



**ORDINARY MEETING
OF COUNCIL**

**AGENDA
OPEN MEETING**

16 August 2021

16 August 2021

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 16 August 2021 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.



Shane Crawford
GENERAL MANAGER

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

16 August 2021

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

Dear Shane,

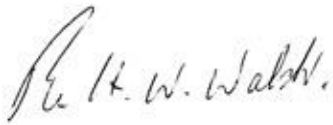
COUNCIL MEETING

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

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

I request that you make the necessary arrangements for the next ordinary meeting of Council to be convened on Monday 16 August 2021 commencing at 6pm 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 16 AUGUST 2021, COMMENCING AT

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

DIGITAL RECORDING OF COUNCIL MEETINGS POLICY

The Chairman is to declare the meeting open (time), welcome those present in attendance and advise that the meeting will be digitally recorded, in accordance with the Council Policy **GOV.017 – Digital Recording of Council Meetings** to “record meetings of Council to assist in the preparation of minutes and to allow live streaming of Council Meetings.

ACKNOWLEDGEMENT OF COUNTRY

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

1.0 RECORD OF ATTENDANCE

Legislative Reference:

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

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

(a) attendance and apologies.

1.1 ATTENDANCE

1.2 APOLOGIES

1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil received.

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING
--

Legislative Reference:

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

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

(b) Confirmation of the minutes.

2.1 CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY COUNCIL MEETING

RECOMMENDATION

That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at Council Chambers, 21 Saunders Street, Wynyard on Monday 19 July 2021, a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.

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

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**

Nil received.

4.2 MAYOR'S COMMUNICATIONS**RECOMMENDATION**

That Council note the Acting Mayors and Mayors Communications

	ACTING MAYOR
13/7/21	Meeting with General Manager
15/7/21	Radio Interview
19/7/21	Council Meeting
20/7/21	Advocate – Fossil Bluff Interview
20/7/21	Meeting with General Manager
24/7/21	Somerset Fire Brigade Annual Dinner
26/7/21	Community Conversation Boat Harbour Beach
27/7/21	Meeting with General Manager
	MAYOR
2/8/21	Councillor Workshop
3/8/21	Meeting with General Manager
4/8/21	TasWater Meeting
5/8/21	LGAT Conference
6/8/21	LGAT Conference
9/8/21	Councillor Workshop

4.3 REPORTS BY DELEGATES

Nil received.

4.4 NOTIFICATION OF COUNCIL WORKSHOPS

Legislative Reference:

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

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

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

RECOMMENDATION

That Council note the following Councillor Workshops

2/8/21	East Wynyard Foreshore Masterplan Feedback Tulip Festival 2021 Roads Service Levels
9/8/21	Business North West – Table Cape Lighthouse Archers Road LRCI Grants Wynyard Sports Centre Visit

Upcoming Workshops - Indicative Only

23/8/21	
30/8	Fossil Bluff Masterplan Consultation Feedback. Developing a Bioenergy Vision Signage Strategy Mobile Food Van Policy
27/9	Community Conversation Sisters Beach

Councillor Attendance Records

Meetings attended during 2021/22 (13 July 2021 to 9 August 2021)

	Ordinary Meetings 2021/22 (0)	Special Meetings / AGM 2021/22 (0)	Workshops 2021/22 (3)	Community Conversations 2021/22 (1)	Weeks Leave Approved
Mayor Robert Walsh	0	0	2	1	7
Deputy Mayor Mary Duniam	1	0	3	1	
Cr Maureen Bradley	1	0	3	0	
Cr Gary Bramich	1	0	3	1	
Cr Andrea Courtney	1	0	2	1	
Cr Celisa Edwards	1	0	3	1	
Cr Darren Fairbrother	1	0	3	1	
Cr Kevin Hyland	1	0	3	1	

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 to be asked by members of the public.*
- (4) *A question by any member of the public under this regulation and an answer to that question are not to be debated at the ordinary council meeting.*
- (7) *A council is to determine any other procedures to be followed in respect of question time.*

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

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

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

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

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

5.1.1 C HUTCHISON - DOCUMENT REQUEST

QUESTION

Mr Hutchison of Preolenna asked if Council Officers could provide a copy of the document which details investigating pathway linkages between Wynyard and Boat Harbour to Sisters Beach and Rocky Cape National parks.

