



**ORDINARY MEETING
OF COUNCIL**

**MINUTES
OPEN MEETING**

18 July 2022

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

**MINUTES OF AN ORDINARY MEETING OF THE WARATAH-WYNYARD COUNCIL
HELD AT THE COUNCIL CHAMBERS, 21 SAUNDERS STREET, WYNYARD ON
MONDAY 18 JULY 2022, COMMENCING AT 6:00PM**

	From	To	Time Occupied
Open Council	6.02PM	6.30PM	28MINS
Planning Authority	6.30PM	6.42PM	12MINS
Open Council	6.42PM	7.12PM	30MINS
Closed Council	7.12PM	7.26PM	14MINS
Open Council	7.26PM	7.26PM	0MINS
TOTAL TIME OCCUPIED			84MINS

AUDIO RECORDING OF COUNCIL MEETINGS POLICY

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

ACKNOWLEDGEMENT OF COUNTRY

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

1.0 RECORD OF ATTENDANCE

1.1 ATTENDANCE

Mayor Robby Walsh
Councillor Mary Duniam
Councillor Maureen Bradley
Councillor Gary Bramich
Councillor Andrea Courtney
Councillor Celisa Edwards

IN ATTENDANCE

Daniel Summers – Acting General Manager
Samantha Searle - Director Organisational Performance
Ashley Thornton - Manager Development and Regulatory Services
Rachael Hogge – Manager Tourism and Marketing
Kylie Johnson – Governance Administration Officer

1.2 APOLOGIES

Councillor Darren Fairbrother
Councillor Kevin Hyland

1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil.

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

2.1 CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY COUNCIL MEETING

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at Council Chambers, 21 Saunders Street, Wynyard on Monday 20 June 2022, a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record subject to the following amendment:

- **Item 5.4.1 – ensure correct spelling of name throughout item (Pepperell).**

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

3.0 DECLARATIONS OF INTEREST

Councillor and Agenda Item Number

Nil

Staff and Agenda Item Number

Nil

4.0 COUNCILLORS ANNOUNCEMENTS AND REPORT

4.1 ANNOUNCEMENTS BY MAYOR

Nil received.

4.2 MAYOR'S COMMUNICATIONS

That Council note the Mayors Communications

14/6/22	Meeting with General Manager
14/6/22	CCA Representatives Meeting
15/6/22	Meeting with Constituent
16/6/22	Meeting with General Manager
18/6/22	Wynyard Fire Brigade Awards Evening
20/6/22	Council Meeting
21/6/22	Audit Panel Meeting
22/6/22	Business North West Breakfast Meeting
22/6/22	Meeting with Constituent
23/6/22	Burnie Ford presentation of cheque for the ANZA Park All Abilities Playground
25/6/22	Somerset Rotary Changeover Dinner
27/6/22	Somerset Community Conversation
28/6/22	Meeting with General Manager
30/6/22	Tas Water Meeting
1/7/22	LGAT AGM
4/7/22	Councillor Workshop
4/7/22	Meeting with Minister Nick Street
6/7/22	Wyn Matters presentation
11/7/22	Councillor Workshop

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

That Council note the Mayors Communications.

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

4.3 REPORTS BY DELEGATES

Nil received.

4.4 NOTIFICATION OF COUNCIL WORKSHOPS

MOVED BY	CR EDWARDS
SECONDED BY	CR COURTNEY

That the Council note the following Workshops

4/7	Draft Digital Strategy Draft Cemetery Strategy Draft Caretaker Policy
11/7	Discussion with State Roads Draft Tourism Plan ANZAC Park Traffic Impact Assessment Review Draft Waratah Community Plan

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

5.0 PUBLIC QUESTIONS AND STATEMENTS

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

5.1.1 C HUTCHISON - CR FAIRBROTHER

QUESTION

Mr Hutchison of Preolenna asked Cr Fairbrother to explain why he believes the Magistrate made the wrong decision in his recent court case.

Cr Fairbrother took the question on notice.

OFFICERS RESPONSE

Cr Fairbrother had not provided a response to the question at the time of issuing the agenda.

5.1.2 C SPEERS - CR FAIRBROTHER CODE OF CONDUCT

QUESTION

Mr Speers of Wynyard asked Cr Darren Fairbrother to explain why he does not believe he has to resign following a recent criminal conviction and why he believes he has not breached the Code of Conduct.

He noted that according to media reports he stated that he believes there is nothing in the relevant acts or code of conduct that requires him to do so, however, when looking at the COUNCILLORS CODE OF CONDUCT it is clear he has breached at least three sections.

These being:

PART 3 - USE OF OFFICE 1. The actions of a councillor must not bring the Council or the office of councillor into disrepute

PART 7 - RELATIONSHIPS WITH COMMUNITY, COUNCILLORS AND COUNCIL EMPLOYEES 1. A councillor:

(b) must not cause any reasonable person offence or embarrassment; and

PART 8 - REPRESENTATION

7. The personal conduct of a councillor must not reflect, or have the potential to reflect, adversely on the reputation of the Council.

In consideration of this, the number of code of conduct complaints against him, and the motion of no confidence in him to be discussed later tonight, would he reconsider his position and resign in the best interests of the community.

Cr Fairbrother took the question on notice

OFFICERS RESPONSE

Cr Fairbrother had not provided a response to the question at the time of issuing the agenda.

5.1.3 N AUSTIN - CR FAIRBROTHER

QUESTION

Mr Austin of Wynyard asked Cr Fairbrother – Do you continues to believe it is appropriate to refuse to stand down, when your refusal to stand down means my partner, your fellow

councillors and the staff will continue to cop abuse for you remaining as a Councillor and it will continue to make our community a laughing stock? Will you at least apologise to the community, the staff and councillors for the damage your actions have caused and will continue to cause unless you stand down?

Cr Fairbrother took the question on notice

OFFICERS RESPONSE

Cr Fairbrother had not provided a response to the question at the time of issuing the agenda.

5.1.4 T JONES - CR FAIRBROTHER

QUESTION

Mrs Jones of Wynyard noted that as Councillor Fairbrother has publicly stated his desire to continue to represent those who voted for him, would Cr Fairbrother speak to us now about what leads him to think it is appropriate for him to continue representing us.

Cr Fairbrother took the question on notice

OFFICERS RESPONSE

Cr Fairbrother had not provided a response to the question at the time of issuing the agenda.

5.1.5 M CORBETT - DISPOSAL OF POLLING BOOTH PLASTIC

QUESTION

Mrs Corbett of Wynyard asked if Council has billed the Liberal Party for the huge amount of plastic (metre long rolls that I imagine were sent to landfill) deposited at the transfer station, following the recent Federal Election.

The General Manager took the question on notice

OFFICERS RESPONSE

Officers contacted Mr Gavin Pearce's office. Mr Pearce's office thanked Council and Mrs Corbett for bringing the question to their attention and advised that he will raise the matter of campaign materials for future elections with the appropriate personnel in the Liberal Party of Australia. It has not been confirmed where materials were disposed following the recent election.

5.2 PUBLIC QUESTIONS RECEIVED IN WRITING

Nil received.

5.3 PUBLIC QUESTIONS WITHOUT NOTICE

5.3.1 T LOCK - QUESTIONS FOR COUNCILLOR FAIRBROTHER

Mr Tony Lock of Boat Harbour asked two questions of Cr Fairbrother:

1. Are you Cr Fairbrother prepared to give our Council and Community the reassurance that you will seek the help that you so desperately are in need of and stop playing the victim?
2. Can Cr Fairbrother also kindly explain why he feels justified in staying on as a Councillor given the nature of his crimes and given the fact that he is no longer welcome by anyone to represent us?

The questions were taken on notice.

5.3.2 C HUTCHISON - CR FAIRBROTHER

Mr Codie Hutchison of Preolenna asked the following two questions of Cr Fairbrother:

1. Yes or no; have your actions brought this Council into disrepute?
2. Yes or no; has your personal conduct had an adverse effect on the reputation of this Council?

Mr Hutchison advised he would be sending the questions and those raised in his statement directly to Cr Fairbrother.

5.4 PUBLIC STATEMENTS RECEIVED IN WRITING

Nil received.

5.5 PUBLIC STATEMENTS WITHOUT NOTICE

5.5.1 C HUTCHISON - CR FAIRBROTHER

Mr Codie Hutchison of Preolenna provided a copy of the following statement he made containing questions which he advised he would be emailing directly to Cr Fairbrother for a response:-

“In the absence of any answers to any of the previous questions asked at the last Council meeting, which you refused to answer, I am going to pose a list of questions to you tonight. I am doing this in the interest of public accountability. I am sending you these via your Council email, and I expect a reply. I am also still awaiting a copy of the letter that you sent to the Premier where you’ve suggested that there was an apparent miscarriage of justice in your court case. I won’t hold my breath.

At the June meeting, you stated in response to my question: “As it alludes in the agenda, mayor, I am happy to take any question that involves the roles and functions of an elected member. I don’t intend to respond to those questions that relate to matters which have occurred in the past.”

I know you actually do like to waffle on about the past during Council meetings, regardless of its relevance to your ‘roles and functions’, in my observations you have talked about your personal history at Boat Harbour Beach, your personal connections with the Myalla region, reflections on the history of Waratah, the history of Fosters Road when you proposed name changes, Local Aboriginal History, to list a few examples. It is actually inconsistent with your character not to talk about or answer questions relating to matters that have occurred in the past. I am not interested in a public relations campaign. I am interested in accountability and what you have to say for yourself. To talk about the roles and functions of an elected member, and whether certain Councillors have upheld this, we do actually need to talk about the past. So can you please have the least bit of respect and answer these reasonable questions relating to the roles and functions of an elected member. Thank you.

1. Questions in response to you at the June Council meeting:

- a) What are your roles and functions as a Councillor?
- b) In your role as Councillor, do you believe that during the current term, you have acted with the community’s interest in mind since 2018, and can you provide three examples of this?
- c) In your role as Councillor, if you act with the community’s interest in mind, will you consider the petition tonight from the community requesting that you resign, and act according to the best interest of the community?
- d) Disrepute: “lack or decline of good reputation : a state of being held in low esteem”; “the state of not being respected or trusted”; bad repute; low regard; disfavour; or “disrepute”

means a lack of good reputation or respectability which can be reasonably regarded as reducing the public's confidence in that member being able to fulfil their role or adversely affecting the reputation of members generally in being able to fulfil their role"; disrepute means the absence or loss of reputation, discredit or disgrace;

Part 3.1 of the Councillor Code of Conduct states that the actions of a councillor must not bring the Council or the office of councillor into disrepute. Darren Fairbrother, in the last 4 years, yes or no, have your actions brought this Council or the office of Councillor into disrepute?

e) Part 8.7 of the Councillor Code of Conduct states that "the personal code of conduct of a councillor must not reflect, or have the potential to reflect, adversely on the reputation of the Council." Darren Fairbrother, in the last 4 years, yes or no, has your personal code of conduct potentially or actually had an adverse effect on the reputation of the Waratah-Wynyard Council?

f) Why did you attend the meeting of June 20th?

g) Why did you come out only moments for the Council meeting was scheduled to begin?

h) Why did you take a photo of a member of the public and the gallery prior to the meeting beginning on June 20th 2022?

i) Was this in line with the Councillor Code of Conduct Part 7.1, which says that a Councillor must treat all persons with courtesy, fairness, dignity, respect, not cause any reasonable person offence or embarrassment and not bully or harass any person?

j) Why did you refuse to answer questions directed to you during public questions without notice?

k) Why did you take questions on notice, yet refuse to provide a timely response to Council stuff for addition to this month's agenda?

l) Have you been instructed by your legal counsel to refuse to answer questions in public meetings?

m) Why did you leave the room and return following one particular public question & statement without notice?

n) You suggested that your reasoning for leaving Section 8, Motions by Councillors, citing a declaration of interest. What exactly was your interest in Motion 8.1 & Motion 8.2?

o) Why did you not return to the Council meeting after Section 8 of last month's Council meeting?

p) Why did you suggest that you would not answer questions pertaining to the past, in response to my question and only those related to the roles and functions of a Councillor, but then answer questions pertaining to the past as a private land-holder during Councillor Questions Without Notice? In response to Councillor Hyland's question about you justifying your position as a member of the planning authority when action has been taken against you as a land holder.

You made a couple of responses, including stating that

"The matter is before the Tasmanian Administrative and Civil Tribunal (TASCAT); I think it is inappropriate for me to make comment on that. To respond to the Councillor, the matter that was complained about was about myself cutting up timber, which I use for firewood."

(**But to me you stated that *"As it alludes in the agenda, mayor, I am happy to take any question that involves the roles and functions of an elected member.*

I don't intend to respond to those questions that relate to matters which have occurred in the past."**))

How do you account for the difference in what you said to me and the action you took at a later part of the meeting? Will you apologise and answer the questions I have asked you. They were not tricky questions, and they do pertain to your role as a Councillor, because I have some sincere questions about your honesty, your trustworthiness, and your fitness for the role of an elected member of this municipality; and

q) The questions I asked at the last Council meeting are listed in the meeting minutes from last month's Council meeting (Item 5.3.1 & 5.3.2), but I will ask the second one again. Why do you believe that Magistrate Anderson made an inappropriate decision, or in your words an apparent miscarriage of justice regarding your conviction of a prohibited behaviour of indecent exposure & sentencing to be placed on the Community Protection Offender Register?"

Mr Hutchison also noted the Petition put forward containing 348 signatures which demonstrates the communities sentiment with good reason with Cr Fairbrother being in court again with another allegation having been made.

5.5.2 K EWINGTON – ACCESS AND INCLUSION WORKING GROUP

Mr Ken Ewington of Flowerdale provided a statement outlining history around projects he has previously approached Council for support on regarding disability access issues and the need for Council to develop an Access and Inclusion Working Group.

The Mayor advised that developing a Disability Action Plan has been identified as an Annual Plan Action 4.3.1.1 in the Annual Plan and Budget Estimates 2022/23 document presented to Council at the June Meeting. The Mayor also advised that Council has spent \$250k over the past 8 years on developing and improving wheelchairs ramps and footpaths

6.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

6.1 DEPUTATIONS AND PRESENTATIONS

6.1.1 PETITION - RESIGNATION OF COUNCILLOR REQUEST

DETAILS

The following petition has been received:

Subject matter	The Petition requests that the Councillor convicted of Prohibited Behaviour and placed on the Community Protection Register resign.
Statement of subject matter and action requested	We the petitioners state that we the Waratah-Wynyard Community, believe that a current Waratah-Wynyard Councillor recently tried and convicted of Prohibited Behaviour for indecent exposure, fined and place on the Community Protection register cannot and should not representative of any community group or organisation and, above all, any level of Government. The Waratah-Wynyard community does not wish to be represented by a sex offender and this person has shown no respect for these wishes. This Councillor needs to resign immediately.
Signatories	348

MOVED BY	CR DUNIAM
SECONDED BY	CR BRAMICH

That Council receive and note the petition regarding a request for the resignation of Councillor Fairbrother.

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH		CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

AGAINST

	CR BRADLEY		

7.0 PLANNING AUTHORITY ITEMS

PLANNING AUTHORITY OPENED AT 6.30PM

7.1 PUBLIC QUESTIONS WITHOUT NOTICE – RELATING TO PLANNING MATTERS

7.1.1 C HUTCHISON - LOCAL PROVISIONS SCHEDULE

Mr Hutchison of Preolenna asked Mr Hutchison of Preolenna asked will the Council be changing the Local Provision Schedules to amend the zoning for River Road to rural living zone?

The Manager Development and Regulatory Services advised: – the recommendation is to keep the rural zoning in the River Road area, but that the recommendation relies upon the recommendations of the Settlement Strategy which says further strategic work is required to work out what would be the best form of development in that area. To determine best zoning for that area further strategic work is required. This will probably in the next financial year and there will be more community consultation when we get to that step.

7.1.2 C HUTCHISON - RIVER ROAD ZONING

Mr Hutchison asked if Council have any other former employees or mates living in the River Road vicinity who would benefit from such proposed rezoning of their property?

The question was taken on notice

7.2 PUBLIC STATEMENTS - RELATING TO PLANNING MATTERS

7.2.1 C HUTCHISON - LOCAL PROVISIONS SCHEDULE

Mr Hutchison of Preolenna made the following statement:-

From page 408 – 409 there was a summary and response by the Council in response to my submission which I made to the local provision schedules call out for the Tasmanian Planning Scheme on page 52 – 68 of this month's meeting attachments I would like to highlight a couple of things.

Point 4 of the summary was there lacks provision for a new/enhanced village settlement to the south and/or west of Wynyard, Council's response was that a new or expanded village settlement is not supported by Council's Settlement Strategy. Inclusion of zoning of achieve a new or expanded village would then not comply with the Regional Land Use Strategy, and therefore not comply with s34(2)LUPAA.

