



**ORDINARY MEETING
OF COUNCIL**

**AGENDA
OPEN MEETING**

20 May 2019

20 May 2019

Notice of Meeting – Ordinary Meeting of Council

In accordance with the *Local Government (Meeting Procedures) Regulations 2015* NOTICE is hereby given that the next Ordinary Meeting of the Waratah-Wynyard Council will be held at the Council Chambers, 21 Saunders Street, Wynyard on Monday 20 May 2019 with the Business of the meeting to be in accordance with the following agenda paper.

General Manager's Certification

PURSUANT to Section 65 of the *Local Government Act 1993* I hereby certify, with respect to the advice, information and/or recommendation provided for the guidance of Council in this Agenda, that:

1. Such advice, information and/or recommendation has been given by a person who has the qualifications or experience necessary to give such advice; and
2. Where any advice is given by a person who does not have the required qualifications or experience, that person has obtained and taken into account the advice from an appropriately qualified or experienced person.



Shane Crawford
GENERAL MANAGER

Enquiries: Mayor Walsh
Phone: (03) 6443 8311
Our Ref: 004.01

20 May 2019

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

Dear Shane,

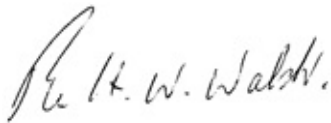
COUNCIL MEETING

In accordance with regulation 4 of the *Local Government (Meeting Regulations) 2015* which states:

4. *Convening meetings of council*
 - (1) *The mayor of a council may convene council meetings.*

I request that you make the necessary arrangements for the next ordinary meeting of Council to be convened on Monday 20 May 2019 commencing at 6.00pm at the Council Chambers, 21 Saunders Street, Wynyard.

Yours sincerely



Cr Robby Walsh
MAYOR

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

AGENDA OF AN ORDINARY MEETING OF THE WARATAH-WYNYARD COUNCIL TO BE HELD AT THE COUNCIL CHAMBERS, 21 SAUNDERS STREET, WYNYARD ON MONDAY 20 MAY 2019, COMMENCING AT 6.00PM

	From	To	Time Occupied
Open Council			
Planning Authority			
Open Council			
Closed Council			
Open Council			
TOTAL TIME OCCUPIED			

AUDIO RECORDING OF COUNCIL MEETINGS POLICY

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

ACKNOWLEDGEMENT OF COUNTRY

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

1.0 RECORD OF ATTENDANCE

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2005; Regulation 8(2)(a)

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

(a) attendance and apologies.

1.1 ATTENDANCE

1.2 APOLOGIES

1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Mayor Robby Walsh - 13 May 2019 to 10 June 2019 inclusive.

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING
--

Legislative Reference:

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

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

(b) Confirmation of the minutes.

2.1 CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY COUNCIL MEETING

RECOMMENDATION

That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at Council Chambers, 21 Saunders Street, Wynyard on Monday 15 April 2019, a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.

Any corrections to the Minutes are to be identified and agreed at this point prior to taking a vote to adopt the minutes.

3.0 DECLARATIONS OF INTEREST

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015, Regulation 8(7)

(7) The chairperson is to request Councillors to indicate whether they have, or are likely to have, a pecuniary (or conflict of) interest in any item on the agenda.

Councillor and Agenda Item Number

Staff and Agenda Item Number

4.0 COUNCILLORS ANNOUNCEMENTS AND REPORT

4.1 ANNOUNCEMENTS BY MAYOR

Nil received.

4.2 MAYOR'S COMMUNICATIONS

RECOMMENDATION

That the Council note the Mayor's Diary

Date	Purpose
10/4/19	Official Opening 7UP Youth Centre
12/4/19	Capital Works Tour
15/4/19	Council Meeting
25/4/19	DEPUTY MAYOR – Somerset ANZAC Day Services
25/4/19	DEPUTY MAYOR - Wynyard ANZAC Day Services
26/4/19	Wynyard Bowls Club Function
29/4/19	Citizenship Ceremony
29/4/19	Councillor Workshop
30/4/19	Meeting with General Manager
1/5/19	Councillor Waste Management Workshop
2/5/19	DEPUTY MAYOR – CCA Q&A Session
6/5/19	Councillor Workshop
7/5/19	Meeting with Constituent
7/5/19	Meeting with General Manager
7/5/19	Meeting with Justine Keay MP
8/5/19	LGAT Breakfast Forum
8/5/19	TasWater General Meeting
9/5/19	Meeting with Constituent
10/5/19	Investiture Ceremony Recipients of 2019 Australia Day Honors

4.3 REPORTS BY DELEGATES

Nil received.

4.4 COUNCILLOR STATEMENTS

Nil received.

4.5 NOTIFICATION OF COUNCIL WORKSHOPS

Legislative Reference:

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

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

(c) the date and purpose of any council workshop held since the last meeting.

RECOMMENDATION

That the Council notes that the following workshops were conducted by Council since its last Ordinary Council Meeting.

6/5/19	Tasmanian Planning Scheme
6/5/19	Budget Deliberations
13/5/19	Annual Plan Actions
13/5/19	Budget Deliberations
13/5/19	Rates and Charges Policy
13/5/19	2019/20 Fees and Charges

UPCOMING WORKSHOPS – Indicative only and subject to change

27/5/19	Planning Scheme Review
27/5/19	Budget Deliberations
27/5/19	Meeting Procedures Review
3/6/19	Bass Highway Study
3/6/19	Shared Services

5.0 PUBLIC QUESTIONS AND STATEMENTS

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015 Regulation 31

- (1) *A member of the public may give written notice to the general manager 7 days before an ordinary meeting of the Council of a question to be asked at that meeting.*
- (3) *The Chairperson at an ordinary meeting of a council must ensure that, if required, at least 15 minutes of the meeting is available for questions to be asked by members of the public.*
- (4) *A question by any member of the public under this regulation and an answer to that question are not to be debated at the ordinary council meeting.*
- (7) *A council is to determine any other procedures to be followed in respect of question time.*

The Council determined (at a meeting held on 20 July 2015) that the following procedures be followed in respect of question time: -

- (1) *In this clause a question includes part of a question (so that a question in 3 parts is to be treated as 3 questions).*
- (2) *A member of the public who wishes to ask a question at a meeting must—*
 - (a) *before the commencement of the meeting, submit their question in writing, on the form provided by the local government, to the General Manager or his or her representative; and*
 - (b) *be present at the meeting when the question is asked, however the person may seek approval from the Presiding Member for their nominated representative to ask the question on their behalf.*
- (3) *A completed question time form must include:*
 - (a) *the name and residential or contact address of the person who wishes to ask the question; and*
 - (b) *the question in a succinct and legible form.*
- (4) *In cases of disability or other extenuating circumstances:*
 - (a) *an officer of the local government, if requested to do so, may assist the person to complete a question time form; and*
 - (b) *in the absence of that assistance, the Presiding Member may permit a person to ask a question that was not included on a question time form.*
- (5) *(a) If more than 2 questions are submitted in writing by any one person, the Presiding Member shall allow that person, in the first instance, to ask a maximum of 2 questions;*
 - (b) *If after all other members of the public have asked their questions, and where time permits, the Presiding Member is to allow members of the public who wish to ask more than 2 questions to sequentially ask one further question. This process will continue until the allotted time has expired; and*
 - (c) *Where only one person wishes to ask more questions and where time permits, the Presiding Member is to invite that person to ask their additional questions.*
- (6) *The Presiding Member may decide that a question is out of order, and is not to be recorded or responded to—*
 - (a) *if it is not in the form of a question, having regard to its content and length, is essentially a statement of expression of opinion rather than a question, provided that the Presiding Member has taken reasonable steps to assist the member of the public to phrase the statement as a question; or*
 - (b) *if the question uses an offensive or objectionable expression or is defamatory.*
- (7) *The Presiding Member may determine that any question requiring research or investigation be answered in writing as soon as practicable.*
- (8) *Where the necessary information is available at the time the question is posed a response is to be provided by either the General Manager, relevant Member or employee nominated by the Presiding Member.*
- (9) *If the 15minute period set aside for questions from the public is reached, Council, by resolution, may resolve to extend the period for an additional 15 minutes to allow further questions to be asked.*
- (10) *No more than two 15-minute extensions to the time for the public to ask questions are to be permitted.*

The Council determined (at a meeting held on 20 July 2015) that the following procedures be followed in respect of public statements: -

- (1) *Members of the public may, during the public statements or the Planning Authority segments of the order of business, with the consent of the Presiding Member make a public statement on any matter that appears on the agenda for that meeting provided that:*
 - (a) *The member of the public submits to the General Manager prior to the commencement of the meeting the public statement in a form acceptable to the General Manager and which includes the name and residential or contact address of the member of the public;*
 - (b) *The public statement precedes discussion of any matter which requires a decision to be made at the meeting but otherwise at item (11) of order of business at clause 4.2;*
 - (c) *The public statement is limited to a maximum period of 3 minutes, unless otherwise determined by the Presiding Member; and*
 - (d) *No discussion or questions relating to the statement are permitted, unless otherwise determined by the Presiding Member.*
- (2) *Fifteen minutes is to be allocated for the public statement time.*

-
-
- (3) *Once all statements have been made, nothing prevents the unused part of the statement time period from being used for other matters.*
 - (4) *If the 15-minute period set aside for public statements is reached, Council, by resolution, may resolve to extend the period for an additional 15 minutes to allow statements to be made.*
 - (5) *No more than two 15-minute extensions to the time for public statements are to be permitted.*
 - (6) *Procedures for public statements are to be in accordance with policy adopted from time to time by the Council and, where the policy is silent on a matter, the procedures for that matter are to be determined by the Presiding Member.*

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

Nil received.

5.2 PUBLIC QUESTIONS RECEIVED IN WRITING

5.2.1 MR C HUTCHISON - COUNCIL BUILDING MANAGEMENT

QUESTION

Does the council have a minimum usage level per week / per month for a council managed building to be allocated funds? If so what is this usage requirement, and if not, how does the council determine acceptable quantity of usage per facility when reviewing community owned - council managed assets to justify estimated budget allocations for that financial year?

OFFICERS RESPONSE

The answer to the original question is no. Renewals and maintenance programs are scheduled as part of Council's asset management requirements. Informal or anecdotal information on usage is considered as part of the expenditure considerations. It would be worthwhile to refer to a discussion paper titled "Community Meeting Places" adopted as part of the Council's Open Space, Sport and Recreation Plan which provides an overview of the management of halls and future actions proposed.

5.2.2 MR C HUTCHISON - HOW DOES COUNCIL DETERMINE ASSETS AND ALLOCATION OF FUNDS TO COMMUNITIES

QUESTION

Does the council have a formula to calculate the ratio of population to services provided (private & public) in non-urban communities outside of Wynyard/Somerset (>5km), what is this formula, and if there is no formula, how does council determine the consistency of funds allocated for services in rural/satellite communities (if any) - to Waratah, Yolla, Sisters Beach, Boat Harbour Beach, and the various farming communities inland of Wynyard and Somerset

OFFICERS RESPONSE

The answer to the question is no. Asset provision and replacement is done in accordance with Council's Asset Management Plans.

5.3 PUBLIC QUESTIONS WITHOUT NOTICE

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015 Regulation 31(2)(5)

(2) The Chairperson of an ordinary council meeting may –

(b) invite any members of the public present at an ordinary meeting to ask questions relating to the activities of the council.

When dealing with questions that require research or a detailed response –

(5) The Chairperson may –

(b) require a question to be put on notice and in writing to be answered at a later ordinary council meeting.

A summary of questions without notice and response(s) and the name of the person asking the question will be recorded in the minutes.

5.4 PUBLIC STATEMENTS RECEIVED IN WRITING

A summary that includes the name of the person making a public statement and subject title of that statement will be recorded in the minutes.

Nil received.

5.5 PUBLIC STATEMENTS WITHOUT NOTICE

6.0 PLANNING AUTHORITY ITEMS

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2005 Regulation 25/ Judicial Review Act.

The Chairperson is to advise the meeting if a Council intends to act at a meeting as a Planning Authority under the Land Use Planning and Approvals Act 1993.

25(2) The general manager is to ensure that the reasons for a decision by a Council acting as a Planning Authority are recorded in the minutes.

Any alternative decision the Council may make to a recommendation appearing on the Agenda, requires a full statement of reasons in order to maintain the integrity of the planning approval process and to comply with the Requirements of the *Judicial Review Act*.

6.1 PUBLIC QUESTIONS WITHOUT NOTICE – RELATING TO PLANNING MATTERS

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015 Regulation 31(2)(5)

(2) The Chairperson of an ordinary council meeting may –

(b) invite any members of the public present at the meeting to ask questions relating to the activities of the council.

When dealing with questions that require research or a detailed response –

(5) The Chairperson may –

(b) require a question to be put on notice and in writing to be answered at a later ordinary council meeting.

A summary of questions without notice and response(s) and the name of the person asking the question will be recorded in the minutes.

Nil received.

6.2 PUBLIC STATEMENTS - RELATING TO PLANNING MATTERS

A summary that includes the name of the person making a public statement and subject title of that statement will be recorded in the minutes.

Nil received.

6.3 DEMOLITION, REPLACEMENT DWELLING, NEW RETAINING WALLS & ASSOCIATED LOCATED AT 13 & 15 HEPPLES ROAD BOAT HARBOUR BEACH- 53/2018

To: Council
Reporting Officer: Town Planner
Responsible Officer: Director Infrastructure and Development Services
Report Date: 10 May 2019
File Reference: 7087735, 7087743
Supporting Documents: 1. DA 53/2018 - Hepples Road BHB - Supporting Documents

RECOMMENDATION

That Council acting as a Planning Authority, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Waratah-Wynyard Interim Planning Scheme 2013*, the planning authority refuse an application for demolition, a new replacement dwelling, retrospective retaining walls and associated earthwork located at 13 & 15 Hepples Road, Boat Harbour Beach, on the following grounds;

- (1) The application does not demonstrate compliance with Clause 12.4.2 P1 Dwelling Density of the *Waratah-Wynyard Interim Planning Scheme 2013*. A building area with tolerable level or risk from a natural hazard, has not been identified on-site.
- (2) The application does not demonstrate compliance with clause E4.6.1 Change in existing ground level or natural ground level of the *Waratah-Wynyard Interim Planning Scheme 2013*. The proposal does not demonstrate arrangements for the drainage and disposal of stormwater and intersected groundwater have occurred.
- (3) The application does not demonstrate compliance with Clause E6.5.2 Use likely to be exposed to a natural hazard of the *Waratah-Wynyard Interim Planning Scheme 2013*. A hazard risk assessment did not determine a tolerable level of risk can be maintained for the life of the development.
- (4) The application does not demonstrate compliance with Clause E6.6.2 Development on land exposed to a natural hazard of the *Waratah-Wynyard Interim Planning Scheme 2013*.

PURPOSE

The purpose of this report is for Council to consider the merits of the application DA 53/2018 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013* (Planning Scheme).

BACKGROUND

The subject site is located at 13 and 15 Hepples Road, Boat Harbour Beach. The subject site is located on the north-eastern side of Hepples Road and comprises of two individual titles.

The site is within the Low Density Residential zone as are the adjoining parcels of the land to the east, west and south. The site is bound to the north by Boat Harbour Beach, a Crown reserve zoned Environmental Management under the planning scheme.

The shared boundary to the south of the site is Council owned road reserve identified as Hepples Road. The shared boundary of the subject site has an existing established concrete crib retaining wall and is supporting Hepples Road above. The subject site (both lots) are accessed from Hepples Road at the south via existing pedestrian only access walkways, as are many of the properties located on the north-eastern side of Hepples Road.

Due to the great change between the road and the lots located on the northern side of Hepples Road, dwellings are located approximately 7.5m below the Hepples Road pavement.

The title identified as 13 Hepples Road Boat Harbour Beach (CT 143923/32) is 308.2m² in area and has an existing dwelling, walkway and retaining walls on site with a frontage of 13.5m to Hepples Road. No further works are proposed to this title. This title has been included as part of the application due to the 'verti block' retaining wall extending from the property identified as 15 Hepples Road over the boundary into this title for approximately 4m in length.

The title identified as 15 Hepples Road Boat Harbour Beach (CT 143923/31) is where the majority of the development approval is sought. This lot is 268m² in area with an 18m frontage adjoining Hepples Road. A pipeline easement with a width of 1m occurs on the western boundary of the lot. The lot currently has a portion of the original dwelling, a new portion of dwelling at ground floor to the rear of the dwelling, and two (2) new retaining walls. This site is currently fenced off as required by Council's Building Order issued March 2017, in order to prevent public access to the site.

A Building Notice and subsequent Building Order was issued by Council on the property owner in March 2017, determining that works on-site had exceeded any maintenance and repair work, as initially believed. On-site construction of two retaining walls had occurred and removal of earth under the rear section of the dwelling with construction of a new slab foundation had taken place. The building order provided two options, demolish the unapproved building work or obtain relevant permits for the works.

The adjoining titles to the north-west and east contain a residential dwelling on each title and are similarly sized small lots.

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



Figure 1: Subject Site

Source: Waratah-Wynyard Council MapInfo GIS

DETAILS

The applicant is seeking approval to demolish an existing dwelling, construct a new replacement dwelling and two retaining walls with associated earthwork at properties identified as 15 Hepples Road and 13 Hepples Road, Boat Harbour Beach.

Portions of the proposed development have been carried out without obtaining relevant planning and building approvals which include partial demolition of the existing dwelling, partial construction of the new dwelling and construction of the two new retaining walls (refer to Figures 2 and 3 as provided by the applicant). Retrospective planning approval is therefore sought for development that has occurred without obtaining the necessary planning approvals.



Figure 2: View facing north-west

Source: provided by the applicant



Figure 3: vertiblock retaining wall

Source: provided by the applicant

The existing dwelling to be removed at 15 Hepples Road is a split-level dwelling with a maximum height of approximately 5.6m above current ground level. The dwelling has a

skillion roof which slopes down to the south-west of the site. The ground floor originally had a floor area of approximately 14m² in area and housed two bedrooms. The first floor level is approximately 111m² in area with an open plan living, dining, bathroom and laundry. A deck is located to the north-western and north-eastern sides of the dwelling. This deck abuts the north-western boundary of the property. A stair case is located on the south-eastern side of the deck and provides access between the two levels. This entire dwelling will be demolished.

The proposed new replacement dwelling details a similar footprint at the site. The ground floor area will increase to 88m², substantial earthworks have occurred to accommodate this. The ground floor details a family room, two bedrooms, bathroom and outdoor patio. An internal staircase will be located at the south-western portion of the building providing access between the levels. The first floor will comprise of approximately 117m² and have an open plan living, dining and kitchen with a master bedroom including an ensuite. A deck wraps the north-western and north-eastern elevations accessed via sliding doors from the open plan living area. This deck will be constructed to the north-western side boundary. The dwelling details a gabled roof measuring a maximum of 7.1m above current ground level on-site.

The external walls of the ground floor level will be formed of poured concrete panels, and the external walls of the first-floor level will be clad with fibre cement sheeting or weatherboards. The deck will be timber framed with a glazed balustrade. Privacy screens are to be located along the north-western and south-eastern ends of the deck, with a stair case located on the south-eastern side of the deck to provide external access between the ground floor and first floor levels.

