



**ORDINARY MEETING
OF COUNCIL**

**MINUTES
OPEN MEETING**

19 June 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 19 JUNE 2023, COMMENCING AT 6.00PM**

	From	To	Time Occupied
Open Council	6.00PM	6.34PM	34MINS
Planning Authority	6.34PM	6.42PM	8MINS
Open Council	6.42PM	8.09PM	87MINS
Closed Council	8.09PM	8.44PM	35MINS
Open Council	8.44PM	8.44PM	0MINS
TOTAL TIME OCCUPIED			164MINS

AUDIO RECORDING OF COUNCIL MEETINGS POLICY

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

ACKNOWLEDGEMENT OF COUNTRY

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

1.0 RECORD OF ATTENDANCE

1.1 ATTENDANCE

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

IN ATTENDANCE

Shane Crawford - General Manager
Daniel Summers - Director Infrastructure and Development Services
Mitchell Smith – Manager Financial Services
Ashley Thornton – Manager Development and Regulatory Services
Sally Blanc – Executive Officer

1.2 APOLOGIES

Nil received.

1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Councillor Celisa Edwards.

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

2.1 CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY COUNCIL MEETING

MOVED BY	CR BRAMICH
SECONDED BY	CR HYLAND

That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at Council Chambers, 21 Saunders Street, Wynyard on Monday 15 May 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 HYLAND	CR ROBERTS	CR JOHNSTONE	CR RAW

3.0 DECLARATIONS OF INTEREST
--

Councillor and Agenda Item Number

Nil

Staff and Agenda Item Number

Nil

4.0 COUNCILLORS ANNOUNCEMENTS AND REPORT

4.1 ANNOUNCEMENTS BY MAYOR

4.1.1 NATIONAL VOLUNTEER WEEK

During the recent National Volunteer Week in May, the Waratah-Wynyard Council facilitated a morning tea to recognise and celebrate the power of our volunteers with Waratah-Wynyard Council.

We have approximately 85 volunteers who have continued to give so much time, energy, enthusiasm, commitment and skills to Wonders of Wynyard, Wynyard Landcare, SEAP (Sustainability and Environmental Advisory Panel), Landcare, Sisters Beach Wild Care, Public Art Advisory Group, Waratah-Wynyard Youth Leadership Group, Tulip Festivals, Boat Harbour Beach Working Group, and the Wynyard Sporting Precinct.

Volunteering is a fulfilling way to give back to our community. In fact, volunteers are the changemakers and lifeblood of our community and I congratulate all our volunteers as it is their contribution and dedication that connects and strengthens our local communities

4.1.2 EX-COUNCILLOR MR FRANCES RANSLEY OAM

On behalf of the Waratah-Wynyard Council I wish to acknowledge the passing of former Councillor Frances Ransley OAM.

Frances served two terms on the Waratah-Wynyard Council from 1994 to 2000 and 2002 to 2012. Frances was a Councillor of very high integrity with very strong views about the future of Wynyard. His genuine generosity in establishing the veteran car collection housed at the Wonders of Wynyard is a testament to his vision, his indomitable spirit and his love for Wynyard.

I express our condolences to his wife Elayne and family at this sad time. Vale Frances Ransley OAM.

There is a condolences book at the Wonders of Wynyard should anyone wish to sign it

LETTER FROM DIRECTOR OF LOCAL GOVERNMENT

Department of Premier and Cabinet

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Cr Mary Duniam
Mayor
Waratah-Wynyard Council

email: Mayor.mduniam@warwyn.tas.gov.au

Dear Mayor

I had cause to review the recording of the May 2023 meeting of the Waratah-Wynyard Council. I note with some concern that a point of order was raised with regard to a statement made by a councillor that was likely to be offensive to another individual. While the issue was dealt with, some claims were made that, if left unaddressed, could leave people with an incorrect impression of past events.

Firstly, I strongly support robust whistle-blower protections as a critical foundation for transparency, accountability and good governance. I congratulate the Council for their ongoing work in this context. It is also important that members of the public are provided with accurate and objective information as part of the public debate on issues being considered by Council. This is particularly important where councillors choose to reflect on the actions of others.

During the debate on the Stage 2 report of the Future of Local Government Review, a councillor claimed that "...one of the Board members was the same general manager that I personally reported for breaching legislation, for creating a toxic environment...". The Councillor also claimed that this was a statement of fact on the public record.

What was not included in the statement was that these concerns were fully investigated by the Ombudsman, who found that "...nothing in the material provided or information obtained through interview suggests any impropriety by [the former General Manager], in fact the material reveals that [the former General Manager] was cognisant of the need for due process and transparency...I therefore find these particular allegations to be unsubstantiated and accordingly make no recommendations".

Contrary to the claims that this information was a 'statement of fact on the public record', the Ombudsman advised both the complainant and the respondent that it was not his intention to make the report public.

Tasmania has a number of institutions dedicated to investigating and, if necessary, intervening to address inappropriate behaviour of public officials. The *Public Interest Disclosure Act 2002* outlines those institutions that can receive a public interest disclosure, with appropriate protection afforded to the person making the disclosure. It is important that issues of concern are dealt with through these formal processes.

Given the public nature of the concerns that were previously raised, I request that you table and read this correspondence at the next open meeting of the Waratah-Wynyard Council.

Your sincerely

A handwritten signature in black ink, appearing to read "Mathew Healey".

Mathew Healey
Director of Local Government

15 June 2023

Cc Shane Crawford, General Manager, Waratah-Wynyard Council

4.2 MAYOR'S COMMUNICATIONS

MOVED BY	CR HYLAND
SECONDED BY	CR BRAMICH

That the Council note the Mayors Communications:

MAYOR DR MARY DUNIAM	
4/5/23	Governance Group Meeting – Councillor Learning and Development
8/5/23	Councillor Workshop
9/5/23	Northwest Hospitals Masterplan Briefing
10/5/23	Visit to Wynyard Care Centre
12/5/23	Investiture Ceremony for 2023 Australia Day Honours
13/5/23	Somerset Surf Life Saving Presentations
15/5/23	Meeting with Police Commander Wilkinson
18/5/23	Volunteers Morning Tea
19/5/23	Mayors & Deputy Mayors: Learning and development framework
19/5/23	Meeting with Constituent
23/5/23	CCA Executive Leadership Meeting
24/5/23	Wynyard Care Centre Function
5/6/23	Councillor Workshop
7/6/23	Work Inspirations Session – Wynyard High School

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

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

4.3 REPORTS BY DELEGATES

Nil received.

4.4 NOTIFICATION OF COUNCIL WORKSHOPS

MOVED BY	CR ROBERTS
SECONDED BY	CR JOHNSTONE

That the Council note the following Workshops:

22/5/23	Rural Alive and Well Presentation Accessibility Strategy Local Heritage Register Operational Budget
29/5/23	Storm Water Asset Management Plan Road Service Levels and Transport Asset Management Plan Austin Street Traffic Impact Assessment Waratah Playground Replacement
5/6/23	CHC/WWC Trail Feasibility Somerset Basketball Stadium/Sports Precinct Presentation by Artscape

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	
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 - INDEPENDENT REVIEW

QUESTION

Mr Hutchison of Preolenna asked if an independent review into workplace culture had been conducted in 2013 and was the report made public. He asked if the report could be included in next month's council agenda.

The Mayor took the question on notice.

OFFICERS RESPONSE

Throughout 2013 and into early 2014, a number of reports were provided into workplace culture at Waratah-Wynyard Council, both at a departmental level and organisational level.

These studies explored a variety of matters including efficiency and effectiveness of departments, communication, confidentiality and strategic direction.

The *Local Government (Meeting Procedures) Regulations 2015* state:

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

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

In line with the above, the reports have not, and will not, be placed on a public agenda.

Workplace cultural surveys and studies are commonly used by organisations throughout the world to explore current state and identify areas for improvement.

5.1.2 K SHEGOG - CAT MANAGEMENT

QUESTION

Ms Shegog of Sisters Beach asked if council would be acting to prevent roaming pet cats impacting on native wildlife in our region or at least in our National Park townships.

The question was taken on notice.

OFFICERS RESPONSE

Council agrees that roaming stray and feral cats have a devastating effect on native wildlife and can carry, and subsequently spread, diseases that can initiate mammalian miscarriages or mortalities. As such, Council continues to participate in regional and statewide initiatives relating to cat management.

Council is aware that under the *Cat Management Act 2009* it has an ability to declare an area of land within the municipal boundary to be an area within which measures may be taken in respect of cats. At this time, however Council has not chosen to undertake this action, nor is it considering mandatory cat registration and enforcement. Council remains aware that

discrete cat management areas have been applied in hot spots in some jurisdictions to address out of control population expansion mostly due to residents feeding them there.

Council's next initiative in this space will be through a regional cat desexing, inoculation and repatriation program, currently being planned.

5.1.3 K SHEGOG - MANDATORY CAT REGISTRATION

QUESTION

Ms Shegog of Sisters Beach asked if council would consider mandatory cat registration and fines.

The question was taken on notice.

OFFICERS RESPONSE

Council officers participate in a regional Cat Management working group, facilitated through the Cradle Coast Authority, and played a leading role in advocacy relating to the recently finalised *Cat Management Amendment Bill 2019*. Further, Council provided an extensive submission to Biosecurity Tasmania in relation to the draft of the Bill that was provided for general comment. It is also aware of the recent amendments to the Bill and specifically what was and was not included.

At this time, Council has chosen not to undertake this action in relation to mandatory cat registration and enforcement.

The opportunity to statute compulsory confinement of cats by owners and subsequent enforcement for breaches will require significant resource for Council and appropriate support must be provided by the state government to progress initiatives of this type.

As the State Government is currently the peak stakeholder with respect to cat management and prepared the legislation that currently applies to cat management further information may be available through the Natural Resources and Environment Department.

Council will continue to monitor cat management and take appropriate actions in the future provided appropriate funding and support is available.

5.2 PUBLIC QUESTIONS RECEIVED IN WRITING

5.2.1 C HUTCHISON - RESPONSE TO QUESTION TAKEN ON NOTICE AT PREVIOUS COUNCIL MEETING

QUESTION

#	<p>The questions relate to the officers response to the question taken on notice that I received via email, or the following Agenda item - 5.1 RESPONSE(S) TO PUBLIC QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING</p> <p>Questions – Please respond individually to each question, so that I know which questions have been answered and which have not:</p>
1	<p>In relation to the Independent review, can Council please detail the</p> <ul style="list-style-type: none">a) title of the final independent review report as provided to Council in 2013?b) Commencement date of the independent reviewc) the date the independent review concludedd) the date on which the independent review report was finalised and presented to the then Waratah-Wynyard Council General Manager?
2	<p>If the Independent Review Report will not be placed on the public agenda, can Council please provide me with a copy of this report directly to my email address?</p>
3	<p>In reference to Council's response to public questions taken on notice, if there is no public benefit to releasing this report(s), can Council elaborate as to why there is no public benefit?</p>
4	<p>As someone that commentates on this Council in the public domain, I can say, with confidence, that the report is of high public interest. Will Council consider releasing a redacted version – that blocks out employee names?</p>
5	<p>If the time period of 10 years is the only barrier, why didn't Council release the report to the public when the report was relevant?</p>
6	<p>In the Advocate Newspaper article, December 18 2013, Page 8 "Union Wants Council Culture Revamp" - Assistant Secretary of the Australian Services Union, Igor Grattan, stated that the Union had been given assurances that Council would make the report public, and release the information. However, in this month's agenda response to questions taken on notice, Council again refuses to make the report publicly accessible.</p> <p>Did Council give assurances to the ASU that you would release the report to the public?</p>
7	<p>If the content of the report has no relevance to today's Council, why is it important to maintain confidentiality of Council personnel referred to in the report, no longer a part of the organisation?</p>
8	<p>In the October 2022 meeting minutes, Public Questions Taken On Notice – item 5.1.2 – Council's answer to a question at the September meeting stated that "41 staff out of workforce of 120 (34%) have worked more than 10 years at Council." As Council has indicated that 41 staff had been working for greater than 10 years as at Sept 2022. Are any of the staff that have worked for Council for a period of 10 years or more, referred to in the Independent Review Report?</p>
9	<p>If existing Council workplace culture is no longer the same, yet 34% of the workforce according to October 2022 figures, then what mechanism is Council using to be certain that workplace culture a decade ago in 2013, is no longer the case in 2023?</p>
10	<p>The independent review related to workplace culture and issues at Council. Between what period did the report relate to (i.e. 2010-2012; 2008-2013; 1995 – 2013)?</p>
11	<p>Cr. Kevin Hyland was a Councillor between:</p> <p>Did the report relate to workplace culture when Cr. Hyland was Waratah-Wynyard Mayor?</p>
12	<p>Was Cr. Hyland the subject of review during this independent review?</p>

13	Was Cr. Hyland's name mentioned in the independent review report?
14	<p>If there are still Councillors and Staff that were part of the Waratah-Wynyard Council during either a) the period of the independent review, b) the period over range of years that the independent review sort to understand, or c) the period of 12 months directly after the final report and the implementation phase of the Review's recommendation, then the question of relevance may not be settled.</p> <p>It should not matter how long it has been since the report was completed – but that current staff and the Mayor are assessed accordingly to determine if any recommended or enforced changes have taken place and culture has improved to an acceptable standard.</p> <p>My question to the Mayor and Councillors is – it is time for a follow up review?</p>
15	In reference to Council's response to my questions, Council implies that the independent review is akin to a workplace cultural survey / study. Who initiated the independent review, and what were the triggers for this review?
16	Is Council trying to smooth over the significance of this independent review and its findings because it did not want to make the findings public then or now because of the nature of the report?
17	<p>Other sources, including Igor Grattan (then ASU assistant secretary) and more recently, Cr. Courtney have referred to the results of the independent review as being a 'damning report'.</p> <p>Does Council believe</p> <ul style="list-style-type: none"> a) The report was damning? b) The results of the review were significant? c) That the results of the review resulted in organisational change?
18	<p>If the report referred to is so 'out of date' then do contemporary Council practices look differently than those identified at the time and how does Council know?</p> <p>If change has occurred, the differences would be noticeable to highlight the growth and positive change. Informing the public is true accountability, Mayor Duniam.</p>
19	The State Government is undergoing a period of review into Local Government. In other Councils, there have been instances of toxic workplace cultures. Will Council please highlight how Waratah-Wynyard Council is a healthy and positive workplace, and demonstrate how the workplace culture investigated a decade ago, has been changed?
20	Will Councillors vote to, at a minimum, see the report in closed meeting in order to compare that historical report to any available recent internal reviews?
21	If Councillors are not satisfied with changes over the past decade, will Councillors lead the way to commission a follow up independent workplace review?

OFFICERS RESPONSE

Officers note the questions as listed above, received on Saturday 10 June. Given Monday 12 June was a public holiday, there is insufficient time to research and reply to the number of questions above prior to release of the agenda on Wednesday 14 June 2023. As such, the questions will be taken on notice and a reply provided to Mr Hutchison once complete.

5.3 PUBLIC QUESTIONS WITHOUT NOTICE

5.3.1 K EWINGTON - TACTILE PAVERS

Mr Ewington of Flowerdale asked, in relation to the installation of tactile pavers for the blind and those with impaired vision, why the council is not installing tactile pavers for the most vulnerable members of the community.

The Director of Infrastructure and Development Services advised, that as informed at the last meeting, there is a budget action, if approved tonight, to review roads and footpaths that will include a review of accessibility.

5.3.2 K EWINGTON - IGA CAR PARK

Mr Ewington of Flowerdale noted that a section of pavement west of the IGA car park entrance had been broken for several months now and asked why the area could not be temporarily fixed until proper works were able to be completed.

The Director of Infrastructure and Development Services noted that the work has not been completed as expected. He advised that council had thought this work would have been completed some time ago which is why no temporary measures were put in place.

5.3.3 S CRAWFORD - INTERNATIONAL SPORTS REPRESENTATIVE GRANTS

Ms Crawford of Somerset asked how many residents receive sponsorship from Council to represent Australia at International Sports Events.

The question was taken on notice.

5.3.4 S CRAWFORD - COUNCIL SPONSORSHIP OF STATE REPRESENTATION

Ms Crawford of Somerset asked why Council does not support community members selected to represent Tasmania at a national level.

The General Manager noted the policy was a long standing practice and that Council could review at any time.

5.3.5 K SHEGOG - CAT MANAGEMENT

Mrs Shegog of Sisters Beach asked if Council could provide information about the planned regional cat-de-sexing, inoculation and repatriation initiative, including the projected timeline for its implementation.

The General Manager noted that there is currently not a lot of detail to provide. Currently, the Cradle Coast Authority are seeking expression of interest from councils to participate in the program and council expects that details regarding the rollout of a program should

be available in the near future. He confirmed that Council has committed to be part of the program.

5.3.5 C HUTCHISON - QUESTIONS IN WRITING

Mr Hutchison of Preolenna asked if a response to his questions in writing would be placed on the agenda.

The General Manager confirmed this would occur.

5.3.6 C HUTCHISON - FUTURE OF LOCAL GOVERNMENT REVIEW

Mr Hutchison of Preolenna asked if council would be seeking community feedback before submitting its response to the Future of Local Government review.

The General Manager advised that there are a number of mechanisms for community members to provide feedback to councillors. There are a number of Community surveys being conducted and he encouraged everyone to complete surveys. Once finalised the results for each community will be provided to council.

There will also be community consultations conducted by the Local Government Association of Tasmania and council will be conducting a community conversation in July to gain further feedback. Councils submission is required by 2 August 2023.

5.3.7 C HUTCHISON - BOUNDARY ADJUSTMENTS

Mr Hutchison of Preolenna asked if council supports boundary adjustments as detailed by the State Government.

The Mayor advised that Council has not yet determined its final position and is currently working through all of the information provided to make an informed submission.

5.4 PUBLIC STATEMENTS RECEIVED IN WRITING

Nil received.

5.5 PUBLIC STATEMENTS WITHOUT NOTICE

5.5.1 MR K EWINGTON - INSTALLATION OF TACTILE PAVERS

Mr Ewington of Flowerdale made a statement regarding the lack of tactile pavers for the blind and impaired vision in the Waratah-Wynyard community. He noted he believed that it had been 43 years since large major installation of tactile pavers. He noted areas such as Council Office entrance, various locations in Goldie Street, the Yacht Club facility, community playgroup centre entry, foreshore walkways, Bruce's Café, Esplanade Somerset carpark, entry to all-abilities playground and Wragg Street crossing as areas where tactile pavers should be installed to ensure access for all community members.

5.5.2 S CRAWFORD - SPONSORSHIP POLICY

Ms Crawford of Somerset made a statement regarding councils policy on sporting achievement and grants. She noted that there is a grant available for International level representation in sport and that other councils also have provision to support community members competing at a National level.

Ms Crawford noted that many sports are fully self-funded and with the rising costs of everything it means competing for our state becomes harder and harder to achieve.

She noted that she has been a volunteer in the community through St John Ambulance, an Australia Day award recipient, and committed the last 20 years to building the Eightball community and in particular promoting and encouraging female representation in a male dominated sport. She noted that other councils provide support and assistance to state representatives and seeks the same from Waratah-Wynyard Council.

5.5.3 C HUTCHISON - CR EDWARDS ACKNOWLEDGEMENT

Mr Hutchison of Preolenna made a statement acknowledging and thanking Cr Edwards for her support and understanding of community issues and concerns.

6.0 PLANNING AUTHORITY ITEMS

PLANNING AUTHORITY OPENED AT 6.34PM

6.1 PUBLIC QUESTIONS WITHOUT NOTICE – RELATING TO PLANNING MATTERS

Nil received.

6.2 PUBLIC STATEMENTS - RELATING TO PLANNING MATTERS

Nil received.

6.3 STAGED SUBDIVISION (21 LOTS, ROAD LOT & BALANCE) LOCATED AT 47 BRIDGE STREET AND LOT 1 BRIDGE STREET (CT 182888/7), SISTERS BEACH - SD2140

To:	Council
Reporting Officer:	Town Planner
Responsible Officer:	Manager Development and Regulatory Services
Report Date:	11 May 2023
File Reference:	9724365, 9724366
Supporting Documents:	<ol style="list-style-type: none">1. Consolidated advertised documents 2. Consolidated representations 3. TasWater conditions 4. Updated bushfire hazard management report 

PURPOSE

The purpose of this report is for Council to consider the merits of the application SD2140 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013* (Planning Scheme).

BACKGROUND

The subject site comprises approximately 54.4ha and contains land within the Low Density Residential, Rural Living, Rural Resource and Environmental Management zones. To the north of the site is Irby Boulevard, containing a mix of single dwelling development and properties used for visitor accommodation. To the north of Irby Boulevard is Razor Beach. The land to the east of the site contains the majority of Sisters Beach residential area. Land to the west contains a mix of vacant and developed large Rural Living lots. Land to the south-west is zoned Environmental Management and comprises several large privately owned lots. To the south the site borders Rocky Cape National Park. An aerial image of the development area and zoning is shown below in Figure 1.

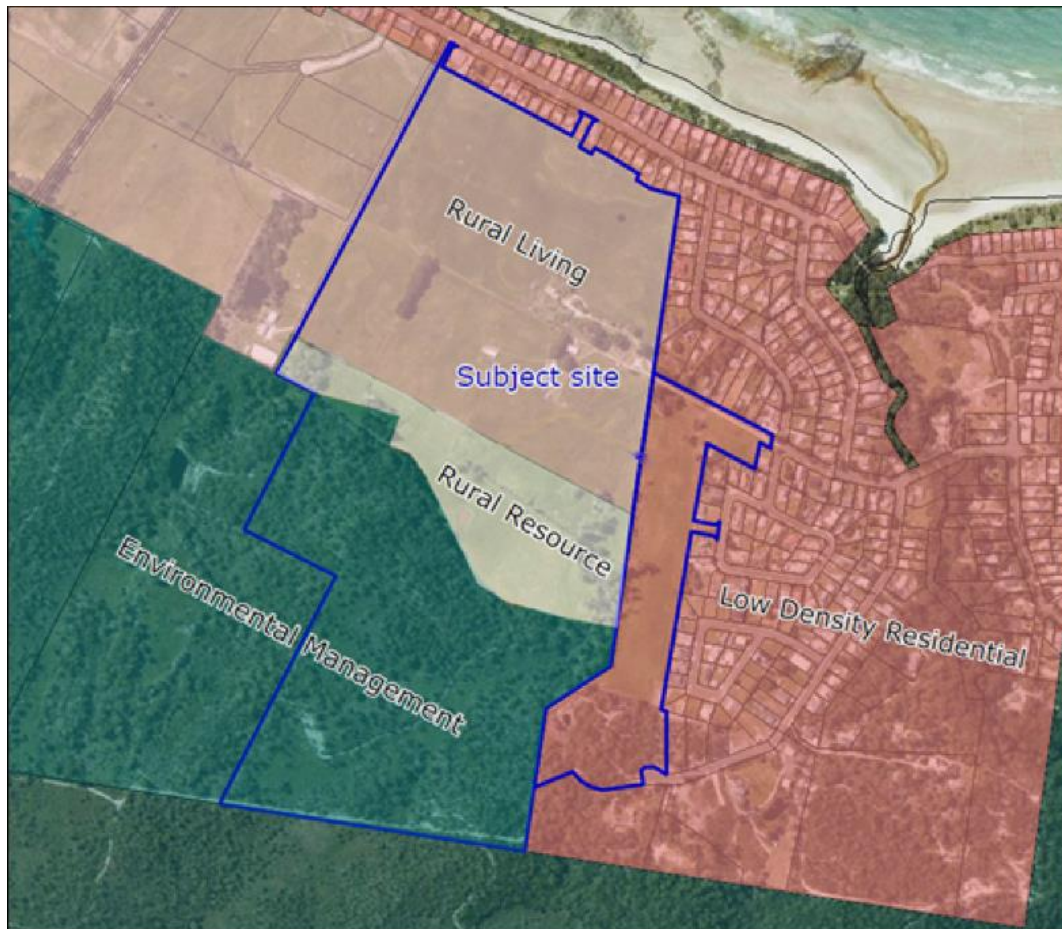


Figure 1: Subject site with zoning

DETAILS

The applicant is seeking approval for a staged subdivision consisting of 21 residential lots and balance land retained for potential future development. It is also proposed to construct a new road between 32 and 34 Irby Boulevard. The new road will split into a cul-de-sac to the west and is required by Council to connect up with Bridge Street to the east.

The 21 residential lots comprise 17 Rural Living zoned lots to the south of Irby Boulevard and west of Stockdale Avenue as well as four (4) Low Density Residential zoned lots at the south-western end of Banksia Avenue.

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

Lot No.	Area (ha)	Frontage (m)	Access	Zone
1	1.046	12.2	Irby Boulevard	RL/LDR
2	1.052	69.9	new road	RL
3	1.114	70.4	new road	RL
4	1.046	196	new road	RL
5	1.126	22.5	new road	RL
6	1.112	6.3	new road	RL
7	1.118	6.2	new road	RL
8	1.033	15.7	new road	RL
9	1.026	77	new road	RL
10	1.179	77.3	Bridge St extension	RL
11	1.197	70	Bridge St extension	RL
12	1.197	70	Bridge St extension	RL

Lot No.	Area (ha)	Frontage (m)	Access	Zone
13	1.382	65.1	Bridge St extension	RL
14	1.239	284.3	Bridge St extension	RL
15	1.289	59	new road	RL
16	1.076	60.4	new road	RL
17	1.005	57.9	new road	RL
18	0.692	6.1	Banksia Avenue	LDR
19	0.507	9.2	Banksia Avenue	LDR
20	0.474	34.3	Banksia Avenue	LDR
21	0.692	5	Banksia Avenue	LDR

The balance lot has an area of 31.5ha and contains a mix of Low Density Residential, Rural Resource and Environmental Management zoned land. It can be accessed from Banksia Avenue, Irby Circus and Bridge Street.

The subject site contains an existing dwelling which is to be retained and will be based on proposed Lot 14. The dwelling and associated outbuildings will be setback at least 20m from new title boundaries. Outbuildings which do not comply with permitted setback requirements and/or will be located outside the boundaries of Lot 14 are to be demolished.

The proposal also includes provision of sewer infrastructure and power to all lots. As Sisters Beach does not have a reticulated water supply, new lots will need to have tanks installed once developed for residential use. Stormwater is to be contained within the boundaries of each lot.

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 site is a multi-zoned property containing Low Density Residential, Rural Living, Rural Resource and Environmental Management zoned land. The proposal falls within the Residential Use Class for the Rural Living and Low Density Residential zones, Natural & Cultural Values Management for the Environmental Management zone and Resource Development for the Rural Resource zone. Each of these uses is either no permit required or permitted within its respective zone, should an application meet all relevant acceptable solutions.

The proposal does not comply with all the acceptable solutions for each zone. The applicant is applying for discretion under the following Clauses of the Planning Scheme:

- Subdivision 12.4.8 (P2);
- Reticulation of an electricity supply to new lots on a plan of subdivision 12.4.9 (P1);
- Subdivision 13.4.7 (P2);
- Reticulation of an electricity supply to new lots on a plan of subdivision 13.4.8 (P1);
- Subdivision 26.4.4 (P1);
- Subdivision 29.4.4 (P1); and
- Development in proximity to a water body, watercourse or wetland E10.6.1 (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. It is noted that an updated Bushfire hazard management report was provided to Council following a request from Tas Fire after the application was advertised however the updated report did not contain any substantive changes.

The following documentation was advertised:

- Development application form x 3 pages;
- Title documents x 13 pages;
- Subdivision plans x 10 pages;
- Supporting report x 25 pages;
- Hydrological Assessment x 17 pages;
- Traffic Impact Assessment x 16 pages; and
- Bushfire hazard management report x 38 pages.

The period for representations closed on 10 May 2023. Twenty-three (23) representations were subsequently received from surrounding landowners:

Rep. No.	Representors Name	Rep. No.	Representors Name
1	J Holder	13	K Wyllie
2	E Britton	14	E Maguire
3	G Green	15	J Vincent
4	K & P Dalla	16	T Vincent
5	F Loughran	17	J Keegan
6	M Loughran	18	K & K Loughran
7	P Vincent	19	M & N Weeks
8	N Brown & J Vandenberg	20	J Cumming
9	S Tuck & T Austin	21	S Lewis
10	M Duniam	22	K Shegog & B Fischer
11	C Brooks	23	C Hocking
12	M Eastwood		

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



Figure 2: Relationship between the subject site and the representors properties

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

Issue	Response
Strategic plans (Representations 21, 23) <ul style="list-style-type: none"> The application does not demonstrate the ways that the proposal supports and helps implement the Waratah-Wynyard Council Settlement Strategy – overall, and in particular in relation to issues for Sisters Beach, the need for limited development, walkability and context of Sisters Beach settlement for the surrounding National Park. The application does not demonstrate how the proposal supports and helps implement 	<p>Clause 8.10 of the Planning Scheme sets out the matters which Council must have regard to when determining applications. This includes the content of any representations received, but only insofar as the content relates to the particular discretions being exercised.</p> <p>Consistency or compliance with strategic Council documents, including Council's settlement strategy and integrated Council Environment Plan, is not a consideration under the Planning Scheme.</p>

Issue	Response
<p>the Waratah-Wynyard Council integrated Council Environment Plan (iCEP) – overall, and in particular in relations to the impacts of climate change on coastal settlements, and in relation to anticipated changes in extreme events such as flooding, and the needs for stewardship of local wildlife.</p>	<p>These documents provide guidance and help to support strategic planning work such as re-zoning of land but do not directly interact with statutory planning assessments.</p>
<p>Reference to SD2085: (Representations 2, 21, 23)</p> <ul style="list-style-type: none"> • The application is just a modified version of the subdivision application submitted in 2020. • There are very similar concerns to the previous January 2020 application by the same applicant concerning the development of much of this Irby land adjoining the Rocky Cape National Park. • There is clearly very little acknowledgement of the issues the Sisters Beach Community raised back in January 2020 as well as the Planning concerns documented then. 	<p>Council as a Planning Authority is required to assess each application submitted for consideration on its own merits. Similarity to previous planning applications on the same site is not a relevant issue for Council to consider, unless the Tasmanian Civil & Administrative Tribunal has refused a planning permit for that development within the previous 2 years.</p>
<p>Community consultation: (Representations 17, 21, 23)</p> <ul style="list-style-type: none"> • Without forward planning, we will end up with a hatch patch of streets and cul-de-sacs causing traffic congestion and road safety issues. Council should consider consulting with the community in discussing what is the long term plan for Sisters Beach. • I remind the Council of the community concerns raised at the Sisters Beach Community Association meeting back in January 2020 in reference to this land parcel and the lack of community consultation or acknowledgement of the unique environmental conditions that surround the whole of Sisters Beach and especially the land contained within this development proposal. • Planning steps need to be put in place for the future of Sisters Beach using community input. All developments should be considered carefully, with the current and future impacts for all residents to be taken into account. 	<p>Section 57 of the <i>Land Use Planning and Approvals Act 1993</i> sets out the requirements for public advertising of discretionary applications.</p> <p>These requirements include a 2-week advertising period during which the application is advertised in the Local Government Section of The Advocate newspaper and a copy made available on Council’s website. A site notice is also placed at the property and letters are sent to adjoining property owners. Adjoining property owners share a common boundary with the land subject to this application.</p> <p>Any resident or property owner has the right of input into Council’s decision by making representation when a development is advertised.</p> <p>Council is required to comply with the statutory notification process for all discretionary applications and cannot show preference or prejudice to an application by broadening or restricting this process.</p> <p>Strategic planning discussions between Council and the community are completely separate from development assessment</p>

Issue	Response
<p>Servicing: (Representations 4, 6, 17-18, 20-21, 23)</p> <ul style="list-style-type: none"> • It needs to be demonstrated that the Sisters Beach sewerage treatment plant is capable of handling the additional load. • The impact of having on-site wastewater arrangements for the lots has not been properly considered. Water run-off from larger blocks, lack of infrastructure, implications for Irby Blvd and the ocean, potential environmental health hazard etc are all issues. • There is inadequate modelling of drainage and stormwater run-off of Stages 1, 3 and 4, and implications for residents along the north-west side of Irby Boulevard. • Allowing drainage to go into private blocks on Bridge Street/Stockdale Avenue is not acceptable. The owners of 14 & 16 Stockdale Avenue have not agreed to have run off from proposed Lots 11-13 directed into the creek on their private property and there is no easement in place. The bottom sections of these properties are already flooded by the creek during heavy rain, leading to property damage. • Changing the conditions of the catchment area for this creek may be detrimental and cause further collapse and destruction of the waterway. • The drainage system should be redesigned so that all water runoff is piped away through the development via the town stormwater system. • Water runoff and drainage have been an ongoing issue for residents at Sisters Beach, and many blocks being low lying still have issues when there are major downpours. All new subdivision blocks need to have drainage dealt with using town storm water pipes. 	<p>Each of the proposed residential lots will be connected to TasWater's reticulated sewerage network. The application was referred to TasWater who have consented to the development and submitted conditions which will be attached to any permit issued. The ability of the Sisters Beach sewerage treatment plant to cater for the additional lots is a matter for TasWater to consider as part of their external assessment.</p> <p>Council's Engineering Department are satisfied that adequate stormwater management arrangements can be achieved for each lot and requires the following condition to be included on any permit issued:</p> <ul style="list-style-type: none"> • Stormwater from each lot is to be fully contained within the boundaries of that lot. <p>The acceptable solution for the applicable standards of both the Rural Living and Low Density Residential zones permit stormwater to be disposed of within the boundaries of a property. Council acting as a Planning Authority does not have discretion to require provision of reticulated stormwater connections for each lot where the acceptable solution provides an alternative.</p> <p>No permission is granted for stormwater to be diverted to other privately owned properties as part of this application.</p> <p>A more detailed assessment of stormwater arrangements will be required should the lots be developed and once it is known what type/scale of residential development is proposed.</p>
<p>Bushfire Risk: (Representation 2, 21-23)</p> <ul style="list-style-type: none"> • The bushfire report only deals with each individual lot. Sisters Beach is a high fire danger area. The subdivision will result in more people living in a possibly dangerous environment and there is only one narrow 	<p>Section 51(2)(d) of the <i>Land Use Planning and Approvals Act 1993</i> requires Council to accept any relevant bushfire hazard management plan, that has been certified as acceptable by an accredited person or a State Service Agency.</p>