Point 5 the proposed rezoning of Langley Park and intent to rationalise does not represent considerate and acceptable planning for the town of Somerset. Council's response was that Council's strategic plans all support the consolidation of sports facilities in Somerset, allowing the prime site of Langley Oval to be considered for other uses. The zoning of the land to general Residential is supported and recommended by the Central Development Area strategies and Settlement Strategy. Each of which has undertaken extensive

community consultation, with consultation with the community regarding the future of Langley Park ongoing.

As a result of Council's response there was no modification to the draft Local Provisions Schedules.

Council's Settlement Strategy response in May 2021 to me is that creating new or expanded village settlements was not in the scope of the Settlement Strategy, now Council is using the Settlement Strategy against me again saying that the Settlement Strategy does not support my idea. I feel a little bit frustrated by this process. Consultation regarding Langley park is hardly ongoing, from memory the General Manager stated that there hasn't really been a lot of consultation with the users of Langley Park, that was over a year ago, could've changed since then, my observations mean probably that they haven't probably been consulted with, then Councillor Hyland and the GM have a joke at a Council meeting at my expense at what a laugh it is that I suggest or raise concerns about it.

The Settlement Strategy did have extensive consultation but then Council ignored most of the feedback received by the Community anyway, none of the ideas I suggested were even considered let alone included, the whole process was a joke as is this Local Provisions Schedule submission process, it was all one great big joke, except if you're a developer that wants a land use change not a plebe like me from the Country that just wants an idea to be heard and out they did come all championing for more subdivision and urban sprawl which apparently the Council is against, but you can't stop progress.

7.3 DRAFT LOCAL PROVISIONS SCHEDULE - SECTION 35 (F) REPORT

To:	Council
Reporting Officer:	Manager Development and Regulatory Services
Responsible Officer:	Director Infrastructure and Development Services
Report Date:	1 July 2022
File Reference:	LPS
Supporting Documents:	1. Representations to the Draft Local Provisions Schedule 2. Section 35F - Representation Assessment

PURPOSE

The purpose of this report is to consider the representations received from the Waratah-Wynyard community and interested parties to the draft Waratah-Wynyard Local Provisions Schedule (LPS), and to provide recommendations to the Tasmanian Planning Commission (TPC) pursuant to Section 35F and 35G of the *Land Use Planning and Approvals Act 1993* (the Act).

BACKGROUND

The Draft Waratah-Wynyard LPS was endorsed by the Council in its role as Planning Authority in June 2019. Following an extensive review process between the TPC and Council, the draft LPS was exhibited publicly between 21 March and 25 May 2022.

DETAILS

Following exhibition of the Draft LPS, Section 35F of the Act requires the Planning Authority prepare a report containing:

- A copy of each representation made under s.35E(1);
- A statement of the planning authority's opinion as to the merit of each representation made, in particular as to:
 - Whether the draft LPS should be modified; and
 - If recommended to be modified, the effect on the draft LPS as a whole;
- A statement as to whether the planning authority is satisfied that the draft LPS meets the LPS criteria (as outlined in the Act); and
- The recommendation of the planning authority in relation to the draft LPS.

The Council now has an opportunity to review the Section 35F report and representations made before referral to the Tasmanian Planning Commission (TPC) for consideration. The most notable issues related to the re-zoning of land to provide opportunities for development, the zones used on land with conservation covenants, and requests to utilise the new overlays available under the Tasmanian Planning Scheme.

In response to issues concerning re-zoning of land for residential expansion it was clarified that the preparation of the LPS was largely a zone translation process that did not generally accommodate strategic re-zonings, unless strategic plans adopted by Council had recommended a rezoning. Requests for such re-zonings should be assessed against the Settlement Strategy and be subject to subsequent future draft amendments. However, there

were a few requested rezonings that were consistent with the Settlement Strategy and Guideline No.1 that could be supported through this process of developing the LPS, and these have been recommended for Planning Authority support in the s35F report.

The Tasmanian Land Conservancy, Conservation Landholders Trust and some land holders with conservation covenants over their properties requested Council to consider use of the new Landscape Conservation zone to protect areas of considerable natural values in the municipality. Council contends that conservation covenants provide their own protections, over and above the planning scheme. Additionally, provided the site is not zoned Agriculture, the Natural Assets Code will apply, providing additional protection under the planning scheme. Further protection under the zone is not warranted and would result in the implementation of spot zonings.

Various submissions have requested that Council initiate additional codes available under the Tasmanian Planning Scheme. These include enacting the Local Historic heritage Code, Scenic Protection Code, and the development of Specific Area Plans to address issues such as Acid Sulphate Soils and Karst landforms. Each of these will require further strategic work to inform use. Development of these codes and Specific Area Plans is outside the direct translation model council has adopted in preparing the draft LPS. Council will need to determine whether the required strategic assessment required for these areas is a priority in future budgets.

The Department of State Growth, the Tasmanian Parks and Wildlife Service, TasNetworks, and TasWater, all provided requests for minor changes to reflect current and future development around their land and associated assets, which have largely been accommodated.

Following submission of the Section 35F report to the TPC, the TPC will hold a public hearing(s) to examine the merits of each representation and the Planning Authority's response. It is anticipated that the hearings will be scheduled for August.

Once the TPC is satisfied that any agreed changes to the LPS do not represent a substantial modification that would be of the public interest, it will then seek the agreement of the Minister for Planning for approval and commencement of the Waratah-Wynyard LPS.

CONSULTATION PROCESS

The Draft Waratah-Wynyard LPS was endorsed by the Council in its role as Planning Authority in June 2019 and was exhibited publicly between 21 March 2022 and 25 May 2022. During this time, 24 representations were submitted to Council.

The attached Section 35F Report will be submitted to the TPC, who will hold hearings to consider some or all of the issues raised in the submissions. The TPC will contact those who made submissions and outline their role in the process.

STATUTORY IMPLICATIONS

The *Land Use Planning and Approvals Act 1993* (LUPAA) sets out the various processes for making of a planning scheme.

As outlined in the details above, section 35F of LUPAA dictates how representation issues are to be managed, and how they are to be discussed and presented to the TPC.

Section 35G of LUPAA provides for the raising of issues that relate to the operation of the state planning provisions (SPP's). A number of issues were raised in the representations

which relate to the operation of the zones and codes which constitute issues with the SPP's. They will not be dealt with in the section 35F Report but will form another shorter submission to the TPC in a report under section 35G of LUPAA. This report will be discussed with Council at its next available meeting and lodged with the TPC shortly thereafter.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
1.1 We make publicly transparent decisions on spending and future directions while encouraging community feedback.
Our Priorities
1.1.2 Strengthen our communication with the community using diverse communications channels relevant to the demographic.

GOAL 1: Leadership and Governance
Desired Outcomes
1.5 We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making.
Our Priorities
1.5.2 Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

There are no policy implications as a result of this report. The making of the LPS is in itself a policy matter.

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The next stage of the process, which involves the Commission's hearings process is a relatively unknown quantity as the breadth of the discussion and negotiations is yet to be determined. Unless the TPC requires substantial modifications to the LPS, there is not expected to be a significant amount of officer time required over this period through until final approval of the LPS.

RISK IMPLICATIONS

Additional codes apply and therefore applicants in some instances will be required to provide additional supporting reports with the development applications then currently apply under the interim planning scheme. This will lead to increase in costs for some applications, and potential unhappy applicants. Council's planning team will need to educate the community on the requirements of the new scheme and will need to emphasise that this is a Tasmanian Planning Scheme, and that the same rules will apply in all municipalities.

COMMENT

In supporting these recommendations, whilst the result of much work undertaken to date, it is not the conclusion of this work, but rather the transition to the next part of the process for the adoption of the Tasmanian Planning Scheme. The process is roughly made up of the following steps:



Figure 1 – LPS Approvals process. The completed actions are in pink, with future actions in the blue boxes.

Even with the finalisation of the planning scheme this still leaves open the opportunity for further amendments or rezoning to occur into the future if and when a need arises. For example, where it is determined through the implementation of the Settlement Strategy that strategic re-zonings are required to enable growth and development of a particular area.

There will no doubt be some initial teething problems with the introduction of the new schemes. Ultimately however, these changes will bring a level of consistency and certainty across the state.

This combined with modernised administration and access to the schemes through online mapping and enquiry systems will improve the accessibility of information and provide for consistent administration of state planning laws of which municipal planning schemes are subordinate to.

MOVED BY	CR DUNIAM
SECONDED BY	CR EDWARDS

That Council, acting as the Planning Authority resolves:

- 1. To endorse the Planning Authority Report under Section 35F of the *Land Use Planning and Approvals Act 1993* – Consideration of Representations to the Draft Waratah-Wynyard Local Provisions Schedule and issue the report to the Tasmanian Planning Commission pursuant to Section 35F of the *Land Use Planning and Approvals Act 1993*.**
- 2. To delegate the General Manager, or his representative, its powers and functions to represent the Planning Authority at hearings, pursuant to Section 35H of the *Land Use Planning and Approvals Act 1993*.**

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

7.4 OUTBUILDING (SHED) & DEMOLITION OF EXISTING SHED AT 310 MURCHISON HIGHWAY, SOMERSET - DA 100/2022

To: Council
Reporting Officer: Town Planner
Responsible Officer: Manager Development and Regulatory Services
Report Date: 6 July 2022
File Reference: 7055274
Supporting Documents: 1. Consolidated Advertised Documents
2. Representation
3. Revised Shed Plan

PURPOSE

The purpose of this report is for Council to consider the merits of Development Application DA 100/2022 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013*.

BACKGROUND

The subject site (CT 81765/2) is located at 310 Murchison Highway, Somerset and has an area of 612m². The site contains a single dwelling and outbuildings with frontage onto Murchison Highway of approximately 20.11m.

The site and surrounding lots are located within the Rural Resource zone. The adjoining lot to the north-east and north-west, 308 Murchison Highway, has been converted to residential use and contains a single dwelling and associated domestic outbuilding development. The adjoining lot to the south-west also contains a dwelling and outbuildings. Land to the south-east across the Murchison Highway is a vacant lot owned by the Crown.

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

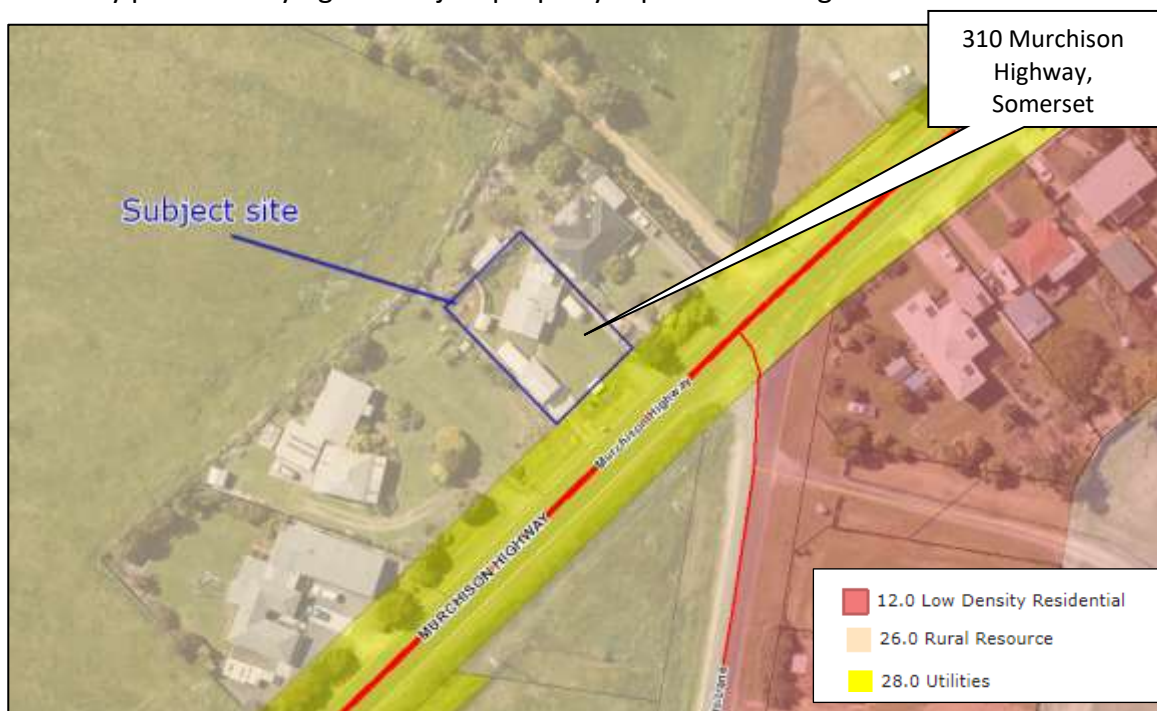


Figure 1: Subject site with zoning

DETAILS

The applicant is seeking approval for an outbuilding (shed) on land described as 310 Murchison Highway, Somerset (CT 81765/2).

The shed has a floor area of 84m² with associated dimensions of 7m by 12m and a maximum height of 4.118m. It is clad and roofed in Colorbond and setback 1m from Murchison Highway to the south-east, 1.1m from the south-western boundary, 18m from the north-western boundary and approximately 12m from the north-eastern boundary. The proposal also includes demolition of an existing outbuilding to make way for the proposed shed.

It is noted that after the closure of the public exhibition period a revised shed plan was submitted to Council to orientate roller doors in the south-western elevation facing the driveway as opposed to the north-eastern elevation facing the front yard. As this was not considered to be a material change to the proposal re-advertising was not 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 Rural Resource under the Planning Scheme. The proposal is defined as being within the Residential use class, a discretionary use within the zone. The applicant is applying for discretion under the following clauses: -

- Suitability of a site or lot on a plan of subdivision for use or development (26.4.1 P1); and
- Location and configuration of development (26.4.2 P1).

CONSULTATION PROCESS

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

- Development Application Form x 3 Pages
- Title Documents x 2 Pages
- Supporting letter x 1 Page
- Proposal Plans x 2 Pages

The period for representations closed on 22 June 2022. One (1) representation was subsequently received. A map demonstrating the relationship between the subject site and the representor's property is shown in Figure 2.



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

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

Representor A: CD & JM Elphinstone

Issues raised:	Response:
<p>At 7 metres by 12 metres this proposed shed is substantially larger than the existing garage /shed it is said to replace, and thus constitutes a somewhat different scenario to simply replacing an existing structure on the site.</p> <p>Not only this but moving the front of this structure some 3 or so metres to the east (i.e. towards the road) presents a significant change to the view up Murchison Hwy from my property at 308 Murchison Highway, but it also is very clear that this also obstructs the official access to 310 Murchison Highway also .</p> <p>It is clearly obvious that my neighbour intends to thus change their access to their property to use an illegal access they have been using to access their property further north on their property immediately adjacent to my south east property corner. I know this access is not official in that there is no culvert in place for this access , nor did they clearly ascertain that storm water piping is in situ under this access taking stormwater from my property into the culvert under the road (Murchison</p>	<p>The proposed shed exceeds the minimum permitted setback from 308 Murchison Highway and requires assessment against the performance criteria for this clause.</p> <p>The shed's location is consistent with the setback of other development along this stretch of the Murchison Highway, with 297, 300 and 314 Murchison Highway all containing buildings setback 0m-4m from the highway.</p> <p>No change in access is proposed as part of this development and Council's Engineering Department has not identified any sight distance issues associated with the proximity of the shed to Murchison Highway. The proposal was also referred to the Department of State Growth for comment, who advised that they had no objections to the proposal.</p> <p>The construction/use of unapproved accesses is a matter for the relevant road authority, in this case the Department of State Growth.</p> <p>Due to the revised orientation of the roller doors, the existing driveway on the southern side of the site will not be</p>

<p>Highway). This stormwater piping was approved (and in fact requested) by Mr Roy Reid (Waratah Wynyard Council) and Mr John Fenech (Dept Of Main Roads) at the time I made significant improvements to my property .</p> <p>It was requested that I not place a continuation of the existing “ditch” culvert in front of my property, as this had been filled in in the past to allow a reasonable access to the various school buses to pull in to collect children from the bus point next to my property in the driveway of 306 Murchison Highway. This continues to be utilised every school day for this purpose.</p> <p>If approval is granted for this development I wish to make it clear that the access will thus be changed (by necessity) to this access as the culvert and access currently approved (with appropriate under drive pipe culvert) will be rendered completely redundant by the solid east wall of the proposed shed. There is of course further evidence that this is their intention when one considers the utilization of the two north facing roller door accesses to the proposed shed.</p>	<p>obstructed as the doors open directly onto the frontage rather than the front yard.</p>
<p>If approval for this development is granted I would like to ensure that appropriate consideration be given to the new access required and that this access takes into account the requirements of my stormwater and subsequent access if it should be required in the future due to blockage or other works being necessary.</p> <p>One would assume that if this access is approved then the appropriate culvert works should be attended to ensure this access meets the required standards . This point of access also is significantly steeper than the existing culverted access in front of the existing garage on the site .</p> <p>At this point I will also point out that this access will be used somewhat extensively , as there is usually at least 3-4 vehicles and a caravan using the site at any given time as my neighbours have a number of vehicles accommodated on the property . The</p>	<p>A revised shed plan was submitted to Council to orientate roller doors in the south-western elevation facing the driveway as opposed to the north-eastern elevation facing the front yard. No change in access is proposed as part of this development nor is one likely to be required. The shed is of sufficient size to provide covered parking for multiple vehicles, including a caravan, whereas the existing shed has space for a single vehicle only with insufficient space to park a vehicle in front clear of the road reserve.</p>

<p>“makeshift” access is only blue metal/gravel at this point and is right alongside the boundary fence between our two properties .</p>	
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INTERNAL REFERRALS

Engineering Services Department

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

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

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*.

