



**ORDINARY MEETING  
OF COUNCIL**

**MINUTES  
OPEN MEETING**

**18 September 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 18 SEPTEMBER 2023, COMMENCING AT 6.01PM**

	<b>From</b>	<b>To</b>	<b>Time Occupied</b>
Open Council	6.01PM	6.12PM	11MINS
Planning Authority	6.12PM	6.22PM	10MINS
Open Council	6.22PM	6.43PM	21MINS
Closed Council	6.43PM	6.45PM	2MINS
Open Council	6.45PM	6.45PM	0MINS
TOTAL TIME OCCUPIED			44MINS

**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.

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<b>1.0 RECORD OF ATTENDANCE</b>
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**1.1 ATTENDANCE**

Councillor Gary Bramich  
Councillor Celisa Edwards  
Mayor Mary Duniam  
Councillor Kevin Hyland  
Councillor Dillon Roberts  
Councillor Michael Johnstone

**IN ATTENDANCE**

Shane Crawford - General Manager  
Daniel Summers - Director Infrastructure and Development Services  
Mitchell Smith – Manager Financial Services  
Jasmin Briggs – Town Planner  
Sally Blanc - Executive Officer

**1.2 APOLOGIES**

Councillor Andrea Courtney

**1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Councillor Leanne Raw.

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<b>2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING</b>
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**2.1 CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY COUNCIL MEETING**

MOVED BY	CR ROBERTS
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 21 August 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.

**IN FAVOUR**

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

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<b>3.0 DECLARATIONS OF INTEREST</b>
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**Councillor and Agenda Item Number**

Nil

**Staff and Agenda Item Number**

Nil

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## 4.0 COUNCILLORS ANNOUNCEMENTS AND REPORT

### 4.1 ANNOUNCEMENTS BY MAYOR

Congratulations to Tracey Bradley, Executive Manager Community and Engagement, who recently became the first woman to be awarded life membership to the Local Government Professionals Tasmania for her dedication and service to the organisation.

### 4.2 MAYOR'S COMMUNICATIONS

MOVED BY	CR HYLAND
SECONDED BY	CR JOHNSTONE

**That the Council note the Mayors Communications:**

MAYOR DR MARY DUNIAM	
16/8/23	CCA Leadership Team Meeting
16/8/23	Tasmanian Heritage Council
18/8/23	ALGWA Tas meeting
18/8/23	Local Govt. Learning and Development Group Meeting
21/8/23	Future of Local Government Community Hearing
21/8/23	Council Meeting
24/8/23	Meeting with Constituent
25/8/23	ALGWA State Presidents Meeting
27/8/23	Darwin Football Assoc. Annual Presentations
30/8/23	Mayors Meeting Kentish/Latrobe
31/8/23	TLAB Board Meeting
1/9/23	Tasmanian Women's Council Meeting
4/9/23	Meeting with Constituent
4/9/23	Councillor Workshop
5/9/23	Video Message Child Educators Day
6/9/23	7BU Interview
11/9/23	Community Conversation Yolla

The MOTION was put and was CARRIED.

IN FAVOUR

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

### 4.3 REPORTS BY DELEGATES

Nil received.



#### 4.4 NOTIFICATION OF COUNCIL WORKSHOPS

##### Councillor Attendance Records

Councillor attendance 1 July 2023 – 30 June 2024 (updated to 14/8/23)

	Ordinary Meetings 2023/24 (2)	Special Meetings / AGM 2023/24 (0)	Workshops 2023/24 (6)	Community Conversations 2023/24 (3)	Leave Taken 2023/24
Mayor Mary Duniam	2	0	6	3	
Cr Gary Bramich	2	0	6	3	
Cr Andrea Courtney	1	0	5	0	
Deputy Mayor Celisa Edwards	1	0	2	0	6 weeks
Cr Kevin Hyland	2	0	6	3	
Cr Michael Johnstone	2	0	6	3	
Cr Leanne Raw	2	0	6	3	1 week
Cr Dillan Roberts	2	0	6	3	

MOVED BY	CR ROBERTS
SECONDED BY	CR BRAMICH

**That the Council note the following Workshops:**

<b>4/9/23</b>	<b>Understanding the Voice – Information Session Inglis River Walking Track Study Community Activation Grants</b>
<b>11/9/23</b>	<b>Community Conversation Yolla</b>

The MOTION was put and was CARRIED.

IN FAVOUR

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

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## **5.0 PUBLIC QUESTIONS AND STATEMENTS**

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

Nil received.

### **5.2 PUBLIC QUESTIONS RECEIVED IN WRITING**

Nil received.

### **5.3 PUBLIC QUESTIONS WITHOUT NOTICE**

#### **5.3.1 K EWINGTON - TACTILE PAVERS**

Mr Ewington of Flowerdale asked whether installation of new Kerb Footpaths within the main town centre have now been completed for 2023 and when will the tactile pavers be installed on the completed works

The Director of Infrastructure and Development Services advised that there are some outstanding tiles to be placed due to weather delays.

#### **5.3.2 K EWINGTON - TACTILE PAVERS**

Mr Ewington of Flowerdale asked if there had been a process for installing tactile pavers, inside and outside the newly completed multi-purpose community centre/yacht club.

The Director of Infrastructure and Development Services advised that the complete build was inspected by a Building Surveyor prior to the Occupancy Certificates being approved and that all matters had been deemed compliant.

#### **5.3.3 K EWINGTON - 2023/24 FIRE SEASON PREPARATION**

Mr Ewington of Flowerdale asked if Council has completed a process to update its plans for the evacuation of members of the community effected by bush fires given the fire risk season ahead.

The Director of Infrastructure and Development Services advised the Council's Emergency Management and Deputy Emergency Management Coordinators are meeting regularly with coordinating Authorities regarding the pending bush fire season and that there is coordinated efforts across the state to ensure that everyone is prepared for the bush fire season ahead.

### **5.4 PUBLIC STATEMENTS RECEIVED IN WRITING**

Nil received.

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## **5.5 PUBLIC STATEMENTS WITHOUT NOTICE**

### **5.5.1 K EWINGTON - WEED CONTROL**

Mr Ewington of Flowerdale made a statement regarding annual weed control in the municipal area and his belief that further education (using all the latest technology) is required for the community including; reference points for advice, maps showing key outbreaks and how to manage weeds. He also believes the field officer should have more contact with farming community and provide more information on how to manage weeds on their property.

Mr Ewington noted that Fox Glove is so pervasive now that he believed that Council should be looking at a spray program to stop the spread and including it with information so that people are aware it is poisonous to animals and humans.

He noted that all indications are that this year will be a problem year for slender thistle and that action should be taken now; contact should be made with farmers who had issues in last few seasons and ensure they take early, and appropriate, action – non action makes it harder for neighbouring properties to control weeds on their properties.

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<b>6.0 PLANNING AUTHORITY ITEMS</b>
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**PLANNING AUTHORITY OPENED AT 6.12PM**

**6.1 PUBLIC QUESTIONS WITHOUT NOTICE – RELATING TO PLANNING MATTERS**

Nil Received.

**6.2 PUBLIC STATEMENTS - RELATING TO PLANNING MATTERS**

**6.2.1 S LEE - COMMUNICATIONS TOWER**

Mr Lee of Boat Harbour noted that as he has been away he had received little notice regarding the development which is directly across from property accommodation. He stated that he believes that the 40m tower will have an impact on their business.

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### 6.3 TELECOMMUNICATIONS FACILITY LOCATED AT 8 PORT ROAD, BOAT HARBOUR - DA 193/2023

To: Council  
Reporting Officer: Town Planner  
Responsible Officer: Development Services Coordinator  
Report Date: 30 August 2023  
File Reference: 7548597  
Supporting Documents: 1. Consolidated advertised documents   
2. Representation 1   
3. Representation 2   
4. Representation 3   
5. Signed extension of time 

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#### PURPOSE

The purpose of this report is for Council to consider the merits of the application DA 193/2023 against the requirements of the *Tasmanian Planning Scheme - Waratah-Wynyard*.

#### BACKGROUND

The subject site comprises 1066m<sup>2</sup> and contains the existing Telstra exchange. It is located in the Agriculture Zone and is adjoined by the Bass Highway to the south, Port Road to the west and land used for cropping to the north. The properties to the south and east across the Bass Highway are zoned Rural Living and primarily consist of dwellings on hobby farm/rural lifestyle sized lots. The property to the west across Port Road contains a single dwelling, outbuildings and land used for grazing.

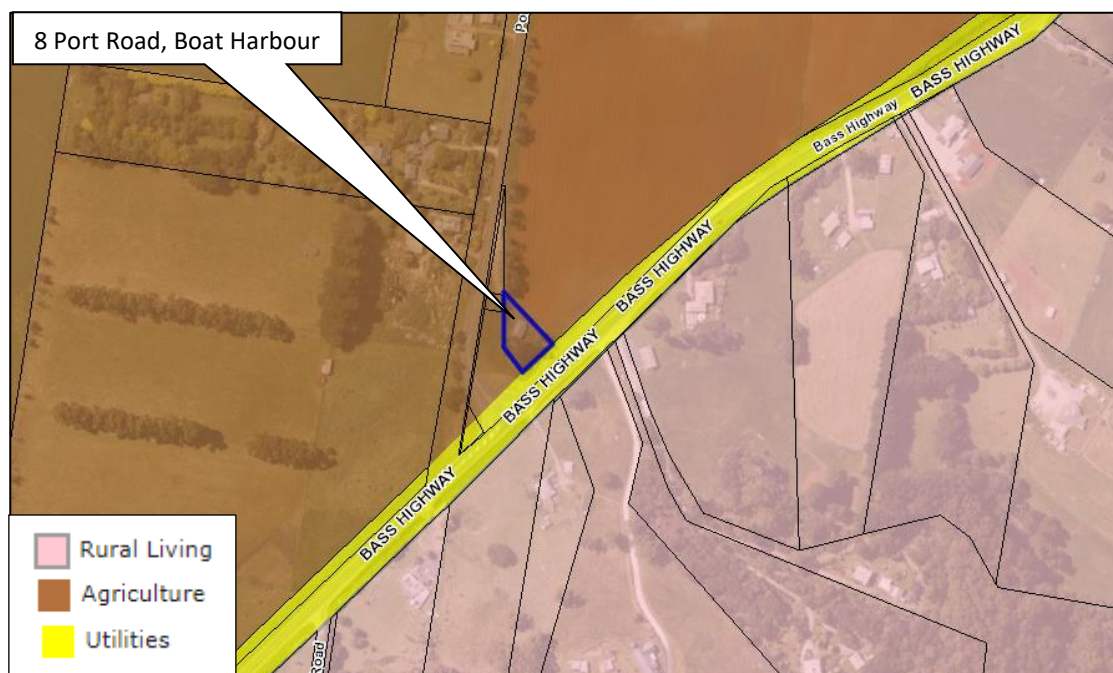


Figure 1: Subject site with zoning

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## DETAILS

The applicant is seeking approval for a telecommunications facility at Telstra's existing exchange at 8 Port Road, Boat Harbour Beach.

The telecommunications facility will be contained within a 68m<sup>2</sup> fenced compound setback at least 5m from all boundaries. The facility comprises the following:

- Installation of one (1) 40m high monopole with headframe;
- Up to six (6) Telstra antennae mounted on the headframe to a maximum height of 41.3m;
- Approximately 10m<sup>2</sup>, 2.4m high equipment shelter with GPS antenna; and
- Ancillary items including transceivers, remote radio units, cable trays, feeders, cabling, electrical equipment and security fencing with appropriate signage.

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.

The subject property is zoned Agriculture under the Planning Scheme. The proposal is defined as a Utilities Use, a discretionary use in the zone unless for minor utilities. In addition to discretionary use standards, the proposal does not comply with all the acceptable solutions for development standards and is applying for discretion under the following Clauses of the Planning Scheme:

- 21.3.1 Discretionary uses (P1, P2, P3); and
- C5.6.1 Visual amenity (P1.1, P2).

## CONSULTATION PROCESS

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

The following documentation was advertised:

- Development application form x 3 Pages;
- Title documents x 2 Pages;
- Cover letter x 1 Page;
- Additional information request x 2 Pages;
- Supporting report x 43 Pages; and
- Proposal plans x 4 Pages.

The period for representations closed on 14 August 2023. Three (3) representations were subsequently received. One of these consisted of an informal petition signed by 10 persons and including the names of two others.

Petitions are counted as 1 representation regardless of the number of signatories. Separate objections are required from each petitioner if each one wishes to have appeal rights, otherwise only the first signatory has appeal rights.

The submitted petition will be reviewed and responded to by Council separate to its function as a Planning Authority and in accordance with the requirements of the *Local Government Act 1993*.

- Representation 1 – J Beverley
- Representation 2 – H Hay
- Representation 3 – C Chalk (1<sup>st</sup> signatory)

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.

Issues Raised:	Response:
<p><b>Non-compliance with Clause C5.6.1 of the Telecommunications Code (Representations 1-3):</b></p> <ul style="list-style-type: none"> <li>• The tower location &amp; height does present a “visual impact” to local residents and that this DA has been made with assumptions (as per the DA response)</li> <li>• The applicant’s proposed location sits centrally and within 80-200m of several residential properties.</li> </ul>	<p>The relevant tests set out by Performance Criteria P1.1 for Clause C5.6.1 is that loss of visual amenity is not unreasonable. What is ‘unreasonable’ is considered with regarding to the factors set out under P1.1 (a) to (d). Impact on residential amenity is not a direct consideration but one which falls more broadly within the scope of P1.1 as a whole. It is not a requirement of the Planning Scheme that any visual impact be avoided, and it is not considered that the fact a facility is visible from residential</p>

<ul style="list-style-type: none"> <li>• The structure that Telstra is proposing to install would cause unreasonable visual impact, it will be visible from houses in the area.</li> <li>• Surely the presence of residential housing, directly across from this suggested site on Port Road makes this rural living?</li> <li>• The visual impact of the structure will negatively affect the successful local business, 'Boat Harbour Garden Cottages', located across the road.</li> <li>• At a height of 41m, we would reasonably dispute and reject that this structure will not have a significant impact to the visual amenity, as per the applicants claim under section 7.2 Visual Amenity. And therefore does not meet the necessary performance criteria.</li> </ul>	<p>properties automatically means the impact is unreasonable.</p> <p>Similarly, Performance Criteria P2 for Clause C5.6.1 is not focused on avoiding any visual impact. Instead this section of the Planning Scheme is focused on avoiding an unreasonable visual impact on vistas to the following:</p> <ul style="list-style-type: none"> <li>• Significant public buildings</li> <li>• Streetscape</li> <li>• Land reserved for, or designated in the planning scheme for, natural or scenic values.</li> </ul> <p>Like P1.1, what is 'unreasonable' is determined through reference to set criteria outlined under P2(a) to (e).</p> <p>There are no significant public buildings within the vicinity of the site. The visual quality of the streetscape surrounding the site is characterised by a major arterial road and rural road with aboveground powerlines interspersed with established trees. There is no consistent building setback for existing development and most of the land consists of cropping or pasture.</p> <p>The subject site itself is zoned Agriculture, whilst the highway is zoned Utilities and land to the south of the highway is zoned Rural Living. None of these zones are reserved for, or designated in this planning scheme for, natural or scenic values.</p> <p>While the Zone Purpose for Rural Living does make reference to retention of existing natural and landscape values, this is within the context of providing for residential use and development in a rural setting. It is primarily a residential zone and, unlike the Landscape Conservation or Environmental Management zones, is not a zone which focuses on natural or scenic values above other use/development.</p> <p>The area surrounding the site is not subject to any specific scenic protections or natural asset protections.</p>
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	<p>For a full assessment of the proposal's compliance with P1.1 and P2 for Clause C5.6.1 of the Telecommunications Code please see the Planning Assessment section below.</p>
<p><b>'Mobile Phone Base Station Deployment Code: C564-2020' (Representation 1):</b></p> <ul style="list-style-type: none"> <li>• Proponents have not met their responsibilities under this code.</li> <li>• No participation or transparency in the decision process to the local community and residents.</li> <li>• There are several residential properties with their residential boundaries within 100m of the site.</li> </ul>	<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 industry codes such as the 'Mobile Phone Base Station Deployment Code: C564-2020' is not a relevant consideration for Council as a Planning Authority.</p> <p>The application was advertised in accordance with the requirements of s57 <i>Land Use Planning and Approvals Act 1993</i>. Public advertising under this section represents the extent of consultation required under applicable planning legislation for discretionary applications.</p> <p>Although Clause C5.6.1 P1.1 makes reference to best practice methods, this is within the context of seeking to reduce the visual impact of facilities. As outlined in the discussion under C5.6.1 P2, the Planning Scheme does not prohibit telecommunication infrastructure in a skyline area or require visual impact to be completely removed.</p> <p>It is considered that the proposed height of the tower is reasonable given that the height has been limited to that necessary to resolve the current issues of poor reception, call drops outs and blackspots in the area.</p> <p>The nearest dwellings are approximately 100m from the location of the proposed tower (9 Port Road and 17509 &amp; 17525 Bass Highway). Although the boundaries of the Rural Living zoned properties to the south of the site are less than this distance, each of the lots already contains a dwelling</p>

	<p>and multiple dwellings are prohibited in this zone. Multiple dwellings are also prohibited in the Rural zone to the west across Port Road and each of 9, 15 and 29 Port Road contains existing dwellings. It is unlikely that there will be any dwelling constructed closer to the tower than existing residences.</p>
<p><b>Environment Protection &amp; Biodiversity Conservation act 1999 (Representations 1, 2):</b></p> <ul style="list-style-type: none"> <li>• No information of the risk this development may propose to Wedge Tailed Eagles, which have been sighted in the area and which are listed as threatened under the EPBC Act.</li> <li>• The proposal will negatively affect resident eagles nesting in the area.</li> <li>• 17505 Bass Highway is part of the 'Land for Wildlife' scheme with Wedge Tail eagles and Sea eagles nesting on the site. Their flight path travels over the suggested site. A structure of this size will greatly impact these already vulnerable birds.</li> </ul>	<p>According to the state mapping system, LISTmap, there are no flora or fauna listed as threatened under <i>Threatened Species Protection Act 1995</i> or as threatened or migratory under the <i>Environment Protection and Biodiversity Conservation Act 1999</i>, or a threatened native vegetation community defined under the <i>Nature Conservation Act 2002</i> present on the site.</p> <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>Performance Criteria P2 for Clause C5.6.1 does make reference to not causing an unreasonable impact on land reserved for, or designed in the Planning Scheme for, natural or scenic values. Neither the Agriculture Zone in which the site is located, or adjacent Utilities and Rural Living Zones are zones which focus on natural or scenic values above other use/development and the location of the tower is not affected by the Natural Assets Code or Scenic Protection Code.</p>
<p><b>EME Exposure (Representations 1, 2):</b></p>	<p>The applicant has included an Environmental EME report demonstrating</p>

<ul style="list-style-type: none"> <li>Residential properties fall within the highest exposure limits listed in the EME report included with the application.</li> <li>Potential health issues not properly identified.</li> </ul>	<p>that the maximum EME levels at the facility will comply with (and will be substantially less) than the ARPANSA RPS-1 Standard.</p> <p>The maximum levels of EME within the applicable radius of the site are 0.42%. A value of 100% is equivalent to the general public exposure limit. A highest value of 0.42% means that the total EME level from the wireless transmitter on the site, operating a maximum power, less than one two-hundredth (1/200) of the limit set by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) Standard for members of the public.</p>
<p>No acknowledgement of impact on property values (Representations 1, 2)</p>	<p>Clause 8.10 of the Planning Scheme sets out the matters which Council must have regard to when determining applications. This includes the content of any representations received, but only insofar as the content relates to the particular discretions being exercised.</p> <p>The effect a development may have on property values is not a relevant consideration for Council as a Planning Authority.</p>
<p><b>Public consultation (Representations 1 - 3);</b></p> <ul style="list-style-type: none"> <li>Residents did not receive notification of this proposal for development in the post.</li> <li>the applicant has only ever considered the single location at 8 Port Rd based solely on the convenience and economics and has failed under its responsibility and obligation to give any consideration to the sensitivity to the local community.</li> <li>There has been no background consultation by the proponents with local residents to understand the significance of this structure.</li> </ul>	<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 a representation when a development is advertised.</p> <p>Council is required to comply with the statutory notification process for all</p>

	<p>discretionary applications and cannot show preference or prejudice to an application by broadening or restricting this process.</p> <p>There is no requirement under the Planning Scheme for proponents to consult with the local community prior to submitting an application to Council.</p>
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## INTERNAL REFERRALS

### Engineering Services Department

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

- (1) Stormwater 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: A “Works within the Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.

### Environmental Health

The following environmental health conditions were recommended.

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

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

## EXTERNAL REFERRALS

The application was referred to the Department of State Growth (DSG) on 27 July 2023. The date by which a response was required was 10 August 2023 and no response has been received. It is therefore considered that DSG have no comments or conditions for the proposal.