The existing pedestrian access to 15 Hepples Road has been modified. This pedestrian access runs directly below Council's crib retaining wall that supports Hepples Road. This retaining wall incorporates bored piers of 3m in depth and has been cast in no fines concrete with a beam placed on top of the structure to form the footpath. This retaining wall runs parallel to the north-western boundary for the length of the dwelling and is approximately 1m from this boundary.

A retrospective approval is sought for the 'verti-block' retaining wall. This extends diagonally across the site from the south-eastern corner of the retaining wall that contains the pedestrian walkway to 15 Hepples Road. It is constructed of pre-cast concrete mass blocks and has approximately 4m of the retaining wall in the adjacent land at 13 Hepples Road.

This report assesses the proposal against the *Waratah-Wynyard Interim Planning Scheme 2013* (the Planning Scheme) and considers any representations received during the public exhibition period. The subject property is zoned Low Density Residential under the Planning Scheme. The proposal is defined as a Residential Use Class. This is a Permitted use within the zone, should the application meet all the relevant Acceptable Solutions. The applicant is applying for discretion under the following clauses:

-
- Suitability of a site or lot for use or development 12.4.1 (P1, P2);
 - Dwelling density 12.4.2(P1);
 - Location and configuration of development 12.4.3 (P2, P6);
 - Change in existing ground level or natural ground level E4.6.1 (P1);
 - Use likely to be exposed to a natural hazard E6.5.2 (P1);
 - Development on land exposed to a natural hazard E6.6.2 (P1);
 - Provision for parking E9.5.1(P1); and
 - Development in proximity to a water body, watercourse or wetland E10.6.1 (P1).

CONSULTATION PROCESS

The consultation process was the public exhibition period set out in the Land Use Planning and Approvals Act 1993 (LUPAA) and involved notification of adjoining land owners, 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 period for representations closed on 3 May 2019. One (1) representation has been received in relation to the proposal. This representation was received as a late representation on 8 May 2019. A summary has not been prepared as there was insufficient time prior to the Council Agenda closing. However, a copy has been included as an attachment to this report for consideration.

INTERNAL REFERRALS

Engineering Services Department

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

1. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
2. Stormwater management of the development site is to be in accordance with Examples of Good Hillside Construction Practice, Australian Geoguide LR8 (Construction Practice).
3. A Chartered Professional Engineer is to certify by declaration that all drainage works on the development site are in accordance with Examples of Good Hillside Construction Practice, Australian Geoguide LR8 (Construction Practice).

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 notes were recommended.

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

EXTERNAL REFERRALS

The application did not require referrals to external referral bodies.

PLANNING ASSESSMENT

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

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

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

12.0 Low Density Residential Zone

12.4.1 Suitability of a site or lot for use or development

<p>A1 A site or each lot on a plan of subdivision must –</p> <ul style="list-style-type: none">(a) have an area of-<ul style="list-style-type: none">(i) not less than 500m² excluding any access strip; or(ii) if in a locality shown in the Table to this clause, not less than the site area shown for that locality; and(b) contain a building area of not less than 10.0m x 15.0m-<ul style="list-style-type: none">(i) clear of any applicable setback from a frontage, side or rear boundary;(ii) clear of any applicable setback from a zone boundary;(iii) clear of any registered easement;(iv) clear of any registered right of way benefitting other land;	<p>P1 A site or each lot on a plan of subdivision must</p> <ul style="list-style-type: none">(a) be of sufficient area for the intended use or development without likely constraint or interference for -<ul style="list-style-type: none">(iii) erection of a building if required by the intended use;(iv) access to the site;(v) use or development of adjacent land;(vi) a utility; and(vii) any easement or lawful entitlement for access to other land; and(b) if a new residential lot, be orientated to maximise opportunity for solar access to a building area
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<ul style="list-style-type: none"> (v) clear of any restriction imposed by a utility; (vi) not including an access strip; (vii) accessible from a frontage or access strip; and (viii) if a new residential lot, with a long axis within the range of 30° east of north and 20° west of north 	
<p>Planning Comments: Complies</p> <p>The subject lot for the proposed replacement dwelling is 268.5m² and is unable to contain a building envelope clear of applicable setbacks. The proposal therefore relies on the performance criteria.</p> <p>The subject site will continue to be accessed from Hepples Road by the existing pedestrian walkway, complying with (ii).</p> <p>The site does not further constrain or interfere with a utility complying with (a) (iv).</p> <p>The building area of both the original dwelling and the proposed replacement dwelling is clear of the registered easement located parallel to the north-western boundary of 15 Hepples Road, complying with (a) (v).</p> <p>The proposal is not for a new residential lot, complying with (b).</p> <p>The proposal complies with the performance criteria.</p>	
<p>A2</p> <p>A site or each lot on a subdivision plan must have a separate access from a road-</p> <ul style="list-style-type: none"> (a) across a frontage over which no other land has a right of access; and (b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or (c) by a right of way connecting to a road- <ul style="list-style-type: none"> (i) over land not required as the means of access to any other land; and (ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and (d) with a width of frontage any access strip, or right of way of not less than- <ul style="list-style-type: none"> (i) 3.6m for a single dwelling development; or (ii) 6.0m from multiple dwelling development or development for a non residential use; and 	<p>P2</p> <ul style="list-style-type: none"> (a) A site must have a reasonable and secure access from a road provided- <ul style="list-style-type: none"> (i) across a frontage; or (ii) by an access strip connecting to a frontage, if for an internal lot; or (iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and (iv) the dimensions of the frontage and any access strip or right of way must be adequate for the type and volume of traffic likely to be generated by - <ul style="list-style-type: none"> a. the intended use; and b. the existing or potential use of any other land which requires use of the access as means of access for that land; and (v) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Road and Jetties Act 1935</i> must have advised it is satisfied

<p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	<p>adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan; or</p> <p>(b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan.</p>
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Planning Comments: Complies

Due to the topographical characteristics of the site with the land dropping away to the north-east of the crib wall holding Hepples Road above, the site cannot provide a constructed secure vehicle access from a road. The proposal therefore must rely on the performance criteria.

The proposal will continue to provide pedestrian access from Hepples Road. It must be noted Hepples Road is a unique setting in which majority of the parcels of land on the north-eastern side of the road reserve cannot provide constructed crossovers for the titles below. The road reserve has pockets to the side of the road pavement that are wider in order to allow for parking.

The applicant has stated that materials delivered to the site for the proposal are intended to be craned into the site from the road reserve above and small materials will be walked in via pedestrian walkway.

It is considered unnecessary for the development to require a constructed vehicular access to the site.

The proposal complies with the performance criteria.

12.4.2 Dwelling Density

<p>A1 The site area per dwelling must-</p> <p>(a) be not less than 500m² if the site has-</p> <ul style="list-style-type: none"> (i) connection to a reticulated water supply; (ii) connection to a reticulated sewer system; and (iii) connection to a stormwater system; or <p>(b) if the site is in a locality shown in the Table to this Clause, not less than the site area for that locality.</p>	<p>P1 The number of dwellings on a site must be consistent with the capability of the land for residential use in terms of-</p> <ul style="list-style-type: none"> (a) a suitable building area; (b) access from a road; (c) provision of water supply; (d) disposal of sewage; (e) disposal of stormwater; and (f) a tolerable level or risk from a natural hazard.
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Planning Comments: Does not comply

The site area per dwelling is 268.5m² for 15 Hepples Road and 309m² for the dwelling at 13 Hepples Road. Therefore, the application relies on the performance criteria.

The site of the proposed replacement dwelling has a suitable albeit small building area available on-site with the ability to comply with P1 (a).

The site has pedestrian access from Hepples Road, which is consistent with P1 (b).

The current dwelling has existing provision for water which will continue for the replacement dwelling, remaining consistent with P1 (c).

The existing dwelling is connected to sewage mains and the proposed replacement will continue to do so, complying with P1 (d).

The applicant has indicated the site has an existing connection to a stormwater discharge point, complying P1 (e).

The applicant provided a hazard risk assessment and further summarized the assessment stating, *"the hazard risk assessment determined that there is an insufficient increase in risk to warrant specific hazard reduction or protection measure with respect to landslip hazard."*

Clause 12.4.2 P1 (f) requires the number of dwellings on site to be consistent with the capability of the land for residential use in terms of maintaining a tolerable level of risk from a natural hazard. A tolerable level of risk is defined under the planning scheme as *"the lowest level of risk that is reasonably practical for society to live with so as to secure the benefits of a use or development, and which can be managed through routine regulatory measures or hazard management planning for the life of the use or development."*

A tolerable level of risk is considered to be categorised as a very low to low risk category of damage to property as assessed by a suitably qualified Geotechnical Engineer. The applicant provided a Geotechnical Land Risk Assessment written by a suitably qualified person to demonstrate compliance with the Hazard Management Code of the planning scheme. Subsequently this report demonstrated a risk category ranging from very low to very high risk for the site and proposed development. Therefore, the application does not meet subclause P1 (f) and subsequently must be refused.

The proposal does not comply with the performance criteria.

12.4.3 Location and configuration of development

<p>A2 All buildings must be contained within a building envelope determined by-</p> <ul style="list-style-type: none"> (a) the applicable frontage setback; (b) if the site is in a locality shown in the Table to this Clause, not less than the setback distance specific from the feature specified; (c) projecting a line at an angle of 45° from the horizontal at a height of 3.0m above natural ground level at each side boundary and at a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level if walls are setback- <ul style="list-style-type: none"> (i) not less than 1.5m from each side boundary; or (ii) less than 1.5m from a side boundary if wall height is not more than 3.0m; and <ul style="list-style-type: none"> a. built against an existing wall of an adjoining building; or b. the wall or walls- <ul style="list-style-type: none"> the wall or walls - i. have the lesser of a total length of 9.0m or one-third of the boundary with the adjoining land; ii. there is no door or window in the wall of the building; and iii. overshadowing does not result in - 	<p>P2 Building height and location of a building in relation to a frontage and site boundaries must-</p> <ul style="list-style-type: none"> (a) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling; (b) minimise the apparent scale, bulk, massing and proportion relative to any adjacent building; (c) be consistent with the streetscape; (d) respond to the effect of the slope and orientation of the site; and (e) provide separation between buildings to attenuate impact
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<p>a. less than 2 hours of continuous sunlight to a required minimum private open space area in an adjacent dwelling between 9.00am and 3.00pm on 21st June; or</p> <p>b. a further reduction in continuous sunlight to a required minimum private open space area in an adjacent dwelling if already less than 2 hours between 9.00am and 3.00pm on 21st June; or</p> <p>(d) in accordance with any building envelope shown on a sealed plan</p>	
<p>Planning Comments: Complies</p> <p>Portions of the proposed new dwelling will be located outside the building envelope. The dwelling at the north-western side boundary and the north-eastern rear boundary will be located outside the building envelope. Further to this the retrospective retaining walls located to the south, west and south-east will all be located outside the building envelope, and therefore rely on the performance criteria.</p> <p>The north-western wall of the proposed new replacement dwelling will be setback approximately 1m from the side boundary tapering to a side setback of 1.3m. The wall length is proposed to be 8.9m in length with the upper portions of the wall and roof extending outside the building envelope's 45° angle on this side boundary. The north-eastern wall and portions of the proposed deck will be located within 4m of the rear boundary.</p> <p>The dwelling is located to the south-east of the adjoining dwelling requiring a side setback relaxation and therefore no overshadowing will occur to a habitable room or a required area of private open space in the adjacent dwelling.</p> <p>The rear boundary of the site is located to the north of the property and adjoins the Boat Harbour Beach coastal reserve. It therefore does not overshadow an adjacent dwelling to the north.</p> <p>The likelihood for overshadowing the adjoining parcel of land to the south-east is minimised by the replacement dwelling being located within the building envelope at this side. Furthermore, the property continues to have access to northern sun to its living room and outdoor deck area. The proposal is considered to comply with P2 (a).</p> <p>The retrospective retaining walls are not located within the building envelope, however are dug into the site and therefore do not cast shadow over a habitable room or any adjacent dwelling.</p> <p>The bulk massing and proportions of the replacement dwelling will be similar to the original dwelling that is partially demolished. The main change includes a new roofline from the existing skillion roof to a gable roof, which will subsequently increase the height of the building by an additional 1.5m, taking the overall building height to 7.1m.</p> <p>The bulk scale and massing of the replacement dwelling will be minimised by the gable of the roof being orientated north-east to south-west which will ensure the highest point of the roof is located in the centre of the site instead of side boundaries like that of a skillion. This orientation will assist in minimising the apparent scale and form of the building when viewed from adjacent dwellings. The footprint will remain similar in area and the wall heights and lengths will be similar to the original dwelling. The separation distances between the proposed dwelling and adjoining dwellings will continue to remain the same. The proposal complies with P2 (b).</p>	

<p>The replacement dwelling will continue to be consistent with the streetscape of Hepples Road. As the property is located to the north-east of the road pavement, the topography drops dramatically to ground level approximately 7m below the level of the street. Only the very tip of the gable roof will be visible by projecting to the height of Hepples Road. This is consistent with the established dwellings located on the north-eastern side of Hepples Road streetscape. Separation between dwellings will continue to remain the same as compared to the existing dwelling. The proposal complies with P2(c).</p> <p>The new replacement dwelling with associated retaining walls is sited on a similar footprint to original dwelling to respond to the effect of the slope and orientation of the site, complying with P2 (d).</p> <p>The replacement dwelling and associated retaining walls continue to provide the existing separation between buildings along Hepples Road. This will assist in attenuating the building height of the proposal complying with P2 (e).</p> <p>The proposal complies with the performance criteria.</p>	
<p>A6 If on a site at Boat Harbour, a building on the lower side of a road must be single storey on the road elevation</p>	<p>P6 If on a site at Boat Harbour a building on the lower side of a road must be located within the site and be of a mass and height that does not result in an unreasonable loss of outlook from the immediately adjacent site on the high side of the road</p>
<p>Planning Comments: Complies</p> <p>The proposed new dwelling will be located to the lower side of Hepples Road and is proposed to be two storeys. Therefore the proposal is reliant on the performance criteria.</p> <p>The current ground level of the building area at 15 Hepples Road is located approximately 7m below the constructed pavement of Hepples Road. The proposed replacement dwelling will have a maximum building height of 7.1m to the ridge of the gabled roof, from the current ground level. The proposed building will not be an unreasonable height or mass when viewed from Hepples Road.</p> <p>The height and mass of the proposed replacement dwelling will not cause unreasonable loss of outlook from the immediately adjacent site on the high side of the road as only very minor protrusions of the gable will project above the pavement at Hepples Road. Currently the lot immediately adjacent the site, on high side of Hepples Road is a vacant parcel of land. This site has topography that begins at approximately 1m above the Hepples Road pavement and continues to rise to the south of the lot providing a greater outlook to the north-east.</p> <p>The proposal complies with the performance criteria.</p>	

Part E Codes

Bushfire-Prone Areas Code

E1 Not applicable to this application.

Airport Impact Management Code

E2 Not applicable to this application.

Clearing and Conversion of Vegetation Code

E3 Not applicable to this application.

Change in Ground Level Code

E4.6.1 Change in existing ground level or natural ground level

<p>A1 Cut or fill must- not be on land within the Environmental Living zone or the Environmental Management zone; be required to-</p> <ul style="list-style-type: none"> (i) provide a construction site for buildings and structures; (ii) facilitate vehicular access; (iii) mitigate exposure to a natural hazard or environmental hazard; (iv) facilitate provision of a utility; (v) assist the consolidation or intensification of development; or (vi) assist with stormwater management <p>not result in a modification of surface stormwater water flow to increase-</p> <ul style="list-style-type: none"> (i) surface water drainage onto adjacent land; (ii) pooling of water on the site or on adjacent land; or (iii) the nature or capacity of discharge from land upstream in a natural or artificial drainage channel; <p>not destabilise any existing building or increase the requirements for construction of any potential building on adjacent land; manage disposal of intersected ground water; safeguard the quality of receiving waters through measures to minimise erosion and release of sediments and other contaminants during each of the site preparation, construction and rehabilitation phase in accordance with <i>Soil and Water Management on Building Construction Sites 2009</i>;</p> <p>not require a retaining or support structure that would result in an area of influence within the boundary of adjacent land; and not encroach upon or expose, disturb, or reduce cover over an underground utility by less than 1.0m unless the relevant regulatory entity has been advised -</p> <ul style="list-style-type: none"> (i) it is satisfied the cut or fill will not result in harm to the utility; and (ii) any condition or requirement it determines are appropriate to protect the utility 	<p>P1 Cut or fill must- make arrangements for the drainage and disposal of stormwater; make arrangements to stabilise any existing building or to increase the requirements for construction of any potential building on adjacent land; manage drainage and disposal of intersected ground water; safeguard the quality of receiving waters; not require a retaining or support structure that would result in an area of influence within the boundary of adjacent land unless the owner of adjacent land has provided written consent to enter into an agreement under Part 5 <i>Land Use Planning and Approvals Act 1993</i> registered on the title of adjacent land providing for the level of constraint; and not encroach upon or expose, disturb, or reduce cover over an underground utility to less than 1.0m unless the relevant regulatory entity has advised –</p> <ul style="list-style-type: none"> (i) it is satisfied the cut or fill will not result in harm to the utility; and (ii) any condition or requirement it determines are appropriate to protect the utility
<p>Planning Comments: Does not comply</p> <p>Retrospective approval is sought for earthwork on the site, including retaining walls that can be broken into three portions. The ‘vertiblock’ retaining wall is located to the south-eastern corner of 15 Hepples Road title and extending into 13 Hepples Road title.</p>	

A no fines concrete retaining wall is located to the south of the proposed new dwelling on the east of the existing walkway and wrapping the ground floor of the dwelling at the south-western corner. Substantial earthworks have been carried out to cater for the ground floor and water tank. The existing pedestrian access which runs below Hepples Road adjacent to the established concrete crib retaining wall has been modified. The retaining wall incorporates bored piers and have been cast in no fines concrete with a beam placed on top of the structure which forms the footpath. The concrete retaining wall continues parallel to the north-western boundary for the length of the dwelling. The wall is setback 1m from the north-western boundary. A 'verti-block' retaining wall extends diagonally from the south-eastern corner of the retaining wall that contains the pedestrian walkway. It is constructed of pre-cast concrete mass blocks. Approximately 4m of the retaining wall extends into the adjacent lot to the south-east which is addressed as 13 Hepples Road.

The application details a cut directly below the south-western portion of the existing first floor level of the dwelling between the ground floor level and the existing walkway. The cut depth is approximately 2.3m at the south-western corner and tapers to existing ground level at the northern end of the title. The cut is proposed to be 1m from the north-western boundary, 3m from the frontage boundary to the south, and 2.9m from the south-eastern boundary.

The applicant has provided a response to the acceptable solution. However, assessment of the application has determined that compliance with the acceptable solution cannot be achieved. This assessment is detailed below.

The site is located within a Low Density Residential zone, complying with A1 (a).