No vehicles are to be parked over the existing onsite wastewater system and associated disposal area.

EXTERNAL REFERRALS

The application was referred to the Department of State Growth (DSG) on 7 June 2022. A response was received on 14 June 2022 advising that DSG had no objections to the development. No conditions or other comments were included.

The proposal 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 use is a Residential Use which is a Permitted use within the zone, should the application meet all the relevant acceptable solutions of the planning scheme.

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

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

26.0 Rural Resource Zone

26.4.1 Suitability of a site or lot on a plan of subdivision for use or development

<p>A1</p> <p>A site or each lot on a plan of subdivision must –</p> <p>(a) unless for agricultural use, have an area of not less than 1 hectare not including any access strip; and</p> <p>(b) if intended for a building, contain a building area –</p> <p>of not more than 2000m² or 20% of the area of the site, whichever is the greater unless a crop protection structure for an agricultural use;</p> <p>clear of any applicable setback from a frontage, side or rear boundary;</p> <p>clear of any applicable setback from a zone boundary;</p> <p>clear of any registered easement;</p> <p>clear of any registered right of way benefiting other land;</p> <p>clear of any restriction imposed by a utility;</p> <p>i) not including an access strip;</p> <p>ii) accessible from a frontage or access strip</p>	<p>P1</p> <p>A site or each lot on a plan of subdivision must be of sufficient area for the intended use or development without likely constraint or interference for –</p> <p>(a) erection of a building if required by the intended use;</p> <p>(b) access to the site;</p> <p>(c) use or development of adjacent land;</p> <p>(d) a utility; and</p> <p>(e) any easement or lawful entitlement for access to other land</p>
<p>Planning Comments: Complies</p> <p>The subject site comprises 612m² and contains an existing dwelling and outbuildings. One of the existing sheds is to be demolished to make way for the new shed. The proposal relies on the performance criteria, as the site is not used for agricultural purposes and the lot size is less than 1ha.</p> <p>The subject site does not contain any burdening right of way registered easement or restriction imposed by a utility. It contains an existing residential use and is adjoined to properties to the north-east, north-west and south-west that also contain established residential uses. None of the adjoining properties are used for purposes other than those normally associated with residential lots in rural areas.</p>	

The proposal will not increase the proximity of sensitive uses to each other as the shed is a non-habitable building and maintains separation distances from dwellings at 308 and 312 Murchison Highway of at least 15m and 25m respectively.

Wastewater is disposed of within the title boundaries by a system approved by Council and water is via on-site supply. To the south-east the site borders the Murchison Highway and has an existing access licence from the Department of State Growth. The proposed shed is clear of the existing wastewater system and will not impact the capacity of the site to service a single residential use without undue constraint or interference to adjacent land.

In this manner, the proposal satisfies the requirements of P1 for this Clause.

26.4.2 Location and configuration of development

<p>A1</p> <p>A building or a utility structure, other than a crop protection structure for an agricultural use, must be setback –</p> <p>(a) not less than 20.0m from the frontage; or</p> <p>(b) if the development is for sensitive use on land that adjoins a road specified in the Table to this Clause, not less than the setback specified from that road;</p> <p>(c) not less than 10.0m from each side boundary; and</p> <p>(d) not less than 10.0m from the rear boundary; or</p> <p>(e) in accordance with any applicable building area shown on a sealed plan</p>	<p>P1</p> <p>The setback of a building or utility structure must be –</p> <p>(a) consistent with the streetscape; and</p> <p>(b) required by a constraint imposed by –</p> <p>(i) size and shape of the site;</p> <p>(ii) orientation and topography of land;</p> <p>(iii) arrangements for a water supply and for the drainage and disposal of sewage and stormwater;</p> <p>(iv) arrangements for vehicular or pedestrian access;</p> <p>(v) a utility; or</p> <p>(vi) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme;</p> <p>(vii) any lawful and binding requirement –</p> <p>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</p> <p>b. an interest protected at law by an easement or other regulation</p>
<p>Planning Comments: Complies</p> <p>The shed has a floor area of 84m² with associated dimensions of 7m by 12m and a maximum height of 4.118m. It is clad and roofed in Colorbond and setback 1m from Murchison Highway to the south-east, 1.1m from the south-western boundary, 18m from the north-western boundary and approximately 12m from the north-eastern boundary.</p>	

Assessment against Performance Criteria is required for the proximity of the shed to Murchison Highway and the south-western boundary only.

The new shed is setback further from the south-western boundary than the outbuilding which is to be demolished, however the shed will be closer to the Murchison Highway due to constraints associated with the location of the existing house and wastewater system.

The planning scheme requires at least 2 car parking spaces for dwellings in the Rural Resource zone. The existing shed has capacity for only 1 vehicle and there is insufficient space between the frontage and the current shed to park an additional vehicle. The proposed shed is of a sufficient size and scale to meet minimum parking requirements and is will not significantly alter the streetscape as the site is located in a mixed-use area with a variety of building types of variable prominence.

The proposed 1m setback is consistent with the location of other development along this stretch of the Murchison Highway, with 297, 300 and 314 Murchison Highway all containing buildings setback 0m-4m from the highway. The proposal was also referred to the Department of State Growth for comment, who advised that they had no objections to the proposal.

In this manner, the proposal satisfies the requirements of P1 for this Clause.

The proposal meets the Acceptable Solution for all other applicable Standards of the General Residential zone provisions and relevant Codes.

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. It is noted that one representation was received during the exhibition period.

STRATEGIC IMPLICATIONS

No significant strategic implications were identified.

POLICY IMPLICATIONS

No policies of Council were identified as being relevant to this matter.

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 outbuilding (shed) complies with either the acceptable solution or satisfies the performance criteria for all applicable standards of the Planning Scheme. The shed provides suitable space for parking of vehicles without constraining the existing residential use on the site or development potential of adjoining properties. The proposal is consistent with the streetscape and outbuilding development in rural areas.

The application is considered to comply with the Rural Resource Zone provisions for the *Waratah-Wynyard Interim Planning Scheme 2013*. It is therefore recommended that Council approve a planning permit for the proposed outbuilding (shed).

MOVED BY	CR DUNIAM
SECONDED BY	CR EDWARDS

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 an outbuilding (shed) & demolition of existing shed at 310 Murchison Highway, Somerset 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 Drawing Number BURN02-10278 Rev. A as prepared by Lysaght Building Solutions Pty Ltd.**
 - (b) Site plan as annotated by the applicant and dated 21 April 2022.**
- 2. Stormwater from the development is to be fully contained within the boundaries of the property**
- 3. All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.**
- 4. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.**

-
5. **Loading and un-loading of vehicles is to be confined to within the boundaries of the property.**
 6. **Control measures are to be installed for the duration of the construction phase so as to limit the loss of soils and other debris from the site.**

Notes: -

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

- An “Activity in Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
- This project must be substantially commenced within two years of the issue of this permit.
- The applicant is advised to consult with a building surveyor to ensure the development is constructed in accordance with *Building Act 2016*.
- This permit is based on information and particulars set out in Development Application DA 100/2022. 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*.
- No vehicles are to be parked over the existing on-site wastewater system and associated disposal area.
- 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

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

PLANNING AUTHORITY CLOSED AT 6.42PM

8.0 MATTERS RAISED BY COUNCILLORS

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

8.1.1 CR EDWARDS- 10 YEAR SALMON PLAN

QUESTION

Cr Celisa Edwards asked why Council has not been involved in the consultation on the 10 Year Salmon Plan being developed.

The General Manager advised this was a question for the State Government and took the question on notice to follow-up with them

OFFICERS RESPONSE

Informal consultation was conducted by the State Government in April to enable an initial issues paper to be prepared. Council did not discuss the matter at that time or produce a submission.

Formal consultation will be conducted when the issues paper has been prepared (expected in August) and will enable councils and community members to complete web based submissions. Councils will be advised in writing when the formal submissions process commences.

When the next round of consultation is completed a Final Draft 10 Year Plan will be developed and then another final round of consultation (Expected in 4th Quarter – September -December) will be conducted before the Final 10 Year Plan is completed. Council will also be advised in writing when this second formal submission process commences.

8.1.2 CR COURTNEY- WHEELCHAIR ACCESS TO BEACH AT EAST WYNYARD

QUESTION

Cr Andrea Courtney noted she had been approached by a member of public asking Council to consider a wheelchair ramp down to the sand at East Wynyard.

The Director of Infrastructure and Development Services advised he would contact Cr Courtney to discuss possible location for consideration

OFFICERS RESPONSE

An additional location for wheelchair access to the East Wynyard beach has been suggested nominally in the area between the two existing car parks. This can be added to the East Wynyard foreshore plan scope for future years, most likely with the upgrade of foreshore pathway to shared pathway standard.

8.2 COUNCILLOR QUESTIONS RECEIVED IN WRITING

Nil received.

8.3 COUNCILLOR QUESTIONS WITHOUT NOTICE

8.3.1 CR BRADLEY - SALMON FARMING

Cr Maureen Bradley asked if Council was going to do anything or educate themselves on the environmental damage to Coastlines caused by Salmon Farming.

The question was taken on notice.

8.3.2 CR COURTNEY - REQUEST FOR PUBLIC APOLOGY FROM CR K DORSEY (BCC) RE CR FAIRBROTHER COMMENTS IN MEDIA

Cr Andrea Courtney requested that officers write to Burnie City Council demanding a public apology from Cr Ken Dorsey over comments made in the media following the June Meeting of Council, regarding the treatment of Cr Fairbrother, and that he retract disparaging comments made about Councillors.

Cr Courtney also requested an apology of Cr Bradley for similar comments made on social media regarding the treatment of Cr Fairbrother.

The Acting General Manager advised that Council would write as requested.

The Mayor asked Cr Bradley if she wished to respond to Cr Courtney's question and Cr Bradley took the question on notice.

8.3.3 CR - BRAMICH - LETTER TO PREMIER RE CR FAIRBROTHER

Cr Gary Bramich asked that Council to write to the Premier requesting a meeting with him regarding Cr Fairbrother to investigate options.

The matter was taken on notice.

9.0 NOTICE OF MOTION

Nil received.

10.0 REPORTS OF OFFICERS AND COMMITTEES

10.1 DRAFT TOURISM PLAN 2022-27

To:	Council
Reporting Officer:	Manager Tourism and Marketing
Responsible Manager:	Director Community and Engagement
Report Date:	7 July 2022
File Reference:	Tourism Plans and Strategies
Enclosures:	1. DRAFT Tourism Plan 2022-2027

PURPOSE

To present to Council the Draft Tourism Plan 2022-27 and to seek authorisation to release the plan for a period of public consultation between 18 and 29 July 2022.

BACKGROUND

In 2011 Council contracted the Cradle Coast Authority and Wayne Bolton Tourism Services to develop a strategic tourism plan focusing on the tourism activities of Council and to make recommendations as to how to structure and implement a sustainable and effective approach to tourism development.

This report outlined a series of proposed actions across six key areas: Infrastructure; Tourism Planning; Visitor Servicing; Community Events and Festival; Economic development (investment); and Marketing and Promotion.

Progress against key recommendations across the life of the 2011-2020 Tourism Plan was presented to Council in July 2021. An action to create a new Tourism Plan was adopted as part of Council's Annual Plan for 2021-22.

The Draft Tourism Plan 2022-27 is attached for the consideration of Council, with a recommendation to release the document for a period of public consultation and review prior to formal adoption by Council.

DETAILS

The Waratah-Wynyard Council Draft Tourism Plan 2022-2027 celebrates achievements from the past decade of tourism planning and provides a summary of the key strategic priorities for Council over the next five years of tourism planning and actions.

The plan outlines roles and responsibilities of local government within the strategic framework of Tasmanian tourism. Priorities and recommendations are built around these key roles including the provision of public infrastructure, encouraging economic development, provision of visitor servicing, local marketing and the support of local events.

Priorities and recommendations are discussed under the three key themes of Support, Grow and Deliver.

Importantly, the plan also aligns with the strategic priorities of the State and Regional Tourism bodies, as well as Council's existing strategic plans including Cam River Master Plan, Open Space Sport and Recreation Plan, Waratah Community Plan, Wynyard Destination Action Plan and Fossil Bluff and Boat Harbour Beach Master Plans.

The priorities focus on the unique selling points of Wynyard and surrounds as a destination and seek to build demand through the development of new hero products and a cluster of experiences that will drive year-round demand in a crowded marketplace.

The plan also briefly describes some global, national, state and local trends in order to create some context for the recommendations.

The plan delivers recommendations that are achievable in a timeframe that could be considered conservative, however considering the current context of global uncertainty longer-term planning would be somewhat speculative.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 5: Economic Prosperity
Desired Outcomes
5.1 We understand our local and regional potential, and we plan for and encourage investment in it.
Our Priorities
5.1.3 Support existing and encourage new innovative activities/industries to the area.
5.4.1 Develop a recognised brand and actively market the local government area.
GOAL 4: Community Recreation and Wellbeing
Desired Outcomes
4.4 Our community enjoys access to visually appealing safe spaces and facilities for recreation.
Our Priorities
4.4.2 Provide and maintain quality and safe places and spaces for physical, social and cultural activities, including shared and multi-use facilities where possible.
GOAL 7: Environment
Desired Outcomes
7.3 Our natural environment, unique surroundings and community assets are future ready in a changing climate.
Our Priorities
7.3.3 Innovative and sustainable design is encouraged through forward thinking and planning.
GOAL 3: Connected Communities
Desired Outcomes
3.3 Our natural and built environment aids the community with an active and healthy lifestyle.
Our Priorities
3.3.2 Facilitate activities and events that promote inclusion, health, safety and a sense of place.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The recommendations from the plan will be actioned within future operational budgets, with capital or special project budget allocations where appropriate. Some of the recommendations will be reliant on external funding to progress.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

It is recommended that this draft plan be released for public consultation for the period 18-29 July 2022.

CONCLUSION

Waratah-Wynyard Council has matured significantly in the tourism space since the initial Tourism Plan 2011-2020 was commissioned. Achievements during the life of that plan, particularly in destination branding, marketing and visitor servicing have provided a solid

foundation from which the Wynyard and Surrounds destination can grow in order to build supply and drive demand for local experiences.

The Waratah-Wynyard Tourism Plan 2022-27 reflects on the challenges the global tourism industry has recently faced, and also considers the potential impacts and opportunities from emerging industry trends. The plan outlines key priorities and recommendations for the future strategic directions which are aligned with regional and state priorities and build on key brand strengths for the municipal area.

MOVED BY	CR DUNIAM
SECONDED BY	CR EDWARDS

That Council note the Draft Tourism Plan 2022-27 and authorise its release for public consultation.

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

10.2 WARATAH COMMUNITY PLAN 2022/2025

To:	Council
Reporting Officer:	Manager Community Activation
Responsible Manager:	Director Community and Engagement
Report Date:	11 July 2022
File Reference:	Waratah Community Board
Enclosures:	1. 2022-2025 Waratah Community Plan

PURPOSE

The 2022-2025 Waratah Community Plan has been developed with the community of Waratah for Council consideration and formal adoption.

BACKGROUND

In 2017 Waratah-Wynyard Council engaged Tourism and Community Plan Specialist, David Hammond, to work with the Waratah community and Council to develop an inaugural community plan. This Plan included three priority projects as identified through the development of the Community Plan with the Waratah community.

1. Waratah Waterfall enhancement.
2. Rail Bridge Walkway development.
3. Community facilitator and community services.

The inaugural Board with seven members faced many challenges as they undertook the responsibilities of this leadership role. At the end of their term with only four members, two years of COVID impact and a major disruption of the decommissioning of a dam near Waratah they achieved significant progress across all priority projects.

- Waratah Waterfall enhancement – Lease secured, and feasibility study undertaken and \$500,00 funding for stage one development.
- Rail Bridge Walkway development – Investigation of option, design development and secured \$300,000 from State Government for design and construct.
- Community facilitator and community services. – Redevelopment of childcare facility to community hub, dedicated community facilitator at Waratah every fortnight and establishment of ADRA food bank and other services.

The 2022/2025 Community Plan will build on the work of the inaugural Board and provide an opportunity for further community led initiatives.

Following a period of consultation with the Waratah community, a new Waratah Community Plan has been developed. The consultation included a survey (which was given to every household in Waratah), interviews and conversations. The feedback received from the community enabled a Draft Waratah Community Plan to be developed. This Draft was shared with the Waratah community at an Open Day. Further feedback on the Draft was accepted through interview and discussion at the Open Day. More feedback was given in the days following the Open Day via email.