The application did not require any other external referrals.

## PLANNING ASSESSMENT

The subject site is zoned Agriculture under the *Tasmanian Planning Scheme - Waratah-Wynyard*. The proposal is defined as Utilities Use, a discretionary use in the zone unless minor utilities.

In addition to discretionary use standards, the proposal does not meet all relevant acceptable solutions for development standards under the planning scheme and is therefore submitted as a discretionary application under Section 57 of LUPAA and assessed under the

Tasmanian Planning Scheme - *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 Agriculture Zone and relevant Codes is provided below.

**Agriculture Zone**

**21.3.1 Discretionary uses (P1, P2, P3)**

<p><b>A1</b> No Acceptable Solution.</p>	<p><b>P1</b> A use listed as Discretionary, excluding Residential or Resource Development, must be required to locate on the site, for operational or security reasons or the need to contain or minimise impacts arising from the operation such as noise, dust, hours of operation or traffic movements, having regard to:</p> <ul style="list-style-type: none"> <li>(a) access to a specific naturally occurring resource on the site or on land in the vicinity of the site;</li> <li>(b) access to infrastructure only available on the site or on land in the vicinity of the site;</li> <li>(c) access to a product or material related to an agricultural use;</li> <li>(d) service or support for an agricultural use on the site or on land in the vicinity of the site;</li> <li>(e) the diversification or value adding of an agricultural use on the site or in the vicinity of the site; and</li> <li>(f) provision of essential Emergency Services or Utilities.</li> </ul>
<p><b>Planning Comments:</b> Complies</p> <p>The proposal is for a Utilities use in the form of a telecommunications facility. Although there is an existing Utilities use on the site the proposal is beyond the scope of Clause 7.2.1 of the Planning Scheme and therefore must be assessed against the use standards for the Agriculture Zone.</p> <p>Performance Criteria P1 requires demonstration that the proposed use is required to locate on the site for operational <i>or</i> security reasons <i>or</i> the need to contain or minimise impacts arising from the operation such as noise, dust, hours of operation or traffic movements.</p> <p>For the proposal before Council, operational reasons are the reason for the telecommunications facility being located in the Agriculture Zone.</p>	

<p>The proposed facility forms part of the Regional Connectivity Program (RCP), a government sponsored initiative to improve telecommunications infrastructure across regional, rural and remote Australia. Under the RCP, a new Telstra macro mobile site is to be deployed at Boat Harbour to improve mobile coverage across North-West Tasmania, as there are no existing facilities within a suitable vicinity of the subject site capable of servicing the required coverage target area. Three potential locations for the facility were identified, all within the Agriculture Zone.</p> <p>Regarding the items listed under P1(a) to (f), the subject site has the highest AHD of the three candidate sites considered by the applicant and provides the opportunity for the best mobile coverage in order to mitigate issues associated with poor reception, call drops outs and blackspot. The property is already used for a Utilities use and contains a Telstra Exchange. The telecommunications facility will be connected to the exchange building via an underground submain. The proposal provides an essential communication service for the area and has been designed to allow other operators to co-locate equipment on the site in future.</p> <p>The proposal is reasonably required to locate on the site for operational reasons considering P1(a), (b) and (f) and is considered to satisfy P1 overall.</p>	
<p><b>A2</b></p> <p>No Acceptable Solution.</p>	<p><b>P2</b></p> <p>A use listed as Discretionary, excluding Residential, must minimise the conversion of agricultural land to non-agricultural use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the area of land being converted to non-agricultural use;</li> <li>(b) whether the use precludes the land from being returned to an agricultural use;</li> <li>(c) whether the use confines or restrains existing or potential agricultural use on the site or adjoining sites.</li> </ul>
<p><b>Planning Comments:</b> Complies</p> <p>The subject site is not used for agricultural use. It contains the existing Telstra Exchange. There are no agricultural activities currently undertaken on the site, with the most recent agricultural use being more than 30 years ago, prior to the construction of the exchange building in 1989.</p> <p>The proposed telecommunications facility is located with a 68m<sup>2</sup> fenced area adjacent to the existing exchange building, land which currently comprises grassed areas with established trees. The proposed development maintains the Utilities use of the site and does not further convert land to non-agricultural use. The proposal will not significantly increase the difficulty of returning the site to agricultural use given the size of the existing exchange building and comparatively small building footprint of development associated with the proposed use (monopole, fencing, equipment shelter and ancillary items).</p>	

<p>The proposed use is an unmanned telecommunications facility and will not impede agricultural use on adjoining properties, which is largely comprised of cropping to the north and grazing activities to the west.</p> <p>The proposal satisfies P2 for this Standard.</p>	
<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>A use listed as Discretionary, excluding Residential, located on prime agricultural land must:</p> <ul style="list-style-type: none"> <li>(a) be for Extractive Industry, Resource Development or Utilities, provided that: <ul style="list-style-type: none"> <li>(i) the area of land converted to the use is minimised;</li> <li>(ii) adverse impacts on the surrounding agricultural use are minimised; and</li> <li>(iii) the site is reasonably required for operational efficiency; or</li> </ul> </li> <li>(b) be for a use that demonstrates a significant benefit to the region, having regard to the social, environmental and economic costs and benefits of the proposed use.</li> </ul>
<p><b>Planning Comments:</b> Complies</p> <p>LISTmap identifies the subject site is Class 3 agricultural land according to the Land Capability Handbook, Guidelines for Classification of Agricultural Land in Tasmania, 2nd edition, 1999. Class 3 land is considered to be prime agricultural land.</p> <p>The proposal is for a Utilities use on a site already used for this purpose and contains a Telstra Exchange. There are no agricultural activities currently undertaken on the site, with the most recent agricultural use being more than 30 years ago, prior to the construction of the exchange building in 1989.</p> <p>The surrounding agricultural uses consist of cropping to the north and grazing to the west. Use of land to the immediate north-west and south is predominantly residential in nature. The proposed use is an unmanned telecommunications facility and will not impede existing cropping or grazing operations and the type of use proposed does not impose any constraints on agricultural use that do not already apply to any neighbouring properties, regardless of use.</p> <p>The proposed facility forms part of the Regional Connectivity Program (RCP), a government sponsored initiative to improve telecommunications infrastructure across regional, rural and remote Australia. Under the RCP, a new Telstra macro mobile site is to be deployed at Boat Harbour to improve mobile coverage across North-West Tasmania, as there are no existing facilities within a suitable vicinity of the subject site capable of servicing the required coverage target area.</p>	

The proposal provides an essential communication service for the area and has been designed to allow other operators to co-locate equipment on the site in future. Three potential locations for the facility were identified, all within the Agriculture Zone. However the subject site offers the best coverage and is already used for Utilities purposes.

The satisfies P3(a) for this Standard.

## Telecommunications Code

### C5.6.1 Visual amenity

<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1.1</b></p> <p>Facilities located within existing utility corridors or on sites with existing facilities, must not cause an unreasonable loss of visual amenity, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the siting and design of facilities;</li> <li>(b) best practice methods to: <ul style="list-style-type: none"> <li>(i) reduce the visual impact of facilities; or</li> <li>(ii) conceal facilities within the surrounding natural or built environment;</li> </ul> </li> <li>(c) the need to minimise clearing of vegetation; and</li> <li>(d) functional and safety requirements to establish, operate and maintain facilities.</li> </ul> <p><b>P1.2</b></p> <p>Facilities not located within existing utility corridors or on sites with existing facilities, must not cause an unreasonable loss of visual amenity, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the need to locate the facility outside existing utility corridors or on a site with an existing facility;</li> <li>(b) the siting and design of facilities;</li> <li>(c) best practice methods to: <ul style="list-style-type: none"> <li>(i) reduce the visual impact of facilities; or</li> <li>(ii) conceal facilities within the surrounding natural or built environment;</li> </ul> </li> </ul>
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	<p>(d) the need to minimise clearing of vegetation; and</p> <p>(e) functional and safety requirements to establish, operate and maintain the facilities.</p>
<p><b>Planning Comments:</b> Complies</p> <p>The proposed telecommunications facility is located on a site which houses the existing Telstra Exchange. The application requires assessment against P1.1 as it is located on land containing existing facilities.</p> <p>The proposed facility forms part of the Regional Connectivity Program (RCP), a government sponsored initiative to improve telecommunications infrastructure across regional, rural and remote Australia. Under the RCP, a new Telstra macro mobile site is to be deployed at Boat Harbour to improve mobile coverage across North-West Tasmania, as there are no existing facilities within a suitable vicinity of the subject site capable of servicing the required coverage target area.</p> <p>Some clearing of vegetation is required as part of the proposal and the nearest dwellings are approximately 100m from the location of the proposed tower. Although the boundaries of the Rural Living zoned properties to the south of the site are less than this distance, each of the lots already contain a dwelling and multiple dwellings are prohibited in this zone. Multiple dwellings are also prohibited in the Rural Zone to the west across Port Road and each of 9, 15 and 29 Port Road contains existing dwellings. It is unlikely that there will be any dwelling constructed closer to the tower than existing residences.</p> <p>By their nature, telecommunications facilities need to be located in prominent locations at high elevations. In order to mitigate the visual impact of the proposed development as far as practicable whilst still providing an essential communication service for the area, the facility has been designed as a monopole rather than a bulkier guyed or lattice tower. It has also been designed to be the minimal height required to meet the objectives of the RCP.</p> <p>The other sites considered for the tower did not have existing facilities on them and would result in less coverage and/or be closer to residences than the proposed site. Alternative sites would also have required a 40m monopole.</p> <p>In addition to its slimline appearance, the monopole will have a non-reflective concrete finish, with antennas having a natural muted product finish. The tower will not be artificially lit and will be surrounded by security fencing with appropriate regulatory signage as required by the Australian Media and Communications Authority (ACMA). The applicant has included an Environmental EME report demonstrating that the maximum EME levels at the facility will comply with (and will be substantially less) than the ARPANSA RPS-1 Standard.</p> <p>The proposal complies with P1.1 for this Standard.</p>	
<p><b>A2</b></p> <p>Building height of freestanding towers must be not more than:</p>	<p><b>P2</b></p> <p>The height of freestanding towers must not cause an unreasonable visual impact on vistas to significant public buildings, streetscapes and land reserved for, or</p>

<p>(a) 30m in the Rural Living Zone, General Business Zone, Central Business Zone, Commercial Zone, General Industrial Zone, Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Major Tourism Zone, Port and Marine Zone, or Utilities Zone;</p> <p>(b) 20m in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, Light Industrial Zone, Community Purpose Zone, Recreation Zone, Open Space Zone, Future Urban Zone and a particular purpose zone.</p>	<p>designated in this planning scheme for, natural or scenic values, having regard to:</p> <p>(a) the topography and predominant height of existing buildings or vegetation in the surrounding area;</p> <p>(b) best practice methods to reduce visual impact;</p> <p>(c) functional and safety requirements to establish, operate and maintain the facility;</p> <p>(d) the siting and design of the facility; and</p> <p>(e) the necessity or critical role of the facility within the telecommunications network.</p>
<p><b>Planning Comments:</b> Complies</p> <p>At 41.3m, the total height of the tower will exceed the acceptable solution limit of 30m within the Agriculture zone and is therefore assessable against the performance criteria.</p> <p>The subject site is located on the corner of the Bass Highway and Port Road. There are no significant public buildings within the vicinity of the site. The surrounding area is characterised by land used for cropping and grazing with dwellings primarily located on hobby farm/rural lifestyle sized properties.</p> <p>The Planning Scheme defines ‘streetscape’ as the:</p> <p><i>means the visual quality of a street depicted by road width, street planting, characteristics and features, public utilities constructed within the road reserve, the setback of buildings and structures from the property boundaries, the quality, scale, bulk and design of buildings and structures fronting the road reserve.</i></p> <p>For the purposes of determining streetscape for a particular site, the above matters are relevant when viewed from either side of the same street within 100m of each side boundary of the site.</p> <p>An aerial image demonstrating what is considered the ‘streetscape’ for the purposes of P2 is shown below in Figure 3.</p>	



**Figure 3: Extent of streetscape calculated by 100m distance from side boundaries**

The visual quality of the Bass Highway along the section highlighted in Figure 3 is characterised by a two-lane arterial road with a dedicated turning lane for vehicles entering Port Road from the east. The southern side of the highway contains an aboveground powerline supported by a series of poles approximately 9m in height. Powerlines on the eastern side of Port Road are between 6m-7m in height. The established trees on the subject site have a maximum height of approximately 12m whilst the trees on the eastern side of Port Road north of the site have a maximum height of approximately 20m. The setback of buildings and structures along the streetscape varies from approximately 5m to more than 30m.

The Planning Scheme does not prohibit telecommunication infrastructure in a skyline area or require visual impact to be completely removed, just that the prominence of facilities is not unreasonable when considering the factors outlined under P2 (a) to (e). This includes the necessity of the infrastructure within the telecommunications network.

The proposed facility forms part of the Regional Connectivity Program (RCP), a government sponsored initiative to improve telecommunications infrastructure across regional, rural and remote Australia. Under the RCP, a new Telstra macro mobile site is to be deployed at Boat Harbour to improve mobile coverage across North-West Tasmania, as there are no existing facilities within a suitable vicinity of the subject site capable of servicing the required coverage target area.

The monopole structure has been designed to be the minimal height required to meet the objectives of the RCP. By their nature, telecommunications facilities need to be located in prominent locations at high elevations. In order to mitigate the visual impact of the proposed development as far as practicable whilst still providing an essential communication service for the area, the facility has been designed as a monopole rather than a bulkier guyed or lattice tower. In addition to its slimline appearance, the monopole

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will have a non-reflective concrete finish, with antennas having a natural muted product finish. The tower will not be artificially lit.

Two other potential locations for the facility were identified on Port Road, all within the Agriculture Zone. However, the proponent advised the subject site offers the best coverage, is furthest from sensitive uses and is already used for Utilities purposes.

The subject site is not located in an area reserved for, or designated in this planning scheme for, natural or scenic values. The purpose of the Agricultural Zone is for the use or development of land for agricultural use, protection of land for agricultural use/development and provision of use/development which supports agricultural use.

The area is not affected by the Natural Assets Code or Scenic Protection Code. LISTmap does not identify any flora or fauna listed as threatened under *Threatened Species Protection Act 1995* or as threatened or migratory under the *Environment Protection and Biodiversity Conservation Act 1999*, or a threatened native vegetation community defined under the *Nature Conservation Act 2002* on the site.

It is considered that the proposed height of the tower is reasonable given that the height has been limited to that necessary to resolve the current issues of poor reception, call drops outs and blackspots in the area. The facility meets a necessary telecommunication need for the broader community and will not unreasonably affect any vistas identified as significant under the Planning Scheme.

The proposal satisfies P2 for this Standard.

## **STATUTORY IMPLICATIONS**

### *Land Use Planning and Approvals Act 1993*

The Council is established as a Planning Authority by definition under Section 3(1) of the *Land Use Planning and Approvals Act 1993 (the Act)* and must enforce the *Tasmanian Planning Scheme - Waratah- Wynyard* under s48 of the Act.

In accordance with section 57 of this Act and Council's Planning Scheme, this proposal is an application for a discretionary permit. Council may approve or refuse discretionary permit applications after considering both Council's Planning Scheme and the public representations received. It is noted that three (3) representations were received during the exhibition period.

## **STRATEGIC IMPLICATIONS**

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

## **POLICY IMPLICATIONS**

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

## **ENVIRONMENTAL IMPLICATIONS**

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

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## 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 facility meets a necessary telecommunication need for the broader community and it is considered that the proposed height of the tower is reasonable given that the height has been limited to that necessary to resolve the current issues of poor reception, call drops outs and blackspots in the area.

The proposal makes efficient use of a site already used for utilities purposes and does not involve further conversion of agricultural land to non-agricultural use. The proposal will not unreasonably fetter adjacent agricultural activities and it is not located in an area reserved for, or designated under the Planning Scheme for, natural or scenic values.

The application is considered to comply with the Agricultural Zone provisions for the *Tasmanian Planning Scheme - Waratah-Wynyard* and Telecommunications Code. It is therefore recommended that Council approve a planning permit for the proposed telecommunications facility.

MOVED BY	CR ROBERTS
SECONDED BY	CR HYLAND

**That Council, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Tasmanian Planning Scheme – Waratah-Wynyard* grant approval for a Telecommunications Facility at 8 Port Road, Boat Harbour subject to the following conditions: -**

### CONDITIONS:

- 1. The development is to be generally in accordance with the application as submitted and endorsed documents as listed:**

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- a. **Proposal plans with Project Number TAS100148 and Sheet Numbers DC, S1, S3 and S7 as prepared by BMM Group for AMPITEL and dated 22 June 2023.**
  - 2. Stormwater 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. 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.
- This permit is based on information and particulars set out in Development Application DA 193/2023. Any variation requires an application for further planning approval of Council.
- The applicant is advised to consult with a building surveyor to ensure the development is constructed in accordance with *Building Act 2016*.
- 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		MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	

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## 6.4 DWELLING AND OUTBUILDING (SHED & WORKSHOP) LOCATED AT 17 BRADY PLACE, SOMERSET - DA 203/2023

To: Council  
Reporting Officer: Town Planner  
Responsible Officer: Development Services Coordinator  
Report Date: 24 August 2023  
File Reference: 1824669  
Supporting Documents: 1. Consolidated advertised documents   
2. Representation   
3. Signed extension of time 

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### PURPOSE

The purpose of this report is for Council to consider the merits of the application DA 203/2023 against the requirements of the *Tasmanian Planning Scheme – Waratah-Wynyard*.

### BACKGROUND

The subject site comprises 1524m<sup>2</sup> and is a vacant residential lot. It is located in the General Residential Zone as are the surrounding properties. The lots to the north, east and west contain single dwellings with associated outbuilding development. A Crown administered reserved road adjoins the subject site to the south. The property to the south of the reserved road is a hobby farm sized lot with a dwelling and associated outbuilding.

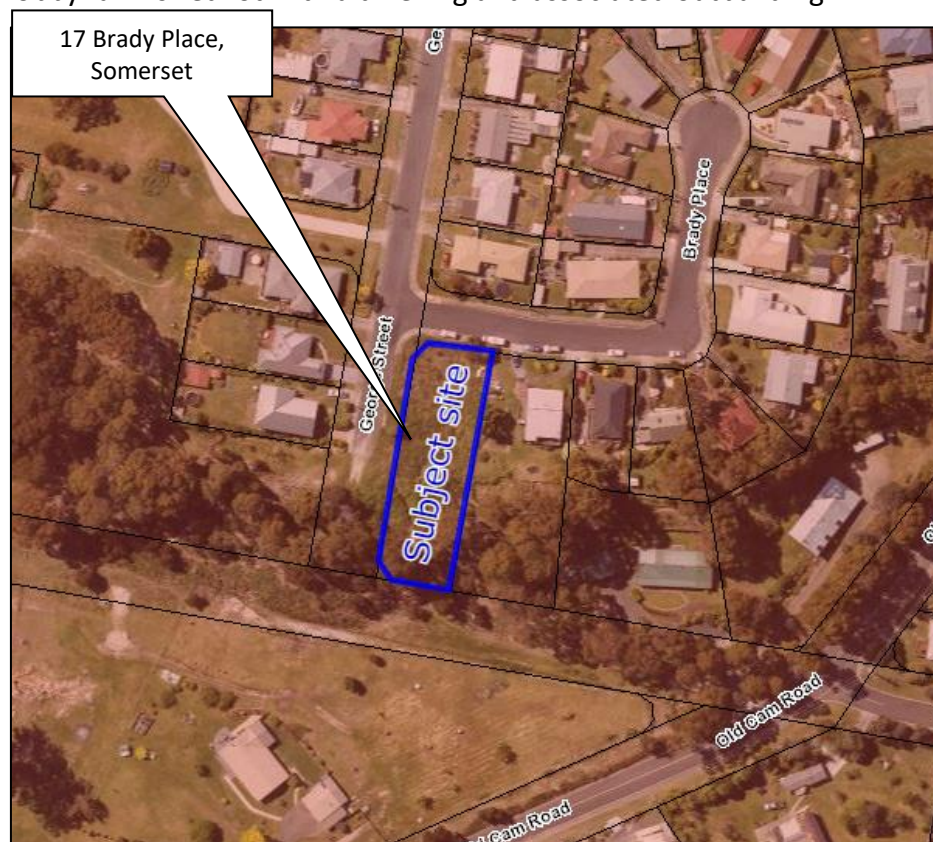


Figure 1: Subject site within General Residential Zone

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## DETAILS

The applicant is seeking approval for a single dwelling and outbuilding on a vacant residential lot at 17 Brady Place, Somerset.

The proposed dwelling has a floor area of 229.68m<sup>2</sup> and a maximum height of approximately 7.5m. The dwelling is single storey, however due to the slope of the site the building is built up at the rear with a subfloor storage space. The layout of the dwelling includes a double garage, main bedroom with ensuite and walk-in-robe, study, an additional two bedrooms, bathroom with separate toilet and a combined living dining/kitchen with butler's pantry. A 21.91m<sup>2</sup> deck adjoins the southern elevation of the dwelling.

