



**ORDINARY MEETING
OF COUNCIL**

**AGENDA
OPEN MEETING**

18 March 2019

4 March 2019

Notice of Meeting – Ordinary Meeting of Council

In accordance with the *Local Government (Meeting Procedures) Regulations 2015* NOTICE is hereby given that the next Ordinary Meeting of the Waratah-Wynyard Council will be held at the Council Chambers, 21 Saunders Street Wynyard on Monday 18 March 2019 with the Business of the meeting to be in accordance with the following agenda paper.

General Manager's Certification

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

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



Shane Crawford
GENERAL MANAGER

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

4 March 2019

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

Dear Shane,

COUNCIL MEETING

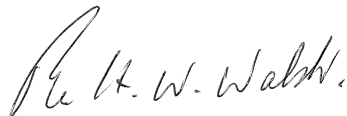
In accordance with regulation 4 of the *Local Government (Meeting Regulations) 2015* which states:

c. *Convening meetings of council*

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

I request that you make the necessary arrangements for the next ordinary meeting of Council to be convened on Monday 18 March 2019 commencing at 6:00 pm at the Council Chambers 21 Saunders Street Wynyard.

Yours sincerely



Cr Robby Walsh
MAYOR

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

AGENDA OF AN ORDINARY MEETING OF THE WARATAH-WYNYARD COUNCIL TO BE HELD AT THE COUNCIL CHAMBERS 21 SAUNDERS STREET WYNYARD ON MONDAY 18 MARCH 2019 COMMENCING AT 6:00 PM

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

AUDIO RECORDING OF COUNCIL MEETINGS POLICY

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

ACKNOWLEDGEMENT OF COUNTRY

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

| |
|--|
| 1.0 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED |
|--|

Legislative Reference:

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

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

(c) attendance and apologies.

1.1 ATTENDANCE

1.2 APOLOGIES

1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Legislative Reference:

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

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

(b) Confirmation of the minutes.

2.1 CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY COUNCIL MEETING

| | |
|-------------|--|
| MOVED BY | |
| SECONDED BY | |

That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at the Council Chambers, 21 Saunders Street, Wynyard on Monday 18 February 2019 a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.

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

3.0 DECLARATIONS OF INTEREST

Legislative Reference:

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

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

Councillor and Agenda Item Number

Staff and Agenda Item Number

4.0 COUNCILLORS ANNOUNCEMENTS AND REPORT

4.1 ANNOUNCEMENTS BY MAYOR

4.2 MAYOR'S COMMUNICATIONS

| | |
|-------------|--|
| MOVED BY | |
| SECONDED BY | |

That the Council note the Mayor's Diary.

| Date | Purpose |
|-------------|---|
| 13/2/19 | Meeting with TasWater |
| 13/2/19 | Meeting with General Manager |
| 14/2/19 | Local Government Legislation Review Forum |
| 16/2/19 | Waratah community Board |
| 17/2/19 | Targa North West Finish Ceremony |
| 18/2/19 | Council Meeting |
| 19/2/19 | Meeting with Anita Dow MP |
| 19/2/19 | Meeting with General Manager |
| 20/2/19 | Meeting with Somerset Surf Club |
| 25/2/19 | Councillor Workshop |
| 26/2/19 | Meeting with Justin Keay |
| 28/2/19 | CCA Reps. Meeting |
| 1/3/19 | Australian Tourism Awards |
| 2/3/19 | Gone Nuts Event |
| 4/3/19 | Meeting with Yolla High School |
| 4/3/19 | Councillor Workshop |
| 5/3/19 | Audit Panel Meeting |
| 5/3/19 | Rural Health Forum Smithton |
| 5/3/19 | Meeting with General Manager |
| 5/3/19 | Meeting with Constituent |
| 7/3/19 | Meeting with Constituent |
| 13/3/19 | Meeting with General Manager |

4.3 REPORTS OF DELEGATES

Nil

4.4 COUNCILLOR STATEMENTS

Nil

4.5 NOTIFICATION OF COUNCIL WORKSHOPS

Legislative Reference:

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

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

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

| | |
|-------------|--|
| MOVED BY | |
| SECONDED BY | |

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

| | |
|---------|--|
| 25/2/19 | Relocation of Dump Points |
| 25/2/19 | Wynyard Showground Proposal |
| 25/2/19 | OSSR Fees and Charges Review |
| 25/2/19 | OSSR – Review of Recreation Advisory Group |
| 25/2/19 | Central Area Development Plan |
| 25/2/19 | Somerset Community Centre Option |
| 4/3/19 | Emergency Management Presentation |
| 4/3/19 | Boat Harbour Beach Development Plan |
| 12/3/19 | East Wynyard Foreshore Playground |
| 12/3/19 | Dog Control and Management |
| 13/3/19 | UPC Renewables Electrical Corridor Project |

(OSSR – Open Space, Sport & Recreation Plan)

5.0 PUBLIC QUESTIONS AND STATEMENTS

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015 Regulation 31

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

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

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

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

- (1) *Members of the public may, during the public statements or the Planning Authority segments of the order of business, with the consent of the Presiding Member make a public statement on any matter that appears on the agenda for that meeting provided that:*

-
- (a) *The member of the public submits to the General Manager prior to the commencement of the meeting the public statement in a form acceptable to the General Manager and which includes the name and residential or contact address of the member of the public;*
 - (b) *The public statement precedes discussion of any matter which requires a decision to be made at the meeting but otherwise at item (11) of order of business at clause 4.2;*
 - (c) *The public statement is limited to a maximum period of 3 minutes, unless otherwise determined by the Presiding Member; and*
 - (d) *No discussion or questions relating to the statement are permitted, unless otherwise determined by the Presiding Member.*
 - (2) *Fifteen minutes is to be allocated for the public statement time.*
 - (3) *Once all statements have been made, nothing prevents the unused part of the statement time period from being used for other matters.*
 - (4) *If the 15-minute period set aside for public statements is reached, Council, by resolution, may resolve to extend the period for an additional 15 minutes to allow statements to be made.*
 - (5) *No more than two 15-minute extensions to the time for public statements are to be permitted.*
 - (6) *Procedures for public statements are to be in accordance with policy adopted from time to time by the Council and, where the policy is silent on a matter, the procedures for that matter are to be determined by the Presiding Member.*

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

5.1.1 DAVID MOORE – Newspaper Article re Unions

Mr Moore of Somerset asked if council would consider workshopping a newspaper article in the Australian Newspaper on August 12, 2017 (Ditch unions and talk to workers).

The newspaper article was circulated to councillors and subsequently raised at a workshop as requested. There is no further action to be taken at this point.

5.1.2 DAVID MOORE – Community Board

Mr Moore asked when community board (which was removed during CBD works and installed at the back of private carpark) would be reinstalled to a location that benefits the community

The Director of Community and Engagement has advised that the Noticeboard which was located in the plaza area in Somerset was removed during the construction work in the plaza and was found to be in bad condition when removed and not salvageable. Replacement options are being investigated and will be installed in a location with good access for the community and consistent with public art also being developed for the plaza area.

5.2 PUBLIC QUESTIONS RECEIVED IN WRITING

Nil

5.3 PUBLIC QUESTIONS WITHOUT NOTICE

Legislative Reference:

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

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

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

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

(5) *The Chairperson may –*

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

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

5.4 PUBLIC STATEMENTS RECEIVED IN WRITING

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

Nil

5.5 PUBLIC STATEMENTS WITHOUT NOTICE

| |
|--|
| 6.0 PETITIONS / DEPUTATIONS / PRESENTATIONS |
|--|

6.1 PETITIONS

Nil

6.2 DEPUTATIONS AND PRESENTATIONS

Nil

7.0 PLANNING AUTHORITY ITEMS

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015 Regulation 25 / Judicial Review Act.

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

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

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

7.1 PUBLIC QUESTIONS WITHOUT NOTICE –RELATING TO PLANNING MATTERS

Legislative Reference:

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

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

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

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

(5) The Chairperson may –

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

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

7.2 PUBLIC STATEMENTS – RELATING TO PLANNING MATTERS

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

7.3 SIGNAGE REPLACEMENT, NEW ROOFTOP PLATFORM, LOADING AWNING AT 106 GOLDIE STREET, WYNYARD – DA 144/2018

To: Council
Reporting Officer: Town Planner
Responsible Manager: Manager Development & Regulatory Services
Report Date: 6 March 2019
File Reference: 7729136
Supporting Documents: **REFER ATTACHMENT A**
Development Application Form x 4 pages
Consent Letter x 1 page
Location Map x 1 page
Title Documents x 7 pages
Info Request x 1 page
Proposal Plan x 3 pages
Planning Response x 2 pages

RECOMMENDATION

That Council in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Waratah-Wynyard Interim Planning Scheme 2013* approve Signage (x 2), a rooftop platform and awning at 106 Goldie Street, Wynyard subject to the following conditions: -

PART A CONDITIONS:

- (1) The development is to be generally in accordance with the application as submitted and endorsed documents as listed:
 - a) Proposal Plans with Job Number 161068 and Drawing Numbers TP 03, TP 04 and TP 05, Revision 2 as prepared by Architecture HQ Architects Interior Designers and dated February 2019.
- (2) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
- (3) Loading and un-loading of vehicles is to be confined to within the boundaries of the property.
- (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) 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.
- (6) Stormwater from the development is to be connected into Council's stormwater drainage network.
- (7) No part of the signage is to be externally illuminated.

(8) Pallets, goods and supplies are to be stored within the building. The loading bay is not to be used for storage.

Notes: -

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

- This project must be substantially commenced within two years of the issue of this permit.
- A “Works within the Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
- The applicant is advised to include a note on the titles for the lots to inform future owners that development of the lots will require further geotechnical investigations and reporting.
- The 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*.
- This permit is based on information and particulars set out in DA 144/2018. Any variation requires an application for further planning approval of Council.
- Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact Aurora Energy on 1300 132 003 to ensure these works do not impede on existing electricity easements and are at a safe distance from power lines. Failure to do so could result in the relocation of electricity assets at your cost.
- Under Section 61 (4) of the Land Use Planning and Approvals Act 1993, the applicant has the right to lodge an appeal against Council’s decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to the Resource Management and Planning Appeal Tribunal, GPO Box 2036, Hobart, 7001.

PURPOSE

The purpose of this report is for Council to consider the merits of Development Application DA 144/2018 against the requirements of Council’s Planning Scheme.

BACKGROUND

The subject site consists of three (3) titles all identified as 106 Goldie Street, Wynyard (CT196797/1, CT 232915/1, CT 119857/1) and comprises of a total land area of 3068m². Currently the titles contain an existing supermarket with loading bay, signage and mounted images on the northern wall.

The site is accessed by an existing crossover formed from Saunders Street to the west of the site.

The site is located within the General Business zone. All adjoining titles are also zoned General Business.

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



Figure 1: Subject Site

DETAILS

The applicant is seeking approval for an awning, two new replacement signs to be located on the building in different locations, and a new rooftop plant platform.

The proposed awning is to be located at the western end of Woolworths covering the loading bay portion of the property described as 106 Goldie Street, Wynyard (CT196797/1). This awning measures 7.8m x 2.5m in depth.

The proposed new plant platform will measure 9m x 8m and will reach a maximum height from ground of 7.25m. This will not be visible from the street as a raised parapet of the wall with timber cladding will screen this.

The applicant details two (2) new signs to replace the existing Woolworths sign that faces Goldie Street and faces Council carpark. The new signs will be fixed to the outside of the building envelope and internally illuminated. These signs will measure 11.7m x 2.5m and will be attached to the wall above the awning of the building. Further to this a small replacement signage will occur at the loading bay on the western wall.

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

- 21.4.2 (P2) Location and configuration of development;
- E7.6 (P1) Development Standards;
- E9.5.1 (P1) Provision for parking;
- E9.5.2 (P1) Provision for loading and unloading of vehicles; and
- E9.6.1 (P1) Design of vehicle parking and loading areas.

CONSULTATION PROCESS

The consultation process was the public exhibition period set out in the *Land Use Planning and Approvals Act 1993* (LUPAA) and involved notification of adjoining land owners, public notices on-site and advertising in a daily newspaper. The application was placed on public exhibition for a period of 14 days as required under LUPAA. The period for representations closed on 6 March 2019. One (1) representation has been received. The representation and planning responses to the issues raised are provided below. While every effort has been made to include all issues raised, this summary should be read in conjunction with the representations which are included as an enclosure to this report.

Representor- B Stretton and K Dixon

| Issues Raised: | Response: |
|---|--|
| Existing vehicle and pedestrian movement patterns have not been improved to provide better public safety and better private access to the existing local stores is extremely disappointing. | The subject access is a privately-owned title identified as 106 Goldie Street, however does provide right of way benefits to adjoining titles. Upgrades to the existing access arrangements are not warranted as the application will not result in an increase in the intensity of the use. |
| The day Council carparking was introduced to the south of Goldie Street, customers have been entering the businesses at the rear of 112 and 114 Goldie Street and risking life and limb to do so. | Public access is also provided to the Goldie Street business strip from the existing footpath and on-street parking. |
| Internal modifications should include more space allocated to goods arrival and unpacking. | The application submitted must be assessed based on the merits of the application and compliance with the planning scheme. However, it is noted that any storage or of |

| | |
|--|--|
| | goods and products is recommended to be conditioned to be located within the building envelope. |
| We have been tolerant and patient with Woolworths encroaching on our land and other adjacent public space unloading trucks, pallet stacks, unhygienic skip bins, forklift repairs with disregard for pedestrian access and safety to the entrance to businesses. | Figure 1 provides an approximate overhead with the boundaries of the title. A condition has been recommended should any permit be granted for any products, such as pallets or bins to be stored within the building, to ensure the right of ways associated with the title remain clear. The access conditions to the development and the adjoining businesses are not changing due to this development application. Access to all businesses is to be in accordance with the easements on the titles of the respective properties. |
| Tasmanian Police Officers have had to resort to using the no parking areas to get access to work. | Access regarding the right of way arrangements is a civil matter between parties. |
| Have visited Council Office on two occasions to find out what impending changes were being considered and have left with no idea each time. | Council can discuss publicly available planning applications. Pre-lodgement consultations are not privy to public comment. Where Council has not yet received documentation, we also are unaware of potential development occurring until an applicant provides information. |
| The applicant extends an invitation to Council representatives to visit and see firsthand the current situation and the need for improvements. | Noted. |

INTERNAL REFERRALS

Engineering Services Department

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

1. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
2. Loading and unloading of vehicles is to be confined to within the boundaries of the property.
3. Stormwater from the development is to be connected into Council's stormwater drainage network.

Note:

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

Environmental Health

The following environmental health notes were recommended.

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

EXTERNAL REFERRALS

The application was not required to be referred to external referral agencies.

PLANNING ASSESSMENT

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

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

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

21.0 General Business Zone

21.4.2 Location and configuration of development

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| A2 An external car parking and loading area, and any area for the display, handling, or storage of goods, materials or waste, must be located behind the primary frontage elevation of a building | P2 An external car parking and loading area, and any area for the display, handling, or storage of goods, materials or waste, must – (a) not dominate the architectural or visual frontage of the site (b) be consistent with the streetscape; (c) be required by a constraint imposed by size, shape, slope, orientation, and topography on development of the site; and (d) provide durable screening to attenuate appearance of the parking or loading area from a frontage and adjacent land |
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Planning Comments: Complies

The proposal does not provide a loading area or storage of waste or materials behind the primary frontage elevation of the building on-site. The primary frontage of the site is Saunders Street, at the west of the site. Primary frontage is defined by the planning scheme as *“where there are 2 or more frontages, the frontage with the shortest dimensions measured parallel to the road irrespective of minor deviations and corner truncations.”* The existing loading bay will remain in its current location. Therefore, the proposal must address performance criteria.

The subject title is a battle axe shaped title and has an existing loading bay used to service the supermarket. This bay is setback approximately 52m from the primary frontage at Saunders Street. It is considered to be remaining consistent with the streetscape when viewed from Saunders Street. Little Saunders Street is a privately-owned parcel within Title 1/196797 and provides access to businesses on Goldie Street. The streetscape will remain largely unchanged as the battle axe handle is used for loading area for the businesses fronting onto Goldie Street.

The loading bay remaining in this location is required by a constraint imposed by the size and shape of the existing configuration of titles and buildings along Goldie Street and Saunders Street. The battle axe handle provides a right of way to access 112, 114, 120, 122 Goldie Street and 21 Saunders Street.

The subject primary frontage of the site is an existing crossover measuring approximately 9.4m wide and providing access via a right of way to several properties to the north and south of the title locally identified as Little Saunders Street. Currently the existing built form on Saunders Street assists with screening the appearance of the loading area from this frontage. To the north of the access is 122 Goldie Street which has an existing outbuilding located to the south-western corner of their lot with constructed Colorbond fencing assisting in screening the loading bay from sight when travelling along Saunders Street. To the southern side of the access at Little Saunders Street, three (3) established trees located at 21 Saunders Street further assist screening the loading bay from the frontage of Saunders Street. Further screening is not possible, as the area between the Woolworths building and Saunders Street (Little Saunders Street) is all trafficable and required for access. Any additional screening would obstruct the existing access arrangements.

The subject loading bay is not visible from Goldie Street frontage due to the existing developed building arrangement.

Further to this assessment, any permit recommended for approval will be conditioned to store goods and materials within the building to assist with the ensuring the right of ways shared over the site remain clear and limit the visual impact of these items from the streetscape and adjacent land.

The proposal complies with the performance criteria.

Part E Codes**Bushfire-Prone Areas Code**

E1 Not applicable to this application.

Airport Impact Management Code

E2 Not applicable to this application.

Clearing and Conversion of Vegetation Code

E3 Not applicable to this application.

Change in Ground Level Code

E4 Not applicable to this application.

Local Heritage Code

E5 Not applicable to this application.

Hazard Management

E6 Not applicable to this application.

Signs Code

E7.6 Development Standards

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| <p>A1 Signs must –</p> <ul style="list-style-type: none">(a) identify an activity, product, or service provided on the site;(b) if on a site in a General Residential, Low Density Residential, Rural Living; or Environmental Living zone, must –<ul style="list-style-type: none">(i) comprise not more than 2 display panels;(ii) be fixed flat to the surface of a building below the eave line; and(iii) have a total combined area of not more than 5.0m²;(c) if on a site in any other zone, must –<ul style="list-style-type: none">(i) comprise not more than 5 display panels;(ii) have a total combined area of not more than 50.0m²;(iii) be separated from any other freestanding or projecting sign by not less than 10.0m(iv) be fully contained within the applicable building envelope and –<ul style="list-style-type: none">a. not extend above the parapet or the ridge of a roof; orb. if a free-standing sign, have a height above natural ground level of not more than 5.0m;(v) not involve a corporate livery, colour scheme, insignia or logo applied to more than 25% of the external wall surface of each elevation of a building;(vi) not be located in an access strip, loading area, or car park;(vii) not be animated, scrolling or otherwise continuously or intermittently changing, flashing or rotating as a part of the operation of the sign unless providing advisory or safety information;(viii) not resemble any air or marine navigation device, or a railway or road traffic control or directional device or sign;(ix) not visually obscure any sign or device required for the convenience and safety of air or marine navigation or for use of a railway or a road; and | <p>P1 A sign must be reasonable taking into account –</p> <ul style="list-style-type: none">(a) whether the sign relates to an activity, product or service provided on the site;(b) nature of development on the site;(c) purpose, location, number, size, style, and configuration of any existing and approved sign on the site and on adjacent land;(d) whether likely to be visually dominant or intrude on the appearance of the site or the streetscape;(e) whether likely to obscure the visibility of other signs in the locality;(f) whether visible beyond the immediate locality;(g) whether likely to impact on operational efficiency and safety of a railway, road, navigable water, or controlled air space in accordance with the advice and any requirement of the relevant regulatory entity;(h) whether likely to impact on the amenity of a habitable room or private open space in a residential development; and(i) the necessity for the sign to be located on the site having regard for:<ul style="list-style-type: none">(i) proximity of the service or business being promoted to the sign location;(ii) proximity of other signage for the same business or service;(iii) ability to identify the business or service through other means; and(iv) flow of traffic past the sign and its likely destination |
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| <p>(x) not cause illumination that overfills the boundaries of the site; and</p> <p>(d) not be on land for which a Local Heritage Code forming part of this planning scheme applies</p> | |
| <p>Planning Comments:</p> <p>The proposal details two (2) new replacement signs located to the side of existing signage, however fixed to the outside of the building envelope and illuminated. The signs will be outside the title boundary. Therefore, the proposal must address the performance criteria. It must be noted one additional sign located at the loading bay is a direct replacement and is exempt from this code.</p> <p>The proposed (two new replacement signs) relate to identifying the supermarket chain Woolworths, therefore the signage is considered reasonable considering the service provided on the site. The building is being re-clad and therefore the proposed new signage will need to be installed on the walls.</p> <p>The proposed signs will not be visually dominant or intrude on the appearance of the streetscape. They will be identical to the current arrangement provided at the supermarket chain and will be internally illuminated with a blackboard which is not illuminated. This lighting will be subdued and will not be individual lights to look like bulbs.</p> <p>The proposed signage will not obscure the visibility of other signs in the locality, as each business along Goldie Street also has business signage on the eaves of a building or above. The proposed signs will measure 11.7m in length and a maximum of 2.5m tall attached to the wall above the awning of the building.</p> <p>The signs will not be visible beyond the immediate locality of Goldie Street and Council owned carpark. The subject signs will not impact on the operational efficiency of a railway, road, water or airspace. They will continue to be located above the awning of the building and will not be visible from water, airspace or roads.</p> <p>It is unlikely the proposed signs will impact a habitable room or private open space in a residential development, as there are no adjoining residentially developed properties adjacent the site.</p> <p>The proposed signs are reasonable considering the purpose, style, and configuration of any existing and approved signs on the site and on adjacent land.</p> <p>The subject signs are considered a necessity that they be located on the site identified as 106 Goldie, Wynyard under P1 (i). The supermarket chain requires an identification sign from Goldie Street and one from the Council carpark facing toward Exhibition Link Road, however visible only from the carpark. The sign is promoting a service with business name located on-site.</p> <p>The proposed signage meets the performance criteria.</p> | |

Telecommunications Code

E8 Not applicable to this application.

Traffic Generating Use and Parking Code

E9.5.1 Provision for parking

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| <p>A1</p> <p>Provision for parking must be –</p> <p>(a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code;</p> | <p>P1</p> <p>(a) It must be unnecessary or unreasonable to require arrangements for the provision of vehicle parking; or</p> <p>(b) Adequate and appropriate provision must be made for vehicle parking to meet -</p> <p>(i) anticipated requirement for the type, scale, and intensity of the use;</p> <p>(ii) likely needs and requirements of site</p> |
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| | <p>users; and</p> <p>(iii) likely type, number, frequency, and duration of vehicle parking demand</p> |
| <p>Planning Comments:</p> <p>The proposal has no on-site car parking within the title boundaries, therefore the proposal must address the performance criteria.</p> <p>Given the existing built arrangement of Goldie Street's business strip it is considered unreasonable to require arrangements for the provision of on-site vehicle parking. The subject application is for proposed new signage, an awning located at the loading bay and a new rooftop platform. The development is not intensifying the use of the site.</p> <p>Council provided carparking borders the property to the south and provides carparking to service the business strip of Goldie Street. Due to the lot configurations along Goldie Street many of the businesses are not able to provide suitable parking arrangements for their businesses fronting onto Goldie Street and therefore rely on Council provided carparking.</p> <p>The subject application will not increase the current anticipated numbers of parking required by the supermarket and will continue to rely on the publicly provided carpark to the south of the property.</p> <p>The proposal complies with the performance criteria.</p> | |

E9.5.2 Provision for loading and unloading of vehicles

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| <p>A1</p> <p>There must be provision within a site for -</p> <ul style="list-style-type: none"> (a) on-site loading area in accordance with the requirement in the Table to this Code; and (b) passenger vehicle pick-up and set-down facilities for business, commercial, educational and retail use at the rate of 1 space for every 50 parking spaces | <p>P1</p> <ul style="list-style-type: none"> (a) It must be unnecessary or unreasonable to require arrangements for loading and unloading of vehicles; or (b) Adequate and appropriate provision must be made for the loading and unloading of vehicles to meet- <ul style="list-style-type: none"> (i) likely volume, type and frequency of vehicles associated with the delivery and collection of goods and passengers; and (ii) likely frequency and duration of requirements for delivery and collection of goods or people |
| <p>Planning Comments:</p> <p>The subject site has an existing on-site loading area as required by the table to this Code. However, no passenger vehicle pick-up or set down facility is provided within the boundaries of the site. The proposal therefore must address the performance criteria due to the passenger vehicle pick up. Many general retail and hire businesses fronting onto Goldie Street cannot provide passenger vehicle pick-up and set down facilities for each individual business within the title boundaries of the property.</p> <p>Instead passenger vehicle pick-up is provided through on-street parking on Goldie Street and the Council provided carpark to the south of the site. It is unnecessary and unreasonable to require these arrangements when this has not occurred for adjoining properties operating in Goldie Street. Again, adequate and appropriate provision for loading and unloading of passengers is provided in Council's carpark and the main street is relied upon. The frequency and duration of vehicles associated with the collection of goods and passenger pick-up from the supermarket is for very short durations comparatively to somebody shopping in the store. The loading and unloading of passengers are arranged as collection of online shopping or alternatively pre-arranged transport. The frequency, volume and type of vehicles are appropriately met by the carpark to the south and on-street parking.</p> | |

The proposal complies with the performance criteria.