The 2022-2025 Waratah Community Plan explains

- Community Planning

- role of community, board members and Council
- summary of previous achievements
- how the Plan was developed

The 2022-2025 Waratah Community Plan identifies five key themes:

- Social Connection
- Event for the Town – Revitalise Spaces
- Infrastructure
- Civic Pride
- Access to Services

Under each of the themes key projects are listed to be achieved during the life of the plan.

DETAILS

Based on the results of the community consultation, the 2022-2025 Waratah Community Plan identifies key projects that will address the five themes raised by the community. These projects include hosting a community event, completing upgrades to the Waratah Community Hub, commencing Stage 1 of the Waratah Waterfall Walk, seeking partners to work on a Tasmanian Tiger themed public art installation, addressing tip and town tidiness and creating a community directory. Please see the attached 2022-2025 Waratah Community Plan for further detail.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 3: Connected Communities
Desired Outcomes
1.3 We encourage broad community input to create a focussed and strong sense of belonging.
Our Priorities
1.1.2 Strengthen our communication with the community using diverse communications channels relevant to the demographic.

GOAL 3: Connected Communities
Desired Outcomes
3.2 We listen and engage with our community in decision making.
Our Priorities
1.4.1 Collaborate with, understand and satisfy our external customers' needs and values.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

This Plan expands on projects identified in the previous Plan, identifies opportunities to seek funding for some new projects and states that any costs associated with future projects need to be determined prior to commencement. Board members receive a small allowance for each meeting attended which is budgeted for in Councils operational budget annually.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

The Waratah Community were involved in the creation of the 2022-2025 Waratah Community Plan via surveys (paper based and/online), interviews, a Community Open Day and the opportunity to provide feedback in writing or via telephone.

CONCLUSION

It is recommended that Council adopt the 2022-205 Waratah Community Plan to enable Waratah to continue to progress the aspirations of the community.

MOVED BY	CR DUNIAM
SECONDED BY	CR EDWARDS

That Council adopt the 2022-2025 Waratah Community Plan

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

10.3 ENERGY SAVER GRANTS

To:	Council
Reporting Officer:	Manager Community Activation
Responsible Manager:	Director Community and Engagement
Report Date:	7 July 2022
File Reference:	Community Assistance Grants
Enclosures:	1. Live Well Energy Saver 2. Yolla Football Energy Saver

PURPOSE

For Council to consider the allocation of funding to Live Well Tasmania and Yolla Football Club 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).

Council had extended the Energy saver Grants until the end of the financial year.

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.

Applications have been received from Live Well Tasmania and Yolla Football Club in late June. The applications provided information to support project proposals with community benefit demonstrated.

The Live Well Tasmania and Yolla Football Club applications were evaluated against the assessment and grant eligibility criteria. The funding is proposed to be used for the “Solar System for Live Well Community Park” and “Sustainable Gas Hot Water System”, with the organisations contributing the remainder of the project value.

The Live Well application outlines that the purpose of the project is to help increase environmental sustainability and reduce greenhouse emissions.

The Yolla Football Club application outlines that the purpose of the project is to provide a more environmentally friendly service that is cheaper and more efficient.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Business & Industry	Specialised diversity of the economy – Value adding, diversification, innovation and employment. A resilient economy with global brand recognition and growing exports.
Strong communities and social capital	Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
Access and infrastructure	Local, regional and global transport and infrastructure access – Safe and efficient access alternatives, growing freight capacity, renewable energy, water management and contemporary communications. Community infrastructure that supports economic development.
Natural resource management	Managing abundant, natural and productive resources – Natural resource management is valued, and development is environmentally sustainable. The environment is clean and healthy with unspoilt beauty and biodiversity.

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

POLICY IMPLICATIONS

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 Council's sustainability and environmental aims.

FINANCIAL IMPLICATIONS

There was an allocation of \$50,000 in the 2021/22 budget for the Energy Saver Grant program. Previous grants allocated under this program have totalled \$11,016 leaving an unallocated balance of \$38,984. The current requests total \$24,427. The remainder of the budget if grants approved would be \$14,557 which will remain unallocated as the grant program has closed.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

No consultation was required as a result of this report.

CONCLUSION

Funds be provided to Live Well Tasmania for the Solar System for Live Well Community Park and Yolla Football Club for the Sustainable Gas Hot Water System as part of the Energy Saver Grants program.

MOVED BY	CR COURTNEY
SECONDED BY	CR BRAMICH

That Council endorse the allocation of Energy Saver Grants Program funding to:

- 1. Live Well Tasmania for a Solar System for Live Well Community Park in the amount of \$12,122; and**
- 2. Yolla Football Club for a Sustainable Gas Hot Water System in the amount of \$12,305.**

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

10.4 ANNUAL PLAN REPORT 1 JULY 2021 TO 30 JUNE 2022

To:	Council
Reporting Officer:	Information Management Officer
Responsible Manager:	Director Organisational Performance
Report Date:	5 July 2022
File Reference:	Annual Plan Progress
Enclosures:	1. Departmental Performance Report to June 2022

PURPOSE

This report is provided as a final update on the Annual Plan for the year ending 30 June 2022.

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.

The Annual Plan and Budget Estimates link to the achievement of the 10-Year Corporate Strategic Plan 2017/27 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.

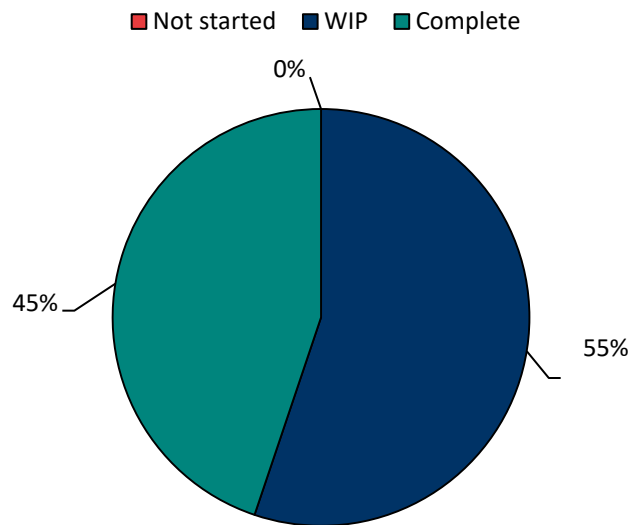
DETAILS

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

As at 30 June 2022, 55% of actions are fully complete and 45% of actions are in progress. A further update will be provided in Council's Annual Report publication and any outstanding actions as at that time will be carried over and included in the 2022/23 Annual Plan. Many of the incomplete actions as at 30 June are expected to be completed over the coming weeks.

There was a total of 58 actions included in the Annual Plan as at 30 June 2022 with progress having been made as follows:

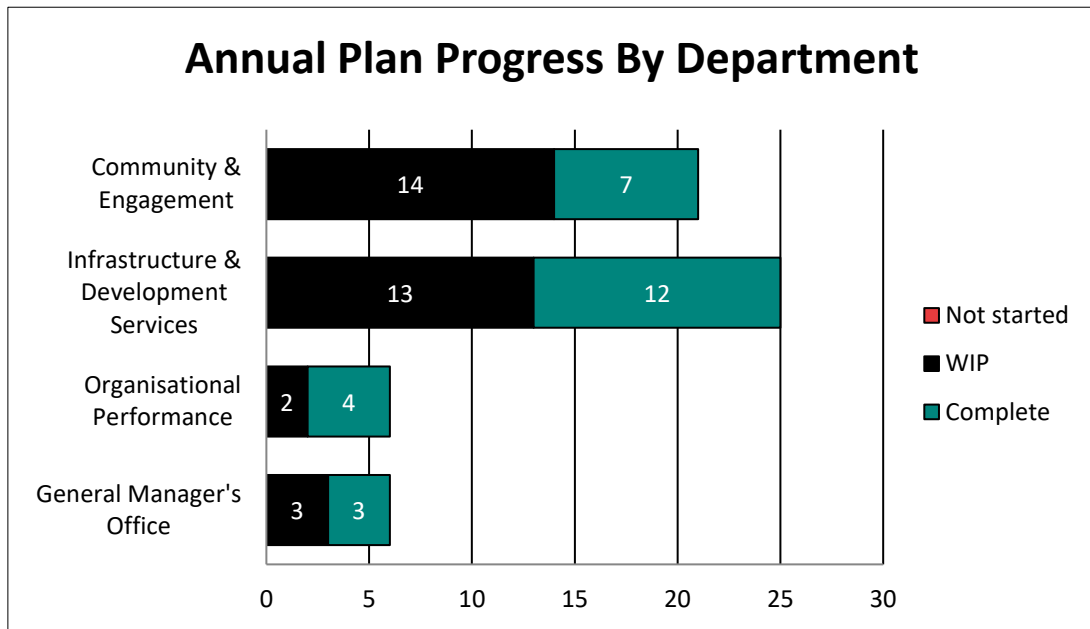
Annual Plan Progress - All Goals



- 26 actions complete
- 7 actions between 90% and 100% complete
- 13 actions between 70% and 90% complete
- 10 actions at less than 70% complete
- 2 are ongoing actions

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

Annual Plan Progress By Department



STATUTORY IMPLICATIONS

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 Reference

Council Strategy or Plan	Date Adopted:
Annual Plan and Budget Estimates 2021/22	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 2021/22 Annual Plan Action Report for the financial year 1 July 2021 to 30 June 2022.

MOVED BY	CR DUNIAM
SECONDED BY	CR EDWARDS

That Council note the 2021/22 Annual Plan report for the financial year 1 July 2021 to 30 June 2022.

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

10.5 QUARTERLY INFORMATION REPORT - COMMUNITY AND ENGAGEMENT

To:	Council
Reporting Officer:	Director Community and Engagement
Responsible Manager:	General Manager
Report Date:	8 July 2022
File Reference:	Community and Engagement
Enclosures:	Nil

PURPOSE

To provide statistical information and a quarterly update on the activities of the Community and Engagement Department. This report covers the following areas.

- Customer Services
- Community Activation
- Tourism and Marketing
- Communications
- Wonders of Wynyard
- Warawyn Early Learning
- Emergency Management

BACKGROUND

The purpose of the quarterly report is to provide Council with statistical information on the activities of Council for each department.

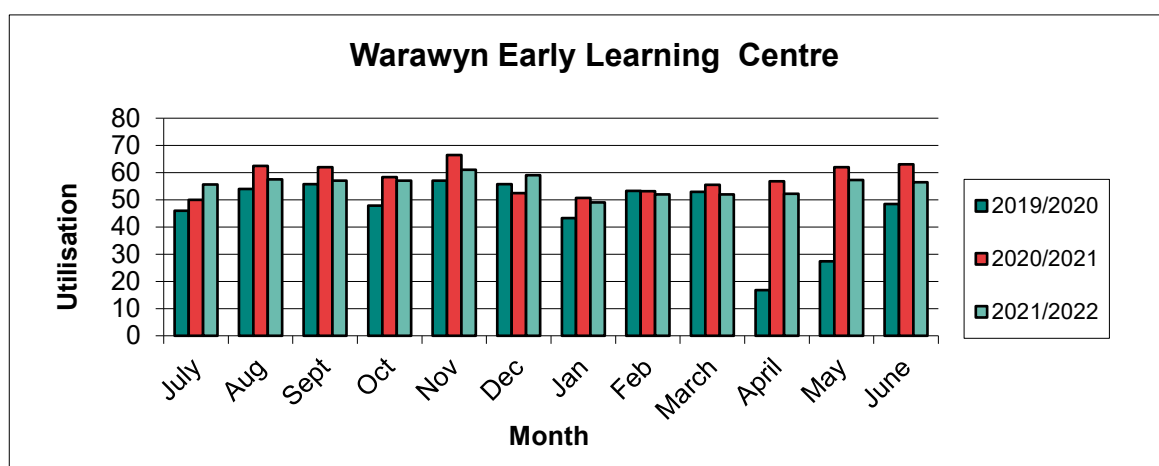
Following a review of organisational reporting with the aim of ensuring consistent and improved information sharing to Council a quarterly Information Report is provided each quarter for each Directorate with a snapshot of activities undertaken.

DETAILS

This report contains statistical and anecdotal information on the activities, projects and programs being delivered. The strategic context for these actions comes from a range of strategy documents including Health and Wellbeing, Age Friendly Communities and Youth Plans. The Open Space Sport and Recreation Plan, Communications and Tourism Plan.

Information provided will be refined over each reporting period as measurable outcomes and feedback is captured.

CHILDREN'S SERVICES

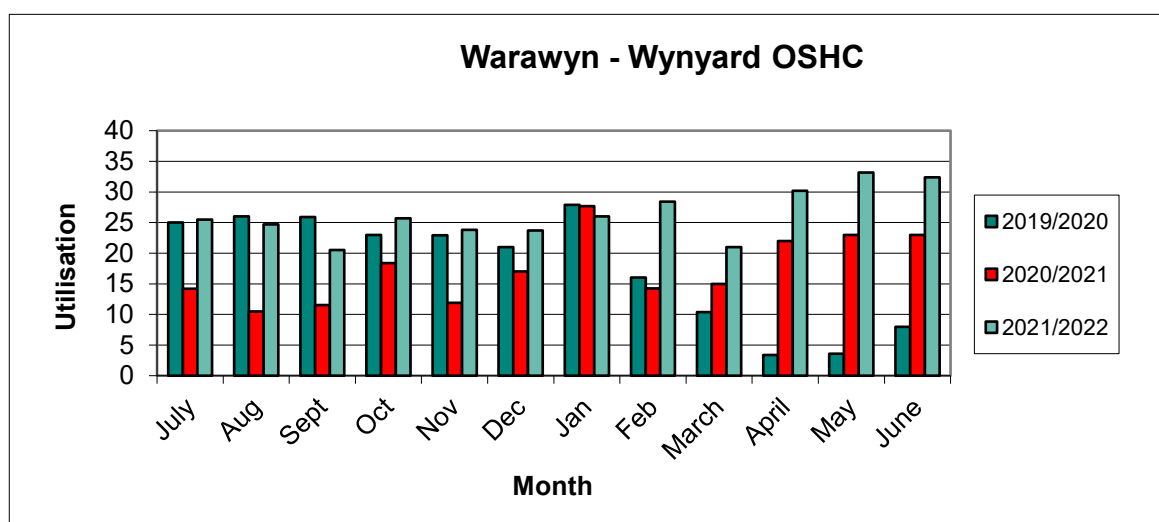


There has been a 4% decrease in utilisation this financial year. This is a direct impact of COVID through increased cancellations from illness or isolation requirements. Demand for care and education continues however access to qualified, experienced staff to fill vacancies continues to be difficult.

There has been a range of measures put in place to build stronger resilience within the staffing pool. This has included recruitment of an Australian School Based Apprentice and three trainees. This is part of a longer-term approach to build a skill and experience in the workforce.

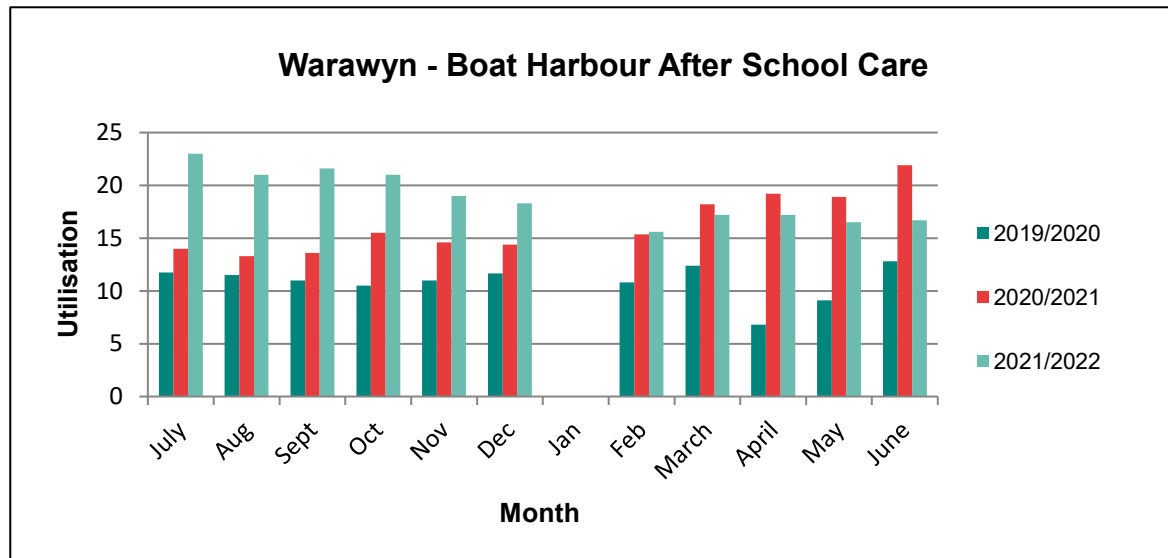
Warawyn Early Learning recruited Lucy Vandenburg through the School Based Apprenticeship scheme 12 months ago. This has been a great opportunity for Lucy to apply theory she is learning in the workplace environment, while undertaking a formal qualification that enable a pathway to apply the theory to real-world experiences of working in an early childhood education setting.