The dwelling abuts the eastern side boundary and is setback 4.5m from Brady Place and 3.48m from George Street. It is located at least 50m from the southern boundary.

The proposed outbuilding has a total floor area of 144m<sup>2</sup> and a maximum height of 5.4m. It includes a shed with bathroom and two roller doors and a workshop space with sink accessible via sliding doors. A retaining wall with a maximum height of 1.5m runs across the site from the secondary frontage onto George Street to the outbuilding where it splits the upper (shed) and lower (workshop) levels.

The shed/workshop is setback 0.9m from the eastern boundary and behind the building line of the proposed dwelling from Brady Place and George Street. It is located at least 30m from the southern boundary.

Both the dwelling and outbuilding are clad and roofed in a mix of brick veneer, nail strip and Colorbond.

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

The subject property is zoned General Residential under the Planning Scheme. The proposal is defined as a Residential Use Class. This is a no permit required use within the zone if a single dwelling and should the application meet all the relevant acceptable solutions. The proposal does not comply with all the acceptable solutions. The applicant is applying for discretion under the following Clauses 8.4.2 Setbacks and building envelope for all dwellings (P3) of the Planning Scheme.

## CONSULTATION PROCESS

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

The following documentation was advertised:

- Development application form x 3 Pages
- Title documents x 6 pages
- Supporting report x 12 pages
- Proposal plans x 7 pages



The period for representations closed on 16 August. One (1) representation was subsequently received. A map demonstrating the relationship between the subject site and the representors property is shown in Figure 2.



**Figure 2: Relationship between the subject site and each representors property**

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

Issues raised:	Response:
<p><b>Shading</b></p> <ul style="list-style-type: none"> <li>• My residence is already positioned in a south-facing aspect, so the light from the western windows is necessary to heat and light my house. The kitchen and dining room both have windows facing the proposed dwelling. The shading projections show until 3pm but after this time the light will be completely lost.</li> <li>• Light will be completely lost after 1pm from my private open space (barbecue area).</li> </ul>	<p>The relevant test under Performance Criteria P3 for Clause 8.4.3 requires that the siting and scale of the proposed dwelling and shed/workshop not cause an unreasonable loss of amenity to adjoining properties, including 16 Brady Place. It is not a requirement of the Planning Scheme that there be no loss of amenity, just that any loss is not unreasonable.</p> <p>As shown by the shading diagrams submitted with the application, no shade will be cast by the proposed development onto 16 Brady Place during the hours of 9:00am to 3:00pm. The shading diagrams are based on the shortest day of the year</p>

	<p>(i.e. worst case scenario) when the sun sets prior to 5pm.</p> <p>Shading of yard areas is confined to the afternoon. There is ample private open space on the site which will not be affected by shade cast by the proposed development at any point during the day, including the flat grassed area directly south of the dwelling at 16 Brady Place.</p> <p>It is not considered that the extent of shade cast by the proposed development onto 16 Brady Place is unreasonable.</p>
<p><b>Visual impact</b></p> <ul style="list-style-type: none"> <li>• The proposed dwelling will encroach the building envelope by 1300mm for the entire 13500mm length on the western boundary of my property. Part of the proposed dwelling has a 900mm setback but the garage section of the house is directly on my boundary.</li> <li>• This will have a significant visual impact from the western living side of my house. The kitchen and dining room both have windows facing the proposed dwelling.</li> <li>• The usable, private open space is between the proposed dwelling and house with a barbecue area being on the western boundary. The proposed shed will be directly facing this area for the entire 14000mm length and an increase height of 1300mm raising this wall to 4300mm.</li> <li>• There will undeniably be a visual impact from the proposed form and bulk of this building. Particularly from the barbecue area and the western deck.</li> </ul>	<p>As outlined above, the relevant test is whether visual impact of a proposed development results in an unreasonable loss of amenity. The Planning Scheme does not require there to be no affect on residential amenity as a result of a development, just that any loss is not unreasonable.</p> <p>Regarding visual impact of the proposed dwelling and shed/workshop when viewed from 16 Brady Place, there is a separation distance of at least 9.5m between the proposed development and deck facing the common boundary shared with the subject site. The dwelling itself is at least 12m from the proposed dwelling and shed/workshop. The proximity of windows in 16 Brady Place to the proposed development is greater than that between the dwellings at 15 and 16 Brady Place and 14 and 15 Brady Place.</p> <p>The elevation of the dwelling facing 16 Brady Place does not present as a single block wall, it has an articulated design with highlight windows, a flat roof for the garage and a pitched roof for the dwelling used to mitigate the bulk and appearance of the eastern elevation.</p> <p>The scale of the development is in keeping with dwellings and associated outbuildings in residential areas. There are no windows to habitable rooms in the eastern elevation</p>

	<p>of the proposed dwelling (other than a small highlight window) which would facilitate overlooking of private open space for 16 Brady Place.</p> <p>The proposed shed/workshop is offset from the adjacent dwelling at 16 Brady Place and is not within the direct line of sight of the building. The rear deck of the dwelling is orientated south and has a wall on the side facing the subject site. The inclusion of a stepped roof and window in the eastern elevation help to break up the bulk of the building.</p> <p>It is not considered that the visual impact posed by the development will result in an unreasonable loss of amenity for 16 Brady Place.</p> <p>For a full assessment of the proposal against P3 for Clause 8.4.3 please see the planning discussion section below.</p>
<p><b>Proximity to common boundary</b></p> <ul style="list-style-type: none"> <li>• The block is approx. ½ acre with ample opportunity to build sympathetically and efficiently minimise shading and the visual impact of this proposed building.</li> <li>• There is 11.11m available on the western side of the proposed shed which would reasonably allow the shed to be moved to meet the building envelope. There is a road on this western boundary of the proposed building.</li> <li>• There is 3.48m available space on the western side of the proposed dwelling which borders a road.</li> <li>• The combined length of this proposed building is 28m along the western boundary of my residence which far exceeds the recommendation of 9m.</li> <li>• There is no other precedent for this in the surrounding area with reasonable setbacks greater than 900mm.</li> </ul>	<p>Council as a Planning Authority is required to assess applications as they are submitted to Council. It is not the role of a Planning Authority to consider alternative designs which have not been put forth by the applicant.</p> <p>The subject site slopes heavily towards the south, as do the other properties on the southern side of Brady Place. The building has been located in the north-eastern section of the site and has been built up to create a level floor in order to minimise the extent of cut and fill required.</p> <p>The 9m or 1/3 boundary ratio for dwellings close to boundaries is part of Acceptable Solution A3 for Clause 8.4.3. The proposal before Council is not relies on Performance Criteria P3 rather than the Acceptable Solution. Non-compliance with A3 for Clause 8.4.3 is therefore not a relevant consideration for Council as a Planning Authority other than requiring the proposal to be assessed against Clause 8.4.3 P3.</p>

	<p>Compliance with Clause 8.4.3 (P3) does not require that the proximity of a building to a side boundary be compatible with the setback of buildings in the surrounding area, this is only a requirement for frontage setbacks. The relevant test is instead whether the separation between dwelling is consistent with that existing on established properties in the area.</p> <p>Separation between buildings on adjoining lots in Brady Place varies from approximately 3m to more than 10m. The proposed development is at least 9.5m from the western deck for 16 Brady Place, further than the majority of other neighbouring dwellings from each other in the street.</p>
<p>There has been ground works started, including cut-outs and retaining walls which makes any compromise of plans difficult to negotiate.</p>	<p>The existing 1.2m high retaining wall did not require planning approval from Council as it's location and height meet the requirements for being 'no permit required' development associated with residential use. The location of this retaining wall is not something which Council as a Planning Authority has taken into consideration when making its 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 connected and discharged into Council's stormwater drainage network in accordance with the *Urban Drainage Act 2013*.
- (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) A new 6m wide kerb crossover off Brady Place is to be constructed in accordance with Tasmanian Standard Drawing TSD-R09-v3, Urban Roads Driveway, TSD-R16-v3 Concrete kerbs and Channels Vehicular Crossings and the conditions in a "Activity in Road Reservation Permit".
- (5) A new 6m wide reinforced concrete driveway slab is to be constructed off Brady Place between the kerb crossover and the property boundary in accordance with Tasmanian

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Standard Drawing TSD-R09-v3, Urban Roads Driveways and the conditions in a “Activity in Road Reservation Permit”.

- (6) A new driveway slab is to be constructed at the existing vehicular crossing off George Street in accordance with Tasmanian Standard Drawing TSD-R09-v3, Urban Roads Driveways and the conditions in a “Activity in Road Reservation Permit”.
- (7) Loading and un-loading of vehicles is to be confined to within the boundaries of the property.
- (8) Off street car parking and hardstand areas are to be surfaced in an all weather material such as concrete, asphalt or bitumen spray seal. All stormwater runoff from the car parking and hardstand areas is to be collected onsite and directed to a stormwater system designed to cater for a 5% AEP rainfall event and discharged to a legal point of discharge to the reasonable requirements of the Director Infrastructure & Development Services or their delegate.

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

### **Environmental Health**

The following environmental health conditions were recommended.

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

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

### **EXTERNAL REFERRALS**

The application did not require any external referrals.

### **PLANNING ASSESSMENT**

The subject site is zoned General Residential under the *Tasmanian Planning Scheme - Waratah-Wynyard*. The proposal is defined as a Residential Use, a no permit required use in the zone if a single dwelling and should the application meet all the relevant acceptable solutions.

The proposal does not comply with all the acceptable solutions for development standards under the planning scheme and is therefore submitted as a discretionary application under Section 57 of LUPAA and assessed under the *Tasmanian Planning Scheme - 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 General Residential Zone and relevant Codes is provided below.

### **General Residential Zone**

#### **8.4.2 Setbacks and building envelope for all dwellings**

<b>A3</b> A dwelling, excluding outbuildings with a building height of not more than 2.4m and	<b>P3</b> The siting and scale of a dwelling must:
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<p>protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</p> <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is lesser).</p>	<p>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</p> <p>(ii) overshadowing the private open space of a dwelling on an adjoining property;</p> <p>(iii) overshadowing of an adjoining vacant property; and</p> <p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</p> <p>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</p> <p>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</p> <p>(i) an adjoining property; or</p> <p>(ii) another dwelling on the same site.</p>
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**Planning Comments:** Complies

The proposal is for a single dwelling and outbuilding on a vacant residential lot. The dwelling is single storey, however due to the slope of the site the building is built up at the rear with a subfloor storage space. The dwelling abuts the eastern side boundary and is setback 4.5m from Brady Place and 3.48m from George Street. It is located at least 50m from the southern boundary. The shed/workshop is setback 0.9m from the eastern boundary and behind the building line of the proposed dwelling from Brady Place and George Street. It is located at least 30m from the southern boundary.

Assessment against P3 for this Clause is required for the reduced setback of the dwelling and shed/workshop from the eastern boundary only.

Shading diagrams were submitted with the application demonstrating the extent of shade cast onto adjoining land by the proposed development throughout the day. These diagrams are based on the winter solstice, the shortest day of the year (i.e. worst case scenario). Copies of these diagrams are shown below in Figures 3 – 4.

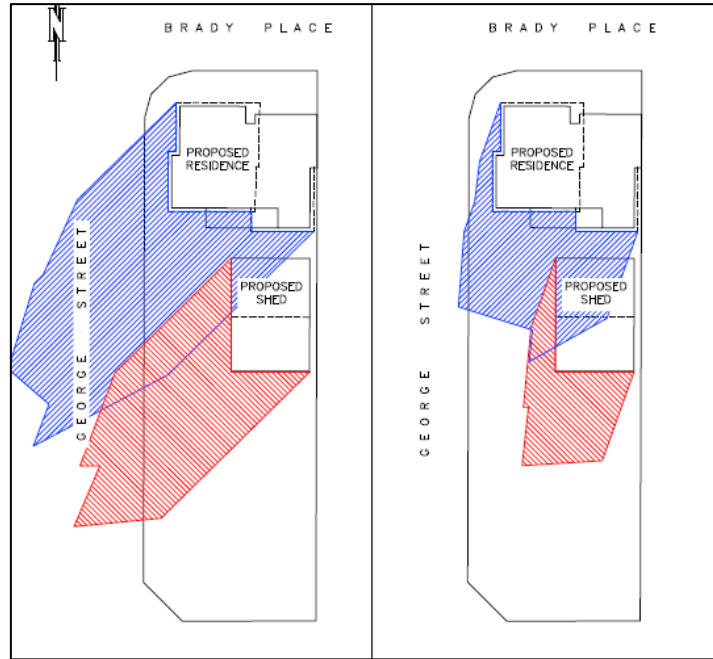


Figure 3: Shading diagram 21st June 9:00am & 11:00am

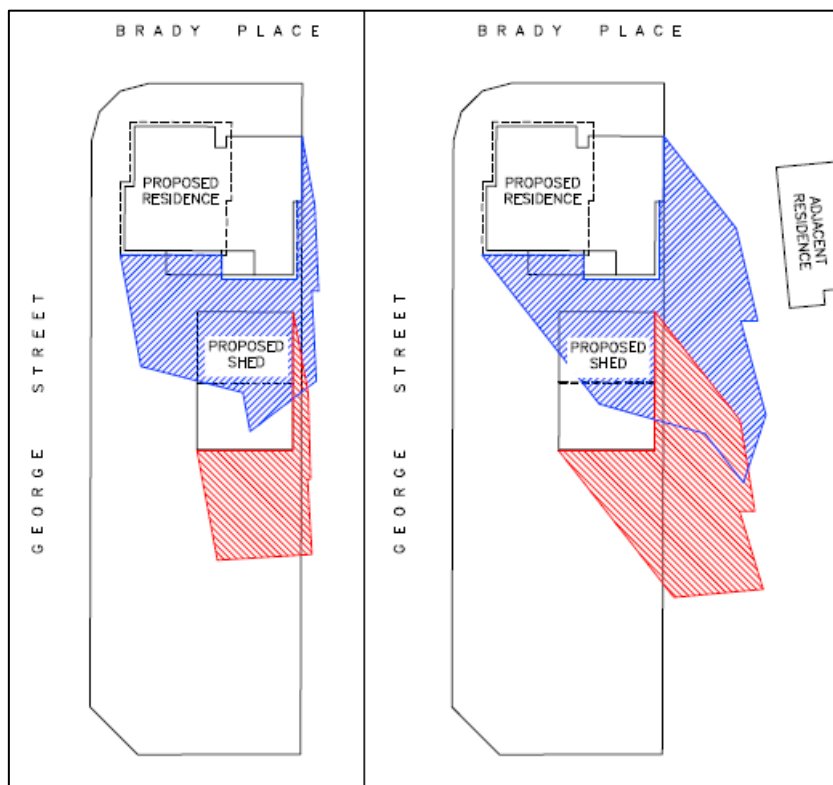


Figure 4: Shading diagram 21st June 1:00pm & 3:00pm

The property to the east, at 16 Brady Place comprises 1936m<sup>2</sup>, of which the dwelling occupies approximately 230m<sup>2</sup>. As demonstrated above in Figures 3 – 4, no shade will be cast by the proposed development onto 16 Brady Place during the day, with shading of yard areas confined to the afternoon. There is ample private open space on the site which will not be affected by shade cast by the proposed development at any point during the day, including the flat grassed area directly south of the dwelling at 16 Brady Place.

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There are no vacant lots adjoining the subject site and 16 Brady Place does not contain any solar energy installations which may be affected by the proposed development.

Regarding visual impact of the proposed dwelling and shed/workshop when viewed from 16 Brady Place, there is a separation distance of at least 9.5m between the proposed development and deck facing the common boundary shared with the subject site. The dwelling itself is at least 12m from the proposed dwelling and shed/workshop. Separation between buildings on adjoining lots in Brady Place varies from approximately 3m to more than 10m.

The portion of the building which protrudes beyond the permitted building envelope comprises a segment of the garage roof/wall, and a segment of the roof/wall for the area marked 'Bed 1 and ensuite' on the floor plan provided with the application. This elevation does not present as a single block wall, it has an articulated design with highlight windows, a flat roof for the garage and a pitched roof for the dwelling used to mitigate the bulk and appearance of the eastern elevation.

The proposed shed/workshop is offset from the adjacent dwelling at 16 Brady Place and is not within the direct line of sight of the building. The rear deck of the dwelling is orientated south and has a wall on the side facing the subject site. The majority of the shed does not extend beyond the building envelope for the entire width of the elevation, with the protruding portion confined to the eastern corner segment of the roof. The inclusion of a stepped roof and window in the eastern elevation assists in breaking up the bulk of the building.

The proposal satisfies P3 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 *Tasmanian Planning Scheme - Waratah-Wynyard* (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.



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## 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. Neither the dwelling or outbuilding will unreasonably affect solar access to adjoining properties and design measures have been implemented to mitigate the bulk and appearance of both buildings when viewed from neighbouring lots. Both structures are single storey and have been built up to avoid unnecessary areas of cut and/or fill.

The application is considered to comply with the General Residential Zone provisions for the *Tasmanian Planning Scheme – Waratah-Wynyard* and relevant Codes. It is therefore recommended that Council approve a planning permit for the proposed dwelling and outbuilding.

MOVED BY	CR ROBERTS
SECONDED BY	CR HYLAND

**That Council, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Tasmanian Planning Scheme – Waratah-Wynyard* grant approval for a Dwelling and outbuilding (shed & workshop) at 17 Brady Place, Somerset subject to the following conditions: -**

### **CONDITIONS:**

**The development is to be generally in accordance with the application as submitted and endorsed documents as listed:**

- (1) The development is to be generally in accordance with the application as submitted and endorsed documents as listed:**

- 
- a. Proposal plans with Project Number: 23017 and Drawing Numbers: 01 Rev. A, 02 Rev. B, 03 Rev. C, 04 Rev. B, 05 Rev. B, 06 Rev. B and 07 Rev. A as prepared by PLA Designs and dated 18 July 2023.
- (2) The outbuilding is only for uses associated with residential use on the property and is not to be used for the conduct of any commercial or business operations. It is not to be used for habitable purposes.
  - (3) Stormwater from the development is to be connected and discharged into Council's stormwater drainage network in accordance with the *Urban Drainage Act 2013*.
  - (4) 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.
  - (5) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
  - (6) A new 6m wide kerb crossover off Brady Place is to be constructed in accordance with Tasmanian Standard Drawing TSD-R09-v3, Urban Roads Driveway, TSD-R16-v3 Concrete kerbs and Channels Vehicular Crossings and the conditions in a "Activity in Road Reservation Permit".
  - (7) A new 6m wide reinforced concrete driveway slab is to be constructed off Brady Place between the kerb crossover and the property boundary in accordance with Tasmanian Standard Drawing TSD-R09-v3, Urban Roads Driveways and the conditions in a "Activity in Road Reservation Permit".
  - (8) A new driveway slab is to be constructed at the existing vehicular crossing off George Street in accordance with Tasmanian Standard Drawing TSD-R09-v3, Urban Roads Driveways and the conditions in a "Activity in Road Reservation Permit".
  - (9) Loading and un-loading of vehicles is to be confined to within the boundaries of the property.
  - (10) Off street car parking and hardstand areas are to be surfaced in an all weather material such as concrete, asphalt or bitumen spray seal. All stormwater runoff from the car parking and hardstand areas is to be collected onsite and directed to a stormwater system designed to cater for a 5% AEP rainfall event and discharged to a legal point of discharge to the reasonable requirements of the Director Infrastructure & Development Services or their delegate.
  - (11) Control measures are to be installed for the duration of the construction phase so as to limit the loss of soils and other debris from the site.

**Notes: -**

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

- An "Activity in Road Reservation" permit must be obtained from Council for all activity within the Road Reservation.
- This project must be substantially commenced within two years of the issue of this permit.
- The applicant is advised to consult with a building surveyor to ensure the development is constructed in accordance with *Building Act 2016*.

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- This permit is based on information and particulars set out in Development Application DA 203/2023. 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		MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	

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## 6.5 OUTBUILDINGS (SHED & CARPORT) LOCATED AT 1 NEW STREET, WYNYARD - DA 181/2023

To: Council  
Reporting Officer: Graduate Town Planner  
Responsible Officer: Development Services Coordinator  
Report Date: 5 September 2023  
File Reference: 7073691  
Supporting Documents: 1. Consolidated advertised documents   
2. Representation 

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### PURPOSE

The purpose of this report is for Council to consider the merits of the application DA 181/2023 against the requirements of the *Tasmanian Planning Scheme - Waratah-Wynyard*.

### BACKGROUND

The subject site has an area of 1015m<sup>2</sup> and contains a single dwelling and outbuilding. It is located within the General Residential zone and has access onto New Street. The adjoining titles to the south, east and north contain single dwellings and associated outbuilding development. To the west the subject site adjoins New Street.

