WARATAH WYNYARD COUNCIL

ORDINARY MEETING OF COUNCIL

MINUTES OPEN MEETING

21 September 2026

TABLE OF CONTENTS

1.0 RECORD OF ATTENDANCE 6

1.1 ATTENDANCE 6

1.2 APOLOGIES 6

1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED 6

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING 7

2.1 CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY COUNCIL MEETING 7

3.0 DECLARATIONS OF INTEREST 7

4.0 COUNCILLORS ANNOUNCEMENTS AND REPORT 8

4.1 ANNOUNCEMENTS BY MAYOR 8

4.2 MAYOR'S COMMUNICATIONS 8

4.3 REPORTS BY DELEGATES 9

4.4 NOTIFICATION OF COUNCIL WORKSHOPS 9

5.0 PUBLIC QUESTIONS AND STATEMENTS 10

5.1 RESPONSE(S) TO PUBLIC QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING 10

5.1.1 P WHITEWAY - MISSING RECORDS 10

5.1.2 P WHITEWAY - MOTION RE SILICA DUST 10

5.1.3 P WHITEWAY - SILICA DUST MONITORING 10

5.1.4 C HUTCHISON - SILICA DUST RISK 11

5.1.5 J SMITH - SILICA TESTING 11

5.1.6 R ELLIS - FREDERICK STREET RESERVE MASTERPLAN 11

5.2 PUBLIC QUESTIONS RECEIVED IN WRITING 12

5.2.1 P WHITEWAY - COUNCILLOR RAW AND COMMUNITY SILICA MONITORING 12

5.2.2 P WHITEWAY - ORIGINAL APPROVAL OF THE SILICA PROCESSING PLANT 13

5.2.3 P WHITEWAY - CALDER ROAD SILICA FILL SITES 14

5.2.4 J MCERLAIN - COUNCIL WEED SPRAYING - NO SPRAY ZONE 15

5.2.5 J MCERLAIN - WATERSHED RENTAL AND USE 17

5.2.6 J MCCERLAIN - ROAD SURFACNG 17

5.3 PUBLIC QUESTIONS WITHOUT NOTICE 17

5.3.1 K EWINGTON - CHRISTMAS DECORATIONS 17

5.3.2 C HUTCHISON - CR BRAMICH DECLARATION OF INTEREST 18
5.3.3 C HUTCHISON - MEETING WITH TAS ADVANCED MINERALS..... 18
5.3.4 C HUTCHISON - MAYOR MEETING WITH TAS ADVANCED MINERALS 18
5.3.5 G STITZ - CORPORATE BODY VOTING..... 18
5.3.6 K FRANKCOMBE - ROADSIDE SPRAYING 19
5.3.7 A ELPHINSTONE - NO SPRAY ZONE SIGNS..... 19
5.3.8 I ROWE - BOAT HARBOUR BEACH ONGOING WORKS..... 19
5.3.9 J MCERLAIN - NO SPRAY POLICY..... 19
5.3.10 J MCERLAIN - RATES 20
5.4 PUBLIC STATEMENTS RECEIVED IN WRITING..... 20
5.5 PUBLIC STATEMENTS WITHOUT NOTICE 21
5.5.1 K EWINGTON - ELECTION, ACCESSIBILITY, WEED MANAGEMENT..... 21
5.5.2 C HUTCHISON - ACCOUNTABILITY..... 22
5.5.3 A ELPHINSTONE - ROADSIDE NO SPRAY ZONE..... 22
5.5.4 C RATA - ATHENAEUM HALL - COMMUNITY AND FUTURE USE 23
5.3.7 C FOSTER - BOAT HARBOUR BEACH CHANGE OF HOURS PLANNING ITEM..... 25
5.3.8 P. WHITEWAY - RQUEST FOR INFORMATION 26
5.3.9 B DONMOGHUE - CR COURTNEY 27
5.3.10 J MCERLAIN - COUNCILLOR RESPONSIBILITY 29

6.0 PLANNING AUTHORITY ITEMS 30
6.1 APPLICATION FOR PLANNING SCHEME AMENDMENT (PSA 1/2026) AND COMBINED SUBDIVISION APPLICATION 1 LOT INTO 2 LOTS (SD 2224/2026) AT 66 RIVER ROAD, WYNYARD - SECTION 40K AND SECTION 42 REPORT..... 30
6.4 CHANGE IN OPERATING HOURS FOR APPROVED FOOD SERVICES USE AT 288-290 PORT ROAD, BOAT HARBOUR BEACH..... 35

7.0 MATTERS RAISED BY COUNCILLORS..... 46
7.1 RESPONSE(S) TO COUNCILLOR QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING..... 46
7.1.1 CR RAW - INGLIS STREET SPEED LIMIT 46
7.2 COUNCILLOR QUESTIONS RECEIVED IN WRITING 46
7.3 COUNCILLOR QUESTIONS WITHOUT NOTICE 46
7.3.1 CR COURTNEY - SILICA DUST REPORT 46
7.3.2 CR COURTNEY - RAW MATERIAL PROCESSING 46
7.3.3 CR COURTNEY - APLOGY..... 47
7.4 CR BRAMICH - WORKS AT BOAT HARBOUR 47
7.5 CR RAW - TAS ADVANCED MINERALS 47
7.6 CR JOHNSTONE - NO SPRAY ZONE SIGNS..... 47
7.7 CR JOHNSTON - COUNCIL LAND SOMERSET 47
7.8 CR BRAMICH - SPECIAL AREA PLANS..... 48

8.0 NOTICE OF MOTION 48

9.0 REPORTS OF OFFICERS AND COMMITTEES 49

9.1 AWARD OF CONTRACT 852 - GATES ROAD PAVEMENT SEALING STAGE 1 49

9.2 AWARD OF CONTRACT 853 - DESIGN AND CONSTRUCT CARDIGAN STREET CHANGE ROOM & CLUBROOM KIOSK EXTENSION 52

9.3 SENIOR MANAGEMENT REPORT 56

9.4 ANNUAL REPORT - OPEN SPACE, SPORT, AND RECREATION PLANNING (OSSR) 66

9.5 QUARTERLY INFORMATION REPORT - CORPORATE SERVICES 72

9.6 FINANCIAL REPORT FOR THE PERIOD ENDED 31 AUGUST 2026 82

9.7 MINUTES OF OTHER BODIES/COMMITTEES 84

9.7.1 MINUTES OF OTHER BODIES/COMMITTEES - SUSTAINABILITY AND ENVIRONMENTAL ADVISORY PANEL HELD 18 AUGUST 2026 84

9.7.2 NOTES OF THE WARATAH COMMUNITY BOARD MEETING APRIL 10 2026 88

10.0 MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING 90

11.0 CLOSURE OF MEETING TO THE PUBLIC 90

12.0 RESUMPTION OF OPEN MEETING 90

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 2025*

MINUTES OF AN ORDINARY MEETING OF THE WARATAH-WYNYARD COUNCIL TO BE HELD AT THE COUNCIL CHAMBERS, 21 SAUNDERS STREET, WYNYARD ON MONDAY 21 SEPTEMBER 2026, COMMENCING AT 6:00 PM

	From	To	Time Occupied
Open Council	6.00PM	6.59PM	59MINS
Planning Authority	6.59PM	7.16PM	17MINS
Open Council	7.16PM	7.39PM	23MINS
Closed Council	7.39PM	7.43PM	4MINS
Open Council	7.43PM	7.44PM	1MIN
TOTAL TIME OCCUPIED			104MINS

AUDIO RECORDING OF COUNCIL MEETINGS POLICY

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

ACKNOWLEDGEMENT OF COUNTRY

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

1.0 RECORD OF ATTENDANCE

1.1 ATTENDANCE

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

In Attendance

Gary Arnold – Interim Chief Executive
Daniel Summers – Director Infrastructure and Development Services
Sallie Moore-Wood – Director Corporate Services
Alan Cattermole –Director Community Services
Mitchell Smith – Chief Financial Officer
Jasmin Briggs – Town Planner
Sally Blanc – Executive Officer

1.2 APOLOGIES

Deputy Mayor Celisa Edwards

1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil received.

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

2.1 CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY COUNCIL MEETING

MOVED BY	CR ROBERTS
SECONDED BY	CR BRAMICH

That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at Council Chambers, 21 Saunders Street, Wynyard on Monday 17 August 2026, a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.

The MOTION was put and was CARRIED.

IN FAVOUR

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

3.0 DECLARATIONS OF INTEREST

Councillor and Agenda Item Number

Nil

Staff and Agenda Item Number

Nil

4.0 COUNCILLORS ANNOUNCEMENTS AND REPORT

4.1 ANNOUNCEMENTS BY MAYOR

The Mayor presented a Local Government Association of Tasmania Service Award to Councillor Bramich for 28 years of service to the Community as a Councillor.

4.2 MAYOR'S COMMUNICATIONS

MOVED BY	CR ROBERTS
SECONDED BY	CR JOHNSTONE

That Council notes the Mayor's Communications:

MAYOR DR MARY DUNIAM	
11/8/26	Meeting with TasWater
13/8/26	CCA Executive Meeting
	Tulip Festival Sponsor Photo
	ALGWA online Masterclass
14/8/26	Tulip Festival Sponsor Photo
17/8/26	Tulip Festival Sponsor Photo
	Council Meeting
19/8/26	LGAT AGM and General Meeting
20/8/26	LGAT Conference (2 days)
25/8/26	Audit Panel Meeting
26/8/26	Regional Data Centre Strategy Workshop
	National Meals on Wheels Day function
27/8/26	ALGWA National Board Meeting
28/8/26	ALGWA Tas General Meeting
31/8/26	Meeting with Police Commander Johnston
1/9/26	Wynmatters Speaker
2/9/26	CCA Meeting
	LGAT Learning and Development Sub-Committee meeting
3/9/26	Urban Provocation Series #6: Loneliness & Social Isolation
4/9/26	Investiture - 2026 King's Birthday Honours and Meritorious Service Award
9/9/29	TLAB Function
10/9/26	TLAB Board Meeting
	ALGWA on-line Masterclass

The MOTION was put and was CARRIED.

IN FAVOUR

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

4.3 REPORTS BY DELEGATES

Nil received.

4.4 NOTIFICATION OF COUNCIL WORKSHOPS

MOVED BY	CR BRAMICH
SECONDED BY	CR ROBERTS

That Council notes that no workshops have been held since the August Council Meeting.

The MOTION was put and was CARRIED.

IN FAVOUR

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

5.0 PUBLIC QUESTIONS AND STATEMENTS

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

5.1.1 P WHITEWAY - MISSING RECORDS

QUESTION

Mr Whiteway of Turners Beach noted that in a response to a request for information related to D/A 145/2018 that one record was missing. He asked if this was because the form wasn't completed or it had gone missing.

The question was taken on notice

OFFICERS RESPONSE

The form wasn't completed; the purpose of the checklist was to provide an administrative prompt but has no bearing on the determination of the permit application. A paper tracking sheet was used in this instance and has been provided as part of a Response to an RTI request.

5.1.2 P WHITEWAY - MOTION RE SILICA DUST

QUESTION

Mr Whiteway of Turners Beach asked why Cr Edwards had changed her position on testing since the last council meeting and now wanted testing to be completed.

The question was taken on notice.

OFFICERS RESPONSE

The content of the July motion was different to the two (2) August motions.

5.1.3 P WHITEWAY - SILICA DUST MONITORING

QUESTION

Mr Whiteway of Turners Beach asked if there is any airborne monitoring being completed, or has there been, and what evidence does council rely on to ensure that surrounding residents are not impacted by air borne dust.

OFFICERS RESPONSE

The EPA undertake continuous air quality monitoring via the BLANkET network (Base-Line Air Network of EPA Tasmania). This information is available publicly and of course available to the Council: -

Real-time Air Quality Data - Wynyard | EPA Tasmania

5.1.4 C HUTCHISON - SILICA DUST RISK

QUESTION

Mr Hutchison of Somerset asked the following three (3) questions of the Mayor:

1. If there was a risk of respirable crystalline dust to Wynyard residents, and if she [the Mayor] didn't know, what has she done to find out if there was a risk?
2. What conversations has she [the Mayor] had with the CEO in February when the silica dust matter was first raised and how often did she discuss this matter during 2026?
3. What other actions she [the Mayor] had taken, since she became aware of the issue, to ensure the Wynyard community was not put at risk?

OFFICERS RESPONSE

Council, along with the Waratah-Wynyard community are in the hands of the State Environmental Protection Authority (EPA) in terms of any risk posed from the concern Mr Hutchison is referring to. In February, conversations confirmed that this matter was referred to the EPA and WorkSafe as the appropriate authorities to deal with and respond to the concerns raised by a community member.

5.1.5 J SMITH - SILICA TESTING

QUESTION

Ms Smith of Wynyard asked where the air monitoring devices are positioned in Wynyard and if the testing was continual (24/4) of random.

The Director of Infrastructure and Development Services advised that this information would need to be obtained from the EPA.

OFFICERS RESPONSE

The EPA's air monitoring device in Wynyard is located approximately 800m west of the town centre. Real time data from this device can be found at the following webpage, along with contact details for the EPA: -

Real-time Air Quality Data - Wynyard | EPA Tasmania

The website gives a listing of all locations of continuous air quality monitoring devices deployed by the EPA as part of the BLANkET network (Base-Line Air Network of EPA Tasmania). Real-time, continuous air quality data is publicly available from this website.

5.1.6 R ELLIS - FREDERICK STREET RESERVE MASTERPLAN

QUESTION

Mr Ellis of Wynyard noted that work had been done on developing plans to improve the Frederick Street sports complex but the seems to have been no further action. He asked if the plan was still going ahead and could an update be provided.

The question was taken on notice.

OFFICERS RESPONSE

The Frederick Street Reserve Master Plan remains current and provides Council with an agreed long-term direction for the future development of the Reserve.

The updated Master Plan was developed following extensive engagement with users of the Reserve and the broader community. A Frederick Street Reserve Working Group, comprising user groups and community representatives, was established to identify and prioritise future improvements, with the draft plan subsequently released for broader public consultation.

Following consideration of the community feedback received, the updated Frederick Street Reserve Master Plan was adopted by Council in 2025.

The Master Plan identifies a range of potential future improvements to the Reserve. Adoption of the Master Plan does not represent a commitment to immediately fund or construct all identified works. Rather, it provides an agreed framework to guide the progressive development of the Reserve as priorities and funding opportunities allow.

The adopted Master Plan identifies 17 proposed actions with an estimated total cost of approximately $2.6 million. Implementation is dependent on Council budget allocations and securing significant external funding. Council will continue to consider opportunities to progressively deliver components of the Master Plan through future budget processes and available external funding programs.

The Plan is available for viewing on Council's website.

5.2 PUBLIC QUESTIONS RECEIVED IN WRITING

5.2.1 P WHITEWAY - COUNCILLOR RAW AND COMMUNITY SILICA MONITORING

QUESTION

Mr Whiteway of Turners Beach asked the following question in writing:

At the 20 July 2026 Council meeting, Councillor Raw successfully moved to defer the proposed community silica monitoring until Council had met with the EPA and obtained further information.

At the 17 August meeting, Councillor Raw stated that Council had still not heard back from the EPA, again attempted to have the matter laid on the table, and then voted against both the independently supervised, RCS-specific testing program and the lower-cost monitoring proposal after it was amended to require EPA approval of the testing method.

Can Councillor Raw explain what action she took between those meetings to obtain the EPA briefing upon which her original deferral was based, why she subsequently opposed both monitoring options despite the safeguards included in them, and what alternative action she proposed to independently determine whether residents are being exposed to airborne respirable crystalline silica?

OFFICERS RESPONSE

The CEO has made request to the EPA for a briefing on the matter and we are awaiting confirmation of this time. The EPA are the relevant authority to address and respond to the concerns raised.

5.2.2 P WHITEWAY - ORIGINAL APPROVAL OF THE SILICA PROCESSING PLANT

QUESTION

Mr Whiteway of Turners Beach asked the following question in writing:

Council approved the silica processing plant under DA170/2005 following consideration of a Development Proposal and Environmental Management Plan stating that most material below 25 micrometres would be removed before drying and that almost all material reaching the drying stage would exceed 25 micrometres.

However, the EPA has since reported that 2008 stack testing detected particles as small as 0.5 micrometres, with 31% by volume measuring 4 micrometres or smaller. TAM also acknowledged in March 2009 that an operator had been exposed to airborne silica dust before November 2008.

When did Council first become aware of this evidence, what assessment or action did Council undertake to determine whether it was inconsistent with the assumptions and conditions supporting DA170/2005, and—if no documented assessment occurred—will Council now obtain the complete 2008 testing report and request that the EPA formally review whether the original assessment remained valid and whether direct ambient boundary monitoring for airborne respirable crystalline silica should have been required?

OFFICERS RESPONSE

The permit DA 170/2005 was issued by Council at the 20 February 2006 Council meeting for a level 2 activity under the *Environmental Management and Pollution Control Act 1994.*

As this was a level 2 activity, the appropriate authority for regulation of the activity is the EPA. The minutes of the 20 February 2006 Council meeting confirm that a formal environmental assessment was undertaken by the State Board of Environmental Management and Pollution Control of the Development Proposal and Environmental Management plan (DPEMP) and conditions of operation imposed to prevent environmental harm. The Environmental Assessment Report from the Board (in the Feb 2006 Council minutes) indicates that the following additional State government agencies were also consulted: -

- Department of Health and Human Services (DHHS)
- Mineral Resources Tasmania (MRT)
- Workplace Standards Tasmania (WST).

It is not clear which report from the EPA in 2008 is being referred to, in any case, any concerns from this report would be a matter for the EPA themselves to address at that time against the conditions that were set in the permit DA 170/2005.