Lucy also has consistent support through her trainer, co-workers and employer. It has been highly beneficial for extending Lucy's knowledge in the sector through identifying mentors within the workplace who can support and guide her career journey.



Outside School Hours Care has experienced increased utilisation over the past financial year. There has been a 51% increase in utilisation which is reflective of demand for services.

The program continues to be delivered from the Community Centre with children coming from St Brigid's and Table Cape primary schools. The program at St Brigid's has been unable to reopen at the school due to resource constraints. The Manager Children's Services continues to work with the school to explore opportunities for re-establishment of the program at the school. Having Table Cape and St Brigid's school both accessing the program at the Community Centre has assisted with staffing constraints.



The After School Care program at Boat Harbour has continued to increase in utilisation. Over the financial year there has been a 16.5% increase. This service is very important for the school and is well supported by the school community.

Warawyn Early Years Reconciliation Action Plan

In 2018, Warawyn Early Years were one of the first early learning providers in Tasmania to develop a Reconciliation Action Plan (RAP), this is now the 5th year of the program. The action plan articulates and builds on our vision for reconciliation, and it is genuinely at the heart of the services and is deeply embedded in everything we do, and every decision we make. It is a key consideration in the service Mission statement and Philosophy, curriculums, teaching and policy. The RAP reflects working with our local community and building meaningful connections with Aboriginal and Torres Strait Islander communities, families, and children, and educating children and educators about why reconciliation action matters.

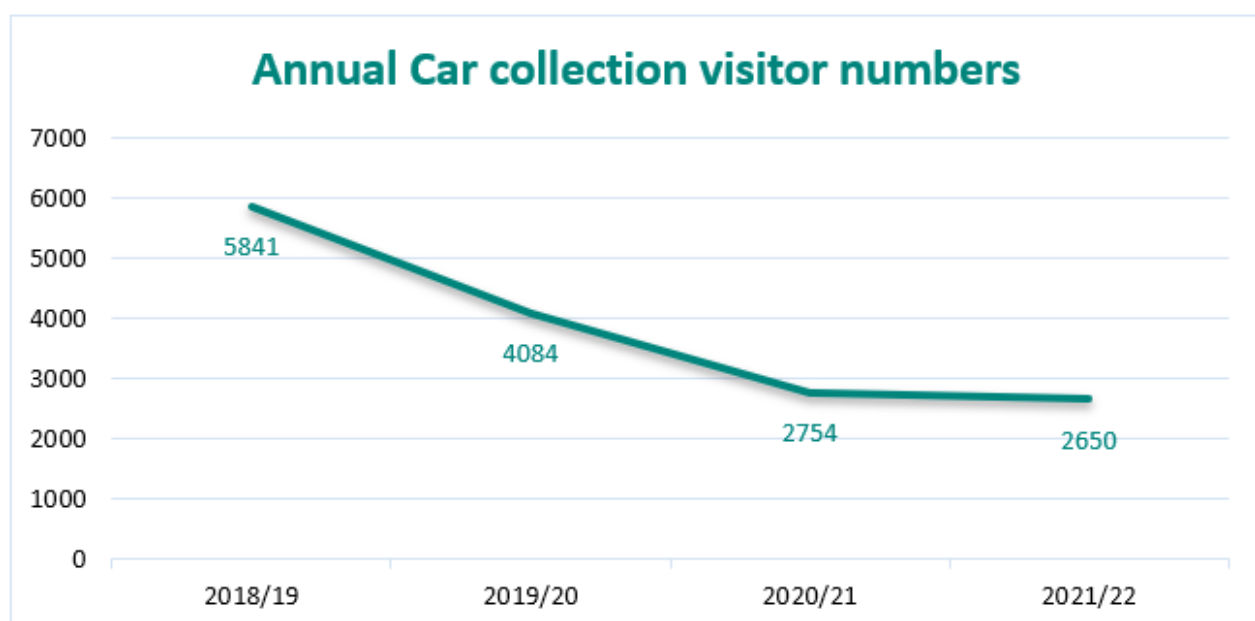
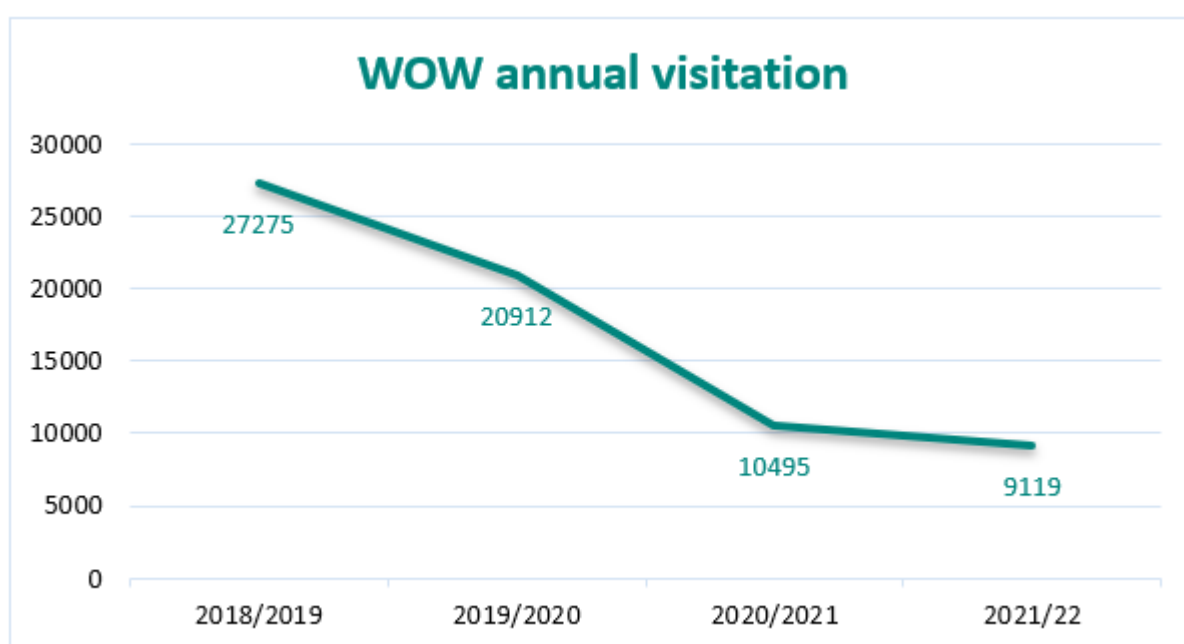
Through the RAP deliverables, our services are building strong, enduring relationships with families, children and local communities. The services have made great progress in the reconciliation journey, recognising that it's a two-way partnership where we build a sense of shared learning and understanding across all cultures. Educators participate in a range of professional development opportunities that enhance their ability to build knowledge and understanding, helping create environments and curriculums that foster a sense of belonging.

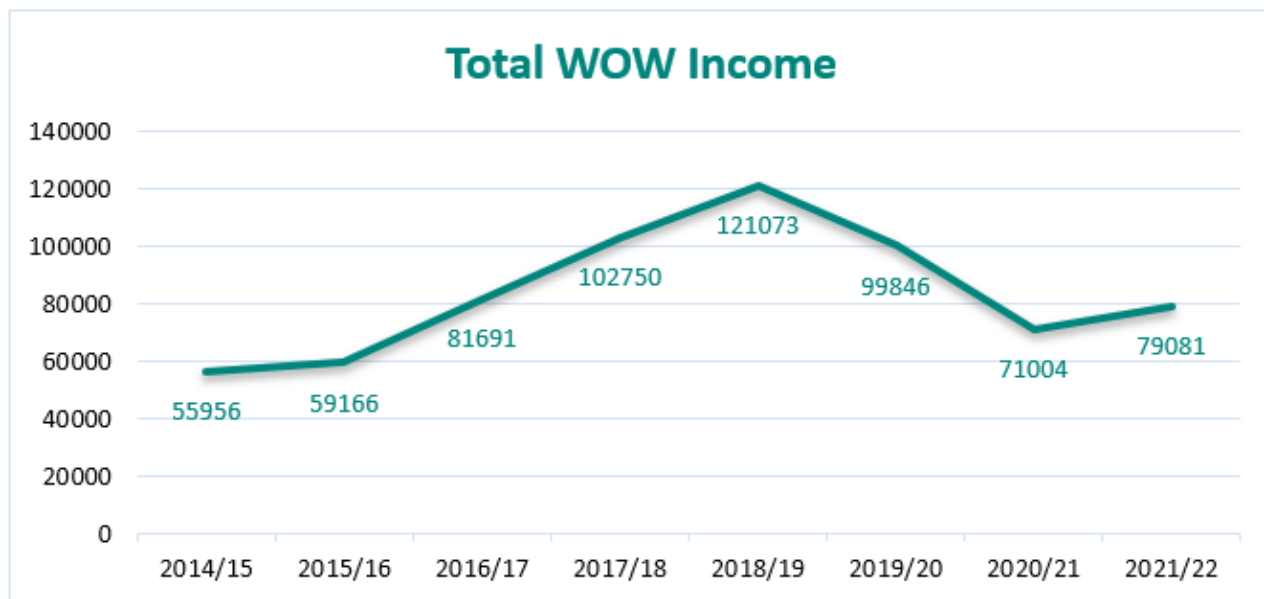
We know our ability to meaningfully embrace and embed reconciliation in everyday practice in our services depends on our people. Our professional development opportunities are building capability and creating environments for educators to be able to learn further and grow their knowledge and understanding.

TOURISM

Tourism statistics - 2021-22 end of year summary

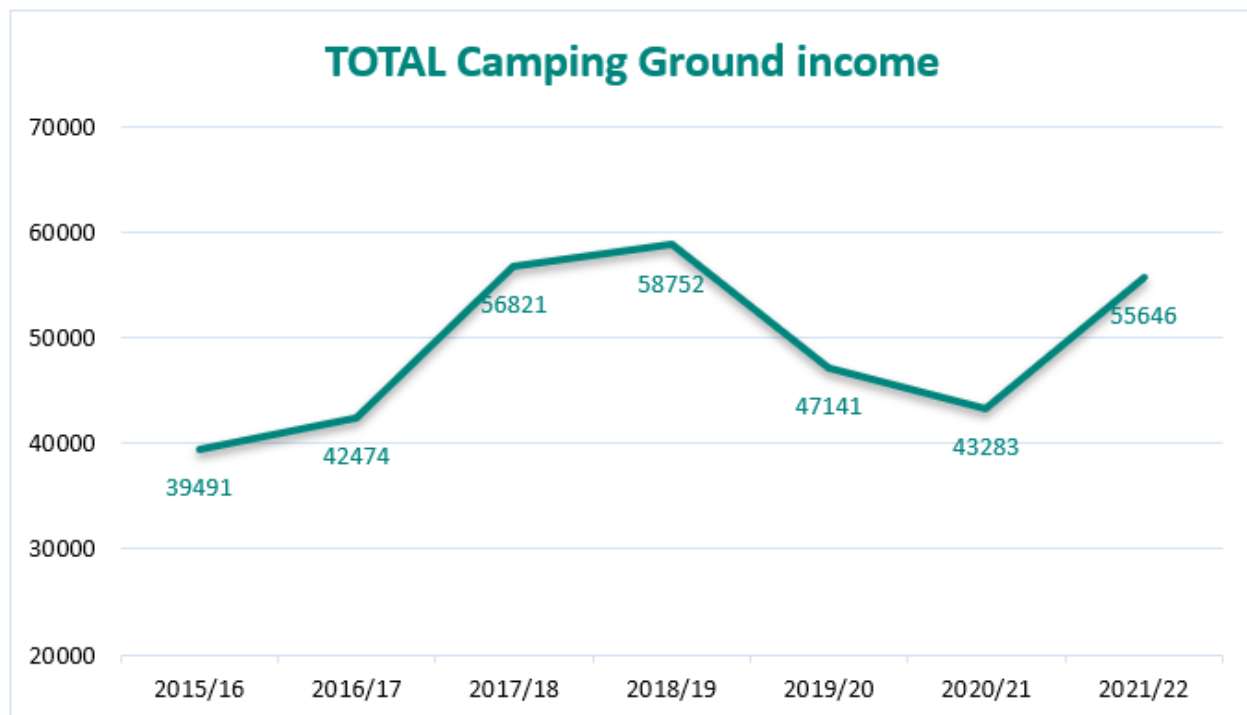
- Total visitor numbers for the year were down 13% on the previous year, and down 66% on the 2018-19 (pre-covid) numbers.
- Operational changes were made to reflect decreased visitor demand, with opening hours from Easter reduced to 10am-3pm 6 days a week.
- Visitation to the car collection is down 3.7% on last year, and down 55% on 2018/19 pre-covid levels.
- Income for the year is up 11% on last year (down 34% on 2018/19 pre-covid highs), reflecting lower numbers but higher yielding visitors.





2021-22 end of year Summary – Waratah

- Numbers for the Athenaeum Hall were down 13% on the previous year, and down 49% on the 2018/19 pre-COVID numbers.
- Caravan park income was up 28% on last year and only down 5% on 2018/19 pre-COVID figures, reflecting the travel trend of 'return to basics' and increased perceived safety of small group travel in the outdoors.



COMMUNICATIONS AND ENGAGEMENT

Social Media Followers

Facebook	6776 (+8.8%)
Twitter	806 (+0.75%)
Instagram	679 (+1.2%)
LinkedIn	348 (+33.3%)
YouTube	133 (+54.7%)

- Users of the website have increased 18% over the last financial year

Communications Summary

- Completed the Year 3 actions of Community and Engagement Strategy
- Purchased a drone and have begun flying lessons to assist with aerial photography and videography of municipal area
- Completed a Corporate Photo Library of edited images for staff usage across Council
- Began process to being META Certified in Facebook, Instagram and Messenger to expand social media presence and explore best practices and standards for online community management.
- Worked on a variety of social media campaigns including 'It's not easy being green', 'Beyond the Boundary' and 'Net Zero Corporate Carbon Emissions by 2030'



COMMUNITY ACTIVATION

Customer Service

The data for the period covering 1 April through to 21 June indicates that Council is responding to 4-5 requests for service per day.

Quick Statistics

1 April to 21 June 2022

- 362 requests for service registered in Conquest (Customer Request System).
- 282 have been actioned and completed.
- 62 requests are currently open in Conquest and being progressed.
- 31 requests are “Closed but not Complete” (Require further resource allocation).

Waste and Recycling – Monitoring continued of the of Waste and Recycling Hub that is located in the Council foyer. Work is continuing with the wider Council team to set up procedures for monitoring and handling recyclables.

Storm Response – After a wild weekend of weather over June 12/13, Customer Service Officers handled a number of fallen tree and public hazard requests for service.

Information was carefully taken, and the appropriate Council staff were contacted to provide support. Customer Service Officers followed up to make sure that requests for service had been investigated and that a response and plan for action was developed and communicated as appropriate.

Recreation

Heathland Transfer – Council Officers worked in collaboration with the community group, Friends of the Heathland Transfer, to translocate a remaining parcel of land from the Wynyard airport that showcases native flora. Some of the plants in the transfer are not found anywhere else in Wynyard. This transfer is the first of its kind in Tasmania. The area that the parcel has been translocated to will be known as Praympi Reserve.

Praympi Reserve – Worked in collaboration with Friends of the Heathland Transfer to create and set up a web page for the Praympi reserve. The page will be accessible on Council’s Website, when the webpage is launched.



Work is continuing with preparation of the “Beyond the Boundary” event, set to be hosted on July 7 at the Wynyard RSL. Currently 160 tickets have been issued. Council Officers Assisted with the operational aspects of opening The Watershed and Wynyard Yacht Club building, and opening weekend activities.

Public Art

Tasmanian artist Suzanne Irving was recognised as a finalist at the prestigious Diemen Awards, which celebrate Tasmania’s best and brightest talent in commercial creativity, for her work with the Public Art Advisory Group on the Waratah-Wynyard Council Illustrated Maps.

Cam River Reserve Art Space – supported Artscape Wynyard to set up their first installation, as part of the Cam River Reserve Project

Events

Commenced planning for Spring Loaded 2022. So far, there have been close to 60 activities locked in for the very busy and fun filled month of October. These activities are being hosted by numerous community groups and businesses, with excellent support being given to the event from throughout the municipality. Council will be hosting a number of events during Spring Loaded, including a Beach Bonfire featuring drumming, fire twirling and acrobats on the beach at Wynyard, and a fun cinema experience at the RSL. The jewel of the Spring-Loaded crown will be the Tulip Festival, which will be held on Saturday 8 October. Organisation of the 2022 Tulip Festival is well underway, with expressions of interest pouring in, and numerous site meetings being held with prospective entertainers and suppliers.



