



**ORDINARY MEETING
OF COUNCIL**

**MINUTES
OPEN MEETING**

17 October 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
TO BE HELD AT THE COUNCIL CHAMBERS, 21 SAUNDERS STREET, WYNYARD
ON MONDAY 17 OCTOBER 2022, COMMENCING AT 6:00PM**

	From	To	Time Occupied
Open Council	6:05PM	6:57PM	52MINS
Planning Authority	6:57PM	7:14PM	17MINS
Open Council	7:14PM	7:42PM	28MINS
Closed Council	7:42PM	7:50PM	8MINS
Open Council	7:50PM	7:50PM	0MINS
TOTAL TIME OCCUPIED			105MINS

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 Maureen Bradley
Councillor Gary Bramich
Councillor Andrea Courtney
Councillor Mary Duniam
Councillor Celisa Edwards
Councillor Kevin Hyland

IN ATTENDANCE

Shane Crawford - General Manager
Daniel Summers - Director Infrastructure and Development Services
Tracey Bradley - Director Community and Engagement
Samantha Searle - Director Organisational Performance
Ashley Thornton - Manager Development and Regulatory Services
Sally Blanc - Executive Officer
Kylie Johnson – Governance Officer

1.2 APOLOGIES

Nil received.

NOTE: Darren Fairbrother has been suspended 15/8/22 – 15/11/22.

1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil received.

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

2.1 CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY COUNCIL MEETING

MOVED BY	CR DUNIAM
SECONDED BY	CR HYLAND

That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at Council Chambers, 21 Saunders Street, Wynyard on Monday 26 September 2022, a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.

The MOTION was put and was CARRIED.

IN FAVOUR

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

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

4.1.1 LOCAL GOVERNMENT PROFESSIONALS OF TASMANIA AWARD

The Mayor congratulated staff on recently receiving the 2022 Community Service Delivery Award for Social Media and Engagement which was presented by the Local Government Professionals of Tasmania. The Director of Community and Engagement acknowledged the dedication of Council's Communications Team and highlighted achievements through increased community engagement and publications.

4.1.2 MAYORAL END OF TERM STATEMENT

The Mayor delivered the following end of term statement:

This meeting concludes the four year term of the current Council. The group should be proud of their accomplishments, dedication and efforts throughout the period.

At the 2018 elections we welcomed Andrea Courtney, Celisa Edwards and Allie House to Council. Allie was subsequently replaced by Maureen Bradley, and I want to acknowledge the efforts of this group in quickly contributing and helping form a strong, cohesive Council.

To remind us some of the highlights of the term I have put together a couple of dot points. In relation to key projects in the past four years we have undertaken or significantly progressed:

- Waterfront project completion, including new wharf area, boardwalk, Camp Creek modifications and the new multi-purpose building/yacht club. We welcomed BighArt as the key tenant in the café space to deliver an outstanding variety of community programs.
- Development of a new East Wynyard playground
- A great community led project – the Sisters Beach Community Recreation/Skate park
- Cardigan Street Recreation ground upgrades
- New changerooms at the Wynyard Sports Centre and Wynyard Recreation Ground
- Commenced the Anzac Park all abilities playground
- Development of the Wynyard CBD Plaza
- We have recently commenced the Inglis/Church Street IGA junction improvements

We have:

- Maintained the iconic Tulip Festival and further enhanced the offering to a month long Spring Loaded program
- Negotiated a long term arrangement for the Ransley veteran car collection at the Wonders of Wynyard
- Developed the Integrated Community Environmental Plan (ICEP) and completed a range of actions
- Introduced on-line meetings and live streaming of Council meetings
- Introduced the Waratah Community Board
- Developed the Fossil Bluff Master plan

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- Developed the Boat Harbour Beach Masterplan
 - Developed the Waste and Resource Recovery Strategy
 - Developed the Cam River Reserve Masterplan
 - Developed the Central Area Development Plan
 - Developed the East Wynyard Foreshore masterplan
 - Adopted a new Settlement Strategy
 - We are well advanced in the preparation for a new planning scheme
 - Undertaken a rural road safety audit
 - The first translocation of an entire plant community in Tasmania in the establishment of the Heathland Reserve
 - Introduced a highly successful and award winning Communications and Engagement strategy under which we introduced community conversations
 - Developed the Community Health and Wellbeing plan, Age Friendly Communities plan and Youth Plan and actioned the tasks within
 - Further refined service levels to make it clear and consistent for the community to understand service expectations
 - Celebrated national recognition for the Wonders of Wynyard at the National Tourism Awards

There have been challenging decisions throughout the term including:

- The disposal of Martin Street land
- The sale of the Preolenna Hall
- Prohibition of public camping at Boat Harbour Beach
- The Waratah Dam decommissioning
- Changes to the Dog Management Policy; and the
- Closure of Wilkinson Street; and all these decisions have been made with the best interests of the community in mind.

We have won major awards:

- The Wonders of Wynyard was named Visitor Information Centre of the year at the 2022 Australian Tourism Awards
- iCEP (Integrated Community Environmental Plan) was awarded at the Local Government Professionals Tasmania Annual Awards

All of these achievements have occurred while also navigating successfully through a global pandemic.

Strategically, Council has had success in lobbying and securing funding for telecommunication upgrades in the region, for truck wash stations and further Bass Highway upgrades. None of us could have predicted a global pandemic would shape our term. Whilst this was a very difficult period, it forced us to explore and introduce multiple ways of handling things and we should acknowledge these efforts.

I wish to acknowledge the support of our political partners from all parties – without their support many Council programs and initiatives are simply not possible. We have seen two Prime Ministers and three Premiers in our four year term.

Financially, our Council remains in a strong and healthy position, underpinned by our financial management strategy that guides our decision making. Council has achieved six years with a small underlying surplus in a row, despite the challenges presented by Covid and the economic environment.

One constant through our four year term has been the staff. Our workforce, led by Shane Crawford, Daniel Summers, Sam Searle and Tracey Bradley continue to put in a tremendous effort, and I wish to recognise the contributions of all employees and the professionalism they display and the extra effort they are willing to put in whenever it is needed. We would not have had the successes and growth we have had without them.

I would like to acknowledge our General Manager who we have reappointed for a further term, and I look forward to the continuation of the progress we have made. It gives me great confidence to know he has the reins for another five years and that the community is in goods and will continue to prosper. I also wish to personally recognise the support Sally Blanc has provided to myself and Councillors throughout the term.

The most important measure of our four year term is whether Council and the community are better placed then they were four years ago, and I genuinely believe this is the case.

I would personally like to thank all our Councillors, including those who are absent, that have served over the past four years for their commitment to ensuring we always do the right thing by the community; even if some of those decisions have been difficult.

Our last official meeting together will be the AGM to be held on Monday 24 October.

For those standing again in the current election, good luck, and to our new candidates, I hope that should you be elected to Council you enjoy the challenge and experience as much as I have over my 25 years as an elected member.

4.2 MAYOR'S COMMUNICATIONS

21/9/22	Magical Parks interview with ABC
24/9/22	Tasmanian Trails 25 th Anniversary
26/9/22	Council Meeting
3/10/22	FM Radio Interview
5/10/22	Advocate Interview re Tulip Festival
7/10/22	Gopher Parade Competition Judging
7/10/22	Meeting with General Manager
7/10/22	Annual Gopher Race Judge
8/10/22	Tulip Festival
10/10/22	Tas Talks radio interview
10/10/22	ABC Radio Interview
11/12/22	Meeting with General Manager

MOVED BY	CR DUNIAM
SECONDED BY	CR BRAMICH

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		CR HYLAND

4.3 REPORTS BY DELEGATES

The Deputy Mayor congratulated staff on a successful Tulip Festival.

The Deputy Mayor expressed appreciation on behalf of all councillors to the Executive Officer for the provision of monthly agendas and the timely provision of minutes over the past four year term.

The Deputy Mayor made the following statement of farewell to the Mayor:

On behalf of the Council, I wish to make a short statement of farewell to Mayor Robby Walsh as this is his last official attendance as Mayor and Chair at an Ordinary Council Meeting of Waratah-Wynyard.

After a total of 25 years as a Councillor and 12 years as Mayor (or Mr Mayor as we affectionately call him) Mayor Robby will be retiring from Council at the end of October. During his time as Mayor, Robby's trademark has been his beloved Akubra hat which captures the very essence of our community.

In his younger years, Robby was a footballer with Wynyard Football Club and is now a mad keen supporter of Geelong Football Club. Robby is a poet, a lover of country and western music, a competitive Equine Endurance rider, an avid tractor collector and has even been a serious tractor pulling competitor.

More recently, Robby and his horse Tonto were stars of breakfast television filmed up at the Table Cape Tulip Farm. During his time on Council, Robby has supported our community through some very tough times such as the 2016 floods, the tragic boating accident with the loss of 3 young local lives, and the destruction of a Wynyard family's home by fire in September, and of course the uncertain and testing times of the COVID-19 pandemic.

As Mayor, Robby ensured that our Council punched above its weight following through with resource sharing with Circular Head Council and has been involved in projects that benefit everyone within the Waratah-Wynyard municipality such as the Wynyard Wharf Upgrade, Somerset CBD upgrade, Sisters Beach Skate Park and Basketball Court, the fabulous Rotary Playground at East Wynyard, the magnificent new purpose-built Wynyard Yacht Club and the ongoing development of the all-ability playground in Anzac Park in Somerset and there are many more plans underway for our amazing place.

We thank you Mr Mayor and may you and your family enjoy your rewarding retirement years. I now ask Councillors and staff to be upstanding to show their appreciation.

Councillor Hyland and Councillor Bramich also made statements expressing appreciation to the Mayor for his service to the Community.

4.4 NOTIFICATION OF COUNCIL WORKSHOPS

MOVED BY	CR DUNIAM
SECONDED BY	CR EDWARDS

That Council note no workshops have been held since the last council meeting.

The MOTION was put and was CARRIED.

IN FAVOUR

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

5.0 PUBLIC QUESTIONS AND STATEMENTS

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

5.1.1 C HUTCHISON - OLDINA RESERVE AND RESERVE PLANNING

QUESTION

Mr Hutchison of Preolenna asked:

1. To be provided with a copy of the Multi-criteria Assessment for Cam River Reserve and any accompanying statements used to justify its decision to remove the Cam River Boat Playground.
2. That the community be informed why the wooden boat at Cam River Reserve is not being replaced when community clearly voiced that they wanted the boat to remain in the playground. If it is not going to be replaced this needs to be stated clearly to the community and if so, can Council consider a site adjacent to the new all abilities playground to host a similar boat playground feature.
3. That the community be advised when a stakeholder group will be formed, and public consultation will occur regarding the Oldina Reserve.
4. When did Council first start working on the Wynyard Sports Precinct?

All questions were taken on notice.

OFFICERS RESPONSE

In reply to the specific questions above, Council officers state:

The multi-criteria assessment is an internal working document. It considered community feedback alongside financial implications, visual amenity, inclusivity across all age groups and strategic alignment with Council's Open Space, Sport and Recreation Plan 2017-2027 (OSSR). As identified through community feedback, Council acknowledges the Cam River Reserve has long been the home of a much-loved wooden boat. The boat playground has now exceeded its useful life, with inspections highlighting condition defects triggering the need for replacement and as such, Council has allocated as part of its 2022/23 Capital Budget \$115,314 towards the replacement of the boat.

The OSSR plan supports the development of a destination play space at ANZAC Park and recommends developing the Cam River Reserve as a recreation node. The ANZAC Park all abilities play space is designed to offer the largest range of activities and amenities, in a custom setting. Typically, only one such space would be provided per municipality or even a group of municipalities and therefore OSSR recommends the consolidation of small playground equipment sites (such as Cam River) to more sustainable social and family recreation areas such as the development of ANZAC Park.

Therefore, the existing boat will be replaced with a suitable public art feature, which can be enjoyed by people of all ages, races, abilities, and even languages. In order to improve connectivity between the Cam River Reserve and the destination play space at ANZAC Park, Council has negotiated agreement with the Department of State Growth for the provision of a safe pedestrian crossing under the Cam River bridge as part of the State Government's bridge upgrade works.

By locating an interactive Public Art feature that reflects the character of the site at the Cam River Reserve, there is the opportunity to enhance the package of attractions in the Somerset area, without duplication. Council will inform the community around the replacement of the boat in the context of the broader Cam River/ANZAC Park precinct area at the appropriate time once details regarding works scheduling are known.

The last update on the draft Oldina Reserve Forest Concept plan was provided to Council and the public at the June 2022 meeting of Council. At that time, Council resolved to facilitate a stakeholder group to consider future use of the Oldina Forest Reserve. As Oldina Reserve is not owned or managed by Council, officers have sought permission from Sustainable Timbers to proceed on this basis. This permission has been received and formation of the working group can commence.

It is not expected the stakeholder group will meet until after the November meeting of Council, at which time Council will appoint elected members to the group.

Work commenced on the OSSR project in 2015 with multiple community engagement activities that resulted in almost two thousand people providing feedback and recommendations that formed the final Plan. The Wynyard Sports Precinct concept was one of the recommendations approved under that plan. The various recommendations from the Plan were then prioritised and put into action plans. While some initial conversations were held with key stakeholders regarding the Wynyard Sporting Precinct from the initial adoption of the plan in 2017, concentrated work commenced in 2021 after related decisions around the Wynyard Showgrounds and various other key stakeholders that impacted the final plans.

5.1.2 C HUTCHISON - EMPLOYEE INFORMATION

QUESTION

Mr Hutchison of Preolenna requested a list of employees who had worked 10 years or more.

OFFICERS RESPONSE

Employee length of service is provided in the table below. 41 staff out of workforce of 120 (34%) have worked more than 10 years at Council.

Number of years employed by Waratah-Wynyard Council	Number of Staff (as of 28 September 2022)
20+	13
19-20	4
18-19	5
17-18	2
16-17	3
15-16	2
14-15	4
13-14	2
12-13	1

Number of years employed by Waratah-Wynyard Council	Number of Staff (as of 28 September 2022)
11-12	2
10-11	3
TOTAL	41

5.1.3 C HUTCHISON - USE OF COUNCIL RESOURCES AND MACHINERY ON PRIVATE PROPERTY

QUESTION

Mr Hutchison of Preolenna asked the Mayor if, during his term as Mayor, he has used council machinery or resources to modify, make changes to or add to a driveway on his own property. He also asked the Acting General Manager if he was aware of this suggestion in the community and can you please ask your staff.

The Mayor stated he had not. The Acting General Manager advised he was not aware of this suggestion and took the second part on notice

OFFICERS RESPONSE

The Mayor and staff reiterate their position that they are not aware of the alleged works.

Once again Mr Hutchison is reminded that it is not appropriate to make baseless allegations in a public forum and if he has evidence of misconduct, it is suggested he formalise and report the concerns through appropriate channels so investigation can be undertaken.

5.2 PUBLIC QUESTIONS RECEIVED IN WRITING

5.2.1 C HUTCHISON - LIVEABLE WARATAH-WYNYARD SETTLEMENT STRATEGY

QUESTION

What was the reason for commencing work on the Liveable Waratah-Wynyard Settlement Strategy, which Council staff member(s) initiated the Strategy, which part of Council were responsible for the delivery of this Strategy, and what year did Council first begin developing it?

OFFICERS RESPONSE

The Liveable Waratah-Wynyard Settlement Strategy itself is a good place to start when exploring why such a document is required by Council. Section 1.1 explains “Why do we need a settlement strategy” and how the strategy fits within the strategic planning framework.

Council reports accompanying the settlement strategy documentation state “*Council is required to undertake strategic planning, in order to provide a direction for the future of Wynyard, Somerset, Waratah, Boat Harbour Beach, Sisters Beach, Yolla and the isolated clusters of land zoned Rural Living throughout the municipality. Without this planning, strategic amendments cannot be made to Council’s planning scheme.*

The niche that this strategy is required to fill is defined by state and regional plans and in particular the Cradle Coast Regional Land Use Strategy and the Sustainable Murchison Community Plan.

5.2.2 C HUTCHISON - DIRECTOR COMMUNITY AND ENGAGEMENT

QUESTION

In what month and year did the Director of Community and Engagement, Tracey Bradley, first commence her role in the Senior Management team of Waratah-Wynyard Council, and was Ms Bradley working for Waratah-Wynyard Council prior to this?

OFFICERS RESPONSE

Council does not disclose nor discuss personnel matters as part of an Ordinary Meeting of Council.

5.3 PUBLIC QUESTIONS WITHOUT NOTICE

5.3.1 P O'BOYLE - SISTERS BEACH

Mr O'Boyle of Sisters Beach asked if council could provide details on its website as to budgeted funds for Sisters Beach including specifics for any projects, large or small to be commenced or completed in this financial year? He also asked if any Commonwealth funding could be included.

The General Manager advised that Council's Annual Plan and Budget document sets out projects by township at the front of the document. The Annual Plan and Budget is published annually and is available on Council's website.

5.3.2 P O'BOYLE - SALMON FARMING

Mr O'Boyle of Sisters Beach asked when would Council educate themselves on the environmental damage to our beautiful coast which will be caused by salmon fish pens less than 3 miles from our coast?

The General Manager advised that Cr Courtney had put forward a motion on this issue to be discussed later on the agenda.

5.3.3 T JONES - COUNCIL MEETING AGENDA

Ms Jones of Wynyard asked for the rationale behind scheduling the Council meeting agenda with questions from the public before the main body of the meeting? The reasoning for asking is another Tasmanian Council concludes their meetings with questions relating to items discussed during the meeting.

The General Manager advised the first reason would be so that members can raise points regarding items to be discussed later on the agenda for Councillors to consider before making decisions. The second reason is so members of the public can ask their questions and leave the meeting should they choose to do so without having to be present for the whole duration.

5.3.4 C HUTCHISON – RESPONSE TO QUESTION FROM PREVIOUS MEETING (AGENDA ITEM 5.2.2)

Mr Hutchison of Preolenna repeated the question he asked at the previous meeting of Council – How long has the position of Director of Community and Engagement been held by the person currently in that role?

The General Manager advised that Council does not disclose nor discuss personnel matters as part of an Ordinary Meeting of Council.

5.3.5 C HUTCHISON - LOCAL GOVERNMENT PROFESSIONALS CONFERENCE

Mr Hutchison of Preolenna asked if the General Manager or the Director of Community and Engagement attended any part of the recent Local Government Professionals Tasmania conference from 12 – 14 October and if so which parts of the program did they attend? He also asked if any staff have a role in deciding the winners of the award Council received? Do any staff wish to disclose an association with the Local Government Professionals of Tasmania Association.

The Mayor advised that the Local Government Professionals of Tasmania Awards are decided by the Local Government Professionals of Tasmania Association.

5.3.6 C HUTCHISON - MEETINGS HELD SINCE 2017

Mr Hutchison of Preolenna asked , since December 2017, if the General Manager could detail the nature, if any, of his ongoing connections with former Devonport City Council General Manager, Mr Paul West, now of River Road Consulting and asked the General Manager to detail the number, extent and dates of interactions with Mr West between December 2017 and 17 October 2022 in his capacity as General Manager.

The General Manager advised that he would not be responding to Mr Hutchison's questions at the meeting. The General Manager advised that he had previously written to Mr Hutchison via email inviting him to put forward his questions so a prepared response could be provided. Mr Hutchison did not respond to that email.

5.4 PUBLIC STATEMENTS RECEIVED IN WRITING

Nil received.

5.5 PUBLIC STATEMENTS WITHOUT NOTICE

5.5.1 K EWINGTON - COUNCIL GOALS FOR NEXT FOUR YEARS

Mr Ewington of Flowerdale made the following statement:-

Good evening.

I would like to make a statement outlining some of the goals I would like to see the Council achieve in the next four years, whether or not I am elected as a Councillor.

- I would like for our footpaths and walkways to be looked at in our streets and for improvements to be made for safety and accessibility. There are some footpaths in the Wynyard and Somerset and other areas that have raised or cracked concrete, vegetation growing onto the streets, or the path simply ends and becomes grass. This means people need to cross the street to get to the next footpath or aren't able to continue. A review of our footpaths and crossings (including tactile pavers for the blind) in both towns and suburban areas is important for safer street paths and to encourage more walking within our towns.
- Walking is very important for physical and mental health for all members of the community and more walking tracks are an excellent project to encourage family members young and old to partake and enjoy the beautiful scenery the area has to offer. The current and future walking tracks need to be graded and signed to indicate length and difficulty level for all members, which can help those such as mums with prams, visiting tourists, or those with limited walking ability, to enjoy safe and accessible paths to experience what the area can offer.
- I would like for the Council to develop new parks and picnic areas in currently unused blocks of council land and to maintain and improve existing parks and reserves. This could also in turn provide more opportunities for outdoor activities, community meetups and family entertainment for both tourists and locals.
- I would like for invasive weeds to be taken seriously and for the community to be educated on the types of weeds around, how to identify them, and how to report them. I would like Council to have an easy weed reporting system so anyone can easily report any weed infestations. I want to see the Council, forestry, and landowners be responsible for the environment that we live in and look after our natural landscapes by keeping on top of invasive weed species.

The Waratah-Wynyard area is a beautiful place and we want to keep it that way.

Thank you for your time.

Ken Ewington

5.5.2 M CORBETT - FISH FARMING

Ms Corbett of Wynyard made a statement regarding Finfish Farming to clarify and highlight two major issues:

1. As of 1 January 2023 all coastal areas will be open for lease applications from international fish farm companies.
2. Research is needed into the major industrialisation of the Bass Strait.

Ms Corbett expressed disappointment that Council has not actioned a request to auspice a public meeting on this issue to clarify and inform constituents on this issue as requested in a letter addressed to all Councillors on 23 September 2022.