E9.6.1 Design of vehicle parking and loading areas

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| <p>A1.1 All development must provide for the collection, drainage and disposal of stormwater; and</p> <p>A1.2 Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –</p> <ul style="list-style-type: none"> (a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities - Off Street Car Parking; (b) Be in accordance with AS/NZS2890.2 (2002) Parking Facilities - Off Street Commercial Vehicles; (c) Be in accordance with AS/NZS 2890.3 1993) Parking Facilities – Bicycle Parking Facilities; (d) Be in accordance with AS/NZS 2890.6 Parking Facilities - Off Street Parking for People with Disabilities; (e) Each parking space must be separately accessed from the internal circulation aisle within the site; (f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and (g) Be formed and constructed with compacted sub-base and an all-weather surface. | <p>P1 The layout and construction of a vehicle parking area, loading area, circulation aisle, and manoeuvring area must be adequate and appropriate for –</p> <ul style="list-style-type: none"> (a) the nature and intensity of the use; (b) effect of size, slope and other physical characteristics and conditions of the site; (c) likely volume, type, and frequency of vehicles accessing the site; (d) likely demand and turnover for parking; (e) delivery and collection vehicles; (f) familiarity of users with the vehicle loading and vehicle parking area; (g) convenience and safety of access to the site from a road; (h) safety and convenience of internal vehicle and pedestrian movement; (i) safety and security of site users; and (j) the collection, drainage, and disposal of stormwater |
| <p>Planning Comments:</p> <p>The proposed loading area, circulation and manoeuvring area is not in accordance with the relevant Australian Standards as the site cannot provide for the forward movement and passing of all vehicles within the site other than if entering or leaving the loading space. The proposal therefore must address the performance criteria.</p> <p>The subject loading area will not further increase in nature or intensity of use due to the proposed extensions. The subject loading and manoeuvring area is considered appropriate for the intensity of the use. It is located within the boundaries of the title and given the lot is a battle axe shaped title, it is considered adequate for the shape, size and built form contributing to the physical characteristics and conditions of the site.</p> <p>As parking is removed from the site, the access handle commonly known as Little Saunders Street will continue to provide the loading bay for service vehicles accessing the site both for deliveries and pickups.</p> <p>The likely volume, type and frequency of vehicles accessing the site will continue to remain unchanged as part of the application.</p> <p>Little Saunders Street is used as a loading area for the properties fronting onto Goldie Street and is considered appropriate for delivery and collection vehicles as an alternative to using Goldie Street.</p> <p>The subject loading bay for the supermarket is appropriate for the familiarity of users with the vehicle loading area and adjoining properties also using this portion of the site as loading bays. This title is used for relevant business to the north and south of Little Saunders Street for vehicle loading.</p> | |

The convenience and safety of access to the site from the road is in a low speed environment from Saunders Street.

All large rigid trucks using the loading bay have noise beeps sounding when reversing into the loading bay. This assists with alerting pedestrians that the area is used for goods loading. Further to this, constructed pedestrian footpath infrastructure is located to the south of the title located on 21 Saunders Street and to the north of Little Saunders Street on the subject title to further encourage pedestrians to use the designated footpaths and to keep clear of the existing loading bay.

To further assist with the safety and security of site users of the battle axe handle lot, signs have been located along Little Saunders Street with loading zone signs to the rear of the businesses.

Collection and drainage of stormwater will be conditioned to be connected into the reticulated stormwater network.

The proposal complies with the performance criteria.

Water and Waterways Code

E10 Not applicable to this application.

STATUTORY IMPLICATIONS

Land Use Planning and Approvals Act 1993

The Council is established as a Planning Authority by definition under Section 3(1) of LUPAA and must enforce the planning scheme under S.48 of LUPAA.

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

STRATEGIC IMPLICATIONS

There are no significant strategic implications identified.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

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

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

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

COMMENT

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

It is considered the proposed new awning, signage and plant platform extension meet the relevant performance criteria of the planning scheme. The proposal will not further increase the traffic movements or requirement of further carparking spaces due to the upgrades. Parking is provided for the business district in Council owned carparking accessed via Exhibition Link Road and the main street identified as Goldie Street. The proposal will continue to use the loading bay located within the title boundary of the property to the western side of the building. To assist with the amenity and movements between traffic in this location and prevent storage of products accumulating in this location, a condition has been recommended for all products of goods and pallets to be located within the building envelope. The subject loading bay will not dominate the frontage at Saunders Street due to the existing built form located on Saunders Street and the large setback from the frontage. Additionally, the proposed new signs are considered appropriate for the site to identify the business and operators of the site.

The application is considered to comply with the General Business Zone provisions, the Sign Code provisions and the Traffic Generating Use and Parking Code provisions of the *Waratah-Wynyard Interim Planning Scheme 2013*. It is therefore recommended that Council approve a planning permit for the proposed signage, awning and plant platform extension.

7.4 MULTIPLE DWELLINGS (FOUR UNIT DEVELOPMENT) LOCATED AT 5 MOORE COURT, WYNYARD – DA 12/2019

To: Council
Reporting Officer: Town Planner Graduate
Responsible Manager: General Manager
Report Date: 7 March 2019
File Reference: 3341812
Supporting Documents: **REFER ATTACHMENT B**
Development Application Form x 3 pages
Title Documents x 6 pages
Planning Report x 20 pages
Proposal Plans x 28 pages
TasWater conditions x 2 pages

RECOMMENDATION

That Council in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Waratah-Wynyard Interim Planning Scheme 2013*, approve multiple dwellings (4-unit development) at 5 Moore Court, Wynyard subject to the following conditions: -

PART A CONDITIONS:

- (1) The development is to be generally in accordance with the application as submitted and endorsed documents as listed:
 - a) Proposal Plans with Project Number 18.07 Rev.01 and Drawing Numbers A.00/1 dated 22 January 2019, A.01/1 dated 18 January 2019, A.02/1 dated 21 January 2019, A.03 dated 7 January 2019, A.04/1 dated 18 January 2019, A.05 dated 7 January 2019, and A.06 dated 8 January 2019 as prepared by GPJ Consulting Architects.
 - b) Car Parking and Site Area Per Dwelling Plans with Project Number 218249 and Drawing Numbers a01 and a02 dated 21 January 2019 as prepared by EnviroPlan.
 - c) Concept Site Services Plans with Project Number 19456 and Drawing Numbers CDA01 Rev. A dated and CDA01 Rev. B dated 20 November 2018 as prepared by Rare Innovation Pty Ltd.
- (2) Screening with a transparency of not greater than 30% and a minimum height of 1.7m is to be provided between the internal driveway and windows to the kitchen/living/dining areas of Units 1, 2 and 4.
- (3) One (1) additional car parking space is to be located to the south of the proposed car parking area for a total of six (6) external car parking spaces. Each car parking space is to be numbered and line marked or otherwise delineated to identify the parking provided for each unit. Visitor parking spaces must be identified as such.

-
- (4) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.**
 - (5) Loading and unloading of vehicles is to be confined to within the boundaries of the property.**
 - (6) The existing kerb crossover is to be widened in accordance with Tasmanian Standard Drawing TSD-R09-v1, Urban Roads Driveway, TSD-R16-v1 Concrete kerbs and Channels Vehicular Crossings and the conditions in a “Activity in Road Reservation Permit”.**
 - (7) The existing concrete driveway between the kerb crossover and the property boundary is to be widened in accordance with Tasmanian Standard Drawing TSD-R09-v1, Urban Roads Driveways and the conditions in a “Activity in Road Reservation Permit”.**
 - (8) Off-street car parking and hardstand areas are to be surfaced in an all-weather material such as concrete, asphalt or bitumen spray seal. All stormwater runoff from the car parking and hardstand areas is to be collected on-site and directed to a stormwater system designed to cater for a 1 in 20-year ARI storm and discharged to a legal point of discharge to the reasonable requirements of the Director Infrastructure and Development Services.**
 - (9) Off-street parking spaces and associated driveways and turning areas are to be designed in accordance with AS 2980.1 and be approved by the Director of Infrastructure and Development Services.**
 - (10) Vehicular access to and egress from the site is to occur only in a forward motion.**
 - (11) A stormwater connection point including an accessible inspection opening at ground level is to be constructed at the lowest point of the lot to permit connection to Council’s stormwater drainage reticulation network. The connection point is to be inspected and approved by the Director Infrastructure and Development Services before backfilling.**

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 2019/00186-WWC (attached).**

Notes: -

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

-
- An “Activity in Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
 - This project must be substantially commenced within two years of the issue of this permit.
 - The applicant is advised to consult with a building surveyor to ensure the development is constructed in accordance with *Building Act 2016*.
 - This permit is based on information and particulars set out in Development Application DA 12/2019. Any variation requires an application for further planning approval of Council.
 - This development/use is not to result in the generation of environmental harm or nuisance as defined in the *Environmental Management and Pollution Control Act 1994*.
 - Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact TasNetworks on 1300 137 008 to ensure these works do not impede on existing electricity easements and are at a safe distance from powerlines. Failure to do so could result in the relocation of electricity assets at your cost.
 - For letterbox placement please contact ‘Australia Post 64345580’ for correct guidelines.
 - A further fee is required for the signing and sealing of Final and Strata Plans. Please refer to Council’s website for current Planning fees.
 - Under Section 61 (4) of the *Land Use Planning and Approvals Act 1993*, the applicant has the right to lodge an appeal against Council’s decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to the Resource Management and Planning Appeal Tribunal, G.P.O. Box 2036, Hobart, 7001. Updated Notices of Appeal are available on the Tribunal’s website at www.rmpat.tas.gov.au.

PURPOSE

The purpose of this report is for Council to consider the merits of Development Application DA 2/2019 against the requirements of Council’s Planning Scheme.

BACKGROUND

The subject site is located at 5 Moore Court, Wynyard and comprises 2463m². It is within the General Residential zone. The site is an internal lot and is accessed from Moore Court via an access strip. The adjoining titles to the north-west and west contain unit development. The adjoining titles to the south-east and east contain single dwellings and associated outbuilding development. To the north-east, the subject site adjoins a Crown administered access road. The title to the south across Moore Court is a vacant residential lot.

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

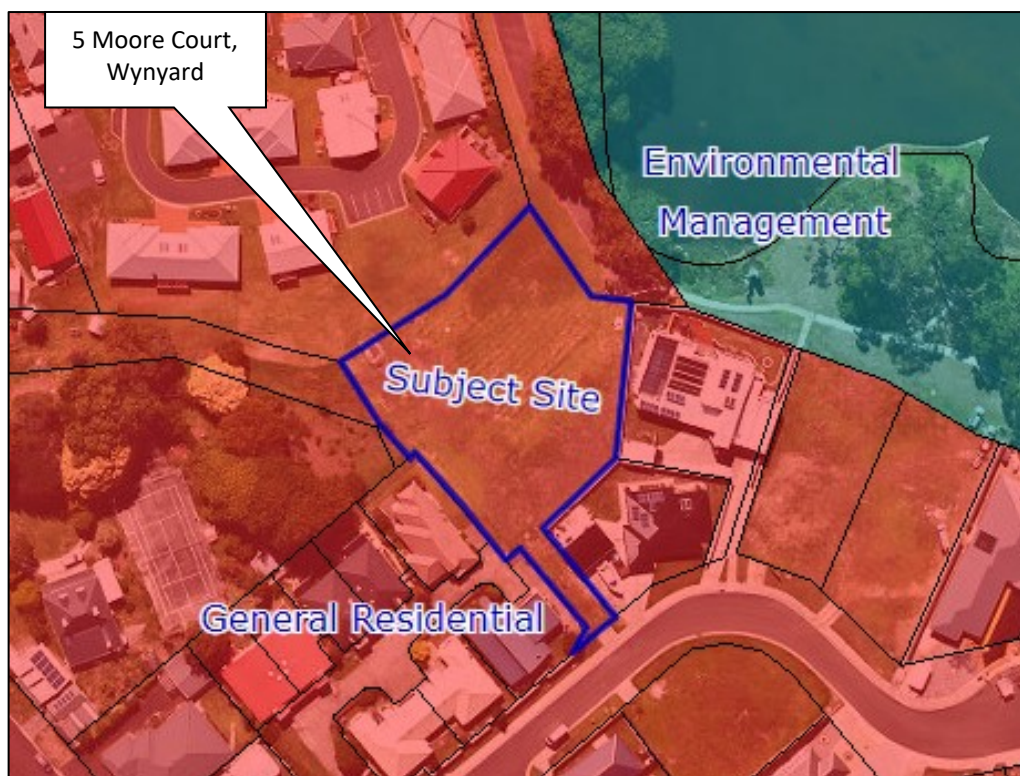


Figure 2: Subject Site with zoning

DETAILS

The applicant is seeking approval for multiple dwellings (4 units) on a property described as 5 Moore Court, Wynyard (CT 168287/1). The property is a vacant lot located in a residential area populated by a mix of single dwelling and unit development.

Each of the proposed units are single storey with an associated floor area of 141.4m². Each unit comprises a combined kitchen/living/dining area, single garage, two bedrooms, laundry and bathroom with separate toilet. The units are clad in weatherboard and roofed in Colorbond.

The subject site is an internal lot and the proposed units are setback a minimum distance of 20m from Moore Court, 1.465m from the southern title boundary, 1.5m from the south-eastern title boundary, 2.2m from the north-eastern title boundary, 7.8m from the north-western title boundary and 3m from the western title boundary.

Provision for car parking comprises a single garage in each of the proposed units with an additional five car parks located to the north of the site.

This report assesses the proposal against the *Waratah-Wynyard Interim Planning Scheme 2013* (the Planning Scheme) and takes into account any representations received during the public exhibition period. The subject property is zoned General Residential under the

Planning Scheme. The proposal is defined as a Residential Use Class. This is a Permitted use within the zone, should the application meet all the relevant Acceptable Solutions. The applicant is applying for discretion under the following clauses: -

- Setbacks and building envelope for all dwellings 10.4.2 (P3);
- Site coverage and private open space for all dwellings 10.4.3 (P2);
- Sunlight and overshadowing for all dwellings 10.4.4 (P1); and
- Development in proximity to a water body, watercourse or wetland E10.6.1 (P1).

CONSULTATION PROCESS

The consultation process was the public exhibition period set out in the *Land Use Planning and Approvals Act 1993* (LUPAA) and involved notification of adjoining land owners, public notices on-site and advertising in a daily newspaper. The application was placed on public exhibition for a period of 14 days as required under LUPAA. The period for representations closed on 4 March 2019. One (1) representation has been received. A map demonstrating the relationship between the subject site and the representor's property is shown in Figure 2.



Figure 3: Relationship between the subject site and the representor's property

The representation and planning responses to the issues raised are provided below. While every effort has been made to include all issues raised, this summary should be

read in conjunction with the representations which are included as an enclosure to this report.

Representor – B Waite

| Issues raised: | Response: |
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| Inconsistency with primary objectives of the Planning Scheme as well as the local area objectives and desired future character statements for the General Residential zone. | <p>Clause 8.10 of the Planning Scheme sets out the matters which Council must have regard to when determining applications. The local area objectives for the applicable zone may only be considered by Council insofar as they are relevant to the particular discretion being exercised.</p> <p>The subject site is located in the General Residential zone under the Planning Scheme. The proposal is for multiple dwelling development (4 Units). This is a permitted use within the zone. The local area objectives and desired future character statements are not applicable to this application and none of the discretions invoked by the proposed development direct Council to consider these objectives or statements.</p> <p>The primary objectives of the Planning Scheme are listed under Clause 3.0. Clause 8.10.3 directs that Clause 3.0 cannot be considered in determining an application.</p> <p>Issues pertaining to the primary objectives of the Planning Scheme as well as the local area objectives and/or desired future character statements for the General Residential zone are not relevant to this application.</p> |
| The proposal, specifically Unit 4, does not comply with Acceptable Solution A1(a) for Clause 10.4.2. | <p>In order to comply with Acceptable Solution A1 for Clause 10.4.2, a proposal must comply with A1(a) or A1(b) or A1(c) or A1(d).</p> <p>Acceptable Solution A1(a) for Clause 10.4.2 states that a dwelling must have a setback from a frontage that is at least 4.5 m, if the frontage is a primary frontage. Alternatively, if the setback from a primary frontage is less than 4.5m, the dwelling must be setback not less than the setback, from the primary frontage, of any existing dwelling on the site.</p> <p>Clause 4.0 of the Planning Scheme defines frontage as the <i>“boundary of a lot which abuts a road”</i>. Primary frontage is defined as <i>“the frontage with the shortest dimensions measured parallel to the road irrespective of minor deviations and corner truncations”</i>.</p> <p>The subject site has a primary frontage onto Moore Court with a width of 11.3m and a secondary frontage onto a Crown administered access road with a width of 30.44m. Each of the proposed units, including Unit 4, are setback a minimum distance of 20m from Moore Court.</p> <p>The proposal complies with A1(a) for Clause 10.4.2</p> |
| Impact on solar access to the representor’s property, with reference to the Victorian planning legislation. The representor refers to Victorian planning legislation regarding the impact of the | <p>Issues regarding overshadowing of the representor’s property or proximity of the proposed units to the shared title boundary are not matters for Council’s consideration as the proposed development is located within the permitted building envelope in respect of the western title boundary.</p> |

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| proposed development on solar access to their property, specifically living areas. | The proposal complies with the permitted setbacks from the common title boundary shared with the representor's property, and Victorian planning legislation is not applicable to development applications under the Planning Scheme. |
| Visual and acoustic privacy and re-design of Unit 1. The representor states that the layout of proposed Unit 3 would give a better outcome for joint privacy and passive solar design. | <p>The relevant Standards which relate to maintenance of privacy between dwellings on adjoining lots are contained in A1/P1 and A2/P2 for Clause 10.4.6. As demonstrated below under the planning assessment, neither A1/P1 nor A2/P2 are applicable to the proposed development as the development does not have a finished floor level greater than 1m above natural ground level.</p> <p>As above, the proximity of Unit 1 to the representor's property is not a matter for Council's consideration as the proposed development is located within the permitted building envelope in respect of the western title boundary.</p> <p>Clause 10.4.11.2 also deals with visual and acoustic privacy for residential development however development for a single or multiple dwelling is exempt from consideration under this Clause.</p> <p>Unit 1 has been designed to accommodate for adequate access for parking in the garage and to comply with the requirements of the Traffic Generating Use and Parking Code under the Planning Scheme. Further, as demonstrated below under the planning assessment, the layout of Unit 1 adequately satisfies the requirements of the planning scheme in relation to solar access to the relevant habitable rooms in the unit.</p> |
| Compliance of the proposed development, specifically Unit 1, with Performance Criteria P3 for Clause 10.4.2. and overshadowing concerns raised. | <p>As demonstrated below under the planning assessment, the reduction in setback of proposed Units 3 and 4 satisfies the requirements of Performance Criteria P3 for Clause 10.4.2. These units are located a minimum distance of 19.6m from the representor's property. The reduction in setback of Unit 3 and 4 will have no impact on residential amenity for the representor.</p> <p>Regarding Unit 1, overshadowing of the representor's property or proximity of the Unit 1 to the shared title boundary are not matters for Council's consideration as Unit 1 is located within the permitted building envelope in respect of the western title boundary.</p> |
| Layout of carparking is illogical and inconvenient. | As demonstrated below under the planning assessment, the layout of the proposed carparking area, including the proximity of the internal driveway and parking spaces to the proposed units and associated private open space areas, complies with the Acceptable Solution for all relevant Standards of the General Residential zone provisions as well as the Traffic Generating Use and Parking Code. |
| Arrangements for stormwater management. The representor has concerns regarding the risk of inundation from stormwater due to the topography of the site and proximity to Camp Creek, specifically for Unit 2. | The subject site has not been identified as being at risk of flooding and is capable of being connected to Council's reticulated stormwater infrastructure. Council's Engineering Department has undertaken an assessment of the proposed development and requires the following condition to be included on any permit issued: <i>A Stormwater connection point including an accessible inspection opening at ground level is to be constructed at the lowest point of the lot to permit</i> |

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| | <i>connection to Council's stormwater drainage reticulation network. The connection point is to be inspected and approved by the Director Infrastructure and Development Services before backfilling.</i> |
| Impact on energy efficiency of representor's property. | 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 matters raised in the representation are relevant to the particular discretion being exercised. Impact on heating bills or efficiency of existing or future solar panels is not a consideration under the Planning Scheme and is not relevant to any of the discretions invoked by the development application. |
| Installation of a boundary fence along common title boundary. The representor proposes that a Colorbond fence with a height of 1.8m be installed along the shared boundary between the representor's lot and the subject site at the applicant's expense. | There are no planning permits required for side fences under 2.1m in height and arrangements regarding boundary fences are a civil issue between adjoining property owners. Any discussions regarding fencing would need to be discussed separately between the representor and the applicant. |
| Relocation of Unit 1 and the carparking area. The representor proposes that area set aside for carparking be swapped with the location of Unit 1. | The location of Unit 1 in relation to all title boundaries and the layout the carparking area comply with the Acceptable Solution for all relevant Standards of the General Residential zone provisions as well as the Traffic Generating Use and Parking Code. Further, the Planning Scheme requires Council to consider a development application as provided by the applicant. Alternative designs can only be considered when proposed by the applicant. |

INTERNAL REFERRALS

Engineering Services Department

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

- (1) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
- (2) Loading and unloading of vehicles is to be confined to within the boundaries of the property.
- (3) The existing kerb crossover is to be widened in accordance with Tasmanian Standard Drawing TSD-R09-v1, Urban Roads Driveway, TSD-R16-v1 Concrete kerbs and Channels Vehicular Crossings and the conditions in a "Activity in Road Reservation Permit".
- (4) The existing concrete driveway between the kerb crossover and the property boundary is to be widened in accordance with Tasmanian Standard Drawing TSD-R09-

v1, Urban Roads Driveways and the conditions in a “Activity in Road Reservation Permit”.

- (5) Off-street car parking and hardstand areas are to be surfaced in an all-weather material such as concrete, asphalt or bitumen spray seal. All stormwater runoff from the car parking and hardstand areas is to be collected on-site and directed to a stormwater system designed to cater for a 1 in 20-year ARI storm and discharged to a legal point of discharge to the reasonable requirements of the Director Infrastructure and Development Services.
- (6) Off-street parking spaces and associated driveways and turning areas are to be designed in accordance with AS 2980.1 and be approved by the Director of Infrastructure and Development Services.
- (7) Vehicular access to and egress from the site is to occur only in a forward motion.
- (8) A stormwater connection point including an accessible inspection opening at ground level is to be constructed at the lowest point of the lot to permit connection to Council’s stormwater drainage reticulation network. The connection point is to be inspected and approved by the Director Infrastructure and Development Services before backfilling.

Note:

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

Environmental Health

The following environmental health notes were recommended.

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

EXTERNAL REFERRALS

The application was referred to TasWater on 15 February 2019. The response was received on 19 February 2019 and requests conditions to be attached to any permit granted.

PLANNING ASSESSMENT

The subject site is zoned General Residential under the *Waratah-Wynyard Interim Planning Scheme 2013*. The use is a Residential Use which is a Permitted use within the zone, should the application meet all the relevant acceptable solutions of the planning scheme. The proposal does not meet all relevant acceptable solutions of the planning scheme and is therefore submitted as a discretionary application under Section 57 of LUPAA and assessed under the *Waratah-Wynyard Interim Planning Scheme 2013* and relevant State Policies and Acts. Section 57(1) (b) of LUPAA allows Council to relax or waive the provisions of its Planning Scheme under a discretionary status.

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

10.0 General Residential Zone

10.4.1 Residential density for multiple dwellings

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| A1 Multiple dwellings must have a site area per dwelling of not less than: (a) 325m ² ;or (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area. | P1 Multiple dwellings must only have a site area per dwelling that is less than 325 m ² , or that specified for the applicable density area in Table 10.4.1, if the development will not exceed the capacity of infrastructure services and: (a) is compatible with the density of the surrounding area; or (b) provides for a significant social or community housing benefit and is in accordance with at least one of the following: (i) the site is wholly or partially within 400 m walking distance of a public transport stop; (ii) the site is wholly or partially within 400 m walking distance of a business, commercial, urban mixed use, village or inner residential zone. |
| Planning Comments: Complies The subject site has an area of 2463m ² and the proposal is for four units. The site area per dwelling is 615.75m ² . The proposal complies with A1 for this Standard. | |

10.4.2 Setbacks and building envelope for all dwellings

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| A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any | P1 A dwelling must: (a) have a setback from a frontage that is compatible with the existing dwellings in the street, taking into account any topographical constraints; and (b) if abutting a road identified in Table 10.4.2, include additional design elements that assist in attenuating traffic noise or any other detrimental impacts associated with |
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| <p>existing dwelling on the site; or</p> <p>(b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</p> | <p>proximity to the road.</p> |
| <p>Planning Comments: Complies</p> <p>The subject site is an internal, vacant lot. Each of the proposed units are setback a minimum distance of 20m from Moore Court.</p> <p>The proposal complies with A1 for this Standard.</p> | |
| <p>A2</p> <p>A garage or carport must have a setback from a primary frontage of at least:</p> <p>(a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or</p> <p>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.</p> | <p>P2</p> <p>A garage or carport must have a setback from a primary frontage that is compatible with the existing garages or carports in the street, taking into account any topographical constraints.</p> |
| <p>Planning Comments: Complies</p> <p>The subject site is an internal, vacant lot. The single garage in each of the proposed units are setback a minimum distance of 20m from Moore Court.</p> <p>The proposal complies with A2 for this Standard.</p> | |
| <p>A3</p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height</p> | <p>P3</p> <p>The siting and scale of a dwelling must:</p> <p>(a) not cause unreasonable loss of amenity by:</p> <p>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</p> <p>(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</p> <p>(iii) overshadowing of an adjoining vacant lot; or</p> <p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</p> <p>(b) provide separation between dwellings on adjoining lots that is compatible with that</p> |

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| <p>of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</p> <p>(b) only have a setback within 1.5 m of a side boundary if the dwelling:</p> <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser). | <p>prevailing in the surrounding area.</p> |
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Planning Comments: Complies

The subject site is an internal lot and the proposed units are setback a minimum distance of 20m from Moore Court, 1.465m from the southern title boundary, 1.5m from the south-eastern title boundary, 2.2m from the north-eastern title boundary, 7.8m from the north-western title boundary and 3m from the western title boundary. The setback of each specific unit from the relevant title boundaries are shown in Table 1.

| Boundary | Unit 1 | Unit 2 | Unit 3 | Unit 4 |
|---|--------|--------|--------|--------|
| Southern title boundary (rear boundary of a lot with an adjoining frontage) | 9m | 23.5m | 15m | 1.465m |
| South-eastern title boundary (side) | 19m | 25m | 1.836 | 1.5m |
| North-eastern title boundary (secondary) | 33.5m | 20m | 2.2m | 20m |
| North-western title boundary (rear) | 25m | 7.8m | 19.4m | 32m |
| Western title boundary (side) | 3m | 11m | 31m | 19.6m |

Table 1: Setback from title boundaries

The applicant is seeking a reduction in the following setback requirements:

- From the permitted 3m to 2.4m for proposed Unit 3 from the north-eastern title boundary; and
- From the permitted 4.5m to 1.465m for proposed Unit 4 from the southern title boundary.

Council has discretion to consider a reduction in these setbacks provided the proposed development satisfies the requirements of Performance Criteria P3(a) and P3(b) for this Standard.