The cut and earthworks are considered to be required to provide for the construction site for buildings and structures complying with A1 (b).

The applicant states all surface water will be collected from hard impervious surfaces and discharged to the public stormwater system. However, this portion of the application is for a retrospective approval. No engineers' drawings have been provided or designed for these walls, comments in the supporting documentation state the design is unknown. The retaining walls have been constructed, there have been no details in relation to the collection of the stormwater from these retaining walls. The application provides insufficient information in relation to the modification of the stormwater flows and drainage onto adjacent land and pooling on-site, remaining inconsistent with A1 (c).

The applicant states the application meets A1 (d) and does not destabilise any existing building or increase the requirements for construction of any potential building on adjacent land. The response states *"the cut will be supported by an engineered retaining wall. The retaining wall will be located along the exposed face of the cut and backfilled. The retaining wall will be designed to bear load from adjoining properties to ensure existing buildings on adjacent land remain stable."* However, no details are provided in relation to the engineered retaining walls. These matters are retrospective and have been limited to this comment by the applicant.

The applicant suggests the retaining walls include a drainage system at the base of the wall that will collect intersected ground water and discharge it to the public stormwater system. However, this is contradictory to the geotechnical report provided, the block wall may not have a system dealing with this as there is no evidence of this and therefore has not demonstrated compliance with A1 (e).

The applicant provided a response to A1 (f) stating *'the retaining wall system identified will include an ag-pipe wrapped in geotextile fabric with a permeable drainage layer above. This will catch and filter sediments from water before it is discharged to the public stormwater system once it becomes operational. Soil and water management plans will be implemented during the construction to minimise the release of sediments from the site.'* This is a retrospective approval; no details have been provided to support this. The no-fines concrete retaining wall is located along the north-western boundary at 17 Hepples Road. There may not be enough area in this location to install new drainage, when it may not be currently installed. The Hazard Risk Assessment states *"We do not know if subsoil drainage was installed behind the walls."* This comment suggests the application does not comply with A1 (e) or (f). Therefore, the application is to be assessed against the performance criteria.

The performance criteria P1 (a) states the cut and fill must make arrangement for the drainage and disposal of stormwater. The retrospective retaining walls do not demonstrate arrangements for drainage and disposal of stormwater has occurred.

The geotechnical report confirms that the no fines concrete retaining wall has 3m long bored piers. However, the piers are not founded in the basalt bedrock, but are sitting on the rock as described in the applicant's supporting hazard risk assessment.

Council has commissioned a peer review of the hazard risk assessment by a qualified geotechnical engineer. The peer review has confirmed the likelihood of movement of the existing landslide is assessed to be almost certain. Furthermore, the fact that these piers are not in bedrock means that the piers are unlikely to resist the sliding movement of the talus deposit promoted by the ground water flow. Therefore, the proposal cannot meet the performance criteria P1 (a), (b) and (c). The proposal therefore must be refused.

The planners report suggests the cut will be supported by the two retaining walls. Bearing pressure exerted on the ground at the surface of the cut and the retaining wall will come from the adjoining property to the north-west and Hepples Road to the south-west. This is agreed, however there have been no engineered specifications to demonstrate the supporting retaining walls would not result in an area of influence within adjoining parcels of land, such as Council's road reserve and road pavement at Hepples Road. No Part 5 agreement has been provided as part of the application. There is insufficient information to demonstrate the proposal complies with P1 (e).

The proposal does not comply with the performance criteria and therefore must be refused.

Local Heritage Code

E5 Not applicable to this application.

Local Heritage Code

E5 Not applicable to this application.

Hazard Management

E6.5.2 Use likely to be exposed to a natural hazard

<p>A1 If a use is on land within an area of risk from exposure to a natural hazard as shown on a map forming part of this planning scheme- use must not be for a critical use, a hazardous use, or a vulnerable use; use must not be residential use if the level of risk is medium or higher; and a hazard risk assessment must demonstrate a tolerable level of risk can be achieved and maintained for the nature and duration of the use</p>	<p>P1 If use is on land within an area of risk from exposure to a natural hazard as shown on a map forming part of this planning scheme - a hazard risk assessment must demonstrate a tolerable level of risk can be achieved and maintained for the nature and duration of the use; and if a critical use, a hazardous use, or a vulnerable use, a cost-benefit analysis in economic, environmental, and social terms must establish there is a significant benefit to the community and there is no alternative site</p>
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Planning Comments: Does not comply

The applicant provides a response that the proposed application is associated with an established residential use and the replacement dwelling will not intensify the residential use, arguing that this clause is not applicable. This response is not supported. In accordance with clause 7.3 Operation of Codes, Part E of the planning scheme identifies areas of the planning issues which require compliance with additional provisions set out in the codes. Assessment is required against this clause and further to this subsection 7.3.4 - where there is a conflict between a provision in a code and a provision in a zone, the code provision prevails.

The proposal is for a residential dwelling (complete replacement of the dwelling) and associated retrospective retaining walls and substantial earthwork. The works are considered a residential use class, which is not defined under the planning scheme to be a critical use, hazardous use or vulnerable use. The proposal complies with A1 (a).

The use is a residential use and is mapped within an area of high hazard risk as determined under the planning scheme. The proposal provided a hazard risk assessment undertaken by a suitably qualified geotechnical engineer that provided an assessment of the proposal stating the proposal ranged from a very low to very high hazard risk. Therefore, the proposal does not comply with A1 (b). Furthermore, a tolerable level of risk is considered to be low to very low, therefore the application does not comply with A1 (c). The proposal was subsequently determined as relying on the performance criteria.

The performance criteria P1 (a) requires a hazard risk assessment must demonstrate a tolerable level of risk can be achieved and maintained for the nature and duration of the use. This is relevant to the replacement dwelling with all associated earthworks and retaining walls. This was not the conclusion of the applicant's hazard risk assessment. It categorised the risk to be very low through to very high risk for the life of the dwelling.

The provided hazard risk assessment was peer reviewed, with the peer review finding the following - *"As neither of the walls have been constructed with engineering designs or certification, they cannot be relied upon to provide long term stability to the site, especially when the Hepples Road landslide exhibits creep at approximately 45mm per year."*

The peer review also determined that the proposal had an actual risk to life and capital to be categorised ranging from a tolerable through to unacceptable range of risk and would require specialised investigation, design, and engineering certification in order to reduce this risk profile. This has not been provided as part of the application and therefore the proposal does not comply with P1 (a). As a result, the application must be refused.

The proposal is not for a critical use, a hazardous use or a vulnerable use as defined by the planning scheme. Clause P1 (b) is not relevant to the application.

The proposal does not comply with the acceptable solution and does not comply with the performance criteria and therefore must be refused.

E6.6.2 Development on land exposed to a natural hazard

<p>A1 If the site is within an area of risk shown on a natural hazard map forming part of this planning scheme- a hazard risk assessment must determine-</p> <ul style="list-style-type: none"> (i) there is insufficient increase in risk to warrant any specific hazard reduction or protection measure; or (ii) a tolerable level of risk can be achieved for the type, form scale and duration of the development; and <p>if a hazard risk assessment established need to involve land on another title for hazard management consistent with the objective, the consent in writing of the owner of that land must be provided to enter into a Part 5 agreement to be registered on the title of the land providing for the effected land to be managed in</p>	<p>P1 There is no performance criteria</p>
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accordance with recommendations for hazard management	
<p>Planning Comments: Does not comply</p> <p>The applicant provided a hazard risk assessment prepared by a suitably qualified geotechnical engineer in order to address clause E6.6.2 A1 of the Hazard Management Code. Subsequently this report provided a conclusion comment stating there is insufficient increase in risk to warrant any specific hazard reduction measures or protection measures for the proposal.</p> <p>However, the subject hazard management report also states, “<i>we do not know if subsoil drainage was installed behind the retaining walls</i>”. The retaining wall identified as the ‘no-fines’ concrete wall reportedly has 3m deep piers installed below the retaining wall with a ground beam located at the walkway. The ‘no-fines’ wall was constructed to the north of the access walkway in front of a 5m high crib wall. The crib wall continues above the ‘no fines’ concrete wall and was originally constructed to support Hepples Road.</p> <p>The supporting geotechnical assessment provided as part of the application was referred for peer review to Geo-Environmental Solutions Pty Ltd, who suggested the retaining walls not being designed or constructed with engineering designs or certification was of concern. The hazard risk assessment as provided by the applicant stated that construction of the retaining walls is either unknown or have foundations that are not embedded into the bedrock and subsequently placed on top of the bedrock at a depth of approximately 3m. The peer review has found that the design and construction of this wall does not have adequate or any management measures proposed, and as such, the risk assessment is fundamentally flawed and therefore the hazard risk assessment cannot be relied upon.</p> <p>As the application is presented there is insufficient information to determine whether any hazard risk area needs to involve land on another title or potentially Council’s road reserve for hazard management. Particularly as the construction and stormwater management arrangements are unknown or not detailed. If another portion of land is required for hazard management, the consent in writing of the owner of that land must be provided to enter into a Part 5 agreement to be registered on the title of the land providing for the effected land to be managed in accordance with recommendations for hazard management. No consents have been submitted with the application</p> <p>The proposal does not comply with the acceptable solution and there are no performance criteria, therefore the application must be refused.</p>	

Signs Code

E7 Not applicable to this application.

Telecommunications Code

E8 Not applicable to this application.

Traffic Generating Use and Parking Code

E9.5.1 Provision for Parking

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

The proposal does not cater for the provision of parking as part of the proposal. Table E9.1 requires the new dwelling to provide two (2) car parking spaces on-site. No parking spaces are provided for 15 Hepples Road Boat Harbour Beach for the new replacement dwelling. The proposal therefore relies on the performance criteria.

The previous dwelling did not provide any on-site car parking spaces. It is considered unreasonable to require arrangements for the provision of vehicle parking due to the topographical constraints and acute drop from Hepples Road to the subject site. Further to this the anticipated frequency of the site users is not considered to increase as part of the replacement dwelling. The proposal is considered to comply with P1 (a).

The proposal complies with the performance criteria.

Water and Waterways Code

E10.6.2 Development in a shoreline area

<p>A1 There is no acceptable solution</p>	<p>P1 Development must –</p> <ul style="list-style-type: none"> (a) be required to locate in, over, on or under the shoreline, sea or tidal waters for operational efficiency; (b) avoid unreasonably or unnecessarily impact on existing or potential access by the public to shoreline land or waters; (c) minimise impact on scenic quality of the sea-shore area; (d) minimise impact on amenity or aesthetic appearance of the sea-shore area as a result of – <ul style="list-style-type: none"> (i) nature and operational characteristics of the development; (ii) location; (iii) bulk, size, and overall built form of any building or work; (iv) overshadowing; or (v) obstruction of views from a public place; and (e) minimise immediate or cumulative adverse effect for – <ul style="list-style-type: none"> (i) tidal, wave, current, or sediment movement processes; (ii) coastal landforms, seabed, and other geomorphic features, including sand dunes and mobile landforms; (iii) vulnerability to erosion and recession; (iv) natural cycles of deposition and erosion; (v) conservation of biodiversity and marine habitat, including during critical lifecycle stages of individual and migratory species;
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	<ul style="list-style-type: none"> (vi) drainage from a water course, wetland, ground water, flood, stormwater, or tidal water; (vii) coastal water quality; (viii) likely interference or constraint on use of public areas; (ix) any scientific, architectural, aesthetic, historic or special cultural value; (x) exposure to or increased risk from a natural hazard, including sea level rise, storm surge, or inundation as a result of climate change; (xi) coastal protection and rehabilitation works required to address erosion, instability, regression, or inundation; (xii) collection, treatment, and disposal of waste, including bilge waters and excavated or dredged sediment; (xiii) economic activity dependent for operational efficiency on a sea-shore location; (xiv) public safety and emergency services; (xv) marine navigation and communication systems; (xvi) safety of recreational boating; and (xvii) be consistent with the current edition of Tasmanian Coastal Works Manual DPIPWE 2011
<p>Planning Comments: Complies</p> <p>The subject site adjoins Boat Harbour Beach to northern boundary. Subsequently the proposed dwelling replacement is located within 30m of the mean high-water mark and therefore the proposal relies on the performance criteria.</p> <p>The mean high-water mark lies to the north of the subject site. The proposed replacement dwelling development will be located a minimum of 22m from the state government mapped mean high-water mark and will be contained within boundaries of the title. The development will not be located in, over or under the shoreline, complying with P1 (a).</p> <p>The proposal will not change the existing public access to the beach in proximity to the site. The access ramps to the beach will continue to be located approximately 35m to the south-east of the site. The proposal continues to comply with P1 (b).</p> <p>The replacement dwelling and associated works will be located within a similar footprint as the original dwelling. The massing and scale will be consistent both with the original dwelling and consistent with the existing building located along the foreshore of Boat Harbour Beach. The setback from the foreshore boundary will be identical to the original dwelling and will continue to provide a greater setback than adjoining residential developed properties located to the north-west of the property. The dwelling will reach approximately the same height as the level of Hepples Road due to differences in grade of approximately 7m. This will ensure views from public areas behind the site such, as Hepples Road and Port Road, will continue to receive a coastal view. The dwelling design also minimises the impact of the scenic quality of the seashore area. The proposal complies with P1 (c), (d) (iii) and (v).</p>	

The replacement dwelling will be located in an identical footprint to the previous dwelling. The closest portion of the footprint is located approximately 22m from mean high water mark as mapped by the State Government. Currently running the property boundary line is a retaining wall to the northern boundary. The replacement dwelling will not further contribute to the immediate or cumulative adverse effects for coastal processes and functions, vulnerability to erosion and recession or coastal protection. No changes to the existing coastal water quality is foreseen as a result of the proposed development. The site is not mapped to contain any significant natural values or marine habitat. The proposal will not interfere or constrain on the use of the public foreshore, safety and emergency services, marine navigation and communication systems, or the safety of recreational boating. The proposal complies with P1 (e).

The proposal complies with the performance criteria.

STATUTORY IMPLICATIONS

Land Use Planning and Approvals Act 1993

The Council is established as a Planning Authority by definition under Section 3(1) of the *Land Use Planning and Approvals Act 1993 (the Act)*, and must enforce the *Waratah-Wynyard Interim Planning Scheme 2013* (the Planning Scheme) under S.48 of the Act.

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

Local Government (Building & Miscellaneous Provisions) Act 1993

The application has been considered against the requirements of section 85 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*. The application is generally consistent with these provisions.

STRATEGIC IMPLICATIONS

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

CONCLUSION

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

It is considered that the proposed replacement dwelling, and retrospective retaining walls and earthwork do not comply with either the acceptable solution or satisfy the performance criteria for all applicable standards of the Planning Scheme. The proposal was submitted with a Hazard Risk Assessment prepared by a geotechnical engineer in order to support the application, however the report concludes that the proposal as presented has a very low to very high risk to both life and property capital. This is not considered a tolerable level of risk as required by the planning scheme. The geotechnical report provided as part of the application was peer reviewed and further confirmed the proposed development on the site involves significant risk and should be refused.

As it stands, the application does not comply with the Low Density Residential Zone Code, the Change in Ground Level Code and the Hazard Management Code of the planning scheme. It is therefore recommended that in accordance with 8.8 and 8.10 of the planning scheme, and section 51 of LUPAA, Council refuse a planning permit for the proposed development.

7.0 MATTER RAISED BY COUNCILLORS

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015; 29 (3)

(3) *The Chairperson must not permit any debate of a question without notice or its answer.*

Local Government (Meeting Procedures) Regulations 2015; 30(1) and (2)

(1) *A councillor, at least 7 days before an ordinary meeting of a council or council committee, may give written notice to the general manager of a question in respect of which the councillor seeks an answer at that meeting.*

(2) *An answer to a question on notice must be in writing.*

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

7.1.1 CR BRAMICH - SUBDIVISION ADDRESSING

QUESTION

Cr Bramich noted that a new subdivision of Lennah Drive has no name and properties seem to be numbered a, b, c and d. He asked if this was appropriate or should the road have a name. He noted that there should at least be a sign at the beginning of the road detailing addresses for emergency services

OFFICERS RESPONSE

Note: This question was asked during closed council session at the April Council meeting, there is no regulatory reason the question and answer should be considered in closed session, hence the inclusion of the matter at this point of the agenda.

The access road constructed as part of this sub-division is a shared driveway within a legal, private right of way. As such it is not a Council asset and Council are not obligated to:

1. Assign an official name to this private driveway.
2. Install signage to this private driveway.
3. Maintain this private driveway in any way.

The private shared driveway connects with a Council Road (Lennah Drive) at CH 260 (Approx.) on the right-hand side. The sub-divided parcels were created from an already existing parcel already assigned rural Address (R.A) 26 Lennah Drive, thus the addressing Nomenclature of R.A 26A-26D for the new parcels was assigned in accordance with Australian/New Zealand Standard (AS/NZS 4819:2011 Rural and urban addressing) Section **5.9.1 Distance-based address numbering method.**

5.9.1 Distance-based address numbering method

The primary address site number in a rural area shall be determined by dividing the distance (in metres) from the datum point to the access point by 10, then rounding to the nearest odd number on the left side of the road, or even number on the right side. See example in Figure 5.16.

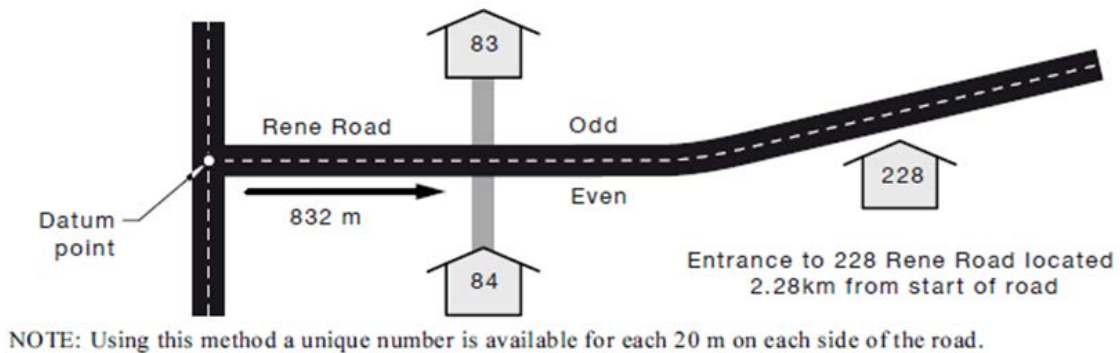


FIGURE 5.16 RURAL DISTANCE-BASED NUMBERING METHOD

In addition to the above addressing rationale, given that these newly created parcels shared a *narrow access*, again in accordance with Australian/New Zealand Standard (AS/NZS 4819:2011 Rural and urban addressing) under Section **5.9.3 Address sites with narrow frontage or shared access**, which states:

5.9.3 Address sites with narrow frontage or shared access

Where there are access points for multiple address sites within or across the minimum step intervals of 20 m, the distance criteria may be varied subject to maintaining the overall integrity of the rural numbering system. Alternatively, suffixes may be added in accordance with Clause 5.4.8. See example in Figure 5.17.

