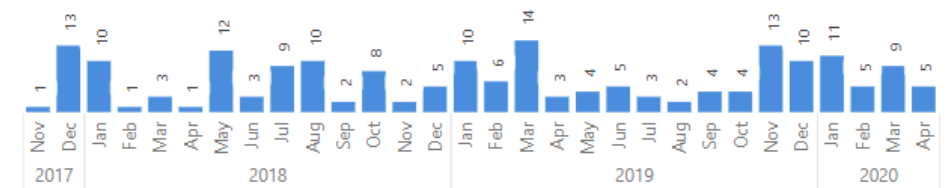


Total Consents

Received 764



Completed 761



Consent Performance
Consent Status Comparison

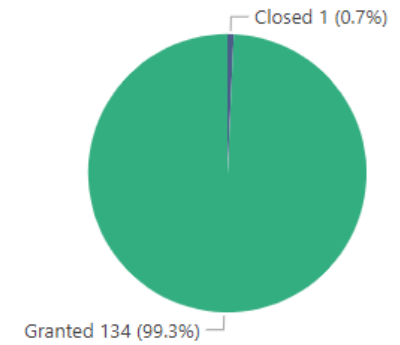
Quarter **Month**

Current Financial Year

Consents Completed by Period

Status	2022-07	2022-08	2022-09	2022-10	2022-11	2022-12	2023-01	2023-02	Total
⊕ Closed							1		1
⊕ Granted	20	8	9	12	48	13	14	10	134
Total	20	8	9	12	48	13	15	10	135

Consents Completed by Status



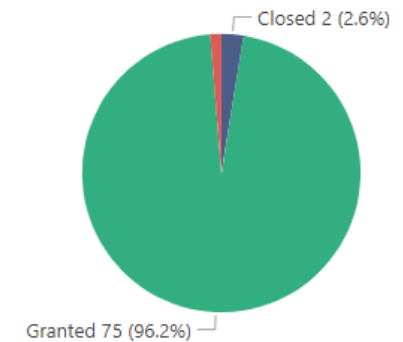
Previous Financial Year

2021-22 **2020-21** >

Consents Completed by Period

Status	2018-07	2018-08	2018-09	2018-10	2018-11	2018-12	2019-01	2019-02	2019-03	2019-04	2019-05	2019-06	Total
⊕ Closed	1												1
⊕ Granted	8	10	2	7	2	5	10	6	14	3	4	4	75
⊕ Refused				1									1
Total	9	10	2	8	2	5	10	6	14	3	4	5	78

Consent Completed by Status



Works and Services

Operations and Maintenance Updates

Less reactive maintenance was required from weather events which allowed a greater focus on planned and seasonal operational and maintenance tasks. These consisted of the following:

- Roadside verge maintenance which includes the finishing up of shoulder grading and moving onto slashing
- Culvert maintenance
- Reseal preparations
- Maintenance Grading on unsealed roads
- Bridge Scrubbing
- Mowing and Brush-cutting
- Irrigation of our sports grounds and reserves
- Sports ground maintenance (spraying, fertilising etc)
- Walking track maintenance
- Planting out of annual flowers
- Christmas Decorations



Figures 1 & 2 Wilkinson St. Reseal Preparation and a freshly graded Myalla Road



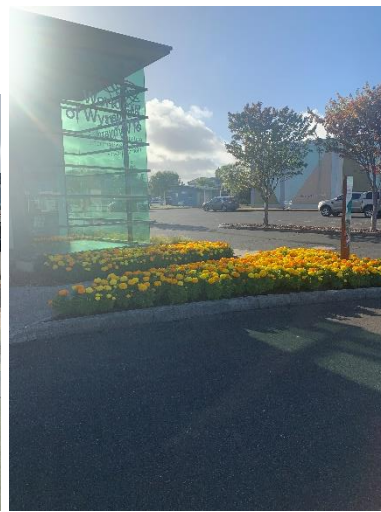
Figures 3 – Culvert maintenance (repaired headwall) on a beach walking track in Sisters Beach



Figures 4, 5 & 6 – Minor slip repaired on Myalla Road near Nelsons Rd., the major slip from Oct'22 across from Meunna Pit now repaired and new access road into Myalla sports ground



Figures 7, 8 & 9 – Christmas decorations being put up in Somerset, Wynyard and Waratah



Figures 10, 11, 12 & 13 - Preparation and Planting of annuals Wynyard and Somerset CBD's, WOW, Dodgin St



Figures 14 – A contractor undertaking renovation work and the Wynyard Rec

Capital Project Updates



Figure 15 – Regrowth spur resheet, the last road to be resheeted under this FY year’s program



Figures 16, 17, 18 & 19 – New DDA Ramps at Simpson St., Stanwyn Crt., Inglis St. and Lewis/Beauford St.



Figure 20 – New driveway at Serrata Crescent



Figures 21 & 22 – Installation of new culverts at South Elliot Rd. and Zig Zag Rd.



Figures 23, 24 & 25 – Construction continues for the Sealing of Robin Hill Road



Figures 21, 22 & 23 – Construction of the new Cricket Wicket at the Wynyard Rec

Asset Services

Project Updates

Current practice is to review the Asset Management Plan (AMP) and associated service levels for each major asset class every four years and review the overarching Strategic Asset Management Plan (SAMP) every year. As part of this process (coordinated by the Asset Services team) a multi-disciplinary working team is assembled comprising key staff involved in the delivery of services associated with the asset class under review.

Generally, a working team will always involve staff from Engineering and Works & Services (and Community Activation for recreational infrastructure) but staff from other parts of the organisation are frequently brought in as subject matter experts where required (for example, Digital Innovation, Customer Service, Finance, and others). Councillors can also be directly involved via workshops where direction is needed in relation to significant service level changes and/or potential impacts of major new and upgrade capital projects.