While acknowledging the motion on the agenda to write to the State Government on this matter, Ms Corbett stated that she believes any Council that does not hold a public meeting to clarify and inform the public of all the implications for their coastal waters and beaches will be disadvantaged.

5.5.3 C HUTCHISON - SETTLEMENT STRATEGY

Mr Hutchison of Preolenna made a statement regarding the Councils Settlement Strategy and noted that his full submissions in May 2021 had not been included in the documentation put to Council. He also acknowledged that when he raised the concern the full submission he had made was provided at the June 2021 council meeting.

Mr Hutchison noted that there were at least two responses opposed to the suggestion of re-zoning River Road which he believes were not considered and questioned the General Manager and Senior Staff on their relationship with residents of River Road and their involvement in the decision making for the Planning Scheme.

Mr Hutchison advised that he has made a submission to the Planning Commission which will be heard over the next few days, and encouraged councillors to review his submission on the website.

6.0 PLANNING AUTHORITY ITEMS

PLANNING AUTHORITY OPENED AT 6:57 PM

6.1 PUBLIC QUESTIONS WITHOUT NOTICE – RELATING TO PLANNING MATTERS









Nil received.

6.2 PUBLIC STATEMENTS - RELATING TO PLANNING MATTERS

Nil received.

6.3 STAGED SUBDIVISION (2 INTO 8 LOTS AND ROAD EXTENSION) LOCATED AT 108 MCKAYS ROAD, SOMERSET - SD2134

To: Council
Reporting Officer: Town Planner
Responsible Officer: Manager Development and Regulatory Services
Report Date: 16 August 2022
File Reference: 3122425
Supporting Documents:

1. Consolidated advertised documents 
2. Site notice (duplicate) 
3. TasWater conditions 
4. NRE Tas (Conservation Assessments) response 
5. Representation A 
6. Representation B 
7. Representation C 
8. Signed extension of time 

PURPOSE

The purpose of this report is for Council to consider the merits of the application SD2134 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013*.

BACKGROUND

The subject site is located at the end of McKays Road and has an area of approximately 15.6ha. It consists of two parcels of land (CT 230293/1 & CT 162050/1), the latter of which contains a single dwelling and domestic outbuildings. The property surrounds two internal residential lots, 103 McKays Road (CT 64414/1) and 107 McKays Road (CT 64414/2), both of which contain single dwellings with associated outbuilding development and are accessed from McKays Road via access strips. Several unnamed creeks cross through portions of 103, 107 and 108 McKays Road.

The subject site adjoins other Rural Living zoned lots containing single dwellings and outbuildings to the east. Land to the north, west and south is zoned Rural Resource and is used for a mix of plantation forestry and grazing. There is a small lot to the south in the same ownership as the subject site which contains a domestic (private use) horse arena.

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

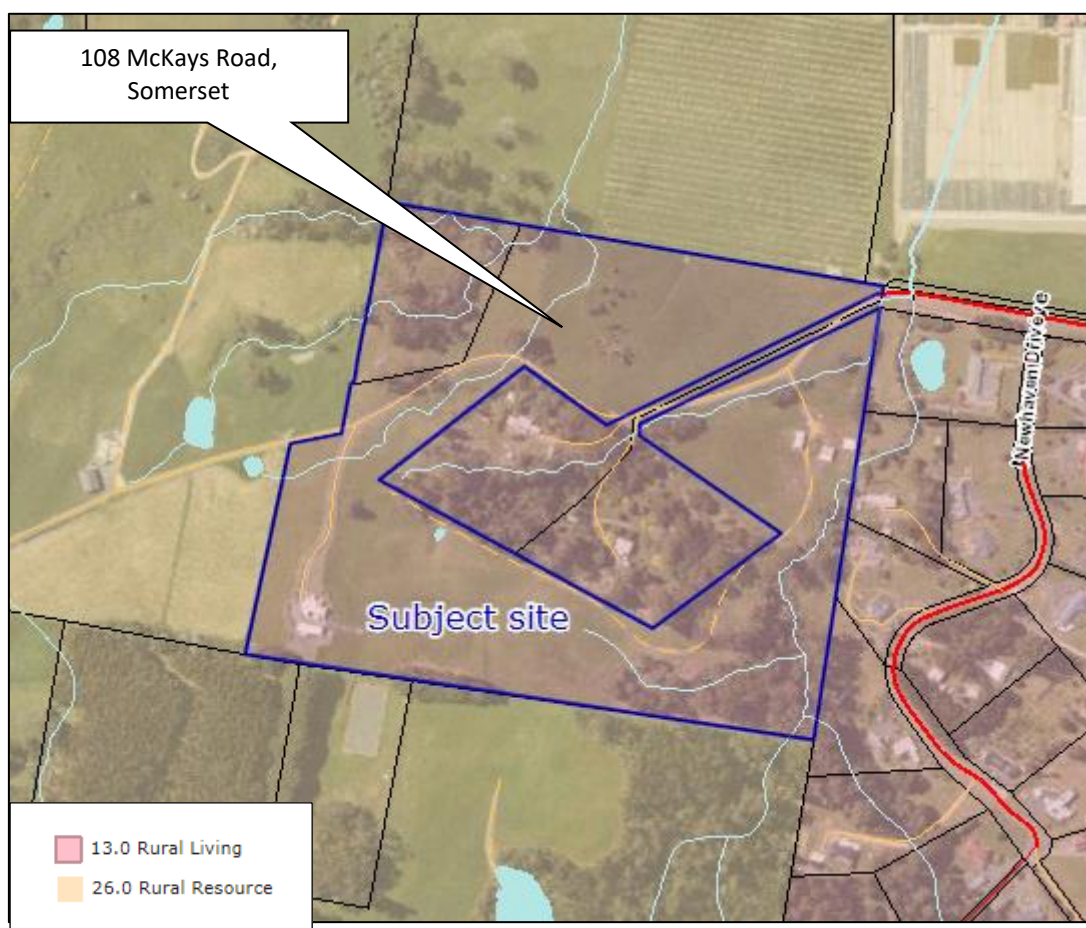


Figure 1: Subject site with zoning

DETAILS

The applicant is seeking approval for a staged subdivision comprising an extension to McKays Road (Stage 1) and six additional residential lots (Stage 2). The properties of each residential lot, including both existing developed lots and proposed lots, are shown in the table below.

Lot No.	Area (ha)	Frontage	Status
1	1.05	210m	Vacant
2	1.01	83m	Vacant
3	1.01	80m	Vacant
4	1.78	10m	Vacant
5	1.33	120m	Outbuildings
6	2.56	9m	Vacant
7	1.02	11m	Vacant
8	5.61	21m	Dwelling & outbuilding
103 McKays	≈2ha	6m	Dwelling & outbuildings
107 McKays	≈1.9ha	103m	Dwelling & outbuildings

One of the three outbuildings on Lot 5 is to be demolished and the remainder are compliant with setback requirements from new title boundaries. Existing development on Lot 8 as well as 103 and 107 McKays Road also comply with setback requirements for new boundaries and the proposed extension to McKays Road.

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 Living under the Planning Scheme. The proposal is defined as a Residential Use Class. This is a Permitted use within the zone, should the application meet all the relevant Acceptable Solutions.

The proposal does not comply with all the acceptable solutions. The applicant is applying for discretion under the following Clauses of the Planning Scheme:

- 13.4.7 Subdivision (P2);
- 13.4.8 Reticulation of an electricity supply to new lots on a plan of subdivision (P1);
- E6.5.2 Use likely to be exposed to a natural hazard (P1); and
- E10.6.1 Development in proximity to a water body, watercourse or wetland (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 16 Pages;
- Plan of subdivision x 2 Pages;
- Additional information response x 2 pages;
- Supporting report x 13 Pages;
- Environmental Consultant's Report x 21 Pages;
- Landslide risk assessment (Stage 1) x 23 Pages;
- Landslide risk assessment (Stage 2) x 30 Pages;
- Bushfire hazard management report (Stage 1) x 18 Pages; and
- Bushfire hazard management report (Stage 2) x 52 Pages.

The period for representations closed on 24 August 2022. Three (3) representations were subsequently received, two from landowners and one from Rosalie Woodruff MP (Member for Franklin).

A map demonstrating the relationship between the subject site and the adjacent landowners is shown in Figure 2.



Figure 2: Relationship between the subject site and representors' properties

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

Representation A: J & A Crawford

Note: Copies of photos referred to in Representation A are attached to this report.

Issues raised:	Response:
<p>Road access</p> <p>We understand that the access road (extension of McKay's Road) is scheduled to be addressed after Stage 2, however we wish to draw attention to the fact that the road belongs to us and we have no intention of consenting to the acquisition of our access road for development. This means that none of the blocks are accessible from an appropriate frontage or access strip and are unlikely to become so unless the council intends to acquire our road through compulsory acquisition. We would like confirmation that this will not be the case.</p>	<p>The proposed extension to McKays Road is proposed as Stage 1 of the subdivision with residential lots proposed as Stage 2.</p> <p>It is acknowledged that the proposal involves land forming part of the representor's property at 107 McKays Road. Copies of the title documents for this property were provided with the application and the owners details were included on the application form under section 5 'where the applicant is not the owner'. The applicant has met the requirements of s52 LUPAA.</p> <p>Owner consent is not required for the making of an application unless the land is owned or administered by the Crown or Council. Whilst Council as a planning authority is not required to take into consideration whether a private property owner consents to an application</p>

Issues raised:	Response:
	<p>being made, any final plan of survey to give legal effect to a subdivision cannot be endorsed and sealed by relevant authorities, including Council, without the consent of all landowners involved.</p> <p>An exception to this is compulsory acquisition of land under the <i>Local Government (Highways) Act 1982</i> which permits Council to acquire land for extension of a road network. However, Council is only able to exercise its powers under this act in limited circumstances and where it is in the public interest. Acquisition of land to facilitate private development of a small number of lots is unlikely to meet the public interest test.</p>
<p>Wastewater disposal</p> <p>Attention must be paid to the fact that lots 1-5 are extremely boggy and lots 5 and 6 both have a natural water course which has the potential for contaminated ground water to drain into. Given the high level of ground saturation due to a number of underground springs which run all year making ground water extremely shallow, we have a deep concern that an extra 7 septic tank overflows in such a small area have the potential to contaminate the water table.</p>	<p>A report from an Environmental Consultant was submitted as part of the application documents which included an assessment of the soil types of each property and indications of the height of the water table in the area. The report did not conclude that the proposed lots were too constrained to be developed, instead highlighting that consideration of the soil type of each site would need to be factored into the building design process, including design of service trenches.</p> <p>Acceptable Solution A4 for Clause 13.4.1 of the Planning Scheme only requires that a residential lot on a plan of subdivision be capable of disposing of wastewater from a single dwelling in accordance with AS/NZS1547:2012. There are no requirements regarding minimum size of dwellings in terms of occupants or type of system proposed. Both primary and secondary treatment systems are options under the Acceptable Solution, with a full assessment of any proposed on-site wastewater system generally undertaken at the building/plumbing permit stage. There is no indication that the proposed lots are not capable of disposing of wastewater generated from future residential development in accordance with AS/NZS1547:2012.</p> <p>Should the subdivision be approved, the owners of a lot would need to ensure any future dwelling is designed around the constraints of the site, which may include downsizing a design or other compromises.</p>

Issues raised:	Response:
<p>Electricity connection</p> <p>We object to the proposal of an overhead power supply for the subdivision. The argument the developers have put forward is that because two properties in the direct vicinity of the subdivision have overhead power connection that it is reasonable to increase this number by seven more households using the same overhead supply.</p> <p>Today's new subdivision standard require new power supplies to be underground. The existing overhead power supply was put in place over fifty years ago when these standards didn't exist. We assert that an underground power supply is not unreasonable or impractical and is common practice nationwide. The underground standard should be met as it is a contemporary standard put in place for very good reasons, including safety, potential damage and visual intrusion.</p> <p>The increased power infrastructure required to service all the lots will cause significant visual intrusion on the streetscape and landscape and create an increased risk of damage and accidents. It would be logical to upgrade and conform to current, contemporary practices and regulations rather than go backwards to inferior and unsafe standards.</p>	<p>Council can approve an application for subdivision involving overhead electricity connection to new lots provided it can be demonstrated that it is either impractical, unreasonable, or unnecessary to install underground connections. As discussed below under Clause 13.4.8, overhead electricity supply is common in rural areas. The subject site, representor's property and adjacent lot at 103 McKays Road are all serviced by an overhead supply as are the Rural Living zoned lots to the east fronting onto Newhaven Drive.</p> <p>The relevant authority in Tasmania for provision of electricity infrastructure, TasNetworks, does not require developers to install underground power. Prior to the installation of any new infrastructure TasNetworks must also be satisfied that the design meets relevant standards including safety requirements.</p> <p>Powerlines are a typical feature of rural areas. Council as a planning authority is only required to consider whether installation of underground electricity for a development would be impractical, unreasonable, or unnecessary. Issues pertaining to visual impact of powerlines or perceived safety risks are not a relevant consideration under the Planning Scheme.</p>
<p>Compliance with Water and Waterways Code & Threatened Species</p> <p>This proposed development will have a significant impact on the quality of sensitive environmental conditions required for the survival of the Burnie Burrowing Crayfish. We understand that Shane Crawford (General Manager) received a letter from Dr Rosalie Woodruff (MP), and Roger Jaensch (Minister for the Environment) was copied in, pointing out the failure of this application to address its obligations regarding the Environment Protection and Diversity Conservation Act 1999 (EPBC Act).</p> <p>This area is registered on the Natural Values Atlas as an identified habitat of the Burnie Burrowing Crayfish which is a threatened species with vulnerable status. We are deeply concerned that this development has the potential to have a significant impact on the survival of this species in this location. Building</p>	<p>Clause 8.10 of the Planning Scheme sets out the matters which Council must have regard to when determining applications. This includes the content of any representations received, but only insofar as the content relates to the particular discretions being exercised.</p> <p>The developer's responsibilities under the EPBC Act are separate to Council's role as a planning authority. Council does not have any authority to require the applicant to demonstrate compliance or consideration of the requirements of EPBC Act.</p> <p>Although not a requirement of the Planning Scheme, the applicants commissioned a "matters of national environmental significance" (MNES) investigation of the site and have been in contact with the Environmental Impact Assessment Officer responsible for Tasmanian assessments at the Federal level.</p>

Issues raised:	Response:
<p>activity requiring drainage (thereby altering the water table), road construction, diversion of existing waterways including springs will significantly reduce the population of this species.</p> <p>How does the council intend to ensure that this development complies with their obligations under the EPBC Act?</p>	<p>The investigation and associated report was not submitted as part of the official application documents as it was not directly relevant to the applicable Planning Scheme provisions. A copy of the report was provided to the Conservation Assessments and Wildlife Services at NRE Tas and the application was also referred to this department by Council due to the Water and Waterways Code being triggered. The response from NRE Tas stated that in their view the subdivision is unlikely to adversely impact the Burrowing Crayfish population, based on the current subdivision design and considering that the Planning Scheme requires a minimum 30m setback for development from waterways.</p> <p>To highlight the developer's obligations under environmental legislation the following notes have been included in the recommendation for approval.</p> <ul style="list-style-type: none"> • If any Burrowing Crayfish are likely to be impacted by the proposal, a permit to take under the Threatened Species Protection Act 1995 and/or the Nature Conservation Act 2002, respectively, will be required. Please note that the processing of permit applications may take up to four weeks. Information on applying for a permit, including application forms, can be found on the NRE website: Permit to Take Threatened Species (for Consultants & Development-related Activities) Department of Natural Resources and Environment Tasmania (nre.tas.gov.au) • Further assessment of Burrowing Crayfish will be required should the design of the subdivision be altered and/or as blocks are developed.
<p>Storm Water</p> <p>According to the subdivision proposal (SD2134) the proposed solution for extra stormwater drainage is through the existing natural watercourses (a small creek which runs underneath FORICO) and the drain (recently constructed on FORICO's Southern boundary), which also drains into the creek. Consideration needs to be given to the extra volume of water during heavy downpours as the creek is very susceptible to flash flooding. This creek line</p>	<p>Clause 8.10 of the Planning Scheme sets out the matters which Council must have regard to when determining applications. This includes the content of any representations received, but only insofar as the content relates to the particular discretions being exercised.</p> <p>Flood risk and management of that risk is relevant to the application in term of assessing compliance with the Performance Criteria for the Clause E10.6.1 of the Water and Waterways Code. As shown in the discussion under that</p>

Issues raised:	Response:
<p>flows underneath a number of businesses all the way down to the highway and has the potential for flood damage.</p> <p>On Monday 22 August we received a mere 19.4 mm of rain. This small amount of rain channelled a very high volume of water into this creek from the homes on Newhaven Drive and the surrounding agricultural land. This creek is already at capacity servicing the existing stormwater runoff and any increased amount has the potential to cause widespread flood damage to the surrounding area and the businesses that are in close vicinity of it. I have attached photos of the creek for reference. Photo 1 shows the storm water coming through on the southern side of the McKay's Road bridge and photo 2 shows the water going into the pipe on the northern side of the McKay's Road bridge which takes it all the way under the businesses right up to the highway.</p>	<p>Clause the proposal is considered to satisfy the requirements of P1 for Clause E10.6.1. As a planning authority Council cannot consider issues related to flood risk beyond what it is entitled to under relevant legislation.</p> <p>Clause 13.4.1 sets out the requirements for lot suitability in terms of stormwater management. Compliance with this Clause can be achieved via the acceptable solution or performance criteria. Where the acceptable solution is met, no discretion is triggered.</p> <p>The acceptable solution A5(b)(i) for Clause 13.4.1 allows for discharge of stormwater to a natural drainage line, water body, or watercourse where a lot cannot connect to a reticulated stormwater system. The subject site is outside the area serviced by Council's stormwater system. Whilst roadside drainage will need to be installed as part of Stage 1, this will ultimately be directed to nearby watercourses. A similar arrangement is in place for lots to the east along Newhaven Drive.</p> <p>Council's Engineering Department has undertaken an assessment of the proposal and is satisfied that stormwater generated from the proposed lots can be adequately disposed of. A more detailed assessment of stormwater arrangements will be required should the lots be developed and once it is known what type/scale of residential development is proposed.</p>
<p>TasWater Pipeline Easement</p> <p>TasWater pipeline easement runs straight through lots 1, 5 and 7. The proposed building sites are in very close proximity to the TasWater easement, especially the building site on lot 1. In addition, the proposed road to internal lot 6 runs alongside the pipeline in very close vicinity and then crosses over it at the entrance of the lot. This easement is a very large concrete asbestos pipeline (approximately 580mm in diameter), which is an important part of TasWater's infrastructure. It is old and potentially fragile and susceptible to damage from nearby earthworks, vibration, soil compaction and fence posts or similar being driven into the ground. Given the age and nature of this essential service, consideration should be given to earthworks and construction</p>	<p>Potential impact on TasWater infrastructure is largely an issue for TasWater. As with all subdivision applications in serviced areas, Council referred the proposal to TasWater for their consideration. A response was received consenting to the application and servicing of the proposed subdivision by reticulated water supply subject to conditions. This response forms Part B of the recommended conditions for approval and includes the following condition regarding the bulk transfer main running through the site:</p> <p><i>A construction management plan must be submitted with the application for TasWater Engineering Design Approval for this subdivision for works in close proximity or above the existing DN525mmØ bulk transfer main. The construction management plan</i></p>

Issues raised:	Response:
and potential damage to this infrastructure. Consideration should also be given to the potential hazard to individuals and property of a very high pressure pipe should it be damaged. Our question is – should there be a minimum distance between a household and such a pipeline? Should people be living in and around such a potentially dangerous threat?	<p><i>must detail how the new TasWater infrastructure will be constructed while maintaining current levels of services provided by TasWater to the community. The construction plan must also include a risk assessment and contingency plans covering major risks to TasWater during any works. The construction plan must be to the satisfaction of TasWater prior to TasWater's Engineering Design Approval being issued.</i></p> <p>A full copy of TasWater's Submission to Planning Authority Notice is included as an attachment to this report.</p>

Representation B: R Kirkpatrick

Note: Copies of sealed plans and photos referred to in Representation B are attached to this report.