From a statutory point of view, the head of power in relation to any offences relating to environmental harm under the *Environmental Management and Pollution Control Act 1994,* is given in *section 62 Commencement of proceedings for offences, part (2)* which states: -

"Proceedings for an offence against this Act may be commenced at any time within 3 years after the date of the alleged commission of the offence or, if the court is satisfied that it is

just and reasonable, at any later time within 10 years after the date of the alleged commission of the offence."

In this regard, the head of power for any offence that may or may not have been committed as alleged through a 2008 report of the EPA has a limitation of 3 years or if a court is satisfied, then 10 years.

5.2.3 P WHITEWAY - CALDER ROAD SILICA FILL SITES

QUESTION

Mr Whiteway of Turners Beach asked the following question in writing:

Council's records show that the environmental assessment for TAM's Calder Road inert waste depot relied on dust monitoring undertaken in October and November 2013 to conclude that the site was unlikely to present a dust risk and that no future monitoring was necessary.

The November 2013 RCS result was reported only as "less than 0.01 mg/m³". This reporting level is approximately three times higher than the EPA Director's current ambient RCS design criterion of 0.0033 mg/m³. The historical result was also assessed against an occupational exposure standard rather than the current ambient community criterion.

Council's RTI internal-review decision dated 26 August 2026 confirms that Council cannot locate the original monitoring reports or laboratory results, establish when Council received them, or identify the Council officer who determined that no further testing was required.

Has any airborne dust or respirable crystalline silica monitoring been undertaken at either Calder Road silica fill site, its boundaries or the associated transport route since November 2013; if so, will Council provide the dates, locations, methods and results—and if not, does Council still consider the 2013 results adequate to demonstrate that the sites do not present an airborne RCS risk, and will Council request an EPA-approved contemporary assessment capable of determining compliance with the current ambient criterion?

OFFICERS RESPONSE

It is assumed that the question is in relation to DA 74/2017 due to the mention of monitoring from October and November 2013 and not DA 116/2012 which is also for the TAM's Calder Road inert waste depot (but was determined by Council in January 2013).

Therefore, for DA 74/2017 it is also assumed that the environmental assessment referred to is the Environmental Effect Report (EER) dated March 2017, commissioned by TAM from a third party consultant.

As a level 2 activity under the *Environmental Management and Pollution Control Act 1994,* the EER was prepared by TAM for assessment and approval by the board of the EPA. Council records show correspondence from the Delegate for the Board of the EPA dated 30 May 2017 to TAM, that indicates that the EER (Which relies upon dust monitoring undertaken in October and November 2013) is sufficient to meet the requirements of section 27F (1) of the *Environmental Management and Pollution Control Act 1994 (EMPCA)*.

Section 27F (1) of *EMPCA* at time of the 30 May 2017 correspondence read: -

Environmental Management and Pollution Control Act 1994

Version current from 17 December 2015 to 7 November 2017 (accessed 15 September 2026 at 9:59)

27F. Case for assessment to be lodged within 12 months

(1) A case for assessment of an application or proposal must be –

(a) in accordance with the guidance provided by the Board under section 74(4) ; and

(b) lodged with the Board within 12 months after the Board provides that guidance, or within such other period as determined by written agreement between the Board and the applicant or proponent.

(2) If a case for assessment referred to in subsection (1) is not lodged within the period specified in that subsection, the Board –

(a) is not required to complete the assessment; and

(b) may reject the application or proposal.

(3) If the Board rejects an application or proposal under subsection (2)(b) –

(a) the Board is to notify the applicant or proponent of that rejection; and

(b) the Board may, in the case of an application for a permit for a permissible level 2 activity, direct the relevant planning authority to refuse to grant the application; and

(c) the applicant or proponent is to pay the assessment fee, or such portion of it as the Board determines.

(4) The planning authority must comply with a direction under subsection (3) .

(5) A person who is aggrieved by a decision of the Board to reject, under subsection (2)(b) , a proposal referred to it under section 27(1) or (2) , may appeal to the Appeal Tribunal within 14 days after being notified of the Board's decision.

5.2.4 J MCERLAIN - COUNCIL WEED SPRAYING - NO SPRAY ZONE

QUESTION

I note that residents have the option to apply to be registered as a No Spray Zone which many residents do to protect various plants or bee keeping trees etc. While the process seems simple I see now residents are being charged to supply signs and only find out after approval.

Should not the council form process including an indication that there is a cost and also note that cost. As you may be aware many people apply in good faith to protect their area e.g. Bee Keeping and then find out it could cost them up to $800 this doesn't seem fair why can't council absorb the cost or at least make it known upfront ? Our residents are trying to do the right thing.

OFFICERS RESPONSE

At the May 2025 Council meeting a no spray policy was adopted by Council to improve practice and better regulate the requests of property owners for no spray practices on their frontages.

Following adoption of the policy a no spray zone request form was added to the Council website: -

WWC No spray zone request

The no spray zone request form contains a "section 4. Conditions and Declaration" which amongst other matters requires a declaration of understanding of the cost of installation as per Council's adopted fees and charges for the relevant financial year: -

WARATAH WYNYARD COUNCIL

No Spray Zone Request

4. CONDITIONS AND DECLARATION

Terms and Conditions

- If approved to be on the No Spray Register it is the applicant's responsibility to control the weeds in the address listed on this request to at least the same standard that can be achieved by the Council's herbicide control method and the area shall be maintained at regular intervals.
- Should the Council deem that the control is not to a satisfactory standard, the council may resume responsibility for the maintenance of the land, using chemical products if necessary.
- The Council will undertake regular inspections of the property, as listed in the Roadside Spraying Policy
- Your registration on the No Spray Register is valid for two years (24 months) starting from 1 September. To maintain your active status, please renew your registration before it expires. We will send you a reminder as the expiry date approaches.
- Where a request is approved, Council will arrange installation of 'No Spray Zone' signage at the start and end of the zone on each road frontage, in accordance with the approved design specified in Appendix 1. The cost of installation of the signage will be charged to the applicant in accordance with the applicable fee set in Council's adopted Fees and Charges for the relevant financial year.

In making this application:	
I have read and agree to the terms and conditions outlined above.	
I acknowledge that my request is valid for up to two (2) years at which time I am required to renew my request if I would like to remain on the register.	
If my property is rented or a unit or strata complex, I declare that I have written consent from the landlord or body corporate.	
I understand and agree to the cost of installation as per Council's adopted Fees and Charges for the relevant financial year	

Name		**Date**	
Signature			

5.2.5 J MCERLAIN - WATERSHED RENTAL AND USE

QUESTION

Given that there is no immediate tenant after 12 months, can council advise the cost that is incurred from it being empty and the opportunity cost from not having someone like BigHart still in there ? Assume there is depreciation and other costs that would have been incurred.

OFFICERS RESPONSE

The opportunity cost of the Watershed Cafe remaining vacant can be linked to the lost revenue from leasing the venue to a community group such as BigHart. In 2024-25 Council received net lease income for the Watershed Café space of $3,590 plus reimbursement of variable components of usage charges such as power, water and gas. It is expected that the lease income from a commercial operator would be significantly higher, in the order of $25,000 - $30,000.

Council continues to seek a commercial operator for the Cafe in line with the original intention in the Wynyard Waterfront and Environs Masterplan.

5.2.6 J MCCERLAIN - ROAD SURFACNG

QUESTION

When council contracts a company to do road re-surfacing for Waratah-Wynyard what is the warranty period and how is it enforced.

OFFICERS RESPONSE

All Contracts with Council for road re-surfacing come with a 12-month defects liability period following practical completion of the works. In practice, 12 months after the works are complete, they are inspected for defects and if required, the contractor must return at their cost to remedy. In some cases, this has meant a completely new seal at the contractor's cost.

5.3 PUBLIC QUESTIONS WITHOUT NOTICE

5.3.1 K EWINGTON - CHRISTMAS DECORATIONS

Mr Ewington of Flowerdale asked for a clear breakdown of the costs of installing and removing Christmas decorations including why a large number of pole mounted decorations are still in storage and why they aren't being used and; did council consider the offer by Powerlines Tas to install and remove decorations in 2025 at no charge which was declined.

The director of Community Services advised that a full breakdown of costs was provided in the March 2026 Council Meeting Report, he took on notice to review other details.

5.3.2 C HUTCHISON - CR BRAMICH DECLARATION OF INTEREST

Mr Hutchison of Somerset noted that Cr Bramich had voted on motions re silica dust at the July meeting and then declared an interest and did not vote at the August meeting. He asked Cr Bramich what was his interest in the August motions and when did the interest arise.

Cr Bramich advised that he voted on July motions and then declared an interest at the August Council meeting due to photos of his nephews business in relation to the matter.

5.3.3 C HUTCHISON - MEETING WITH TAS ADVANCED MINERALS

Mr Hutchison of Somerset asked Cr Bramich if he had attended a meeting with Tasmanian Advanced Minerals, if he had arranged the meeting and if any other Councillors had attended.

Cr Bramich advised that he had been invited with another Councillor and the he hadn't organised the meeting.

5.3.4 C HUTCHISON - MAYOR MEETING WITH TAS ADVANCED MINERALS

Mr Hutchison of Somerset asked the Mayor if she had attend the Tasmanian Advanced Minerals with Cr Bramich and if she didn't attend what other councillors were invited. He also asked that when the Mayor met with Tasmanian Advanced Minerals for a Tulip Festival Sponsorship photo what discussions she had with them.

The Mayor advised that she did not attend the meeting and was not invited to the meeting in question.

5.3.5 G STITZ - CORPORATE BODY VOTING

Mr Stitz of Waratah asked the following:

1. Where an eligible business nominates a representative who is already enrolled can that person cast a second vote i.e. one personally and one a representative for the corporate body
2. Are there any circumstances in which a corporate body can be added to the General Managers Roll now that it has closed for the election
3. Mr Stitz noted that he had been advised by local businesses that the Deputy Mayor and other candidates visited businesses and described what they called official council information about corporate enrolment and the ability to obtain an extra vote – can council clarify whether it provided the information for distribution and what steps were taken to ensure the same information was equally available to all eligible businesses and candidates.

The CEO confirmed that a representative of a corporate body can vote once for the body and once personally if they were eligible as a resident of the municipal area. He noted that the are no circumstances that any voters can be added to the General Managers roll once

it is closed and advised he would take the matter on notice to provide exact details. The CEO advised that council did not provide the advice or materials for distribution.

5.3.6 K FRANKCOMBE - ROADSIDE SPRAYING

Mr Frankcombe of Mt Hicks made a statement regarding roadside spraying noting they have had a certified organic dairy farm for 10 years over three (3) titles . He noted the contractor who does the spraying knows not to spray and has maps showing no spray areas. He asked if costs and requirement for council signage could be reviewed.

The CEO advised that the matter was being considered and that a report would go to the October Council Meeting.

5.3.7 A ELPHINSTONE - NO SPRAY ZONE SIGNS

Mrs Elphinstone of Mt Hicks asked the following:

1. Can a breakdown of the costs of rural roadside signs could be broken down to show how the $800 fee is arrived at.
2. Can council advise name of chemicals used when spraying.

The Director of Infrastructure and Development Services advised that the details of chemicals were provided in report to the March Council meeting.

The chemicals used for roadside spraying are: -

- For grass control using Glyphosate, Crucial is used
- For woody weed control using metsulfuron methyl, Comrade is used
- A wetting agent, Outright 770 is also added

The CEO advised that a fully detailed report would go to the October Council Meeting.

5.3.8 I ROWE - BOAT HARBOUR BEACH ONGOING WORKS

Mr Rowe of Boat Harbour Beach asked why works on landscaping had stopped.

The Director of Infrastructure and Development Services advised that he would verify details and contact him the next day.

5.3.9 J MCERLAIN - NO SPRAY POLICY

Mr McErlain of Wynyard noted that there would be a report to Council in October regarding the no-spray policy and zones and asked that all the points raised to Council be considered in that report and if council would consider following the initiative of other councils in making the no-spray register free to do the right thing for the environment.

The CEO noted that points raised will be considered in the October report.

5.3.10 J MCERLAIN - RATES

Mr McErlain of Wynyard asked if the delay in full payment of rates, due to people paying quarterly rather than up front to get discount, would have an impact on councils finances.

The Chief Financial Officer advised that budget considerations and estimates included more people paying quarterly than in previous years. The budget documents and cash flow show these calculations. He noted that at the end of the first quester the difference was less than allowed for.

5.4 PUBLIC STATEMENTS RECEIVED IN WRITING

Nil received.

5.5 PUBLIC STATEMENTS WITHOUT NOTICE

5.5.1 K EWINGTON - ELECTION, ACCESSIBILITY, WEED MANAGEMENT

Mr Ewington of Flowerdale read the following statement:

Councillors, I am informing you I will be standing for council elections 2026.

As I been involved in coming to monthly meetings for Twenty years and have stood for council two times, I'm very keen to stand once again and represent the community, with a special interest in community members who are retired and having mobility issues, in particular having access and inclusion within the community.

As I have been the wheelchair for twenty years, I'm looking for access and inclusion for all and I strongly feel the council could do more for the members of our community. In particular – pathways, street lighting, parking, access to walkways for elderly including Disabilty, and ease of access to events being held within the community.

I do feel the council has a poor understanding of needs for elderly and disability within the community as these people require assistance to have access and inclusion in community. I would like to change this.

Many times have tackled the council for Disability parking within CBD ,wheel chair ramps into shops.

My latest project is to make changes to allow all members to have access and inclusion to the Tulip festival and other events.

I have a strong country background in growing up on a dairy farm, being involved in the vegetable industry, as a contractor in various areas of silage and hay making, potato harvesting contracting, fencing contractor, both town and rural, beef farmer, and a power line pole contractor state wide.

We have a beautiful community with outstanding scenery and views of the countryside, and I also have a special interest in noxious weed management.

It is so disappointing that the council does not have an active weed control office who is approachable to discuss outbreaks within the community.

In reference to land rates and all fees by council, I think they are too high. I believe better management processes should be in place to reduce the fee structures and provide better information to home builders and the revaluation of homes to encourage more investment, and to cut out the red tape created by council. I feel the priority is a revenue making enterprise, and we are not looking after growing our community in a fair way.

Country Road Maintenance is not of a high standard creating high repair costs for primary producers on road plant, Trucks , heavy machinery .

As the rural community invest large amount of money for rates to the council, and feel a strong need for more money to be spent upgrading existing gravel roads to Bitumen roads which in turn Rural community to benefit.

5.5.2 C HUTCHISON - ACCOUNTABILITY

Mr Hutchison of Somerset made a statement regarding accountability of Councillors to be transparent and act in the best interest of the community. He also noted that the public has right to ask questions and expect them to be answered.

5.5.3 A ELPHINSTONE - ROADSIDE NO SPRAY ZONE

Mrs Elphinstone of Mt Hicks made a statement regarding the no-spray zones, the cost of signs and types of sprays used with detailed information on processes used by other councils that could be utilised in Waratah-Wynyard area.

5.5.4 C RATA - ATHENAEUM HALL - COMMUNITY AND FUTURE USE

Mrs Rata of Waratah read the following statement:

Statement to Council – Waratah Activity Group Inc.

Mayor, Councillors and Council staff, thank you for the opportunity to speak today on behalf of Waratah Activity Group Inc., known as WAG.

Following some recent public comments about the Athenaeum Hall, we want to briefly explain what WAG is trying to achieve.

Our vision is simple. We want the Athenaeum Hall to remain an important historic building, continue welcoming visitors and tourists, and at the same time be a living community venue for the people of Waratah.

Council should not have to choose between heritage, tourism and community use. The Athenaeum Hall can support all three.

Importantly, this direction did not begin with WAG. Before WAG was even formed, residents were consulted about bringing the Athenaeum Hall back to life and what they wanted to see happening there. Their feedback helped shape the direction we have taken.

And we are now seeing it work.

Our regular Saturday Social Nights attract around 15 to 20 people. Australia Day brought around 100 people and Christmas in July around 40. In a small and remote community like Waratah, these activities are not simply entertainment. They provide social connection, belonging and somewhere for people to come together.

Nor do we see the Athenaeum Hall as "WAG's Hall". Our role is to act as facilitators — helping people, groups and organisations use the Hall and bring their own activities and events into it.

ANZAC Day this year is one example. The ANZAC Day group has traditionally used the Hall, and this year that continued.

We also genuinely value the Hall's history.

The **Mining Mud and Mirth exhibition is a beautiful and important part of the Athenaeum.**

For many years, the established arrangement has been for the exhibition to operate during the summer opening period. WAG has not reduced or taken away that period. During that season, our activities have worked around the exhibition.
Outside that period, what has changed is that the doors are now being opened and the Hall is being used.

But we have recently seen public comments suggesting that the Bush Dance should not be held in the Athenaeum because the Hall is **"not a party venue".**

Respectfully, we believe that misunderstands the historic role of the Athenaeum Hall.

Music, dances, entertainment and community gatherings are part of its history. **The Hall has a stage for a reason. A Bush Dance does not take away from that history — it brings part of that history back to life.**

We have also heard suggestions that what WAG is doing at the Athenaeum is **"not working"** and should simply be moved to Elma Fagan Hall.

Our experience does not support that conclusion.

WAG has been running regular Sports Nights at Elma Fagan Hall for more than ten months. Despite regular promotion, attendance is generally only two or three people. We also held our Welcome to Summer music event there. Around 60 people attended — a good turnout — but because of the scale of the large sports hall, the space still felt cold, empty and difficult to make welcoming.

By contrast, the Athenaeum provides the warm, intimate atmosphere our social and cultural activities need. People who attend tell us how much they enjoy being there and are already suggesting new activities they would like to see.

We have tried both venues. This is not a judgement made in theory — it comes from experience, participation and feedback from the people who actually use them. Different venues suit different purposes.

Visitors and tourism are important to Waratah, but residents also need places that are part of their everyday community life.

A permanent exhibition does not have to mean that the entire building becomes permanently unusable for everything else. A town needs both its history and a living community.