This approach facilitates a *whole-of-organisation* perspective to asset management while also ensuring more detailed knowledge and expertise relating to that asset class is captured. Specifically, the approach facilitates:

1. Planned progress of continuous improvement initiatives;
2. Regular review of documented service levels and maintenance intervention standards;
3. Regular review of forward capital and operational expenditures to reflect ongoing updates to Council's 10-year works plan;
4. Regular review and update of the status of the risks associated with Council infrastructure;
5. Regular update of asset valuations as required under Australian Accounting Standards; and
6. Regular review and update of the AM improvement action plan.

Following conclusion of the review process and any associated Councillor workshops a revised Asset Management Plan and Service Level Document is presented to Council for formal adoption.

In the 2022/23 financial year Council's Urban Stormwater Infrastructure asset class is under review.

AMP and Service Level (SL) Review – the stormwater infrastructure working team meetings are largely concluded and review/update has been completed for the 10-year works plan, stormwater infrastructure risk, and service levels. Draft revisions of both the AMP and SL Document are underway.

Asset Revaluations – Work is continuing on revaluation of Council's Urban Stormwater Infrastructure. Calculation of updated unit rates for asset replacement is substantially complete and benchmarking with proposed 2023/24 capital works is in progress. Preliminary estimates on the likely impact of the revaluation to annual depreciation costs is being prepared to inform the budget process.

Strategic AMP – Asset Services also reviews and updates Council’s Strategic Asset Management Plan each year to capture the most recent AMP review and ensure financial management considerations can be updated in the Financial Management Strategy (FMS). This work is scheduled to occur upon finalisation of the work outlined above.

Asset Management Strategy – Asset Services also coordinates the implementation of Council’s improvement plan from its Asset Management Strategy. A key tool in this strategy is the Asset Management Maturity assessment.

The following is an excerpt from an internal report on the recently completed 2022 review of Council’s strategic AM maturity:

Council’s Strategic Asset Management (AM) Maturity Assessment was recently reviewed using the NAMS+ template which is aligned to the National Assessment Framework (NAF) for Local Government Asset Management and Financial Planning developed by the Australian Centre of Excellence for Local Government (ACELG) more than 10 years ago.

This assessment tool provides a systematic way to measure an organisation’s Strategic AM Maturity across all 11 elements set out in the framework. The results of the assessment can then be used to benchmark where an organisation is in its Asset Management journey and to provide strategic direction for continuous improvement.

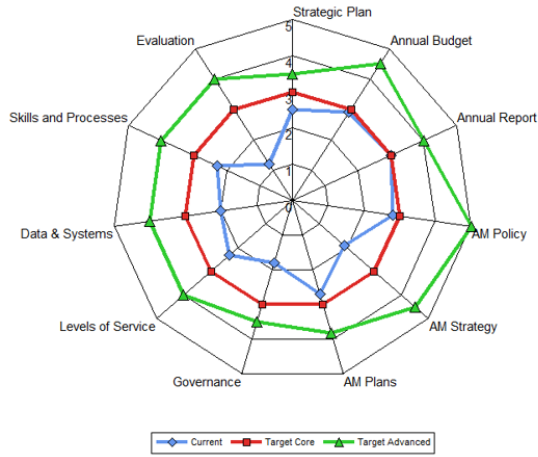
The previous review occurred 3 years ago in November 2019.

The most recent review shows significant improvements have been realised in Council’s Strategic AM Maturity during this time. Waratah-Wynyard Council is now at or above the “core” level of maturity for all but one of the 11 elements.

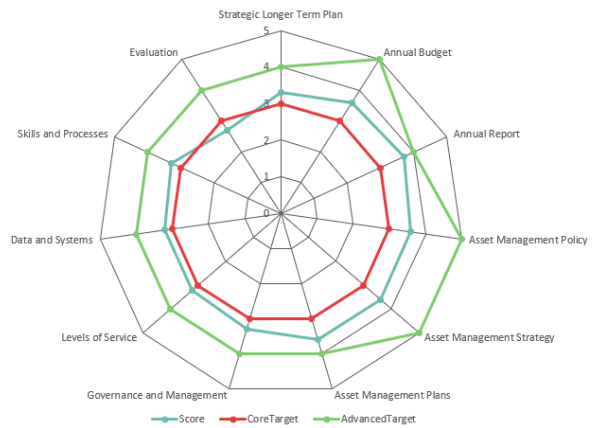
A high-level appreciation of these improvements can be seen in the spider graphs below which show the results of the current maturity assessment and corresponding organisational risk levels compared with those for the 2019 assessment.

Council’s Strategic AM Maturity Steering Committee (essentially the EMT + Asset Services Coordinator) uses the results of the maturity assessment to drive the organisation’s Strategic AM Improvement/Action Plan.

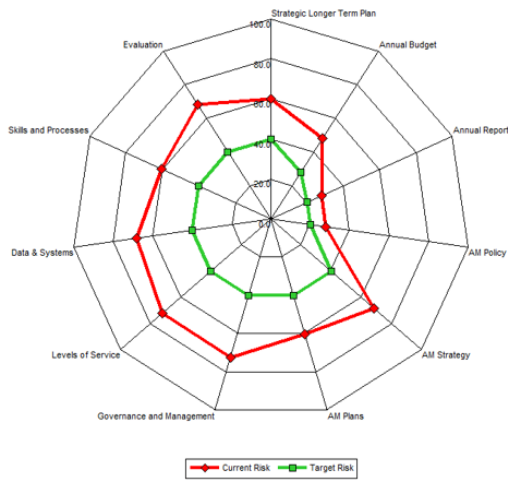
WWC 2019 ASSESSMENT REVIEW
Core and Advanced Maturity Assessment
Spider