Issues raised:	Response:
<p>Land ownership</p> <p>The proposed roadway to service this subdivision (scheduled to be addressed after Stage 2) is based on land owned by myself, R. Kirkpatrick 103 McKays Rd and A. & J. Crawford 107 McKays Rd.</p> <p>Neither Mr./Mrs. Crawford or myself have been involved in any subdivision process, did not produce titles, did not sign, sell or transfer any interest in our land and did not agree orally or in writing to any acquisition of our private land. Therefore, any development would have to take place outside of the titled access strip. The blocks proposed do not have a legal access to the public road - McKays Road. The Council's confirmation in acknowledging that this is the case would be greatly appreciated.</p>	<p>The proposed extension to McKays Road is proposed as Stage 1 of the subdivision with residential lots proposed as Stage 2.</p> <p>It is acknowledged that the proposal involves land forming part of the representor's property at 103 McKays Road. Copies of the title documents for this property were provided with the application and the owners details were included on the application form under section 5 'where the applicant is not the owner'. The applicant has met the requirements of s52 LUPAA.</p> <p>Owner consent is not required for the making of an application unless the land is owned or administered by the Crown or Council. Whilst Council as a planning authority is not required to take into consideration whether a private property owner consents to an application being made, any final plan of survey to give legal effect to a subdivision cannot be endorsed and sealed by relevant authorities, including Council, without the consent of all landowners involved.</p> <p>An exception to this is compulsory acquisition of land under the <i>Local Government (Highways) Act 1982</i> which permits Council to acquire land for extension of a road network. However, Council is only able to exercise its powers under this act in limited circumstances and where it is in the public interest. Acquisition of land to facilitate private development of a small</p>

Issues raised:	Response:
	number of lots is unlikely to meet the public interest test.
<p>Access Suitability</p> <p>The road planned for the subdivision is approximately 500m - 600m culminating in a cul-de-sac. This road would have to cater for approximately 24+ residential cars, large commercial cattle trucks, farm machinery, farm service vehicles, residential service vehicles, emergency vehicles and visitors. All vehicles would be restricted to using this road for ingress and egress.</p> <p>The site development does not cater for children/families/elderly. There are no pathways which is dangerous for walking and cycling.</p> <p>The development would have a negative effect on the intersection of McKays Road and Bass Highway. This intersection already experiences traffic congestion at certain times of the day, such as school run times and commuter times. There are many industrial vehicles, caravans, Newhaven Drive vehicles already in this immediate area using this intersection.</p> <p>The bridge on McKays Road is small and narrow for single vehicles and would have to cater for a much greater increase of traffic and possible congestion.</p>	<p>In addition to the requirements of the Planning Scheme, s85 of the <i>Local Government (Building & Miscellaneous Provisions) Act 1993</i> (LGBMPA) gives Council the option to refuse to approve a plan of subdivision under certain circumstances. These include instances where Council is of the opinion that that the roads will not suit the public convenience (s85(a) LGBMPA).</p> <p>The proposal to provide access to the subdivision via an extension to McKays Road is a suitable design which is not anticipated to create any congestion issues. The proposed road layout maximises the development potential of the site and does not raise any safety concerns for Council's Engineering Department. The design is considered to be compatible with the existing road network in this area of Somerset. The proposed subdivision does not increase traffic to the extent that upgrades to the existing bridge are required</p> <p>The application, including the subdivision road layout, is consistent with s85 LGBMPA and is capable of complying with all relevant the requirements of the Planning Scheme, subject to the conditions that have been recommended by Council's Engineering Department.</p> <p>The proposal is for a rural subdivision. Footpaths and similar infrastructure are only required in urban areas. Similarly, bridges in rural areas are typically single lane. The conditions imposed by Council's Engineering Department require installation of appropriate traffic signs, which will include 'no overtaking' signs on the existing bridge.</p>
<p>Threatened Species & Water and Waterways Code</p> <p>Consideration must be given to the current status of the focal environment - the impact on local wildlife, particularly the Burnie Burrowing Crayfish (see photos) which is listed as vulnerable. This area is registered on the Natural Values Atlas as an identified habitat. Other wildlife seen in this area include Eastern Barred Bandicoot (vulnerable), potoroos and</p>	<p>Clause 8.10 of the Planning Scheme sets out the matters which Council must have regard to when determining applications. This includes the content of any representations received, but only insofar as the content relates to the particular discretions being exercised.</p> <p>The developer's responsibilities under the EPBC Act are separate to Council's role as a planning authority. Council does not have any authority to require the applicant to demonstrate</p>

Issues raised:	Response:
<p>many other native wildlife including a wide variety of birdlife.</p> <p>A letter to Council from Dr. Rosalie Woodruff MP and cc'd to Minister for the Environment Roger Jaensch has pointed out that this Development Application has failed to take in to consideration their responsibility to address the Environmental Protection and Diversity Conservation Act 1999. (copy of Letter attached)</p> <p>How will Council ensure that the obligations under EPBC Act are complied with?</p> <p>Blocks 1 – 3, 5 and 7 are wetland areas and hold water derived from the underground water table as well as water run-off from higher land (103 & 107), block 4 and farmland above. Any storm water drainage, changes to existing natural watercourses, earth disturbance etc. would have a major impact on the habitat of the Burnie Burrowing Crayfish, Eastern Barred Bandicoot as well as the natural run off from 103 & 107 McKays Road - each property having a number of springs which are evident through the wetter months and need the natural waterway draining channels (Photographs enclosed).</p> <p>Block 5 has a natural water course on northern boundary and creek on eastern boundary. Block 6 has creek eastern side plus an area classified a natural habitat. Block 7 has a natural watercourse on the northern boundary. Is there a requirement for a 30m buffer zone for these 3 blocks?</p>	<p>compliance or consideration of the requirements of EPBC Act.</p> <p>Although not a requirement of the Planning Scheme, the applicants commissioned a “matters of national environmental significance” (MNES) investigation of the site and have been in contact with the Environmental Impact Assessment Officer responsible for Tasmanian assessments at the Federal level.</p> <p>The investigation and associated report was not submitted as part of the official application documents as it was not directly relevant to the applicable Planning Scheme provisions. A copy of the report was provided to the Conservation Assessments and Wildlife Services at NRE Tas and the application was also referred to this department by Council due to the Water and Waterways Code being triggered. The response from NRE Tas stated that in their view the subdivision is unlikely to adversely impact the Burrowing Crayfish population, based on the current subdivision design and considering that the Planning Scheme requires a minimum 30m setback for development from waterways.</p> <p>To highlight the developer’s obligations under environmental legislation the following notes have been included in the recommendation for approval.</p> <ul style="list-style-type: none"> • If any Burrowing Crayfish are likely to be impacted by the proposal, a permit to take under the Threatened Species Protection Act 1995 and/or the Nature Conservation Act 2002, respectively, will be required. Please note that the processing of permit applications may take up to four weeks. Information on applying for a permit, including application forms, can be found on the NRE website: Permit to Take Threatened Species (for Consultants & Development-related Activities) Department of Natural Resources and Environment Tasmania (nre.tas.gov.au) • Further assessment of Burrowing Crayfish will be required should the design of the subdivision be altered and/or as blocks are developed.

Issues raised:	Response:
	<p>However, it has been demonstrated that there is sufficient space on proposed vacant lots, including Lots 5 – 7, for development clear of the 30m setback from watercourses/waterways required under the Planning Scheme.</p>
<p>Stormwater & Wastewater</p> <p>Stormwater would affect this wetland area, particularly the Burnie Burrowing Crayfish and feeding area for the Barred Bandicoot. Everyday activities, such as maintaining vehicles, lawns, gardens, pets etc would be collected by storm water and eventually pollute and harm the underground water table impacting on the survival of the vulnerable threatened species and the survival of other native fauna.</p> <p>Degradation caused by urban storm water pollution is serious. Changes in land use can lead to flooding, erosion, habitat degradation and water pollution. Failed septic systems, illegal discharges and improper connections, will all contribute substantial amounts of pollution to run off.</p> <p>Is Council of the opinion that the land (wetland area) for Blocks 1 – 7 is suitable for an on-site effluent disposal system for all specified kinds of effluent from each block?</p>	<p>Clause 8.10 of the Planning Scheme sets out the matters which Council must have regard to when determining applications. This includes the content of any representations received, but only insofar as the content relates to the particular discretions being exercised.</p> <p>Clause 13.4.1 sets out the requirements for lot suitability in terms of both wastewater and stormwater management. Compliance with this Clause can be achieved via the acceptable solution or performance criteria. Where the acceptable solution is met, no discretion is triggered.</p> <p>The acceptable solution A5(b)(i) for Clause 13.4.1 allows for discharge of stormwater to a natural drainage line, water body, or watercourse where a lot cannot connect to a reticulated stormwater system. The subject site is outside the area serviced by Council's stormwater system. Whilst roadside drainage will need to be installed as part of Stage 1, this will ultimately be directed to nearby watercourses. A similar arrangement is in place for lots to the east along Newhaven Drive.</p> <p>Acceptable Solution A4 for Clause 13.4.1 of the Planning Scheme only requires that a residential lot on a plan of subdivision be capable of disposing of wastewater from a single dwelling in accordance with AS/NZS1547:2012. There are no requirements regarding minimum size of dwellings in terms of occupants or type of system proposed. Both primary and secondary treatment systems are options under the Acceptable Solution, with a full assessment of any proposed on-site wastewater system generally undertaken at the building/plumbing permit stage. There is no indication that the proposed lots are not capable of disposing of wastewater generated from future residential development in accordance with AS/NZS1547:2012.</p> <p>Should the subdivision be approved, the owners of a lots would need to ensure any future</p>

Issues raised:	Response:
	dwelling is designed around the constraints of the site, which may include downsizing a design or other compromises.
<p>TasWater Easement:</p> <p>There is a large concrete asbestos pipeline running through blocks 5, 1, 7 and under the proposed new road from McKays Rd. The access road leading to Block 6 is also very close to this easement and crosses over it on entry to the site. The pipeline, which was established in 1980s, is very old and has the potential to suffer damage from earth works and heavy construction machinery.</p>	<p>Potential impact on TasWater infrastructure is largely an issue for TasWater. As with all subdivision applications in serviced areas Council referred the proposal to TasWater for their consideration. A response was received consenting to the application and servicing of the proposed subdivision by reticulated water supply subject to conditions. This response forms Part B of the recommended conditions for approval and includes the following condition regarding the bulk transfer main running through the site:</p> <p><i>A construction management plan must be submitted with the application for TasWater Engineering Design Approval for this subdivision for works in close proximity or above the existing DN525mmØ bulk transfer main. The construction management plan must detail how the new TasWater infrastructure will be constructed while maintaining current levels of services provided by TasWater to the community. The construction plan must also include a risk assessment and contingency plans covering major risks to TasWater during any works. The construction plan must be to the satisfaction of TasWater prior to TasWater's Engineering Design Approval being issued.</i></p> <p>A full copy of TasWater's Submission to Planning Authority Notice is included as an attachment to this report.</p>
<p>Hazard Code</p> <p>Lot 4 is classed as medium risk for landslide. Clause E6.5.2 of the Planning Scheme states that "use must not be residential use if the level of risk is medium or higher.</p> <p>The report recommends construction method and materials such as beams, involving excavation and the clearing of vegetation which would increase the risk of erosion/landslide as well as affect the natural environment.</p>	<p>The Acceptable Solution for Clause E6.5.2 states that the level of landslip risk for residential use should not be medium or higher. Council as a planning authority has discretion to approve residential use in medium level landslip areas provided the application is supported by a hazard risk assessment which demonstrates that a tolerable level of risk can be achieved and maintained for the nature and duration of the use. As outlined in the discussion under Clause E6.5.2 below this requirement has been met.</p>
<p>Soil Testing</p>	<p>Should the application be approved and the lots developed for residential use, any future dwellings will require a planning permit from Council. Soil testing for construction</p>

Issues raised:	Response:
<p>The Report states that soil testing was done in restricted areas and therefore would possibly need to be done in other areas in the future.</p> <p>Will Council request another report that ensures all the areas to be subdivided are suitable for such a development and they meet Federal and State environmental obligations?</p>	<p>requirements is typically undertaken at the building approval stage and/or when design wastewater systems for a dwelling. Should it be determined that the dwelling design is not suitable for the site and/or does not meet the requirements of relevant standards such as AS/NZS1547:2012 or the National Construction Code then the design would need to be revised. This could involve amendments to any planning permit issued or submitting a new planning application all together.</p>
<p>Title Issue</p> <p>SP16250 was submitted with the planning application. This Plan was submitted to Council for signing & sealing in 2011. However, after the signing/sealing and before it was registered at the titles office, a number of changes were made, one the addition of a Right of Way over the access strip to 103 & 107 McKays Rd. This was done without our knowledge, and I presume the knowledge or consent of Council?</p> <p>How can (the changed) document SP162050 which is being used to support this Application, be accepted as a valid and true record? Where does Council stand in relation to this matter?</p>	<p>Clause 8.10 of the Planning Scheme sets out the matters which Council must have regard to when determining applications. This includes the content of any representations received, but only insofar as the content relates to the particular discretions being exercised.</p> <p>The matters raised opposite are not relevant to the application before Council as the title documents submitted with the application match those registered with the Land Titles Office.</p> <p>Suspected errors in title documents should be directed to the Land Titles Office. Should the response from the Land Titles Office be unsatisfactory private legal advice may need to be sought.</p>

Representation C: R Woodruff MP

Issues raised:	Response:
<p>I have been contacted by a constituent about the above at 108 McKays Road, Somerset, and am extremely concerned the application appears to have no consideration of obligations under the <i>Environment Protection and Diversity Conservation Act 1999</i> (EPBC Act).</p> <p>The application is occurring in a location where there are known examples of the Burnie Burrowing Crayfish (<i>Engaeus yabbimunna</i>), which is a listed vulnerable species under both the <i>Threatened Species Protection Act 1995</i> (Threatened Species Act) and the EPBC Act. I am concerned that the application makes no mention of the species and has the potential to reduce the area of occupancy of the population of the species and will fragment the existing population occurring in the area. Both of these impacts, under the EPBC Act considerations for vulnerable species are potentially "significant</p>	<p>Clause 8.10 of the Planning Scheme sets out the matters which Council must have regard to when determining applications. This includes the content of any representations received, but only insofar as the content relates to the particular discretions being exercised.</p> <p>The developer's responsibilities under the EPBC Act are separate to Council's role as a planning authority. Council does not have any authority to require the applicant to demonstrate compliance or consideration of the requirements of EPBC Act.</p> <p>Although not a requirement of the Planning Scheme, the applicants commissioned a "matters of national environmental significance" (MNES) investigation of the site and have been in contact with the Environmental Impact Assessment Officer</p>

Issues raised:	Response:
<p>impact criteria” and require careful consideration.</p> <p>Given the vulnerable status of the burrowing crayfish and the extremely limited range and the acknowledged potential for subdivision to “lead to the drying out and loss of habitat”¹, I am concerned that the application has been prepared without consideration by the proponent of their obligations under the EPBC Act and Threatened Species Act.</p> <p>I would ask that Council carefully examine the application in light of the obligations under both the EPBC Act and Threatened Species Act to ensure that there is no significant impact to the species.</p>	<p>responsible for Tasmanian assessments at the Federal level.</p> <p>The investigation and associated report was not submitted as part of the official application documents as it was not directly relevant to the applicable Planning Scheme provisions. A copy of the report was provided to the Conservation Assessments and Wildlife Services at NRE Tas and the application was also referred to this department by Council. The response from NRE Tas stated that in their view the subdivision is unlikely to adversely impact the Burrowing Crayfish population.</p> <p>To highlight the developers obligations under environmental legislation the following notes have been included in the recommendation for approval.</p> <ul style="list-style-type: none"> • If any Burrowing Crayfish are likely to be impacted by the proposal, a permit to take under the Threatened Species Protection Act 1995 and/or the Nature Conservation Act 2002, respectively, will be required. Please note that the processing of permit applications may take up to four weeks. Information on applying for a permit, including application forms, can be found on the NRE website: Permit to Take Threatened Species (for Consultants & Development-related Activities) Department of Natural Resources and Environment Tasmania (nre.tas.gov.au) • Further assessment of Burrowing Crayfish will be required should the design of the subdivision be altered and/or as blocks are developed.

INTERNAL REFERRALS

Engineering Services Department

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

1. All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.
2. Construction of civil engineering work associated with the Development is to comply with the requirements of Council’s Policy PR003 – Standard requirements for the construction of new infrastructure assets and the replacement of existing infrastructure assets.

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3. Relevant engineering plans, specifications, calculations and computations are to be prepared or certified by a Chartered Professional Engineer and submitted to the Director Infrastructure & Development Services for approval. No work is to commence until a Construction Certificate has been issued by the Director Infrastructure & Development Services.
 4. On completion of work covered by a Construction Certificate a Chartered Professional Engineer is to certify by declaration that all work has been carried out fully in accordance with the approved plans, specifications, calculations and computations. "Works as Constructed" drawings that comply with the requirements of Council's "Submission of digital-as-constructed information" template are to be supplied
 5. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
 6. A Final Survey Plan submitted for sealing by the Council is to show all easements required for powerlines, sewerage, water, drainage purposes and legal access.
 7. A twelve (12) month maintenance period is to apply to all works within the development which are to become Council infrastructure.
 8. A maintenance bond of 5% of the cost of the civil works as approved by the Director Infrastructure & Development Services is to be lodged with Council prior to:
 - (a) the issue of the Maintenance Period Commencement document; or
 - (b) prior to the sealing of the Final Survey Plan.
 9. Before sealing of the Final Plan, all disturbed surfaces on the land except those set aside for roadways, footways and driveways are to be covered with topsoil and seeded and, where appropriate, re-vegetated and stabilized to the reasonable requirements of the Director Infrastructure & Development Services.
 10. A driveway with a sealed surface is to be constructed from the edge of the bitumen surfaced pavement of internal subdivision road to the property boundary of Lots 1 to 8 in accordance with Tasmanian Standard Drawing TSD-R03-v3, Rural Roads Typical Property Access & TSD-R04-v3, Rural Roads Typical Driveway Profile and the conditions in a "Activity in Road Reservation Permit".
 11. The developer is to realign the existing driveways for 103 and 107 McKays Road to match into the internal subdivision road. These driveways are to be constructed to the same specification as described in condition 10.
 12. All new vehicular accesses are to be located in accordance with Tasmanian Standard Drawing TSD-RF01-v3, Guide to Intersection and Domestic Access Sight Distance Requirements and be approved by the Director Infrastructure & Development Services.
 13. Loading and un-loading of vehicles is to be confined to within the boundaries of the property.
 14. Cross road culvert pipes are to be provided at low points in the road alignment and at intervals no greater than 200 metres. The culvert spacing is to be reduced to 100-metre intervals where the longitudinal grade of the road exceeds 10 %.
 15. Cross road culverts are to be of minimum size 300 mm in diameter and designed to cater for a 1 in 20-year ARI storm with provision for a major overflow path for a 1 in 100-year ARI storm.

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16. Before site disturbance or construction commences an environmental management plan is to be prepared and submitted for approval by the Director Infrastructure & Development Services. The plan is to outline proposed practices in relation to:
- (a) Temporary run-off and erosion controls, which are to be installed before the development commences. Controls are to include, but are not limited to:
 - (i) Minimisation of site disturbance and vegetation removal;
 - (ii) Diversion of up-slope run-off around cleared and/or disturbed areas, areas to be cleared and/or disturbed or filled providing such diverted run-off does not cause erosion and is directed to a legal discharge point;
 - (iii) Installation of sediment retention traps (e.g. sediment fences, etc.) at the down slope perimeter of a disturbed area or stockpile to prevent unwanted sediment and other debris escaping from the land;
 - (iv) Rehabilitation of all disturbed areas as soon as possible.
 - (b) Weed management
 - (c) Storage facilities for fuels, oils, greases, chemicals and the like
 - (d) Litter management
17. Erosion control measures are to be maintained at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development.
18. A 15-metre wide road reservation, with lot boundaries splayed where necessary is to be provided and shown as "Road" on the final survey plan lodged for sealing.
19. The road reservation is to be widened to a minimum of 25 metres in accordance with Tasmanian Standard Drawing TSD-R08-v3, Urban Roads Cul-De-Sac Turning Heads with lot boundaries splayed where required to accommodate a vehicular turning area and shown as "Road" on the final survey plan lodged for sealing.
20. The road is to be of compacted crushed rock pavement, designed in accordance with the Austroads Pavement Design Guidelines, with a sealed pavement width of 5.5 metres and a minimum total pavement thickness of 300mm plus a minimum two coat bitumen spray coat seal. The road is to incorporate 1-metre wide shoulders of minimum 100mm thickness of compacted crushed rock and minimum 1-metre wide table drains, all in accordance with the Tasmanian Standard Drawing TSD-R02-v3, Rural Roads Sealed. Construction is to satisfy the reasonable requirements of the Director Infrastructure & Development Services.
21. The applicant is to supply and install traffic management devices that include, but are not limited to, signage and line marking in accordance with the suite of AS 1742 standards and which meet the requirements of Department of State Growth. Before a Construction Certificate may be issued, the applicant or his designer is to prepare a set of traffic management drawings that are to be submitted to and approved by Department of State Growth.
22. A court bowl of radius 9 metres and otherwise in accordance with Tasmanian Standard Drawing TSD-R08-v3, Urban Roads Cul-De-Sac Turning Heads is to be provided at the termination of the internal road to facilitate the turning movement of large service vehicles. Construction is to be of equivalent standard to the internal road.

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23. Underground/overhead power is to be provided to each lot in the development in accordance with the requirements of TasNetworks and LGAT - Tasmanian Standard Drawings and Specifications.
24. Before site disturbance or construction commences, a plan of management is to be prepared and submitted for approval by the Director Infrastructure & Development Services. The plan is to provide relevant project management information and outline proposed construction practices, including, but not limited to:
- (a) Contact details for principal, consultants and contractors including afterhours numbers;
 - (b) Traffic management plan including road works signage;
 - (c) Proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on site);
 - (d) Identification of potentially noisy construction phases, such as operation of rock-breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;
 - (e) Site facilities to be provided; and
 - (f) Procedures for washing down vehicles to prevent soil and debris being carried onto the street.

Note: An “Activity in Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.

Environmental Health

The following environmental health conditions were recommended.

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

Notes:

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

EXTERNAL REFERRALS

The application was referred to TasWater on 8 August 2022. A response was received on 2 September 2022 and forms Part B of the permit conditions.

The application was referred to Conservation Assessments and Wildlife Services at NRE Tas on 8 August 2022. The response received on 19 August 2022 did not object to the proposal but made comments which have been included as notes on the permit.

The application did not require any other external referrals.

PLANNING ASSESSMENT

The subject site is zoned Rural Living under the *Waratah-Wynyard Interim Planning Scheme 2013*. The use is a Residential Use which is a Permitted use within the Rural Living 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 Living Zone and relevant Codes is provided below.