Issue	Response
<p>road out of Sisters Beach which also goes through bushland.</p> <ul style="list-style-type: none"> • Climate change has increased the occurrence and severity of bushfires. Larger lots with grassland would provide refuge and food for fleeing wildlife and, to some degree, help protect the existing township. • Sisters Beach could end up like Mallacoota with a single road entry. 	<p>The application documents submitted to Council include a bushfire hazard risk assessment and management plan prepared by Scott Livingston of Livingston Natural Resource Services. Mr Livingston is a suitably qualified person accredited by the Tasmanian Fire Service.</p> <p>The report submitted by Mr. Livingston meets the requirements of the Bushfire Code. Council does not have the authority to require information other than that specified by the Planning Scheme or other relevant legislation.</p> <p>Enquires regarding the bushfire management plan of Sisters Beach should be made to the TFS.</p>
<p>Compliance with Water and Waterways Code: (Representation 1)</p> <ul style="list-style-type: none"> • Impact on waterway crossing through Bridge Street & under Stockdale and Kenelm Avenues. 	<p>The new road to be constructed between 32 and 34 Irby Boulevard will split into a cul-de-sac to the west and connect up with Bridge Street to the east. The portion of the road crossing through the tributary will have a culvert installed to ensure natural flow is not impeded.</p> <p>Council's Engineering Department have conditioned any permit issued to require stormwater from each lot is to be fully contained within the boundaries of that lot. No concentrated runoff is to be directed into the tributary to Sisters Creek as part of this subdivision.</p> <p>For a full demonstration of how the proposal complies with the applicable clauses of the Water and Waterways Code please see the Planning Assessment section below.</p>
<p>Traffic Impact Assessment: (Representation 2, 4-5, 17-19, 21-23)</p> <ul style="list-style-type: none"> • There is no traffic impact assessment in the application. • The TIA is for 55 lots, but the application is for 22 lots. Future stages (e.g., development of the balance which implies future dual access) should be not considered in this application. • There are contradictions and inaccuracies in the TIA in terms of access and traffic volume estimates which need to be addressed before the application can be considered. It should also be re-advertised so the community can access the correct 	<p>A Traffic Impact Assessment (TIA), prepared by Keith Midson of Midson Traffic Pty Ltd was submitted with the application. Mr. Midson is an experienced traffic engineer and a suitably qualified person. The purpose of a TIA includes a review of the existing road environment in the vicinity of the site. Sisters Beach Road is not part of the road network in the vicinity of the subject site.</p> <p>The TIA submitted with the application is for the 21 new residential lots but acknowledges the potential for the balance area to be further developed. The plans submitted to Council are for the 21 lots, new road and balance land only. Any future subdivision seeking to create additional lots would require further approvals from Council and would most likely be</p>

Issue	Response
<p>information and make informed representations.</p> <ul style="list-style-type: none"> ○ States that traffic will be divided up between Bridge Street access (51 vehicles per day) and Irby Blvd access (74 vehicles per day). But there is no Bridge Street access in this application. ○ Using the RMS Guide to estimate new traffic, 17 lots x 7.4 daily trips per dwelling = 125.8 extra trips per day on Irby Boulevard but only 74 trips per day stated in TIA report. ○ States that Kenelm Avenue is busier than Stockdale Avenue, yet Kenelm Avenue has not been assessed? ○ States that at stage 4 two lots will be accessible from Bridge Street via an unsealed road, but engineering drawings show a sealed turning circle at lot 13. ○ Impact on current pedestrians, cyclists, and heavy vehicles haven't been assessed at all. ○ The 'Pedestrian Impacts' section in the TIA only talks about the impact on new pedestrians, not the impact that the development will have on existing pedestrians. The comment stating that existing footpath infrastructure is of acceptable standard is strange as there are no footpaths on the streets that are being assessed. ○ The TIA must be redone with accuracy so that it relates to the current 21 lot subdivision not 55 lots. There is also reference in the report to some lots being accessible by an unsealed road, but this is not referenced in the application. ● Traffic records are not accurate for the use of the roads. The TIA does not account for all accidents, including a car/bicycle collision in January 2022. There are sight issues on Stockdale Avenue and Kenelm Avenue (overgrown vegetation and corners with bad visuals) and there have been 	<p>discretionary and require public advertising, during which time members of the public would have a right to comment on the proposal. A revised TIA is likely to be required for any future application.</p> <p>The TIA accounts for all reported traffic accidents. All major collisions should be reported to Tasmania Police.</p> <p>Council's Engineering Department do not have any concerns regarding the proposed subdivision's impact on the future safety of the road network in Sisters Beach and have conditioned the new internal road to connect up to Bridge Street in the east.</p> <p>In addition to the requirements of the Planning Scheme, s85 of the <i>Local Government (Building & Miscellaneous Provisions) Act 1993</i> (LGBMPA) gives Council the option to refuse to approve a plan of subdivision under certain circumstances.</p> <p>These include instances where Council is of the opinion that the roads will not suit the public convenience or will not give satisfactory inter-communication to the inhabitants both of the subdivision and the municipal area in which it is located (s85(a) LGBMPA). Conditioning the extension of Bridge Street ensures the requirements of s85 are met.</p> <p>The proposal is to provide access to the Rural Living portion of the subdivision via a new road off Irby Boulevard splitting into a cul-de-sac to the west and connecting to Bridge Street to the east is considered to be a suitable design which is not anticipated to create any congestion issues. Road users in the area already utilise both Stockdale Avenue and Kenelm Avenue to access Irby Boulevard from Bridge Street, with the first turn off, Kenelm Avenue, favoured by most drivers.</p> <p>Proposed Lots 2 – 10 and 14 – 17 will be completed as part of Stage 2 and utilise the new road off Irby Boulevard. Stage 4 is for Lots 11 – 13. A continuation of Bridge Street is to be constructed in front of these lots. The new portion of Bridge Street has been conditioned by Council to be constructed to the same standard as other new sealed roads in Sisters Beach.</p>

Issue	Response
<p>accidents between cars and cyclist due to sight issues on these streets. The TIA only looks at reported vehicle crash data.</p> <ul style="list-style-type: none"> • Irby Boulevard is used by walking groups of families, children on bikes, parents with strollers etc. None of this was taken into consideration by the TIA. The addition of another reasonably large subdivision will potentially have lifestyle impacts in the Sisters Beach area. • It is disappointing that the TIA dealt with the topic of "Pedestrian Impacts" in such a short and dismissive way. The existing footpath infrastructure is inadequate at present and needs improvement. Most of the streets have no extra space along the edges for pedestrian traffic or bikes. • TIA does not cover the Sisters Beach Road from the intersection at Port Rd to the Sisters Beach township or Kenelm Ave, the main thoroughfare from Bridge St to Irby Blvd. 	<p>The speed limit in Sisters Beach is 40km/hr in recognition of the high levels of pedestrian activity. The new subdivision road will maintain this speed limit, which is considered a safe limit for roads used by pedestrians and cyclists in addition to vehicles.</p> <p>Regarding provision of footpaths, the majority of proposed lots are within the Rural Living zone. As outlined in Council's Footpaths Infrastructure Service Level Document 2022, Council aims to provide safe pedestrian access in all urban areas, other than industrial areas. Properties in the Rural Living zone are not part of the urban area are therefore there is no requirement to provide footpaths.</p> <p>The lots proposed for the Low Density Residential zone at the end of Banksia Avenue already front onto an established road with no footpaths.</p>
<p>Traffic (Representations 1, 3-14, 16-18, 20, 22):</p> <ul style="list-style-type: none"> • Speed limit is not obeyed in Sisters Beach. Increase in traffic from subdivision will contribute to this problem. • Consideration should be given to the introduction of speed cameras or speed humps. • Risk to children, cyclists and horse riders from increase in traffic. • Currently pedestrians walk along the road as there is no footpath, and with this increase to road traffic there is great concern as to the safety of non-vehicle road users. With an additional 155 vehicle movements per day there would definitely be road safety issues for pedestrians along Irby Boulevard. • Bridge Street in itself will become a high traffic area, with no footpaths. • If the subdivision is approved it needs to be ensured that Kenelm Ave cannot be used as a construction truck thoroughfare. Kenelm Avenue should have 25km/hr speed humps 	<p>Clause 8.10 of the Planning Scheme sets out the matters which Council must have regard to when determining applications. This includes the content of any representations received, but only insofar as the content relates to the particular discretions being exercised.</p> <p>Compliance or non-compliance with speed limits is not an issue for Council. Instances of speeding should be reported to Tasmania Police. Mobile speed cameras operate in Tasmania and are a joint effort between the Department of State Growth (DSG) and Tasmania Police. DSG can consider locations for these mobile cameras suggested by the community.</p> <p>The speed limit in Sisters Beach is 40km/hr in recognition of the high levels of pedestrian activity. The new subdivision road will maintain this speed limit, which is considered a safe limit for roads used by pedestrians and cyclists in addition to vehicles.</p> <p>A survey was undertaken by Council regarding requests to install speed humps in August 2015. 70-75% of survey respondents disagreed with speed humps or alternatives introduced in Sisters Beach. Council can revisit the idea of</p>

Issue	Response
<p>installed to discourage its use as a connecting road.</p> <ul style="list-style-type: none"> The increase in traffic through our streets will include heavy vehicles during the construction of the subdivision infrastructure and will be followed by heavy vehicles as houses/driveways/sheds etc. are built. We are looking at 10+ years of disruption. 	<p>introducing speed humps in Sisters Beach if requested by the community.</p> <p>Regarding potential safety issues posed by heavy vehicles during construction, a condition will be imposed on any permit issued requiring loading and unloading of vehicles to be confined to the boundaries of the site. A project management plan will also need to be approved by Council prior to construction commencing, including a traffic management plan.</p>
<p>Bridge Street connection: (Representations 2, 4-14, 16-18, 20)</p> <ul style="list-style-type: none"> Bridge Street should be the main entrance to the currently proposed subdivision rather than Irby Boulevard. Additional access to the proposed development should be provided via an extension of Bridge Street from the Bridge Street and Stockdale Avenue intersection in addition to the access from Irby Boulevard. <p>This should be included as part of Stage 3 & 4 for safety reasons rather than as part of a later development and should not be left unsealed.</p> <ul style="list-style-type: none"> The planning application does not guarantee further development and runs the risk of Bridge Street not being built leaving a disjoined road and no dual access. The Bridge Street crossing across Sisters Creek accumulates water after rain and is too narrow for larger vehicles. The increase in traffic will add to this problem. If roads are unsealed this will be a potential issue for dust, drainage and runoff etc, all roads should be sealed as a condition of development. 	<p>The new road will split into a cul-de-sac to the west and is required by Council to connect up with Bridge Street to the east. Vehicles will be able to access the subdivision via Bridge Street or Irby Boulevard through Stockdale & Kenelm Avenues. All new roads will be sealed.</p> <p>The Bridge Street crossing over Sisters Creek is a Council maintained road asset and any potential upgrades are the responsibility of Council. Council's Engineering Department does not require any alterations to the existing crossing as part of their recommended conditions for this proposal.</p>
<p>Impact on native flora and fauna: (Representations 1, 5, 21-23)</p> <ul style="list-style-type: none"> The main road into Sisters Beach goes through national park. The increase in traffic will result in more roadkill. The impact of extra traffic on wildlife should be considered. Both Platypus and Tasmanian Devils have been spotted in town. 	<p>According to the state mapping system, LISTmap, there are small clusters of <i>Banksia serrata</i> – a threatened native vegetation community in a portion of the site.</p> <p>No clearing of <i>Banksia serrata</i> bushland is required to facilitate the development and there is sufficient space on proposed Lot 21 to locate a dwelling with a suitable BAL rating without clearing identified <i>Banksia serrata</i>.</p>

Issue	Response
<ul style="list-style-type: none"> • The application fails to adequately address the impacts of the development of threatened animal and plant species observed on the site, and in reserve areas to the proposed development sites as well as the impacts of the increased traffic and road kill that will eventuate. • Clearing of vegetation is not properly addressed. There are contradictions in the application regarding the clearing of land and it is difficult to understand. • The Waratah Wynyard Council should seriously consider prioritising wildlife welfare over realising development potential. • The Eastern Barred Bandicoot is extinct on the mainland and Tasmania has an important insurance population. The Plan area has a healthy population of bandicoots which will be dislocated by the subdivision. Council could consider larger lots with caveats to preserve grasslands for the bandicoots. • More houses will mean more cats and the wildlife is already severely impacted by their hunting day and night. Regulations to restrict the movement of domestic cats could be instituted across the whole township. • The Sisters Beach grasslands are an important ecological feature of the area. They sustain insects, birds, mammals and reptiles, preserving the food chain required for a healthy diversity of life. 	<p>Any responsibilities the developer may or may not have under legislation such as the <i>Environment Protection and Diversity Conservation Act 1999</i>, <i>Threatened Species Protection Act 1995</i> and/or the <i>Nature Conservation Act 2002</i> are separate to Council's role as a planning authority.</p> <p>There is no mechanism under the Planning Scheme for Council to consider the impact of the development on threatened species which are not mapped on the site or covered by the provisions of the Scheme.</p> <p>Any specific concerns regarding threatened species in the area should be directed to the Conservation Branch of NRE Tas.</p> <p>Increase in roadkill and issues associated with cat management are not relevant matters for Council as a Planning Authority. Cat management and control is a function of the Invasive Species Branch of the Department of Natural Resources and Environment.</p>
<p>Impact on Sisters Beach area: (Representations 1-2, 5, 21-23)</p> <ul style="list-style-type: none"> • Sisters Beach is a beach village not a standard residential area. The subdivision will negatively impact many of the things that are valued by the Sisters Beach community. • The subdivision will further affect biodiversity and natural values of the area. • Houses built are not always occupied rear round and do not contribute to the community. 	<p>The Sisters Beach area, other than Rocky Cape National Park itself, is not subject to any special requirements under the Planning Scheme such as a specific area plan or site-specific qualification. There are no limits on the size or type of development, purposes for which a property can be used or number of lots which can be created other than what is specified in the planning scheme.</p> <p>Clause 8.10 of the Planning Scheme sets out the matters which Council must have regard to when determining applications. This includes the content of any representations received,</p>

Issue	Response
<ul style="list-style-type: none"> • Council should require a public open space contribution. • A community centre would be preferable to more houses. • The road into Sisters Beach is a narrow road with poor sightlines, tight corners, few safe passing places and it is damp and dangerous in winter. Time, effort and substantial money on improving the only road into Sisters Beach is required. • The increased traffic along Sisters Beach Road will lead to more accidents. Speed restrictions from dawn to dusk are routinely ignored and not enforced. • If Council approves this application, it should increase its investment in this road and consider other improvements such as advocating to lower the speed limit, education on slowing down from dusk till dawn, improve road maintenance, improve maintenance of the wildlife virtual fencing (invest in proper mounting poles) and perhaps even expanding the virtual fencing network. • Sisters Beach is a unique and special place to live and this development proposal is anything but special as it treats the area as a 'bog standard boring housing development'. • It is a privilege to live in the National Park - the subdivision (in its current format) goes against many of these community values. 	<p>but only insofar as the content relates to the particular discretions being exercised.</p> <p>Potential issues associated with roadkill, speeding, maintenance/upgrade of Sisters Beach Road, occupancy levels of housing, impact or alternative uses of private land are not relevant considerations under the Planning Scheme. Capacity of existing community services is also not a relevant consideration under the Planning Scheme for this proposal and is not something that Council as a Planning Authority can consider when assessing this application.</p> <p>The speed limit in Sisters Beach is 40km/hr in recognition of the high levels of pedestrian activity. The new subdivision road will maintain this speed limit, which is considered a safe limit for roads used by pedestrians and cyclists in addition to vehicles.</p> <p>Council's Public Open Space Contribution Policy outlines Council's approach to levying public open space contributions on residential subdivisions. The current open space policy applies to land in the Village, General Residential and Low Density Residential zones. The Rural Living zone does not form part of the urban area.</p> <p>A condition will be included on any permit issued requiring a public open space contribution based on the four new Low Density Residential lots only in accordance with Council's Policy.</p>
<p>Intensity of future development: (Representations 2, 19, 21, 23)</p> <ul style="list-style-type: none"> • The TIA shows future development of the balance lot for small lots which are not sufficient in size to accommodate a house as well associated development such as water tanks, garages, room for recreation vehicles (e.g. boat). • Future lots similar in size to properties in Stockdale Avenue are more in keeping in a town, not a seaside place. • The development and associated dwelling density is not in keeping with the local area. 	<p>The size of each lot subject to the application currently before Council meet the minimum size requirements for the Low Density Residential (800m²) and Rural Living (1ha) zones under the Interim Planning Scheme.</p> <p>Any further development of the balance lot will need to be the subject of a separate planning application to Council. Any application submitted is also likely to require public advertising which will allow members of the community to view and comment on the specific application.</p> <p>Any subsequent applications will need to be considered on their own merits separately from the application currently before Council.</p>

Issue	Response
<ul style="list-style-type: none"> • There is a lack of any detail in the application as to what the plans are for development of the 'balance' of land not in the current proposal but foreshadowed for future development in the proposal. • What is the long-term plan for Sisters Beach regarding the approval or non-approval of additional subdivisions? We know there are more planned. The infrastructure in the town currently supports the population in a manner that maintains a positive lifestyle, safety of residents, and the reliability of other services being maintained (electricity, NBN tower, waste, etc) – but if there is a continual addition of houses/residents there will be a tipping point where this is no longer the case. • It is not the right decision to continue to 'grow' the town as it can't sustain this growth and ultimately the lifestyle, health and safety of residents will be compromised. 	<p>All land in Sisters Beach is zoned primarily for either Residential use, in the form of Low Density or Rural Living zoned land, or for Natural and Cultural Values Management use, in the form of Landscape Conservation or Environmental Management zoned land.</p> <p>There has been no recent decision to expand the town. The residential zones have been in place over the course of many planning schemes.</p> <p>Subdivision for residential purposes is permissible in both the Rural Living and Low Density Residential zones. Permitted applications for residential subdivision must be approved by Council. Discretionary applications for residential subdivision may only be refused by Council if the application fails to satisfy one or more relevant Performance Criteria.</p> <p>As demonstrated in the Planning assessment below, the application currently before Council is considered to satisfy all relevant Performance Criteria.</p> <p>None of the discretions triggered by the application require consideration of whether the proposal will benefit or negatively affect the community as a whole. Council cannot validly consider matters outside those it is directed to consider by the Planning Scheme.</p>
<p>Provision of electricity & street lighting: (Representations 5, 9, 15, 17-18, 21, 23)</p> <ul style="list-style-type: none"> • The last four subdivisions (the last two by this developer) in Sisters Beach have underground power (Postmans Court, Thousand Hills Vista, Banksia Avenue and Serrata Crescent). Council should ensure that this development be serviced by underground power also. • It is inaccurate and misleading to state that the existing services in Sisters Beach are above ground. Much of Sisters Beach is serviced by underground electrical infrastructure including East Boulevard which has been upgraded to underground services in recent years. • Given that new roads and underground sewerage are to be constructed it would not 	<p>Council's Planning Department has recommended a condition be included on any permit issued requiring underground power to be installed for lots fronting onto the new road (Lots 2 - 17) in keeping with the most recent Rural Living subdivisions approved for Sisters Beach.</p> <p>Lot 1 will be accessed directly off Irby Boulevard, which has an established overhead power supply. It is considered more reasonable for this lot to connect to the existing overhead supply than to provide a single underground connection.</p> <p>The existing lots at the end of Banksia Avenue are serviced by an overhead electricity supply. It is considered impractical to require provision of underground power for the four new lots proposed for the head of the existing cul-de-sac when a suitable overhead supply is already in place.</p>

Issue	Response
<p>be impractical or unreasonable for the electrical services to be also underground.</p> <ul style="list-style-type: none"> Underground services are safer and improve the reliability of the electricity network. The community expects all new electrical infrastructure be provided by underground servicing. Stage 3 should have street lighting like Stages 1 & 2. 	<p>Council's Engineering Department has recommended the following condition be imposed regarding street lighting:</p> <ul style="list-style-type: none"> Street lighting is to be provided in accordance with AS 1158 and the requirements of Aurora Energy Pty Ltd and the Director Infrastructure & Development Services or their delegate. The street lighting is to be designed to minimise off site glare and reflected light. The use of nonstandard lighting poles is not permitted in the development.

INTERNAL REFERRALS

Engineering Services Department

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

1. Stormwater from each lot is to be fully contained within the boundaries of that lot.
2. All costs required by the proposed development, including those related to infrastructure extensions, upgrades to Council assets and contribution to flood mitigation works are to be met by the Developer.
3. Construction of civil engineering work associated with the Development is to comply with the requirements of Council's Standard Requirements for the Construction of New Infrastructure Assets and the Replacement of Existing Infrastructure Assets Policy PR.003, for all infrastructure that will become a Council asset including the replacement or upgrade of existing infrastructure assets.
4. Relevant engineering plans, specifications, calculations and computations are to be certified by a Chartered Professional Engineer in the relevant field and submitted to the Director Infrastructure & Development for approval. No work is to commence until a Construction Certificate has been issued by the Director Infrastructure & Development Services or their delegate.
5. On completion of work covered by a Construction Certificate, a Chartered Professional Engineer in the relevant field is to certify by declaration that all work has been carried out fully in accordance with the approved plans, specifications, calculations and computations. "Works as Constructed" drawings that comply with the requirements of Council's "Submission of digital-as-constructed information" template are to be supplied.
6. In the course of undertaking the development/use any damage caused to any Council owned infrastructure or property shall be repaired by the developer
7. A twelve (12) month defects liability period is to apply to all infrastructure within the development which are to become Council assets. A maintenance bond of 5% of the cost of the civil works as approved by the Director Infrastructure & Development is to be lodged with Council prior to:
 - a. the issue of the Maintenance Period Commencement document; or

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- b. prior to the sealing of the Final Survey Plan.
8. A driveway with a sealed surface is to be constructed for Lot 1, from the edge of the bitumen surfaced pavement of Irby Boulevard 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”.
 9. A driveway with a sealed surface is to be constructed for Lots 2 to 17, from the edge of the bitumen surfaced pavement of internal subdivision “Road 01”, 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”.
 10. A driveway with a sealed surface is to be constructed for Lots 18 to 21, from the edge of the bitumen surfaced pavement of Banksia Avenue, 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”.
 11. All new vehicular accesses are to be located in accordance with Tasmanian Standard Drawing TSD-RF01-v3, Guide to Intersection and Domestic Access Sight Distance Requirements and be approved by the Director Infrastructure & Development Services or their delegate.
 12. Loading and un-loading of vehicles is to be confined to within the boundaries of the property.
 13. Cross road culvert pipes are to be provided at low points in the road alignment and at intervals no greater than 200 metres. The culvert spacing is to be reduced to 100-metre intervals where the longitudinal grade of the road exceeds 10 %.
 14. Cross road culverts are to be of minimum size 300 mm in diameter and designed to cater for a 5% AEP rainfall event with provision for a major overflow path for a 1% AEP rainfall event.
 15. A new 150Ø stormwater connection point is to be provided for Lot 1, including an accessible inspection opening at ground level, at the lowest point of the lot to permit connection to Council’s stormwater drainage reticulation network. The connection point is to be inspected and approved by the Director Infrastructure & Development Services before backfilling.
 16. Before site disturbance or construction commences an environmental management plan is to be prepared and submitted for approval by the Director Infrastructure & Development, the plan is to outline proposed practices in relation to:
 - a. Temporary run-off, erosion and sediment controls, which are to be installed before the development commences. Controls are to include, but are not limited to:
 - vi. Minimisation of site disturbance and vegetation removal;
 - vii. Diversion of up-slope run-off around cleared and/or disturbed areas, areas to be cleared and/or disturbed or filled providing such diverted run-off does not cause erosion and is directed to a legal discharge point;

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- viii. Installation of sediment retention traps (e.g. sediment fences, etc.) at the down slope perimeter of a disturbed area or stockpile to prevent unwanted sediment and other debris escaping from the land;
 - ix. Installation of sediment retention traps (e.g. sediment fences, etc.) at entry points to the stormwater system to prevent sediment and other debris escaping from entering the network
 - x. Rehabilitation of all disturbed areas as soon as possible.
- b. Weed, Pest and Disease Management
 - c. Storage facilities for fuels, oils, greases, chemicals and the like
 - d. Litter Management
 - e. Dust Management
 - f. Washout Management
 - g. Acid Sulphate Soil Management
 - h. Quality Control arrangements including:
 - v. Supervision by appropriately qualified and experienced personnel
 - vi. Documented site procedures
 - vii. Record keeping
 - viii. Quality Control testing

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

- 17. A 18-metre wide road reservation, with lot boundaries splayed where necessary is to be provided and shown as "Road" on the final survey plan lodged for sealing.
- 18. The road reservation is to be widened to a minimum of 25 metres in accordance with Tasmanian Standard Drawing TSD-R07-v3, Urban Roads Cul-De-Sac Turning Heads with lot boundaries splayed where required to accommodate a vehicular turning area and shown as "Road" on the final survey plan lodged for sealing.
- 19. The internal subdivision road (Bridge Street) is to be extended eastward providing a connective road network with Stockdale Avenue, Irby Circus & Bridge Street intersection.
- 20. Internal subdivision "Road 01" and the Bridge Street extension are to be of compacted crushed rock pavement, designed in accordance with the Austroads Pavement Design Guidelines, with a sealed pavement width of 5.5 metres and a minimum total pavement thickness of 300mm plus a minimum two coat bitumen spray coat seal. The road is to incorporate 1-metre-wide shoulders of minimum 100mm thickness of compacted crushed rock and minimum 1-metre-wide table drains, all in accordance with the Tasmanian Standard Drawing TSD-R06-v3, Rural Roads Sealed. Construction is to satisfy the reasonable requirements of the Director Infrastructure & Development Services.
- 21. The applicant is to supply and install traffic management devices that include, but are not limited to, signage and line marking in accordance with the suite of AS 1742 standards, and which meet the requirements of Department of State Growth. Before a Construction Certificate may be issued, the applicant or his designer is to prepare a set

of traffic management drawings that are to be submitted to and approved by Department of State Growth.

22. A court bowl of radius 9 metres and otherwise in accordance with Tasmanian Standard Drawing TSD-R07-v3, Urban Roads Cul-De-Sac Turning Heads is to be provided at the termination of the internal road to facilitate the turning movement of large service vehicles. Construction is to be of equivalent standard to the internal road.
23. Street lighting is to be provided in accordance with AS 1158 and the requirements of Aurora Energy Pty Ltd and the Director Infrastructure & Development Services or their delegate. The street lighting is to be designed to minimise off site glare and reflected light. The use of nonstandard lighting poles is not permitted in the development.
24. Before site disturbance or construction commences, a Project Management Plan is to be prepared and submitted for approval by the Director Infrastructure & Development. The plan is to provide relevant project management information and outline proposed construction practices, including, but not limited to:
 - a. Contact details for principal, consultants and contractors including afterhours numbers;
 - b. Traffic management plan including road works signage;
 - c. Proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on site);
 - d. Identification of potentially noisy construction phases, such as operation of rock-breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;
 - e. Site facilities to be provided; and
 - b. Procedures for washing down vehicles to prevent soil and debris being carried onto the street.
25. A Final Survey Plan, including any easements required for powerlines, sewerage, water, drainage purposes and legal access shall be submitted to the Waratah-Wynyard Council for sealing of each stage of the development. The plan shall be drawn to scale and prepared in accordance with the requirements of the Recorder of Titles and shall form part of this permit when sealed.
26. Before sealing of the Final Plan, all disturbed surfaces on the land except those set aside for roadways, footways and driveways are to be covered with topsoil and seeded and, where appropriate, re-vegetated and stabilized to the reasonable requirements of the Director Infrastructure & Development Services or their delegate.

Environmental Health

The following environmental health conditions were recommended.

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

Notes:

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

EXTERNAL REFERRALS

The application was referred to TasWater on 16 November 2021. A response was received on 19 April 2023 and forms Part B of the permit conditions.

No other external referrals were required.

PLANNING ASSESSMENT

The subject site is zoned Low Density Residential, Rural Living, Rural Resource and Environmental Management under the *Waratah-Wynyard Interim Planning Scheme 2013*. The proposal falls within the Residential Use Class for the Rural Living and Low Density Residential zones, Natural & Cultural Values Management for the Environmental Management zone and Resource Development for the Rural Resource zone. Each of these uses is either no permit required or permitted within its respective zone, should an application meet all relevant acceptable solutions of the planning scheme.

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

An assessment of the proposal against the applicable clauses for the Low Density Residential, Rural Living, Rural Resource and Environmental Management zones and relevant codes is provided below.

Low Density Residential Zone

12.4.8 Subdivision

A2 A lot, other than a lot to which A1(b) applies, must not be an internal lot	P2 (a) An internal lot on a plan of subdivision must be – (i) reasonably required for the efficient use of land as a result of a restriction on the layout of lots imposed by – a. slope, shape, orientation and topography of land; b. an established pattern of lots and development; c. connection to the road network; d. connection to available or planned utilities; e. a requirement to protect ecological, scientific, historic, cultural or aesthetic values, including vegetation or a water course; or f. exposure to an unacceptable level of risk from a natural hazard; and (ii) without likely impact on the amenity of adjacent land
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Planning Comments: Complies

Proposed Lots 18 to 21 are zoned Low Density Residential. Lots 18, 19 and 21 are internal lots. The balance lot is also an internal lot partially located within the Low Density Residential zone, however the application does not include development of this land.

The proposed lots are considerably larger than the minimum 800m² required by the Planning Scheme, ranging in size from 5066m² – 6923m². Each lot is to be connected to reticulated sewer supply and the existing overhead power supply on Banksia Avenue.

It is difficult to provide lots at the end of a cul-de-sac with a frontage. The use of internal lots avoids the need for further extension of Banksia Avenue and allows for the creation of lots of sufficient size for residential development clear of the restrictions posed by the topography of the area, a watercourse running through Lot 18 and mapped threatened native vegetation (*Banksia serrata*) on Lot 21.

The submitted bushfire hazard management plan indicates that no clearing of *Banksia serrata* will be required to achieve a suitable bushfire rating for Lot 21. It is recommended that a condition be included on any permit issued prohibiting removal of *Banksia serrata* for any purpose without further application for approval from Council and relevant state authorities. There are no other mapped threatened flora or fauna in this area of the subject site and the proposal does not require assessment against the Hazard Management Code.

No lot contains identified areas of scientific, historic, cultural or aesthetic value and all have frontage onto Banksia Avenue of at least 3.6m.

The inclusion of internal lots is unlikely to negatively affect the amenity of adjacent land given that future dwellings on these lots are likely to have a larger separation from adjoining properties than that currently present in the street. Each lot is to be connected to the reticulated sewer network. The proposal satisfies P2 for this Standard.

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

A1

Electricity reticulation and site connections must be installed underground

P1

It must be impractical, unreasonable, or unnecessary to install electricity reticulation and site connections underground

Planning Comments: Complies

The existing lots in this section of Banksia Avenue are serviced by an overhead electricity supply. It is considered unreasonable to require provision of underground power for the four new lots proposed for the head of the existing cul-de-sac.

The proposal complies with P1 for this Standard.

Rural Living Zone

13.4.7 Subdivision

A2 A lot, other than a lot to which A1(b) applies, must not be an internal lot	P2 (a) An internal lot on a plan of subdivision must be – (i) reasonably required for the efficient use of land as a result of a restriction on the layout of lots imposed by – a. slope, shape, orientation and topography of land; b. an established pattern of lots and development; c. connection to the road network; d. connection to available or planned utilities; e. a requirement to protect ecological, scientific, historic, cultural or aesthetic values, including vegetation or a water course; or f. exposure to an unacceptable level of risk from a natural hazard; and (ii) without likely impact on the amenity of adjacent land
Planning Comments: Complies The proposal involves the creation of 17 new Rural Living zoned lots. Of these, Lots 1, 6 and 7 are internal lots accessed from a road via an access strip. They are also the western most lots of the proposed subdivision, backing onto access strips for large internal lots at 50A and 50B Irby Boulevard. The balance lot is in itself a large internal lot with existing access to Irby Boulevard between 32 and 34 Irby Boulevard and adjacent to 50 Irby Boulevard. It is proposed to construct a new road between 32 and 34 Irby Boulevard, splitting into a cul-de-sac to the west and an extension of Bridge Street to the east. Council's Engineering Department have required that the subdivision road be extended through to the existing formed section of Bridge Street, where it intersects with Stockdale Avenue and Irbys Circus. With the exception of Lot 1, which has direct access onto Irby Boulevard, all new lots will have frontage onto the new road. The proposed lot configuration minimises as far as practicable the number of internal lots whilst making efficient use of the land and allowing adequate space for bushfire management. Each of the internal lots is intended for residential use. One of the lots, proposed Lot 14, is already developed with a single dwelling and outbuildings. Each new Rural Living zoned lot exceeds the minimum lot size of 1 ha and is to be connected to the reticulated sewer network. With the exception of Lot 1, new lots will be connected to an underground power supply.	