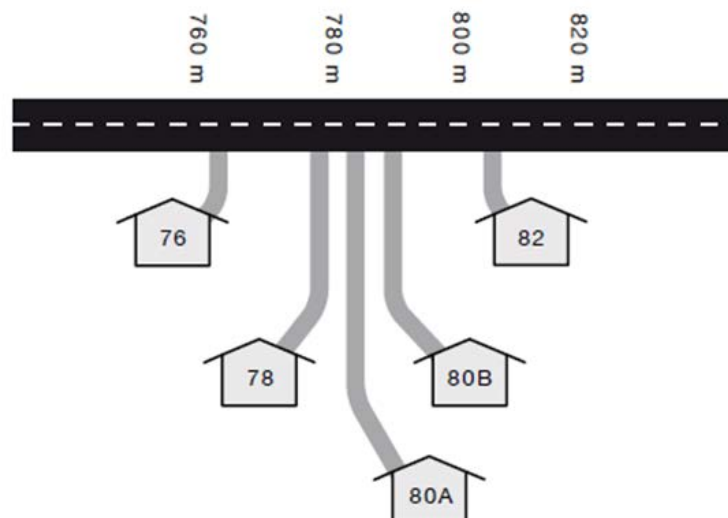


FIGURE 5.17 RURAL ADDRESSING FOR NARROW FRONTAGE

Finally, given the internal proximity of individual parcel access (All within 130m) officers recommended each property Owner ensure that their property address is of a sufficient size and placed in a prominent location in order to maximise visibility.

7.1.2 CR C EDWARDS- WASTE SURVEY RURAL PROPERTIES

QUESTION

Cr Edwards asked how the waste surveys were issued to rural properties, what were ratios used as it seems a lot of people didn't receive them

OFFICERS RESPONSE

The survey of rural residents regarding the expansion of kerbside collection into rural areas was a preliminary feasibility survey to determine the rural community's appetite and willingness to pay for an expanded household kerbside collection. The survey was undertaken to provide an indicative "go/no-go" before resources were invested into investigating the collection route, commencing broader community consultation, developing an implementation plan and delivery of service through appropriate procurement processes. There will be consultation and opportunities for feedback and input in the future, both to the broader Waste Strategy itself and rural kerbside collection considerations as a specific action of the strategy. For this survey a random list of 300 properties were produced for the mailout survey out of the following identified pockets: -

- Sisters Creek
- Yolla
- Preolenna
- Deep Creek Road, Aldersons Road, Minnies Road to the bush
- Little Village Lane
- Mount Hicks, Old Mount Hicks to Seabrook Road Junction
- Oldina, Timothy Drive to the bush
- Seabrook Road
- Village Lane
- Back Cam Road
- Calder Road to bush
- Dallas Road

7.2 COUNCILLOR QUESTIONS RECEIVED IN WRITING

7.2.1 CR ALLIE HOUSE - HUNTINGTONS PUBLIC AWARENESS EVENT

QUESTION

Can Council please comment on how WWC's participation in the Huntington's Disease blue light ("lightitup4DH") campaign compared to that of other Council's in our area?

OFFICERS RESPONSE

For more than 40 years, Tasmania's Huntington's Disease Association has been providing support for people affected by the degenerative brain disorder. In May 2019, the

organisation participated in the worldwide movement Light It Up 4 HD, as part of Huntington's Disease Awareness Month. Buildings across the world, including Launceston's Town Hall and Grand Chancellor Hotel, were lit up in blue - the awareness colour for Huntington's.

Council receives a considerable number of requests from community groups and charities to participate in awareness campaigns or fundraising endeavours. It is not possible to contribute or partner with all of these organisations. A select number of requests will be actioned each year, as determined by Council's Community Activation team. Consideration will be given to the nature of the cause or event and associated resource implications, both physical and financial.

Council was invited to participate in the Huntington's Disease blue light campaign and as a result changed the light bollards in Civic Square and Guttridge Gardens to blue over the weekend of 4/5 May and converted the front entrance to the Council building customer service area to blue lighting as well. A note was placed in the window of the Council entry about the significance of the blue lights in raising community awareness for Huntington's Disease.

It is difficult to appropriately compare the activities of Waratah-Wynyard Council to other Councils in the state regarding these types of requests as there are many variables to consider. For example, there are no obvious buildings that Council own that can be illuminated easily. Waratah-Wynyard Council does not own lighting equipment that other Council may have. In terms of Council's neighbours, Circular Head Council did not participate in this campaign and Burnie City Council illuminated a tree on the foreshore blue.

7.2.2 CR D FAIRBROTHER - CAMPING AT BOAT HARBOUR BEACH

QUESTION

Can council officers please provide further clarification and justification as to why planning approval is not required for signage as well as the new camping use or freedom camping at boat harbour beach?

The question is asked as council have previously determined that a planning permit is required at each location for the camping or freedom camping use.

Section 48 of the land use planning and approvals act of 1993 indicates that in every use or activity requires planning approval.

At the April council meeting I asked about signage and the camping use to which Council officers stated that no planning permissions are required for signs as there is no change in use as the use had been in place since prior to the planning scheme being implemented at this stage, no development application is required.

In contrast to this in 2012 the Crown erected signage at boat harbour beach to allow council to run a planning application for the camping use. As at the time there's had been no planning application been lodged or issued under the then planning scheme 2000 for that use.

The planner has previously has stated that there is no change of use as the use has been in place since prior to the planning schemes being implemented.

This is despite the recent change from freedom camping, defined as self-contained camping to camping under the bylaw which is a free for all camping? This appears as an intensification of a use if not a change in that use.

Pre-existing use rights can only be afforded to a use that is a continuing and an ongoing use.

Camping always at boat harbour beach ceases for the winter months due to inclement weather. It always has been seasonal, so it would be interesting how the planner justifies his stated ongoing and continuing use and how it was in 2012 a planning permit was required under the old planning scheme and now one is not?

Telephone: (03) 6233 6413
Email: cls.enquiries@dpipwe.tas.gov.au
Our Ref:
Your Ref:

[REDACTED]
[REDACTED]
[REDACTED]

Email: [REDACTED]

Dear [REDACTED]

Boat Harbour Beach Signage

Following our telephone conversation of 25 February 2015 I can advise that the Boat Harbour Beach Foreshore is managed by Waratah-Wynyard Council under a lease agreement with Crown Land Services.

In December 2012 Crown Land Services provided Council with consent to submit a Development Application for the placement of four (4) signs on Crown land at Boat Harbour Beach. The aim of three (3) of the signs was to manage the recreational use of camping, motor homes and caravans that utilise the foreshore particularly in the tourist season. The fourth sign was to establish day-use guidelines to reinforce recreational activities within the public open space.

To allow time for Council to determine the Development Application and obtain any necessary approvals, Crown Land Services placed three (3) 'No Camping' signs between Moore Street and the western end of Port Road. These signs were removed by an unknown person or persons after about two weeks.

I understand that Waratah-Wynyard Council will be considering the on-going management of the lease area in March.

Any further concerns that you may have in regarding camping or recreational use of the foreshore reserve should be referred to Council.

Yours sincerely



Garry Evans
Manager Issues and projects
Crown Land Services

OFFICERS RESPONSE

There are two separate issues raised in the question. Do the signs regulating camping erected at Boat Harbour Beach require a planning permit? And does the camping use at Boat Harbour Beach require a planning permit?

Signage

The three signs are exempt under the Sign Code of the *Waratah-Wynyard Interim Planning Scheme* under clause E7.4.2(c), as they are regulatory signs that provide direction in accordance with the By-law. A copy of clause E7.4 is attached for reference.

Camping use

The use will not require a planning permit if it is an existing use. Council officers are of the understanding that the use is an existing use but have sought legal advice. This advice has recommended that the history of the use be documented and recorded, in order to respond to any challenges to the contention.

If there is insufficient evidence to demonstrate existing use, then a planning permit will be required. The use, being visitor accommodation (camping) is a prohibited use under the current Environmental Management zone, so a permit could not be applied for. Therefore, demonstration of existing rights becomes a priority. However, it is also recommended that as part of the preparation of the *Local Provision Schedule of the Tasmanian Planning Scheme*, that Council rezone the Boat Harbour Beach foreshore as Open Space. This change in zone will allow for new recreational facilities envisioned by the draft Boat Harbour Beach Master Plan such as paths, park equipment, parking and the potential for visitor accommodation (camping). The consultant planner preparing the Master Plan has similarly advised that the current zoning of the land would restrict development, redevelopment and or expansion of current uses within the Boat Harbour Beach foreshore areas due to the Environmental Management zoning.

A question is also raised regarding the seasonal nature of the use, and whether or not use rights are extinguished because of this. The *Land Use Planning and Approvals Act* regulates existing uses and developments. Existing use rights extinguish for a use:

- (a) which has stopped for a continuous period of 2 years; or
- (b) which has stopped for 2 or more periods which together total 2 years in any period of 3 years; or
- (c) in the case of a use which is seasonal in nature, if the use does not take place for 2 years in succession.

This is not the case for the camping at Boat Harbour Beach, as the activity returns annually.

E7.4 Use or development exempt from this Code

E7.4.1

Development for a sign described in E7.4.2 is exempt under this Code unless –

- (a) on land for which a Local Heritage Code forming part of this planning scheme applies;
- (b) other than for a regulatory, visitor information, safety or emergency purpose, is located within a road or access strip;
- (c) other than for providing advisory or safety information, is animated, changeable, flashing, or rotating;
- (d) resembling any air or marine navigation device, or a railway or road traffic control or directional device or sign;
- (e) located to visually obscure any sign or device required for the convenience and safety of air or marine navigation or for use of a railway or a road;
- (f) illuminated to overspill the boundaries of the site;
- (g) comprised of exposed brilliant intermittent lamps, or bare bulbs; and
- (h) comprised of moving or mobile parts, including banners, bunting or flags

E7.4.2

A sign that is –

- (a) not intended to be visible from any land outside the boundaries of the site;
- (b) behind the glazing line of a window;
- (c) required under a regulation to control, direct, or give advice, assistance, instruction, or notice, including for pedestrian and vehicular traffic, parking, activity on a road or within a site;
- (d) for visitor information and destination direction if approved under the Tasmanian Visitor Information Signage system;
- (e) for information to assist the convenience and safety of people using a building, area or place, including for hazard warning if a total display panel area of not more than 2.0m²;
- (f) a flag or insignia of a nation;
 - a flagstone, plaque, memorial sign, historic tablet, marker, interpretation panel or integral and permanent architectural feature if a display panel area of not more than 2.0m² indicating the name of a building, area or place, date of construction, or features of interest if fixed or incorporated flat to the surface of a building or the surface of the ground;
- (h) a temporary real estate notice if a display panel area of not more than 3.0m² advising that the land or a building or buildings on the land on which it is displayed is for sale or lease;
- (i) a temporary real estate sign if a display panel area of not more than 1.0m² and providing direction to land for sale or lease;
 - a single temporary sign promoting a community or charity event if a display panel area of not more than 3.0m² and erected not more than 21 days prior to the date of the event and removed immediately after the event;
 - a single temporary sign promoting a private garage sale on the site if a display panel area of not more than 3.0 m² and erected not more than 48-hours prior to and removed immediately after the event;
- (l) a single temporary sign per frontage indicating a current development on the site with a display panel area if not more than 4.0m² per frontage and displayed only for duration of the construction period;
 - an election sign if a display panel area of not more than 1.5m² for a candidate or party and
- (m) displayed for the period between the issue of a writ for an election and 2 weeks after the election;

- (n) a single sign indicating occupation of a site for a civic, cultural, educational, religious, recreation, or tourism purpose if a display panel area of not more than 3.0m²;
- (o) a single sign if a display panel area of not more than 2.0m² intended for display of locally relevant information about community service organisations;
- (p) a replacement display panel on a lawful existing sign structure and servicing the same purpose;
 - a single sign on a site in a General Residential, Low Density Residential, Rural Living or Environmental Living zone -
 - (i) indicating the name and nature of a home occupation or a home-based business;
 - (ii) total display panel area of not more than 0.2m²;
- (q) (iii) fixed flat to the external wall of a building or a frontage fence;
 - (iv) height above natural ground level of not more than 2.4m or below the level of any awning; and
 - (v) not illuminated
- a sign on a site other than a site in a General Residential, Low Density Residential, Rural Living, or Environmental Living zone -
 - indicating only -
 - a. the name of the business occupying the site;
 - b. the nature of the business carried out on the site;
 - c. the address of the site;
 - d. any logo or other symbol that identifies the business conducted from the site
- (r) (ii) a total display panel area of not more than 10.0m² whether or not contained on a single or multiple display panels;
 - (iii) fixed flat to or painted on the external wall or fascia of a building or a frontage fence; or
 - (iv) fixed to the underside of an awning or projecting from the front wall of a building and fully contained within the applicable building envelope and located behind the applicable frontage setback; or
 - (v) freestanding and fully contained within the boundaries of the site and located behind any applicable frontage boundary setback with a height above natural ground level of not more than 5.0m; and
 - (vi) not visible across the interface boundary to any land in the General Residential, Low Density Residential, Rural Living, Environmental Living, Open Space or Recreation zone

7.2.3 CR FAIRBROTHER - CONTAINER DEPOSIT LEGISLATION

QUESTION

Can Council be provided with an update from LGAT on the introduction of container deposit legislation that has been previously passed by councils at a LGAT meeting?

OFFICERS RESPONSE

Motions relating to container deposit schemes have been passed at LGAT meetings in July 2017 and July 2018. In the March 2019 LGAT General Meeting papers, progress notes on these motions stated "The State Government has released a consultant's report on a model framework for the implementation of a Container Refund Scheme (CRS), however is yet to commit to implementing a CRS in Tasmania. LGAT continues to advocate for the introduction of a CRS in Tasmania".

7.2.4 CR FAIRBROTHER - ROAD IMPROVEMENTS BASS HIGHWAY

QUESTION

Has council been provided with a design of road improvements on the Bass Highway in the vicinity of Fists Lane and Dobson's lane?

If not, can council request a copy of the current design from the respective State Govt Dept for input?

OFFICERS RESPONSE

Council has not been provided with any designs for the location mentioned. A copy of the current design could be requested from State Growth, it is also highly likely that this area of the highway will be considered by Department of State Growth as part of its \$100 million investment between Wynyard and Marrawah.

As a part of the **Bass Highway - Wynyard to Marrawah - Corridor Strategy**, the project managers will be asking the community to identify areas for improvement, highlight any safety concerns and make suggestions about how and where changes could be made. Feedback received will assist in developing the corridor strategy. The opportunity for the community to provide feedback on the corridor strategy project will be promoted via:

- **Media Release**
- **Project webpage** - <http://www.transport.tas.gov.au>
- **Facebook Post** - A post will be published to the RoadsTas Facebook page (<https://www.facebook.com/roadsTAS/>) on Monday 13 May.
- **Public notices** - To be published in The Advocate Newspaper and the Circular Head Chronicle.

The public consultation period is from 13 May to 7 June.

7.2.5 CR FAIRBROTHER - LEASE AGREEMENT BOAT HARBOUR BEACH

QUESTION

Can councillors be provided with a copy of the lease agreement for the area at BHB where camping is undertaken

OFFICERS RESPONSE

A copy of the lease document can be provided and will be forwarded to Councillors under separate cover.

7.2.6 CR FAIRBROTHER - CROWN LAND SERVICES CONSENT

QUESTION

Can Councillors be furnished with a copy of the correspondence with the crown indicating that no crown consent required for the current camping use and signage.

OFFICERS RESPONSE

A copy of the lease document can be provided and will be forwarded to Councillors under separate cover.

7.3 COUNCILLOR QUESTIONS WITHOUT NOTICE

A summary of question(s) without notice and response(s) will be recorded in the minutes.

8.0 NOTICE OF MOTION

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015; Regulation 16

- (5) *A councillor may give written notice of a motion, together with supporting information and reasons, to be included on the agenda of the next meeting to the general manager at least 7 days before the meeting.*
- (6) *The general manager, after consultation with the chairperson, may refuse to accept a written motion that, in their opinion –*
- (a) *is defamatory; or*
- (b) *contains offensive language; or*
- (c) *is unlawful.*
- (7) *A councillor who has given notice of a motion that has not been refused under subregulation (6) is to move the motion at the meeting, otherwise it lapses.*

8.1 CR ALLIE HOUSE - ANIMAL CONTROL**BACKGROUND INFORMATION**

At present council provides minimal educational resources or information to new dog owners and makes few formal attempts to assist owners with improving the management of dogs in our region. Inclusion of a printed brochure into the existing dog registration mail-out is an efficient and cost-effective way of enabling council to directly inform owners on their legal obligations and Council's expectations of dog ownership, for the benefit of the dog, the owner and the wider community. This should take effect for the upcoming 2019 dog registrations.

With regard to an Animal Control report, it appears that whilst Council endorsed an Animal Control Policy in the last 2 years, no formal review has been undertaken to assess any areas of opportunity to improve animal control resources, processes or approaches. The provision of a report of this nature will provide the elected Council with some formal information to consider against the communities' expectations of how Council undertaken animal control.

OFFICERS COMMENT

Council has a suite of documentation available on its website relative to dog management:

- Dog Beach Brochure,
- Dog management policy,
- Code of responsible dog ownership,
- Declared dog areas,
- Dog registration form
- Kennel licence renewal form,
- Change of dog ownership form and
- Excessive barking information including courtesy letter

There is also a section outlining dog control in new residence packs.

For information, below is a table of the past 12+ months of posts to Facebook providing educational information for dog owners, excluding lost dog posts: -

27/3/2019	Reminder on Facebook to dog owners around prohibited areas with reference to Penguin colonies.
13/9/2018	Post reminding dog owners not to take dogs into school grounds etc.
27/8/2018	Reminder for dog owners to pick up their dog waste.
23/7/2018	Only 1 Week left for discount dog registration
17/7/2018	Advising Facebook users enquires that if they have not received a renewal notice to come into Council.
16/7/2018	Two weeks' notice for dog registration discount ending.
19/6/2018	National De-sexing month on Facebook
25/5/2018	Cracker night notice to dog owners
20/4/18	Advertise changes to the dog control act with reference to microchipping
7/3/2017	Parvovirus outbreak warning. This has been posted on two separate occasions.

If the motion is successful a workshop discussion regarding any specific dog control information to be included within the dog registration renewal notice would be beneficial. However, given short timeframes, it is recommended that a copy of the Code of Responsible Dog Ownership be included in the mail out, as this provides a good overview of the dog owner's legal obligations, as well as Council's responsibilities.

The Animal Control report would require the consideration of current policies including the Dog Management Policy, Code of Responsible Dog Ownership and Declared Dog Areas, which were endorsed by Council under legislative obligation on 19 June 2017. They are currently due for review in May 2022, but this review date can be brought forward in order to respond to any changes resulting from the consideration of the requested Animal Control report. The current Dog Management Policy at point 3.3 places a priority on education over regulatory compliance. Response to complaints and dog related enquiries are also subject to the Customer Service Charter.

Preparation of the Animal Control report would benefit from interim workshop discussion with councillors. As an example, discussion regarding the statistics that Council is interested in recording would help guide the development of the requested report.