13.4.7 Subdivision

<p>A2</p> <p>A lot, other than a lot to which A1(b) applies, must not be an internal lot</p>	<p>P2</p> <p>(a) An internal lot on a plan of subdivision must be –</p> <p>(i) reasonably required for the efficient use of land as a result of a restriction on the layout of lots imposed by –</p> <ul style="list-style-type: none"> a. slope, shape, orientation and topography of land; b. an established pattern of lots and development; c. connection to the road network; d. connection to available or planned utilities; e. a requirement to protect ecological, scientific, historic, cultural or aesthetic values, including vegetation or a water course; or f. exposure to an unacceptable level of risk from a natural hazard; and <p>(ii) without likely impact on the amenity of adjacent land</p>
<p>Planning Comments: Complies</p> <p>Proposed Lots 4, 6, 8 and 103 McKays Road are internal lots and require assessment against P2 for this Clause.</p> <p>108 McKays Road and the properties it surrounds, 103 and 107 McKays Road, are internal lots accessed from the end of McKays Road. The land contains areas of medium level landslip risk as well as several unnamed creeks.</p> <p>Due to the location of established lots at 103 and 107 McKays Road, and the position of the subject site at the end of McKays Road, any subdivision of the 15.6ha subject site is likely to involve the creation of internal lots. An extension to McKays Road has been proposed in order to minimise the number of internal lots created, as well as to provide road frontage to 107 McKays Road.</p>	

The benefits of extending the road further around the western and southern boundaries of 107 McKays Road so that Lots 4 and 8 could achieve a higher lot yield would likely be outweighed by the issues associated with the extent of earthworks required, given the extent of medium level landslip risk in this area of the site. Similarly, extending McKays road to the south-east to provide greater road frontage for Lot 6 would unlikely to result in additional lots and would require extensive works to the creek crossing through proposed Lots 5, 6, 7 and 103 and 107 McKays Road.

It is considered that the proposed lot configuration minimises as far as practicable the number of internal lots whilst making efficient use of the land and allowing adequate space for bushfire management.

The internal lots vary in size from 1.78ha to 5.61ha and have been designed to allow sufficient separation between existing and future dwellings and adjacent properties as well as to provide suitable hazard management areas for bushfire purposes.

Each of the internal lots is intended for residential use. Two of the lots, 103 McKays Road and Lot 8 are already developed with single dwellings and associated outbuildings. Each lot is capable of being serviced by TasWater's reticulated water supply with stormwater and wastewater to be disposed within the boundaries of each site. A hazard management assessment was submitted with the application demonstrating a tolerable level of risk could be achieved for future dwellings on Lot 4 subject to recommendations. Compliance with this report will be a condition of any permit issued. The other lots within the medium level landslip risk area, Lot 8 and 107 McKays Road, have already been developed for residential use.

According to LISTmap data, the presence of Burnie Burrowing Crayfish (*Engaeus yabbimunna*), a listed vulnerable species, has been identified in two areas of the site. The application was subsequently referred to the Conservation Assessments and Wildlife Services at NRE Tas. A response from NRE Tas was received stating that in their view there is unlikely to be adverse impacts to the Burrowing Crayfish as result of the subdivision at 108 McKays Road, based on the current subdivision design.

No lot contains identified areas of scientific, historic, cultural or aesthetic value and all have frontage onto proposed roads of at least 3.6m.

The proposal will have minimal impact on the amenity of adjacent residential land to the east of the site, which is comprised of established residential lots. The internal lots are of sufficient area to comply with permitted setback requirements from boundaries and ensure adequate separation from existing and future residential development.

To the north, east and south the property adjoins the Rural Resource zone. The Planning Scheme requires a 50m setback for sensitive (residential) use from land in this zone. There is sufficient space on proposed vacant Lots 4 and 6 for residential development compliant with this zone boundary setback.

The proposal satisfies P2 for this Standard.

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

<p>A1</p> <p>Electricity reticulation and site connections must be installed underground</p>	<p>P1</p> <p>It must be impractical, unreasonable, or unnecessary to install electricity reticulation and site connections underground</p>
<p>Planning Comments: Complies</p> <p>It is proposed to service the lots through above ground electricity connections. It is considered impractical to require an installation of an underground electricity supply for the subdivision given that the subject site and adjacent lots, including lots to the east along Newhaven Drive are all</p>	

served by overhead electricity supply and that this is the most common form of electricity supply in rural areas.

The proposal satisfies P1 for this Standard.

E6 Hazard Management Code

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

A1 If a use is on land within an area of risk from exposure to a natural hazard as shown on a map forming part of this Planning Scheme - (a) use must not be for a critical use, a hazardous use, or a vulnerable use; (b) use must not be residential use if the level of risk is medium or higher; and (c) a hazard risk assessment must demonstrate a tolerable level of risk can be achieved and maintained for the nature and duration of the use	P1 If use is on land within an area of risk from exposure to a natural hazard as shown on a map forming part of this Planning Scheme - (a) a hazard risk assessment must demonstrate a tolerable level of risk can be achieved and maintained for the nature and duration of the use; and (b) if a critical use, a hazardous use, or a vulnerable use, a cost-benefit analysis in economic, environmental, and social terms must establish there is a significant benefit to the community and there is no alternate site
Planning Comments: Complies The proposal is for the subdivision of land and construction of a road in land subject to a medium risk of landslide. Two Geotechnical Reports prepared by Mr David Gibbons of Tasman Geotechnics were submitted with the application. Mr Gibbons is a suitably qualified person to prepare a hazard risk assessment. The assessments state that a tolerable level of risk can be achieved for the proposed subdivision and McKays Road extension provided the recommendations contained in the report from Tasman Geotechnics are followed. A condition will be included on any permit issued as follows: <ul style="list-style-type: none">• The development is to be in accordance with the recommendation contained in the Geotechnical Investigation and Landslide Risk Assessments with Reference Numbers TG21084/1 as prepared by David Gibbons of Tasman Geotechnics and dated 25 May 2021 and TG21084/2 as prepared by David Gibbons of Tasman Geotechnics and dated 2 August 2022. In this manner, the proposal satisfies P1 for this Standard.	

E10 Water and Waterways Code

E10.6.1 Development in proximity to a water body, watercourse or wetland

A1 There is no acceptable solution	P1 Development must – (a) minimise risk to the function and values of a water body watercourse or wetland, including for – (i) hydraulic performance; (ii) economic value; (iii) water based activity;
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	<ul style="list-style-type: none"> (iv) disturbance and change in natural ground level; (v) control of sediment and contaminants; (vi) public access and use; (vii) aesthetic or scenic quality; (viii) water quality management arrangements for stormwater and sewage disposal; (ix) modification of a natural drainage channel; (x) biodiversity and ecological function; (xi) level of likely risk from exposure to natural hazards of flooding and inundation; and (xii) community risk and public safety; and <p>(b) be consistent with any advice or decision of a relevant entity administering or enforcing compliance with an applicable protection and conservation regulation for –</p> <ul style="list-style-type: none"> (i) impact of the development on the objectives and outcomes for protection of the water body, watercourse or wetland; and (ii) any condition or requirement for protection of the water body, water course or wetland
<p>Planning Comments: Complies</p> <p>The proposal is for subdivision of land and construction of a road through land which several unnamed creeks traverse. The Water and Waterways Code applies for use or development on land within 30m of the bank of a water body, watercourse or wetland unless otherwise exempt. The definition of ‘development’ includes subdivision, as per s3 LUPAA. Creeks cross through portions of proposed Lots 3, 4, 5, 6 and 7 as well as the existing developed lots at 103 and 107 McKays Road, which are surrounded by the land to be subdivided. Assessment against the Performance Criteria for this Clause is required.</p> <p>The creeks are on private land. Issues pertaining to aesthetic or scenic quality of the waterways and wetland areas, public access, community risk and public safety or use for water-based activities are largely irrelevant to the proposal.</p> <p>The proposed extension to McKays Road does not cross through any creek and no piping of waterways is required. Culverts are to be installed at a low point in the road and roadside drainage installed to appropriately direct overland flow into the creeks, which already handle stormwater from adjacent properties, including the residential subdivision to the east along Newhaven Drive.</p> <p>The subject site is outside the area serviced by Council’s stormwater system however, Council’s Engineering Department are satisfied that adequate stormwater management arrangements can be achieved for each lot. The acceptable solution A5(b)(i) for Clause 13.4.1 allows for discharge of stormwater to a natural drainage line, water body, or watercourse where a lot cannot connect to a reticulated stormwater system. A more detailed assessment of stormwater arrangements will be required should the lots be developed and once it is known what type/scale of residential development is proposed.</p>	

Connections to TasWater's reticulated water network can be achieved for all lots and the proposal does not involve drawing on the creeks as a water supply for domestic or fire-fighting purposes. There is sufficient space on Lots 1 - 7 to locate future dwellings and associated infrastructure, such as wastewater systems, further then 30m from the creeks running through the site. Lot 8 as well as 103 and 107 McKays Road have existing on-site wastewater management systems. The following note will be included on any permit issued:

- 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*.

Change in ground level and modification of existing drainage arrangements will be constrained to works required to install the road. None of the creeks are considered to be of any economic importance. In terms of ecological significance, LISTmap identifies the presence of Burnie Burrowing Crayfish (*Engaeus yabbimunna*), a listed vulnerable species, in two areas of the site.

The application was subsequently referred to the Conservation Assessments and Wildlife Services at NRE Tas. A response from NRE Tas was received stating that in their view there is unlikely to be adverse impacts to the Burrowing Crayfish as result of the subdivision at 108 McKays Road, based on the current subdivision design.

There is sufficient space on each proposed lot for residential development at least 30m from waterway. Any future development, including tree clearing, proposing to be within 30m of creeks crossing through the site will require further assessment under this Code and further referral to NRE Tas.

In addition to approval under the Planning Scheme, the proposed subdivision may require additional approvals/permits under the *Threatened Species Protection Act 1995* and/or *Nature Conservation Act 2002*, however this is not a determination for Council. To bring attention to the developer's responsibilities under environmental legislation the following notes will be included on any permit issued:

- If any Burrowing Crayfish are likely to be impacted by the proposal, a permit to take under the Threatened Species Protection Act 1995 and/or the *Nature Conservation Act 2002*, respectively, will be required. Please note that the processing of permit applications may take up to four weeks. Information on applying for a permit, including application forms, can be found on the NRE website: Permit to Take Threatened Species (for Consultants & Development-related Activities) | Department of Natural Resources and Environment Tasmania (nre.tas.gov.au)
- Further assessment of Burrowing Crayfish will be required should the design of the subdivision be altered and/or as blocks are developed.

In this manner, the proposal complies with P1 for this Standard.

STATUTORY IMPLICATIONS

Land Use Planning and Approvals Act 1993

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

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

Local Government (Building & Miscellaneous Provisions) Act 1993

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

STRATEGIC IMPLICATIONS

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

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

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

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

COMMENT

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

It is considered that the proposed subdivision complies with either the acceptable solution or satisfies the performance criteria for all applicable standards of the Planning Scheme. The proposal makes efficient use of an irregularly shaped rural residential lot taking into consideration the landslip hazard, creeks and threatened species present on the site. Each of the proposed lots contain a suitable building area clear of setback requirements from title and zone boundaries and waterways. The proposed road layout is considered to be suitable for the anticipated traffic volume generated by the subdivision.

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

MOVED BY	CR HYLAND
SECONDED BY	CR DUNIAM

That Council, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Waratah-Wynyard Interim Planning Scheme 2013*, grant approval for a Staged Subdivision (2 into 8 lots & road extension) at 108 McKays Road, 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 Plan with Reference Number 47180-1E as prepared by PDA Surveyors and dated 14 April 2022.**
 - b. Proposal Plan with Reference Number 47180-1F as prepared by PDA Surveyors and dated 30 May 2022.**
 - c. Site classification report with Project Number 7800 as prepared by Environmental Service and Design and dated 19 May 2021.**
- 2. The development is to be in accordance with the recommendation contained in the Geotechnical Investigation and Landslide Risk Assessments with Reference Numbers TG21084/1 as prepared by David Gibbons of Tasman Geotechnics and dated 25 May 2021 (Stage 2) and TG21084/2 as prepared by David Gibbons of Tasman Geotechnics and dated 2 August 2022 (Stage 1).**
- 3. The development is to be in accordance with the submitted Bushfire Hazard Management Plans as prepared by Scott Livingstone of Livingstone Natural Resources Services and dated 21 April 2022 (Stage 1) and Micheal Wells of EnviroPlan Australia and dated 26 May 2022 (Stage 2).**
- 4. All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.**
- 5. Construction of civil engineering work associated with the development is to comply with the requirements of Council's Policy PR003 – Standard requirements for the construction of new infrastructure assets and the replacement of existing infrastructure assets.**
- 6. Relevant engineering plans, specifications, calculations and computations are to be prepared or certified by a Chartered Professional Engineer and submitted to the Director Infrastructure & Development Services for approval. No work is to commence until a Construction Certificate has been issued by the Director Infrastructure & Development Services.**

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7. On completion of work covered by a Construction Certificate a Chartered Professional Engineer is to certify by declaration that all work has been carried out fully in accordance with the approved plans, specifications, calculations and computations. "Works as Constructed" drawings that comply with the requirements of Council's "Submission of digital-as-constructed information" template are to be supplied
 8. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
 9. A Final Survey Plan submitted for sealing by the Council is to show all easements required for powerlines, sewerage, water, drainage purposes and legal access.
 10. A twelve (12) month maintenance period is to apply to all works within the development which are to become Council infrastructure.
 11. A maintenance bond of 5% of the cost of the civil works as approved by the Director Infrastructure & Development Services is to be lodged with Council prior to:
 - (a) the issue of the Maintenance Period Commencement document; or
 - (b) prior to the sealing of the Final Survey Plan.
 12. Before sealing of the Final Plan, all disturbed surfaces on the land except those set aside for roadways, footways and driveways are to be covered with topsoil and seeded and, where appropriate, re-vegetated and stabilized to the reasonable requirements of the Director Infrastructure & Development Services.
 13. A driveway with a sealed surface is to be constructed from the edge of the bitumen surfaced pavement of the internal subdivision road to the property boundary of Lots 1 to 8 in accordance with Tasmanian Standard Drawing TSD-R03-v3, Rural Roads Typical Property Access & TSD-R04-v3, Rural Roads Typical Driveway Profile and the conditions in a "Activity in Road Reservation Permit".
 14. The developer is to realign the existing driveways for 103 and 107 McKays Road to match into the internal subdivision road. These driveways are to be constructed to the same specification as described in condition 13.
 15. All new vehicular accesses are to be located in accordance with Tasmanian Standard Drawing TSD-RF01-v3, Guide to Intersection and Domestic Access Sight Distance Requirements and be approved by the Director Infrastructure & Development Services.
 16. Loading and un-loading of vehicles is to be confined to within the boundaries of the property.
 17. Cross road culvert pipes are to be provided at low points in the road alignment and at intervals no greater than 200 metres. The culvert spacing is to be reduced to 100 metre intervals where the longitudinal grade of the road exceeds 10 %.
 18. Cross road culverts are to be of minimum size 300 mm in diameter and designed to cater for a 1 in 20-year ARI storm with provision for a major overflow path for a 1 in 100-year ARI storm.
 19. Before site disturbance or construction commences an environmental management plan is to be prepared and submitted for approval by the Director Infrastructure & Development Services. The plan is to outline proposed practices in relation to:

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- (a) Temporary run-off and erosion controls, which are to be installed before the development commences. Controls are to include, but are not limited to:

 - (i) Minimisation of site disturbance and vegetation removal;
 - (ii) Diversion of up-slope run-off around cleared and/or disturbed areas, areas to be cleared and/or disturbed or filled providing such diverted run-off does not cause erosion and is directed to a legal discharge point;
 - (iii) Installation of sediment retention traps (e.g. sediment fences, etc.) at the down slope perimeter of a disturbed area or stockpile to prevent unwanted sediment and other debris escaping from the land;
 - (iv) Rehabilitation of all disturbed areas as soon as possible.
 - (b) Weed management.
 - (c) Storage facilities for fuels, oils, greases, chemicals and the like.
 - (d) Litter management.
 - 20. Erosion control measures are to be maintained at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development. 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.
 - 21. A 15 metre wide road reservation, with lot boundaries splayed where necessary is to be provided and shown as "Road" on the final survey plan lodged for sealing.
 - 22. The road reservation is to be widened to a minimum of 25 metres in accordance with Tasmanian Standard Drawing TSD-R08-v3, Urban Roads Cul-De-Sac Turning Heads with lot boundaries splayed where required to accommodate a vehicular turning area and shown as "Road" on the final survey plan lodged for sealing.
 - 23. The road is to be of compacted crushed rock pavement, designed in accordance with the Austroads Pavement Design Guidelines, with a sealed pavement width of 5.5 metres and a minimum total pavement thickness of 300mm plus a minimum two coat bitumen spray coat seal. The road is to incorporate 1 metre wide shoulders of minimum 100mm thickness of compacted crushed rock and minimum 1 metre wide table drains, all in accordance with the Tasmanian Standard Drawing TSD-R02-v3, Rural Roads Sealed. Construction is to satisfy the reasonable requirements of the Director Infrastructure & Development Services.
 - 24. The applicant is to supply and install traffic management devices that include, but are not limited to, signage and line marking in accordance with the suite of AS 1742 standards and which meet the requirements of Department of State Growth. Before a Construction Certificate may be issued, the applicant or their designer is to prepare a set of traffic management drawings that are to be submitted to and approved by Department of State Growth.
 - 25. A court bowl of radius 9 metres and otherwise in accordance with Tasmanian Standard Drawing TSD-R08-v3, Urban Roads Cul-De-Sac Turning Heads is to be provided at the termination of the internal road to facilitate the turning movement of large service vehicles. Construction is to be of equivalent standard to the internal road.

-
26. Underground/overhead power is to be provided to each lot in the development in accordance with the requirements of TasNetworks and LGAT - Tasmanian Standard Drawings and Specifications.
 27. Before the Final survey Plan may be sealed, all conditions of this permit are to have been completed.
 28. Before site disturbance or construction commences, a plan of management is to be prepared and submitted for approval by the Director Infrastructure & Development Services. The plan is to provide relevant project management information and outline proposed construction practices, including, but not limited to:
 - (a) Contact details for principal, consultants and contractors including afterhours numbers;
 - (b) Traffic management plan including road works signage;
 - (c) Proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on site);
 - (d) Identification of potentially noisy construction phases, such as operation of rock-breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;
 - (e) Site facilities to be provided; and
 - (f) Procedures for washing down vehicles to prevent soil and debris being carried onto the street.

PART B CONDITIONS:

1. The person responsible for the activity must comply with the conditions contained in Schedule 2 of Permit Part B which the Regulated Entity (trading as TasWater) has required the planning authority to include in the permit, pursuant to section 56Q of the Water and Sewerage Industry Act 2008, reference TWDA 2022/01284-WWC (attached).

Notes: -

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

- An “Activity in Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
- This project must be substantially commenced within two years of the issue of this permit.
- This permit is based on information and particulars set out in Development Application SD 2134. 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*.
- If any Burrowing Crayfish are likely to be impacted by the proposal, a permit to take under the *Threatened Species Protection Act 1995* and/or the *Nature Conservation Act 2002*, respectively, will be required. Please note that the processing of permit applications may take up to four weeks. Information on applying for a permit, including application forms, can be found on the NRE website: Permit to Take Threatened Species

(for Consultants & Development-related Activities) | Department of Natural Resources and Environment Tasmania (nre.tas.gov.au)

- Further assessment of Burrowing Crayfish will be required should the design of the subdivision be altered and/or as blocks are developed.
- 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.
- A further fee is required for the signing and sealing of Final and Strata Plans. Please refer to Council's website for current Planning fees.
- Prior to Sealing of the Final Plan of Survey, the developer must obtain a Consent to Register a Legal Document from TasWater and the certificate must be submitted to Council as evidence of compliance with the Part B Conditions of the Planning Permit. The application form for this consent document can be obtained from the TasWater website <http://www.taswater.com.au/Development/Forms>.
- Under Section 61 (4) of the *Land Use Planning and Approvals Act 1993*, the applicant has the right to lodge an appeal against Council's decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to the Tasmanian Civil & Administrative Tribunal (TASCAT), G.P.O. Box 2036, Hobart, 7001 (<mailto:resourceplanning@tascat.tas.gov.au>). Updated Notices of Appeal are available on the Tribunal's website at <https://www.tascat.tas.gov.au/>.

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH		CR BRAMICH	CR COURTNEY
CR DUNIAM	CR EDWARDS		CR HYLAND

AGAINST

	CR BRADLEY		

PLANNING AUTHORITY CLOSED AT 7:14 PM

The Manager of Development & Regulatory Services left the meeting at 7:14PM.

7.0 MATTERS RAISED BY COUNCILLORS

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

7.1.1 CR EDWARDS - OLDINA RESERVE

QUESTION

Cr Celisa Edwards asked that the motion regarding Oldina Reserve be finalised, and advice be given to Mr Hutchinson.

OFFICERS RESPONSE

At the June 2022 meeting of Council, it was resolved that:

Council:

- 1. Note the feedback on the draft Oldina Forest Reserve Concept Plan; and**
- 2. Facilitate a stakeholder group to consider future use of the Oldina Forest Reserve.**

As Oldina Reserve is not owned or managed by Council, officers have sought permission from Sustainable Timbers to proceed on this basis. This permission has been received and formation of the group can commence.

Councillors will be appointed to a stakeholder group at the November meeting of Council to progress discussions.

7.1.2 CR HYLAND - COUNCIL MEETING PROCEDURES

QUESTION

Cr Kevin Hyland asked if Council Meeting procedures could be reviewed and in particular the rules regarding public question time given recent accusations made without proof at the last few council meetings.

OFFICERS RESPONSE

Council Meeting Procedures are reviewed after each election and are scheduled for review early in the new year.