Proposed Unit 3 is located a minimum of 30m from dwellings on adjoining lots to the north or west and behind the building line of proposed Unit 4 from the adjoining lot to the south, 6 Moore Court. The location of Unit 3 will have minimal impact, if any, on residential amenity in any of these directions. To the east the subject site fronts a Crown administered access road. Its proximity to the access road is consistent with other development along this road, including the Units at 5, 7 and 9 Nichols Court.

Unit 3 is located a minimum distance of 3.5m from the dwelling on the adjoining lot to the south-east, 7 Moore Court. The private open space area for this dwelling is located to the north-east of the site, behind the main building and there are no habitable rooms in the western portion of the dwelling, which contains an indoor pool. Proposed Unit 3 may cast some shade onto the pool area of the dwelling at 7 Moore Court during the afternoon but will not affect solar access before midday. Neither the backyard nor any habitable rooms will be shaded by the proposed Unit.

Proposed Unit 4 is located a minimum distance of 20m from dwellings on adjoining lots to the north or west and behind the building line of existing and proposed development from Moore Court and the

Crown administered access road to the north-east. The location of Unit 4 will have minimal impact, if any, on residential amenity in any of these directions.

Unit 4 is located a minimum distance of 8m from dwellings on adjoining lots to the south, 6 Moore Court, and south-east, 7 Moore Court. The northern portion of this dwelling contains a combined kitchen/dining/living area.

Shading diagrams were submitted as part of the development application. These diagrams demonstrate the extent of overshadowing on the 21st June i.e. worst-case scenario. A copy of these diagrams is shown in Figures 4 – 10.

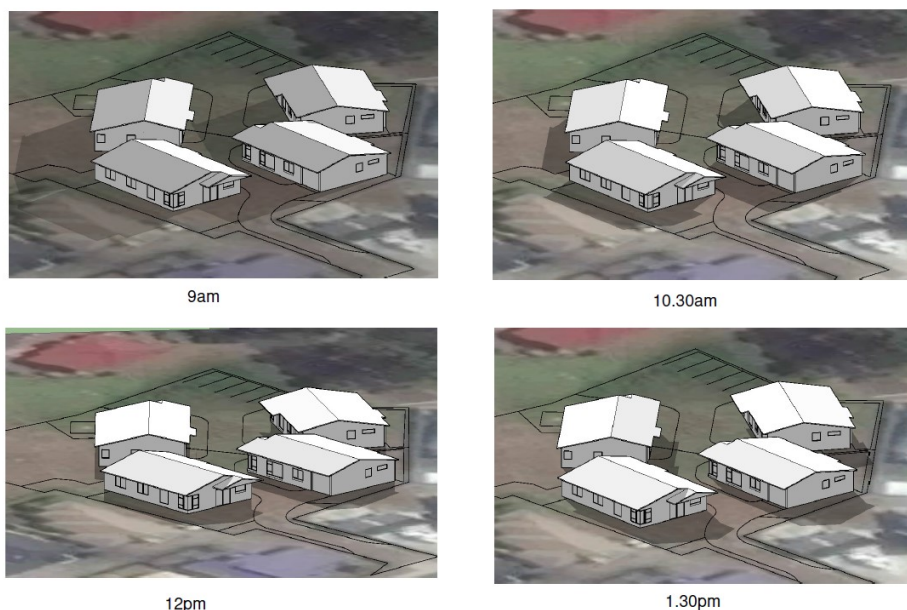


Figure 4: Shading diagrams 21st June (view from south)



Figure 4: Shading diagrams 21st June (view from south)



9am



10.30am



12pm



1.30pm

Figure 5: Shading diagrams 21st June (view from east)



3pm

Figure 6 Shading diagrams 21st June (view from east)



9am



10.30am



12pm



1.30pm

Figure 7: Shading diagrams 21st June (view from north)



3pm

Figure 8: Shading diagrams 21st June (view from north)



Figure 8: Shading diagrams 21st June (view from west)



Figure 10: Shading diagrams 21st June (view from west)

As shown in Figures 4 - 10, Unit 4 will cast some shade onto the dwelling and associated private open space area located at 6 Moore Court during the afternoon however solar access will not be affected prior to midday. Further, any shade cast by Unit 4 onto the dwelling at 6 Moore Court is confined to approximately 30% of the combined kitchen/dining/living area. Solar access to the portion of the backyard shaded by the unit is already affected by the existing development on the lot. The primary area of private open space for 6 Moore Court is accessed from the combined kitchen/dining/living area via a deck and is located to the east of the site. This area is not affected by the location of proposed Unit 4.

Regarding visual impact, the proposed units are single storey and are typical in size and scale to multiple dwelling development in the area, including the units on the adjoining titles to the north, at Nichols Court, and to the west, at 1 Moore Court.

The portion of each unit which protrudes beyond the permitted building envelope is confined to a corner of each building and does not continue for an entire elevation, minimising the visual impact of Units 3 and 4 when viewed from adjoining lots or the Crown administered reserved road. The

inclusion of windows in the elevations of Units 3 and 4 which infringe upon the permitted setback also help to mitigate the bulk and appearance of each unit.

The proposed units are separated from dwellings on adjoining lots by a minimum distance of 3.5m and the subject site does not adjoin any vacant lots. This separation distance is compatible with the surrounding area, with the distance between dwellings on adjoining lots varying from less than 3m to over 20m.

In this manner, the proposal complies with P3 for this Standard.

10.4.3 Site coverage and private open space for all dwellings

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| <p>A1 Dwellings must have:</p> <ul style="list-style-type: none"> (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (b) for multiple dwellings, a total area of private open space of not less than 60 m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces. | <p>P1 Dwellings must have:</p> <ul style="list-style-type: none"> (a) private open space that is of a size and dimensions that are appropriate for the size of the dwelling and is able to accommodate: <ul style="list-style-type: none"> (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any communal open space provided for this purpose within the development; and (ii) operational needs, such as clothes drying and storage; and (b) reasonable space for the planting of gardens and landscaping. |
| <p>Planning Comments: Complies</p> <p>The subject site has an area of 2463m² and each of the proposed units has a floor area of 141.4m². Total site coverage is 30%. Approximately 800m² of the site is covered by paved surfaces. At least 40% of the site is clear of impervious surfaces.</p> <p>The plans submitted as part of the development application demonstrate that each of the proposed units has a total area of private open space greater than 60m².</p> <p>The proposal complies with A1 for this Standard.</p> | |
| <p>A2 A dwelling must have an area of private open space that:</p> <ul style="list-style-type: none"> (a) is in one location and is at least: <ul style="list-style-type: none"> (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer) ; and (b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> (i) 4 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer) ; and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom) ; | <p>P2 A dwelling must have private open space that:</p> <ul style="list-style-type: none"> (a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is: <ul style="list-style-type: none"> (i) conveniently located in relation to a living area of the dwelling; and (ii) orientated to take advantage of sunlight. |

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| <p>and</p> <p>(d) is not located to the south, southeast or southwest of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p> | |
| <p>Planning Comments: Complies</p> <p>The plans submitted as part of the development application demonstrate that each of the proposed units has a dedicated private open space area greater than 24m², with a minimum dimension of 4m, located to the north, north-west or east of the respective unit and located in a relatively flat area, clear of the internal driveway and areas set aside for vehicle parking.</p> <p>The nominated private open space area for proposed Unit 2 is immediately accessible from the combined kitchen/living/dining area. The nominated private open space areas for proposed Units 1, 3 and 4 are accessed via the laundry. Units 1, 3 and 4 require assessment against Performance Criteria P2 for this Standard.</p> <p>Council has discretion to consider a unit with an area of private open space which is not immediately accessible from a habitable room, other than a bedroom, provided the relevant unit contains an area which is:</p> <ul style="list-style-type: none"> capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play; and which is conveniently located in relation to a living area of the dwelling and orientated to take advantage of sunlight <p>Shading diagrams submitted as part of the development application demonstrate the extent of overshadowing on the 21st June i.e. worst-case scenario.</p> <p>As shown in Figures 4 - 10, the nominated private open space areas for Units 3 and 4 will be overshadowed during the afternoon. Solar access will not be affected before midday. Similarly, the nominated private open space area for Unit 1 will be overshadowed during the morning but will receive adequate sunlight throughout the remainder of the day. The shading diagrams demonstrate that the nominated private open space areas for Units 1, 3 and 4 will have sufficient opportunity for access to sunlight.</p> <p>Each area is fenced off from the internal driveway and backyards of other units, providing privacy and opportunity for outdoor recreation. The areas are directly accessible from the laundry and internal hallway of each unit, with sliding glass doors in the combined kitchen/living/dining area providing an alternative means of access into other parts of the backyard.</p> <p>In this manner, the proposal satisfies P2 for this Standard.</p> | |

10.4.4 Sunlight and overshadowing for all dwellings

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| <p>A1</p> <p>A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p> | <p>P1</p> <p>A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).</p> |
| <p>Planning Comments: Complies</p> <p>The windows in the combined kitchen/dining/living areas of Units 2, 3 and 4 face between 30° west of north and 30° east of north. Unit 1 does not have any north facing windows to habitable rooms other than bedrooms and requires assessment against Performance Criteria P1 for this Standard.</p> <p>Council has discretion to consider a unit which does not contain a north facing window in a habitable room, other than a bedroom, provided the unit is sited and designed so as to allow sunlight to enter at least one habitable room, other than a bedroom.</p> <p>Both the eastern and western elevations of proposed Unit 1 contain windows to the combined kitchen/living/dining area. This area spans the width of the unit and the positioning of windows on either side provide opportunity for solar access during the morning via the windows in the eastern elevation and during the afternoon via the windows in the western elevation.</p> <p>In this manner, the proposal satisfies with P1 for this Standard.</p> | |
| <p>A2</p> <p>A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</p> <p>The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <ul style="list-style-type: none"> at a distance of 3 m from the window; and (ii) vertically to a height of 3m above natural ground level and then at an angle of 45 degrees from the horizontal. <p>The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> an outbuilding with a building height no more than 2.4 m; or protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling. | <p>P2</p> <p>A multiple dwelling must be designed and sited to not cause unreasonable loss of amenity by overshadowing a window of a habitable room (other than a bedroom), of another dwelling on the same site, that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p> |
| <p>Planning Comments: Complies</p> <p>Proposed Units 2 and 3 are located to the north of proposed Units 1 and 4 respectively. Neither of the windows in the northern elevation of proposed Unit 1 are for habitable rooms, other than bedrooms. The windows are for a garage and a bedroom. The proximity of Unit 2 to Unit 1 is therefore compliant with this Standard.</p> <p>The northern elevation of proposed Unit 4 contains windows to the combined kitchen/dining/living area and Unit 3 is located less than 3m from Unit 4. Shading diagrams submitted as part of the</p> | |

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| <p>development application demonstrate the extent of overshadowing on the 21st June i.e. worst-case scenario.</p> <p>As shown in Figures 4 - 10, the windows to the combined kitchen/living/dining areas of proposed Units 1 and 4 will receive a minimum of 3 hours of sunlight between 9:00am and 3:00pm. The proximity of Unit 3 to Unit 4 is therefore compliant with A2(b) for this Standard.</p> <p>The proposal complies with A2 for this Standard.</p> | |
| <p>A3</p> <p>A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <p>The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):</p> <ul style="list-style-type: none"> at a distance of 3 m from the northern edge of the private open space; and vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. <p>The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00 pm on 21st June.</p> <p>That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> an outbuilding with a building height no more than 2.4 m; or protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling. | <p>P3</p> <p>A multiple dwelling must be designed and sited to not cause unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3.</p> |
| <p>Planning Comments: Complies</p> <p>Proposed Units 2 and 3 are located to the north of the nominated private open space areas of Units 1 and 4 respectively. Neither Unit 2 nor Unit 3 are located a sufficient distance from the private open space areas of Units 1 and 4 to comply with A3(a) for this Standard.</p> <p>Shading diagrams submitted as part of the development application demonstrate the extent of overshadowing on the 21st June i.e. worst-case scenario.</p> <p>As shown in Figures 4 - 10, the nominated private open space areas for Units 4 will be overshadowed during the afternoon however solar access will not be affected before midday. Similarly, the nominated private open space area for Unit 1 will be during the morning but will receive adequate sunlight throughout the remainder of the day.</p> <p>The shading diagrams demonstrate that at least 50% of the nominated private open space areas for Units 1 and 4 will receive 3 hours of sunlight between 9:00am and 3:00pm on 21st June, in accordance with the requirements of A3(b) for this Standard.</p> <p>The proposal complies with A3 for this Standard.</p> | |

10.4.6 Privacy for all dwellings

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| <p>A1</p> <p>A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor</p> | <p>P1</p> <p>A balcony, deck, roof terrace, parking space or carport (whether freestanding or part of the dwelling) that has a finished surface or floor level</p> |
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| <p>level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site. | <p>more than 1 m above natural ground level, must be screened, or otherwise designed, to minimise overlooking of:</p> <ul style="list-style-type: none"> (a) a dwelling on an adjoining lot or its private open space; or (b) another dwelling on the same site or its private open space; or (c) an adjoining vacant residential lot. |
| <p>Planning Comments: Not applicable</p> <p>Each of the proposed units is single storey. The proposal does not involve any balcony, deck, roof terrace, parking space, or carport with a finished surface or floor level more than 1 m above natural ground level.</p> <p>Neither A1 nor P1 for this Standard are applicable to this proposal.</p> | |
| <p>A2</p> <p>A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <ul style="list-style-type: none"> (a) The window or glazed door: <ul style="list-style-type: none"> (i) is to have a setback of at least 3m from a side boundary; and (ii) is to have a setback of at least 4m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6m from the private open space of another dwelling on the same site. (b) The window or glazed door: <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or | <p>P2</p> <p>A window or glazed door, to a habitable room of dwelling, that has a floor level more than 1 m above the natural ground level, must be screened, or otherwise located or designed, to minimise direct views to:</p> <ul style="list-style-type: none"> (a) window or glazed door, to a habitable room of another dwelling; and (b) the private open space of another dwelling; and (c) an adjoining vacant residential lot. |

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| <p>is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.</p> | |
| <p>Planning Comments: Not applicable</p> <p>Each of the proposed units is single storey. The proposal does not involve any window or glazed door to a habitable room of a dwelling with a floor level more than 1 m above natural ground level.</p> <p>Neither A2 nor P2 for this Standard are applicable to this proposal.</p> | |
| <p>A3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5 m; or</p> <p>(b) 1 m if:</p> <p>(i) it is separated by a screen of at least 1.7 m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.</p> | <p>P3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise detrimental impacts of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p> |
| <p>Planning Comments: Complies</p> <p>Provision for car parking comprises a single garage in each of the proposed units with an additional five car parks located to the north of the site. Each of the external car parking spaces is located a minimum distance of 4m from the nearest proposed unit.</p> <p>All windows to habitable rooms in proposed Unit 3 are located a minimum distance of 2.5m from the internal driveway.</p> <p>The windows to the combined kitchen/living/dining areas of Units 1, 2 and 4 are located less than 2.5m but greater than 1m from the shared internal driveway. The plans submitted as part of the development application demonstrate that fencing/screening with a maximum height of 1.5m will be provided between the internal driveway and the windows to the kitchen/living/dining areas of Units 1, 2 and 4.</p> <p>It is recommended that a condition be included on any permit issued as follows:</p> <ul style="list-style-type: none"> Screening with a transparency of not greater than 30% and a minimum height of 1.7m is to be provided between the internal driveway and windows to the kitchen/living/dining areas of Units 1, 2 and 4. <p>In this manner, the proposal can be conditioned to comply with A3 for this Standard.</p> | |

10.4.8 Waste storage for multiple dwellings

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| <p>A1</p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5m² per dwelling and is within one of the following locations:</p> <p>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> | <p>P1</p> <p>A multiple dwelling development must provide storage, for waste and recycling bins, that is:</p> <p>(a) capable of storing the number of bins required for the site; and</p> <p>(b) screened from the frontage and dwellings; and</p> <p>(c) if the storage area is a communal storage</p> |
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| (b) in a communal storage area with an impervious surface that: (c) has a setback of at least 4.5 m from a frontage; and (i) is at least 5.5 m from any dwelling; and (ii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area. | area, separated from dwellings on the site to minimise impacts caused by odours and noise. |
| Planning Comments: Complies Plans submitted as part of the development application demonstrate that communal areas either side of the internal driveway have been set aside for the storage of waste and recycling bins. Detail submitted with the application states that these areas are located a minimum distance of 4.5m from Moore Court, 5.5m from the nearest dwelling in any direction and are screened in accordance with A1(c)(iii). The proposal complies with A1 for this Standard. | |

10.4.9 Suitability of a site or lot for use or development

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| A1 A site or each lot on a plan of subdivision must – (a) have an area of not less than 330m ² excluding any access strip; and (b) if intended for a building, contain a building area of not less than 10.0m x 15.0m (i) clear of any applicable setback from a frontage, side or rear boundary; (ii) clear of any applicable setback from a zone boundary; (iii) clear of any registered easement; (iv) clear of any registered right of way benefiting other land; (v) clear of any restriction imposed by a utility; (vi) not including an access strip; (vii) accessible from a frontage or access strip; and (viii) if a new residential lot, with a long axis within the range 30° east of north and 20° west of north | P1 A site or each lot on a plan of subdivision must – (a) be of sufficient area for the intended use or development without likely constraint or interference for – (i) erection of a building if required by the intended use; (ii) access to the site; (iii) use or development of adjacent land; (iv) a utility; and (v) any easement or lawful entitlement for access to other land; and (b) if a new residential lot, be orientated to maximise opportunity for solar access to a building area |
| Planning Comments: Complies The subject site comprises approximately 2300m ² , excluding the access strip, and is a vacant residential lot. There is adequate area on the site to contain a 10m x 15m building area which is orientated north-south and is clear of all applicable setbacks, registered easements and the right of way on the title. The proposal complies with A1 for this Standard. | |
| A2 A site or each lot on a subdivision plan must have a separate access from a road – (a) across a frontage over which no other land has a right of access; and (b) if an internal lot, by an access strip | P2 (a) A site must have a reasonable and secure access from a road provided – (i) across a frontage; or (ii) by an access strip connecting to a frontage, if for an internal lot; or |

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| <p>connecting to a frontage over land not required as the means of access to any other land; or</p> <p>(c) by a right of way connecting to a road</p> <p>(i) over land not required as the means of access to any</p> <p>(ii) other land; and</p> <p>(iii) not required to give the lot of which it is a part the</p> <p>(iv) minimum properties of a lot in accordance with the</p> <p>(v) acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right of way of not less than</p> <p>(i) 3.6 m for a single dwelling development; or</p> <p>(ii) 6.0 m for multiple dwelling development or development for a non-residential use; and</p> <p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan</p> | <p>(iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(iv) the dimensions of the frontage and any access strip or right of way must be adequate for the type and volume of traffic likely to be generated by –</p> <p>a. the intended use; and</p> <p>b. the existing or potential use of any other land which requires use of the access as the means of access for that land; and</p> <p>(v) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan; or</p> <p>(b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan</p> |
| <p>Planning Comments: Complies</p> <p>The subject site is an internal lot accessed from Moore Court via an access strip which connects to an 11.3m frontage onto Moore Court. The access strip is not required as the means of access to any other lot and has a minimum width of 6m.</p> <p>The proposal complies with A2 for this Standard.</p> | |
| <p>A3</p> <p>A site or each lot on a plan of subdivision must be capable of connecting to a water supply provided in accordance with the <i>Water and Sewerage Industry Act 2008</i></p> | <p>P3</p> <p>It must be unnecessary to require a water supply</p> |
| <p>Planning Comments: Complies</p> <p>A connection to TasWater's reticulated water supply can be achieved for the subject site in accordance with the <i>Water and Sewerage Industry Act 2008</i>.</p> <p>The proposal complies with A3 for this Standard.</p> | |
| <p>A4</p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and waste water to a sewage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i></p> | <p>P4</p> <p>It must be unnecessary to require the drainage and disposal of sewage or waste water</p> |

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| <p>Planning Comments: Complies</p> <p>A connection to TasWater’s reticulated sewerage infrastructure can be achieved for the subject site in accordance with the <i>Water and Sewerage Industry Act 2008</i>.</p> <p>The proposal complies with A4 for this Standard.</p> | |
| <p>A5</p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i></p> | <p>P5</p> <p>It must be unnecessary to require the drainage of stormwater</p> |
| <p>Planning Comments: Complies</p> <p>A connection to Council’s reticulated stormwater infrastructure can be achieved for the subject site in accordance with the <i>Urban Drainage Act 2013</i>. Council’s Engineers require the following condition to be included on any permit issued:</p> <ul style="list-style-type: none"> • A stormwater connection point including an accessible inspection opening at ground level is to be constructed at the lowest point of the lot to permit connection to Council’s stormwater drainage reticulation network. The connection point is to be inspected and approved by the Director Infrastructure and Development Services before backfilling. <p>The proposal complies with A5 for this Standard.</p> | |

Part E Codes

Bushfire-Prone Areas Code

E1 Not applicable to this application.

Airport Impact Management Code

E2 Not applicable to this application.

Clearing and Conversion of Vegetation Code

E3 Not applicable to this application.

Change in Ground Level Code

E4 Not applicable to this application.

Local Heritage Code

E5 Not applicable to this application.

Hazard Management

E6 Not applicable to this application.

Signs Code

E7 Not applicable to this application.

Telecommunications Code

E8 Not applicable to this application.

Traffic Generating Use and Parking Code

E9.5.1 Provision for Parking

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| <p>A1 Provision for parking must be –</p> <p>(a) the minimum number of onsite vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code;</p> | <p>P1</p> <p>(a) It must be unnecessary or unreasonable to require arrangements for the provision of vehicle parking; or</p> <p>(b) Adequate and appropriate provision must be made for vehicle parking to meet –</p> <p>(i) anticipated requirement for the type, scale, and intensity of the use;</p> <p>(ii) likely needs and requirements of site users; and</p> <p>(iii) likely type, number, frequency, and duration of vehicle parking demand</p> |
| <p>Planning Comments: Complies</p> <p>The proposal is for multiple dwellings (4 units) on an internal lot in the General Residential zone. According to Table E9.1, multiple dwelling development requires two car parking spaces per dwelling and one additional car parking space per 3 dwellings (rounded up to the nearest whole number) for internal lots. A total of ten (10) car parking spaces are required for the proposed development.</p> <p>Provision for car parking comprises a single garage in each of the proposed units with an additional five car parks located to the north of the site for a total of nine (9) car parking spaces. It is recommended that a condition be included on any permit issued as follows:</p> <p>One (1) additional car parking space is to be located to the south of the proposed car parking area for a total of six (6) external car parking spaces. Each car parking space is to be numbered and line marked or otherwise delineated to identify the parking provided for each unit. Visitor parking spaces must be identified as such.</p> <p>In this manner, the proposal can be conditioned to comply with A1 for this Standard.</p> | |

E9.6.1 Design of vehicle parking and loading areas

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| <p>A1.1 All development must provide for the collection, drainage and disposal of stormwater; and</p> <p>A1.2 Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –</p> <p>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities Off Street Car Parking;</p> <p>(b) Be in accordance with AS/NZS2890.2 (2002) Parking Facilities Off Street Commercial Vehicles;</p> <p>(c) Be in accordance with AS/NZS 2890.3 1993) Parking Facilities - Bicycle Parking Facilities;</p> <p>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities Off Street Parking for</p> | <p>P1 The layout and construction of a vehicle parking area, loading area, circulation aisle, and manoeuvring area must be adequate and appropriate for –</p> <p>(a) the nature and intensity of the use;</p> <p>(b) effect of size, slope and other physical characteristics and conditions of the site;</p> <p>(c) likely volume, type, and frequency of vehicles accessing the site;</p> <p>(d) likely demand and turnover for parking;</p> <p>(e) delivery and collection vehicles;</p> <p>(f) familiarity of users with the vehicle loading and vehicle parking area;</p> <p>(g) convenience and safety of access to the site from a road;</p> <p>(h) safety and convenience of internal vehicle and pedestrian movement;</p> <p>(i) safety and security of site users; and</p> <p>(j) the collection, drainage, and disposal of stormwater</p> |
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| <p>People with Disabilities;</p> <p>(e) Each parking space must be separately accessed from the internal circulation aisle within the site;</p> <p>(f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and</p> <p>(g) Be formed and constructed with compacted subbase and an all-weather surface.</p> | |
| <p>Planning Comments: Complies</p> <p>Council's Engineers require the following condition to be included on any permit issued:</p> <ul style="list-style-type: none"> • A Stormwater connection point including an accessible inspection opening at ground level is to be constructed at the lowest point of the lot to permit connection to Council's stormwater drainage reticulation network. The connection point is to be inspected and approved by the Director Infrastructure and Development Services before backfilling. <p>In this manner, the proposal will comply with A1.1 for this Standard.</p> <p>The proposal is for a multiple dwelling development in the General Residential zone. Each carparking spaces is accessed independently from the internal driveway and the layout the driveway and parking areas allow for the forward movement and passing of all vehicles within the site. Council's Engineers require the following conditions to be included on any permit issued:</p> <ul style="list-style-type: none"> • Off-street car parking and hardstand areas are to be surfaced in an all-weather material such as concrete, asphalt or bitumen spray seal. All stormwater runoff from the car parking and hardstand areas is to be collected onsite and directed to a stormwater system designed to cater for a 1 in 20-year ARI storm and discharged to a legal point of discharge to the reasonable requirements of the Director Infrastructure and Development Services. • Off-street parking spaces and associated driveways and turning areas are to be designed in accordance with AS 2980.1 and be approved by the Director of Infrastructure and Development Services. • Vehicular access to and egress from the site is to occur only in a forward motion. <p>In this manner, the proposal will comply with A1.2 for this Standard.</p> | |
| <p>A2</p> <p>Design and construction of an access strip and vehicle circulation, movement and standing areas for use or development on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be in accordance with the principles and requirements for in the current edition of Unsealed Roads Manual – Guideline for Good Practice ARRB</p> | <p>P2</p> <p>Design of internal access roads and vehicle circulation, movement and standing areas for permitted use on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be adequate and appropriate for the likely type, volume, and frequency of traffic</p> |
| <p>Planning Comments: Not applicable</p> <p>The subject site is in the General Residential zone.</p> <p>Neither A2 nor P2 for this Standard are applicable to this proposal.</p> | |

Water and Waterways Code

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

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| <p>A1 There is no acceptable solution</p> | <p>P1 Development must –</p> <ul style="list-style-type: none"> (a) minimise risk to the function and values of a water body, watercourse or wetland [R37], including for – <ul style="list-style-type: none"> (i) hydraulic performance; (ii) economic value; (iii) water based activity; (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 (b) be consistent with any advice or decision of a relevant entity administering or enforcing compliance with an applicable protection and conservation regulation for – <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 waterbody, water course or wetland |
| <p>Planning Comments: Complies</p> <p>To the north-east, the subject site adjoins a Crown administered access road. Camp Creek lies to the east of the road, approximately 12.5m from the subject site. The proposed development is located approximately 15m from Camp Creek. The proposal requires assessment against Performance Criteria P1 for this Standard.</p> <p>All proposed development is confined within the boundaries of the subject site and the proposal does not include any changes in ground level which require assessment under the Planning Scheme. Connections to TasWater’s reticulated water and sewerage infrastructure and Council’s stormwater network can be achieved, and the proposal does not require the modification of any natural drainage channel. A note will be included on any permit issued as follows:</p> <ul style="list-style-type: none"> This development/use is not to result in the generation of environmental harm or nuisance as defined in the <i>Environmental Management and Pollution Control Act 1994</i> Access to the site is via Moore Court. The proposal will not restrict the general public from accessing Camp Creek via the Crown administered access road to the north-east of the subject site. The proximity of development to Camp Creek is consistent with other development along the access road, including the Units at 5, 7 and 9 Nichols Court and the dwelling on the adjoining lot to the south-east, at 7 Moore Court. The proposal will have minimal impact, if any, on the ability of the hydraulic performance or economic value of the creek, or for the general public to safely engage in water-based activities. <p>The Crown administered access road and provides a natural buffer between the proposed</p> | |

development and Camp Creek with the existing vegetation along the bank of the creek providing further screening. The subject site has not been identified as being at risk of any flooding or inundation. Council's Engineering Department has undertaken an assessment of the proposed development and requires the following condition to be included on any permit issued:

- A Stormwater connection point including an accessible inspection opening at ground level is to be constructed at the lowest point of the lot to permit connection to Council's stormwater drainage reticulation network. The connection point is to be inspected and approved by the Director Infrastructure and Development Services before backfilling.