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



**Figure 1: Subject site with zoning**

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## DETAILS

The applicant is seeking approval for an outbuilding on land at 1 New Street, Wynyard. The outbuilding takes the form of a shed with attached carport.

The development also includes the removal of an existing garage/shed in the same building footprint.

The new shed has a floor area of 120m<sup>2</sup> with an eave height of 3.5m and an apex of 4.57m. It is a three bay shed with workshop area and a toilet. The new carport has an area of 24m<sup>2</sup> with a maximum height of approximately 2.8m and is an open-bay structure. It is attached to both the existing residence and the proposed shed.

The carport is to be setback 0.5m from the southern side boundary, at least 22m from the western rear boundary and behind the building line of the existing dwelling from the frontage and northern side boundary.

The shed is setback 0.2m from the southern side boundary, 7.75m from the western rear boundary and behind the building line of the existing dwelling from the frontage and northern side boundary.

Both structures are clad and roofed in Colorbond.

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

The subject property is zoned General Residential under the Planning Scheme. The proposal is defined as a Residential Use Class. This is a no permit required use within the zone if a single dwelling (including associated outbuildings) and should the application meet all the relevant acceptable solutions. The proposal does not comply with all the acceptable solutions. The applicant is applying for discretion under the following Clauses 8.4.2 Setbacks and building envelope for all dwellings (P3) of the Planning Scheme.

## 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
- Authority to act as agent x 1 page
- Title documents x 2 pages
- Supporting information x 2 pages
- Proposal plans x 10 pages

The period for representations closed on 4 September 2023. One (1) representation was subsequently received. A map demonstrating the relationship between the subject site and the representators' property in Figure 2.



**Figure 2. Relationship between the subject site and the representors' property**

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

Issues raised	Response:
<p>The shading diagrams fail to show shading of the large new shed built in backyard of 23 Jenner Street on the other adjoining property to ours.</p> <p>The proposed new shed building will shade the private open area in our backyard for the majority of the day as shown in the submitted diagrams.</p> <p>The new proposed shed will significantly shade the area of our backyard in which our children play as their trampoline and swing set are in the proposed area. This area also contains plants on our side of the boundary.</p>	<p>The relevant test under Performance Criteria P3 for Clause 8.4.3 requires that the siting and scale of the proposed dwelling and shed/workshop not cause an unreasonable loss of amenity to adjoining properties, including 21 Jenner Street. It is not a requirement of the Planning Scheme that there be no loss of amenity, just that any loss is not unreasonable.</p> <p>The shading diagrams show that the property at 21 Jenner Street already contains a large shed which shades the backyard of this property. The proposed development will not increase the extent of shade cast onto 21 Jenner Street during the morning, with increased shading occurring in the afternoon only.</p>

<p>This would be an unreasonable loss to our property.</p>	<p>The shading diagrams provided do not depict the recently constructed shed at 23 Jenner Street as it does not show up on the most recent aerial imagery for Wynyard.</p> <p>However, due to the apparent migration of the sun across the sky throughout the day, it can be determined that the areas overshadowed by the proposed development according to shading diagrams shown in Figures 3 – 5 below during the afternoon will overlap with shade cast by the new shed at 23 Jenner Street.</p> <p>At its worst, the shade cast by the proposed shed will extend to the southern end of the shed located in the top north-eastern corner of 21 Jenner Street. This leaves at least 90m<sup>2</sup> of the backyard area, including a large section of grass clear of any shade cast by the proposed shed or adjacent sheds during the afternoon. Under the Planning Scheme, the minimum private open space requirement is 24m<sup>2</sup>. It is not considered that the amount of shade cast by the proposed development onto 21 Jenner Street will result in an unreasonable loss of solar access.</p>
<p>The shed is significantly different to the current existing shed in size and height. The proposed new shed is also planned to be built on the boundary line (200 mms from the fence) of our property closer than the existing shed (which is approximately 1.8 metres from the fence).</p> <p>Our main living areas of our house including kitchen and dining room are north facing, looking directly at the area of the proposed shed.</p> <p>As the existing shed currently stands, we are able to see the surrounding hills, landscape and the open sky. The proposed shed will have significant visual impact as all we will be able to see from our property when looking out our main living area windows is the new</p>	<p>As outlined above, the relevant test is whether visual impact of a proposed development results in an unreasonable loss of amenity. The Planning Scheme does not require there to be no effect on residential amenity as a result of a development, just that any loss is not unreasonable.</p> <p>The shed is intended as a replacement of an existing shed and will present a similar view to the south. The extended length of the shed will not increase visual impact on 21 Jenner Street as it is blocked from view by an existing shed in the north-eastern corner of the site.</p> <p>There is no right to a view under the Planning Scheme and Clause 8.4.2 (P3) does not require Council as a Planning Authority to give regarding to loss of outlook or view, only the visual impact of the proposed building itself as it relates to residential amenity.</p>

<p>shed due to the large, proposed height, location and size.</p> <p>Additionally, it will also impact visually on our backyard open spaces too. This would be an unreasonable loss to our property.</p> <p>The neighbour next door (23 Jenner Street) has recently built a large shed which visually impacts on our view to the West of our backyard and from inside our house. If the proposed shed is built, our property will be entirely surrounded by sheds causing a negative visual impact, which is an unreasonable loss to our property.</p>	<p>The General Residential zone is not one which places an emphasis on natural values or scenic outlooks. Sheds are commonly located against boundaries, including the existing shed on the subject site, which is to be demolished, and the sheds at 21 and 23 Jenner Street and 3, 5, 6 and 8 New Street.</p> <p>The southern elevation of the proposed shed is approximately 1m higher than the current shed but is consistent with the height of sheds on both 21 and 23 Jenner Street. It is also separated from the nearest dwelling on an adjoining lot by at least 19, and 24m from the dwelling at 21 Jenner Street specifically.</p> <p>The proposed shed is consistent in bulk and appearance as other sheds in the area when viewed from adjacent properties. It is not out of scale for the size of development expected in residential areas.</p>
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## **INTERNAL REFERRALS**

### **Engineering Services Department**

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

- (1) The location of existing private services on the site are to be identified and where necessary, cut, cap and protect private services during the demolition phase.
- (2) Stormwater from the development is to be connected and discharged into Council's stormwater drainage network.
- (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.

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.



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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 General Residential under the *Tasmanian Planning Scheme - Waratah-Wynyard*. The proposal is defined as a Residential Use, a no permit required use in the zone if a single dwelling and should the application meet all the relevant Acceptable Solutions.

The proposal does not comply with all the acceptable solutions for development standards under the planning scheme and is therefore submitted as a discretionary application under Section 57 of LUPAA and assessed under the *Tasmanian Planning Scheme - 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 General Residential Zone and relevant Codes is provided below.

## 8.0 General Residential Zone

### 8.4.2 Setbacks and building envelope for all dwellings

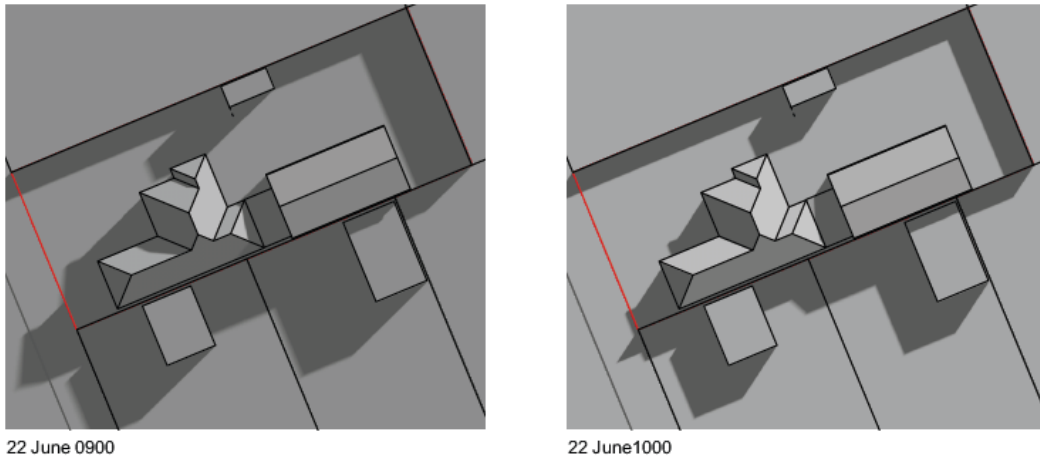
<p><b>A3</b></p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"><li>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:<ul style="list-style-type: none"><li>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</li><li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</li></ul></li></ul>	<p><b>P3</b></p> <p>The siting and scale of a dwelling must:</p> <ul style="list-style-type: none"><li>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:<ul style="list-style-type: none"><li>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</li><li>(ii) overshadowing the private open space of a dwelling on an adjoining property;</li><li>(iii) overshadowing of an adjoining vacant property; and</li><li>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</li></ul></li><li>(b) provide separation between dwellings on adjoining properties that is consistent with that existing</li></ul>
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<p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</li> <li>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</li> </ul>	<p>on established properties in the area; and</p> <p>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</p> <ul style="list-style-type: none"> <li>(i) an adjoining property; or</li> <li>(ii) another dwelling on the same site.</li> </ul>
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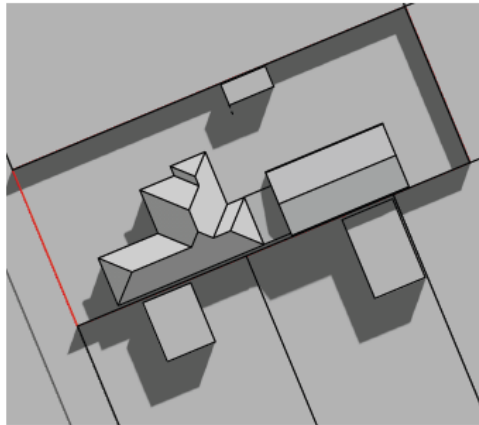
**Planning Comments:** Complies

The proposal is for an outbuilding consisting of a shed with attached carport. Both the shed and carport are setback behind the building line of the existing dwelling on the site from New Street and the northern side boundary. With a setback greater than 7.5m from the eastern rear boundary. The carport is setback 0.5m from the southern boundary and the shed will have a 0.2m setback to the southern boundary. As the shed and carport are within 1.5m of a side boundary and extend along the southern boundary for more than 9m they must be assessed against P3.

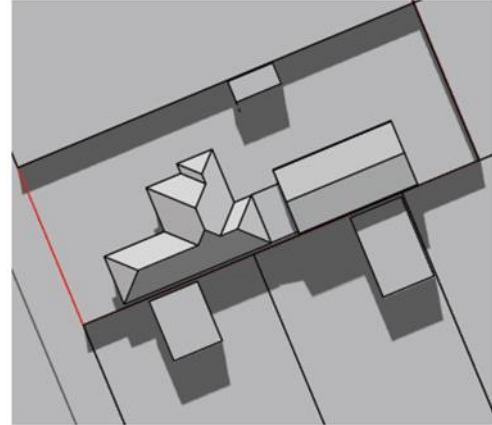
Shading diagrams were submitted with the application demonstrating the extent of overshadowing cast onto adjoining land by the proposed development throughout the day. These diagrams are based on the winter solstice, the shortest day of the year (i.e. worst case scenario). Copies of these diagrams are shown below in Figures 3 – 5.



**Figure 3: Shading diagrams 1 New Street – Morning**

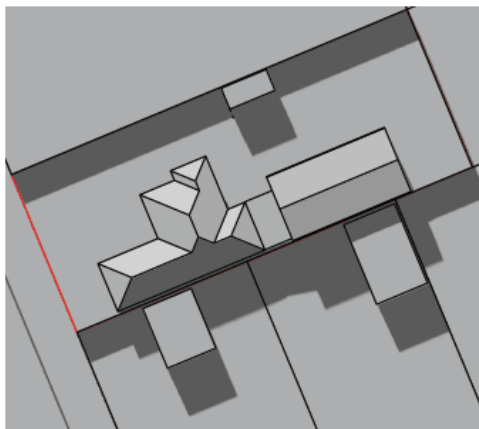


22 June 1100

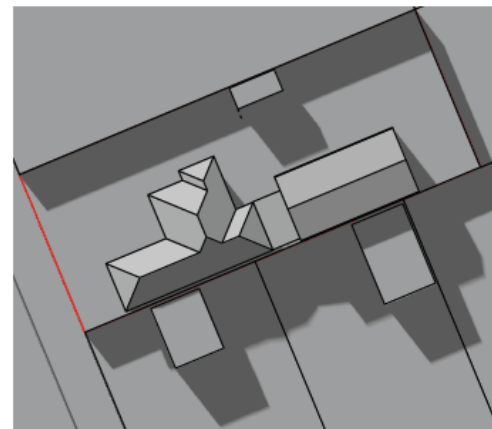


22 June 1300

**Figure 4: Shading diagrams 1 New Street – Midday**



22 June 1400



22 June 1500

**Figure 5: Shading diagrams 1 New Street – Afternoon**

The properties to the south, 19, 21 and 23 Jenner Street each contain single dwellings and outbuildings.

The property to the south-west on the corner of New and Jenner Streets (23 Jenner Street) contains a newly constructed shed in the top corner. Any shade cast by the proposed shed and carport will be confined to the area occupied by the new shed.

As shown in the shading diagrams above, the property at 21 Jenner Street already contains a large shed which shades the backyard of this property. The proposed development will not increase the extent of shade cast onto 21 Jenner Street during the morning, with increased shading occurring in the afternoon only. Due to the apparent migration of the sun across the sky throughout the day, the areas overshadowed by the proposed development during the afternoon will overlap with shade cast by the new shed at 23 Jenner Street.

At its worst, the shade cast by the proposed shed will extend to the southern end of the shed located in the top north-eastern corner of 21 Jenner Street. This leaves approximately half of the grassed backyard area clear of any shade cast by the proposed shed.

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The only section of 19 Jenner Street which will be overshadowed by the proposed shed & carport is the north-western corner, leaving over 200m<sup>2</sup> of the private open space development unaffected.

The proposed development will not unreasonably restrict solar access to any adjacent property. There are no vacant lots adjoining the subject site and there are no rooftop solar energy installations which may be affected by overshadowing.

Regarding visual impact on adjacent properties, the new shed on 23 Jenner Street effectively blocks the proposed development from view from this property.

The proposed carport is largely blocked from view by an existing garden shed in the north-western corner of 21 Jenner Street. The shed is intended as a replacement of an existing shed and will present a similar view to the south. The extended length of the shed will not increase visual impact on 21 Jenner Street as it is blocked from view by an existing shed in the north-eastern corner of the site.

The southern elevation of the new shed is approximately 1m higher than the current shed, but is consistent with the height of sheds on both 21 and 23 Jenner Street. It is also separated from the nearest dwelling on an adjoining lot by at least 19m, and 24m from the dwelling at 21 Jenner Street specifically. Separation between buildings on adjoining lots in the area varies from less than 3m to over 15m.

Only a small section of the shed overlaps with the boundary of 19 Jenner Street and this section is not in direct line of sight of the dwelling on that lot.

The proposed shed is consistent in bulk and appearance with other sheds in the area when viewed from adjacent properties. It will not unreasonably affect residential amenity in the area and is a consistent scale for the size of development expected in residential areas.

A condition will be placed on any permit issued requiring that the shed be used only for purposes associated with the established residential use on the site. It is not to be used for commercial use or for habitable purposes without further approval from Council.

The proposal satisfies the performance criteria P3 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 *Tasmanian Planning Scheme - Waratah- Wynyard* (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.

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## **POLICY IMPLICATIONS**

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

## **ENVIRONMENTAL IMPLICATIONS**

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

## **FINANCIAL IMPLICATIONS**

There are no financial implications as a result of this report other than those ordinarily associated with administering the Planning Scheme.

## **RISK IMPLICATIONS**

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

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

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

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

## **COMMENT**

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

It is considered that the proposed outbuilding (shed and carport) complies with either the acceptable solution or satisfy the performance criteria for all applicable standards of the Planning Scheme. The proposed development is consistent with other sheds in the area when viewed from adjacent properties. It will not unreasonably affect residential amenity in the area and is not out of scale for the size of development expected in residential areas.

The application is considered to comply with the General Residential Zone provisions for the *Tasmanian Planning Scheme – Waratah-Wynyard*. It is therefore recommended that Council to approve a planning permit for the proposed outbuilding (shed and carport).

MOVED BY	CR HYLAND
SECONDED BY	CR JOHNSTONE

**That Council, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Tasmanian Planning Scheme - Waratah-Wynyard*, grant approval for outbuildings (shed & carport) located at 1 New Street, Wynyard subject to the following conditions: -**

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**CONDITIONS:**

The development is to be generally in accordance with the application as submitted and endorsed plans as listed:

- a. Proposal plans with Project Number: 23111 and Drawing Numbers: 1/8 to 8/8 as prepared by Abel Drafting Services Pty Ltd and dated 28 June 2023.
  - b. Shed plan with Reference Number: AHB2208050-2 as prepared by ShedsnHomes and dated 8 June 2023.
- (1) The outbuilding is only for uses associated with residential use on the property and is not to be used for the conduct of any commercial or business operations. It is not to be used for habitable purposes.
  - (2) The location of existing private services on the site are to be identified and where necessary, cut, cap and protect private services during the demolition phase.
  - (3) Stormwater from the development is to be connected and discharged into Council's stormwater drainage network.
  - (4) 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.
  - (5) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
  - (6) Loading and un-loading of vehicles is to be confined to within the boundaries of the 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 181/2023. 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		MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	

**PLANNING AUTHORITY CLOSED AT 6.22PM**

**THE TOWN PLANNER LEFT THE MEETING AT 6.22PM**

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<b>7.0 MATTERS RAISED BY COUNCILLORS</b>
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<b>7.1 RESPONSE(S) TO COUNCILLOR QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING</b>
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Nil received.

<b>7.2 COUNCILLOR QUESTIONS RECEIVED IN WRITING</b>
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Nil received.

<b>7.3 COUNCILLOR QUESTIONS WITHOUT NOTICE</b>
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Nil received.

<b>8.0 NOTICE OF MOTION</b>
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Nil received.



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## 9.0 REPORTS OF OFFICERS AND COMMITTEES

### 9.1 INGLIS RIVER WALKING TRACK STUDY

To:	Council
Reporting Officer:	Director Infrastructure and Development Services
Responsible Manager:	General Manager
Report Date:	7 September 2023
File Reference:	Recreation
Enclosures:	1. Inglis River Walking Track Study Options 

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#### PURPOSE

To present to Council the final Inglis River Walking Track Study Options report. In noting the report, endorsement from Council is sought to proceed in 2023/24 with the recommendations for areas listed in the report as: -

- 2. Esplanade to Cemetery, and.
- 5. Golf Links Road

#### BACKGROUND

The Inglis River walking track is a popular recreational facility that traverses riparian reserve of the Inglis River and is used daily by many community members. It has been developed over the course of decades, to various standards and has a number of supporting timber infrastructure items such as bridges, boardwalks and stairs that will need renewal over the next approximate 5 year period, including in the current financial year. The total forecast cost of renewing this infrastructure, in its current location and standard is approximately \$1.8 million dollars.

During high rain events in 2011, 2016 and 2022 parts of the walking track and built infrastructure to support the walking track were severely impacted by flood. In addition to this, some parts of the existing track are susceptible to regular erosion and inundation from high tides. There are also issues of weed incursion and riparian vegetation and habitat that need management now and into the future.