Volunteer Event – Council hosted a Volunteer Morning to recognise the fantastic effort that the volunteers selflessly donate to benefit our community. At this morning tea volunteers received certificates of thanks for their continued efforts through the past year (including their ability to adapt their activities during COVID). Awards of thanks were given to volunteers to acknowledge the hours of volunteer time they have donated to our community on behalf of Council.

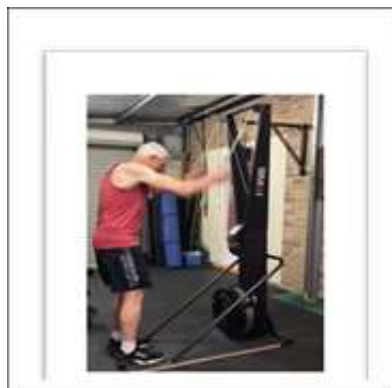


Health and Wellbeing

Breathe, Eat, Move, Relax Project – program is getting closer to wrapping up in August. April to June saw a number of free and low-cost activities being made available across the Waratah-Wynyard/Circular Head municipalities.

Some of these activities are detailed below -

Fit Mix Classes – in collaboration with Wynyard Fitness, Waratah-Wynyard Council has been able to extend their free fitness classes for a further five weeks in Wynyard, featuring boxing, circuit training and traditional gym sessions.



Council Officers worked with students and staff from Wynyard High School to lay down new paths at the Little Goldie Street Community Garden.



Council Officers worked with community volunteers in Waratah to place and fill community garden beds at the Waratah Community Centre. Tai Chi & Qigong for Relaxation & Wellbeing – there was a hosted a series of free introductory classes commencing in and June held in Somerset.



Wynyard Adventure Race – in conjunction with Wynyard Fitness, Waratah-Wynyard Council hosted an adventure race that consisted of running, mountain biking and paddling around the picturesque Inglis River. While the weather wasn't kind, the participants were, with the event selling out in less than 24hours.

A winter Coat Drive has been developed with coats being collected in Waratah and Wynyard and distribution through local community organisations.



Waratah Community Plan

Commenced planning for the 2022 Waratah Community Plan. Developed an information flyer explaining the development of the new community plan. Developed a survey and commenced community consultation. Captured the survey and consultation feedback and created the Draft Waratah Community Plan. An Open Day was held in Waratah on July 6 to discuss the Draft Community Plan.

Youth

Tasmanian Youth Forum 2022 – I am Me. Community Development Officer attended this forum on behalf of Council and was able to participate in activities that workshopped the hopes and visions our young people have for diversity, equity and inclusion in Tasmania.

Waratah Wynyard Youth Leaders – this Council initiative has been reactivated, with a number of new members coming on board. The group have held several meetings and have developed a plan to be involved in a number of community and Council initiatives, including “Beyond the Boundary”, “Try Skills”, Spring Loaded, Tulip Festival and more.

Work Inspirations – Council hosted Work Inspirations Program in collaboration with The Smith Family. Year nine students from Wynyard High School participated in two sessions at Council Chambers, where they learned more about possible future career paths and the function of Council.

Emergency Management

Wynyard SES members responded to 13 call outs over the June long weekend.

These mostly related to trees damaging buildings or roofs being damaged by strong winds.

The Circular Head SES Unit provided assistance around Waratah Wynyard in the immediate aftermath of the storm.

Once local jobs had been seen to the Wynyard SES Unit was deployed to assist in Kentish.

Councils after hours call out crew were also kept busy over the long weekend mostly responding to trees across roads.

Council will be hosting the next meeting of the Western Emergency Management Committee on the August 18 in Wynyard.

Waratah Wynyard Heritage Register.

Work on the register is underway with 56 places/buildings being entered into the draft.

It is envisaged that the Register will be maintained in EXCEL spread sheet and this will be shared as a PDF file through Council’s web page.

A number of entries have been identified through the Tasmanian and Australian heritage registers.

Council staff have met with the Wynyard Historical Society. During the discussion they expressed a preference that Council be the custodians of the register and that their members forward new nominations for the register biannually.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
1.1 We make publicly transparent decisions on spending and future directions while encouraging community feedback.
Our Priorities
1.1.1 Commit to best practice in community engagement.
GOAL 2: Organisational Support

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

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

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

This report provides statistical and qualitative information of the activities of the Community and Engagement Directorate during the last quarter to assist Council in understanding the key performance measures in this area and the outcomes for the community. It is recommended that the report be noted.

MOVED BY	CR DUNIAM
SECONDED BY	CR EDWARDS

That Council note the Quarterly Information Report for the Community and Engagement Department as at 30 June 2022.

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

10.6 ELECTION CARETAKER PERIOD POLICY

To:	Council
Reporting Officer:	Director Organisational Performance
Responsible Manager:	General Manager
Report Date:	4 July 2022
File Reference:	Governance - Policy - Council Policies
Enclosures:	1. Proposed Election Caretaker Period Policy

PURPOSE

This new policy has been developed for Council consideration and formal adoption.

BACKGROUND

Council recently received correspondence from the Minister for Local Government, Nic Street recommending that Councils consider voluntarily adopting their own Election Caretaker Period Policies prior to the upcoming election period.

The Government has advised that it remains committed to introducing caretaker provisions as a part of its Local Government Act review and plans to introduce further amendments to the Act once the Final Report of the Future of Local Government Review has been received.

DETAILS

It has been a long-established democratic principle that elected bodies should not use public resources for election campaigning nor make decisions that may unreasonably, inappropriately, or unnecessarily bind an incoming Council.

The proposed new policy establishes clear guidelines for the conduct of Councillors and employees in the leadup to the local government general election by ensuring that:

1. Major policy decisions are not made by Council in the leadup to an election that would prove binding for an incoming Council.
2. Council resources are not used for the advantage of a candidate in the local government general election.
3. The requirement to act impartially in relation to all candidates standing for election.

The policy covers decisions made by the Council, materials published by Council, attendance and participation in functions and events, use of the Council resources, and access to Council information.

This policy does not prevent the Mayor, Councillors and Council employees from carrying on the ordinary business of the Council during the Caretaker Period. Council meetings will continue to be held during the Caretaker Period. They will consider Agenda items that relate to the Ordinary Business of Council other than those matters identified in the policy as significant or major policy decisions.

“Major Policy Decision” includes any decision by the Council:

- a) to spend unbudgeted monies;
- b) to conduct unplanned public consultation;
- c) to endorse a new policy;

-
- d) making, amending or repealing of planning schemes and establishment of By-Laws;
 - e) to dispose of Council land; and
 - f) to approve community grants.

If the policy is adopted, so far as is reasonably practicable, the General Manager will avoid scheduling significant decisions, including Major Policy Decisions, for consideration during the Caretaker Period and ensure that such decisions:

- a) are considered by the Council before the Election Period; or
- b) are scheduled for determination by the incoming Council.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
1.4 We cherish fairness, trust and honesty in our conduct and dealings with all.
Our Priorities
1.6.2 Develop leadership that inspires and motivates, and which maintains a strong community and workplace culture.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

This Policy assists in managing reputational risks associated with actual or perceived inappropriate decision-making during the election campaign. It is a long-established good governance principle that elected bodies do not use their position of public office or public

resources for election campaigning nor make decisions that may unreasonably, inappropriately, or unnecessarily bind an incoming Council.

This policy provides transparent and clear guidelines that restrict some decision-making of Council whilst also allowing the Mayor, Councillors and Council employees to continue with the ordinary course of business of the Council during the Caretaker Period.

The policy is not expected to impact the delivery of the current year's annual plan actions.

CONSULTATION PROCESS

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

CONCLUSION

It is recommended that Council adopt this policy which strengthens Council's governance by providing clear transparent guidelines on the use of public resources and decision-making throughout the election period.

MOVED BY	CR DUNIAM
SECONDED BY	CR EDWARDS

That Council adopt the Election Caretaker Period Policy as presented.

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

10.7 DOG MANAGEMENT POLICY

To:	Council
Reporting Officer:	Manager Development and Regulatory Services
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	4 July 2022
File Reference:	Dog Management Policy
Enclosures:	1. Submissions on the Dog Management Policy 2. Dog Management Policy

PURPOSE

At the May 2022 Council meeting, Council endorsed the Dog Management Policy for community consultation. The consultation period has now ended, and the below report considers the feedback provided to Council and whether any changes are required to be made to the policy.

BACKGROUND

The *Dog Control Act 2000* ('the Act') and the *Dog Control Regulations 2021* provide the legislative framework for the management of dogs in Tasmania.

Section 7 of the Act requires the Council to develop and implement a policy relating to dog management in its municipal area, which is to include:

- A code relating to responsible ownership of dogs;
- The provision of declared areas;
- A fee structure;
- Any other relevant matter.

A Policy is to be reviewed every five (5) years. In developing a Policy, the Act requires the Council to:

- invite public submissions relating to a proposed dog management policy; and
- consult with any appropriate body or organisation; and
- consider any submissions and results of any consultation before finalising the policy.

Additionally, s. 24 of the Act (s.24) requires the Council to notify, by public notice, the details of any declared areas for dog exercise areas, dog training areas, prohibited areas, or restricted areas and invite public submissions within 15 working days after the notice.

DETAILS

Council's Dog Management Policy has received a total of 15 submissions during the public consultation period conducted over 15 business days. The consultation included advertisements in the Advocate on Wednesday and Saturday preceding of the consultation period, and two notices were posted on Council's Facebook page during the consultation period.

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

Themes	Number of responses and approximate % rate.	Comments/theme
Request change to dog prohibited beach between Seabrook Creek and Burntwood Point.	10 Responses 67%	Allow dogs off lead from Seabrook Creek to Burntwood Point. Rogue dogs are the issue in Penguin attacks. Limited places to walk dogs off lead in Doctor Rocks. Modified hours and access to allow dogs off lead between gate 1 and Burntwood Point, with additional signage, fencing and patrols.
Support current Policy	2 Responses 13%	Liked current traffic light system. Keeping dogs out of nesting habitat makes sense. Good quiet space for people who do not have to worry about out of control dogs. Current off lead areas are visible to the public.
Change current Policy	3 Responses 20%	More stringent measures should be applied and enforced. More dog free beaches. Change the Dog on Lead restrictions to allow dogs off lead between 5pm and 10am. Current restrictions commence at 6pm, so the change would provide an extra hour to allow people to walk dogs before dark in winter.

The main theme from the responses received centred around re-establishing the dog off lead area between Seabrook Creek to Burntwood Point (western most end of the Doctors Rocks Conservation Area). Whether this was to re-instate this as an “off lead” dog beach or through modified hours and access to allow dogs to be exercised with certain restriction and timeframes. However, this particular area was the main focus of a recent working group that held four meetings over a 2-month period which consisted of the following representatives:

- Multiple Use of Conservation Areas Doctors Rocks (MUCA) - two representatives
- Penguin/shorebird experts- two representatives
- Parks and Wildlife Services (PWS)- two representatives (as landowner and authority responsible for the conservation area)
- Council – two representatives (Manager Development Services and Building and Compliance Co-ordinator for policy development and facilitation).

The conclusion of that working group determined that under the *Nature Conservation Act 2002*, dogs are prohibited in conservation areas unless a risk management assessment can support the presence of dogs in that area. It should be noted that this protection is in place for the conservation of all sensitive wildlife, which includes penguins and shorebirds. PWS officers were part of the working group and advised that the identified environmental risks,

such as increasing penguin numbers, expansion of den areas and populations of nesting shorebirds, are too great to support a change to the policy to allow a return of dogs to this beach.

A review of the designated beaches was undertaken as part of the process to inform the working group. This found that there was an even share of Dogs Off Lead, Dogs On Lead and Dogs Prohibited beaches, with each covering approximately 5km. It should also be noted that the Dogs On Lead designation allows for dogs to be exercised off lead between the hours of 6pm and 10am. Applying this designation to a penguin habitat, as has been requested, would be introducing dogs to the beach at times that coincide with penguins coming to shore at dusk, and leaving at dawn. As mentioned previously, this is too great a risk to the safety of sensitive wildlife.

Requests have also been submitted to create a new category or declaration for this stretch of beach. From a practical and administrative view, it is not preferable to introduce an additional form of restriction, as this would then not fit in with the traffic light system (three levels). This traffic light system has received much positive feedback since its inception, including a few responses during this consultation period.

Council received two requests to the opposite of increasing Dog Off Lead areas, asking that more areas to be set aside for people and nature (dog free). Given that the area identified as “Doctors Rocks Conservation Area” is currently prohibited for all dogs and covers a total distance of beach of approximately 5kms, provision is made for people to enjoy beaches without dogs. As mentioned above, the restrictions equate to about 5km each for Dog Off Lead, Dog on Lead and Dogs Prohibited. It is felt that Council do have the balance right.

A further request was to amend the hours to allow people to exercise of dogs off lead after 5pm by modifying the hours on our restricted beaches by altering 1 hour of “on Lead” time from 5pm to 6pm to be allowed off lead. This would modify the overall time to allow dogs to be exercised off lead from 5pm in the evening to 10am in the morning. All other times on lead. The current timeframes on restricted beaches offers a good balance between dogs off lead and on lead, with dog owners benefiting of longer exercise time during the summer months when sunlight permits. This was also extensively reviewed in the last policy with the current timeframes being widely adopted by the community.

The extensive review of the previously adopted policy may explain the limited number of responses received for this policy review. The issues raised in the largest proportion of responses were reviewed by the working group as detailed above.

STATUTORY IMPLICATIONS

Statutory Requirements

The Dog Management Policy ensures Council’s compliance with the relevant provisions of the *Dog Control Act 2000*.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
1.5 We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making.

Our Priorities
1.2.1 Review and adjust service levels to provide value for money.
GOAL 3: Connected Communities
Desired Outcomes
3.2 We listen and engage with our community in decision making.
Our Priorities
3.4.1 Promote and work with stakeholders to provide affordable quality services.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

Adoption of the draft policy as recommended will achieve the requirement to review under the *Dog Control Act 2000*.

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

No new risk implications as the policy is recommended for adoption with no changes to declared areas. A change to the declaration of Dogs Prohibited on East Wynyard beach to allow access for dogs would not comply with the *Nature Conservation Act 2002* and would be in conflict with PWS' direction for use of the land, as landowner.

CONSULTATION PROCESS

The Dog Management Policy has been provided to the community for consultation, as well as reviewed with the Working Group. Their feedback is provided within this report. A final decision on the current Dog Management Policy is now required.

CONCLUSION

It is recommended that the Council adopt the Dog Management Policy with immediate effect.

MOVED BY	CR COURTNEY
SECONDED BY	CR DUNIAM

That Council:

- 1. Adopt the Dog Management Policy as per the attached draft; and**
- 2. Review the Dog Management Policy within 5 years, as per the requirements of the *Dog Control Act 2000*.**

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

10.8 ENFORCEMENT POLICY

To:	Council
Reporting Officer:	Manager Development and Regulatory Services
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	4 July 2022
File Reference:	Compliance
Enclosures:	1. Enforcement Policy 2. Enforcement Policy Guidelines

PURPOSE

The report has been prepared for Council to adopt the Enforcement Policy and associated guidelines.

BACKGROUND

Local government is charged with legislative responsibilities which protect individuals and the community. Waratah Wynyard Council's customers include both those whom the law places a duty and those whom the law protects. While it is ultimately the responsibility of individuals and other bodies to comply with the law, Council staff are required to carry out activities which enforce compliance with its legislative responsibilities.

Therefore, a Policy is required to make transparent and Council's approach in dealing with its legislative responsibilities and to guide Council staff to this end.

DETAILS

The Policy outlines the Council's approach to enforcement matters and provides staff with direction about the way enforcement activities are to be undertaken. In addition to enforcement, the Council will also carry out a range of activities to ensure compliance such as community education programs to encourage conformance.

This Policy purpose is to:

- (a) Provide consistency in enforcement action in matters of non-compliance;
- (b) Ensure transparency, procedural fairness and natural justice principles are applied; and
- (c) Ensure that enforcement action is proportionate to the alleged offence in each case.

STATUTORY IMPLICATIONS

Statutory Requirements

There are a number of State Government Acts of legislation and a Council By-law that place responsibility on Council including: -

- *Land Use Planning and Approvals Act 1993;*
- *Local Government Act 1993;*
- *Building Act 2016;*
- *Dog Control Act 2000;*
- *Environment Management and Pollution Control Act 1994;*
- *Food Act 2003;*
- *Local Government (Highways) Act 1982;*

- *Public Health Act 1997;*
- *Litter Act 2007;*
- *Road Rules 2009;*
- *Traffic Act 1925; and*
- *Waratah Wynyard Council By-Law 1 of 2016.*

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
1.5 We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making.
Our Priorities
1.5.2 Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Strong communities and social capital	Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
Natural resource management	Managing abundant, natural and productive resources – Natural resource management is valued and development is environmentally sustainable. The environment is clean and healthy with unspoilt beauty and biodiversity.
Place making and liveability	Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.
Governance and working together	Working together for Murchison – Everyone plays a part in achieving the objectives of the Sustainable Murchison Community Plan. There is cooperation, resource sharing and less duplication between Councils. Leadership is provided across all community sectors.