None of the proposed Rural Living zoned lots are subject to any identified landslip risk and there are no mapped threatened flora, fauna or native vegetation community present in this area of the subject site. No lot contains identified areas of scientific, historic, cultural or aesthetic value and all have frontage onto existing or proposed roads of at least 3.6m.

Lots 7 to 13 back onto land currently zoned Rural Resource under the Planning Scheme. Each of these lots has sufficient area to comply with the 50m zone boundary setback required by the current Planning Scheme. It is noted that since the submission of this application the new statewide Tasmanian Planning Scheme (TPS) has been introduced, changing the zoning of the Rural Resource area to Landscape Conservation which does not have this requirement.

The inclusion of internal lots is unlikely to negatively affect the amenity of adjacent land given that lots are of sufficient area to comply with permitted setback requirements from boundaries and ensure adequate separation from existing and future residential development. The pattern of proposed subdivision is consistent with previous Rural Living subdivision to the west at Postmans Court and Thousand Hills Vista.

The proposal satisfies P2 for this Standard.

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

A1 Electricity reticulation and site connections must be installed underground	P1 It must be impractical, unreasonable, or unnecessary to install electricity reticulation and site connections underground
<p>Planning Comments: Complies</p> <p>The existing lots along Irby Boulevard are serviced by an overhead electricity supply. It is considered unreasonable to require provision of underground power for the single new lot fronting onto Irby Boulevard (Lot 1).</p> <p>The remaining Rural Living zoned lots, Lots 2 to 17, will front onto a new road extending off Irby Boulevard. Previous Rural Living subdivisions south of Irby Boulevard requiring new roads, Postmans Court and Thousand Hills Vista, have had underground power installed.</p> <p>It is considered appropriate to require underground power to be installed for lots fronting onto the new road in keeping with the most recent Rural Living subdivisions approved for Sisters Beach.</p> <p>The proposal satisfies with P1 for this Standard.</p>	

Rural Resource Zone

26.4.4 Subdivision

A1 Each new lot on a plan of subdivision must be – (a) a lot required for public use by the State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority	P1 (a) A plan of subdivision to reconfigure land must – (i) be required to restructure, re-size, or reconfigure land for primary industry use; and (ii) not create a new lot; (b) A plan of subdivision to create a new lot must –
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	<ul style="list-style-type: none"> (i) be required for a purpose permissible in the zone; (ii) be of a size and configuration that is not more than is required to accommodate the nominated use in accordance with the applicable standards of this planning scheme for such use; (iii) retained the balance area for primary industry use; (iv) minimise unnecessary and permanent loss of land for existing and potential primary industry use; and (v) minimise constraint or interference to existing and potential primary industry use on the site and of adjacent land in the zone; and (vi) minimise unnecessary and permanent loss of land within a proclaimed irrigation district under <i>Part 9 Water Management Act 1999</i> or land that may benefit from the application of broadscale irrigation development; or <p>(c) A plan of subdivision to reduce the area of an existing lot on a sealed plan containing a lawful use must –</p> <ul style="list-style-type: none"> (i) not be land containing a residential use approved by a permit granted under the Land Use Planning and Approvals Act 1993 as a required part of a permitted use; (ii) incorporate the excised area into an existing an existing primary industry lot by amalgamation in a manner acceptable to the Recorder of Titles; (iii) minimise likelihood for the existing use on the reduced area lot to further constrain or interfere with use of the balance area or adjacent land for existing or potential primary industry use; and (iv) retain a lot with a size and shape to– <ul style="list-style-type: none"> a. can accommodate the lawful existing use or development in
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	<p>accordance with the applicable standards for that use; or</p> <p>b. does not further increase any noncompliance for use or development on the existing lot</p>
<p>Planning Comments: Complies</p> <p>The subject site is a split zoned property. The proposed subdivision creates new Rural Living and Low Density Residential zoned lots but does not involve the creation of any new Rural Resource zoned lots.</p> <p>No changes are proposed for the existing low level grazing undertaken on this area of the site, which will remain a balance area along with the Environmental Management zoned land and remaining Low Density Residential zoned land.</p> <p>Regarding future use of the land for primary industry purposes, since the submission of this application the new statewide Tasmanian Planning Scheme (TPS) has been introduced. Under the TPS the site is no longer zoned for resource development purposes. Potential impact on future primary industry use is therefore not an issue.</p> <p>In this manner, the proposal complies with P1 for this Standard.</p>	

Environmental Management Zone

29.4.4 Subdivision

<p>A1</p> <p>Each new lot on a plan of subdivision must be –</p> <p>(a) a lot required for public use by the State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority</p>	<p>P1</p> <p>(a) A plan of subdivision to reconfigure land must –</p> <p>(i) be required to restructure, re-size, or reconfigure land for natural and cultural value management; and</p> <p>(ii) not create a new lot;</p> <p>(b) A plan of subdivision to create a new lot must –</p> <p>(i) be required for a purpose permissible in the zone;</p> <p>(ii) be of a size and configuration that is not more than is required to accommodate the nominated use in accordance with the applicable standards of this planning scheme for such use;</p> <p>(iii) retained the balance area for ecological, scientific, cultural or aesthetic purposes;</p> <p>(iv) minimise unnecessary and permanent loss of land for existing and potential ecological, scientific, cultural or aesthetic purposes; and</p>
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	<ul style="list-style-type: none"> (v) minimise constraint or interference to existing and potential ecological, scientific, cultural or aesthetic purposes on the site and adjacent land in the zone; or (c) A plan of subdivision to reduce the area of an existing lot on a sealed plan containing a lawful use, including a residential use, must – <ul style="list-style-type: none"> (i) not be land containing a residential use approved by a permit granted under the Land Use Planning and Approvals Act 1993 as a required part of a permitted use; (ii) incorporate the excised area into an existing ecological, scientific, cultural or aesthetic purposes lot by amalgamation in a manner acceptable to the Recorder of Titles; (iii) minimise likelihood for the existing use on the reduced area lot to further constrain or interfere with use of the balance area or adjacent land for an existing or potential ecological, scientific, cultural or aesthetic purposes; and (iv) retain a lot with a size and shape to– <ul style="list-style-type: none"> a. accommodate the lawful existing use or development in accordance with the applicable standards for that use; or b. not further increase any non-compliance for use or development on the existing lot
<p>Planning Comments: Complies</p> <p>The subject site is a split zoned property. The proposed subdivision creates new Rural Living and Low Density Residential zoned lots but does not involve the creation of any new Environmental Management zoned lots.</p> <p>No changes are proposed for the existing natural and cultural values management use on this area of the site, which will remain a balance area along with the Rural Resource zoned land and remaining Low Density Residential zoned land. No clearing of bushland is proposed for bushfire mitigation or other purposes and areas containing threatened <i>Banksia serrata</i> trees will not be affected by the development.</p> <p>Regarding future use of the land for environmental management purposes, since the submission of this application the new statewide Tasmanian Planning Scheme (TPS) has been introduced.</p>	

Under the TPS the site is no longer zoned for environmental management use, instead being zoned 'Landscape Conversation'. The new TPS zoning of this area of the subject site ensures that its ecological, scientific, cultural and aesthetic values are retained.

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

Water and Waterways Code

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

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

The proposal is for subdivision of land and construction of a road through land which contains a minor tributary to Sisters Creek. The Water and Waterways Code applies for use or development on land within 30m of the bank of a water body, watercourse or wetland unless otherwise exempt. The definition of 'development' includes subdivision, as per s3 LUPAA. The tributary crosses through portions of proposed lots 13, 18 and 21 as well as the balance lot. Assessment against the Performance Criteria for this Clause is required.

The tributary is on private land. Issues pertaining to aesthetic or scenic quality of the waterways and wetland areas, public access, community risk and public safety or use for water-based activities are largely irrelevant to the proposal.

The new road to be constructed between 32 and 34 Irby Boulevard will split into a cul-de-sac to the west and connect up with Bridge Street to the east. The portion of the road crossing through the tributary will have a culvert installed to ensure natural flow is not impeded.

Council's Engineering Department are satisfied that adequate stormwater management arrangements can be achieved for each lot and requires the following condition to be included on any permit issued:

- Stormwater from each lot is to be fully contained within the boundaries of that lot.

The Planning Scheme permits stormwater to be disposed of within lot boundaries in both the Rural Living and Low Density Residential zones.

A more detailed assessment of stormwater arrangements will be required should the lots be developed and once it is known what type/scale of residential development is proposed.

Connections to TasWater's reticulated sewer network can be achieved for all lots and water will be via on-site supply. There is sufficient space on each lot to locate future dwellings and associated infrastructure including water tanks to avoid the need to draw on the tributary as a water supply for domestic or fire-fighting purposes. The following note will be included on any permit issued:

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

Change in ground level and modification of existing drainage arrangements will be constrained to works required to provide the required service connections to each lot as well as installation of the road.

The tributary to Sisters Creek is not considered to be of any economic importance. In terms of ecological significance, LISTmap does not identify any threatened flora or fauna within the tributary, with the nearest threatened species being in Sisters Creek, approximately 200m from the area to be subdivided. No referral to any external conservation agency was required for the proposal.

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

STATUTORY IMPLICATIONS

Land Use Planning and Approvals Act 1993

The Council is established as a Planning Authority by definition under Section 3(1) of the *Land Use Planning and Approvals Act 1993 (the Act)* and must enforce the *Waratah-Wynyard Interim Planning Scheme 2013* (the Planning Scheme) under S.48 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 twenty-three (23) representations were received during the exhibition period.

Local Government (Building & Miscellaneous Provisions) Act 1993

The application has been considered against the requirements of section 85 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*. Council's engineering Department have required that the subdivision be connected through to Bridge Street, at the intersection with Irbys Circus and Stockdale Avenue. With this amendment and condition added to any permit issued, the application is considered to be generally consistent with these provisions.

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 development complies with either the acceptable solution or satisfies the performance criteria for all applicable standards of the Planning Scheme. The proposal makes efficient use of a large internal multi-zoned lot taking into consideration proximity to threatened native vegetation community, *Banksia serrata*, the existing road network and servicing requirements. Each of the proposed lots meets the minimum lots size

requirements and can achieve a tolerable level of bushfire risk. Each of the proposed lots contain a suitable building area clear of setback requirements from title and zone boundaries and waterways. The proposed road layout is considered to be suitable for the anticipated traffic volume generated by the subdivision.

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

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 a Staged Subdivision (21 lots, road lot & balance lot) at 47 Bridge Street, Sisters Beach and Lot 1 Bridge Street, Sisters Beach (CT 182888/7) subject to the following conditions: -

PART A CONDITIONS:

- 1. The development is to be generally in accordance with the application as submitted and endorsed documents as listed:**
 - a. Subdivision plans with Project Number 4106-08B and Drawing Numbers: P01, P02, P03 and P04 as prepared by CSE Tasmania Pty Ltd and dated September 2022.**
 - b. Traffic Impact Assessment as prepared by Midson Traffic Pty Ltd and dated 14 November 2022.**
- 2. The development is to be in accordance with the submitted Bushfire Hazard Management Plan as prepared by Scott Livingstone of Livingstone Natural Resources Services and dated 22 May 2023.**
- 3. No removal of Banksia serrata is approved as part of this application.**
- 4. Electricity is to be installed underground for proposed Lots 2 – 17.**
- 5. Stormwater from each lot is to be fully contained within the boundaries of that lot.**
- 6. All costs required by the proposed development, including those related to infrastructure extensions, upgrades to Council assets and contribution to flood mitigation works are to be met by the Developer.**
- 7. Construction of civil engineering work associated with the Development is to comply with the requirements of Council's Standard Requirements for the Construction of New Infrastructure Assets and the Replacement of Existing Infrastructure Assets Policy PR.003, for all infrastructure that will become a Council asset including the replacement or upgrade of existing infrastructure assets.**
- 8. Relevant engineering plans, specifications, calculations and computations are to be certified by a Chartered Professional Engineer in the relevant field and submitted to**

the Director Infrastructure & Development for approval. No work is to commence until a Construction Certificate has been issued by the Director Infrastructure & Development Services or their delegate.

9. On completion of work covered by a Construction Certificate, a Chartered Professional Engineer in the relevant field is to certify by declaration that all work has been carried out fully in accordance with the approved plans, specifications, calculations and computations. "Works as Constructed" drawings that comply with the requirements of Council's "Submission of digital-as-constructed information" template are to be supplied.
10. In the course of undertaking the development/use any damage caused to any Council owned infrastructure or property shall be repaired by the developer
11. Necessary easements for powerlines, sewerage, water, drainage, legal access and the like are to be shown on the final survey plan lodged for sealing.
12. A twelve (12) month defects liability period is to apply to all infrastructure within the development which are to become Council assets. A maintenance bond of 5% of the cost of the civil works as approved by the Director Infrastructure & Development is to be lodged with Council prior to:
 - a. the issue of the Maintenance Period Commencement document; or
 - b. prior to the sealing of the Final Survey Plan.
13. A driveway with a sealed surface is to be constructed for Lot 1, from the edge of the bitumen surfaced pavement of Irby Boulevard 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".
14. A driveway with a sealed surface is to be constructed for Lots 2 to 17, from the edge of the bitumen surfaced pavement of internal subdivision "Road 01", 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".
15. A driveway with a sealed surface is to be constructed for Lots 18 to 21, from the edge of the bitumen surfaced pavement of Banksia Avenue, 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".
16. All new vehicular accesses are to be located in accordance with Tasmanian Standard Drawing TSD-RF01-v3, Guide to Intersection and Domestic Access Sight Distance Requirements and be approved by the Director Infrastructure & Development Services or their delegate.
17. Loading and un-loading of vehicles is to be confined to within the boundaries of the property.
18. Cross road culvert pipes are to be provided at low points in the road alignment and at intervals no greater than 200 metres. The culvert spacing is to be reduced to 100-metre intervals where the longitudinal grade of the road exceeds 10 %.

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19. Cross road culverts are to be of minimum size 300 mm in diameter and designed to cater for a 5% AEP rainfall event with provision for a major overflow path for a 1% AEP rainfall event.
20. 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.
21. Before site disturbance or construction commences an environmental management plan is to be prepared and submitted for approval by the Director Infrastructure & Development, the plan is to outline proposed practices in relation to:
- a. Temporary run-off, erosion and sediment controls, which are to be installed before the development commences. Controls are to include, but are not limited to:
 - i. Minimisation of site disturbance and vegetation removal;
 - ii. Diversion of up-slope run-off around cleared and/or disturbed areas, areas to be cleared and/or disturbed or filled providing such diverted run-off does not cause erosion and is directed to a legal discharge point;
 - iii. Installation of sediment retention traps (e.g. sediment fences, etc.) at the down slope perimeter of a disturbed area or stockpile to prevent unwanted sediment and other debris escaping from the land;
 - iv. Installation of sediment retention traps (e.g. sediment fences, etc.) at entry points to the stormwater system to prevent sediment and other debris escaping from entering the network
 - v. Rehabilitation of all disturbed areas as soon as possible.
 - b. Weed, Pest and Disease Management
 - c. Storage facilities for fuels, oils, greases, chemicals and the like
 - d. Litter Management
 - e. Dust Management
 - f. Washout Management
 - g. Acid Sulphate Soil Management
 - h. Quality Control arrangements including:
 - i. Supervision by appropriately qualified and experienced personnel
 - ii. Documented site procedures
 - iii. Record keeping
 - iv. Quality Control testing
- Erosion control measures are to be maintained at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development.
22. An 18-metre-wide road reservation, with lot boundaries splayed where necessary is to be provided and shown as “Road” on the final survey plan lodged for sealing.

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23. The road reservation is to be widened to a minimum of 25 metres in accordance with Tasmanian Standard Drawing TSD-R07-v3, Urban Roads Cul-De-Sac Turning Heads with lot boundaries splayed where required to accommodate a vehicular turning area and shown as “Road” on the final survey plan lodged for sealing.
 24. The internal subdivision road (Bridge Street) is to be extended eastward providing a connective road network with Stockdale Avenue, Irby Circus & Bridge Street intersection.
 25. Internal subdivision “Road 01” and the Bridge Street extension are to be of compacted crushed rock pavement, designed in accordance with the Austroads Pavement Design Guidelines, with a sealed pavement width of 5.5 metres and a minimum total pavement thickness of 300mm plus a minimum two coat bitumen spray coat seal. The road is to incorporate 1-metre-wide shoulders of minimum 100mm thickness of compacted crushed rock and minimum 1-metre-wide table drains, all in accordance with the Tasmanian Standard Drawing TSD-R06-v3, Rural Roads Sealed. Construction is to satisfy the reasonable requirements of the Director Infrastructure & Development Services.
 26. The applicant is to supply and install traffic management devices that include, but are not limited to, signage and line marking in accordance with the suite of AS 1742 standards, and which meet the requirements of Department of State Growth. Before a Construction Certificate may be issued, the applicant or his designer is to prepare a set of traffic management drawings that are to be submitted to and approved by Department of State Growth.
 27. A court bowl of radius 9 metres and otherwise in accordance with Tasmanian Standard Drawing TSD-R07-v3, Urban Roads Cul-De-Sac Turning Heads is to be provided at the termination of the internal road to facilitate the turning movement of large service vehicles. Construction is to be of equivalent standard to the internal road.
 28. Street lighting is to be provided in accordance with AS 1158 and the requirements of Aurora Energy Pty Ltd and the Director Infrastructure & Development Services or their delegate. The street lighting is to be designed to minimise off site glare and reflected light. The use of nonstandard lighting poles is not permitted in the development.
 29. Before site disturbance or construction commences, a Project Management Plan is to be prepared and submitted for approval by the Director Infrastructure & Development. The plan is to provide relevant project management information and outline proposed construction practices, including, but not limited to:
 - a. Contact details for principal, consultants and contractors including afterhours numbers;
 - b. Traffic management plan including road works signage;
 - c. Proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on site);
 - d. Identification of potentially noisy construction phases, such as operation of rock-breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;

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- e. Site facilities to be provided; and
 - a. Procedures for washing down vehicles to prevent soil and debris being carried onto the street.
30. A Final Survey Plan, including any easements required for powerlines, sewerage, water, drainage purposes and legal access shall be submitted to the Waratah-Wynyard Council for sealing of each stage of the development. The plan shall be drawn to scale and prepared in accordance with the requirements of the Recorder of Titles and shall form part of this permit when sealed.
 31. Before sealing of the Final Plan, all disturbed surfaces on the land except those set aside for roadways, footways and driveways are to be covered with topsoil and seeded and, where appropriate, re-vegetated and stabilized to the reasonable requirements of the Director Infrastructure & Development Services or their delegate.
 32. Before a final survey plan may be sealed, the developer is to provide a contribution in lieu of providing public open space in the development. The contribution is to be equivalent to five percent (5%) of the value of the new lots that are zoned Low Density Residential.
 33. The applicant is to seek a private land valuation of the new lots that are zoned Low Density Residential. A copy of the valuation is to be submitted to Council before or at the time of payment of the public open space contribution (see Condition 32).
 34. The developer is to submit to Council nominations for street names within the new development for consideration in accordance with Street Naming & Addressing Policy LUP.006.
 35. The developer will be responsible for supply and erecting of all street name signs associated with the development, inclusive of posts, sleeves, gib keys and any other product required to install. The location of street signs must be shown on construction issue drawings for approval by the Director Infrastructure & Development.

PART B CONDITIONS:

1. The person responsible for the activity must comply with the conditions contained in Schedule 2 of Permit Part B which the Regulated Entity (trading as TasWater) has required the planning authority to include in the permit, pursuant to section 56Q of the Water and Sewerage Industry Act 2008, reference TWDA 2021/01992-WWC (attached).

Notes: -

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

- An “Activity in Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
- This project must be substantially commenced within two years of the issue of this permit.
- This permit is based on information and particulars set out in Development Application SD 2140. Any variation requires an application for further planning approval of Council.
- This development/use is not to result in the generation of environmental harm or nuisance as defined in the *Environmental Management and Pollution Control Act 1994*.

-
- If any *Banksia serrata* are likely to be impacted by the proposal, a permit to take under the *Nature Conservation Act 2002* may be required. Information on applying for a permit, including application forms, can be found on the NRE website: Permit to Take Threatened Species (for Consultants & Development-related Activities) | Department of Natural Resources and Environment Tasmania (nre.tas.gov.au)
 - Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact TasNetworks on 1300 137 008 to ensure these works do not impede on existing electricity easements and are at a safe distance from powerlines. Failure to do so could result in the relocation of electricity assets at your cost.
 - A further fee is required for the signing and sealing of Final and Strata Plans. Please refer to Council's website for current Planning fees.
 - Prior to Sealing of the Final Plan of Survey, the developer must obtain a Consent to Register a Legal Document from TasWater and the certificate must be submitted to Council as evidence of compliance with the Part B Conditions of the Planning Permit. The application form for this consent document can be obtained from the TasWater website <http://www.taswater.com.au/Development/Forms>.
 - Under Section 61 (4) of the *Land Use Planning and Approvals Act 1993*, the applicant has the right to lodge an appeal against Council's decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to the Tasmanian Civil & Administrative Tribunal (TASCAT), G.P.O. Box 2036, Hobart, 7001 (<mailto:resourceplanning@tascat.tas.gov.au>). Updated Notices of Appeal are available on the Tribunal's website at <https://www.tascat.tas.gov.au/>.

The MOTION was put and was CARRIED.

IN FAVOUR

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

6.4 DWELLING EXTENSION LOCATED AT 315 PORT ROAD, BOAT HARBOUR BEACH - DA 102/2023

To:	Council
Reporting Officer:	Graduate Town Planner
Responsible Officer:	Manager Development and Regulatory Services
Report Date:	30 May 2023
File Reference:	7086708
Supporting Documents:	<ol style="list-style-type: none">1. Representation 2. Signed extension of time 3. Consolidated advertised documents 4. Elevation plan with privacy screen 

PURPOSE

The purpose of this report is for Council to consider the merits of the application DA 102/2023 against the requirements of the *Tasmanian Planning Scheme - Waratah-Wynyard*.

BACKGROUND

The subject site is located at 315 Port Road, Boat Harbour Beach and has an area of 2,457m². It is located within the Low-Density Residential zone and has access onto Port Road. The site is an internal lot and currently contains a single dwelling and associated outbuildings.

The adjoining titles to the west, 317 Port Road, and to the east, 301 Port Road, contain single dwelling development and associated outbuildings, while properties to the north and south, 313B Port Road and 5 Moore Street are vacant lots.

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

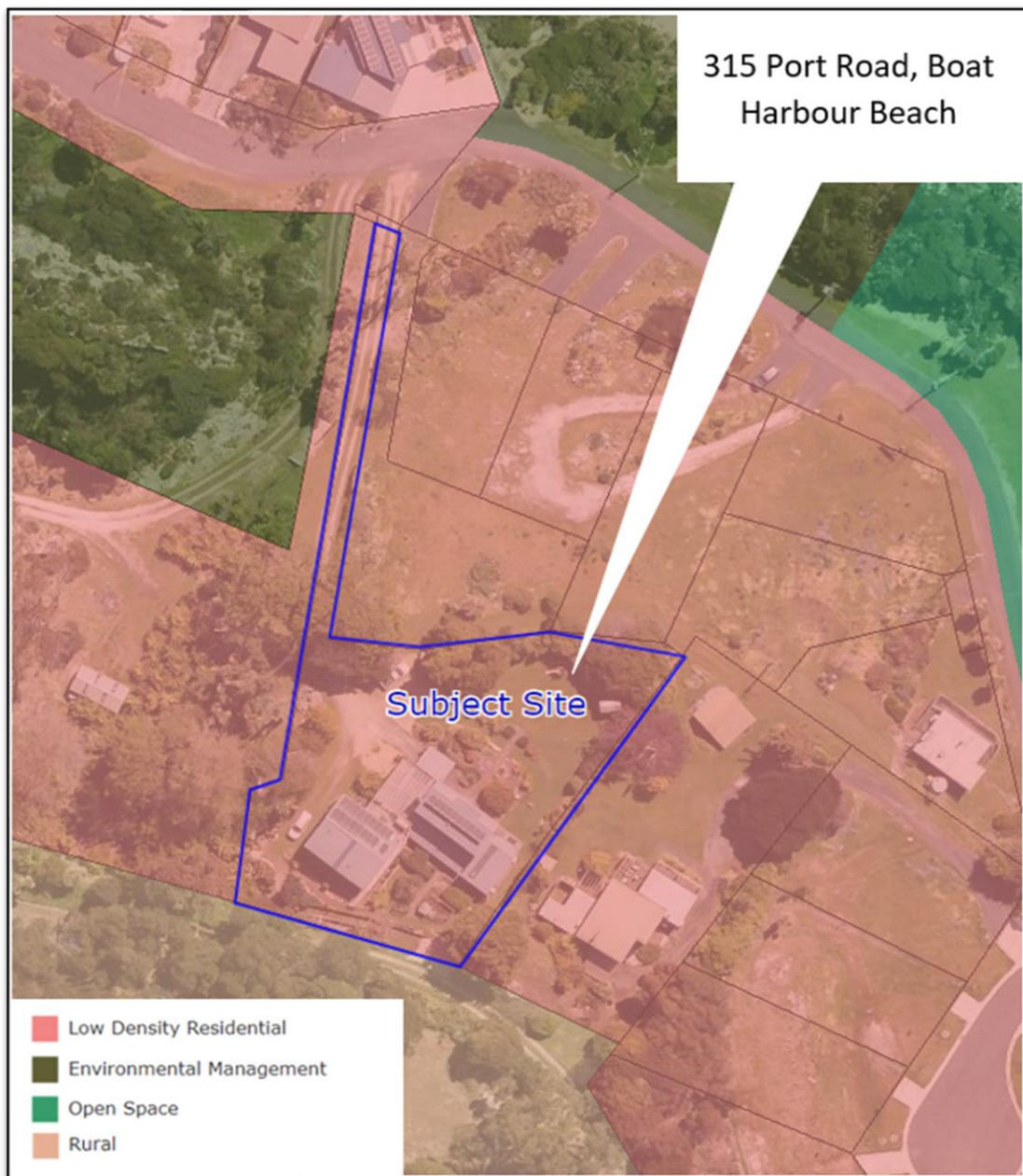


Figure 1: Subject site with zoning

DETAILS

The applicant is seeking approval for a dwelling extension on land at 315 Port Road, Boat Harbour Beach. The subject site is an internal lot.

The extension comprises a floor area of 35m² with a maximum height of 2.96m. It takes the form of a garage attached to the lower storey of the dwelling and a balcony that is attached to the upper floor. A handrail with an approximate height of 1m will be installed along the elevation of the balcony.

It is to be setback 2.4m from the western side boundary but complies with the permitted setback in the zone from all other boundaries.

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

CONSULTATION PROCESS

The consultation process was the public exhibition period set out in the *Land Use Planning and Approval 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;
- Additional information request x 1 page; and
- Proposal Plans x 11 pages.

The period for representations closed on 17 May 2023. One (1) representation was subsequently received. A map demonstrating the relationship between the subject site and the representor's property in Figure 2.



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

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

Representor – Kerry Bagshaw – 317 Port Road, Sisters Beach

Issues raised	Response:
<p>No privacy screen on the proposed balcony</p> <p>The representor would like the development to include a solid screen to block any view from the balcony.</p> <p>The proposed garage/balcony will be setback 2.4m from the boundary that adjoins the representor's property, and the balcony will be approximately 2.9m height from the existing ground level. It will potentially overlook a private garden of representor's property.</p> <p>Representor's family uses the garden as a therapy of post traumatic disorder and requires privacy to do it.</p> <p>Therefore, the representor asks for an installation of privacy screen to block any view from the balcony onto their private garden.</p>	<p>The issue raised is relevant to the discretion being assessed, which is a setback relaxation to the western side boundary.</p> <p>The landowner and representor have been in discussion as neighbours, with the landowner agreeing to the request for the inclusion of a screen on the western elevation of the deck. The applicant has also submitted a plan detailing a privacy screen, with this plan to be included within any approved document set.</p> <p>A full assessment of this discretion is provided under the planning assessment.</p>

INTERNAL REFERRALS

Engineering Services Department

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

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

Note:

An "Activity in Road Reservation" permit must be obtained from Council for all activity within the Road Reservation.

Environmental Health

The following environmental health conditions were recommended.

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

Note:

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

EXTERNAL REFERRALS

The proposal did not require any external referrals.

PLANNING ASSESSMENT

The subject site is zoned Low-Density Residential under the *Tasmanian Planning Scheme (TPS) – Waratah Wynyard*. The use is a Residential which is a No Permit Required use within the Low-Density Residential zone, should the application meet all the relevant acceptable solutions of the planning scheme.

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

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

10.0 Low-Density Residential Zone

10.4.3 Setback (P2)

A2 Dwellings, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally from the building, must have a setback from side and rear boundaries of not less than 5m.	P2 The siting of a dwelling must not cause an unreasonable loss of amenity to adjoining properties, having regard to: (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the setbacks of surrounding buildings; (d) the height, bulk and form of existing and proposed buildings; (e) the existing buildings and private open space areas on the site; (f) sunlight to private open space and windows of habitable rooms on adjoining properties; and (g) the character of development existing on established properties in the area.
Planning Comments: Complies The proposed garage/balcony is setback less than 5m from the western side boundary. Assessment against Performance Criteria for this Clause is required due to the proposed garage/balcony's proximity to the western title boundary.	

According to the LISTmap, topography is not a determining factor since the location of proposed development is relatively gentle (3° to 5° steep) sloping.

The dwelling is already constructed to the rear of the site, and due to the location of the existing dwelling, which is close to the western side boundary, compliance with 5m setback from the western side boundary is not achievable.

The setback of the garage/balcony to the western side boundary is consistent with the setbacks of adjacent developed lots in Port Road, particularly the clustered dwellings at the northern part of the road. Properties at 317, 301 and 310 to 320 Port Road have buildings that are setback less than 5m from the side boundary.

The proposed development is unlikely to overshadow any habitable room of adjoining properties. Dwelling at 317 Port Road is separated for at least 80 away to the west of the proposed garage/balcony.

The amenity of the private open space of the adjoining property at 317 Port Road has been identified as a concern with submission of a representation. The representor has advised that they have established a private garden along the boundary between the two properties, and have concerns of overlooking from the deck. The landowner and representor have been in discussion as neighbours, with the landowner agreeing to the request for the inclusion of a screen on the western elevation of the deck. The applicant has also submitted a plan detailing a privacy screen, with this plan to be included within any approved document set.

The character of the development is consistent with the established adjoining properties in the area, being single dwelling development with associated outbuildings. The proposed extension does not change the character of the development.

The proposal will not adversely affect the surrounding residential amenity in the area and is considered to comply with the performance criteria.

STATUTORY IMPLICATIONS

Land Use Planning and Approvals Act 1993

The Council is established as a Planning Authority by definition under Section 3(1) of the LUPAA and must enforce the Planning Scheme under S.48 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 as a result of this report other than those ordinarily associated with administering the Planning Scheme.

RISK IMPLICATIONS

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

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

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

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

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

COMMENT

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

It is considered that the proposed garage/balcony complies with either the acceptable solution or satisfy the performance criteria for all applicable standards of the Planning Scheme. The privacy screen will be installed to the western elevation of the balcony to mitigate any impact on amenity to adjoining residential properties.

The application is considered to comply with the Low-Density Residential Zone provisions for the *Tasmanian Planning Scheme – Waratah-Wynyard*. It is therefore recommended that Council to approve a planning permit for the proposed dwelling extension (garage and balcony).

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 *Tasmanian Planning Scheme (TPS) - Waratah-Wynyard*, grant approval for dwelling extension (garage/balcony) located at 315 Port Road, Boat Harbour Beach subject to the following conditions: -

CONDITIONS:

- (1) The development is to be generally in accordance with the application as submitted and endorsed plans as listed:**
 - a. Proposal plans with Project Number CC 4667 J and Drawing Number DWG 623 Sheet 1 to 8 as prepared by Adorn Drafting and dated 3 April 2023.**

b. Elevation plan with privacy screen on the western elevation of the deck as supplied by the applicant on 22 May 2023.

- (2) Stormwater from the development is to be fully contained within the boundaries of the property.
- (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) Loading and un-loading of vehicles is to be confined to within the boundaries of the property.
- (6) A privacy screen is to be installed along the western elevation of the balcony to minimise overlooking to adjoining property.
- (7) Control measures are to be installed for the duration of the construction phase so as to limit the loss of soils and other debris from the site.

Notes: -

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

- An “Activity in Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
- This project must be substantially commenced within two years of the issue of this permit.
- The applicant is advised to consult with a building surveyor to ensure the development is constructed in accordance with *Building Act 2016*.
- This permit is based on information and particulars set out in Development Application DA 102/2023. 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.

IN FAVOUR

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

PLANNING AUTHORITY CLOSED AT 6.24PM

7.0 MATTERS RAISED BY COUNCILLORS

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

Nil received.