We invite the Mayor, Councillors and Council staff to come and see the Hall in use, see the exhibition, meet the people attending and form your own view.

We are proud of the history of the Athenaeum Hall.

We simply want to make sure that its story did not end in the past.

We have also provided Council with a short report showing the activities, participation and community feedback behind what I have spoken about today.

Thank you.

5.3.7 C FOSTER - BOAT HARBOUR BEACH CHANGE OF HOURS PLANNING ITEM

Ms Foster of Boat Harbour Beach read the following statement:

Firstly, I want to acknowledge the planner's report and the professional advice provided to Council. I have read it carefully, and I understand why the recommendation has been made.

However, the purpose of having local councillors is to ensure that the views of the community are well represented.

The planning scheme that doesn't just have an acceptable solution but also has performance criteria, and this is the side of the application that deserves careful consideration.

The report makes clear that the proposed hours do not meet the planning scheme's acceptable solution. But importantly, neither do the café's currently approved hours of 8am to 9pm, seven days a week. The acceptable solution is considerably more restrictive, including no Sunday trading.

That is precisely why the planning scheme also provides performance criteria.

The real question for Council is whether these proposed hours would cause an unreasonable loss of amenity to neighbouring properties, taking into account things such as vehicle movements, noise and other impacts.

I absolutely acknowledge the concerns raised by the neighbouring residents. Those concerns deserve to be heard and treated seriously.

But Council should also consider the broader context.

Around 300 people have signed a petition supporting this proposal. This business provides local jobs, supports tourism, creates opportunities for live music and the arts, and gives both locals and visitors another reason to spend time in Boat Harbour Beach.

The application is also seasonal. Some of the proposed winter trading would actually finish earlier than the café's existing 9pm approval, while the longer hours are largely sought during the warmer months, along with a limited number of private functions.

The officer's report itself describes the proposed additional morning kiosk operation as low in scale.

So the question is not whether there may be some additional activity. There may be.

The question under the performance criteria is whether that impact would be unreasonable.

Boat Harbour Beach is one of the jewels of our municipality. We want it to remain a wonderful place to live, but we should also want it to be a place where good local businesses can succeed, where local people have jobs, where musicians can perform, and where visitors have more reasons to stay, spend and return.

I respect the professional advice before Council. But councillors ultimately have the responsibility to consider the application against the planning scheme and determine whether appropriate conditions can protect neighbouring amenity while allowing this business to continue contributing to our community.

I therefore ask Council to give serious consideration to approving this application, with appropriate conditions where necessary

Good planning should protect amenity, but it should also allow good businesses and strong communities to thrive.

5.3.8 P. WHITEWAY - RQUEST FOR INFORMATION

Mr Whiteway of Turners Beach read the following statement:

I am dissatisfied with Council's responses to my questions. Several were not answered, and important records have not been produced through Right to Information.

First, Council confirms that the DA145/2018 assessment checklist was never completed. Council says a paper tracking sheet was used instead, but it has not identified which record proves that every required assessment step was completed before the production increase was approved.

Second, I asked why Councillor Edwards changed her position on silica testing. Council replied only that the July motion differed from the two August motions. That does not explain why her position changed.

Third, I asked what monitoring Council relies upon to ensure residents are not being exposed to airborne dust. Council referred to the EPA's BLANkET monitor. That monitor provides general particulate data. Council has not established that it identifies or measures respirable crystalline silica. General particulate monitoring cannot tell the community how much of that dust is crystalline silica.

Fourth, I asked what Councillor Raw did to obtain the EPA briefing she said Council needed, why she opposed both monitoring proposals and what alternative she proposed. Council's response only says the CEO requested a briefing. It does not answer any of the questions about Councillor Raw's actions or decisions.

Fifth, Sumitomo's 2006 DPEMP told Council that most material below 25 micrometres would be removed before drying and that almost all material reaching the dryer would exceed 25 micrometres.

The EPA's 2008 stack testing later detected particles as small as 0.5 micrometres, with 31 per cent by volume measuring 4 micrometres or smaller.

Council has not said whether it received that report, when it became aware of the results, what assessment it undertook or whether the evidence was considered before approving the production increase under DA145/2018 in 2019.

Instead, Council referred responsibility to the EPA and discussed historical prosecution time limits. I did not ask whether somebody could now be prosecuted for an offence in 2008. I asked what Council knew and what Council did as the planning authority.

Sixth, I asked whether airborne dust or RCS monitoring had occurred at the Calder Road fill sites, their boundaries or the transport route since 2013.

Council did not answer yes or no. It provided no dates, locations, methods or results. It did not say whether the 2013 result remains adequate when it could not measure compliance with the current ambient RCS criterion. It also did not say whether Council would request contemporary testing.

Council's internal RTI review confirms that it cannot locate the original monitoring reports, laboratory results, the date those records were received or a documented decision that no further testing was required.

These are serious gaps. Simply referring responsibility to the EPA does not answer what Council knew, what records it holds and what action it took.

I therefore ask Council to provide a complete written response confirming:

whether Council received the complete 2008 stack-testing report;

when Council first became aware of its results;

whether those results were assessed before DA145/2018 was approved;

what records prove that every required DA145/2018 assessment step was completed;

whether any airborne dust or RCS monitoring has occurred at the Calder Road sites since 2013; and

whether Council will now request EPA-approved, RCS-specific monitoring capable of assessing community exposure.

5.3.9 B DONMOGHUE - CR COURTNEY

Mr Donoghue of Wynyard read the following statement:

DEAR COUNCILLOR COURTNEY

I want to thankyou personally, and publicly for your community Advocacy over the past 8 years.In your role as Councillor you have :

Introduced a Transparency policy for this Council

Repeatedly pushed for State Government to give Council it's share of Heavy Vehicle Tax

You repeatedly asked for the State of the Environment report, until the State Government was forced to produce one,

Agitated to get Parks to share their mitigation plans for Sisters Beach

Introduced Online meetings for Transparency and Accountability

Raised risks of Data Centres and called for a Moratorium to make sure these developments don't get priority to water over our community.

Supported the introduction of a Wrap for Council to improve respect and understanding of our first peoples

Introduced an Environmental Sustainability Group

Tried to get this community Transparency on Marinus – more than once, to make sure our Electricity Costs don't sky rocket. Only supported by Councillor Roberts

Tried 3 times to get a motion up to lift our Community out of poverty – again, a motion only supported by Councillor Roberts might I add

As soon as you were aware that there may be a risk to our Communities health, you laid the Silica testing motion on the table, only to have it deferred by all follow Councillors, again, with only the support of Councillor Roberts.

You not only asked for the introduction of a Working with Vulnerable for Councillors. You went in front of GM's, Mayors and Councillors to argue for it.

You have been an Ally and a safe space for Community members of the Rainbow

And finally, you fought for Whistleblowers protection to be fit for purpose, not just at a Council level, but at a State level, taking it to the Local Government vote. Successfully supported by Local Government, denied by Jeremy Rockliff.

While being a mother, a full time worker in Mental Health, providing a safe space for kids who need a place to get away from violent / unsafe homes, & dealing with PTSD, because you are a victim of negligence in the Burnie Hospital, & are have been trying to change the legislation to make sure it doesn't happen to anyone else.

We both know that the Local media will never give you recognition for all that you have done for this community. But I will, here tonight. No better Councillor, has sat at that table during my time.

I know... you have been threatened & abused by Community members for your efforts. And I have witnessed you being bullied by other Councillors at this table... while you try and deliver for this Community. Despite all of it, you still achieved all of this, as a Councillor.

I can only imagine the difference you would make as a Depty Mayor. And I wish you all the best at the upcoming election. Because you, Councillor Courtney, are what this community needs at the table.

5.3.10 J MCERLAIN - COUNCILLOR RESPONSIBILITY

Mr McErlain of Wynyard made a statement regarding the increased community interest in information provided on council's website and viewing of council meetings. He stated he hope that the new council would strive to use these platforms to demonstrate good leadership and role model how civil, respectful and collaborative efforts can achieve good results for community. He noted councils are there to represent rate payers and act in best interest of the community with a highly visible and influential role. He thanked the Mayor for her leadership during the last term.

6.0 PLANNING AUTHORITY ITEMS

PLANNING AUTHORITY OPENED AT 6.59PM

6.1 APPLICATION FOR PLANNING SCHEME AMENDMENT (PSA 1/2026) AND COMBINED SUBDIVISION APPLICATION 1 LOT INTO 2 LOTS (SD 2224/2026) AT 66 RIVER ROAD, WYNYARD - SECTION 40K AND SECTION 42 REPORT

To:	Council
Reporting Officer:	Town Planner
Responsible Officer:	Director Infrastructure and Development Services
Report Date:	26 August 2026
File Reference:	7668361
Supporting Documents:	1. TasWater Submission to a Planning Authority Notice 2. Statement of Opinion 3. Draft Permit Conditions

PURPOSE

The purpose of this report is for Council to consider any representations received under s40J of the *Land Use Planning and Approvals Act 1993* (LUPAA), during the exhibition period of Planning Scheme Amendment PSA 1/2026 and associated subdivision application SD 2224/2026 and to seek the Planning Authority's endorsement to provide the Tasmanian Planning Commission (TPC) with a Statement of Opinion, in accordance with s40K and s42 of LUPAA.

BACKGROUND

On 20 July 2026, the Planning Authority determined to initiate and certify a joint amendment to the Waratah Wynyard LPS and approve an associated draft subdivision application.

The draft amendment seeks to:

- Rezone land at 66 River Road (CT 40412/1), Wynyard from Rural under the *Tasmanian Planning Scheme – Waratah-Wynyard* to Rural Living A; and
- A concurrent subdivision for 2 lots, SD 2224/2026.

The site is identified in Figure 1 below, along with the current zoning of the property and the immediate surrounds.

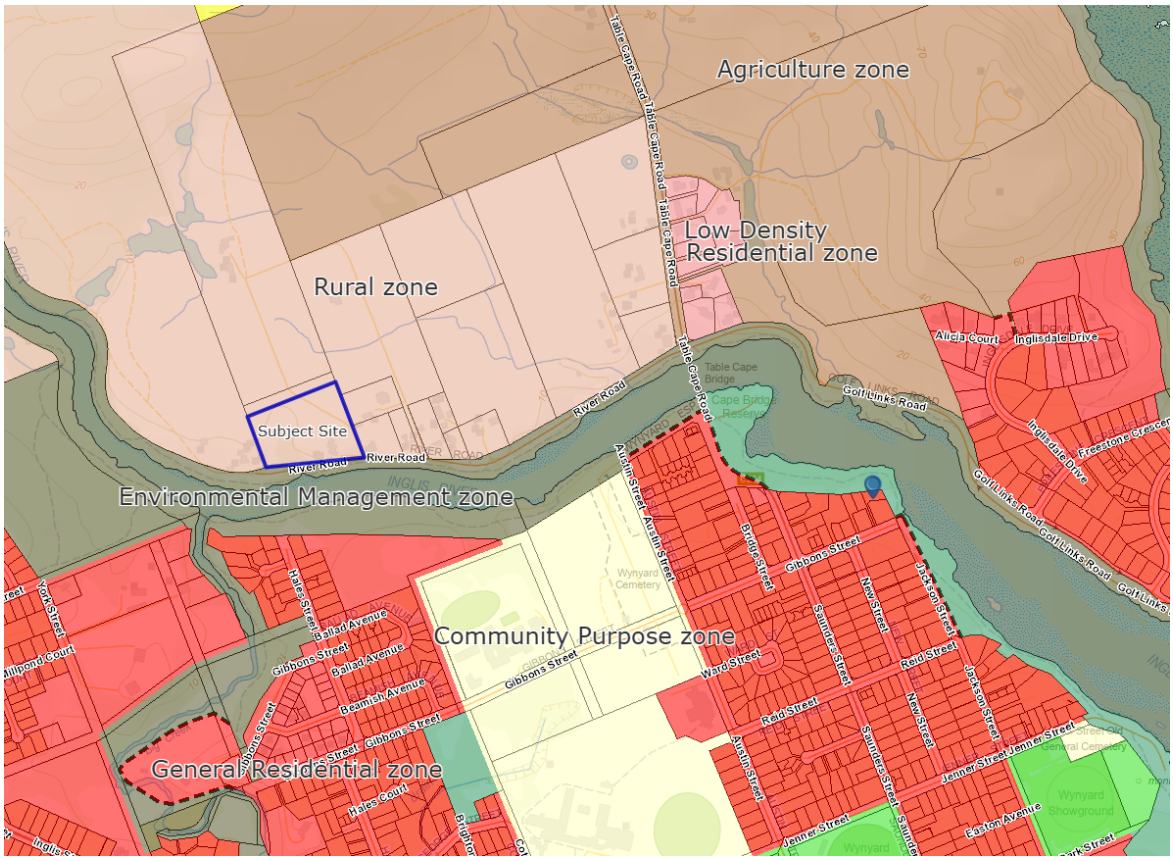


Figure 1: Current zoning of 66 River Road and surrounds

LEGISLATIVE REQUIREMENTS

In accordance with Section 40G and Section 40Z of LUPAA Council must publicly exhibit a draft amendment and associated draft planning permit for a period of 28 days. PSA 1/2026 and SD 2224/2026 were advertised in accordance with Section 40H from Saturday 25 July to Monday 24 August 2026.

Per the requirements of s40K, following public exhibition Council as a planning authority must consider any representations and provide a report to the Tasmanian Planning Commission which includes:

(a) a copy of each representation made under section 40J in relation to the draft amendment before the end of the exhibition period in relation to the draft amendment, or, if no such representations were made before the end of the exhibition period, a statement to that effect; and

(b) a copy of each representation, made under section 40J in relation to the draft amendment after the end of the exhibition period in relation to the draft amendment, that the planning authority, in its discretion, includes in the report; and

(c) a statement of the planning authority's opinion as to the merit of each representation included under paragraph (a) or (b) in the report, including, in particular, as to –

(i) whether the planning authority is of the opinion that the draft amendment ought to be modified to take into account the representation; and

(ii) the effect on the draft amendment, and the LPS to which it relates, as a whole, of implementing the recommendation; and

(d) a statement as to whether it is satisfied that the draft amendment of an LPS meets the LPS criteria; and

(e) any recommendations in relation to the draft amendment that the planning authority thinks fit.

This report is due 35 days after the public notification period is completed. For this proposal, the report must therefore be provided by the 28th September 2026.

NOTICE TO CERTAIN AGENCIES AND STATE AUTHORITIES

In accordance with s40FA(1)(a)&(b) of the *Land Use Planning and Approvals Act 1993*, Council is required to notify any relevant agencies.

As part of this assessment there were no relevant agencies identified.

CONSULTATION PROCESS

Representation

Council advertised the Draft Amendment from 25 July 2026 to 24 August 2026, with two separate advertisements placed in the local paper on 25 July 2026 and 5 August 2026.

No representations were received regarding the application.

In accordance with s40K(2)(a) and s42(b) of the *Land Use Planning and Approvals Act 1993*, Council acknowledges that there were no representations received during the exhibition period.

In accordance with s40K(2)(b) of the *Land Use Planning and Approvals Act 1993,* Council acknowledges that there were no representations received after the end of the exhibition period.

Statement of Opinion

Taking into consideration that no representations were received during the exhibition period, there has not been any matters raised that would require the modification of the draft amendment or require the modification of the draft permit or impact the draft amendment as a whole. Therefore, the Planning Authority's view is unchanged from the previous decision on 20 July 2026.

Council, as the Planning Authority, is of the opinion that the proposal is consistent with all relevant State Policies and statutory requirements, is generally in accordance with the Tasmanian Planning Scheme-Waratah-Wynyard and meets the LPS Criteria.

TasWater

The application was referred to TasWater on 13 April 2026. TasWater requested additional information on 17 April 2026. This request was satisfied and TasWater issued a Submission to Planning Authority Notice on 5 May 2026 (typographical error dated on the SPAN as 5 April 2026).

TasWater advised that:

Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56S(2) TasWater makes the following submission(s):

1. TasWater does not object to the draft amendment to planning scheme and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified of nor attend any subsequent hearings.

A copy of TasWater's Submission to Planning Authority Notice is attached.

POLICY IMPLICATIONS

There are no policy implications for this portion of the planning scheme amendment process.

FINANCIAL IMPLICATIONS

There are no financial implications for this portion of the planning scheme amendment process.

RISK IMPLICATIONS

Risk is considered to be minimal, as the Statement of Opinion is a process driven requirement. Council has been directed that the Statement of Opinion must come from the Planning Authority. Should Council as a planning authority wish to make a decision against the professional advice provided, the reasons will need to be detailed.

COMMENT

There have been no representations received during the exhibition period or after the end of the exhibition period. There have not been any matters raised that would require the modification of the draft amendment or require the modification of the draft permit or impact the draft amendment as a whole. Therefore, the Planning Authority's view is unchanged from the previous decision on 20 July 2026.

MOVED BY	CR ROBERTS
SECONDED BY	CR COURTNEY

That Council in its role as planning authority:

1. **In accordance with s40K(1) and s42(a) of the *Land Use Planning and Approvals Act 1993*, forwards a copy of this report to the Tasmanian Planning Commission.**
2. **In accordance with s40K(2)(a) and s42(b) of the *Land Use Planning and Approvals Act 1993,* advise that no representations were received during the exhibition period of PSA 1/2026 and SD 2224/2026.**
3. **In accordance with s40K(2)(b) of the *Land Use Planning and Approvals Act 1993,* advise that no representations were received after the end of the exhibition period of PSA 1/2026 and SD 2224/2026.**
4. **In accordance with s40K(2)(c) and s42(b) of the *Land Use Planning and Approvals Act 1993*, the report accepted by the Planning Authority is of the opinion that the draft amendment ought not be modified, and is of the opinion that the draft permit ought not be modified nor does it impact the draft amendment application as a whole.**
5. **In accordance with s40K(2)(d) of the *Land Use Planning and Approvals Act 1993*, Council advises the Tasmanian Planning Commission that it is satisfied that planning scheme amendment PSA 1/2026 meets the LPS Criteria.**

6. **In accordance with s42(c) of the *Land Use Planning and Approvals Act 1993*, Council provides the Tasmanian Planning Commission a copy of the recommended permit conditions for SD 2224/2026 shown in the attachments to this report.**

The MOTION was put and was CARRIED.