There are opportunities for improvement in all processes. The development of an Animal Control report as requested will be able to provide councillors with a range of options to consider in setting the desired service standard and outcomes for dog management. It is recommended that more than three months be provided to develop this report, as the upcoming dog registration renewal period is a known peak period for the Compliance Officer

and administrative staff. A period of 4 months would be beneficial as this extends beyond the end of July discount for dog registration renewal.

MOTION

That Council:

- 1. Commence, this year, the inclusion of a dog management brochure to be issued annually with the dog registration notice, as an improved information and education measure; and**
- 2. Within 3 months, produce a report detailing areas of opportunity to improve animal control, which includes considering;**
 - Initiating a compulsory enforcement period or location, regarding public area dog offences.**
 - Feasibility of after-hours animal control patrols (seasonal or ongoing).**
 - Publication of a complaint handling framework.**
 - Development of a suite of dog related resources and education campaign, for print, social media and the council's website.**
 - Improvement of Councils animal control statistics and data collection**

9.0 REPORTS OF OFFICERS AND COMMITTEES

9.1 WYNYARD SHOWGROUND USAGE

To:	Council
Reporting Officer:	General Manager
Responsible Manager:	General Manager
Report Date:	14 May 2019
File Reference:	0.0
Enclosures:	1. Consultation Paper

RECOMMENDATION

That Council note the submissions received from users of the Wynyard Showgrounds Committees and determine that:

- 1. There will be no OSSR relocation of users from the showground (unless users request such);**
- 2. The OSSR plan not be updated or reviewed with the information and recommendations it provides used to inform Council and community in its decision making as it progresses aspects of or variations to OSSR and the commentary against the actions of the OSSR plan are to be updated with sufficient detail to outline the current position of the Showground Committees;**
- 3. The status quo at the showgrounds will be maintained and Council will support the users strategically, but not financially, in the short term;**
- 4. When the user's needs have been clearly identified and concepts, project and business plans agreed on Council might become financially involved if it has the capacity and there is an alignment with Council's strategic intent; and**
- 5. Council interest in developing aspects of the Wynyard High School plan that increase community access and use is retained.**

PURPOSE

For Council to provide a response and direction to Wynyard Showground users regarding the future of the site

BACKGROUND

Council received a briefing from Gregg Sharman and Chris Stunden representing the Wynyard Showground users on Monday 26 February 2019. The Showground Committees presented a united position to "re-imagine" the showground space and focus on its development in the future as a key community recreation space. A response is yet to be provided regarding the submission and Council needs to formulate a considered reply.

As part of the adoption of Council's Open Space, Sport and Recreation Plan (OSSR), a series of masterplans were developed. As stated in the OSSR document "A master plan is a blueprint for the future development of a reserve or facility. A masterplan is an agreed direction by the owner and user about the best way to develop a site or a facility, based on the current demand and condition of facilities".

There are a significant number of comments in the masterplans relating to the Showgrounds and these are not repeated in this report, however are available on Council's website. In summary, the plans outline relocation of the Wynyard Cricket Club to the Wynyard Recreation Ground, relocation of the Gymnastics Club to the Wynyard High School and all other Showground facilities to the Frederick Street Reserve. Rationale and reasoning is provided within the master planning documents.

Progress against the masterplans has been occurring. Funding has been secured to upgrade the BMX track at the Frederick Street Reserve and funding received to develop new change room facilities at the Wynyard Recreation Ground.

DETAILS

On 18 January 2019, Council received a letter signed by Robert Stokes, President of the Wynyard Agricultural and Pastoral Society Inc and Clayton Hawkins, President of the Wynyard Cricket Club. The letter states –

The Open Space Sport and Recreation Plan (OSSR Plan) was presented to Council by the Consultants in June 2017 and adopted by Council at its meeting on 18th September 2017. As you know, parts of the OSSR Plan are an important strategic and master plan for the Wynyard community. Regular review and fine-tuning of the OSSR Plan is critical to its realisation and acceptance within the wider community.

OSSR Plan recommendations and outcomes are based in part on evidence presented in the Consultant's document DEMAND AND CONSULTATION FINDINGS. Parts of that document are predisposed and now out of date; therefore, some evidence and findings are inaccurate. A review of the OSSR Plan is an appropriate opportunity before our community is embarked too far on implementation.

You will recall discussion held on 3rd July where a future vision for the Showground as an historic and significant future Wynyard precinct was discussed. As agreed at that meeting, the Committees of the Showground Community are now pleased to present the enclosed Consultation Paper. Our Paper is a significant first step to the review of the role of the historic showground precinct in the context of the OSSR Plan.

From our analysis, we are confident that the Showground will continue to be an integrated and vibrant part of Wynyard's open space, sport and recreation for years to come. We look forward to participating in a timely OSSR Plan review.

The Wynyard Showground Community Committees commend this Paper to you.

Accompanying the letter was a consultation paper (attached) from all Showground Community Committees. The paper outlines a vision for the Showgrounds, summarised as:

- Maintain a strong sense of partnership between Showground Community and the Waratah-Wynyard Council.
- Create an agreed long term vision for Wynyard Showgrounds.
- Conduct an annual agricultural and pastoral show.
- Maintain cricket teams:
- Junior Teams: U13, 15, 17

-
- Female Teams: Junior and Senior Womens
 - Men's Teams: First and Second Grade
 - *Hurricanes* Inclusion Cricket.
 - Grow gymnastics and encourage inclusion.
 - Enhance Showgrounds as a multi-use sporting field.
 - Create a multi-purpose indoor sports training facility.
 - Build clubrooms for large club and community events.
 - Maintain large affordable multi-activity-based indoor spaces.
 - Remove grandstand and other aging infrastructure.
 - Identify multi-use for livestock sheds and pavilions
 - Increase playing ground size, including improved surface.

The current plans are visionary and much work remains to be done to develop a concept plan, feasibility and costings of the idea, hence the recommendation for Council to work with the committees strategically on these points. In doing so Council should not seek to update or review OSSR but should employ the information and recommendations it provides to inform Council and community decision making in relation to the showground and related matters.

In the short term, there is a need for Council to make a decision guiding the future direction of the Showgrounds. The Show Society have received a government grant to extend/replace the Industrial Hall (\$231,000) and wish to apply for further grants to extend this funding. Funding applications may be influenced by Council support or otherwise for a project. The club indicate that this project meets immediate needs through an upgrading of, or provision of-

- Change rooms and toilets for all users
- Gymnastics Club facilities
- A&P Society display space
- Administration space
- Viewing area to the playing ground
- Viewing platform for gymnast's parents

Whilst the Showground Committees are progressing their strategic vision, Council will progress other masterplans and aspects of the OSSR Plan. Should, in the long term, the Showgrounds themselves become a key area as is the wish of the Showgrounds Committees, Council will need to revise masterplans for the Frederick Street Reserve and Wynyard Recreation area, including the Wynyard High School.

One of the immediate challenges for Council is run off and training areas to alleviate the high usage of the Wynyard Recreation Ground. It is recommended that Council continue to explore options regardless of the position of the Showground Committees.

To present the actions and information in a tabular form for Councils consideration –

Stage One

OPTIONS	KEY INTENT	POSSIBLE ACTIONS	PROS	CONS
<p>Retain status Quo @ WSG for 2-3 years</p>	<p>Allow the WSG users to chart their own course and limit Council's contribution to strategic support i.e. the in-principle support of incremental developments such as the proposed upgrade to the industrial hall.</p> <p><i>NB: During this phase Council will be focussed on OSSR recommendations that relate to the development and management of its own assets.</i></p>	<p>Partner with WSG to work up conceptual, project and business plans for the precinct and complete spatial analysis.</p> <p>Remove the grandstand as a Council project.</p> <p>Permit the removal of redundant assets by other asset owners.</p> <p>Support incremental developments such as the proposed upgrade to the industrial hall if the proponents can source the required funds.</p>	<p>Could result in incremental development.</p> <p>Does not increase the drain on Council finances.</p> <p>Limits Council's depreciation costs.</p> <p>Will retain shared and multi-use sport and community assets and open space that connect well with Gutteridge Gardens and Inglis River.</p> <p>Will retain current programs at the site and allow them to develop themselves.</p>	<p>Development of the site will be confined to the capacity of the user groups and heavily reliant upon 3rd party finance.</p> <p>The WSG users will be competing for the same funds that Council seeks to improve its assets.</p> <p>The user groups will need to be self-reliant.</p>

Stage Two

OPTIONS	KEY INTENT	POSSIBLE ACTIONS	PROS	CONS
<p>Assist in and contribute to the development of WSG if the user's needs have been clearly identified and concepts, project and business plans agreed on.</p>	<p>Council provides strategic support and contributes financially to agreed developments at the site.</p> <p><i>NB: By this stage Council will have resolved some OSSR recommendations that relate to the development and management of its own assets.</i></p>	<p>Commit Council funds to agreed projects that increase community use or access (e.g. the installation of lights on the playing surface to create a community events space and a run off football training space) and are in line with Council's strategic intent and if Council has a financial capacity.</p> <p>Develop User Agreements or MOUs that relate to community access and use.</p>	<p>Could improve the partnership between Council and the WSG users.</p> <p>Could result in incremental development.</p> <p>Will retain shared and multi-use sport and community assets and open space that connect well with Gutteridge Gardens and Inglis River.</p> <p>Will retain current programs at the site and help them develop.</p>	<p>Could increase the drain on Council finances.</p> <p>Could increase Council's depreciation costs.</p> <p>Would require clarity around ownership and management of assets and community access to and use of such.</p> <p>Could lead to levels of expectation beyond the capacity of the community or Council.</p>

Response to OSSR recommendations re Wynyard High School

OPTIONS	KEY INTENT	POSSIBLE ACTIONS	PROS	CONS
Retain Council interest in developing aspects of the WHS that increase community access and use.	Develop aspects of the WHS to create places and spaces for community sport and recreation where agreed needs emerge.	<p>Partner with WHS to work up conceptual, project and business plans for the precinct and complete spatial analysis based on identified needs.</p> <p>Commit Council funds to agreed projects that increase community use or access (e.g. the installation of lights on the playing surface to create a run off football training space) and are in line with Council's strategic intent and if Council has a financial capacity.</p> <p>Develop User Agreements or MOUs that relate to community access and use.</p>	Potential to cater for 'sport'.	<p>Might cater less for recreation.</p> <p>Could increase the drain on Council finances.</p> <p>Would require clarity around ownership and management of assets.</p> <p>Could lead to levels of expectation beyond the capacity of Council.</p>

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL
Desired Outcomes
We provide recreational opportunities to the community for all ages and abilities.
Our Priorities
4.1 Commit to ongoing recreation and open space planning to ensure evidence-based decisions are made about the role of Council and its partners in recreation.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Strong communities and social capital	Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
Place making and liveability	Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and

Community Future Direction Theme	Key Challenges & Opportunities:
	character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.
Governance and working together	Working together for Murchison – Everyone plays a part in achieving the objectives of the Sustainable Murchison Community Plan. There is cooperation, resource sharing and less duplication between Councils. Leadership is provided across all community sectors.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report however the longer-term outcomes of the strategic planning and feasibility process will need to consider financial implications.

RISK IMPLICATIONS

There are a range of risks that Council needs to consider. Council must consult and listen to community groups and members as part of any planning process. It is then the responsibility of Council to make decisions in the best interests of the community as a whole. Council does not own the Showgrounds, nor the assets within, so an agreed direction with users is required for any relocation or for any future development that might involve or impact on Council or its community. The proposal by the Showgrounds Committees is conceptual only and it is unknown the future costs may be. Council has little infrastructure on the site and does not own the Showgrounds and if other sites are developed in addition to keeping the Showgrounds in their current form, may result in additional costs for Council.

Funding opportunities for the masterplan areas and consolidated sites have been missed as a result of the ongoing discussions and certainty is required to explore future funding opportunities.

The masterplan areas will need to be replanned if the Showgrounds plan is to proceed, possibly impacting on facilities planned for the Wynyard High School and other sites.

CONSULTATION PROCESS

There have been meetings held with the Showground Committees regarding the overall OSSR plan. A delegation from the committees has become their liaison with Council and have presented at a workshop and provided a suite of supporting information.

CONCLUSION

Council needs to formulate a considered reply to the position of the Showgrounds Committees. The matter is complex as it has short- and long-term ramifications and considerations. It will be important for Council to keep a strong working relationship with the Committee to assist in the evolution of their plans.

9.2 WASTE STRATEGY 2019-2024 FOR PUBLIC CONSULTATION

To: Council
Reporting Officer: Project Manager
Responsible Manager: Director Infrastructure and Development Services
Report Date: 6 May 2019
File Reference:
Enclosures: 1. Waste Strategy 2019-2024

RECOMMENDATION

That Council approve the release of the Waste Strategy 2019-2024 for public consultation and that this feedback be considered prior to finalising the strategy and for final Council approval.

PURPOSE

To seek Council approval for the 2019-2024 Waste Strategy for public consultation, the feedback from which will be considered prior to finalising and endorsing the strategy.

BACKGROUND

In Council's 2018/19 Annual Plan, the Council recognised the need to review waste management service opportunities and gaps through balancing the level of service with the community's ability/willingness to pay, in order to maintain sustainable service provision.

As an output to the review, a 5-year Waste Strategy has been developed to serve as Waratah-Wynyard Council's commitment to sustainable and affordable service delivery into the future for waste management.

DETAILS

As community expectations continue to change and the cost of waste management services rise, Council will be presented with new challenges and opportunities in managing waste services. For the community, the provision of waste management is amongst the highest cost services provided and incorporates services such as the waste transfer station and kerbside collection.

The 2019-2024 Waste Strategy seeks to address these opportunities and challenges through the key focus areas of materials recovery, education, environmental compliance and value-for-money. It must be stated that the Waste Strategy does not include the provision of waste management services in reserves, public open space or recreation facilities.

In summary, the Strategy intends to address community enquiries and changing technologies in areas such as organics collection, waste and recycling collection for rural residents, the provision of a formalised "tip shop" and community education and awareness campaigns. Additionally, the Strategy also addresses operational issues such as the ongoing management of green waste contamination and maximising the capacity and value of scrap metal.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 7: Environment
Desired Outcomes
Our community uses the renewable and natural environment to meet its energy needs and assist in reducing the effects of global warming.
Our Priorities
7.1 Provide education to facilitate awareness and appreciation of built and natural assets.
7.5 Facilitate monitoring of pollution trends and events by the relevant authorities in our community environment.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Current costs associated with the waste management services covered by this strategy is approximately \$1,984,000. This expenditure is funded through a user pays model, which requires the full cost of waste management to be recovered through separate charges outside of the general rate. The Waste Strategy seeks to continue operating under this financial model.

It is anticipated that some of the actions within the strategy will have an impact to waste related expenditure. As these costs are identified within the term of the Strategy, they will be included within Council's annual budgeting process. Any change in expenditure (increase/decrease) will be reflected with an appropriate change to the user charges as per the current financial model.

RISK IMPLICATIONS

There is a risk in adopting the Waste Strategy that it does not reflect community expectation and ability to pay for the service, however this is minimised with the proposed community consultation period prior to the finalisation and endorsement of the Waste Strategy.

CONSULTATION PROCESS

Various staff across the organisation, Councillors and industry experts have been consulted in the process of producing the Waste Strategy.

Feedback received by community members, either through engagement with the waste review or through previous customer enquiries logged into Council's document management system has also informed the strategy document. Additionally, a survey of a sample of the rural community was undertaken as part of the strategy development to determine appetite for the expansion of collection services to rural residents.

CONCLUSION

It is therefore recommended that the Council approve the release of the Waste Strategy 2019-2024 for public consultation and that this feedback be considered prior to finalising the strategy and for final Council approval.

9.3 ADOPTION OF THE CENTRAL AREA DEVELOPMENT STRATEGIES

To:	Council
Reporting Officer:	x
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	8 May 2019
File Reference:	004.01
Enclosures:	1. Central Area Development Strategies

RECOMMENDATION

That Council Adopt the draft Central Area Development Strategies

PURPOSE

The purpose of this report is to recommend that Council adopt the draft Central Area Development Strategies.

The draft Central Area Development Strategies were endorsed by Council to be released for the final round of community consultation at its March meeting.

BACKGROUND

The Central Area Development Strategies project is a long-term strategy, with comprehensive master plan and design framework to guide sustainable development and public and private investment in the Somerset, Wynyard, Stanley and Smithton Central Areas. The project is a joint initiative between Waratah-Wynyard and Circular Head Councils, however, Council is only considering the sections of the report relevant to Waratah-Wynyard. The version of the report attached for consideration has had the information relevant to Smithton and Stanley removed, as Circular Head Council will not be considering the Plan for adoption at the same time as Waratah-Wynyard Council.

The retail precincts of Somerset and Wynyard are important hubs of economic and social activity, and play a role in ensuring community well-being and cohesion through the provision of access to consumer goods and services and social interaction. It is important that these areas remain vibrant, functional and liveable, and the commercial and community spaces used support the economic and social infrastructure of the municipality.

However, it has been identified that these precincts lack a long-term comprehensive master plan and design framework to guide their sustainable development.

The Central Area Development Strategies project was commissioned to seek practical outcomes that can provide a framework for driving economic development on private land, assist in budgeting for capital improvements in the public realm and enable the rationalisation of assets.

The key objectives of the Central Area Development Strategies, identified by the Councils, are:

1. Improved Productivity
 - Better integration of land use and infrastructure

-
- Unlocking potential commercial and residential sites within the study areas
 - Improvements in the efficiency of infrastructure
 - Design quality that reflects the significance of the central areas as a destination, and that can be maintained
2. Improvements in liveability
- Accessibility and connectivity
 - Safe and efficient pedestrian flows
 - Adequate parking
 - Safe and secure environments at all times

DETAILS

The project commenced with a review of key sites and potential opportunities identified by the respective councils and outlined by the Steering Committee. These areas were further refined in workshops with councillors and distilled into a 'key sites and opportunities' analysis. The process provided clear focus and direction for the more detailed assessments that followed.

Desktop reviews of relevant previous studies, site verification and existing condition assessments were undertaken in respect of the urban form, streetscape, land use, site zoning, traffic circulation and pedestrian connectivity. This process assisted in the confirmation of key selected sites and potential development opportunities. Key themes identified included the platform for economic development, improvement of the built environment, and building on existing social and community infrastructure.

A Stakeholder and Community Consultation Plan was used to manage communication and consultation activities, and the community input received. The underpinning objectives were to:

- a) Ensure that relevant stakeholders were informed about the project and given opportunity to provide feedback.
- b) Provide stakeholders with an avenue for input in relation to their respective towns, and to ask questions or comment on the projects or opportunities identified.
- c) Ensure comments received were considered during development of the strategies and recommended actions.
- d) Engage with the private sector in relation to key sites identified and investment decisions needed to implement alternative futures or development outcomes.