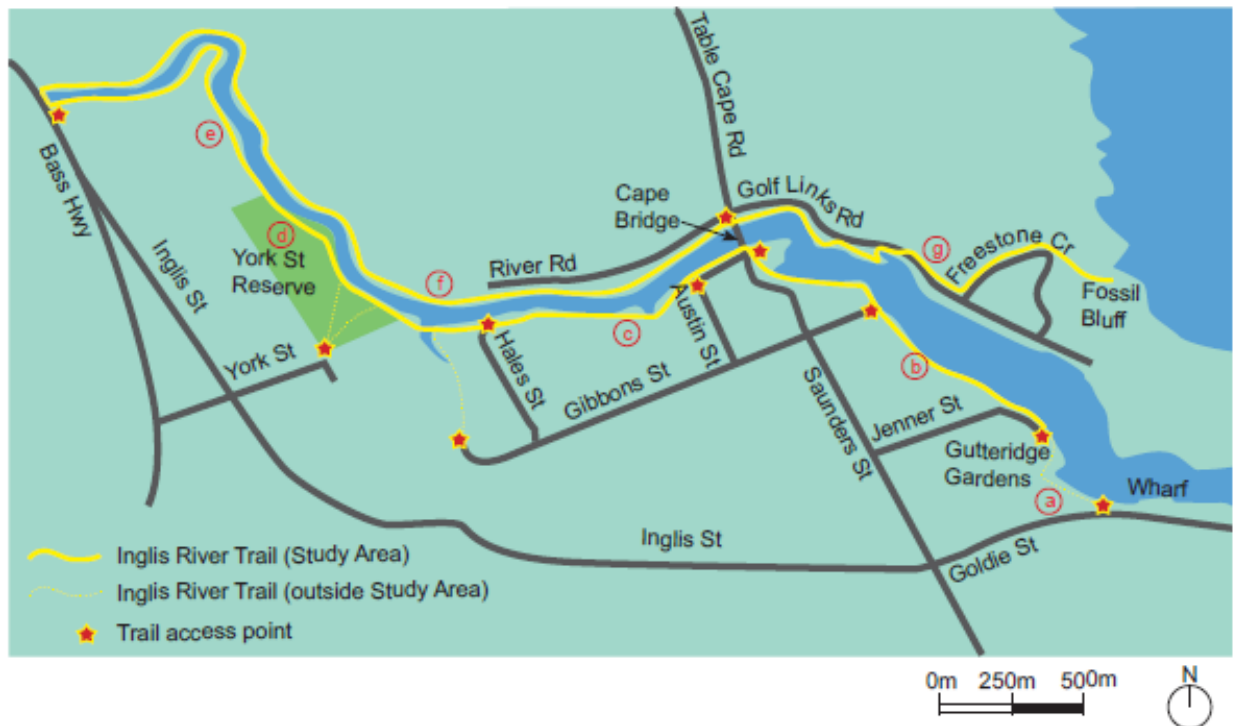
In adopting the 2022/23 Annual Plan and Budget, Council approved a project to seek third party review of the existing walking track infrastructure, its current use patterns by the community, the degree of risk from flood, erosion and landslide movement, and identify improvements for Council consideration that also minimise impact on and improve riparian area health. This report would guide decision making around the best long term infrastructure renewal options and riparian reserve management that Council will need to make over the next 5 years.

Fitzgerald Frisby Landscape Architecture, in partnership with Rare Innovation (structural engineers) and Cultural Heritage Management Australia were engaged following a request for tender process by Council.

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## DETAILS

The Options Study presented by Frisby Landscape Architecture encompasses the below area:



- (a)** Wynyard Wharf to Jenner Street Boat Ramp  
*(note: this section of trail is not included in the Study Area)*
- (b)** Jenner Street Boat Ramp to Cape Bridge
- (c)** Cape Bridge to Big Creek Bridge
- (d)** Big Creek Bridge to York Street Reserve
- (e)** York Street Reserve to Bass Highway Bridge
- (f)** Bass Highway Bridge to Cape Bridge
- (g)** Cape Bridge to Fossil Bluff

The study itself was undertaken in two general phases of information gathering, followed by analysis and recommendations.

The information gathering phase included: -

- Desktop analysis and background research using information sources such as the LIST website and the Natural Values Atlas
- Public and external stakeholder consultation on and off site, face to face and electronically
- Discussion and site visits with Council internal stakeholders
- A detailed engineering assessment of existing infrastructure and path condition
- Reviewing the site environmental values; and

- A cultural heritage report.

From the information gathering phase insights were gained from trail users around: -

- The trail use frequency, including entrance points.
- The types of uses and why people use the trail.
- Factors that would make people less likely to use the trail and how they believe the trail could be improved.





Various locations of registered threatened flora and aboriginal artefact sites were also highlighted as part of the information gathering phase.

The information gathering phase also identified that, based on aerial imagery at least, there appears to be cases of private fences and/or landscaping constructed outside of the private title boundaries and within the riparian corridor. It was noted that this would need to be confirmed by a registered land surveyor.

During the analysis and recommendations phase, a number of questions were addressed to identify opportunities: -

- How prevalent is the risk of erosion and flood and what is the long-term risk of the track and infrastructure in its current location.
- What is the current and likely increase in use?
- What is the best material to use in replacing track infrastructure based on cost/benefit?
- What plant species are native to the area and encourage natural biodiversity and wildlife sanctuary.
- Who are the user groups of the pathway and does the current path align with their needs and restrictions?
- What cost is associated with delivering the recommendations of the report?

An extract from page 21 of the study below, graphically summarises the information gathering along with notes around opportunities identified for improvement: -

**Issues and opportunities plan**



- 1 Potential to link with trail along Camp Creek.
- 2 Opportunity to realign the Track out of residential streets up the south side of Fossil Bluff.
- 3 Opportunity to improve accessibility of destination points by adding public toilets and improving existing picnic facilities and pedestrian infrastructure.
- 4 Potential to realign Track away from unstable edges.
- 5 Potential to realign Track up the bank to avoid inundation/requirement for boardwalk and reduce impact on sensitive environments.
- 6 Potential to improve pedestrian safety at crossing points on north and south sides of Cape Bridge, for example by introducing traffic calming measures and reducing crossing distance.
- 7 Potential to reduce erosion and provide for use of area during periods of inundation by installing boardwalk (including seating) at base of bridge.
- 8 Limited potential for retreat from unstable ground or inundation due to narrow corridor and/or steep gradient.

**Track and structures condition**  
Structures at end of design life

**Frequency of track use (per survey results)**

- Most used
- Least used

**Potential trail links**

**Destination points and infrastructure**

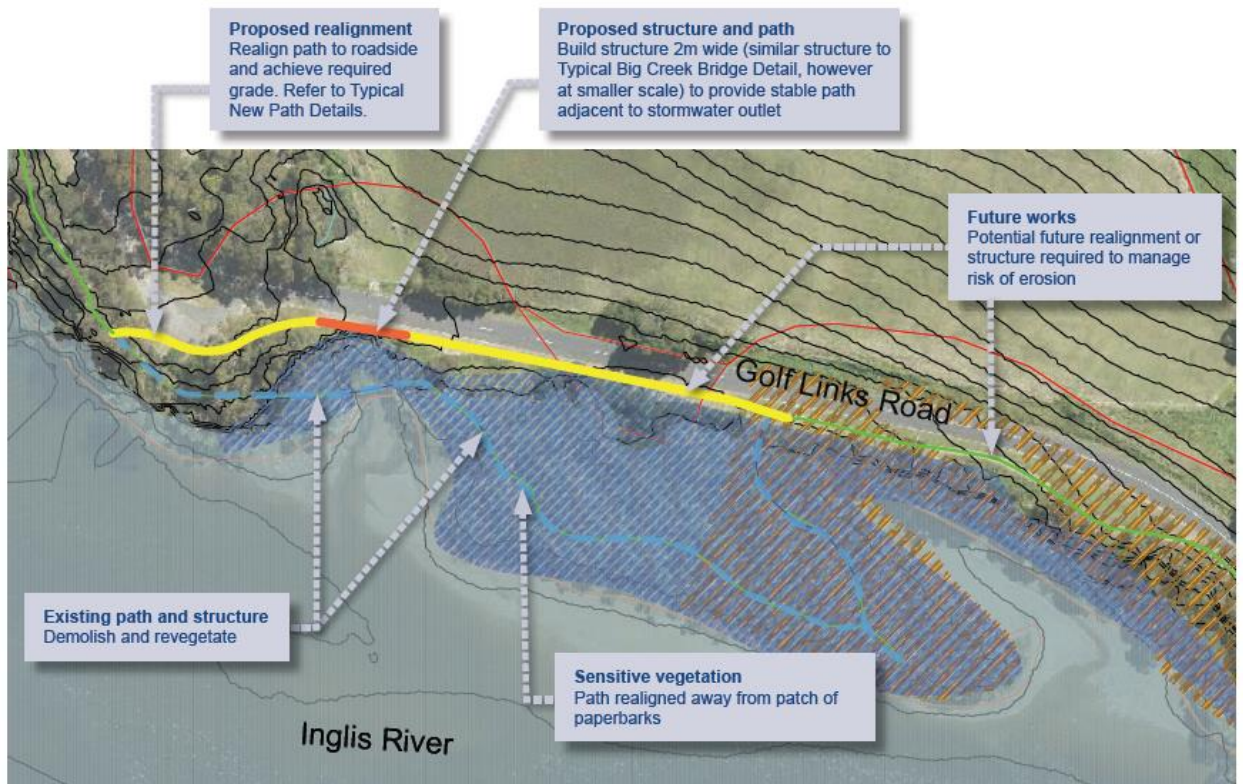
- Picnic
- Views
- Toilets
- Registered Artefact site
- Threatened flora registered location

The specific details for each of the sites of recommendations are shown graphically and conceptually on pages 23-29. In most cases, the implementation will require property boundaries to be surveyed as a means for consultation to occur with neighbouring private property owners around track realignment.

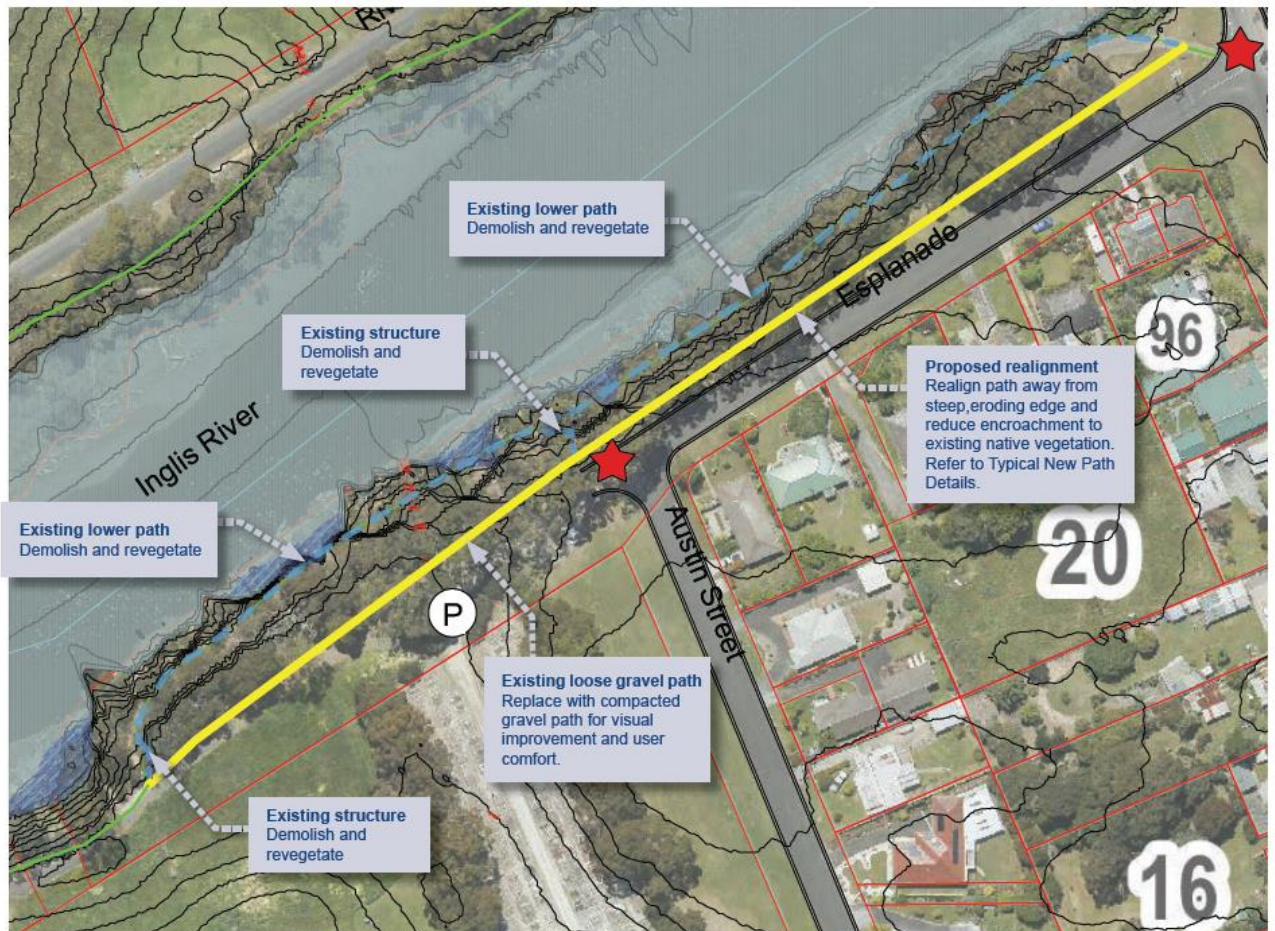
However, the improvement projects recommended to be undertaken in 2023/24 for Esplanade to the Cemetery & Golf Links Road don't involve neighbouring private property boundaries. In the case of the Golf Links Road improvement, realignment of the track to be adjacent Golf Links Road in part achieves a previously documented Community desire from the Fossil Bluff & Surround Trails Masterplan, which is: -

*2.2 Review gaps in the urban footpath network as part of the Footpath Service Level Review:*

- *Explore options for a shared pathway along Golf Links Road safe for mobility-impaired and other wheels access (cost to be determined).*



*Track Improvement Project 5 – Golf Links Road*



### Track Improvement Project 2 – Esplanade to Cemetery

Both of the above improvement projects overlap with Track infrastructure that has been recommended for renewal during 2023/24 due to the structures having reached the end of their useful life and requiring urgent replacement.

It is recommended that both improvement projects replace the adopted renewal projects for track infrastructure in the adopted 2023/24 Annual plan and budget; the required funding reallocation is recommended in another report in this Council agenda.

There are also general recommendations contained within the Inglis River Walking Track Options study which are, from page 39: -

- Work with Wynyard Landcare to prepare a management plan (to include a detailed vegetation assessment)
- Support residents to create a Friends group.
- Increase maintenance of high-use areas (noting that usage levels may change with track investment and will require monitoring).
- Consider implementation of public awareness campaigns for residents living adjacent to the riparian corridor about garden escapee vegetation and weeds.
- Consider creation of recommendations/guidelines for pet owners living adjacent to the riparian corridor.

- Improve pedestrian safety at road crossing points on the north and south sides of the Cape Bridge.
- Enhancement of Fossil Bluff and Cape Bridge to create major destination points (accords with the Fossil Bluff and Surrounding Trails masterplan).
- Access points: provide way finding signage (including map and accessibility information) bins and dog poo bags.
- Provide seating at minimum 400m spacing along the track.
- Provide interpretive signage.

## STATUTORY IMPLICATIONS

### Statutory Requirements

There are no statutory implications because of this report, however during implementation of improvement projects appropriate care and management will need to be applied to protection sites of aboriginal heritage and threatened flora and fauna.

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

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

<b>GOAL 4: Community Recreation and Wellbeing</b>
<b>Desired Outcomes</b>
4.3 We provide recreational opportunities to the community for all ages and abilities.
<b>Our Priorities</b>
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.

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

### Sustainable Murchison Community Plan 2040

<b>Community Future Direction Theme</b>	<b>Key Challenges &amp; Opportunities:</b>
<b>Tourism</b>	<b>Memorable visitor experiences all year round</b> – The must see destination, quality product, easy access, popular events and festivals with coordinated marketing. A longer season with increasing yields.



Community Future Direction Theme	Key Challenges & Opportunities:
<b>Strong communities and social capital</b>	<b>Enduring community capital</b> – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
<b>Access and infrastructure</b>	<b>Local, regional and global transport and infrastructure access</b> – Safe and efficient access alternatives, growing freight capacity, renewable energy, water management and contemporary communications. Community infrastructure that supports economic development.
<b>Natural resource management</b>	<b>Managing abundant, natural and productive resources</b> – Natural resource management is valued and development is environmentally sustainable. The environment is clean and healthy with unspoilt beauty and biodiversity.
<b>Health and Wellbeing</b>	<b>Maintaining good health and wellbeing</b> – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.
<b>Place making and liveability</b>	<b>Liveable places for all ages</b> – 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

Two policies of Council are relevant in considering the Inglis River Walking Track study options being the Environmental Sustainability Policy and the Asset Management Policy. Both policies have an overlapping objective of managing the risks associated with climate change along with environmental and financial sustainability.

## ENVIRONMENTAL IMPLICATIONS

The planning to retreat from the current Inglis River walking track footprint in areas of vulnerability is intended to lessen impact upon the environment and improve resilience to climate change and other impacts. The areas identified have been shown to be subject to one or multiple issues including flood, sea level rise, impact upon flora and fauna, landslide and impact upon potential aboriginal cultural heritage.

Creation of a management plan in collaboration with Wynyard Landcare (including a detailed vegetation assessment) is intended to improve natural biodiversity and sanctuary for wildlife.

## FINANCIAL IMPLICATIONS

The estimated cost to complete the recommendations in the Inglis River Walking Track study, per improvement project is: -

1. Boat Ramp to Picnic Ground - \$450,000
2. Esplanade to Cemetery - \$190,000
3. Big Creek Bridge - \$965,000
4. North York Street Reserve to Bass Highway - \$700,000
5. Golf Links Road - \$835,000

The total of all the recommended improvement projects above is approximately \$3.14 million dollars. This, when compared to the estimated renewal cost of track infrastructure

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of approximately \$1.8 million must be paired with the cost of frequent major repairs and that have been experienced in the past by flood events such as is in 2011, 2016 & 2022.

The approximate cost of restoration works from the 2016 flood event alone was \$450,000-\$500,000 at the time, which if inflated to 2023 dollars might be better estimated to be \$600,000-\$700,000.

The improvement projects recommended in the Options study are intended to lessen the vulnerability to impacts including flood events as such the higher investment in track infrastructure renewal is expected to provide a benefit of less frequent and less costly repair and/or restoration following flood events.

To progress future year improvement projects, Council is recommended to seek external grant fund opportunities from funding bodies that are seeking to promote climate change adaption and resilience as well as riparian area restoration and enhancement. Both goals align with the recommended improvement projects.

To progress consultation with neighbouring private property owners around track realignment and potential private encroachment into the riparian reserve a boundary line survey is required at an estimated cost of \$50,000.

## **RISK IMPLICATIONS**

- **Reputational Risk**

There is some risk of reputational damage if the flood events occur into the future and track realignment is not achieved. It is likely that if the track remains in its current location that some areas would have to be realigned following flood anyhow due to landslide or large erosion losses. There is also some risk to reputational damage through private property amenity impact by track realignment; recommendations for vegetation screening where this occurs is intended to lessen this impact.

- **Financial Sustainability**

There is some risk to financial sustainability from future flood and erosion events for costly repair and restoration works. The improvement projects will mitigate this risk into the future.

- **Environmental Impact**

The improvement projects recommend revegetation of current track footprint, positive restoration of the riparian reserve will lessen existing environment impacts from track usage.

## **CONSULTATION PROCESS**

Further consultation will be required with neighbouring private property owners along the riparian corridor in order to undertake the recommended track realignment works. Equally, further consultation and involvement with the Wynyard Landcare group will be required to produce a management plan for the riparian reserve, including a detailed vegetation assessment.

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## CONCLUSION

The Inglis River Walking track is a very popular recreational facility that contributes strongly to community members health and wellbeing. It is also a riparian corridor with known locations of aboriginal cultural heritage, threatened flora and a wildlife corridor.

This location is currently vulnerable to flood, erosion, weed incursion and in some location's landslide susceptibility.

Processing the recommended improvement projects from the Inglis River Walking Track study is intended to mitigate this risk as much as possible and ensure that the riparian reserve, the natural biodiversity and the community health and wellbeing benefits from recreating in nature are able to continue to co-exist long term.

MOVED BY	CR ROBERTS
SECONDED BY	CR EDWARDS

### That Council:

1. **Receive and note the Inglis River Walking Track Study;**
2. **Proceed with recommendations for improvement projects from the Inglis River Walking Track Study in 2023/24 for: -**
  - (a) **Esplanade to Cemetery, estimated cost \$190,000 and**
  - (b) **Golf Links Road estimated cost \$835,000.**
3. **Create an implementation plan for Council adoption to progress the balance of the improvement projects recommendations and general recommendations of the Inglis River Walking Track Study through future budgets from 2024/25 onwards; and**
4. **Budget in 2024/25 to undertake a boundary survey for the track extents to aid consultation with neighbouring property owners around implementation of the balance of the improvement projects and the general recommendations.**

The MOTION was put and was CARRIED.

### IN FAVOUR

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

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## 9.2 CAM RIVER RESERVE MASTER PLAN - ANNUAL UPDATE

To: Council  
Reporting Officer: Contracts and Administration Officer  
Responsible Manager: Director Infrastructure and Development Services  
Report Date: 31 August 2023  
File Reference: Cam River Master Plan  
Enclosures: 1. Cam River Masterplan - Action Status Report 

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### PURPOSE

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

### BACKGROUND

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

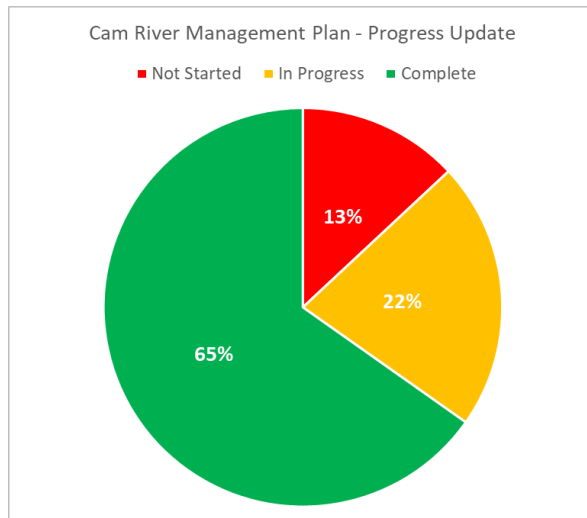
The CRiMP provides Council with a clear vision for the future development and management of the area. The reserve is recognised as a significant parkland in Waratah-Wynyard, and it will continue to be developed as a naturally beautiful riparian reserve for relaxation, leisurely activity and social interaction.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

### DETAILS

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

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

Of the 23 actions, fifteen have been 'completed' and three actions have 'not started'. Of the 'not started' actions, one is dependent on the completion of the Department of State Growth bridge works before it can progress, with the remaining proposed to be completed over the final year of the five-year master plan.