7.1.3 CR BRAMICH - FUTURE WORKSHOP

QUESTION

Cr Gary Bramich asked that the use of florescent paint for line marking on roads be investigated and discussed at a Councillor Workshop after the election.

OFFICERS RESPONSE

A workshop will be scheduled next year should there be an appetite from the new council to do so.

7.2 COUNCILLOR QUESTIONS RECEIVED IN WRITING

Nil received.

7.3 COUNCILLOR QUESTIONS WITHOUT NOTICE

7.3.1 CR EDWARDS - WHYTE HILL SIGNAGE

Cr Edwards queried the date that signage will be installed at the Whyte Hills Lookout Site
The Director of Community & Engagement took the question on notice.

8.0 NOTICE OF MOTION

8.1 CR A COURTNEY - FIN FARM FISHING FORUM

Enclosures: Nil

BACKGROUND INFORMATION

Councillors would have noted my questions at the previous council meeting regarding a request to facilitate a public forum regarding fin fish farming.

I realised after the meeting that I should have put this request as a motion to seek the support of the whole council on this important environmental matter.

I therefore ask that councillors support the motion.

OFFICERS COMMENT

Councillors have previously raised the matter of salmon/fish farming and, in summary noted:

- At this time Council has not formed any opinion or position on the matter nor is it fully informed and educated on the subject.
- It should be noted that Council has no formal authority in relation to marine based fish farms and any involvement would be limited to advocacy.
- Council will not be facilitating or coordinating any public discussions or forums on the subject at this time, nor seeking a formal position on the matter.
- Interested members of the community are suggested to direct their advocacy and questions to the State and Federal government.
- Individual councillors will participate as they wish as members of the community, and it is at their discretion whether they disclose any personal views on the subject.

This motion calls for the State Government to coordinate a forum, not Council, and therefore is in line with Council's position on the subject.

It is questionable when it would be the most appropriate time for an information forum. According to the Federal Government, "a research trial is proposed for Bass Strait for a period of 3 years followed by a review and will incorporate consultation on any longer-term arrangements. It will examine the environmental, economic and operational feasibility of offshore aquaculture focusing on salmon and exploring other opportunities such as seaweed farming systems".

A properly conducted, independent research trial will provide all parties with evidence to determine a long-term position on this matter. It will allow for evidence-based decision making.

Council and the community should seek regular updates as to progress of the trial and at the completion of the trial information forums will be important; this would be the most appropriate time for this to occur.

MOVED BY	CR COURTNEY
SECONDED BY	CR DUNIAM

That Council request that the state government facilitate a forum in Burnie regarding fin fish farming before the end of the year.




The MOTION was put and was CARRIED.

IN FAVOUR

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

9.0 REPORTS OF OFFICERS AND COMMITTEES

9.1 FUTURE USE OF BALLAD AVENUE RECREATION RESERVE WYNYARD (PID 187575)

To:	Council
Reporting Officer:	Manager Recreational Planning and Environment
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	25 July 2022
File Reference:	187575
Enclosures:	<ol style="list-style-type: none">1. Ballad Avenue Recreation Reserve - Options Paper 2. Ballad Avenue - All Feedback 3. Ballad Avenue - Feedback Themes 

PURPOSE

This report provides an update to Council on progression of the concept of establishment of an off-leash dog park and freedom camping in Wynyard, as per the 2022/23 Annual Plan.

BACKGROUND

Following a public consultation process, Council at its meeting held 21 April 2021, resolved to proceed with the sale of 0 Ballad Avenue. Before determining the most appropriate disposal method, Council authorised the General Manager to undertake an expression of interest process for the sale and development of the land for residential purposes.

Informal advice was then received from the Wynyard Landcare Group (via a Facebook post) to advise the site contained protected species, Eucalyptus Brookeriana. Subsequently council officers obtained an environmental assessment from a third-party.

This resulted in Council resolving at its 15 November 2021 to:

1. Note the Flora and Fauna Assessment Report for 0 Ballad Avenue, Wynyard;
2. Instruct Council Officers to register the natural values identified at the site with the Department of Primary Industries, Parks, Water and Environment (DPIPWE) to inform future development compliance;
3. Instruct Council Officers to continue to undertake appropriate weed containment management measures to prevent the spread and future occurrence of controlled weeds; and
4. Defer the expression of interest for sale or development of the land for residential purposes in order to undertake an assessment into the site's suitability for other public recreational uses whilst preserving the natural values identified in the flora and fauna assessment.

At the same time, Council through its adoption of the 2022/23 Annual Plan and Budget Estimates, have committed to providing an off-leash dog park and freedom camping site in Wynyard. Previous attempts to identify a suitable site for either recreation use has not been successful.

Given the circumstances regarding the deferment for the sale of Ballad Avenue Reserve, Council engaged an independent consultant to check the compatibility of the Ballad Avenue site to meet the needs of a dog park and freedom camping area. The findings of this work were tabled at the 21 March 2022 and then released for public comment over a five (5) week

period. The feedback received up to this point was noted at the 20 June 2022 Council meeting.

In July 2022, Council extended an additional opportunity for public comment by contacting neighbouring property owners and tenants directly through both a mail out and letter drop process.

DETAILS

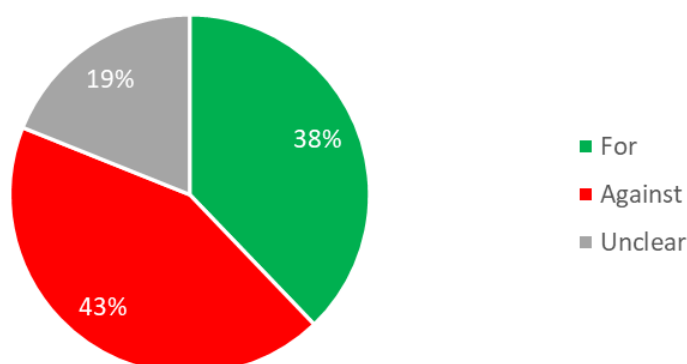
Feedback received on the draft proposal for Ballad Avenue was mixed. Largely speaking, most respondents thought positively about an off-leash dog park and freedom camping in the municipality, however a significant number of respondents queried whether Ballad Avenue Reserve was the best location given it is adjoining a sensitive habitat area, adjacent the primary school and close to residential properties. On the other hand, other respondents suggested it was a good use for the reserve and believed it to meet the needs of future users.

Further feedback highlighted other possible dog park and freedom camping locations for consideration, as some viewed Ballad Avenue as being too far from the main business district; creating accessibility issues for the mobility impaired. The majority of the recommended sites have previously been considered by Council or is privately owned land set aside for residential development.

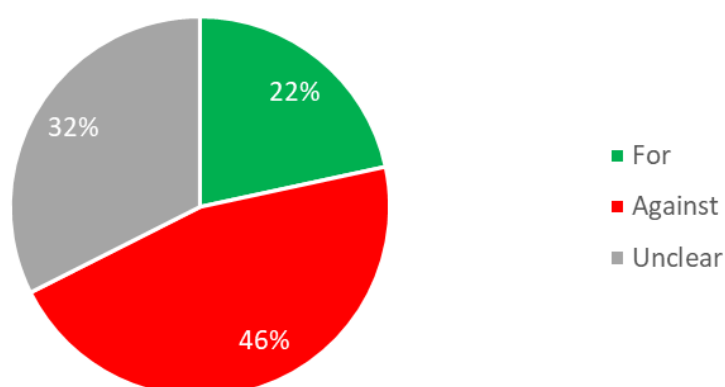
In total, Council received 41 responses across both rounds of consultation for the Ballad Avenue proposal. This figure includes all responses (albeit some individuals submitted multiple times) and also includes the receipt of an unofficial petition (did not meet the minimum requirements for petitions under the *Local Government Act*).

The below graphs summarise the intent of the feedback for the proposed recreation uses at Ballad Avenue. In order for feedback to be categorised, there had to be a clear indication of preference. In the instances where an individual provided multiple responses, their preferences were only counted once. The petition was also counted once (given there was no way to confirm whether there would be a double count of feedback from individuals), however it is noted that there were 30 signatures on this document against the use of Ballad Avenue for a dog park and freedom camping.

Off-Leash Dog Park at Ballad Avenue



Freedom Camping at Ballad Avenue



Upon the close of the consultation process, Council received correspondence from the Wynyard Agricultural and Pastoral Society (WAPS) who indicated their in-principle agreement to the establishment of a freedom camping site and off-leash dog area at the Wynyard Showgrounds. The formalisation of these uses would be subject to certain conditions such as the temporary closure for the Wynyard Agricultural Show and other events. The development at this site would require the reinstatement of the Wynyard Showground Working Group and subsequent agreement for the use of the grounds with the relevant parties.

Progressing with negotiations for a dog park and freedom camping at the Wynyard Showgrounds will align better with the some of the feedback received on the Ballad Avenue Options Paper and provide a new purpose for the showgrounds given cricket have indicated they will move to the recreation ground as part of the Wynyard Sports Precinct Master Plan. There is a risk when proceeding with this option that a successful negotiation cannot be achieved between Council, the WAPS (land lessee) and Crown Land Services (the landowner), preventing council from achieving the delivery of a dog park or freedom camping site in Wynyard as per the 22/23 Annual Plan commitments.

Progression of the Ballad Avenue concept will be deferred until further exploration of an alternative dog park and freedom camping site at the Wynyard Showgrounds is completed. This will allow the new Council to make a fully informed decision.

It is critical that the timing of these negotiations is undertaken in a timely manner so that establishment of infrastructure at Ballad Avenue can be completed this financial year if so determined.

STATUTORY IMPLICATIONS

Statutory Requirements

Activities that qualify as “accommodation” under the Waratah-Wynyard Planning Scheme, such as freedom camping, will require the approval of a planning permit regardless of the site selected. Therefore, the establishment of a freedom camping site will be subject to the assessment of a development application and may entail further consultation if required within the Planning Scheme.

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

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.
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

A field inspection conducted on 6 October 2021 confirmed the presence of protected flora and fauna on and nearby the Ballad Avenue parcel of land. Two patches of the threatened vegetation community wet Eucalyptus Brookeriana Forest were identified and must remain undisturbed during any future development of the land.

The land is also considered potential foraging habitat for the spotted-tail quoll and Tasmanian devil but provides limited shelter and denning habitat. The two species have previously been recorded within 500m of the titles, and the titles are likely included in the range boundaries of any individuals in the area. No signs of quolls or devils, such as scats, were observed on this subject parcel of land. It is expected that any future use or development on the site will have a low risk of impacting both species.

The swift parrot has previously been recorded within 500m of the land, and there is vegetation in the surrounding landscape that may provide suitable nesting habitat for the species. Any future development or use of the land may impact the foraging habitat of the swift parrot and therefore must give regard to the *Threatened Species Protection Act 1985* and the *Environmental Protection and Biodiversity Conservation Act 1999*. Any future use or development on the titles should also involve a survey for the Broadclip Bird-Orchid (*Chiloglottis trapeziformis* and *Chiloglottis valida*).

The proposed provision of an off-leash dog park and freedom camping were indicated in the grassed areas of the reserve only and maintained existing vegetated habitat areas. Future consideration could be given to additional habitat corridors connecting with surrounding vegetated areas. The proposal suggested minimal disturbance of the existing vegetation and works would be designed around any known threatened flora or fauna species.

There is a risk that the proposed recreational uses of Ballad Avenue could result in accidental or wilful damage to the habitats due to roaming dogs, clearing of trees, and lighting of campfires. The risks attached with these activities could be mitigated through interpretive signage, strong communications and increased compliance inspections/presence. Council would also have the ability to close down either site at any time should there be an increase in these activities. It is also acknowledged that these damaging activities could occur at any time, particularly as there is little use of the reserve and therefore limited passive surveillance.

FINANCIAL IMPLICATIONS

Council has allocated \$171,200 towards the establishment of a Dog Park and Freedom Camping Site as part of its 2022/23 Annual Plan and Budget Estimates. Additionally, \$39,207 can be carried forward from previous years, amounting to a total \$210,407 available for construction.

The development of Ballad Avenue will require careful design to ensure avoidance of vegetated areas and threatened species. The scope of the development includes dog park fencing, connecting walking trails, bin/s, signage, car parking and road access. It is estimated the development of Ballad Avenue for the purposes of an off-leash dog park and freedom camping site will cost approximately \$188,030 to construct. This provides a \$22,377 buffer for council overheads and a contingency allowance.

Alternatively, the development of the Wynyard Showgrounds for the construction of an off-leash dog park and freedom camping area is expected to cost in the vicinity of \$30,000-\$50,000, depending on the scope of the work. Construction at this site is expected to be more economical and quicker as most of the infrastructure is already in place.

RISK IMPLICATIONS

Should Council proceed with the proposed development of a dog park and freedom camping site at Ballad Avenue Reserve, there is a risk that some users cause damage to the

surrounding sensitive areas as discussed within this report. This can be mitigated through the installation of interpretive signage, strong communications and increased compliance inspections/presence. Council would also have the ability to close down the site at any time should there be an increase in these activities.

Should Council proceed with the negotiations for the development of a dog park and freedom camping site at the Wynyard Showgrounds, there is a risk that an agreement cannot be reached for the use of the land for these purposes and Council will not be able to deliver on its commitment to provide a dog park and freedom camping during 2022/23. This can be mitigated by establishing a completion date for negotiations. The deferment of a decision for Ballad Avenue will also reduce the risk of not delivering on a dog park or freedom camping site.

CONSULTATION PROCESS

Public comments were invited on the proposal for the Ballad Avenue Recreation Reserve and the feedback provided has been included as an attachment to this report.

Relevant stakeholders will be consulted as part of any construction works, as appropriate.

CONCLUSION

It is therefore recommended that Council note the status of this project and defer consideration of alternative recreation options, development or sale of 0 Ballad Avenue, Wynyard (PID 187575), until further exploration of an alternative dog park and freedom camping site at the Wynyard Showgrounds is completed

MOVED BY	CR DUNIAM
SECONDED BY	CR HYLAND

That Council note the status update regarding future use of Ballad Avenue Recreation Reserve

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.2 BOAT HARBOUR BEACH MASTER PLAN - ANNUAL UPDATE

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	30 August 2022
File Reference:	004.01
Enclosures:	Nil

PURPOSE

The Boat Harbour Beach Master Plan (Master Plan) was developed to address community expectations and provide a strategic plan for the area. This report reviews the status of the Master Plan.

BACKGROUND

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

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

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

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

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

- (a) Overall vision for the township based on key directions;
- (b) Develop clear objectives for the future development and character of the town including planning scheme requirements;
- (c) Consider and detail the key environmental constraints of the township;
- (d) Consider and detail key infrastructure constraints including car parking and access;

- (e) Establish a plan to improve the quality of the area available for public open space, including pedestrian access, BBQ facilities and play equipment;
- (f) Identify a settlement boundary having regard to key land constraints and values; and
- (g) Consider future details work that may be necessary to support implementation.

Extensive public consultation and engagement with key stakeholders was undertaken and the strategic directions identified through the process have guided the preparation of the Master Plan with feedback shaping the final proposal.

The final Boat Harbour Beach Master Plan was endorsed by Council in August 2019 with a working group made up of Councillors, Officers, Boat Harbour Surf Life Saving Club members and members of the public then established to progress the Master Plan.

The Boat Harbour Beach Master Plan can be accessed on the Council's website:

<https://www.warwyn.tas.gov.au/governance/strategies-and-plans/>

DETAILS

To date, work on this project includes:

Reports Completed / Tenders Awarded

- Coastal Engineering and Geotechnical Assessments and recommendations (for seawall and potential reclamation)
- Road and infrastructure design
 - Design review in progress
- Seawall Design
 - Planning consultant engaged
 - Aboriginal Heritage study completed
 - Natural Values assessment completed
- Surf Club / Community facility
 - Architect engaged to develop detailed concept (DA stage)
 - Planning consultant engaged
 - Traffic consultant engaged (TIA)
 - Quantity Surveyor engaged
 - Landscape Architect engaged
- Geotechnical Investigation
 - Port Road retaining wall
 - Building foundations
 - Pavement design

Operational Requirements

The working group will provide guidance on operational matters as design work progress on the Master Plan actions.

The Working group will consider the following to present recommendations to Council:

- Building Ownership
- Building Maintenance

Seawall

As previously reported, various approvals are required to permit the replacement of the seawall on the western bay.

The alignment of the seawall needs to carefully balance the desire to provide the necessary space for the re-development of the carparking, roads and open space areas, against the protection of the natural and cultural values of the site.

A preferred alignment has been identified and design work has been completed. The design alignment allows for only the land lost through erosion to be restored, without excessive intrusion into the bay.

Required reports and investigations to support a development application for the project have been completed. Officers are currently seeking an “Approval to Lodge a Development Application” from Parks and Wildlife Tasmania, with the lodgement of the Development Application to follow.

Community Building

A concept plan for the community building was prepared in 2021 and shared with the community.

Following feedback, an Architect has been engaged to progress the concept plan to a suitable level of detail to support a development application for the building and associated civil works and landscaping. Supporting the architect are a planning consultant, traffic engineer and landscape architect.

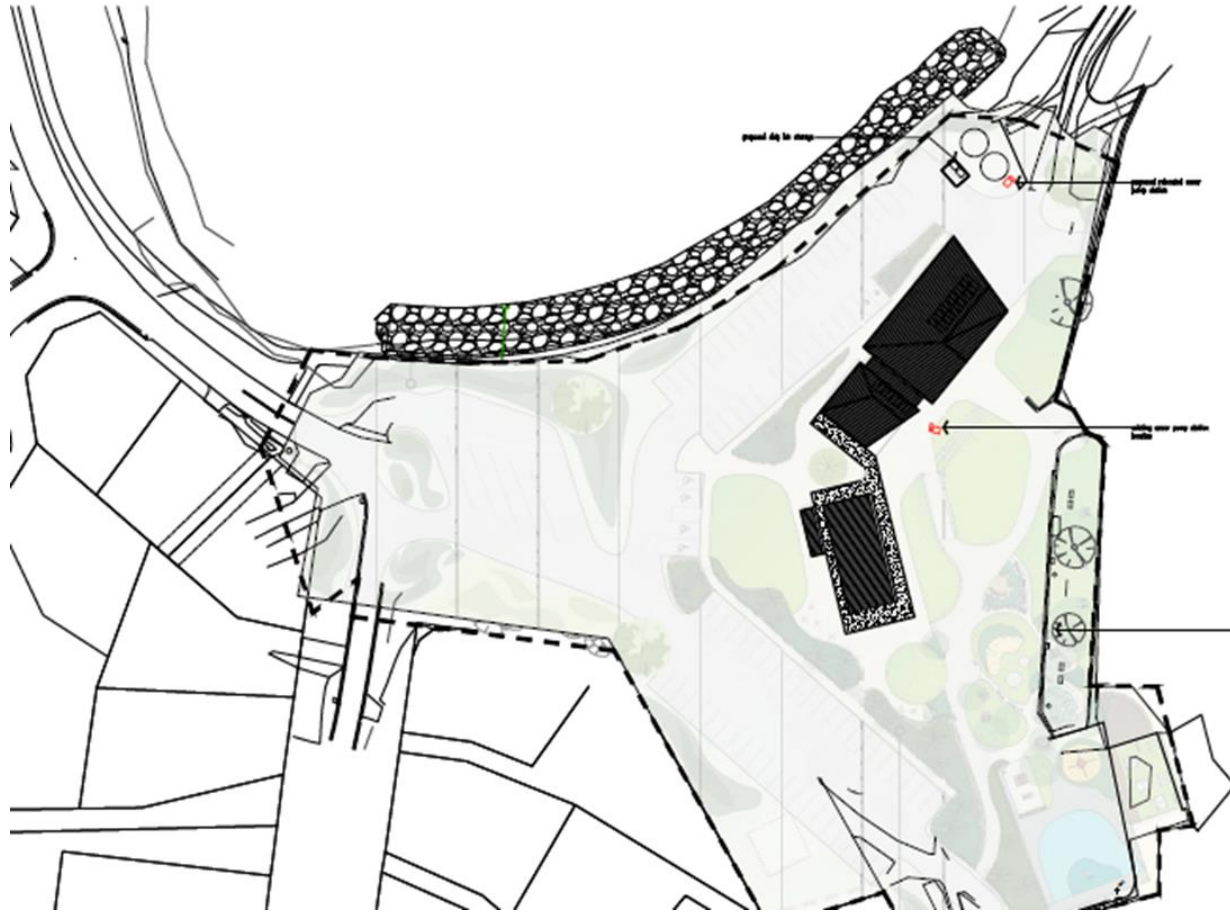
The Landscape architect will develop a detailed plan for the landscaping element proposed, this will include the play spaces. An initial concept is presented below.

The Working Group has met with the Architect to review the original concept design. A focus of the design review is the functionality of the internal layout and external appearance of the building.

A development application is expected to be lodged for the project in coming weeks.

PRELIMINARY DESIGN

Site Overlay



Artist Impression – from beach





Artist Impression – from road



Landscape concept





Additional Planned Activities

Other ongoing activities include:

- Continuing to work with Parks to review all leases/licenses in the area.
- Reviewing existing infrastructure to ensure complimentary projects that support this project are considered in unison.
- The development of a plan for a walking track to the west.
- Development of a signage strategy for the area – update and improve existing in line with Council Branding Strategy, review opportunity for additional cultural / historical / environmental signage on walking tracks.

In addition to the works discussed above, progress is being made regarding a concept design for a replacement of a retaining wall on the west side of Port Road, Cummings Street to the north.