OFFICERS RESPONSE

Officers have provided Mr Hutchison with details for access to the Waratah-Wynyard Tourism Plan 2011-2020 (refer page18) which is available of Council's website and contains the comments referenced.

Officers also note that the Open Space, Sport and Recreation (OSSR) Plan provides key recommendations for off-road trails (which includes walks).

A separate report has been prepared for this agenda for the final review of the Waratah-Wynyard Tourism Plan 2011-2020.

5.2 PUBLIC QUESTIONS RECEIVED IN WRITING

5.2.1 WYNYARD HISTORICAL SOCIETY - JAMES E CALDER MEMORIAL / GRAVE STONE SITUATE CALDER

QUESTION

Has Council Investigated the Calder Memorial / Gravestone, and has a decision been made, or otherwise, to restore / preserve / signpost the Stone.

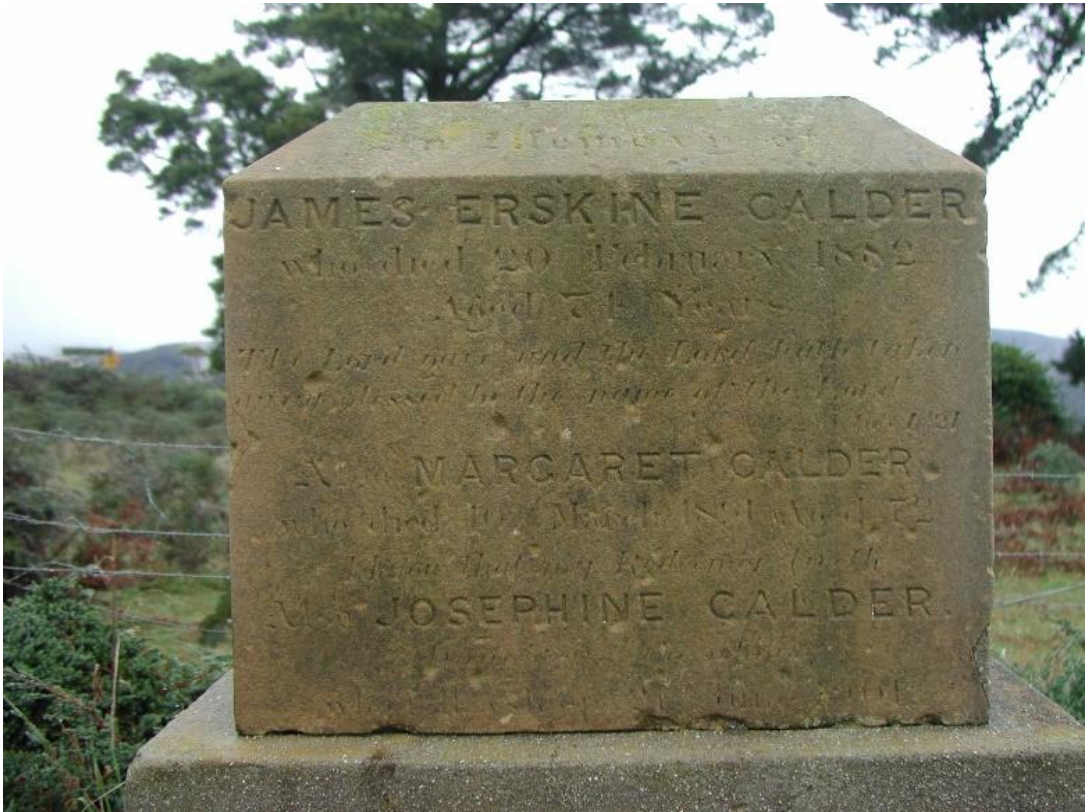
OFFICERS RESPONSE

The James Erskine Calder headstone was relocated from the Queensborough Cemetery in Hobart to Calder in 1960. At the time headstones were being damaged by vandals and the cemetery was earmarked for conversion.

Premier Eric Reece offered the headstone to the Calder community. This was accepted on behalf of the area by Councillor Barker.

The headstone is now on land owned by the Waratah Wynyard Council and was formerly maintained by Tasmanian Fire Services.