Market analysis and forecasting demands of residential, retail and commercial floor space over the next 25 years was undertaken. This provided a factual basis for understanding the commercial realities associated with the investment and development of identified public and private opportunities. The Sustainable Murchison 2040 Community Plan has identified a number of key themes in terms of a response to economic opportunities. These included a restructuring of the economy to provide a greater focus on agriculture and tourism, capitalising on the rural-coastal lifestyle and affordable housing, encouraging young people and skilled workers to return to the region, climate change resilience and particular opportunities arising from climate change adaptation. The Plan assists in guiding strategic and detailed initiatives to achieve these strategic objectives.

Identification of development opportunities or urban design initiatives across both the public and private sectors in each of the Central Areas of Somerset, Wynyrd were identified for more detailed consideration. Each of the development opportunities or urban design initiatives is described in terms of the relevant current conditions, associated opportunities and constraints, and design-led change. Zoning changes to support or facilitate implementation of the design-led development opportunities are identified, and a strategic justification for the change provided.

An Implementation Framework and Investment Strategy capable of integrating with longer term strategies and current policy direction, policy documents, and actions of the Councils has also been developed. It also allows the identification of the relevant bodies to whom responsibility falls for each specific action.

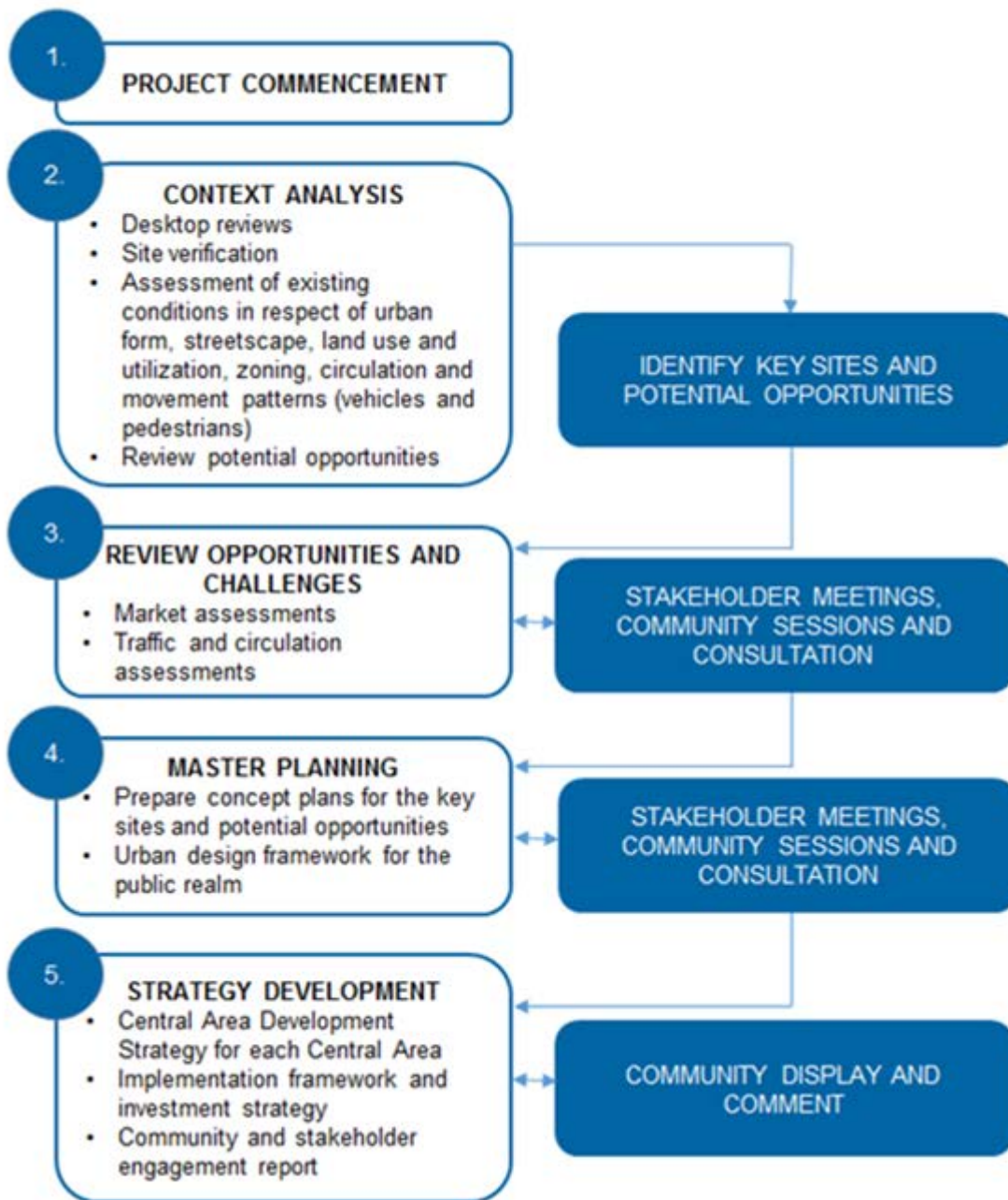
An overview of the project process is provided in the figure on the following page.

The targeted stakeholder consultation conducted throughout stages 3 and 4 informed the preparation of the draft Central Area Development Strategies report.

Council, at its March meeting, endorsed the draft Central Area Development Strategies report to progress to public consultation. The draft Central Area Development Strategies report exhibited for community feedback between 22 March and 15 April 2019

The final community consultation stage has now been completed, with the results discussed in detail in the Consultation Process section of this report. To summarise, limited feedback was received during this last community consultation stage, and no changes are recommended to be made to the draft prior to adoption.

Process



STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making.
Our Priorities
1.1 Commit to best practice in community engagement.

GOAL 3: Connected Communities
Desired Outcomes
Our community uses its voice to shape its future alongside a strong Council willing to listen and implement where reasonable and practical.
Our Priorities
3.3 Deliver planning for activation through effective urban design and planning that promotes liveability, social gathering and connectedness, and which recognises and celebrates local history.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Business & Industry	Specialised diversity of the economy – Value adding, diversification, innovation and employment. A resilient economy with global brand recognition and growing exports.
Tourism	Memorable visitor experiences all year round – The must see destination, quality product, easy access, popular events and festivals with coordinated marketing. A longer season with increasing yields.
Strong communities and social capital	Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
Place making and liveability	Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.
Governance and working together	Working together for Murchison – Everyone plays a part in achieving the objectives of the Sustainable Murchison Community Plan. There is cooperation, resource sharing and less duplication between Councils. Leadership is provided across all community sectors.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Implementation of various recommendations of the Central Area Development Strategies will require funding. The recommended actions of the Central Area Development Strategies should be reviewed each year to determine which, if any, actions are to be included within the budget.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

The draft Central Area Development Strategies report was most recently exhibited for community feedback between 22 March and 15 April 2019. The drafts and the invitation to provide feedback were disseminated through the following channels:

Website	<p>Council received three emails via the Council website and Have Your Say page. The responses are summarised below and provided in full at the end of the report.</p>
	<p>Email 1</p> <p>Opposition to Site 2: Langley Oval redevelopment. Concerned at the lack of consultation with the Somerset Football Club. Does not want the club to move.</p> <p>Response</p> <p>The decision to relocate the sporting facilities at Langley Park was made under the OSSR. The draft Central Area Development Strategies report considered how the site could be redeveloped should the sporting facilities be relocated. The sporting clubs involved are considered to be key stakeholders under both projects, and the matter has been discussed on many occasions and future consultation will occur.</p>
	<p>Email 2</p> <p>Opposition to Site 2: Langley Oval redevelopment. Does not want the club to move. Would prefer that Council invest in the facilities currently at Langley Park.</p> <p>Response</p> <p>The decision to relocate the sporting facilities at Langley Park was made under the OSSR. The draft Central Area Development Strategies report considered how the site could be redeveloped should the sporting facilities be relocated. The sporting clubs involved are considered to be key stakeholders under both projects, and the matter has been discussed on many occasions and future consultation will occur.</p>
	<p>Email 3</p> <p>Opposition to Site 3: IGA redevelopment. No additional car parking is required, as there is already a substantial car park servicing the IGA.</p> <p>Opposition to Site 2: Langley Oval redevelopment. Concerned about coastal erosion impacting the site in the future.</p> <p>Opposition to site 4: Former school site. The residential option requires further examination and consultation. Residential development may have a detrimental impact on car parking provision and access to the centre.</p> <p>Consultation materials: Provision of a brief overview of the proposals would have complemented the draft Central Area Development Strategies report and made it easier to review and understand, as the size of the report is quite large.</p> <p>Response</p> <p>The additional car parking would be in response to any expansion of the current supermarket. There would be no need to expand the car park should the supermarket not expand, but it is important to be prepared for this option.</p> <p>Any design for redevelopment would need to consider the impacts of coastal erosion and inundation. It is acknowledged that there are some constraints on the redevelopment of the whole site, however it is a large site with a significant portion of it that is not constrained.</p> <p>Two potential options have been proposed for the former school site in Wynyard. These options are starting points that identify the potential of the site. Any proposed development and designs would need to consider impacts on the surrounding land uses.</p>

	Noted. A fact sheet and a selection of the options were released
Fact sheet	No specific response received
Targeted mail out to key stakeholders	One interested business owner contacted Council to discuss plans relative to their business. Their concern was that the artist impressions of the option did not accurately reflect their redevelopment plans. The business owner was advised that the report included potential options for development, and future development did not have to mirror these options. The general idea remains consistent and is not necessary to have the exact design at this stage. The project will go through a separate design and consultation phase when it comes to fruition. The business owner was satisfied with this response, and no change to the Central Area Development Strategies is required.
Media release	No specific response received
Social media	A link to the draft Central Area Development Strategies was posted on Council's Facebook page. This post received 8 shares, but did not attract any comments.
Public notice	No specific response received

Therefore, no change to the draft Central Area Development Strategies report is required as a result of this last round of community consultation.

There are no further consultation requirements as a result of adopting this report. However, each project recommended within the Central Area Development Strategies is likely to require its own form of community consultation.

CONCLUSION

The Central Area Development Strategies project is a long-term strategy, with comprehensive master plan and design framework to guide sustainable development and public and private investment in the Somerset and Wynyard central areas. The project has developed a number of options and initiatives to guide the future development and improvement of the Central Areas of Somerset and Wynyard in consultation with key stakeholders.

The final community consultation stage has now been completed, with the results discussed in detail in the Consultation Process section of this report. To summarise, limited feedback was received during this last community consultation stage, and no changes are recommended to be made to the draft prior to adoption.

It is therefore recommended that Council adopt the Central Area Development Strategies report.

Email 1

From: DoNotReply@lga.sa.gov.au <DoNotReply@lga.sa.gov.au>
Sent: Wednesday, 27 March 2019 7:25 AM
To: Council <council@warwyn.tas.gov.au>
Subject: Website Form Submission: Feedback Form

Automatic email sent by the Waratah - Wynyard Council website
Time sent: 06:55:10 2019-03-27

Reference Number (token): UF71982

Data:

Q1. Enter your comments to Council

A1. Langley park redevelopment is an absolute disgrace. Again we have not been consulted in any way, the last we were told at the Somerset Football Club is that we were not moving and everything had been scrapped. The last plans had us sharing facilities including a child care center. Which is just the most stupidest thing I've even heard. We won't leave Langley park without a fight and without getting exactly what we want. That place was given to the council, the buildings were built by past players with money they raised. Langley Park is home to many many people, who work very hard to keep the place running and to make the Football Club very successful. I'm heart broken to think that none of you care and all your all worried about is the money made from selling Langley park. Not the history and pride people have for the place.

Q2. First Name

A2. [REDACTED]

Q3. Last Name

A3. [REDACTED]

Q4. Street Address

A4. [REDACTED]

Q5. Town/Suburb

A5. Somerset

Q6. Postcode

A6. 7322

Q7. Phone (Daytime)

A7. [REDACTED]

Q8. Email

A8. ammaroles@somersetfootballclub.com

Q9. How would you like Council to contact you?

A9. Email

Email 2

From: DoNotReply@lga.sa.gov.au <DoNotReply@lga.sa.gov.au>
Sent: Tuesday, 26 March 2019 8:21 PM
To: Council <council@warwyn.tas.gov.au>
Subject: Website Form Submission: Feedback Form

Automatic email sent by the Waratah - Wynyard Council website
Time sent: 07:50:52 2019-03-26

Reference Number (token): UF71980

Data:

Q1. Enter your comments to Council

A1. Planning to redevelop Langley Park following negative discussions with the football club last year and poor community feedback. This area can't be developed for anything outside of sport use without the approval of the sporting clubs using it due to a long standing lease and it's very disappointing you're making these plans regardless. Perhaps you should invest some money in the facilities at Langley Park for once as all previous upgrades and renovations have been paid for with funds raised by the tenants.

Q2. First Name

A2. [REDACTED]

Q3. Last Name

A3. [REDACTED]

Q4. Street Address

A4. [REDACTED]

Q5. Town/Suburb

A5. Somerset

Q6. Postcode

A6. |

Q7. Phone (Daytime)

A7.

Q8. Email

A8. [REDACTED]

Q9. How would you like Council to contact you?

A9. Email

Email 3

From: DoNotReply@lga.sa.gov.au <DoNotReply@lga.sa.gov.au>
Sent: Monday, 25 March 2019 3:35 PM
To: Council <council@warwyn.tas.gov.au>
Subject: Website Form Submission: Feedback Form

Automatic email sent by the Waratah - Wynyard Council website
Time sent: 03:04:30 2019-03-25

Reference Number (token): UF71977

Data:

Q1. Enter your comments to Council

A1. Somerset plan: I think the existing IGA Supermarket could also be approached to assist in meeting the parking needs in Somerset, it's huge. Perhaps Council could look at a maintenance for payment model or something similar, rather than developing a new car park. Otherwise Somerset could become one giant car park. Building a hotel on Langley Park would raise some issues considering the coastal erosion issue in this area. Wynyard plan: I think the plans around Little Goldie Street need further examination and public discussion. The OSSR wisely proposed the relocation of the skate park, but putting residential living in this area would create potential conflicts with the car park and the centre being well utilised. It would be handy to provide a brief overview of the proposals and recommendations, because at 202 pages it is a bit restrictive.

Q2. First Name

A2. [REDACTED]

Q3. Last Name

A3. [REDACTED]

Q4. Street Address

A4. [REDACTED]

Q5. Town/Suburb

A5. Wynyard |

Q6. Postcode

A6. 7325

Q7. Phone (Daytime)

A7.

Q8. Email

A8. [REDACTED]

Q9. How would you like Council to contact you?

A9. Email

9.4 DRAFT BOAT HARBOUR BEACH MASTERPLAN - CONSULTATION

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	Director Organisational Performance
Report Date:	7 May 2019
File Reference:	004.01
Enclosures:	1. Draft Boat Harbour Beach Masterplan

RECOMMENDATION

That Council:

1. note the draft Boat Harbour Beach Masterplan; and
2. approve the release of the draft Boat Harbour Beach Masterplan for public consultation and that this feedback be considered prior to finalising the masterplan for final Council approval.

PURPOSE

Master planning identifies a future holistic vision for a place, based on its context and local conditions, to address opportunities and challenges experienced within a community. The Boat Harbour Beach Masterplan has been developed to address community expectations and provides a unifying vision for the area.

BACKGROUND

In 2016 Council commenced the development of a Boat Harbour Beach Development Plan. Through an expression of interest tender process Council engaged ERA Planning Pty Ltd to lead a multi-disciplinary consultancy team to undertake analysis and planning through an extensive process involving:

- (a) Principal Consultant and Master Planning – ERA Planning Pty Ltd;
- (b) Architectural and Master Planning – Cumulus Studio; and
- (c) Stakeholder Engagement – Noa Group.

DETAILS

The Boat Harbour Beach Master Plan provides a unifying vision for the area particularly focusing on the management of public spaces around the beach area and the provision of supporting infrastructure and development. In this context, the Master Plan:

- Identifies the overall values of the place which should be protected;
- Examines the role and function of the Boat Harbour Beach area in the context of North West Tasmania;
- Identifies current opportunities and constraints;
- Aligns the interests of all stakeholders toward common goals and achieves cohesiveness in future actions by those stakeholders;
- Gives clarity to the community, business, investors and governance about the future direction for the area; and

- Provides an overarching framework to prioritise investment in the area.

At the commencement of the master planning process the following aims were identified:

- Overall vision for the township based on key directions;
- Develop clear objectives for the future development and character of the town including planning scheme requirements;
- Consider and detail the key environmental constraints of the township;
- Consider and detail key infrastructure constraints including car parking and access;
- Establish a plan to improve the quality of the area available for public open space, including pedestrian access, BBQ facilities and play equipment;
- Identify a settlement boundary having regard to key land constraints and values; and
- Consider future details work that may be necessary to support implementation.

Extensive public consultation and engagement with key stakeholders was undertaken and the strategic directions identified through the process have guided the preparation of the master plan with feedback shaping the final proposal. Subsequent engagement undertaken via a survey sent to the Boat Harbour Beach community indicated support for public camping with the regulated site location to be determined by the final plan.

As a strategic planning document prepared by Waratah Wynyard Council as a Planning Authority, the Boat Harbour Beach Masterplan sits within the context of the Resource Management and Planning System of Tasmania (RMPS). The specific policies and actions within the plan ensure consistency with relevant state objectives and policies.

The final draft Boat Harbour Beach Masterplan dated May 2019 has been received by Council and is attached to this report for acceptance and endorsement for public consultation to commence.

STATUTORY IMPLICATIONS

By-Law No 1 of 2016.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance	
Desired Outcome:	
We make publicly transparent decisions on spending and future directions while encouraging community feedback.	
1.1	Commit to best practice in community engagement.
GOAL 3: Connected Communities	
Desired Outcome:	
We listen and engage with our community in decision making.	
Our community uses its voice to shape its future alongside a strong Council willing to listen and implement where reasonable and practical.	
3.3	Deliver planning for activation through effective urban design and planning that promotes liveability, social gathering and connectedness, and which recognises and celebrates local history.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Tourism	<i>Memorable visitor experiences all year round – The must-see destination, quality product, easy access, popular events and festivals with coordinated marketing. A longer season with increasing yields.</i>
Strong communities and social capital	<i>Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.</i>
Place making and liveability	<i>Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.</i>

POLICY IMPLICATIONS

There is no significant policy implications in the draft Boat Harbour Beach Masterplan being released for public consultation

FINANCIAL IMPLICATIONS

There is no significant financial implications in the draft Boat Harbour Beach Masterplan being released for public consultation.

RISK IMPLICATIONS

There is no significant risk implications in the draft Boat Harbour Beach Masterplan being released for public consultation.

CONSULTATION PROCESS

Extensive public consultation and engagement with key stakeholders informed the development of the plan with feedback shaping the final proposal. Engagement completed to date which is outlined in the plan includes:

- (a) Planning engagement workshops;
- (b) Councillor workshop;
- (c) Community workshop;
- (d) Online survey; and
- (e) One on One consultation.

CONCLUSION

That Council:

1. note the draft Boat Harbour Beach Masterplan; and
2. **approve the release of the draft Boat Harbour Beach Masterplan for public consultation and that this feedback be considered prior to finalising the masterplan and for final Council approval.**

9.5 2018/19 ANNUAL PLAN ACTION UPDATE

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	10 May 2019
File Reference:	004.01
Enclosures:	1. Annual Plan Action Status Report

RECOMMENDATION

That Council receive and note the progress report on the 2018/19 Annual Plan actions.