7.2 COUNCILLOR QUESTIONS RECEIVED IN WRITING

Nil received.

7.3 COUNCILLOR QUESTIONS WITHOUT NOTICE

7.3.1 CR COURTNEY - POINTS OF ORDER

Cr Andrea Courtney noted the *Local Government Act (Act) section 23.1.e* and asked if the Point of Order Legislation is fit for purpose in light of the Human Rights Charter regarding freedom of speech and given we are operating in digital media forum.

The General Manager advised that parliamentary privilege does not apply to councils so meeting procedures and conduct are more controlled. He noted that Council's regulations are a direct replica of the requirements of the Act. He noted that he does not believe this is a matter that can or should be addressed by Council but could get an opinion from the Local Government Division.

7.3.3 CR ROBERTS - STATE REPRESENTATION

Cr Dillon Roberts asked if council could use funds from the Community Activation Grants round two to offer support for state representation.

The General Manager noted that Cr Roberts was asking for funds to be provided outside Council policy and advised this should not occur. He also advised that the next round of Community Grants open in July, however current policy for grants would exclude eligibility for sports representation. The General Manager advised that an appropriate course of action would be to seek a review of the current policy.

Cr Roberts FORESHADOWED A MOTION to review the Sponsorship Policy at the next Council Meeting.

7.3.4 CR HYLAND - SOMERSET COMMUNITY CONVERSATION

Cr Kevin Hyland asked if a Community Conversation could also be held in Somerset regarding the Future of Local Government Review.

The General Manager noted the Wynyard Community Conversation was to be held on 10 July and would look at options for Somerset.

8.0 NOTICE OF MOTION

8.1 CR L RAW - SAND SCULPTURE FAMILY DAY EVENT

Enclosures: Nil

PROPOSED MOTION

That Council explore the feasibility of a Sand Sculpture Family Event Day that will tie in with exploring and learning about all geological features in the immediate area

BACKGROUND INFORMATION

Waratah Wynyard has strong community support for local events that highlight place, space and environment.

The Tulip Festival and Spring Loaded are perfect examples of this, as the activities herald in the spring months and the slide into summer.

One feature of our environment is the geology of the surrounds. The geology is diverse and very unique. Materials for and signage of geological features exist in the area. The geological features form a quiet focus for tourism in the area.

As a closure event for summer, a Sand Sculpture Family Day has the capacity to bring together the community, to celebrate our unique environment and provide all children and teenagers with a play-based learning event supported by the links to our unique geological resources.

All community members can be supported to take part.

Foundations/Expectations of Event

- Inclusion of all community members, regardless of age or needs, supported by equity.
- Low cost or free events for all families.
- Play based learning.
- Pride in and showcasing local environment.
- Support of schools and student learning.

Suggestions/Current Ideas

- Hold the event on the last Saturday of Daylight Savings.
- Build to a yearly event.
- Use grants to employ a sand sculptor to:
 - ✓ Build a sand sculpture walk through on the long beach opposite Seabrook Golf Club for a community walk through at a designated time.
 - ✓ Support the sand sculpting event for the community on the main beach.
- Main feature is a sand sculpting event for groups and families, at a designated time as directed by tide times.
- Final feature is watching the tide come in and dissolve the sand sculptures, a beach bonfire and food and wine vans.

-
- Initial brainstorming event to kick start ideas done by Councillors led by Council Staff.

OFFICERS COMMENT

Officers note the suggestions included within the Notice of Motion and should the item be supported would bring a full report back to a council meeting for consideration in the coming months.

MOVED BY	CR RAW
SECONDED BY	CR COURTNEY


That Council explore the feasibility of a Sand Sculpture Family Event Day that will tie in with exploring and learning about all geological features in the immediate area

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.0 REPORTS OF OFFICERS AND COMMITTEES**9.1 ANNUAL PLAN AND BUDGET ESTIMATES 2023/24**

To:	Council
Reporting Officer:	Manager Financial Services
Responsible Manager:	General Manager
Report Date:	8 June 2023
File Reference:	1111
Enclosures:	1. Annual Plan & Budget Estimates 2023/24 

PURPOSE

The Annual Plan and Budget Estimates 2023/24 have been prepared in accordance with the provisions of the *Local Government Act 1993* and applicable Australian Accounting Standards and is presented to Council for consideration.

The budget estimates have been prepared in consultation with Councillors and staff through a series of workshops over the past few months.

Following adopting of the Annual Plan and Budget Estimates, rates will be levied and issued in respect of the rates and charges in July 2023.

The Annual Plan will be made available for public viewing on the Council's website at www.warwyn.tas.gov.au or at the Council offices, 21 Saunders Street, Wynyard.

BACKGROUND

The Annual Plan and Budget Estimates as presented seeks to satisfy the requirements of the *Local Government Act 1993*.

The document outlines Council's plans for the next financial year and with the allocation of financial resources to achieve those plans.

The Annual Plan is the key document outlining key initiatives planned to be delivered in 2023/24 and will provide the focus for performance measurement in the 2023/24 Annual Report.

The preparation of the Annual Plan has taken into consideration the Council's adopted Strategic Plan, relevant strategies and action plans.

DETAILS

Council have worked hard to successfully deliver a budget that is balanced and financially responsible.

Waratah-Wynyard's Financial Management Strategy (FMS) is critical to Council's strategic planning process. It underpins our long-term financial sustainability while meeting the needs and expectations of our communities in delivering Council's strategic priorities.

Council's Financial Management Strategy (FMS) sets the parameters for Council's ongoing financial sustainability and guides decision making, particularly when setting the annual plan and budget estimates.

The budget achieves the targets and philosophies contained in the FMS, and Council can demonstrate that it is sustainable both now and in the medium to long term.

Annual Plan & Key Initiatives

Council's annual plan contains several key initiatives it wishes to complete during the 2023/24 year. Highlights for each community are provided within the document (pages 6 & 7).

Operational Budget

Council is expected to deliver an underlying surplus of \$0.604m in 2023/24. Council continues to carefully plan for the delivery of its master plans and strategies. At the time of setting each budget, Council assesses the projected operating costs of any new projects to understand the future cost of those projects to the community.

The underlying surplus will sufficiently cover future operational costs that will arise from new capital works projects committed to by Council in the current and 2023/24 years.

Council will need to continually assess the expected operating cost of additional new capital expenditure to ensure that the operational improvements occur and cover any costs that arise from future new capital infrastructure spending.

Rates and Charges

Through its Financial Management Strategy, Council recognises that incremental rises in rates and charges in line with rising costs are essential. The 2023/24 budget has a focus on ensuring that Council's service rates move to recovering the full cost of service provision.

General Rate

The Estimates include an increase in general rate revenue of 3.75%, well below both the Council Cost Index (8.11%) and Consumer Price Index (Hobart) for April (6.90%). The minimum General rate payable per property will be maintained at \$250.

Stormwater Service Rate

The Stormwater Service Charge covers the cost of maintenance and upgrades of connections, drainage from roads and stormwater removal systems. It also covers flood mitigation works, a growing area of cost for the Council due to changes in the climate.

Council only charges what it needs, and the charges are set at an amount equal to the cost of providing services to each community.

The estimates include an increase in the service charge of 3.01% for Sisters and Boat Harbour Beaches and 2.89% for Wynyard & Somerset, both well below the Council Cost Index (8.11%).

Waste Charges

Waste charges cover waste collection, including recycling and running the waste management centre and other municipal waste services.

The draft budget estimates for 2023/24 include the following increase for waste services:

- A 75 cents per week increase for property who receive a weekly waste collection
- A 50 cents per week increase for properties which receive a weekly collection
- A 25 cents per week increase for other properties in the municipality

Council will continue free entry to the Waste Transfer Station for all residents.

State Fire Levies

The State Government sets state Fire Levies. Council collects the levies on behalf of the State and passes the amount collected on in full. Fire Levies will not increase in 2023/24.

Financial Position

Council's financial position is strong, and Council is well-positioned to meet its financial obligations comfortably.

The net worth of the Council to the community is expected to increase by \$7.024m to \$290,776m. This is attributable to the Council's ongoing commitment to capital improvements and capital grant funding estimates of \$6.420m.

Cash and Investments

Estimating cash flows for Council is a critical factor in setting the estimates. Council ensures that it retains enough cash in reserve to respond to volatility. It must also ensure that it accumulates and maintains enough financial resources to pay for its financial obligations as and when they fall due.

Council has increased its cash on hand target to \$5m on hand as of 30 June each year in its 2023-2033 Financial Management Strategy. Council is expecting to have \$5.498m cash on hand as at 30 June 2024.

Borrowings

The draft estimates include \$1.000m in borrowings to fund stormwater upgrades at Somerset.

Capital Works

The Estimates continue with Council's ambitious plan to deliver on Master Plans and Strategies set in consultation with the community.

This year's capital works expenditure is \$19.863m which includes \$7.281m in new infrastructure spending, \$6.072m in asset renewals, and \$6.510m on upgrading existing assets. Council will receive \$6.420m in capital grant funding.

Renewal expenditure has been prioritised in line with Councils Asset Management Plans ensuring that current services provided are maintained to the standard that residents are accustomed.

STATUTORY IMPLICATIONS

Statutory Requirements

The *Local Government Act 1993* outlines the responsibility of Council in relation to the preparation, adoption and implementation of its Annual Plan and Budget Estimates as follows:

Annual plan

71. (1) *a council is to prepare an annual plan for the municipal area for each financial year.*

(2) *An annual plan is to –*

- (a) Be consistent with the strategic plan; and*
- (b) Include a statement of the manner in which the council is to meet the goals and objectives of the strategic plan; and*
- (c) Include a summary of the estimates adopted under section 82; and*
- (d) Include a summary of the major strategies to be used in relation to the council's public health goals and objectives.*

(3) *As soon as practicable after a council adopts an annual plan, the general manager is to –*

- (a) Make a copy of the annual plan available for public inspection at the public office during ordinary business hours; and*
- (b) Provide the Director of Local Government and the Director of Public Health with a copy of the annual plan.*

Estimates

82. (1) *the General Manager must prepare estimates of the council's revenue and expenditure for each financial year.*

(2) *Estimates are to contain details of the following:*

- (a) The estimated revenue of the council;*
- (b) The estimated expenditure of the council;*
- (c) The estimated borrowings by the council;*
- (d) The estimated capital works of the council;*
- (e) Any other detail required by the Minister.*

(3) *Estimates for a financial year must –*

- (a) Be adopted by the council, with or without alteration, by absolute majority; and*
- (b) Be adopted before 31 August in that financial year; and*
- (c) Not be adopted more than one month before the start of that financial year.*

(4) *A council may alter by absolute majority any estimate referred to in subsection (2) during the financial year.*

(5) *A council may make adjustments to individual items within any estimate referred to in subsection (2) by a simple majority so long as the total amount of the estimate is not altered.*

(6) *A council, by absolute majority, may authorise the general manager to make minor adjustments up to specified amounts to individual items within any estimates referred to in subsection (2) so long as the total amount of the estimate is not altered.*

(7) *The general manager is to report any adjustment and an explanation of the adjustment at the first ordinary meeting of the council following the adjustment.*

Part 9 of the *Local Government Act 1993* applies to Council's consideration of the rating provisions, in particular sections 90, 93 and 94 of the Act.

General Rate

(90) (1) A council may, not earlier than 1 June and not later than 31 August in any year, in respect of each financial year, make one general rate for that year on all rateable land in its municipal area.

(2) A council may make a general rate on rateable land whether or not it provides any services in respect of that land.

(3) A general rate is to be based on one of the following categories of values of land:

- (a) The land value of the land;
- (b) The capital value of the land;
- (c) The assessed annual value of the land.

(4) In making a general rate, a council may set a minimum amount payable in respect of that rate if that rate does not include a fixed charge.

(5) A minimum amount payable in respect of a general rate may not be set by a council under subsection (4) if the minimum amount would –

- (a) in respect of the 2012-2013 financial year, apply to more than the relevant percentage in respect of the council, as determined under section 89B for that financial year, of the number of areas of land that is rateable land to which no variation under section 107 of the general rate applies; or
- (b) in respect of any other financial year, apply to more than the relevant percentage in respect of the council, as determined under section 89B for that financial year, of the number of areas of land that is rateable land to which no variation under section 107 of the general rate applies.

Service Rate

93 (1) A council may make a service rate for a financial year on rateable land for any, all or a combination of the following services:

- (a)
- (b)
- (c) Nightsoil removal;
- (d) Waste management;
- (e) Stormwater removal;
- (f) Fire protection;
- (g) Any other prescribed service.

(2) A service rate for a financial year is to be based on the same category of value of land as the general rate is based on under section 90(3) for that financial year.

(3) In making a service rate, a council may set a minimum amount payable in respect of that rate.

(4) A council must not make a service rate for a service referred to in subsection (1) in respect of land owned by the Crown if the council does not supply that service to that land.

(5) For the purpose of this Part, establishing, managing, providing or rehabilitating waste management facilities is to be taken to be part of

- (a) a waste management service; and
- (b) the supplying, or making available, of waste management services to land.

Service Rate for Fire Protection

93A (1) A council may make a service rate or several service rates in respect of the fire service contributions it must collect under the Fire Service Act 1979.

(2) A service rate or service rates made under subsection (1) must be for the contribution specified in a notice issued under section 81B of the Fire Service Act 1979.

Service Charge

94 (1) In addition to, or instead of, making a service rate under section 93, a council, when making a general rate in respect of a financial year, may make a separate service charge for that financial year for any or all of the services specified in that section which the council supplies or makes available.

(2)

(2A)

(3) A council may, by absolute majority, declare that a service charge varies within different parts of the municipal area according to any or all, or a combination of any or all, of the factors specified in section 107.

(3A) In addition to the powers conferred on a council under subsection (3), a council may, by absolute majority, vary a service charge according to the level of service provided.

(4) A council must not make a service charge for a service referred to in section 93(1) in respect of land owned by the Crown if the council does not supply that service to that land.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
We make publicly transparent decisions on spending and future directions while encouraging community feedback.
Our Priorities
1.6 Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.
1.8 Review and adjust service levels to provide value for money.
1.9 Collaborate with, understand and satisfy our external customers' needs and values.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Strong communities and social capital	Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
Access and infrastructure	Local, regional and global transport and infrastructure access – Safe and efficient access alternatives, growing freight capacity, renewable energy, water management and contemporary communications. Community infrastructure that supports economic development.
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

Related policies include Councils Rates and Charges Policy and the Financial Management Strategy 2023-2033.

FINANCIAL IMPLICATIONS

The financial implications are outlined throughout the document.

RISK IMPLICATIONS

Council has a statutory requirement to annually adopt its Annual Plan and Budget Estimates by 31 August each year.

Council financial sustainability risks are managed through the Financial Management Strategy (FMS) which is updated on an annual basis. The budget estimates achieve the targets and philosophies contained in the FMS, and Council can demonstrate that it is sustainable both now and in the medium to long term

CONSULTATION PROCESS

The preparation of the annual plan and budget estimates begins with staff preparing the operating and capital components during January and February. Draft estimates are then prepared, and various options are considered by Council at informal briefings (workshops) from March through until June.

CONCLUSION

The Annual Plan is a comprehensive document that endeavours to clearly outline the goals and objectives for the coming year and is a legislative requirement of Council.

It is recommended that Council adopts the Annual Plan and Budget Estimates as presented.

MOVED BY	CR COURTNEY
SECONDED BY	CR RAW

1. Adoption of the Annual Plan

- 1.1 In accordance with Section 71 of the *Local Government Act 1993* (as amended), Council adopts the Annual Plan for 2023/24 and instructs the General Manager to:

- 1.1.1 make a copy of the Annual Plan available for public inspection at the Council office; and
- 1.1.2 provide a copy of it to the Director of Local Government and the Director of Public Health.

2. Adoption of the Annual Estimates

- 2.1 In accordance with Section 82 of the *Local Government Act 1993* (as amended), the Council adopts the estimates of revenue and expenditure

(including estimated capital works) as detailed in the Annual Plan and Budget Estimates 2023/24; and

- 2.2 Authorises the General Manager in accordance with Section 82(6) of the *Local Government Act 1993*, to make minor adjustments up to \$20,000 to any individual estimate item as deemed necessary during the financial year so long as the total amount of the estimate is not altered.

3. Fees & Charges

- 3.1 In accordance with Section 205 of the *Local Government Act 1993*, and other relevant Acts as detailed in the fees and charges schedule, the Council imposes the fees and charges within the Annual Plan and Budget Estimates 2023/24 financial year.

4. Rates Resolution

- 4.1 That in accordance with the provisions of Part 9 of the *Local Government Act 1993* ("the Act"), the *Fire Service Act 1979* and the *Waste & Resource Recovery Act 2022*, the Council makes the following Rates and Charges for land within the Council's municipal area for the period 1 July 2023 to 30 June 2024.

4.1.1 Definitions Used in this Resolution

- (a) 'AAV' means the assessed annual value as defined in the Act and adjusted under Sections 89 and 89A of the Act.
- (b) 'land' means a parcel of land which is shown as being separately valued in the valuation list prepared under the Land Valuation Act 1971;
- (c) 'General Land' means all land within the municipal area of Waratah-Wynyard (the municipal area) that is not within the township of Somerset or the township of Wynyard.
- (d) 'The Act' means the *Local Government Act 1993*.
- (e) Terms used in this resolution have the same meaning as given to them in Part 9 of the Act, unless it is inconsistent with the context of this resolution.
- (f) Each of the rates and charges made by this Resolution may be cited by reference to the heading immediately preceding the clause.

4.2 General Rate

- 4.2.1 Council makes a general rate under Section 90 of the Act of 6.1654 cents in the dollar on all land (excluding land which is exempt pursuant to the provision of Section 87 of the Act) within the Waratah-Wynyard municipal area.

4.2.2 Pursuant to Section 107 of the Act, and by reason of the following factors, Council declares, by absolute majority, that the General Rate in clause 4.2.1 is varied as follows:

- (a) For land used for quarrying or mining purposes in Savage River and Guildford the rate is varied by increasing it by 9.5152 cents in the dollar of assessed annual value to 15.6806 cents in the dollar of assessed annual value of the land.**

4.2.3 Council sets a minimum amount payable in respect of that rate of \$250 in accordance with Section 90(4) of the Act.

4.2.4 Council elects the AAV to be the basis of the general rate for the purpose of this Rates Resolution.

4.3 Fire Service Levy

In accordance with the requirements of s.81(c) of the *Fire Service Act* the Council levies the following fire service rates:

- 4.3.1 (a) A rate of 0.3620 cents in the dollar of AAV for all land within the township of Somerset and Wynyard; and**
- (b) a rate of 0.3380 cents in the dollar of AAV on all General Land.**

4.3.2 With a minimum amount payable of \$48 for all land.

In accordance with the provisions of Section 107 of the Act and, by an absolute majority, the Council declares that the Fire Service Rate is varied within the municipal area by reason of the location of the land.

4.4 Waste Management Charges

In accordance with the provisions of Section 94 of the Act the Council makes the following waste management charges:

- 4.4.1 \$162 for all land (other than land classified by the Valuer-General as land use code "bush or forestland (L3)" and land that is not used for any purpose listed in Section 107(2) of the Act) for waste management services (other than kerbside collection) provided in the municipal area.**
- 4.4.2 \$190 for all land to which the Council provides a weekly urban garbage collection.**
- 4.4.3 \$142 for all land to which the Council provides a fortnightly rural garbage collection.**
- 4.4.4 \$68 for all land to which the Council provides a recyclables collection service.**
- 4.4.5 \$17 for all land in the municipal area for the State Government Waste Landfill Levy.**

In accordance with the provisions of Section 94(3)(a) and Section 107 of the Act and by an absolute majority, the Council declares that the waste management charges are varied within the municipal area according to the level of services provided.

4.5 Stormwater Service Rates

In accordance with the provisions of Section 93 of the Act, the Council makes the following stormwater service rates:

- 4.5.1 (a)** For land within the hatched area shown on the map marked “Wynyard” (*Map 1 in Notes below*) (the location), 1.3000 cents in the dollar of the AAV; and
- (b)** For land within the hatched area shown on the map marked “Somerset” (*Map 2 in Notes below*) (the location), 1.3000 cents in the dollar of the AAV; and
- (c)** For land within the hatched area shown on the map marked “Sisters Beach” (*Map 3 in Notes below*) (the location), 0.5700 cents in the dollar of the AAV; and
- (d)** For land within the hatched area shown on the map marked “Boat Harbour” (*Map 4 in Notes below*) (the location), 0.5700 cents in the dollar of the AAV; and

In accordance with the provisions of Section 107 of the Act and, by an absolute majority, the Council declares that the stormwater service rate is varied within the municipal area by reason of the location of the land.

4.6 Payment Options

4.6.1 Due Dates

4.6.1.1 Except where rates and charges are to be paid by instalments the rates and charges are to be paid by 31 August 2023.

4.6.1.1 In accordance with the provisions of Section 124 of the Act, Council determines that all rates and charges are payable either in one payment or by four instalments, if the rates are to be paid by instalments (calculated to the nearest cent) the due date by which they are to be paid are:

1st Instalment - 31 August 2023

2nd Instalment – 31 October 2023

3rd Instalment – 31 January 2024

4th Instalment – 31 March 2024

4.6.2 Discount for Early Payment

In accordance with the provisions of Section 130 of the Act the Council will provide a discount of 3.5% on the total current rates and charges specified in a rates notice, for payment of the total rates and charges (including all arrears) that are paid by 31 August 2023 but excluding the fire service rate and state waste levy.

4.6.3 Defaults & Penalties

In accordance with the provisions of Section 128(2) of the Act if any rates and charges or instalment of rates and charges are not paid on or before the date they fall due, then daily interest charged monthly, at the prescribed percentage, is payable from the date they fell due to the date of payment.

In accordance with Section 124(5) of the Act if any instalment is not paid within 21 days of the due date, then the rates and charges for the whole year becomes due and Council may take recovery action without further notice.

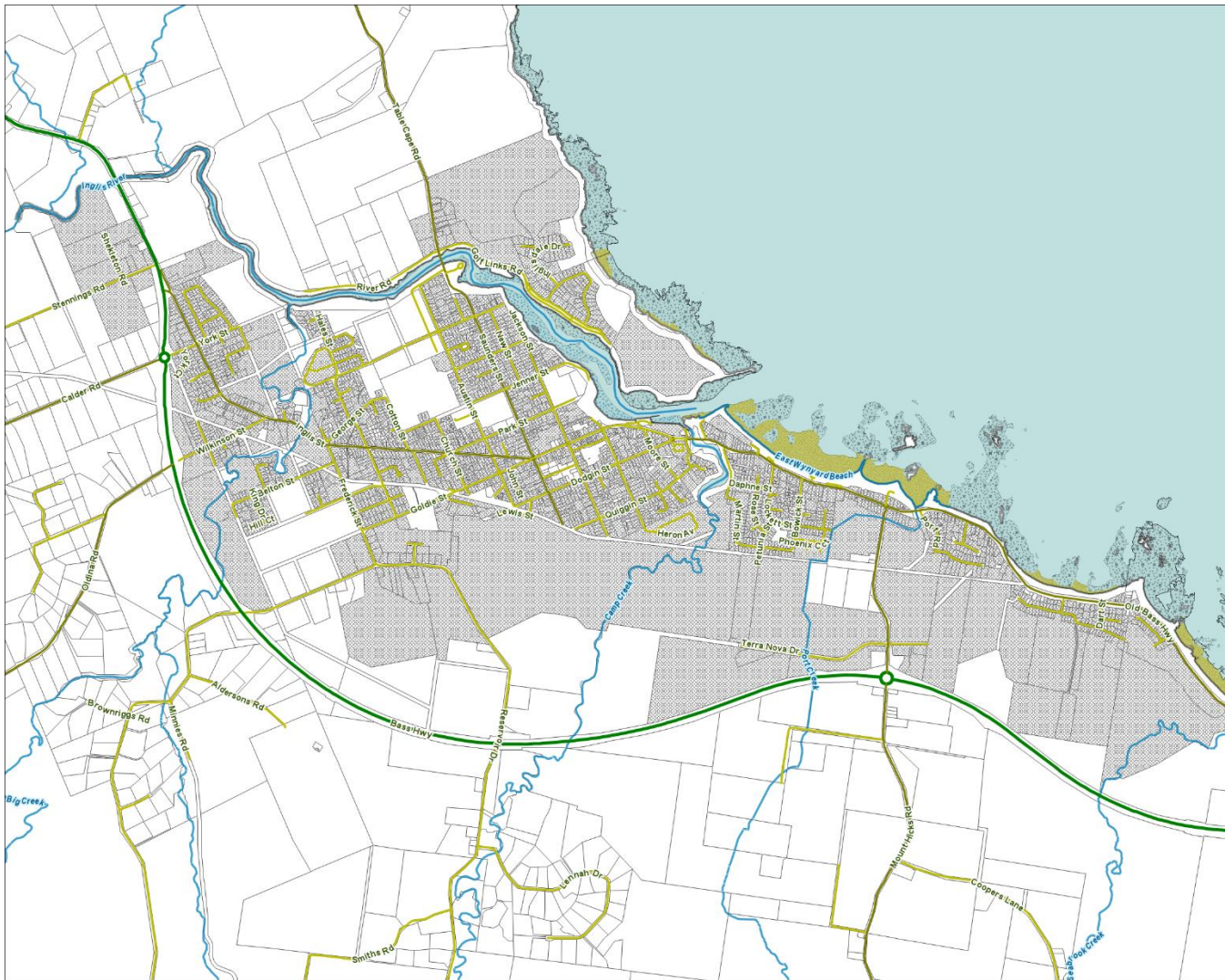
4.7 Supplementary Rates

4.7.1 In accordance with the provisions of Section 92 of the Act, the Council delegates to the General Manager the power to adjust a rate as a result of a supplementary valuation.

The MOTION was put and was CARRIED.

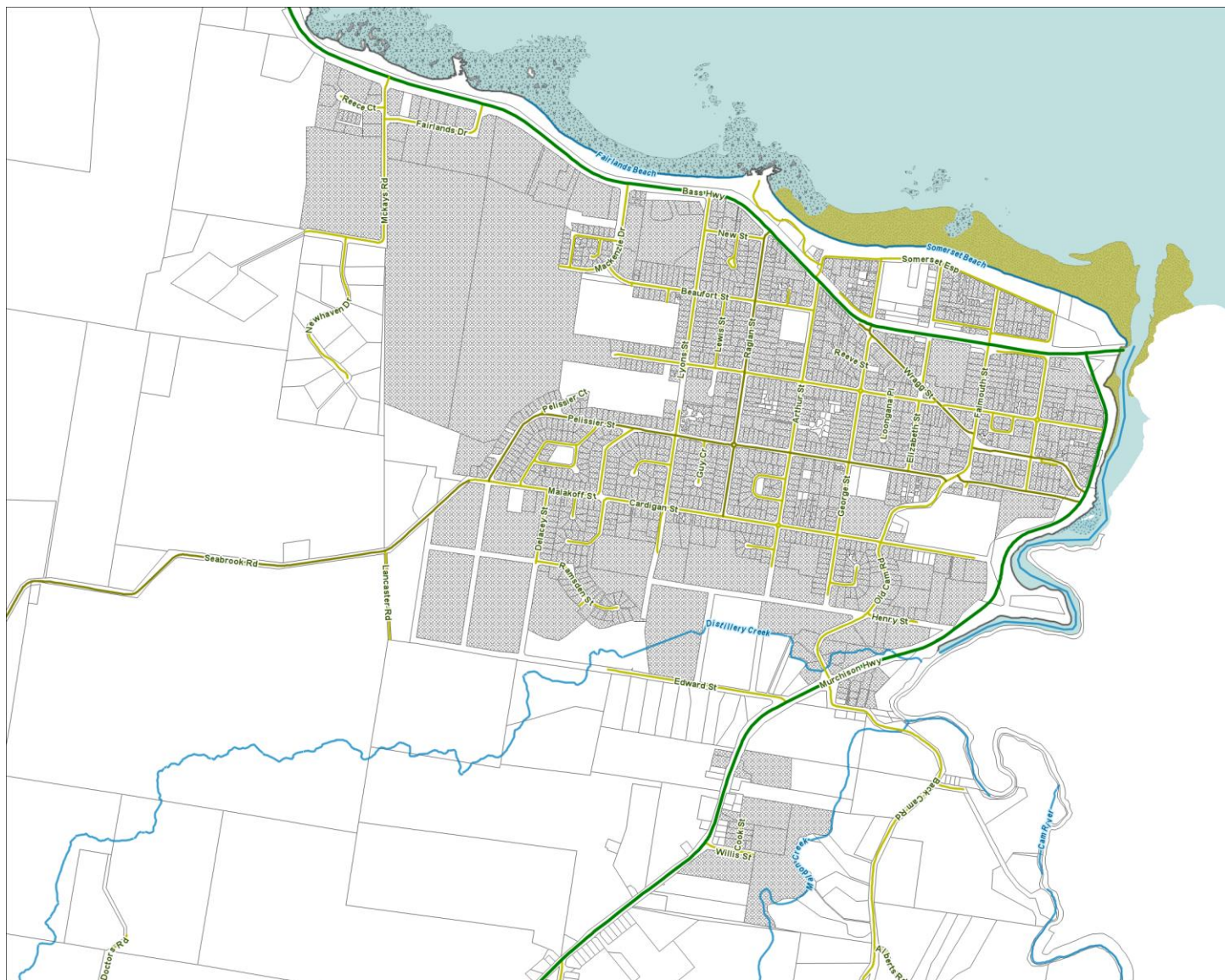
IN FAVOUR

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



Stormwater Service Rates Map 1 – Wynyard Stormwater District

(Includes properties within 30m of stormwater infrastructure)



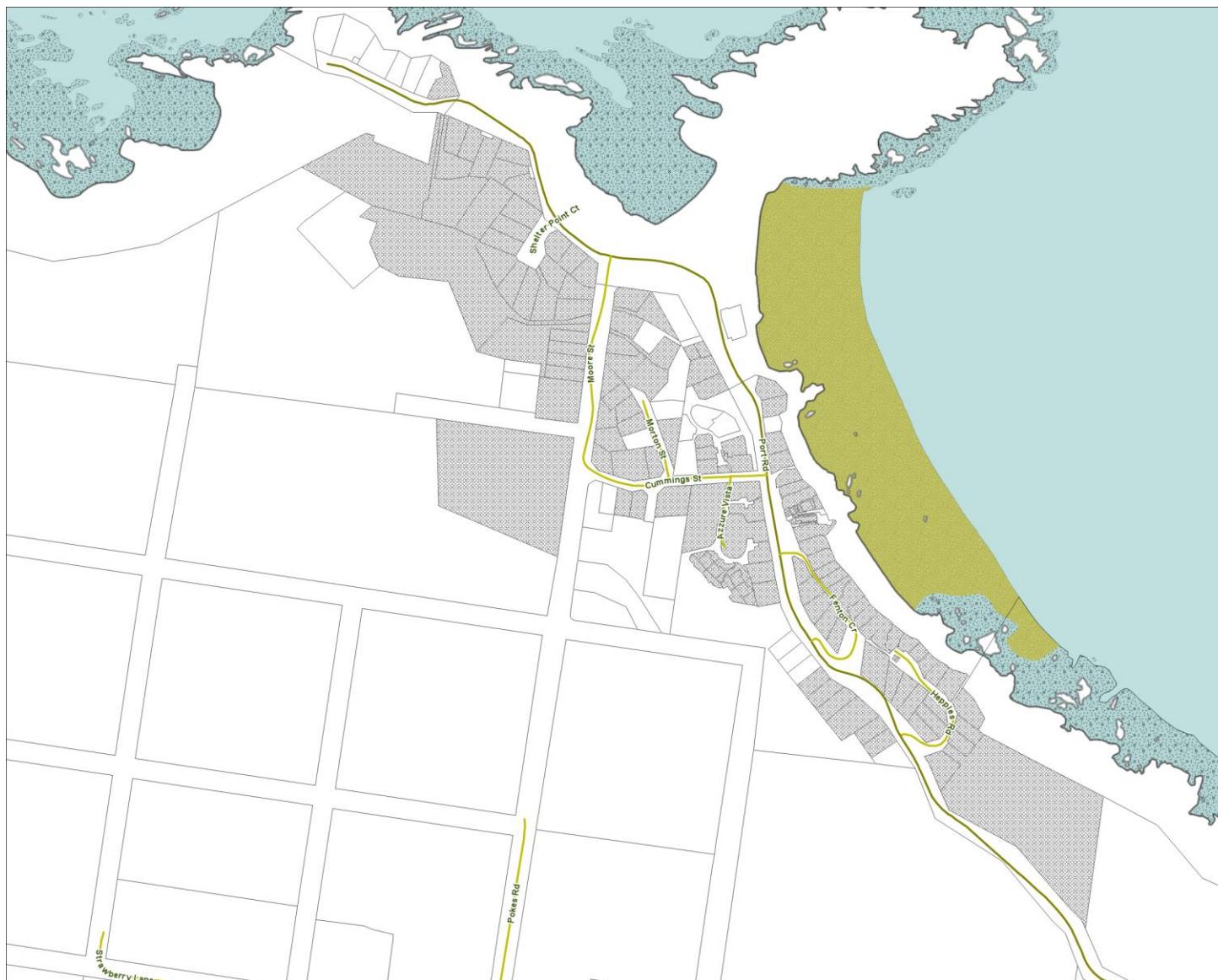
Stormwater Service Rates - Map 2 - Somerset Stormwater District

(Includes properties within 30m of stormwater infrastructure)



Stormwater Service Rates - Map 3 - Sisters Beach Stormwater District

(Includes properties within 30m of stormwater infrastructure)




Stormwater Service Rates - Map 4 - Boat Harbour Beach Stormwater District

(Includes properties within 30m of stormwater infrastructure)

THE MANAGER DEVELOPMENT AND REGULATORY SERVICES LEFT THE MEETING AT 7.08PM

9.2 RATES AND CHARGES POLICY REVIEW

To: Council
Reporting Officer: Manager Financial Services
Responsible Manager: General Manager
Report Date: 8 June 2023
File Reference: Governance - Policy - Council Policies
Enclosures: 1. Draft Rates and Charges Policy FIN.005 

PURPOSE

This report has been prepared for Council to consider the proposed changes to the Rates and Charges Policy.

