



**ORDINARY MEETING  
OF COUNCIL**

**AGENDA  
OPEN MEETING**

**24 January 2022**

19 January 2022

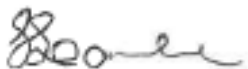
## **Notice of Meeting – Ordinary Meeting of Council**

In accordance with the *Local Government (Meeting Procedures) Regulations 2015* NOTICE is hereby given that the next Ordinary Meeting of the Waratah-Wynyard Council will be held at the Council Chambers, 21 Saunders Street, Wynyard on Monday 24 January 2022 with the Business of the meeting to be in accordance with the following agenda paper.

## **General Manager's Certification**

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

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



Samantha Searle  
ACTING GENERAL MANAGER

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

19 January 2022

Mrs Samantah Searle  
Acting General Manager  
Waratah-Wynyard Council  
PO Box 168  
WYNYARD TAS 7325

Dear Shane,

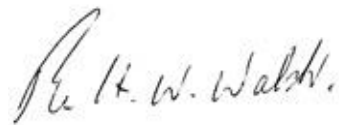
#### **COUNCIL MEETING**

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

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

I request that you make the necessary arrangements for the next ordinary meeting of Council to be convened on Monday 24 January 2022 commencing at 6:00pm at the Council Chambers, 21 Saunders Street, Wynyard.

Yours sincerely



Cr Robby Walsh  
MAYOR

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

**AGENDA OF AN ORDINARY MEETING OF THE WARATAH-WYNYARD COUNCIL  
TO BE HELD AT THE COUNCIL CHAMBERS, 21 SAUNDERS STREET, WYNYARD  
ON MONDAY 24 JANUARY 2022, COMMENCING AT 6:00PM**

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

**DIGITAL 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 digitally recorded, in accordance with the Council Policy **GOV.017 – Digital Recording of Council Meetings** to “record meetings of Council to assist in the preparation of minutes and to allow live streaming of Council Meetings.

**ACKNOWLEDGEMENT OF COUNTRY**

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

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## **1.0 RECORD OF ATTENDANCE**

Legislative Reference:

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

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

*(a) attendance and apologies.*

### **1.1 ATTENDANCE**

### **1.2 APOLOGIES**

### **1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Nil received.

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## **2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

Legislative Reference:

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

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

*(b) Confirmation of the minutes.*

### **2.1 CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY COUNCIL MEETING**

#### **RECOMMENDATION**

**That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at Council Chambers, 21 Saunders Street, Wynyard on Monday 13 December 2021, a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.**

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



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### **3.0 DECLARATIONS OF INTEREST**

Legislative Reference:

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

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

**Councillor and Agenda Item Number**

**Staff and Agenda Item Number**

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## **4.0 COUNCILLORS ANNOUNCEMENTS AND REPORT**

### **4.1 ANNOUNCEMENTS BY MAYOR**

Nil received.

### **4.2 MAYOR'S COMMUNICATIONS**

#### **RECOMMENDATION**

**That Council note the Mayors Communications**

7/12/21	Meeting with Constituent
7/12/21	Meeting with General Manager
7/12/21	CCA Representatives Meeting
8/12/21	TIA Dairy Infrastructure Upgrade Launch Elliot
8/12/21	Meeting with Constituent
8/12/21	Premier Gutwein Function
8/12/21	WOW Volunteers Function
12/12/21	Waratah time Capsule Ceremony
13/12/21	Table Cape Primary School Presentations
13/12/21	Mayors Message Filming
13/12/21	Council Meeting
14/12/21	Meeting with General Manager
14/12/21	Audit Panel Meeting
14/12/21	Wynyard High School Presentations
16/12/21	Yolla School Presentations
17/12/21	Tas Talks Radio Interview
21/12/21	Acceptance of Christmas Lights for Town – Donated by Tree Doctor
21/12/21	Meeting with General Manager
23/12/21	Staff Function
11/1/22	Meeting with General Manager
17/1/22	Councillor Workshop

### **4.3 REPORTS BY DELEGATES**

Nil received.

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#### 4.4 NOTIFICATION OF COUNCIL WORKSHOPS

*Legislative Reference:*

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

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

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

#### RECOMMENDATION

**That the Council note the following Workshops**

17/1/22	Community Grants Review Community Survey
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#### Councillor Attendance Records

Meetings attended during 2021/22 (up to 17/12/21)

	Ordinary Meetings 2021/22 (6)	Special Meetings / AGM 2021/22 (1)	Workshops 2021/22 (13)	Community Conversations 2021/22 (3)	Weeks Leave Approved
Mayor Robert Walsh	5	1	12	3	3
Deputy Mayor Mary Duniam	6	1	12	1	
Cr Maureen Bradley	6	1	11	1	
Cr Gary Bramich	6	1	13	3	
Cr Andrea Courtney	6	1	10	1	
Cr Celisa Edwards	6	1	13	3	
Cr Darren Fairbrother	5	1	11	2	
Cr Kevin Hyland	6	1	13	3	

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## 5.0 PUBLIC QUESTIONS AND STATEMENTS

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Legislative Reference:

*Local Government (Meeting Procedures) Regulations 2015 Regulation 31*

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

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

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

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

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

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

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

### **5.1.1 T JONES - 240L BINS**

#### **QUESTION**

Ms Jones of Wynyard asked if there is a particular reason why all households have 240L bins, could 80L bin be offered at discounted/graduated rates similar to other Council areas where she has previously lived.

The General Manager advised that size of bins, frequency of collection and fees can be set by council. He took question on notice to provide more detailed reasons

#### **OFFICERS RESPONSE**

The costs of the urban kerbside collection is determined by the size of the collection area, tonnes of waste collected and the frequency of collection. The total cost of providing a kerbside collection service is then shared equally amongst all properties within the collection zone. The weight of waste varies depending on the item/s disposed (i.e. soil and some other green waste can be heavier than general household waste). Council to date has not implemented differential pricing for different sized bins but considers its rating policy on an annual basis when setting the rates and charges.

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

Nil received.

## **5.3 PUBLIC QUESTIONS WITHOUT NOTICE**

Legislative Reference:

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

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

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

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

(5) *The Chairperson may –*

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

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

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

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

Nil received.

#### **5.5 PUBLIC STATEMENTS WITHOUT NOTICE**

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## **6.0 PLANNING AUTHORITY ITEMS**

Legislative Reference:

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

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

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

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

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

Legislative Reference:

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

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

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

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

*(5) The Chairperson may –*

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





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

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

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

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**6.3 SHEEP PRODUCTION ENTERPRISE LOCATED AT MOUNT HICKS ROAD, MOUNT HICKS (CT 239830/1) - DA 100/2021 (PREPARED BY INDEPENDENT PLANNING CONSULTANT 6TY DEGREES)**

To: Council  
Reporting Officer: Graduate Town Planner  
Responsible Officer: Director Infrastructure and Development Services  
Report Date: 10 January 2022  
File Reference: 7290397  
Supporting Documents: 1. Consolidated Advertised Documents   
2. Burnie Airport Conditions   
3. Representation   
4. Signed Extension of Time 

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**RECOMMENDATION**

That Council, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Waratah-Wynyard Interim Planning Scheme 2013*, grant approval for a sheep production enterprise at Mount Hicks Road, Mount Hicks (CT 239830/1) subject to the following conditions:

**PART A CONDITIONS:**

1. The development is to be generally in accordance with the application as submitted and endorsed documents as listed:
  - (a) Development Drawings Project No. 221081 Drawing No. A0.1 - A0.12 Issue 17.09.2021 prepared by EnviroPlan;
  - (b) Supporting Documentation for Application for Planning Permit prepared by EnviroPlan dated 14/05/2021;
  - (c) Response to Council Information Requested prepared by EnviroPlan dated 8/10/2021;
  - (d) Supporting Letter Prepared by Burnie Airport dated 5 November 2021;
  - (e) Traffic Impact Assessment prepared by Traffic and Civil Services dated July 2021;
  - (f) Agricultural Assessment prepared by Pinion Advisory dated February 2021;
  - (g) Geotechnical Investigation and Landslide Risk Assessment Project No. GL21076Ab prepared by GeoTon Pty Ltd dated 31 March 2021.
2. Hours of operation for the wool workshop/retail shop are from 8:00am to 5:00pm Monday – Friday and 8:00am to 4:00pm on Saturday.
3. Consent is for a single residential use integral and subservient to the proposed sheep production enterprise. Residential use of the barn is only to occur prior to the construction of the main dwelling. Habitable use of the barn is restricted to the approved visitor accommodation use after completion of the main dwelling.
4. All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.
5. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.



- 
6. Loading and unloading of vehicles is to be confined to within the boundaries of the property.
  7. Vehicular access to and egress from the site is to occur only in a forward motion.
  8. Stormwater from the proposed use/development to be fully contained within the boundaries of the property.
  9. Control measures are to be installed for the duration of the demolition and construction so as to limit the loss of soils and other debris from the site.

**PART B CONDITIONS:**

1. The Buildings must be erected on the property at the exact location shown in the application and must not exceed a maximum erected height (including any protrusions thereon (vents, aerials etc) of 85 metres, above ground level (AGL).
2. If the Building structure, tree or vegetation or any protrusions thereon exceeds 8.5m above ground level, at any time, they must be immediately removed.
3. Any lighting on the property must comply with s94 (Dangerous Lights) of the Civil Aviation Regulations 1988 (i.e. minimise any light leakage) and Civil Aviation Safety Authority, Part 139 (Aerodromes) Manual Standards.
4. No activity should be undertaken that has a propensity to attract wildlife, particularly birds or bats. Should the use of the property or design of the buildings attract wildlife, the owner must mitigate this risk in consultation with the airport operator and a qualified bird and wildlife management expert.

**Notes: -**

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

- An “Activity in Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
- This project must be substantially commenced within two years of the issue of this permit.
- The applicant is advised to consult with a building surveyor to ensure the development is constructed in accordance with *Building Act 2016*.
- A full assessment of the proposed stormwater and wastewater disposal systems and water supply will be undertaken at the building/plumbing application stage.
- This permit is based on information and particulars set out in Development Application DA 100/2021. Any variation requires an application for further planning approval of Council.
- This development/use is not to result in the generation of environmental harm or nuisance as defined in the *Environmental Management and Pollution Control Act 1994*.
- Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact TasNetworks on 1300 137 008 to ensure these works do not impede on existing electricity easements and are at a safe distance from powerlines. Failure to do so could result in the relocation of electricity assets at your cost.
- Under Section 61 (4) of the *Land Use Planning and Approvals Act 1993*, the applicant has the right to lodge an appeal against Council’s decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to the Resource Management and Planning Appeal Tribunal, G.P.O. Box 2036, Hobart, 7001. Updated Notices of Appeal are available on the Tribunal’s website at [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).

**PURPOSE**

The purpose of this report is for Council to consider the merits of the application DA 100/2021 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013*.

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## BACKGROUND

The site comprises a single lot that has an area of 19.41ha (refer to Figure 1). It is predominately rectangular in shape and is located on the eastern side of Mount Hicks Road.



**Figure 1: aerial image identifying the location and spatial extent of the site.**

The site is currently vacant except for minor outbuildings which are located adjacent to the western end of the southern boundary. Land contained within the site falls away from Mount Hicks Road in a north-eastern direction at an average gradient of approximately 13%. The eastern half of the site comprises native vegetation which generally follows depressions that contain minor tributaries. The western half of the site comprises pasture.

The site adjoins two lots to the north that contain single dwellings and a single lot to the east which is partly used for agriculture. The adjoining lot to the south comprises a reserve road which has a nominal width of 10m and extends for the full length of the boundary. A single lot is located to the south of the reserve road which comprises agricultural land.

## DETAILS

The applicant is seeking planning approval to establish a mixture of use and development on the site which will be centred around a sheep production enterprise.

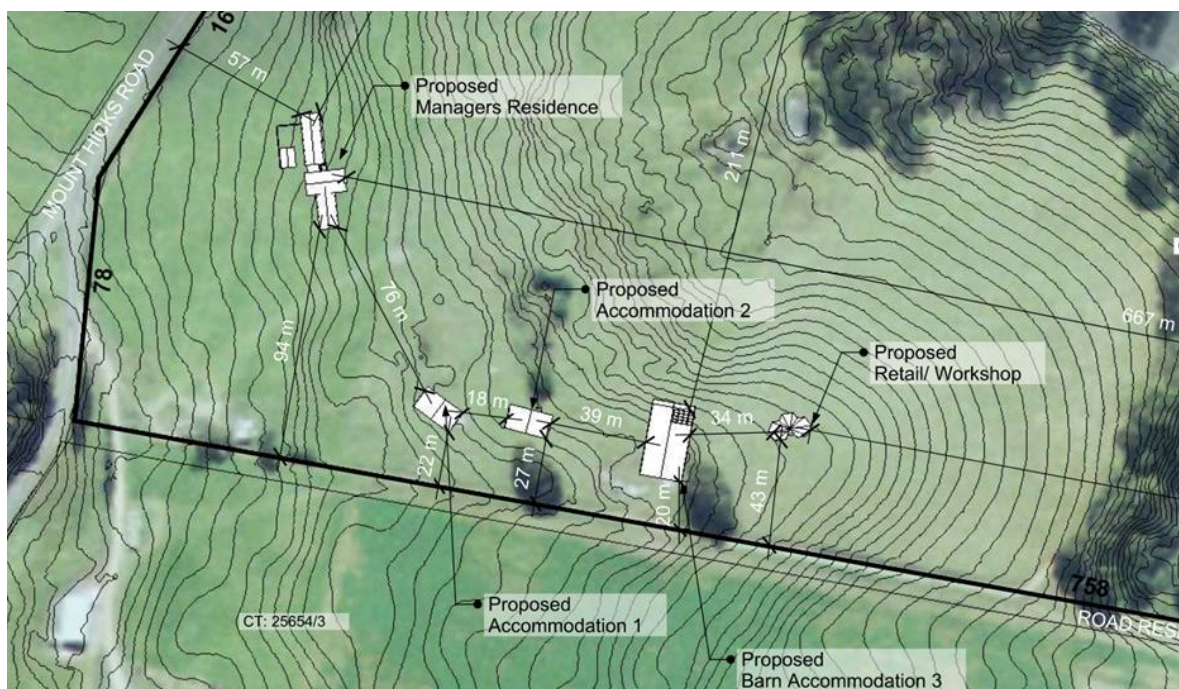
The sheep production enterprise will involve the rearing and breeding Blue Faced Leicester sheep primarily for wool and meat production. According to the Agricultural Assessment, the existing pastureland that is available on the site has a carrying capacity of 430 dry sheep equivalents (DSE) with a likely flock structure to include 100 breeding ewes, 15 replacement ewe lambs, 70 finished prime lambs and 55 store lambs sold at the point of weaning.

The following use and development is proposed to support and be integrated with, the sheep production enterprise:

- a residential dwelling and associated outbuildings which will be used by the owners and/or managers of the proposed agricultural, visitor accommodation and retail uses;

- two (2) visitor accommodation units;
- a barn that will be used for the storage of machinery and equipment associated with the agricultural use. The barn will also incorporate an internal visitor accommodation unit at its northern end. The applicant proposes to construct the barn and the visitor accommodation first, where the visitor accommodation unit will be used for residential purposes whilst the main dwelling is being built.
- It is recommended that a condition be applied to any permit specifying that the residential use within the barn to cease and be converted to visitor accommodation use once the main dwelling has been constructed;
- a workshop and retail outlet. The workshop will be used to assemble garments and products from wool produced from the agricultural use and the retail outlet will be used to predominately sell (primary) products produced on site and within the region. The retail outlet is proposed to operate between 10am and 5pm Monday to Friday and 10am to 2pm Saturdays;
- an access road will be constructed within the reserve road which will serve the visitor accommodation units, barn and workshop and retail outlet. Parking areas are proposed to be constructed adjacent to each building at an appropriate scale to serve the purpose of each building.

The proposed development will be located within the western half of the site (refer to Figure 2).



**Figure 2: excerpt of the submitted Site Plan showing the location of the proposed use and development.**

The area, maximum building height and setbacks for each proposed building are detailed in the following table.

Building	Area	Height	Boundary Setbacks			
			North	East	South	West (frontage)
Dwelling	479m <sup>2</sup>	7m	125m	667m	94m	57m
Outbuilding	49m	4.2m	141m	687m	117m	55m
Visitor Accommodation 1	185m <sup>2</sup>	6.6m	220m	601m	22m	155m
Visitor Accommodation 2	185m <sup>2</sup>	6.1m	220m	565m	27m	195m

Barn	568m <sup>2</sup>	8m	211m	509m	20m	243m
Workshop and Retail Outlet	138m <sup>2</sup>	5.2m	204m	461m	43m	294m

## 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 Landowner Consent x 2 Pages;
- Title Documents x 2 Pages;
- Proposal Plans x 13 Pages;
- Supporting Documentation Report x 17 Pages;
- Additional Information Request x 3 Pages;
- Additional Information Response x 3 Pages;
- Unsatisfactory Additional Information Request x 1 Page;
- Unsatisfactory Additional Information Response (including TIA) x 64 Pages;
- Agricultural Assessment x 43 pages; and
- Geotechnical Investigation and Landslide Risk Assessment x 59 Pages

The period for representations closed on 13 December 2021. One (1) representation was received.

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

Representation – H M White

Issues Raised:	Planning Response:
The submitted Traffic Impact Assessment does not adequately consider all traffic movements associated with the established agricultural use of 499 Mount Hicks Road which shares the driveway with the site. Traffic movement from 499 Mount Hicks Road includes semi-trailers, tractors and other machinery associated with the farming operation. The main concern relates to the safety of the use and operation of the vehicle access.	The submitted Traffic Impact Assessment has determined that the proposed use and development will be safe in terms of the use and operation of the access onto Mount Hicks Road, subject to the recommendations listed under section 7 (pages 38 and 39). The proposed use and development will be required to comply with the recommendations of the TIA by virtue of proposed Condition 1 should a permit be granted for the application. On this basis, the proposed use and development is considered appropriate in terms of traffic safety.
The second concern relates to the management of stormwater from the proposed access road that will be located within the reserve road that is located between the site and 499 Mount Hicks Road to ensure that it does not impact land located at 499 Mount Hicks Road.	Proposed Condition 8 requires that all stormwater is to be contained within the boundaries of the site. Based on the location of the proposed access road relative to the contours of the land within the site, it is considered that the access road is capable of being designed and constructed to ensure concentrated runoff from the road is directed away from 499 Mount Hicks Road and centrally



	into the site. Accordingly, the proposed use and development is capable of managing stormwater from the access road in a manner that will prevent concentrated runoff being directed into 499 Mount Hicks Road.
The third concern relates to the potential adverse impacts upon 499 Mount Hicks Road in terms of additional requirements to control vermin such as wallabies.	This is not a matter that is able to be considered in accordance with clause 8.10.1 of the Planning Scheme.

## INTERNAL REFERRALS

### Engineering Services Department

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

1. All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.
2. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
3. Loading and unloading of vehicles is to be confined to within the boundaries of the property.
4. Vehicular access to and egress from the site is to occur only in a forward motion.
5. Stormwater from the proposed use/development to be fully contained within the boundaries of the property.

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

### Environmental Health

The application was referred to Council's Environmental Health Officer. The following conditions were recommended:

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

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

A full assessment of the proposed stormwater and wastewater disposal systems and water supply will be undertaken at the building/plumbing application stage.

## EXTERNAL REFERRALS

The application was referred to Burnie Airport Corporation (BAC) on 25 November 2021. A response was received on 29 November 2021 advising that there was insufficient information provided for BAC to assess the application and requesting referral to Civil Aviation Safety Authority (CASA). However, the applicant previously provided a response from BAC as part of an unsatisfactory additional

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information dated 5 November 2021 which included conditions to be imposed on any permit issued. These conditions are to form Part B of any permit issued.

The application was referred to the Department of Primary Industries, Parks, Water & Environment (DPIPWE) on 25 November 2021. A response was due on 9 December 2021 and no response was received. It is therefore considered that DPIPWE have no objections to the proposal.

The application did not require any other external referrals.

## **PLANNING ASSESSMENT**

The subject site is zoned Rural Resource under the *Waratah-Wynyard Interim Planning Scheme 2013*. The proposal is categorised into the Resource Development, Residential, General Retail & Hire and Visitor Accommodation Use Classes. The Residential and General Retail & Hire Use Classes are Discretionary Uses within the zone.

It is considered that the proposed visitor accommodation use constitutes farm stay accommodation on the basis that it will be located on a site that will support an active farming operation. The proposed visitor accommodation will accommodate less than 16 people. Accordingly, the proposed visitor accommodation use qualifies as a 'Permitted' use within Table 26.2 of the Planning Scheme. Activities associated with the proposed workshop are considered to be directly associated with and a subservient part of the agricultural use and is therefore categorised into the Resource Development Use Class in accordance with clause 8.2.2 of the Planning Scheme.

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

Specifically, the applicant is applying for discretion under the following clauses: -

- 26.3.1 Requirement for discretionary non-residential use to locate on rural resource land (P1);
- 26.3.2 Required residential use (P1);
- 26.4.3 Location of development for sensitive use (P1); and
- E2.6.2 Protection of operational airspace (P1).

An assessment of the proposal against the relevant discretionary provisions for the Rural Resource Zone and relevant Codes is provided below.

## **26.0 Rural Resource Zone**

### **26.1.2 Local Area Objectives**

- (a) The priority purpose for rural land is primary industry dependent upon access to a naturally occurring resource;
- (b) Air, land and water resources are of importance for current and potential primary industry and other permitted use;
- (c) Air, land and water resources are protected against –
  - (i) permanent loss to a use or development that has no need or reason to locate on land containing such a resource; and
  - (ii) use or development that has potential to exclude or unduly conflict, constraint, or interfere with the practice of primary industry or any other use dependent on access to a naturally occurring resource;
- (d) Primary industry is diverse, dynamic, and innovative; and may occur on a range of lot sizes and at different levels of intensity;
- (e) All agricultural land is a valuable resource to be protected for sustainable agricultural production;

- (f) Rural land may be used and developed for economic, community, and utility activity that cannot reasonably be accommodated on land within a settlement or nature conservation area;
- (g) Rural land may be used and developed for tourism and recreation use dependent upon a rural location or undertaken in association with primary industry
- (h) Residential use and development on rural land is appropriate only if –
- (i) required by a primary industry or a resource based activity; or
- (ii) without permanent loss of land significant for primary industry use and without constraint or interference to existing and potential use of land for primary industry purposes

### **26.1.3 Desired Future Character Statements**

Use or development on rural land –

- (a) may create a dynamic, extensively cultivated, highly modified, and relatively sparsely settled working landscape featuring –
  - (i) expansive areas for agriculture and forestry;
  - (ii) mining and extraction sites;
  - (iii) utility and transport sites and extended corridors; and
  - (iv) service and support buildings and work areas of substantial size, utilitarian character, and visual prominence that are sited and managed with priority for operational efficiency
- (b) may be interspersed with –
  - (i) small-scale residential settlement nodes;
  - (ii) places of ecological, scientific, cultural, or aesthetic value; and
  - (iii) pockets of remnant native vegetation
- (c) will seek to minimise disturbance to –
  - (i) physical terrain;
  - (ii) natural biodiversity and ecological systems;
  - (iii) scenic attributes; and
  - (iv) rural residential and visitor amenity;
- (d) may involve sites of varying size –
  - (i) in accordance with the type, scale and intensity of primary industry; and
  - (ii) to reduce loss and constraint on use of land important for sustainable commercial production based on naturally occurring resources;
- (e) is significantly influenced in temporal nature, character, scale, frequency, and intensity by external factors, including changes in technology, production techniques, and in economic, management, and marketing systems

#### **26.3.1 Requirement for discretionary non-residential use to locate on rural resource land**

<p><b>A1</b></p> <p>There is no acceptable solution</p>	<p><b>P1</b></p> <p>Other than for residential use, discretionary permit use must –</p> <ul style="list-style-type: none"> <li>(a) be consistent with the local area objectives;</li> <li>(b) be consistent with any applicable desired future character statement;</li> <li>(c) be required to locate on rural resource land for operational efficiency –               <ul style="list-style-type: none"> <li>(i) to access a specific naturally occurring resource on the site or on adjacent land in the zone;</li> <li>(ii) to access infrastructure only available on the site or on adjacent land in the zone;</li> </ul> </li> </ul>
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	<ul style="list-style-type: none"> <li>(iii) to access a product of primary industry from a use on the site or on adjacent land in the zone;</li> <li>(iv) to service or support a primary industry or other permitted use on the site or on adjacent land in the zone;</li> <li>(v) if required – <ul style="list-style-type: none"> <li>a. to acquire access to a mandatory site area not otherwise available in a zone intended for that purpose;</li> <li>b. for security;</li> <li>c. for public health or safety if all measures to minimise impact could create an unacceptable level of risk to human health, life or property if located on land in a zone intended for that purpose;</li> </ul> </li> <li>(vi) to provide opportunity for diversification, innovation, and value adding to secure existing or potential primary industry use of the site or of adjacent land;</li> <li>(vii) to provide an essential utility or community service infrastructure for the municipal or regional community or that is of significance for Tasmania; or</li> <li>(viii) if a cost-benefit analysis in economic, environmental, and social terms indicates significant benefits to the region; and</li> <li>(d) minimise likelihood for – <ul style="list-style-type: none"> <li>(i) permanent loss of land for existing and potential primary industry use;</li> <li>(ii) constraint or interference to existing and potential primary industry use on the site and on adjacent land; and</li> <li>(iii) loss of land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i> or land that may benefit from the application of broadscale irrigation development</li> </ul> </li> </ul>
<p><b>Planning Comments:</b> Complies</p> <p>The proposed General Retail and Hire Use will be consistent with the local area objectives and desired future character statements of the zone primarily on the basis that it will directly support and be undertaken in association with, an agricultural use which will be the predominate use of the site. The proposed retail outlet is not expected to cause potential to exclude or unduly conflict, constrain, or interfere with the practice of primary industry or any other use dependent on access to a naturally occurring resource on the site or on adjoining and adjacent lots. Accordingly, subclauses P1(a) and (b) are deemed to be satisfied.</p>	



The proposed retail outlet will sell items produced in the adjoining workshop and on the farm from the wool and meat from the sheep production enterprise. Accordingly, subclause P1(c)(ii) is deemed to be satisfied.