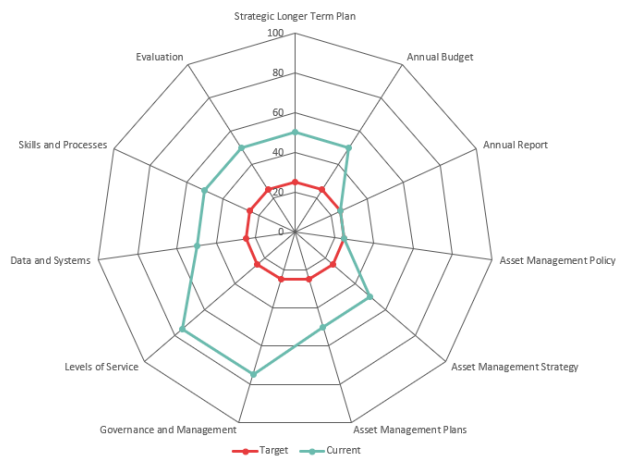
WWC 2022 ASSESSMENT REVIEW
Core and Advanced Maturity Assessment
Spider



WWC 2019 ASSESSMENT REVIEW
Current and Target Risk
Spider



WWC 2022 ASSESSMENT REVIEW
Current and Target Risk
Spider

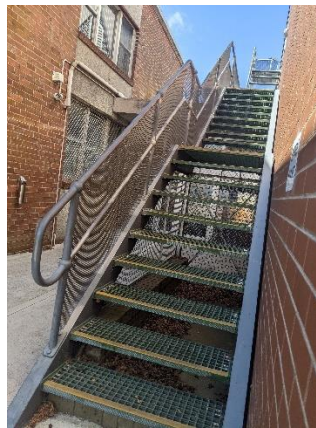


Recreational Planning and Environment

Project Updates

Over the Christmas closure, the Warawyn Early Learning Centre received a fresh coat of paint throughout the building. This was last completed about twelve years ago which meant the facility was looking tired and worn after periods of heavy use. Now complete, the painting has uplifted the facility and made it look lighter and brighter.

Significant progress on the fire escape handrail at the Council Chambers has been undertaken during the period with the work nearing completion. The upgrade of the handrail is required to comply with legislation and ensure the use of the stairway is safe for use during emergencies for both workers and visitors to the building.



Compliant handrail construction – Council Chambers

During this quarter, the staff entrance door has been upgraded at the Wynyard Council Chambers to meet the legislated requirements for doorway width.



Upgraded doorway – Council Chambers

Environmental Sustainability Services

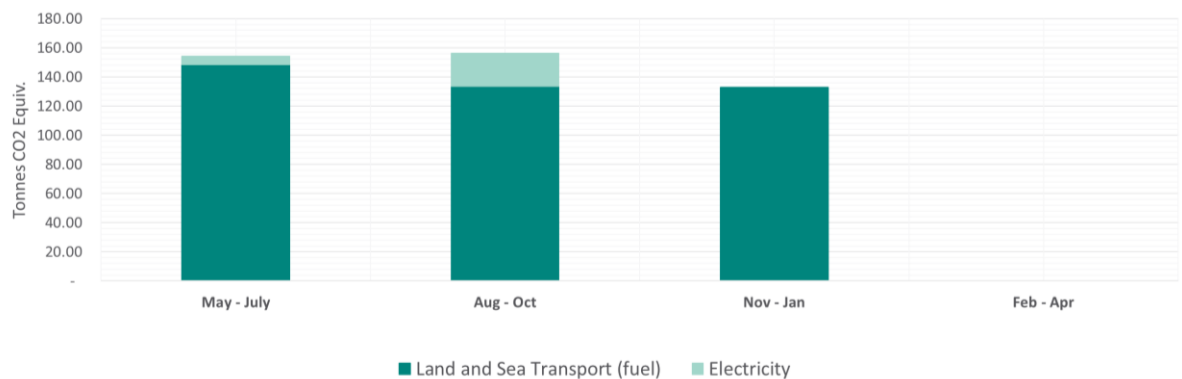
The first Sustainability and Environmental Advisory Panel (SEAP) meeting was held during this quarter, with the group's main focus being the creation of the panel's Action Plan.

Emissions statistics provided below are based on fuel consumption from council fleet, plant and machinery only (partial scope 1 emissions), as well as electricity consumption

(scope 2 emissions) on councils buildings and other assets. Scope 3 emissions have not been included. It is noted that electricity data will be received intermittently throughout the year so it is expected to see variations when comparing one quarter to the next.

At the time of preparing this report, electricity emissions were not available for the November – January period. This detail will be reported in the following quarter.