IN FAVOUR

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

6.4 CHANGE IN OPERATING HOURS FOR APPROVED FOOD SERVICES USE AT 288-290 PORT ROAD, BOAT HARBOUR BEACH

To:	Council
Reporting Officer:	Town Planner
Responsible Officer:	Director Infrastructure and Development Services
Report Date:	1 September 2026
File Reference:	7087401
Supporting Documents:	1. Permit Application and Supporting Documents 2. Representation

PURPOSE

The purpose of this report is for Council to consider the merits of the application DA 85/2026 against the requirements of the *Tasmanian Planning Scheme – Waratah-Wynyard*.

BACKGROUND

The approved café and kiosk will operate in conjunction with other approved uses on the site. On the 17 April 2023, Council approved the redevelopment of the Boat Harbour Beach Foreshore under DA 325/2022. This approval is in a new location, included a new café, SLSC building, kiosk, passive recreation facilities with associated infrastructure and the reconfiguration of the road layout and parking areas located at Port Road, Boat Harbour Beach.

The current permit conditions allow for the hours of operation for the café and kiosk to be 8:00am to 9:00pm Monday to Sunday.

The new café and kiosk will be opening imminently.

The operators of the new café and kiosk are seeking to extend the approved hours of operation.

DETAILS

The subject site of the café and kiosk building is on Crown land owned public reserve administered by NRE Tasmania with a leased area of 1306m^2 (Figure 1) the parking and supporting infrastructure forms part of a larger approximately 8.8ha of Crown land also owned public reserve administered by NRE Tasmania.

It is a split zoned site with the central area and area to the south zoned Low Density Residential. The area bordering the coast is zoned Environmental Management. To the north of the development is Shelter Point, with the main beach to the north-east and seawall to the north-west. To the south is the Boat Harbour Beach residential area, which contains a mix of single dwelling development and properties used for visitor accommodation. An aerial image of the development area and zoning is shown below in Figure 2.

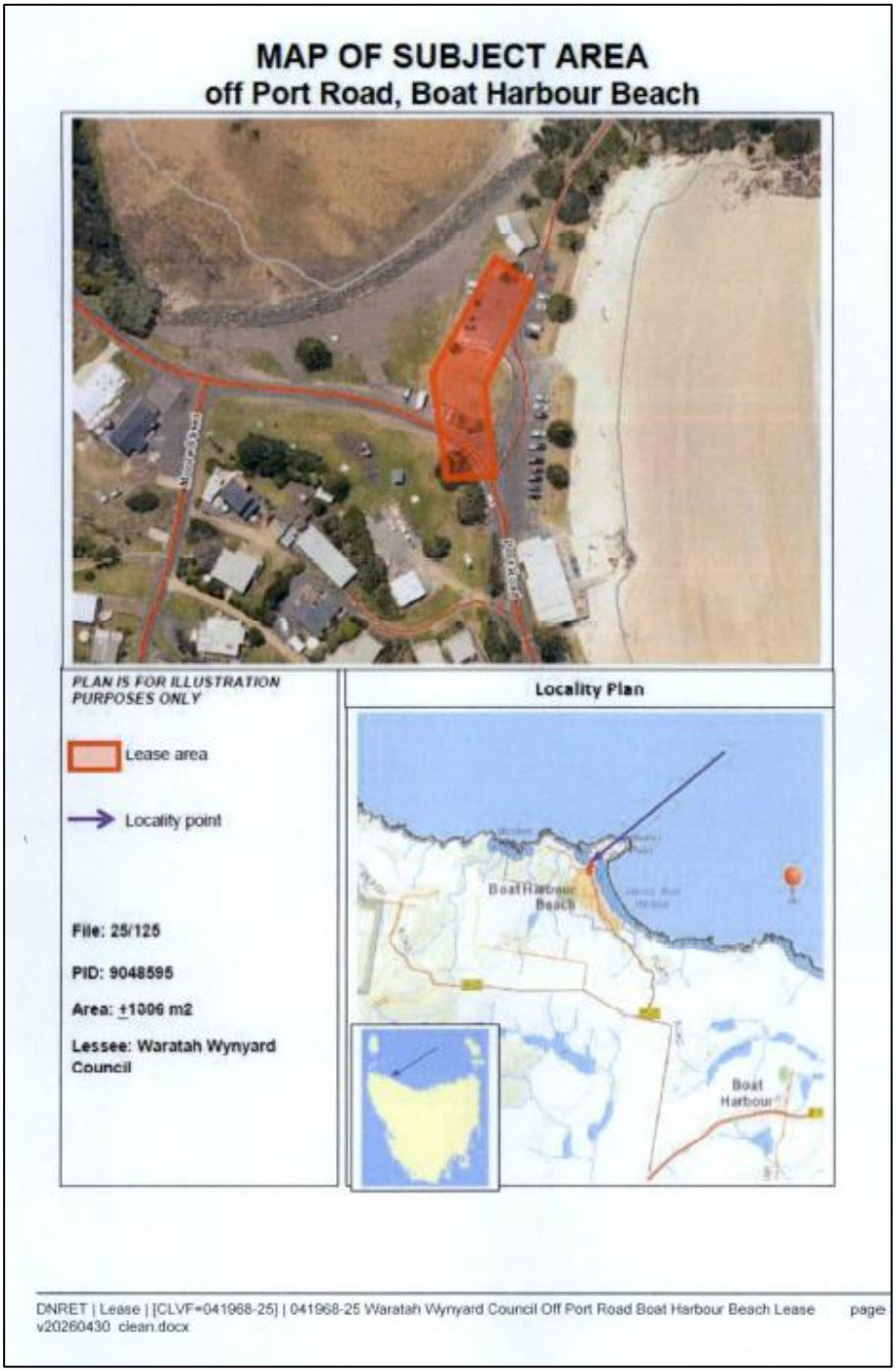


Figure 1: Leased area for Café and Kiosk building

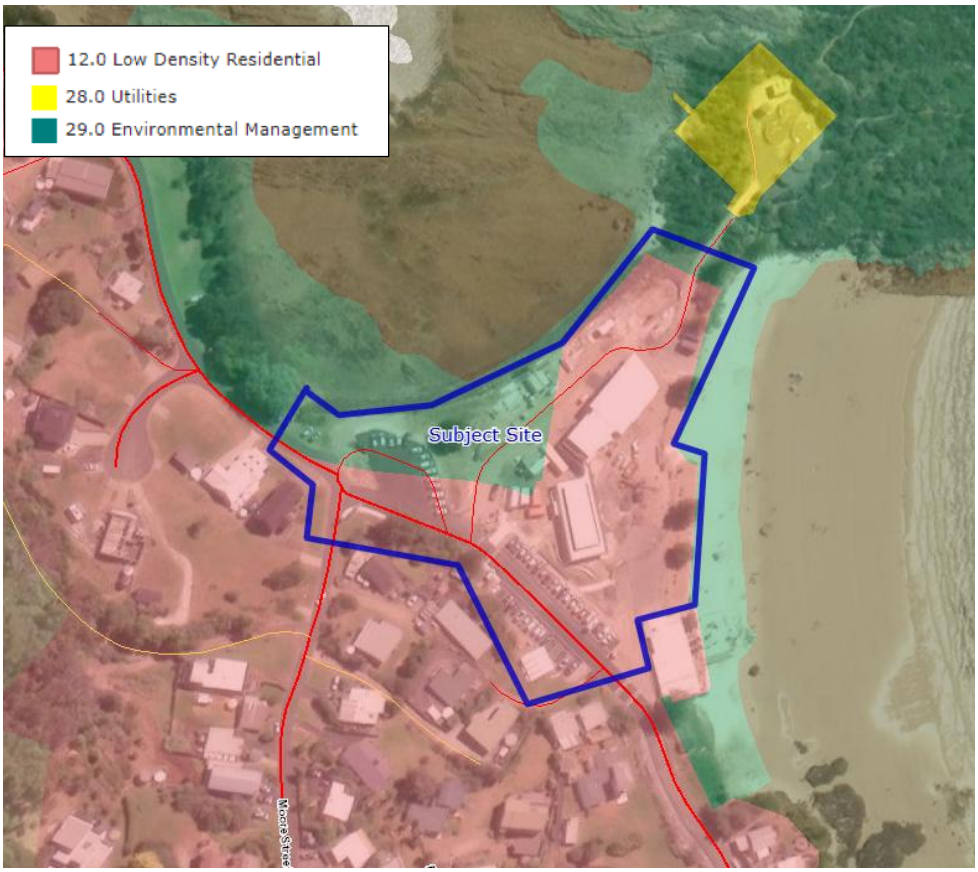


Figure 2: Subject site with zonings

The proposed variations to the approved hours of operation have a seasonal approach as set out in Table 1 below.

Winter – May to September	**Proposed**	**Currently Approved**
Beach Kiosk (takeaway service)	**7.00am** – 5.00pm	8.00am – 9.00pm Monday - Sunday
Café – Monday – Thursday	8.00am – 5.00pm	8.00am – 9.00pm Monday - Sunday
Cafe – Friday – Sunday	8.00am – 9.00pm	8.00am – 9.00pm Monday - Sunday

Summer – October to April	**Proposed**	**Currently Approved**
Beach Kiosk (takeaway service)	**6.00am** – 6.00pm	8.00am – 9.00pm Monday - Sunday
Café – Monday – Thursday	**7.00am** – 9.00pm	8.00am – 9.00pm Monday - Sunday
Cafe – Friday – Sunday	**7.00am – 10.30pm**	8.00am – 9.00pm Monday - Sunday
Private Functions	**Proposed**	**Currently Approved**
Cafe	Maximum of 12 private functions per calendar year, concluding no later than **midnight**.	8.00am – 9.00pm Monday - Sunday
New Year's Eve	**Proposed**	**Currently Approved**
Cafe	Trading until **1.00am.**	8.00am – 9.00pm Monday - Sunday

Table 1: Proposed variation to approved hours of operation

The applicant states that these are the maximum operating hours only and are intended to provide enough flexibility for the business to respond to seasonal demand. They do not mean that all parts of the business will operate for the full extent of these hours every day.

The applicant states that the beach kiosk and main café have deliberately been given different operating hours to reflect the different nature of each service and the seasonal activity at Boat Harbour Beach.

However, when reviewing the proposed variations to the hours of operation they must be assessed as though the full benefit will be taken.

The permit application does not comply with one acceptable solution for discretionary use standard and is applying for discretion under the following clause of the Planning Scheme:

- Discretionary uses – 10.3.1, P1

CONSULTATION PROCESS

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

The following documentation was advertised:

- Development application form x 3 Pages;
- Crown Consent x 2 Pages;
- Additional Information Response x 4 Pages;
- Attachment 1 x 2 Pages
- Attachment 2 x 6 Pages

The period for representations closed on 26 August 2026. One (1) representation was received during this period. An aerial image demonstrating the relationship between the subject site and representors' property is shown in Figure 3 below.

Figure 3: Relationship between the subject site and representors' property

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

Representors: Paul and Carol Willmot

Issues Raised:	**Response:**
As a neighbouring permanent resident located at 4 Moore Street Boat Harbour Beach, our property directly shares a boundary and is approximately 30m from the newly located subject café and considerably closer to associated patron parking. Our household has already and will continue to be directly affected by the negative impacts on residential amenity due to elevated noise levels, increased localised traffic and pedestrian flow induced by the new changes.	It is recognised that 4 Moore Street, Boat Harbour Beach and other adjoining and adjacent properties have had a reduction in their amenity due to the redevelopment of Boat Harbour Beach. The proposed extension to hours of operation has the potential to cause unreasonable loss of amenity to adjacent sensitive uses. It is recommended to refuse the extended hours of operation to protect the amenity of all adjacent sensitive uses.
The applicant states the SLSC and Gym (community centre) are approved to operate from 0600 – 2200, Monday to Sunday; the multi-purpose space until midnight on Friday and Saturday. The applicant argues that the proposed hours for the café are therefore not introducing early morning or evening activities to a site that would otherwise be inactive during those times. What this argument ignores is the significant difference in type, volume and intensity of activity between the café and club/community centre.	The site is approved to operate with multiple uses; the impacts of each use are different. The cumulative effect of the proposed increased hours of operation will undoubtably increase customers to the kiosk and café.
The planning application is for extended hours of operation for the kiosk and café call into question that the Food Services use is more in keeping with a restaurant than a café. While the application does not cover definitions for 'café' or 'restaurant' they are readily available through numerous sources. In general, a café is light, casual breakfast and lunch; a restaurant being more formal and focussed on lunch and dinner. Thus, even the existing use into evening hours is contestable. This scope creep is transforming the nature of the original food service towards a restaurant and is contrary to the applicant's statement that it is not the intent to 'fundamentally change the nature of the business'.	From the information provided with the permit application it does appear that the kiosk and café are seeking a more hybrid model of operation, capturing the kiosk (takeaway component) café component and introduction of a more restaurant/function centre offering.

Partially disputes that the physical location of the new café is further away from residential properties than the original location.	The physical building may in fact be further away from residential properties, however the associated car parking to serve the needs of the multiple uses is closer. There is minimal physical separation between some of the car parking and existing sensitive uses, potentially introducing a conflict between uses.
The presumption that residential amenity has not and will not be adversely impacted by the new traffic flows and facility usage. Our experience suggests a contrary view. We have comprehensive evidence to support such, inclusive of headlights, persistent engine noise, heavy vehicle, school/tour bus and motorcycle use, overnight camping, car doors, car alarms, dogs, blocked access, extended patron conversations - including abusive language, significant foot traffic, loud music, observation and photographing of our home, meandering through our garden and un/dressing for the beach. All of this is visible and audible from inside, even with windows closed, in all sleeping and living spaces; and outside, including our outdoor entertaining and garden spaces. We are yet to experience the impact of new street lighting in our immediate foreground replacing the dark-sky evenings of the harbour. Extending the café hours will extend the activity into the late evening and add further patron and café activity noise/music and light to the mix. All these factors directly relate to acoustic compliance, noise mitigation and light spill.	It is recognised that 4 Moore Street, Boat Harbour Beach and other adjoining and adjacent properties have had a reduction in their amenity due to the redevelopment of Boat Harbour Beach. The proposed extension to hours of operation has the potential to cause unreasonable loss of amenity to adjacent sensitive uses, through the proposed timing, increased duration and increased vehicular movement that would occur with the extended hours of operation.
Increase in the hours of operation for the kiosk, although north facing will still impact the utilisation of parking, pedestrian access from the existing road to the parking and pathway areas. Activity at this hour violates the standard morning peace the residents are legally entitled to.	Generally, the increase of 2 hours for the takeaway kiosk is low in scale, while aimed at existing morning beach users there is potential to attract additional customers and has potential to impact on the amenity of existing sensitive uses adjacent the site.
The applicant has stated that Seekers can manage noise and customer activity. At a March wedding held at Seekers under the new parking arrangements, we were awoken at around 2300 by patrons 'leaving' and ultimately had to interact with them after midnight when it was clear the socialising would persist outside our bedroom. How and with what powers does the applicant intend to negate such overflow activities?	The potential for impacts due to additional customers to the kiosk and café with the proposed extended hours of operation increases. Given the lack of physical separation of some of the car parking areas to the existing sensitives uses cause the loss of amenity to become unreasonable in a residential setting.

The applicant is seeking approval for persistent operating authority whilst suggesting continuous use is not intended. Should such windows be approved, they will exist in perpetuity. Fully utilised, the potential exists for food/ entertainment operations to occur over a 17.5 hour period in a single day in a precinct intended for 'day use only'. The occasional use suggested can be managed utilising existing temporary council approval mechanisms. Occasional, private and New Year's functions as suggested can likewise be managed via the same processes. Temporary permits would also allow a more considered assessment of the actual, rather than projected, or assumed amenity impact over time.	There is an exemption under the Tasmanian Planning Scheme for occasional uses, however these uses must be infrequent or irregular sporting, social or cultural events. The exemption does not allow for regular uses outside of the planning permit granted for the site.

INTERNAL REFERRALS

Engineering

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

(1) In the course of undertaking the use there is to be no damage caused to any Council owned infrastructure or property.

Environmental Health

Nil.

EXTERNAL REFERRALS

The application did not require any external referrals.

PLANNING ASSESSMENT

The subject site is zoned Low Density Residential under the *Tasmanian Planning Scheme - Waratah-Wynyard* (TPS). The existing use is Food Services which is a discretionary use within the zone.

The proposal does not meet all of the acceptable solutions for the applicable discretionary use standards and is therefore submitted as a discretionary application under Section 57 of LUPAA and assessed under the TPS 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.

During the assessment of the permit application additional information was requested by Council Officers against the discretion being relied upon.

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

10.3.1 Discretionary uses

<table>
<tr><td colspan="2">Objective: That Discretionary uses do not cause an unreasonable loss of amenity to adjacent sensitive uses.</td></tr>
<tr><td>A1

Hours of operation for a use listed as Discretionary, excluding Emergency Services or Residential use, must be within:

a) 8.00am to 6.00pm Monday to Friday;

b) 9.00am to 12.00 noon Saturday; and

c) nil on Sunday and public holidays.</td><td>P1

Hours of operation for a use listed as Discretionary, excluding Emergency Services or Residential use, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:

a) the timing, duration or extent of vehicle movements; and

b) noise or other emissions</td></tr>
<tr><td colspan="2">Planning Comments: Does not Comply

The approved hours of operation for the kiosk and café are 8.00am – 9.00pm Monday to Sunday which is outside of the acceptable solution requirements in A1.