The proposed retail outlet will occupy a small footprint within the site and will be integrated into a building that will support an agricultural use and the balance area of the site will be used predominately for resource development. Given the non-sensitive nature of the proposed retail outlet, it is expected that minimal disturbance, interference or fettering of existing and potential agricultural activities and uses on the site and adjacent land will be minimal. Furthermore, the site is not located within a proclaimed irrigation district under Part 9 of the Water Management Act 1999. Accordingly, subclause P1(d) is deemed to be satisfied.

### 26.3.2 Required residential use

<p><b>A1</b> Residential use required as part of a use must –</p> <ul style="list-style-type: none"> <li>(a) be an alteration or addition to an existing lawful and structurally sound residential building;</li> <li>(b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling;</li> <li>(c) not intensify an existing lawful residential use;</li> <li>(d) replace a lawful existing residential use;</li> <li>(e) not create a new residential use through conversion of an existing building; or</li> <li>(f) be home based business in association with occupation of an existing lawful and structural sound residential building; and</li> <li>(g) there is no change in the title description of the site on which the residential use is located</li> </ul>	<p><b>P1</b> Residential use required as part of a use must –</p> <ul style="list-style-type: none"> <li>(a) be consistent with local area objectives;</li> <li>(b) be consistent with any applicable desired future character statement;</li> <li>(c) be required to locate on rural resource land if – the type, scale, intensity, or operational characteristics of a permitted use make it necessary for a person to live on the site for the purpose of undertaking such use; residential use will be integral and subservient to the principal use; and there is no other available dwelling on the site; and</li> <li>(d) if the required residential use relies on land in two or more titles in different ownership, the written consent of the owner of each title to enter into a Part 5 agreement to be registered on the title for each of the lots and providing the dwelling is required as part of a nominated permitted use; and</li> <li>(iv) the lots are not to be sold separately</li> </ul>
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#### **Planning Comments:** Complies

The Agricultural Assessment submits that the proposed residential dwelling will be consistent with the local area objectives and applicable desired future character statements. In this regard, it is submitted that the proposed residential use will be subservient to the proposed agricultural use and other permitted uses that will establish on the site. Furthermore, the locality comprises established residential use along the spine of Mount Hicks Road creating a linear residential pattern of development. The location and purpose of the proposed residential use will therefore be consistent with the local area objectives and applicable desired future character statements, satisfying subclause P1(a) and (b) are deemed to be satisfied.

Sections 5.1, 5.2 and 7.2 of the Agricultural Assessment detail information relating to the proposed agricultural use and proposed residential dwelling. In this regard, it is submitted that the type, scale, intensity and operational characteristics of the proposed sheep production enterprise will make it necessary for a person to live on the site for the purposes of managing the operation. The Agricultural Assessment excluded consideration of the proposed visitor accommodation use which is considered to be a permitted use on the site. The residential use will, additionally, support the

day to day management of the proposed visitor accommodation use. The proposed residential use will therefore be integral and subservient to the principal use of the site as well as other permitted uses on the site and there is no other available dwelling on the site. Subclause P1(c) is therefore deemed to be satisfied.

The proposed use will occur on a single lot. Subclause P1(d) is therefore not applicable.

#### 26.4.3 Location of development for sensitive use

##### A1

New development, except for extensions to existing sensitive use where the extension is no greater than 30% of the existing gross floor area of the sensitive use, must –

- (a) be located not less than –
    - 200m from any agricultural land;
    - 200m from aquaculture or controlled environment agriculture;
    - 500m from the operational area boundary established by a mining lease issued in accordance with the *Mineral Resources Development Act 1995* if blasting does not occur; or
    - 1000m from the operational area boundary established by a mining lease issued in accordance with the *Mineral Resources Development Act 1995* if blasting does occur; or
    - 500m from intensive animal husbandry;
    - 100m from land under a reserve management plan;
    - 100m from land designated for production forestry;
  - i) 50m from a boundary of the land to a road identified in Clause 26.4.2 or to a railway line; and
- clear of any restriction imposed by a utility; and  
not be on land within a proclaimed irrigation district under Part 9 *Water Management Act 1999* or land that may benefit from the application of broadscale irrigation development

##### P1

New development, except for extensions to existing sensitive use where the extension is no greater than 30% of the existing gross floor area of the sensitive use, must minimise –

- (a) permanent loss of land for existing and potential primary industry use;
- (b) likely constraint or interference to existing and potential primary industry use on the site and on adjacent land;
- (c) permanent loss of land within a proclaimed irrigation district under Part 9 *Water Management Act 1999* or land that may benefit from the application of broadscale irrigation development; and
- (d) adverse effect on the operability and safety of a major road, a railway or a utility

#### Planning Comments: Complies

The Agricultural Assessment submits that the proposed residential use will not unreasonably interfere with or otherwise constrain the adjacent agricultural land to the south. In this regard, the proposed residential use will be an integral and subservient part of an agricultural use and a proposed visitor accommodation use which is permitted within the zone. The balance area of the site will be used predominately for agricultural purposes and the proposed residential use will therefore not result in the permanent loss of land for existing and potential primary industry use on the site. Furthermore, the Agricultural Assessment has determined that the impact of the proposed residential use on the adjacent agricultural land to the south will be low which is largely

based on the reasonable setback of the proposed dwelling to the southern boundary and the presence of residential uses within the locality. Accordingly, subclauses P1(a) and (b) are satisfied.

The site is not located within a proclaimed irrigation district under Part 9 of the *Water Management Act 1999* and subclause P1(c) is therefore not applicable.

The submitted Traffic Impact Assessment has determined that the proposed use and development, inclusive of all proposed uses, will not have an adverse impact on the operability or safety of Mount Hicks Road or the extended road network. Subclause P1(d) is therefore satisfied.

#### E2.6.2 Protection of operational airspace

<p><b>A1</b></p> <p>Use or development must not:</p> <p>(a) penetrate the Obstacle Limitation Surface (OLS); or</p> <p>(b) interfere with operation of aviation facilities</p>	<p><b>P1</b></p> <p>The relevant airport operator or aviation agency must advise:</p> <p>(a) it is satisfied the use or development does not have adverse effect on efficient operation and safety of operational airspace or the function of an aviation facility; and</p> <p>(b) any condition or requirement for the location, design, and control of the use or development if it:</p> <p>(i) penetrates the Obstacle Limitation Surfaces (OLS); or</p> <p>(ii) is likely to interfere with operation of an aviation facility.</p>
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#### Planning Comments: Complies

The applicant obtained a letter from the Burnie Airport dated 5 November 2021. The letter consented to the proposed development subject to the following conditions:

The Burnie Airport Corporation believes that the Development Proposal 100/2021 for a Dwelling and Visitor Accommodation, near 499 Mount Hicks Road, Mount Hicks, could gain planning approval, subject to the following conditions being applied to any approval:-

- the Buildings must be erected on the property at the exact location shown in the application and must not exceed a maximum erected height (including any protrusions thereon (vents, aerials etc) of 8.5 metres, above ground level (AGL);*
- If the Building, Structure, Tree or vegetation or any protrusions thereon exceeds 8.5m above ground level, at any time, they must be immediately removed;*
- Any lighting on the property must comply with Section 94 (Dangerous Lights) of the Civil Aviation Regulations 1988 (ie minimise any light leakage) and Civil Aviation Safety Authority, Part 139 (Aerodromes) Manual of Standards; and*
- No activity should be undertaken that has a propensity to attract wildlife, particularly birds or bats. Should the use of the property or design of the buildings attract wildlife, the owner must mitigate this risk in consultation with the airport operator and a qualified bird and wildlife management expert.*

Subclauses P1(a) and (b) are therefore satisfied subject to the inclusion of a condition on any permit requiring the proposed use and development to be conducted in accordance with the conditions listed in the correspondence provided by Burnie Airport dated 5 November 2021.

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## **STATUTORY IMPLICATIONS**

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

The Council is established as a Planning Authority by definition under section 3(1) of LUPAA and must enforce the Planning Scheme under section 48 of LUPAA.

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.

## **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.

## **FINANCIAL IMPLICATIONS**

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

## **RISK IMPLICATIONS**

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

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

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

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

## **COMMENT**

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

It is considered the proposal complies with Clauses 26.3.1 Requirement for discretionary non-residential use to locate on rural resource land (P1), 26.3.2 Required residential use (P1), 26.4.3 Location of development for sensitive use (P1), E2.6.2 Protection of operational airspace (P1), E2.6.3 Public safety areas (P1)

The application complies with the Rural Resource Zone provisions of the Waratah-Wynyard Interim Planning Scheme 2013. It is therefore recommended that Council approve a planning permit for the proposed development.

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#### **6.4 DWELLING EXTENSION (DECK) LOCATED AT 283 PORT ROAD, BOAT HARBOUR BEACH - DA 214/2021**

To: Council  
Reporting Officer: Graduate Town Planner  
Responsible Officer: Manager Development and Regulatory Services  
Report Date: 4 January 2022  
File Reference: 7086759  
Supporting Documents: 1. Consolidated advertised documents   
2. Representation A   
3. Representation B   
4. Signed extension of time 

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#### **RECOMMENDATION**

**That Council, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Waratah-Wynyard Interim Planning Scheme 2013*, grant approval for a dwelling extension (deck) at 283 Port Road, Boat Harbour Beach subject to the following conditions: -**

#### **CONDITIONS:**

- 1. The development is to be generally in accordance with the application as submitted and endorsed documents as listed:**
  - (a) Proposal Plans with Project Number P.21.18 as prepared by bardraft design pty ltd and dated September 2021.**
- 2. All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.**
- 3. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.**
- 4. Control measures are to be installed for the duration of the demolition and construction so as to limit the loss of soils and other debris from the site.**

#### **Notes: -**

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

- An “Activity in Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
- This project must be substantially commenced within two years of the issue of this permit.
- The applicant is advised to consult with a building surveyor to ensure the development is constructed in accordance with *Building Act 2016*.
- This permit is based on information and particulars set out in Development Application DA 214/2021. Any variation requires an application for further planning approval of Council.

- 
- This development/use is not to result in the generation of environmental harm or nuisance as defined in the *Environmental Management and Pollution Control Act 1994*.
  - Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact TasNetworks on 1300 137 008 to ensure these works do not impede on existing electricity easements and are at a safe distance from powerlines. Failure to do so could result in the relocation of electricity assets at your cost.
  - Under Section 61 (4) of the *Land Use Planning and Approvals Act 1993*, the applicant has the right to lodge an appeal against Council's decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to the Resource Management and Planning Appeal Tribunal, G.P.O. Box 2036, Hobart, 7001. Updated Notices of Appeal are available on the Tribunal's website at [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).

## **PURPOSE**

The purpose of this report is for Council to consider the merits of the application DA 214/2021 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013*.

## **BACKGROUND**

The subject site is located at 283 Port Road, Boat Harbour Beach and has an area of 161.5m<sup>2</sup>. It is located within the Low Density Residential zone and has access onto Port Road. The site currently contains a single dwelling and water tank.

The adjoining title to the east also contains a single dwelling and tank whilst the properties to the south and west contain single dwellings, water tanks and associated outbuilding development. The title to the north across the internal roadway is administered by the Council and contains a basketball court and storage building.

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



**Figure 1: Subject site with zoning**

## DETAILS

The applicant is seeking approval for a dwelling extension (deck) located between the dwelling and the frontage. The deck has an area of 20.44m<sup>2</sup> and is unroofed. It is setback 1.04m from the frontage, 1.685m from the western side boundary, and 0.95m from the eastern side boundary. The deck is timber with a glass balustrade.

This report assesses the proposal against the *Waratah-Wynyard Interim Planning Scheme 2013* (the Planning Scheme) and takes into account any representations received during the public exhibition period.

The subject property is zoned Low Density Residential under the Planning Scheme. The proposal is defined as a Residential Use Class. This is a Permitted use within the zone, should the application meet all the relevant Acceptable Solutions. The proposal does not comply with all the acceptable solutions. The applicant is applying for discretion under the following Clauses of the Planning Scheme:

- 12.4.1 Suitability of a site or lot for use or development (P1);
- 12.4.2 Dwelling density (P1);
- 12.4.3 Location and Configuration of Development (P1, P2, P3);
- 12.4.4 Visual and acoustic privacy for residential development (P1); and
- 12.4.5 Private open space for residential use (P1).



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## CONSULTATION PROCESS

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

- Development Application Form x 3 Pages
- Title Documents x 2 Pages
- Supporting Statement x 1 Page
- Proposal Plans x 7 pages

The period for representations closed on 13 December 2021. Two (2) representations were subsequently received. A map demonstrating the relationship between the subject site and each representor's property is shown in Figure 2.



**Figure 2: Relationship between the subject site and each representor's property**

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

Although both representations are supportive of the application and only one raises a concern, the definition of 'representation' under s4 LUPAA is not limited to statements in opposition of an application and for this reason both representations require consideration by Council.



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**Representation A – D M & M I Viney**

Issues raised:	Response:
<p>We have no issue with proposal, as the plans indicate that the deck does not exceed the property boundary.</p> <p>However during the construction period we ask that the entry (road) to our private and commercial property at 285 Port Road be kept clear of all vehicles unless loading and unloading materials.</p> <p>Our access road is up past the property at 283 Port road and is very narrow and does allow for a vehicle to safely pass another if parked on this road.</p>	<p>Statement of support noted.</p> <p>The proposal does not include approval of any car parking spaces outside the boundaries of the site. It is the responsibility of all property owners to ensure vehicles are parked in a legal manner clear of any private or public roads. This includes commercial vehicles.</p>

**Representation B – E J Bolton**

Issues raised:	Response:
<p>In response to the above notification, I inspected the above application at the Waratah Wynyard Council building on Dec. 02-2021 and wish to lodge the following for Council consideration:</p> <p>My primary Residence is at 279 Port Road, Boat Harbour Beach, adjacent to 283 Port Road, Boat Harbour Beach. I have occupied the above as my Primary Residence for just on 27 years Since April 08, 1994.</p> <p>During my brief consideration of the above planned development, I can see no objection and would therefore give it my support.</p>	<p>Statement of support noted.</p>

**INTERNAL REFERRALS****Engineering Services Department**

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

- (1) All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.
- (2) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.

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

**Environmental Health**

The following environmental health conditions were recommended.

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

Notes:

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

## EXTERNAL REFERRALS

The proposal did not require any external referrals.

## PLANNING ASSESSMENT

### 12.4.1 Suitability of a site or lot for use or development

<b>A1</b> A site or each lot on a plan of subdivision must – (a) have an area of – (i) not less than 500m <sup>2</sup> excluding any access strip; or (ii) if in a locality shown in the Table to this clause, not less than the site area shown for that locality; and (b) contain a building area of not less than 10.0m x 15.0m (i) clear of any applicable setback from a frontage, side or rear boundary; (ii) clear of any applicable setback from a zone boundary; (iii) clear of any registered easement; (iv) clear of any registered right of way benefitting other land; (v) clear of any restriction imposed by a utility; (vi) not including an access strip; (vii) accessible from a frontage or access strip; and (viii) if a new residential lot, with a long axis within the range 30° east of north and 20° west of north	<b>P1</b> A site or each lot on a plan of subdivision must – (a) be of sufficient area for the intended use or development without likely constraint or interference for – (i) erection of a building if required by the intended use; (ii) access to the site; (iii) use or development of adjacent land; (iv) a utility; and (v) any easement or lawful entitlement for access to other land; and (b) if a new residential lot, be orientated to maximise opportunity for solar access to a building area
<b>Planning Comments:</b> Complies  The minimum lot size is 500m <sup>2</sup> . The subject site comprises an area of 161.5m <sup>2</sup> . The proposal requires assessment against Performance Criteria P1 for this Clause.  The subject site contains an existing dwelling and water tank. The proposal is for a deck located between the dwelling and the frontage.	

The site does not contain any burdening easement or right of way, is not restricted by a utility and has frontage of 10.823m. No changes are proposed for the location of the existing access or existing connections to reticulated sewerage and stormwater infrastructure.

Regarding adjacent land, the adjoining lots to the west, east and south have already been developed for residential use. They contain single dwellings and associated outbuilding development. The title to the north across the internal roadway is administered by the Council and contains a basketball court and storage building. It is unlikely to be developed for residential purposes.

The subject site is adjoined by public land or established residential uses and the proposal is for a minor extension to an existing dwelling. There will be minimal impact, if any, on the development potential of adjoining land.

The proposal satisfies P1 for this Standard.

#### 12.4.2 Dwelling density

<p><b>A1</b></p> <p>The site area per dwelling must –</p> <p>(a) be not less than 500m<sup>2</sup> if the site has –</p> <p>(i) connection to a reticulated water supply;</p> <p>(ii) connection to a reticulated sewer system; and</p> <p>(iii) connection to a stormwater system; or</p> <p>(b) if the site is in a locality shown in the Table to this Clause, not less than the site area for that locality.</p>	<p><b>P1</b></p> <p>The number of dwellings on a site must be consistent with the capability of the land for residential use in terms of –</p> <p>(a) a suitable building area;</p> <p>(b) access from a road;</p> <p>(c) provision of a water supply;</p> <p>(d) disposal of sewage;</p> <p>(e) disposal of stormwater; and</p> <p>(f) a tolerable level of risk from a natural hazard.</p>
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#### **Planning Comments:** Complies

The minimum lot size is 500m<sup>2</sup>. The subject site comprises an area of 161.5m<sup>2</sup>. The proposal requires assessment against Performance Criteria P1 for this Clause.

The subject site contains an existing dwelling and water tank. The proposal is for a deck located between the dwelling and the frontage. There will be no change to the existing dwelling density.

The subject site is located in an area serviced by Council's stormwater and TasWater's reticulated sewerage infrastructure. Water is via on-site supply and the site does not require assessment under the Hazard Management Code. Existing arrangements for water supply and connections to reticulated sewerage and stormwater infrastructure are to be retained. No changes to the location of the existing access to Port Road are proposed.

It is considered that the subject site is of sufficient size to cater for a single residential use and satisfies P1 for this Standard.

#### 12.4.3 Location and configuration of development

<p><b>A1</b></p> <p>The wall of a building must be setback from a frontage –</p>	<p><b>P1</b></p> <p>The setback of a wall of a building from a frontage must be –</p> <p>(a) consistent with the streetscape; and</p>
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<ul style="list-style-type: none"> <li>(a) not less than 4.5m from a primary frontage; and</li> <li>(b) not less than 3.0m from any secondary frontage; or</li> <li>(c) not less than and not more than the setbacks for any existing building on each of the immediate adjoining sites;</li> <li>(d) not less than for any building retained on the site;</li> <li>(e) in accordance with any building area shown on a sealed plan; or</li> <li>(f) if the site abuts a road shown in the Table to this Clause, the setback specified for that road.</li> </ul>	<ul style="list-style-type: none"> <li>(b) required by a constraint imposed by – <ul style="list-style-type: none"> <li>(i) size and shape of the site;</li> <li>(ii) orientation and topography of land;</li> <li>(iii) arrangements for a water supply and for the drainage and disposal of sewage and stormwater;</li> <li>(iv) arrangements for vehicular or pedestrian access;</li> <li>(v) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme;</li> <li>(vi) a utility; or</li> <li>(vii) any lawful and binding requirement – <ul style="list-style-type: none"> <li>a. by the State or a council or by an entity owned or regulated by the State or a council to acquire or occupy part of the site; or</li> <li>b. an interest protected at law by an easement or other regulation</li> </ul> </li> </ul> </li> </ul>
<p><b>Planning Comments:</b> Complies</p> <p>The proposal requires assessment against Performance Criteria P1 for this Clause as the deck is setback 1.04m from the frontage.</p> <p>The proximity of the deck to the frontage is consistent with development on other properties on this section of Port Road, including the adjoining lots to the east (281 Port Road) and south (279 Port Road). The main buildings on each of these lots are setback less than 2m to the frontage, with development on 281 Port Road protruding into the road reserve. This lot also contains a deck located within the frontage boundary setback and presents a similar façade to the street as the proposed development.</p> <p>Due the location of existing development on the site, it is not possible to comply with the permitted setback requirements from the frontage, and due to the site’s dimensions, there is no other available space to locate a deck of suitable size. The proposed deck does not remove any parking spaces and is clear of any utilities.</p> <p>The proposal satisfies P1 for this Standard.</p>	
<p><b>A2</b></p> <p>All buildings must be contained within a building envelope determined by</p> <ul style="list-style-type: none"> <li>(g) the applicable frontage setback;</li> <li>(h) if the site is in a locality shown in the Table to this Clause, not less than the setback distance specific from the feature specified;</li> <li>(i) projecting a line at an angle of 45° from the horizontal at a height of 3.0m above</li> </ul>	<p><b>P2</b></p> <p>Building height and location of a building in relation to a frontage and site boundaries must</p> <ul style="list-style-type: none"> <li>(a) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling;</li> <li>(b) minimise the apparent scale, bulk, massing and proportion relative to any adjacent building;</li> </ul>

<p>natural ground level at each side boundary and at a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level if walls are setback</p> <p>(i) not less than 1.5m from each side boundary; or</p> <p>(ii) less than 1.5m from a side boundary if wall height is not more than 3.0m; and –</p> <p>a. built against an existing wall of an adjoining building; or</p> <p>b. the wall or walls</p> <p>i. have the lesser of a total length of 9.0m or one third of the boundary with the adjoining land;</p> <p>ii. there is no door or window in the wall of the building; and</p> <p>iii. overshadowing does not result in</p> <p>a. less than 2 hours of continuous sunlight to a required minimum private open space area in an adjacent dwelling between 9.00am and 3.00pm on 21<sup>st</sup> June; or</p> <p>b. a further reduction in continuous sunlight to a required minimum private open space area in an adjacent dwelling if already less than 2 hours between 9.00am and 3.00pm on 21<sup>st</sup> June; or</p> <p>(j) in accordance with any building envelope shown on a sealed plan</p>	<p>(c) be consistent with the streetscape;</p> <p>(d) respond to the effect of the slope and orientation of the site; and</p> <p>(e) provide separation between buildings to attenuate impact</p>
<p><b>Planning Comments:</b> Complies</p> <p>The proposal requires assessment against Performance Criteria P2 for this Clause as the deck is setback 1.04m from the frontage and 0.95m from the eastern side boundary.</p> <p>Regarding overshadowing of adjoining lots, the deck is unroofed and the railing consists of glass balustrades. It is partially offset from the adjoining dwelling to the east and, due to the apparent migration of the sun across the sky throughout the day, will cast minimal shade onto this lot during the afternoon. Solar access to 281 Port Road will not be affected by the proposed deck prior to midday. Any shading from the balustrades to the south will be constrained to the proposed deck area. To the west, a small portion of the backyard for 5 Morton Street will be shaded during the morning. The dwelling on this lot is located at least 20m south-west of the proposed deck and will not be affected.</p>	

The proximity of the deck to the frontage and to the eastern boundary is consistent with development on other properties on this section of Port Road, including the adjoining lots to the east (281 Port Road) and south (279 Port Road). The main buildings on each of these lots are setback less than 2m to the frontage and abut at least one side boundary.