WWC Quarterly Emissions Trend – 2022/23



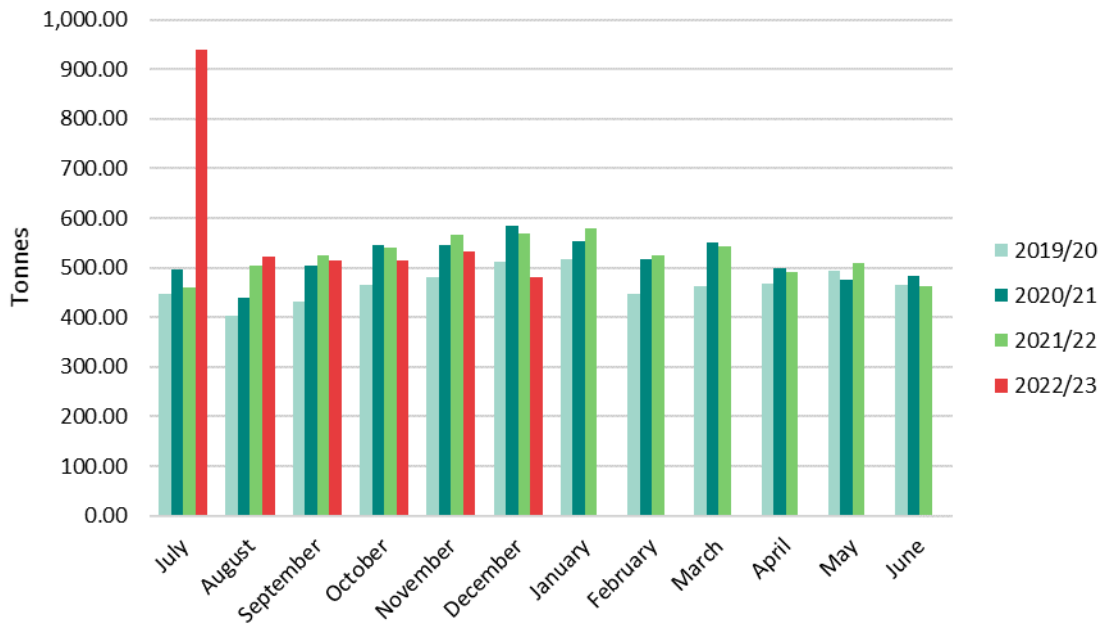
Waste Management Services

Waste management statistics provided below are inclusive of the waste derived from both the kerbside collection services and the waste transfer station (WTS) operations of Council. Tonnes of waste and recycling have been presented up to 31 December 2022 (January data had not been received at the time of preparing this report). The number of WTS customers has been provided for the period up to 31 January 2023. To summarise the waste statistics data for this quarter:

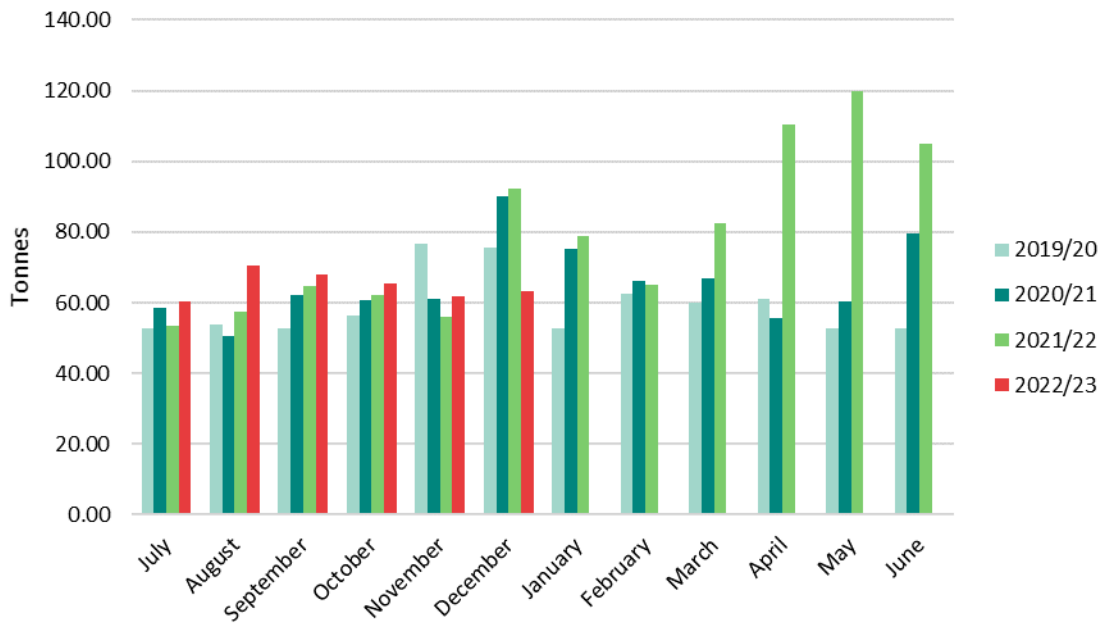
Waste and Recycling:

- The total waste to landfill from Nov – December was 1,012 tonnes. This is 11% *less* than the same period the previous year. This is an excellent outcome aligning with Council’s strategic goals to minimise waste to landfill
- The total comingled recycling collected during Nov - December was 125 tonnes.
- The total tonnes of comingled recycling has *decreased* by approximately 17% in comparison with the same period last year (148 tonnes). Whilst this is somewhat concerning, the recycling trend for this financial year to date (Jul – Dec 2022 at 389 tonnes) is on the whole higher than compared with the same period last financial year (Jul – Dec 2021 at 386 tonnes)

Tonnes of Waste to Landfill



Tonnes of Comingled Recycling

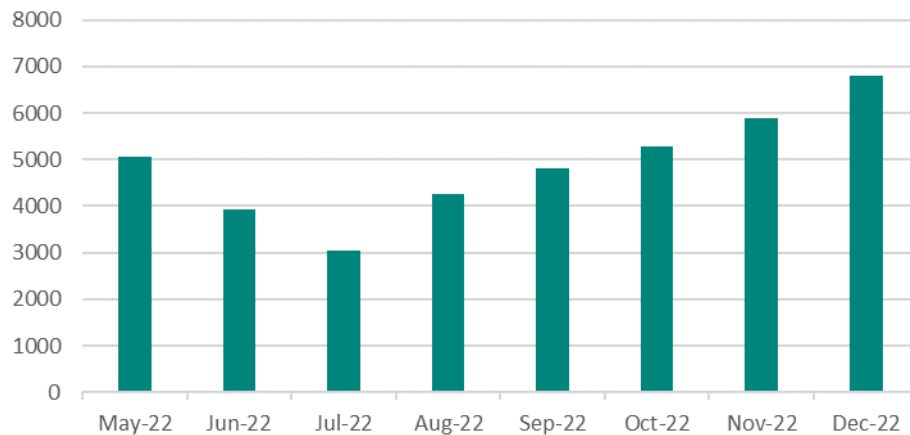


Wynyard Waste Transfer Station:

- The total number of customers for this period was 19,887. This has increased by approximately 39% from the previous quarters' 14,347 customers
- The busiest day at the WTS during this period was on Sunday 8 January, with 361 customers. This represents on average, one customer per minute the WTS was open that day.
- The slowest day during this quarter was reported on Thursday 26th January (Australia Day) with 90 customers attending the site

- Average number of customers/day at the WTS for the period 1 Nov – 31 Jan is 216 visits. This is 58 more customers per day than the last quarter Aug-Oct 2022

Wynyard Waste Transfer Station – Total No. Customers / Month



Buildings and Facilities

As part of Council’s ongoing maintenance program, floor maintenance was completed during December and January at the Somerset Indoor Recreation Centre. The maintenance required closure of the facility so both courts could be sanded and resealed; a process that is undertaken every two years to ensure the surfaces are in top shape for use.



Somerset Indoor Recreation Centre – Floor Maintenance

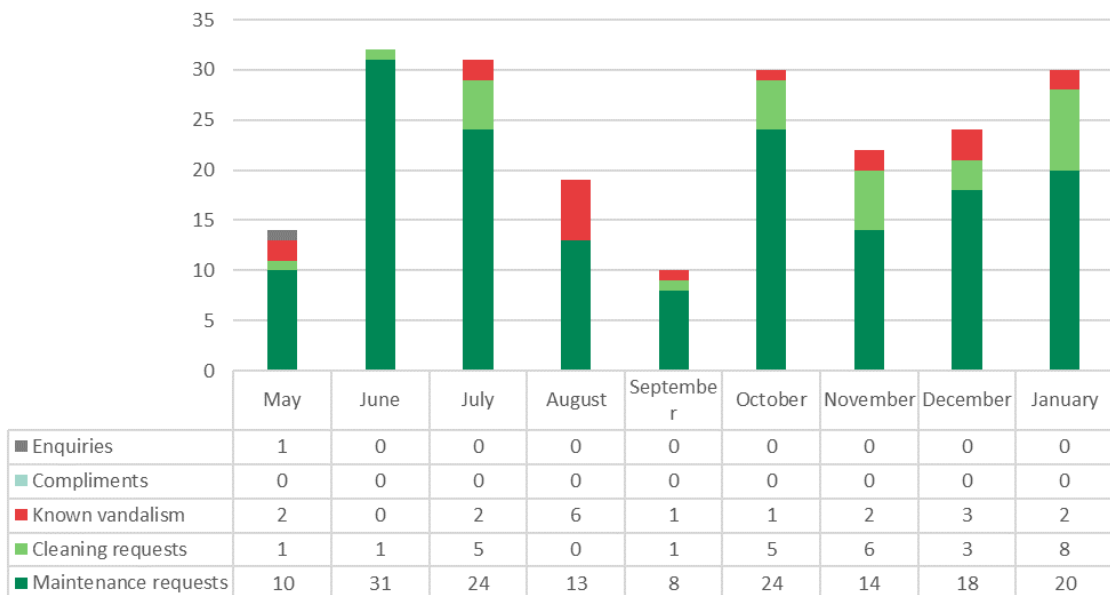
Statistics included below are all customer service requests for public toilets lodged *directly with Council* during the reporting period. In summary:

- Public toilet requests made up 16% of the total customer service requests received between November and January, up from 12% in the previous quarter
- 76 requests relating to public toilets were received during this period (average 0.82/day)
- About 68% of the public toilet requests were for maintenance, and over half of these (54%) these were due to toilet blockages, through: excessive use of toilet

paper or flushing of inappropriate item/s (either intentional or unintentional) and technical fault

- Other maintenance faults during the period included running water, sticking flush buttons and door faults (i.e. broken door closers)
- About 22% of public toilet enquiries related to cleaning requests for this quarter; up from 10% in the previous quarter. The majority of these concerns appear to be issues arising inbetween scheduled cleans rather than a poor standard of cleaning
- ‘Known vandalism’ has maintained numbers since the past period, with a total of seven reports between November and January. These largely consistent of instances where soap dispensers or sharps containers had been removed from the building

Public Toilets – Number of Service Requests by Type



Graph representing data 1 November through to 31 January

Recreational Planning

East Wynyard Foreshore Master Plan – Demolition and construction anticipated to commence in April 2023, allowing time for design and the arrival of necessary materials. Consultation on specimen tree species and location was completed during this period. Once the analysis is completed, the outcome will be communicated to the community before ordering the trees and scheduling for planting between April and June 2023.

Contracts and Reporting

Statistics below describe the contract extensions in the current reporting period, based on the date the extension was approved. During this quarter, five (5) contract extensions were executed across three (3) separate contracts:

No.	Contract	Contract Start Date	Original Expiry Date	Revised Expiry Date	Update
756	ANZAC Park All Abilities Playground (2020/21)	18/10/2021	5/10/2022	8/11/2022	Contract extension raised due to weather and supply chain issues - revised PC 17 Feb 23. - Extension accepted 23 Jan 23
764	Camp Creek Final Rehabilitation Project	28/02/2022	23/05/2022	30/01/2023	Contract extension raised due to storm water pipe issues - EXP 30 January 2023 - signed, sent and returned 1 Dec 22 - PC Achieved approximately 11 January 2023
780	Park Street Realignment and Car Park Works	13/09/2022	9/12/2022	10/02/2023	EOT#02 - Contract extension requested by contractor due to Cam River Bridge Closures - 5 days claimed for revised completion 16 Dec 2022 - granted EOT#03 - Contract extension requested by contractor for the construction of a concrete nib wall to support newly installed fence along Western boundary - 5 days claimed for a revised completion date of 23 Dec 2022 - granted Contract extension raised due to weather and supply chain issues - EXP 10 Feb 23 sent 21 Dec. Extension accepted 22 Dec.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

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

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.