PURPOSE

The purpose of this report is to provide a status update on the adopted 2018/19 annual plan actions

BACKGROUND

The 2018/19 Annual Plan and Budget Estimates was adopted by Council at its Ordinary Meeting in June 2018 in accordance with the requirements of the *Local Government Act 1993*.

DETAILS

The attached report provides a status update on the adopted 2018/19 annual plan actions.

Strategies and Actions are listed in the tables in their future directions. The tables include information on the status of each action, progress comments on the action, the person responsible for the action, the estimated percentage complete for each action and the progress against targets set for each action.

It is important to note this report includes actions that were adopted as part of the Annual Plan 2018/19 and those actions carried forward from previous years as they were incomplete.

Of the 107 actions detailed in the report-

- 8 actions have been completed;
- 65 actions are in progress and expected to be completed on time
- 20 actions are currently behind schedule
- 14 actions have been deferred and will be carried forward to a future year.

Highlights of the last quarter progress include –

- The ongoing work of the Children’s Services area has been recognised by being nominated for a Reconciliation Award
- Adoption of the Community Health and Well Being Plan, Youth Plan and Age Friendly Communities Plan
- Alterations to the resourcing and structure of SES support

- Implementation of interim public camping arrangements at Boat Harbour Beach
- Implementation of new agenda compilation software
- Commencement of Wynyard Waterfront capital projects including the wharf augmentation and Camp Creek reclamation
- Significant progress on BMX track upgrades
- Waste Strategy development

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

There is some reputation risk if tasks are not completed on time

CONSULTATION PROCESS

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

CONCLUSION

Updates are provided in the attached report

9.6 FINANCIAL REPORT FOR THE PERIOD ENDED 30 APRIL 2019

To: Council
Reporting Officer: Accountant
Responsible Manager: Director Organisational Performance
Report Date: 10 May 2019
File Reference: 100.10
Enclosures: Nil

RECOMMENDATION

That Council notes Financial Reports for the period ended 30 April 2019.

PURPOSE

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

BACKGROUND

The financial reports presented incorporate:

- Financial Summary
- Underlying Position
- Cash Position
- Rate Summary
- Capital Works Summary

SUMMARY

Council reported a comprehensive year-to-date surplus of \$2,033,431, \$1,120,152 lower than budgeted due to the timing of Capital Grants/Contributions.

Financial Summary

The Financial Summary provides YTD revenue and expenditure against profiled budget for each Directorate.

Underlying Position Statement

The underlying position statement shows the outcome of Council's day to day operations. As at the 30 April 2019 the actual YTD underlying surplus is \$2,033,431.

- Other income of \$244,098 is below budget of \$344,700 due to timing of TasWater distributions.
- Employee costs are \$623,791 under budget due to variances in resource levels.
- Materials and contract expenses \$231,746 is over budget due to increase in labour hire and contractor engagements.

Note: the underlying position statement excludes capital grants and non-recurrent income and expenditure.

Rate Summary

The rate summary provides an indication of outstanding rate debtors, the amount collected and the rates in credit. At the end of the period there were \$596,753 unpaid rates and charges.

Cash Position

As at 30 April 2019 Council held a cash balance of \$12,058,731, all cash investments comply with Council's Investment Policy (FIN 004).

Capital Works Summary

The capital works summary provides a snapshot of the percentage of expenditure against the 2018/19 capital works program. Timing of expenditure is based on the works plans.

STATUTORY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

Key Focus Area:	CIVIC LEADERSHIP AND GOVERNANCE A well-managed Council that services the municipality with integrity and has a strong voice in the region
Outcome 4.3	Council is managed in a financially sustainable and responsible manner

<i>Operational Aim 4.3.2</i>	Establish and maintain systems to support timely and efficient financial reporting
------------------------------	--

POLICY IMPLICATIONS

The contents of this special purpose financial report are prepared under the guidance of Council policies.

FINANCIAL IMPLICATIONS

No significant financial implications have been identified.

RISK IMPLICATIONS

No significant risk implications have been identified.

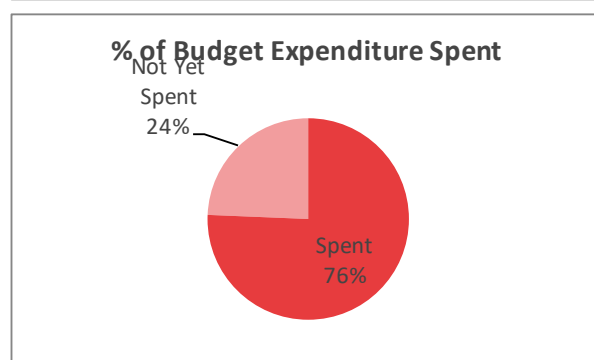
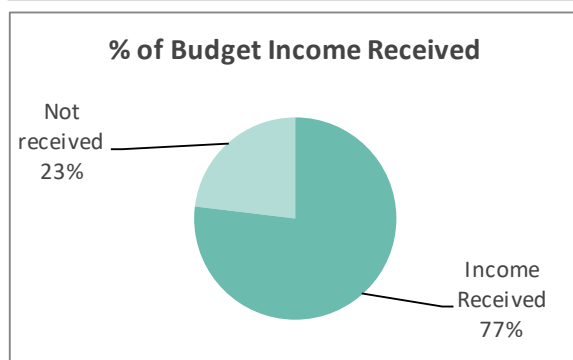
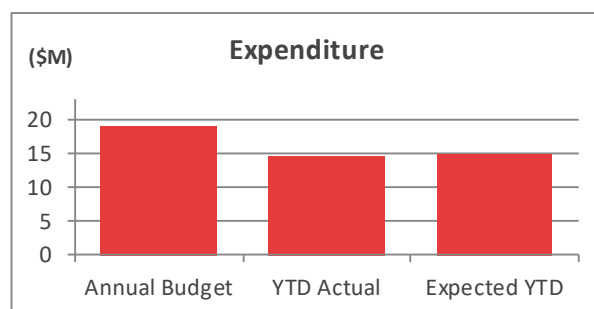
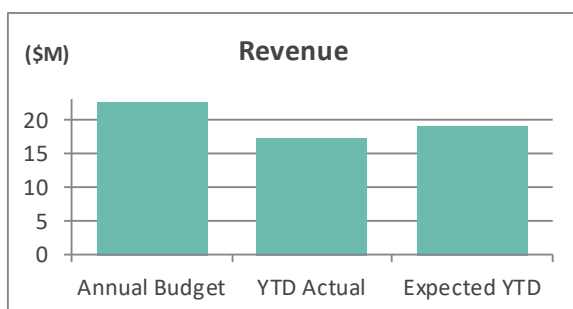
CONSULTATION PROCESS

There was no consultation required as a part of this report

CONCLUSION

It is recommended Council accept the Financial Report for the period ended 30 April 2019.

FINANCIAL SUMMARY As at 30 April 2019	BUDGET ANNUAL	ACTUAL YTD	BUDGET YTD	ACTUAL YTD % of BUDGET	Note
REVENUE (incl capital grants)	\$	\$	\$	%	
Corporate Governance	50,739	38,996	38,055	76.86	
Strategic & Financial Services	11,154,307	10,500,160	10,226,702	94.14	
Corporate & Community Services	2,012,654	1,650,710	1,672,129	82.02	
Infrastructure & Development Services	9,565,643	5,331,462	7,044,057	55.74	
	22,783,343	17,521,327	18,980,943	76.90	
EXPENDITURE	\$	\$	\$	%	
Corporate Governance	1,205,115	915,284	1,011,352	75.95	
Strategic & Financial Services	1,695,644	1,550,008	1,278,609	91.41	
Corporate & Community Services	3,495,588	2,798,872	2,939,785	80.07	
Infrastructure & Development Services	12,682,079	9,168,861	9,542,742	72.30	
	19,078,426	14,433,024	14,772,488	75.65	
Less Advance Payment of FAGs	(1,406,496)	(1,054,872)	(1,054,872)		
NET RESULT	2,298,421	2,033,431	3,153,583		



UNDERLYING POSITION STATEMENT For the month ending 30 April 2019	BUDGET ANNUAL	ACTUAL YTD	BUDGET YTD	Note
INCOME	\$	\$	\$	
Rate Revenue	11,099,094	11,156,410	11,009,094	
User Charges	2,461,944	2,004,629	2,073,432	
Reimbursements/Contributions	739,931	699,505	571,903	
Grants and subsidies	3,821,689	2,323,626	3,107,678	
Interest	275,010	284,447	247,510	
Proceeds from Sale of Assets	189,500	110,700	-	
Other	576,000	244,098	364,700	
	19,163,168	16,823,415	17,374,317	
EXPENDITURE	\$	\$	\$	
Employee Costs	6,838,564	5,144,591	5,768,382	
State Levies	533,493	401,454	419,888	
Remissions & Discounts	397,384	395,062	397,384	
Materials & Contracts	6,954,530	5,033,580	4,801,834	
Depreciation	3,986,635	3,328,127	3,321,990	
Borrowing Costs	65,340	18,208	54,430	
Value of sold/write off of assets	302,480	112,000	8,580	
	19,078,426	14,433,024	14,772,488	
UNDERLYING SURPLUS(DEFICIT)	84,742	2,390,391	2,601,829	

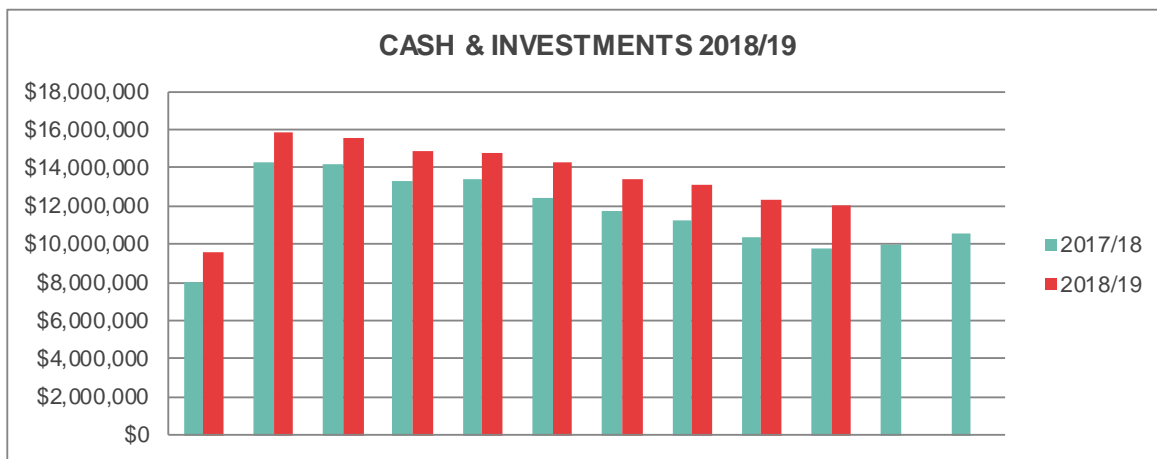
The intent of the underlying result is to show the outcome of Council's usual day to day operations. This indicator is required to be included in Council's Financial Statements in accordance with Local Government Act 1993 (Tas) Section 84(2)(db).

RECONCILIATION TO COMPREHENSIVE RESULT			
Capital Grants/Contributions	3,620,175	697,912	1,606,626
Advance Payment of FAGs Grant	(1,406,496)	(1,054,872)	(1,054,872)
COMPREHENSIVE SURPLUS/(DEFICIT)	2,298,421	2,033,431	3,153,583

The comprehensive result is required under Australian Accounting Standards and will be reported in the Financial Statements at year end. This reconciliation intends to show the alignment of the underlying position with the comprehensive result.

RATE SUMMARY		2018/19		2017/18	
For the period 1 July 2018 to 30 April 2019		%	\$	%	\$
<i>Notice Issue Date - 26 July 2018</i>					
OUTSTANDING RATE DEBTORS (As at 1 July 2018)		3.90	452,217	4.04	459,917
ADD CURRENT RATES AND CHARGES LEVIED (including penalties)		96.10	11,156,410	95.96	10,913,608
GROSS RATES AND CHARGES DEMANDED		100.00	11,608,627	100.00	11,373,525
LESS RATES AND CHARGES COLLECTED		90.36	10,489,321	90.17	10,255,341
REMISSIONS AND DISCOUNTS**		8.33	966,941	8.46	961,704
		98.69	11,456,262	98.62	11,217,045
ADD PROPERTIES IN CREDIT		(3.83)	444,388	(3.47)	394,649
UNPAID RATES AND CHARGES (includes Deferred Rates)		5.14	596,753	4.85	551,129
**REMISSIONS AND DISCOUNTS			2018/19		2017/18
Discount			388,862		386,780
Pensioner Rebates			571,879		566,218
Council Remissions and Abandements			6,200		8,945
			<u>966,941</u>		<u>961,943</u>
Number of Assessments	545				

CASH POSITION			INVESTMENTS		Weighted
As at 30 April 2019		\$		\$	Average Return
Deposits	11,300,000		Commonwealth Bank	756,731	1.25%
			Bankwest	11,300,000	2.40%
Petty Cash and Till Floats	2,000		Petty Cash and Till Floats	2,000	
Trading Account	756,731				
BALANCE (ALL ACCOUNTS)	<u>12,058,731</u>			<u>12,058,731</u>	2.33%



RBA Cash Rate* 1.500
 90 Day BBSWs Rate** 1.563

*source: www.rba.gov.au as at 30 April 2019

**source: <https://www.asx.com.au/data/benchmarks/bbsw-10-day-rolling-history.pdf> as at 30 April 2019

All cash investments are in compliance with Council's Investment Policy (FIN.004).

CAPITAL WORKS SUMMARY As at 30 April 2019	Notes	Budget \$	% Spend of Budget	Actual \$
GOVERNANCE				
Wynyard Wharf Entrance Augmentation		445,649	4%	18,867
New Board Walk and Seawall Renewal		739,678	8%	60,158
General		251,586	85%	213,784
		1,436,913	15%	213,784
STRATEGIC & FINANCIAL SERVICES				
		225,000	0%	-
CORPORATE SERVICES				
		45,000	9%	3,869
COMMUNITY SERVICES				
SES		10,600	100%	10,557
Children's Services		70,000	20%	14,140
Tourism		47,000	97%	45,612
General		60,365	32%	19,584
		187,965	48%	89,894
ENGINEERING SERVICES				
Depot		136,244	66%	89,352
Plant		644,210	65%	417,409
		780,454	65%	506,761
WASTE MANAGEMENT				
		25,000	0%	-
PUBLIC CONVENIENCES				
		15,000	0%	-
TRANSPORT				
Re-Sheeting		1,072,173	54%	577,911
Reseals - Rural		529,930	76%	402,983
Reseals - Urban		235,550	27%	64,433
Footpaths		84,500	69%	58,386
Coastal Pathway		3,714,440	2%	86,880
Wynyard CADP & Car Park Development		426,449	103%	439,784
Bridges		441,764	101%	445,683
General		515,199	16%	83,394
		7,020,005	31%	2,159,455
SPORTING FACILITIES				
Wynyard		535,500	7%	39,192
Somerset		49,800	84%	41,675
		585,300	7%	41,675
PARKS & GARDENS				
Wynyard		1,296,500	6%	77,459
Somerset		150,000	26%	39,251
General		50,000	27%	13,299
		1,496,500	9%	130,009
STORMWATER DRAINAGE				
Stormwater Pipe Replacements/Upgrades		117,600	30%	35,425
General		52,826	66%	34,715
		170,426	41%	70,140
TOTAL CAPITAL WORKS PROGRAM 2018/19		11,987,563	28%	3,333,805

9.7 SENIOR MANAGEMENT REPORT

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	7 May 2019
File Reference:	004.01
Enclosures:	Nil

RECOMMENDATION

That Council note the monthly Senior Management Report.

SUMMARY/PURPOSE

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

GENERAL MANAGERS OFFICE

Activities Since Last Council Meeting

Listed below is a summary of activities undertaken by the General Manager during the period **8 April 2019 to 10 May 2019**. It also provides information on issues of significance or interest, statistical information and summaries of specific areas of operations.

Corporate

- Continued to participate in a number of meetings and workshops to progress the IT Shared Services project being undertaken by Burnie, Circular Head and Waratah-Wynyard Council and finalise a report for distribution
- Attended a presentation/workshop by local government software providers in order to gain an appreciation for alternate products available in the market
- Participated in Council's Capital Works Tour
- Met with the owner/operators of the Wynyard Waterfront Motel to discuss the upcoming seawall/boardwalk project

Community

- Met with the developers of the Table Cape Resort for a project update
- Attended the official opening of the 7Up Youth Centre
- Met with representatives of the Sisters Beach Community Association to discuss a range of issues relating to Sisters Beach
- Met with representatives of the Wynyard Rotary Club to discuss a possible dog exercise area and the proposed East Wynyard playground modifications
- Met with representatives of the Somerset Rotary Club to discuss the proposed Somerset Community Centre and proposed Anzac Park playground project

- Met with a representative of the Wynyard Pastoral and Agricultural Society to discuss the Wynyard Showground and Council's Open Space Sport and Recreation Plan
- Met with a community member concerned with the possible relocation of the Preolenna War Memorial
- Met with representatives from Boat Harbour regarding their concerns with the interim public camping arrangements in Boat Harbour
- Met with a resident of Sisters Beach actively pursuing a Community Centre for the town on behalf of the Sisters Beach Community Association

Industry

- Attended a Tourism Workshop facilitated by the Cradle Coast Authority to determine areas for greater collaboration
- Attended the LGAT breakfast forum with guest speaker Lee Whitely from the University of Tasmania
- Attended the TasWater General Meeting
- Attended the North West General Managers meeting held in Queenstown. Discussion items included –
 - Regional Futures Plan/Resource Sharing Agreement with CCA
 - Amanda Aitken (Project Manager, Tasmanian Journeys) and Peter Kilpatrick (Journeys Marketing Manager, Tourism Tasmania) provided an overview of the Tasmanian Journeys Project.
 - Cradle Coast Waste Governance Review

Other

- Easter and Annual Leave from Wednesday 17 April returning to work on Monday 29 April

Grants Received / Awarded;

Since last Council Meeting

\$3k - for the restoration, removal and relocation of the Preolenna War Memorial Plaques to the Wynyard Cenotaph Precinct – Round two of the 2018/19 Teddy Sheean Memorial Grants Program.