The dwelling at 281 Port Road includes a deck close to the frontage and side boundaries. The proposal will present a similar façade to the street as existing development on the adjoining lot to the east. Other properties including lots to the west at 5 Morton Street and north-west at 4 Moore Street also contain buildings setback less than 1m from a side boundary.

Due the location of existing development on the site, it is not possible to comply with the permitted setback requirements from the frontage, and due to the site's dimensions, there is no other available space to locate a deck of suitable size. The proximity of the deck to development on adjoining lots is consistent with the existing pattern of separation between dwellings in the area, which varies from less than 3m to over 10m.

The proposal satisfies P2 for this Standard.

### **A3**

Site coverage must –

- (a) not be more than 50%; or
- (b) if the site is in a locality shown in the Table to this Clause, not more than the site coverage for that locality; and
- (c) not include any part of a site required for the disposal of sewage or stormwater; or
- (d) be not more than any building area shown on a sealed plan

### **P3**

Site coverage must –

- (a) provide a usable area for private open space, landscaping, and vehicle parking and service activity;
- (b) retain capacity in any area required for disposal of sewage or stormwater; and
- (c) be consistent with the streetscape

### **Planning Comments:** Complies

The subject site comprises 161.5m<sup>2</sup>. Existing development on the site has a roofed area of approximately 75m<sup>2</sup>, which equates to site coverage of 46.4%. According to the Table to this Clause the maximum site coverage in Boat Harbour Beach is 30%.

The Planning Scheme calculates site coverage as the portion of the site covered by roofed buildings. The proposed deck is unroofed and will not alter the existing site coverage. Further, the design of the deck will effectively increase the available outdoor living space by creating a usable area above the existing grassed front yard. The proposal will not remove any parking spaces and connections to reticulated sewer and stormwater are to be retained.

The adjoining lot to the east, 281 Port Road, is of a similar size to the subject site and also contains a single dwelling with front deck. The proposal is consistent with the streetscape.

The proposal satisfies P3 for this Standard.

## **12.4.4 Visual and acoustic privacy for residential development**

### **A1**

A door or window to a habitable room, or any part of a balcony, deck, roof garden, parking space or carport of a building must–

- (a) if the finished floor level is more than 1.0m above natural ground level -

### **P1**

Likelihood for overlooking from a door or window in a habitable room or from any part of a balcony, deck, roof garden, parking space, or carport of a building must be minimised by –

<ul style="list-style-type: none"> <li>(i) be not less than 6.0m from any door, window, balcony, deck, or roof garden in a dwelling on the same site;</li> <li>(ii) be not less than 3.0m from a side boundary;</li> <li>(iii) be not less than 4.0m from a rear boundary; and</li> <li>(iv) if an internal lot, be not less than 4.5m from the boundary abutting a rear boundary of an adjacent frontage site; or</li> </ul> <p>(b) if less than the setbacks in clause A1(a)</p> <ul style="list-style-type: none"> <li>(i) be off-set by not less than 1.5m from the edge of any door or window in another dwelling;</li> <li>(ii) have a window sill height of not less than 1.8m above finished floor level;</li> <li>(iii) have fixed and durable glazing or screening with a uniform transparency of not more than 25% in that part of a door or window less than 1.7m above finished floor level; or</li> <li>(iv) have fixed and durable external screen other than vegetation of not less than 1.8m height above the finished floor level and with a uniform transparency of not more than 25% located for the full width of the door, window, balcony, deck, roof garden, parking space, or carport</li> </ul>	<ul style="list-style-type: none"> <li>(a) physical separation from the door, window balcony, deck, or roof garden in an adjacent dwelling;</li> <li>(b) off-set from a door or window to a habitable room in an adjacent dwelling;</li> <li>(c) effective use of screening other than vegetation; or</li> <li>(d) effect of topography and natural features</li> </ul>
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**Planning Comments: Complies**

The proposed deck has a finished floor level greater than 1m above natural ground level. It is setback less than 3m from side boundaries and cannot comply with A1(a)(ii) for this Clause. The adjoining lot to the east, 281 Port Road, contains a dwelling adjacent to the proposed deck. The deck cannot comply with A1(b) in relation to this boundary and requires assessment against P1 for this Clause.

The portion of the proposed deck directly facing or within 1.5m of the living room windows in the dwelling at 281 Port Road has a width of 0.9m and provides access to the main deck area from an existing concrete landing. It is not an area designed for purposes other than transiting from the subject site's indoor to outdoor area and is unlikely to be occupied for any meaningful length of time. The majority of the proposed deck is suitably offset from development at 281 Port Road.

Opportunities to look into the living area of 281 Port Road are further minimised by the elevation of the deck in relation to the adjacent dwelling. The subject site is located upslope from 281 Port Road and the main living spaces of each property are consequently vertically off-set from each other.

The portion of the adjoining lot to the west directly adjacent to the proposed deck does not contain a dwelling.

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The proposal satisfies P1 for this Standard.
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#### 12.4.5 Private open space for residential use

<b>A1</b> Each dwelling must provide private open space –  (a) if a dwelling with a floor level of not more than 2.5m above finished ground level, a ground level area –  (i) located adjoining the rear or side of the dwelling;  (ii) accessible from the dwelling;  (iii) of not less than 25m <sup>2</sup> ;  (iv) with a minimum dimension of 4.0m;  (v) on a single level; and  (vi) with a gradient of not more than 1 in 10; and  (b) if a dwelling with a floor level of more than 2.5m above finished ground level, as an alternative to a ground level area, a private balcony, deck, terrace or roof garden –  (i) of not less than 25m <sup>2</sup> ;  (ii) with a minimum dimension of 4.0m; and  (iii) accessible from the dwelling	<b>P1</b> Private open space must –  (a) have size and dimension appropriate for the projected requirements of the residents of the dwelling; and  (b) provide a usable area taking into account –  (i) the effect of shape, orientation, and topography of the site;  (ii) the availability, accessibility, purpose, and characteristics of –  a. any other recreation and service area within the site;  b. any external communal open space area; and  c. public open space
<b>Planning Comments:</b> Complies  The subject site contains an existing dwelling. The proposed deck is located between the existing dwelling and the frontage. The existing dwelling is two storeys with a basement level. It is proposed to extend the deck off the main living space, which is entirely located on the first floor.  There is currently insufficient space on the site to meet the minimum requirements for private open space. The proposed deck extends directly off the kitchen and dining/family rooms and will increase the available outdoor living space by creating a usable area above the existing grassed front yard. The combination of the proposed deck and the existing deck to the south of the site provide sufficient opportunity for outdoor dining and entertaining, and the grassed area below the proposed deck provides additional space.  In addition to the private open space area available on the subject site, the property is located in close proximity to Boat Harbour Beach and is in within easy walking distance to community recreation facilities including a children’s playground and basketball court.  The proposal satisfies P1 for this Standard.	

#### STATUTORY IMPLICATIONS

Land Use Planning and Approvals Act 1993



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The Council is established as a Planning Authority by definition under section 3(1) of LUPAA and must enforce the Planning Scheme under section 48 of LUPAA.

In accordance with section 57 of this Act and Council's Planning Scheme, this proposal is an application for a discretionary permit. Council may approve or refuse discretionary permit applications after considering both Council's Planning Scheme and the public representations received. It is noted that two (2) representations were received during the exhibition period.

### **STRATEGIC IMPLICATIONS**

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

### **POLICY IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

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

### **RISK IMPLICATIONS**

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

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

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

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

### **COMMENT**






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

It is considered the proposed deck complies with either the acceptable solution or satisfies the performance criteria for all applicable standards of the Planning Scheme. The proposal increases available outdoor living space on the site without increasing site coverage or dwelling density. The design and appearance of the deck is consistent with development on the similarly sized lot to the east and is suitably orientated in relation to the adjacent dwelling in this direction.

The application complies with the Low Density Residential Zone provisions of the *Waratah-Wynyard Interim Planning Scheme 2013*. It is therefore recommended that Council approve a planning permit for the proposed development.

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**6.5 SUBDIVISION (1 INTO 31 LOTS & PUBLIC OPEN SPACE LOT) LOCATED AT HALES STREET, WYNYARD (CT 52833/2) - SD 2135**

To: Council  
Reporting Officer: Graduate Town Planner  
Responsible Officer: Manager Development and Regulatory Services  
Report Date: 5 January 2022  
File Reference: 1930189  
Supporting Documents: 1. Consolidated Advertised Documents   
2. Representation A   
3. Representation B   
4. TasWater Conditions   
5. Signed Extension of Time 

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**RECOMMENDATION**

That Council, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Waratah-Wynyard Interim Planning Scheme 2013*, grant approval for a Subdivision (1 into 31 lots & public open space lot) at Hales Street, Wynyard (CT 52833/2) subject to the following conditions: -

**PART A CONDITIONS:**

1. The development is to be generally in accordance with the application as submitted and endorsed documents as listed:
  - (a) Proposal Plans with Job Number 47901 as prepared by PDA Surveyors and dated 5 August 2021.
2. The development is to be in accordance with the submitted Bushfire Hazard Management Plan as prepared by Scott Livingstone of Livingstone Natural Resources Services and dated 28 September 2021.
3. The developer is to ensure that Lot 10 complies with the requirements of the Bushfire Hazard Management Plan for Woodland prior to the sealing of the Final Plan. After Lot 10 has been dedicated to Council, the Council will be responsible for the maintenance in accordance with the Bushfire Hazard Management Plan.
4. Loading and un-loading of vehicles is to be confined to within the boundaries of the property.
5. All costs associated with the proposed development, including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.
6. Construction of civil engineering work associated with the development is to comply with the requirements of Council's Standard Requirements for the Construction of New Infrastructure Assets and the Replacement of Existing Infrastructure Assets Policy PR.003, for all infrastructure that will become a Council asset, including the replacement or upgrade of existing infrastructure assets.
7. Relevant engineering plans, specifications, calculations and computations are to be prepared or certified by a Chartered Professional Engineer and submitted to the

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

8. On completion of work covered by a Construction Certificate a Chartered Professional Engineer is to certify by declaration that all work has been carried out fully in accordance with the approved plans, specifications, calculations and computations. "Works as Constructed" drawings that comply with the requirements of Council's "Submission of digital-as-constructed information".
9. In the course of undertaking the development/use any damage caused to any Council owned infrastructure or property shall be repaired by the developer
10. Necessary easements for powerlines, sewerage, water, drainage, legal access and the like are to be shown on the final survey plan lodged for sealing.
11. A twelve (12) month defects liability period is to apply to all infrastructure within the development which are to become Council assets. A maintenance bond of 5% of the cost of the civil works as approved by the Director Infrastructure & Development is to be lodged with Council prior to:
  - a. the issue of the Maintenance Period Commencement document; or
  - b. prior to the sealing of the Final Survey Plan.
12. A new kerb crossover is to be constructed for each allotment, in accordance with Tasmanian Standard Drawing TSD-R09-v3, Urban Roads Driveway, TSD-R16-v3 Concrete kerbs and Channels Vehicular Crossings.
13. A reinforced concrete driveway slab is to be constructed for each allotment between the kerb crossover and the property boundary in accordance with Tasmanian Standard Drawing TSD-R09-v3, Urban Roads Driveways.
14. A reticulated stormwater drainage system is to be constructed with individual lot connections, road drainage and method of discharge in accordance with approved construction issue drawings. The design return interval for the reticulation network is to be 1 in 10-year ARI for property drainage, 1 in 20-Year ARI for road drainage and provision is to be made to contain a 1 in 100-year ARI major overland flow-path.
15. A 150Ø stormwater connection point including an accessible inspection opening at ground level is to be constructed at the lowest point of each allotment in accordance with TSD-SW25-v3 Stormwater Property Connections to Mains.
16. Subsoil drains are to be installed at the back of kerb, both sides of the internal subdivisional roads 1 and 2 and the northern side Gibbons Street, in accordance with TSD-R12-v3, Subsoil Drains Construction Details.
17. Before site disturbance or construction commences an environmental management, plan is to be prepared and submitted for approval by the Director Infrastructure & Development. The plan is to outline proposed practices in relation to:
  - a. Temporary run-off and erosion controls, which are to be installed before the development commences. Controls are to include, but are not limited to:
    - i. Minimisation of site disturbance and vegetation removal;

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- ii. Diversion of up-slope run-off around cleared and/or disturbed areas, areas to be cleared and/or disturbed or filled providing such diverted run-off does not cause erosion and is directed to a legal discharge point;
    - iii. Installation of sediment retention traps (e.g. sediment fences, etc.) at the down slope perimeter of a disturbed area or stockpile to prevent unwanted sediment and other debris escaping from the land;
    - iv. Installation of sediment retention traps (e.g. sediment fences, etc.) at entry points to the stormwater system to prevent sediment and other debris escaping from entering the network; and
    - v. Rehabilitation of all disturbed areas as soon as possible.
  - b. Weed management.
  - c. Storage facilities for fuels, oils, greases, chemicals and the like.
  - d. Litter management.
18. Erosion control measures are to be maintained at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development.
  19. All disturbed surfaces on the land, except those set aside for roadways, footways and driveways, are to be covered with topsoil and seeded with approved grass and, where appropriate, revegetated and stabilised to the satisfaction of the Director Infrastructure & Development.
  20. An 18-metre wide road reservation is to be provided for Subdivision Road 1, with lot boundaries splayed where necessary and shown as "Road" on the final survey plan lodged for sealing.
  21. Subdivision Road 1 is to be of compacted crushed rock pavement, designed in accordance with the Austroads Pavement Design Guidelines, with a sealed pavement width of 8.9 metres measured from face of kerb to face of kerb (FOK). The pavement is to be designed for a 100-year life and a minimum 40mm asphalt seal in accordance with Tasmanian Standard Drawing TSD-R06-v3, Urban Roads Typical Sections and Pavement Widths, and is to be constructed to the reasonable requirements of the Director Infrastructure & Development.
  22. Subdivision Road 2 is to be of compacted crushed rock pavement, designed in accordance with the Austroads Pavement Design Guidelines, with a sealed pavement width of 8.9 metres measured from face of kerb to face of kerb (FOK). The pavement is to be designed for a 100-year life and a minimum 40mm asphalt seal in accordance with Tasmanian Standard Drawing TSD-R06-v3, Urban Roads Typical Sections and Pavement Widths, and is to be constructed to the reasonable requirements of the Director Infrastructure & Development.
  23. Road intersections, both internally and within the council road network are to be assessed in regard to the various requirements of the Austroads Guide to Traffic Management set. All upgrade and works required to achieve compliance with the Austroads Guide to Traffic Management set are to be addressed as part of the road design process. The developer is to supply and install traffic management devices that include, but are not limited to, signage and line marking in accordance with the suite of AS 1742 standards.

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24. Footpaths of 1.5 metre width and otherwise in accordance with Tasmanian Standard Drawing TSD-R11-v3, Urban Roads Footpaths are to be constructed on one side of the internal subdivision roads 1 and 2 and the northern side of Gibbons Street.
  25. All pedestrian access ramps are to be in accordance with Tasmanian Standard Drawings TSD-R18-v3, Concrete Kerbs and Channels Access Ramps.
  26. Concrete kerb and Channel type 'KC' is to be constructed in accordance with Tasmanian Standard Drawing TSD-R14-v3, on both sides of the internal subdivision roads 1 and 2.
  27. The corner radius for the proposed internal subdivision road and extension of Gibbons Street must be designed to cater for 8.8m service vehicle movements in accordance with Austroads Design Vehicles and Turning Path Templates.
  28. Vehicular access during development is to be confined to the areas designated on the endorsed or approved plans.
  29. All manholes are to be located behind the kerb line.
  30. Street lighting is to be provided in accordance with AS 1158 and the requirements of Aurora Energy Pty Ltd and the Director Infrastructure & Development Services. The street lighting is to be designed to minimise off site glare and reflected light.
  31. Before site disturbance or construction commences, a project management plan is to be prepared and submitted for approval by the Director Infrastructure & Development. The plan is to provide relevant project management information and outline proposed construction practices, including, but not limited to:
    - a. Contact details for principal, consultants and contractors including afterhours numbers;
    - b. Traffic management plan including road works signage;
    - c. Proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on site);
    - d. Identification of potentially noisy construction phases, such as operation of rock-breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;
    - e. Site facilities to be provided; and
    - f. Procedures for washing down vehicles to prevent soil and debris being carried onto the street.
  32. A Final Survey Plan shall be submitted to the Waratah-Wynyard Council for sealing of each stage of the development. The plan shall be drawn to scale and prepared in accordance with the requirements of the Recorder of Titles and shall form part of this permit when sealed.
  33. The developer is to submit to Council nominations for street names within the new development for consideration in accordance with Street Naming & Addressing Policy LUP.006.

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34. All line marking associated with the development will be white thermoplastic (with the exception of no standing lines) and comply with Department of State Growth Standard Drawings SD-81.001.
35. The developer will be responsible for supply and erecting of all street name signs associated with the development, inclusive of posts, sleeves, gib keys and any other product required to install. The location of street signs must be shown on construction issue drawings for approval by the Director Infrastructure & Development.

**PART B CONDITIONS:**

1. The person responsible for the activity must comply with the conditions contained in Schedule 2 of Permit Part B which the Regulated Entity (trading as TasWater) has required the planning authority to include in the permit, pursuant to section 56Q of the Water and Sewerage Industry Act 2008, reference TWDA 2021/02021-WWC (attached).

**Notes: -**

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

- An “Activity in Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
- This project must be substantially commenced within two years of the issue of this permit.
- The applicant is advised to consult with a building surveyor to ensure the development is constructed in accordance with *Building Act 2016*.
- This permit is based on information and particulars set out in Development Application SD 2135. Any variation requires an application for further planning approval of Council.
- This development/use is not to result in the generation of environmental harm or nuisance as defined in the *Environmental Management and Pollution Control Act 1994*.
- Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact TasNetworks on 1300 137 008 to ensure these works do not impede on existing electricity easements and are at a safe distance from powerlines. Failure to do so could result in the relocation of electricity assets at your cost.
- Please contact Australia Post for letterbox placement guidelines.
- A further fee is required for the signing and sealing of Final and Strata Plans. Please refer to Council’s website for current Planning fees.
- Prior to Sealing of the Final Plan of Survey, the developer must obtain a Consent to Register a Legal Document from TasWater and the certificate must be submitted to Council as evidence of compliance with the Part B Conditions of the Planning Permit. The application form for this consent document can be obtained from the TasWater website <http://www.taswater.com.au/Development/Forms>.
- Under Section 61(4) of the *Land Use Planning and Approvals Act 1993*, the applicant has the right to lodge an appeal against Council’s decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to the Resource Management and Planning Appeal Tribunal, G.P.O. Box 2036, Hobart, 7001. Updated Notices of Appeal are available on the Tribunal’s website at [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).

## PURPOSE

The purpose of this report is for Council to consider the merits of the application SD 2135 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013* (Planning Scheme).

## BACKGROUND

The subject site is located on the corner of Hales Street and Gibbons Street and has an area of 2.865ha. It is located within the General Residential zone and contains a concrete slab which is to be removed. To the north-west the site adjoins an Environmental Management zoned Council reserve and Big Creek. Land to the east across Hales Street and to the south across Gibbons Street is primarily comprised of single dwelling development.

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

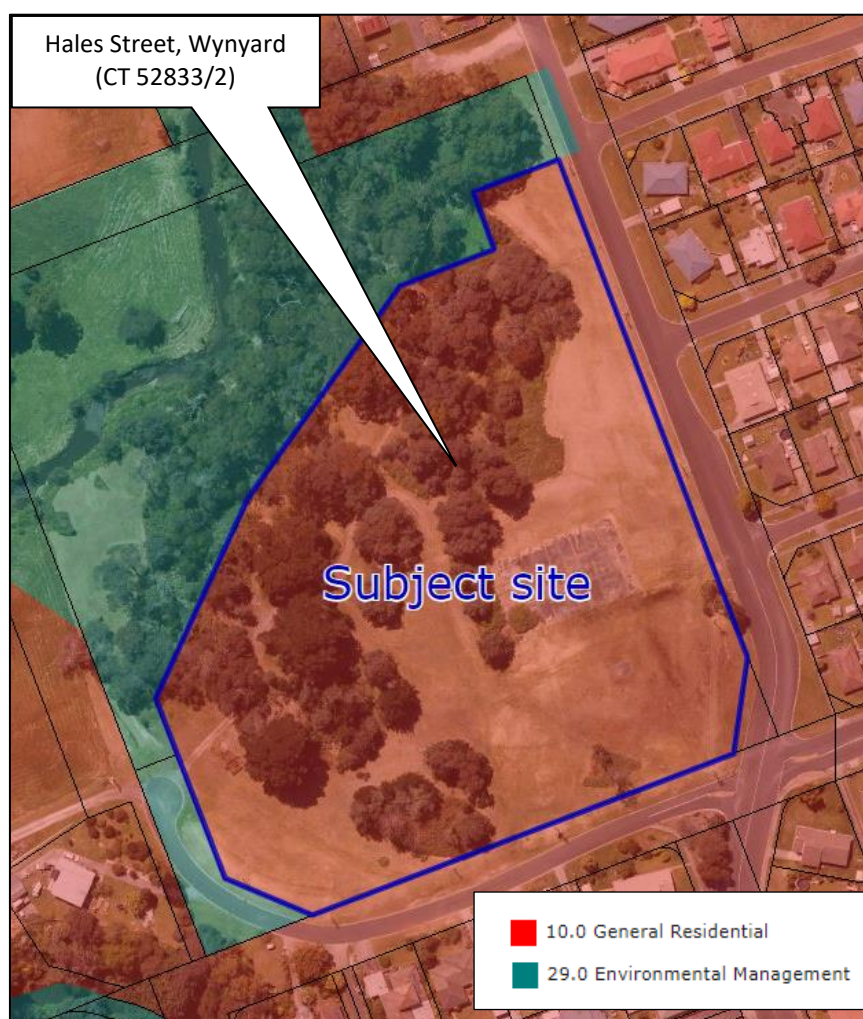


Figure 1: Subject site with zoning

## DETAILS

The applicant is seeking approval for subdivision of 31 residential lots and a public open space lot. It is also proposed to create a new road connecting Hales Street and Gibbons Street and an additional road bisecting the site.

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

Lot No.	Area (m <sup>2</sup> )	Frontage
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1	627	46.2m
2	468	18m
3	696	48.7m
4	500	44.9m
5	421	15.3m
6	421	15.3m
7	421	15.3m
8	468	17m
9	470	19.3m
11	464	28m
12	614	47m
13	421	15.3m
14	421	15.3m
15	421	15.3m
16	573	45.6m
17	744	49.3m
18	608	45.9m
19	532	19.9m
20	531	19.9m
21	531	19.9m
22	531	19.9m
23	543	19.9m
24	547	23.1m
25	541	27.3m
26	599	24.8m
27	535	19.9m
28	535	19.9m
29	536	19.9m
30	980	15m
31	2025	30.6m
32	1188	50.9m

Lot number 10 is intended for public open space and runs along the north-western boundary of the subject site, adjacent to the proposed road connecting Hales Street and Gibbons Street. Two public parking areas containing four and seven parking spaces are located at either end of the public open space area.

A minor extension of the existing public path along Big Creek is also proposed for which no planning approval is required.

This report assesses the proposal against the *Waratah-Wynyard Interim Planning Scheme 2013* (the Planning Scheme) and takes into account any representations received during the public exhibition period.

The subject property is zoned General Residential under the Planning Scheme. The proposal is defined as a Residential Use Class. This is a Permitted use within the zone, should the application meet all the relevant Acceptable Solutions. The proposal does not comply with all the acceptable solutions. The applicant is applying for discretion under the following Clauses of the Planning Scheme:

- 10.4.9 Suitability of a site or lot for use or development (P1); and
- 10.4.14 Reticulation of an electricity supply to new lots on a plan of subdivision (P1)



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## **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;
- Director of Housing consent x 2 Pages;
- Title documents x 2 Pages;
- Supporting report x 9 Pages;
- Plan of subdivision x 1 Page;
- Bushfire hazard management report x 27 Pages;
- Traffic impact assessment x 23 Pages;
- Preliminary site investigation x 38 Pages; and
- Natural values assessment x 76 Pages.