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.

GOAL 7: Environment
Desired Outcomes
7.2 The community understands its vulnerabilities and strengths when it comes to climate change adaptation and resilience.
Our Priorities
7.2.1 Support and foster community led adaption and initiatives.

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.
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.

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

The Corporate Quarterly Information Report for the Infrastructure and Development Services Department is as presented for Council noting. More detailed annual reports for individual Council plans and Strategies are also provided.

MOVED BY	CR JOHNSTONE
SECONDED BY	CR EDWARDS


That Council note the Corporate Quarterly Information Report for the Infrastructure and Development Services Department as of 31 January 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

9.4 POLICY REVIEW - COUNCILLOR CODE OF CONDUCT

To: Council
Reporting Officer: Executive Officer
Responsible Manager: General Manager
Report Date: 20 January 2023
File Reference: 0201
Enclosures: 1. GOV.016 Councillors Code of Conduct 

PURPOSE

The purpose of this report is to review the Code of Conduct for Councillors in accordance with section 28T of the *Local Government Act 1993* (the Act) which states that a council must review its code of conduct within three months of each ordinary election.

BACKGROUND

The *Local Government (Model Code of Conduct) Order 2016* (model Code of Conduct) came into effect on 26 December 2018. Council adopted the Model Code of Conduct as its Councillors Code of Conduct on 21 January 2019. Under the *Local Government Act 1993*, Council is required to review the Councillors Code of Conduct following each Ordinary Election.

The State Government has advised that as part of its commitment to strengthening the Code of Conduct Framework it will be undertaking a review of the Model Code of Conduct early in 2023. The Government released a draft Local Government Amendment (Code of Conduct) Bill 2022 and a draft of the prescribed information to be included in every council's dispute resolution policy for public consultation in August 2022. At the close of the consultation period on 5 September 2022, the Government received ten submissions. These submissions are available to view on the Office of Local Government website.

Additional changes have been made to the Bill further to feedback received from the public consultation. In particular, the final Local Government Amendment (Code of Conduct) Bill 2022 (the final Bill) omits the provision enabling councils to adopt and implement additional behavioural codes or standards that are not part of the Code of Conduct. This omission has been deemed appropriate in response to feedback received from public consultation on the draft Bill.

The final Bill also provides that the investigating Panel for a complaint may recommend in the determination report that the Director of Local Government considers making a recommendation to the Minister under the *Local Government Act* for the issuance of a performance improvement direction in respect of matters raised during the investigation of a complaint.

The final Bill was introduced into Parliament on 10 November 2022.

DETAILS

The Government have commenced a review of the Local Government (General) Regulations 2015 and the Local Government (Model Code of Conduct) Order 2016 to ensure that the intent of the Bill's legislative changes is appropriately reflected and embedded in those supporting instruments. Council awaits the new documents, however in the meantime, must

comply with the Act and indicate a review of the Waratah-Wynyard Council Code of Conduct has been undertaken.

The Local Government Association of Tasmania (LGAT) has advised:

"..many of you would be aware that 28T(7) of the Act requires council to "review its code of conduct within 3 months after each ordinary election".

As part of the Government's current Code of Conduct Review and subsequent Bill currently before Parliament, the Government has committed to a review of the "model" code and then the development of a standard code of conduct. While 28T(7) is a legislative requirement, the Act does not specify how this should be done. Given the work that will occur on the code by the Government throughout 2023, the Minister is extremely unlikely to entertain any substantive changes to the model code emerging from a council review....".

A review has been conducted by officers and recommends making minor administrative changes and the inclusion of gender-neutral terminology. Given a new Model Code of Conduct is imminent and the advice from LGAT, there are no significant changes to the document recommended.

It is expected that legislated change to the Model Code of Conduct will occur in the coming months and a full review of the Councillors Code of Conduct will occur at that time.

STATUTORY IMPLICATIONS

Statutory Requirements

Local Government Act 1993 Subdivision 2 – Code of Conduct Section 28T.

(1) Within 3 months after the day on which an order under [section 28R\(1\)](#) takes effect, each council must adopt the model code of conduct, either with or without any variations permitted under [subsection \(3\)](#), as its code of conduct relating to the conduct of its councillors.

(2) Within 3 months after the Minister makes available to councils an amendment to the model code of conduct or a substitute model code of conduct, a council must adopt the amendment, or revoke its code of conduct and adopt the substitute model code of conduct as its code of conduct, either with or without variations permitted under [subsection \(3\)](#).

(5) Within 14 days after adopting the model code of conduct, an amendment to the model code of conduct or a substitute model code of conduct, a council is to provide a copy of it to the Director.

(7) A council is to review its code of conduct within 3 months after each ordinary election.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
1.5 We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making.
Our Priorities
1.5.2 Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

If Council does not review its Councillors Code of Conduct following the Ordinary election it would fail to comply with requirements under the Act.

CONSULTATION PROCESS

THE REVIEW OF THE CODE OF CONDUCT FOR COUNCILLORS IS A LEGISLATIVE REQUIREMENT AND THERE IS NO SCOPE FOR COMMUNITY CONSULTATION.CONCLUSION

It is recommended that Council adopt the amended Councillors Code of Conduct pending a full review when the new Model Code of Conduct is legislated.