Officers agree that the headstone requires repainting and cleaning and while no work has been done to date, Council officers will seek a grant to restore the headstone, using similar funds to those obtained for the recent restoration of the Preolenna Memorial.



PREMIER'S TRIBUTE TO PIONEER OF N.W.

THE EXAMINER
November 14,

THE OPENING of the sealed section of the Calder Highway on Saturday afternoon coincided with the unveiling of a memorial to the man who "blazed the trail" into the area when it was nothing but virgin bush — James Erskine Calder.

The Premier (Mr. Reece) performed ceremonies which symbolically entwined the past and present development of the thriving farming area. The stone he unveiled was the actual headstone from Calder's grave in the old Queenborough Cemetery which is being cleared

to make way for extensions to the Hutchins School, Hobart. When the future of the many memorials at the old cemetery was being discussed Mr. Reece realised that the stone from Calder's grave had associations with the North-West, and made arrangements with the Tasmanian Society to transfer it to Calder.

Mr. Reece said that Calder was one of the colourful personalities of early Tasmania.

He was a contemporary of Sir John Franklin, and it was he who penetrated the west to prepare for the first official overland exploration to Macquarie Harbour in 1842.

The Calder River had been named by Sir John as a compliment to him.

Calder, who was trained at the Royal Military College, Sandhurst, was appointed to

Tasmania as a surveyor in 1829 at the then big salary of £300 a year.

His work to preserve the vocabulary of the Tasmanian aborigine had been invaluable.

As a surveyor he had been responsible for important work in many parts of Tasmania.

He was Surveyor-General for many years and later Sergeant-at-Arms in the Tasmanian Parliament.

He spent 53 years in the State's public service.

Mr. Reece said it was fitting that the names of places of importance should be preserved in association with the towns which bore their names.

He was glad that the Calder memorial had been rescued from comparable desolation to find an honoured place at Calder.

No lulla needed— just a gun

DARWIN—Dangerous wild buffaloes are being tranquilised here so that they can be caught and tamed.

American expert Harold Palmer left for Point Stuart buffalo grounds yesterday to demonstrate his technique with a tranquillising gun.

Local buffalo tamers have been losing most of the animals they have caught because of improper handling.

Palmer said he believed the buffaloes had been accidentally choked.

Palmer has tranquilised horses, elephants, and rhinoceros with a gun which is drugged dart.

Next year he intends to begin experiments with quilling whales following guests from the Royal Society.

Buffalo are exported to Eastern markets as a burden and for their horns.

But they have been quilled before being caught and tamed.

Car

Youth burnt by stream of petrol

PERTH. — A blazing stream of petrol squirted from a carburettor over a youth's bare body on Saturday afternoon.

Peter Jost (18), of St. Hawthorn, Perth, was rushed to Royal Perth Hospital with burns on 25 per cent. of his body.

Jost, with his brother Bill and two friends, was repairing a carburettor in an old car while the engine was running. As he was priming the carburettor the motor backfired and squirted blazing petrol over his body.

He fell to the ground and knocked a tin of petrol over himself.

His brother and two friends fell on him and smothered the flames with their bodies. All four youths were wearing

GRAMMAR BOYS RUN CABARET

A SMALL cabaret conducted by pupils was a feature of the Launceston Church Grammar School's fair at the school on Saturday.

The cabaret was held at the back of the school on Saturday.

Stall holders: Madams R. Perkins, J. C. Fickett. Work stalls

Royal Society of Sir John Hobart to was the president Society last the



5.2.2 WYNYARD HISTORICAL SOCIETY - INTERPRETIVE SIGNAGE

QUESTION

Has Council investigated the (Historical Society's previous) suggestion for interpretive / tourist / history signs for appropriate locations in the municipal area.