The period for representations closed on 6 December 2021. Two (2) representations were subsequently received, one from an adjacent landowner and one from the Tasmanian Fire Service (TFS). A map demonstrating the relationship between the subject site and the adjacent landowner's property is shown in Figure 2.



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

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

Note: The section of the Traffic Impact Assessment referenced in Representation B is shown after the following tables in Figure 3.

**Representation A – C Moore (TFS)**

Issues raised:	Response:
<p>We are supportive of this application but would like to bring some vegetation management issues to your attention.</p> <p>The Bushfire plan requires that the vegetation in the road reserve must be low threat vegetation, typically managed gardens and lawns maintained to less than</p>	<p>Noted. According to Council's Nature Strip Mowing Policy, it is the responsibility of property owners to maintain grassed areas between a property boundary and the edge of a roadway. Council's policy requires all nature strips to be maintained to a reasonable level of appearance and</p>

<p>100mm in height. This requirement relates directly to the Bushfire Attack Level (BAL) for most of the lots in the subdivision.</p> <p>The supporting Planning Compliance Report (PDA Surveyors) states that the road lots will be transferred to Council. Our concern is that Council may not have been consulted with as a future landowner and may be unaware of their obligation to manage this land as required by the Bushfire plan into perpetuity.</p>	<p>requires the regular mowing of grass throughout the year.</p>
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### Representation B - M Redpath

Issues raised:	Response:
<p>My residence on the opposite side of Gibbons St, facing subdivision has a limited road width this only being sufficient for 2 cars to pass slowly. This has been appropriate to date however with an increase of traffic and now this becoming a through street link around subdivision proposed, I have concerns that this needs to be addressed.</p> <p>I would like consideration be taken in leaving this a no through street as it is now and has been since our purchase of the property 28 years ago.</p> <p>I expect that the street traffic will increase during construction, heavy vehicles will create a dangerous area for children no footpath no parking only on grass verge.</p> <p>This future road structure being planned has wide road width in new subdivision, cars will be leaving and looping around to a small narrow road at speed creating a dangerous situation</p> <p>I did not see this mentioned in traffic report or any recommendations to rectify.</p> <p>I did notice in traffic report width of our road being reported as being 6.25 metre this is obviously a generous report at widest section. Measured in front of 42 Gibbons St is 5.5 metres safe bitumen use area.</p>	<p>A Traffic Impact Assessment (TIA) prepared by Andrew Howell was submitted with the application. Mr. Howell is a traffic engineering consultant and a suitably qualified person.</p> <p>The TIA considered the suitability of existing and proposed roads to cater for the increase in traffic likely to be generated by the proposed development. Mr. Howell states that the expected increase of an additional 8 vehicles per hour utilizing Gibbons Street is not considered to be a material increase in traffic volume. The measurements included in the TIA, including width of Gibbons Street, match Council's records and aerial mapping.</p> <p>Neither Mr. Howell nor Council's Engineering Department have any concerns regarding the proposed subdivisions impact on the future safety of the road network in this area of Wynyard. The road layout of the proposed subdivision satisfies the necessary requirements under the Planning Scheme. Council is required to consider a development application as provided by the applicant. Alternative road layout options can only be considered when proposed by the applicant.</p> <p>In addition to the requirements of the Planning Scheme, s85 of the <i>Local Government (Building &amp; Miscellaneous</i></p>

<p>I would like to know if council could help in the safe planning of these new subdivision in Wynyard or do I as a rate payer have other avenues to follow up these requests.</p> <p>Below is section from traffic report.</p>	<p><i>Provisions) Act 1993 (LGBMPA)</i> gives Council the option to refuse to approve a plan of subdivision under certain circumstances.</p> <p>These include instances where Council is of the opinion that that the roads will not suit the public convenience or will not give satisfactory inter-communication to the inhabitants both of the subdivision and the municipal area in which it is located (s85(a) LGBMPA).</p> <p>The proposal to provide access to the subdivision via a central road and link between Gibbons Street and Hales Street is a suitable design which is not anticipated to create any congestion issues. The proposed road layout maximises the development potential of the site and does not raise any safety concerns for Council's Engineering Department. The design is considered to be compatible with the existing road network in this area of Wynyard.</p> <p>The application, including the subdivision road layout, complies with all relevant the requirements of the Planning Scheme and is consistent with s85 LGBMPA.</p> <p>Regarding potential safety issues posed by heavy vehicles during construction, a condition will be imposed on any permit issued requiring loading and unloading of vehicles to be confined to the boundaries of the site. A project management plan will also need to be approved by Council prior to construction commencing, including a traffic management plan.</p>
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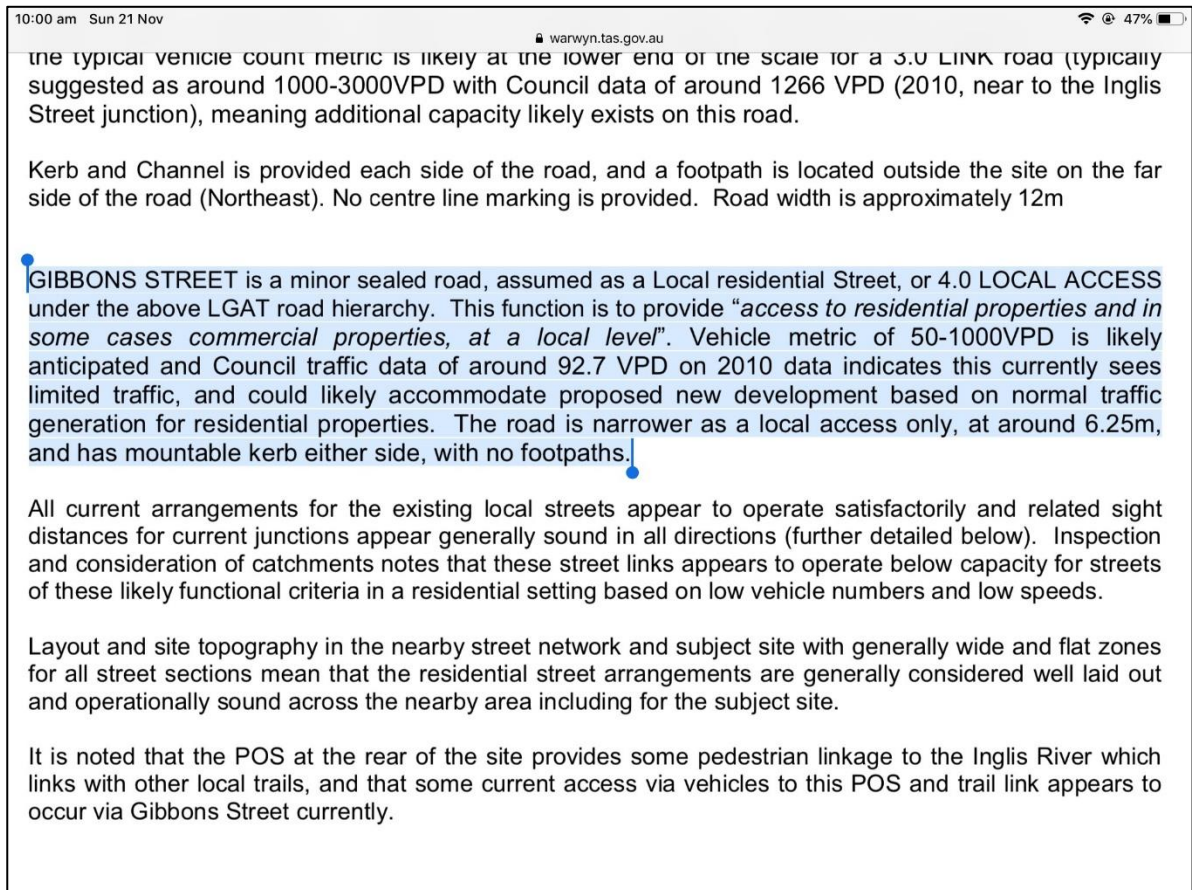


Figure 3: Extract from Traffic Impact Assessment (page. 53)

## INTERNAL REFERRALS

### Engineering Services Department

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

- (1) All costs associated with the proposed development, including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.
- (2) Construction of civil engineering work associated with the Development is to comply with the requirements of Council's Standard Requirements for the Construction of New Infrastructure Assets and the Replacement of Existing Infrastructure Assets Policy PR.003, for all infrastructure that will become a Council asset including the replacement or upgrade of existing infrastructure assets.
- (3) Relevant engineering plans, specifications, calculations and computations are to be prepared or certified by a Chartered Professional Engineer and submitted to the Director Infrastructure & Development for approval. No work is to commence until a Construction Certificate has been issued by the Director Infrastructure & Development.
- (4) On completion of work covered by a Construction Certificate a Chartered Professional Engineer is to certify by declaration that all work has been carried out fully in accordance with the approved plans, specifications, calculations and computations. "Works as Constructed" drawings that comply with the requirements of Council's "Submission of digital-as-constructed information".

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- (5) In the course of undertaking the development/use any damage caused to any Council owned infrastructure or property shall be repaired by the developer
- (6) Necessary easements for powerlines, sewerage, water, drainage, legal access and the like are to be shown on the final survey plan lodged for sealing.
- (7) A twelve (12) month defects liability period is to apply to all infrastructure within the development which are to become Council assets. A maintenance bond of 5% of the cost of the civil works as approved by the Director Infrastructure & Development is to be lodged with Council prior to:
- (a) the issue of the Maintenance Period Commencement document; or
  - (b) prior to the sealing of the Final Survey Plan.
- (8) A new kerb crossover is to be constructed for each allotment, in accordance with Tasmanian Standard Drawing TSD-R09-v3, Urban Roads Driveway, TSD-R16-v3 Concrete kerbs and Channels Vehicular Crossings.
- (9) A reinforced concrete driveway slab is to be constructed for each allotment between the kerb crossover and the property boundary in accordance with Tasmanian Standard Drawing TSD-R09-v3, Urban Roads Driveways.
- (10) A reticulated stormwater drainage system is to be constructed with individual lot connections, road drainage and method of discharge in accordance with approved construction issue drawings. The design return interval for the reticulation network is to be 1 in 10-year ARI for property drainage, 1 in 20-Year ARI for road drainage and provision is to be made to contain a 1 in 100-year ARI major overland flow-path.
- (11) A 150Ø stormwater connection point including an accessible inspection opening at ground level is to be constructed at the lowest point of each allotment in accordance with TSD-SW25-v3 Stormwater Property Connections to Mains.
- (12) Subsoil drains are to be installed at the back of kerb, both sides of the internal subdivisional roads 1 & 2 and the northern side Gibbon Street, in accordance with TSD-R12-v3, Subsoil Drains Construction Details.
- (13) Before site disturbance or construction commences an environmental management plan is to be prepared and submitted for approval by the Director Infrastructure & Development, the plan is to outline proposed practices in relation to:
- a. Temporary run-off and erosion controls, which are to be installed before the development commences. Controls are to include, but are not limited to:
    - vi. Minimisation of site disturbance and vegetation removal;
    - vii. Diversion of up-slope run-off around cleared and/or disturbed areas, areas to be cleared and/or disturbed or filled providing such diverted run-off does not cause erosion and is directed to a legal discharge point;
    - viii. Installation of sediment retention traps (e.g. sediment fences, etc.) at the down slope perimeter of a disturbed area or stockpile to prevent unwanted sediment and other debris escaping from the land;
    - ix. Installation of sediment retention traps (e.g. sediment fences, etc.) at entry points to the stormwater system to prevent sediment and other debris escaping from entering the network; and

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- x. Rehabilitation of all disturbed areas as soon as possible.
  - b. Weed management.
  - c. Storage facilities for fuels, oils, greases, chemicals and the like.
  - d. Litter management.
- (14) Erosion control measures are to be maintained at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development.
- (15) All disturbed surfaces on the land, except those set aside for roadways, footways and driveways, are to be covered with topsoil and seeded with approved grass and, where appropriate, revegetated and stabilised to the satisfaction of the Director Infrastructure & Development.
- (16) An 18-metre wide road reservation is to be provided for Subdivision Road 1, with lot boundaries splayed where necessary and shown as "Road" on the final survey plan lodged for sealing.
- (17) Subdivision Road 1 is to be of compacted crushed rock pavement, designed in accordance with the Austroads Pavement Design Guidelines, with a sealed pavement width of 8.9 metres measured from face of kerb to face of kerb (FOK). The pavement is to be designed for a 100-year life and a minimum 40mm asphalt seal in accordance with Tasmanian Standard Drawing TSD-R06-v3, Urban Roads Typical Sections and Pavement Widths, and is to be constructed to the reasonable requirements of the Director Infrastructure & Development.
- (18) Subdivision Road 2 is to be of compacted crushed rock pavement, designed in accordance with the Austroads Pavement Design Guidelines, with a sealed pavement width of 8.9 metres measured from face of kerb to face of kerb (FOK). The pavement is to be designed for a 100-year life and a minimum 40mm asphalt seal in accordance with Tasmanian Standard Drawing TSD-R06-v3, Urban Roads Typical Sections and Pavement Widths, and is to be constructed to the reasonable requirements of the Director Infrastructure & Development.
- (19) Road intersections, both internally and within the council road network are to be assessed in regard to the various requirements of the Austroads Guide to Traffic Management set. All upgrade and works required to achieve compliance with the Austroads Guide to Traffic Management set are to be addressed as part of the road design process. The developer is to supply and install traffic management devices that include, but are not limited to, signage and line marking in accordance with the suite of AS 1742 standards.
- (20) Footpaths of 1.5 metre width and otherwise in accordance with Tasmanian Standard Drawing TSD-R11-v3, Urban Roads Footpaths are to be constructed on one side of the internal subdivision Roads 1 and 2 and the northern side of Gibbons Street.
- (21) All pedestrian access ramps are to be in accordance with Tasmanian Standard Drawings TSD-R18-v3, Concrete Kerbs and Channels Access Ramps.
- (22) Concrete kerb and Channel type 'KC' is to be constructed in accordance with Tasmanian Standard Drawing TSD-R14-v3, on both sides of the internal subdivision roads 1 and 2.

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- (23) The corner radius for the proposed internal subdivision road and extension of Gibbons Street must be designed to cater for 8.8m service vehicles movements in accordance with Austroads Design Vehicles and Turning Path Templates.
- (24) Vehicular access during development is to be confined to the areas designated on the endorsed or approved plans.
- (25) All manholes are to be located behind the kerb line.
- (26) Street lighting is to be provided in accordance with AS 1158 and the requirements of Aurora Energy Pty Ltd and the Director Infrastructure & Development Services. The street lighting is to be designed to minimise off site glare and reflected light.
- (27) Before site disturbance or construction commences, a project management plan is to be prepared and submitted for approval by the Director Infrastructure & Development. The plan is to provide relevant project management information and outline proposed construction practices, including, but not limited to:
- a. Contact details for principal, consultants and contractors including afterhours numbers;
  - b. Traffic management plan including road works signage;
  - c. Proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on site);
  - d. Identification of potentially noisy construction phases, such as operation of rock-breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;
  - e. Site facilities to be provided; and
  - f. Procedures for washing down vehicles to prevent soil and debris being carried onto the street.
- (28) A Final Survey Plan shall be submitted to the Waratah-Wynyard Council for sealing of each stage of the development. The plan shall be drawn to scale and prepared in accordance with the requirements of the Recorder of Titles and shall form part of this permit when sealed.
- (29) The developer is to submit to Council nominations for street names within the new development for consideration in accordance with Street Naming & Addressing Policy LUP.006.
- (30) All line marking associated with the development will be white thermoplastic (with the exception of no standing lines) and comply with Department of State Growth Standard Drawings SD-81.001.
- (31) The developer will be responsible for supply and erecting of all street name signs associated with the development, inclusive of posts, sleeves, gib keys and any other product required to install. The location of street signs must be shown on construction issue drawings for approval by the Director Infrastructure & Development.

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



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## Environmental Health

The following environmental health conditions were recommended.

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

Notes:

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

## EXTERNAL REFERRALS

The application was referred to TasWater on 7 December 2021. The response was received on 26 October 2021 and forms Part B of this permit.

The application did not require any other external referrals.

## PLANNING ASSESSMENT

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

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

An assessment of the proposal against the applicable clauses for the General Residential Zone is provided below.

### 10.4.9 Suitability of a site or lot for use or development

A1	P1
A site or each lot on a plan of subdivision must –  (a) have an area of not less than 330m <sup>2</sup> excluding any access strip; and (b) if intended for a building, contain a building area of not less than 10.0m x 15.0m  (i) clear of any applicable setback from a frontage, side or rear boundary; (ii) clear of any applicable setback from a zone boundary; (iii) clear of any registered easement; (iv) clear of any registered right of way benefiting other land; (v) clear of any restriction imposed by a utility;	A site or each lot on a plan of subdivision must –  (a) be of sufficient area for the intended use or development without likely constraint or interference for – (i) erection of a building if required by the intended use; (ii) access to the site; (iii) use or development of adjacent land; (iv) a utility; and (v) any easement or lawful entitlement for access to other land; and (b) if a new residential lot, be orientated to maximise opportunity for solar access to a building area

<p>(vi) not including an access strip;</p> <p>(vii) accessible from a frontage or access strip; and</p> <p>(viii) if a new residential lot, with a long axis within the range 30° east of north and 20° west of north</p>	
<p><b>Planning Comments:</b> Complies</p> <p>Proposed lots 2, 4 – 9, 13 – 15 and 25 cannot contain a 10m x 15m building area with a long axis between 30° east of north and 20° west of north clear of all relevant setbacks and require assessment against P1 for this Standard.</p> <p>Each of the proposed lots exceed the minimum lot size of 330m<sup>2</sup> and have frontage onto a public road. No lots are affected by a right of way or restriction imposed by a utility. Lots 8, 13 – 15 and 25 contain sewer and/or stormwater mains, however there is adequate space on these lots for a future dwelling clear of required easements.</p> <p>The east-west long axis for Lots 13 - 15 provides maximum space for a future dwelling to take advantage of northern sunlight whilst still complying with minimum setback requirements. Although the nominated building areas for lots 2, 4 – 9 and 25 are appropriately orientated, they cannot comply with permitted setback requirements from side boundaries. However, building areas are only indicative of potential dwelling locations. Should any lots be developed for residential use separate approval from Council will be required, including assessment of any dwelling design against the relevant clauses for location and configuration of development.</p> <p>The proposal satisfies P1 for this Standard.</p>	

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

<p><b>A1</b></p> <p>Electricity reticulation and site connections must be installed underground</p>	<p><b>P1</b></p> <p>It must be impractical, unreasonable, or unnecessary to install electricity reticulation and site connections underground</p>
<p><b>Planning Comments:</b> Complies</p> <p>It is proposed to service the lots through a combination of above and below ground electricity connections. Lots fronting onto proposed new roads will be serviced underground while lots fronting onto Hales Street and Gibbons Street are to be connected to the existing overhead electricity supply. It is considered impractical to require an installation of an underground electricity supply for lots capable of being serviced by the existing powerlines.</p> <p>The proposal satisfies P1 for this Standard.</p>	

## STATUTORY IMPLICATIONS

### Land Use Planning and Approvals Act 1993

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

In accordance with section 57 of this Act and Council's Planning Scheme, this proposal is an application for a discretionary permit. Council may approve or refuse discretionary permit applications after considering both Council's Planning Scheme and the public

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representations received. It is noted that two (2) representations were received during the exhibition period.

*Local Government (Building & Miscellaneous Provisions) Act 1993*

The application has been considered against the requirements of s85 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*. The application is generally consistent with these provisions.

**STRATEGIC IMPLICATIONS**

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

**POLICY IMPLICATIONS**

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

**ENVIRONMENTAL IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

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

**RISK IMPLICATIONS**

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

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

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

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

**COMMENT**

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

It is considered that the proposed subdivision complies with either the acceptable solution or satisfies the performance criteria for all applicable standards of the Planning Scheme. The proposal makes efficient use of a large residential lot taking into consideration the irregular shape of the site and public reserve area to the north-west. Each of the proposed residential lots contain a suitable building area and the proposed road layout is considered to be suitable for the anticipated traffic volume generated by the subdivision.

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

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## **7.0 MATTER RAISED BY COUNCILLORS**

Legislative Reference:

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

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

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

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

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

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

Nil received.

### **7.2 COUNCILLOR QUESTIONS RECEIVED IN WRITING**

Nil received.

### **7.3 COUNCILLOR QUESTIONS WITHOUT NOTICE**

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

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## **8.0 NOTICE OF MOTION**

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Legislative Reference:

*Local Government (Meeting Procedures) Regulations 2015; Regulation 16*

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

### **8.1 COUNCILLOR FAIRBROTHER - CHANGES TO PLANNING AND BUILDING RULES**

#### **PROPOSED MOTION**

- 1. That Council write to the respective Ministers and or State Government bureaucrats requesting changes to the planning and building rules to provide for the following:**
  - a. Sufficient water storage for both domestic household use and water storage for firefighting purposes in landslip b areas and suggest as a minimum 20,000 L (10,000+10,000) for this purpose;**
  - b. Repair, replacement and renovation of existing buildings in areas of designated landslip A; and**
- 2. Make representation to state cabinet members, local members of the house of assembly and local legislative councillors etc seeking their support for such changes.**

#### **BACKGROUND INFORMATION**

Council has a number of ratepayers with building related problems that can be attributed to deficiencies within legislation.

One ratepayer at Boat Harbour Beach in a designated b slip area has an existing dwelling and sought to replace an existing deck. Demolition of the old deck and construction of a new deck triggers the need for compliance with the bushfire requirements. Current bushfire requirements require a dedicated 10000l for bushfire fighting. Yet as it is in a landslip B area it is constrained to 10000l water storage. Whilst the owner has 13000 existing supply this is not deemed sufficient for both bushfire and domestic purposes.

Equally another resident has achieved planning approval for part replacement of a dwelling in A slip area and is constrained by a clear pathway under the building rules.

These are current anomalies and deficiencies that exist in the current Planning and Building rules that are impacting on Councils staff ability to function in accord with community expectation.

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Equally the legislation does not appear to be providing the benefits to community that parliament intended, and changes are requested to provide practical workable outcomes.

Both motions have come about through ratepayer frustration with deficiencies in the legislation. As I understand Council staff are unable to act in certain circumstances due to deficiencies within the law. The motion is seeking to make the law more contemporary and up to date and provide a common-sense approach to an existing unworkable problem.

As it stands the current rules are devoid of common sense and appear contrary to performance based sustainable development . The current rules reflect a prescriptive approach to legislature which is outdated and does not reflect changes in engineering design, practice, standards and methods.

The motion requests Council to initiate changes on behalf of its community.

### **OFFICERS COMMENT**

Landslip is a serious constraint for development in Tasmania. Boat Harbour Beach is a well-known area impacted by landslip and has been declared as such under the Mineral Resources Development Act 1995.

Building and associated activities in declared landslip areas are severely restricted by the current legislation with the intent to address safety and risk.

Work such as erecting a shed, a small building or doing other building work in Landslip A requires the owner to obtain comprehensive geotechnical advice, seek a Certificate of likely compliance from a building surveyor, and planning approval from Council. The council's General Manager can then forward these documents with a letter of recommendation to the Minister for approval. The Minister is solely authorised to grant approval or not.

These declared landslip areas are designed to restrict building and other activities on unstable land and the *Building Act 2000* and the *Building Regulations 2014* still apply to building in these areas. Consumer, Building and Occupational Services (CBOS) administers this legislation as well as the *Building Act 2016* and *Building Regulations 2016*.

There is a current requirement in Landslip B areas that a landowner must not store more than 10,000 litres of water or any explosives, flammable liquids or dangerous substances. This requirement was legislated prior to more stringent bushfire regulations being adopted.

It would be worthwhile to identify all known instances where development would not be able to proceed due to this restriction on water storage.

It is likely that the State Government would require a risk based case to compel relaxation of the building approval requirements within declared Landslip A areas, as they have been adopted to address the community's safety.

The difficulties that Council officers have had with this process are that complications due to the works have typically preceded the first step of the process, rather than being the last step after the Minister's approval. Often times (and perhaps out of frustration by landowners), despite clear advice provided to new landowners and at pre-lodgement meetings of the additional requirements for building approvals in these areas.