MOVED BY	CR JOHNSTONE
SECONDED BY	CR HYLAND

That Council



- 1) Note that a review of the Councillors Code of Conduct has been undertaken;**
- 2) adopt the amended Councillors Code of Conduct; and**
- 3) note that a further revision of the Councillors Code of Conduct will be adopted once the new Model Code of Conduct is formalised by the State Government.**

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 POLICY REVIEW - COUNCIL MEETING PROCEDURES

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	1 February 2023
File Reference:	0201
Enclosures:	<ol style="list-style-type: none"> 1. GOV.009 - Council Meeting Procedures Policy  2. GOV.009.001 - Council Meeting Procedures 

PURPOSE

Section 18 of the *Local Government Act 1993* requires Council to be conducted in accordance with prescribed meeting procedures. These prescribed procedures are detailed in the *Local Government (Meeting Procedures) Regulations 2015*.

This report provides an overview of the review recently undertaken of the Council Meeting Procedures Policy (GOV.009)

BACKGROUND

The *Local Government (Meeting Procedures) Regulations 2015* came into effect on 29 June 2015.

The Waratah Wynyard Council Meeting Procedures 2015 were adopted by Council on 20 July 2015, and further amended on 17 August 2015.

The current procedures were reviewed and adopted by Council at its meeting held on 17 June 2019.

Council is required to review and update the document by June 2023.

DETAILS

Under the Act, Council is required to review Council Meeting Procedures following each Ordinary Election. A number of clerical changes are recommended to change numbering, correct spelling and other minor grammatical errors.

The following Table notes proposed changes to the policy:

REPORTS OF OFFICERS AND COMMITTEES

EXISTING POLICY – ADOPTED 17/6/19	UPDATED POLICY – TO COME INTO EFFECT ONCE ADOPTED	COMMENT
GOV.0.09 included both policy and procedures	Policy and procedures have been spilt into : Policy GOV.009 Procedures GOV.009.001	For consistency with other policy and procedure documents.
Section 22 Debate at Council Meeting (5) A councillor at a council meeting who moves a motion: a) has a right of reply for up to 3 minutes; and b) is not to introduce any new information in exercising that right	Section 20 Debate at Council Meeting (5) A councillor at a council meeting who moves a motion: a) Opens the debate on the motion b) has a right of reply for up to 3 minutes; and c) is not to introduce any new information in exercising that right	Clarification of process
Section 22 Debate at Council Meeting	Section 20 Debate at Council Meeting (6) A Councillor who seconds a motion will have the opportunity to speak second on that particular motion	New item added for clarification of process
Section 23 Point of Order at a Meeting	Section 21 Point of Order at a Meeting (5) Points of order do not apply to public question time	New item added
Section 29 Questions without notice. (1) (b) (ii) through the chairperson, of the general manager	Section 27 Questions without notice (1) (b) (ii) the general manager or other Officers present	Clarification of point
Section 31 (A) Public Question Time	Section 29 (A) Public Question Time	Points re-ordered for readability
Section 31 (A) Public Question Time	Section 29 (A) Public Question Time New Item (1) Protection of Parliamentary privilege does not apply to Local Government and any statements or discussion in the Council Chambers, or documents produced, are subject to the laws of defamation	Clarification of legal requirements.

REPORTS OF OFFICERS AND COMMITTEES

EXISTING POLICY – ADOPTED 17/6/19	UPDATED POLICY – TO COME INTO EFFECT ONCE ADOPTED	COMMENT
<p>Section 31 (A) Public Question Time</p> <p>(1) The chairperson of an ordinary council meeting may:</p> <ul style="list-style-type: none"> a) address questions on notice submitted by members of the public; and b) invite any member of the public present at the meeting to ask questions relating to the activities of the council. 	<p>Section 29 (A) Public Question Time</p> <p>(3) The chairperson of an ordinary council meeting may:</p> <ul style="list-style-type: none"> a) address questions on notice submitted by members of the public; and b) invite any member of the public present at the meeting to ask questions relating to the activities of the council. c) A maximum of three (3) questions per person are permitted. <ul style="list-style-type: none"> i. A question in three (3) parts will be treated as three (3) questions. ii. If multiple questions are to be asked, they are to be stated at once, collectively prior to a response to all 	<p>Clarification of public question time process</p>
<p>Section 31 Public (A) Question Time</p> <p>4. The chairperson of an ordinary council meeting must ensure that, if required, at least 15 minutes of that meeting is made available for questions by members of the public.</p>	<p>Section 29 (A) Public Question Time</p> <p>New Item (4)</p> <p>1. The chairperson of an ordinary council meeting must ensure that, if required, at least 15 minutes of that meeting is made available for questions by members of the public.</p> <ul style="list-style-type: none"> a. A maximum of three minutes per person will be allowed to ask questions 	<p>Reinstate previously removed clause regarding length of time available for public questions.</p>
<p>Section 31 Public (A) Question Time</p> <p>(5) The chairperson of an ordinary council meeting may:</p>	<p>Section 29 (A) Public Question Time</p>	<p>Clarification of criteria for the Chairperson to refuse a question.</p>

REPORTS OF OFFICERS AND COMMITTEES

EXISTING POLICY – ADOPTED 17/6/19	UPDATED POLICY – TO COME INTO EFFECT ONCE ADOPTED	COMMENT
<p>(a) refuse to accept a question from a member of the public; or (b) require a question from a member of the public asked without notice to be put on notice and in writing to be answered at a later ordinary council meeting.</p>	<p>(1) Chairperson may refuse to allow a question on notice to be listed or refuse to respond to a question put at a meeting without notice that:</p> <ul style="list-style-type: none"> a) Is unlawful in any way; b) Contains defamatory remarks, offensive or improper language; c) Questions the competency of Council staff or Councillors; d) Relates to the personal affairs or actions of Council staff or Councillors; e) Relates to confidential matters, legal advice or actual or possible legal proceedings; f) Relates to any matter which would normally be discussed in the Closed Section of a Council meeting pursuant to Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015; g) Is, in the reasonable opinion of the Chairperson, proffered to advance a particular point of view rather than making a genuine enquiry; h) Is vague in nature or irrelevant to Council activities. 	