STATUTORY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

Sustainable Murchison Community Plan 2040

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

ENVIRONMENTAL IMPLICATIONS

Environmental considerations are a key focus of all planning and design for the Master Plan. All required reports and investigations have been/will be obtained. The design of the building will incorporate contemporary sustainable design principles.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Key to progressing the Boat Harbour Beach Master Plan is the sourcing of external funding to support Council budget allocations. To date \$4.5m has been secured for the project through an election commitment from the Federal Labor Government.

At this time initial cost estimates have been obtained for the purposes of developing plans and seeking funding. Full costings will be prepared for consideration when final design is completed.

The Boat Harbour Beach Master Plan has been allowed for in Councils Financial Management Strategy (FMS), with Council contribution to the project included as \$3.675m over the 2023-24 and 2024-25 financial years. It is assumed in the FMS that 50% of the capital expenditure is expected to be funded with government grants and 50% to be funded from Council reserves. Council will continue to pursue additional capital co-funding for the project from the state governments with the view to delivering the Master Plan over the next 4 years.

The Western Seawall is included separately in the 2022/23 capital budget.

RISK IMPLICATIONS

In respect to the seawall, considerable work has progressed to ensure that all legislative requirements are met, particularly related to environmental matters.

While there is already a high level of support for the Master Plan in the community, when/if the seawall is approved to proceed, community consultation will be critical to address concerns that parts of the community will have about the environmental impacts of this project.

A concept design has been developed and will be shared with the BHB community in due course for information.

CONSULTATION PROCESS

There was extensive public consultation during the development of the Master Plan, with two rounds of consultation occurring. Following the adoption of the Master Plan, Council established a working group to drive the project. The working group includes key stakeholders, community members, elected members and staff.

The working group will continue to be key conduits of information to the community. The display of information at the Boat Harbour Beach Surf Club and on Council's various platforms will enable the community to be informed of progress.

CONCLUSION

It is recommended that Council note the update on progression of implementation of the review of the Boat Harbour Beach Master Plan.

MOVED BY	CR EDWARDS
SECONDED BY	CR DUNIAM

That Council note the annual status update on the progress of the Boat Harbour Beach Master Plan.

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.3 OPEN SPACE, SPORT AND RECREATION PLAN - ANNUAL UPDATE

To: Council
Reporting Officer: Executive Officer
Responsible Manager: General Manager
Report Date: 17 May 2022
File Reference: 2021 09 30
Enclosures: Nil

PURPOSE

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

BACKGROUND

The Open Space, Sport and Recreation Plan was a major planning initiative to provide an evidence-based long-term direction for the planning and management of the open space networks, including recreational and sporting grounds, and associated community facilities in both the Waratah-Wynyard and Circular Head Municipal Areas for a ten-year period from 2017 to 2027.

The Plan provides:

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

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

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

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

DETAILS

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

Council is now six years into its ten year plan. Of the 150 recommendations made in the OSSR Plan, 134 (90%) have now been completed/actioned or have become standard business practice.

Progress and actions in the last year include:

1. New Settlement Strategy adopted which includes recommendations for management of public open space.
2. Wynyard Waterfront and Environs Masterplan projects have been completed with the Multi-Purpose Community Facility (incorporating the Wynyard Yacht Club) now operational and only minor landscaping works to be finalised.
3. The East Wynyard Playground and toilet has been completed and works have commenced on car parking and boardwalks.
4. The Cardigan Street Soccer Ground master plan is complete.
5. Boat Harbour Beach Masterplan planning, and design will have a D/A lodged in the coming weeks.
6. Staff continue to work with Wynyard High School and key stakeholders on the Wynyard Sporting Precinct.
7. Grant received for upgrade to Table Cape Lookout and walkway to Lighthouse. The upgraded parking infrastructure component of the project has been completed.
8. Council Signage Strategy completed. New signs have been installed at most Council facilities and sites.
9. Freedom Camping site has been established at Myalla which will be open for use in coming weeks.
10. Public Toilets throughout the entire municipal area have been upgraded.
11. The All-Ability Playground at ANZAC Park is under construction and expected to be in use by summer
12. Remediation of Camp Creek completed.
13. Working with State Growth to provide connecting footpath between Cam River Reserve and ANZAC Park via a pedestrian underpass on the new bridge.
14. Replacement of line marking at the Somerset Indoor Sports Centre

Multi-Purpose Facility



Table Cape Parking Infrastructure Upgrade



New Signage



Somerset Recreation Ground



Public Toilets



Key actions included in Annual Plan and Budget Estimates for delivery in 22/23:

1. Construction of ANZAC Park Playground and car park upgrade – complete by November.
2. Repairs to western seawall at Boat Harbour Beach – D/A expected to be lodged in November/December for works.
3. Ongoing work on coastal pathway Cooee to Wynyard.
4. Progression of further Cam River Masterplan actions.
5. Opening of Somerset Community Hub.
6. Waratah Falls walk to be progressed.
7. Construction of Waratah Pedestrian Bridge to be progressed.
8. Implement actions from Fossil Bluff Plan in conjunction with Landcare.
9. Implement Public Camping Strategy and practices.
10. Finalise detailed design for components of the Wynyard Sports Precinct
11. Install cricket infrastructure at the Wynyard Recreation Ground
12. Public Toilet to be established in Yolla.
13. Establishment of a Dog Park in Wynyard.
14. Work with Sustainable Timbers Tasmania and the community to develop a plan for the Oldina Reserve.
15. Solar lights at four boat ramps to be installed.
16. Internal heating and lighting upgrades at the Wynyard Squash Centre
17. Undertake an options study to improve the Inglis River walking track
18. Undertake additional boundary fencing at Langley Park, Somerset

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
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.

Council Strategy or Plan Reference

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONSULTATION PROCESS

There was no consultation undertaken in relation to this report.

CONCLUSION

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

MOVED BY	CR DUNIAM
SECONDED BY	CR EDWARDS


That Council note the annual status update on the progress of the Open Space, Sport and Recreation Plan 2017-2027.

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.4 FOSSIL BLUFF AND SURROUNDING TRAILS MASTERPLAN - ANNUAL UPDATE

To: Council
Reporting Officer: Contracts and Administration Officer
Responsible Manager: Director Infrastructure and Development Services
Report Date: 18 August 2022
File Reference: Fossil Bluff and Surrounding Trails Masterplan
Enclosures: 1. Fossil Bluff Action Status Report 

PURPOSE

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

BACKGROUND

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

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

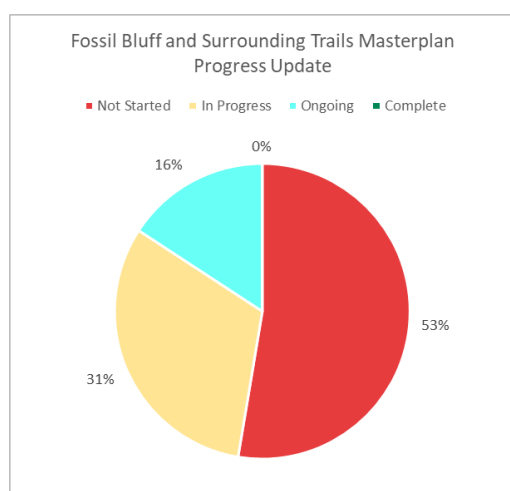
DETAILS

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

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

Of the 19 actions, six are currently 'in progress' and three are 'ongoing' activities embedded into standard business practice. The remaining 10 actions have 'not started' or are not scheduled to commence until later in the five-year plan for Fossil Bluff and surrounds.

Details on progress are shown in the summary graph below.



Planned actions to be delivered during the 2022/23 financial year are:

- Establish a strategy to deal with acts of vandalism against active revegetation efforts in the Fossil Bluff area.
- Consultation with the Parks and Wildlife Service, Crown Land Services and other stakeholders about expanding Council's lease area in Fossil Bluff Reserve to include the Eastern linking trail from Golf Links Road to the lookout.
- Investigate the need for added traffic management to mitigate speeding / hooning issues in the area.
- Work with the palawa liaison and community working group to ensure cultural consideration is included within interpretive signage for the area.

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
3.1 Waratah-Wynyard is a modern community—moving forward but not forgetting where it started.
3.2 We listen and engage with our community in decision making.
3.3 Our natural and built environment aids the community with an active and healthy lifestyle.
Our Priorities
3.1.1 Deliver planning for activation through effective urban design and planning that promotes liveability, social gathering and connectedness, and which recognises and celebrates local history.
3.1.2 Promote and strengthen community safety to retain and attract families to live and recreate in Waratah-Wynyard.
3.2.1 Deliver engagement strategies that adapt to community needs to ensure effective communication and collaboration.
3.3.2 Facilitate activities and events that promote inclusion, health, safety and a sense of place.

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

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

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

There are no policy implications as a result of this report. Any policy created as an outcome of individual projects undertaken as part of the FBMP's recommendations will be subject to the Council's standard Policy approval process.

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

An allocation of \$7,795 was made in the Council's 2022/23 capital budget for the purposes of delivering the Year 1 actions as set out in the Masterplan. The majority of Year 1 actions are investigative and/or collaborative activities with low or no cost in preparation for the remaining four years' activities.

Future activities contained within the Masterplan will be subject to approval through the standard annual planning and budgeting process.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

CONCLUSION

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

MOVED BY	CR DUNIAM
SECONDED BY	CR HYLAND



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

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.5 INTEGRATED COUNCIL ENVIRONMENTAL PLAN (ICEP) - ANNUAL UPDATE

To:	Council
Reporting Officer:	Contracts and Administration Officer
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	2 August 2022
File Reference:	iCEP
Enclosures:	1. iCEP Action Status Report  2. IPCC Climate Summary Report for Policy Makers 

PURPOSE

To provide the annual update on the status of the actions recommended within iCEP.

BACKGROUND

Council's vision for Waratah-Wynyard is a place where 'blue meets green', where the natural environment is shared and enhanced. A place where infrastructure is built to last and fit for purpose; and where a sustainable economy delivers long-term regional and local benefits. A place where all people are supported to enjoy improved health and wellbeing.

Today, climate change poses one of the most significant challenges to that collective vision. In June 2019, Waratah-Wynyard Council joined with many other local governments around Australia to develop a strategic response to climate change. Council's goal was to show leadership in reducing the risks associated with climate change to help 'future proof' a range of local social, economic and environmental values. The result of that work is the Waratah-Wynyard Integrated Council Environmental Plan 2020-2030— or iCEP. The iCEP is:

- A shared vision for the future
- An evidence-based integrated strategy
- A platform for future policy development

The iCEP sets out our key priorities across five areas of Council and community life—Council-led sustainability; community adaptation and resilience; future-ready infrastructure; financial and economic sustainability; and environmental stewardship—so that our residents, workers and visitors alike can enjoy the benefits of a more secure future.

The iCEP was adopted by Council on the 17 August 2020 after a twelve month long combined research, development and consultation period.

DETAILS

Since adopting the iCEP, new research regarding global climate change has become available from the Intergovernmental Panel on Climate Change (IPCC). The latest research, released on 27 February 2022, suggests that global surface temperatures continue to change and increase. Each of the last four decades has been successively warmer than any decade that preceded it since 1850. Global surface temperature in the first twenty years of the 21st Century (2001-2020) was recorded as 0.84 to 1.10 degrees Celsius higher than 1850-1900. With a 1.1 degree increase in global surface temperatures, human-induced climate change is already affecting many weather and climate extremes in every region across the globe. Evidence of observed changes in extremes such as heatwaves, heavy precipitation, droughts and tropical cyclones have strengthened since the last assessment report.

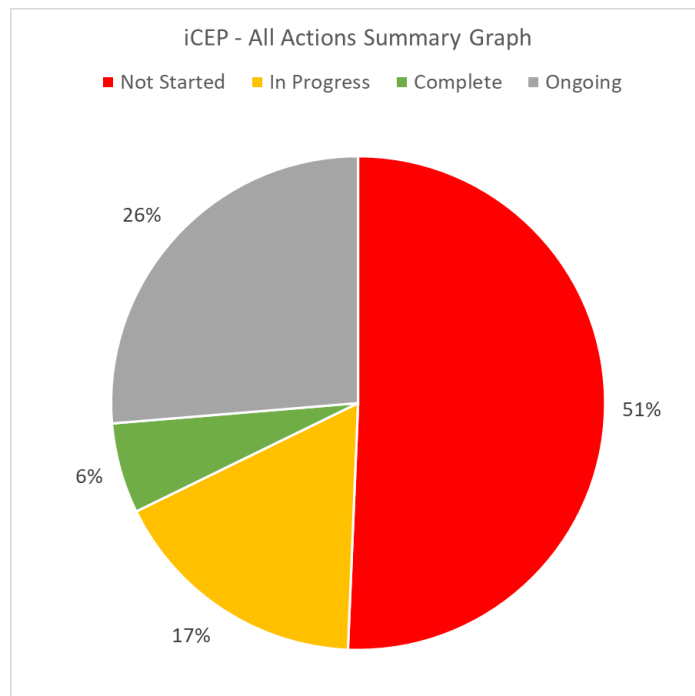
Even if the world rapidly decarbonizes, under all emissions scenarios considered, it is more likely than not that the global surface temperature will reach 1.5°C in the near-term (2021-2040). Additionally, the worst-case scenario predicts that global warming could reach up to 5.0°C in the long-term (2081-2100). Global warming of 1.5°C relative to 1850-1900 would be exceeded during the 21st century under the intermediate, high and very high emissions scenarios. For the best-case scenario (very low emissions), global warming would reach 1.5°C during 2021-2040, and it is predicted that the global surface temperature would then decline back to below 1.5°C toward the end of the century.

Information relating to our climate is constantly updated in light of new scientific evidence and we will continue to review new information as it comes to light. A copy of the summary headlines from the IPCC is attached to this report for further information

The iCEP delivered a series of actions listed against the five themes and Councils nominated priorities. One of those actions required Council to report on progress made on the priorities and actions of the iCEP in Council's Annual Reports.

This report constitutes the second annual update of progress undertaken in relation to the iCEP. A detailed update of the activities undertaken are listed in the table attached to this report.

Of the 152 actions recognised within iCEP, nine of those have been completed and a little over a quarter (40) are recognised as “ongoing” activities embedded into standard business practice. The number of “Not Started” actions have reduced from 56% (85 actions) in 2020/21 to 51% (78 actions) at the end of the 2021/2022 financial year. Further details on progress are shown in the summary graph below.



In addition to the activities noted within the attachment, some activities are undertaken by Council and are in line with the general principles of iCEP and should equally be recognised as part of this update.

The key achievements to note for the previous twelve months and in no particular order, are:

-
1. A Council emissions audit was conducted, and an emissions target has been set to achieve net zero corporate carbon emissions by 2030 with interim targets toward the goal.
 2. The Sustainability and Environmental Advisory Panel (SEAP) has been established, the first meetings to be held in the 22/23 financial year.
 3. Planted approximately 300 trees and shrubs within the municipality.
 4. Adoption of a renewed Dog Management Policy, which prohibits dogs from designated conservation areas.
 5. Conducted a public place recycling bin audit.
 6. Continued implementation of the Waste and Resource Recovery Strategy, including opportunities to include smart technology, continuous improvement in operations and establishment of new rural kerbside collection service beginning in October.
 - a. New waste and recycling services to Lennah Drive and Little Village Lane
 - b. Addition of a recycling service to Waratah.
 7. Continued to work towards eradication of invasive weed species such as gorse and sea spurge.
 8. Establishment of a community “Energy Saver Grants Program”, with \$50,000 being provided to community organisations for energy saving initiatives.
 9. Installation of a solar panel system at the Somerset Indoor Recreation Centre and at the Wynyard Waterfront Multi-Purpose Facility.
 10. Installation of LED lighting into public toilet buildings.
 11. Collaboration with Wynyard Landcare to translocate several species of heathland plants (several of which are rare in Tasmania and some are the only example of their species known in the Wynyard area).
 12. Through the Healthy Tas Project Officer (HTPO), a strong relationship with Farm It Forward in Tasmania has been developed. This will enable volunteers to go to people’s houses and establish their gardens, sharing the produce with the owners, the group and the community.
 13. Provision of face mask recycling at the Wynyard Council Chambers and Warawyn Early Learning Centre.
 14. Continued sustainability efforts at Warawyn Early Learning Centre, including:
 - a. Plastic use is minimised and where soft plastics are used, they are collected and delivered to local drop off centre.
 - b. Utilisation of tank water (collecting rainwater) for plants and garden maintenance
 - c. Work farms added to room programs.
 - d. Sustainability statement added to *Service Philosophy and Mission Statement*
 - e. Children’s artwork using recycled materials displayed in foyer.
 - f. Supported, shared and celebrated a calendar of sustainability events with families and children.

Some of the key activities planned to be delivered during the 2022/23 financial year are:

1. Completion of coastal erosion works at Sisters Beach, Boat Harbour and Anzac Park (Somerset).
2. Sisters Beach estuary works in collaboration with the Sisters Beach Wildcare group

3. Conduct the first meetings of the Sustainability and Environmental Advisory Panel (SEAP), and establish an action plan of core activities for the two-year term.
4. Installation of LED lighting to the Wynyard Squash Centre.
5. Implementation of a fire break at the Ballad Avenue reserve.
6. Continued involvement in the planning reform processes by providing comments on the State Government's draft Tasmanian Planning Policies, State Planning Provisions and Cradle Coast Regional Land Use Strategy. Each of these have a focus on adapting to climate change.
7. Further planning for options to reduce council's carbon footprint, including the addition of Council's first hybrid vehicles.
8. In collaboration with UTAS and the Department of State Growth, host business and industry workshops with a sustainability theme.
9. Review of the Western Emergency Management Plan which will provide an opportunity to embed information on climate change projections and risks.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL
Desired Outcomes
7.1 Council and the community minimise its resource consumption and carbon footprint.
7.2 The community understands its vulnerabilities and strengths when it comes to climate change adaptation and resilience.
7.3 Our natural environment, unique surroundings and community assets are future ready in a changing climate.
7.4 The natural environment is shared, and land use conflict is reduced through sustainable development.
7.5 Stewardship of our land, water and marine ecosystems respects past, present and future generations.
Our Priorities
7.1.1 Divert waste from landfill and build awareness around sustainable waste generation and management.
7.1.2 Advocate for effective environmental management and contribute to regional, state, and national climate change initiatives.
7.2.1 Support and foster community led adaption and initiatives.
7.3.1 Facilitate education and awareness of climate change risks to the community and property owners.
7.4.1 Work with local business and industry to transition to environmentally sustainable operations and identify risk and opportunities from climate change.
7.5.1 Protect, enhance and recover biodiversity through forward thinking and planning.
7.5.2 Mitigate biosecurity risks through landscape restoration and industry collaboration.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
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.
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.
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 directly related environmental implications as a result of this progress update, however actions contained within iCEP are intended to reduce Council's environmental footprint, provide education and access to relevant environmental information, and improve the community's adaptability and resilience to climate related risks.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONSULTATION PROCESS

This report has been developed through consultation with the relevant subject matter experts within Council.

CONCLUSION

It is therefore recommended that Council note the annual status update on the actions contained within the Integrated Council Environmental Plan (iCEP) 2020-2030.

MOVED BY	CR COURTNEY
SECONDED BY	CR EDWARDS


That Council note the annual status update on the actions contained within the Integrated Council Environmental Plan (iCEP) 2020-2030.

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.6 EAST WYNYARD FORESHORE MASTER PLAN - ANNUAL UPDATE

To: Council
Reporting Officer: Contracts and Administration Officer
Responsible Manager: Director Infrastructure and Development Services
Report Date: 18 August 2022
File Reference: East Wynyard Foreshore Master Plan
Enclosures: 1. EWFMP Action Status Report 

PURPOSE

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

BACKGROUND

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

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

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

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

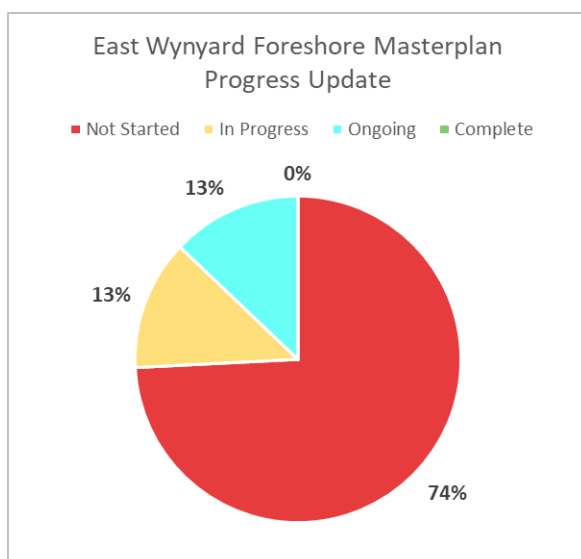
DETAILS

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

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

Of the 31 actions, four are currently 'in progress' and four are 'ongoing' activities embedded into standard business practice. The remaining 23 actions have 'not started' and are not scheduled to commence until later in the five-year plan for East Wynyard. Predominately the activities completed since the adoption of the master plan (during the 2021/22 financial year) involved obtaining the relevant permits and approvals from the landowner and in compliance with the Interim Planning Scheme.

Details on progress are shown in the summary graph below.



Planned actions to be delivered during the 2022/23 financial year are:

- Redevelop and extend the car park adjoining the playground, bringing it forward toward the road to allow a new pathway to be constructed behind it to shared path (2.6m) standard.
- Remove existing boardwalk and replace with 2.6m wide boardwalk using appropriate non-slip materials.
- Planting of specimen trees along length of reserve at strategic locations.

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
3.3 Our natural and built environment aids the community with an active and healthy lifestyle.
Our Priorities
3.3.1 Provide high quality shared and multi-use community hubs that combine a range of recreational, sporting and educational uses.
GOAL 4: Community Recreation and Wellbeing
Desired Outcomes
4.4 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.