The LISTmap does not identify and threatened flora or fauna in the vicinity of the subject site and the proposed development does not involve any works which directly affect the creek or banks of the creek. The proposal did not require referral to any other external agency.

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 LUPAA and must enforce the planning scheme under S.48 of LUPAA

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

STRATEGIC IMPLICATIONS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

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

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

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

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 multiple dwellings (4 units) comply with either the acceptable solution or satisfy the performance criteria for all applicable standards of the Planning Scheme. The proposal makes appropriate use of a large, internal residential lot and the dwelling density and site layout provide sufficient opportunity for solar access to both habitable rooms and private open space areas for each unit. Overshadowing of adjoining lots and the location of the proposed units will have minimal impact on the residential amenity of surrounding properties. The proposed development will not have any greater impact on Camp Creek than existing residential development in the area.

The application is considered to comply with the General Residential Zone provisions, the Traffic Generating Use and Parking Code provisions and the Water and Waterways Code provisions for the *Waratah-Wynyard Interim Planning Scheme 2013*. It is therefore recommended that Council approve a planning permit for the proposed multiple dwellings (4 units).

8.0 MATTERS RAISED BY COUNCILLORS

Legislative Reference:

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

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

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

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

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

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

Nil

8.2 COUNCILLOR QUESTIONS RECEIVED IN WRITING

Nil

8.3 COUNCILLOR QUESTIONS WITHOUT NOTICE

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

9.0 NOTICES OF MOTION

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015; Regulation 16

(5) *A councillor may give written notice of a motion, together with supporting information and reasons, to be included on the agenda of the next meeting to the general manager at least 7 days before the meeting.*

(6) *The general manager, after consultation with the chairperson, may refuse to accept a written motion that, in their opinion –*

(a) *is defamatory; or*

(b) *contains offensive language; or*

(c) *is unlawful.*

(7) *A councillor who has given notice of a motion that has not been refused under sub regulation (6) is to move the motion at the meeting, otherwise it lapses.*

9.1 CR M DUNIAM – ESTABLISHMENT OF COMMUNITY BOARD SOMERSET

MOTION

That Council investigate the cost and feasibility of establishing a Community Board in Somerset.

BACKGROUND

This Motion is put forward in the context of addressing the interests and issues of the Somerset community through the mechanism of a Community Board.

Community governance is defined as community management and decision-making. The concept usually refers to community participation, engagement, social governance, network governance and participatory governance with the broad aims of addressing community needs and building community capacity and well-being.

This Council already leads the way with community governance through the establishment of a Community Board at Waratah, where the Waratah community has been actively encouraged to participate in decision-making about their community and its future well-being.

The leadership of Waratah-Wynyard Council in establishing the Waratah Community Board has been acknowledged and lauded by the Municipal Association of Victoria at the 2018 Future of Local Government National Summit held in Melbourne on 30th and 31st May 2018.

The establishment of the Waratah Community Board was initiated by Waratah-Wynyard Council in collaboration with community members of Waratah, with a purpose to:

-
- represent and act as an advocate for the interests of the local community;
 - consider and report on any matter referred to it by Waratah-Wynyard Council, and any issues of interest to the Community Board;
 - develop projects and submit funding applications to Waratah-Wynyard Council for consideration and support;
 - maintain an overview of services provided to the Waratah community by Waratah-Wynyard council within the community; and
 - communicate with local community organisations and special interest groups in the community, and undertake any other responsibilities delegated by Waratah-Wynyard Council.

It should be noted at this point that the Building Somerset Futures group has already established itself as a voice for the Somerset community to monitor Council activity in Somerset and propose suggestions for Somerset community projects. However, the purpose of this motion is not to over-ride what Building Somerset Futures has undertaken in the interests of the Somerset community.

Utilising the Waratah Community Board model and functions, the purpose of the Somerset Community Board is to build a stronger relationship between Somerset community and Waratah-Wynyard Council. This could be achieved by engaging more broadly with community members who have both interest and expertise in areas such as business development, environment, community development etc.

This investigation into the feasibility and cost of establishing a Somerset Community Board should be undertaken in collaboration with Building Somerset Futures group, so as to achieve the best possible outcome for the whole Somerset community. And, the purpose of the Somerset Community Board is to build community capacity through providing the opportunity of decision-making and having a stronger voice about the future well-being of Somerset.

OFFICER COMMENT

The motion requests an investigation into the feasibility and cost of establishing a Somerset Community Board, ensuring collaboration with Building Somerset Futures group, and this can be undertaken, and a subsequent briefing paper provided to Council.

Waratah was identified as a centre of exceptional potential but held back by a lack of cohesive leadership in the community and a polarised relationship with Council. It was thought that a Community Board in Waratah functioning with the support of Council and focussed on achieving a Community Plan would provide an opportunity for the Waratah community to realise its tourism and community potential. It is a model specifically chosen for that circumstance and may or may not be appropriate or suitable for other towns.

The Waratah Community Board model is still in its infancy in Tasmania - the Board has been in place for one year and although there has been great progress the model is still finding its feet. There have been some early observations which highlight that just as traditional community engagement was not working in Waratah the new community board model may not work in larger communities with different needs, levels of engagement and capacity.

Additionally, Somerset is not geographically isolated and has access to a larger population of participants to engage in community activities.

There is some risk associated with having a multitude of likeminded Boards within the one Council area. Part of the review would explore other possible governance alternatives, including strengthening the connection and building stronger relationships with the Building Somerset Futures group.

The motion broadly highlights differing levels of engagement between Council and the community and it is important that through the development of the current Communication and Engagement Strategy, consideration is given on how to foster stronger working relationships and ultimately result in improved decision making and engagement across all areas of the municipality.

9.2 MAYOR R WALSH – ESTABLISHMENT OF ENCLOSED DOG AREA IN WYNYARD

MOTION

That Council officers prepare a report on the establishment of an enclosed dog exercise area within Wynyard.

BACKGROUND/SUPPORTING INFORMATION

This Motion is put forward following feedback from many community members on the desire for an enclosed dog exercise area in Wynyard.

It is recommended that the dog exercise enclosure be erected on the old tip site – situated between the Cemetery and Table Cape Primary School.

During consultation for the OSSR Plan respondents listed a fenced dog socialisation/exercise park as one of the activities that should be available in Wynyard.

It would be appreciated if the report could be completed in a timely manner so appropriate consideration can be given as part of the 2019/20 budget process.

OFFICER COMMENT

A report can be prepared and provided at the next Council Meeting.in time for consideration during the 2019/20 budget process.

10.0 REPORTS OF OFFICERS AND COMMITTEES

10.1 DRAFT COMMUNITY HEALTH AND WELLBEING PLAN, AGE FRIENDLY COMMUNITIES PLAN AND YOUTH PLAN (YPLAN) 2019 -2024

| | |
|----------------------|---|
| To: | Council |
| Reporting Officer: | Director Community and Engagement |
| Responsible Manager: | Director Community and Engagement |
| Report Date: | 6 March 2019 |
| File Reference: | |
| Enclosures: | REFER ATTACHMENT C Draft Community Health and Wellbeing Plan Draft Age Friendly Communities Plan Draft Youth Plan (YPLAN) Community Feedback Summary |

RECOMMENDATION

That Council adopt the draft Community Health and Wellbeing Plan 2019-2024, Age-Friendly Communities Plan 2019-2024 and Youth Plan 2019-2024 (YPLAN).

PURPOSE

The purpose of this report is to recommend that Council adopt the:

- Draft Community Health and Wellbeing Plan 2019-2024
- Draft Age Friendly Communities Plan 2019-2024
- Draft Youth Plan (YPLAN) 2019-2024

The reports were endorsed by Council to be released for community consultation at its September meeting

BACKGROUND

The draft Community Health and Wellbeing Plan 2019-2024, Age Friendly Communities Plan 2019-2024 and Youth Plan 2019-2024 (YPLAN) ('the Plans') is a major planning initiative of both the Waratah-Wynyard and Circular Head Councils to provide an evidence-based long-term direction for the planning and implementation of health and wellbeing, age friendly and youth specific projects and activities that will improve outcomes for the whole community in both the Waratah-Wynyard and Circular Head Municipal Areas over five year period from 2019 to 2024.

The plans were developed by EJ Shu from The Social Yield Pty Ltd and funded through both council budgets.

DETAILS

Each Plan is intended to support everyone living in Circular Head and Waratah-Wynyard to improve their health and enjoy enhanced wellbeing.

The Plans are seen as living documents, with progress towards goals tracked and measured to ensure the learnings from experience will strengthen the Plans over time.

Development of the Plans began with a review of the policy and planning context, including each Council's *Corporate Strategic Plan 2017-2027* and key Tasmanian Government documents. A picture of each community was built via a rapid review of the available literature to identify evidence of known issues and areas of concern.

The plans also drew on what is known about community experiences and aspirations from a range of sources, including:

- outcomes from a health and wellbeing planning workshop held in May 2018 with 32 participants drawn from Council staff, community leaders, and local and regional service providers. Participants identified multiple issues of concern and named potential enablers and barriers to achieving positive change. Workshop participants also identified what they saw as being the most pressing priorities for each local government area;
- findings from each Council's Annual Community Survey as well additional community consultation outcomes from internal research;
- community input into *Sustainable Murchison 2040*, a joint strategic planning framework for Circular Head, Waratah-Wynyard, West Coast, King Island and Burnie. Community input into *Sustainable Murchison 2040* was comprised of more than 1,900 responses gathered in 2016 through a series of community consultation sessions, an online survey, a school program, council workshops and community leaders' forums. Maintaining health and wellbeing was named as a key future direction for *Sustainable Murchison 2040*.

The resulting Plans bring these inputs together in the form of a five-year framework for action. It is a shared plan across both Circular Head and Waratah-Wynyard Councils. Annual delivery plans derived from the Plans will comprise actions targeted to the needs and characteristics of individual communities.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

The program of work has significant alignment with the Strategic Plan and Sustainable Murchison in the following ways:

Strategic Plan Reference

| GOAL 3: Connected Communities | |
|---|---|
| Desired Outcomes | |
| Waratah-Wynyard is a modern community—moving forward but not forgetting where it started. | |
| We listen and engage with our community in decision making. | |
| Our natural and built environment aids the community with an active and healthy lifestyle. | |
| Our strong local economy allows for the development of affordable services and programs for all ages. | |
| Our community uses its voice to shape its future alongside a strong Council willing to listen and implement where reasonable and practical. | |
| Our Priorities | |
| 3.1 | Promote and work with stakeholders to provide affordable quality services. |
| 3.2 | Deliver engagement strategies that adapt to community needs to ensure effective communication and collaboration. |
| 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. |
| 3.4 | Build community capacity through services and programs that strengthen, support and care for our community. |
| 3.5 | Provide high quality shared and multi-use community hubs that combine a range of recreational, sporting and educational uses. |
| 3.6 | Facilitate activities and events that promote inclusion, health, safety and a sense of place. |
| 3.7 | Promote and strengthen community safety to retain and attract families to live and recreate in Waratah-Wynyard. |
| 3.8 | Support and promote strategies to increase the rate of volunteerism in the community. |

| GOAL 4: Community Recreation and Wellbeing | |
|--|---|
| Desired Outcomes | |
| Our community is welcoming and supportive. | |
| Our community values, encourages and supports physical, social and cultural activities. | |
| We provide recreational opportunities to the community for all ages and abilities. | |
| Our community enjoys access to visually appealing safe spaces and facilities for recreation. | |
| Our Priorities | |
| 4.1 | Commit to ongoing recreation and open space planning to ensure evidence-based decisions are made about the role of Council and its partners in recreation. |
| 4.2 | Focus on the value of recreation in promoting the health and wellbeing of our community. |
| 4.3 | Employ land-use planning strategies to promote connectivity and equity in the allocation or use of open space for recreation purposes. |
| 4.4 | Provide and maintain quality and safe places and spaces for physical, social and cultural activities, including shared and multi-use facilities where possible. |
| 4.5 | Collaborate with community organisations that provide recreation opportunities to our community. |
| 4.6 | Encourage community providers to be welcoming, supportive and inclusive, and to provide for all ages, abilities and cultures. |

Sustainable Murchison Community Plan 2040

This process has strong alignment to many themes of Sustainable Murchison.

| Community Future Direction Theme | Key Challenges & Opportunities: | Contribution to outcomes: |
|--|--|---|
| Strong communities and social capital | Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities. | The Plans highlight where the community can enhance outcomes through targeted activities and actions. |
| 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. | The Plans identify the broad social issues facing the community and provides strategies to ensure inclusion and sense of place for all citizens |
| Health and Wellbeing | Maintaining good health and wellbeing – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities. | The Plans support health and wellbeing pursuits and provide strategies to reduce barriers to positive health outcomes. |
| Education | Lifelong learning and education – Education and lifelong learning is valued and there is access to vocational training and tertiary education. Education retention rates have increased. | A key focus of the Plans is to increase community awareness and shine a light on opportunities for self-improvement. |

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

A number of the actions listed in the plans will require budget expenditure. At this stage, these amounts are yet to be determined.

RISK IMPLICATIONS

There are no identified risk implications in respect to endorsing the Plans.

CONSULTATION PROCESS

Community consultation was open for a four-week period.

Feedback on the Plan

The draft version of this Community Health and Wellbeing Plan was exhibited for community feedback between 26 September and 24 October 2018.

Consultation on the draft Community Health and Wellbeing Plan was undertaken alongside consultation on the Councils' draft YPlan (Youth Plan) and draft Age-Friendly Communities Plan. The drafts and the invitation to provide feedback were disseminated through the following channels:

Print media

- The draft plans and the call for community feedback were featured in *The Advocate* newspaper on 29 September and in the *Circular Head Chronicle* on 4 October.

Council website

- A media release about the draft plans and the call for community feedback were posted to both Council websites in the 'Latest News' and 'Have Your Say' sections on 26 September.

Social media

- A notice about the drafts and invitation to provide feedback was posted to the Council Facebook page on 1 October, with an additional reminder posted on 22 October.

Hardcopies

- Hardcopies of the draft plans were placed in the Council foyer from 26 September and remained there throughout the feedback period.

Email

- The plans were circulated via email to all participants of the original Health and Wellbeing Planning Workshop convened during the plans' development; as well as to the Service providers Access Network (SPAN) and the Sport and Recreation Network
- A reminder email was sent to these recipients 22 October with links to the plans.

LGAT

- In addition to the above activities, the Local Government Association of Tasmania (LGAT) promoted and disseminated the draft CHC & WWC Community Health and Wellbeing Plan throughout the sector as part of its Local Government Community Health and Wellbeing Project.

Targeted consultation

- Targeted sessions were held with young people and individual agencies

Workshop discussions

- An additional workshop was held with Councillors

Community members and other stakeholders were invited to provide feedback to Council on the draft plans via letter, telephone, the 'Have Your Say' online facility or email. By close of the consultation period seven written submissions on the drafts.

COMMENT

The Plans are a five-year roadmap for promoting and improving the physical, mental and social wellbeing of our citizens. The plans have been developed to reflect both research and data and local knowledge and experience.

The integrated nature of the Plans reflects the ongoing close working relationship between Circular Head and Waratah-Wynyard Councils, and the way in which strategic goals are set in tandem. While the Plan is a joint strategy, the aim is to target actions to meet the individual needs of the communities.

It is therefore recommended that Council adopt the draft Community Health and Wellbeing Plan 2019-2024, Age-Friendly Communities Plan 2019-2024 and the Youth Plan 2019-2024 (YPLAN).

A report detailing the specific progress against each of these plans will be provided to Council every twelve months.

10.2 PUBLIC CONSULTATION OF THE CENTRAL AREA DEVELOPMENT STRATEGIES

| | |
|----------------------|---|
| To: | Council |
| Reporting Officer: | Manager Development Services |
| Responsible Manager: | Manager Development Services |
| Report Date: | 6 March 2019 |
| File Reference: | 000.27 |
| Enclosures: | REFER ATTACHMENT D Central Area Development Strategies report |

RECOMMENDATION

That Council endorse the draft Central Area Development Strategies for public consultation to receive public comments prior to final review and adoption of the plans

PURPOSE

The purpose of this report is to provide an overview of the drafting of the Central Area Development Strategies report (the Plan) and to seek approval to progress the project to public consultation and follow up the outcomes to formalise the Plan for future guidance of development in accordance with the finalised plan.

BACKGROUND

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

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

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

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

The key objectives of the Plan, identified by the Councils, are:

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

DETAILS

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

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

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

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

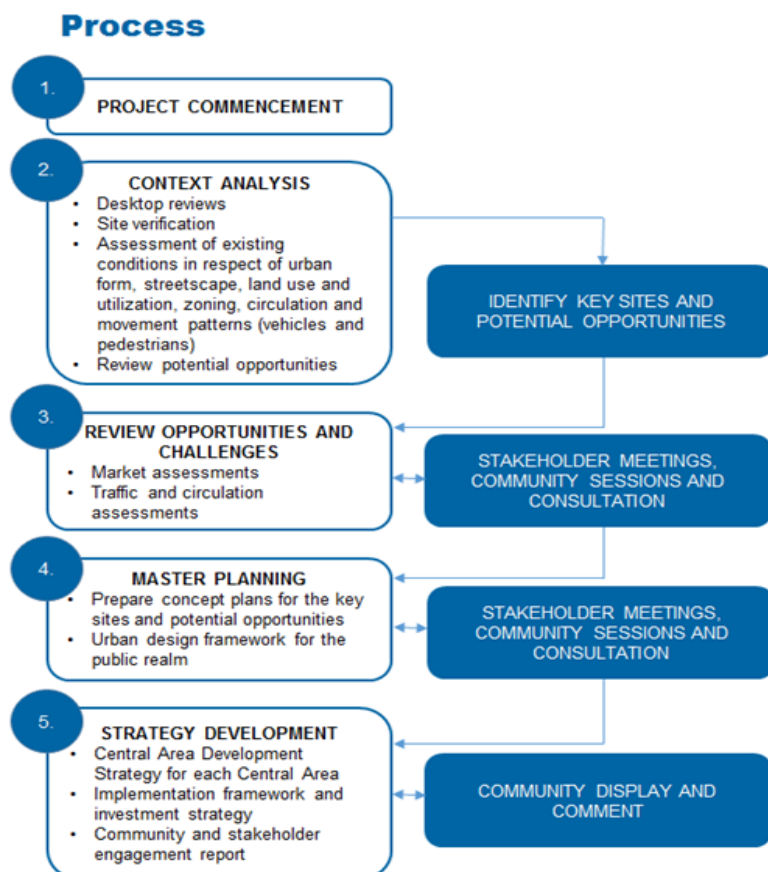
Market analysis and forecasting demands of residential, retail and commercial floor space over the next 25 years was undertaken. This provided a factual basis for

understanding the commercial realities associated with the investment and development of identified public and private opportunities. The *Sustainable Murchison 2040 Community Plan* has identified a number of key themes in terms of a response to economic opportunities. These included a restructuring of the economy to provide a greater focus on agriculture and tourism, capitalising on the rural-coastal lifestyle and affordable housing, encouraging young people and skilled workers to return to the region, climate change resilience and particular opportunities arising from climate change adaptation. The Plan assists in guiding strategic and detailed initiatives to achieve these strategic objectives.

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

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

An overview of the project process is provided in the figure below.



The targeted stakeholder consultation conducted thus far has informed the preparation of the draft Plan to this point.

Council is now at a stage where the final community consultation stage can be commenced to seek feedback in relation to the recommendations and options for future management and development of the Central Areas.

The Concept Plans will be the key product to seek feedback on during this phase of consultation, as they are a graphical representation of the information provided within the draft report.

The next stage of the project, post consultation, will be to review the feedback received and amend the Plan where required. The Plan will then be finalised and adoption by Council will be sought.

STATUTORY IMPLICATIONS

Once a final Plan has been adopted by Council, there are likely to be statutory requirements to assist in the delivery of the Plan. This may include the “rezoning” of properties within study area or the inclusion of a Specific Area Plan within the planning scheme to facilitate development.

There is an opportunity to reflect some of the recommendations within the drafting of the Local Provisions Schedule of the Tasmanian Planning Scheme, provided the Plan is adopted prior to the Local Provisions Schedule being endorsed by Council. The Local Provisions Schedule is planned to be presented to Council in June 2019.

If this opportunity is missed, then the zoning implementations would be considered during the first amendment of the Waratah-Wynyard Tasmanian Planning Scheme. This opportunity would be no sooner than 12 months time.

STRATEGIC IMPLICATIONS

| |
|---|
| GOAL 1: Leadership and Governance |
| Desired Outcomes |
| We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making. |
| 1.1 Commit to best practice in community engagement. 1.3 Encourage increased participation by all stakeholders. |
| GOAL 3: Connected Communities |
| Desired Outcomes |
| Our community uses its voice to shape its future alongside a strong Council willing to listen and implement where reasonable and practical. |

| |
|---|
| 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. |
|---|

POLICY IMPLICATIONS

There are no Council policy implications regarding the community consultation of this project.

FINANCIAL IMPLICATIONS

The community consultation for this project will be undertaken by Council staff. There will be costs associated with printing of display materials, mail outs to key stakeholders, and public notices. It is considered that the costs attributed to the consultation stage would not exceed \$2,000 and are within the project budget.

RISK IMPLICATIONS

It is best practice to undertake public consultation clear of any major holiday periods, so it will be preferable to complete the public consultation period prior to the easter break. Therefore, the public consultation is recommended to run from 22 March until 15 April 2019, so that the process is wrapped up prior to the public holidays.

With any form of community consultation there is always the potential for the community to have the perception that the decisions have already been made. The Consultation Plan developed for the project acknowledges this and it will be important to send a clear message that Council wants feedback. It is also important that Council makes it easy for the community to provide feedback.

CONSULTATION

Engagement activities during the consultation period involved a combination of direct and indirect contact with stakeholders. This ensured that:

- Stakeholders were aware of the project and opportunities for consultation and involvement.
- Stakeholders were given the opportunity to express their views through a number of different mediums.

Workshops with councillors were undertaken, and business-oriented focus group sessions have also been held relating to each Central Area.

One-on-one discussions with key property owners have also been undertaken in each Central Area, while a walk-and-talk session within each Central Area was also undertaken

with a good level of participation experienced. A summary of the consultation activities and feedback received is provided under chapter 6 of the Plan.

A Communications Plan has been prepared to seek feedback on the draft Plan prior to finalisation and adoption. It is intended to commence the public consultation by 22 March 2019 for a period of over 3 weeks, finishing by 15 April 2019. Feedback will be gathered, with the Plan reviewed to reflect the responses, before being presented back to Council at the May Council Meeting.

Engagement tools will include:

- Website
- Fact sheet
- Targeted mail out to key stakeholders (those who have previously been engaged during the drafting of the report)
- Media release
- Social media
- Public notice (advertisement in the Advocate)

The key messages for the community consultation will include:

- The process is about formalising the interactions between Council-owned property and private land for future development opportunities.
- The Plan will act as a trigger for private investment to help drive the future growth of Somerset and Wynyrd.

The Consultation Plan recognises the importance of the key stakeholders. It is proposed that they be contacted prior to the commencement of the public consultation and offered a preview of the draft Plan so they can see how their involvement has been reflected within the plans.

COMMENT

Council have developed a number of options and initiatives to guide the future development and improvement of the Central Areas of Somerset and Wynyrd in consultation with key stakeholders. It is considered that the project has now proceeded to the final stage of consultation and should be to be presented to the community. It is important that community views be sought and considered prior to finalising the Central Area Development Strategies report. Endorsement is therefore sought to take the draft Central Area Development Strategies report to community consultation.

10.3 EMERGENCY MANAGEMENT ARRANGEMENTS

| | |
|----------------------|-----------------------------------|
| To: | Council |
| Reporting Officer: | Director Community and Engagement |
| Responsible Manager: | Director Community and Engagement |
| Report Date: | 6 March 2019 |
| File Reference: | |
| Enclosures: | Nil |

RECOMMENDATION

That the Council

1. Acknowledge the retirement of Christopher Fagg from the role of Municipal Emergency Management Coordinator
2. Nominate Julie Bernhagen to be the Municipal Emergency Management Coordinator in accordance with Section 23 of the Emergency Management Act 2006.
3. Nominate Joshua Fraser to be the Deputy Municipal Emergency Management Coordinator in accordance with Section 23 of the Emergency Management Act 2006.
4. Authorise the General Manager to negotiate changes to the Tasmania State Emergency Service and Waratah-Wynyard Council MOU to include an annual budget allocation to Regional SES for the delivery of operational budget to Wynyard and Waratah SES Units.