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## **MOTION**

- 1. That Council write to the respective Ministers and or State Government bureaucrats requesting changes to the planning and building rules to provide for the following:**
  - a. Sufficient water storage for both domestic household use and water storage for firefighting purposes in landslip b areas and suggest as a minimum 20,000 L (10,000+10,000) for this purpose;**
  - b. Repair, replacement and renovation of existing buildings in areas of designated landslip A; and**
- 2. Make representation to state cabinet members, local members of the house of assembly and local legislative councillors etc seeking their support for such changes.**



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## **9.0 REPORTS OF OFFICERS AND COMMITTEES**

### **9.1 OPEN SPACE, SPORT AND RECREATION PLAN - ANNUAL UPDATE**

To: Council  
Reporting Officer: Executive Officer  
Responsible Manager: General Manager  
Report Date: 7 January 2022  
File Reference: 2021 09 30  
Enclosures: Nil

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#### **RECOMMENDATION**

**That Council note the annual status update on recommendations contained in the Open Space, Sport and Recreation Plan 2017-2027.**

#### **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 Open Space, Sport and Recreation Plan was 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 in both the Waratah-Wynyard and Circular Head Municipal Areas for a ten-year period 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 asset;
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, including the Showgrounds;
  - b. Frederick Street Reserve, including the BMX track;
  - 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.

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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”

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 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.

## DETAILS

The OSSR Plan delivered a series of recommendations and are listed in the OSSR Plan available on Councils website (<https://www.warwyn.tas.gov.au/governance/strategies-and-plans> ).

Of the 150 recommendations made in the OSSR Plan, 126 (84%) have now been completed/actioned or have become standard business practice.

Of the remaining 24, 14 are progressing with 10 remaining to be investigated. An update on key actions taken is listed below.

Progress and actions to date include:

1. New Settlement Strategy adopted which includes recommendations for management of public open space.
2. Wynyard Waterfront and Environs Masterplan projects have been mostly completed with the Multi-Purpose Community Facility (incorporating the Wynyard Yacht Club) expected to be completed in February and Camp Creek Rehabilitation by May 2022 with final works to commence shortly. BighART have been announced as the tenants for the cafe space.
3. The East Wynyard Playground and toilet has been completed.
4. The Cardigan Street Soccer Ground master plan is almost complete with ground lighting ordered and scheduled to be completed by mid-2022. Ball catching fences is the final component of the project for which Council will seek funding throughout 2022.
5. Sisters Beach Recreation Park and toilets completed.
6. Yolla umpire’s rooms completed.
7. Boat Harbour Beach Masterplan planning and design almost complete. Grant applications being completed for funding. The council has budgeted for Seawall repairs to be completed as the first component of the project.
8. Coastal Pathway works commenced with some Council portion of work completed. Design has been completed and planning application for remainder of Cooe to Wynyard section is expected to be lodged in March 2022 with construction in the latter half of 2022.
9. The Wynyard CBD Civic Plaza including public toilets has been completed.

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10. Staff have been working with Wynyard High School on the Wynyard Sporting Precinct preliminary design which has been completed, and public consultation conducted with a report expected to Council in March 2022. Discussions have also been held with Somerset Primary School should precinct go ahead in that area. Staff are currently preparing an options paper.
  11. Grant received for upgrade to Table Cape Lookout and walkway to Lighthouse. The Project includes upgraded parking, infrastructure and interpretive signage; and is expected to be completed by December 2023.
  12. Project approved for Public amenities at Table Cape.
  13. Fossil Bluff Master Plan approved, and Council is working with Wynyard Landcare on implementation.
  14. Council in conjunction with the Wynyard Cricket Club and Cricket Tasmania have upgraded the centre square at the Wynyard Showgrounds.
  15. Council continues to work closely with organisations to implement the standard Fees and Charges Framework which was adopted to promote equity and consistency across different organisations and facilities. New User Agreements have been developed and are being rolled out to organisations on a priority basis. To date 31 Agreements/MOU's have been updated and/or put in place. There will be ongoing review of all leases, agreements to ensure equity and consistency.
  16. Council Signage Strategy completed. New sign has been installed on the Council Offices with progressive rollout of other signs to occur.
  17. Public Camping Strategy and Policy adopted.
  18. Freedom Camping sites are currently being considered in Myalla and Wynyard.
  19. New RV dump station established in Wynyard.
  20. Carpark upgrades at ANZAC park completed
  21. The tender for the All Ability Playground at ANZAC Park has been awarded and preliminary work has commenced with completion expected prior to summer 2022.
  22. The consolidation of smaller playgrounds is being considered and the completion of key projects / new parks.
  23. Pedestrian crossover installed at Simpson Street across to Cam River Reserve.
  24. The Cam River Masterplan was adopted, with public consultation regarding the playground completed and being reviewed.
  25. Working with State Growth to provide connecting footpath between Cam River Reserve and ANZAC Park via a pedestrian underpass on the new bridge.
  26. Year three actions of the Community Health and Wellbeing, Age Friendly Communities and Youth Plans have been completed.
  27. The Zig Zag walking track has been upgraded with lighting installed.
  28. Public toilets have been upgraded and a new toilet planned for Yolla.
  29. Key footpaths have been constructed at Yolla.
  30. Council partnered with Yolla School to purchase additional playground equipment.

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31. Completion of the Wynyard Recreation Ground Changerooms.
  32. Wynyard Indoor Sports Centre Changeroom Upgrades completed
  33. Waratah Falls Walk concept plan completed.
  34. Coastal Engineering and Geotech reports have been completed on five key coastal areas to advise council's future actions.
  35. Undertaking a review of Asset Management Plans for parks, reserves and recreational assets.
  36. Council continues to promote and support trail events, such as "Gone Nuts" that encourage tourism and physical activities.

**Key outstanding items included in Annual Plan and Budget Estimates for delivery in 21/22:**

1. Construction of ANZAC Park Playground and car park upgrade.
2. Complete detailed design and planning for the Boat Harbour Beach Masterplan.
3. Repairs to western seawall at Boat Harbour Beach.
4. Ongoing work on coastal Pathway Cooee to Wynyard.
5. Completion of Cam River Masterplan actions.
6. Opening of Somerset Community Hub.
7. Details for connecting footpath from Cam River Reserve to ANZAC Park to be finalised in conjunction with State Growth.
8. Waratah Falls walk to be progressed, pending receipt of funding.
9. Construction of Waratah Pedestrian Bridge to be progressed, pending receipt of funding.
10. Implement actions from Fossil Bluff Plan in conjunction with Landcare.
11. Complete remediation of Camp Creek .
12. Implement Public Camping Strategy and practices.
13. Implementation of year three actions from Community Health and Wellbeing, Age Friendly Communities and Youth Plans.
14. Finalise detailed design for a Wynyard Sports Precinct.
15. Public Toilet to be established in Yolla.
16. Public toilets to be upgraded.
17. Establishment of a Dog Park in Wynyard.
18. French's Road Masterplan Landcare actions.
19. Work with Sustainable Timbers Tasmania and the community to develop a plan for the Oldina Reserve

**STATUTORY IMPLICATIONS**

Statutory Requirements

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

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## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL</b>
<b>Desired Outcomes</b>
We maintain and manage our assets sustainably.
<b>Our Priorities</b>
3.5 Provide high quality shared and multi-use community hubs that combine a range of recreational, sporting and educational uses.
1.1 Commit to best practice in community engagement.
4.5 Collaborate with community organisations that provide recreation opportunities to our community.

### Sustainable Murchison Community Plan 2040

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

### Council Strategy or Plan Reference

<b>Council Strategy or Plan</b>
Waratah Community Plan
Destination Action Plan
East Wynyard Foreshore Master Plan
Central Area Development Plan
Age Friendly Communities Plan 2019-2024
Y Plan – (Youth) 2019-2024
Community Health and Wellbeing Plan 2019-2024
Strategic Asset management Plan
Tourism Plan (2011- 2020)
Communication and Engagement Strategy 2019/2021
Boat Harbour Beach Master Plan
iCEP
Cam river Masterplan
Open Space, Sport and Recreation Plan 2017-2027

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## **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.

## **FINANCIAL IMPLICATIONS**

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

## **RISK IMPLICATIONS**

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

## **CONSULTATION PROCESS**

There was no consultation undertaken in relation to 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.

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## 9.2 COMMUNITY ACTIVATION GRANTS ROUND ONE 2021/2022

To: Council  
Reporting Officer: Community and Events Officer  
Responsible Manager: Director Community and Engagement  
Report Date: 16 December 2021  
File Reference: 103.04/19  
Enclosures: Nil

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### RECOMMENDATION

**That Council allocate community activation grants to the following organisations under round one of the Council's 2021-2022 Community Activation Grants program:**

Organisation	Project	Recommended for Approval
Somerset Amateur Basketball Association	Drinks Fridge replacement	\$2,000
The Wynyard Agricultural and Pastoral Society Inc.	Marquee Hire	\$2,000
Wynyard Districts Cricket Club Inc.	Purchase new cricket pitch roller	\$2,000
Wynyard Garden Club	Prize money for garden Competition	\$700
Somerset Fire Brigade Social Club	Chair replacement	\$2,000
Coast FM	Replace studio audio mixer	\$2,000
Live Well Tasmania	Improved parking	\$1,765
Northern Tasmania Driving Society	Defibrillator	\$1,870
Wynyard Camera Club	Purchase Laptop	\$1,485
Wynyard Municipal Concert Band	Music stand upgrades	\$2,000
Somerset Surf Life Saving Club	Training equipment for juniors	\$2,000
Yolla Football Club	Purchase Electronic score board	\$2,000
Somerset Football Club	Facility Electrical Upgrade	\$2,000
Grow Gather Give	Native/indigenous, elidable plant kitchen garden	\$2,000
Wynyard Tai Chi & Qigong Groups	Community participation program	\$1,040
Wynyard RSL Sub-Branch	Purchase Large Australian Flag	\$900
Squid Theatre Inc.	Radio Drama production	\$1,196.20
Artscape	Undercurrent Art Prize acquisition	\$1,000
Elliot District Association Inc.	Purchase of Lawn Mower	\$2,000
	<b>Total</b>	<b>\$31,956.20</b>

### PURPOSE

This report has been prepared to assist Council to determine allocation of grant funding to community organisations under round one of the 2021-2022 Community Activation grants program.

### BACKGROUND

Waratah-Wynyard Council has committed funding for the provision of a Community Activation grants program that supports community initiatives that encourage and enhance social and cultural wellbeing, recreation and that foster economic development and

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education pursuits. Grants are offered to assist in the provision of community projects and activities, support individuals selected to represent Australia and to sponsor local events that provide economic and social benefit for the community. There are two funding rounds with eligibility and assessment criteria.

## **DETAILS**

Promotion of the Community Activation grants program was undertaken through advertisements in the *Advocate* during November and December 2021 advising local community groups, organisations and event organisers that application forms and policy guidelines were available at the Council office in Wynyard and Waratah or could be downloaded from the Council's website.

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

### Assessment Criteria

- benefit to the Waratah-Wynyard community;
- innovation and proactivity;
- an integrated and collaborative approach, avoiding duplication;
- value for money;
- community support for the project, particularly from any partners;
- high levels of other financial or in-kind contributions;
- the ability to build and strengthen community capacity;
- good prospects for successful implementation; and
- volunteer and community involvement with the project.

Council received 19 Community Activation grant applications; 18 applications meet the required criteria to be eligible for recommended approval.

Initially the applications were reviewed and assessed against the assessment criteria by the Council Grants Committee. This initial assessment with comments and recommendations were then presented to Council for consideration.

### Disbursement of Grant

All organisations awarded a grant are required to produce evidence of expenditure, i.e. quotations or accounts for payment, prior to the funds being disbursed.

New Events are required to sign an Event Sponsorship Funding Agreement.

### Acquittal Process

All organisations that receives a grant, must lodge an Acquittal Report at the end of the project, detailing how the funds have been spent and outlining the outcomes of the project.



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## STATUTORY IMPLICATIONS

### Statutory Requirements

The *Local Government Act 1993* states:

#### ***Grants and benefits***

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

### Strategic Plan Reference

<b>GOAL</b>
<b>Desired Outcomes</b>
Our community values, encourages and supports physical, social and cultural activities.
<b>Our Priorities</b>
4.5 Collaborate with community organisations that provide recreation opportunities to our community.
3.6 Facilitate activities and events that promote inclusion, health, safety and a sense of place.
3.4 Build community capacity through services and programs that strengthen, support and care for our community.
1.6 Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.

### Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
<b>Tourism</b>	<b>Memorable visitor experiences all year round</b> – The must-see destination, quality product, easy access, popular events and festivals with coordinated marketing. A longer season with increasing yields.
<b>Strong communities and social capital</b>	<b>Enduring community capital</b> – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
<b>Health and Wellbeing</b>	<b>Maintaining good health and wellbeing</b> – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.
<b>Education</b>	<b>Lifelong learning and education</b> – Education and lifelong learning is valued and there is access to vocational training and tertiary education. Education retention rates have increased.

## POLICY IMPLICATIONS

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

## FINANCIAL IMPLICATIONS

Council currently has an annual allocation of \$40,000 in the 2021-2022 approved budget for community grants. The following reconciliation provides an indication of the budget implications of the recommended approvals:

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<b>Budget</b>	
Community Activation Grants Program	\$40,000
Less: Recommendation Round One	\$29,956.20
<b>Balance Available Community Activation Grants</b>	<b>\$10,043.80</b>

## **RISK IMPLICATIONS**

There are no significant risk implications identified

## **CONSULTATION PROCESS**

All applicants will be advised of the outcome of the grant process in writing and provided with feedback on their application.

## **CONCLUSION**

It is recommended that the Council provide community activation grants to the outlined organisations as recommended under round one of the Council's 2021-2022 Community Activation Grants program.

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### 9.3 ENERGY SAVER GRANTS PROGRAM RECOMMENDATION

To: Council  
Reporting Officer: Community and Events Officer  
Responsible Manager: Director Community and Engagement  
Report Date: 17 December 2021  
File Reference: 01  
Enclosures: Nil

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#### RECOMMENDATION

That Council endorse the allocation of funding to successful applications for the Energy Saver Grants Program in accordance with the following table:

NO	NAME OF ORGANISATION	DESCRIPTION OF PROJECT	AMOUNT REQUESTED
1	Somerset Amateur Basketball Association	S.I.R.C 30kw Solar Panel System	\$8000.00
2	Wynyard Community Men's Shed	Heating and lighting energy saving project	\$2118.19
3	Coast FM	Outside Broadcasting Vehicle Solar power system	\$2000.00
		Total	\$12,118.19

#### PURPOSE

For Council to consider the allocation of funding to eligible organisations under the Energy Saver Grants Program.

#### BACKGROUND

The Energy Saver Grants Program was launched by Waratah-Wynyard Council in November 2021. The grants enable not-for-profit community organisations in the Waratah-Wynyard local government area to apply for up to a 50% co-contribution towards energy saving initiatives that provide financial and environmental benefits.

The development of the Energy Saver Grants Program supports the environmental aims of the Waratah-Wynyard Integrated Council Environmental Plan 2020-2030. (iCEP).

#### DETAILS

There is a total budget allocation of \$50,000 available for the grants program. The aim of the program is to improve the financial and environmental sustainability of community organisations by saving energy and reducing power bills. It also aims to build the capacity of community groups to work toward environmental sustainability by reducing greenhouse gas emissions, increasing the uptake of energy efficient technologies and improving awareness of the benefits of energy efficiency.

The Program objectives were to:

- Improve the financial sustainability of community organisations through energy saving and the reduction of power bills

- Build the capacity of community groups to work toward environmental sustainability and reducing greenhouse gas emissions
- Increase the uptake of energy efficient technologies
- Improve awareness of the benefits of energy efficiency across the community

The guidelines and application form outlined the applicant's responsibility to achieve all relevant statutory approvals, if required, for the project.

There were three applications received in this grant round. All applicants provided information to support project proposals with community benefit demonstrated.

The applications were evaluated against the assessment and grant eligibility criteria by a panel of Councillors.

## STATUTORY IMPLICATIONS

### Statutory Requirements

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

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL 7: Environment</b>
<b>Desired Outcomes</b>
Our community uses the renewable and natural environment to meet its energy needs and assist in reducing the effects of global warming.
<b>Our Priorities</b>
7.3 Promote innovative sustainable design through renewable energy and resources.

### Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
<b>Business &amp; Industry</b>	<b>Specialised diversity of the economy</b> – Value adding, diversification, innovation and employment. A resilient economy with global brand recognition and growing exports.
<b>Tourism</b>	<b>Memorable visitor experiences all year round</b> – The must see destination, quality product, easy access, popular events and festivals with coordinated marketing. A longer season with increasing yields.
<b>Strong communities and social capital</b>	<b>Enduring community capital</b> – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
<b>Natural resource management</b>	<b>Managing abundant, natural and productive resources</b> – Natural resource management is valued, and development is environmentally sustainable. The environment is clean and healthy with unspoilt beauty and biodiversity.
<b>Health and Wellbeing</b>	<b>Maintaining good health and wellbeing</b> – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.
<b>Place making and liveability</b>	<b>Liveable places for all ages</b> – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.

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## **POLICY IMPLICATIONS**

Development and implementation of the Energy Saver grants program is consistent with the Integrated Council Environmental Plan.

## **ENVIRONMENTAL IMPLICATIONS**

The implementation of projects funded under the Energy Saver grant program will progress Councils sustainability and environmental aims.

## **FINANCIAL IMPLICATIONS**

The recommended grants for approval are within the budgetary allocation. Correspondence with successful grant recipients will outline requirements and funding allocation.

## **RISK IMPLICATIONS**

There are no material risks identified as a result of this report.

## **CONSULTATION PROCESS**


All grant funding approved under the program will be disclosed and reported to the community in Council's Annual Report.

## **CONCLUSION**

Funds be provided to the recommended successful applicants for funding for projects in the Energy Saver grants program.

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## 9.4 ROAD NAMING AND ADDRESSING POLICY

To:	Council
Reporting Officer:	Director Organisational Performance
Responsible Manager:	Director Organisational Performance
Report Date:	26 November 2021
File Reference:	Governance - Policy - Council Policies
Enclosures:	1. Proposed Road Naming and Addressing Policy 

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### RECOMMENDATION

#### That Council:

1. That Council adopt the Road Naming and Addressing Policy as presented.

### PURPOSE

This report is for Council to consider a revised Road Naming and Addressing Policy.

### BACKGROUND

Following a workshop in mid- 2021 relating to the renaming of Fosters Road, it was agreed to review Council's existing Street Naming and Addressing Policy to better align with the requirements of the Tasmanian Place naming Guidelines and strengthen the consultation requirements of the Policy in line with the expectations of Council.

### DETAILS

The Policy is a governance mechanism for ensuring a logical, standardised and structured approach to street naming and parcel addressing occurs within the Municipal area.

The revised Policy introduces a more rigorous approach to the consultation requirements where Council is considering altering an existing road name; including the requirement to ensure a public notice of intent be published inviting submissions. The new provisions will ensure Council is fully informed of the views of the community in its decision-making.

Alterations to road name changes were previously undertaken without formal approval of Council (in accordance with the existing Policy). The revised Policy requires Council approval for alterations to road names.

### STATUTORY IMPLICATIONS

#### Statutory Requirements

The *Place Names Act 2020* provides for contemporary governance arrangements for the place naming process and clarity in the responsibility for the naming of roads and streets. Naming authorities for place names approved under the *Place Names Act 2020* are:

- Geographical features – The Minister
- Roads and streets – The relevant council of the municipal area
- Locality names and boundaries – The Minister
- Other cultural features – The Minister

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Naming authorities under the *Place Names Act 2020* are responsible for developing proposals that conform to Tasmanian Place Naming Guidelines and undertaking the appropriate community consultation to ensure that the name is acceptable to the community.

Council is obliged, under Section 20E of the *Survey Co-ordination Act 1944*, to lodge proposed Street Names to the Nomenclature Board via the Placenames Tasmania Portal.

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL</b>
<b>Desired Outcomes</b>
3.5 Our community uses its voice to shape its future alongside a strong Council willing to listen and implement where reasonable and practical.
<b>Our Priorities</b>
3.2.1 Deliver engagement strategies that adapt to community needs to ensure effective communication and collaboration.

### Sustainable Murchison Community Plan 2040

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

## POLICY IMPLICATIONS

The new Road Naming and Addressing Policy will replace the existing Street Naming and Addressing Policy.

## 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

### Legislative Risk

The adoption of the Policy as presented will reduce the risk of legislative non-compliance by clarifying the requirements of the Tasmanian Place Naming Guidelines

### Reputational Risk

The revised Policy reduces the level of reputational risk by ensuring consultation measures are undertaken including the requirement to ensure a public notice of intent be published to the broader community.

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Alterations to road name changes were previously undertaken without formal approval of Council. The revised Policy requires Council approval for alterations to road names. The new provisions will ensure Council is fully informed of views of the community prior to decisions on renaming occurring.

### **CONSULTATION PROCESS**

Council considered this matter in a workshop in July 2021.

### **CONCLUSION**

That Council adopt the Road Naming and Addressing Policy as presented to replace the existing Street Naming and Addressing Policy.



## 9.5 CORPORATE QUARTERLY INFORMATION REPORT

To: Council  
Reporting Officer: Executive Officer - Governance and Performance  
Responsible Manager: Director Organisational Performance  
Report Date: 15 November 2021  
File Reference: 2401  
Enclosures: 1. Economic Snapshot as at January 2022 

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### RECOMMENDATION

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

### PURPOSE

To provide statistical information and a quarterly update on the activities of Council for each Department. This report is the first quarterly report for the following Directorate and Departments:

Office of the General Manager

- Human Resources
- Workplace Health and Safety

Organisational Performance

- Economic Development
- Corporate System Development
- Risk Management
- Governance

### BACKGROUND

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

The Executive Team recently undertook a review of organisational reporting with the aim of ensuring consistent and improved information sharing to Council. A quarterly Information Report will be provided each quarter for each Directorate with a snapshot of activities undertaken. Commencing from 2022, a report will be provided on rotation for: -

- Corporate (Office of the General Manager and Organisational Performance)
- Community & Engagement
- Regulatory & Development Services

Monthly reporting will continue for the Financial Performance of Council. Annual Plan Progress reports will also continue to occur quarterly for corporate Annual Plan actions.

## DETAILS

### HUMAN RESOURCES

#### Staff numbers and statistics

Staff Numbers as at:		31 December 2021					
	Permanent Positions		Temporary Positions			Total	Fulltime equivalent
	Full-time	Part-time	Full-time	Part-time	Casual		
Indoor	28	13	4	6	6	57	41.4
Outdoor	27	3	5	0	0	35	27.3
Childcare	8	7	0	4	9	28	16.2
Total	63	23	9	10	15	120	85.0

Statistics	Ave. Age	Female	Male	Yrs Service
Indoor	47.69	38	19	8.42
Outdoor	44.24	3	32	11.05
Childcare	40.37	28	0	9.18
Total	44.97	69	51	9.37

#### Absenteeism Rate / Labour Hire Engagement

	Absenteeism Rate				Labour Hire Engagement for period		
	Personal Leave Taken	Hours Worked	Absent Rate	Full Time Equivalent	Total Workers	Hours	Cost (ex. GST)
Indoor	666	21,760	3.0%	0.34	0	0	\$ -
Outdoor	663	14,531	4.4%	0.34	4	1,097	\$ 54,169
Childcare	265	8,616	3.0%	0.13	0	0	\$ -
Total	1,594	44,907	3.4%	0.81	4	1,097	\$ 54,169

#### New Starters / Departures

New Starters & Departures this financial year							
		Permanent Positions		Temporary Positions			Total
		Full-time	Part-time	Full-time	Part-time	Casual	
New Starters	Indoor	0	0	0	1	1	2
	Outdoor	3	0	1	0	0	4
	Childcare	0	0	0	2	0	2
	Total	3		4		1	8
Departures	Indoor	1	0	0	0	1	2
	Outdoor	1	0	0	0	0	1
	Childcare	0	0	0	0	1	1
	Total	2		0		2	4

### Turnover Rate of Permanent Staff

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

5.3% Average Turnover for Public Administration

### Recruitment Activity

Recruitment this Quarter			
Position	Open	Closed	Status
Children's Services Trainee	10-Sep-21	27-Sep-21	Completed
Civil Works Employee x 2	14-Sep-21	28-Sep-21	Completed
Waratah Customer Service Officer (Fixed-term and Casual)	22-Sep-21	18-Oct-21	Completed

## WORK HEALTH AND SAFETY

### Incident & Hazard Reporting

Incident/Hazard Report Forms received this Quarter							
	Incident	Hazard	Near Misses	Injury/ Illness	Lost Time Injuries (hrs)	Property/ Plant Damage	Total Reports
Indoor	0	0	0	0	0	3	3
Outdoor	0	0	0	2	1	6	8
Childcare	0	0	0	0	0	0	0
Total	0	0	0	2	1	9	11

### Lost Time Injury

Lost Time Injury Frequent Rate (LTIFR) for this Quarter						
No. of LTI's	No. of FTE Employees	Weekly Hours	Weeks in Period	Hours Worked in Period	LTIFR	Industry Standard
1	85.0	38	12	38,740	25.81	12.6

### Workers Compensation Cases

Workers Compensation Cases					
	New	Ongoing	Finalised	Total at EOP	WC Hours
This Quarter	1	0	1	0	36

## ECONOMIC DEVELOPMENT

### **Economic Data**

A snapshot of key economic data as at January 2022 is attached.