This Financial Year

\$1.3m	ANZAC Park Playground from Senator Steve Martin
\$310k	Tasmanian State Government to upgrade change facilities at Wynyard Recreation Ground including new female facilities as part of the Levelling the Playing Field grant process
\$45k	AFL Tasmania to assist with upgrade to change facilities at Wynyard Recreation Ground including new female facilities.
\$3.2m	Building Better Regions Fund (BBRF) for the Wynyard Waterfront and Environs Masterplan to complete the following stages of the project: <ol style="list-style-type: none"> 1. Stages 2-4 of the Camp Creek Rehabilitation 2. Wharf Entrance Augmentation 3. Construction of new boardwalk and replacement of seawall 4. Construction of Multipurpose Community Facility and Yacht Club
\$1.1m	from State Government towards the Wynyard Waterfront and Environs Masterplan, in particular the Multipurpose Community Facility and Yacht Club confirmed following approval of BBRF Grant.
\$140k	Safer Communities Fund: Round 3 - Infrastructure Grants application for CCTV in Wynyard and Somerset CBD's
\$6.095m	Cumulative

INFRASTRUCTURE AND DEVELOPMENT SERVICES

OSSR Project Update – BMX Track Upgrades

The BMX Track Upgrade Project is progressing well and currently appears to be inside its projected budget of \$365 000.

BMX is managing the works and contractors involved and Dana Hicks is managing Council's involvement in the project.

The following tasks are completed:

- Planning and compliance matters e.g. Development Approval, Building Permit, WHS regulations and contractor and volunteer inductions.
- Site preparation including surveying and tree removal
- Start hill earthworks and underground plumbing and electricals

- Purchase of new gate and new shelter

The realignment of the track and its connection to the new start hill is underway and on schedule and compaction tests are currently achieving the required standards.

The following tasks are yet to be completed:

- Construction of start gate recess, hill apron and storage shed slab
- Sealing of berms and installation of Sic Surface
- Installation of starting gate, shelter on hill and erection of storage shed
- Installation of access paths and associated safety fences

It is predicted Council's contribution of \$80 000 will be fully expended before the end of this financial year.

Council will forward a progress report to the Australian Government in the near future and call down the first \$50 000 of the \$200 000 provided by the Australian Government.

ADMINISTRATION – USE OF CORPORATE SEAL

8/4/19	Memorandum of Lease	Woolworths Petrol P/L
12/4/19	Contract for Services	Contract for Services
15/4/19	Final Plan & Schedule of Easements	SD2034 92 Deep Creek Road Wynyard – Planning Scheme amendment and subdivision
16/4/19	ABC Copyright Agreement	Use of copyright material for Backroads program

REPORTS OF OFFICERS AND COMMITTEES

PLANNING PERMITS APPROVED UNDER DELEGATION – APRIL 2019

DA No.	Applicants Name	Location	Development	Date Permit Issued	No of Days to Process	(D)Discretionary (P)Permitted
DA 20/2019	A Dodd	10 Serrata Crescent Sisters Beach	Shed (residential storage)	02.04.2019	35	D
DA 108/2018	GHD Pty Ltd	Murchison Highway Guildford	Construction & operation of a tailings dam storage facility	02.04.2019	22	D
DA 26/2019	P Allen	843 Murchison Highway Elliott	Outbuilding (Garage with Carport)	03.04.2019	15	P
DA 143/2018	R Cox	1 Alicia Court Wynyard	Dwelling	05.04.2019	42	D
DA 27/2019	P Allen	11A Back Cam Road Somerset	Carport	05.04.2019	19	D
DA 8/2019	R Cox	3 Inglisdale Drive Wynyard	X2 Town houses	10.04.2019	62*	D
DA 138/2018	T Bradley – Waratah-Wynyard Council	49 Smith Street Waratah	Change of Use – Education & Occasional Care and Community Meeting and Childcare Centre	12.04.2019	42	D
DA 34/2019	B & J Pentony	1 Mackenzies Road Boat Harbour	Dwelling Extension – Awning (enclosing deck)	16.04.2019	16	P
DA 44/2019	N Tyson	12 Moore Street Boat Harbour	Visitor accommodation (change of use)	16.04.2019	13	P
DA 43/2019	K Dixon	24 Saunders Street Wynyard	Shed	16.04.2019	13	P
DA 25/2019	P Allen	Stennings Road Wynyard	Grain & gravel storage facility	16.04.2019	31	D
DA 17/2019	P Allen	20 Table Cape Road Wynyard	Dwelling & Shed	16.04.2019	42	D
DA 145/2018	Tasmanian Advanced Minerals Pty Ltd	19 Stennings Road Wynyard	Silica processing facility increase in production	17.04.2019	26	D
DA 31/2019	David Wakefield & Associates Pty Ltd	19 Inglisdale Drive Wynyard	Dwellings	18.04.2019	32	D
DA 105/2017	Hotondo Homes	230 Back Cam Road Somerset	Carport	18.04.2019	25	D
DA 29/2019	Wynyard RSL Sub Branch	9 Goldie Street Wynyard	Photographic panels (Signage)	18.04.2019	21	D
DA 41/2019	Micheal Wells (Enviroplan)	15265 Bass Highway Somerset	Office Building, Façade Upgrade & 2 Loading Bays	18.04.2019	23	P
DA 28/2019	K M & P J Anderson	80 Hales Street Wynyard	Dwelling & Carport	18.04.2019	42	D

* Extension of time obtained to 10.04.2019

BUILDING PERMITS APPROVED –APRIL 2019

NPR= No Permit Required under Waratah-Wynyard Interim Planning Scheme 2013 **EXEMPT=**application meets exemptions under LUPA and/or Waratah-Wynyard Interim Planning Scheme 2013

Permit Number	Applicants Name	Location	Development	Date Permit Issued	No of Days to Process	Related Planning Approval
2019-36-01	Colin Guest	7 Lyons Street Somerset	Change of Use & Alterations – Shop to Dwelling	01.04.2019	3	DA 103/2018
2019-41-01	M Wickham	7 Church Street Wynyard	Multiple dwellings x3 units	16.04.2019	4	DA 117/2013-B
2019-29-01	Own-A-Home	240 Back Cam Road Somerset	Dwelling	18.04.2019	0	DA 135/2018

REPORTS OF OFFICERS AND COMMITTEES

APRIL - OPEN ACTION ITEMS

Meeting Date	Item #	Topic	Action/Status	Officer	Status	Date Closed
19/2/18	10.1	<p>ROC – Proposed East Wynyard Foreshore Masterplan - Motion Carried</p> <p>Adopt the Draft East Wynyard Foreshore masterplan;</p> <ul style="list-style-type: none"> Consider implementation of the proposed playground and landscaping elements for the 2018/19 budget; Consider rationalising the existing 4 local playground sites, 2 at the East Wynyard Foreshore, 1 at 9 Martin Street and 1 at 25 Lockett Street in order to fund the proposed district level playground; and Remain flexible in the implementation of the East Wynyard Foreshore masterplan as it assesses cost and benefits in consultation with the community and users into the future 	<p>A workshop was held on Monday 11 February to outline the proposed timetable for this playground project. Preliminary work will continue as part of the project planning and preparatory stage.</p> <p>13/3/19 - A further workshop was held on 12 March to progress the design concepts and discuss the project</p>	DIDS	Commenced	
19/3/18	5.3.1	<p>QON – K Ewington – Transfer Station Opening Hours. Asked if Council could explain how it determined that 10.00am to 4.00pm were best hours of operation for Transfer Station to meet ratepayer needs. He asked if council could consider longer hours for those who work e.g. extend hours during day light savings, opening hours on the weekend, open on public holidays.</p>	<p>15/8/18 - A waste management services review will commence in September, concluding in April 2019. This query will be addressed during this project</p> <p>14/5/19 – The draft Waste Management Services Review has been completed and the Draft Waste Management Services Strategy 2019-2024 is presented in this agenda for Council to consider endorsement for public feedback</p>	DIDS	Complete	14/5/19
17/9/18	10.1	Freedom Camping	<p>The following motions were carried:</p> <ol style="list-style-type: none"> That Council note the information relating to Freedom Camping; and agree to develop a Freedom Camping Strategy document. <p>7/3/19 - Council continues to workshop and discuss public camping and associated enforcement. Interim arrangements have been requested following the workshop on 4 March including signage. The First draft of the Freedom Camping Strategy has been completed by David Hammond and is expected to be workshopped with Councillors Late March.</p> <ol style="list-style-type: none"> That Council proceed with necessary planning for establishment of a site for Freedom Camping at Sisters Beach. 	EMT	Ongoing	

REPORTS OF OFFICERS AND COMMITTEES

			<p>7/3/19 - Whilst investigation on this site has occurred, Council's position may now change given the recent State Government policy position. Further work to be done in this regard.</p> <p>3. That Council determine that a designated Freedom Camping site will not be provided for in Somerset or Yolla.</p> <p>7/3/19 - Signage to be organised</p> <p>4. That Council Explore low cost camping opportunities at Waratah through the existing caravan park or creation of an overflow area.</p> <p>5. That Council liaise with the Show Society to lodge a planning application to amend the use of showgrounds to allow self-contained caravans.</p> <p>6. That statutory planning approval be sought for all areas where freedom camping might be located.</p> <p>7/3/19 - Work on the Freedom Camping Strategy has begun with a workshop held in early March to progress the draft</p>			
17/9/18	10.6	Renewal of Crown Lease – Waratah Falls	<p>Motion Carried 6/5 – Lease has been approved waiting on deeds for signing.</p>	DCE	Ongoing	
19/11/18	9.1	Motion – Cr Fairbrother – Coast to Coast Section – Advocate Newspaper	<p>Motion Passed The Mayor raised the matter at the CCA Representatives Meeting and it received support. The editor attended the CCA Reps meeting on 28 February. At the end of the meeting he stated he would explore options for re-introduction of the Coast to Coast section of the newspaper, including the Mayors Message, and options would be presented in the near future.</p>	GM	Ongoing	
19/11/18	10.4	Freedom Camping Boat Harbour	<p>Motion Passed Cr House asked that the implementation plan address traffic management and waste management matters.</p> <p>Cr Duniam asked that full review and considerations of the use of amenities be included.</p> <p>Cr House asked that the Open Space, Sport and Recreation Plan be updated to include changes once the Strategy is completed.</p>	DCE	Not yet commenced	

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			7/3/19 - Council continues to workshop and discuss public camping and associated enforcement. Interim arrangements have been requested following the workshop on 4 March including signage.			
10/12/18	8.3.5	CQWON – Cr House - East Wynyard Foreshore	<p>Cr House asked what councils' position was on the use of vehicles on beaches in general.</p> <p>The Director of Infrastructure and Development Services advised he would take question on notice and bring to a workshop as beaches are owned by Crown Land Services.</p> <p>The Director Infrastructure and Development Services advises that Crown Land Services do not have a clear policy on this matter. As a measure to try and reduce the problem, Council will install local area traffic management signage to advise motorists of the need to take care in this shared use location.</p>	DIDS	Complete	6/5/19
10/12/18	8.3.6	CQWON – Cr House -Speed Limits	<p>Cr House asked if speed limits in the area of the East Wynyard boat ramp were considered adequate.</p> <p>As per item 8.1.2, the Director Infrastructure and Development Services advises that local area traffic management signage will be installed to advise motorists of the need to take care in this shared use location.</p>	DIDS	Complete	6/5/19
10/12/18	9.2	NOM Cr Edwards – PWS Audit of Sisters Beach properties Carried	<p>That Council request Parks and Wildlife complete their proposed assessment audits of beach front properties at Sister Beach by March/April rather than the proposed 30 June deadline.</p> <p>7/3/19 - PWS have advised due to tender process and availability of contractors they cannot bring forward to March/April. They have indicated they will look to try and complete by May</p>	DIDS	Ongoing	
10/12/18	9.4	NOM Cr House – Communication Strategy Carried	<p>That Council commence the drafting of a Communications Strategy as a matter of priority, and the following are produced as a necessary suite of associated documents;</p> <ol style="list-style-type: none"> 5. Draft Communications Policy 6. A paper which reviews the cost-benefit of the Community Survey and alternative options 7. A report which explores the option of a Waratah Wynyard Council smartphone “app” for the public <p>6/5 – Matter to Go to June Council Meeting</p>	GM	Ongoing	

REPORTS OF OFFICERS AND COMMITTEES

10/12/18	10.1	Wilkinson Street Highway Junction works Amended Motion carried	<p>That Council on receipt of assurances from DSG that council legal expenses associated with any representation and associated legal process will be reimbursed; and</p> <p>Support the recommendation of the Department of State Growth to close the Wilkinson Street access to the Bass Highway; and</p> <p>Initiate the process of notification of intent to close under section 14 of the Local Government Highways Act 1982; and</p> <p>Undertake investigations into relocation of the existing York Street bus stop to another area within the vicinity</p> <p>State Growth have advised they will cover legal expenses if the closure goes ahead only. Further request made to State Growth as to what potential expenses may be so a determination can be made by Council.</p> <p>6/5 State Growth have advised they will fund new signage at York Street. Written advise has been requested from lawyer regarding potential appeal costs if matter proceeds.</p>	DIDS	Ongoing	
10/12/18	10.3	Irby Boulevard Beach Access Repairs	<p>That Council, by absolute majority:</p> <p>Seek approval from Crown Lands and Parks & Wildlife services to restore the damaged beach accesses affected by coastal erosion at nodes 2 and 10.</p> <p>12/3 /19 Expression of Interest process in relation to the restoration and repair of beach accesses at Node #2 and #10 has been completed and evaluation is underway. Aboriginal Heritage approval for works has been received, Crown Land Services Development approval is pending.</p> <p>Council has been liaising with Parks and Wildlife requesting that their individual property assessments are completed as soon as possible. Parks and Wildlife have indicated they need to complete a tender process and schedule the successful consultants and at this stage have indicated a completion date of end of May.</p> <p>In regard to short term remedial work, since December Council works staff have inspected the beach entrances nodes 1, 4, 5, 6 and 8. It was considered that each of these five access points did not require any immediate work to enable safe beach access.</p>	DIDS		

REPORTS OF OFFICERS AND COMMITTEES

			6/5 all signs now installed.			
21/1/19	8.3.1	Councillor Questions Without Notice – Cr A House – Environmental Strategy	Cr House asked if some work could be done to explore the conception of such an environmental strategy, and can we formalise a means of partnering with the community on climate and environmental issues? 7/3/19 - The General Manager advised this could be done and that he would arrange to have a discussion paper prepared and brought back to Council for consideration. The matter is scheduled for workshop on 25 March.	DIDS	Ongoing	
18/2/19	10.2	York Street Bus Stop	Motion Passed Progress design for alternative bus stop, with temporary relocation to be agreed with Dept. of Education 6/5/19 – Follow-up observations to date have not revealed any specific safety concerns.	DIDS	Ongoing	
18/3/19	9.1	NOM – Cr Duniam – Somerset Community Board	Original Motion LOST Subsequent Motion CARRIED That Council explore making a formal partnership arrangement with Building Somerset Futures	DCE	Commenced	
18/3/19	9.2	NOM – Mayor – Dog Enclosure Area	Motion CARRIED	DCE/DIDS	Commenced	
18/3/19	10.9	ROC – Recreational Vehicle Dump Point	Motion LOST Alternate Motion CARRIED That Council nominate the site outside the waste transfer station as its preferred site for relocation of the Wynyard Recreational Vehicle dump point and authorise the commencement of design work for this location 6/5 – detailed design currently being worked on.	DIDS	Ongoing	
15/4/19	8.3.1	CQWON – Cr Bramich – Addressing of subdivision	Cr Bramich noted that a new subdivision of Lennah Drive has no name and properties seem to be numbered a, b, c and d. He asked if this was appropriate or should the road have a name. He noted that there should at least be a sign at the beginning of the road detailing addresses for emergency services Refer response this agenda	DIDS	Complete	6/5/19
15/4/19	9.1	NOM – Cr Edwards – Pathway Planners in Schools	Motion carried - That Council advocate to the State Government for Pathway Planners to be reinstated in schools in support of the Hellyer Regional Collective. Letter will be written and signed by WWC, CHC and BCC	GM	Commenced	

REPORTS OF OFFICERS AND COMMITTEES

15/4/19	9.2	NOM – Cr Fairbrother – Waratah Dam	<p>Motion carried - That council liaise with TasWater and the local Waratah community to establish the environmental, cultural and the historical significance of the Waratah Dam; and</p> <p>That council make representation to the owners of TasWater highlighting the significance and exceptional circumstances surrounding the Waratah Dam requesting that the dam be made safe by reinstatement or repair.</p> <p>Action to commence following EOI process which closes on 22 May</p>	GM		
15/4/19	9.3	NOM Cr House – Community Engagement Events	<p>That Council give in-principal support for establishing community engagement events, and that Council prepare a paper detailing options for conducting these, for consideration and adoption.</p> <p>Report yet to be prepared. Expected to be finalised by July meeting</p>	GM		



9.8 MINUTES OF OTHER BODIES/COMMITTEES

Nil received.

10.0 MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015; Regulation 15

A Council may (by absolute majority resolution) close a meeting or part of a meeting when certain matters are being, or are to be discussed. The grounds for the closure are to be recorded in the minutes of the meeting.

Sub regulation (2) provides the following list of specified matters: -

- (a) personnel matters, including complaints against an employee of the council and industrial relations matters;*
- (b) information that, if disclosed, is likely to confer a commercial advantage on a person with whom the Council is conducting, or proposes to conduct business;*
- (c) commercial information of a confidential nature, that if disclosed, is likely to-
 - (i) prejudice the commercial position of the person who supplied it; or*
 - (ii) confer a commercial advantage on a competitor of the council; or*
 - (iii) reveal a trade secret;**
- (d) contracts, and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal;*
- (e) the security of –
 - (i) the council, councillors and council staff; or*
 - (ii) property of the council;**
- (f) proposals for the council to acquire land or an interest in the land or for the disposal of land;*
- (g) information of a personal nature or information provided to the council on the condition it is kept confidential;*
- (h) applications by councillors for leave of absence;*
- (i) relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council;*
- (j) the personal hardship of any person who is resident, or is a ratepayer in, the relevant municipal area.*

A Council may also close a meeting or part of a meeting when acting as a Planning Authority if it is to consider any matter relating to actual or possible legal action taken by, or involving, the council.

Any discussions, decisions, reports or documents relating to a closed meeting are to be kept confidential unless the Council or Council Committee, after considering privacy and confidentiality issues, authorises their release to the public.

The chairperson is to exclude members of the public from a closed meeting, but may invite any person to remain at the meeting to provide advice or information.

The chairperson may authorise the removal of any person from a closed meeting if that person refuses to leave; and request the assistance of a police officer to remove that person.

RECOMMENDATION

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

Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) – Notices Of Motion</i>	15(2)
<i>Confidential Report R15 (2) (h) - Leave of Absence Request - Councillors</i>	15(2)(h)

<i>Confidential Report R15 (2) - Closed Senior Management Report</i>
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<i>15(2)</i>

11.0 CLOSURE OF MEETING TO THE PUBLIC

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015; Regulation 15

RECOMMENDATION

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

<i>Matter</i>	<i>Local Government (Meeting Procedures) Regulations 2015 Reference</i>
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) – Notices Of Motion</i>	15(2)
<i>Confidential Report R15 (2) (h) - Leave of Absence Request - Councillors</i>	15(2)(h)
<i>Confidential Report R15 (2) - Closed Senior Management Report</i>	15(2)

12.0 RESUMPTION OF OPEN MEETING

At pm the Open Meeting was resumed.

13.0 PUBLIC RELEASE ANNOUNCEMENT

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

Min. No.	Subject	Decisions/Documents

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