OFFICERS RESPONSE

The Wynyard Historical Society have previously provided the following to Council in relation to the Calder Headstone:

- We would like to see the Stone fully restored, and then protected with a roof and fence on a concrete base. An interpretive sign could also be erected with a short history of the town of Calder, and the life of James Calder. This sign could incorporate a couple of historic photos, plus a QR code for tourists to research further.
- We are aware of the need to have at least a 2 car parking spots/pull off area, and this could easily be accommodated, at nominal cost, on the site.
- We would envisage the interpretive sign as the first of many in the municipality, especially where room for parking already exists, or is readily available. We would like to see these Interpretive Signs as a long term plan of Council.
- Suggested initial sites include:
 - Meunna — on the corner site of the old hall, where some signage already exists.
 - Preolenna - adjacent to the War Memorial,
 - Boat Harbour Beach — adjacent to the existing car park,
 - Sisters Beach - adjacent to the existing car park,
 - Elliott - near the hall.
- These interpretive signs, plus numerous other existing and possible future signs could be the start of a Tourist Trail, which also incorporates local businesses and attractions. Initially the restoration and protection of the Stone, at its current Calder site, is imperative.
- The discussion about interpretive signs, and other locations, can follow.

Whilst no work on the above has progressed, the concept of better recognising historical locations is supported by Council. Council's first step has been to develop a Signage Strategy, which is nearing completion. Once adopted, location, information and funding can be determined.

5.3 PUBLIC QUESTIONS WITHOUT NOTICE

Legislative Reference:

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

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

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

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

(5) The Chairperson may –

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

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

5.4 PUBLIC STATEMENTS RECEIVED IN WRITING

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

Nil received.

5.5 PUBLIC STATEMENTS WITHOUT NOTICE

6.0 PLANNING AUTHORITY ITEMS

Legislative Reference:

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

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

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

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

6.1 PUBLIC QUESTIONS WITHOUT NOTICE – RELATING TO PLANNING MATTERS

Legislative Reference:

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

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

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

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

(5) The Chairperson may –

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

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





Nil received.

6.2 PUBLIC STATEMENTS - RELATING TO PLANNING MATTERS

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

Nil received.

6.3 MULTIPLE DWELLINGS (4 X UNITS) LOCATED AT 17A MURCHISON HIGHWAY, SOMERSET - DA 102/2021

To: Council
Reporting Officer: Graduate Town Planner
Responsible Officer: Manager Development and Regulatory Services
Report Date: 28 July 2021
File Reference: 7050772
Supporting Documents: 1. Consolidated Advertised Documents 
2. Representation 
3. Signed Extension of Time 
4. TasWater Conditions 

RECOMMENDATION

That Council, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Waratah-Wynyard Interim Planning Scheme 2013*, grant approval for multiple dwellings (4 x units) at 17A Murchison Highway, Somerset subject to the following conditions: -

PART A CONDITIONS:

1. The development is to be generally in accordance with the application as submitted and endorsed documents as listed:
 - (a) Proposal Plans with Project Number 21-695 and Page Numbers 01 – 13 Rev. A as prepared by Lachlan Walsh Design and dated 11 May 2021.
2. Permanent external screening with a transparency of not less than 25% and a minimum height of 1.7m above floor level is to be installed for the window to Bedroom 3 in Units 1 and 3 and the window to Bedroom 2 of Units 2 and 4.
3. Dedicated visitor parking spaces are to be identified as such and are to be clearly line marked or otherwise delineated from the internal driveway.
4. All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.
5. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
6. Loading and unloading of vehicles is to be confined to within the boundaries of the property.
7. Vehicle parking spaces and associated driveways and turning areas are to be designed in accordance with AS 2890.1 and be approved by the Director Infrastructure & Development.

-
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 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 & Development Services.**
 9. **Vehicular access to and egress from the site is to occur only in a forward motion**
 10. **Stormwater from the development is to be connected and discharged into Council's stormwater drainage network.**
 11. **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.**

PART B CONDITIONS:

1. **The person responsible for the activity must comply with the conditions contained in Schedule 2 of Permit Part B which the Regulated Entity (trading as TasWater) has required the planning authority to include in the permit, pursuant to section 56Q of the *Water and Sewerage Industry Act 2008*, reference TWDA 2021/00870-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 102/2021. Any variation requires an application for further planning approval of Council.
- This development/use is not to result in the generation of environmental harm or nuisance as defined in the *Environmental Management and Pollution Control Act 1994*.
- Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact TasNetworks on 1300 137 008 to ensure these works do not impede on existing electricity easements and are at a safe distance from powerlines. Failure to do so could result in the relocation of electricity assets at your cost.
- Please contact Australia Post for letterbox placement guidelines.
- A further fee is required for the signing and sealing of Final and Strata Plans. Please refer to Council's website for current Planning fees.
- 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 the Development Application DA 102/2021 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013*.