### **Special Projects**

Key economic development activities for the first half of the year are outlined below.

#### Mobile Food Vendor Guidelines

In recognition that the mobile food vending businesses are a legitimate and emerging segment of the food industry in Tasmania that can add to the vibrancy of the municipal area, Council Officers developed Guidelines that were formally adopted by Council at its meeting in December 2021.

The Guidelines now provide a framework under which a permit may be granted to allow mobile food vending businesses to operate on council owned and/or managed land with 15 pre-approved locations to be used for mobile food vending.

Council Officers are now progressing an online booking system to both apply for a permit and book a site. The booking system is expected to go live by the end of January.

#### Signage Strategy

A Signage Strategy and associated documents were developed and formally adopted by Council in September 2021. The Strategy was developed in response to Council's commitment to a consistent and strategic approach to signage and developing a strong brand identity for the municipal area.

An audit of current signage has been undertaken and an upgrade program is now being progressed. The Council office buildings in Saundes Street have been updated and other new signage will be delivered over the coming months. Sporting facilities and other major Council facilities will be renewed in the first instance.

#### Energy Saver Grants

Council Officers developed guidelines for the Energy Saver Grants in consultation with the Community Activation team. The Program enabled not-for-profit community organisations in the Waratah-Wynyard Local Government area to apply for a 50% co-contribution towards energy saving initiatives that provide financial and environmental benefits. The program, administered by the Community Activation team, opened 1 November along with the community activation grants program and closed 3 December 2021. Several applications were received and have been assessed. Recommendations will be presented to Council for a final decision on successful applicants.

### Industry visits

Councillors are now undertaking regular industry visits. The intention is to not only learn more about the operations of the many innovative and successful local businesses and industries that operate in our municipality, but to also build stronger Council-business relationships. Visits undertaken to date include:

- Cross Laminated Timber Products
- Flowerdale Farms
- Tas Advanced Minerals
- Red Cow Organics

### Settlement Strategy

In consultation with the Planning department, work has commenced on an implementation plan for the Strategy to capture all actions, assign responsibility, and capture all work currently underway to support the Strategy. The Plan will be workshoped with Council in the New Year.

### Public Land Disposal

Council Officers have been progressing the sale of land surplus to Council's needs. Public Land Disposals that have commenced this year to date include: -

- 14 Walker Street, Waratah (PID 7003933)
- 0 Quiggin Street, Waratah (PID 997980)
- 6 Main Street, Waratah (PID 7003597)

### Telecommunications Improvement Advocacy

The community in North West Tasmania continue to experience mobile network coverage and capacity issues, including depth of coverage; coverage availability; network capacity, particularly in high tourist visitation during peak periods; and continued patchy coverage, including on the major transport corridor, the Bass Highway and other major roads.

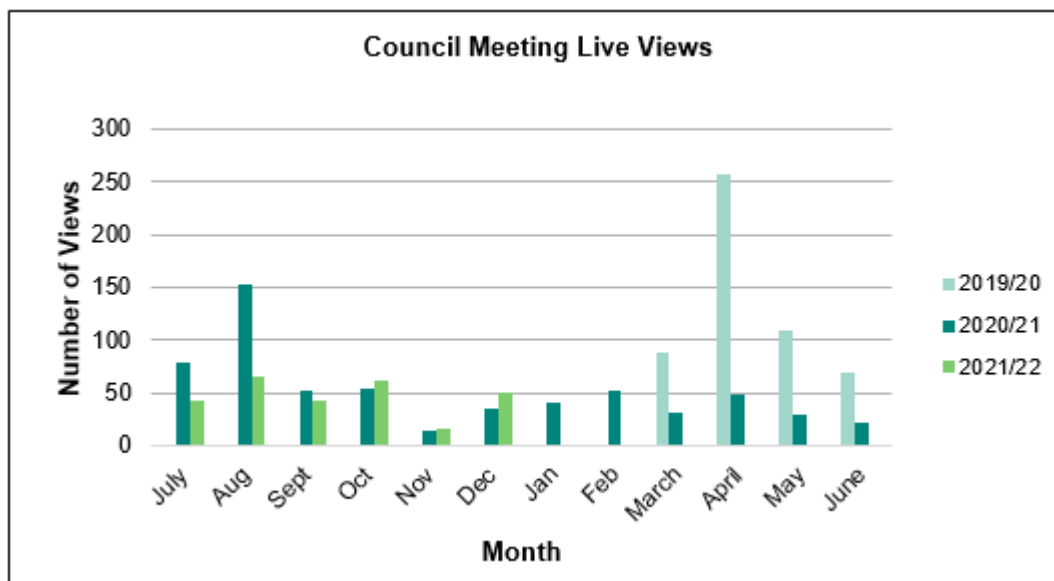
Council Officers have worked collaboratively with Telstra and Circular Head Council to find appropriate technical solutions for our municipal areas. Several solutions are required, including site augmentations, new macro site investments, and new small cell investments. The areas identified for improvement include Sisters Beach Boat Harbour Beach, Lapoinya, and Flowerdale. Funding is now being sought from the state and federal government to fund the identified infrastructure gaps.

Council Officers also participated in the Regional Telecommunication Review 2021 and made a formal submission to the Review advocating for a regional approach to funding. The Regional Telecommunications Independent Review Committee (RTIRC), has now provided its final report, *2021 Regional Telecommunications Review: A step change in demand*, to the Minister for Regionalisation, Regional Communications and Regional Education, Senator the Hon Bridget McKenzie. The Report is embargoed until it is tabled in the Australian Parliament, which we expect to occur in early 2022 along with the Government's formal response.



## GOVERNANCE

### Council Meeting Live Stream Views



### Policies Adopted by Council

The following policies were adopted by Council from 1 July 2021 to 31 December 2021:

- Australia Day Awards Policy Guidelines
- Brand and Signage Policy

### Workplace Policies Reviewed

The following workplace policies/procedures/guidelines/terms of reference were reviewed and adopted by the Senior Management Team:

- Community Noticeboard Procedure
- Annual Asset Reviews Procedure
- Casual Staff Guidelines
- Grievance Handling Policy and Procedure
- Social Engagement Committee - Terms of Reference
- Promotion Process
- Workplace Inspection Procedures
- Hearing Conservation Procedure
- Hazardous Manual Tasks Assessment Procedure

### Complaints

Council has received 5 formal complaints during the six months ended 31 December 2021.

## Tendes & Contracts

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

Contract No And Description	Name and Address of Contract Holder	Contract Dates	Contract Extension Options	Contract Value at Start Date
756 – ANZAC Park All abilities Playground	Hardings Hotmix PO Box 709 Ulverstone, TAS, 7315	18/10/2021 – 17/06/2022	N/A	\$2,382,335.88
758 – Provision of Bitumen Services	Roadways Pty Ltd PO Box 303 Glenorchy, TAS, 7010	21/01/2022 – 28/02/2022	N/A	\$69,548.38
759 – Takone Rd (Inglis River) Bridge Replacement	TasSpan 27-28 Faulkner Drive Latrobe TAS 7307	17/09/2021 – 3/12/2021	N/A	\$401,690.91
762 – Provision of Roadside Weed Spraying Services	All Weed Solutions 45 Makombe Street Longford, TAS 7301	01/07/2021 – 30/06/2024	3 Years	\$25,088.94 per annum
763 – Cardigan Street Sports Lighting Upgrades	AJR Construct 11 Luck Street Spreyton, TAS, 7310	16/08/2021	N/A	\$401,952.28
764 – Camp Creek Final Rehabilitation	Gradco Pty Ltd 79-81 St Leonards Rd St Leonards, TAS 7250	28/02/2022 – 23/05/2022	N/A	\$297,488.97
766 – Provision of Pavement Stabilisation and Resurfacing	Stabilised Pavements of Australia Pty Ltd Unit 1/27 Crooked Billet Drive Bridgewater, TAS, 7030	16/08/2021 – 30/11/2021	N/A	\$294,420.36
767 – Public Toilet Upgrades	Fairbrother Pty Ltd 183 Macquarie Place Hobart, TAS, 7000	30/08/2021 – 06/10/2021	N/A	\$222,026.00
769 – Cleaning Service for Council Facilities	ABC Health Care Services Pty Ltd 102 Charles Street Moonah, TAS, 7009	1/1/2022 – 31/12/2025	3 Years	\$131,488.50
770 – Cardigan Street Sub Surface Drainage	Total Turf Care 32 Harvest Lane Old Beach, TAS, 7017	3/10/2021 – 19/12/2021	N/A	\$409,173.00



# Non-Application of Public Tender Process

Contract	Contract Holder	Reason for non-Tender Process	Contract Dates	Contract Extension Options	Contract Value at Start Date
749 - Big Creek Flood Mitigation (Design)	Tetra Tech Coffey Registered Address: Level 19 Tower B Citadel Towers 799 Pacific Highway Chatswood NSW 2067 Postal Address: PO Box 7537 Cloisters Square Perth WA 6850 Office Street Address: Level 1 Bishops See 235 St Georges Terrace Perth WA 6000	A call for tenders for a combined 'design & Construct' package was released on 9 June 2021, and no tenders were received. A motion was put and carried at the ordinary Council meeting of August 21, to absolve the requirement of the formal tender process and seek procurement through a direct request for quotation process for the 'Design only' of flood mitigation works at Big Creek and Port Creek Wynyard.	29/09/2021	N/A	\$129,147.00
765 - Port Creek Flood Mitigation (Design)	Tetra Tech Coffey <i>Registered Address:</i> Level 19 Tower B Citadel Towers 799 Pacific Highway Chatswood NSW 2067 <i>Postal Address:</i> PO Box 7537 Cloisters Square Perth WA 6850 <i>Office Street Address:</i> Level 1 Bishops See 235 St Georges Terrace Perth WA 6000	A call for tenders for a combined 'design & Construct' package was released on 9 June 2021 and no tenders were received. A motion was put and carried at the ordinary Council meeting of August 21, to absolve the requirement of the formal tender process and seek procurement through direct request for quotation process for the 'Design only' of flood mitigation works at Big Creek and Port Creek Wynyard.	29/09/2021	N/A	\$81,653.00

## Council and Land Information Certificates (337)



## Certificate of Liabilities (132)



## Addressing

### Greenfield Changes

Street name and addressing of serviced parcels submitted by developers and approved and now live in line with Council Policy:

1. Seabrook Water Estate Stage #1
  - a. New Street: **Beachside Close**, 22 newly addressed parcels

The new street "**Beachside Close**" constructed in Stage #1 of Seabrook Waters Estate runs South West off Old Bass Highway and services 22 new parcels.

- b. New Street: **Shoreline Entrance**, 4 newly addressed parcels

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The new street “*Shoreline Entrance*” constructed in Stage #1 of Seabrook Waters Estate runs South West off Old Bass Highway and services 4 new parcels.

2. Belton Rise Estate Stage #6

- a. New Addressing: 8 newly addressed parcels

Existing street “Hill Court” constructed in Stage #6 of Belton Rise Estate runs East- West off the Southern end of King Drive and services 21 parcels 8 of which (13-20) have recently been addressed.

### Brownfield Changes

The following renumbering has occurred for Brownfield changes in line with Council’s Policy:

1. Irby Boulevard

- a. New Addressing: 3 lot Subdivision, 3 re-addressed parcels

Existing street “Irby Boulevard” runs North-Westerly off Kenelm Avenue services 167 parcels 3 of which (151-155) have recently been re-addressed.

2. Back Cam Road

- a. New Addressing: 2 lot Subdivision, 2 re-addressed parcels

Existing road “Back Cam Road” runs South off Murchison Highway services 112 parcels 2 of which (327,329) have recently been re-addressed.

3. Timothy Drive

- a. New Addressing: 4 lot Subdivision, 4 re-addressed parcels

Existing road “Timothy Drive” runs Westerly off Kenelm Avenue services 18 parcels 4 of which (10,24,28,34) have recently been re-addressed.

## **CORPORATE SYSTEMS UPDATE**

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

### Digital Strategy Development

The organisation’s system development in recent years has been tactical, and project focused solving point in time problems. Council Officers are progressing with developing a Digital Strategy to provide an overarching roadmap and strategic direction for system development.

### Authority Database Hosting

Council Officers have been progressing changes to Council’s network services, internet and Civica Hosting Services following an ICT Review in early 2021 (reported to Council in July 2021).

Council has now fully transitioned its internet services to more cost-effective NBN services. Advantages of the changes include a significant increase in bandwidth and a significant step up in security, protection layers and monitoring for Council.

Council Officers have commenced the transition to a cloud-hosted environment managed by Civica. This option will reduce Council information security and disaster recovery risks. The arrangement is aligned with Councils operational and strategic direction to provide greater mobile capability. The project is currently in the proof of concept stage and is expected to transition in full in February 2022.

### Online Timesheet Project

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Operational improvements are being sought through the implementation of online timesheets and a self-service kiosk (accessible through PCs, tablets and smartphones). The project is nearing completion. The project has four mini projects (or stages): Organisational Hierarchy, Work Patterns, Online Leave, and Online Timesheets.

**Organisational Hierarchy**– 100% Complete

**Work Patterns**– 100% complete

**Online Leave** - 100% complete

**Online Timesheets**- 90% complete

Some support calls remain outstanding for this project for matters that have arisen throughout the testing period. The rollout of online timesheets will occur on release of the App interface which will enable mobile capability.

#### Customer Request System

This project is currently in the planning stage and will be commenced following the completion of the Online Timesheet project.

#### GIS Modernisation

This solution is a web-based all device GIS that will give users 24/7 access to spatial information to all (Indoor & Outdoor) Council staff via a secure web application. This will provide timely and efficient access to any relevant spatial information where it is needed, whether they be at their desk or in the field.

Progress on the project to date has been slower than planned due to the availability of the smaller Hobart based consultancy. However, all back-end connections and software licencing have been established and confirmed as working. The Digital Innovation team has commenced amalgamating common datasets (Stormwater, Roads, etc). The project is expected to be finalised late in the financial year.

### **STATUTORY IMPLICATIONS**

#### Statutory Requirements

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

### **STRATEGIC IMPLICATIONS**

#### Strategic Plan Reference

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

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

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## Sustainable Murchison Community Plan 2040

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

### **POLICY IMPLICATIONS**

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

### **ENVIRONMENTAL IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

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

### **RISK IMPLICATIONS**

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

### **CONSULTATION PROCESS**


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

### **CONCLUSION**

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

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## 9.6 ANNUAL PLAN UPDATE REPORT 1 OCTOBER 2021 TO 31 DECEMBER 2021

To: Council  
Reporting Officer: Executive Officer - Governance and Performance  
Responsible Manager: Director Organisational Performance  
Report Date: 14 January 2022  
File Reference: 004.10  
Enclosures: 1. Departmental Monthly Performance Report - December 2021 

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### RECOMMENDATION

**That Council note the Annual Plan Update Report for the period 1 October 2021 to 31 December 2021.**

### PURPOSE

This report is provided as an update on the Annual Plan progress as at 31 December 2021.

By providing a regular update, Council can see how the organisation is tracking in the delivery of commitments made to the community through the Annual Plan.

### BACKGROUND

The Annual Plan and Budget Estimates is developed by Council each year, outlining key activities and initiatives for the year.

The Council adopted the 2021/22 Annual Plan and Budget Estimates on 21 June 2021.

Council's 10 Year Corporate Strategic Plan 2017/27 was reviewed and adopted by Council on the 21 May 2021. The Annual Plan and Budget Estimates link to the achievement of the Strategic Plan within an overall planning framework.

The framework guides Council in identifying community needs and aspirations over the long term (Our Mission, Vision & Values), medium term (Strategic Plan) and short term (Annual Plan and Budget Estimates) and holds itself accountable through the Audited Financial Statements and Annual Report.

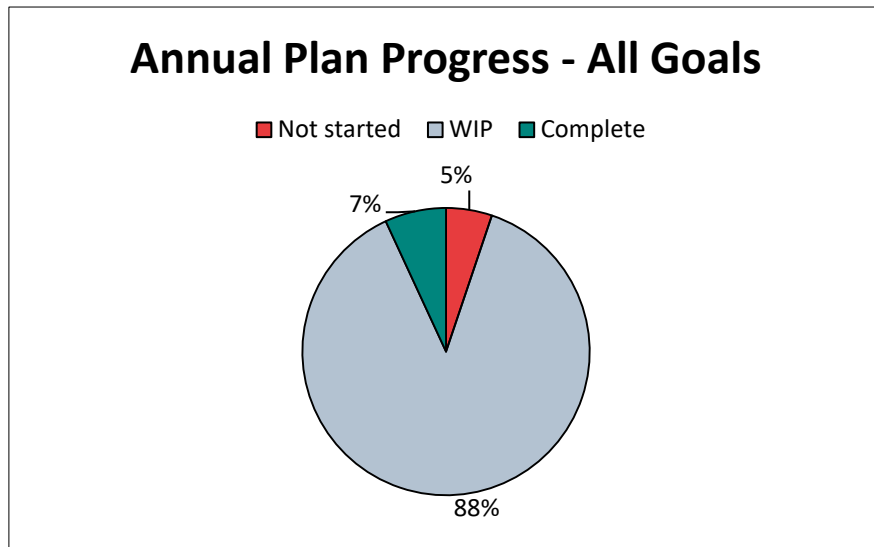
The activities and initiatives included in the Annual Estimates contribute to achieving the strategic objectives specified in the Strategic Plan.

### DETAILS

The **attached** report provides a progress report of actions against the Council's Annual Plan for 2021/22.

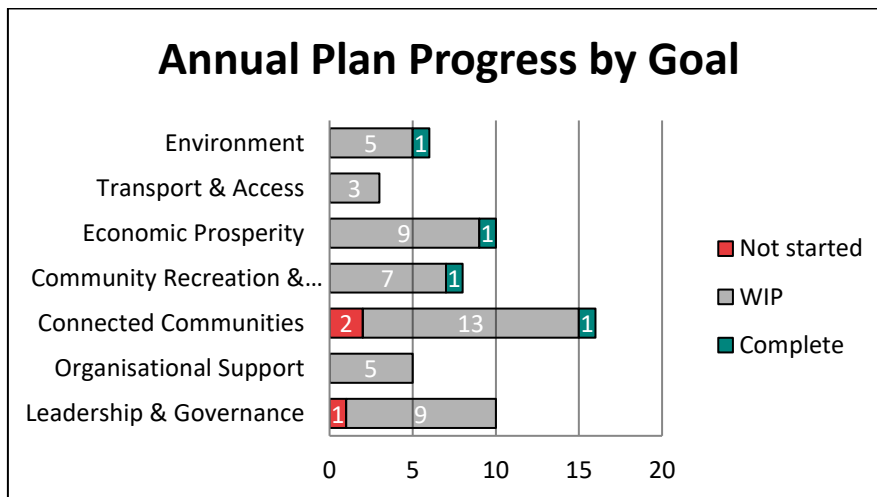
As of 31 December 2021, all actions are in progress. With 7% (4 actions complete).

There was a total of 58 actions adopted in the Annual Plan and Budget. The below graph represents progress against the actions.



- 4 actions complete
- 29 actions above 90% complete
- 7 actions between 70% – 90% complete
- 15 actions at less than 70% complete
- 3 actions not started

The following graph outlines progress against each of Council's strategic goals:



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## STATUTORY IMPLICATIONS

### Statutory Requirements

#### Statutory Requirements

*The Annual Plan is prepared as part of the Budget Estimate process and is required under the Local Government Act 1993:*

#### *71. Annual plan*

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

*(2) An annual plan is to –*

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

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

The plan is consistent with the Waratah-Wynyard Corporate Strategic Plan 2017/27 and the Sustainable Murchison Community Plan 2040.

Council Strategy or Plan	Date Adopted:
Annual Plan and Budget Estimates 2020/21	21 June 2021

## POLICY IMPLICATIONS

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

## ENVIRONMENTAL IMPLICATIONS

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

## FINANCIAL IMPLICATIONS

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

## RISK IMPLICATIONS

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

## CONSULTATION PROCESS




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

## CONCLUSION

That Council note the Annual Plan Report for the period 1 October 2021 to 31 December 2021.



## 9.7 SENIOR MANAGEMENT REPORT

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	13 December 2021
File Reference:	1312
Enclosures:	<ol style="list-style-type: none"> <li>1. Application and Submission for State Budget Funding </li> <li>2. 2021 12 06 - Fire Services Act 1979 - Fire Services Funding Review Submission </li> <li>3. LGAT - Advice from Premier re Approvals for Inflatable activities on Crown or Other State Land </li> </ol>

### RECOMMENDATION

**That Council note the monthly Senior Management Report.**

### SUMMARY/PURPOSE

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

### GENERAL MANAGERS OFFICE

#### ACTIVITIES SINCE LAST COUNCIL MEETING

Listed below is a summary of activities undertaken by the General Manager during the period 6 December 2021 to 14 January 2022.

#### **Corporate**

- Negotiation of Council's new Enterprise Agreement continued. Staff meetings were held across all areas of the business, prior to the vote which was undertaken on Monday 13 December 2021. The vote was lost, and negotiations will recommence in February.
- Attended the Waratah-Wynyard Council Audit Panel meeting.
- Met with Shadow Minister for Infrastructure, Transport and Regional Development, Catherine King MP and her Labor Party colleagues, including Senator Anne Urquhart, Julie Collins and Chris Lynch.
- Regular discussions and meetings with Burnie City Council regarding the cyber-attack that affected their systems. A disclosure was made to all staff in late December, notifying them of a possible data breach.

#### **Community**

- Met with representatives of the Inglis Pony Club regarding their future infrastructure needs.
- A briefing was received on the UPC transmission line project.

- Met with a small business owner to hear proposed future opportunities for their business
- Attended a meeting of the Boat Harbour Beach working group
- Met with owner/operators of Alchymia Distillery on Tollymore Road regarding progress with their development and to see the expenditure of the Survive and Thrive grant received by the business.

#### **Industry**

- Attended the Cradle Coast Authority Representatives Meeting and Annual General Meeting;

#### **Other**

- Nil

#### Service Levels

At the March 2021 Council Meeting Cr Bramich requested that a letter be sent to the Premier to respond to concerns regarding service levels from State departments.

#### **7.3.4 CR BRAMICH - MT HICKS ROUNDABOUT**

*Cr Gary Bramich asked that Council write to the Department of State Growth re the condition of the Bass Highway at Mt Hicks Roundabout and Doctors Rocks. He also requested an update on the maintenance program for mowing of grass at Calder Road Roundabout.*

*The question was taken on notice.*

A further request was made that the General Manager writes to the Premier following unsatisfactory replies from various government departments.