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.

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

An allocation of \$714,788 has been made in the Council's 2022/23 capital budget for the purposes of delivering the Year 1 actions as set out in the master plan.

Future activities contained within the master plan will be subject to approval through the standard annual planning and budgeting process.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

CONCLUSION

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

MOVED BY	CR DUNIAM
SECONDED BY	CR HYLAND

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

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.7 QUARTERLY INFORMATION REPORT - COMMUNITY AND ENGAGEMENT

To: Council
Reporting Officer: Director Community and Engagement
Responsible Manager: General Manager
Report Date: 5 October 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

BACKGROUND

The quarterly report is to provide to provide an overview of 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.

MOVED BY	CR DUNIAM
SECONDED BY	CR HYLAND

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

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.8 ANNUAL PLAN UPDATE REPORT 1 JULY 2022 TO 30 SEPTEMBER 2022

To: Council
Reporting Officer: Information Management Officer
Responsible Manager: Director Organisational Performance
Report Date: 7 October 2022
File Reference: Corporate Management - Planning
Enclosures: 1. Monthly Performance Report July - September 2022 

PURPOSE

This report is provided as an update on the Annual Plan progress as at 30 September 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 2022/23 Annual Plan and Budget Estimates on 20 June 2022.

The strategic planning 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.

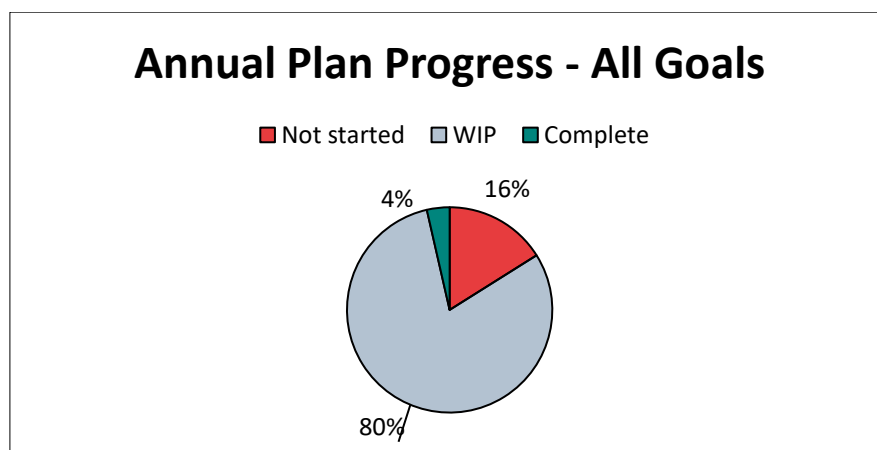
The activities and initiatives included in the Annual Plan and Budget Estimates contribute to achieving the strategic objectives specified in the Strategic Plan.

DETAILS

The **attached** report provides a progress report of actions against the Council's Annual Plan for 2022/23.

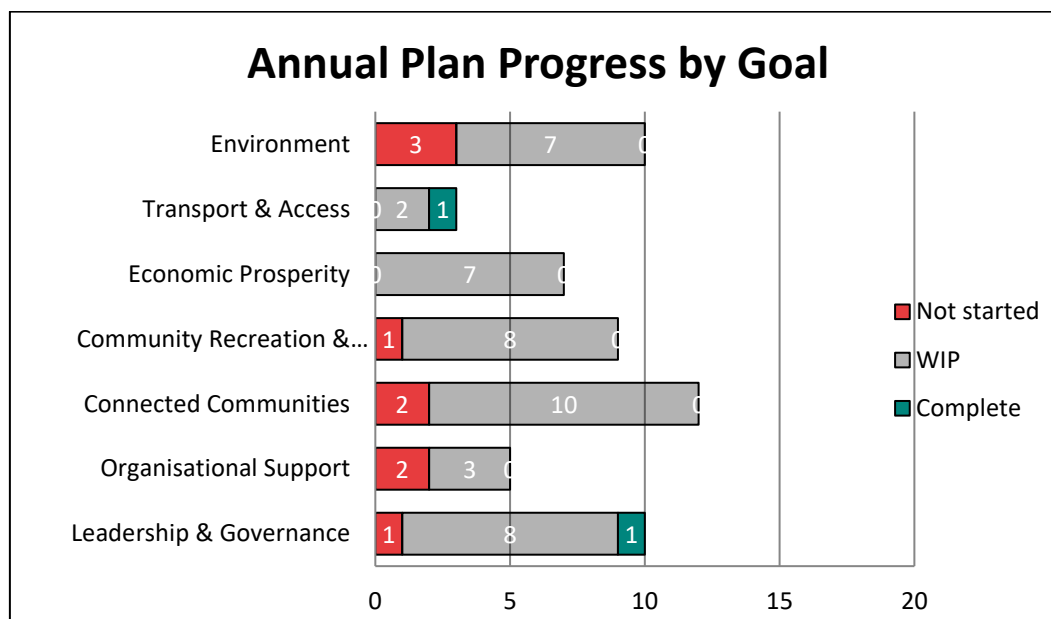
As of 30 September 2022, 45 actions are in progress (80%), 9 have not started (16%), and 2 actions have been fully completed (4%).

There was a total of 56 actions adopted in the Annual Plan and Budget. The below graphs present overall progress of the actions to date.



- 2 actions completed
- 25 actions at least 90% of monthly target
- 7 actions between 70% – 90% complete
- 12 actions at less than 70% complete
- 1 listed as ongoing
- 9 actions not started

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



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	Date Adopted:
Annual Plan and Budget Estimates 2022/23	20 June 2022

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

MOVED BY	CR DUNIAM
SECONDED BY	CR HYLAND


That Council note the Annual Plan Update Report for the period 1 July 2022 to 30 September 2022.

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.9 AUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2022

To: Council
Reporting Officer: Director Organisational Performance
Responsible Manager: General Manager
Report Date: 7 September 2022
File Reference: Financial Management - Reporting - Annual Financial Statements
Enclosures: 1. Audited Financial Report for the Year Ended 30 June 2022
2. Independent Audit Opinion 

PURPOSE

This report is provided to present the Annual Audited Financial Statements to Council for the year ended 30 June 2022.

BACKGROUND

The Annual Financial Statements have been prepared in accordance with the requirements of the *Local Government Act 1993*, the *Audit Act 2008* and relevant Accounting Standards.

The Audit Opinion and the Annual Financial Statements are attached to this report and will be made available on Council's website and for viewing at Customer Services.

DETAILS

The Annual Financial Report comprises four financial statements, together with notes to the accounts. The 'notes' provide additional detail and explanation to the financial statements.

The Annual Financial Statements fully comply with the accounting standards and Council's statutory obligations and have been audited by the Tasmanian Audit Office.

Council is currently in a strong financial position. Over recent years it has improved its underlying operating position, has strong liquidity and cash flow, relatively low debt levels and its asset renewal requirements are being satisfactorily funded.

Council's Financial Performance

It is pleasing to report that Council has recorded an underlying operating surplus of \$0.581m for the year ended 30 June 2022 compared to a budgeted surplus of \$0.315m, a favourable variance of \$0.266m.

Council's Financial Management Strategy continues to guide Council decision making ensuring that financial implications of Council decision-making are informed, sustainable and affordable to the community.

Through careful management, Council continues to have a sustainable operating position with Council having now had six years of operational surpluses.

The table below outlines the main favourable variances which contributed to Council reporting an operational surplus for 2022.

Item	Amount (\$000's)
2021-22 Budgeted Surplus	315
Favorable variances	
Higher supplementary rates income	75
Higher planning fees income	256
Additional waste rates resulting from audit	48
Higher interest income	50
Lower employee costs due to vacancy	92
Delay in the introduction of the State Waste Levy	78
Lower than budgeted depreciation expenditure	41
Unfavorable variances	
Lower than budgeted tulip festival income	(24)
Lower than budgeted childcare fees	(112)
Higher early payment discount for rates	(48)
Lower than budgeted capital overhead recovery due to delayed capital works	(77)
Lower than budgeted plant hire recovery	(32)
Higher waste clearance costs	(34)
Other minor variances	(47)
2021-22 Reported surplus	581

Council's operating income and expenses continue to be more volatile than usual, with the COVID-19 pandemic providing ongoing uncertainty on required Council expenditures.

Council's ongoing underlying operating position remains sustainable, with Council budgeting for a surplus of \$0.491m in 2022-23 and Financial Management Strategy demonstrating the ability for Council to remain sustainable into the future.

Council's Financial Position

Council continues to have capacity to comfortably meet its financial obligations.

The community's net assets increased by \$17.195m to \$280.050m throughout the reporting period due to Council's continued investment in new infrastructure and increases in the fair value of Council community assets including an increase in Council's investment in Tas Water of \$1.156m and \$10.282m in infrastructure asset revaluations.

Council total capital expenditure for the year was \$10.903m compared with \$9.503m in the previous year. The total value of Council property, plant and infrastructure as at 30 June was \$228.260m (\$212.781m as at 30 June 2021). Council's equity investment in Tas Water is valued at \$44.027m.

Council's cash and investments at year-end was \$14.248m. Council's cash balance is subject to several internal and external restrictions that limit amounts available for discretionary or future use. This includes coverage of future commitments for infrastructure renewals,

liabilities and reserve funds. \$1.316m of the funds on hand was restricted and committed to the fulfilment of future grant obligations and funds held in trust. Much of Council's surplus cash is committed to Council's ambitious capital expenditure program for ongoing projects scheduled for completion throughout 2022/23 (\$9.915m).

Council continues to have the capacity to meet its ongoing financial obligations.

Financial Management Strategy & Sustainability Targets

Council's Financial Management Strategy (FMS) is critical to Council's strategic planning process. It underpins Council's long-term financial sustainability while meeting the needs and expectations of our communities in delivering Council's strategic priorities.

Council's financial performance and position for 2021-22 continues to be sustainable and consistent with the objectives and targets set in its FMS.

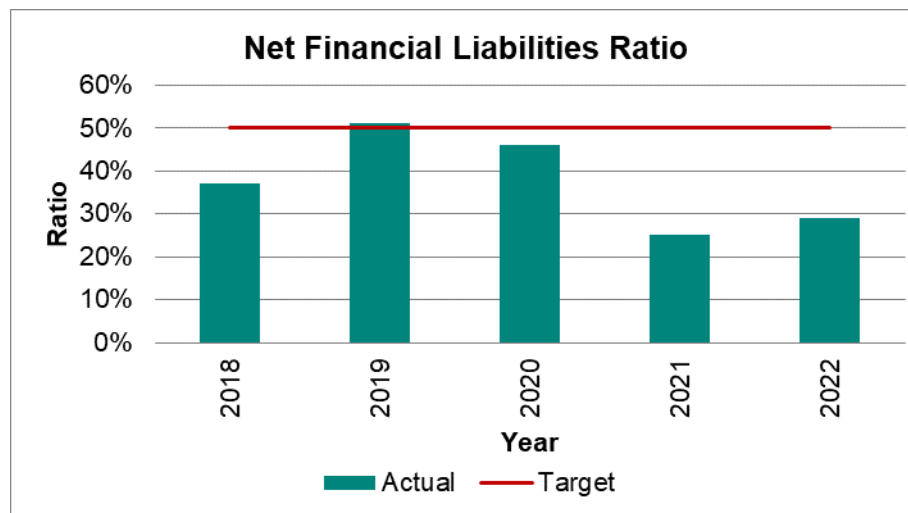
A generally accepted definition of financial sustainability is whether Council has enough financial capacity to meet current and prospective financial requirements. Therefore, to be sustainable, Council needs to have the ability to manage financial risks without adjusting current revenue or expenditure policies radically.

Section 84(2A) of the *Local Government Act*, Local Government (Management indicators) Order (S.R.2014, No. 36) has specified the following indicators of sustainability; the Tasmanian Audit Office has identified benchmarks for each.

Net Financial Liabilities Ratio

This ratio indicates the extent to which Council's financial liabilities could be met by recurrent income. A ratio above 50 per cent represents a low sustainability risk and may indicate that Council is holding cash reserves greater than it needs.

Council's 2021-22 ratio indicates that it is well placed to meet its ongoing financial liabilities.

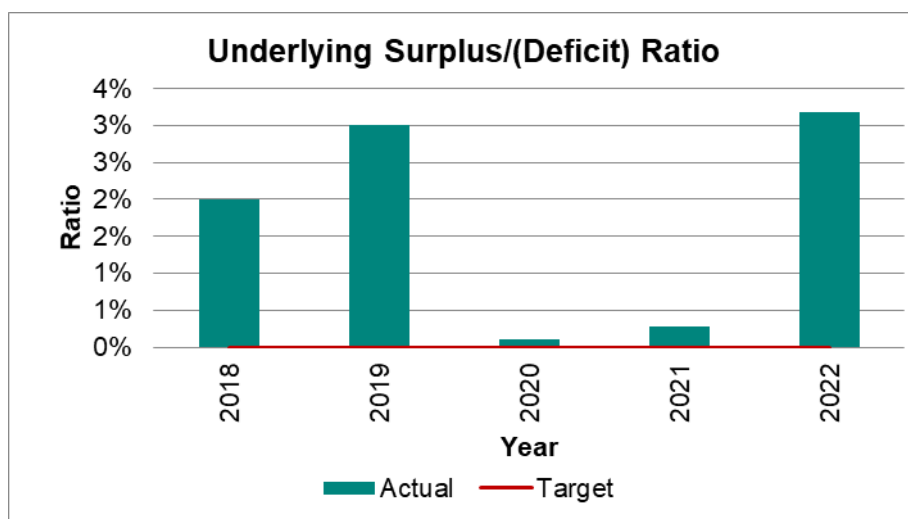


Underlying Surplus or Deficit Ratio

The operating surplus ratio is the operating surplus (deficit) expressed as a percentage of total revenue (Adjusted by excluding capital grants, contributed PP&E and asset revaluation increment/decrements).

Council has now had six years of operational surpluses (2016/17 to 2021/22) following a significant period of operating deficits between 2011/12 and 2015/16.

Council's operating ratio is sustainable and exceeds the benchmark.

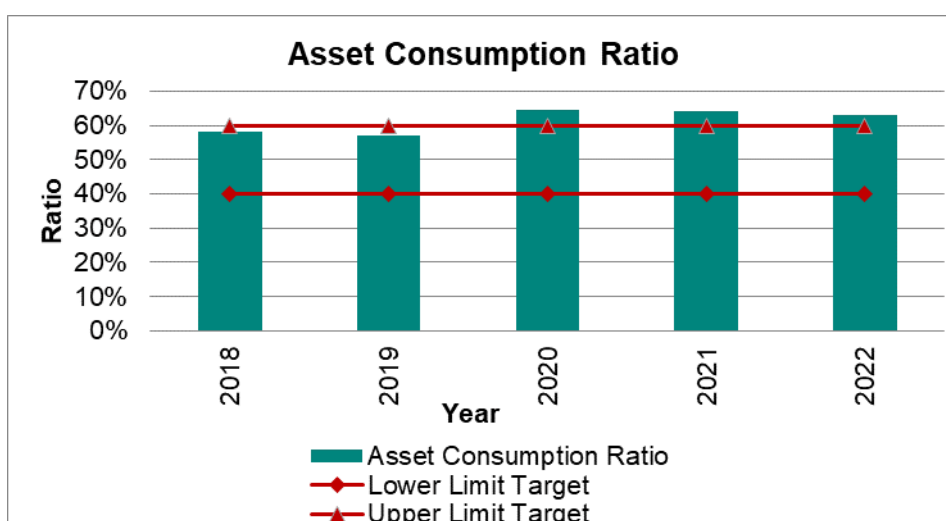


Asset Consumption Ratio

The asset consumption ratio indicates the levels of service potential available in existing infrastructure managed by Council.

The higher the percentage, the greater future service potential is available to provide services to ratepayers. A ratio above 60 per cent may represent low sustainability risk and less than 40 per cent high sustainability risk.

Council's ratio as at 30 June 2022 exceeds the benchmark.



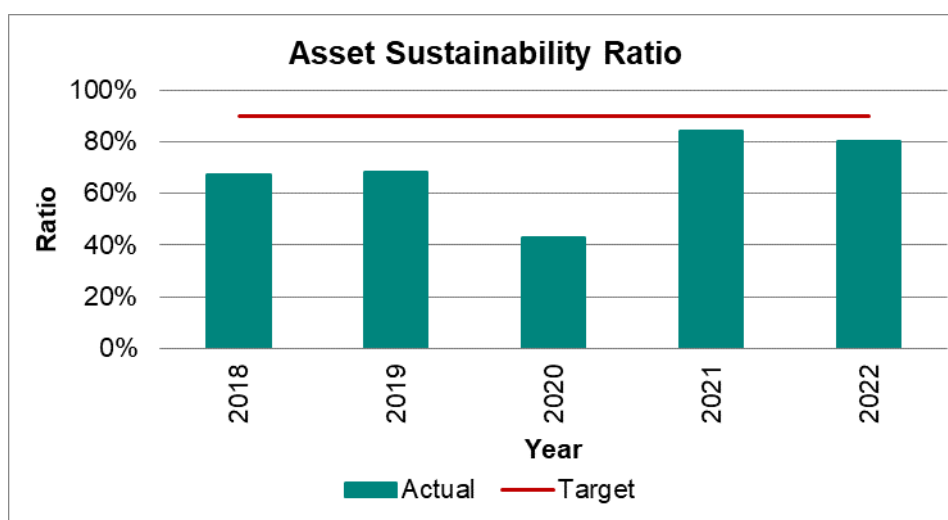
Asset Sustainability Ratio

This ratio calculates the extent to which Council is maintaining operating capacity through the renewal of its existing asset base.

It is a measure of asset replacement expenditure relative to depreciation for a period.

Whilst the ratio result is slightly below the target, Council is comfortable that asset renewal requirements are being satisfactorily met and provided for through its future planning.

Council's Financial Management Strategy demonstrates that Council will comfortably be able to fund its asset renewals as they become due and in accordance with Council's asset management plans and life cycle data for assets.



STATUTORY IMPLICATIONS

Statutory Requirements

Section 72 of the *Local Government Act 1993* requires Council to prepare an Annual Report containing the Annual Financial Statements and other statutory requirements. The Annual Report must be considered at the Annual General Meeting, which is to be held no later than 15 December.

The Annual Financial Statements are required to be prepared in accordance with applicable Accounting Standards; Section 84 of the *Local Government Act 1993* and the *Audit Act 2008*.

The *Audit Act 2008* requires that the financial statements are to be prepared within 45 days of the end of the financial year and forwarded to the Auditor-General as soon as practicable. The Tasmanian Audit Office then has a further 45 days to complete the audit of the Statements.

Section 84 (4) of the *Local Government Act 1993* requires that 'the General Manager is to ensure that the certified financial statements are tabled at a meeting of the council as soon as practicable'.

This is the first opportunity for the certified financial statement to be provided formally to Council.

Section 82 (4) of the Act states "a council may alter by absolute majority any estimate referred to in subsection (2) during the financial year".

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
1.5.1 Build our knowledge base to apply in decision-making processes.
1.5.2 Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

There are no risk implications in receiving this report.

CONSULTATION PROCESS

The draft financial statements were referred to the Audit Panel for review at its meeting on 23 August 2022.

CONCLUSION

Council's audited financial statements outline Council's financial operating performance and financial position for 2021/22. Council's operating results are favourable to budget and continue to be sustainable with a favourable performance against the budget adopted by Council in June 2021.

Council's Financial Management Strategy continues to guide Council decision making ensuring that financial implications of Council decision-making are informed, sustainable and affordable to the community.

Through careful management, Council continues to have a sustainable operating position with Council having now had six years of operational surpluses.

Council is currently in a strong financial position with strong liquidity and cash flow, low debt levels, assets that are in good condition, and an ability to satisfactorily fund its asset renewal requirements. Council's operating position has also improved in recent years and is sustainable with its recurrent expenses able to be fully met by its recurrent revenue streams.

It is recommended that Council receive the Annual Audited Financial Report for the year ended 30 June 2022 and note that it will be included in the Annual Report for the year ended 30 June 2022.

MOVED BY	CR DUNIAM
SECONDED BY	CR HYLAND

That Council receive the Annual Audited Financial Report for the year ended 30 June 2022 and note that it will be included in the Annual Report.

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.10 AWARD OF CONTRACT 792 - DESIGN AND CONSTRUCT WYNYARD FORESHORE BOARDWALK REPLACEMENT

To:	Council
Reporting Officer:	Manager Recreational Planning and Environment
Responsible Manager:	General Manager
Report Date:	6 October 2022
File Reference:	
Enclosures:	Nil

PURPOSE

To determine Council's position in relation to tender submissions received for the replacement of the existing boardwalk at the East Wynyard Foreshore.

BACKGROUND

The East Wynyard Foreshore Master Plan (EWFMP) was adopted by Council in September 2021, with a clear vision for the future beautification and management of the area. The master plan seeks to preserve the foreshore's character, embrace its natural coastal beauty and will be a safe place where people of all ages and abilities can come together to relax, socialise and be healthy.

The master plan sets out to address key issues in the reserve such as improving safe access to the reserve, improving car parking, adding more inclusive furniture, including more recreational activities and providing infrastructure that supports the use of the area for events. In summary, the plan proposed a total 28 actions to cover the nominated themes of Safe Access and Circulation; Events and Markets; Nature, Relaxation and Design; and Active Recreation.

One of the actions within the EWFMP was to renew the existing boardwalk, taking into consideration the current condition of the boardwalk and the issues with ice forming on the surface creating slip hazards. In replacing the boardwalk, the EWFMP takes the opportunity to expand its width to 2.6 metres to align with shared pathway standards and the future coastal pathway.