There are five actions currently 'In Progress'; of those two are planned to be completed in current financial year, a third is part of a two-stage action for completion in year 5 and the final two 'In Progress' are pending the completion of the DSG bridge works to the Cam River Bridge.

Planned actions to be delivered during the 2023/24 financial year are:

- Decommission and remove the ship playground which is at the end of its functional life.
- Installation of public art in the place of the old playground
- Plant screening trees/shrubs adjacent the amenities block

## STATUTORY IMPLICATIONS

### Statutory Requirements

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

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

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

<b>GOAL 4: Community Recreation and Wellbeing</b>
<b>Desired Outcomes</b>
4.3 We provide recreational opportunities to the community for all ages and abilities.
<b>Our Priorities</b>
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.

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## Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Natural resource management	<b>Managing abundant, natural and productive resources</b> – Natural resource management is valued and development is environmentally sustainable. The environment is clean and healthy with unspoilt beauty and biodiversity.
Health and Wellbeing	<b>Maintaining good health and wellbeing</b> – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.
Place making and liveability	<b>Liveable places for all ages</b> – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.

### POLICY IMPLICATIONS

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

### ENVIRONMENTAL IMPLICATIONS

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

### FINANCIAL IMPLICATIONS

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

### RISK IMPLICATIONS

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

### CONSULTATION PROCESS

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

### CONCLUSION

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

MOVED BY	CR ROBERTS
SECONDED BY	CR HYLAND

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


The MOTION was put and was CARRIED.

### IN FAVOUR

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

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### 9.3 EAST WYNYARD FORESHORE MASTER PLAN - ANNUAL UPDATE

To: Council  
Reporting Officer: Contracts and Administration Officer  
Responsible Manager: Director Infrastructure and Development Services  
Report Date: 1 September 2023  
File Reference: East Wynyard Foreshore Master Plan  
Enclosures: 1. EWFMP - Action Status Report 

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#### PURPOSE

To provide Council with an annual update on the status of the actions contained within the East Wynyard Foreshore Master Plan (EWFMP).

#### BACKGROUND

In Council's 2020/21 Annual Plan, Council recognised the need to develop a master plan for the East Wynyard Foreshore Reserve. The plan provided an opportunity to review the existing concept plan (developed by GHD Woodhead in 2017) and to build on the prior investment at the Rotary Park Playground.

The previous concept plan (2017) had a major foreshore market focus with a contemporary style. Key activities completed from that plan included removal of the macrocarpa trees and swimming pool and a renewal and upgrade of the Rotary Park Playground.

A community consultation process was initiated to address a knowledge gap around community desires and expectations. A three-week consultation period beginning mid-October 2020 resulted in a total 98 responses, a summary of which was tabled at the February 2021 Council Meeting. A draft plan was adopted in April 2021 for the purposes of undertaking a public consultation period.

A four-week public consultation process commenced in May 2021 and was advertised through social media, Council's website, a letter-drop to nearby households and a poster displayed within the reserve. At the close of the feedback period, 56 comments were received from the community and considered prior to the final plan being adopted by Council in September 2021.

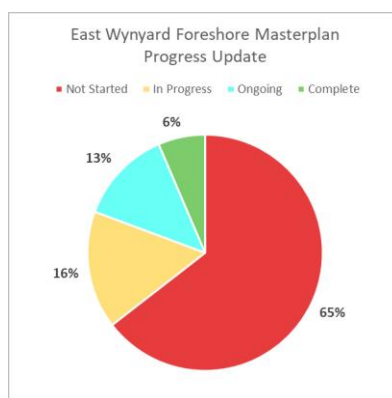
#### DETAILS

The EWFMP proposed a total 31 actions to cover the nominated themes of Safe Access and Circulation; Events and Markets; Nature, Relaxation and Design; and Active Recreation.

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

Of the 31 actions, two are 'Complete', five are currently 'In Progress' and four are 'Ongoing' activities embedded into standard business practice. The remaining 20 actions categorised as 'Not Started' are either not scheduled yet or have been rescheduled to commence later in the five-year plan for East Wynyard.

Details on progress are shown in the summary graph below.



Planned actions to be delivered during the 2023/24 financial year are:

- Installation of a DDA compliant pedestrian connection across Old Bass Highway from the foreshore reserve, including a central refuge island at an appropriate location.
- Install sign and promote existing viewing platform.
- Design and planning for the upgrade of the existing market storage shed.
- Planning and pricing of new and replacement foreshore furniture.
- Planning and community consultation in preparation for future planting actions along the foreshore including; screening shrubs/trees near the western amenities block and small trees along the shared path (western end) to accentuate the linear promenade.

## STATUTORY IMPLICATIONS

### Statutory Requirements

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

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL 3: Connected Communities</b>
<b>Desired Outcomes</b>
3.3 Our natural and built environment aids the community with an active and healthy lifestyle.
<b>Our Priorities</b>
3.3.1 Provide high quality shared and multi-use community hubs that combine a range of recreational, sporting and educational uses.
<b>GOAL 4: Community Recreation and Wellbeing</b>
<b>Desired Outcomes</b>
4.4 Our community enjoys access to visually appealing safe spaces and facilities for recreation.
<b>Our Priorities</b>
4.4.2 Provide and maintain quality and safe places and spaces for physical, social and cultural activities, including shared and multi-use facilities where possible.



## Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Access and infrastructure	<b>Local, regional and global transport and infrastructure access</b> – Safe and efficient access alternatives, growing freight capacity, renewable energy, water management and contemporary communications. Community infrastructure that supports economic development.
Health and Wellbeing	<b>Maintaining good health and wellbeing</b> – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.
Place making and liveability	<b>Liveable places for all ages</b> – 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 progress update. Individual projects undertaken as part of the EWFMP's recommendations will be subject to the Council's standard budget approval process.

### RISK IMPLICATIONS

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

### CONSULTATION PROCESS

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

### CONCLUSION

It is therefore recommended that the Council note the annual status update on the progress of the East Wynyard Foreshore Master Plan.

MOVED BY	CR ROBERTS
SECONDED BY	CR JOHNSTONE

**That Council note the annual status update on the progress of the East Wynyard Foreshore Master Plan.**


The MOTION was put and was CARRIED.

### IN FAVOUR

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

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## 9.4 FOSSIL BLUFF AND SURROUNDING TRAILS MASTER PLAN - ANNUAL REPORT

To: Council  
Reporting Officer: Contracts and Administration Officer  
Responsible Manager: Director Infrastructure and Development Services  
Report Date: 1 September 2023  
File Reference: Fossil Bluff and Surrounding Trails Master Plan  
Enclosures: 1. FBMP - Action Status Report 

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### PURPOSE

To provide Council with an annual update on the status of the actions contained within the Fossil Bluff and Surrounding Trails Master Plan (FBMP).

### BACKGROUND

In 2020 Wynyard Landcare, prepared a Fossil Bluff Reserve Management Plan that discussed strategies to enrich the biodiversity of the conservation area and educate the community. The plan considered revegetation, control of invasive weeds, fire management, track maintenance, education and research activities.

In collaborations between Wynyard Landcare, Parks & Wildlife and Council some agreement on the care and conservation of Fossil Bluff Reserve was reached. It was determined that a Reserve Management Plan be included within a broader Master Plan for the Reserve and surrounds to enhance the entire area through education and exploration. Following a four-week consultation process, 70 responses were received from the community and considered prior to the plan being adopted by Council in October 2021.

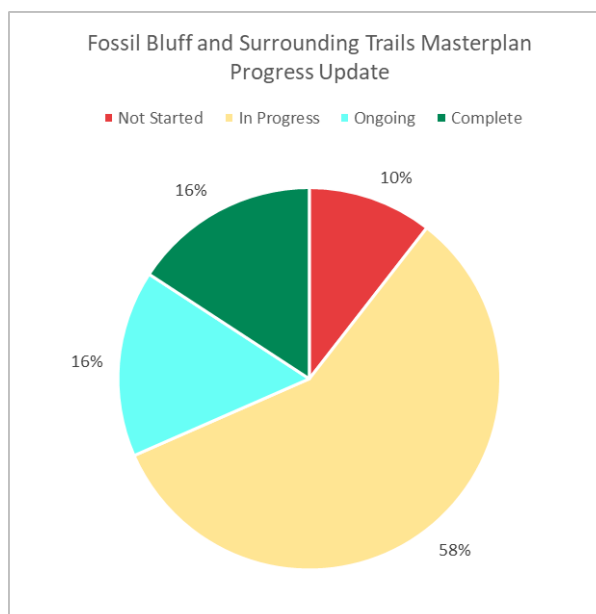
### DETAILS

The FBMP proposes 19 actions to cover the themes: Land Management / Biodiversity; Geological Interests; Tourism, Lookouts & Trails; Aboriginal & Cultural Heritage; Historical Interests in three key action areas. The actions address key concerns around maintaining the reserve, safety, infrastructure, tourism and education.

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

Of the 19 actions, three have been 'Completed' in the last financial year, eleven are 'In Progress' and three are 'Ongoing' activities embedded into standard business practice. The remaining 2 actions have 'Not Started', one requires input from other actions before commencing while the other is not scheduled to commence until later in the five-year plan for Fossil Bluff and surrounds.

Details on progress are shown in the summary graph below.



Planned actions to be delivered during the 2023/24 financial year are:

- Continue working with the palawa liaison and community working group to ensure cultural consideration is included in planned interpretive signage for the area.
- Install furniture to create additional picnic spaces to enhance the use of Freestone Cove foreshore.
- The western stairway leading up to Fossil Bluff, off Freestone Crescent, is planned to be replaced. Additionally, a new stairway is planned for the southern side of Fossil Bluff, nearest Golf Links Road.
- Works to the River Walk along Golf Links Road are planned during the year.
- Community consultations and investigations to commence for a public toilet near Fossil Bluff
- Residential consultations to begin for an Inglisdale Drive Lookout.

## STATUTORY IMPLICATIONS

### Statutory Requirements

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

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL 3: Connected Communities</b>
<b>Desired Outcomes</b>
3.1 Waratah-Wynyard is a modern community—moving forward but not forgetting where it started.
3.2 We listen and engage with our community in decision making.
3.3 Our natural and built environment aids the community with an active and healthy lifestyle.
<b>Our Priorities</b>
3.1.1 Deliver planning for activation through effective urban design and planning that promotes liveability, social gathering and connectedness, and which recognises and celebrates local history.

3.1.2 Promote and strengthen community safety to retain and attract families to live and recreate in Waratah-Wynyard.
3.2.1 Deliver engagement strategies that adapt to community needs to ensure effective communication and collaboration.
3.3.2 Facilitate activities and events that promote inclusion, health, safety and a sense of place.

<b>GOAL 4: Community Recreation and Wellbeing</b>
<b>Desired Outcomes</b>
4.1 Our community is welcoming and supportive.
4.2 Our community values, encourages and supports physical, social and cultural activities.
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.
<b>Our Priorities</b>
4.1.1 Collaborate with community organisations that provide recreation opportunities to our community.
4.2.1 Focus on the value of recreation in promoting the health and wellbeing of our community.
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.
4.4.1 Employ land-use planning strategies to promote connectivity and equity in the allocation or use of open space for recreation purposes.
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.

<b>GOAL 7: Environment</b>
<b>Desired Outcomes</b>
7.1 Council and the community minimise its resource consumption and carbon footprint.
7.2 The community understands its vulnerabilities and strengths when it comes to climate change adaptation and resilience.
7.3 Our natural environment, unique surroundings and community assets are future ready in a changing climate.
7.5 Stewardship of our land, water and marine ecosystems respects past, present and future generations.
<b>Our Priorities</b>
7.1.2 Advocate for effective environmental management and contribute to regional, state, and national climate change initiatives.
7.2.1 Support and foster community led adaption and initiatives.
7.3.1 Facilitate education and awareness of climate change risks to the community and property owners.
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.
7.5.1 Protect, enhance and recover biodiversity through forward thinking and planning.
7.5.2 Mitigate biosecurity risks through landscape restoration and industry collaboration.

### Sustainable Murchison Community Plan 2040

<b>Community Future Direction Theme</b>	<b>Key Challenges &amp; Opportunities:</b>
<b>Tourism</b>	<b>Memorable visitor experiences all year round</b> – The must see destination, quality product, easy access, popular events and festivals with coordinated marketing. A longer season with increasing yields.
<b>Strong communities and social capital</b>	<b>Enduring community capital</b> – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
<b>Natural resource management</b>	<b>Managing abundant, natural and productive resources</b> – Natural resource management is valued and development is environmentally sustainable. The environment is clean and healthy with unspoilt beauty and biodiversity.
<b>Place making and liveability</b>	<b>Liveable places for all ages</b> – 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

<b>Community Future Direction Theme</b>	<b>Key Challenges &amp; Opportunities:</b>
	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. Any policy created as an outcome of individual projects undertaken as part of the FBMP's recommendations will be subject to the Council's standard Policy approval process.

### **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. Individual projects undertaken as part of the FBMP's recommendations will be subject to the Council's standard budget approval process.

### **RISK IMPLICATIONS**

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

### **CONSULTATION PROCESS**

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

### **CONCLUSION**

It is recommended that Council note the annual status update on the progress of the Fossil Bluff and Surrounding Trails Master Plan.

MOVED BY	CR ROBERTS
SECONDED BY	CR HYLAND

**That Council note the annual status update on the progress of the Fossil Bluff and Surrounding Trails Master Plan.**

The MOTION was put and was CARRIED.

### **IN FAVOUR**

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

## 9.5 APPOINTMENT OF THE ACCESSIBILITY STRATEGY WORKING GROUP

To:	Council
Reporting Officer:	Manager Community Activation
Responsible Manager:	General Manager
Report Date:	16 August 2023
File Reference:	001
Enclosures:	Nil

### PURPOSE

To appoint community representatives to the inaugural Accessibility Strategy Working Group (Working Group) for the term spanning August 2023 – 30 June 2025.

### BACKGROUND

At the 24 May 2023 ordinary meeting, Council approved the release of the DRAFT Accessibility Strategy for public consultation and authorised officers to commence advertisement for membership nominations to the Accessibility Strategy Working Group.

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

MEMBERSHIP	APPOINTMENT & TERM	ROLE/S
Councillor(s)	Up to 2 Councillors appointed by Council for a period of 2 years (typical).	<ul style="list-style-type: none"> <li>▪ Act as Chairperson of the Working Group</li> <li>▪ To be the link between Council and Working Group</li> <li>▪ To table issues and concerns to Council on behalf of Working Group</li> </ul>
Community representative(s)*	A minimum of 6 and up to 10 community representatives appointed by Council, through a registration of interest and selection process (see below), for a period of 2 years (typical).	<ul style="list-style-type: none"> <li>▪ Actively participate in meeting discussions in the interests of the wider community</li> <li>▪ Where appropriate, vote on matters addressed by the Working Group</li> </ul>
Council Staff	A minimum of 2 officers are expected to attend each meeting, although this may vary pending resource availability. The officers who attend may vary from meeting to meeting (without prior approval) depending on the agenda content.	<ul style="list-style-type: none"> <li>▪ To provide advice to the Working Group</li> <li>▪ Reporting on actions and/or matters arising from previous meetings back to the Working Group</li> <li>▪ To provide administrative support to the Working Group, including but not limited to the preparation of agendas and minutes</li> </ul>
<p>*Community representatives shall live, work or have an active interest in the municipal area. Community representatives will be drawn from a cross-section of the community (where possible) and <u>shall endeavour to include at least:</u></p> <ul style="list-style-type: none"> <li>• 1x young person (&lt;24 years) with an interest in developing knowledge and networks within the sector. It is acknowledged that young people may prefer not to attend a panel meeting alone. A</li> </ul>		

MEMBERSHIP	APPOINTMENT & TERM	ROLE/S
	young person may attend panel meetings with another young person but shall only hold one vote between them.	
	<ul style="list-style-type: none"> <li>1x community representative with links to the aboriginal community.</li> </ul>	

## DETAILS

The Waratah-Wynyard Accessibility Strategy promotes 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 Accessibility Strategy was open for public comment from July until Friday 11 August 2023. No feedback submissions were received in writing, via email, personal visits, or telephone.

At the same time, Council advertised for Expressions of Interest from community members to join the new Accessibility Working Group. At the closing date, six community applications were received which addressed the selection criteria. There were no applications received from an aboriginal or youth representative.

Community Representatives	Attributes
Nellie McKenna	Executive Manager Vincent Industries Wynyard. 30yrs experience working with people with disabilities on the NW Coast
Alastair Crouch	St Stephens Anglican Church Minister, advocate, disability inclusion working group within the Anglican Diocese of Tas. Parent of a neurodiverse child, started an inclusive service for people living with disability.
Peter Lambert	Community Volunteer, Adult Day Centre, Men's Shed, Rotary
Ken Ewington	Central Coast Council Access and Inclusion Working Group member, VP Wyn Senior Citz, Lions Club, Probus Club, Neighbourhood Watch Group, lived experience
Annette Kirkpatrick	Part-time support coordinator for Anglicare.
Jamie Elphinstone	Somerset resident. Was born with a physical disability. Life experience of accessibility issues. Coast FM member

There are also two allocated positions available for councillor representation, which will be filled by Cr Raw and Cr Edwards, appointed at the November 2022 Council meeting. Manager Engineering & Projects, and Manager Community Activation will provide Council staff support.

The intended commencement of the Accessibility Working Group is scheduled for September 2023.

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## STATUTORY IMPLICATIONS

### Statutory Requirements

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

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL 4: Community Recreation and Wellbeing</b>
<b>Desired Outcomes</b>
1.3 We encourage broad community input to create a focussed and strong sense of belonging.
<b>Our Priorities</b>
13.1 Facilitate the meeting of community needs through strong advocacy and local and regional collaboration for shared outcomes.

### Sustainable Murchison Community Plan 2040

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

## POLICY IMPLICATIONS

The establishment of the Accessibility Working Group will help Council to deliver the objectives of the Accessibility Strategy, Health and Wellbeing Plan, Age Friendly Community Plan and Youth Plan.

## 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.



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## RISK IMPLICATIONS

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

## CONSULTATION PROCESS

All relevant documentation for the Working Group was made available through the Council's website and community members were invited to self-nominate to the Working Group.

The public was informed of the DRAFT Accessibility Strategy, and the Expression of Interest in the 19 June 2023 Meeting Agenda, 19 June 2023 Meeting Minutes, on Council's website, promoted through social media, and with strategic emails to community groups and organisations. Officers also made direct contact with a number of individuals within the community during the advertised period.

## CONCLUSION

The establishment of an Accessibility Working Group is an action explicitly recommended within the DRAFT Accessibility Strategy and is expected to provide immense value to Council in its future decision-making on accessibility-related matters. It is therefore recommended that Council appoint the community representatives as nominated in the body of this report.

MOVED BY	CR EDWARDS
SECONDED BY	CR ROBERTS

**That Council appoint the following community representatives to the 2023-2025 Accessibility Strategy Working Group**

<b>Nellie McKenna</b>
<b>Alastair Crouch</b>
<b>Peter Lambert</b>
<b>Ken Ewington</b>
<b>Annette Kirkpatrick</b>
<b>Jamie Elphinstone</b>


The MOTION was put and was CARRIED.

### IN FAVOUR

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

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## 9.6 QUARTERLY INFORMATION REPORT - ORGANISATIONAL PERFORMANCE

To: Council  
Reporting Officer: Governance Officer  
Responsible Manager: Manager Governance and Information Systems  
Report Date: 23 August 2023  
File Reference: Quarterly Statistics  
Enclosures: 1. Digital Transformation Program - Two-Year Roadmap 

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### 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:	30 August 2023						
	Permanent Positions		Temporary Positions			Total	Fulltime equivalent
	Full-time	Part-time	Full-time	Part-time	Casual		
Indoor	30	13	4	5	9	61	43.7
Outdoor	27	3	5	0	0	35	31.9
Childcare	9	11	0	2	6	28	17.3
<b>Total</b>	<b>66</b>	<b>27</b>	<b>9</b>	<b>7</b>	<b>15</b>	<b>124</b>	<b>92.9</b>

As at 31 August 2023 Council employed 124 people equivalent to 92.9 full time employees.