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

- Legislative compliance
The Policy minimises the risk of non-compliance with Council's statutory obligations.

-
- Reputational Risk

The Policy will assist in managing community expectations in undertaking enforcement and compliance activities by providing transparency in the way Council responds to non-compliance with legislation under Council's jurisdiction.

CONSULTATION PROCESS

The Policy was workshopped with Councillors on 6 June 2022. There are no consultation requirements as a result of this report.

CONCLUSION

It is recommended that Council adopt the Policy as presented.

MOVED BY	CR DUNIAM
SECONDED BY	CR EDWARDS

That Council adopt the attached Enforcement Policy and Enforcement Policy Guidelines.

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

THE MANAGER DEVELOPMENT AND REGULATORY SERVICES LEFT THE MEETING

10.9 MANAGEMENT OF FOXGLOVE

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	29 June 2022
File Reference:	0107
Enclosures:	Nil

PURPOSE

To provide an overview of Council's position on management of Foxglove (*Digitalis Purpurea*) following recent public statements.

BACKGROUND

Council has received a number of public statements regarding Council's management of the plant commonly known as Foxglove. As this plant is not a Declared Weed in Tasmania (or any other state) there are no legal heads of power given to Council to allow enforcement actions to be taken.

DETAILS

Staff have had discussions with Biosecurity Tasmania to discuss the current management status of Foxgloves (*Digitalis purpurea*). They are aware of local residents' interest in the broad issue of weed management having addressed enquiries over the past decade to respond to ministerial and / or direct representations.

The following provides an overview of the current situation.

- 1) At this time there is no statutory instrument in place that enables the enforcement of Foxglove control or eradication by local councils or the State government.
- 2) The State Government is aware of the general concern relating to the spread of Foxgloves.
- 3) Foxgloves are considered to be out of control in parts of Tasmania in some forest plantation zones, roadsides and riverbank properties.
- 4) The roadside Foxgloves within the Hellyer Gorge roadside reserve are managed by the Department of State Growth (DSG). DSG have a programmed roadside weed management strategy which has in the past included targeting of Foxgloves leading into the river reserve.
- 5) Unfortunately, it is common practice throughout Australia for the gardening industry, especially nurseries, to sell Foxglove plants and seeds.
- 6) It is understood that discussions with nursery industry peak bodies and major wholesale and retail companies regarding the problems relating to selling and popularising Foxgloves as garden plants are taking place.
- 7) Tasmania does not classify environmental weeds as **noxious**. When problematic, they can be classified as **declared** (<https://nre.tas.gov.au/invasive-species/weeds/weeds-index/declared-weeds-index>) with varying management requirements relating to extent of infestations.

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- 8) There is no indication that Digitalis species and varieties will be prescribed as a fully declared weed requiring total eradication in the near future.
 - 9) Waratah Wynyard Council is aware of the problem with Foxgloves in the region and has continually, through its Natural Resource Management Officer, made representations at various, emerging and established, weed management forums throughout the State.
 - 10) Council currently has a spraying contractor targeting Foxgloves along with other herbaceous roadside environmental weeds. This happens on an annual basis.
 - 11) The matter of Foxglove poisoning stock on private property is not a matter that Waratah Wynyard Council has any jurisdiction, including powers to act, over.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 7: Environment
Desired Outcomes
7.5 Stewardship of our land, water and marine ecosystems respects past, present and future generations.
Our Priorities
7.1.2 Advocate for effective environmental management and contribute to regional, state, and national climate change initiatives.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Natural resource management	Managing abundant, natural and productive resources – Natural resource management is valued, and development is environmentally sustainable. The environment is clean and healthy with unspoilt beauty and biodiversity.
Education	Lifelong learning and education – Education and lifelong learning is valued and there is access to vocational training and tertiary education. Education retention rates have increased.
Governance and working together	Working together for Murchison – Everyone plays a part in achieving the objectives of the Sustainable Murchison Community Plan. There is cooperation, resource sharing and less duplication between Councils. Leadership is provided across all community sectors.

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

There is a risk of plant infestation in reserves and on properties if the plant does become an invasive species. Council will continue to monitor and advocate for a change to the listing of the Digitalis species and varieties.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

There is a risk of plant infestation in the future if council is unable to instigate enforceable programs. A focus on education and annual spraying of roads will assist but not eradicate any future problems without a head of power to act.

CONSULTATION PROCESS

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

CONCLUSION

It is recommended that Council note the current situation regarding Foxglove and that officers continue to work with Bio Security Tasmania and other stakeholders at a regional and State level on this matter.

MOVED BY	CR DUNIAM
SECONDED BY	CR EDWARDS

That Council note current Foxglove Management Practices.

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

10.10 AWARD OF CONTRACT 776 - CALDER ROAD (BLACKFISH CREEK) BRIDGE REPLACEMENT, DESIGN AND CONSTRUCT

To:	Council
Reporting Officer:	Manager Engineering Services
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	8 June 2022
File Reference:	.
Enclosures:	1. Tender Evaluation Cover Page - Confidential

PURPOSE

To determine Council's position in relation to tender submissions received for the replacement of the bridge structures at Calder Road (Blackfish Creek).

BACKGROUND

The provision of replacing the bridge sub-structure and super-structure at Calder Road (Blackfish Creek) has been identified through a growing demand for heavy vehicle movement and freight. The current bridge structure has a T44 load rating which pre-dates the current industry standard SM1600 bridge load rating. This in turn restricts the vehicle combinations and that can utilise this structure. The replacement of the bridge will address the current restriction of industry and heavy vehicle type that the design standard imposes.

Provision of these works are to be undertaken by an external contract provider, owing to the nature of specialist equipment and skills required to undertake the scope of works.

A call for tenders for the provision of these works was published in the Advocate Newspaper and released on the Tenderlink website on Saturday 9 April 2022.

DETAILS

The contract operates as a Lump Sum contract, based upon the estimated quantities to deliver the scope of the project. Tender price comparison and assessment of each individual tender, based upon pre-defined tender criteria, defines the recommendation to Council to award the Contract. Tenders were invited to tender for these works based on an individual Council basis or a combined tender with the Circular Head Council.

At the close of tenders on 29 April 2022, nine (9) contractors had accessed the tender documents via Tenderlink and three (3) contractors submitted tenders for the works.

Tender submissions were received from;

- Batchelor Construction Group Pty Ltd
- BridgePro Engineering
- VEC Civil Engineering

All tenderers have demonstrated experience within the industry, have established safety and management systems in place and have been assessed as competent and capable in the performance of the works for which they have tendered. All tenderers have and continue to provide the services associated with this contract to other Councils within Tasmania.

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

Criteria A – The tendered total amount and the expected whole of life costs – Weighting 45%

Criteria B – The tenderers ability to complete works of the quality specified within the contract and within the specified time – Weighting 25%

Criteria C – The tenderer's OH&S, environmental, industrial relations and performance records – Weighting 5%

Criteria D – The tenderer's Quality System as well as experience and performance – Weighting 25%

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

BridgePro Engineering Pty Ltd have submitted the lowest price tender option with a calculated overall price of \$806,030 for the bridge replacement project. Whilst noting that this total price is an estimate based upon identified areas, the relativity of pricing is not anticipated to vary to any degree of significance should the final area be marginally different.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

GOAL 6: Transport and Access
Desired Outcomes
6.1 Our transport and access network can accommodate the changing needs of our industry and community.
Our Priorities
6.2.1 Plan for a priority access network for freight.

Sustainable Murchison Community Plan 2040

Access and infrastructure	Local, regional and global transport and infrastructure access – Safe and efficient access alternatives, growing freight capacity, renewable energy, water management and contemporary communications. Community infrastructure that supports economic development.
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POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Tenderers were invited to supply a tender for these works based on an individual Council basis or a shared contract between Circular Head Council and the Waratah-Wynyard Council to offer a cost reduction incentive. BridgePro Engineering Pty Ltd have supplied the lowest rate tender for each Council and have offered a further reduction in cost should a joint contract be awarded.

	Cost saving if bridge tenders awarded jointly
Waratah-Wynyard Council	\$19,500
Circular Head Council	\$19,500

The estimated total cost of completing the tender works if the contract is awarded as recommended, is \$806,030 along with an estimated \$56,422 for overheads giving a total of \$862,452.

In setting the 2022/23 Annual plan and Budget Council allocated \$954,071 to deliver this project made up of \$713,324 Federal Government funding through the Bridges Renewal Program and Heavy Vehicle Safety and Productivity Program and the remaining \$240,747 from Council.

While there is always some risk of cost variation in works of this nature, the projected underspend of \$91,619 against budget does give opportunity for contingency against any pricing shocks for other capital projects currently out to tender in the 2022/23 Capital works program.

RISK IMPLICATIONS

In the conduct of any contract there are risks to Council, including time delays and poor quality of work. The use of experienced contractors coupled with contract documents will minimise the potential risks to Council.

The broader tender assessment, beyond just price, is intended to mitigate risk.

CONSULTATION PROCESS

Affected property owners and business operators will be directly notified of the works prior to commencement. The greater public will be notified via Council's media outlets.

CONCLUSION

The tender submitted by BridgePro Engineering Pty Ltd for the replacement of Calder Road bridge (Blackfish Creek) is considered the best option available to Council, in taking into consideration all aspects of the tenders submitted. It is recommended that the associated contract be awarded accordingly.

MOVED BY	CR COURTNEY
SECONDED BY	CR DUNIAM

That Council award Contract #776 – Calder Road (Blackfish Creek) to BridgePro Engineering Pty Ltd

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

10.11 AWARD OF CONTRACT 781 - PROVISION OF KERBSIDE REFUSE COLLECTION SERVICES

To:	Council
Reporting Officer:	Contracts and Administration Officer
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	27 June 2022
File Reference:	Contract 781
Enclosures:	1. Contract 781 - Tender Evaluation Summary - Confidential

PURPOSE

To determine Council's position in relation to tender submissions received for the provision of kerbside refuse collection services within the municipal area.

BACKGROUND

Council facilitates the provision of kerbside refuse collection to both urban and rural areas within the municipality. The previous Contract which provides kerbside collection of refuse will conclude in October 2022 with no further options to extend the service contract.

Provision of these services is undertaken by external Contract providers, due to the expense of specialised equipment and additional personnel required to perform these services on an ongoing basis. The provider is determined through a tendering process prior to a previous services contract ending to maintain continuous service to the community.

A call for tenders for the provision of kerbside refuse collection services for an initial three (3) year period with optional extensions for up to four (4) years was made through Council's electronic tendering portal 'Tenderlink' and advertised through The Advocate on 9 April 2022. At the close of tenders on 9 May 2022, two (2) tenderers provided submissions for kerbside refuse collection services which included the two new rural waste pick-up areas for Lennah Drive and Little Village Lane.

DETAILS

The Contract operates as a schedule of rates contract, based upon the estimated number of bin pick-ups and frequencies for both urban and rural areas. Tender price comparison and assessment is based upon the indicative total cost per annum to complete the works, given the unit rates submitted.

Tender prices and assessment of the tender, based on pre-defined tender criteria, outline the recommendation to Council to award the contract. All tenders received have been assessed by the evaluation panel against a range of weighted criteria being:

Selection Criteria	% Weighting

At the close of tenders on 9 May 2022, two (2) tenders and one (1) alternative tender had been received.

Tender submissions were received from:

- Kelly's Waste Management, and
- Veolia Environmental Services Australia.

All tenderers have demonstrated experience within the industry, have established safety and quality management systems in place, and have been assessed as competent and capable in the performance of the works for which they have tendered. Both tenderers have provided similar services to other councils and private enterprises.

The alternative tender offered an extended contract period of five (5) years with an optional two (2) year extension. In this way, the annual costs of collection services would be reduced in comparison with the conforming tender submissions and subsequently provided the most cost-effective option. However, extending the contract period would effectively commit council to the terms and conditions of the contract and reduce Council's ability to respond to regional waste opportunities or any unknown changes resulting from local government reforms or any changes under the *Waste and Resource Recovery Act 2022*. For this reason, the acceptance of a longer contract term may disadvantage Council if levels of service (including but not limited to collection frequencies or the addition of FOGO collection) were to be significantly altered or mandated by legislation.

Whilst the recommended tenderer did not submit the lowest tender price, they did provide the most detailed tender submission and were able to clearly demonstrate strong quality management systems and a greater awareness of environmental sustainability principles. The assessment document provided to Councillors as a confidential attachment clearly details the scores achieved by the recommended tenderer across the field of key selection criteria.

It should be noted that the landfill site for disposal of kerbside waste, currently with Port Latta landfill was not tested as a part of this tender and would be subject to a future call for tenders. The recommended award of Contract 781 provides for future flexibility around landfill sites.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
1.1 We make publicly transparent decisions on spending and future directions while encouraging community feedback.
Our Priorities
1.1.2 Strengthen our communication with the community using diverse communications channels relevant to the demographic.
GOAL 3: Connected Communities

Desired Outcomes
3.4 Our strong local economy allows for the development of affordable services and programs for all ages.
Our Priorities
3.4.1 Promote and work with stakeholders to provide affordable quality services.

GOAL 6: Transport and Access
Desired Outcomes
6.1 Our transport and access network can accommodate the changing needs of our industry and community.
Our Priorities
6.1.1 Develop service levels to inform the delivery of a transport network that affordably meets demand and transparently communicates accepted risk.
6.1.2 Prioritise and address service gaps with a road hierarchy.

GOAL 7: Environment
Desired Outcomes
7.1 Council and the community minimise its resource consumption and carbon footprint.
Our Priorities
7.1.1 Divert waste from landfill and build awareness around sustainable waster generation and management.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Access and infrastructure	Local, regional and global transport and infrastructure access – Safe and efficient access alternatives, growing freight capacity, renewable energy, water management and contemporary communications. Community infrastructure that supports economic development.
Health and Wellbeing	Maintaining good health and wellbeing – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.
Governance and working together	Working together for Murchison – Everyone plays a part in achieving the objectives of the Sustainable Murchison Community Plan. There is cooperation, resource sharing and less duplication between Councils. Leadership is provided across all community sectors.

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

As part of Council's ongoing commitment to iCEP, one priority is to sustainably manage waste by continually implementing the initiatives and recommendations from the Waste and Resource Recovery Strategy.

Council's strategic objectives for waste management include diverting waste from landfill; building community awareness; and providing a waste service that is both valued and affordable for the local community.

The award of this contract will allow Council to continue to provide accessible kerbside collection services which encourages the proper disposal of waste. In addition, this contract

will incorporate the new rural collection areas that may help to reduce waste to landfills by encouraging people to separate their waste from recyclables at home which may otherwise be disposed of with general waste or disposed of illegally.

FINANCIAL IMPLICATIONS

The 2022/23 budget for the provision of kerbside waste collection services is \$335,626.

The recommended tender submission is for an annual sum of \$415,948, although this contract will not commence until the second quarter of the financial year. Collection costs up to this point in time will be at the rates of the existing contract. Therefore, the anticipated costs for kerbside waste collection during 2022/23 is approximately \$399,000. This is \$63,374 more than the 22/23 budgeted figure.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

CONCLUSION

It is therefore recommended that Council award Contract 781 – Provision of Kerbside Refuse Collection Services to Veolia Environmental Services.

MOVED BY	CR DUNIAM
SECONDED BY	CR EDWARDS

That Council award Contract 781 – Provision of Kerbside Refuse Collection Services to Veolia Environmental Services.

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

10.12 AWARD CONTRACT 786 - REGIONAL RECYCLING COLLECTION AND PROCESSING CONTRACT

To: Council
Reporting Officer: Manager Recreational Planning and Environment
Responsible Manager: Director Infrastructure and Development Services
Report Date: 30 June 2022
File Reference: Recycling
Enclosures: 1. Tender Assessment Report - Regional Recyclables and Processing - Confidential

PURPOSE

To determine Council's position in relation to tender submissions received for the provision of regional recycling collection and processing services.

BACKGROUND

The Cradle Coast Waste Management Group (CCWMG), formed in 2007, was established to improve waste from a regional perspective, providing efficiencies and economies of scale and to provide specialty waste reduction services. The CCWMG represents seven municipal councils across the north-west coast of Tasmania, including Burnie City, Central Coast, Circular Head, Devonport City, Latrobe, Kentish and Waratah-Wynyard.

The existing recyclables collection and materials recovery facility services are provided as a regional service to the councils of the CCWMG. The current collection contract will expire in October 2024 and the recycling sorting contract will expire in September 2024.

In anticipation of the contract coming to an end, Cradle Coast Waste Services (CCWS), on behalf of the CCWMG, entered a multi-stage procurement process with the following objectives:

- To receive proposals of the highest technical quality;
- To obtain value for money in the rendering of the required services; and
- To be able to contract with a party aligned with CCWS' strategic environmental goals.