Preliminary project work has been undertaken in the lead up to the release of the tender for the replacement of the boardwalk, with all required approvals from the landowner and permit authority being obtained.

A call for tenders was made through Councils electronic tendering portal "TenderLink". At the close of tenders on the 4 October 2022, one (1) tenderer submitted for the works.

DETAILS

The contract operates as a lump sum contract, based upon the anticipated scope of works for the project. Tender prices and assessment of the tender, based upon pre-defined tender criteria, defines the recommendation to Council to award the contract.

AJR Construct was the only company to submit a tender in this instance. AJR Construct have demonstrated experience in this 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.

Whilst an evaluation panel was formed and the submission received was assessed for feasibility, a formal tender assessment was not undertaken given the only submission received was a conforming tender.

AJR Construct have offered three options for the design of the boardwalk, ranging in costs from \$234,333 - \$557,779. The options are as follows (in ascending price order):

- Option A – Concrete pathway, with a broomed and textured finish for slip resistance
- Option B – Treated pine substructure with FRP slip resistant grated decking
- Option C – FRP substructure with FRP slip resistant grated decking

All designs for the boardwalk are at concept stage and are subject to change pending a detailed assessment of the site, including a review of the soil profile.

All options were reviewed during the evaluation of the tender and whilst all will address the minimum standards required, Option C is not recommended due to its significant installation cost.

Out of the remaining options, only Option A (Concrete Construction) is within the allocated budget of \$319,886. Risks associated with this option include a reduced ability to withstand dune movements (resulting in cracking or other failure) and the possibility of continued slip hazards if water isn't effectively directed away from the surface. These risks may be managed through the design of the pathway, including the construction of self-supporting footings in bedrock and utilisation of a textured and broomed finish, coupled with adequate crossfall, to improve slip resistance. The completion of the detailed design assessment and any resulting adjustments to the design would be undertaken as part of the project in order to mitigate these risks.

In comparison, Option B (FRP grated deck with treated pine framework) would aesthetically look similar to the new boardwalk near The Waterfront Wynyard Accommodation and be constructed using a prefabricated slip-resistant material. Given the grated deck surface and its location, there would be an additional operational cost to manage vegetation growth through the grating. Boardwalks are generally more forgiving in an environment prone to dune movement, however it is still reliant on the same design principles of creating a self-supporting structure as discussed above. The treated pine substructure has a lower life expectancy than the decking as well as the concrete proposal for Option A; creating a higher lifecycle cost.

In considering all other matters associated with the project and tender submission it is recommended that AJR Construct be awarded the contract for the concrete construction methodology so that the project can progress to detailed design.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

Overall, the foreshore area is an environmentally sensitive location, particularly given the risks for inundation, local flora/fauna and ground movement. The construction methodology and timing will be carefully selected and monitored to minimise the impact on the environment. Where possible, works will be restricted away from the main beach area to avoid any possible disruption to breeding bird species.

FINANCIAL IMPLICATIONS

Council has allocated a budget of \$319,886 in the 2022/23 capital budget. Approximately \$150,000 of this budget is funded through the Local Roads and Community Infrastructure (LRCI) grants program.

If the tender is adopted based on the recommended concrete installation, the estimated total construction cost (including overheads) is anticipated to be \$255,260. This is \$64,626 under budget. The surplus funds of \$64,626 would then be allocated as a contingency allowance to account for any variations to the design. The higher contingency allocation of approximately 25% reduces the risks of budgetary overruns that might be identified during the detailed design process.

The alternative option using the FRP grated decking and treated pine substructure would be expected to cost in the order of \$397,377 accounting for construction, overheads and a small contingency allowance of approximately 10%. This is \$77,500 over the allocated budget and would therefore require additional funding in order to proceed with this option.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

Key stakeholders and the broader community will be consulted regarding construction timeframes as part of standard practice.

CONCLUSION

The tender submission by AJR Construct for the design and replacement of the Wynyard Foreshore boardwalk is expected to meet the minimum requirements for the replacement and is therefore considered the best option available to Council. It is recommended that Contract 792 be awarded accordingly.

MOVED BY	CR COURTNEY
SECONDED BY	CR BRAMICH


That Council award Contract 792 – Design and Construct Wynyard Foreshore Boardwalk Replacement to AJR Construct for Option A Concrete Pathway

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.11 FINANCIAL REPORT FOR THE PERIOD ENDED 30 SEPTEMBER 2022

To: Council
Reporting Officer: Corporate Accountant
Responsible Manager: Director Organisational Performance
Report Date: 10 October 2022
File Reference: Financial Management - Reporting - Council
Enclosures: 1. Capital Progress Report - September 

PURPOSE

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

BACKGROUND

The financial reports presented incorporate:

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

DETAILS

Council's financial performance to date is consistent with the budget adopted by Council. Overall, based on current forecast the organisation is expected to perform favourably against budget for the year.

Of note, Council has had higher interest income on term deposits as a result of higher interest rates (\$266k). This favourable forecast is offset by lower-than-expected Financial Assistance Grant Income (\$160k) and higher than budgeted waste disposal costs (\$65k).

The Council's forecast will continue to be reviewed and any variances identified will be reported in Council as the year progresses.

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.

Income Statement

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

Income Statement as at 30 September 2022

	YTD Actual	YTD Budget	%		YTD Variance	Budget	Forecast	Forecast Variance
Recurrent Income								
Rate Revenue	12,946,946	12,938,563	0%	!	8,383	13,003,563	13,003,563	✓ -
User Charges	826,147	698,344	18%	✓	127,804	2,793,375	2,793,375	✓ -
Reimbursements/Contributions	148,447	171,069	-13%	✗	(22,621)	684,274	684,274	✓ -
Grants and Subsidies	283,744	-	0%	✓	283,744	3,627,366	3,467,584	✗ (159,782)
Interest	46,810	22,250	110%	✓	24,560	89,000	355,000	✓ 266,000
Distributions from Water Corporation	140,500	-	0%	✓	140,500	674,400	674,400	✓ -
Total Recurrent Income	14,392,595	13,830,225	4%	✓	562,369	20,871,978	20,978,196	✓ 106,218
Recurrent Expenditure								
Employee Costs	1,877,510	1,893,780	1%	!	16,270	8,206,381	8,206,381	✓ -
State Levies	-	172,569	100%	✓	172,569	690,276	690,276	✓ -
Remissions & Discounts	463,795	445,466	-4%	✗	(18,329)	445,466	445,466	✓ -
Materials & Contracts	1,334,563	1,438,168	7%	✓	103,605	5,752,670	5,817,670	✗ (65,000)
Depreciation	1,229,916	1,229,916	0%	✗	-	4,919,663	4,919,663	✓ -
(Gain)/Loss on Disposal	-	10,641	100%	!	10,641	42,565	42,565	✓ -
Borrowing Costs	-	10,454	100%	!	10,454	41,816	41,816	✓ -
Other Expenses	59,130	70,498	16%	!	11,368	281,991	281,991	✓ -
Total Recurrent Expenditure	4,964,913	5,271,491	6%	✓	306,579	20,380,828	20,445,828	✓ (65,000)
Surplus/(Deficit)	9,427,682	8,558,734	10%	✓	868,948	491,150	532,368	✓ 41,218
Capital Items								
Capital Grants/Contributions	295,980	2,151,765	-86%	✗	(1,855,785)	4,071,776	4,071,776	✓ -
Derecognition of Assets	-	-	0%	✓	-	-	-	✓ -
Asset Recognition	-	-	0%	✓	-	-	-	✓ -
Comprehensive Surplus/(Deficit)	9,723,662	10,710,499	-9%	✗	(986,837)	4,562,926	4,604,144	✓ 41,218

Council is forecast to have a favorable variance to budget as at 30 June 2023. This is predominately due to significantly higher interest income on Council's term deposits as a result of higher interest rates (\$266k).

This favorable variance is offset by expected lower financial assistance grant income (\$160k) and higher than budgeted waste disposal costs (\$65k). Council's forecast will be reviewed in more depth during October and any variances identified will be reported in Council's November agenda.

Balance Sheet

Council continues to be in a financially strong position. Council is forecasting a current ratio of 1.15 as at 30 June 2023 compared to a current ratio of 5.31 as at 30 September 2022.

Balance Sheet as at 30 September 2022

	YTD Actual \$	Budget \$	Forecast \$
Current Assets			
Cash & Cash Equivalents	19,369,439	4,283,593	4,324,811
Receivables	4,436,072	951,000	951,000
Inventories	138,642	116,192	116,192
Other Current Assets	178,094	203,776	203,776
Total Current Assets	24,122,247	5,554,561	5,595,779
Non-Current Assets			
Property, Plant and Equipment	228,905,379	235,277,209	235,277,209
Investment in Water	44,027,052	44,027,000	44,027,000
Total Non-Current Assets	272,932,431	279,304,209	279,304,209
Total Assets	297,054,677	284,858,770	284,899,988
Current Liabilities			
Payables	2,364,025	3,188,016	3,188,016
Interest-Bearing Liabilities	350,715	355,437	355,437
Provisions	1,829,984	1,321,000	1,321,000
Total Current Liabilities	4,544,724	4,864,453	4,864,453
Non-Current Liabilities			
Interest-Bearing Liabilities	2,510,163	1,730,718	1,730,718
Provisions	184,595	165,830	165,830
Total Non-Current Liabilities	2,694,758	1,896,548	1,896,548
Total Liabilities	7,239,482	6,761,001	6,761,001
Net Assets	289,815,196	278,097,769	278,138,987
Equity			
Current Year Result	9,723,662	4,562,926	4,604,144
Accumulated Surplus	165,322,188	169,047,603	169,047,603
Reserves	114,769,346	104,487,240	104,487,240
Total Equity	289,815,196	278,097,769	278,138,987
Current Ratio	5.31	1.14	1.15

Council's cash is significantly higher at this time of year compared with that budgeted at 30 June due to the timing of Council's income and expenditure. Council collects 74% of its rates and charges income by 31 August. Council's cash will reduce over the course of the year due to progression of the capital works budget valued at \$21.968m. Council's receivables will reduce over the course of the year with some ratepayers electing to pay by instalment.

Cashflow Statement

As of 30 September Council had \$19.369m cash on hand. Based on budgeted income and expenditure, Council is forecast to have \$4.325m of cash on hand as of 30 June 2023.

A key assumption of the budget is the completion of the capital works program as set by Council. To date, 6% of the capital budget has been spent.

Cashflow Statement as at 30 September 2022

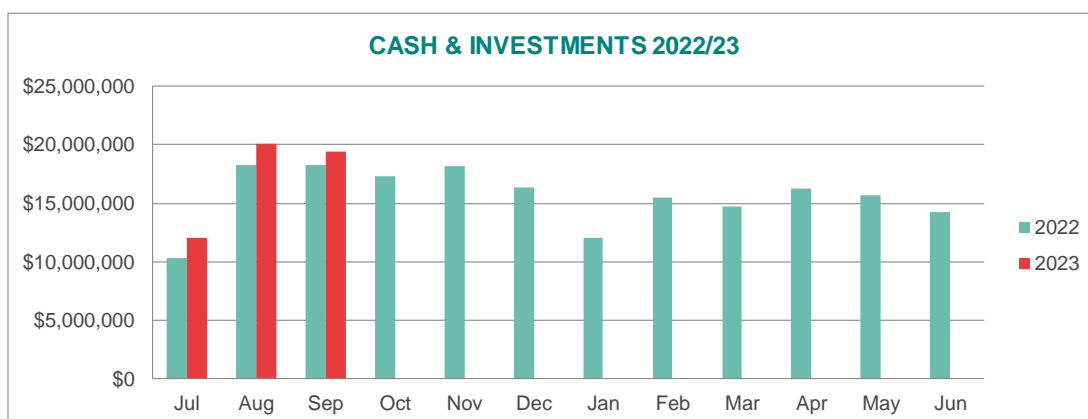
	YTD Actual \$	Budget \$	%	Balance \$	Forecast \$
Cash flows from operating activities					
Employee Costs	(1,877,510)	(8,754,059)	21%	(6,876,549)	(8,754,059)
Materials and Contracts	(2,380,453)	(4,834,505)	49%	(2,454,052)	(4,899,505)
State Levies	-	(690,276)	0%	(690,276)	(690,276)
Other Expenses	(522,924)	(727,457)	72%	(204,533)	(727,457)
Rates and Charges	9,612,361	12,941,908	74%	3,329,547	12,941,908
User charges	836,397	3,422,633	24%	2,586,236	3,422,633
Interest	46,810	89,000	53%	42,190	355,000
Reimbursement of Expenses	148,446	684,274	22%	535,828	684,274
Government Grants	283,744	3,627,366	8%	3,343,622	3,467,584
Net Cash provided by (used in) operating activities	6,146,871	5,758,884	107%	(387,987)	5,800,102
Cash flows from investing activities					
Payments for Property, Plant and Equipment	(1,462,062)	(20,305,681)	7%	(18,843,619)	(20,305,681)
Investment revenue from Water Corporation	140,500	674,400	0%	533,900	674,400
Proceeds from Sale of Property, Plant and Equipment	-	237,690	0%	237,690	237,690
Capital grants	295,980	4,071,776	7%	3,775,796	4,071,776
Net cash provided by (used in) investing activities	(1,025,582)	(15,321,815)	7%	(14,296,233)	(15,321,815)
Cash flows from financing activities					
Borrowing Costs	-	(41,816)	0%	(41,816)	(41,816)
Loan Drawdowns	-	-	0%	-	-
Loan Repayments	-	(359,810)	0%	(359,810)	(359,810)
Net cash provided by financing activities	-	(401,626)	0%	(401,626)	(401,626)
Net (Decrease) in Cash Held	5,121,289	(9,964,557)	-51%	(15,085,846)	(9,923,339)
Cash at beginning of year	14,248,150	14,248,150	100%	-	14,248,150
Cash at end of period	19,369,439	4,283,593	452%	(15,085,846)	4,324,811

Investments

The following table provides an outline of Council's cash and investment portfolio as of 30 September 2022. Total cash and investments on hand as of 30 September is \$19.369m. The weighted average return on investment earned on Council's investment portfolio is 1.28%.

Investments as at 30 September 2022

	\$	INVESTMENTS	\$	Weighted Average Return
Deposits	11,850,000	Commonwealth Bank	7,517,839	
Petty Cash and Till Floats	1,600	Investments		
Trading Account	7,517,839	ME Bank	3,550,000	
		NAB	2,800,000	
		ING	2,500,000	
		CBA	3,000,000	
		Petty Cash and Till Floats	1,600	
Balance - All Accounts	19,369,439		19,369,439	1.28%



Rates Summary

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

Council has several policies to assist in debt collections efforts, including interest penalties, financial hardship provisions providing flexibility for payment arrangements, and the ability for payment of rates and charges by four equal instalments. Ratepayers continue to be encouraged to contact Council if they are having difficulty paying.

21.97% (\$2,825,881) of the total rates levied for the year were outstanding as at 30 June 2022; this includes all aged rates and charges outstanding. This compares with \$2,651,030 outstanding as at 30 June in the prior year (21.75% of the total raised last year).

Rates Summary to 30 September 2022

	2022-23		2021-22	
	%	\$	%	\$
<i>Notice Issue Date - 25 July 2022</i>				
Outstanding Rates Debtors (1 July 2022)		654,411		775,169
Less: Rates in Credit		(754,201)		(715,966)
NET RATES OUTSTANDING (1 July 2022)	(0.78)	(99,790)	0.49	59,203
Rates and Charges Levied	100.68	12,946,959	99.40	12,117,277
Interest Penalties Charged	0.10	12,567	0.12	14,238
GROSS RATES AND CHARGES DEMANDED	100.00	12,859,736	99.88	12,190,718
LESS RATES AND CHARGES COLLECTED	71.16	9,150,875	71.69	8,739,195
REMISSIONS AND DISCOUNTS**	8.71	1,119,663	8.75	1,066,665
	79.87	10,270,538	80.44	9,805,860
ADD PROPERTIES IN CREDIT	(1.84)	236,683	(2.18)	266,172
UNPAID RATES AND CHARGES *	21.97	2,825,881	21.75	2,651,030
(includes Deferred Rates)				
**REMISSIONS AND DISCOUNTS		2022-23		2021-22
Early Payment Discount		462,370		446,500
Pensioner Rebates		655,868		618,740
Council Remissions and Abandonments		1,425		1,425
		1,119,663		1,066,665
Number of Rateable Properties		8,004		7,932
Number of Unpaid Rateable Properties		2,029		1,870
% not fully paid		25.35%		23.58%

Grant Summary

Grant Schedule as at 30 September 2022

	YTD Actual	Budget 2023
Capital Grants		
Multi Use Facility	-	320,601
Local Road & Community Infrastructure	-	564,685
Roads to Recovery	-	564,684
Waratah Rail Bridge	-	300,000
Park Street (IGA) Intersection	-	430,000
Calder Road - Bridge Replacement	295,980	713,324
Table Cape Amenities	-	512,690
Table Cape Lookout	-	135,250
James Philosopher Smith	-	110,000
Wynyard Squash Centre - Lighting	-	50,000
Dog Park & Freedom Camping	-	160,000
Rural Road Safety Audit	-	210,542
	295,980	4,071,776

Capital Works Summary

The Capital Works Summary provides a snapshot of the percentage of expenditure against the 2022/23 Capital Works Budget Estimates. Timing of expenditure is based on the works plan and actual spend and is not always reflective of the actual progress of the Capital Works project. The Monthly Progress Report is attached for the information of the Council.

Summary Capital Expenditure Report				
	YTD Actual \$	Budget Estimate \$	Remaining Budget \$	% Spent
Buildings				
Amenities	2,244	858,878	856,635	0%
Community Facilities	14,635	218,129	203,494	7%
Childcare	110	34,475	34,365	0%
Council Operational Buildings	-	25,163	25,163	0%
Total Buildings	16,988	1,136,646	1,119,658	1%
Parks & Open Spaces				
Other Infrastructure	20,306	2,155,211	2,134,904	1%
Playgrounds	404,521	1,849,043	1,444,522	22%
Walkways & Tracks	12,065	1,295,492	1,283,427	1%
Recreational Reserves	50,716	2,143,782	2,093,066	2%
Total Parks & Open Spaces	487,608	7,443,528	6,955,920	7%
Plant & Equipment				
Other Plant & Equipment	-	84,749	84,749	0%
Plant & Vehicle Replacements	5,192	542,046	536,854	1%
Software & IT Replacements	-	763,869	763,869	0%
Total Plant & Equipment	5,192	1,390,664	1,385,472	0%
Sporting Facilities				
Indoor Recreational Facilities	16,632	723,623	706,991	2%
Outdoor Sporting Facilities	36,281	1,827,500	1,791,220	2%
Total Sporting Facilities	52,912	2,551,124	2,498,211	2%
Stormwater				
Flood Mitigation Works Total	31,933	3,150,518	3,118,585	1%
Other Stormwater Works	33,229	270,386	237,157	12%
Total Stormwater	65,162	3,420,904	3,355,742	2%
Transport				
Bridge Renewals	338,127	2,862,344	2,524,217	12%
Footpaths & Kerbs	97,494	210,647	113,152	46%
Other Transport	24,664	1,406,559	1,381,896	2%
Resheeting	122,604	348,323	225,719	35%
Rural Upgrades	1,050	983,711	982,661	0%
Rural Reseals	-	28,736	28,736	0%
Urban Reseals	-	185,182	185,182	0%
Total Transport	583,939	6,025,501	5,441,563	10%
Total	1,211,802	21,968,367	20,756,565	6%

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

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

The MOTION was put and was CARRIED.

IN FAVOUR

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

9.12 SENIOR MANAGEMENT REPORT

To: Council
Reporting Officer: Executive Officer
Responsible Manager: General Manager
Report Date: 27 September 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 10 September 2022 to 8 October 2022.

Corporate

- Council has initiated a review of the planning department to determine customer satisfaction and seek opportunities for improvement to processes. Initial meetings and interviews were held this month with a final report expected by the end of the calendar year
- Attended a Boat Harbour Beach Working Group meeting

Community

- Met with Chris Symonds, Commodore Wynyard Yacht Club to discuss the pontoon construction project
- Met with proponents of the Table Cape Resort project for an update on progress of the project
- Met with a number of separate residents over various planning matters
- Attended the Tulip Festival

Industry

- Attended the Cradle Coast Authority Representatives meeting
- Attended the LGAT General Meeting

Other

- Annual leave from 23 September to 30 September

ADMINISTRATION – Use of Corporate Seal

20/9/22	Final Plan and Schedule of Easements	97-99 Bass Highway Somerset Subdivision (1 into 2 lots)
3/10/22	Grant Deed	Dept. State Growth(Sport and Recreation Infrastructure) \$94,500 Yacht Club Pontoon and Boat Ramp

POLICIES TO BE RESCINDED

Nil

MOVED BY	CR BRAMICH
SECONDED BY	CR DUNIAM

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		CR HYLAND

9.13 MINUTES OF OTHER BODIES/COMMITTEES

Nil received.

10.0 MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

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

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

11.0 CLOSURE OF MEETING TO THE PUBLIC

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

That the Council RESOLVES BY AN ABSOLUTE MAJORITY to go into Closed Meeting to consider the following matters, the time being 7:42PM

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

12.0 RESUMPTION OF OPEN MEETING

At 7:50pm the Open Meeting was resumed.

13.0 PUBLIC RELEASE ANNOUNCEMENT

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

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
NIL		

The MOTION was put and was CARRIED.

IN FAVOUR

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

THERE BEING NO FURTHER BUSINESS THE CHAIRPERSON DECLARED THE MEETING CLOSED AT 7:50 pm.

Confirmed,

MAYOR

21 November 2022