The permit application seeks to further expand the hours of operation to take into consideration seasonal patronages.

Proposed Hours of Operation:

1. Winter – May to September
o Beach Kiosk (takeaway service) – 7.00am to 5.00pm
o Café – Monday to Thursday – 8.00am – 5.00pm
o Café – Friday to Sunday – 8.00am – 9.00pm

These proposed changes are an increase of 1 hour for the kiosk from the approved hours. The increase of 1 hour for the takeaway kiosk is low in scale, while aimed at existing morning beach users there is potential to attract additional customers and has potential to impact the amenity of existing sensitive uses adjacent the site.

2. Summer – October to April
o Beach Kiosk (takeaway service) – 6.00am to 6.00pm
o Café – Monday to Thursday – 7.00am – 9.00pm
o Café – Friday to Sunday – 7.00am – 10.30pm

These proposed changes are an increase of 2 hours for the kiosk; an increase of 1 hour for the café Monday through to Thursday; and an increase of 2.5 hours for the café Friday to Sunday.

Generally, the increase of 2 hours for the takeaway kiosk is low in scale, while aimed at existing morning beach users there is potential to attract additional customers and has potential to impact the amenity of existing sensitive uses adjacent the site.

The increase of the café Friday to Sunday for an additional 2.5 hours has potential for higher scale usage and higher impact on the amenity of existing sensitive uses adjacent the site.

3. Private Functions
o Café – maximum of 12 private functions per calendar year, concluding no later than midnight.

The increase of the café for functions for twelve times a year for up to 3 hours on each occasion has potential for higher scale usage and higher impact on the amenity of existing sensitive uses adjacent the site.

4. New Year’s Eve
o Café – trading until 1.00am</td></tr>
</table>

This increase of the café for one night a year for up to 4 hours has potential for higher scale usage on that one night, which has the ability to impact on the amenity of existing sensitive uses adjacent the site.

Amenity is defined within the Tasmanian Planning Scheme (TPS) to mean, in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place or building harmonious, pleasant or enjoyable.

When applying the definition to the place at 4 Moore Street, Boat Harbour Beach the amenity has been reduced due to the redevelopment of Boat Harbour Beach through DA 325/2022. Some of the onsite parking to serve the needs for the new café, SLSC building, kiosk and passive recreation facilities are directly abutting their property. The proposed increase of vehicular movements for a Food Services use, that can seat up to 65 people at any one time; with the timing particularly being extended at the beginning and end of the day; with increased noise and light emissions has potential to negatively impact and reduce their amenity.

From the information provided with the permit application it appears that the kiosk and café are seeking a more hybrid model of operation, capturing the kiosk (takeaway component) café component and introduction of a more restaurant/function centre.

The timing, increased duration, increased vehicular movement with the extended hours of operation and the associated noise and light emissions is unreasonable in a residential setting.

The potential to negatively impact and reduced amenity for the occupants of 4 Moore Street, Boat Harbour Beach is deemed to be unreasonable on land assigned to the Low Density Residential zone.

The permit application does not sufficiently demonstrate how by increasing these hours of operation it will not cause an unreasonable loss of amenity to adjacent sensitive uses through the timing, duration or extent of vehicle movements; and noise or other emissions as a result of the increased hours of operation. The permit application does not further the Objective to clause 10.3.1.

10.3.1 Discretionary uses

A2	P2
External lighting for a use listed as Discretionary, excluding Residential use: a) must not operate within the hours of 7.00pm to 7.00am, excluding any security lighting; and b) security lighting must be baffled so that direct light does not extend into the adjoining property.	External lighting for a use listed as Discretionary, excluding Residential use, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to: a) the number of proposed light sources and their intensity; b) the location of the proposed light sources; c) the topography of the site; and d) any existing light sources.
Planning Comments: Complies There is no proposed change in the approved external lighting, with security lighting in operation from 7.00pm to 7.00am excluding any security lighting.	

10.3.1 Discretionary uses

A3	P3
Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services or Residential use, must be within the hours of: a) 7.00am to 5.00pm Monday to Friday;	Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services or Residential use, must not cause an unreasonable loss

b) 9.00am to 12 noon Saturday; and c) nil on Sunday and public holidays.	of amenity to adjacent sensitive uses, having regard to: a) the time and duration of commercial vehicle movements; b) the number and frequency of commercial vehicle movements; c) the size of commercial vehicles involved; d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise; e) any existing or proposed noise mitigation measures between the vehicle movement areas and sensitive use; f) potential conflicts with other traffic; and g) existing levels of amenity.
Planning Comments: Complies There is no proposed change in the approved unloading and loading of commercial vehicles for the Food Services use.	

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* and must enforce the *Tasmanian Planning Scheme - Waratah-Wynyard* (the Planning Scheme) under section 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.

Local Government (Building & Miscellaneous Provisions) Act 1993

Not applicable as the permit application does not include subdivision.

STRATEGIC IMPLICATIONS

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

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

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

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

COMMENT

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

MOVED BY	CR ROBERTS
SECONDED BY	CR COURTNEY

That Council, acting in its role as the Planning Authority in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme - *Waratah-Wynyard*, refuse an application for increased hours of operation for the kiosk and café at 288-290 Port Road, Boat Harbour Beach on the following grounds:

1. **The increased hours of operation of the kiosk and café will cause an unreasonable loss of amenity to adjacent sensitive uses through the timing, duration and increase of vehicle movement and the associated noise and other emissions; and**
2. **The increased hours of operation of the kiosk and cafe do not further the Objective to clause 10.3.1.**

The MOTION was put and was LOST.

AGAINST

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

PLANNING AUTHORITY CLOSED AT 7.16PM

THE TOWN PLANNER LEFT THE MEETING AT 7.20PM

7.0 MATTERS RAISED BY COUNCILLORS

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

7.1.1 CR RAW - INGLIS STREET SPEED LIMIT

QUESTION

Cr Leanne Raw asked

1. if the prior council report, from the July Council Meeting, which recommended changes to speed limit on Inglis Street to extend from Cotton St. to Wilkinson St could be re-considered as this was a request from factory owners where large trucks ae entering onto Inglis Street.
2. Can an assessment of the consistency of speed limits across the municipal area to ensure that like roads have same speed limits be completed.

The question was taken on notice

OFFICERS RESPONSE

This matter will be considered as part of the creation of the Transport Strategy which will occur in this financial year.

7.2 COUNCILLOR QUESTIONS RECEIVED IN WRITING

Nil received.

7.3 COUNCILLOR QUESTIONS WITHOUT NOTICE

7.3.1 CR COURTNEY - SILICA DUST REPORT

Cr Andrea Courtney noted that EPA report obtained when planning application was approved is 20 years old and noted this was prior to silica dust being declared dangerous. Does council need to have this report re-done, is it still valid.

The CEO noted that requirements for facilities changed in 2019 when it was determined to be a Class 2 activity. The CEO took the question on notice to clarify.

7.3.2 CR COURTNEY - RAW MATERIAL PROCESSING

Cr Andrea Courtney noted that the EPN for the TAM development had been done approximately 20 years ago and prior to the dangers of silica being widely known. She asked if the EPA or Council needs to reassess this matter or not.

The Chief Executive Officer advised that advised that the site was assessed again in 2019 by the EPA as a level 2 activity. Council cannot change an historic approval; any changes to standards or requirements for a Level 2 activity are under the authority of the EPA.

7.3.3 CR COURTNEY - APOLOGY

Cr Andrea Courtney noted the statement by Mr Donoghue and statement that a lot of the actions she had taken required Mr Summers to do a lot of the liaising with various state departments to progress matters.

The Director of Infrastructure and Development Services noted the team work involved.

7.4 CR BRAMICH - WORKS AT BOAT HARBOUR

Cr Gary Bramich asked why no-one working on the Boat Harbour Beach building to complete works.

The Director of Infrastructure and Development Services took the question on notice and agreed to contact Cr Bramich next day to update.

7.5 CR RAW - TAS ADVANCED MINERALS

Cr Leanne Raw noted the email received from Tas Advanced Minerals on the day of 17 August and asked how many councillors had read the email prior to the council meeting and if they had considered the information when considering the related motions at the August council meeting .

The Mayor took the question on notice.

7.6 CR JOHNSTONE - NO SPRAY ZONE SIGNS

Cr Michael Johnstone asked why landowners couldn't prepare their owns signs for no-spray zones.

The CEO advised that report would be provided to the October Council Meeting.

7.7 CR JOHNSTON - COUNCIL LAND SOMERSET

Cr Michael Johnstone noted the land owned by Council in front of Gunn's timber in Somerset and asked if the house could be considered for use as a community facility.

The question was taken on notice.

7.8 CR BRAMICH - SPECIAL AREA PLANS

Cr Gary Bramich noted discussions with planning department regarding Special Area Plans for Boat Harbour Beach and Sisters Beach and asked if this is something that could be done to address the specific planning needs in these areas.

The Director of Infrastructure and Development Services noted that a Special Area Plan would allow for site specific variations can be applied across various properties in the plan.

8.0 NOTICE OF MOTION

Nil received.

9.0 REPORTS OF OFFICERS AND COMMITTEES

9.1 AWARD OF CONTRACT 852 - GATES ROAD PAVEMENT SEALING STAGE 1

To:	Council
Reporting Officer:	Manager Engineering Services
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	4 September 2026
File Reference:	.
Enclosures:	1. Tender Evaluation - Confidential

PURPOSE

To determine Council's position in relation to tender submissions received for contract 852, Gates Road pavement sealing stage 1.

BACKGROUND

Providing a seal treatment to the currently unsealed road pavement of Gates Road for half of its length has been adopted in Council's Annual Plan and Budget 2026/27. The scope of works to seal the road pavement of Gates Road as been split into 2 stages, to be delivered over 2 financial years owing to the scope of works and relative cost to provide this treatment.

The Preolenna Road Bridge over the Flowerdale River is due for replacement in 2027/28, sealing over Gates Road during 2026/27 allows for Gates Road to be used as a detour route for Preolenna Road during these works. Furthermore Gates Road is utilised as the primary detour route of the Bass Highway in the event of vehicle accident or emergency, sealing Gates Road provides a more durable and safer environment for road users during these periods of detour. It has also been identified as a more economic life cycle alternative to seal based on relative traffic volumes

DETAILS

The contract operates as a Schedule of Rates (SoR) contract, based upon the quantities and rates provided to deliver the scope of the project. Tender price comparison and assessment of each individual tender, based up pre-defined tender criteria defines the recommendation to Council to award the contract.

At the close of tenders on 25 August 2026, thirteen (13) contractors had accessed the tender documents via Tenderlink and three (3) contractors submitted tenders for the works. Tender submissions were received from:-

- Civilscape Contracting Tasmania
- Digga Excavations
- Hardings Group Tas

All tenderers have demonstrated experience within the industry to varying degrees and have established safety and management systems in place. The tender submissions received have been determined as being conforming tenders with each tenderer being assessed as competent and capable in the performance of the works which they have tendered.

Each tender received has been assessed against a range of weighted criteria itemised below:

Criteria A – The tendered total amount– Weighting 30%

- Criteria B – Tenderer's project understanding including quality and completeness of submission – Weighting 20%
- Criteria C – Tenderers capacity and resources, materials, Plant and Equipment to complete the works including financial viability – Weighting 20%
- Criteria D – Tenderers Capability and relevant experience of personnel and management – Weighting 20%
- Criteria E – Tenderers Quality Management Systems, including WHS, Traffic, risk and environmental – Weighting 5%
- Criteria F – Tenderers Environmental & Sustainability Considerations – Weighting 5%

Generally, the past services provided to the Local Government sector by each company have been considered satisfactory, and they have a clear understanding of the established industry requirements associated with the performance of the works under the contract.

In evaluation of the tenders received by the tender assessment panel it was determined that the Hardings Group provided the most considered and comprehensive tender submission providing extensive detail on the methodology, quality control and construction techniques. Whilst Civilscape provided the lowest tender rate, the detail in the tender submission was lacking clarity and detail, inherently this lack of detail introduces a risk to Council in performance of the works, particularly in terms of quality and timeliness as well as environmental management during the works.

In consideration of the tenders submitted, quality of the submission, detail of construction methodologies, safety and performance along with pricing against the SoR. It is considered by the tender assessment panel that the Hardings Group have provided the most competitive tender submission to undertake the scope of works associated with the project. It is recommended that contract 852 be awarded accordingly with an estimated tender value of $746,930.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 6: Transport and Access
Desired Outcomes
6.1 Our transport and access network can accommodate the changing needs of our industry and community.
Our Priorities
6.2.2 Plan for all movements and modes of transport with a fit-for-purpose network.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

There are known instances of nesting sites and protected species within the zone of the works, a natural values assessment has been undertaken considering the scope of the works to identify sites that require additional consideration and protection during the works. This Natural Values Assessment was provided as an attachment to the tender documentation and all tenderers are aware of the additional requirements to adhere to the recommendations of this report, accounting for this within their respective tender submissions.

FINANCIAL IMPLICATIONS

The recommendation to award contract 852 to the Hardings Groups for a value of $746,930 will result in an unfavourable variation to the adopted budget of $102,450. It is foreseen that this unfavourable variation can be accommodated by the favourable variation received in Contract 846 – HVAC Upgrade ($168,934) resulting in no requirement to adjust the adopted budget.

RISK IMPLICATIONS

In the conduct of any contract there are risks to Council, including time delays and poor quality of work. The use of experienced contractors coupled with contract documents will minimise any risk to council. The broad tender assessment, beyond just price, is intended to mitigate risk.

CONSULTATION PROCESS

There are no consultation requirements as a result of this report. However there will be engagement requirements with affected property owners during the delivery of the project to inform them of pending access restrictions.

CONCLUSION

In consideration of the project deliverables and tender submissions received to realise the scope of the project it is recommended that contract 852 – Gates Road pavement sealing stage 1, be awarded to the Hardings Group for an estimated tender value of $746,930.

MOVED BY	CR ROBERTS
SECONDED BY	CR BRAMICH

That Council awards contract 852, Gates Road pavement sealing stage 1 to the Hardings Group.

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.2 AWARD OF CONTRACT 853 - DESIGN AND CONSTRUCT CARDIGAN STREET CHANGE ROOM & CLUBROOM KIOSK EXTENSION

To:	Council
Reporting Officer:	Contracts and Administration Officer
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	7 September 2026
File Reference:	Contract 853
Enclosures:	1. Tender Evaluation Summary Contract 853 - Confidential

PURPOSE

To determine Council's position in relation to the tenders submitted for the design and construction of changerooms and the clubroom kiosk extension for the Cardigan Street recreation ground.

BACKGROUND

A recent planning project identified that the existing changeroom and amenity facilities at the Somerset Soccer Club (SSC), Cardigan Street, Somerset, are inadequate for current use. In particular, the existing changerooms cannot appropriately accommodate multiple teams of mixed gender and provide limited privacy for junior and female players.

Club participation has increased from approximately 100 players in 2022 to more than 200 in 2025, placing additional demand on the existing facilities.

The project will deliver new changerooms and an amenity block incorporating individual toilets, replacing the existing Council-owned public toilets that do not meet current standards. The existing kiosk and kitchen will also be extended and upgraded to provide facilities suitable for current operational requirements.

Somerset Soccer Club has secured funding through the Australian Government's Major and Local Community Infrastructure Fund for the project. Council is auspicing the funding and providing project management support to deliver the works and meet the requirements of the funding agreement. All resulting assets will be owned and managed by the Somerset Soccer club.

DETAILS

A call for tenders was made through Council's electronic tendering portal, TenderLink, on Wednesday 5 August 2026. At the close of tenders on Wednesday 9 September 2026, two (2) tender submissions were received. All submissions conformed to the tender requirements and were within the available budget allocation.

Tender submissions were received from:

- Tasbuilt Homes
- Stubbs Constructions

The contract is a lump sum design and construction contract for the changerooms, amenities and clubroom extension. Tender comparison and assessment was based on the total lump sum, including any provisional items.

Where concept design information was provided, it was considered as part of the tenderer's demonstrated understanding of the design brief and proposed approach. Any concept design submitted by the preferred tenderer will be subject to further design development and internal review prior to finalisation.

Tendered prices and the evaluation summary are provided to Councillors as a 'Confidential Attachment'.

Both conforming tenders were assessed against the predetermined weighted evaluation criteria by the tender evaluation panel. While tender price represented a significant component of the assessment, submissions were also evaluated on project understanding, capacity and resources, relevant experience, management systems and the ability to deliver the works within the required timeframe.

The evaluation criteria and associated weightings were as follows:

Selection Criteria	% Weighting
Project understanding including quality and completeness of submission	10
Capacity and resources, materials, Plant and Equipment to complete the works including financial viability	15
Capability and relevant experience of personnel and management.	20
Quality Management Systems, including WHS, Traffic, risk and environmental	15
Tender Sum	30
Environmental & Sustainability Considerations	10
	100

All tenderers demonstrated relevant industry experience and appropriate safety and management systems and were assessed as having the capability to undertake the works. The submissions also demonstrated sufficient capacity and resources to deliver the project within the required timeframe and to the required standard.

As there was limited differentiation between tenderers in relation to capability, experience and capacity, the final evaluation was primarily influenced by the tendered price and each tenderer's demonstrated understanding of the design brief.

Following completion of the evaluation, Stubbs Constructions achieved the highest overall assessment and is recommended as the preferred tenderer.

STATUTORY IMPLICATIONS

Statutory Requirements

Council's statutory requirements for public tender under the *Local Government Act 1993* were followed.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 3: Connected Communities
Desired Outcomes
3.3 Our natural and built environment aids the community with an active and healthy lifestyle.
Our Priorities
3.3.1 Provide high quality shared and multi-use community hubs that combine a range of recreational, sporting and educational uses.