In addition to the above objectives, CCWS considered within the procurement process the implementation of the State's Container Refund Scheme (CRS) in 2023, which would have an impact on the operational and economic impacts of the proposed recycling services.

The multi-stage procurement for the tender process includes the following services:

- Recyclables and a *proposed* Food and Garden Organics (FOGO) collection service;
- Transfer station bulk cardboard recyclables collection; and
- Materials Recovery Facility (MRF) Recyclables sorting.

It is noted that by awarding this contract the Council is under no obligation to proceed with the proposed FOGO collection service. The decision on whether or not to proceed with FOGO will be discussed at a later date following a deeper analysis on the implications for the community.

DETAILS

The provision of services under this contract has been separated into two distinct parts. This approach ensured that shortlisted tenders could nominate one or both services. The parts are:

- **Part 1** which included the kerbside recyclables collection, proposed kerbside FOGO collection and transfer station bulk cardboard collection and delivery of the waste to the disposal/recycling facilities, as well as establishment of a regional customer service call centre; and
- **Part 2** which included the receipt and processing of recyclable material at the nominated facility, including management and disposal of all residual waste, as per the specification.

The contract is likely to have a staged implementation, to coincide with the FOGO receival facilities completion at Dulverton Waste Management and the finalisation of the current Recycling contract. The proposed commencement date for each component of the contract is included in the table below:

Anticipated Services Commencement Dates and Indicative Contract Duration	
Recyclables Collection	Kerbside Collection: October 2024 Duration: 7 years plus up to a 7-year extension option, aligned to the end of processing contract
	Bulk Cardboard Collection: October 2024 Duration: 7 years plus up to a 7-year extension option, aligned to the end of processing contract
FOGO Collection	Kerbside Collection: July 2023 <u>Subject to Council(s) decision</u> Duration: 7 years plus up to a 7-year extension option, aligned to other collection contracts
Recyclables Sorting/Processing	September 2024 Duration: 7 years plus up to a 7-year extension option

It is important to highlight that no Council is under any obligation to enter into a collective (regional) contract or an individual contract. It is each Councils' absolute discretion to enter a contract with the preferred tenderer.

The procurement process for this contract has been undertaken through the use of a multi-staged tender process. Details of each phase have been provided below:

Expression of Interest (EOI) - released March 2021	This phase involved issuing an invitation for expression of interest for the Services, with a view to selecting a short-list of respondents to move to the RFT Phase outlined below.
Request for Tender (RFT) – released October 2021	Further to the EOI Phase, shortlisted respondents were invited to submit a Tender in response to an RFT for the services. Following this process, Councils enter into a Contract(s) with the successful Tenderer(s). Council(s) may choose not to proceed with one or more services.

At the close of the first stage, three parties submitted an EOI:

- Veolia
- Cleanaway
- JJ Richards

All three parties were invited to participate in the RFT. At the end of the second procurement stage, Veolia and JJ Richards submitted proposals, and Cleanaway declined to submit. Of the two submissions received during the RFT, only Veolia submitted a conforming bid.

An assessment panel was formed to conduct the evaluation of the two RFT submissions. The panel consisted of representatives from CCWS, a consulting firm and a probity adviser (observer only). Key considerations of the RFT were:

- Technical and financial capacity to deliver the required services
- Previous related experience in similar contracts and services
- Integrated management systems in quality assurance, environmental management and health and safety
- Proposing best-in-class methodology and approach, including the areas of protecting vulnerable road users, plant and equipment, management of recyclables, management of mobile bins, waste collection, and management of contamination in recyclables.

The tender assessment panel recommended Veolia be nominated as the preferred tenderer, given they:

- Offer greatest value for money for **Part 1** of the services (collection and transport)
- Provided the only conforming bid and satisfactorily addressed the qualitative assessment criteria for **Part 2** of the services (processing at the materials recovery facility). Veolia provided a conforming bid and two alternate options for this section, each of which will provide the environmental outcomes CCWS sought through the RFT. Further negotiations are required with Veolia to ascertain which of three proposed solutions provides the greatest value for money.

The nature of the submissions received, the evaluation process and its outcomes has been provided to councillors as a confidential attachment.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
1.1 We make publicly transparent decisions on spending and future directions while encouraging community feedback.
Our Priorities
13.1 Facilitate the meeting of community needs through strong advocacy and local and regional collaboration for shared outcomes.

GOAL 7: Environment
Desired Outcomes
7.1 Council and the community minimise its resource consumption and carbon footprint.
Our Priorities
7.1.1 Divert waste from landfill and build awareness around sustainable waste generation and management.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Natural resource management	Managing abundant, natural and productive resources – Natural resource management is valued and development is environmentally sustainable. The environment is clean and healthy with unspoilt beauty and biodiversity.
Place making and liveability	Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.
Governance and working together	Working together for Murchison – Everyone plays a part in achieving the objectives of the Sustainable Murchison Community Plan. There is cooperation, resource sharing and less duplication between Councils. Leadership is provided across all community sectors.

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

As part of Council's ongoing commitment to iCEP, one priority is to sustainably manage waste by continually implementing the initiatives and recommendations from the Waste and Resource Recovery Strategy and to continue to progress the goals of the Regional Waste Strategy.

Council's strategic objectives for waste management include diverting waste from landfill; building community awareness; and providing a waste service that is both valued and affordable for the local community.

The award of this contract will allow Council to continue to provide accessible kerbside collection services at a cost-effective rate, which encourages households to recycle and divert waste from landfill.

FINANCIAL IMPLICATIONS

This contract will not commence until the 2023/24 and 2024/25 financial years and as such, the budget for these years will be set based on the schedule of rates supplied within the recommended tender. Costs associated with the provision of kerbside recycling and processing services are not expected to increase as a result of the award of this tender, outside of the standard rise and fall provisions for CPI and costs of fuel.

Individual prices submitted by tenderers are considered commercial in confidence and therefore have been provided to councillors within the confidential attachment. A summary

of the financial highlights has been provided in the below paragraphs to demonstrate value-for-money in awarding the regional contract as recommended.

Costs associated with the provision of services under this contract can generally be separated into the following components:

- Part 1 – Collection and transport costs per bin lift for recycling and FOGO collections
- Part 1 – Bin replacement and new bins
- Part 2 – Recycling processing at the Materials Recycling Facility (MRF)

In terms of a kerbside recycling service, the current cost is fully recovered by Council's Waste Management Service rate. The estimated cost per household for collection and transport based on the supplied tender rates is 2.7% lower than the existing contracted services (excluding bin replacements) or 21% lower (including bin replacements). In relation to FOGO collection services, the tendered rates include an option for a regional collection service and an option for individual or partial participation from councils. The regional adoption of the FOGO service will significantly lower total regional cost and provide approximately 18% savings in the bin lift rate when compared to an individual contract for Waratah-Wynyard. This information will be considered in the near future to determine Council's position on providing a FOGO collection service.

Bin replacements (i.e., damage and/or wear and tear) is relatively consistent across all CCWMG participating councils. However, new bin service requests vary greatly between councils resulting from new developments and population growth. The growth rate in service numbers vary from 0.18% to 2.5% and averaging at 1.5% across all councils in the region. The inclusion of *new bin costs* within the collection lift rate introduces a degree of risk for the service provider and increases the total cost of the services for the region. It is therefore recommended within this tender that Council's adopt a revised service fee whereby bin replacement costs are included in the standard lift rate and new services are independently applied as a new service fee. As a result, each Council will incur a new service fee based on the number of new services provided within the Council area.

With respect to Part 2 services, the fixed costs associated with the operating and repairs of a MRF will be impacted by the upcoming implementation of the CRS. An estimation of these impacts has been calculated using reference values from NSW and WA equivalent systems. The regional cost of the new tendered service, based on the MRF Upgrade option, provides significant savings in year one and is 8% lower than the existing contract on an ongoing annual basis. The new tendered service also provides other benefits stemming from the option to exercise an offer of a range of upgrades to the existing facility to provide increased recovery from the recyclable materials and better quality commodities of a greater value.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

Cradle Coast Waste Services will be contacted with the outcome of this report as part of Council's commitment to regional waste services.

CONCLUSION

The anticipated benefits of awarding this regional tender as recommended are:

- Improved customer service through establishment of regional customer service call centre and council access to collection service fleet management and reporting systems;
- An improved safety proposition to protect vulnerable road users, supported by a new fleet of low entry vehicles and enhanced on board pedestrian/vehicle safety systems;
- A more streamlined service by providing regionally consistent and expanded service to new dwellings;
- Regionally consistent and innovative education tools (e.g. bin based QR codes and linked online service information);
- Potential for an improved overall cost proposition by exercising options for bin replacements and/or bin repairs; and
- Streamlining transfer station recyclables bulk bin collection contract management through a single regional contract.

It is therefore recommended that Council award Contract 786 – Regional Recycling Collection and Processing *Parts 1 and 2* to Veolia Environmental Services.

Additionally, decision making is recommended to be deferred regarding implementation of a food and garden organics collection service until early 2023. It should also be noted that the planned Dulverton food and garden organics processing facility is forecast to be in service by late 2023.

MOVED BY	CR DUNIAM
SECONDED BY	CR EDWARDS

That Council:

1. **Award Contract 786 – Regional Recycling Collection and Processing *Parts 1 and 2* to Veolia Environmental Services**
2. **Defer decision-making regarding the implementation of a food and garden organics kerbside collection service until early 2023**

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

10.13 FINANCIAL REPORT FOR THE PERIOD ENDED 30 JUNE 2022

To:	Council
Reporting Officer:	Corporate Accountant
Responsible Manager:	Director Organisational Performance
Report Date:	7 July 2022
File Reference:	6
Enclosures:	1. Monthly Capital Progress Report - June

PURPOSE

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

BACKGROUND

The financial reports presented incorporate:

- Cash Position
- Property Valuations - Rates & Charges
- Rate Summary
- Capital Works Progress Report (attached)

DETAILS

Council is currently forecast to perform favourably to budget by \$363k. This is made up of several favourable and unfavourable variances across the budget.

At the time of reporting, transactional processing for the 2021/22 financial year is continuing and finance staff are focusing on the finalisation of Council's financial statements by the 14th of August, Financial Statements have therefore not been included in this month's report. Final results for 2021/22 will be reported to Council at its September meeting.

The financial reports for the year ending 30 June 2022 will be independently audited by the Tasmanian Audit Office by 30 September 2022. The final audited financial statements will be presented to Council for formal adoption following receipt of the audit opinion.

STATUTORY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

Council Strategy or Plan Reference

Council Strategy or Plan	Date Adopted:
Financial Management Strategy 2022-2032	Adopted October 2021

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

CONCLUSION

All details are included in the attached reports.

MOVED BY	CR COURTNEY
SECONDED BY	CR DUNIAM

That Council note the Interim Financial Report for the period ended 30 June 2022.

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

10.14 SENIOR MANAGEMENT REPORT

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	24 June 2022
File Reference:	1312
Enclosures:	Nil

SUMMARY/PURPOSE

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

GENERAL MANAGERS OFFICE

ACTIVITIES SINCE LAST COUNCIL MEETING

Listed below is a summary of activities undertaken by the General Manager during the period 11 June 2022 to 8 July 2022.

Corporate

- Council's Enterprise Agreement 2022 is yet to receive approval from the Fair Work Commission
- Met with the General Manager of Circular Head Council, Vanessa Adams on a number of occasions to discuss resource sharing, existing arrangements and future opportunities, and to participate in a joint meeting of both Executive Management teams
- Council's Annual Plan and Budget document was finalised, and a number of staff information sessions held to brief them of the content of the documents
- Participated in the Waratah-Wynyard Council Audit Panel meeting
- Completed a health and safety training session which provided an overview of the requirements of supervisors and team leaders in the workplace

Community

- Met with officials from Sailing Australia and provided them with a tour of the new multi-purpose facility
- Met with the proponents of the Table Cape Lighthouse Experience project to get a status update on the project and explore potential opportunities

Industry

- Attended the Representatives meeting of the Cradle Coast Authority
- Attended the Owners Representative Group General meeting of TasWater
- Attended the Annual General Meeting of the Local Government Association of Tasmania (LGAT). Following this meeting attendees listened to presentations from the Director of Local Government, Mat Healy; David Dilger from Edge Legal provided an overview of the current investigation into safety of elected members and Bill Lawson from Reconciliation Tasmania

Other

- Nil

ADMINISTRATION – Use of Corporate Seal

10/6/22	Employee Agreement	Staff arrangement - confidential
15/6/22	Final Plan and Schedule of Easements	SD2055 – 14 Elizabeth Street Somerset – 1 into 2 lots
15/6/22	Final Plan and Schedule of Easements	SD2111 – 34 Timothy Drive Wynyard – Subdivision (12 lots) and Outbuilding Suitability
6/7/22	Final Survey Plan	SD2141 / 3367916 Tippetts Rd Mt Hicks – subdivision (1 lot into 3 lots)
6/7/22	Final Survey Plan	SD2143 / 7074678, 7064728 20 Dodgin Street Wynyard (2 into 2 lots) (10 additional units)

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	17
Wynyard	28 March 2022	5.00pm	18
Somerset	27 June 2022	5.00pm	3
TOTAL			60

The next round of Community Consultations will be scheduled after the Local Government Election in October.

MOVED BY	CR DUNIAM
SECONDED BY	CR EDWARDS

That Council note the monthly Senior Management Report

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

10.15 MINUTES OF OTHER BODIES/COMMITTEES

10.15.1 MINUTES OF OTHER BODIES/COMMITTEES - AUDIT PANEL COMMITTEE HELD 21 JUNE 2022

To:	Council
Reporting Officer:	Information Management Officer
Responsible Manager:	Director Organisational Performance
Report Date:	8 July 2022
File Reference:	Audit Panel
Enclosures:	1. Letter to Council from Audit Panel Chair 2. Audit Panel Minutes 21 June 2022

PURPOSE

The Audit Panel met on the 21 June 2022 and the Unconfirmed Minutes were released by the Chair on the 06 July 2022 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 21 June 2022 at the Waratah-Wynyard Council.

The meeting reviewed the following standard agenda items:

- Business arising from previous meetings;
- General Manager Risk and Assurance Certificate;
- Communications from Council;
- Financial Management reports presented to Council.
- General Manager's Reports provided to Council;
- Minutes of Safety (OSHWELL) Committee;
- Internal audit progress on supplementary rates and operation of the Waste Transfer Station;
- Major Initiatives - progress on digital strategy, corporate system developments and the business improvement review;

- Quarterly Statistic Report provided to Council.

The major work plan for the meeting covered:

- Financial management and governance – review of annual plan and budget
- Annual audit and reporting – review of annual accounting checklists, the 2021/22 audit strategy was not available and will be discussed at the August meeting
- Internal controls and risk management – review outstanding debts, internal processes for managing risks and frauds
- Legal compliance and ethics – processes to be reviewed by new position of Governance and Information Systems Manager

Audit Panel performance – Chair to prepare annual report of Panel.

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 23 August 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.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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 21 June 2022.

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

That Council note the Unconfirmed Minutes of the Audit Panel Committee meeting held on 21 June 2022

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

THE MANAGER TOURISM AND MARKETING LEFT THE MEETING

11.0 MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING

MOVED BY	CR DUNIAM
SECONDED BY	CR BRAMICH

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

Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) – Notices Of Motion Nil Received</i>	15(2)
<i>Confidential Report R15 (2) (g) information of a personal nature or information provided to the council on the condition it is kept confidential - Wonders of Wynyard Vehicle Collection Agreement</i>	15 (2) (g)
<i>Confidential Report R15 (2) (h) - Leave of Absence Request – Councillors – Nil Received</i>	15(2)(h)
<i>Confidential Report R15 (2) - Closed Senior Management Report</i>	15(2)

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

12.0 CLOSURE OF MEETING TO THE PUBLIC

MOVED BY	CR DUNIAM
SECONDED BY	CR BRAMICH

That the Council RESOLVES BY AN ABSOLUTE MAJORITY to go into Closed Meeting to consider the following matters, the time being 7.12PM

Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) – Notices Of Motion Nil Received</i>	15(2)
<i>Confidential Report R15 (2) (g) information of a personal nature or information provided to the council on the condition it is kept confidential - Wonders of Wynyard Vehicle Collection Agreement</i>	15 (2) (g)
<i>Confidential Report R15 (2) (h) - Leave of Absence Request – Councillors – Nil Received</i>	15(2)(h)
<i>Confidential Report R15 (2) - Closed Senior Management Report</i>	15(2)

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR BRADLEY	CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		

13.0 RESUMPTION OF OPEN MEETING

At 7.26pm the Open Meeting was resumed.

14.0 PUBLIC RELEASE ANNOUNCEMENT

RECOMMENDATION

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

Min. No.	Subject	Decisions/Documents
19.1	Leave of Absence Request	Decision to be released to Councillor

THERE BEING NO FURTHER BUSINESS THE CHAIRPERSON DECLARED THE MEETING CLOSED AT 7.26 pm.

Confirmed,

MAYOR

15 August 2022