BACKGROUND

In accordance with legislation, Council's Rates and Charges Policy must be updated on a regular basis. Council in practice reviews the Policy as a part of its annual plan and budget deliberations.

Section 86 of the *Local Government Act 1993* (the Act) requires councils to implement rates and charges policies to provide transparency in decision making and to educate their communities about how revenue is raised. Council is also required to review its rates policy following any major changes to rates charges.

DETAILS

The Rates and Charges Policy outlines Council's approach towards rating its community. The Policy is reviewed annually to ensure that it reflects the current policy position of Council and is made publicly available on Council's website.

There is one proposed change to the policy for 2023/24, which is shown in the table below:

Clause 3.2.6	Under section 107 of the <i>Local Government Act 1993</i> , Council charges a differential general rate for land used for mining or quarrying purposes in Savage River and Guildford.
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STATUTORY IMPLICATIONS

Statutory Requirements

The following Local Government Act 1993 has application to Rates and Charges matters:

General principles in relation to making or varying rates are:

- 86A.** (1) *A council, in adopting policies and making decisions concerning the making or varying of rates, must take into account the principles that –*
- (a) *rates constitute taxation for the purposes of local government, rather than a fee for a service; and*
 - (b) *the value of rateable land is an indicator of the capacity of the ratepayer in respect of that land to pay rates.*

Rating and charging policies to be made available to public

- 86B.** (2) *A council's rates and charges policy must contain–*

- (a) *a statement of the policy that the council intends to apply in exercising its powers, or performing its functions, under this Part; and*
- (b) *a statement of policy in respect of prescribed matters, if any.*
- (3) *A council's rates and charges policy in relation to the making or varying of a rate must take into account the principles referred to in section 86A(1).*
- (4) *A council must review its rates and charges policy–*
 - (a) *by the end of each successive 4-year period after 31 August 2012; and*
 - (b) *at the same time as, or before, making a type of rate, charge or averaged area rate in respect of a financial year, if a rate, charge or averaged area rate of that type was not made in respect of the previous financial year; and*
 - (c) *at the same time as, or before, making under section 107 a variation of a rate or charge in respect of a financial year, if such a variation of that rate or charge was not made in respect of the previous financial year; and*
 - (d) *at the same time as, or before, setting a minimum amount under this Part; and*
 - (e) *at the same time as, or before, altering the circumstances in which a rate, charge or averaged area rate, or a variation of a rate or charge, is to apply to rateable land.*
- (5) *A council, as soon as reasonably practicable after adopting or altering its rates and charges policy, must make copies of the policy as so adopted or altered available to the public–*
 - (a) *in paper form, on payment of a reasonable charge; and*
 - (b) *in electronic form, at a website of the council, free of charge.*

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
We cherish fairness, trust and honesty in our conduct and dealings with all.
Our Priorities
1.6 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 direct financial implications of this report.

RISK IMPLICATIONS

There is some reputational risk to Council when making adjustments to Rates and Charges Policy. The proposed changes support the principles of equity and fairness in the application of rates and charges.

The ability to collect rates and charges effectively reduces the financial risk of non-payment of rates and charges to Council. The proposed change outlined in this report reduce the risk to Council.

CONSULTATION PROCESS

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

CONCLUSION

MOVED BY	CR HYLAND
SECONDED BY	CR ROBERTS

That Council adopt the revised Rates and Charges Policy as presented

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.3 COVID19 ECONOMIC RECOVERY PLAN 2021- 2024

To:	Council
Reporting Officer:	Economic Development Officer
Responsible Manager:	General Manager
Report Date:	11 May 2023
File Reference:	Strategies and Plans
Enclosures:	Nil

PURPOSE

The purpose of this report is to provide a final update on the COVID-19 Economic Recovery Plan 2021-2024 and to recommend completion of the Plan one year earlier than initially predicted. At this time it is not expected further exceptional emergency support by Council in relation to COVID-19 will be required.

The current and future actions listed in the COVID-19 Economic Recovery Plan can be found in Council's various other plans and strategies and continuing with this annual update will be a duplication.

BACKGROUND

The development of an evidence based economic recovery plan for the municipal area was an action recommended in Councils 20/21 Annual Plan.

The COVID-19 Economic Recovery Plan 2021-2024 was endorsed by Council in June 2021. The plan was intended to formalise the range of initiatives and actions that Council was undertaking or was committed to undertaking, to assist local economic recovery. The projects/actions identified in the Recovery Plan were medium term and were intended to be implemented over a 3-year timeframe (July 2021 – June 2024).

DETAILS

As part of Council's Annual Plan 20/21 an action was created to develop an evidence-based COVID-19 Economic Recovery Plan to formalise the actions Council is undertaking and planning to undertake to support the local economy. It also considered whether any additional actions on top of those that Council had already decided to undertake are needed to further drive economic recovery.

The COVID-19 Economic Recovery Plan contains a background to the pandemic, economic data as at the time of adopting the Plan, and a suite of Council actions.

Five priority areas were identified in the Plan which are consistent with the priorities identified by the Premier's Economic and Social Recovery Advisory Council (PESRAC). The priority areas are:

- Jobs and income
- Health and housing
- Community: Connectivity and Engagement
- Environment and Sustainability
- Public Sector Capability.

An implementation plan was developed and endorsed by Council in February 2020, with the projects/actions reviewed annually.

Within this financial year many more of the projects and actions highlighted in the Plan have commenced or have been completed. The below table provides a summary of progress against initiatives identified in the Plan.

Project	Description	Implementation
Jobs and Income		
Facilitate Major Investment	<p>Completion of the Wynyard Yacht Club, multi-use community facility redevelopment (<i>Wynyard Waterfront & Environs Masterplan</i>)</p> <p>Review of Town Planning Services 21/22 to further streamline Council planning processes</p> <p>Undertake a review of the <i>Sustainable Murchison Community Plan 2040</i> to ensure its continued relevance</p> <p>Continue to lobby and advocate for improvements to the Bass Highway from Wynyard to Marrawah.</p>	<p>Completed.</p> <p>Completed.</p> <p>Not Started. To be considered following a determination regarding the Future of Local Government Review.</p> <p>Ongoing. Construction is underway.</p>
Undertake Capital Works Program	Economic development opportunities will be boosted by planned capital works which will help to keep businesses and local people employed on local projects. Council has adopted a range of masterplans and strategies in consultation with the community which will require a capital investment of approximately \$60m over 10 years. \$25m will be invested over the life of this plan.	<p>In Progress.</p> <p>Council estimates a total capital investment of up to \$61m over a 10-year period. \$11m has been committed to projects that are progressing this financial year.</p>
Support Local Tourism	<p>Seek, facilitate and promote the availability of grants/funding through Tourism Tasmania, WXNW and the State and Federal Governments to diversify and expand our tourism offerings</p> <p>Promote the <i>Events Tasmania Attraction Fund</i></p> <p>Promote the <i>Tasmanian Agri-tourism strategy 2019 - 2023</i> to develop more agri-tourism investment in the region</p> <p>Promote the Northwest Tasting Trail to increase the depth and range of product in the region</p> <p>Promote and deliver the Councils <i>Community Activation Grants</i> program 2022/23</p> <p>Consider options to improve our offering as RV Friendly and provide findings to Council</p>	<p>Ongoing.</p> <p>Promotion will be ongoing.</p> <p>Ongoing.</p> <p>Promotion will be ongoing.</p> <p>Complete. Grants have been awarded.</p> <p>In Progress. Various options are being considered.</p>

Project	Description	Implementation
	Commence the Geological Trail Plan	Completed.
Support Local Business and Industry	<p>Support industry to gain a competitive advantage through local proximity and interdependence by identifying and encouraging industry clusters in the Municipality</p> <p>Lobby on behalf of key sectors/businesses for State and Commonwealth assistance through available stimulus programs, grants and funding</p> <p>Council commitment to purchase from local businesses where practicable in line with Council's <i>Procurement Policy</i></p> <p>Advocate for accessible, affordable, and appropriate training and development programs to support businesses to enhance their digital business skills and knowledge</p> <p>Ensure the successful delivery of Council's <i>Survive and Thrive</i> Grant Projects</p>	<p>Ongoing.</p> <p>Ongoing.</p> <p>Ongoing commitment wherever possible.</p> <p>Ongoing. Businesses are kept informed of opportunities via social media and Councils website.</p> <p>Completed.</p>
Support Education and Training	<p>Continue to support and participate in the <i>Australian School-based Apprenticeship Program</i></p> <p>Support and advocate for BighART's co-designed, place-based recovery project for disadvantaged young people to be conducted through the new Wynyard Waterfront Multi-Use Community Facility. The program will link disadvantaged young people into their community, education and future employment opportunities</p>	<p>Ongoing. Council has employed two participants from the program to permanent roles</p> <p>BighART are delivering their 'Watershed' program at Multi-Use Community Facility</p>
Health and Housing		
Land Acquisition and Disposal Implementation	Investigate the acquisition and disposal of Council land assets to provide economic opportunity for development	Ongoing. Disposal of surplus Council land assets at 9 Martin Street, Wynyard and 4 George Street, Somerset
Support Development of Social Housing	Support affordable housing through the State Governments' <i>Community Housing Growth Program</i> . Up to 25 new social housing properties are planned for Waratah-Wynyard's municipal area	Ongoing.
Support activities that improve the Health and Wellbeing of the Community	<p>Continue the implementation of the <i>Breathe Eat Move Relax Program</i> to decrease the number of smokers in the Municipality and encourage people to eat healthier, relax more, and become more active</p> <p>Continue to implement the mental health initiatives of the Waratah-Wynyard Community Health and Wellbeing Plan</p>	<p>Completed. Any carry-on actions folded into existing plans.</p> <p>Ongoing. Activities and objectives of the Health and Wellbeing Plan, Age</p>

Project	Description	Implementation
		Friendly Communities Plan and Youth Plan are being delivered.
Community: Connectivity and Engagement		
Improve Digital Connectivity and Digital Inclusion	Council to continue to play a facilitation role and seek funding for improved connectivity and to ensure rural communities across Murchison are digitally connected.	Ongoing. Waratah-Wynyard Council has worked collaboratively with Telstra and Circular Head Council to find appropriate technical solutions for our municipal area. Areas identified for improvement as a part of the grant application include Sisters Beach Boat Harbour Beach, Lapoinya, and Flowerdale. \$4.9m funding for this region has recently been announced through the Regional Connectivity Program.
Maintain and Enhance Liveability	Roll out planning materials highlighted in the recently completed <i>Liveable Waratah Wynyard Settlement Strategy</i> . Construction of the Somerset All-Ability playground	In progress: Council have developed an Implementation Plan which will assist with the roll out. Completed.
Population Growth	Investigate region specific incentives to drive population growth Support and engage with the Cradle Coast Authority's <i>Choose Cradle Coast</i> campaign Engage with the Regional Australia Institute's (RAI) <i>'Move To More'</i> regional population growth program to encourage city dwellers to move to the Waratah Wynyard Municipality	Ongoing. Ongoing. Completed: EDO has liaised with RAI and provided them with the LGA information requested.
Environment and Sustainability		
Support the Environment and Improve Sustainability	Support the principals and philosophy of the Integrated Council Environmental Plan (iCEP) Completion of French's Road Masterplan Landcare actions Implement the recommendations of the coastal geotechnical and erosion control assessments Investigate options to reduce Council's resource consumption and carbon footprint through greater use of renewable energy	Ongoing. Complete. In Progress. Council will undertake erosion mitigation works to protect council assets at Sisters Beach and Somerset's Anzac Park through 22/23 and into 23/24. Ongoing. Priorities have been identified as part of Councils emissions audit. Complete, target of net zero emissions by 2030 adopted

Project	Description	Implementation
	Undertake a Council emissions audit and set an emissions target to achieve corporate carbon neutrality	Complete. Grant program developed and rolled out. Not ongoing.
	Develop a Council funded grant program to assist community groups to implement renewable energy solutions for community facilities	Complete
	Development of a management plan for Fossil Bluff and surrounds in partnership with the Wynyard Landcare group	Ongoing: Currently progressing through Year 4 actions.
	Continued implementation of actions from the Council's Waste and Resource Recovery Strategy	In progress.
	Continued planning for the provision of shared-use pathways at Cam River and along the coast	
Public Sector Capability		
	Continue the successful resource sharing arrangement with Circular Head Council	Ongoing
	Continue to work with other Council's by using the Cradle Coast Authority as a single point of call	Ongoing
	Continue to embrace the vision of the <i>Sustainable Murchison Plan</i> of one voice and cooperative action	Ongoing – review date has not been set.

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
1.5 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
1.1.1 Commit to best practice in community engagement.
GOAL 5: Economic Prosperity
Desired Outcomes
5.3 Long-term sustainable economic growth is achieved through adaptability and innovation.
Our Priorities
5.1.1 Investigate and embrace new economic opportunities.

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.
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 progress update and recommendation.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

CONCLUSION

It is recommended that Council note the final update and report of the COVID-19 Economic Development Plan 2021– 2024 and close the Plan one year earlier than predicted. Council continues to progress a range of initiatives that support the local economy through its numerous plans and strategies.

MOVED BY	CR ROBERTS
SECONDED BY	CR COURTNEY


That Council note the final update and report of the COVID-19 Economic Development Plan

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.4 STRATEGIC ASSET MANAGEMENT PLAN 2023

To:	Council
Reporting Officer:	Asset Services Officer
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	6 June 2023
File Reference:	SAMP
Enclosures:	1. Strategic Asset Management Plan 2023 

PURPOSE

To seek Council adoption of the Strategic Asset Management Plan 2023.

BACKGROUND

Waratah-Wynyard Council is committed to sustainable and affordable service delivery into the future.

A strategic and coordinated, organisation-wide approach to asset management and service delivery is critical. This is achieved through the development of an asset management framework where the organisation's Financial Management Strategy (FMS) is meaningfully integrated with its Strategic Asset Management Plan (SAMP) to inform Council's ongoing resourcing decisions via the Strategic planning and annual budget process.

In this way, Council can provide a transparent, accountable and evidence-based approach to the provision of value-for-money services. This approach will allow Council to communicate the service level and risk consequences of various funding scenarios as it engages with the community to identify agreed levels of service.

DETAILS

Waratah Wynyard Council is responsible for the acquisition, operation, maintenance, renewal and disposal of an extensive range of physical assets with a replacement value in excess of \$317 million.

The assets covered by 2023/24 – 2032/33 SAMP include roads, bridges, footpaths, drainage, urban stormwater, buildings, parks, reserves, and sporting grounds with associated operating assets and provide services essential to our community's quality of life.

This SAMP takes the organisational objectives in the Strategic Plan and Asset Management Policy and develops the asset management objectives, principles, framework and strategies required to achieve organisational objectives. The plan summarises activities and expenditure projections from individual asset management plans to achieve the asset management objectives.

It is expected that this document will undergo significant review and updating on an annual basis over the next few years as the quality of information improves and the level of integration with the long-term financial planning process increases.

This Strategic Asset Management Plan supersedes the previous plan (2022). The status of improvement plan items identified in previous plans are shown in the table below:

Task No	Task	Responsibility	Timeline	Status
1	AMMA* 4 Review the commentary in the budget following the completion of the Financial Management Strategy to provide a statement of whether the budget will achieve the strategic plan objectives.	Organisational Performance	TBC	Complete
2	AMMA* 14 Develop and progress 2022/23 annual work plan for Asset Management Steering Committee	AM Steering Committee	2022/23	Complete
3	AMMA* 15 Review membership and process of current monthly Capital Progress meeting for greater focus on capital take-on	AM Steering Committee	2022/23	Complete
4	AMMA* 15 Include life-cycle cost implications (e.g. in % rates terms) alongside capital program during workshops	AM Steering Committee	2022/23	Complete
5	AMMA* 15 Review current capital take-on process with a view to improving asset management & financial management outcomes	AM Steering Committee	Annually	Complete & Ongoing
6	AMMA* 19 Ensure technical LOS are incorporated, monitored and reported at an operational level (1 st cut zero-based budgeting for Works & Services)	AM Steering Committee	2022/23	Substantially Progressed
7	AMMA* 23 Mapping assets against the GL (Function Code project) for better data integrity between Conquest and Authority	AM Steering Committee	2022/23	In Progress
8	AMMA* 23 Bring non-infrastructure assets across to Authority for asset management (do not need to be in Conquest)	AM Steering Committee	2022/23	Deferred
9	AMMA* 23 Targeted asset data review of useful lives (e.g. "Heritage Assets", Furniture & Fittings)	AM Steering Committee	2022/23	Deferred

Task No	Task	Responsibility	Timeline	Status
10	AMMA* 24 Annual Plan Action to resume Review of Corporate Asset System (assessment, planning and costing for 2022/23 Budget bid)	AM Steering Committee	2022/23	Complete
11	AMMA* 26 Prepare or complete inspection manuals for all major asset classes – Stormwater Asset Class.	Infrastructure and Development	2022/23	In Progress
12	AMMA* 31 Undertake a sample-based internal audit to assess service level compliance – Roads Service Levels	Infrastructure and Development	2022/23	Commenced
13	Improve confidence of capital works forecasting (10 year works plan) with particular focus on years 1-3	Whole of Council	2022/23	Complete & Ongoing
14	Continue development of formal service levels	Whole of Council	2022/23	Ongoing
15	Revision of Asset Management Plans – Stormwater Asset Class	Whole of Council AMP custodians	2022/23	Complete & Ongoing
16	Review asset valuation methodologies including external benchmarking across all asset classes – Stormwater Asset Class	Infrastructure & Corporate Services	2022/23	Complete & Ongoing

Note: * AMMA refers to the Asset Management Maturity Assessment (2019/20)

STATUTORY IMPLICATIONS

Statutory Requirements

The Local Government Act 1993 Section:

70B. Long-term strategic asset management plans

(1) A council is to prepare a long-term strategic asset management plan for the municipal area.

(2) A long-term strategic asset management plan is to relate to all assets that are within a class of assets specified in an order under section 70F(3) to be major assets.

(3) A long-term strategic asset management plan is to be in respect of at least a 10 year period.

(4) A long-term strategic asset management plan for a municipal area is to –

(a) be consistent with the strategic plan for the municipal area; and

(b) refer to the long-term financial management plan for the municipal area; and

(c) contain at least the matters that are specified in an order made under section 70F as required to be included in a long-term strategic asset management plan.

70D. Asset management strategies

(1) A council is to prepare an asset management strategy for the municipal area.

(2) An asset management strategy for a municipal area is to –

(a) be consistent with the strategic plan for the municipal area; and

(b) contain at least the matters that are specified in an order made under section 70F as required to be included in an asset management strategy.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
1.2 We maintain and manage our assets sustainably.
Our Priorities
1.2.1 Review and adjust service levels to provide value for money.

GOAL 4: Community Recreation and Wellbeing
Desired Outcomes
4.3 We provide recreational opportunities to the community for all ages and abilities.
Our Priorities
4.3.1 Commit to ongoing recreation and open space planning to ensure evidence-based decisions are made about the role of Council and its partners in recreation.
4.4.2 Provide and maintain quality and safe places and spaces for physical, social and cultural activities, including shared and multi-use facilities where possible.

GOAL 6: Transport and Access
Desired Outcomes
6.1 Our transport and access network can accommodate the changing needs of our industry and community.
6.2 Our transport and access network is sustainable, affordable and fit for purpose.
Our Priorities
6.1.1 Develop service levels to inform the delivery of a transport network that affordably meets demand and transparently communicates accepted risk.
6.1.2 Prioritise and address service gaps with a road hierarchy.
6.2.1 Plan for a priority access network for freight.
6.2.2 Plan for all movements and modes of transport with a fit-for-purpose network.

GOAL 7: Environment
Desired Outcomes
7.3 Our natural environment, unique surroundings and community assets are future ready in a changing climate.
Our Priorities
7.3.2 Embed environmental considerations and potential climate impacts in Council's infrastructure planning and decision making.

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.
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

Council's Asset Management Policy is integral in this instance.

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The projected operating outlays necessary to provide the services covered by this Strategic Asset Management Plan (including operations, maintenance and renewal of existing assets and planned new/upgrade assets over the 10 year planning period) is \$12.3 million on average per year.

Significant levels of new/upgrade capital expenditure forecast over this period also means a proportional increase over current levels of operational and maintenance expenditures into the future. Ways to manage this are to continue to review forecast revenue and/or service levels expenditures via exploration of alternate funding scenarios in the Financial Management Strategy.

As indicated in the SAMP document the confidence level associated with these projections has been assessed as *(C) Medium*. The confidence level will improve with each annual iteration and update of both the Financial Management Strategy and the Strategic Asset Management Plan.

RISK IMPLICATIONS

The decisions made in adopting this SAMP are based on the objective to achieve the optimum benefits from the available resources.

An assessment of risks associated with service delivery from infrastructure assets identifies critical risks that will result in loss or reduction in service or a 'financial shock'. The risk assessment process identifies credible risks, the likelihood of the risk event occurring, the consequences should the event occur, develops a risk rating, evaluates the risk and develops a risk treatment plan for non-acceptable risks.

At present budget levels there are a number of risks to be considered by Council as either acceptable or not acceptable in the medium term. Critical risks (high or very high ratings) and their treatment plans are shown in the following table:

Service or Asset at Risk	What can Happen	Risk Rating (VH, H)	Risk Treatment Plan
BUILDINGS			
Athenaeum Hall (heritage listed), Waratah	<ul style="list-style-type: none"> • Aged asset in very poor condition. Costly to fix. • Building becoming unusable/uninsurable • Has associated reputational risk • Windows leaking creating damage • Doors rotting - security issue • Birds in roof 	H	<ul style="list-style-type: none"> • Independent assessment • Fund recommended repair works
Wynyard Council Office Air Conditioner	<ul style="list-style-type: none"> • Inconsistent temperature control. • Possible unit failure. • Inadequate for purpose 	H	<ul style="list-style-type: none"> • Independent assessment of replacement options • Schedule/fund replacement
Langley Park Clubrooms Upstairs Social Space Access, Somerset	<ul style="list-style-type: none"> • Not DDA compliant • Exposed to complaints • Reputational risk 	H	<ul style="list-style-type: none"> • Schedule upgrade; or • Consider relocation and construction of single level asset
Wynyard Squash Centre	<ul style="list-style-type: none"> • Not DDA compliant • Exposed to complaints • Reputational risk 	H	<ul style="list-style-type: none"> • Schedule upgrade
Various Buildings Not On Council Key System	<ul style="list-style-type: none"> • Key copying is uncontrolled leading to security issues 	H	<ul style="list-style-type: none"> • Move to Council key system over time
Council Key System Patent & Issuing of Keys	<ul style="list-style-type: none"> • Patent expired • Potential for uncontrolled key copying leading to security issues • Unauthorised access to Council buildings" 	H	<ul style="list-style-type: none"> • Maintain and continue to review the key register • Replace key system and revise key procedures • Internal & external training • Explore alternate locking systems
Somerset Tennis Courts Clubroom	<ul style="list-style-type: none"> • Damage due to flooding and/or coastal erosion 	H	<ul style="list-style-type: none"> • Consider relocation or defence of the asset (OSSR)
Somerset Surf Lifesaving Clubroom	<ul style="list-style-type: none"> • Damage due to flooding and/or coastal erosion 	H	<ul style="list-style-type: none"> • Consider relocation or defence of building

Service or Asset at Risk	What can Happen	Risk Rating (VH, H)	Risk Treatment Plan
PARKS, RESERVES AND SPORTING GROUNDS			
Somerset All Abilities Playground (incl. carparking)	<ul style="list-style-type: none"> • Damage due to flooding and/or coastal erosion 	H	<ul style="list-style-type: none"> • Coastal erosion defence works (in planning phase)
Coastal Pathway	<ul style="list-style-type: none"> • Damage due to flooding and/or coastal erosion 	H	<ul style="list-style-type: none"> • Coastal erosion defence works (in planning phase)
Playgrounds (various locations)	<ul style="list-style-type: none"> • Failure due to age or vandalism causing injury 	H	<ul style="list-style-type: none"> • Prioritise action • Remove or renew • More frequent inspections
River Track	<ul style="list-style-type: none"> • Infrastructure is susceptible to erosion or flood. 	H	<ul style="list-style-type: none"> • Forward renewals of infrastructure are planned in the context of flood or erosion susceptibility.
Timber & Replas Boardwalks (various locations)	<ul style="list-style-type: none"> • Get slippery during winter creating slip hazard potentially causing injury 	H	<ul style="list-style-type: none"> • Increase signage • Education of users • Replace with slip resistant materials (e.g. East Wynyard Foreshore Plan) • Close boardwalks
Inglis River Mouth Breakwater (State Government Asset)	<ul style="list-style-type: none"> • Continued undermining forming sink holes and leading to failure of breakwater, with associated risk of shoreline erosion and property damage 	H	<ul style="list-style-type: none"> • Continue periodic back-filling • Full renewal of breakwater and retaining wall • Continue to seek state funding
Cam River Reserve Vehicular Access & Pedestrian Walkways	<ul style="list-style-type: none"> • Pedestrians and vehicles in the same area with potential for injury 	H	<ul style="list-style-type: none"> • Exclude traffic from reserve as adopted in the Cam River Master Plan
Fence at Boat Harbour Beach Playground	<ul style="list-style-type: none"> • Fence is non-compliant - climbable and has potential for fall onto hard surface causing injury 	H	<ul style="list-style-type: none"> • Upgrade fence in short term to comply with current standard • Remove playground through Boat Harbour Beach Master Plan development

Service or Asset at Risk	What can Happen	Risk Rating (VH, H)	Risk Treatment Plan
Frederick Street Reserve	<ul style="list-style-type: none"> Golf balls and broken tees causing injury to users, especially equestrian (horse jumping) 	H	<ul style="list-style-type: none"> Schedule more regular inspections Stop golf practice near equestrian centre Relocate equestrian clubs
Unrecognised Assets	<ul style="list-style-type: none"> Understated depreciation Asset renewals unable to be identified from asset register 	H	<ul style="list-style-type: none"> Audit and recognition of all open space assets
TRANSPORT			
Port Road, Boat Harbour	Landslip	H	Consider recommended work from Geotech. Watch and monitor
Sisters Beach Road	Tree Fall	H	Measure movement. Watch and monitor
South Elliott Road	Landslip	H	Watch and monitor
Deaytons Lane	Landslip	H	Watch and monitor
Reservoir Drive	Landslip	H	Watch and monitor
Lowries Road	Landslip	H	Watch and monitor
Old Bass Highway	Coastal erosion	H	Watch and monitor
URBAN STORMWATER			
Big Creek / Stanwyn Court	Flooding of dwellings	E	Consider options of: <ul style="list-style-type: none"> Levee wall 375m x 2m Detention basin upstream (dam)
Port Creek	Flooding of dwellings	H	Consider options of: <ul style="list-style-type: none"> Widening of creek and levee construction Increase requirements on developers Investigate flow restrictors upstream
Drainage from Somerset Soccer Grounds	Concentrated flow through crib wall along Falmouth St, through neighbouring shed, and Pelisser St residence	H	<ul style="list-style-type: none"> Routine cleaning of open drains Redirection of water Further analysis required

Service or Asset at Risk	What can Happen	Risk Rating (VH, H)	Risk Treatment Plan
Bass Highway, Somerset and surrounding properties	Water entering low lying property	H	<ul style="list-style-type: none"> • Construct additional outlet and pipe network • Watch and monitor

CONSULTATION PROCESS

Key staff across the organisation, Councillors and industry experts have all been consulted in the process of reviewing and developing this document. The results from Council's 2016 and 2019 Community Satisfaction surveys were also included.

Future versions and updates will incorporate more input and consultation from the community as the Council undertakes rolling services reviews. These rolling service reviews will be based upon the three guiding principles of good governance: transparency, accountability and evidence-based decision-making with the aim of providing sustainable, value-for-money services.

CONCLUSION

It is recommended that the Council adopt the Strategic Asset Management Plan 2023.

This will provide forward direction and certainty for the provision of infrastructure related services.

MOVED BY	CR ROBERTS
SECONDED BY	CR COURTNEY



That Council adopt the Strategic Asset Management Plan 2023.

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.5 URBAN STORMWATER INFRASTRUCTURE ASSET MANAGEMENT PLAN AND SERVICE LEVEL DOCUMENT REVIEW 2023

To:	Council
Reporting Officer:	Asset Services Officer
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	5 June 2023
File Reference:	Urban Stormwater
Enclosures:	1. Urban Stormwater Infrastructure Service Level Document 2023  2. Urban Stormwater Infrastructure Asset Management Plan 2023 

PURPOSE

To seek Council adoption of the Urban Stormwater Infrastructure Asset Management Plan and Service Level Document 2023.

BACKGROUND

Waratah-Wynyard Council is committed to sustainable and affordable service delivery into the future.

A strategic and coordinated, organisation-wide approach to asset management and service delivery is critical. This is achieved through the development of an asset management framework where the organisation's Financial Management Strategy (FMS) is meaningfully integrated with its Strategic Asset Management Plan (SAMP) to inform Council's ongoing resourcing decisions via the Strategic planning and annual budget process.

In this way, Council can provide a transparent, accountable and evidence-based approach to the provision of value-for-money services. This approach will allow Council to communicate the service level and risk consequences of various funding scenarios as it engages with the community to identify agreed levels of service.

DETAILS

Waratah Wynyard Council is responsible for the acquisition, operation, maintenance, renewal and disposal of a diverse Urban Stormwater Infrastructure portfolio with a replacement value in excess of \$44m.

These assets are used to provide urban stormwater services that protect people and property within the Waratah Wynyard community in a safe, timely, serviceable and cost-effective manner while aspiring to cyclical improvements for the benefit of all stakeholders.

In addition to the Urban Stormwater Infrastructure Asset Management Plan, the service level document is the instrument by which Council delivers this service in a transparent and accountable way to the community. There are known gaps of service provision and also future maintenance and renewal requirements as assets are consumed and they reach the point of no longer being able to provide the intended service.

This Asset Management Plan supersedes the previous (2020) plan. The status of improvement plan items identified in the previous plan are shown in the table below:

Task No	Task	Status
1.	Refer to sections 4 to 6 of Stormwater System Management Plan	In Progress
2.	Refer to section 2.3 of Stormwater Revaluation Report (2018-19) for improvement to data practices	Substantially Complete
3.	Identify and recognise open drains that are part of the Urban Stormwater System	Substantially Complete
4.	Develop Infrastructure Risk Management Plan	Complete
5.	Document asset condition inspection procedures	In Progress
6.	Purchase of pipe camera for condition monitoring and fault finding	Complete
7.	Purchase of GPS surveying equipment	Complete
8.	Estimate new assets from growth factor	Incomplete
9.	Develop resilience measures (ref section 6.3)	In Progress
10	Audit stormwater network and review asset attribute data and valuations	Substantially complete
11	Conduct system capacity analysis	Substantially complete

STATUTORY IMPLICATIONS

Statutory Requirements

There are many legislative requirements relating to the management of assets. Legislative requirements that impact the delivery of the Urban Stormwater Infrastructure service are outlined below:

Legislation	Requirement
Local Government Act (1993)	Sets out role, purpose, responsibilities and powers of local governments including the preparation of the financial management strategy supported by asset management plans for sustainable service delivery.
Urban Drainage Act	The objects of this Act are – (a) to protect people and property by ensuring that stormwater services, infrastructure and planning are provided so as to minimise the risk of urban flooding due to stormwater flows; and (b) to provide for the safe, environmentally responsible, efficient and sustainable provision of stormwater services in accordance with the objectives of the resource management and planning system of Tasmania as set out in Schedule 1

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
1.5.1 Build our knowledge base to apply in decision-making processes.
1.5.2 Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.

GOAL 1: Leadership and Governance
Desired Outcomes
1.2 We maintain and manage our assets sustainably.
Our Priorities
1.2.1 Review and adjust service levels to provide value for money.

GOAL 2: Organisational Support
Desired Outcomes
2.5 We are future-focussed and value continuous improvement.
Our Priorities
2.6.1 Promote best practice and foster innovation.

GOAL 7: Environment
Desired Outcomes
7.5 Stewardship of our land, water and marine ecosystems respects past, present and future generations.
Our Priorities
7.3.2 Embed environmental considerations and potential climate impacts in Council's infrastructure planning and decision making.
7.3.3 Innovative and sustainable design is encouraged through forward thinking and planning.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
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.

POLICY IMPLICATIONS

Council's Asset Management Policy is integral in this instance.

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The projected operating outlays necessary to provide the urban stormwater services covered by this Asset Management Plan includes operations, maintenance and renewal of existing assets and planned new/upgrade assets over the 10-year planning period is \$464,577 on average per year.