The following response was received via email on 7 January 2022:

*Cr Robby Walsh*

- Mayor
- Waratah Wynyard Council

*Email: [mayor.rwalsh@warwyn.tas.gov.au](mailto:mayor.rwalsh@warwyn.tas.gov.au)*

*Dear Mayor*

*Thank you for your letter raising issues associated with road infrastructure and State services. My response is outlined as follows.*

*In relation to State Roads the Department of State Growth continues to maintain and improve the condition of the Bass Highway. However, wet weather can take a toll on the road surface, and recent heavy rainfall has caused potholes and other issues along many parts of the highway. My Government understands that potholes can have significant impacts for the public and the freight industry, and we place a high priority on maintaining the condition of this critical highway. State Growth has instructed its maintenance contractor to ensure extra maintenance crews are on the road and attending to issues promptly, especially when wet weather is forecast.*

*As you will understand roadworks are generally suspended over the winter season when the weather is too cold or wet for road construction and meaningful maintenance to be undertaken. In some instances, the road surface must be at least 15 degrees Celsius for sealing works to occur. Because of this, road maintenance and repairs during winter are often temporary. Over the past few months, State Growth's contractors have been doing a mix of short-term repairs on potholes and medium-term asphalt patches.*

*Short-term pothole repairs hold the road seal until more permanent works can be completed in the warmer months. This ensures that the road can continue to be used safely until longer term works can be completed when the weather conditions are more suitable. While temporary repairs can be frustrating, it is important to wait for the right conditions to undertake permanent repairs.*

*Medium-term asphalt patching is primarily used where there are problems with the road surface, but there isn't an urgent need to reseal the whole section of road in the immediate term. While it may look unsightly, asphalt patching is expected to last until resealing is undertaken. Over the summer months, when the weather is warmer and drier, State Growth's contractors will begin resurfacing prioritised sections of the Bass Highway.*

*In response to your concerns with mowing maintenance, I am advised that mowing along key tourist and city gateway routes in the North West region occurs at a higher frequency than other Tasmanian locations, to meet the expectations of visitors and the local community. State Growth has also reinstated full width mowing in rural areas as needed, based on risk and ongoing assessment of priorities. Extremely high rainfall this year has resulted in increased vegetation growth and longer grass between scheduled mowing in some locations.*

*State Growth undertakes vegetation management in accordance with the Machinery Operators Guidelines published by the Tasmanian Fire Service. State Growth will continue to take a flexible and responsive approach in delivering its mowing program to meet all future requests of the Tasmanian Fire Service to mitigate any high fire risk roadside sites on State roads.*

*I am also advised that the vegetation in the centre of the Mt Hicks roundabout is the responsibility of Waratah Wynyard Council. Due to the unseasonably wet spring and the increased grass growth, mowing was scheduled for December for various sites on State Roads in the Waratah Wynyard Local Government Area, including:*

- alongside the Bass Highway from Doctors Rocks to Calder Road;*
- vegetation surrounding the roundabout at Mt Hicks Junction and Wynyard Bypass; and*
- the Calder Roundabout (this site was due to be cut earlier but was delayed).*

### **Statutory timeframes**

*Local Government plays an important role as the permit and approval authority for a range of matters, from building applications for homes up to planning approvals for major developments. The Government works closely with the Local Government Association of Tasmania and Councils to create statutory timeframes for such matters.*

*In 2020, as a part of our commitment to reduce red tape, we developed two tranches of legislative reform that introduced a range of important reforms for local government, State Agencies and Government Business Enterprises, including:*

- 15 working days for Land Titles Office to issue title for subdivisions;*
- 20 working days for Heritage Council to sign off on permits; and*
- 42 calendar days for assessment of applications against EPA guidelines.*

*Additionally, Crown Land Services will now accept concurrent lease and licence applications for land holder consent.*

*The Tasmanian Government has also introduced statutory Service Standards for TasWater for the design, assessment and connection of water and sewerage infrastructure which provide certainty and consistency in service delivery to the community.*

*I acknowledge that there is always more work that can be done, which is why we are also currently preparing statutory service standards for TasNetworks which, like TasWater, will govern the timeframes for assessment, design and connection of power to the community.*

*The additional letter relating to the Parks and Wildlife Service that you refer to in your most recent correspondence was unfortunately not attached. However, I understand that the PWS receives in the order of 1500 – 2000 applications and enquiries annually for the use and occupation of Crown land. Since 2015, the team within Property Services (formerly Crown Land Services) assessing works and developments on Crown land has received a 250% increase in requests across Tasmania.*

*While this represents a welcome growth in economic activity within the State, it has been a challenge to manage the increasing demand for approvals. I note that the examples provided in your correspondence stretch back to early 2019, encompassing this period of rapid increase in request for the PWS' services.*

*In accordance with the Crown Lands Act 1976, the PWS undertakes due diligence and assessment of proposals to use, or conduct works on public land. These processes are utilised to establish that there are no obvious impediments preventing proposals from proceeding (e.g., the class of land prohibits the development), and that they are consistent with legislative and contractual obligations that may apply to the specific parcels of land in. I am advised that timeframes can also be impacted by the need to seek advice from other Agencies, or when application information is incomplete.*

*To help address the increased number of applications received by PWS, the Tasmanian Government has provided additional funding in the 2020-21 and 2021-22 financial years to deliver improved turnaround timeframes, and I am confident that the Council will observe an improvement in responsiveness as a result of this funding.*

*Yours sincerely*

*Hon Peter Gutwein MP  
Premier of Tasmania  
Treasurer*

### 2022-23 Tasmanian State Budget

Council prepared a submission to the State Government for funding of key projects and programs as part of the 2022/23 State Budget community consultation process. A copy of the application is attached for information.

### Fire Service Act Review

Council submitted a representation to the State Government on 10 December 2021. A copy of the submission is attached for information.

### Premiers Advice – Ban on Jumping Castles, Zorb Balls or Similar

Council has received advice via the Local Government Association of Tasmania (attached) that the State Government is placing an interim ban, with no new approvals for the use of Jumping Castles, Zorb Balls or Similar inflatable devices to be issued on Crown or other State owned land.

In line with the state government's decision Council has also placed a temporary ban on the use of inflatable devices. The ban will remain in place until the outcome of the coronial inquiry is known and can be considered.

## ADMINISTRATION – USE OF CORPORATE SEAL

14/12/21	Instrument of Delegation	Powers and Functions under <i>Building Act 2016</i> 27 (3) & (4) awarded to the Plumbing and Compliance Officer or person acting in that position.
14/12/21	Instrument of Delegation	Powers and Functions under <i>Building Act 2016</i> 27 (3) & (4) awarded to the Building and Compliance Coordinator or person acting in that position.
14/12/21	Instrument of Delegation	Powers and Functions under <i>Building Act 2016</i> 27 (3) & (4) awarded to the Project Manager (Systems Management) or person acting in that position.
15/12/21	Grant Deed	Improving the Playing Field – Wynyard Squash Centre Upgrades
21/12/21	Final Plan and Schedule of Easements	SD2115 – 57 Walker Street Wynyard – Boundary Adjustment.
23/12/21	12 x Transfer of Land	2 Walker Street 4 Walker Street 5 Walker Street 6 Walker Street 11 Walker Street 22 Walker Street 23 Camp Road 29 Walker Street 30 Walker Street 66 Walker Street Camp Road Main Street
23/12/21	2 x Transfer of Land	21 Vincent Street 60 Walker Street
5/1/22	1 x Transfer of Land	Kayser Street
6/1/22	7 x Transfer of Land	4 Walker Street (re-sealed) 11 Walker Street (re-sealed) 22 Walker Street (re-sealed) 25 Walker Street 33 Walker Street 66 Walker Street (re-sealed) 70 Walker Street

## POLICIES TO BE RESCINDED

Nil

## COMMUNITY CONVERSATIONS

Location	Date	Start Time	Number in Attendance
Boat Harbour Beach	26 July 2021	5.30pm	35
Sisters Beach	22 September 2021	5.30pm	2
Yolla	22 November 2021	5.00pm	3
Waratah	31 January 2022	5.30pm	
Wynyard	23 March 2022	5.00pm	
Somerset	18 May 2022	5.00pm	
<b>TOTAL</b>			<b>40</b>

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## WORKING GROUPS

Following a resolution at the July 2019 Council Meeting the following working groups have been/are being established:

	<b>Elected Member Representatives</b>	<b>Responsible Officer(s)</b>	<b>Status</b>
Wynyard Show Grounds	Cr Bramich Cr Edwards Mayor (ex-officio)	General Manager Recreation Liaison Officer Executive Officer (GM office)	No change from last meeting. Not likely to meet until Wynyard Sporting Precinct planning progresses
WWC Environmental Plan	Cr Fairbrother Cr Courtney Cr House Mayor (ex-officio)	Project Manager – Infrastructure & Development Services	No recent meetings or change to status. Council are working towards the creation of an Advisory Committee for the adopted Environmental Sustainability Policy.
Somerset Sporting Precinct	Cr Duniam Cr Hyland Mayor (ex-officio)	General Manager Manager Community Activation Recreation Liaison Officer	No recent meetings. Internal preparatory work continues
ANZAC Park		Director Community & Engagement	Tender approved and construction to commence. No meetings of group likely to be held from this point.
Boat Harbour Masterplan	Cr Courtney Cr Fairbrother Cr Bradley Mayor (ex-officio)	General Manager Executive Officer (GM office)	Currently preparing grant application for the next round of Building Better Regions funding. Representative met 8 December to discuss draft landscape plans.



PLANNING PERMITS APPROVED UNDER DELEGATION – DECEMBER 2021

DA No.	Applicants Name	Location	Development	Date Permit Issued	No of Days to Process	(D)Discretionary (P)Permitted
DA 207/2021	Lachlan Walsh Design	83 Lennah Drive Wynyard	Dwelling	2.12.2021	30	P
DA 203/202	J & M Breden	101 Stennings Road Wynyard	Outbuilding with Managers Residence and Temporary Dwelling (Staged Development)	2.12.2021	40	D
DA 40/2021	EnviroPlan	40 Bourkes Road Wynyard	Dwelling & Outbuilding	3.12.2021	44	D
DA 151/2021	L Crombie	Lot 1 on 134558 Murchison Highway Yolla	Visitor Accommodation (2 Additional Units) & Gazebo	9.12.2021	42	D
DA 201/2021	PLA Designs Pty Ltd	77 Lennah Drive Wynyard	Outbuilding (Shed)	13.12.2021	42	D
DA 206/2021	N & G Pilkington	137 Irby Boulevard Sisters Beach	Outbuilding (Shed)	13.12.2021	42	D
DA 208/2021	PLA Designs Pty Ltd	16 Boags Road Flowerdale	Outbuilding (Shed)	13.12.2021	42	D
SD 2136	PDA Surveyors Pty Ltd	28 Bowick Street Wynyard	Subdivision (1 into 36 lots)	13.12.2021	42	D
DA 197/2021	M Grey & T & M Ellis	17 Simpson Street Somerset	Multiple Dwellings (2 Additional Units)	21.12.2021	42	D
DA 205/2021	GTL Fletcher Pty Ltd	190 Port Road Boat Harbour	Change of Use to Visitor Accommodation	22.12.2021	40	D
DA 223/2021	D Stewart	68 Little Village Lane Somerset	Dwelling Extension (Alfresco Area)	22.12.2021	31	D
DA 200/2021	P McErlain	105 Lighthouse Road Table Cape	Visitor Experience (Shipping Container & Projector Mount)	22.12.2021	42	D
DA 212/2021	Abel Drafting Services P/L	38 Banksia Park Road Sisters Beach	Outbuilding (Shed)	22.12.2021	41	D
SD 2142	PLA Designs Pty Ltd	5-7 Smith Street Waratah	Subdivision (Boundary Reconfiguration 2 into 2 lots)	22.12.2021	43	D
DA 167/2021	G Edwards (Waratah-Wynyard Council)	2A Old Bass Highway Wynyard	Extend Boat Launching Ramp and Construct New Pontoon	23.12.2021	38	D

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**BUILDING PERMITS APPROVED – DECEMBER 2021**

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

<b>Permit Number</b>	<b>Applicants Name</b>	<b>Location</b>	<b>Development</b>	<b>Date Permit Issued</b>	<b>No of Days to Process</b>	<b>Related Planning Approval</b>
PSC-2021-5-01	C Barker & B Crow	700 Lapoinya Road LAPOINYA	As-constructed Carport	01.12.2021	<b>2</b>	DA 44/2020
2021-175-01	D Panczuk & M Szymczak	5 South Street WARATAH	New Dwelling	08.12.2021	<b>2</b>	NPR
2021-180-01	Hotondo Homes North West Tas	5 Sandy Crescent WYNYARD	Multiple Dwellings (Units 2 & 3)	15.12.2021	<b>0</b>	DA 41/2020
2021-210-01	Rosene Cox Building Design & Drafting	Blackabys Road BOAT HARBOUR (CT 239127/1)	New Shed	22.12.2021	<b>0</b>	NPR
2021-179-01	Rare Innovation Pty Ltd	24 Nunns Road ELLIOTT	New Dairy	23.12.2021	<b>1</b>	DA 120/2021-A

## COUNCIL MEETING ACTIONS – OPEN COUNCIL – AS AT 13 DECEMBER 2021

DATE	ITEM	TOPIC	ACTION/STATUS	OFFICER	STATUS
10/12/18	10.1	Wilkinson Street Highway Junction works Amended Motion carried	That Council on receipt of assurances from DSG that council legal expenses associated with any representation and associated legal process will be reimbursed.  <i>The Department of State Growth has asked that these works be included as a variation to existing contract works – No further updates on the timing at this stage.</i>	MPE	Ongoing
22/6/20	8.2	NOM – Cr Fairbrother – Crown Land	Motion Carried - That Council consider that where areas of Crown land separate a road and a property boundary, for the purposes of planning, that the area be incorporated and or considered as a Part of the road reserve.  <i>Council staff met with Minister Jaensch's office and they are going to follow up the option of Crown Land Services essentially providing a waiver that they have no interest where "impact" is limited to existing access running through Crown Land. No further progress.</i>	MDRS	Progressing
19/10/20	7.3.3	CQWON – Cr Fairbrother – Building and Planning Statistics Reporting	Cr Darren Fairbrother asked if it was possible to have additional information added to building and planning reporting contained within the Senior Management Report each month to enable Councillors to be aware of what is happening with current applications that may not have progressed to advertising. For example, applications received, awaiting additional information or currently on advertising.  <i>This request has been factored into the scope for an external planning services review. Given higher than usual volume of work in the planning area, the review will be scheduled for early 2022</i>	GM	Progressing
16/11/20	7.3.6	CQWON – Cr Courtney – Expenditure Monitoring	Cr Courtney asked if the General Manager could advise how Councillors could be provided with further information and detail of purchases, in light of proposed changes to the purchasing policy.  <i>Presentation on reporting and audit framework and how finances are managed to be presented to future Councillor workshop.</i>	DOP	In progress
15/3/21	7.3.4	CQWON – Cr Bramich – Mt Hicks Roundabout	<i>Refer response in Senior Management Report this Agenda.</i>	DIDS	Complete
16/8/21	5.2.1	PQRW - Calder Memorial / Gravestone	Has Council Investigated the Calder Memorial / Gravestone, and has a decision been made, or otherwise, to restore/preserve / signpost the Stone.  <i>Council has investigated the Calder Memorial / Gravestone, and a decision will need to be made if Council would like to fund the restoration and preservation of the memorial.</i>  <i>Council officers have investigated grant funding to restore the headstone, however TAC have notified Council that they will not support a submission. Arts Tasmania will not</i>	DCE	In Progress

			<i>support a funding application without the support of TAC. This restoration is not eligible for war memorial funding, or the like, as Mr Calder is not a war veteran.</i>		
15/11/21	7.3.3	CQWN – Cr Fairbrother – Waratah Weir	<i>Meeting to be arranged between Council, TasWater and DPIPW E once all consultancy reports are available.</i>	GM	Pending
15/11/21	9.1	ROC – Oldina Forest Reserve	Motion Carried - That Council plan, promote, and host a public community meeting (prior to December 17th 2021) regarding a collaborative community-council partnership to develop a multi-staged action plan for the Oldina Forest Reserve & Picnic Area with the full support of Sustainable Timber Tasmania, providing a concept plan has not been released by Sustainable Timber Tasmania by that date. <i>The initial plan being created with external parties is pending further refinement and as such the proposed meeting has been deferred.</i>	GM	Pending
15/11/21	9.6	ROC – Future Use of O Ballad Avenue, Wynyard (187575)	Motion Carried - That Council: 1. note the Flora and Fauna Assessment Report for O Ballad Avenue, Wynyard; 2. instruct Council Officers to register the natural values identified at the site with the Department of Primary Industries, Parks, Water and Environment (DPIPWE) to inform future development compliance; 3. instruct Council Officers to continue to undertake appropriate weed containment management measures to prevent the spread and future occurrence of controlled weeds; and 4. defer the expression of interest for sale or development of the land for residential purposes in order to undertake an assessment into the site's suitability for other public recreational uses whilst preserving the natural values identified in the flora and fauna assessment. <i>Assessment of site suitability is underway, and a draft report from the consultant is expected during February 2022.</i>	DOP	Progressing
13/12/21	5.3.1	PQWON – T Jones – 240L Bins	Ms Jones of Wynyard asked if there is a particular reason why all households have 240L bins, could 80L bin be offered at discounted/graduated rates similar to other Council areas where she has previously lived. The General Manager advised that size of bins, frequency of collection and fees can be set by council. He took question on notice to provide more detailed reasons <i>Refer Response this agenda.</i>	DIDS	Complete
13/12/21	7.3.1	CQWON - Cr Courtney – Bins at Lookout/Parking Bays	Cr Courtney asked if rubbish bins were going to be located at the two lookouts/parking bay area along Old Bass Highway in Wynyard. (Cr Bramich also asked that table and chairs be installed). The General Manager advised that these items were not currently budgeted/planned however, items could be included in budget deliberations for 2022/23. <i>A submission has been prepared for discussion during 2022/23 budget process.</i>	DIDS	Complete

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13/12/21	8.1	NOM Cr Edwards – CCTV Camera in Chambers	Motion Carried: That Council install internal CCTV as a workplace health and safety initiative into the Council Chambers on or before the next Ordinary Meeting of Council in January 2022. <i>CCTV cameras are now live and operational within the Council Chambers.</i>	MDI	Complete
13/12/21	9.7	ROC – Public Land Disposal Waratah	Motion Carried: Public Land disposal process on nominated blocks to commence with report to Council following 21 day object period.  <i>21 day submission period to conclude in late January with a report to be prepared for a decision in February.</i>	DOP	Progressing

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## 9.8 FINANCIAL REPORT FOR THE PERIOD ENDED 31 DECEMBER 2021

To:	Council
Reporting Officer:	Corporate Accountant
Responsible Manager:	Director Organisational Performance
Report Date:	13 January 2022
File Reference:	6
Enclosures:	Nil

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### RECOMMENDATION

**That Council note the Financial Reports for the period ended 31 December 2021.**

### 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
- Cash Position
- Rate Summary
- Grant Summary
- Operating Performance by Department
- Capital Works Summary

### DETAILS

Council is currently tracking well against budget with a forecast favourable variance to budget of \$350k. There are several favourable and unfavourable variances across the budget. Commentary on the forecast is provided at both an expenditure type and departmental level further in this report.

Council is likely to experience increased volatility in its operating revenues and expenditure in the coming months as the impacts of the state border reopening and COVID-19 circulates within the community. Childcare operations is one area which is likely to be financially impacted. Council officers will continue to monitor and provide updates as they become known.

### STATUTORY IMPLICATIONS

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

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## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

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

### Council Strategy or Plan Reference

<b>Council Strategy or Plan</b>	<b>Date Adopted:</b>
Financial Management Strategy 2021-2031	Adopted March 2021

## POLICY IMPLICATIONS

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

## ENVIRONMENTAL IMPLICATIONS

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

## FINANCIAL IMPLICATIONS

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

## RISK IMPLICATIONS

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

## CONSULTATION PROCESS

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

## CONCLUSION

All details are included in the attached reports.

## Income Statement

The Income Statement shows the performance of Council's operations year to date.

### Income Statement as at 31 December 2021

	YTD Actual	YTD Budget	%	YTD Variance	Budget	Forecast	Forecast Variance	Note
<b>Recurrent Income</b>								
Rate Revenue	12,154,554	10,533,339	-15%	✓ (1,621,215)	12,046,053	12,173,313	✓ (127,260)	1
User Charges	1,523,424	1,525,931	0%	⚠ 2,507	2,779,866	2,933,002	✓ (153,136)	2
Reimbursements/Contributions	232,955	384,613	39%	✗ 151,658	764,355	770,411	✓ (6,056)	
Grants and Subsidies	862,215	1,658,054	48%	✗ 795,839	3,479,313	3,541,727	✓ (62,414)	3
Interest	55,771	36,984	-51%	✓ (18,787)	74,000	86,000	✓ (12,000)	
Distributions from Water Corporation	281,000	337,200	17%	✗ 56,200	674,400	674,400	✓ -	
<b>Total Recurrent Income</b>	<b>15,109,919</b>	<b>14,476,121</b>	<b>-4%</b>	<b>✓ (633,798)</b>	<b>19,817,987</b>	<b>20,178,853</b>	<b>✓ (360,866)</b>	
<b>Recurrent Expenditure</b>								
Employee Costs	3,883,317	3,888,680	0%	✓ (5,363)	7,898,644	7,899,258	✓ 614	
State Levies	281,150	357,107	-21%	✓ (75,958)	630,703	547,160	✓ (83,543)	4
Remissions & Discounts	454,210	393,917	15%	✗ 60,293	411,436	452,115	✗ 40,679	5
Materials & Contracts	2,727,176	2,308,918	18%	✗ 418,258	5,492,642	5,545,304	✗ 52,662	6
Depreciation	2,347,638	2,346,696	0%	✓ 942	4,695,237	4,695,237	✓ -	
(Gain)/Loss on Disposal	-	37,032	-100%	✓ (37,032)	74,102	74,102	✓ -	
Borrowing Costs	37,990	12,150	213%	✗ 25,840	24,307	24,307	✓ -	
Other Expenses	101,503	159,702	-36%	✓ (58,199)	276,450	276,450	✓ -	
<b>Total Recurrent Expenditure</b>	<b>9,832,983</b>	<b>9,504,202</b>	<b>3%</b>	<b>✗ 328,781</b>	<b>19,503,521</b>	<b>19,513,933</b>	<b>⚠ 10,412</b>	
<b>Surplus/(Deficit)</b>	<b>5,276,936</b>	<b>4,971,919</b>	<b>-6%</b>	<b>✓ (305,017)</b>	<b>314,466</b>	<b>664,920</b>	<b>✓ (350,454)</b>	
<b>Capital Items</b>								
Capital Grants/Contributions	1,639,626	3,945,126	58%	✗ 2,305,500	7,893,417	8,135,900	✗ 242,483	
Derecognition of Assets	-	-	0%	✓ -	-	-	✓ -	
Asset Recognition	-	-	0%	✓ -	-	-	✓ -	
<b>Comprehensive Surplus/(Deficit)</b>	<b>6,916,562</b>	<b>8,917,045</b>	<b>22%</b>	<b>✗ 2,000,483</b>	<b>8,207,883</b>	<b>8,800,820</b>	<b>✓ (107,971)</b>	

Explanations are provided below for forecast variance of \$20,000 or greater:

#### 1 Rates Revenue – favourable variance \$127,260

Council's rates and charges income will be higher than the annual budget estimates due to supplementary valuations received by Council late last financial year after the setting of the budget estimates.

#### 2 User Charges – favourable variance \$153,136

User charges are forecast to be higher than budget due to higher planning fee income (\$150k), higher 132 & 337 certificate income (\$16k). Dog licence income will be lower than budget (\$23k).

#### 3 Grants & subsidies – favourable variance \$62,414

The forecast for financial assistance grants has been revised following the state grants commission 2021-22 grant allocations and are expected to be higher than budget.



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**4 State Levies – favourable variance \$83,843**

State Levies are expected to be lower than budget due to the delayed introduction of the State Waste Levy. The budget estimates allowed for the State Government introduction of the levy from 1 November 2021, but this has since been delayed and expected to be introduced to 1 July 2022.

**5 Remissions & Discounts – unfavourable variance \$40,679**

Remissions & Discounts expenditure is higher than budget due to an increased take-up of Council's early payment discount incentive. The budget was set based on historical take-up (2019-20 financial year). 74% of rates and charges were paid by the 31 August compared to only 72% in 2019-20. The total early payment discount incentive has cost Council \$452,115 for the year.

**6 Materials & Contracts – unfavourable variance \$52,662**

Materials & Contracts expenditure is higher than budget due to higher than budgeted consultants costs for planning services (\$10k), higher than budgeted contract clearance costs for the waste transfer station (\$23k) and higher than budgeted insurance costs (\$10k).

## Balance Sheet

Council continues to be in a financially strong position. Council is forecasting a current ratio of 1.62 as at 30 June 2022 compared to a budgeted ratio of 1.71.