REPORTS OF OFFICERS AND COMMITTEES

EXISTING POLICY – ADOPTED 17/6/19	UPDATED POLICY – TO COME INTO EFFECT ONCE ADOPTED	COMMENT
	<p align="center">i) Are questions that have been substantively asked (and responded to) on any previous occasion.</p> <p align="center">If a Chairperson refuses to accept a question from a member of the public, the Chairperson is to give reasons for doing so.</p>	
<p>Section 31 (B) Public Statement Time</p> <p>(4) If the 15-minute period set aside for public statement time is reached, Council, by resolution, may resolve statement time be extended for an extra 15 minutes</p> <p>(5) No more than two (2) 15-minute extensions to public statement time are to be permitted.</p>	<p>Section 29 (B) Public Statement Time</p> <p>(4) If the 15-minute period set aside for public statement time is reached, Council, by resolution, may resolve statement time be extended</p> <p>(5) Removed.</p>	<p>Remove points regarding to extension of public statement time.</p>

STATUTORY IMPLICATIONS

Statutory Requirements

Section 18 (3) of the *Local Government Act 1993* provides:

A meeting of a council is to be conducted in accordance with prescribed procedures.

The *Local Government (Meeting Procedures) Regulations 2015* prescribe council meeting procedures effective from 29 June 2015.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
1.5 We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making.
Our Priorities
1.5.2 Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

Once adopted, the Policy will immediately come into effect.

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONSULTATION PROCESS

A detailed review of the Council meeting procedures has been conducted by staff to ensure legislative compliance. In addition Councillors reviewed the procedures at a Council Workshop conducted on 6 February 2023.

CONCLUSION

It is recommended that Council adopt the amended Council Meeting Procedures effective immediately.

MOVED BY	CR COURTNEY
SECONDED BY	CR HYLAND

That Council adopt the amended Council Meeting Procedures effective immediately.

AMENDMENT TO THE MOTION

MOVED BY	CR EDWARDS
SECONDED BY	CR ROBERTS

That council place the revised draft Council Meeting Procedures to community consultation for two weeks.

The AMEDMENT 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 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 SENIOR MANAGEMENT REPORT

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	1 February 2023
File Reference:	1312
Enclosures:	Nil

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 14 January 2023 to 10 February.

Corporate

- Participated in steering committee meetings for development of Council's Digital Transformation Strategy
- Finalised the Planning Services Review
- Participated in Boat Harbour Beach Working Group meeting

Community

- Met with NBN co. to receive information on upgrade works to be carried in Waratah-Wynyard area in early February
- Attended Council's Australia Day Awards ceremony
- Attended meeting with West North West Working to gain an understanding of their services

Industry

- 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 a Future of Local Government session hosted by the Local Government Board

Other

- Attended a Board workshop of the Cradle Coast Authority
- Attended an Audit and Risk Meeting of the Cradle Coast Authority

ADMINISTRATION – Use of Corporate Seal

1/2/23	Grant Deed Variation	ANZAC Park – delay final audit and report
1/2/23	Land Transfer	Sale of Land - 7 Walker Street
1/2/23	Final Plan and Schedule of Easements	SD2147 – 2 Henry Street Somerset (2 int 4 lots)

POLICIES TO BE RESCINDED

NIL.

MOVED BY	CR COURTNEY
SECONDED BY	CR ROBERTS

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

9.7 FINANCIAL REPORT FOR THE PERIOD ENDED 31 JANUARY 2023

To: Council
Reporting Officer: Corporate Accountant
Responsible Manager: Director Organisational Performance
Report Date: 10 February 2023
File Reference: Financial Management - Reporting - Council
Enclosures: 1. Monthly Capital Progress Report - January 

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 COURTNEY
SECONDED BY	CR HYLAND

That Council note the Financial Report for the period ended 31 January 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

9.8 MINUTES OF OTHER BODIES/COMMITTEES

Nil received.

10.0 MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING

MOVED BY	CR EDWARDS
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 RECIEVED</i>	15(2)
<i>Confidential Report R15 (2) (c (i),c (iii)) commercial information of a confidential nature, that if disclosed, is likely to-prejudice the commercial position of the person who supplied it; AND commercial information of a confidential nature, that if disclosed, is likely to-reveal a trade secret RATES REMISSION</i>	15 (2) (c (i),c (iii)) g
<i>Confidential Report R15 (2) (h) - Leave of Absence Request – Councillors NIL RECIEVED</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 BRAMICH
SECONDED BY	CR JOHNSTONE

That the Council RESOLVES BY AN ABSOLUTE MAJORITY to go into Closed Meeting to consider the following matters, the time being 7.30PM

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 RECIEVED</i>	15(2)
<i>Confidential Report R15 (2) (c (i),c (iii)) commercial information of a confidential nature, that if disclosed, is likely to-prejudice the commercial position of the person who supplied it; AND commercial information of a confidential nature, that if disclosed, is likely to-reveal a trade secret RATES REMISSION</i>	15 (2) (c (i),c (iii)) g
<i>Confidential Report R15 (2) (h) - Leave of Absence Request – Councillors NIL RECIEVED</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 7.50pm the Open Meeting was resumed.

13.0 PUBLIC RELEASE ANNOUNCEMENT**RECOMMENDATION**

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
NIL		

THERE BEING NO FURTHER BUSINESS THE CHAIRPERSON DECLARED THE MEETING CLOSED AT 7.50pm.

Confirmed,

MAYOR

20 March 2023