BACKGROUND

The subject site is located at 17A Murchison Highway, Somerset and has an area of 1806m². It is an internal lot located within the General Residential zone and has an access strip with existing crossover onto the Murchison Highway. The site is currently vacant. The development application is for multiple dwellings being four (4) units.

The adjoining title to the west, 2 Wragg Street and one of the adjoining titles to the north, 2 Simpson Street, contain multiple dwelling development. The remaining title to the north, 17 Murchison Highway, and the adjoining titles to the south, 19 Murchison Highway and 2B Wragg Street, contain single dwellings and associated outbuilding development. To the east across the Murchison Highway is the Cam River.

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

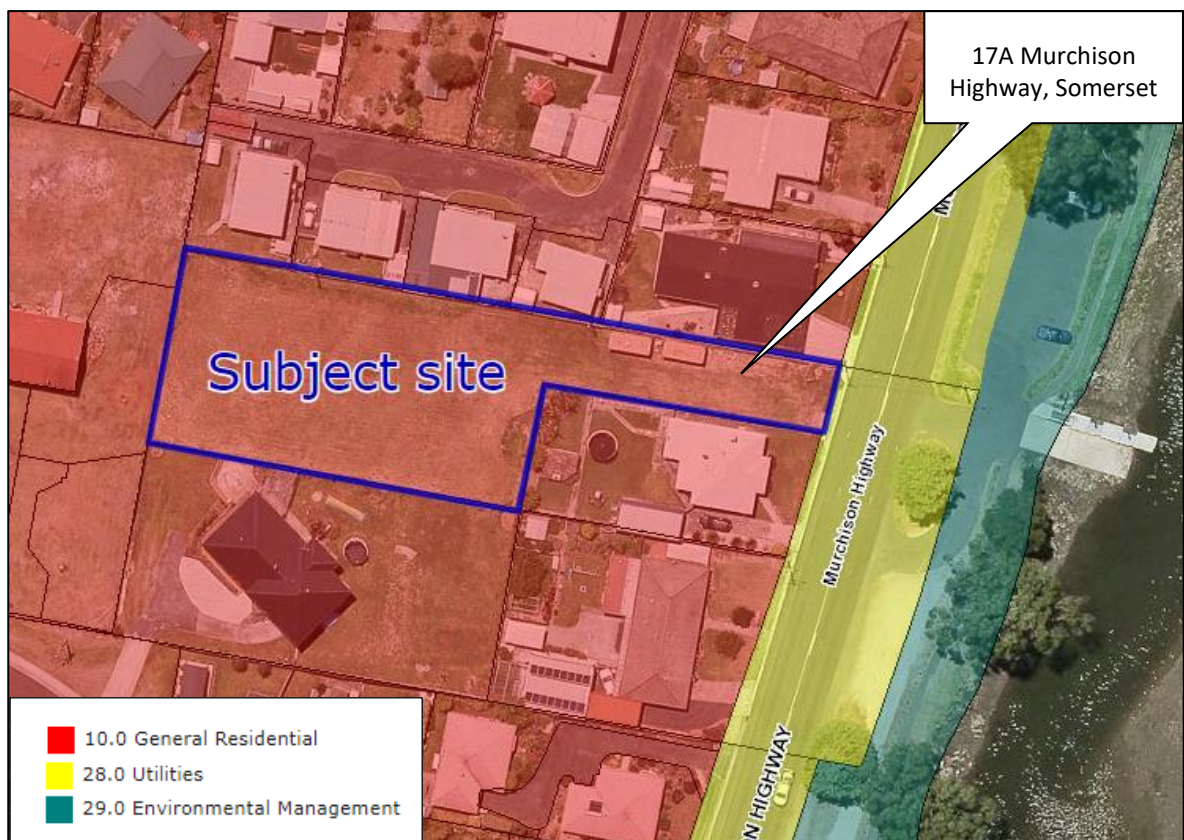


Figure 1: Subject site with zoning

DETAILS

The applicant is seeking approval for multiple dwellings (4 x units) on a property described as 17A Murchison Highway, Somerset (CT 111328/1). The property is located in a residential area populated by single and multiple dwelling development.