### Balance Sheet as at 31 December 2021

	YTD Actual \$	Budget \$	Forecast \$
<strong>Current Assets</strong>			
Cash & Cash Equivalents	16,320,346	5,713,891	5,317,894
Receivables	2,371,158	1,518,603	1,518,603
Inventories	132,268	116,464	116,464
Other Current Assets	5,516	195,825	195,825
<strong>Total Current Assets</strong>	<strong>18,829,288</strong>	<strong>7,544,783</strong>	<strong>7,148,786</strong>
<strong>Non-Current Assets</strong>			
Property, Plant and Equipment	215,025,097	227,796,456	228,754,373
Investment in Water	42,870,856	42,870,856	42,870,856
<strong>Total Non-Current Assets</strong>	<strong>257,895,953</strong>	<strong>270,667,312</strong>	<strong>271,625,229</strong>
<strong>Total Assets</strong>	<strong>276,725,241</strong>	<strong>278,212,095</strong>	<strong>278,774,015</strong>
<strong>Current Liabilities</strong>			
Payables	1,835,920	2,262,172	2,262,172
Interest-Bearing Liabilities	172,035	271,911	271,911
Employee Provisions	1,943,519	1,880,124	1,880,124
<strong>Total Current Liabilities</strong>	<strong>3,951,474</strong>	<strong>4,414,207</strong>	<strong>4,414,207</strong>
<strong>Non-Current Liabilities</strong>			
Interest-Bearing Liabilities	2,808,417	2,577,165	2,577,165
Employee Provisions	167,122	123,326	123,326
Provisions	26,132	31,058	31,058
<strong>Total Non-Current Liabilities</strong>	<strong>3,001,671</strong>	<strong>2,731,549</strong>	<strong>2,731,549</strong>
<strong>Total Liabilities</strong>	<strong>6,953,145</strong>	<strong>7,145,756</strong>	<strong>7,145,756</strong>
<strong>Net Assets</strong>	<strong>269,772,096</strong>	<strong>271,066,339</strong>	<strong>271,628,259</strong>
<strong>Equity</strong>			
Current Year Result	6,916,562	1,872,591	2,115,074
Accumulated Surplus	159,524,438	165,862,652	166,182,089
Reserves	103,331,096	103,331,096	103,331,096
<strong>Total Equity</strong>	<strong>269,772,096</strong>	<strong>271,066,339</strong>	<strong>271,628,259</strong>
<strong>Current Ratio</strong>	<strong>4.77</strong>	<strong>1.71</strong>	<strong>1.62</strong>

## Cashflow Statement

As of 31 December Council had \$16.320m cash on hand. Based on budgeted income and expenditures, Council is forecast to have \$5.318m of cash on hand as of 30 June 2022.

A key assumption of this forecast is the completion of the capital works program as set by Council. To date, 10% of the capital budget has been spent.

The cash forecast does not include any proceeds received from the sale of Council property.

### Cashflow Statement as at 31 December 2021

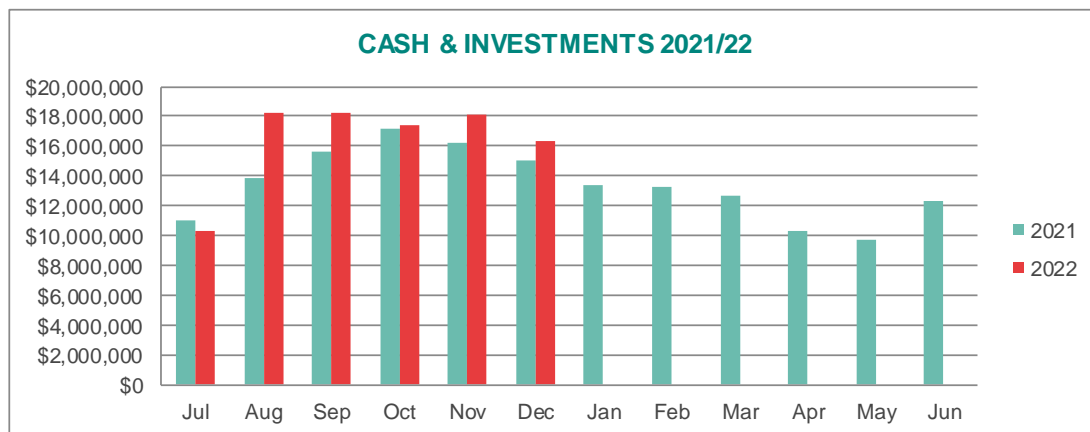
	YTD Actual	Budget	%	Balance	Forecast
	\$	\$		\$	\$
<b>Cash flows from operating activities</b>					
Employee Costs	(3,782,728)	(8,010,210)	47%	(4,227,482)	(8,010,210)
Materials and Contracts	(3,135,985)	(5,297,423)	59%	(2,161,438)	(5,309,841)
State Levies	(281,150)	(630,703)	45%	(349,554)	(547,160)
Other Expenses	(555,713)	(687,886)	81%	(132,173)	(726,819)
Rates and Charges	11,282,022	12,046,053	94%	764,031	12,168,026
User charges	1,709,333	2,755,491	62%	1,046,158	2,846,349
Interest	55,771	74,000	75%	18,229	86,000
Reimbursement of Expenses	232,955	788,355	30%	555,400	788,355
Government Grants	862,215	3,479,313	25%	2,617,098	3,541,727
<b>Net Cash provided by (used in) operating activities</b>	<b>6,386,720</b>	<b>4,516,990</b>	<b>141%</b>	<b>(1,869,730)</b>	<b>4,836,427</b>
<b>Cash flows from investing activities</b>					
Payments for Property, Plant and Equipment	(4,092,040)	(19,282,178)	21%	(15,190,138)	(20,240,095)
Investment revenue from Water Corporation	281,000	674,400	0%	393,400	674,400
Proceeds from Sale of Property, Plant and Equipment	-	-	0%	-	-
Capital grants	1,639,626	7,893,417	21%	6,253,791	8,135,900
<b>Net cash provided by (used in) investing activities</b>	<b>(2,171,414)</b>	<b>(10,714,361)</b>	<b>20%</b>	<b>(8,542,947)</b>	<b>(11,429,795)</b>
<b>Cash flows from financing activities</b>					
Borrowing Costs	(37,990)	(48,307)	79%	(10,317)	(48,307)
Loan Drawdowns	-	-	0%	-	-
Loan Repayments	(169,859)	(353,320)	48%	(183,461)	(353,320)
<b>Net cash provided by financing activities</b>	<b>(207,849)</b>	<b>(401,627)</b>	<b>52%</b>	<b>(193,778)</b>	<b>(401,627)</b>
<b>Net (Decrease) in Cash Held</b>	<b>4,007,457</b>	<b>(6,598,998)</b>	<b>-61%</b>	<b>(10,606,455)</b>	<b>(6,994,995)</b>
Cash at beginning of year	12,312,889	12,312,889	100%	-	12,312,889
<b>Cash at end of period</b>	<b>16,320,346</b>	<b>5,713,891</b>	<b>286%</b>	<b>(10,606,455)</b>	<b>5,317,894</b>

## Cash Position

The following table provides an outline of Council's cash and investment portfolio as of 31 December 2021. Total cash and investments on hand as of 31 December is \$16.343m.

### Cash Position as at 31 December 2021

	\$	INVESTMENTS	\$	Weighted Average Return
Deposits	16,052,031	Commonwealth Bank	289,588	0.00%
Petty Cash and Till Floats	1,600	Investments		
Trading Account	289,588	ME Bank	6,250,000	0.43%
		NAB	6,300,000	0.25%
		ING	1,000,000	0.39%
		Bendigo Bank	502,031	0.40%
		CBA	2,000,000	0.39%
		Petty Cash and Till Floats	1,600	
<b>Balance - All Accounts</b>	<b>16,343,219</b>		<b>16,343,219</b>	<b>0.32%</b>



## Rates Summary

The following table provides the detail of Council's Rates and Charges levied compared with the same time last year.

Council has made several policy changes in recent months to assist in debt collections efforts, including the introduction of interest penalties from 1 July, the introduction of financial hardship provisions providing greater flexibility for payment arrangements, and the ability for payment of rates and charges by four equal instalments. Ratepayers continue to be encouraged to contact Council if they are having difficulty paying.

Council's rates and charges not yet paid in full are due by four equal instalments. The next and third instalment due date is 31 January 2022, with instalment notices to be issued in early January.

### Rates Summary to 31 December 2021

	2021/22		2020/21	
	%	\$	%	\$
<i>Notice Issue Date - 16 July 2021</i>				
Outstanding Rates Debtors (1 July 2021)		775,169		602,240
Less: Rates in Credit		(715,966)		(608,317)
<b>NET RATES OUTSTANDING (1 July 2021)</b>	<b>0.48</b>	<b>59,203</b>	<b>(0.05)</b>	<b>(6,077)</b>
Rates and Charges Levied	99.27	12,154,697	100.11	11,454,481
Interest Penalties Charged	0.25	30,029	-	-
<b>GROSS RATES AND CHARGES DEMANDED</b>	<b>100.00</b>	<b>12,243,929</b>	<b>100.05</b>	<b>11,442,327</b>
LESS RATES AND CHARGES COLLECTED	78.97	9,669,220	84.72	9,694,271
REMISSIONS AND DISCOUNTS**	8.79	1,076,154	9.34	1,069,055
	<b>87.76</b>	<b>10,745,374</b>	<b>94.07</b>	<b>10,763,326</b>
ADD PROPERTIES IN CREDIT	(3.22)	394,609	(3.28)	374,856
<b>UNPAID RATES AND CHARGES *</b>	<b>15.46</b>	<b>1,893,164</b>	<b>9.21</b>	<b>1,053,857</b>
(includes Deferred Rates)				
<b>**REMISSIONS AND DISCOUNTS</b>				
		<b>2021/22</b>		<b>2020/21</b>
Early Payment Discount		453,891		441,683
Pensioner Rebates		620,838		625,947
Council Remissions and Abandonments		1,425		1,425
		<b>1,076,154</b>		<b>1,069,055</b>
Number of Rateable Properties		7,931		7,924
Number of Unpaid Rateable Properties		1,666		1,507
% not fully paid		21.01%		19.02%

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### **Sale of Properties for the Recovery of Rates and Charges**

Council is currently in progressing with the sale of a number of properties throughout the municipal area for the recovery of rates under Section 137 of the Local Government Act 1993. All properties have unlocatable owners.

Council has recently sold 29 properties via online auction. Contracts of sale have been entered for all sold properties and settlements will occur over the coming weeks. Total debt expected to be recovered on settlement is \$109,287.

The sold properties have unlocatable owners. Council must keep a register of unclaimed money remaining after payments and discharges are made (under section 139 of the Act). The register is required to be advertised at least once per year in the local newspaper and after 3 years of the sale. If the monies remain unclaimed at the end of that period Council can retain the proceeds.

Council will continue to work through other properties that are eligible for sale under the Act and will progress with another round of auctions over the coming months.

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## Grant Summary

### Grant Schedule as at 31 December 2021

	YTD Actual	Budget 2022	Forecast 2022
<b>Capital Grants</b>			
Multi Use Facility	1,589,626	2,244,205	2,244,205
Anzac Park	-	1,365,000	1,365,000
Local Road & Community Infrastructure	-	740,000	740,000
Roads to Recovery	-	564,684	564,684
Cardigan Street Fencing & Carpark	6,306	117,186	117,186
IGA Intersection	-	290,000	290,000
Waratah Bridge	-	200,000	200,000
Community Solar Program	-	50,000	50,000
Flood Mitigation Works	-	1,000,000	1,000,000
Coastal Pathway	-	1,240,000	1,240,000
Cam River Masterplan	-	82,342	82,342
Wynyard Squash Centre - Lighting	50,000	-	50,000
Table Cape Lookout - BBRF	-	-	305,333
Safer Rural Roads Program - Stage 2	-	-	(112,850)
	<b>1,645,932</b>	<b>7,893,417</b>	<b>8,135,900</b>

## Operational Performance by Department

This statement provides an overview of Council's forecast operating performance by department based on year to date performance.

Directorate/Department	Annual Budget	Forecast	Variance to Forecast	Note
<b>Community &amp; Engagement</b>				
Children's Services	(224,783)	(224,783)	-	
Community Activation	732,189	732,189	-	
Corporate & Community Services	450,389	450,389	-	
Tourism & Marketing	557,696	557,696	-	
<b>Community &amp; Engagement Total</b>	<b>1,515,491</b>	<b>1,515,491</b>	<b>-</b>	
<b>Council &amp; General Managers Office</b>				
Council	1,417,780	1,429,990	12,210	1
<b>Council &amp; General Managers Office Total</b>	<b>1,417,780</b>	<b>1,429,990</b>	<b>12,210</b>	
<b>Infrastructure &amp; Development Services</b>				
Asset Services	2,033	2,484	451	
Cemeteries	98,891	98,891	-	
Development Services	681,491	557,339	(124,152)	2
Engineering Services	136,200	136,560	360	
Footpaths	302,337	302,337	-	
Garbage	(50,434)	(54,693)	(4,259)	
Public Halls	338,604	334,545	(4,059)	
Public Toilets	297,675	300,580	2,905	
Reserves	1,068,887	1,068,887	-	
Sports	962,758	962,758	-	
Stormwater Drainage	(228,672)	(241,691)	(13,019)	3
Transport	3,167,434	3,113,880	(53,554)	4
Waste	200,058	82,408	(117,650)	5
Works & Services	2,364	2,364	-	
<b>Infrastructure &amp; Development Services Total</b>	<b>6,979,626</b>	<b>6,666,649</b>	<b>(312,977)</b>	
<b>Organisational Performance</b>				
Digital Innovation	20,000	22,158	2,158	
Financial Services	(10,693,693)	(10,745,329)	(51,636)	6
Organisational Performance	446,330	446,121	(209)	
<b>Organisational Performance Total</b>	<b>(10,227,363)</b>	<b>(10,277,050)</b>	<b>(49,687)</b>	
<b>Total</b>	<b>(314,466)</b>	<b>(664,920)</b>	<b>(350,454)</b>	



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Commentary for departmental forecast variance of \$10,000 or greater are provided below:

**1) Office of the General Manager**

The unfavourable forecast variance to budget for the Office of the General manager of \$12k is predominately due to higher insurance costs for elected members and the GM's Office (\$7k) and increased conferences and training expenses due to the delayed timing training budgeted for last year.

**2) Development Services**

Development Services is expecting an favourable variance to budget of \$124k which is due to higher than budgeted planning fee income (\$150k). This is offset by lower than budgeted dog licence income (\$23k) and additional consultants expenditure (\$10k).

**3) Stormwater Drainage**

The favourable forecast variance to budget for stormwater drainage is higher rate revenue (\$12k).

**4) Transport**

The favourable forecast variance to budget for transport is due to higher than budgeted financial assistance grant income.

**5) Waste**

The favourable forecast variance to budget for waste is due to higher than budgeted rate revenue (\$47k), which is partially offset by higher than budgeted rates discount expenditure (\$9k) and lower state waste levy expenditure (\$84k) due to the delay in the introduction of the levy by the State Government.

**6) Financial Services**

The favourable forecast variance to budget for financial services of \$52k is due to higher than budgeted rates revenue (\$44k), offset by higher rates discount expenditure (\$31k), higher than budgeted penalty rates interest (\$12k), higher than budgeted 132 & 337 certificate income (\$16k) and higher than budgeted financial assistance grant income (\$9k).

## Capital Works Summary

The Capital Works Summary provides a snapshot of the percentage of expenditure against the 2021/22 Capital Works Program. Timing of expenditure is based on the works plan and actual spend, and not reflective of the actual progress of the Capital Works.

### Capital Works Summary as at 31 December 2021

	Actual \$	Budget \$	% Spend of Budget	Forecast \$	Forecast vs Budget	Forecast Variance	Note
<b>Buildings</b>							
Amenities	253,146	401,661	63.02%	401,661	✓	-	
Community Facilities	1,308,777	2,357,057	55.53%	2,357,057	✓	-	
Council Operational Buildings	112,811	140,150	80.49%	140,150	✓	-	
<b>Total Buildings</b>	<b>1,674,734</b>	<b>2,898,867</b>	<b>57.77%</b>	<b>2,898,867</b>	✓	-	
<b>Parks &amp; Open Space</b>							
Other	22,967	140,968	16.29%	140,968	✓	-	
Other Infrastructure	249,061	1,570,078	15.86%	1,570,078	✓	-	
Playgrounds	30,000	1,996,489	1.50%	1,996,489	✓	-	
Recreational Reserves	88,630	278,991	31.77%	934,747	✗	655,756	1
Walkways & Tracks	48,756	2,337,798	2.09%	2,337,798	✓	-	
Wynyard	-	473,791	0.00%	473,791	✓	-	
<b>Total Parks &amp; Open Spaces</b>	<b>439,414</b>	<b>6,798,115</b>	<b>6.46%</b>	<b>7,453,871</b>	✗	<b>655,756</b>	
<b>Plant &amp; Equipment</b>							
Other Plant & Equipment	35,514	282,192	12.59%	282,192	✓	-	
Plant & Vehicle Replacements	93,755	508,048	18.45%	509,665	✓	1,617	
Software & IT Replacements	21,811	314,971	6.92%	294,971	✓	(20,000)	2
<b>Total Plant &amp; Equipment</b>	<b>151,080</b>	<b>1,105,211</b>	<b>13.67%</b>	<b>1,086,828</b>	✓	<b>(18,383)</b>	
<b>Sporting Facilities</b>							
Indoor Recreational Facilities	13,770	21,856	63.00%	21,856	✓	-	
Outdoor Sporting Facilities	413,129	613,002	67.39%	1,046,396	✗	433,394	3
<b>Total Sporting Facilities</b>	<b>426,900</b>	<b>634,858</b>	<b>67.24%</b>	<b>1,068,252</b>	✗	<b>433,394</b>	
<b>Stormwater</b>							
Flood Mitigation Works	108,001	3,392,499	3.18%	3,392,499	✓	-	
Other Stormwater Works	27,289	170,850	15.97%	170,850	✓	-	
<b>Total Stormwater</b>	<b>135,290</b>	<b>3,563,349</b>	<b>3.80%</b>	<b>3,563,349</b>	✓	-	
<b>Transport</b>							
Bridge Renewals	6,708	1,029,747	0.65%	1,029,747	✓	-	
Footpaths & Kerbs	91,804	247,017	37.17%	247,017	✓	-	
Other Transport	363,065	616,872	58.86%	504,022	✓	(112,850)	4
Resheeting	367,293	815,383	45.05%	815,383	✓	-	
Rural Upgrade	26,731	109,155	24.49%	109,155	✓	-	
Strategic Projects	35,000	956,997	3.66%	956,997	✓	-	
Urban Upgrade	91,994	219,225	41.96%	219,225	✓	-	
Urban Reseals	25,327	287,382	8.81%	287,382	✓	-	
<b>Total Transport</b>	<b>1,007,922</b>	<b>4,281,778</b>	<b>23.54%</b>	<b>4,168,928</b>	✓	<b>(112,850)</b>	
<b>Total Capital Works Program 2021/22</b>	<b>3,835,339</b>	<b>19,282,178</b>	<b>19.89%</b>	<b>20,240,095</b>	⚠	<b>957,917</b>	

Commentary is provided below on forecast capital expenditure variances of \$20,000 or greater:



1. The increase in expenditure is due to the approval of \$655,756 of capital funding for the Table Cape Lookout approved at Council's November meeting. This expenditure is partly offset by \$305,333 of grant funding under the Building Better Regions Fund.

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2. The reduction in capital expenditure for software and IT replacements is due to \$20,000 of funding for an online booking system carried forward from 2020-21 which is no longer required.
  3. The increase in capital expenditure for outdoor sporting facilities is due to \$433,394 of expenditure for the Cardigan Street Sub-surface drainage works which was approved by Council at its September meeting.
  4. The reduction in expenditure for Other Transport is due to lower than expected costs for projects at Preolenna and Port roads funded under the Safer Rural Roads Program.

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## 9.9 MINUTES OF OTHER BODIES/COMMITTEES

### 9.9.1 MINUTES OF OTHER BODIES/COMMITTEES - AUDIT PANEL COMMITTEE HELD 14 DECEMBER 2021

To:	Council
Reporting Officer:	Executive Officer - Governance and Performance
Responsible Manager:	Director Organisational Performance
Report Date:	15 December 2021
File Reference:	007.17
Enclosures:	<ol style="list-style-type: none"><li>Minutes of Waratah-Wynyard Council Audit Panel held on 14 December 2021 </li><li>Correspondence Audit Panel Chair to Council </li></ol>

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#### RECOMMENDATION

**That Council note the Unconfirmed Minutes of the Audit Panel Committee meeting held on 14 December 2021.**

#### PURPOSE

The Audit Panel met on the 14 December 2021 and the Unconfirmed Minutes were released by the Chair on the 21 December 2021 and are presented to Council for noting.

#### BACKGROUND

In February 2014, the Tasmanian State Government passed legislation that requires all Tasmanian Councils to establish an Audit Panel.

Along with the King Island and Circular Head Councils, Council appointed a shared Audit Panel on 3 August 2015.

The current members of the Shared Panel are:

- Mr John Howard – Audit Panel Chair (Asset Management expertise)
- Mrs Lisa Dixon – Audit Panel member (Financial expertise)
- Mr Stephen Allen – Audit Panel member (Financial expertise)

The Audit Panel must hold at least four meetings per year, with a majority of members constituting a quorum.

#### DETAILS

The Audit Panel met on 14 December 2021 at Circular Head Council.

The meeting reviewed the following standard agenda items:

- Business arising from previous meetings;
- General Manager Risk and Assurance Certificate. The Panel noted information provided in relation to legal and compliance issues, Ombudsman and Integrity Commission, illegal building works; and a recent cyber incident noting that the Council is transitioning its Civica database to the Cloud in February 2022;

- Communications from Council;
- Financial Management reports;
- General Manager's Reports provided to Council and discussed the review of the Future of Local Government in Tasmania;
- Minutes of Safety (OSHWELL) Committee;
- Internal audit reports – noting progress to date;
- Tasmanian Audit Office Memorandum of Findings, noting that all of the eleven findings from the 2019-20 Audit had been addressed;
- Major Initiatives – reviewed progress of the Enterprise Bargaining Agreement negotiations; corporate system development, and major capital projects;

The major work plan for the meeting covered Council's updated Financial Management Strategy and changes since to Council's operating environment since the last update of the document in 2020.

There were no formal recommendations made to Council from issues arising at the meeting.

The Panel's next meeting is scheduled to be held on 22 March 2022 at Waratah- Wynyard Council Offices.

## STATUTORY IMPLICATIONS

### Statutory Requirements

An Audit Panel is a mandatory requirement under sections 85 of the *Local Government Act 1993*.

Section 85A of the Act details the Audit Panels' functions to include review Council's performance concerning financial systems, financial management, governance arrangements, policies, systems and controls, and all plans required under Part 7 of the Act. Section 85B of the Act provides for Ministerial Orders to specify Audit Panels' requirements beyond those required under Section 85A.

The *Local Government (Audit Panels) Amendment Order 2015* was issued on 1 January 2016.

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

GOAL 1: Leadership and Governance	
Desired Outcomes	
We maintain and manage our assets sustainably.	
We cherish fairness, trust and honesty in our conduct and dealings with all.	
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.	
We are recognised for proactive and engaged leadership.	
Our Priorities	
1.5	Build our knowledge base to apply in decision-making processes.
1.6	Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.
1.7	Develop leadership that inspires and motivates, and which maintains a strong community and workplace culture.
1.8	Review and adjust service levels to provide value for money.

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## Sustainable Murchison Community Plan 2040

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

### **POLICY IMPLICATIONS**

The establishment of an Audit Panel provides an independent review mechanism for Council's policies and procedures.

### **FINANCIAL IMPLICATIONS**

There are no financial implications in this recommendation.

### **RISK IMPLICATIONS**

The establishment of an independent Audit Panel provides another layer of risk mitigation by providing independent oversight over Council's risk management framework and policy and procedural compliance.

### **CONSULTATION PROCESS**

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

### **COMMENT**

It is recommended that Council note the Unconfirmed Minutes of the Audit Panel Committee held on 14 December 2021.

## 10.0 MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING

Legislative Reference:

*Local Government (Meeting Procedures) Regulations 2015; Regulation 15*

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

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

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

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

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

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

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

### RECOMMENDATION

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

<b>Matter</b>	<b>Local Government (Meeting Procedures) Regulations 2015 Reference</b>
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	<i>15 (2)</i>
<i>Confidential Report R15 (2) - Closed Senior Management Report</i>	<i>15(2)</i>

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## **11.0 CLOSURE OF MEETING TO THE PUBLIC**

Legislative Reference:

*Local Government (Meeting Procedures) Regulations 2015; Regulation 15*

### **RECOMMENDATION**

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

<i><b>Matter</b></i>	<i><b>Local Government (Meeting Procedures) Regulations 2015 Reference</b></i>
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	<i>15 (2)</i>
<i>Confidential Report R15 (2) - Closed Senior Management Report</i>	<i>15(2)</i>



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**12.0 RESUMPTION OF OPEN MEETING**

At ..... pm the Open Meeting was resumed.

**13.0 PUBLIC RELEASE ANNOUNCEMENT**

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

Min. No.	Subject	Decisions/Documents

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