PURPOSE

The purpose of this report is to advise Council of the retirement of Chris Fagg, Emergency Management Coordinator after 30 years in that role for Waratah Wynyard Council.

Also, to consider nomination of a new Municipal Emergency Management Coordinator and Deputy in accordance with Section 23 of the Emergency Management Act 2006 ('the Act').

Additionally, to authorise the General Manager to negotiation of a new MOU with the Tasmanian State Emergency Service to include an annual operational budget allocation as part of that agreement.

BACKGROUND

Chris Fagg has been for filling the role of Municipal Emergency Management Coordinator and will celebrate 30 years of service to emergency management at the end of March 2019. Chris and Anne Fagg have provided exceptional support to Waratah-Wynyard

Council through both emergency Management and significant roles they played in local SES operations and units.

Chris Fagg has developed and maintained many of the critical documents relating to Emergency Services for Council and delivered emergency exercises that tested and embedded good practice and implementation of those processes.

In addition, Chris has supported Council and SES units through fire, floods and major storm events and leaves a legacy of strong advocacy for local units and being well regarded within emergency management and SES. He has been a strong consistent voice for the importance of preparedness and a common-sense approach.

Tracey Bradley is currently the Council's Deputy Municipal Coordinator in accordance with the Waratah-Wynyard Emergency Management Plan and the Act.

Council has a MOU with the Tasmanian State Emergency Service that outlines the commitments of both organisations for the delivery of SES activities within the Waratah - Wynyard Municipal area. The Current MOU provides for Council to fund the operational management of the Wynyard and Waratah SES Units in accordance with requirements in the Emergency Management Act. This occurs through development of an annual budget for this activity and Councils standard internal processes to administer the funds.

DETAILS

Chris Fagg has formally indicated his desire to retire from the role of Municipal Emergency Management Coordinator as at the end of March 2019 and the Act the Council is required to nominate a person to fulfil the position of Coordinator and Deputy Coordinator Municipal Emergency Management for the next two years.

The functions of the position are to coordinate, advise and assist the Council on all matters pertaining to emergency management within the Municipal area. The specific powers and functions of the position are laid out in Section 24 of the Act.

Over the past few years Council has worked towards a collaborative approach to delivery of emergency management activities through a sub-regional partnership. Council now has a joint Emergency Management Committee and Joint Emergency Management Plan with Circular Head and Burnie Council.

The nomination of Julie Bernhagen to the role of Municipal Emergency Management Coordinator and Joshua Fraser to the role of Deputy Municipal Emergency Management Coordinator further advances this approach.

Julie Bernhagen is currently the Municipal Emergency Management Coordinator at Circular Head and has the requisite background, skills and ability to expand that role to include the coordination role at Waratah-Wynyard. Joshua Fraser has a good

understanding of the Waratah-Wynyard area and has skills and knowledge in Health and Safety which will enhance the support role of the Deputy.

Accordingly, it is recommended to Council that Julie Bernhagen be nominated as Municipal Emergency Management Coordinator and Joshua Fraser be nominated as Deputy Municipal Emergency Management Coordinator for the Waratah-Wynyard Municipal Area.

The current MOU between the Tasmania State Emergency Service and Waratah-Wynyard Council outlines responsibilities of each agency for the delivery of SES units at Wynyard and Waratah. This includes the development of an annual budget and internal processes to administer the funds.

The administrative process requires Council to administer a purchase order process for all individual purchases. Several Councils have entered into MOU agreements with Regional SES for an annual budget allocation for the operational management of the SES units to reduce the administrative burden on Council and the units.

The re-negotiation of the MOU between Council and the Tasmanian State Emergency Service to include an annual budget allocation to the Regional SES for the delivery of operational budget to Wynyard and Waratah SES Units would be an efficiency for Council and deliver more effective operational budget funds to the SES units.

STATUTORY IMPLICATIONS

Emergency Management Act 2006

STRATEGIC IMPLICATIONS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

It is a legislative requirement to comply with the Act. Failure to comply might adversely affect the Council's preparedness to optimise the safety, security and continuity of the

community putting people at risk and leave the Council open to complaint and reputational risk.

CONSULTATION PROCESS

Not required for this matter.

COMMENT

The changes recommended in the report recognise the collaborative approach taken by Council in the delivery of emergency management and support for SES Units.

Additionally, recognising the exceptional work of Chris Fagg over the past 30 years in ensuring Waratah-Wynyard was prepared and responsive to emergencies when they occurred. Chris and Anne Fagg have both contributed to this community through their tireless work in SES and emergency management.

It is therefore recommended that Council

1. Acknowledge the retirement of Christopher Fagg from the role of Municipal Emergency Management Coordinator
2. Nominate Julie Bernhagen to be the Municipal Emergency Management Coordinator in accordance with Section 23 of the Emergency Management Act 2006.
3. Nominate Joshua Fraser to be the Deputy Municipal Emergency Management Coordinator in accordance with Section 23 of the Emergency Management Act 2006.
4. Authorise the General Manager to negotiate changes to the Tasmania State Emergency Service and Waratah-Wynyard Council MOU to include an annual budget allocation to Regional SES for the delivery of operational budget to Wynyard and Waratah SES Units.

10.4 POLICY REVIEW – GIFTS, BEQUESTS, DONATIONS AND LOANS OF ITEMS TO COUNCIL POLICY

| | |
|----------------------|---|
| To: | Council |
| Reporting Officer: | Executive Officer Governance & Performance |
| Responsible Manager: | Director Organisational Performance |
| Report Date: | 7 March 2019 |
| File Reference: | GOV.004 |
| Enclosures: | Gifts, Bequests, Donations and Loans of Items to Council Policy |

RECOMMENDATION

That Council adopt the Gifts, Bequests, Donations and Loans of Items to Council Policy as attached with immediate effect.

PURPOSE

This policy is to provide guidance to staff and Councillors when items and monies are bequeathed or donated to Council or intended to be bequeathed or donated to Council.

DETAILS

The existing policy has been reviewed with the only changes being an update to responsible managers, officers, any legislative and statutory changes.

The draft policy forms an enclosure to this report.

STATUTORY IMPLICATIONS

Statutory Requirements

There are no significant statutory implications identified.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

| GOAL 3: Connected Communities | |
|---|---|
| Desired Outcomes | |
| Waratah-Wynyard is a modern community—moving forward but not forgetting where it started. | |
| Our Priorities | |
| 3.4 | Build community capacity through services and programs that strengthen, support and care for our community. |

Sustainable Murchison Community Plan 2040

| Community Future Direction Theme | Key Challenges & Opportunities: |
|----------------------------------|--|
| Place making and liveability | <i>Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.</i> |

POLICY IMPLICATIONS

There are no significant policy implications associated with this policy.

FINANCIAL IMPLICATIONS

There are no significant financial implications associated with this policy.

RISK IMPLICATIONS

There are no significant financial implications associated with this policy.

CONSULTATION PROCESS

The policy was reviewed by council officers.

COMMENT

The adoption of the policy that addresses the matter of all items that have previously been donated or loaned to Council or are intended to be donated or loaned to Council, with exception to public art and items relating to the Wonders of Wynyard Exhibition Centre, which are covered by separate policies, will provide guidance for the community and Council staff when dealing with requests from the community.

It is therefore recommended that the Council adopt the reviewed policy that governs the provision of donated or loaned items and intended to be donated and loaned to Council as outlined in the draft policy attached to this report.



WARATAH-WYNYARD COUNCIL

GIFTS, BEQUESTS, DONATIONS AND LOANS OF ITEMS TO COUNCIL POLICY

1. SCOPE

- 1.1 The policy applies to all items that have previously been donated or loaned to Council or are intended to be donated or loaned to Council, with exception to public art and items relating to the Wonders of Wynyard Exhibition Centre, which are covered by separate policies.

2. PURPOSE

- 2.1 This policy is to provide guidance to staff and Councillors when items and monies are bequeathed or donated to Council or intended to be bequeathed or donated to Council.

3. POLICY STATEMENT

- 3.1 The Assets and Facilities Group, comprising of membership from asset management, community activation and works and services, are to meet as required to evaluate any actual or proposed bequests, donations or loans of items to Council.
- 3.2 That Council's general policy position is not to accept bequests, donations or loans of items, subject to the exceptions outlined in Part 3.3, 3.4 and 3.5.
- 3.3 That the only exception to the prohibition contained in Part 3.2 are bequests and donations of assets where there is a deemed need for that asset as determined by Council's service standards, subject to the Assets and Facilities Group being satisfied that such bequests and donations of assets, and any conditions attached thereto, will not impose significant administrative and financial imposts. For the purposes of this policy, significant administrative and financial imposts are those where the ongoing lifecycle cost exceeds the current resource and adopted budget capacity.
- 3.4 Commemorative donations of items are also excluded from this policy and are governed by the matters addressed within Council's Commemorative Tributes Policy.
- 3.5 The Council may consider, and subsequently elect, to accept a bequest, donation or loan of items that imposes significant administrative and financial burdens when the Assets and Facilities Group determines there is a requirement for the asset in accordance with Council's service standards, or where the Assets and Facilities Group considers it to be of such cultural or historical significance to the Waratah-Wynyard area that it would be appropriate for Council to be the recipient of the items when it is in the absence of a more suitable repository.
- 3.6 Any bequests, donations and loans accepted by the Assets and Facilities Group on behalf of Council shall be subject to the donor or their legal representative completing an appropriate agreement, which may include transfer of title to Council and any other legal requirements.
- 3.7 Where practicable, prospective donors will be referred to appropriate potential alternative recipients of donated items.

| | | |
|-----------------------------|------------------------|------------------------------|
| DOC NO: GOV.004 | VERSION NO: 4 | APPROVAL DATE: 18 March 2019 |
| CONTROLLER: General Manager | APPROVED BY: - COUNCIL | REVIEW DATE: March 2021 |



WARATAH-WYNYARD COUNCIL

GIFTS, BEQUESTS, DONATIONS AND LOANS OF ITEMS TO COUNCIL POLICY

- 3.8 A Bequests, Donations and Loans Register, incorporating current loan items in all buildings and facilities under Council control is to be established and a system of biennial approvals for the retention by Council of items included in the Register is to be developed. Approvals for the continued retention by Council of current loan items are to be obtained from donors or their legal representatives where feasible.

Legislative Requirements:

- *Administration and Probate Act 1935*
- *Local Government Act 1993*

Related Procedures/Guidelines:

Nil.

10.5 POLICY REVIEW – COMMEMORATIVE TRIBUTES POLICY

| | |
|----------------------|--|
| To: | Council |
| Reporting Officer: | Executive Officer Governance & Performance |
| Responsible Manager: | Director Organisational Performance |
| Report Date: | 7 March 2019 |
| File Reference: | GOV.018 |
| Enclosures: | Commemorative Tributes Policy |

RECOMMENDATION

That Council adopt the Commemorative Tributes Policy as attached with immediate effect.

PURPOSE

The purpose of this policy is to govern the provision of commemorative tributes on Council controlled property by way of physical facilities in public buildings and public reserves, including the erection of recognition walls or hanging of plaques, portraits or other memorials honouring individuals, organisations or other entities.

BACKGROUND

The Council during 2011 received requests from members of the community that Council commemorate recently deceased former residents of the municipal area by naming public facilities under Council control in their honour. A policy was subsequently developed and approved.

DETAILS

Council's Assets and Facilities Group have reviewed and updated the Policy to reflect any legislative and statutory changes whilst still giving some structure for considering requests for recognition of a person or for granting permission for others to make such recognition.

The draft policy forms an enclosure to this report.

STATUTORY IMPLICATIONS

Statutory Requirements

There are no significant statutory implications identified.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

| GOAL 3: Connected Communities | |
|---|---|
| Desired Outcomes | |
| Waratah-Wynyard is a modern community—moving forward but not forgetting where it started. | |
| Our Priorities | |
| 3.4 | Build community capacity through services and programs that strengthen, support and care for our community. |

Sustainable Murchison Community Plan 2040

| Community Future Direction Theme | Key Challenges & Opportunities: |
|----------------------------------|--|
| Place making and liveability | <i>Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.</i> |

POLICY IMPLICATIONS

There are no significant policy implications arising from adoption of a policy that governs commemorative recognition of individuals on Council controlled land or facilities.

FINANCIAL IMPLICATIONS

There are no significant financial implications associated with this policy.

RISK IMPLICATIONS

There are no significant risk implications associated with this policy.


CONSULTATION PROCESS

Following development of the Policy in 2011, significant public comment was sought with no comment being received from the community. The review process identified no significant changes that would necessitate the need for further public comment.

COMMENT

The adoption of the policy that addresses the matter of provision of commemorative tributes on Council-controlled land will provide guidance for the community and Council staff when dealing with requests similar to those that were received earlier in the current year.

It is therefore recommended that the Council adopt the reviewed policy that governs the provision of commemorative tributes on Council controlled property as outlined in the draft policy attached to this report.

| | |
|---|---|
|  | <p style="text-align: center;">WARATAH-WYNYARD COUNCIL</p> <hr/> <p style="text-align: center;">COMMEMORATIVE TRIBUTES POLICY</p> |
|---|---|

1. SCOPE

- 1.1 This Policy establishes a framework within which proposals for the commemorative recognition of individuals, organisations or other entities in places under Council's control can be considered.
- 1.2 The policy applies to all public buildings and public reserves owned or under the control of Waratah-Wynyard Council.

2. PURPOSE

- 2.1 This policy governs the provision of commemorative tributes on Council controlled property by way of physical facilities in public buildings and public reserves, including the erection of recognition walls or hanging of plaques, portraits or other memorials honouring individuals, organisations or other entities.

3. POLICY STATEMENT

- 3.1 Any proposal for a commemorative tribute must be submitted to the Council. It is recommended that the proposer obtain Council approval for the proposal before notification of the honouree.
- 3.2 The proposal shall identify the proposed location; describe the proposed commemorative tribute and information about the person, organisation or entity to be honoured.
- 3.3 The Council shall assess and determine proposals for commemorative tributes under this policy and may approve plantings, the erection of plaques, permanent signs and other memorials (such as bricks, seats and benches), and the commissioning and hanging of portraits.
- 3.4 The style, material and type of tribute must meet the required standards of the Council for the requested location.
- 3.5 The cost of such plaques, portraits, and miscellaneous recognition items generally should be borne by donors interested in the tributes.
- 3.6 All maintenance, repair, servicing and renewal of the tribute/s shall be the responsibility of the donating party.
- 3.7 Tributes which have extended beyond the life of the asset they're attached to or those which present a safety hazard to the public as assessed by Council, shall be removed from its location. Council will not be responsible for the replacement of the tribute.
- 3.8 All designs and proposals will be reviewed and approved by the Manager of Asset Services and Manager of Community Activation.

Legislative Requirements – There is no legislation that specifically applies to the subject matter of this policy.

Related Procedures/Guidelines: Nil.

| | | |
|-----------------------------|------------------------|------------------------------|
| DOC NO: GOV.018 | VERSION NO: 2 | APPROVAL DATE: 18 March 2019 |
| CONTROLLER: General Manager | APPROVED BY: - COUNCIL | REVIEW DATE: March 2021 |

10.6 WARATAH-WYNYARD AUDIT PANEL COMMITTEE – 2018 DRAFT AUDIT PANEL CHARTER

| | |
|----------------------|---|
| To: | Council |
| Reporting Officer: | Executive Officer Governance & Performance |
| Responsible Manager: | Director Organisational Performance |
| Report Date: | 6 March 2019 |
| File Reference: | 007.17 |
| Enclosures: | Waratah-Wynyard Council Draft Audit Panel Charter |

RECOMMENDATION

That Council adopt the Waratah-Wynyard Council Audit Panel Charter approved by the Audit Panel Committee on 5 March 2019.

PURPOSE

This report is presented for the Council to consider the revised Audit Panel Charter.

BACKGROUND

In February 2014 the Tasmanian State Government passed legislation that requires all Tasmanian Councils to establish an Audit Panel. Ministerial Orders were subsequently issued that specify the minimum requirements and matters to be considered by the Audit Panel.

The council provide an Audit Panel Charter to establish the administrative arrangements by which the panel is to perform its functions and its procedures in respect of meetings.

The functions of an Audit Panel as defined in Section 85A of the Act and in the Ministerial Order are to consider:

- Whether the annual financial statements accurately reflect the state of affairs of the council;
- how the strategic plan, annual plan, long term financial management plan and long term strategic asset management plan are integrated and the processes and assumptions under which those plans were prepared;
- whether the accounting, internal control, anti-fraud, anti-corruption and risk management policies, systems and controls safeguard the long term financial sustainability;
- whether the council complies with the provisions of the Act and other legislation; and
- Whether the council has taken effective action in relation to previous recommendations.

DETAILS

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

The common Audit Panel members are:

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

The Audit Panel Charter was reviewed in March 2018 to allow for a smoother transition of new panel members. The Audit Panel considered it beneficial to Council to stagger changes to the panel membership rather than an all in – all out process, however the Local Government Division issued a new set of Guidelines in late March which has necessitated the requirement to amend the Charter in line with the new Guidelines. The Charter has been through an extensive review process by the General Managers of Waratah-Wynyard Council, King Island Council and Circular Head Council and the Audit Panel Committee. The attached Charter reflects those changes.

STATUTORY IMPLICATIONS

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

Section 85A of the Act details the functions of the Audit Panels to include review Council's performance in relation to financial systems, financial management, governance arrangements, policies, systems and controls as well as all plans required under Part 7 of the Act.

Section 85B of the Act provides for Ministerial Orders to specify requirements for Audit Panels beyond those required under Section 85A.

The Local Government (Audit Panels) Order was issued on 10 February 2014 and subsequently amended to the *Local Government (Audit Panels) Amendment Order 2015*.

STRATEGIC IMPLICATIONS

| | |
|---|--|
| GOAL 1: Leadership and Governance | |
| Desired Outcomes | |
| We make publicly transparent decisions on spending and future directions while encouraging community feedback. | |
| We cherish fairness, trust and honesty in our conduct and dealings with all. | |
| We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making. | |
| Our Priorities | |
| 1.5 | Build our knowledge base to apply in decision-making processes. |
| 1.6 | Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations. |

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Costs associated with the Audit Panel have been minimal, comprising around \$11,000 for payment of fees to independent Audit Panel members. The cost has reduced proportionately with a move to a three (3) member panel.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

Correspondence was received from the Director of Local Government dated 18 March 2018 outlining the changes to the Local Government Audit Panel Guidelines: A practice Guide (Revised March 2018) along with an updated Model Audit Panel Charter. The Charter was forwarded onto the Audit Panel members for consideration in consultation with the General Managers of Waratah-Wynyard Council, King Island Council and Circular Head Council. The attached Charter reflects the results of those consultations.

AUDIT PANEL CHARTER

Delivering innovative, sustainable services to our community through strong leadership, clear direction and collaborative relationships.

BACKGROUND

The Waratah Wynyard Council Audit Panel has been established in compliance with Division 4 of the *Local Government Act 1993* (the Act) and the *Local Government (Audit Panels) Order 2014* (the Audit Panel Orders) and the *Local Government (Audit Panels) Amendment Order 2015*.

This Charter sets out the Audit Panel's objectives, authority, composition, tenure, functions, reporting and administrative arrangements.

OBJECTIVE

The objective of the Audit Panel is to review Council's performance under section 85A of the Act, and report to Council its conclusions and recommendations.

AUTHORITY

Council authorises the Audit Panel to:

- Obtain any information it requires from any employee or external party (subject to any legal obligation to protect information);
- Discuss any matters with the Tasmanian Audit Office (TAO), or other external parties (subject to confidentiality considerations);
- Request the attendance of any employee, including members of Council at Audit Panel meetings; and
- Obtain legal or other professional advice, as considered necessary to meet its responsibilities.

COMPOSITION AND TENURE

The Audit Panel comprises not less than three (3) and up to four (4) independent members appointed by Council.

A person who is an employee, or the General Manager, or the Mayor of the Council is not eligible for appointment as a member of the Audit Panel.

A person who is an employee or Councillor of another municipal council is not eligible for appointment as a member of the Audit Panel.

If a Commissioner is appointed to the Council, he or she may be appointed as a member of the Audit Panel.

Council will appoint an independent member as the chairperson of the Audit Panel.



Audit Panel members will be appointed for a period of three (3) years. Terms will be coordinated so that a position becomes vacant each year, rather than simultaneous vacancies. An adjustment to existing Audit Panel terms occurred first instance to coordinate this arrangement.

Audit Panel members may be re-appointed at the approval of Council, six (6) months prior to the expiration date if both parties are agreeable.

FUNCTIONS

To comply with the Audit Panels Order, when reviewing the Council's performance, the Audit Panel is to consider:

- The Council's financial system, financial governance arrangements and financial management;
- Whether the Annual Financial Statements of the Council accurately represent the state of affairs of Council;
- Whether the strategic plan, annual plan, long term financial management plan and long term strategic asset management plans of the Council are integrated and the processes by which, the assumptions under which, those plans were prepared;
- The accounting, internal control, anti-fraud, anti-corruption and risk management policies, systems and controls the Council has in relation to safeguarding its long term financial position;
- Whether the Council is complying with the provisions of the Act and any other relevant legislation;
- Whether the Council has taken any action in relation to previous recommendations provided by the Audit Panel to the Council, and, if it has so taken action, what the action was and its effectiveness; and
- Any other activities within the Audit Panel's remit, as determined by the Audit Panel.



KEY AREAS

In fulfilling its functions, the Audit Panel should consider the following key areas:

- Corporate governance;
- Systems of internal control;
- Risk management frameworks;
- Human resource management, including policies, procedures and enterprise agreements;
- Information and communications technology governance;
- Management and governance of the use of data, information and knowledge; and
- Internal and external reporting requirements.

RESPONSIBILITIES OF MEMBERS

Members of the Audit Panel are expected to understand and observe the legal requirements of the Act and the Audit Panels Order. Members are also expected to:

- Act in the best interests of the Council;
- Apply sound analytical skills, objectivity and judgement;
- Express opinions constructively and openly;
- Raise issues that relate to the Audit Panel's functions and pursue independent lines of enquiry within the Audit Panel's deliberations and meetings; and
- Contribute the time required to review the papers provided.

REPORTING

The Audit Panel is to provide a copy of its meeting minutes to the Council as a soon as practicable after each Audit Panel meeting.

If the Audit Panel has conducted a review under section 85A of the Act, the Audit Panel must provide a written report of its conclusions and recommendations to the Council as soon as practicable after the review is completed.

The Audit Panel must provide an annual report to the Council that comprises, at least:

- A summary of the work undertaken and significant findings during the past year;
- A review of the Audit Panel Charter and, if required, recommended changes to the Council for its approval;
- An update on the membership of the Audit Panel;
- The significant aspects of the Audit Panel's deliberations for the coming year, together with a proposed work plan; and
- Any other matters deemed, by the Audit Panel, as requiring Council's attention.



ADMINISTRATIVE ARRANGEMENTS

Meetings

- The Audit Panel will meet at least four (4) times per year;
- The Audit Panel is to regulate its own proceedings in accordance with this Charter;
- The Chairperson may determine that a meeting is to be held in private;
- The General Manager and Financial Manager, or their delegates, are to attend Audit Panel meetings unless the Chairperson determines that a meeting is to be held in private; and
- The Audit Panel may invite any Councillor and/or employee of the Council and/or representative of the TAO to attend meetings of the Audit Panel.

Quorum

A quorum of the Audit Panel meeting is a majority of members including at least one independent member.

Work Plan

The Audit Panel is to develop an annual work plan that includes, but is not limited to, a schedule of meetings and objectives for each meeting.

All discretionary items referred to the Audit Panel that fall within its remit should be brought before the Audit Panel, so it can determine which items will be prioritised for inclusion in the work plan.

The forward meeting schedule should include the date, location and proposed agenda items of each meeting.

Secretariat

Council, in consultation with the Audit Panel, will appoint a person to provide secretariat support to the Audit Panel.

The secretariat will:

1. Ensure the agenda for each meeting is approved by the chairperson;
2. Ensure the agenda and supporting papers are circulated at least one week prior to the meeting; and
3. Ensure the minutes of meetings are prepared and submitted to the Council as soon as practicable after each meeting.



Resources

The Audit Panel will hold at least annual discussions with the General Manager in relation to the resources to be made available to enable the Audit Panel to meet its requisite functions and achieve its objectives.

Interests

Audit Panel members must declare any real, potential or perceived pecuniary or non-pecuniary interests that may affect them carrying out their functions. The Audit Panel member with the interest must also notify the General Manager of the Council, in writing, of the interest within seven (7) days of declaring the interest.

Independent members are to consider past employment, consultancy arrangements and related party issues in making these declarations.

A standing item for declarations of interests should be included in all Audit Panel meeting agendas.

The Chairperson of the Audit Panel is to ensure that the declaration of an interest is recorded in the minutes of the meeting and any relevant written report.

Confidentiality

Audit Panel members must maintain the confidentiality of any information, documents and communications the Council or Audit Panel has designated as being in confidence, and only access Council information to perform their role as an Audit Panel member.

Code of Conduct

Audit Panel members are to abide by standards of behaviour in the *Code of Conduct for Members of the Audit Panel*.

Induction

Council will provide new Audit Panel members with relevant information and briefings on their appointment to assist them to meet their Audit Panel responsibilities.



Fees – 2018/19

Independent members of the Audit Panel shall be paid a sitting fee of \$424.05 (ex GST) per meeting attended.

Audit Panel members will be paid the following per annum for being a member of all participating Councils:

- Chairperson \$2,120.25 (ex GST)
- Independent member \$636.07 (ex GST)

Annual fees are to be shared equally between participating Councils.

Audit Panel fees will be adjusted annual as at 1 July based upon the change in CPI (Hobart) for the 12 months to June.

Review of Charter

Council will review this charter at least annually and submit its recommended charter to Council for approval.

Approved by Council

Mayor
Date:



10.7 WARATAH-WYNYARD AUDIT PANEL COMMITTEE – MODEL CODE OF CONDUCT

| | |
|----------------------|--|
| To: | Council |
| Reporting Officer: | Executive Officer Governance & Performance |
| Responsible Manager: | Director Organisational Performance |
| Report Date: | 6 March 2019 |
| File Reference: | 007.17 |
| Enclosures: | GOV.016 Model Code of Conduct for members of the Audit Panel |

RECOMMENDATION

That Council adopt the Model Code of Conduct for Members of the Audit Panel.

PURPOSE

This report is presented for the Council to consider adopted policy GOV.016 Model Code of Conduct for members of the Audit Panel.