GOAL 4: Community Recreation and Wellbeing
Desired Outcomes
4.2 Our community values, encourages and supports physical, social and cultural activities.
4.3 We provide recreational opportunities to the community for all ages and abilities.
4.4 Our community enjoys access to visually appealing safe spaces and facilities for recreation.
Our Priorities
4.2.1 Focus on the value of recreation in promoting the health and wellbeing of our community.
4.3.1 Commit to ongoing recreation and open space planning to ensure evidence-based decisions are made about the role of Council and its partners in recreation.
4.4.2 Provide and maintain quality and safe places and spaces for physical, social and cultural activities, including shared and multi-use facilities where possible.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Health and Wellbeing	**Maintaining good health and wellbeing** – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.
Place making and liveability	**Liveable places for all ages** – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.

POLICY IMPLICATIONS

Council's Asset Management Policy is relevant to the project, supporting the sustainable provision of assets that meet the needs of the Waratah-Wynyard community. In this instance, the Somerset Soccer Club will assume asset ownership.

ENVIRONMENTAL IMPLICATIONS

The project involves demolition, earthworks and construction activities which may result in temporary environmental impacts including waste, dust, noise, sediment movement and accidental spills. These impacts will be managed through the contractor's environmental management systems and site controls, including waste recycling and reuse where practicable, responsible disposal, erosion and sediment controls, spill prevention, dust and noise management, and site clean-up.

The preferred tenderer has also proposed instantaneous electric hot water systems for the new changeroom and amenity facilities. Given the intermittent and seasonal use of these facilities, this approach is intended to reduce standing heat losses and provide a practical, lower-maintenance solution compared with storage-based systems.

FINANCIAL IMPLICATIONS

The project has an available budget of $1,545,000.00, funded in full through the Australian Government's Major and Local Community Infrastructure Fund. No additional Council funding has been allocated to the project.

The recommended tender price is $1,493,537.00 excluding GST. This compares with the available project budget of $1,545,000.00, leaving a balance of $51,463.00.

Under the grant guidelines, a maximum contingency allowance of $45,000.00 is claimable against the project. After allowing for this contingency, a further $6,463.00 remains available to contribute towards Council overheads, project management, approvals and other eligible project delivery costs.

The recommended tender can therefore be accommodated within the existing grant-funded project budget.

RISK IMPLICATIONS

Delivery of the contract carries risks including construction delays, cost variations and quality of work. These risks will be managed through the appointment of an experienced contractor, appropriate contract documentation and ongoing contract management.

CONSULTATION PROCESS

Somerset Soccer Club and Football Tasmania have been key stakeholders in planning the project and will continue to be consulted during design and construction. Adjoining property owners will be kept informed of key construction dates and any anticipated impacts.

CONCLUSION

Based on the tender assessment undertaken by the evaluation panel, it is recommended that Council award Contract 853 – Design and Construction of the Cardigan Street Change Room and Clubrooms Kiosk Extension to Stubbs Constructions.

MOVED BY	CR JOHNSTONE
SECONDED BY	CR COURTNEY

That Council award Contract 853 for the Design and Construction of the Cardigan Street Change Room and Clubroom Kiosk Extension to Stubbs Constructions.

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.3 SENIOR MANAGEMENT REPORT

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	Interim CEO
Report Date:	19 August 2026
File Reference:	0304
Enclosures:	Nil

PURPOSE

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

CHIEF EXECUTIVE OFFICER

Listed below is a summary of activities undertaken by the Chief Executive Officer from 10 August 2026 to 11 September 2026.

Corporate

- Candidate Information sessions
- LGAT AGM and Conference
- Audit Panel meeting
- Meeting with Business North-West

Community

- Funeral service for Cr Hyland
- Meeting with Waratah Community Board
- Meeting with Boat Harbour Beach Surf Life Saving Club
- Meeting with Waratah Museum Board

Industry/Infrastructure

- Meeting with TasWater
- Meeting with Telstra
- Meeting with Cradle Coast Alliance
- Meeting with Minister Vincent at Cradle Coast forum

SPONSORSHIPS

Melissa Kennedy - Tasmanian Team -TAS 2 Ladies Triples – Indoor Bias Bowls

Melissa has been selected to represent Tasmanian Indoor Bias Bowls to be held in Blackburn New South Wales and qualifies for a $100 sponsorship. Melissa plays for the Western Division Indoor Bias Bowls Association.

Nikki Van Der Werff - Waratah-Wynyard Council Bill French Memorial Bursary 2027

Council has confirmed its ongoing support of the Bill French Memorial Bursary for 2027, providing $5,000 to continue supporting Nikki following confirmation of satisfactory academic progress in 2026.

SOMERSET BADMINTON – VARIATION OF SIRC HIRE FEES

Somerset Badminton has applied for a 50% variation of its Somerset Indoor Recreation Centre hire fees for a three-year period. The group is a small, longstanding social recreation group with approximately 10–12 participants and has demonstrated limited financial capacity. The annual fees applicable to its use are $1,544, resulting in a proposed variation of $772.

In accordance with Council's Fees and Charges variation framework, it is recommended that Council approve a 50% reduction in Somerset Badminton's applicable SIRC hire fees for the 2026/27 financial year only. Limiting the approval to one financial year ensures the variation is time-bound and allows any future request to be considered against the applicable Fees & Charges, the organisation's circumstances and Council policy at that time. The approval does not create an expectation of ongoing fee relief.

ADMINISTRATION – Use of Corporate Seal

11/8/26	Re-sale Agreement (Kiosk)	Tas Parks and Wildlife Service – Wonders of Wynyard authorisation to collect fees (Park Passes)
8/9/26	Agreement for Sale of Crown Land	1.13ha Lowe Street Wynyard

WORKING GROUPS

	Elected Member Representatives	Responsible Officer(s)	Status
Somerset Sporting Precinct	Cr Johnstone Deputy Mayor Edwards	• CEO • Manager Community Activation • Manager Recreation Planning and Environment • Recreation Liaison Officer	55% Complete. **Interior:** Internal walls and ceilings fitting near complete. 50% external doors and 80% windows now installed. Plasterers arrived for works in kitchen and bathrooms. Rear amenities roof has been installed. Kitchen rangehood has been installed. **Exterior**: Demolition of old canteen/timekeepers complete with outside hard stand area works commencing. Brickwork still ongoing. Elevator shaft works commenced with block work to commence soon.
Wynyard Sports Precinct	Cr Johnstone Cr Roberts	• Director Infrastructure and Development Services • Strategic Projects Manager • Manager Community Activation	• Meeting has occurred with DECYP and WHS to discuss project progression. Awaiting advice from WHS on a number of matters related to use of the facility. No advice as of late July 2026. Officers have reached out to the department a number of times for an update. • Detailed design of the indoor training facility is 99% complete. Construction remains dependant on external grant funding. • Officers are progressing the statutory referral process to TASCAT for determination.(Austin Street road closure).
Boat Harbour Masterplan	Cr Hyland (dec) Cr Roberts	• Director Infrastructure and Development Services • Executive Officer (CEO Office) • Strategic Projects Manager	Building works are at practical completion stage with occupancy of the cafe space achieved and public toilet access available. Occupancy is also being actively pursued for the substantive surf club building space. Landscaping's work will continue into September 2026 . External civil works are complete. Construction of the new footpath on top of Port road retaining wall complete.
Frederick Street Reserve Working Group	Cr Johnstone Cr Roberts	• Director Community and Engagement • Manager Community Activation	The Frederick Street Reserve Master Plan has been adopted by Council following community engagement and consultation with clubs and reserve users. Opportunities for funding and staged implementation are now being considered. Replacement of the cricket pitch is scheduled for September 2026 in preparation for the upcoming cricket season

PLANNING PERMITS APPROVED UNDER DELEGATION – August 2026

DA No.	Applicants Name	Location	Development	Date Permit Issued	No of Days to Process	(D)Discretionary (P)Permitted
SD2229	CLTP Panel Products Pty Ltd	673 & 683 Deep Creek Road Wynyard	Consolidation (2 Lots into 1 lot)	5.08.2026	27	P
DA 87/2026	PLA Designs Pty Ltd	18 Flinders Drive Somerset	Multiple Dwellings (one additional dwelling), New Carport & Associated Demolition Work	13.08.2026	27	P
DA 203/2025	RCC Design Pty Ltd	152 Inglis Street Wynyard	Secondary Residence	13.08.2026	43	D
DA 77/2026	K Rowland	5 Reeve Street Somerset	Change of Use (Visitor Accommodation)	18.08.2026	26	P
DA 93/2026	T Ewington	201 Gates Road Flowerdale	Outbuilding (Implement Hay Structure)	19.08.2026	22	P
DA 89/2026	S. Group Pty Ltd	104 McKays Road Somerset	Dwelling & Outbuilding (Shed)	19.08.2026	36	D
DA 91/2026	Forme Studio Tasmania	1442 Mount Hicks Road Yolla	Dwelling Extensions, Alterations & Outbuilding (Shed)	24.08.2026	22	P

BUILDING PERMITS APPROVED – August 2026

Permit Number	Applicants Name	Location	Development	Date Permit Issued	No of Days to Process	Related Planning Approval
BLD-W-2026-74-01	Rodney Walker	145 Old Bass Highway Wynyard	Coffee Shop Extension, New Storage Shed, Demolition of Museum Building	14.08.2026	11	DA 34/2025
PSC-W-2026-13-01	J Duncan	114B Inglis Street Wynyard	As Constructed Pool Fence & Temporary Spa Pool	20.08.2026	3	N/A
PSC-W-2026-15-01	E MacDonald & J Conroy	1 Thousand Hills Vista Sisters Beach	AS Built Dwelling	27.08.2026	2	DA 257/2023

COUNCIL MEETING ACTIONS – OPEN COUNCIL

DATE	ITEM	TOPIC	ACTION/STATUS	OFFICER	STATUS
22/6/26	8.3.1	CQWON – Cr Courtney – Wedge Tail Eagle Report	Cr Andrea Courtney noted that Lisa McAndrew had issued a new report on the impact of wind turbines on Wedge Tailed Eagles and asked that the report be brought to a Council Workshop. *Workshop to be organised*	CEO	Pending
20/7/26	8.2	NOM – Cr Courtney - Monitoring of Crystalline Silica in the Community	**MOTION** was deferred until more information is obtained following a meeting with the EPA.	ICEO DIDS	Pending
17/8/26	5.3.6	PQWON – P Whiteway – Missing Records	Mr Whiteway of Turners Beach noted that in a response to a request for information related to D/A 145/2018 that one record was missing. He asked if this was because the form wasn't completed or it had gone missing *Refer response this agenda*	DIDS	Closed
17/8/26	5.3.7	PQWON – P Whiteway – Motion re Silica Dust	Mr Whiteway of Turners Beach asked why Cr Edwards had changed her position on testing since the last council meeting and now wanted testing to be completed. *Refer response this agenda*	DIDS	Closed
17/8/26	5.3.8	PQWON – P Whiteway – Silica Dust Monitoring	Mr Whiteway of Turners Beach asked if there is any airborne monitoring being completed, or has there been, and what evidence does council rely on to ensure that surrounding residents are not impacted by air borne dust. *Refer response this agenda*	DIDS	Closed
17/8/26	5.3.13	PQWON – C Hutchison – Silica Dust Risk	Mr Hutchison of Somerset asked the Mayor if there was a risk of respirable crystalline dust to Wynyard residents, and if she didn't know, what has she done to find out if there was a risk. *Refer response this agenda*	DIDS	Closed
17/8/26	5.3.14	PQWON – C Hutchison – Mayor's discussion with CEO re Silica Dust	Mr Hutchison of Somerset asked the Mayor what conversations she had with the CEO in February when the silica dust matter was first raised and how often did she discuss this matter during 2026. *Refer response this agenda*	DIDS	Closed
17/8/26	5.3.15	PQWON – C Hutchison – Silica Dust Action	Mr Hutchison of Somerset asked the Mayor what other actions she had taken, since she became aware of the issue, to ensure the Wynyard community was not put at risk. *Refer response this agenda*	DIDS	Closed
17/8/26	5.3.16	PQWON – J Smith – Silica Testing	Ms Smith of Wynyard asked where the air monitoring devices are positioned in Wynyard and if the testing was continual (24/4) of random.	DIDS	Closed

			Refer response this agenda		
17/8/26	5.3.18	PQWON – R Ellis – Frederick St Reserve Masterplan	Mr Ellis of Wynyard noted that work had been done on developing plans to improve the Frederick Street sports complex but the seems to have been no further action. He asked if the plan was still going ahead and could an update be provided. *Refer response this agenda*	MCA	Closed
17/8/26	7.3.11	CQWON – Cr Raw – Inglis St Speed Limit	Cr Leanne Raw asked if the prior council report, from the July Council Meeting, which recommended changes to speed limit on Inglis Street to extend from Cotton St. to Wilkinson St could be re-considered as this was a request from factory owners where large trucks ae entering onto Inglis Street. Cr Raw also asked for an assessment of the consistency of speed limits across the municipal area to ensure that like roads have same speed limits. *Refer response this agenda*	DIDS	Closed
17/8/26	8.1	NOM – Cr Courtney – Review of Water Security and development controls for high intensity data centres	**MOTION** to Review of Water Security and development controls for high intensity data centres. **MOTION DEFERED**	DIDS	Pending
17/8/26	8.2	NOM Cr Courtney – Silicosis Testing	**CARRIED** **MOTION:** That Council: 1. Acknowledges ongoing community health concerns regarding potential off-site migration of Respirable Crystalline Silica (RCS) dust from industrial processing and transport operations within the municipality. 2. Recognises its statutory duty under Section 20 (1) (a) of the Local Government Act 1993 to protect the health and well-being of local residents and prevent environmental health risks. 3. Allocates funding of up to $35,000 from the Councils next budget to commission an independent, Certified Environmental Practitioner (Site contamination specialist) (CEnvP(SC) to design and execute a 3-month ambient air and surface dust testing program. 4. Directs the Council officers to ensure this independent testing program IS OVERSEEN BY A CEnvP(SC) to ensure compliance with the Environmental Management and Pollution control Act (EMPCA) and specifically assesses:	DIDS	Pending New Council and Next Budget

			(a) Ambient RCS levels via high-volume cyclonic air sampling at residential boundaries and public roads adjacent to Stennings Road. (b) Long-term cumulative dust deposition patterns using dust deposition gauges along primary heavy vehicle transport corridors. (c) Surface wipe analysis on Council-owned assets and public structures within the surrounding area. Council officers should request that the independent environmental health consultant deploy mobile, high-volume air samplers equipped with size-selective cyclones. (d) The Test: Deploy PM2.5 and PM10 cyclonic air samplers outside the facility's perimeter and at local residential properties along Stennings Road. (e) The Analysis: Filters are collected over consecutive 24-hour periods and sent to a NATA-accredited lab for X-ray Diffraction (XRD) to isolate and quantify the exact concentration of Respirable Crystalline Silica (RCS). 5. Requests that a comprehensive report detailing the independent findings be brought back to Council within four (4) months, with the data to be made publicly transparent and formally submitted to the Minister for Environment, EPA Tasmania, and WorkSafe Tasmania.		
17/8/26	8.3	NOM – Cr Edwards – Silica Dust	**CARRIED** **MOTION:** That Council; in the interests of community wellbeing, public health, and transparency, resolve to support: • the establishment of a temporary static respirable particulate monitoring station in the vicinity of Katelyn Drive, Wynyard, for a period of one (1) month, at an estimated cost of approximately $500, to address community concerns regarding potential exposure to respirable crystalline silica (RCS). o Council to gain approval from EPA Tasmania to ensure that the test methods will meet the requirements. o Council to review EPA's response and if EPA are going to test the Wynyard subdivision to confirm that it is safe, we will not complete our own test work. *Pending advice from EPA*	DIDS	Pending

17/8/26	8.4	NOM – Cr Edwards – Drug and Alcohol Procedure Policy	**CARRIED** That Council officers investigate and report back to Council on the ability to introduce a Drug and Alcohol procedure policy for councillors. *New policies cannot be developed in caretaker period.*	DCS	Pending New Council
17/8/26	8.5	NOM – Cr Edwards – recording of workshops	**CARRIED** That Council officers investigate and report back to Council on the ability on the potential to introduce a Recording of Workshops Recording Policy. *New policies cannot be developed in caretaker period.*	DCS	Pending New Council
17/8/26	8.6	Nom – Cr Edwards – Road Safety Working Group	**CARRIED** That Council officers investigate the potential to partner with Circular Head Council group, (CRSP) Circular Head Road Safety Partnership Group or to establish a road safety working group and report back to Council. *To be completed after caretaker period and presented to new council*	MCA	Pending New Council

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

CONCLUSION

It is recommended that Council notes the Senior Management Report.

MOVED BY	CR COURTNEY
SECONDED BY	CR JOHNSTONE

That Council:

1. **Notes the Senior Management Report; and**
2. **Approves a 50% variation of the Somerset Badminton Club's applicable Somerset Indoor Recreation Centre hire fees for the 2026/27 financial year, representing an estimated reduction of $772.**

The MOTION was put and was CARRIED.

IN FAVOUR

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

The Mayor recommended a bulk resolution for reports listed for noting with no decision or discussion required.

MOVED BY	CR COURTNEY
SECONDED BY	CR RAW

That the following reports on the Agenda be considered as a bulk item as each item is for noting only with no decision required:

- **Item 9.4 – Annual Report – Open Space, Sport and Recreation Plan (OSSR)**
- **Item 9.5 – Quarterly Information Report – Corporate Services**
- **Item 9.6 – Financial Report for the Period ended 31 August 2026**
- **Item 9.7.1 – Minutes of Sustainability and Environmental Advisory Panel held 18 August 2026**
- **Item 9.7.2 – Notes of the Waratah Community Board Meeting April 10 2026**

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.4 ANNUAL REPORT - OPEN SPACE, SPORT, AND RECREATION PLANNING (OSSR)

To:	Council
Reporting Officer:	Community Development Officer
Responsible Manager:	Director Community Services
Report Date:	21 August 2026
File Reference:	001
Enclosures:	Nil

PURPOSE

To provide an annual update on the current status of recommendations contained in the Open Space, Sport and Recreation (OSSR) Plan 2017-2027.