Each of the proposed units is two storeys with a maximum height of 6.6m and a total floor area of 210m². The ground floor of each unit comprises a double garage, entryway with lift, laundry and bedroom with ensuite. The first floor comprises two additional bedrooms, one with ensuite and walk-in-robe, bathroom with separate toilet and combined kitchen/dining/living area. A 29m² deck extends from the combined kitchen/dining/living area of each unit.

The proposed units are setback from title boundaries as follows:

Boundary	Unit 1	Unit 2	Unit 3	Unit 4
Murchison Highway	48m	46.5	72m	70m
Northern (side)	3m	17m	3m	17m
Western (rear)	27.2m	28.8m	3.232m	3.232m
Southern (side)	17m	3m	17m	3m
Eastern (rear boundary of 19 Murchison Highway)	7m	5.483m	31m	31m

Each unit is clad and roofed in a mix of Colorbond, fibre cement, cement block and glass. Earthworks comprising areas of cut and fill and retaining walls are proposed to the north and west of Units 1 and 3 and to the south and west of Units 2 and 4. These retaining walls have a variable height ranging between 0.8m and 1.63m.

Proposed car parking comprises a double garage in each of the proposed units with two additional visitor parking spaces provided to the south of the driveway into the site. A total of ten car parking spaces are provided for the development.

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 Permitted use within the zone, should the application meet all the relevant Acceptable Solutions. The proposal does not comply with all the acceptable solutions. The applicant is applying for discretion under Clause 10.4.6 Privacy for all dwellings (P2) of the Planning Scheme.

CONSULTATION PROCESS

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

- Development Application Form x 3 Pages
- Title Documents x 2 Pages
- Planning Response x 3 Pages
- Proposal Plans x 14 pages

The period for representations closed on 12 July 2021. One (1) representation was subsequently received.

A map demonstrating the relationship between the subject site and the representors' property is shown in Figure 2.