Statistics	Ave. Yrs Service	Gender			Ave. Age	Covid Vac.
		Female	Male	Other		
Indoor	7.1	40	21	0	46.6	93%
Outdoor	9.5	4	31	0	44.8	92%
Childcare	9.2	28	0	0	39.5	100%
<b>Total</b>	<b>8.6</b>	<b>72</b>	<b>52</b>	<b>0</b>	<b>43.6</b>	<b>95%</b>

Age Demographic			Gender Demographic		Management Demographic		
Under 30 years	27	21.8%	Female	58%	Female	6	50%
30-45 years	31	25.0%	Male	42%	Male	6	50%
45-55 years	29	23.4%	Other	0%	Other	0	0%
55 years and	37	29.8%					

Diversity Statistics	Yes	No	Undisclosed
Aboriginal or Torres Strait Islander	5%	90%	5%
Culturally or linguistically diverse	5%	94%	2%
Special needs or additional learning support requirements	2%	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 43.6 with an average years of service of 8.6 years.

Overall Council has a gender balanced workforce with 58% female workers and 42% male. Leadership roles are gender balanced with 50% female and 50% 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

**2.2%** Average (Permanent Departure rate divided by total permanent employee rate)

**9.5%** Average Turnover (ABS - February 2023)

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 8.6 years.

## New Starters / Departures

New Starters & Departures this Quarter							
		Permanent Positions		Temporary Positions			Total
		Full-time	Part-time	Full-time	Part-time	Casual	
New Starters	Indoor	1	0	1	1	3	6
	Outdoor	3	0	0	0	0	3
	Childcare	0	0	0	1	0	1
	<b>Total</b>	<b>4</b>		<b>3</b>		<b>3</b>	<b>10</b>
Departures	Indoor	1	0	0	0	0	1
	Outdoor	0	0	0	0	0	0
	Childcare	0	1	0	0	0	1
	<b>Total</b>	<b>2</b>		<b>0</b>		<b>0</b>	<b>2</b>

Council inducted ten (10) new employees throughout the reporting period and had two (2) employee departures.

## Recruitment Activity

The following recruitment activity has occurred between 1 June 2023 and 31 August 2023:

Position	AtR* received	Offer Signed	Working days to fill
Waratah Customer Service Officer	10-May-23	02-Jun-23	18
Marketing & Communications Officer	12-Jan-23	05-Jun-23	103
Civil Works Leading Hand	19-May-23	28-Jul-23	58
Parks & Reserves Leading Hand - Arboriculture	19-May-23	20-Jul-23	52
Parks & Reserves Leading Hand - Sports Grounds	19-May-23	20-Jul-23	52
Permit Authority	26-May-23	23-Jun-23	21
Environmental Health Officer	26-May-23	24-Aug-23	64
Children's Services Educator	09-Aug-23	Ongoing	
*ATR – Authority to Recruit approved by General Manager			
Average days to fill vacancies this quarter			53

## 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	1286	22926	5.3%	0.65	0	0	\$ -
Outdoor	438	16974	2.5%	0.22	1	345	\$ 18,542
Childcare	320	9207	3.4%	0.16	0	0	\$ -
<b>Total</b>	<b>2044</b>	<b>49107</b>	<b>4.0%</b>	<b>1.03</b>	<b>1</b>	<b>345</b>	<b>\$ 18,542</b>

The average absenteeism rate for the quarter is 4.0% compared with an average absenteeism rate of 5.8% in 2022-23.

## 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	1	0	2
Outdoor	2	2	0	6	9	0	19
Childcare	0	0	0	0	0	0	0
<b>Total</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>7</b>	<b>10</b>	<b>0</b>	<b>21</b>

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

### Lost Time Injury and Workers Compensation Cases

#### Lost Time Injury Frequent Rate (LTIFR) and Workers Compensation Cases for this Quarter

	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	22926	0.00	1	0	1
Outdoor	0	0	16974	0.00	0	1	0
Childcare	0	0	9207	0.00	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>49107</b>	<b>0.00</b>	<b>1</b>	<b>1</b>	<b>1</b>
LTIFR Industry Benchmark				12.6			

Council had seven (7) injuries throughout the reporting period. Of those injuries one (1) resulted in a workers compensation claim, however there was no lost time.

Council has one (1) ongoing worker compensation claim.

### Policy, Procedures and Guidelines Reviewed

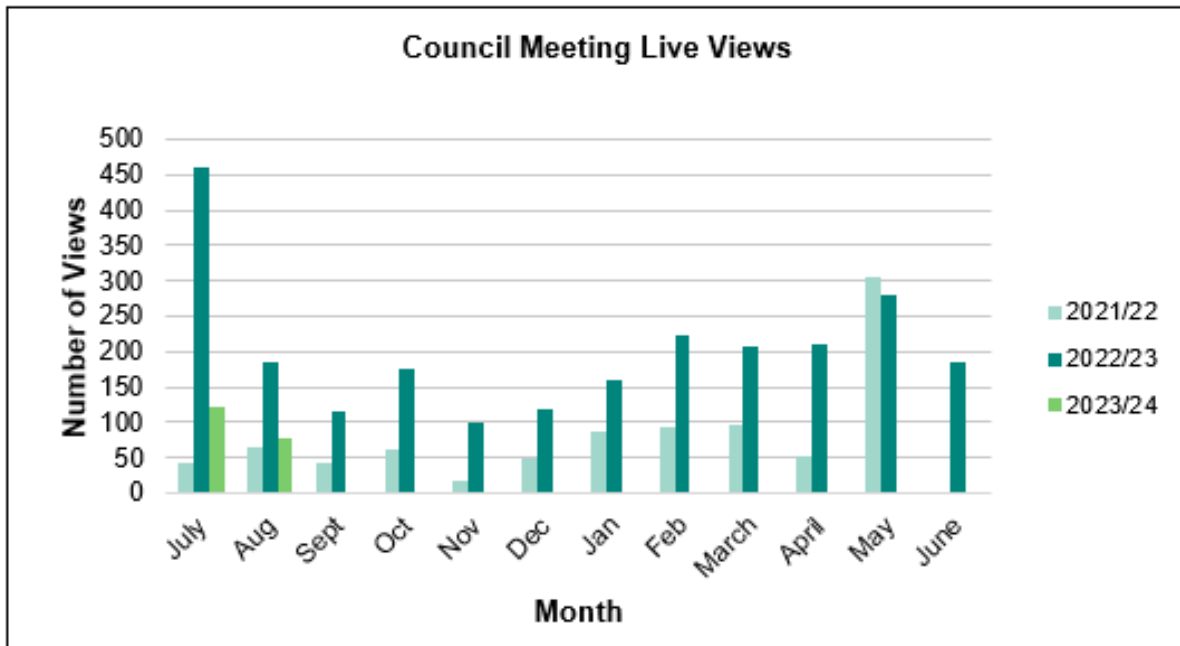
The following People and Safety Policies, Procedures and Guidelines were created/reviewed this quarter:

- Fire & Emergency Evacuation Procedures
- Workplace Inspection Procedures

### 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.

**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 June 2023 to 31 August 2023:

- Privacy Policy and Guidelines
- Rates and Charges Policy
- Digital Recording of Council Meetings Policy

**Workplace Policies Reviewed**

The Senior Management Team adopted the following for the Quarter:

- Fire & Emergency Evacuation Procedures
- Workplace Inspection Procedures

**Complaints**

Council received two formal complaints during the period 1 June 2023 – 31 August 2023. One matter was regarding rates processing. The second matter was received by the Australian Human Rights Commission regarding the Warawyn Early Learning Centre.

## Tenders & Contracts

In accordance with Council's Procurement Policy the following table is provided for all contracts awarded YTD for 2023/24 over \$100,000.

Contract No And Description	Name and Address of Contract Holder	Contract Dates	Contract Extension Options	Contract Value at Start Date
791 – Bridge Maintenance Work	Protector Rail	01/05/2023 – 30/09/2023	N/A	\$162,300.00
792 – Design and Construct Wynyard Foreshore Boardwalk Replacement	AJR Construct Pty Ltd	31/10/2022 – 20/09/2023	N/A	\$234,333.34
793 - Architectural Services Table Cape Amenities	Helioptoe	16/01/2023 – 20/12/2024	N/A	\$219,685.00
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
798 – Construction of a Pontoon Bridge and Viewing Platform, Waratah Township	Tas Marine Construction	01/07/2023 – 30/06/2006	N/A	\$722,690.00
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
800 - Wynyard Sporting Precinct Oval 3 – Design and Construction of Oval Renovation , Training Lights, Subsurface Drainage, Irrigation and Ancillary Works	Total Turf Care	09/10/2023 – 24/03/2024	N/a	\$1,081,493.40
803 – 2023/24 Provision of Bitumen Surfacing Services	Roadways Pty Ltd	29/09/2023 – 29/02/2024	N/A	\$1,075,450.81
806 - Bridge Replacement - Kinchs Road (Garner Creek)	BridgePro Engineering	14/07/2023 – 01/09/2023	N/A	\$198,900.00
807 - Bridge Replacement - Mount Hicks Road (Port Creek)	BridgePro Engineering	17/07/2023 – 15/09/2023	N/A	\$427,800.00

## Non-Application of Public Tender Process

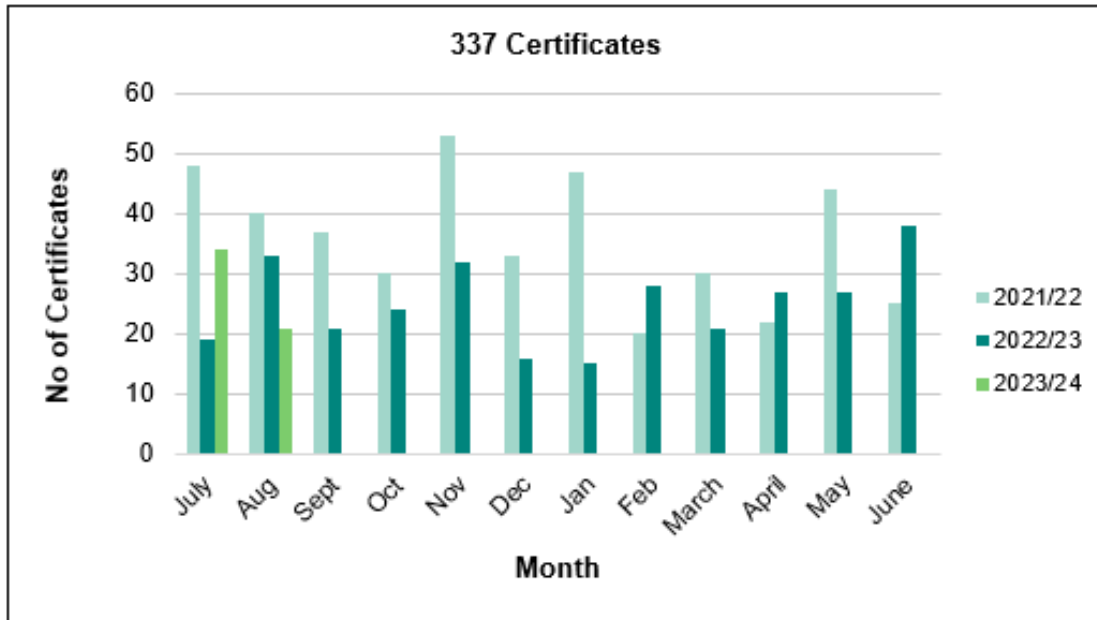
Pursuant to Section 72(1)(e) of the *Local Government Act 1993* there were no contracts awarded where the public tender process was not applied, except for a short-term, IT related contract with Avec Global for a period of 6-months.

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### 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.

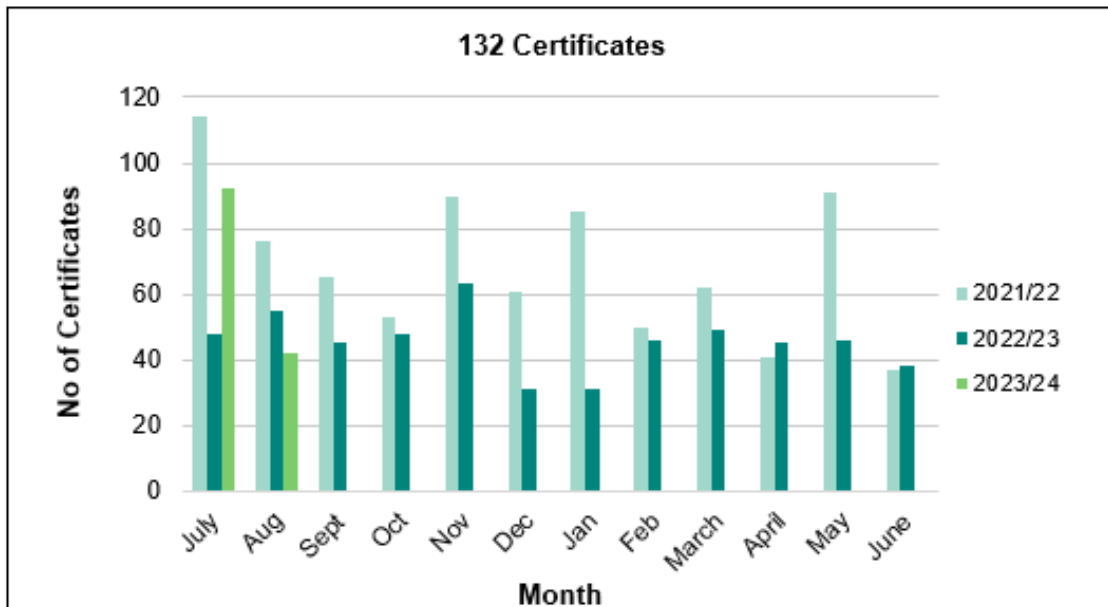
A Council Certificate 337 provides information about whether there are any outstanding notices, permits or orders in relation to a property. For the 2023/24 period there have been 55 Section 337 certificates completed as at 31 August 2023 compared with 52 in August 2022.



### 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 2023/24 period there have been 134 Section 132 certificates completed as at 31 August 2023 compared with 103 in August 2022.





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**Street Naming and Addressing Changes:**

**Greenfield Changes:**

None this reporting period.

**Brownfield Changes:**

1. 816 Waratah Road Waratah TAS 7321
  - a. New Addressing: Addressing request from A.E.C for an enrolment but parcel had '0' address.



2. 817 Waratah Road Waratah TAS 7321
  - a. New Addressing: Addressing request from A.E.C for an enrolment but parcel had '0' address.



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- 3. 193 Bramichs Road Sisters Creek TAS 7325
    - a. New Addressing: Parcel Created by Subdivision



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## ECONOMIC DEVELOPMENT UPDATE

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

### Emergency Services Hub

Commenced initial stakeholder agency discussions regarding the potential to undertake a feasibility study in relation to the development of an emergency services hub in Wynyard.

### Low-Cost Recreational Vehicle sites

The Wynyard Show Society Committee have sought Crown Lands approval to lodge a development application to operate a Low-Cost Recreational Vehicle site.

Officers will continue to provide support to the Committee where possible.

### 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)

Concept plans have been developed. Consultation with the Waratah Community Board has occurred.

Pricing for the supply and install of the signage is in progress.

### 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.

A funding application for the feasibility study has been lodged with the State Government under the Better Active Transport Grant Program (Round 1).

### Bioenergy Forum

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

A report on the event was tabled at the August Council meeting.

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## INFORMATION SYSTEMS UPDATE

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

### **Update on Digital Transformation Strategy: Phase 1 - IT Systems Planning and Design**

Phase 1 of our Digital Transformation Strategy has been successfully completed, focusing on IT Systems Planning and Design. This achievement has been the result of a highly effective collaboration involving Waratah-Wynyard and Circular Head Councils, as well as the dedicated efforts of AVEC Global.

In this phase, significant milestones have been achieved. These include the comprehensive comparison of both current and future Application Architectures, meticulous business process analyses tailored to Waratah-Wynyard and Circular Head Councils, a succinct summary detailing the existing Information Management processes, and the evaluation of ICT Architecture in both its current and future states. Additionally, officers have meticulously laid out a visually engaging program of over 30 business projects, complete with comprehensive scope details, for the upcoming period. This program includes a detailed two-year road map.

Endeavours have extended beyond the technical realm. A comprehensive Change Management Strategy has been developed, ensuring that transition to the new digital landscape is seamless and well-managed. Furthermore, formulated strategies for the establishment of a new Intranet and a dedicated Collaboration Hub have been created.

Recognising the vital role of our Governance and Information Systems team in realising these ambitions, a new Target Operating Model has been developed. This model will play a pivotal role in facilitating the efficient delivery of our future projects.

Phase 2 is now in the early stages starting with initial foundational projects.

Attached is a copy of the two-year road map.

### **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 scanning of files is in progress.

#### 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

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understood by staff and meets Council's record-keeping obligations under the *Archives Act*. This work has been ongoing over several months and is nearing completion.

## Risk

A comprehensive review of Council's risk framework and policies is currently underway. This initiative is being conducted in collaboration with Circular Head Council, as we share resources and expertise in this area.

The primary focus is on conducting internal audits or self-assessments, reviewing and testing business continuity plans, and ensuring that our risk registers are consistently updated. Additionally, a regular reporting framework will be provided to both executive management teams and the council.

Over the next quarter officers will be working with consultants as part of the National Local Government Vulnerability Program to build a Vulnerability Register. The focus of this program is to build a profile for each Local Government area to properly understand key vulnerabilities so that Council can ensure it is spending in the right areas to reduce identified risks. The program will inform and enable:

- Strategic, Risk, Financial Planning Processes & Sustainability.
- (State) Govt Strategy for Disaster Resilience.
- National data platform reflecting profile of local government.
- Effective and efficient Investment in mitigation, preparedness.

The program is built, and will bring together local, state and federal strategies around key strategic plans ensuring a consistent approach:

- National Disaster Resilience Strategy
- National Disaster Risk Reduction Framework
- Royal Commission into National Disaster Funding Arrangements (Data)
- Objectives of the National Emergency Management Agency (NEMA)
- (State) Govt Strategy for Disaster Resilience
- (State) Local Government Act Overarching Governance Principles
- Local government's established maturing risk reduction framework

The process will concentrate on vulnerabilities in four key areas:



BUILT ENVIRONMENT



NATURAL ENVIRONMENT



FINANCIAL ENVIRONMENT



COMMUNITY / SOCIAL

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## STATUTORY IMPLICATIONS

### Statutory Requirements

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

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

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

<b>GOAL 2: Organisational Support</b>
<b>Desired Outcomes</b>
2.1 We are a knowledgeable organisation—we demonstrate best practices in our business processes.
<b>Our Priorities</b>
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	<b>Specialised diversity of the economy</b> – Value adding, diversification, innovation and employment. A resilient economy with global brand recognition and growing exports.
Governance and working together	<b>Working together for Murchison</b> – 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.

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## **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 ROBERTS
SECONDED BY	CR BRAMICH

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

The MOTION was put and was CARRIED.

## **IN FAVOUR**

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

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## 9.7 FIXING OF COUNCIL MEETING DATES

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	1 September 2023
File Reference:	0110
Enclosures:	Nil

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### PURPOSE

The purpose of this report is for Council to determine meeting dates and times for Council for the 2024 calendar year.

### BACKGROUND

Council has over the past year generally conducted its Ordinary Council Meeting on the third Monday of each month, starting at 6:00pm, and held at the Council Chambers in Wynyard.

This report has been prepared to enable the timing of Ordinary Meetings to be determined by the elected Council. For Council to be open, accessible and accountable to its community, and to encourage communication and engagement, consistency in the meeting schedule allows residents and stakeholders to know with some certainty when Council meetings are normally held.

### DETAILS

The Council may determine the most appropriate timing for Ordinary Meetings. The only provision included within the *Regulations* is that an Ordinary Meeting is to be conducted at least once per month. All meetings are to commence after 5:00pm unless determined otherwise by the Council by absolute majority therefore, Council can determine to commence meetings at any time which suits the majority of Councillors.

A 6:00 pm start for meetings has been in place for some time now to allow both Councillors and residents time to complete normal daily work routines and attend Council meetings at a reasonable time.

### STATUTORY IMPLICATIONS

#### Statutory Requirements

Section 18 (3) of the *Local Government Act 1993* provides that a meeting of Council is to be conducted in accordance with the prescribed procedures.