The projected expenditure requires an additional \$8,737 on average per year to provide services in the Asset Management Plan. This is made up capital expenditure and increased operational expenditure arising from planned new and upgrade works over the planning period. Council's Financial Management Strategy will explore funding options for the expected costs. The Strategy is updated annually.

As indicated in the Asset Management Plan the confidence level associated with these projections has been assessed as (C) Medium. The confidence level will improve with each annual iteration and update of the both the Financial Management Strategy & the Strategic Asset Management Plan.

RISK IMPLICATIONS

The decisions made in adopting this Asset Management Plan are based on the objective to achieve the optimum benefits from the available resources.

An assessment of risks associated with service delivery from urban stormwater infrastructure assets has identified critical risks that, if not treated, will result in loss or reduction in service from infrastructure assets or a 'financial shock'. The risk assessment process identifies credible risks, the likelihood of the risk event occurring, the consequences should the event occur, develops a risk rating, evaluates the risk and develops a risk treatment plan for non-acceptable risks. Key identified critical risks and their treatment plans to mitigate those risks are shown in the following table:

Service or Asset at Risk	What can Happen	Inherent Risk Rating (VH, H)	Risk Treatment Plan
Big Creek / Stanwyn Court, Wynyard	<ul style="list-style-type: none">Floods dwellings	H	<ul style="list-style-type: none">Implementation of a detention basin upstream
Port Creek, Wynyard	<ul style="list-style-type: none">Floods dwellings	H	<ul style="list-style-type: none">Diversion channel and levies to be constructed
Drainage from Somerset Soccer Grounds	<ul style="list-style-type: none">3 issues - concentrated flow through crib wall along Falmouth St & through neighbouring shed & Pelissier St residence	H	<ul style="list-style-type: none">Routine cleaning of open drainsRedirection of waterFurther analysis required
Bass Highway, Somerset and surrounding properties	<ul style="list-style-type: none">Water entering low lying property	H	<ul style="list-style-type: none">Construct additional outlet and pipe networkWatch and monitor

There are no planned operations and maintenance activities and capital projects that are unable to be undertaken within the next 10 years based upon the current Financial Management Strategy forecast.

CONSULTATION PROCESS

Key staff across the organisation, Councillors and industry experts have all been consulted in the process of reviewing and developing these documents. The results from Council's 2016 and 2019 Community Satisfaction surveys were also included.

Future versions and updates will incorporate more input and consultation from the community as the Council undertakes rolling services reviews. These rolling service reviews will be based upon the three guiding principles of good governance: *transparency*, *accountability* and *evidence-based decision-making* to provide sustainable, value-for-money services.

CONCLUSION

It is recommended that the Council:

1. Adopt the Urban Stormwater Infrastructure Asset Management Plan 2023; and
2. Adopt the Urban Stormwater Infrastructure Service Level Document 2023.

This will provide forward direction and certainty for the provision of urban stormwater related services.

MOVED BY	CR ROBERTS
SECONDED BY	CR COURTNEY

That Council:


1. **Adopt the Urban Stormwater Infrastructure Asset Management Plan 2023; and**
2. **Adopt the Urban Stormwater Infrastructure Service Level Document 2023.**

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.6 ACCESSIBILITY STRATEGY

To:	Council
Reporting Officer:	Manager Community Activation
Responsible Manager:	General Manager
Report Date:	24 May 2023
File Reference:	001
Enclosures:	1. Accessibility Strategy 

PURPOSE

Waratah-Wynyard Council is committed to promoting an inclusive and accessible community where all people, including people with a disability, are active, socially connected individuals who can access information, activities, facilities, and services within the community.

The development of the Accessibility strategy will provide guidance on how Council will meet the requirements of the *Disability Discrimination Act 1992* (DDA) regarding adherence to equality, diversity, and inclusiveness.

BACKGROUND

This is the first Accessibility Strategy and Accessibility Action Plan for Waratah-Wynyard Council. It will provide a clear road map, including a set of guiding principles or rules, to define the actions to achieve the desired goal of an accessible, inclusive community. It was agreed that an Accessibility Strategy Working Group would be established to help shape the new Strategy and implement the Inclusion Action Plan once adopted. Cr Edwards and Cr Raw were elected as Council Representatives on the Committee at the November 2022 Council Meeting.

DETAILS

Council recognises that people with disabilities are valued members of the community who contribute to the social, economic, and cultural life within the municipality and beyond. Council believes that a community that recognises its diversity and supports the participation of all its members makes for a richer community life. Four main principles will guide the way Council works to improve access and be more inclusive.

These principles are:

Be Inclusive

Treat People with Dignity and Respect

Create Accessible Spaces and Services

Take Accountability.

Council will call for applications for people from the community to nominate themselves to be a part of an Accessibility Strategy Working Group. This group will meet regularly and advise Council on accessibility from a diverse community perspective. The group will contribute to developing the final Strategy and Inclusion Action plan and then work towards achieving the actions outlined when adopted.

STATUTORY IMPLICATIONS

The *Disability Discrimination Act 1992* is Commonwealth legislation that is designed to prevent discrimination on the basis of disability. This strategy provides guidance on how the Council will meet the requirements of the DDA regarding adherence to equality, diversity, and inclusiveness.

STRATEGIC IMPLICATIONS

GOAL 1: Leadership and Governance
Desired Outcomes
1.3 We encourage broad community input to create a focussed and strong sense of belonging.
Our Priorities
1.1.1 Commit to best practice in community engagement.

GOAL 3: Connected Communities
Desired Outcomes
3.5 Our community uses its voice to shape its future alongside a strong Council willing to listen and implement where reasonable and practical.
Our Priorities
1.4.1 Collaborate with, understand and satisfy our external customers' needs and values.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Strong communities and social capital	Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
Access and infrastructure	Local, regional and global transport and infrastructure access – Safe and efficient access alternatives, growing freight capacity, renewable energy, water management and contemporary communications. Community infrastructure that supports economic development.
Health and Wellbeing	Maintaining good health and wellbeing – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.
Place making and liveability	Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.

POLICY IMPLICATIONS

There are no policy implications as a result of this report. It is noted that the current Disability Discrimination Policy (BLD.001) is overdue for review. The policy will be updated and/or rescinded when this strategy is formally adopted by Council; noting that the current policy requires adherence to the current legislation.

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Council recognises that achieving the intent of the DDA comes at a financial cost that cannot be easily achieved in the short term.

Council will deliver the Inclusion Action Plan outcomes through its annual budget. Some actions may require additional funds for development and improvements and Council will use current processes, such as partnering with community groups and applying for external funding through various available local, state, and federal opportunities to achieve this.

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.

Community members who are interested in being a part of the Accessibility Strategy Group are invited to self-nominate by contacting Council.

CONCLUSION

It is recommended that Council agree to put the Accessibility Strategy out for public consultation and advertises for Expressions of Interest from community members to join the Accessibility Strategy Group.

MOVED BY	CR RAW
SECONDED BY	CR COURTNEY

That Council:



1. **Approve the release of the Draft Accessibility Strategy, including an Inclusion Action Plan for public consultation.**
2. **Advertise for Expressions of Interest from community members to join a new Accessibility Strategy Working Group; and**
3. **Agree that the working group will review public feedback and then develop a recommended Final Draft of the Accessibility Strategy and Inclusion Action for adoption by Council.**

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.7 HERITAGE REGISTER

To:	Council
Reporting Officer:	Manager Community Activation
Responsible Manager:	General Manager
Report Date:	24 May 2023
File Reference:	001
Enclosures:	1. Heritage Register Process 
	2. Heritage Register Application Form 

PURPOSE

The Register will serve as an inventory of the places and things that are important for current and future citizens and visitors to enjoy and appreciate.

BACKGROUND

At the 21 February 2022 Council meeting, Mayor Mary Duniam raised the following Notice of Motion:

That Council:

- 1. Draft a Local Heritage Register for Waratah-Wynyard Municipality; and**
- 2. Draft a Policy to support the above Local Heritage Register for the Waratah-Wynyard Municipality.**

A procedural motion was successfully moved to defer the matter for discussion at a Councillor Workshop with local groups to be invited to consult on the development of a Local Heritage Register.

At a Council workshop held April 4, 2022, Council further discussed the development of a Local Heritage Register and the role that the Wynyard historical society could play in the development of the Local Heritage Register.

In May 2022 Council endorsed the development of a Local Heritage Register and invited the Historical Society to a Workshop with Council, which occurred in May 2022.

DETAILS

The Local Heritage Register is a list of places/items that have cultural heritage significance to the Waratah-Wynyard area. The register is intended on being for research and information purposes, not any other statutory function.

Places/items listed in the Heritage Register will be recognised and identified as places/items of significance, however, the significance cannot be taken into consideration by the Planning Authority. They WILL NOT be protected by planning legislation. Similarly, the proposed Heritage Register is not intended to follow or create controls as per the Tasmanian Heritage Register administered by the Tasmanian Heritage Council.

The proposed application process requires a sound and reasoned argument based on the relevant local cultural heritage criteria to be provided and asks for documentary evidence about why the place is of cultural heritage significance to Waratah-Wynyard to be submitted in support of the application and must meet one or more of the following criteria: -

-
- a) the place/item is important in demonstrating the evolution or pattern of Waratah-Wynyard's history
 - b) the place/item demonstrates rare, uncommon, or endangered aspects of Waratah-Wynyard's cultural heritage
 - c) the place/item has potential to yield information that will contribute to the knowledge and understanding of Waratah-Wynyard's history
 - d) the place/item is important in demonstrating the principal characteristics of a particular class or classes of cultural places
 - e) the place/item is important because of its aesthetic significance
 - f) the place/item is important in demonstrating a high degree of creative or technical achievement at a particular period
 - g) the place/item has a strong or special association with a particular community or cultural group for social, cultural, or spiritual reasons
 - h) the place/item has a special association with the life or work of a particular person, group, or organisation of importance in Waratah-Wynyard's history.

If the application meets the criteria requirements officers will forward application to the Heritage Reference Group for consideration. The Heritage Reference Group is made up of groups such as the Wynyard Historical Society and the Waratah Museum Society who will provide recommendations to council for endorsement.

The Local Heritage Register will be available for public viewing by contacting Council.

STATUTORY IMPLICATIONS

Statutory Requirements

There are no statutory implications as a result of this report. Please note that places/items listed in the Heritage Register will be recognised and identified as places/items of significance, however, the significance cannot be taken into consideration by the Planning Authority. They WILL NOT be protected by planning legislation.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 3: Connected Communities
Desired Outcomes
1.3 We encourage broad community input to create a focussed and strong sense of belonging.
Our Priorities
13.1 Facilitate the meeting of community needs through strong advocacy and local and regional collaboration for shared outcomes.

GOAL 4: Community Recreation and Wellbeing
Desired Outcomes
3.1 Waratah-Wynyard is a modern community—moving forward but not forgetting where it started.
Our Priorities
3.5.1 Build community capacity through services and programs that strengthen, support and care for our community.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
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.
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

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. All costs associated with maintaining the Heritage Register to be absorbed by the Operational Budget.

RISK IMPLICATIONS

There is a risk that if a Local Heritage Register is not developed there could be significant heritage assets that are not recognised for their community value. This could lead to the loss of significant heritage in the municipality which can cause a loss of community connectedness and civic pride.

There is a risk that community members may believe that items on register have controls and protections as per planning legislation and Tasmanian Heritage Register.

CONSULTATION PROCESS

Applications for inclusion in the Heritage Register will be open to all of the community. Relevant community groups, such as the Wynyard Historical Society and the Waratah Museum Society, will be consulted regarding applications for inclusion on the Heritage Register.

CONCLUSION

The Local Heritage Register will capture and celebrate the Waratah-Wynyard history, culture and society, the things that are unique to this place as they weave the story of this community. The Register will serve as an inventory of the places and things that are important for current and future citizens and visitors to enjoy and appreciate.

MOVED BY	CR RAW
SECONDED BY	CR JOHNSTONE

That Council proceed with the development of a Local Heritage Register in accordance with the draft Heritage Register Process and Application Form.

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.8 COOPERS LANE - SPEED REDUCTION REQUEST

To:	Council
Reporting Officer:	Manager Engineering Services
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	1 June 2023
File Reference:	.
Enclosures:	Nil

PURPOSE

To provide Council with an assessment and determine a position regarding petition received to assess Coopers Lane for consideration of a speed limit reduction to 80km/h.

BACKGROUND

At the Ordinary March meeting of Council 2023 a Petition was received to investigate a potential speed reduction on Coopers Lane, Wynyard. At which time the following recommendation was provided and carried unanimously.

That Council receive and note the petition regarding a request for the reduce of the speed limit on Coopers Lane to 80kph; and undertake assessment of the road for a future report to Council for determination.

DETAILS

Speed limits in Tasmania are approved and set by the Commissioner for Transport upon application and recommendation by a road authority with supporting evidence based on traffic engineering guidance and compliance with national standards. Below is an excerpt from the Department of State Growths, Transport Services, website providing a brief description of the process. The website also provides a range of information on the formal process for altering a speed limit within Tasmania and can be accessed via the following link:

[https://www.transport.tas.gov.au/roads and traffic management/managing the roads /speed limits on tasmanian roads](https://www.transport.tas.gov.au/roads-and-traffic-management/managing-the-roads/speed-limits-on-tasmanian-roads)

Excerpt.

Speed limit changes are approved by the Commissioner for Transport.

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

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

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

In undertaking assessment of the speed reduction proposal for Coopers Lane, the road environment and characteristics are assessed against the requirements of Australian

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

Road Characteristics (AS1742.4 Assessment)	
Road function	Coopers Lane is classified as a Rural link road (R8)
Road standard	Coopers Lane is a two way road with a 6m sealed carriageway separated and delineated by centreline treatment throughout, gravel shoulders are supplied at a general width of 500mm. The standard of Coopers Lane is in accordance with the Tasmania Standard Drawing TSD-R02-v3 and is free from any defects that trigger the intervention levels of the Roads Infrastructure Service Level Document 2021
Road owner	Waratah-Wynyard Council
Roadside development (A2)	Rural residential and agricultural
Road alignment (A3.1)	Coopers Lane has a generally winding geometry typical of most rural roads. Throughout its length Coopers Lane is treated with guidepost, concealed entry warning signs and curve warning signs which are generally in a good serviceable condition The 85 th percentile speed is 92km/h. The road alignment generally allows travel speeds up to 100 km/h.
Road accesses / intersections (A3.2 and A3.3)	Road Intersections – 2 Property Accesses – 26 Farm Gates – 28
Traffic volume (A4.1)	Around 272 vehicles per day use Coopers Lane with a heavy vehicle usage of 29 vehicles per day.
Pedestrians (A4.2)	There are no pedestrian facilities and pedestrian activity is considered low.
Length (2.3.4)	Sealed – 5km
Adjacent speed zones	<ul style="list-style-type: none"> • Andersons Road – Default unsealed road limit (80) • Ross Grange Road – Default unsealed road limit (80)
Crash history (2.3.3 (c))	Within the 5km length there have been 3 reported crashes over the last 10 years comprising of <ul style="list-style-type: none"> • Fatalities – 0 • Serious injury – 1 • Minor injury – 1 • First aid - 0 • Property Damage - 1

During 2019/20 financial year Council commissioned a Rural Road Safety Audit, undertaken by external consultants, the findings of this audit in relation to Coopers Lane do not suggest a need to reduce the current speed limit, details are provided below:-

Current Issues and General Comments	Recommended Treatment	Risk Level
Guard rail with bull nose terminals. Good use of guideposts on corners. Mount Hicks Road end seems to have continuous single line centreline along most of the road - this may miss-represent sections of road where it is unsafe to overtake. Very large drop off north of Seabrook Road. Tight corners with advisory speed signage - warrant for CAMs also. Bridge with bull nose terminals, width ok as to not require signage.	Upgrade bull nose terminals to G.R.E.A.T. terminals. Consider re-line marking centreline with use of broken and unbroken sections of line marking representative of where it is unsafe to overtake. Install CAMs on tight corners with advisory speed signs warrant CAMS also as per AS 1742. Install additional guideposts along drop off section.	Medium

The recommended treatments have been identified as medium risk and will be programmed to be undertaken upon completion of all treatments identified as high risk.

The petition received suggested an increase in daily traffic movements on Coopers Lane. As such, a traffic counter was placed on Coopers Lane to compare current day traffic with historical traffic counts. The recorded data and a 2012 data set is compared below:

2012 – AADT 317, HV_AADT 36

2023 – AADT 272, HV_AADT 29

(AADT = Average Annual daily Traffic; HV_AADT = Heavy vehicle Average Annual daily traffic)

The comparison of data shows a traffic decrease, AADT 14%, HV_AADT 19%

The assessment specifically shows:

- Low number of vehicle accidents
- Good vertical and horizontal geometry
- Adequate road and shoulder width
- 85th percentile speed is 92km/h
- A general reduction in the traffic volume

Furthermore, it is noted that the major link roads (Mount Hicks Road and Seabrook Road) have a default 100km/hr speed limit as sealed roads and the minor intersecting roads (Andersons Road and Ross Grange Road) all have default 80km/hr speed limit as unsealed roads.

Based upon this assessment, there is limited justification to warrant a speed limit reduction request to the Transport Commissioner.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

CONCLUSION

The recommendation is to retain the current default rural speed limit (100km) on Coopers Lane based upon the assessment undertaken.

MOVED BY	CR ROBERTS
SECONDED BY	CR COURTNEY

That Council note the assessment of the current the speed limit on Coopers Lane and retain the current default rural speed limit of 100km/hr.

AMENDMENT

MOVED BY	CR BRAMICH
SECONDED BY	CR ROBERTS

That Council write to the Commissioner for Transport and request that the current speed limit on Coopers Lane be changed to 80kph.

The AMENDMENT TO THE MOTION was put and was CARRIED.

IN FAVOUR

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

That Council write to the Commissioner for Transport and request that the current speed limit on Coopers Lane be changed to 80kph.

The AMENDED MOTION was put and was CARRIED.

IN FAVOUR

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

9.9 FUTURE USE OF BALLAD AVENUE RECREATION RESERVE WYNYARD (PID 1875765)

To:	Council
Reporting Officer:	Manager Recreational Planning and Environment
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	2 June 2023
File Reference:	1875765
Enclosures:	Nil

PURPOSE

This report has been prepared for Council consideration of future land use of 0 Ballad Avenue, Wynyard following community consultation and a Flora and Fauna Assessment.

BACKGROUND

Following a public consultation process, Council at its meeting held 21 April 2021, resolved to proceed with the sale of 0 Ballad Avenue. Before determining the most appropriate disposal method, Council authorised the General Manager to undertake an expression of interest process for the sale and development of the land for residential purposes.

Informal advice was then received from the Wynyard Landcare Group (via a Facebook post) to advise the site contained protected species, eucalyptus Brookeriana. Subsequently council officers obtained an environmental assessment from a third-party.

This resulted in Council resolving at its 15 November 2021 to:

1. Note the Flora and Fauna Assessment Report for 0 Ballad Avenue, Wynyard.
2. Instruct Council Officers to register the natural values identified at the site with the Department of Primary Industries, Parks, Water and Environment (DPIPWE) to inform future development compliance.
3. Instruct Council Officers to continue to undertake appropriate weed containment management measures to prevent the spread and future occurrence of controlled weeds; and
4. Defer the expression of interest for sale or development of the land for residential purposes in order to undertake an assessment into the site's suitability for other public recreational uses whilst preserving the natural values identified in the flora and fauna assessment.

At the same time, Council through its adoption of the 2022/23 Annual Plan and Budget Estimates, have committed to providing an off-leash dog park and freedom camping site in Wynyard. Council engaged an independent consultant to check the compatibility of the Ballad Avenue site to meet the needs of a dog park and freedom camping area. The findings of this work were tabled at the 21 March 2022 meeting and then released for public comment over a five (5) week period. The feedback received up to this point was noted at the 20 June 2022 Council meeting. In July 2022, Council extended an additional opportunity for public comment by contacting neighbouring property owners and tenants directly through mail out and letter drop process.

At the 17 October 2022 ordinary meeting, Council noted a status update regarding the potential use of the Ballad Avenue site for a dog park and freedom camping area. It was determined to defer any decision-making on the use of Ballad Avenue Recreation Reserve for this purpose, pending a discussion with the Wynyard Agricultural and Pastoral Society

regarding the use of the Wynyard Showgrounds. The establishment of an off-leash dog park and freedom camping site at the showgrounds was noted as having greater alignment with the feedback received during the community consultation and the Flora and Fauna Assessment of Ballad Avenue.

DETAILS

The land at 0 Ballad Avenue Wynyard (PID 1875765) is zoned General Residential. It is an area of 3.0194ha.



Site characteristics of the land irrespective of use include:

- High amenity.
- North facing site.
- Close to river.
- Walkable distance to town centre, health, education facilities, airport.
- Close to the school.
- Close to beach and riverside walk.

The environmental assessment further concluded:

- Primarily, the area comprises of modified land, however approximately 0.4ha incorporates the threatened vegetation community wet eucalyptus Brookeriana forest.
- The land is considered potential foraging habitat for the spotted-tail quoll and Tasmanian devil but provides limited shelter and denning habitat. Whilst the assessment did not identify any physical signs of quolls or devils, consideration should be given to maintaining habitat corridors and connectivity with surrounding vegetated areas.
- An endangered bird species, the swift parrot, has previously been recorded within 500m of the titles. Whilst there is vegetation in the surrounding landscape that may provide suitable nesting habitat for the species, the Ballad Avenue titles are unlikely to provide suitable nesting and breeding habitat. Any future development of the titles may impact

the foraging habitat of the swift parrot and therefore must give regard to the *Threatened Species Protection Act 1985* and the *Environmental Protection and Biodiversity Conservation Act 1999*.

- Two forms of endangered bird-orchids (*Chiloglottis valida* and *Chiloglottis trapeziformis*) have previously been recorded within 500m of the titles, and the land in question is considered to provide potentially suitable habitat for both species. The species can only be clearly identified when in flower, typically from mid-October and early-November. The environmental assessment was completed outside of the flowering timeframe and therefore it is unclear whether these species exist on this site.
- Declared weeds were identified on the site (blackberry and gorse). Blackberry is subject to containment management measures (DPIPWE 2011a). This includes preventing the spread of the weed outside of the municipal boundaries and to specified areas within the municipality. Gorse is subject to eradication management measures (DPIPWE 2011b). This includes implementing an integrated control program for eradication and prevention of future occurrences.

Community sentiment has been included below on the basis of the consultation period undertaken previously by Council. During this time, 41 responses were received, which includes some duplication of submissions and the receipt of an *unofficial petition* containing 30 signatories (that didn't meet the minimum requirements for petitions under the *Local Government Act*).

Community opinion regarding the use of the site for an off-leash dog park and freedom camping area was largely mixed, as follows:

- Most respondents thought positively about an off-leash dog park and freedom camping site in the municipality.
- A significant number of respondents queried whether Ballad Avenue Reserve was the best location given it is adjoining a sensitive habitat area, adjacent the primary school and close to residential properties.
- Other respondents suggested it was a good use for the reserve and believed it to meet the needs of future users.
- The high amenity adjoining the river and proximity to town were considered positives for some in the freedom camping community.
- Concerns regarding the distance to town for an off-leash dog park were raised.

Following community consultation, an alternative site for the off-leash dog park and freedom camping is being explored at the Wynyard Showgrounds. This option is considered to better align with community desires and provide a new purpose for the showgrounds given the impending relocation of cricket as part of the Wynyard Sports Precinct. These discussions remain ongoing with the Wynyard Agricultural and Pastoral Society and the landowner, Crown Land Services.

Irrespective of the outcome of the Wynyard Showgrounds deliberations, the use of the Ballad Avenue Recreation Reserve for an off-leash dog park and freedom camping area does not appear conducive with the sites identified natural values.

It is recommended to utilise the collective skills, knowledge and experience of the Council's Sustainability and Environmental Advisory Panel to inform the appropriate path forwards for master planning of the Ballad Avenue Recreation Reserve. This exercise should be conducted

with the view to *maximising the potential of the reserve* and consider the site's intrinsic characteristics, natural values and general community sentiment.

STATUTORY IMPLICATIONS

Statutory Requirements

Any future development or use of the land must avoid impacting the threatened wet Eucalyptus Brookeriana forest and consider the *Nature Conservation Act 2002*, the *Environmental Protection and Biodiversity Conservation Act 1999*.

Any future development or use of the land may impact the foraging habitat of the swift parrot and therefore must give regard to the Threatened Species Protection Act 1985 and the *Environmental Protection and Biodiversity Conservation Act 1999*.

Council's decisions relating to this site's continued ownership and use is subject to Statutory Weed Management Plans under the *Tasmanian Weed Management Act 1999*.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 7: Environment
Desired Outcomes
7.5 Stewardship of our land, water and marine ecosystems respects past, present and future generations.
Our Priorities
7.5.1 Protect, enhance and recover biodiversity through forward thinking and planning.

Sustainable Murchison Community Plan 2040

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

Environmental considerations have been outlined in the detail of this report.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

- **Legislative compliance**

Several environmental legislative compliance obligations have been identified. The compliance obligations extend to any future owner and/or use of the land.

- **Reputational Risk**

The reputational risk to Council in decision-making for this site has been assessed as high. It is well documented and understood that the community highly values the environment for its role in supporting recreation, health and wellbeing. The municipal area's woodlands, heaths, wetlands and coastlines support a rich level of animal and plant biodiversity and is also important to our visitor economy.

Whilst some removal of trees is permitted for development, clearing of any significance may cause concern to the community. It is likely to be considered inconsistent with the principles adopted in Council's Integrated Council Environmental Plan 2020-2030.

- **Environmental Impact**

The environmental risks are outlined in the detail of this report. In summary the site has a natural value that must be protected.

CONSULTATION PROCESS

In accepting the recommendation, Council will be extending consultation to the Sustainability and Environmental Advisory Panel (SEAP). Further consultation to relevant stakeholders would likely also be included following consideration by SEAP.

CONCLUSION

It is therefore recommended that Council determine not to provide freedom camping and/or a dog park at 0 Ballad Avenue, Wynyard (PID 187575) but pursue provision of these facilities elsewhere. Given the natural values identified and the contribution to biodiversity from the land, the Sustainability and Environmental Advisory Panel should consider any alternate future use and may make recommendations to Council to this end.

MOVED BY	CR COURTNEY
SECONDED BY	CR JOHNSTONE

That Council:

1. **Determine not to use the Ballad Avenue Recreation Reserve for Freedom camping and/or dog park but pursue both facilities at an alternate location/s; and**
2. **Refer consideration of any alternative options for the Ballad Avenue Recreation Reserve to the Sustainability and Environmental Advisory Panel.**

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.10 QUARTERLY INFORMATION REPORT - ORGANISATIONAL PERFORMANCE

To:	Council
Reporting Officer:	Governance Officer
Responsible Manager:	Manager Governance and Information Systems
Report Date:	31 May 2023
File Reference:	Quarterly Statistics
Enclosures:	Nil

PURPOSE

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

Office of the General Manager:

- People and Safety

Organisational Performance:

- Economic Development
- Governance and Information Systems
- Risk Management

BACKGROUND

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

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

PEOPLE AND SAFETY

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

Staff Number and Statistics

Staff Numbers as at:	31 May 2023						
	Permanent Positions		Temporary Positions			Total	Fulltime equivalent
	Full-time	Part-time	Full-time	Part-time	Casual		
Indoor	27	13	4	4	6	54	41.3
Outdoor	24	3	6	0	0	33	31.3
Childcare	8	11	0	3	6	28	16.9
Total	59	27	10	7	12	115	89.5

As at 31 May 2023 Council employed 116 people equivalent to 89.5 full time employees.

Statistics	Ave. Yrs Service	Gender			Ave. Age	Covid Vac.
		Female	Male	Other		
Indoor	8.1	37	17	0	46.9	93%
Outdoor	11.4	3	31	0	45.5	89%
Childcare	9.1	28	0	0	39.7	100%
Total	8.7	68	48	0	44.6	94%

Age Demographic			Gender Demographic		Management Demographic		
Under 30 years	25	22%	Female	59%	Female	6	55%
30-45 years	27	23%	Male	42%	Male	5	45%
45-55 years	30	26%	Other	0%	Other	0	0%
55 years and	32	28%					

Diversity Statistics	Yes	No	Undisclosed
Aboriginal or Torres Strait Islander	5%	91%	4%
Culturally or linguistically diverse	3%	93%	4%
Special needs or additional learning support requirements	3%	92%	5%

ATSI - Aboriginal or Torres Strait Islander, CALD - culturally or linguistically diverse, Special needs or additional learning support requirements

The average age of Council's workforce is 44.6.

Overall Council has a gender balanced workforce with 59% female workers and 41% male. Leadership roles are gender balanced with 55% female and 45% male representation.

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

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

Turnover Rate of Permanent Staff

2.3% Average (Permanent Departure rate divided by total permanent employee rate)

9.5% Average Turnover (ABS - February 2022)

Council has a good employment retention with the turnover rate continuing to be well below average. The average years of service provided by the current workforce is 8.5 years.

New Starters / Departures

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

Council inducted four (4) new employees throughout the reporting period and had four (4) employee departures.

Recruitment Activity

The following recruitment activity has occurred between 1 March 2023 and 31 May 2023:

Recruitment this Quarter			
Position	AtR* received	Offer Signed	Working days to fill
Technical Officer - Buildings and Facilities	20-Oct-22	N/A	Not filled
Municipal Employee (Waratah)	13-Dec-22	20-Mar-23	69
Marketing & Communications Officer	12-Jan-23	N/A	Not filled
Administration Officer	18-Jan-23	N/A	Not filled
Casual Children's Services Educator	15-Feb-23	N/A	Not filled
After School Hours Care Educator	15-Feb-23	N/A	Not filled
Works Support Coordinator	24-Mar-23	05-May-23	31
Administration Traineeship	06-Apr-23	15-May-23	31
Parks & Reserves Employee (Turf Wicket Oval Curator)	06-Apr-23	N/A	Not filled
Waratah Customer Service Officer	10-May-23	N/A	Ongoing
Civil Works Leading Hand	10-May-23	N/A	Ongoing
Parks & Reserves Leading Hand - Arboriculture	10-May-23	N/A	Ongoing
Parks & Reserves Leading Hand - Sports Grounds	10-May-23	N/A	Ongoing
Permit Authority	26-May-23	N/A	Ongoing
*ATR – Authority to Recruit approved by General Manager			
Average days to fill vacancies this quarter			44

Absenteeism Rate / Labour Hire Engagement

	Absenteeism Rate				Labour Hire Engagement for period		
	Personal Leave Taken	Hours Worked	Absent Rate	Full Time Equivalent	Total Workers	Hours	Cost (ex. GST)
Indoor	944	21697	4.2%	0.48	0	0	\$ -
Outdoor	664	16628	3.8%	0.34	2	677	\$ 35,610
Childcare	363	8996	3.9%	0.18	0	0	\$ -
Total	1971	47321	4.0%	1.00	2	677	\$ 35,610

Council's current absenteeism rate is 4%, this is a 1.8% drop from the same period last year.

WORK HEALTH AND SAFETY

Incident & Hazard Reporting

Incident/Hazard Report Forms received this Quarter							
	Incident	Hazard	Near Misses	Injury/ Illness	Property/ Plant Damage	Other	Total Reports
Indoor	0	0	0	1	0	2	3
Outdoor	0	0	1	6	5	1	13
Childcare	0	0	0	0	0	0	0
Total	0	0	1	7	5	3	16

Reporting Contributes to safety improvements and education to improve health and safety outcome for the workforce.

Lost Time Injury and Workers Compensation Cases

	No. of LTI's	Lost Time Injuries (hrs)	Hours Worked in Period	LTIFR	Total New WC Cases	Ongoing WC Cases	Finalised WC Cases
Indoor	0	0	21697	0.00	0	0	1
Outdoor	0	0	16628	0.00	2	1	1
Childcare	0	0	8996	0.00	0	0	0
Total	0	0	47321	0.00	2	1	2
LTIFR Industry Benchmark				12.6			

Council had seven (7) injuries throughout the reporting period. Two of those resulted in a Workers Compensation Claim, one of those was finalised in the same period.