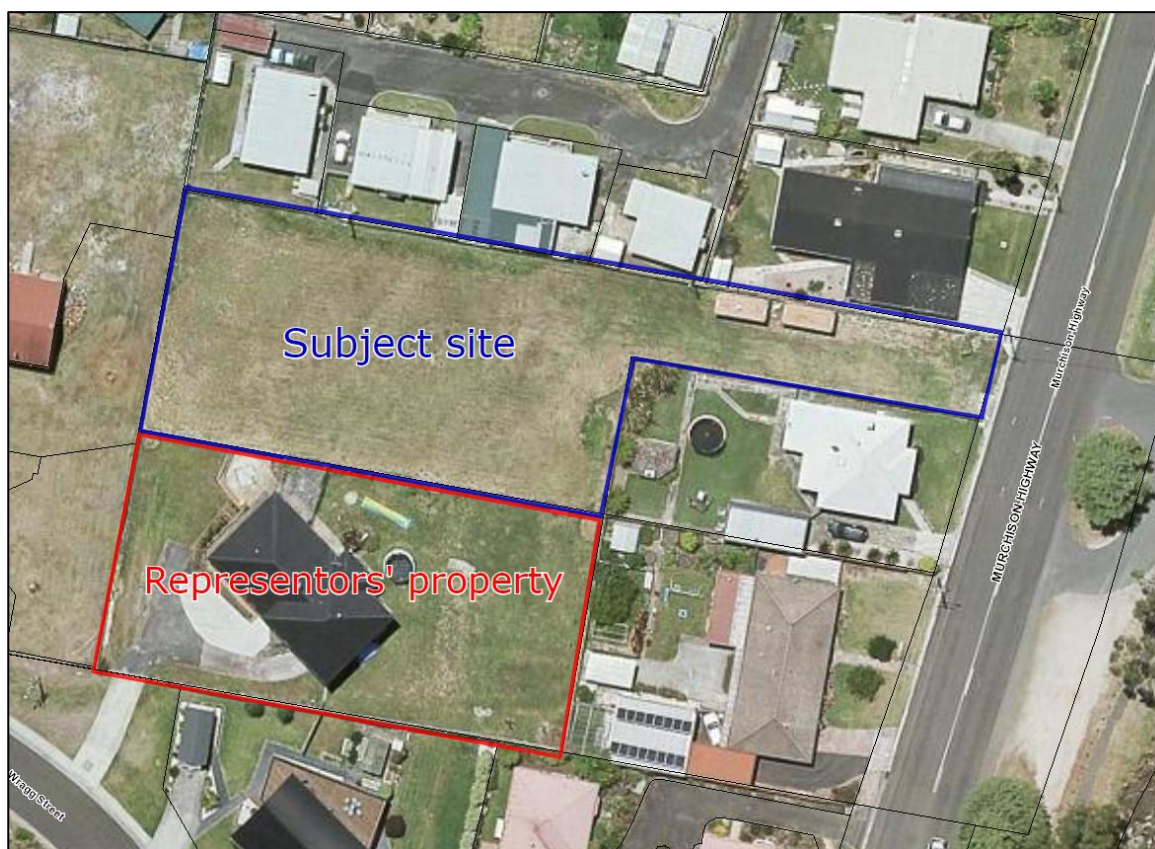


Figure 2: Relationship between the subject site and the representors' property

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 representation which is included as an enclosure to this report.

Representor – B M & A J Hyland

Issues raised:	Response:
<p>The development does not meet planning requirements relating to structure size (10.4.1):</p> <p>Each proposed unit does not meet the minimum dwelling size of 325 square metres. It would seem that in order to fit 4 dwellings into the plans the site area was decreased and the dwellings were designed as 2 storey dwellings. The result of this is excessive shading from the proposed dwellings (4 x units) which will directly impact our main living room, 1 bedroom and also our outdoor private spaces. The shadow diagram on page 5 shows there will be some form of shadow on the northern side of our house and northern side of our outdoor area for the entire day on the shortest day of the year</p>	<p>Clause 8.10 of the Planning Scheme sets out the matters which Council must have regard to when determining applications. This includes the content of any representations received, but only insofar as the content relates to the particular discretions being exercised.</p> <p>Although the applicant provided a response to Performance Criteria P1 for Clause 10.4.1, the proposal complies with the Acceptable Solution for this Clause and does not rely on the Performance Criteria.</p> <p>The Acceptable Solution requires multiple dwelling development to have a site area per dwelling of not less than 325m². This is</p>

<p>which would mean there would be significant shading for the majority of winter. This will lead to increased heating costs due to the lack of sunlight, increased moisture/dampness, re-location of clothesline and a decrease in the value of our property.</p> <p>I note the developer's response to this criteria and do not accept that there will be a community benefit in more housing through this application. There has been significant development of new dwellings in the area which reduces the need for further development.</p> <p>This development is also not consistent or compatible with other developments in the area. Most developments have been for single dwellings on a residential block not multiple 2 storey, 3 bedroom units on a single residential block.</p>	<p>calculated by dividing the total area of the site, excluding any access strip, by the number of dwellings.</p> <p>The proposal is for four dwellings. The subject site is an internal lot with an area of approximately 1515m² less the access strip; 1515 divided by 4 equals a density of 378.75m² per unit and is compliant with the Acceptable Solution for Clause 10.4.1. Therefore, the matters referred to in Performance Criteria P1 for Clause 10.4.1 are not relevant to the application.</p> <p>Similarly, the proposed development complies with the Acceptable Solution for all applicable standards under Clause 10.4.3 'Location and Configuration of Development'. Issues regarding overshadowing of the representor's property are not matters for Council's consideration as the proposed development is located within the permitted building envelope in respect of all title boundaries.</p>
<p>The development does not meet the planning requirement for privacy (10.4.6):</p> <p>The development application only seems to address the privacy of each of the proposed dwellings in relation to the other proposed dwellings on that block and not dwellings on any neighbouring property.</p> <p>The buildings are designed to be raised from the ground. Units 2 and 4 are on our northern boundary and both have extensive windows and decking that would look over and into our house and our land. These windows will look directly into our living areas and outdoor living areas removing all privacy we previously had. Our belief is that the developer has not developed the dwellings to minimize overlooking of our property and residence.</p>	<p>The balcony/deck for each proposed unit complies with Acceptable Solution A1 under Clause 10.4.6, which refers to minimum setback requirements for balconies/decks from title boundaries and other dwellings on the same site.</p> <p>The proposed units also comply with Acceptable Solution A2 for Clause 10.4.6 regarding setbacks from side and rear boundaries, including the representors' property. The proposal only requires assessment against P2 for this Clause due to the proximity of windows in the kitchen area and 3rd bedroom of Units 1 and 3 to windows in the living area and 2nd bedroom of Units 2 and 4.</p> <p>Privacy for dwellings on adjoining properties is not relevant to the application and is not a matter for Council's consideration.</p> <p>Regarding compliance with 10.4.6 A2/P2, the planning assessment below demonstrates that the proposed development is considered to satisfy the requirements of Performance Criteria P2 for this Clause.</p>
<p>If the development were to proceed, there would be an obvious increase in traffic on the residential streets as the main thoroughfare out of Somerset is via Falmouth Street. It is inevitable that this would increase traffic along</p>	<p>The property has access onto the Murchison Highway, which is a Department of State Growth (DSG) maintained road. The application was referred to DSG who advised Council that the proposed development would</p>