BACKGROUND

In February 2014 the Tasmanian State Government passed legislation that requires all Tasmanian Councils to establish an Audit Panel. Ministerial Orders were subsequently issued that specify the minimum requirements and matters to be considered by the Audit Panel. The Local Government, Audit Panel Guidelines: A practice Guide was developed to assist Councils with the establishment of an Audit Panel.

The Local Government, Audit Panel Guidelines: A practice Guide was revised in March 2018 to include a Model Code of Conduct to clearly set out the standards of behaviour expected of audit panel members had been developed.

The Draft Model Code of Conduct was presented to the Audit Panel Committee in October 2018. The Panel considered the Model Code and adopted it without change.

DETAILS

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

A Model Code of Conduct was not required at the time of establishment of the joint Audit Panel Committee. The Model Code of Conduct was introduced in 2018 to assist Councils to clearly set out the standards of behaviour expected of audit panel members.

STATUTORY IMPLICATIONS

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

Section 85A of the Act details the functions of the Audit Panels to include review Council's performance in relation to financial systems, financial management, governance arrangements, policies, systems and controls as well as all plans required under Part 7 of the Act.

Section 85B of the Act provides for Ministerial Orders to specify requirements for Audit Panels beyond those required under Section 85A.

The Local Government (Audit Panels) Order was issued on 10 February, 2014 and subsequently amended to the *Local Government (Audit Panels) Amendment Order 2015*.

STRATEGIC IMPLICATIONS

| | |
|---|--|
| GOAL 1: Leadership and Governance | |
| Desired Outcomes | |
| We make publicly transparent decisions on spending and future directions while encouraging community feedback. | |
| We cherish fairness, trust and honesty in our conduct and dealings with all. | |
| We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making. | |
| Our Priorities | |
| 1.5 | Build our knowledge base to apply in decision-making processes. |
| 1.6 | Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations. |

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Costs associated with the Audit Panel have been minimal, comprising around \$11,000 for payment of fees to independent Audit Panel members. The cost has reduced proportionately with a move to a three (3) member panel.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

Council submitted the Draft Model Code of Conduct for Members of the Audit Panel to the Panel for their consideration in October 2018. It was adopted by the Panel without any changes. It is presented to Council for formal adoption.



WARATAH-WYNYARD COUNCIL

MODEL CODE OF CONDUCT FOR MEMBERS OF THE AUDIT PANEL

This code of conduct sets out the standards of behaviour expected of the Waratah-Wynyard Council Audit Panel members. The standards support the characteristics of good governance outlined in the *Good Governance Guide for Local Government in Tasmania* (reference below).

As an independent source of scrutiny in the interests of the community, the Audit Panel provides checks and balances on key Council activities and a means of highlighting issues that require strategic attention.

Councillors who are members of the Audit Panel are in a unique position and have an obligation to maintain an Audit Panel perspective in the interests of the community when they discharge their duties as Panel members, ie they must display independence of mind, separate from their role as a councillor.

In performing their role on the Waratah-Wynyard Council's Audit Panel, and in acting in the best interests of the community, all members of the Waratah-Wynyard Council Audit Panel commit to the following standards.


1. Effective management of conflicts of interest

- 1.1 Members avoid conflicts of interest that arise between their personal interests and their public duty as an Audit Panel member, as far as reasonably possible. This includes pecuniary and non-pecuniary conflicts of interest (actual, potential or perceived). Where avoidance is not possible, members appropriately manage conflicts of interest. Members are responsible for acting in good faith and exercising reasonable judgment to manage conflicts of interest, including the offer or receipt of gifts and benefits.
- 1.2 Council members may at times deal with conflicts of interest as a consequence of their dual roles as an audit panel member and a councillor. This may present as a conflict between the interests of the community (as seen from the Audit Panel perspective).
- 1.3 All members will regularly provide advice of their actual, potential and perceived conflicts to the panel.

2. Proper use of Council information

- 2.1 Members maintain the confidentiality of any information, documents and communication that the Council or panel has designated as being in confidence. Members only access Council information needed for them to perform their role as a panel member and not for personal interests or reasons.

| | | |
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| DOC NO: GOV.026 | VERSION NO: 1 | APPROVAL DATE: |
| CONTROLLER: General Manager | APPROVED BY: - COUNCIL | REVIEW DATE: |

| | |
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|  | <p style="text-align: center;">WARATAH-WYNYARD COUNCIL</p> <p style="text-align: center;">MODEL CODE OF CONDUCT FOR MEMBERS OF THE AUDIT PANEL</p> |
|---|--|

3. Proper use of position

- 3.1 Members perform their role in the best interests of the Council and the community. Members operate within the intended scope of the Audit Panel (as outlined in the Audit Panel Charter) and adhere to relevant Council policies and procedures.

4. Appropriate interactions

- 4.1 Members act ethically and treat all persons with fairness and respect. Members conduct themselves in a way that positively represents the panel, and is in the best interests of the Council and the community. Members interact appropriately with fellow members, councillors, Council staff and the community, and give full respect and consideration of to all relevant information known to them. Members should not interact directly with council staff without the prior approval of the panel and the general manager.
- 4.2 The Council has policies and procedures to provide additional guidance for members where indicated (*) [*Waratah-Wynyard Council Audit Panel Charter*].
- 4.3 Further information on the ethical standards covered in this code of conduct, and the terminology used, can be found in the:
Good Governance Guide for Local Government in Tasmania:
(www.dpac.tas.gov.au/divisions/local_government).

Legislative Requirements:

Local Government Audit Panel Guidelines: A practice Guide (Revised March 2018)

Local Government (Audit Panels) Amendment Order 2015

Related Procedures/Guidelines:

Waratah-Wynyard Council Audit Panel Charter

| | | |
|-----------------------------|------------------------|----------------|
| DOC NO: GOV.028 | VERSION NO: 1 | APPROVAL DATE: |
| CONTROLLER: General Manager | APPROVED BY: - COUNCIL | REVIEW DATE: |

10.8 SOMERSET COMMUNITY CENTRE

| | |
|----------------------|-----------------------------------|
| To: | Council |
| Reporting Officer: | Director Community and Engagement |
| Responsible Manager: | Director Community and Engagement |
| Report Date: | 12 March 2019 |
| File Reference: | |
| Enclosures: | Nil |

RECOMMENDATION

That Council

Option 1 - Authorise the General Manager to negotiate an agreement with the Somerset Uniting Church to manage the Church facility to deliver community activities in Somerset

Or

Option 2 - Instruct the General Manager to review the audit of existing facilities within Somerset and their suitability for broad flexible community use to demonstrate unmet demand.

PURPOSE

The purpose of this report is to recommend that Council authorise the General Manager to negotiate an agreement with the Somerset Uniting Church to manage the Church facility known as Cam Rise Uniting Church at 3 Wragg Street Somerset to deliver community activities in Somerset.

In developing the agreement both the Church and Council will seek to establish a Community Hub in Somerset that provides the residents a safe and practicable venue for conducting community events and activities.

Alternatively, if there is insufficient data on available community space there is an option to seek further investigation into potential community access to existing facilities. As outlined in this report there was an analysis of available community facilities as part of the OSSR plan and anecdotal feedback from community groups however Council may seek to test the market again prior to commencing an agreement as proposed.

BACKGROUND

With the closure and subsequent demolition of the Somerset Primary School demand for community space increased and further investigation was undertaken to secure a site for

the activities that were occurring in the school building. These included the Somerset Market and Arts Festival primarily, along with casual use by other groups.

There were enquiries made with the existing sporting or school facilities but none of these meet the requirements of the potential users.

Investigation into the potential reclassification of the Puddle Duck building for community use was found to be unviable as the building could not meet the standards required for a change of use and remains for childcare purposes only. The building is also too small to meet a broad range of community uses. The Puddle Duck building is recommended for redeveloped for parking as part of the Central Area Development plan for Somerset.

A scan of other potential building identified the Uniting Church facility which appeared to be underutilised but with potential to meet demand in the short to medium term.

Site visits were held with members of the Uniting Church Board and a partnership to utilise the facility to meet the unmet demand in Somerset began to be explored. There were very few services still being conducted at the facility and only 2 short-term users accessing the building.

The Church Board was keen to ensure the facility was more accessible to the community but could not facilitate this with a small congregation and limited resources.

A briefing was provided to Council on the potential MOU partnership to enable Council to manage the building as a public facility to meet unmet demand for community space. Agreement was given for the negotiations to continue and the MOU agreement to come back to Council for consideration.

DETAILS

Somerset has been identified as a location where there is unmet demand for access to a community facility to support community activities. The OSSR Plan reviewed supply of community facilities in Somerset and recommended establishment of a community facility as part of the school sport precinct plan.

The Somerset sport precinct at the school is unlikely to be developed in the short to medium term unless substantial funding can be secured.

Since the identification of the need for a community facility in Somerset there has been further reduction in access to facilities with the demolition of the Somerset School and the inability to access the Puddle Duck building for community use.

Discussions have continued with the Uniting Church Board and approval by the Church Property Services for the Board to negotiate with Council has been progressing.

Agreement from the administrative structures within the Church are required before the agreement can be considered.

The potential of this partnership is for Council to secure a purpose built multi use facility in a location with unmet demand with no capital liability for the building. Additionally, capacity to monitor and assess future demand based on use. The facility would attract displaced community activities including the market, Arts festival and playgroups which are currently accessing Puddle Duck. There is scope for many new activities to establish in the facility. Enquiries have been received from groups wanting to establish in Somerset but unable to find a suitable location.

The review of existing facilities through Open Space, Sport and Recreation Plan found they did not meet the community's needs. Efforts to relocate displaced activities failed to find suitable alternatives. The OSSR Plan discusses consolidation in the context of ensuring there are sufficient facilities in the identified demand locations – reviewing underutilised facilities in declining areas but establishment of new facilities where there is population growth and unmet demand.

The groups and organisations seeking community facility space to deliver programs includes Somerset Market, Somerset Arts Festival, Breastfeeding Association, Playgroup Tasmania, U3A, building Somerset's Future, Health and Fitness providers and Early Years activities.

Shared use facilities with a permanent user don't always offer the flexibility community groups seek, nor access to storage and display areas. The key user activities and schedules can often take precedence over other users.

The key considerations for this proposal are:

- Somerset has demonstrated unmet demand
- It has the 2nd highest population density of the townships in the municipality – just under 4000 people.
- The OSSR plan identified a proposed community facility in Somerset
- The partnership allows Council to deliver a service to the Somerset community with none of the liability of a capital investment.
- The facility is ideally located and fit for purpose
- The term of the agreement allows Council to re-assess and determine future requirements.
- Securing the building for public use could ensure the facility does not become targeted for consolidation of church assets, further reducing community facility access in Somerset.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

The program of work has significant alignment with the Strategic Plan and Sustainable Murchison in the following ways:

Strategic Plan Reference

| GOAL 3: Connected Communities | |
|---|---|
| Desired Outcomes | |
| Waratah-Wynyard is a modern community—moving forward but not forgetting where it started. | |
| We listen and engage with our community in decision making. | |
| Our natural and built environment aids the community with an active and healthy lifestyle. | |
| Our strong local economy allows for the development of affordable services and programs for all ages. | |
| Our Priorities | |
| 3.1 | Promote and work with stakeholders to provide affordable quality services. |
| 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. |
| 3.4 | Build community capacity through services and programs that strengthen, support and care for our community. |
| 3.6 | Facilitate activities and events that promote inclusion, health, safety and a sense of place. |
| 3.7 | Promote and strengthen community safety to retain and attract families to live and recreate in Waratah-Wynyard. |
| 3.8 | Support and promote strategies to increase the rate of volunteerism in the community. |

| GOAL 4: Community Recreation and Wellbeing | |
|--|---|
| Desired Outcomes | |
| Our community is welcoming and supportive. | |
| Our community values, encourages and supports physical, social and cultural activities. | |
| Our community enjoys access to visually appealing safe spaces and facilities for recreation. | |
| Our Priorities | |
| 4.1 | Commit to ongoing recreation and open space planning to ensure evidence-based decisions are made about the role of Council and its partners in recreation. |
| 4.2 | Focus on the value of recreation in promoting the health and wellbeing of our community. |
| 4.4 | Provide and maintain quality and safe places and spaces for physical, social and cultural activities, including shared and multi-use facilities where possible. |
| 4.5 | Collaborate with community organisations that provide recreation opportunities to our community. |
| 4.6 | Encourage community providers to be welcoming, supportive and inclusive, and to provide for all ages, abilities and cultures. |

Sustainable Murchison Community Plan 2040

This process has strong alignment to many themes of Sustainable Murchison.

| Community Future Direction Theme | Key Challenges & Opportunities: | Contribution to outcomes: |
|--|--|--|
| Strong communities and social capital | Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities. | The proposal will enhance opportunities for volunteering and access to a community facility for groups and social activities. |
| 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. | The proposal will create a multi-use community hub that will enhance utilisation and attract additional activities to the community. |
| Education | Lifelong learning and education – Education and lifelong learning is valued and there is access to vocational training and tertiary education. Education retention rates have increased. | The proposal will provide space for education pursuits such as U3A, early years and training courses. |

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The financial implications will be defined through the negotiation of the agreement. There will be an operational cost for delivery of the facility as a public bookable space – this will be partially offset by user charges. There will be no capital cost or depreciation for the facility and only a small contribution to the Uniting Church for fixed costs as negotiated under the agreement. There are likely to be some establishment costs to modify the building for community use.

RISK IMPLICATIONS

There is a reputational risk in not progressing the arrangement given the community aspiration for a community facility and the demonstrated unmet demand as identified in the OSSR Plan.

CONSULTATION PROCESS

The proposal was discussed with Council at three workshops.

There was extensive consultation as part of the OSSR plan development

COMMENT

The proposed agreement would facilitate access to a purpose-built community facility in Somerset with no capital or ongoing depreciation cost. As an interim measure the arrangement will provide hard evidence of demand for community space. The facility has the potential to meet the communities needs on an ongoing basis if required or demonstrate demand for a community facility as part of the sports hub as planned under the OSSR Plan.

It is therefore recommended that Council

- A. Authorise the General Manager to negotiate an agreement with the Somerset Uniting Church to manage the Church facility to deliver community activities in Somerset

Or

- B. Instruct the General Manager to undertake an audit of existing facilities within Somerset and their suitability for broad flexible community use

10.9 RECREATIONAL VEHICLE DUMP POINT RELOCATION - WYNYARD

| | |
|----------------------|--|
| To: | Council |
| Reporting Officer: | Manager Project Works & Services |
| Responsible Manager: | Director Infrastructure & Development Services |
| Report Date: | 7 March 2019 |
| File Reference: | |
| Enclosures: | RV Dump Point Location assessment of options |

RECOMMENDATION

That Council:

- 1. Nominate Nurses Retreat as its preferred site for relocation of the Wynyard Recreational Vehicle dump point and authorise the commencement of design work for this location**

PURPOSE

To provide Council a recommended location for relocation of the existing Wynyard Recreational Vehicle (RV) dump point facility from a merit-based assessment of possible locations.

BACKGROUND

The existing RV dump point is located within the Wynyard Waste Transfer station which limits use of the dump point to the operating hours of the transfer station; 7 days per week between 10:00 am & 4:00pm.

DETAILS

Upon recommendation, Council adopted a budget amount of \$25,000 to relocate the Wynyard RV dump point as part of setting the 2018/19 Annual Plan & Budget. A range of options consider the pros of cons of each have been assessed internally and workshopped with Councillors on Monday 25 February 2019.

This report and enclosed assessment of location options is intended to formalise the discussion and recommendations for Council and determine a preferred location site for more detailed project planning to occur.

STATUTORY IMPLICATIONS

Statutory Requirements

Permits under the *Land Use Planning & Approvals Act 1993* and the *Building Act 2000* will likely be required once the preferred location is determined.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

| |
|--|
| GOAL 1: Economic Prosperity |
| Desired Outcomes |
| Long-term sustainable economic growth is achieved through adaptability and innovation. |

Sustainable Murchison Community Plan 2040

| Community Future Direction Theme | Key Challenges & Opportunities: |
|----------------------------------|---|
| Business & Industry | <i>Specialised diversity of the economy – Value adding, diversification, innovation and employment. A resilient economy with global brand recognition and growing exports.</i> |
| Tourism | <i>Memorable visitor experiences all year round – The must see destination, quality product, easy access, popular events and festivals with coordinated marketing. A longer season with increasing yields.</i> |

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The \$25,000 budget allocation is deemed sufficient to achieve the recommended outcome.

RISK IMPLICATIONS

There are risks of representation and appeal to a planning permit application for any relocation option.

CONSULTATION PROCESS

To date anecdotal feedback around the limited hours of availability have been received regarding the current RV dump point location. None of the assessed options have been through a public consultation process. This will occur once a preferred site is identified.

COMMENT

It is therefore recommended that the Council:

1. Nominate Nurses Retreat as its preferred site for relocation of the Wynyard RV dump point
2. Commence detailed design work for a Nurses retreat RV dump point relocation

For DISCUSSION
Date: 25th February, 2019

| | |
|----------------|---|
| SUBJECT | Caravan/RV Dump Point Relocation |
|----------------|---|

| | |
|-----------------------|---|
| RECOMMENDATION | Council Adopt Nurses retreat as its preferred Caravan/RV Dump Point Location |
|-----------------------|---|

ISSUE

Current located in the WWC Waste Transfer Station (WTS) and hence subjected to the WTS current opening hours of 10:00 to 16:00, 7 days a week

BACKGROUND

In the 18/19 budget to the amount of \$25,000 to relocate said dump point to a place suitable for access etc and available 24/7

OVERVIEW

See attached options and 'Pros & Cons' worksheet developed based on internal consultation input

Timeframes

Once a suitable site is confirmed, the appropriate approvals will be sought, and execution scheduled for ASAP. Construction period estimated at 1 month.

ATTACHMENTS

Pros & Cons worksheet

Caravan/RV Dump Point Location Pros and Cons

| Location | Pros | Cons |
|---------------------------------|---|---|
| 1. Nurses Retreat, East Wynyard | Right next to a sewer main and pump station Ample space for parking, turning etc Easy access from the Hwy and all other directions Out in the open so deters non-intended type usage (vandalism, dumping of prohibited effluents etc) Potable water across the road | Users may just come from the Hwy and not go into Wynyard May not be popular with the neighbouring properties |
| | | |



2. Outside the WTS, Goldie St.

Ample space for parking, turning etc
Location known to past visitors
Away from neighbouring properties
Close to the CBD to attract some spending etc
Potable water in the near location

It would need to be plumbed back to the existing pump station in the WTS as there is no gravity main in the vicinity (additional operating costs)
In an area that is quite concealed and may attract vandalism and illegal dumping of non-sewage effluent (contamination)
Limits flexibility of operational/layout changes to the WTS



3. End of Jenner St, near the Showgrounds

Close to free camping site
Away from neighbouring properties
Ample space for parking, turning etc
Right next to a gravity sewer main

In an area that is quite concealed and may attract vandalism and illegal dumping of non-sewage effluent (contamination)
Water a considerable distance from the intended location
High potential for conflict with boat ramp users at peak times
Potential conflict in periods of large events of the Showgrounds (Show Day, Tulip festival)



4. WoW Long Bay Car Park

Brings people right into the CBD and the WoW
 Economic advantages (people spending more time
 and money in the town CBD)
 Out in the open so deters non-intended type usage
 Close to water and sewer gravity main

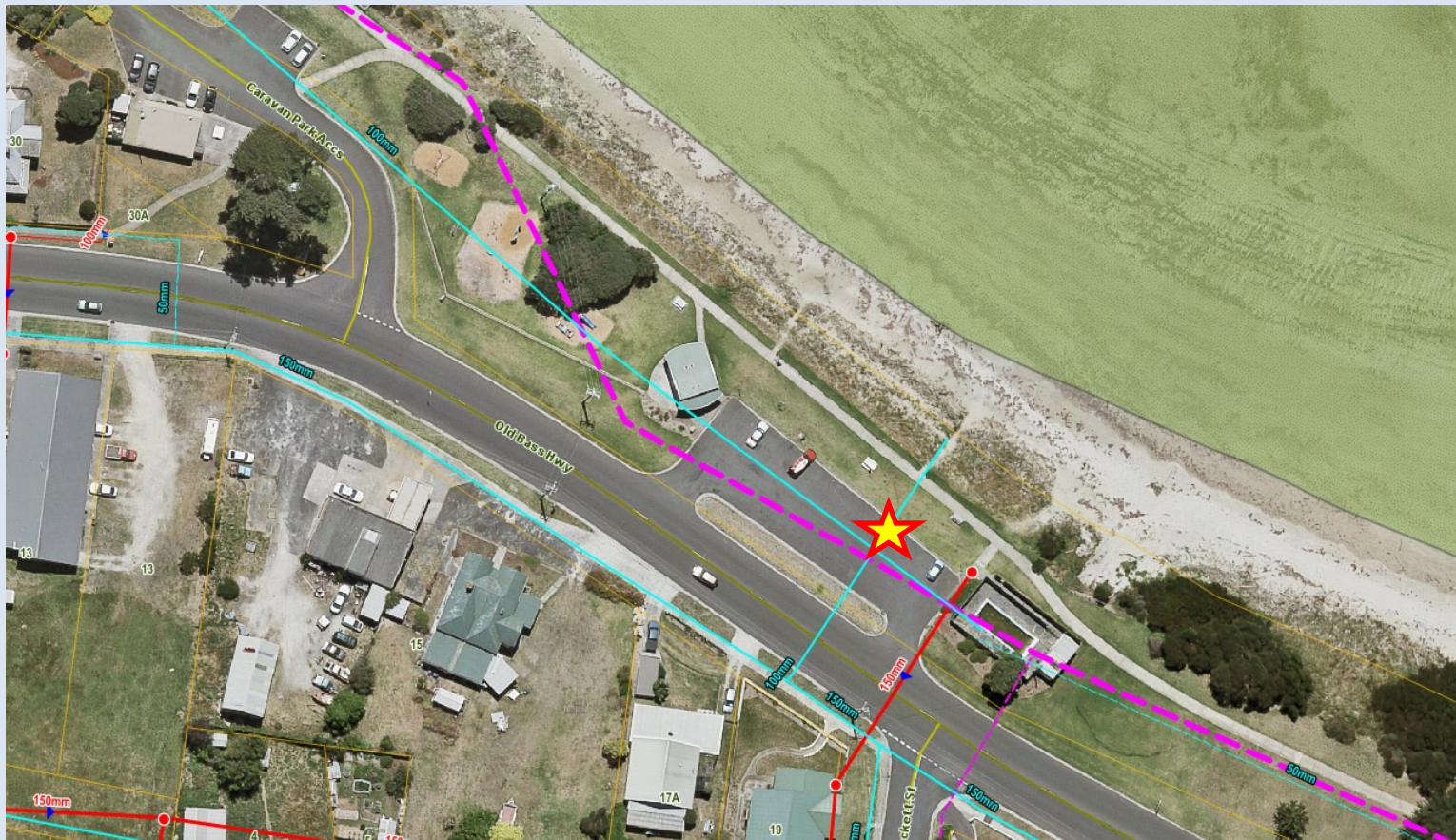
Location of a dump point right in the CBD, possible
 complaints from locals and businesses
 Taking up of the long bay parking and issues with
 manoeuvrability (peak usage ETC)



5. Old Swimming Pool Site, Bass Hwy

Right next to a gravity sewer main and water
 Ample space for parking, turning etc in the existing car park
 Toilets at this location
 Easy access from all directions
 Close to the CBD to attract some spending etc
 Out in the open so deters non-intended type usage

Swimming pool may need to be demolished for extra capacity
 to serve both toilets and dump point – currently not
 budgeted
 May not be popular with the neighbouring properties
 Certain conflict with market stakeholder during market
 trading periods
 Currently not envisaged in the East Wynyard Foreshore Plan



6. Fredrick St, West Wynyard

Good access all directions
Close to the CBD to attract some spending etc

Maneuverability may be an issue from the opposite direction
to the side of the road chosen – modification to kerb
required
Limited availability of connections to a gravity sewer main
Busy industrial road
Potential conflict in periods of large events of the Reserve



10.10 FINANCIAL REPORT FOR THE PERIOD ENDED 28 FEBRUARY 2019

| | |
|----------------------|--|
| To: | Waratah-Wynyard Council |
| Reporting Officer: | Manager Financial Services |
| Responsible Manager: | Manager Financial Services |
| Report Date: | 7 th February 2019 |
| File Reference: | 100.10 |
| Enclosures: | Financial Summary Underlying Position Cash Position Rate Summary Capital Works Summary |

RECOMMENDATION

Council notes Financial Reports for the period ended 28 February 2019.

PURPOSE

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

BACKGROUND

The financial reports presented incorporate:

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

DETAILS

Council has reported a comprehensive year-to-date surplus of \$3,362,942 which is \$434,498 lower than budgeted due to the timing of capital grants/contributions.

Financial Summary

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

Underlying Position Statement

The underlying position statement shows the outcome of Council's usual day to day operations. As at the 28 February 2019 the actual YTD underlying surplus \$4,066,190.

Rate Summary

The rate summary provides an indication of outstanding rate debtors, the amount collected and the rates in credit. At the end of the period there were \$769,333 of unpaid rates and charges.

Cash Position

As at 28 February Council held a cash balance of \$13,137,110, all cash investments comply with Council's Investment Policy (FIN 004).

Capital Works Summary

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

STATUTORY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

| | |
|------------------------------|---|
| Key Focus Area: | CIVIC LEADERSHIP AND GOVERNANCE A well-managed Council that services the municipality with integrity and has a strong voice in the region |
| Outcome 4.3 | Council is managed in a financially sustainable and responsible manner |
| <i>Operational Aim 4.3.2</i> | Establish and maintain systems to support timely and efficient financial reporting |

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

No significant financial implications have been identified.

RISK IMPLICATIONS

No significant risk implications have been identified.