BACKGROUND

The OSSR plan is a major planning initiative to provide an evidence-based long-term direction for the planning and management of the open space networks, including recreational and sporting grounds, and associated community facilities. The OSSR covers ten years, from 2017 to 2027.

The Plan provides:

1. An open space, sport and recreation classification hierarchy based on catchment and function;
2. Standards for supply of open space, sport and recreation grounds, facilities and assets;
3. An open space, sport and recreation supply and demand analysis;
4. Master planning for identified key open space, recreation facilities and/or sports grounds. Specifically:
    a. Wynyard Recreation Precinct;
    b. Frederick Street Reserve;
    c. Somerset Recreation Precinct.
5. A comprehensive community engagement process; and
6. A prioritised and costed set of actions to achieve overall open space, sport and recreation vision and goals.

The vision for open space, sport and recreation in Waratah-Wynyard is:

> "A diversity of recreation opportunities that enhance participation in physical and social opportunities, livability, the health and wellbeing of all residents and the economic, environmental, and social sustainability of the region. These are delivered and promoted in a sustainable manner in partnership with other providers and users and attract new residents, businesses, and visitors to the region."

The OSSR was adopted by Council on 19 September 2017. The plan was developed by @leisure which is one of Australia's largest and leading sport, leisure and open space consultancies. The OSSR plan was approved for public release by the Council at its meeting on 17 July 2017 and subsequently underwent a public engagement process over a seven-week period concluding on Friday 1 September 2017.

As part of the OSSR, the following papers were also developed to provide specific recommendations and detailed findings in key areas:

1. Demand and Consultation Findings
2. Open Space Planning Framework
3. Locality Analysis
4. Issues Papers including:
    a. Camping Issues Paper
    b. Off-road Trails Issues Paper
    c. Community Meeting Places / Halls Issues Paper
    d. Public Toilets Issues Paper
    e. Occupancy Agreements Issues Paper
    f. Destination Play Spaces
    g. Acquisitions and Disposals
5. Master Plans for three sites:
    a. Wynyard Recreation Ground and Sporting Precinct
    b. Frederick Street Recreation Reserve
    c. Somerset Sport & Recreation Precinct

DETAILS

Council is now into its final year of the ten-year plan. Of the 206 recommendations contained within the OSSR Plan, 199 (97%) have now been completed, actioned or incorporated into standard business practice. Significant progress has also continued on a number of major projects during the past financial year.

Progress and actions in the last year include:

1. Boat Harbour Beach Masterplan - The Boat Harbour Beach Masterplan was forecast for completion in May 2026. Civil works are complete, and the building works were approximately 99 per cent complete as at early August at the time of drafting this report, pending issue of the occupancy certificate.

   Landscape works are approximately 50 per cent complete. Perimeter works are substantially complete, with the current focus on the foreshore area. Footpath reinstatement works associated with the Port Road retaining wall have also commenced.

2. Somerset Sporting Precinct:
    a) Langley Park - Construction of the new public toilets, player amenities and lift is underway. The project also includes refurbishment of the downstairs facilities, comprising new walls, joinery and painting, together with upgraded umpire amenities. Completion is anticipated in November/December 2026. Coordination between the contractors and affected sporting clubs has progressed smoothly. Portable amenities have been provided during construction, resulting in little to no disruption to the Somerset Football Club's use of the facilities.

b) Stadium complex - A concept design has been prepared for a new stadium and associated support facilities. The project is currently on hold pending Council's consideration of the outcomes of the Burnie City Council sports stadium study.

3. Frederick Street Reserve Sports Complex - The Masterplan was completed following extensive community engagement and review, including feedback from local clubs and users of the reserve. The final Masterplan has now been adopted by Council, with opportunities for funding and future implementation being considered.

   The cricket pitch is scheduled for complete replacement in September 2026, in readiness for the upcoming cricket season. The works will involve removing the existing pitch and pouring a wider concrete slab to comply with updated safety standards.

Boat Harbour Masterplan

Langley Park – Works underway

Key actions included in Annual Plan and Budget Estimates for delivery next financial year:

The key focus for the next financial year will be a comprehensive review of the Open Space, Sport and Recreation Plan. The review will assess the continued relevance of the Plan's priorities and actions, consider emerging community needs and strategic directions, and determine whether a new or revised plan, or an alternative strategic framework, is required to guide Council's future investment and decision-making in open space, sport and recreation.

STATUTORY IMPLICATIONS

Strategic Plan Reference

GOAL
Desired Outcomes
1.1 We make publicly transparent decisions on spending and future directions while encouraging community feedback.
Our Priorities
1.1.2 Strengthen our communication with the community using diverse communications channels relevant to the demographic.

Sustainable Murchison Community Plan 2040

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

Council Strategy or Plan Reference

Council Strategy or Plan
Waratah Community Plan
East Wynyard Foreshore Master Plan
Central Area Development Plan
Community Health and Wellbeing Plan
Strategic Asset management Plan
Communication and Engagement Strategy
Boat Harbour Beach Master Plan
iCEP
Cam river Masterplan
Open Space, Sport and Recreation Plan 2017-2027

POLICY IMPLICATIONS

There are no policy implications as a result of this report. Policy and/or guideline documents may be required as a part of individual projects and will be addressed at that time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications as a result of this report. Environmental reports or impact studies may be required as a part of individual projects and will be developed or addressed as appropriate.

FINANCIAL IMPLICATIONS

There are many financial implications in addressing the recommendations within the OSSR Plan, and these are managed following the usual budget approval processes.

RISK IMPLICATIONS

There are no risk implications as a result of this report. There may be risks associated with individual OSSR projects that will be addressed following the usual process.

CONSULTATION PROCESS

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

CONCLUSION

It is recommended that the status update on the Open Space, Sport and Recreation Plan 2017 - 2027 (the OSSR Plan) actions/recommendations be noted.

The OSSR Plan has provided a strong strategic framework for Council's investment in open space, sport and recreation, with 199 of its 206 recommendations now completed, actioned or incorporated into standard business practice. With the Plan approaching the end of its ten-year term, the focus will now shift toward completing remaining priority projects and reviewing the strategic framework required to guide Council's future investment in open space, sport and recreation.

Moved By	Cr Courtney
Seconded By	Cr Raw

That the following reports on the Agenda be considered as a bulk item as each item is for noting only with no decision required:

- **Item 9.4 – Annual Report – Open Space, Sport and Recreation Plan (OSSR)**
- **Item 9.5 – Quarterly Information Report – Corporate Services**
- **Item 9.6 – Financial Report for the Period ended 31 August 2026**
- **Item 9.7.1 – Minutes of Sustainability and Environmental Advisory Panel held 18 August 2026**
- **Item 9.7.2 – Notes of the Waratah Community Board Meeting April 10 2026**

The MOTION was put and was CARRIED.

In favour

Cr Bramich	Cr Courtney	Mayor Duniam	
Cr Roberts	Cr Johnstone	Cr Raw	

9.5 QUARTERLY INFORMATION REPORT - CORPORATE SERVICES

To:	Council
Reporting Officer:	Governance Officer
Responsible Manager:	Director Corporate Services
Report Date:	8 September 2026
File Reference:	Quarterly Statistics
Enclosures:	Nil

PURPOSE

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

- Corporate Services:
  - People and Safety
  - Governance and Information Systems
  - Risk Management

BACKGROUND

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

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

PEOPLE AND SAFETY

People and Safety provides organisation-wide human resource, health, safety and wellbeing services to support Council in maximising the value of its workforce. The team continues to focus on attracting, retaining and developing the people and capability needed to deliver high-quality services to the community. This quarter's workforce profile shows a stable, experienced and diverse workforce, with positive indicators across retention, absenteeism and workforce participation.

STAFF NUMBERS AND STATISTICS

As of 8 September 2026

Human Resources

	Permanent Positions		Temporary Positions			Total
	Full-time	Part-time	Full-time	Part-time	Casual	
Indoor	31	16	2	1	6	**56**
Outdoor	28	2	3		1	**34**
Childcare	6	17		4	3	**30**
Total	65	35	5	5	10	**120**
Head Count	**Fulltime equivalent (FTE) employees**					**96**

Council employed 120 people equivalent to 96 full time employees.

Statistics	Ave. Age	Female	Male	Yrs Service
Indoor	46.78	38	18	7.8
Outdoor	44.74	7	27	9.8
Childcare	39.05	30	0	8.8
Total	**44.73**	**63**	**52**	**8.6**

New Starters & Departures this financial year

		Permanent Positions		Temporary Positions			Total
		Full-time	Part-time	Full-time	Part-time	Casual	
New Starters	Indoor	2	0	0	0	0	**2**
	Outdoor	3	0	0	0	0	**3**
	Childcare	0	0	0	1	0	**1**
	Total	**5**		**1**		**0**	**6**
Departures	Indoor	3	0	0	0	5	8
	Outdoor	3	0	0	0	0	3
	Childcare	0	1	0	0	0	1
	Total	**7**		**0**		**5**	**12**

Turnover Rate of Permanent Staff

7%	Average *(Permanent Departure rate divided by total permanent employee rate)*
5%	Average Turnover for Public Administration

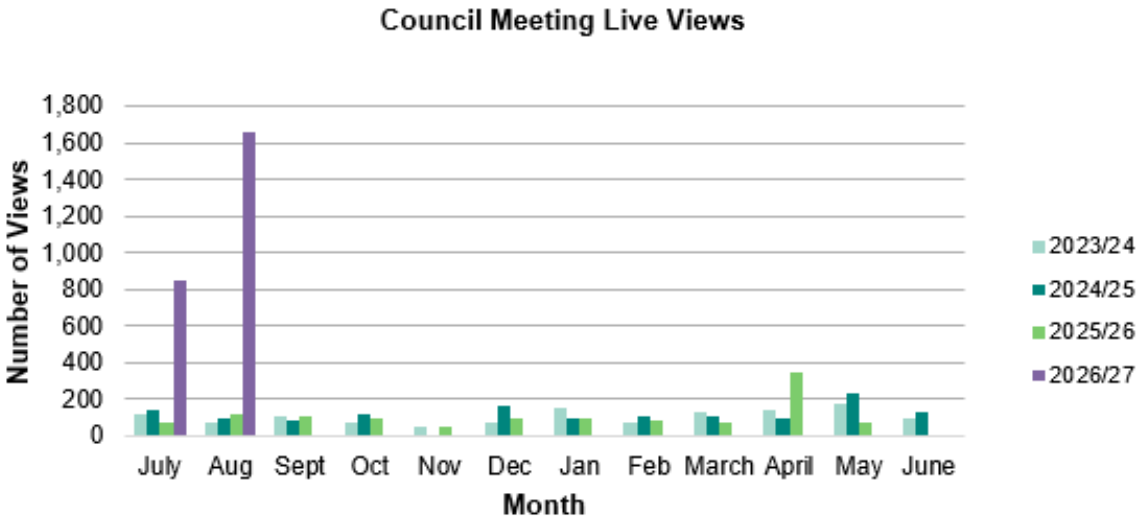
WORK HEALTH AND SAFETY

Drug and Alcohol Testing

Council conducts random Drug and Alcohol testing up to three times per year. Testing was conducted on 16 July 2026 with 5 randomly selected employees from the Works and Services Department and 5 from the Council Chambers. All were negative and Council has not encountered a non-negative test since 2020.

GOVERNANCE

Council Meeting Live Stream Views – Ordinary Meetings



July and August 2026 have seen a dramatic increase in views of the live Council Meetings. This increase may be attributed to heightened community interest in the lead-up to the local government elections, as well as the range of topical matters considered by Council during this period.

Policies Reviewed

There were seven policies reviewed by Executive Leadership Team 30 June 2026 – 31 August 2026:

- Petty Cash Policy
- Performance Management Policy
- Recognition of Officer Policy
- Grievance Handling Policy
- Diversity and Equity Policy
- Fitness for Work Policy
- Fuel Card Policy

Complaints

Council received no formal complaints during the period 30 June 2026 – 31 August 2026.

Tenders & Contracts

In accordance with Council's Procurement Policy the following table is provided for all contracts awarded over $100,000 excluding service contracts.

Contract	Contract Holder	Award Date	Contract Dates	Contract Extension Options	Contract Value at Start Date
Contract 846 - HVAC Upgrade - Wynyard Chambers Office Building	Advanced Contracting Pty Ltd	20-Jul-26	07/08/2026 – 23/10/2026 Extension to 16/12/2026 – accepted 13/08/2026	N/A	$640,597.00
Contract 851 - Takone Road (Calder River) Bridge Replacement	Bridge Pro Engineering	20-Jul-26	17/8/2026 - 31/03/2027	N/A	$354,600.00
Contract 845 - Public Place Waste Collection Services	Tassie Waste Management	20-Jul-26	01/09/2026 – 31/08/2031	5 + 2 year extension	$294,042.00 p.a. In accordance with Schedule of Rates
Contract 849 - 2026/27 Provision of Bitumen Surfacing Services	Hardings Group (Tas) Pty Ltd	22-Jun-26	01/07/2026 – 01/03/2027	N/A	$360,510.60
Contract Extensions in the Period					
Contract 838 - Anzac Park Playground Development	Active Areas Pty Ltd	17-Nov-25	21/01/2026 – 30/03/2026 Extension to 20/11/2026 – deemed accepted 07/09/2026	N/A	$463,045.00
RFQ - Athenaeum Hall Window Sashes & Door	Prime Construction & Developments	27-Nov-24	06/01/2024 – 30/06/2025 Extension to 30/09/2025 Extension to 30/03/2026 Extension to 30/04/2026 Extension to 30/12/2026 – deemed accepted 27/08/2026	N/A	$182,472.00
Contract 793 - Architectural Services Table Cape Amenities	Heliotope	10-Nov-22	16/01/2023 – 20/12/2024 Extension to 30/06/2025 Extension to 28/02/2026 Extension to 30/04/2026 Extension to 30/09/2026 –	N/A	$219,685.00

			deemed accepted 28/08/2026		
Contract 821 - Architectural Services – New Childcare Centre	Licht Architecture Pty Ltd	16-Nov-24	01/11/2024 – 08/09/2025 Extension to 30/04/2026 Extension to 30/11/2026 – deemed accepted 28/08/2026	N/A	$331,012.50

Non-Application of Public Tender Process

Pursuant to *Section 27 o*f the *Local Government (General) Regulations* there have been no contracts awarded where the public tender process was not applied.

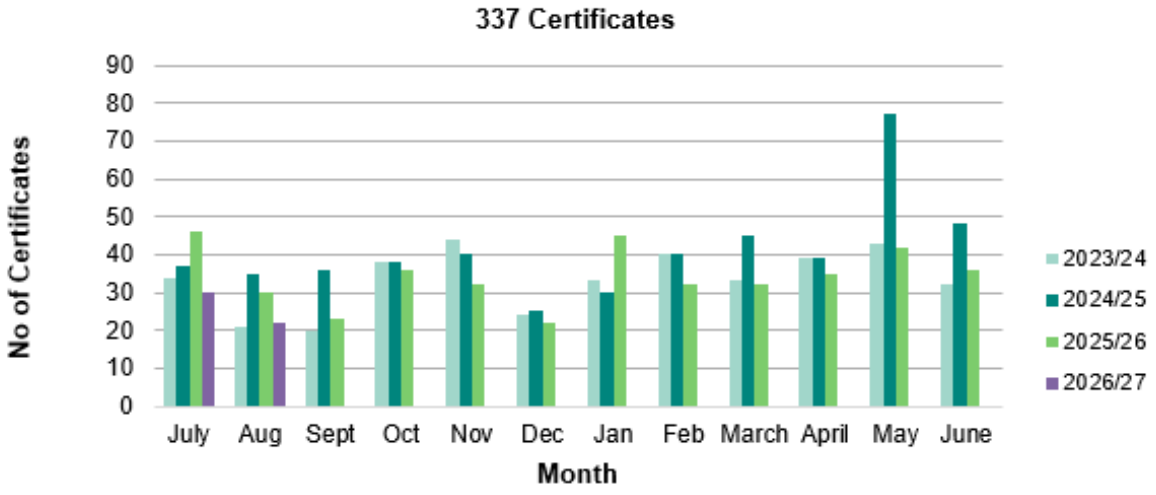
Council and Land Information Certificates (337)

Graphical analysis is provided demonstrating the total number of certificates issued for the reporting period.

A Council Certificate 337 provides information about whether there are any outstanding notices, permits or orders in relation to a property.

For the reporting period the following 337 were issued:

	2025	2026
June	48	36
July	46	30
August	30	22



Certificate of Liabilities (132)

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

For the reporting period the following 132 were issued:

	2025	2026
June	57	55
July	101	81
August	44	48

GOVERNANCE PROPERTY AND LEASING REPORT

PROPERTY

Public Land Disposal

The properties at 0 Ronald Crescent, Somerset and 25 Lockett Street, Wynyard are currently being assessed to determine the most appropriate disposal option.

Rental Properties

Council rental properties have been renewed for another 12 months at market value.

32 Jackson Street, Wynyard is currently vacant for maintenance works.

Property transactions

- French's Road Reserve – purchase
- Waste Transfer Station – purchase
- Frederick Street Reserve Firebreak – purchase

LEASING

Agreement Framework and Register

An internal working group has supported the development of the Leasing Agreement Framework. Alongside this framework is the Agreement Register which houses all of Council's agreements.

The Watershed Cafe

Council is progressing applicants for The Watershed Cafe lease.