Policy, Procedures and Guidelines Reviewed

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

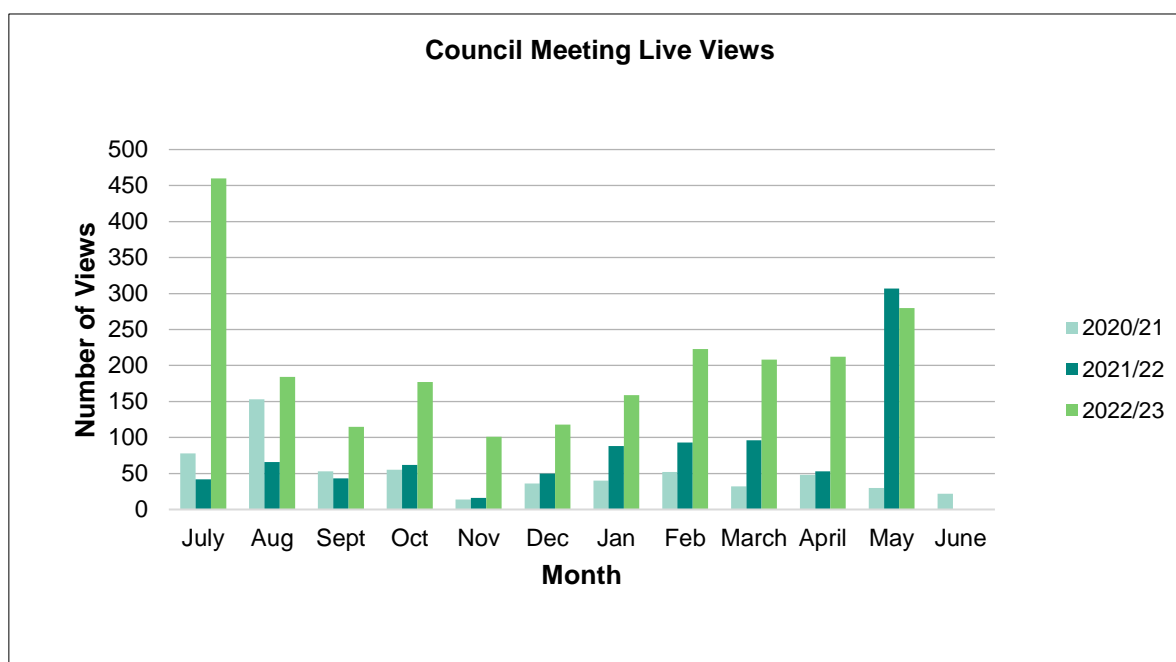
- First Aid Policy
- Rehabilitation Management Policy
- Rehabilitation Management and Workers Compensation Procedure

Drug & Alcohol Testing

Council conducts random Drug & Alcohol testing up to three times per year. Testing was conducted on 15 March 2023 with 10 randomly selected employees from the Works & Services Department and 10 From the Council Chambers. All were negative and Council has not encountered a non-negative test since 2020.

GOVERNANCE

Council Meeting Live Stream Views



*June 2022 data has been omitted from the graph due to a high level of media interest with total live views being 2,500 distorting other data within the graph.

Policies Adopted by Council

The following policies were adopted by Council from 1 March 2023 to 31 May 2023:

- Borrowing & Investment Policy
- Council Meeting Policy & Procedures
- Sponsorship Signage Policy & Guidelines

Workplace Policies Reviewed

The Senior Management Team adopted the following for the Quarter:

- First Aid Policy
- Rehabilitation Management Policy
- Rehabilitation Management and Workers Compensation Procedure

Complaints

Council received no formal complaints during the period 1 March 2023 – 31 May 2023.

Tenders & Contracts

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

Contract No And Description	Name and Address of Contract Holder	Contract Dates	Contract Extension Options	Contract Value at Start Date
775 – West Calder Road – Bridge Replacement (Calder River)	Bridge Pro Engineering	15/09/2022 – 31/01/2023	N/A	Tender combined pricing – see value 777
777 – Oonah Road – Bridge Replacement (Cam River)	Bridge Pro Engineering	31/07/2022 – 12/09/2022	N/A	\$823,030.00
776 – Calder Road – Bridge Replacement	Bridge Pro Engineering	18/07/2022 – 15/02/2023	N/A	\$737,300.00
780 – Park Street Realignment and Car Park Works	Hardings Hotmix	13/09/2022 – 09/12/2022	N/A	\$679,764.56
781 – Provision of Kerbside Refuse Collection	Veolia Environmental Services	01/10/2022 – 30/6/2025	3 + 5 year extension option	\$415,948.00 in accordance with schedule
785 – Design and Construct Turf Wicket Block and Ancillary Works	All Turf Tasmania	01/9/2022 – 27/01/2023	N/A	\$127,058.55
787 – Somerset Foreshore Traffic Improvements	Hardings Hotmix	17/10/2022 – 04/11/2023	N/A	\$133,280.00
791 – Bridge Maintenance Work	Protector Rail	01/05/2023	N/A	\$162,300.00
792 – Design and Construct Wynyard Foreshore Boardwalk Replacement	AJR Construct Pty Ltd	31/10/2022 – 01/03/2023	N/A	\$234,333.34
793 - Architectural Services Table Cape Amenities	Heliotope	16/01/2023 – 20/12/2024	N/A	\$219,685.00
794 - Boat Harbour Beach - Western Seawall Replacement	Hardings Hotmix Pty Ltd	28/2/2023 – 30/06/2023	Ext to 31 July 2023	\$354,761.97
795 - Digital Transformation Strategy Phase 1: ICT System, Design and Planning	Avec Global	27/10/2022 – 27/04/2023	1 Year	\$285,000.00
796 - Dulverton Green Waste (mulch & transport)	Fieldwick Crushing & Screening Pty Ltd	01/12/2022 – 01/12/2027	N/A	In accordance with Schedule of Rates
797 - Wynyard Waste Transfer Station Site Management Services	Launceston City Mission	01/07/2023 – 31/05/2026	3+4 year extension options	\$308,152.00 pa In accordance with Schedule of Rates
799 - Architectural Services Boat Harbour Beach SLSC New Club Rooms	Licht Architecture Pty Ltd	01/05/2023 – 10/10/2023	N/A	\$282,998.00
802 - Design and Construct – Little Saunders Street Pavement Construction	Hardings Hotmix Pty Ltd	17/04/2023 – 27/07/2023	N/A	\$208,135.20

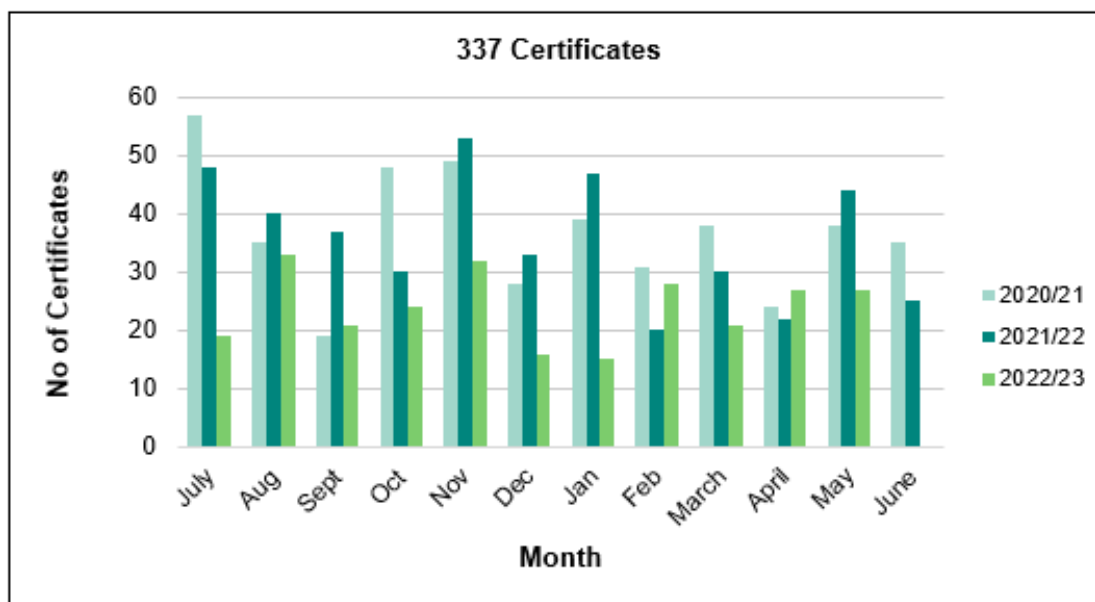
Non-Application of Public Tender Process

Pursuant to Section 72(1)(e) of the *Local Government Act 1993* there were no contracts were awarded where the public tender process was not applied.

Council and Land Information Certificates (337)

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

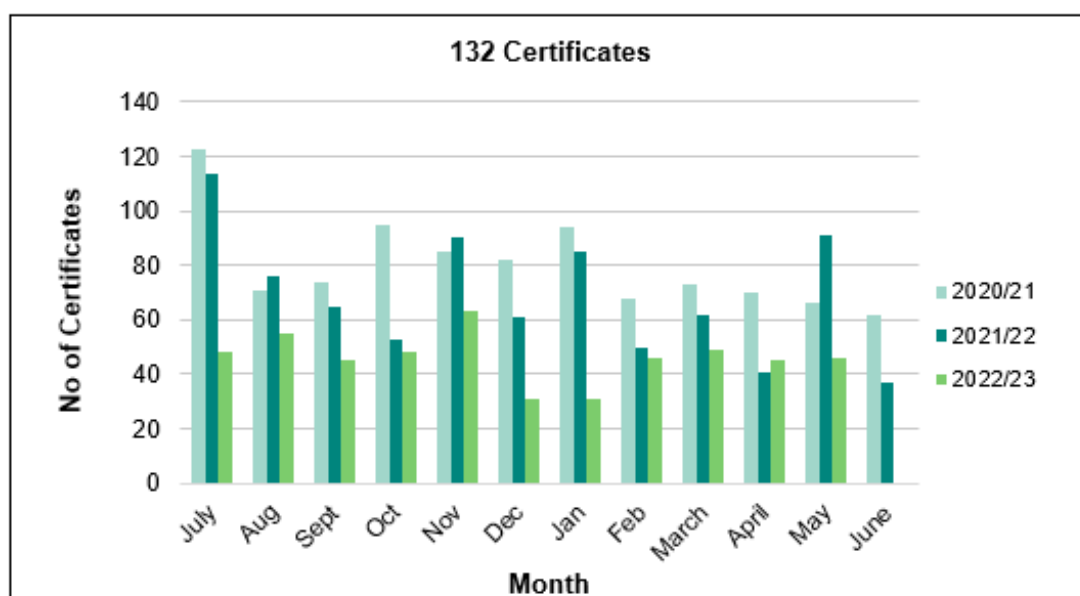
A Council Certificate 337 provides information about whether there are any outstanding notices, permits or orders in relation to a property. For the 2022/23 period there have been 263 Section 337 certificates completed as at 31 May 2023 compared with 404 in May 2022.



Certificate of Liabilities (132)

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

Section 132 certificates are issued by Council on request usually as a part of selling a property. The certificate outlines rate and property liabilities. For the 2022/23 period there have been 507 Section 132 certificates completed as at 31 May 2023 compared with 788 in May 2022.



Street Naming and Addressing Changes:

Greenfield Changes:

1. Vincent Street Waratah
 - a. 3 New Parcels addressed: Parcels Created by Subdivision



Brownfield Changes:

2. Banksia Avenue Sisters Beach
 - a. New Addressing: Banksia Avenue Sisters Beach was readdressed Due to historically incorrect addressing.



3. York Street Wynyard

- a. 4 Parcels Addressed: Parcels with '0' address Created by Historical Subdivision requested by owner.



4. 796 West Calder Road

- a. Addressing Correction: Rural address incorrect and Owner experiencing emergency vehicle response difficulties.



5. 890 Waratah Road Waratah:

- a. Addressing Allocation: Addressing assigned to correct '0' address



6. 43A Saunders Street Wynyard

- a. Addressing Allocation: Addressing assigned to correct '0' address



7. 80 Hales Street Wynyard

- a. Addressing Confirmation: Owner wanted to confirm address before moving interstate.



ECONOMIC DEVELOPMENT UPDATE

Key economic development activities undertaken by Council's Economic Development Officer (EDO) are outlined below:

Low-Cost Recreational Vehicle sites

Several potential Low-Cost Recreational Vehicle sites were identified in Wynyard but unfortunately none of them are suitable for a variety of reasons. The preferred option continues to be the Wynyard Show Grounds and discussions are ongoing with the Wynyard Show Society committee.

Settlement Strategy

2022/23 Annual Plan Action 3.1.1.2 *Implementation of agreed actions arising from the Settlement Strategy.*

An Implementation Plan was completed by the EDO and endorsed by Council in April 2023.

Interpretation and Wayfinding Projects (Waratah and Shared Pathway)

EDO has commenced the planning and design for the interpretation and wayfinding signage projects in Waratah (Lookout, walking track to Waratah Falls and Rail Bridge) and the Coastal Pathway extension (Somerset to Wynyard). Further community engagement will take place at Waratah with the Community Board.

Wynyard to Smithton Disused Rail Corridor (Far Western Rail Trail)

2022/23 Annual Plan Action 5.1.1.2 *Explore the feasibility of developing a shared user pathway from Wynyard to Stanley utilising the disused Wiltshire rail corridor or other opportunities.*

A pre-feasibility report has been completed by the EDO and was discussed at a Council workshop in June 2023

Bioenergy Forum

2022/23 Annual Plan Action 7.2.1.1 *Coordinate a community forum relating to bioenergy.*

Council is hosting a Bioenergy Forum for the Northwest region at the multi-purpose building at Wynyard on 27 July 2023. Council staff are working in partnership with Martin Moroni (Renewables, Climate and Future Industries Tasmania) and Veronica Terry (RDA northwest Tas). Identified industries and businesses were contacted and many have expressed an interest in attending. The event invitation has been placed on the event management and ticketing website, Eventbrite.

Municipal Signage Project - The Watershed

The 'Watershed' Multi-purpose building signage was completed recently. The feedback has been very positive.

INFORMATION SYSTEMS UPDATE

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

Digital Transformation Strategy

Phase 1 – IT Systems Planning and Design is advancing smoothly, characterised by excellent collaboration between Waratah-Wynyard and Circular Head Councils. During this phase, teams have diligently mapped several processes for future implementation, while also identifying and implementing current improvements that have resulted in increased efficiencies.

As part of our commitment to driving transformative change, we are currently finalising the ICT Target Operating Model. This comprehensive framework will serve as a blueprint for our future endeavours, outlining our strategic direction and operational guidelines. Additionally, we are concurrently developing a Road Map that will illustrate the practical steps needed to implement the future Enterprise Architecture and Information Architecture seamlessly.

Recognising the significance of effective internal communication, we have dedicated resources to the development of an Intranet Strategy. This strategy will facilitate improved information sharing, collaboration, and knowledge management within our organisation. We believe that a robust and user-friendly intranet will empower our employees and enhance overall productivity.

Change is a constant in today's rapidly evolving digital landscape, and we are cognisant of the need to manage it effectively. Consequently, we have also formulated a Change Management Strategy to ensure a smooth transition and adoption of the forthcoming IT systems and processes. By incorporating best practices and involving key stakeholders throughout this change journey, we are committed to minimising disruption and maximising user acceptance.

Through these strategic initiatives, we remain steadfast in our pursuit of excellence and continuous improvement. By leveraging our strong collaboration, meticulous planning, and well-defined strategies, we are confident in our ability to create a robust IT infrastructure that aligns with the needs of our organisation and enables us to deliver exceptional public services. We will continue to update on our progress as we move forward with Phase 1 and subsequent stages of this transformative journey.

Information Management

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

Property File Digitisation

Whilst most of Council's property files are digitised, some manual files remain. As part of the Digital Transformation Strategy, the remaining files will be digitised to improve access and reduce risk. Zircodata has been engaged, and the preparation of files has started with 6,539 of the 7,000 files collected for scanning.

ECM (Council's Document Management System)

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

Risk

Our team has established a comprehensive plan for the review of our risk framework and policy. This initiative is being conducted in collaboration with Circular Head Council, as we share resources and expertise in this area.

The team's primary focus will be on conducting internal audits or self-assessments, reviewing and testing business continuity plans, and ensuring that our risk registers are consistently updated. Additionally, we will be providing regular reports to both executive management teams and the council, fostering transparency and accountability throughout the process.

Furthermore, in line with our commitment to continuous improvement, the team will be developing an ongoing work plan aimed at enhancing our capabilities in this domain. This plan will enable us to strengthen our risk management practices and further elevate our organisational resilience.

We are dedicated to upholding the highest standards in risk management and are confident that these collaborative efforts will yield fruitful outcomes for our organisation and stakeholders.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

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

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

CONCLUSION

That Council note the Corporate Quarterly Information Report for the General Manager and Organisational Performance Departments.

MOVED BY	CR COURTNEY
SECONDED BY	CR ROBERTS

That Council note the Quarterly Information Report for the Office of the General Manager and Organisational Performance Department as at 31 May 2023.

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.11 BIOENERGY FORUM

To:	Council
Reporting Officer:	Economic Development Officer
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	25 May 2023
File Reference:	Report from Officer
Enclosures:	Nil

PURPOSE

To provide an overview of the proposed Bioenergy Forum to be held at the Watershed in Wynyard on 27 July 2023.

BACKGROUND

As part of the 2022/23 Annual Plan, Council approved to:

7.2.1.1 Coordinate a community forum relating to bioenergy.

DETAILS

Council staff are working in partnership with Martin Moroni from Renewables, Climate and Future Industries Tasmania (RECFIT) and Veronica Terry from Regional Development Australia (RDA Northwest Tas) to deliver a Bioenergy Forum at Wynyard on 27 July 2023.

The forum will provide an opportunity for the agriculture, farming, industrial, energy, transport, mining, and local government sectors in our region to understand their potential opportunities in bioenergy and the broader bioeconomy.

The forum will be of interest to those with sources of biomass that could be used to produce bioenergy or biochemicals, and those considering a potential bioenergy project.

This event will feature expert guest speakers who will explore:

- Northwest Tasmania's enormous potential to develop a bioeconomy
- Potential to lower energy costs
- Potential to lower waste management costs by using waste to generate energy contributing to the circular economy
- Bio-methane and biogas production from wet organic waste to displace natural gas
- Explore generating heat and power from biomass to displace fossil fuels

There will also be an optional visit to a local bioenergy site for interested participants during the afternoon of the forum.

The event will be free of charge to invited guests with lunch and refreshments included.

The event invitation has been placed on the event management and ticketing website, Eventbrite.

STATUTORY IMPLICATIONS

Statutory Requirements

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

Strategic Plan Reference

GOAL 5: Economic Prosperity
Desired Outcomes
5.3 Long-term sustainable economic growth is achieved through adaptability and innovation.
Our Priorities
5.3.2 Assess potential capability for economic expansion.

GOAL 5: Economic Prosperity
Desired Outcomes
5.3 Long-term sustainable economic growth is achieved through adaptability and innovation.
Our Priorities
5.3.3 Actively manage community and economic growth through community engagement.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The event has sufficient funding with RECFIT providing \$5,000, RDA \$1,000 and Council to fund the remainder. Final costs will not be known until final attendee numbers are confirmed and costs associated with guest speakers confirmed, however Council costs will not be expected to exceed \$5,000 as a maximum.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

Identified participants from the agriculture, farming, industrial, energy, transport, mining, and local government sectors were contacted directly by telephone to ascertain what knowledge they have in relation to bioenergy and what information would be most beneficial to them. The agenda will be developed from this information.

CONCLUSION

That Council note the status update on the proposed Bioenergy Forum in July 2023.

MOVED BY	CR COURTNEY
SECONDED BY	CR ROBERTS



That Council note the scheduling of a Council initiated Bioenergy Forum in July 2023

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.12 POLICY REVIEW - PRIVACY POLICY & GUIDELINES

To: Council
Reporting Officer: Governance Officer
Responsible Manager: Manager Governance and Information Systems
Report Date: 5 June 2023
File Reference: Governance - Policy - Council Policies
Enclosures: 1. Privacy Policy 
2. Privacy Guidelines 

PURPOSE

Council's existing Privacy Policy and Guidelines are due for review and are presented for Council consideration.

The purpose of this policy is to set out Council's approach to managing, handling and protecting the personal information of customers.

BACKGROUND

The Policy and Guidelines were last adopted by Council in October 2018.

Council is committed to upholding the right to privacy of all individuals who have business dealings with the Council. Council will take the necessary steps to ensure that the personal information that customers share with us remains confidential.

This Policy will also serve to regulate Council procedures in relation to the handling of personal information.

DETAILS

This Policy applies to all employees, elected members and contractors of the Council. It covers personal information that is collected, retained, stored and used by Council where it is necessary for one or more of Council's functions or activities.

'Personal information' may be defined as:

- Information or an opinion (including information forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

It is, basically, any information that can be used to identify an individual.

Examples of personal information held by the Council include, but is not limited to, information relating to individual properties and property owners, names of complainants and objectors, dog registration information, rates and charges information and sensitive information relating to insurance claims and health and immunisation records.

The changes made are minor administrative changes including the change from Privacy Officer to Right to Information Officer to better reflect current roles and responsibilities of Officers. There are no changes to the intent of the policy.

STATUTORY IMPLICATIONS

Statutory Requirements

Local Government Act 1993 (Tasmania)

Archives Act 1983 (Tasmania)

Personal Information Protection Act 2004 (Tasmania)

Right to Information Act 2009 (Tasmania)

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
1.4 We cherish fairness, trust and honesty in our conduct and dealings with all.
Our Priorities
1.5.2 Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.

GOAL 1: Leadership and Governance
Desired Outcomes
1.5 We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making.
Our Priorities
1.5.1 Build our knowledge base to apply in decision-making processes.

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.
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POLICY IMPLICATIONS

This policy is to be reviewed every four years.

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

In the absence of a Privacy Policy there is a greater risk that the personal information of Council's customers may either be released incorrectly to third parties or handled inappropriately and not in accordance with legal requirements. There is always the possibility of legal action being taken against Council for incorrectly dealing with personal information and/or the chance of adverse publicity in the media.

CONSULTATION PROCESS

This policy and guidelines were submitted to SMT (Senior Management Team) and EMT (Executive Management Team) for consideration and amended according to their recommendations.

CONCLUSION

It is recommended that the Privacy Policy and Privacy Guidelines be adopted by Council.

MOVED BY	CR HYLAND
SECONDED BY	CR JOHNSTONE

That Council adopt the revised Privacy Policy and the Privacy Guidelines as presented.

The MOTION was put and was CARRIED.

IN FAVOUR

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

AGAINST

	CR COURTNEY		

9.13 APPOINTMENT OF AN ACTING GENERAL MANAGER

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	1 June 2023
File Reference:	0501
Enclosures:	Nil

PURPOSE

To appoint a suitable officer to act in the role of General Manager should the current General Manager be on leave or absent unexpectedly.

BACKGROUND

In order for the operations of council to continue in the General Manager's absence, it is prudent to appoint an officer to Act in the role of General Manager as/when required so that that person can sign documentation and make decisions in a timely fashion.

The Director of Infrastructure and Development Services, Mr Daniel Summers, has undertaken the Acting General Manager role in the past and occasionally other Directors have performed the role for short periods as required. Formalisation of that arrangement is considered beneficial.

DETAILS

Under the *Local Government Act 1993* a person can be appointed to be an Acting General Manager for any occasion with the incumbent General Manager is absent.

Appointing a person to fulfill the role of Acting General Manager as required ensures that key activities can be completed during, in particular, unexpected absences. This includes signing of planning documents and approval of financial activities.

Typically, an Acting General Manager will only be formally required in periods of absence of multiple consecutive days. Should the General Manager be absent, and the identified proxy be unavailable, the Mayor is to appoint another officer to the role.

This resolution relates to short term relief coverage only. Should a permanent vacancy exist, a formal recruitment process will be undertaken in line with the Act.

STATUTORY IMPLICATIONS

Statutory Requirements

Section 61B of the Local Government Act 1993 states:

- (1) For the purposes of this section, a general manager is absent if –
 - (a) he or she is absent from duty for any reason; or
 - (b) he or she is otherwise unavailable or unable to perform the functions of the office of general manager; or
 - (c) the position of general manager is vacant.

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- (2) The mayor may appoint a person to act in the office of general manager if –
- (a) the general manager is absent and no person holds an appointment under subsection (4) ; or
 - (b) the general manager is absent and the person appointed under subsection (4) is absent from duty or otherwise unavailable or unable to act in the office of general manager.
- (3) An appointment under subsection (2) ends when the first of the following occurs:
- (a) the general manager returns to duty;
 - (b) the term of the appointment expires;
 - (c) the mayor or the council revokes the appointment;
 - (d) a person is appointed as general manager under section 61 .
- (4) The council may appoint a person to act in the office of general manager during every absence of the general manager.
- (5) An appointment under subsection (4) is for the term, not exceeding 5 years, specified in the appointment and ends when the first of the following occurs:
- (a) the term of the appointment expires;
 - (b) the council revokes the appointment;
 - (c) if the appointment is to the holder of an office, the person ceases to hold that office.
- (6) While a person appointed to act in the office of general manager is acting as general manager, that person is taken to be the general manager.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
2.1 We are a knowledgeable organisation—we demonstrate best practices in our business processes.
Our Priorities
1.5.2 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

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

CONSULTATION PROCESS

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

CONCLUSION

It is recommended that the Director of Infrastructure and Development Services, Mr Daniel Summers, be appointed to Act in the Role of General Manager as and when required.

MOVED BY	CR COURTNEY
SECONDED BY	CR BRAMICH

That Council, in accordance with Section 61B of the *Local Government Act 1993*, appoint the Director of Infrastructure and Development Services, Mr Daniel Summers, to be Acting General Manager when the current General Manager is on leave or absent.






The MOTION was put and was CARRIED.

IN FAVOUR

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

9.14 COUNCIL ISSUED DELEGATIONS - GENERAL MANAGER, DIRECTOR INFRASTRUCTURE & DEVELOPMENT SERVICES, MANAGER OF DEVELOPMENT & REGULATORY SERVICES, DEVELOPMENT SERVICES COORDINATOR AND TOWN PLANNERS

To: Council
Reporting Officer: Governance Officer
Responsible Manager: Manager Governance and Information Systems
Report Date: 6 June 2023
File Reference: Delegations
Enclosures:

1. Schedule A - Delegations - Council to GM 
2. Schedule B - Delegations - Council to DIDS 
3. Schedule C - Delegations - Council to MDRS 
4. Schedule D - Delegations - Council to DSC 
5. Schedule E - Delegations - Council to Town Planners 

PURPOSE

The purpose of this report is to assist Council to approve delegations of legislative powers and functions to enable officers to undertake the day to day conduct of the Council's business.

BACKGROUND

Under s.22 of the *Local Government Act 1993 (Tas)*. A council, in writing, may delegate with or without conditions to the General Manager, any of its functions or powers under any Act (subject to restrictions).

The General Manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate under s.64 of the *Local Government Act 1993(Tas)*.

DETAILS

The regular review of Council's Delegations Register is essential to ensuring that delegated functions and powers remain current and appropriate. Council maintains a register of delegations it has approved in relation to the exercise of its legislative powers and functions by Council officers.

The Local Government Association of Tasmania (LGAT) maintains a Master Delegations Register that contains all relevant sections of legislation that may be delegated by Council. Current Council issued delegations have recently been reviewed against this register and have been updated in line with any changes in legislation, such as provisions being repealed.

Law firm, Simmons Wolfhagen were engaged by LGAT to undertake a review and update of the LGAT Master Delegations Register in March 2023.

This report details delegations and authorisations from Council to the General Manager, and delegations and authorisations to officers that can only be granted direct by Council to persons and officers and which the General Manager has no power to on-delegate under the

Land Use Planning and Approvals Act 1993, the Land Use Planning and Approvals Regulations 2014 and the Local Government (Highways) Act 1982.

Council last updated the General Manager's delegations at the commencement of the current General Manager's term in December 2017.

Key changes to the recommended delegations include:-

- Removal of delegations related to Acts or sections that have been repealed,
- New delegations that have been included in line with the LGAT Master Delegation register as detailed below:

ACT	PROVISIONS
Archives Act 1983	All as detailed on register
Building Act 2016	s.41(1) – s.271(6)
Burial and Cremations Act and Regulations 2019	All as detailed on register
Bug Control Act 2000	s.24, s.25, s.27
Historic Cultural Heritage Act 1995	All as detailed on register
Land Use & Planning Approvals Act 1993	s.12C, s.30C(4), s.52(1B), s.60, s.60H(3), s.60I(3), s.60S(4)(b), s.60ZX(1), s.63(A)
Land Use Planning and Approval Regulations 2004	r.8A & r.9
Local Government Act 2007	s.38
Local Government Act 1983	s.22, s.28D, s.28T(7), s.72 & 72B, s.124, s.190(3), s.193, s.333A
Names Act 2020	s.11(2), s.11(3), s.11(4)
Native Titles Act 1998	All as detailed on register
Survey Co-Ordination Act 1994	s.4(2), s.5
Traffic Act 1925	s.41CA, s.43(2), s.43(3)(4)(5)
Urban Drainage Act 2013	All as detailed on register
Waste Management Act 1999	All as detailed on register

Council is vested with powers under *the Local Government Act 1993 (LGA)* and *Land Use Planning and Approvals Act 1993 (LUPAA)* to act as the areas designated Planning Authority

Following an external planning services review; it was identified that there is a need to provide appropriate levels of delegations for planning decisions as a priority. Planning delegations have been updated in line with the recommendations in the LGAT Master Delegations register. These changes will improve the timeliness and efficiency of application processing. Decisions made under planning delegations will continue to be reported to Council monthly and quarterly.

STATUTORY IMPLICATIONS

Statutory Requirements

The following Acts and regulations include powers and functions that apply to local government, and which may be delegated to Council officers:

Archives Act 1983
Building Act 2016
Building Regulations 2016
Burial and Cremation Act 2019
Burial and Cremation Regs 2015
Dog Control Act 2000
Environmental Management and Pollution Control Act 1994
Food Act 2003
Heavy Vehicle National Law (Tasmania) Act 2013
Historic Cultural Heritage Act 1995
Land Use Planning & Approvals Act 1993
Land Use Planning & Approvals Regulations 2014
Litter Act 2007
Local Government Act 1993
Local Government (Building and Miscellaneous Provisions) Act 1993
Local Government (General) Regulations 2015
Local Government (Highways) Act 1982
Local Government (Meeting Procedures) Regulations 2015
Monetary Penalties Enforcement Act 2005
Place Names Act 2020
Public Health Act 1997
Public Interest Disclosures Act 2002
Right to Information Act 2009
Roads and Jetties Act 1935
Strata Titles Act 1998
Survey Co-Ordination Act 1944
Tasmanian Civil and Administrative Tribunal Act 2021
Traffic Act 1925
Urban Drainage Act 2013
Vehicle and Traffic Act 1999
Weed Management Act 1999

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making.
Our Priorities
1.6 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 associated with this review of Council's appointments, authorisations or delegations.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

Risk of adverse action does exist where the exercise of Council's legislative powers and functions occurs without proper delegation and the purpose of this report is to recommend action that minimises exposure to such risk.

CONSULTATION PROCESS

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

RECOMMENDATION

It is recommended that Council approve delegations as presented.

MOVED BY	CR HYLAND
SECONDED BY	CR ROBERTS

That Council:



-
1. In accordance with the relevant acts approve the delegations and authorisations to the officers as detailed in the attached schedules 'A', 'B', 'C', 'D' and 'E', revoking all previous delegations issued.
 2. Note the General Manager's power under section 8(4) of the *Building Act 2016* to delegate any of the General Manager's powers under this act, to any person, as required.
 3. By special resolution requiring a two-thirds majority in accordance with section 124 of the *Local Government (Highways) Act 1982*, grant and approve the delegations to the officers listed in schedules 'A' & 'B', subject to the relevant conditions and/or restrictions.

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.15 AWARD OF CONTRACT 800 - WYNYARD SPORTING PRECINCT OVAL 3, DESIGN AND CONSTRUCTION OF OVAL RENOVATION, TRAINING LIGHTS, SUBSURFACE DRAINAGE, IRRIGATION AND ANCILLARY WORKS

To:	Council
Reporting Officer:	Contracts and Administration Officer
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	6 June 2023
File Reference:	
Enclosures:	<ol style="list-style-type: none">1. Wynyard Sport precinct Master Plan (extract) 2. Oval 3 Conceptual Plan 3. Contract 800 Tender Evaluation cover page - Confidential4. Contract 800 Evaluation summary Sheet - Confidential

PURPOSE

To seek a decision from Council in relation to the award of Contract 800 – Wynyard Sporting Precinct Oval 3, design and construction of oval renovation, training lights, subsurface drainage, irrigation and ancillary works.

BACKGROUND

Council has endorsed the Wynyard Sports Precinct Master plan.

An action identified in the plan, with funding allocated in the current capital works program, is the development of “Oval 3”. Refer extract from the Master plan attached.

A design scope for the project was developed in conjunction with the Wynyard Sports Precinct Master Plan Detailed Design Reference Group.

Discussion has also occurred with the Wynyard High School (WHS) and the Department for Education, Children and Young People (DECYP) who manage the land the works will be constructed upon. Council and the Department are working towards a formal lease for the occupied area.

A formal call for tenders for Oval 3 was made through Councils electronic tendering portal “TenderLink” by public notice, closing on 2 June 2023.

The broad scope of the project is:

- Renovated, top dressed, conditioned, levelled and resown playing surface.
- Subsurface drainage system.
- Irrigation system.
- New concrete cricket wicket and synthetic surfacing.
- Training lights to 100 lux average light level.

There will be sufficient space for:

Cricket Oval: 130m in diameter with 20m offset from fence line.

Football Oval: 150m by 120m with 10m offset from fence lines.

A copy of the conceptual layout for Oval 3 is **attached**.

Note that the primary intention of the oval from a football perspective is a training space. Proposed ground dimensions will accommodate all junior and female cricket competitions.

A design and construction approach was chosen to allow for flexibility in the project delivery and to draw upon the experience and knowledge of expert turf contractors.

At the close of tenders four submissions were received.

DETAILS

A Tender Document for the Design and Construction of proposed Oval 3 to be located at the Wynyard High School was prepared to facilitate the call for tenders for this project

It will be the responsibility of the successful contractor to design and deliver the new oval.

The nominated construction window is between September 2023 and Early February 2024.

Tenders were received from:

Contractors
The Baker Group
Total Turf Care
Platinum Earthmoving
All Turf Tasmania

An assessment panel was convened to undertake the assessment of the submissions.