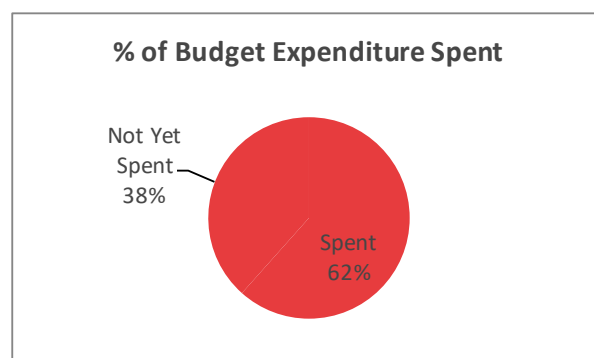
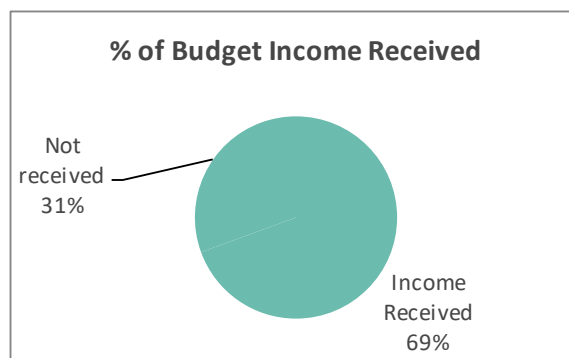
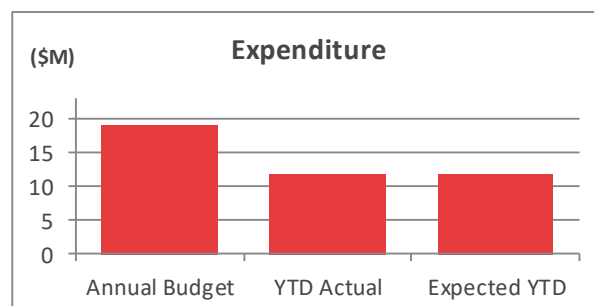
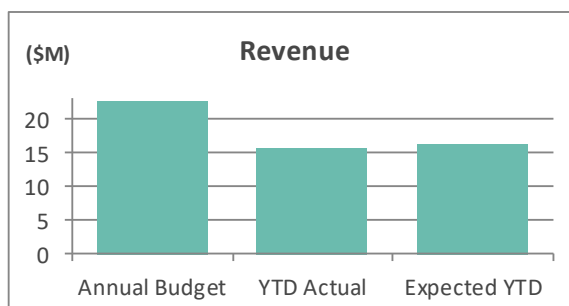
CONSULTATION PROCESS

Nil

COMMENT

It is therefore recommended that Council notes the Financial Reports for the period ended 28 February 2019.

| FINANCIAL SUMMARY As at 28 February 2019 | BUDGET ANNUAL | ACTUAL YTD | BUDGET YTD | ACTUAL YTD % of BUDGET | Note |
|---|-------------------|-------------------|-------------------|---------------------------|------|
| REVENUE (incl capital grants) | \$ | \$ | \$ | % | |
| Corporate Governance | 50,739 | 25,397 | 25,370 | 50.05 | |
| Strategic & Financial Services | 11,154,307 | 10,231,460 | 10,108,240 | 91.73 | |
| Corporate & Community Services | 2,012,654 | 1,326,216 | 1,320,384 | 65.89 | |
| Infrastructure & Development Services | 9,565,643 | 4,234,599 | 4,933,868 | 44.27 | |
| | 22,783,343 | 15,817,672 | 16,387,862 | 69.43 | |
| EXPENDITURE | \$ | \$ | \$ | % | |
| Corporate Governance | 1,205,115 | 763,254 | 817,991 | 63.33 | |
| Strategic & Financial Services | 1,695,644 | 1,328,439 | 1,001,309 | 78.34 | |
| Corporate & Community Services | 3,495,588 | 2,269,989 | 2,393,493 | 64.94 | |
| Infrastructure & Development Services | 12,682,079 | 7,389,800 | 7,674,381 | 58.27 | |
| | 19,078,426 | 11,751,482 | 11,887,174 | 61.60 | |
| Less Advance Payment of FAGs | (1,406,496) | (703,248) | (703,248) | | |
| NET RESULT | 2,298,421 | 3,362,942 | 3,797,440 | | |



| UNDERLYING POSITION STATEMENT For the month ending 28 February 2019 | BUDGET ANNUAL | ACTUAL YTD | BUDGET YTD | Note |
|--|-------------------|-------------------|-------------------|------|
| INCOME | \$ | \$ | \$ | |
| Rate Revenue | 11,099,094 | 11,156,410 | 11,003,823 | |
| User Charges | 2,461,944 | 1,591,819 | 1,666,065 | |
| Reimbursements/Contributions | 739,931 | 529,171 | 401,960 | |
| Grants and subsidies | 3,821,689 | 1,951,452 | 2,200,233 | |
| Interest | 275,010 | 234,592 | 206,258 | |
| Proceeds from Sale of Assets * | 189,500 | 110,700 | - | |
| Other | 576,000 | 243,527 | 324,700 | |
| | 19,163,168 | 15,817,672 | 15,803,039 | |
| EXPENDITURE | \$ | \$ | \$ | |
| Employee Costs | 6,838,564 | 4,121,948 | 4,696,464 | |
| State Levies | 533,493 | 268,259 | 280,134 | |
| Remissions & Discounts | 397,384 | 394,958 | 395,438 | |
| Materials & Contracts | 6,954,530 | 4,174,234 | 3,808,010 | |
| Depreciation | 3,986,635 | 2,661,875 | 2,656,720 | |
| Borrowing Costs | 65,340 | 18,208 | 43,544 | |
| Value of sold/write off of assets * | 302,480 | 112,000 | 6,864 | |
| | 19,078,426 | 11,751,482 | 11,887,174 | |
| UNDERLYING SURPLUS(DEFICIT) | 84,742 | 4,066,190 | 3,915,865 | |

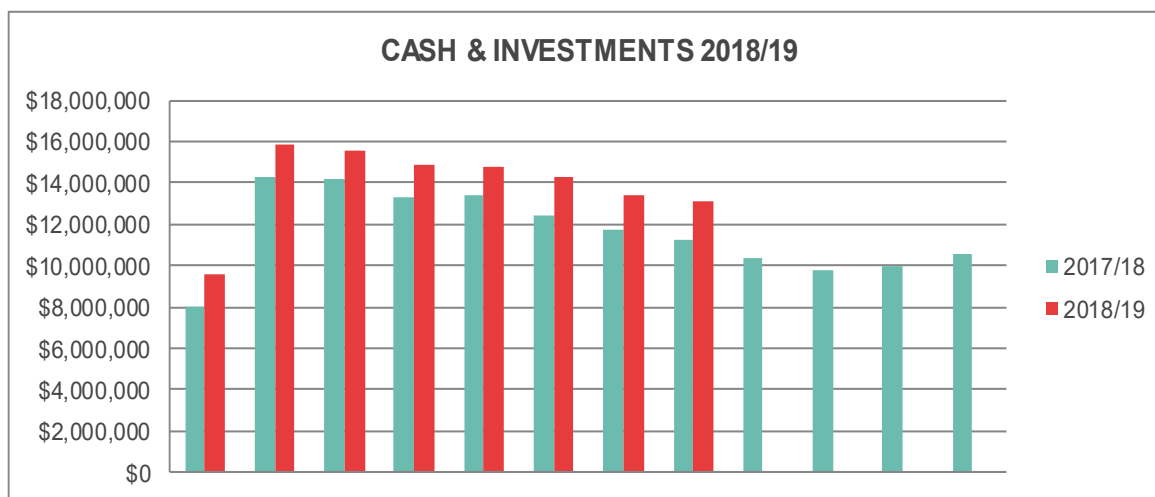
The intent of the underlying result is to show the outcome of Council's usual day to day operations. This indicator is required to be included in Council's Financial Statements in accordance with Local Government Act 1993 (Tas) Section 84(2)(db).

| RECONCILIATION TO COMPREHENSIVE RESULT | | | |
|--|------------------|------------------|------------------|
| Capital Grants/Contributions | 3,620,175 | - | 584,823 |
| Advance Payment of FAGs Grant | (1,406,496) | (703,248) | (703,248) |
| COMPREHENSIVE SURPLUS/(DEFICIT) | 2,298,421 | 3,362,942 | 3,797,440 |

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

** These amounts are from the sale of land at Serrata Crescent*

| CASH POSITION As at 28 February 2019 | | \$ | INVESTMENTS | \$ | Weighted Average Return |
|---|-------------------|----|----------------------------|-------------------|-------------------------------|
| Deposits | 12,950,000 | | Commonwealth Bank | 185,110 | 1.25% |
| | | | Bankwest | 12,950,000 | 2.60% |
| Petty Cash and Till Floats | 2,000 | | Petty Cash and Till Floats | 2,000 | |
| Trading Account | 185,110 | | | | |
| BALANCE (ALL ACCOUNTS) | 13,137,110 | | | 13,137,110 | 2.58% |



RBA Cash Rate* 1.500
90 Day BBSWs Rate** 1.869

*source: www.rba.gov.au as at 28 February 2019
































**source: <https://www.asx.com.au/data/benchmarks/bbsw-10-day-rolling-history.pdf> as at 28 February 2019

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

| RATE SUMMARY | | 2018/19 | 2017/18 |
|--|---|---------|---------|
| For the period 1 July 2018 to 28 February 2019 | % | \$ | \$ |

Notice Issue Date - 26 July 2018

| | | | | |
|---|------------|----------------|--------|----------------|
| OUTSTANDING RATE DEBTORS (As at 1 July 2018) | 3.90 | 452,217 | 4.04 | 459,917 |
| ADD CURRENT RATES AND CHARGES LEVIED (including penalties) | 96.10 | 11,156,410 | 95.96 | 10,924,629 |
| GROSS RATES AND CHARGES DEMANDED | 100.00 | 11,608,627 | 100.00 | 11,384,546 |
| LESS RATES AND CHARGES COLLECTED | 88.07 | 10,223,217 | 87.64 | 9,977,165 |
| REMISSIONS AND DISCOUNTS** | 8.33 | 967,154 | 8.45 | 961,592 |
| | 96.40 | 11,190,371 | 96.08 | 10,938,757 |
| ADD PROPERTIES IN CREDIT | (3.02) | 351,077 | (2.80) | 319,297 |
| UNPAID RATES AND CHARGES (includes Deferred Rates) | 6.63 | 769,333 | 6.72 | 765,086 |
| **REMISSIONS AND DISCOUNTS | | | | |
| | | 2018/19 | | 2017/18 |
| Discount | | 388,758 | | 386,667 |
| Pensioner Rebates | | 572,196 | | 565,980 |
| Council Remissions and Abandements | | 6,200 | | 8,945 |
| | | <u>967,154</u> | | <u>961,592</u> |
| Number of Assessments | 724 | | | |

| CAPITAL WORKS SUMMARY As at 28 February 2019 | Notes | Budget \$ | % Spend of Budget | Actual \$ |
|--|-------|-------------------|---|------------------|
| GOVERNANCE | | | | |
| Wynyard Wharf Entrance Augmentation | | 445,649 | 3%  | 13,375 |
| New Board Walk and Seawall Renewal | | 739,678 | 7%  | 51,255 |
| General | | 251,586 | 87%  | 218,199 |
| | | 1,436,913 | 15%  | 218,199 |
| STRATEGIC & FINANCIAL SERVICES | | | | |
| | | 225,000 | 0% | - |
| CORPORATE SERVICES | | | | |
| | | 45,000 | 15%  | 6,849 |
| COMMUNITY SERVICES | | | | |
| SES | | 10,600 | 84%  | 8,875 |
| Children's Services | | 70,000 | 6%  | 3,892 |
| Tourism | | 47,000 | 77%  | 36,067 |
| General | | 60,365 | 28%  | 17,156 |
| | | 187,965 | 35%  | 65,990 |
| ENGINEERING SERVICES | | | | |
| Depot | | 136,244 | 49%  | 67,336 |
| Plant | | 644,210 | 64%  | 414,825 |
| | | 780,454 | 62%  | 482,161 |
| WASTE MANAGEMENT | | | | |
| | | 25,000 | 0% | - |
| PUBLIC CONVENIENCES | | | | |
| | | 15,000 | 0% | - |
| TRANSPORT | | | | |
| Re-Sheeting | | 1,072,173 | 44%  | 466,887 |
| Reseals - Rural | | 529,930 | 19%  | 99,985 |
| Reseals - Urban | | 235,550 | 15%  | 35,097 |
| Footpaths | | 84,500 | 49%  | 41,722 |
| Coastal Pathway | | 3,714,440 | 2%  | 86,880 |
| Wynyard CADP & Car Park Development | | 426,449 | 103%  | 439,050 |
| Bridges | | 441,764 | 70%  | 308,829 |
| General | | 515,199 | 13%  | 65,278 |
| | | 7,020,005 | 22%  | 1,543,728 |
| SPORTING FACILITIES | | | | |
| Wynyard | | 535,500 | 0% | - |
| Somerset | | 49,800 | 84%  | 41,675 |
| | | 585,300 | 7%  | 41,675 |
| PARKS & GARDENS | | | | |
| Wynyard | | 1,296,500 | 6%  | 77,288 |
| Somerset | | 150,000 | 0% | - |
| General | | 50,000 | 21%  | 10,695 |
| | | 1,496,500 | 6%  | 87,983 |
| STORMWATER DRAINAGE | | | | |
| Stormwater Pipe Replacements/Upgrades | | 117,600 | 27%  | 31,871 |
| General | | 52,826 | 33%  | 17,281 |
| | | 170,426 | 29%  | 49,152 |
| TOTAL CAPITAL WORKS PROGRAM 2018/19 | | 11,987,563 | 21%  | 2,560,367 |

100%

10.11 SENIOR MANAGEMENT REPORT

To: Council
Reporting Officer: General Manager
Responsible Manager: General Manager
Report Date: 28 November 2018
File Reference: 009.02
Enclosures: **REFER ATTACHMENT E**
Local Government Review LGAT Submission

RECOMMENDATION

That Council

1. Note the monthly Senior Management Report.
2. Approve the following Councillors to attend the LGAT Annual Conference:
 - a. Mayor Robby Walsh
 - b. Deputy Mayor Mary Duniam
 - c. _____
 - d. _____

GENERAL MANAGERS OFFICE

LGAT Annual Conference

The 2019 LGAT AGM and Annual Conference will be held from the 3rd to 5th of July in Hobart. As per previous Council resolution budget is allocated for the Mayor and Deputy Mayor plus up to two additional councillors to attend.

Approximate Costs per person:

| | |
|----------------------------------|-----------------------------|
| Registration for Conference | \$ 750 |
| Accommodation, meals (3 nights): | <u>\$ 880</u> |
| TOTAL COST PER PERSON | \$1630 (approximate) |

Grants Received

1. \$310,000 from the Tasmanian State Government to upgrade change facilities at Wynyard Recreation Ground including new female facilities as part of the Levelling the Playing Field grant process.
2. \$45,000 from AFL Tasmania to assist with upgrade to change facilities at Wynyard Recreation Ground including new female facilities.

-
3. \$3.2m from the Building Better Regions Fund (BBRF) for the Wynyard Waterfront and Environs Masterplan to complete the following stages of the project:
 1. Stages 2-4 of the Camp Creek Rehabilitation
 2. Wharf Entrance Augmentation
 3. Construction of new boardwalk and replacement of seawall
 4. Construction of Multipurpose Community Facility and Yacht Club
 4. \$1.1m from State Government towards the Wynyard Waterfront and Environs Masterplan, in particular the Multipurpose Community Facility and Yacht Club confirmed following approval of BBRF Grant.
 3. \$140k Safer Communities Fund: Round 3 - Infrastructure Grants application for CCTV in Wynyard and Somerset CBD's.

Activities Since Last Council Meeting

Listed below is a summary of activities undertaken by the General Manager during the period **9 February 2019 to 8 March 2019**. It also provides information on issues of significance or interest, statistical information and summaries of specific areas of operations

Corporate

- Attended the Waratah-Wynyard Council Audit Panel meeting. The minutes and a summary of the meeting will be provided in a separate report
- Council has implemented a new Records Management system. Undertook training for this software
- Participated in a number of meetings to progress the IT Shared Services project being undertaken by Burnie, Circular Head and Waratah-Wynyard Council

Community

- Met with representatives from Rural Health Tasmania to discuss the arrangements for the new 7Up operation
- Met with the Wynyard Football Club regarding a range of matters including the successful Levelling the Playing Field Grant
- Met with the Principal of the Yolla District School to discuss a range of matters relating to the school
- Met with retailers concerned with vehicular movements and parking
- Met with TasWater Dam Safety Manager, Fraser White and Senior Officer Stakeholder Engagement, Eleanor Talbot to discuss the Waratah Dam, specifically release of completed reports and an upcoming public forum
- Met with representatives of the Somerset Surf Club regarding the Coastal Pathway
- Had a number of discussions with the owner-managers of a local motel regarding the Wynyard Waterfront project, specifically the boardwalk and seawall

Industry

- Attended the Cradle Coast Authority Representatives meeting. The minutes and a summary of the meeting will be provided in a separate report
- The State Government have released a Discussion Paper into the Review of Tasmania's Local Government Legislative Framework and the General Manager and Director Organisational Performance participated in an engagement session to provide feedback to the Project Team on the reform
- Attended a meeting of Cradle Coast General Managers and Economic Development Officers to discuss progression of the Cradle Coast Authority's Futures Plan

Other

- Met with Federal Liberal candidate Gavin Pearce and Senate Candidate Claire Chandler to provide them with an overview of the Wynyard Waterfront Project and other Council election priorities
- Attended a regular catch up briefing with Labor's Anita Dow MP
- Attended a regular catch up briefing with Ruth Forrest MLC
- Attended a meeting of the Cradle Coast General Managers. Items discussed included the Cradle Coast Regional Futures Plan, Shared Services, procurement of legal services, use of glyphosate and the Cradle Coast Waste Governance Review project
- Attended the Burnie Chamber of Commerce and Industry breakfast with guest speaker Warren Moore

COMMUNITY AND ENGAGEMENT

Know Your Odds Wynyard SK8 Comp

The Know Your Odds Wynyard SK8 Comp was held on Saturday 23rd February at the Wynyard Skate Park. This was the third time Council has hosted this event in Wynyard. The event attracts sponsorship worth \$2050 from DHHS through Know Your Odds (KYO). Sponsorship covers all the direct costs of staging the event. KYO comps are held around Tasmania and offer a great opportunity to get information to and from young people about their thoughts through the Gamblers Help stall. KYO also supports community events that provide healthy alternatives as a recreation choice for young people. Around 150+ people attended the event, slightly more than last year.

Competitors were split into two age groups, 14 and under and 15 up. There were competitions for bikes, boards and scooters in each group. A total of 15 monetary and gift vouchers were awarded to the first three placegetters. As there were several children under 10 a special scooter category was arranged at short notice to cater and to encourage their involvement. Several inline skaters put on a display at the end of the official competition. They were keen to encourage more young people to try it.

A variety of free food was on offer for the day including lots of fruit, lean meat sausages and hamburgers were also cooked by volunteers Abraham Shires from WWYL and Craig

Richardson. Both assisted with all aspects of the event on the day. Two staff from Anglicare operated the Gamblers help stall and gave away wrist bands and tee shirts.



Warawyn Early Years nominated for the Narragunnawali Awards 2019

The Narragunnawali Awards 2019 Recognise exceptional commitment to reconciliation in education across the country. Held biennially, the Narragunnawali Awards represent Australia's first national awards program for reconciliation in schools and early learning services. The Awards have been designed to Recognise and celebrate educational environments – across the Government, Catholic and Independent sectors – that have implemented outstanding and genuine reconciliation initiatives. These schools and early learning services will be acknowledged for the ways in which they are strengthening and building relationships, respect, and providing meaningful opportunities in the classrooms, around the school or early learning service, and with local communities.

Warawyn Early Years has been nominated for this award by Reconciliation Tasmania for their outstanding support of reconciliation initiatives within the early leaning community. The award involves a lengthy process with nominations closing on 10th May, followed by judging with finalists announced in July. Site visits will then occur with award presentations in November.

WWYL Waratah-Wynyard Youth Leaders

Waratah-Wynyard Youth Leaders (WWYL) have 10 member this year. The team has had two meetings this year with time spent planning the activities for the year ahead. WWYL members participated in Clean Up Australia Day and 5 members attended the Panel with the Pollies, asking plenty of questions of the panel on youth and broader related issues. There were 12 young people from Waratah-Wynyard who attended the Panel with the Pollies at UTAS and they certainly asked the hard questions of politicians. There were over 70 questions asked on the night and you could visible see the candidates take a sigh of relief when time was up.

There is also a leadership camp in planned for next month for WWYL members.

Seven Up Youth Centre

Seven Up Youth Centre opened on 26th February at the Wynyard Community Centre. Modifications have been made to the including carpet and heating to ensure this is an inviting environment for young people. Rural Health and Council staff have been disseminating information about the new venue and what Seven Up is all about. There is an official opening on Wednesday 10th April from 3pm during Youth Week.

National Tourism Awards

The Australian Tourism Awards were held in the Cataract Gorge on Friday March 1 - the first time these prestigious industry awards have been held outside a major city. The Wonders of Wynyard was represented as a finalist in the Visitor Information Services Category. Unfortunately, WOW was not successful in receiving a medal this year, with the category being taken out by last year's winners Swan Valley WA. Silver went to Canberra, also previous winners, and bronze went to NT, who have also been successful in previous years. Judges feedback was very positive, highlighting the obvious passion demonstrated in the submission, and commending the innovation undertaken despite (comparatively) small budget and limited resources. The centre's interaction with and value to the local community was highlighted as standing out amongst the other, much larger centres.

ORGANISATIONAL PERFORMANCE

Local Government Act Review

The major review of Tasmania's Local Government Legislation Framework is well and truly underway. Submissions were due by March 1 2019, although, Council did not provide a submission the General Manager and Executive Staff participated in initial sessions during the first phase of consultation.

The Local Government Association of Tasmania (LGAT) provided a joint submission, representative of the Local Government sector and considered the views and opinions of LGAT's Members. In developing the submission, LGAT included matters which have been subject to voting by Members at LGAT General Meetings.

The feedback from the sector indicates strong support for a principles-based approach to Local Government legislation, particularly the *Local Government Act*, with the removal of unnecessary prescription. It is considered vital the Review recognise the diversity of resources, scale and priorities across councils and importantly in communication expectations. To that end the legislation should allow for flexibility to accommodate local circumstances and context. A copy of the full submission is included in Attachment E to this agenda.

The Review will involve three consultation phases followed by a draft bill being introduced to Parliament in mid-2020. The Review will be governed by a Steering Committee, whose role is to guide the strategic direction of the Review and provide

advice and recommendations to the Minister for Local Government. LGAT CEO, Dr Katrena Stephenson is part of the Steering Group, to directly represent Members, expertise in Local Government is also brought to the Steering Committee through previous long serving General Manager, Mr Greg Preece and previous Elected Member, Ms Roseanne Heyward.

The Steering Committee will be supported by a Reference Group which has recently been formed to provide support in this process. The Reference Group membership includes local government representatives, local businesses, industry and community stakeholders. Council's Director Organisational Performance, Claire Smith was recently appointed as a member of the Reference Group by the Minister for Local Government. The Group's role is to workshop feedback from the already underway consultation process and provide advice to the Review Steering Committee on possible options for reform.

The major review into the Local Government Act will ensure it is contemporaneous and reflects and supports what communities expect from their local councils. Further updates will be provided to council as the review progresses.