INFORMATION SYSTEMS UPDATE

Strengthening Systems, Security and Service Delivery

Over the past two months, Council has continued progressing key digital and technology initiatives to improve reliability, strengthen cyber security, and support better services for our community and partner councils.

MAJOR SYSTEM AND CAPITAL PROJECTS

Site Connectivity/Resiliency Improvements

As part of Council's ongoing commitment to improving service reliability, significant infrastructure upgrades have been undertaken at the Council Chambers, Wonders of Wynyard Information Centre, Warawyn Early Learning Centre, and the Council Depot. The upgrades focus on strengthening the underlying systems that support daily operations, reducing the likelihood of outages and improving Council's ability to maintain services during unexpected events. This investment helps ensure that community-facing services remain accessible and dependable for residents, visitors and businesses.

These improvements also support Council's longer-term technology strategy by creating a more resilient and consistent operating environment across multiple sites. The enhanced infrastructure will improve business continuity, support future service improvements, and provide greater confidence that critical systems can continue operating when needed most. Ultimately, the project is about delivering more reliable services to the community and ensuring Council facilities are well-equipped to meet future needs

Internet Connectivity Modernisation

Council is progressing a major upgrade of its internet infrastructure through the implementation of a dedicated Enterprise Ethernet FTTP service, increased network capacity and enhanced backup connectivity. The project is being undertaken to support the growing demand for cloud-based applications, Software as a Service (SaaS) platform and the increasing level of digital connectivity required across all areas of Council operations.

Once completed, the new enterprise-grade connection will deliver superior reliability, performance and resilience, ensuring Council has the network capacity required to support current and future digital services. Together with enhanced backup connectivity, the project reinforces Council's commitment to maintaining highly available and resilient technology services that underpin efficient community service delivery and support an increasingly connected digital environment.

Spatial Services Aerial Imagery Refresh

Council continues to participate in the Tasmanian Imagery Program (TIP), a collaborative partnership that provides access to contemporary aerial imagery and LiDAR data across Tasmania. Through a shared procurement model with the Tasmanian Government and other participating organisations, Council achieves significant cost savings while maintaining access to high-quality spatial data essential for planning, asset management and service delivery.

The availability of up-to-date imagery and elevation data supports a wide range of Council activities, including infrastructure management, development assessment, emergency planning and environmental monitoring. By working collaboratively with government and industry partners, Council continues to maximise value for money while ensuring critical spatial information remains available to support informed decision-making and effective community service delivery.

Shared CCTV Program

Council, in partnership with LGAT, has successfully completed the rollout of the Regional CCTV Network Project. The program has modernised and centralised public CCTV infrastructure across the municipality, improving surveillance capabilities and creating a more connected and efficient monitoring network. Enhanced CCTV coverage has been delivered across the Wynyard CBD, East Wynyard Foreshore, Wynyard Multi-Use Facility and Yacht Club precinct, Somerset Surf Life Saving Club and All Abilities Playground, Cam River Reserve, and Somerset CBD.

The project aims to maximise public safety, discourage vandalism and criminal activity, and protect key community assets. By improving visibility across high-use public areas, the upgraded CCTV network will assist Council and Tasmania Police in maintaining safer public spaces for residents and visitors while providing a strong foundation for future expansion of the regional CCTV network.

Cyber Security, Risk and Resilience

Council remains committed to maintaining a strong cyber security posture through a combination of internal capability and specialist external expertise. Through its partnership

with Excite Cyber, Council has access to experienced cyber security professionals who provide security assessments, threat monitoring, cyber awareness programs and guidance on industry best practices. This collaboration ensures Council benefits from contemporary cyber security knowledge and supports ongoing alignment with recognised security frameworks and standards.

As cyber threats continue to evolve, Council is investing in both technology and people to strengthen organisational resilience. Ongoing staff awareness training, incident response planning and security improvement initiatives help safeguard Council systems and information while supporting the reliable delivery of services to the community. Working with specialist cyber security partners ensures Council remains proactive in managing risks and protecting critical digital infrastructure.

CUSTOMER SERVICE

Cash payments for rates were significantly lower compared with previous years, reflecting the continued shift towards online and card payments at the Customer Service counter.

A higher number of ratepayers also elected to pay by instalments this year, following the removal of the early payment discount.

Customer Service experienced a high volume of enquiries regarding the change to the discount arrangements. Staff managed these enquiries professionally and effectively, particularly given this was their first rates period working with Council.

STATUTORY IMPLICATIONS

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

STRATEGIC IMPLICATIONS
Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
1.1 We make publicly transparent decisions on spending and future directions while encouraging community feedback.
Our Priorities
1.6.2 Develop leadership that inspires and motivates, and which maintains a strong community and workplace culture.
GOAL 2: Organisational Support
Desired Outcomes
2.1 We are a knowledgeable organisation—we demonstrate best practices in our business processes.
Our Priorities
2.1.1 Develop a learning culture that ensures staff have the knowledge and skills to maximise potential, and which empowers staff to achieve and grow.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

CONCLUSION

That Council notes the Quarterly Information Report for the Corporate Services Department.

The Mayor recommended a bulk resolution for reports listed for noting with no decision or discussion required.

Moved By	Cr Courtney
Seconded By	Cr Raw

That the following reports on the Agenda be considered as a bulk item as each item is for noting only with no decision required:

- **Item 9.4 – Annual Report – Open Space, Sport and Recreation Plan (OSSR)**
- **Item 9.5 – Quarterly Information Report – Corporate Services**
- **Item 9.6 – Financial Report for the Period ended 31 August 2026**
- **Item 9.7.1 – Minutes of Sustainability and Environmental Advisory Panel held 18 August 2026**
- **Item 9.7.2 – Notes of the Waratah Community Board Meeting April 10 2026**

The MOTION was put and was CARRIED.

In favour

Cr Bramich	Cr Courtney	Mayor Duniam	
Cr Roberts	Cr Johnstone	Cr Raw	

9.6 FINANCIAL REPORT FOR THE PERIOD ENDED 31 AUGUST 2026

To:	Council
Reporting Officer:	Accountant
Responsible Manager:	Chief Financial Officer
Report Date:	8 September 2026
File Reference:	Financial Management - Reporting - Council
Enclosures:	1. Program Monthly Progress Report - August

PURPOSE

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

BACKGROUND

The financial reports presented incorporate:

- Income Statement
- Balance Sheet
- Cashflow Statement
- Investments
- Rate Summary
- Grant Summary
- Operating Performance by Department
- Capital Works Summary
- Project Progress Report (attached)

DETAILS

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

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

STATUTORY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

Council Strategy or Plan Reference

Council Strategy or Plan	Date Adopted:
Financial Management Strategy 2026-2036	Adopted February 2026

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

CONCLUSION

All details are included in the attached reports.

The Mayor recommended a bulk resolution for reports listed for noting with no decision or discussion required.

Moved By	Cr Courtney
Seconded By	Cr Raw

That the following reports on the Agenda be considered as a bulk item as each item is for noting only with no decision required:

- **Item 9.4 – Annual Report – Open Space, Sport and Recreation Plan (OSSR)**
- **Item 9.5 – Quarterly Information Report – Corporate Services**
- **Item 9.6 – Financial Report for the Period ended 31 August 2026**
- **Item 9.7.1 – Minutes of Sustainability and Environmental Advisory Panel held 18 August 2026**
- **Item 9.7.2 – Notes of the Waratah Community Board Meeting April 10 2026**

The MOTION was put and was CARRIED.

In favour

Cr Bramich	Cr Courtney	Mayor Duniam	
Cr Roberts	Cr Johnstone	Cr Raw	

9.7 MINUTES OF OTHER BODIES/COMMITTEES

9.7.1 MINUTES OF OTHER BODIES/COMMITTEES - SUSTAINABILITY AND ENVIRONMENTAL ADVISORY PANEL HELD 18 AUGUST 2026

To:	Council
Reporting Officer:	Contracts and Administration Officer
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	7 September 2026
File Reference:	SEAP
Enclosures:	1. SEAP Minutes 28 April 2026
	2. SEAP Minutes 18 August 2026

PURPOSE

The Confirmed Minutes of the Meeting of the Sustainability and Environmental Advisory Panel held on 28 April and 18 August 2026 are tabled and circulated for Council's information.

BACKGROUND

Council appointed its first Sustainability and Environmental Advisory Panel (SEAP) on 26 September 2022 following an Expression of Interest process. On 22 October 2024, Council resolved to extend the panel's term to maintain continuity on key actions, support the prioritisation of the Integrated Council Environmental Plan (iCEP) initiatives, and mitigate disruption from the timing of local government elections. The extension, concluding in August 2026, also enables SEAP to review its Terms of Reference and provide recommendations to Council.

To support this, Council resolved at the October 2024 meeting to advertise short-term vacancies where members were unable to continue. On 23 June 2025, two new community representatives were appointed for an interim term from 1 July 2025 to 31 August 2026.

DETAILS

The Sustainability and Environmental Advisory Panel met on the 28 April 2026 and 18 August 2026 at the Waratah-Wynyard Council Chambers.

Both meetings reviewed the standard agenda items which include:

- Confirmation of previous meeting minutes,
- Active action updates (based on the action plan),
- Non-active actions noted (based on the action plan),
- New and general business.

Across the two meetings, key matters discussed included Council's Tree and Vegetation Strategy and associated vegetation management work, water quality monitoring and Council's role and responsibilities, future environmental priorities and opportunities for SEAP input, regional climate risk and adaptation, public electric vehicle charging infrastructure, and opportunities for greater community engagement.

The April meeting also included discussion on future site-based engagement, cat and dog management, the SEAP Terms of Reference review and the climate resilience grant. Several

follow-up tasks were identified, including further investigation of Council's responsibilities in relation to catchment and environmental water-quality monitoring.

There were no new recommendations to Council arising from either meeting. The April meeting primarily progressed existing actions and identified further information and investigation requirements. The August meeting focused on capturing advice and observations to inform a future SEAP term, with matters raised, recorded for future consideration rather than progressed as new recommendations to Council due to the impending local government election caretaker period.

The meeting scheduled for 23 June 2026 was cancelled after it was identified that a quorum could not be achieved.

The 18 August 2026 meeting concluded the current Panel term. Following the October 2026 Local Government Elections, the revised Terms of Reference will be presented to the incoming Council for consideration. Subject to Council endorsement, a nomination process will then be undertaken for the next SEAP term, with meetings anticipated to resume in early 2027.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
1.3 We encourage broad community input to create a focussed and strong sense of belonging.
1.5 We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making.
1.6 We are recognised for proactive and engaged leadership.
Our Priorities
13.1 Facilitate the meeting of community needs through strong advocacy and local and regional collaboration for shared outcomes.
1.5.1 Build our knowledge base to apply in decision-making processes.
1.6.1 Encourage increased participation by all stakeholders.
1.6.2 Develop leadership that inspires and motivates, and which maintains a strong community and workplace culture.

GOAL 7: Environment
Desired Outcomes
7.1 Council and the community minimise its resource consumption and carbon footprint.
7.2 The community understands its vulnerabilities and strengths when it comes to climate change adaptation and resilience.
7.3 Our natural environment, unique surroundings and community assets are future ready in a changing climate.
7.5 Stewardship of our land, water and marine ecosystems respects past, present and future generations.
Our Priorities
7.1.2 Advocate for effective environmental management and contribute to regional, state, and national climate change initiatives.

7.2.1 Support and foster community led adaption and initiatives.
7.3.1 Facilitate education and awareness of climate change risks to the community and property owners.
7.3.2 Embed environmental considerations and potential climate impacts in Council's infrastructure planning and decision making.
7.3.3 Innovative and sustainable design is encouraged through forward thinking and planning.
7.5.1 Protect, enhance and recover biodiversity through forward thinking and planning.
7.5.2 Mitigate biosecurity risks through landscape restoration and industry collaboration.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Strong communities and social capital	**Enduring community capital** – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
Access and infrastructure	**Local, regional and global transport and infrastructure access** – Safe and efficient access alternatives, growing freight capacity, renewable energy, water management and contemporary communications. Community infrastructure that supports economic development.
Natural resource management	**Managing abundant, natural and productive resources** – Natural resource management is valued and development is environmentally sustainable. The environment is clean and healthy with unspoilt beauty and biodiversity.
Health and Wellbeing	**Maintaining good health and wellbeing** – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.
Education	**Lifelong learning and education** – Education and lifelong learning is valued and there is access to vocational training and tertiary education. Education retention rates have increased.
Place making and liveability	**Liveable places for all ages** – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.
Governance and working together	**Working together for Murchison** – Everyone plays a part in achieving the objectives of the Sustainable Murchison Community Plan. There is cooperation, resource sharing and less duplication between Councils. Leadership is provided across all community sectors.

ENVIRONMENTAL IMPLICATIONS

The purpose of the SEAP and its subsequent recommendations are intended to advise Council on ways to reduce our environmental footprint, protect and enhance our natural values, provide education and access to relevant environmental information, and improve the community's adaptability and resilience to climate related risks.

POLICY IMPLICATIONS

Council's Environmental Sustainability Policy is relevant to the items discussed within this report.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

COMMENT

It is recommended that Council notes the confirmed minutes from the SEAP meetings held on 28 April and 18 August 2026.

The Mayor recommended a bulk resolution for reports listed for noting with no decision or discussion required.

Moved By	Cr Courtney
Seconded By	Cr Raw

That the following reports on the Agenda be considered as a bulk item as each item is for noting only with no decision required:

- **Item 9.4 – Annual Report – Open Space, Sport and Recreation Plan (OSSR)**
- **Item 9.5 – Quarterly Information Report – Corporate Services**
- **Item 9.6 – Financial Report for the Period ended 31 August 2026**
- **Item 9.7.1 – Minutes of Sustainability and Environmental Advisory Panel held 18 August 2026**
- **Item 9.7.2 – Notes of the Waratah Community Board Meeting April 10 2026**

The MOTION was put and was CARRIED.

In favour

Cr Bramich	Cr Courtney	Mayor Duniam	
Cr Roberts	Cr Johnstone	Cr Raw	

9.7.2 NOTES OF THE WARATAH COMMUNITY BOARD MEETING APRIL 10 2026

To:	Council
Reporting Officer:	Administration Officer
Responsible Manager:	Director Community Services
Report Date:	9 September 2026
File Reference:	1
Enclosures:	1. Waratah Community Board Meeting Minutes 14 August 2026

PURPOSE

For Council to receive notes from the meeting of the Waratah Community Board held on 14 August 2026 which were received on 6th September 2026.

BACKGROUND

The inaugural Waratah Community Board was established by Council in 2019. In June 2025 Council endorsed the community members of the Board for a three-year term. In July 2025 the 2025-2028 Waratah Community Plan was adopted by Council. The Waratah Community Board meets bi-monthly to discuss progress of the Waratah Community Plan and receive updates on Council's works and planned works in the area.

DETAILS

See attached meeting minutes

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
1.3 We encourage broad community input to create a focussed and strong sense of belonging.
Our Priorities
1.6.1 Encourage increased participation by all stakeholders.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Tourism	**Memorable visitor experiences all year round** – The must see destination, quality product, easy access, popular events and festivals with coordinated marketing. A longer season with increasing yields.
Strong communities and social capital	**Enduring community capital** – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
Access and infrastructure	**Local, regional and global transport and infrastructure access** – Safe and efficient access alternatives, growing freight capacity, renewable energy, water

Community Future Direction Theme	Key Challenges & Opportunities:
	management and contemporary communications. Community infrastructure that supports economic development.
Health and Wellbeing	**Maintaining good health and wellbeing** – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.

ENVIRONMENTAL IMPLICATIONS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

COMMENT

That Council receives the notes of the Waratah Community Board meeting held Friday 14 August 2026 and distributed to Council on Monday 21 September 2026.

The Mayor recommended a bulk resolution for reports listed for noting with no decision or discussion required.

Moved By	Cr Courtney
Seconded By	Cr Raw

That the following reports on the Agenda be considered as a bulk item as each item is for noting only with no decision required:

- **Item 9.4 – Annual Report – Open Space, Sport and Recreation Plan (OSSR)**
- **Item 9.5 – Quarterly Information Report – Corporate Services**
- **Item 9.6 – Financial Report for the Period ended 31 August 2026**
- **Item 9.7.1 – Minutes of Sustainability and Environmental Advisory Panel held 18 August 2026**
- **Item 9.7.2 – Notes of the Waratah Community Board Meeting April 10 2026**

The MOTION was put and was CARRIED.

In favour

Cr Bramich	Cr Courtney	Mayor Duniam	
Cr Roberts	Cr Johnstone	Cr Raw	

10.0 MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING

MOVED BY	CR COURTNEY
SECONDED BY	CR ROBERTS

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

Matter	***Local Government (Meeting Procedures) Regulations 2025 Reference***
Confidential Report R17 (2) - Confirmation Of Closed Minutes Of Previous Meeting	*17 (2)*
Confidential Report R17 (2) (h) - Leave of Absence Request – Councillors ***NIL***	*17(2)(h)*

11.0 CLOSURE OF MEETING TO THE PUBLIC

MOVED BY	CR ROBERTS
SECONDED BY	CR JOHNSTONE

That the Council RESOLVES BY AN ABSOLUTE MAJORITY that go into Closed Meeting to consider the following matters AT 7.39PM:

Matter	***Local Government (Meeting Procedures) Regulations 2025 Reference***
Confidential Report R17 (2) - Confirmation Of Closed Minutes Of Previous Meeting	*17 (2)*
Confidential Report R17 (2) (h) - Leave of Absence Request – Councillors ***NIL***	*17(2)(h)*

The MOTION was put and was CARRIED.

IN FAVOUR

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

12.0 RESUMPTION OF OPEN MEETING

At 7.44pm the Open Meeting was resumed.

THERE BEING NO FURTHER BUSINESS THE CHAIRPERSON DECLARED THE MEETING CLOSED AT 7.44pm.