The tender evaluation sheet has been provided separately to Councillors as a confidential attachment.

The tender panel, through the application of the tender assessment criteria, determined that the tender submission from Total Turf Care best addressed the requirements of the tender documents.

STATUTORY IMPLICATIONS

Statutory Requirements

There are no statutory implications because 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
1.1.1 Commit to best practice in community engagement.

GOAL 3: Connected Communities
Desired Outcomes
3.3 Our natural and built environment aids the community with an active and healthy lifestyle.
Our Priorities

3.3.1 Provide high quality shared and multi-use community hubs that combine a range of recreational, sporting and educational uses.

GOAL 4: Community Recreation and Wellbeing

Desired Outcomes

4.3 We provide recreational opportunities to the community for all ages and abilities.

4.4 Our community enjoys access to visually appealing safe spaces and facilities for recreation.

Our Priorities

4.3.1 Commit to ongoing recreation and open space planning to ensure evidence-based decisions are made about the role of Council and its partners in recreation.

4.4.2 Provide and maintain quality and safe places and spaces for physical, social and cultural activities, including shared and multi-use facilities where possible.

GOAL 7: Environment

Desired Outcomes

7.3 Our natural environment, unique surroundings and community assets are future ready in a changing climate.

Our Priorities

7.3.2 Embed environmental considerations and potential climate impacts in Council's infrastructure planning and decision making.

7.3.3 Innovative and sustainable design is encouraged through forward thinking and planning.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

There are no policy implications because of this report.

ENVIRONMENTAL IMPLICATIONS

In the design of Oval 3 environmental focuses will include:

- Energy efficiency - use of LED lighting and smart control systems to minimise energy consumption.
- Conservation of water - inground irrigation systems to ensure watering occurs in response to identified need

FINANCIAL IMPLICATIONS

The recommended tender price is \$1,081,493.40 (GST exclusive) submitted by Total Turf Care.

Other costs associated with specialist consultant advice (survey, geotechnical reporting) to inform the tender document, permit fees and officer time have been incurred. These costs total \$26,245. The estimated cost of overheads and contract supervision in delivering this project is \$97,547. The total estimated cost of project delivery is \$1,205,285 which compares favourably with the Council budget allocation of \$1,393,532.

The delivery of the project will result in additional operating costs to Council associated with

- Depreciation
- Grounds maintenance
- Service costs (water and electricity)
- Periodic renovation of the playing surface
- General repairs and maintenance

Such costs have previously been forecast through the development of the masterplan at \$56,000/annum and can now be confirmed if the contract is awarded as recommended.

\$500,000 has been allocated towards this project through the Improving the Playing Field Grants Program 2021-22.

RISK IMPLICATIONS

From a construction perspective there are limited risks associated with the delivery of the Oval 3 project. Detailed site investigation works have been progressed, the recommended Contractor is well experienced and credentialed in this type of work. Council has in the past successfully managed such projects.

However, issues do arise in project and a small contingency will be provisioned for such eventualities.

As the site of the new oval is on land not owned or controlled by Council there is risk regarding unclear or uncertain roles and responsibilities related to use, maintenance, and asset renewal. To address that risk Council Officers are working with DECYP / WHS to enter a lease to formalise the occupation and use of the oval 3 footprint.

CONSULTATION PROCESS

The Wynyard Sports Precinct Master Plan has been endorsed by Council and was informed by an extensive community consultation process.

A Working Group consisting of two elected members, representatives of the Wynard Football Club, Wynyard and District Cricket Club and the Wynyard High School was established to guide the detailed design of elements of the Master Plan.

This group has had input into the project specification.

Officers have met previously with the Wynyard High School Parents and Friends Association to provide a briefing on the project.

Officers have worked with the WHS and DECYP to develop the tender documents, particularly in respect to interaction between the school community and the construction contractor.

CONCLUSION

It is recommended that Council award Contract 800 - Wynyard Sporting Precinct Oval 3, Design and construction of oval renovation, training lights, subsurface drainage, irrigation and ancillary works to Total Turf Care.

MOVED BY	CR JOHNSTONE
SECONDED BY	CR HYLAND

That Council award contract 800 - Wynyard Sporting Precinct Oval 3, Design and Construction of Oval Renovation, Training Lights, Subsurface Drainage, Irrigation and Ancillary Works to Total Turf Care.

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.16 AWARD OF CONTRACT **803** - PROVISION OF BITUMEN SURFACING SERVICES

To:	Council
Reporting Officer:	Manager Engineering Services
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	29 May 2023
File Reference:	.
Enclosures:	1. Tender Evaluation Cover Sheet - Confidential

PURPOSE

To determine Council's position in relation to tenders submitted for the provision of 2023/24 road bitumen surfacing services.

BACKGROUND

To ensure the safety and pavement integrity of Councils sealed road network, periodic resealing is essential to maintain both the water-repelling and skid resistance characteristics of the road surface. Without periodic resealing, surface cracking from bitumen oxidization allows water ingress into the road surface, adversely impacting on the structural integrity and formation of the road pavement. Wearing and polishing of the stone aggregate will also lead to decreased skid resistance and an increase in wet weather vehicle accidents.

Provision of the road surfacing services is undertaken by external contract providers, owing to the expense of specialist equipment and skills required and the short duration over which these works are performed. The external contract provider is determined through an annual tendering process.

A call for tenders for the provision of these services was published in the Advocate newspaper and on the Tenderlink website on Saturday 1 April 2023.

DETAILS

The contract operates as a Schedule of Rates (SoR) contract, based upon the anticipated quantities for projects identified within Councils Capital Works reseal program. Tender price comparison and assessment is based upon the indicative total cost to Council to complete the works based on the unit rates submitted. Tenders were invited to tender for these works based on an individual Council basis or a combined tender with the Circular Head Council (CHC).

At the close of tenders on 17 May 2023 eight (8) contractors had accessed the documents via Tenderlink and three (3) contractors submitted tenders for the works.

Tender submissions were received from;

- Fulton Hogan Pty Ltd
- Hardings Hotmix
- Roadways Pty Ltd

All tenderers have demonstrated experience within the industry, have established safety and management systems in place and have been assessed as competent and capable in the

performance of the works for which they tendered. All tenderers have and continue to provide services associated with this contract to other Councils within Tasmania.

Each tender received has been assessed against a range of weighted predefined criteria, which comprise of the following:

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

Generally, the past services provided to Council by each of these companies have been considered satisfactory and they understand the established requirements associated with performance of the works under contract. Each tenderer has provided sufficient evidence to demonstrate competence and capability to perform works within timeframes and to the quality required. Accordingly, there is no significant alteration to the selection of preferred tenderer based upon these considerations and the selection of tender is considered primarily to be a matter of price in this instance.

Roadways Pty Ltd have submitted the lowest price option to Council on an individual contractor engagement, separate from the Circular Head Council, with an overall price of \$1,075,450. Whilst noting that these total prices are estimates based upon identified area, comprising of a variety of unit rates priced for each project location, the relativity of pricing is not anticipated to vary to any degree of significance should the final areas be adjusted.

For the recommended tender there is an alternate option to include crumb rubber additive to the bitumen for all of the Spray seal works.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

Council sought pricing from tenderers for the alternative of utilising recycled crumbed rubber on certain sites. The pricing received for this initiative indicated that the alternative recycled crumbed treatment would add approximately \$15,000 for all spray seal sites.

In choosing to award the contract to the preferred tenderer with crumbed rubber added to all spray seal sites this mean a reuse of approximately 14.5 tonnes of crumbed rubber recycled from used tyres and a diversion from landfill of an equivalent 2,421 car tyres or 'Equivalent Passenger Units' (EPUs).

The use of crumb rubber as an additive to road sealing bitumen is known to improve strain alleviating characteristics of the seal which can extend and prolong the asset life which improves Council's whole of life costs in providing a road network.

FINANCIAL IMPLICATIONS

Tenderers were invited to supply a tender for these works based on an individual Council basis or a shared contract between CHC and WWC to offer a cost reduction incentive. Whilst some tenderers chose to pursue the option of joint contract award, offering a cost reduction incentive, the assessment of tenderer rates received demonstrated a benefit to both Councils to award contracts separately in this instance.

With the recommended tender option of \$1,075,450 and the addition of the crumb rubber alternative for all spray seals the total contracted works is approximately \$1,090,450. In house reseal preparation works are expected to cost approximately \$60,000 and supervision and overheads amount to approximately \$79,600. This gives a total estimated spend for completion of the 2023/24 Reseal program of \$1,230,050 which compares favourably against the budget of \$1,592,000 and suggests a \$361,950 underspend against budget.

RISK IMPLICATIONS

In the conduct of any contract or business undertaking there are risks to Council, including time delays, poor quality of work etc.

The use of qualified and experienced contractors coupled with contract documents and project management principles will minimise any risk to Council.

As this contract is defined as a SoR contract, the exact final cost cannot be determined. The quantities estimated are however considered to be sufficiently accurate and any variation in the final cost should be contained with the budget provisions.

CONSULTATION PROCESS

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

CONCLUSION

The tender price submitted by Roadways Pty Ltd for supply of bitumen surfacing services is the lowest cost option to Council and it is recommended that contract **#803** be awarded with the addition of crumb rubber to all spray sealed bitumen works.

MOVED BY	CR BRAMICH
SECONDED BY	CR HYLAND

That Council award Contract #803– Provision of Bitumen Surfacing Services to Roadways Pty Ltd for 2023/24 including the alternate tender option of crumb rubber additive to all spray seals

The MOTION was put and was CARRIED.

IN FAVOUR

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

Note: Minutes were updated to correct a clerical error in the agenda which listed contract #802. The correct contract number is #803

9.17 AWARD OF CONTRACT 805 - PROVISION OF GRAVE DIGGING SERVICES

To:	Council
Reporting Officer:	Manager Digital Innovation
Responsible Manager:	Manager Governance and Information Systems
Report Date:	7 June 2023
File Reference:	0105
Enclosures:	Nil

PURPOSE

To determine Council's position in relation to tenders submitted for the provision of Councils Grave Digging Services for 3 Years commencing the coming 23/24 Financial Year.

BACKGROUND

Council provision of cemetery services includes interments of varying forms, from cremated remains to full interments into our various municipal cemeteries. These interments need to be carried out promptly, with discretion and flexibility depending on client needs.

Provision of grave digging services is undertaken by an external Contract provider, owing to specialist equipment and the expectation these works are available any day including weekends and public holidays. The provider is determined through an annual tendering process.

A call for tenders for provision of these works was published in the Advocate Newspaper and on the Tenderlink website on Wednesday 10 May 2023.

DETAILS

The Contract operates as a Schedule of Rates contract, based upon the cost for each individual type of interment Council allow. Tender price comparison and assessment is based upon the indicative total cost to Council to complete the works, given the unit rates submitted. Tenders were invited to tender for these works based on an individual Council.

At the close of tenders on 31 May 2023 one (1) contractor submitted a tender for the works.

Tender submissions were received from:

- Smith's Mini Excavator & Tip Truck Hire

This Tenderer has an extended demonstrated experience within the industry, have established safety and management systems in place, and have been assessed as competent and capable in the performance of the works for which they have tendered.

Due to the time sensitive nature of these works a local contractor has always provided this service. The past services provided to Council by this tenderer has been

exemplary, showing they have a detailed understanding of established requirements associated with performance of the works under contract.

The tenderer has provided sufficient evidence to demonstrate their competence and capability to perform the works within the timeframes and to the quality required. Accordingly, there is no significant alteration to the selection of preferred Tenderer based upon these considerations, and the selection of Tenderer is considered for their extended historical familiarity, competence, local to Wynyard and reasonable pricing.

Although this is the only submitted Tender Smiths Mini Excavator & Tip truck Hire have over 15 years' experience with similar works and submitted a reasonably priced tender option with a calculated overall price based on 2022/23 Financial year interments over the 3-year term of \$167,750. Whilst noting that these total prices are estimates based upon identified areas, comprising of a variety of unit rates priced for each individual interment, the relativity of pricing is not anticipated to vary to any degree of significance should the final areas be different

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 7: Environment
Desired Outcomes
7.1 Council and the community minimise its resource consumption and carbon footprint.
Our Priorities
5.1.2 Identify and maximise current industry and resource capacities.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Tenderers were invited to supply a tender for these works. Smith's Mini Excavator & Tip Truck Hire was the only tenderer and has supplied reasonable rates and have provided exemplary services in the past and are completely familiar with Councils entire grave digging and interment process.

The estimated total cost of completing the tender works over the contracted 3 years if the contract is awarded as recommended, is estimated to be \$167,750.

RISK IMPLICATIONS

In the conduct of any contract there are risks to Council including time delays and poor quality of work.

The use of experienced Contractors coupled with contract documents would minimise any risk to Council.

As this contract is set up with a schedule of rates, the exact final cost cannot be determined. The quantities estimated are however thought sufficiently accurate and any variation in the final cost should be contained within budget provisions.

CONSULTATION PROCESS

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

CONCLUSION

The tender submitted by Smiths Mini Excavator & Tip Truck Hire for supply of Grave Digging Services as a highly experienced and local tender with over 15 years' experience providing these specific services. It is recommended Contract #805 be awarded to Smiths Mini Excavator & Tip Truck Hire.

MOVED BY	CR BRAMICH
SECONDED BY	CR ROBERTS

That Council award Contract #805 – Provision of Grave Digging Services to Smiths Mini Excavator & Tip truck Hire for 3 Years commencing from the 2023/24 Financial year.

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.18 AWARD OF CONTRACT - BRIDGE REPLACEMENTS - 806 (KINCHS ROAD) & 807 (MOUNT HICKS ROAD)

To:	Council
Reporting Officer:	Manager Engineering Services
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	30 May 2023
File Reference:	.
Enclosures:	1. Kinchs Road Tender eval cover page - Confidential 2. Mount Hicks Road Tender eval cover page - Confidential

PURPOSE

To determine Council's position in relation to tender submissions received for the replacement of bridge structures at Kinchs Road (Garner Creek) and Mount Hicks Road (Port Creek).

BACKGROUND

The provision of replacing the bridge sub-structure and superstructure at Kinchs Road and upgrading the current dual culvert crossing to a bridge capable of SM1600 loading at Mount Hicks Road has been recommended as part of Council's biannual bridge inventory inspections and analysis.

The bridge at Kinchs Road has been determined that the structural components of the bridge have reached their useful life, whilst the culvert upgrade at Mount Hicks Road has been identified for replacement to improve heavy vehicle movements and the hydraulic capacity of Port Creek.

Provision of these works are to be undertaken by an external contract provider, owing to the nature of specialist equipment and skill required to undertake the scope of works.

A call for tenders for the provision of these works was published in the Advocate newspaper and released on the Tenderlink website on Saturday 1 April 2023.

DETAILS

The contract operates as a Lump Sum contract, based upon the estimated quantities to deliver the scope of the project. Tender price comparison and assessment of each individual tender, based upon pre-defined tender criteria, defines the recommendation to Council to award the contract. Tenderers were invited to provide a tender submission for these works based on an individual Council basis or a combined tender with the Circular Head Council (CHC) for their bridge replacement program.

At the close of tenders on 17 May 2023, three (3) contractors supplied a tender submission for the works package.

Tender submissions were received from;

- VEC Civil Engineering
- BridgePro Pty Ltd
- TasSpan Pty Ltd

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

Each tender received has been assessed against a range of weighted selection criteria itemised below:

Criteria A – The tendered total amount and the expected whole of life costs – Weighting 55%

Criteria B – Tenderers ability to complete the works of the quality specified within the contract and within the specified time – 15%

Criteria C – Tenderers OH&S, environment, industrial relations and performance records – 15%

Criteria D – Tenderers quality system as well as experience and performance – 15%

Generally, the past services provided to the Local Government sector by each of these companies have been considered satisfactory, and they have a clear understanding of the established industry requirements associated with the performance of the works under the contract. Each tenderer has provided sufficient evidence to demonstrate their competence and capability to perform the works within the timeframes and to the quality required.

In consideration of the tenders received for the Mount Hicks Road (Port Creek) bridge it is critical to consider all elements of the submissions. BridgePro have provided a tender submission detailing a bridge structure with a 6m wide span which provides a greater level of hydraulic capacity in Port Creek which is an area of historical urban flooding, conversely the other tenders received provided for a 5m wide span. Given the known occurrence of flooding in Port Creek and the pending flood mitigation works, improving hydraulic capacity at this structure is advantageous. Furthermore, BridgePro has offered a pricing reduction for multiple bridge awards such that the award of two structures will offer a \$10,000 price reduction. VEC Civil Engineering have submitted the lowest tender price, however the structure they offer does not comply with the tender specifications for a minimum 8m wide travelling width between barriers and offers a 6.5m wide travelling width deeming this tender submissions as non-conforming.

Accordingly, the recommendation for the Mount Hicks Road bridge is based on performance, function and price.

BridgePro Pty Ltd have submitted the lowest price option to Council on an individual contractor engagement, separate from Circular Head Council, to replace the Kinchs Road bridge with an overall price of \$198,900 (ex GST). BridgePro have submitted the best tender option to Council on an individual contractor engagement, separate from the CHC, to replace the Mount Hicks Road culvert with an overall price of \$427,800 (ex GST). Whilst noting that this total price is an estimate based upon identified areas, the relativity of pricing is not anticipated to vary to any degree of significance should the final area be marginally different.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

GOAL 6: Transport and Access
Desired Outcomes
6.1 Our transport and access network can accommodate the changing needs of our industry and community.
Our Priorities
6.2.1 Plan for a priority access network for freight.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Tenderers were invited to supply a tender for these works based on an individual Council basis or a shared contract between Circular Head Council and the Waratah Wynyard Council to offer a cost reduction incentive. In this instance, based upon tender evaluation across both councils, there were no mutually beneficial cost savings identified by entering into a joint contract with the Circular Head Council.

However, the tender evaluation for Waratah-Wynyard Council has identified a \$10,000 saving by awarding both bridges to BridgePro. The estimated total cost of the contracted works is \$608,609 (ex GST), inclusive of the \$10,000 reduction for multiple project award. The estimated cost of contract supervision and overheads is \$61,466. The estimated total cost to complete these works is then \$670,075 which compares favourably with the budget estimate of \$778,074.

It should be noted that the Mount Hicks Road bridge was successful in attracting 80% funding from the Federal Government Bridge Renewal Fund. In this regard a forecast \$366,196 exc. GST of the total \$670,075 will be externally funded.

RISK IMPLICATIONS

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

The broader tender assessment, beyond just price, is intended to mitigate risk.

CONSULTATION PROCESS

Affected property owners and business operators will be directly notified of the works prior to commencement. The greater public will be notified via Council's media outlets and the Advocate ahead of any road closures.

CONCLUSION

The tender submitted by BridgePro Engineering for the replacement of Kinchs Road (Garner Creek) bridge and the replacement of Mounts Hicks Road (Port Creek) culvert are considered the best options presented to Council, in taking into consideration all aspects of the tenders submitted. It should also be noted that in awarding the two bridges jointly, BridgePro have offered a \$10,000 discount to Council. It is recommended that the associated contract be awarded accordingly.

MOVED BY	CR ROBERTS
SECONDED BY	CR HYLAND

That Council:

- 1. award contract #806 Kinchs Road (Garner Creek) to BridgePro Pty Ltd, and**
- 2. award contract #807 Mount Hicks Road (Port Creek) to BridgePro Pty Ltd**

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.19 FINANCIAL REPORT FOR THE PERIOD ENDED 31 MAY 2023

To: Council
Reporting Officer: Manager Financial Services
Responsible Manager: Manager Financial Services
Report Date: 5 June 2023
File Reference: Financial Management - Reporting - Council
Enclosures: 1. Monthly Capital Report - May 

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 RAW
SECONDED BY	CR ROBERTS

That Council note the Financial Report for the period ended 31 May 2023

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.20 SENIOR MANAGEMENT REPORT

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	26 May 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 9 May to 9 June 2023

Corporate

- Participated in a number of meetings relating to development of Council's Digital Transformation Strategy, including sessions on change management and target operating models
- Regular meetings with the General Manager of Circular Head Council continued
- Council's budget preparation continued with internal meetings and workshops with Council. Preparation of the Annual Plan and Budget Estimates document and associated information has been undertaken
- Met with the Australian Services Union regarding their position on the Future of Local Government review
- Attended a function to celebrate and recognise volunteers at a morning tea event during National Volunteer Week

Community

- Was provided a briefing in the Northwest Hospital Masterplan
- Met with representatives from the Fairy Godmothers to discuss and feedback on the ANZAC Park all abilities playground since opening and to determine a clear path forward for future additions to the space
- Met with Commander Stuart Wilkinson and Inspector Adrian Shadbolt from Tasmania Police to discuss matters of relevance for the area
- Met with representatives of Spencer Park about their future development plans
- Met with the Premier of Tasmania, Jeremy Rockliff and developers of the Table Cape Resort to hear their plans for the site

-
- Had regular meeting with Acting Sergeant Neil Evans from Tasmania Police to discuss items relevant to Waratah-Wynyard
 - Met with representatives of the Wynyard Show Society to progress discussions regarding freedom camping and a dog park at the showgrounds site
 - Met with representatives of the Wynyard RSL to discuss a range of projects and events

Industry

- Attended the Business Northwest Business Network Session with guest speaker Managing Director and CEO of Hellyers Road Distillery, Derek Charge
- Attended the two-day General Manager's workshop, with focus sessions on the future of local government, Homes Tasmania and Adaptive Leadership

Other

- Attended a Board meeting of the Cradle Coast Authority

Future of Local Government Review

The Local Government Board has released a series of Information Packs, in line with the nine Community Catchments identified by the Board in its Stage 2 Interim Report.

Each Pack puts forward several different scenarios for new local government boundaries and service delivery models that could build scale and capability to improve services, while also better reflecting the way Tasmanians live and work within these communities.

Similarly, the Board has released some supporting papers on issues including shared services and partnerships, options to improve local services and keep jobs in local communities, and new models of engagement and representation.

Submissions on the Information Packs can be made until 2 August and the Board is due to deliver its final reform recommendations to the Government at the end of October.

TasWater – Shareholders Letter of Expectations

TasWater recently corresponded with Council regarding proposals to streamline and optimise corporate reporting to Owners. Council has reviewed the proposed amendments to the Shareholders Letter of Expectations and is comfortable to proceed on that basis.

Part of the changes include improved localised information that compliments the proposed reporting structure. This includes direct engagement workshops, local six-monthly capital works updates and participation in tours of projects and facilities as appropriate.

ADMINISTRATION – Use of Corporate Seal

29/5/23	Crown Lease	Lease 007854 – Gibbons Street Wynyard
31/5/23	Grant Deed Variation	Department of State Growth –, delay finish date
2/6/23	Strata Plan	DA 237/2021 20 Hill Court Wynyard (2x units)

POLICIES TO BE RESCINDED

As part of council's governance procedures, policies are regularly reviewed. As part of that review, policies that are no longer relevant or that have been incorporated into other documents are required to be rescinded. It is recommended Council rescind the following policies:

POLICY NUMBER	POLICY TITLE	COMMENT
LUP.003	Staged Development Applications Under the <i>Strata Titles Act 1998</i> Policy	This Policy establishes guidelines for the handling of applications for staged development strata schemes under the <i>Strata Titles Act 1998</i> . However, the Act clearly articulates how these applications are to be assessed. Therefore, the policy is superfluous.
LUP.004	Standard Development Permit Conditions Policy	The Planning Services Review found that more information can be provided on planning and planning processes to help educate the community. Therefore, Council's list of standard conditions can be made publicly available on Council's website, and there is no need to maintain the policy. Provision of the list of conditions provides more clarity and transparency than a policy on how conditions can be applied.
LUP.005	Car Parking Provision in Business and Civic Zones Policy	<p>This policy establishes guidelines for the levying of 'cash in lieu' contributions from developers for any new car parking spaces which may be required in the Business Zones of the towns of Wynyard and Somerset in those situations where the calculated additional parking spaces required of a proposed development are unable to be provided due to practical constraints.</p> <p>The policy can no longer be applied due to the change in Planning Schemes and a requirement for a Parking Plan to be adopted by Council.</p>

MOVED BY	CR RAW
SECONDED BY	CR ROBERTS

That Council:

1. Note the monthly Senior Management Report; and
2. Rescind the following policies:
 - a. LUP.003 – Staged Development Applications Under the *Strata Titles Act 1998* Policy.
 - b. LUP.004 – Standard Development Conditions Policy.
 - c. LUP.005 – Car Parking Provisions in Business and Civic Zones Policy.


The MOTION was put and was CARRIED.

IN FAVOUR

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

9.21 MINUTES OF OTHER BODIES/COMMITTEES

9.21.1 MINUTES OF OTHER BODIES/COMMITTEES - WARATAH COMMUNITY BOARD HELD 5 MAY 2023

To:	Council
Reporting Officer:	Manager Community Activation
Responsible Manager:	General Manager
Report Date:	30 May 2023
File Reference:	001
Enclosures:	1. Waratah Community Board Meeting Notes May 2023 

PURPOSE

For Council to receive notes from the meeting of the Waratah Community Board held on 5 May 2023.

BACKGROUND

The inaugural Waratah Community Board was established by Council in 2019. In July 2022 the 2022-2025 Waratah Community Plan was adopted by Council, and an expression of interest was opened for interested community members to self-nominate for Board membership. In September 2022 Council endorsed the community members of the Board for a three-year term.

DETAILS

Notes from the meeting held on 5 May 2023:

Representatives, from Bluestone Mines Tasmanian Joint Venture Pty Ltd., gave a presentation about the impending mine closure.

Council presented an update on the waterfall and bridge capital projects. Key points from the summary were:

- No representations received
- Expect planning permits to be issued this week
- Saturday 13 May tender to be advertised
- Monday 17 July tender report to Council
- Work to begin in late 2023

Board Members requested a picture from the Strategic Project Manager of what is going out to tender to be shared with the Board. Specifically, the board members would like to see a sample of the colours.

Board Members requested an update on the old interpretation @ Whyte Hills Lookout and would like to know if there is a plan to replace the signs that keep being stolen.

There were no recommendations made from the Board to Council.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

GOAL 3: Connected Communities
Desired Outcomes
1.1 We make publicly transparent decisions on spending and future directions while encouraging community feedback.
Our Priorities
1.1.1 Commit to best practice in community engagement.

GOAL 3: Connected Communities
Desired Outcomes
1.3 We encourage broad community input to create a focussed and strong sense of belonging.
Our Priorities
1.4.1 Collaborate with, understand and satisfy our external customers' needs and values.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

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.

COMMENT

That Council receive the notes of the Waratah Community Board Meeting held on Friday 5 May 2023.

MOVED BY	CR BRAMICH
SECONDED BY	CR JOHNSTONE


That Council receive the Notes of the Waratah Community Board meeting held on Friday 5 May 2023.

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.21.2 MINUTES OF OTHER BODIES/COMMITTEES - SUSTAINABILITY AND ENVIRONMENTAL ADVISORY PANEL HELD 16 MAY 2023

To:	Council
Reporting Officer:	Contracts and Administration Officer
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	2 June 2023
File Reference:	iCEP
Enclosures:	1. SEAP Unconfirmed minutes 16 May 2023 

PURPOSE

The unconfirmed Minutes of the Sustainability and Environmental Advisory Panel (SEAP) meeting held on 16 May 2023, are presented for information.

From the meeting of 16 May 2023, the SEAP made three (3) recommendations to Council for consideration.

BACKGROUND

After an expression of interest process, Council appointed its first Sustainability and Environmental Advisory Panel (SEAP) at the 26 September 2022 Council meeting.

DETAILS

The recommendations coming from the SEAP meeting for Council consideration are: -

- a. **Council investigates opportunities for greater take up and usage of the Home Energy Audit Toolkit (HEAT).** - This recommendation was made to implement HEAT and raise awareness in the community regarding energy saving opportunities for homes.
- b. **Council requests a speed limit reduction for Sisters Beach Road from the Transport Commissioner.**
- c. **Council considers extending the virtual fencing along Sisters Beach Road. –**

The above recommendations were made regarding potential traffic implications for Sisters Beach Road that sit outside of the planning authority assessment for subdivision.

With the potential increase in traffic comes raised concern over vehicular speed and wildlife safety along this main road.

Speed limits in Tasmania are approved and set by the Commissioner for Transport upon application and recommendation by a road authority with supporting evidence based on traffic engineering guidance and compliance with national standards. Below is an excerpt from the Department of State Growths, Transport Services, website providing a brief description of the process. The website also provides a range of information on the formal process for altering a speed limit within Tasmania and can be accessed via the following link:

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

Excerpt;

Speed limit changes are approved by the Commissioner for Transport.

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

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

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

To formalise a position on the SEAP recommendation to reduce the speed limit for Sisters Beach Road, Council Officers will need to undertake an assessment of Sisters Beach Road, including the placement of traffic count devices, review of available crash history and assessment of the general geometry of the road. This information provides an evidence base for Council to use in considering whether to support the request to reduce speed and equally acts as supporting evidence when an application is presented to the Transport Commissioner requesting a speed limit change.

If the recommendation is endorsed, Council Officers will place traffic count devices on Sisters Beach Road and undertake the evidence and gathering and assessment. It is likely that the findings of these exercises could be brought to the October 2023 Council meeting for Council noting.

Should Council support the above recommendations, and following assessment and gathering of evidence, a consultation process would progress to allow the community opportunity to have their say.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
1.3 We encourage broad community input to create a focussed and strong sense of belonging.
Our Priorities
13.1 Facilitate the meeting of community needs through strong advocacy and local and regional collaboration for shared outcomes.

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

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.

GOAL 7: Environment
Desired Outcomes
7.3 Our natural environment, unique surroundings and community assets are future ready in a changing climate.
Our Priorities
7.3.1 Facilitate education and awareness of climate change risks to the community and property owners.

GOAL 7: Environment
Desired Outcomes
7.5 Stewardship of our land, water and marine ecosystems respects past, present and future generations.
Our Priorities
7.5.1 Protect, enhance and recover biodiversity through forward thinking and planning.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Strong communities and social capital	Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
Access and infrastructure	Local, regional and global transport and infrastructure access – Safe and efficient access alternatives, growing freight capacity, renewable energy, water management and contemporary communications. Community infrastructure that supports economic development.
Natural resource management	Managing abundant, natural and productive resources – Natural resource management is valued and development is environmentally sustainable. The environment is clean and healthy with unspoilt beauty and biodiversity.
Health and Wellbeing	Maintaining good health and wellbeing – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.
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.

FINANCIAL IMPLICATIONS

Regarding recommendations from the SEAP meeting of 16 May 2023: -

- a. The financial implication for Council will depend upon what opportunities are found to raise the profile of HEAT in the community and the potential to provide/source a Home Energy Audit champion for the community's benefit.
- b. A speed limit reduction to Sisters Beach Road has the capacity to improve road safety and wildlife safety for the area with immaterial financial implication beyond changing signage, as a result and committing existing operational resources to the required assessments and evidence gathering.
- c. The level of financial implication for Council will depend on the extent to which virtual fencing is warranted. Previously approximately 2.5km of virtual fencing was installed for approximately \$32,000. If the remainder of the 4.6km length (2.1km) that is bordered by potential habitat was to have virtual fencing installed, the capital costs could reasonably be estimated to be up to \$25,000-\$30,000 which would need a funding source via Council or externally.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

As a result of recommendations from the SEAP meeting of 16 May 2023, public consultation with residents living along Sisters Beach Road and the wider community may be required prior to any speed reduction request being made to the Transport Commissioner or extension to virtual fencing.

COMMENT

It is recommended that note the unconfirmed minutes from 16 May 2023 along with endorsement of the three (3) recommendations made by SEAP at the 16 May 2023 meeting.

MOVED BY	CR COURTNEY
SECONDED BY	CR ROBERTS

That Council:

1. **Note the Unconfirmed Minutes of the SEAP meeting held on 16 May 2023; and**
2. **Endorse the following actions in response to recommendations to Council from the meeting held on 16 May 2023 that:**
 - a. **Council investigates opportunities for greater take up and usage of the Home Energy Audit Toolkit (HEAT).**
 - b. **Council officers undertake an assessment of Sisters Beach Road, and report the findings to Council decision making on whether or not to request the Transport Commissioner to lower the speed limit; and**
 - c. **Council considers extending the virtual fencing along Sisters Beach Road.**

The MOTION was put and was CARRIED.

IN FAVOUR

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

10.0 MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING

MOVED BY	CR COURTNEY
SECONDED BY	CR ROBERTS

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

Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) – Notices Of Motion NIL RECIEVED</i>	15(2)
<i>Confidential Report R15 (2) (d) contracts, and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal Memorandum of Understanding Review</i>	15 (2) (d)
<i>Confidential Report R15 (2) (g) information of a personal nature or information provided to the council on the condition it is kept confidential</i>	15 (2) (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.

IN FAVOUR

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

11.0 CLOSURE OF MEETING TO THE PUBLIC

MOVED BY	CR ROBERTS
SECONDED BY	CR HYLAND

That the Council RESOLVES BY AN ABSOLUTE MAJORITY to go into Closed Meeting to consider the following matters, the time being 8.09PM

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) (d) contracts, and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal Memorandum of Understanding Review</i>	15 (2) (d)
<i>Confidential Report R15 (2) (g) information of a personal nature or information provided to the council on the condition it is kept confidential</i>	15 (2) (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.

IN FAVOUR

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

12.0 RESUMPTION OF OPEN MEETING

At 8.44pm 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 8.44pm.

Confirmed,

MAYOR

17 July 2023