ADMINISTRATION - USE OF CORPORATE SEAL

| | | |
|---------|---------------------------------|--|
| 19/2/19 | Title Transfer Document | Sale of 10 Serrata Crescent Sisters Beach 2872718 |
| 5/3/19 | Agreement to Maintain Underpass | 1161 & 1182 Mt Hicks Road Wynyard |

10.11.1 PLANNING PERMITS APPROVED UNDER DELEGATION – FEBRUARY 2019

| DA No. | Applicants Name | Location | Development | Date Permit Issued | No of Days to Process | (D)Discretionary (P)Permitted |
|------------|----------------------------------|---|---|--------------------|-----------------------|-------------------------------|
| 132/2018 | R C Cox | 8 Pine Street Sisters Beach | Dwelling & Shed | 04.02.2019 | 39 | D |
| 134/2018 | A J Crutchett & N F Cruchett | 599 Tollymore Road Table Cape | Dwelling Extension | 04.02.2019 | 35 | D |
| 135/2018 | Paul Allen (PLA Designs) | 240 Back Cam Road Somerset | Dwelling & Shed | 07.02.2019 | 43* | D |
| 128/2018 | Abel Drafting Services | 48 South Elliott Road Elliott | Covered Equine Arena | 07.02.2019 | 38 | D |
| 142/2018 | C J McKenzie & S M A Hakansson | 141 Irby Boulevard Sisters Beach | Visitor Accommodation | 07.02.2019 | 36 | D |
| SD 2069 | PDA Surveyors | 143 & 145 Inglis Street and 14 Millpond Court Wynyard | Boundary Adjustment | 08.02.2019 | 28 | P |
| 124/2018 | G M Catlin | 20 Wattle Hill Drive Wynyard | Shed | 12.02.2019 | **65 | D |
| 140/2018 | S J & M A Vasi | 39 Boat Harbour Siding Boat Harbour | Carport | 13.02.2019 | 21 | P |
| 141/2018 | M A Wells – EnviroPlan | 23 Wiggs Road Henrietta | Agricultural Shed | 13.02.2019 | 41 | D |
| 5/2019 | Meteir Planning | 31 Meredith Crescent Savage River | Metier Planning and Development | 14.02.2019 | 33 | D |
| 9/2019 | Paul Allen (PLA Designs) | 11 Newhaven Drive Somerset | Dwelling Extension (Deck) & Boundary Adjustment | 14.02.2019 | 18 | P |
| SD 2067 | EnviroPlan | 31 Old Bass Highway Wynyard | Subdivision (Boundary Reconfiguration) | 14.02.2019 | 42 | D |
| DA 66/2018 | D Rowell | Calder Road Oldina | New tailings storage facility | 20.02.2019 | 33 | D |
| 139/2018 | MSR Property Investments Pty Ltd | 1 Millpond Court Wynyard | Signage | 22.02.2019 | 42 | D |
| 10/2019 | P A Irby | 94-96 Irby Boulevard Sisters Beach | Shed | 22.02.2019 | 22 | P |

- * 42-day expiry fell on the Sunday, delegate decision approved on the Monday.
- **Applicant requested change of location of proposed development resulting in application changing from a permitted application to discretionary. Extension of time obtained to 25.2.2019

10.11.2 BUILDING PERMITS APPROVED – FEBRUARY 2019

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

| Permit Number | Applicants Name | Location | Development | Date Permit Issued | No of Days to Process | Related Planning Approval |
|---------------|------------------------|--|------------------------------------|--------------------|-----------------------|---------------------------|
| 2019-10-01 | 6ty Pty Ltd | 7 Emily Crescent Somerset | Dwelling | 4.02.2019 | 1 | DA 122/2018 |
| 2018-135-01 | Ron Ritson | 8 Dicks Road Boat Harbour | Dwelling and Deck | 4.02.2019 | 4 | DA 77/2018 |
| 2019-4-01 | Robert Rimmelzwaan | 10 Bluewater Crescent Wynyard | Dwelling and Shed | 07.02.2019 | 1 | DA 82/2018 |
| 2019.11.01 | Abel Drafting Services | 180 Goldie Street Wynyard | Storage Sheds x 38 | 08.02.2019 | 1 | DA 59/2018 |
| PSC2019-1-01 | R Clark | Unit 14/263 Port Road Boat Harbour Beach | Refurbishment – Fire Safety Issues | 14.02.2019 | 1 | NPR |
| 2019-14-01 | P & C Edwards | 6 Lewis Street Wynyard | Addition Shop/Office | 14.02.2019 | 3 | DA 100/2018 |
| PSC2019-2-01 | R Clark | Units 13, 15 & 16 – 263 Port Road Boat Harbour Beach | Refurbishment -Fire Safety Issues | 22.02.2019 | 1 | NPR |

10.11.3 OPEN ACTION LIST –PREVIOUS COUNCIL MEETINGS - Summary of Matters Requiring Action

| Meeting Date | Item # | Topic | Action/Status | Officer | Status | Date Closed |
|--------------|--------|---|---|---------|-----------|-------------|
| 19/2/18 | 10.1 | ROC – Proposed East Wynyard Foreshore Masterplan - Motion Carried Adopt the Draft East Wynyard Foreshore masterplan; Consider implementation of the proposed playground and landscaping elements for the 2018/19 budget; Consider rationalising the existing 4 local playground sites, 2 at the East Wynyard Foreshore, 1 at 9 Martin Street and 1 at 25 Lockett Street in order to fund the proposed district level playground; and Remain flexible in the implementation of the East Wynyard Foreshore masterplan as it assesses cost and benefits in consultation with the community and users into the future | A workshop was held on Monday 11 February to outline the proposed timetable for this playground project. Preliminary work will continue as part of the project planning and preparatory stage. 13/3/19 - A further workshop was held on 12 March to progress the design concepts and discuss the project | DIDS | Commenced | |
| 19/3/18 | 5.3.1 | QON – K Ewington – Transfer Station Opening Hours. Asked if Council could explain how it determined that 10.00am to 4.00pm were best hours of operation for Transfer Station to meet ratepayer needs. He asked if council could consider longer hours for those who work e.g. extend hours during day light savings, opening hours on the weekend, open on public holidays. | 15/8/18 - A waste management services review will commence in September, concluding in April 2019. This query will be addressed during this project | DIDS | Ongoing | |
| 17/9/18 | 9.4 | NOM – Cr Fairbrother –Waratah Dam | PROCEDURAL MOTION CARRIED - That matter lay on the table until further information is obtained to deal with the matter All final reports have now been released from TasWater and they have scheduled a public meeting on Monday 18 March. | GM | Ongoing | |

| Meeting Date | Item # | Topic | Action/Status | Officer | Status | Date Closed |
|--------------|--------|-----------------|--|---------|---------|-------------|
| 17/9/18 | 10.1 | Freedom Camping | <p>The following motions were carried:</p> <p>That Council note the information relating to Freedom Camping; and agree to develop a Freedom Camping Strategy document.</p> <p>7/3/19 - Council continues to workshop and discuss public camping and associated enforcement. Interim arrangements have been requested following the workshop on 4 March including signage. The First draft of the Freedom Camping Strategy has been completed by David Hammond and is expected to be workshopped with Councillors Late March.</p> <p>That Council proceed with necessary planning for establishment of a site for Freedom Camping at Sisters Beach.</p> <p>7/3/19 - Whilst investigation on this site has occurred, Council's position may now change given the recent State Government policy position. Further work to be done in this regard.</p> <p>That Council determine that a designated Freedom Camping site will not be provided for in Somerset or Yolla.</p> <p>7/3/19 - Signage to be organised</p> <p>That Council Explore low cost camping opportunities at Waratah through the existing caravan park or creation of an overflow area.</p> <p>That Council</p> | EMT | Ongoing | |

| Meeting Date | Item # | Topic | Action/Status | Officer | Status | Date Closed |
|--------------|--------|---|---|---------|-------------------|-------------|
| | | | <p>Continue to offer Freedom Camping at the Wynyard Showgrounds until such time that feasibility studies can be completed on Lions Park or any other possible location within the Wynyard area; and</p> <p>That council liaise with the Show Society to lodge a planning application to amend the use of showgrounds to allow self-contained caravans.</p> <p>That statutory planning approval be sought for all areas where freedom camping might be located.</p> <p>7/3/19 - Work on the Freedom Camping Strategy has begun with a workshop held in early March to progress the draft</p> | | Complete | |
| 17/9/18 | 10.6 | Renewal of Crown Lease – Waratah Falls | <p>Motion Carried</p> <p>29/11/18 - Application has been made to the Crown to renew the lease area over the Waratah Falls</p> <p>9/3/19 - Still waiting on feedback from Crown Lands.</p> | DCE | Ongoing | |
| 15/10/18 | 10.1 | Establishment of Wynyard Youth Centre – 7UP Wynyard | <p>Motion Carried</p> <p>7UP commenced operating at the Community Centre at the start of term one. An official opening will be held in April.</p> | DCE | Complete | |
| 19/11/18 | 9.1 | Motion – Cr Fairbrother – Coast to Coast Section – Advocate Newspaper | <p>Motion Passed</p> <p>The Mayor raised the matter at the CCA Representatives Meeting and it received support. The editor attended the CCA Reps meeting on 28 February. At the end of the meeting he stated he would explore options for re-introduction of the Coast to Coast section of the newspaper, including the Mayors Message, and options would be presented in the near future.</p> | GM | Ongoing | |
| 19/11/18 | 10.4 | Freedom Camping Boat Harbour | <p>Motion Passed</p> <p>Cr House asked that the implementation plan address traffic management and waste management matters.</p> | DCE | Not yet commenced | |

| Meeting Date | Item # | Topic | Action/Status | Officer | Status | Date Closed |
|--------------|--------|---|--|------------|---------|-------------|
| | | | <p>Cr Duniam asked that full review and considerations of the use of amenities be included.</p> <p>Cr House asked that the Open Space, Sport and Recreation Plan be updated to include changes once the Strategy is completed.</p> <p>7/3/19 - Council continues to workshop and discuss public camping and associated enforcement. Interim arrangements have been requested following the workshop on 4 March including signage.</p> | | | |
| 19/11/18 | 10.7 | Waratah Board Meeting | <p>Motion Passed</p> <p>Cr Fairbrother asked if councillors could attend next board meeting on 15 December and meet the board.</p> <p>Capital works tour proposed for Friday 12 April. Will explore whether any possibility for meeting with Board members as part of this trip.</p> | DCE/ GM | Ongoing | |
| 10/12/18 | 8.3.5 | CQWON – Cr House - East Wynyard Foreshore | <p>Cr House asked what councils position was on the use of vehicles on beaches in general.</p> <p>The Director of Infrastructure and Development Services advised he would take question on notice and bring to a workshop as beaches are owned by Crown Land Services.</p> <p>The Director Infrastructure and Development Services advises that Crown Land Services do not have a clear policy on this matter. As a measure to try and reduce the problem, Council will install local area traffic management signage to advise motorists of the need to take care in this shared use location.</p> | DIDS | Ongoing | |
| 10/12/18 | 8.3.6 | CQWON – Cr House -Speed Limits | Cr House asked if speed limits in the area of the East Wynyard boat ramp were considered adequate. | DIDS | Ongoing | |

| Meeting Date | Item # | Topic | Action/Status | Officer | Status | Date Closed |
|--------------|--------|---|---|---------|---------|-------------|
| | | | As per item 8.1.2, the Director Infrastructure and Development Services advises that local area traffic management signage will be installed to advise motorists of the need to take care in this shared use location. | | | |
| 10/12/18 | 9.2 | NOM Cr Edwards – PWS Audit of Sisters Beach properties Carried | That Council request Parks and Wildlife complete their proposed assessment audits of beach front properties at Sister Beach by March/April rather than the proposed 30 June deadline. 7/3/19 - PWS have advised due to tender process and availability of contractors they cannot bring forward to March/April. They have indicated they will look to try and complete by May | DIDS | Ongoing | |
| 10/12/18 | 9.4 | NOM Cr House – Communication Strategy Carried | That Council commence the drafting of a Communications Strategy as a matter of priority, and the following are produced as a necessary suite of associated documents; Draft Communications Policy A paper which reviews the cost-benefit of the Community Survey and alternative options A report which explores the option of a Waratah Wynyard Council smartphone “app” for the public 7/3/19 - Workshop held on 11 February and document currently being drafted | GM | Ongoing | |
| 10/12/18 | 10.1 | Wilkinson Street Highway Junction works Amended Motion carried | That Council on receipt of assurances from DSG that council legal expenses associated with any representation and associated legal process will be reimbursed; and Support the recommendation of the Department of State Growth to close the Wilkinson Street access to the Bass Highway; and | DIDS | Ongoing | |

| Meeting Date | Item # | Topic | Action/Status | Officer | Status | Date Closed |
|--------------|--------|--------------------------------------|--|---------|---------|-------------|
| | | | <p>Initiate the process of notification of intent to close under section 14 of the Local Government Highways Act 1982; and</p> <p>Undertake investigations into relocation of the existing York Street bus stop to another area within the vicinity</p> <p>State Growth have advised they will cover legal expenses if the closure goes ahead only. Further request made to State Growth as to what potential expenses may be so a determination can be made by Council.</p> | | | |
| 10/12/18 | 10.2 | ANZAC park Foreshore Repairs Carried | Old path has been removed and design completed for new pathway. Discussions are ongoing with the Somerset Surf Club as to the preferred direction of the new path which will be constructed to the standard for the Coastal Pathway. The pathway replacement commenced on 6 March with work expected to take up to a month | DIDS | Ongoing | |
| 10/12/18 | 10.3 | Irby Boulevard Beach Access Repairs | <p>That Council, by absolute majority:</p> <p>Seek approval from Crown Lands and Parks & Wildlife services to restore the damaged beach accesses affected by coastal erosion at nodes 2 and 10.</p> <p>Amend the 2018/19 Annual Plan and Budget Estimates to include a new capital renewal project - Sisters Beach – Beach Accesses for \$83,050</p> <p>Ensure nodes 3, 7 and 9 are adequately barricaded and signed to prevent public access and meet Council's duty of care requirements as an interim measure until such time as council undertake an appropriate review including costings and consultation with the affected community regarding the reinstatement and/or rationalisation of access in that area</p> <p>Expression of Interest process in relation to the restoration</p> | DIDS | | |

| Meeting Date | Item # | Topic | Action/Status | Officer | Status | Date Closed |
|--------------|--------|---|---|---------|--------|-------------|
| | | | <p>and repair of beach accesses at Node #2 and #10 has been completed and evaluation is underway. Node #10 will require a planning permit and assuming successfully obtaining other associated approvals, it is hoped construction will be completed by mid-May.</p> <p>Council has been liaising with Parks and Wildlife requesting that their individual property assessments are completed as soon as possible. Parks and Wildlife have indicated they need to complete a tender process and schedule the successful consultants and at this stage have indicated a completion date of end of May.</p> <p>In regard to short term remedial work, since December Council works staff have inspected the beach entrances nodes 1, 4, 5, 6 and 8. It was considered that each of these five access points did not require any immediate work to enable safe beach access.</p> | | | |
| 21/1/19 | 8.3.1 | Councillor Questions Without Notice – Cr A House – Environmental Strategy | <p>Cr House asked if some work could be done to explore the conception of such an environmental strategy, and can we formalise a means of partnering with the community on climate and environmental issues?</p> <p>7/3/19 - The General Manager advised this could be done and that he would arrange to have a discussion paper prepared and brought back to Council for consideration. The matter is scheduled for workshop on 25 March.</p> | GM | | |
| 21/1/19 | 8.3.3 | Councillor Questions Without Notice – Cr k Hyland – Seabrook Subdivision | <p>Cr Hyland asked if discussion can be facilitated by Council to determine if anything can be done to progress the Seabrook Subdivision works.</p> <p>7/3/19 - The site has been sold and the new developers intend on recommencing work in mid-March.</p> | GM | | |

| Meeting Date | Item # | Topic | Action/Status | Officer | Status | Date Closed |
|--------------|--------|---|---|---------|-------------|-------------|
| 18/2/19 | 5.4.4 | Public Question – D Moore – Newspaper Article re Unions | Mr Moore of Somerset asked if council would consider workshopping a newspaper article in the Australian Newspaper on August 12, 2017 (Ditch unions and talk to workers). The newspaper article was provided to Crs for review. Mr Moore Advised in writing. No further discussion required | GM | Complete | 20/2/19 |
| 18/2/19 | 5.4.5 | Public Question – D Moore – Somerset Community Board | Mr Moore asked when community board (which was removed during CBD works and installed at the back of private carpark) would be reinstalled to a location that benefits the community Refer response this agenda item 5.1.2 | GM | In Progress | |
| 18/2/19 | 10.2 | York Street Bus Stop | Motion Passed Progress design for alternative bus stop, with temporary relocation to be agreed with Dept. of Education | DIDS | | |

10.12 MINUTES OF OTHER BODIES / COMMITTEES –MINUTES OF THE WARATAH COMMUNITY BOARD MEETINGS HELD 16 FEBRUARY 2019

| | |
|----------------------|--|
| To: | Council |
| Reporting Officer: | Community Development Officer |
| Responsible Manager: | Manager Community Activation |
| Report Date: | 7 March 2019 |
| File Reference: | 007.17 |
| Enclosures: | Waratah Community Board – Minutes 16 February 2019 |

RECOMMENDATION

That Council note the Minutes of the Waratah-Community Board meeting held on 16 February 2019.

PURPOSE

The minutes of the Waratah Community Board meetings held on **16 February 2019**, are provided for information and noting.

BACKGROUND

The Waratah Community Board was established by Council following a lengthy period of community consultation and the adoption of the Waratah Community Plan 2018 – 2021.

DETAILS

Items of note from this meeting included:

- **Waratah Waterfall Crown Land Lease** – Council is hopeful of receiving approval from Crown Land Services in the coming weeks.
- **Lookout Pathway** – Designs have been prepared for the new accessible Lookout Pathway.
- **Railway Bridge** – Council is waiting on a response from bridge contractors regarding options and costings for the replacement of the bridge.
- **Waratah-Wynyard and Circular Head Councils Health and Wellbeing Plans** – Feedback was received for the draft Community Health and Wellbeing Plan, Age Friendly Communities Plan and the Youth Plan. The draft plans will be presented at the March Council meeting for adoption.

-
-
- **19 Mile Hut** – No further information has been received from the Department of State Growth regarding the relocation of the 19 Mile Hut at the Fingerpost Depot.
 - **Council's 2019/2020 Budget Submissions** – Council staff are assisting the Board to complete a budget submission for the reroofing of the Philosopher's Smith Hut.
 - **Work for the Dole Program** – Information has been received from My Pathways regarding the opportunity for a Work for the Dole program to be undertaken in Waratah. Council staff to investigate
 - **Adventist Development Relief Agency (ADRA)** – The Board has requested a formal proposal from ADRA to outline the objectives and services that may be delivered for the Waratah Community.
 - **Waratah Fire Plan** – A review of the fire plan for Waratah is to be undertaken

STATUTORY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Strategic Plan Reference

| GOAL 3: Connected Communities | |
|---|---|
| Desired Outcomes | |
| Our community uses its voice to shape its future alongside a strong Council willing to listen and implement where reasonable and practical. | |
| Our Priorities | |
| 3.2 | <i>Deliver engagement strategies that adapt to community needs to ensure effective communication and collaboration.</i> |

Sustainable Murchison Community Plan 2040

The Waratah Community Boards Charter and chosen projects to date fit well within the parameters of the Sustainable Murchison Community Plan in terms of place making, strengthening existing communities and the sustainable use of resources.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

There are no significant Risk implications identified

CONSULTATION PROCESS

There was no consultation required as a result of this report.

COMMENT

It is recommended that the Council note the Minutes of the Waratah-Community Board meetings held on 16 February 2019.

Unconfirmed minutes of the Waratah Community Board's meeting held at the Athenaeum Hall at 2.02pm on Saturday 16 February 2019.

1. Present

Cr. Kevin Hyland, Anne Dunham, Tony Schmidt, Neil Thorne, Rosemary Dick:
Council Staff: Deb Mainwaring:

2. Apologies

Tracey Bradley, Richard Muir Wilson:

3. Declaration of Conflicts of Interest

Nil

4. Confirmation of the Minutes of the Waratah Community Board

Moved Tony Schmidt and Seconded by Neil Thorne "That the minutes of the Waratah Community Board meeting held on the 20 December 2018 are a true and accurate record of the meeting."

CARRIED

5. Correspondence

5.1 Inward

Email: Kimberley Trickett My Pathway – Work for the Dole opportunity in Waratah

5.2 Outward

Nil

Moved Rosemary Dick and Seconded Tony Schmidt that the correspondence be accepted

CARRIED

The meeting orders were then suspended at 2.09pm to permit Maxine Abblitt - Adventist Development Relief Agency (ADRA) to address the Board. Maxine gave an overview of the role of ADRA and the opportunity to provide services in Waratah.

ADRA can provide the following services:

- *Health and wellbeing – chronic disease, SKYPE for medical appointments, cooking, community garden*
- *Youth – holiday programs, youth groups, playgroups, education tutoring*
- *Arts and Crafts*
- *Literacy and Numeracy – job search*
- *Exercise programs*
- *Op Shop*
- *Training opportunities ADRA has identified the Day Care Centre as the ideal location to deliver services.*

They see this as a shared multi-purpose building that other service providers or community group would use. A change of use of the facility would be required for this to occur.

Action: That ADRA prepare and present to the Board for consideration a formal proposal outlining the objectives and service provisions for the Waratah Community.

The meeting recommenced at 2.39pm

6. Business Arising:

6.1 Waterfall Lookout walkway.

Concerns were raised that the Waterfall Lookout walkway has not been closed as previously requested. This needs to be done as a matter of urgency.

A draft plan for a new DDA complaint concrete pathway was tabled. Board members approved the draft plan and work should commence as soon as possible with assistance from the Waratah Men's Shed.

Action: Existing pathway to be closed urgently (Deb)

Funding for new pathway to be raised at February Council meeting (Cr Kevin)

7. Council Update

7.1. Budget Submissions 2019/2020

Budget submission forms were circulated prior to the meeting; forms were tabled at the meeting.

Projects identified – reroofing of the Philosophers Hut - leaking

Action: Council staff to assist with preparing submission

Other projects were identified that relate to the Waratah Tourism Association e.g. installation of signage.

7.2. Council Meeting Update:

The December 2018 Board minutes were confirmed at the January 2019 Council meeting.

8. Waratah Community Plan

8.1. Priority Project 1: Waratah Falls –

Waratah Falls: Crown Land Lease

Council is hopeful of receiving approval from Crown Land Services within the next two weeks.

The Board discussed the information received from My Pathways regarding the opportunity for Work for the Dole projects in Waratah.

A partnership may need to be formed with Council to assist with supervisory role and identifying projects e.g. clearing of area at the base of Waratah Falls.

Action: Contact My Pathways for additional information on program and requirements (Deb)

The Board discussed the urgency to formulate a proposal for designs and costings for the Waratah Falls viewing areas and tracks in preparation for the upcoming Federal election.

Action: Cr Kevin to raise at Council meeting

8.2. Priority Project 2: Community Facilitator and community social services

The Board acknowledged that the proposed submission from ADRA may assist with delivering positive outcomes for the Waratah community as highlighted in Priority 2.

8.3. Priority Project 3: Railway Bridge Restoration -

Councils Projects Works Manager has approached bridge contractors with a view to obtaining a costing on the railway bridge restoration/replacement. Awaiting formal written response.

Rosemary advised that she has witnessed people walking on the existing bridge disregarding the warning signage.

The Board discussed the urgency to formulate a proposal for designs and costings for the installation of a new bridge in preparation for the upcoming Federal election.

Action: Cr Kevin to raise at Council meeting

9. Update from Waratah Tourism Association

9.1. The next meeting will be held on Sunday 17 February at the Fossey Bay Information area to discuss the upgrades at the facility.

Contact Department of State Growth regarding the funding allocation for the area.

9.2. Fundraising opportunities for the association are being undertaken:

Fete at St Anne's Church

Raffle x 2

10. General Business:

10.1 Health and Wellbeing Plans Feedback.

Rosemary provided written comments

10.2 Waratah Proposal – Philosopher Smith Collection

Tracey has spoken with Peter Smith (grandson) regarding the housing of the Philosopher Smith collection and he advised the Athenaeum Hall is not suitable. Anne advised that the collection is very large as it also contains cars and motorbikes.

It was resolved that as a matter of urgency a meeting is organised with Peter Smith, the Mayor, Cr Kevin and Council officers to discuss the options to house the collection in Waratah.

10.3 Waratah Caravan Park

Rosemary advised that she recently received complaints regarding the caravan park from campers:

- Upgrade toilet facilities
- More power outlets
- Improve onsite booking arrangements
- Additional signage to advise where dump point is located

The issues could be addressed in the Waratah Camp Ground Proposal.

Rosemary informed the Board that the SES Road Crash Rescue event would be occurring in Waratah on Saturday 16 March 2019.

10.4 Cars on Private Property

Tony enquired how does Council deal with a collection of “old” cars on private property. This is an eyesore in the town when trying to promote tourism.

Cr Kevin advised this is a challenging situation and not easily resolved.

Action: Cr Kevin to follow up

10.5 Reporting to Waratah Tourism Association

Tony enquired how much information is he able to provide to the Waratah Tourism Association from the Waratah Community Board meetings as there are confidential items discussed.

Action: Provide Tony with the overview of the meeting bulletin

10.6 Parks and Wildlife

Neil advised that he recently spoke with a PWS officer regarding the risk of losing wetlands at Waratah due to the dam situation. The PWS officer was not aware of wetlands in Waratah.

Action: Contact PWS North West and provide Neil’s contact details for further information.

10.7 Chopping Carnival

Neil suggested that the Board acknowledge the success of the Chopping Carnival that was held last weekend. Include the opportunity to apply for WWC grants for future events.

Action: Letter to be provided to organisers.

10.8 ATV rubbish issue

Tony advised that issues with ATV riders leaving rubbish around 1000 Dollar Track and Magnet Valley has been highlighted on social media.

Signage is required

Action: Waratah Tourism Association to investigate.

10.9 Waratah Museum

Concerns have been raised over volunteer staffing procedures at the Waratah Museum. Visitors to the museum experiencing unprofessional behaviour, no assistance from volunteers.

The Board noted this is a difficult issue to deal with.

10.10 Waratah Fire Plan

Rosemary highlighted that with the recent fire incident that the community needs a fire plan.

Action: Deb to discuss with Emergency Management Coordinator/TAS Fire

10.11 Waratah Mens Shed Presentation

Donations received from the Australia Day Breakfast in Wynyard are to be presented to the Waratah Mens Shed.

Action: Tony to present on behalf of the Board

- 11. Next Meeting:**
Saturday 27 April 2019, 2pm Athenaeum Hall
- 12. Meeting Closed**
3.57pm

11.0 MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015; Regulation 15

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

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

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

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

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

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

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

| | |
|-------------|--|
| MOVED BY | |
| SECONDED BY | |

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

| Matter | Local Government (Meeting Procedures) Regulations 2015Reference |
|---|--|
| <i>Confidential Report R15 (2) – Confirmation of Closed Minutes of Previous Meeting</i> | 15 (2) |
| <i>Confidential Report R15 (2) - Issues Raised By Councillors</i> | 15 (2) |
| <i>Confidential Report R15 (2) - Councillor Questions Received In Writing</i> | 15 (2) |
| <i>Confidential Report R15 (2) - Response(s) To Councillor Questions Received In Writing</i> | 15 (2) |
| <i>Confidential Report R15 (2) - Response(s) To Councillor Questions Taken On Notice From Previous Meeting</i> | 15 (2) |
| <i>Confidential Report R15 (2) - Councillor Questions Without Notice</i> | 15 (2) |
| <i>Confidential Report R15 (2) - Notices Of Motion</i> | 15 (2) |
| <i>Confidential Report R15 (2)(h) - Leave Of Absence Request - Councillors</i> | 15 (2)(h) |
| <i>Confidential Report R15 (2)– Closed Senior Management Report</i> | 15 (2) |
| <i>Confidential Report R15 (2)(d) contracts, and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal</i> | 15 (2)(d) |

12.0 CLOSURE OF MEETING TO THE PUBLIC

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015; Regulation 15

| | |
|-------------|--|
| MOVED BY | |
| SECONDED BY | |

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

| Matter | Local Government (Meeting Procedures) Regulations 2015Reference |
|---|--|
| <i>Confidential Report R15 (2) – Confirmation of Closed Minutes of Previous Meeting</i> | <i>15 (2)</i> |
| <i>Confidential Report R15 (2) - Issues Raised By Councillors</i> | <i>15 (2)</i> |
| <i>Confidential Report R15 (2) - Councillor Questions Received In Writing</i> | <i>15 (2)</i> |
| <i>Confidential Report R15 (2) - Response(s) To Councillor Questions Received In Writing</i> | <i>15 (2)</i> |
| <i>Confidential Report R15 (2) - Response(s) To Councillor Questions Taken On Notice From Previous Meeting</i> | <i>15 (2)</i> |
| <i>Confidential Report R15 (2) - Councillor Questions Without Notice</i> | <i>15 (2)</i> |
| <i>Confidential Report R15 (2) - Notices Of Motion</i> | <i>15 (2)</i> |
| <i>Confidential Report R15 (2)(h) - Leave Of Absence Request - Councillors</i> | <i>15 (2)(h)</i> |
| <i>Confidential Report R15 (2)– Closed Senior Management Report</i> | <i>15 (2)</i> |
| <i>Confidential Report R15 (2)(d) contracts, and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal</i> | <i>15 (2)(d)</i> |

13.0 RESUMPTION OF OPEN MEETING

At pm the Open Meeting was resumed.

14.0 PUBLIC RELEASE ANNOUNCEMENT

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

| Min. No. | Subject | Decisions/Documents |
|----------|---------|---------------------|
| | | |
| | | |

Only required for the Minutes if there is an item that needs to be released from the closed meeting.

THERE BEING NO FURTHER BUSINESS THE CHAIRPERSON DECLARED THE MEETING CLOSED ATpm.

Confirmed,

MAYOR
15 APRIL 2019