The *Local Government (Meeting Procedure) Regulations 2015* states:

**4. Convening meetings of council**

- (1) *The mayor of a council may convene council meetings.*
- (2) *The general manager of an existing council is to convene the first ordinary meeting of a council following an ordinary election.*
- (3) *The Minister is to convene the first ordinary meeting of a newly established council on a date determined by the Minister.*
- (4) *An ordinary meeting of a council is to be held at least once in each month.*



- (5) *The general manager is to convene an ordinary meeting of a council if the mayor has not convened such a meeting in the previous calendar month.*
- (6) *The mayor of a council, or the general manager if the mayor has not done so, must convene a special meeting of the council at the request of a majority of Councillors.*
- (7) *A request for a special meeting of a council must –*
- (a) *be in writing and signed by the Councillors; and*
  - (b) *include details of the subject matter and any motion to be dealt with by the meeting; and*
  - (c) *be lodged with the mayor.*
- (8) *The mayor of a council, or the general manager if the mayor has not done so, must convene a special meeting of the council if the council so determines.*
- 6. Times of meetings**
- (1) *A meeting is not to start before 5 p.m. unless otherwise determined by the council by absolute majority or by the council committee by simple majority.*
- (2) *After each ordinary election, a council and a council committee are to review the times of commencement of meetings.*

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL 1: Leadership and Governance</b>
<b>Desired Outcomes</b>
2.1 We are a knowledgeable organisation—we demonstrate best practices in our business processes.
<b>Our Priorities</b>
13.1 Facilitate the meeting of community needs through strong advocacy and local and regional collaboration for shared outcomes.

### Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
<b>Strong communities and social capital</b>	<b>Enduring community capital</b> – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
<b>Education</b>	<b>Lifelong learning and education</b> – Education and lifelong learning is valued and there is access to vocational training and tertiary education. Education retention rates have increased.
<b>Governance and working together</b>	<b>Working together for Murchison</b> – 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

Council meetings are conducted in line with the Waratah-Wynyard Council Meeting Procedures.

## ENVIRONMENTAL IMPLICATIONS

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

## FINANCIAL IMPLICATIONS

The conduct of any Council meeting has costs associated with the development of reports and agendas, their public distribution and the involvement of some Council officers after normal business hours.

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The conduct of meetings at venues other than the Council Chambers, if required, would incur additional costs in terms of staff time, transport costs, and setting up of venues suitable for a Council meeting.

### **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 adopt the meeting dates for 2024 as listed.

MOVED BY	CR BRAMICH
SECONDED BY	CR EDWARDS

**That Council approve scheduling of Ordinary Council Meetings for the third Monday of each month commencing at 6:00 pm for the period from January 2024 to December 2024, or according to the Schedule below:**

<b>DATE OF MEETING</b>	<b>TYPE OF MEETING</b>
<b>Monday 22 January 2024</b>	<b>Ordinary Council Meeting</b>
<b>Monday 19 February 2024</b>	<b>Ordinary Council Meeting</b>
<b>Monday 18 March 2024</b>	<b>Ordinary Council Meeting</b>
<b>Monday 15 April 2024</b>	<b>Ordinary Council Meeting</b>
<b>Monday 20 May 2024</b>	<b>Ordinary Council Meeting</b>
<b>Monday 17 June 2024</b>	<b>Ordinary Council Meeting</b>
<b>Monday 15 July 2024</b>	<b>Ordinary Council Meeting</b>
<b>Monday 19 August 2024</b>	<b>Ordinary Council Meeting</b>
<b>Monday 16 September 2024</b>	<b>Ordinary Council Meeting</b>
<b>Monday 21 October 2024</b>	<b>Ordinary Council Meeting</b>
<b>Monday 28 October 2024</b>	<b>Annual General Meeting</b>
<b>Monday 18 November 2024</b>	<b>Ordinary Council Meeting</b>
<b>Monday 16 December 2024</b>	<b>Ordinary Council Meeting</b>

The MOTION was put and was CARRIED.

### **IN FAVOUR**

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

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## 9.8 AWARD OF CONTRACT 810 - STORMWATER MAIN REPLACEMENT (BOWICK STREET)

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

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### PURPOSE

To determine Council's position in relation to tender submissions received for the installation of a new stormwater main to replace an existing main adjacent to Bowick Street.

### BACKGROUND

Council received reports from property owners at 1 Bowick Street of ground subsidence and sink holes developing in their back yards. Upon inspection of these reports it was discovered that the old pipe sections of the existing stormwater main in this vicinity had separated and dropped substantially causing material loss into the pipe and the formation of voids.

Investigation into potential remediation options was undertaken, inclusive of modern-day pipe repair techniques such as relining and stabilising, however it was discovered that the sections of pipe had dropped too substantially for this technique to be viable, in most instances greater than 100mm.

In order to achieve the objectives and obligations of the *Urban Drainage Act 2013* -

*(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.*

- it was determined to install a new stormwater main on an alternative alignment with provision for future increase in stormwater flows.

Provision of these works is to be undertaken by an external contract provider, owing to the expense of specialist equipment and skills required to deliver the scope of the project.

A call for tenders for the provision of these works was published in the Advocate newspaper and on the Tenderlink website on Saturday 12 August 2023.

### DETAILS

The contract operates as a schedule of rates (SoR) 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 this contract.

At the close of tenders on 31 August 2023, twelve (12) contractors had accessed the tender documents via Tenderlink and two (2) contractors submitted tenders for the works.

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Tender submissions were received from;

- Hardings Hotmix
- Batchelor Construction Group

Both 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. Both 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 criteria, itemised below:

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

Generally, the past services provided to the Local Government sector by each of these companies have been considered satisfactory, and they each 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 nominated timeframes and to the quality required. Accordingly, there is no significant alteration to the selection of the preferred tenderer based upon these considerations and the selection of the preferred tenderer is considered primarily to be a matter of price in this instance.

Batchelor Construction Group have submitted the lowest price tender option with a calculated overall price of \$263,960, whilst noting that this total price is an estimate based upon identified quantities, the relativity of pricing is not anticipated to vary to any degree of significance should the final quantities vary from the tender schedule.

Each tender submission has been evaluated against the weighted key selection criteria by a selected tender review committee. The assessment documents have been provided to elected members as an attachment to this report.

In considering all other matters associated with the project and tender submissions received it is recommended that Batchelor Construction Group be awarded the project with a calculated tender value of \$263,960.

## **STATUTORY IMPLICATIONS**

### Statutory Requirements

Council has statutory requirements under the *Urban Drainage Act 2013* to protect lives and properties within the urban drainage area from the risk of flooding and inundation. These works satisfy the requirements of Council under this act.

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## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL 7: Environment</b>
<b>Desired Outcomes</b>
1.2 We maintain and manage our assets sustainably.
<b>Our Priorities</b>
3.4.1 Promote and work with stakeholders to provide affordable quality services.

### Sustainable Murchison Community Plan 2040

<b>Community Future Direction Theme</b>	<b>Key Challenges &amp; Opportunities:</b>
<b>Access and infrastructure</b>	<b>Local, regional and global transport and infrastructure access</b> – 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

Council has adopted a budget of \$315,822 to deliver this project and the tender submission from Batchelor Construction Group is \$263,960. There is an estimated \$22,107 cost of project supervision, giving a final predicted project cost of \$286,067. This gives a favourable forecast variation of \$29,754.

## 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

Directly affected property owners have been informed of the project. The contractor will be responsible for further communication with these property owners in respect to site access, impacts and the schedule of works.

The greater community will be advised through Council's media channels.

## CONCLUSION

The tender submitted by Batchelor Construction Group for the installation of a new stormwater main at Bowick Street is considered the best option presented to Council, in

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taking into consideration all aspects of the tenders submitted. It is recommended that the associated contract be awarded accordingly.

MOVED BY	CR BRAMICH
SECONDED BY	CR ROBERTS

**That Council award contract 810 – Stormwater main replacement (Bowick Street) to Batchelor Construction Group**



The MOTION was put and was CARRIED.

IN FAVOUR

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

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## 9.9 CAPITAL WORKS BUDGET AMENDMENTS 2023-24

To:	Council
Reporting Officer:	Manager Financial Services
Responsible Manager:	General Manager
Report Date:	8 September 2023
File Reference:	Financial Management - Annual Plan and Budget - Adopted Budget/s
Enclosures:	1. Revised Estimated Financial Statements 2023-24 
	2. Capital Works Adjustments 

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### PURPOSE

Revised Estimated Financial Statements and capital expenditure estimates for the year ending 30 June 2024 are provided to Council for consideration.

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

### BACKGROUND

When Council adopted its Annual Plan and Budget Estimates on 19 June 2023, the estimated capital works expenditure for projects that are ongoing was not known with certainty.

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

The budget estimates also include assumptions in relation to final forecasts for balance sheet items (like receivables and payables). The revised estimated financial statements also allow an updated forecast as at 30 June 2024 based on final known balances of assets and liabilities as at 30 June 2023.

On adoption; the revised estimates will supersede those previously adopted as part of the Annual Plan and Budget adopted at the 19 June 2023 meeting.

### DETAILS

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

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

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

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## Capital Works Budget Amendments

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

The revised capital expenditure estimates result in an increase in expenditure of \$1,050,600 throughout 2023-24. \$155,303 relates to the timing of project funding budgeted for the last financial year and unspent as at 30 June 2023 (discussed below). \$895,297 relates to proposed budget amendments (discussed below).

<b>Original budgeted capital works expenditure 2023-24</b>	<b>\$23,564,248</b>
Add: Budgets Carried Forward for Works in Progress	\$155,303
Add: Other budget amendments	\$895,297
<b>Revised budgeted capital works expenditure 2023-24</b>	<b>\$24,614,848</b>

### Carry Forward Budget Changes

The increase of \$155,303 to reflect changes in the carry forward budget relate purely to timing of project completion and the associated cash outflows. The original budget estimates included a total of \$10.668m of carry forward projects. This has now been revised to \$10.824m following the final 2022-23 figures. There are a total of 44 projects that are ongoing. Projects have been delayed for a variety of reasons including longer permit and approval times, construction delays, attraction of contractors, long lead times for plant and equipment and material shortages.

### Other Capital Budget Amendments

Other budget amendments include additional capital works projects which have been identified since budget adoption on the 19 June 2023. The following are recommended additions to the adopted capital budget:-

<b>Description</b>	<b>Amount</b>	<b>Note:</b>
Fossil Bluff Stairway Replacements	\$68,616	<b>1</b>
Langley Park Clubrooms – LED Lighting Replacement	\$5,200	<b>2</b>
Wynyard Indoor sports Centre – Window Replacement	\$8,500	<b>3</b>
Wynyard Recreation Ground – Astro turf for SLOG	\$13,500	<b>4</b>
Boat Harbour Shower	\$7,000	<b>5</b>
Small Plant & Tools	\$30,000	<b>6</b>
Somerset Recreation Ground – Drainage Improvements	\$5,500	<b>7</b>
Wonders of Wynyard Fire Panel	\$4,500	<b>8</b>
Council chambers LED Lighting	\$5,568	<b>9</b>
Digital transformation Strategy	\$45,522	<b>10</b>
Civica Cloud Hosting	\$22,081	<b>11</b>
Inglis River Walking Track	\$679,201	<b>12</b>
<b>Total</b>	<b>\$895,297</b>	



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- Note 1** The original budget submission for this project underestimated the cost of the scope of works.
- Note 2** This was an unforecast renewal and is due to a number of the current fluorescent lights failing.
- Note 3** This renewal was forecast to occur in 2024-25, but has significantly deteriorated and is therefore recommended to move forward to 2023-24.
- Note 4** This item is recommended in order to reduce a current high labour activity and provide some efficiency gain in the order of \$2,000 per annum.
- Note 5** This item is recommended for renewal.
- Note 6** This item was missed in the original 2023-24 capital works estimates.
- Note 7** Recommended drainage improvements around the clubrooms.
- Note 8** This item is recommended for renewal.
- Note 9** This was an unforecast renewal and is due to some of the fluorescent lights failing and becoming hazardous.
- Note 10** Following the Digital Transformation Phase 1: Design and Planning project, we now have more accurate estimates of the work program for the upcoming 12 months, and have identified the need for a small amount of additional funding to complete the first 12 months of the strategy.
- Note 11** The decision to switch from a cloud-based solution to an on-premises solution, coupled with costs incurred during the transition, has led to a budgetary gap of \$22,081 for the Cloud migration project.
- Note 12** This increase is in line with the recommended actions in the Inglis River Walking Track Study and proposes to complete upgrades to the Golf Links Road & Esplanade to Cemetery sections of the track in the 2023-24 year.

**Revised Cash as at 30 June 2023**

Council's revised estimated of cash held as at 30 June 2023 is \$5,852,574 an increase of \$353,732. A reconciliation of the main changes to the change is detailed as follows:

<b>Original budgeted cash as at 30 June 2024</b>	<b>\$5,498,842</b>
Changes in opening cash position	1,839,468
Adjustments to capital works expenditure	(1,050,600)
Change in Capital Grant Funding	\$564,864
Removal of Borrowings	(\$1,000,000)
<b>Revised budgeted cash as at 30 June 2024</b>	<b>\$5,852,574</b>

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### Changes in opening cash position

The above reconciliation contains adjustments to recognise a change in the opening cash position based on the June 2023 actual cash balance rather than the forecast at the time of setting the budget. The significant change in cash balance is predominately due to a favorable 2022-23 operating result when compared to budget of \$343k, and a number of capital works projects which came under budget in the 2022-23 totalling \$1.407m.

These projects include Robin Hill Road (\$319k), Bridge Replacements at West Calder, Oonah & Bassets Roads (\$379k), East Wynyard Foreshore Carpark (\$278k) and the 2022-23 Resheet program (\$105k).

### Changes in grant funding

The change in capital grant funding is due a delay in the receipt of Roads to Recovery grant funding which was expected to be received in 2022-23, but has been delayed to 2023-24.

### Removal of Borrowings

Council included \$1 million of borrowings in its original 2023-24 budget estimates to fund the Somerset Stormwater Outfall project. Due to the significant improvement in Council's expected cash position at 30 June 2024 it is recommended that Council not borrow funds for this project and instead use cash reserves. After removal of the \$1 million of borrowing's Council is expected to have \$5.85 million in cash as at 30 June 2024, well above its FMS target of \$5 million.

## **STATUTORY IMPLICATIONS**

### Statutory Requirements

The *Local Government Act 1993* provides:

82. *Estimates*

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

## **STRATEGIC IMPLICATIONS**

### Strategic Plan Reference

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

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## Sustainable Murchison Community Plan 2040

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

### **POLICY IMPLICATIONS**

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

### **ENVIRONMENTAL IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

The overall financial impact of the budget amendments is an increase in estimated capital expenditure of \$1,050,600.

Council's revised estimate of cash held as at 30 June 2024 is \$5,852,574, an increase of \$353,732.

### **RISK IMPLICATIONS**

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

### **CONSULTATION PROCESS**

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

### **CONCLUSION**

It is recommended that Council adopt the proposed capital works budget amendments totalling \$155,303 as presented, the proposed capital budget amendments totalling \$895,297 as shown, and the revised Estimated Financial Statements for the year ended 30 June 2024.

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

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MOVED BY	CR ROBERTS
SECONDED BY	CR JOHNSTONE

**That Council:**

- 1. Adopt the proposed capital works budget amendments (carry forwards) totalling \$155,303 as presented;**
- 2. Adopt the Proposed capital budget amendments totalling \$895,297 as presented; and**
- 3. Adopt the Revised Estimated Financial Statements for the year ended 30 June 2024, replacing the statements adopted in the Annual Plan and Budget Estimates on 19 June 2023.**
- 4. Not borrow \$1 million to fund the Somerset Stormwater Outfall project and fund the project using cash reserves.**

The MOTION was put and was CARRIED.

**IN FAVOUR**

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

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## 9.10 FINANCIAL REPORT FOR THE PERIOD ENDED 31 AUGUST 2023

To: Council  
Reporting Officer: Manager Financial Services  
Responsible Manager: Manager Financial Services  
Report Date: 6 September 2023  
File Reference: Financial Management - Reporting - Council  
Enclosures: 1. Monthly Capital Report - August 

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### PURPOSE

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

### BACKGROUND

The financial reports presented incorporate:

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

### DETAILS

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

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

### STATUTORY IMPLICATIONS

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

### STRATEGIC IMPLICATIONS

#### Strategic Plan Reference

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

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Strategy or Plan Reference

<b>Council Strategy or Plan</b>	<b>Date Adopted:</b>
Financial Management Strategy 2022-2032	Adopted October 2021

**POLICY IMPLICATIONS**

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

**ENVIRONMENTAL IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

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

**RISK IMPLICATIONS**

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

**CONSULTATION PROCESS**

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

**CONCLUSION**

All details are included in the attached reports.

MOVED BY	CR ROBERTS
SECONDED BY	CR EDWARDS

**That Council note the Financial Report for the period ended 31 August 2023**

The MOTION was put and was CARRIED.

**IN FAVOUR**

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

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## 9.11 SENIOR MANAGEMENT REPORT

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	6 September 2023
File Reference:	1312
Enclosures:	Nil

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### 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 12 August to 8 September 2023

#### **Corporate**

- Participated in a Joint Executive Management team meeting with representatives of Circular Head Council.
- Participated in the Future of Local Government Hearings.
- Completed staff performance reviews.
- Attended an online meeting with representatives of the Department of Premier and Cabinet regarding cyber security.
- Participated in regular meeting with the General Manager of Circular Head Council.

#### **Community**

- Met with residents relating to a planning matter.

#### **Industry**

- Participated in a meeting with Tourism Tasmania regarding the caravan and camping market in the context of the Waratah Wynyard area.

#### **Other**

- Attended a Board meeting of the Cradle Coast Authority.
- Attended a Board workshop of the Cradle Coast Authority.

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## COMMUNITY CONVERSATIONS

A Community Conversation was held on 11 September in Yolla at the School with 8 people in attendance.

While numbers were low, good conversations were held with community members, senior staff and Councillors. Key topics raised included roadside maintenance and water pooling, Yolla “Story board” signs, planting trees, vintage farm machinery, the possibility of a Potato Festival and Harvest Market event, Sharing the “Dream Big” program across schools, alternate community communication options, kerbside rubbish collections and a public toilet for Yolla.

The next Community Conversation will be held at Boat Harbour Beach – 27 November 6.00 - 7.30pm.

## ADMINISTRATION – Use of Corporate Seal

04/08/2023	Adhesion Order	DA 97/2020 23-25 Wragg Street Somerset
04/08/2023	Grant Agreement	Dept State Growth - 2021 State Election Commitment – southern breakwater repairs Inglis River \$30,000
10/08/2023	Deed of Indemnity	Dulverton Regional Waste Management Authority Agreement
10/08/2023	Instrument of Contract	Veolia Environmental Services – Recyclable Collection and/or Food Organics and Garden Organics (FOGO) Collection Service
18/8/23	Strata Plan Boundary reconfiguration	D/A 245/2008 263 Port Rd. Boat Harbour.
21/8/23	Instruments of Delegation	Planning Services Coordinator - Powers and Functions under Land Use Planning and Approvals Act 1993
29/8/23	Final Plan and Schedule of Easements	SD2089 134 Hoares Lane Boundary Adjustment (four lots into four)

## POLICIES TO BE RESCINDED

There are no polices to be rescinded at this meeting.

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MOVED BY	CR ROBERTS
SECONDED BY	CR JOHNSTONE

## That Council note the monthly Senior Management Report.

The MOTION was put and was CARRIED.

## IN FAVOUR

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



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## 9.12 MINUTES OF OTHER BODIES/COMMITTEES

Nil received.

## 10.0 MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING

MOVED BY	CR BRAMICH
SECONDED BY	CR HYLAND

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

<b>Matter</b>	<b>Local Government (Meeting Procedures) Regulations 2015 Reference</b>
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) – Notices Of Motion <b>NIL RECIEVED</b></i>	15(2)
<i>Confidential Report R15 (2) (g) information of a personal nature or information provided to the council on the condition it is kept confidential – <b>TENDER ASSESSMENT</b></i>	15 (2) (g)
<i>Confidential Report R15 (2) (h) - Leave of Absence Request – Councillors <b>NIL RECIEVED</b></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		MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	

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**11.0 CLOSURE OF MEETING TO THE PUBLIC**

MOVED BY	CR EDWARDS
SECONDED BY	CR ROBERTS

**That the Council RESOLVES BY AN ABSOLUTE MAJORITY to go into Closed Meeting to consider the following matters, the time being 6.43PM**

<b>Matter</b>	<b>Local Government (Meeting Procedures) Regulations 2015 Reference</b>
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) – Notices Of Motion <b>NIL RECIEVED</b></i>	15(2)
<i>Confidential Report R15 (2) (g) information of a personal nature or information provided to the council on the condition it is kept confidential – <b>TENDER ASSESSMENT</b></i>	15 (2) (g)
<i>Confidential Report R15 (2) (h) - Leave of Absence Request – Councillors <b>NIL RECIEVED</b></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		MAYOR DUNIAM	CR EDWARDS
CR HYLAND	CR ROBERTS	CR JOHNSTONE	

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**12.0 RESUMPTION OF OPEN MEETING**

At 6.45pm 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:

<b>Min. No.</b>	<b>Subject</b>	<b>Decisions/Documents</b>
NIL		

THERE BEING NO FURTHER BUSINESS THE CHAIRPERSON DECLARED THE MEETING CLOSED AT 6.45pm.

Confirmed,

MAYOR

16 October 2023