<p>Wragg Street and others given there is provision of up to 8 cars to be parked in the dwellings. We expect there would be an unacceptable increase in ambient noise that would result from 8 vehicles and the residents coming and going and living. This noise would be far greater than a single dwelling would cause.</p> <p>Decrease in value of our property due to the impacts of the dwellings.</p> <p>As the planning permits stands currently, we would be greatly impacted by this new development.</p>	<p>have a negligible impact on the Murchison Highway. Council's Engineering Department have also undertaken an assessment of the proposal and provided conditions accordingly. Neither DSG nor Council's Engineering Department have any concerns regarding the proposed development's impact on the safety of the road network in this area of Somerset.</p> <p>Multiple dwelling (unit) development is a Permitted use in the General Residential zone. The proposal is discretionary for one development standard, Clause 10.4.6 (P2), and otherwise complies with all other requirements of the Planning Scheme, including minimum parking requirements. Council does not have the jurisdiction to consider potential impact on property values.</p> <p>Issues concerning noise are also not a matter for Council's consideration as a Planning Authority. Acceptable levels of noise in residential areas is dealt with under the <i>Environmental Management and Pollution Control Act 1994</i> (EMPCA). A note will be included on any permit issued requiring the development/use to not to result in the generation of environmental harm or nuisance as defined under EMPCA.</p>
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INTERNAL REFERRALS

Engineering Services Department

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

- (1) All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.
- (2) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
- (3) Loading and un-loading of vehicles is to be confined to within the boundaries of the property.
- (4) Vehicle parking spaces and associated driveways and turning areas are to be designed in accordance with AS 2890.1 and be approved by the Director Infrastructure & Development.
- (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 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 & Development Services.

(6) Vehicular access to and egress from the site is to occur only in a forward motion.

(7) Stormwater from the development is to be connected and discharged into Council's stormwater drainage network.

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

Environmental Health

The following environmental health conditions were recommended.

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

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 27 May 2021. The response was received on 2 June 2021 and forms Part B of this permit.

The application was referred to the Department of State Growth (DSG) on 27 May 2021. A response was received on 31 May 2021 advising that the proposed development would have a negligible impact on the Murchison Highway but that a permit will be required prior to any access works being undertaken within the State Road Reservation.

The proposal did not require any other external referrals.

PLANNING ASSESSMENT

The subject site is zoned General Residential under the *Waratah-Wynyard Interim Planning Scheme 2013*. The use is a Residential Use which is a Permitted use within the 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 s57 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 is provided below.

10.4.6 Privacy for all Dwellings

<p>A2</p> <p>A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) the window or glazed door:</p> <ul style="list-style-type: none">(i) is to have a setback of not less than 3m from a side boundary;(ii) is to have a setback of not less than 4m from a rear boundary;(iii) if the dwelling is a multiple dwelling, is to be not less than 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 not less than 6m from the private open space of another dwelling on the same site. <p>(b) the window or glazed door:</p> <p>is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;</p> <p>is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or</p> <p>is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</p>	<p>P2</p> <p>A window or glazed door to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must be screened, or otherwise located or designed, to minimise direct views to:</p> <ul style="list-style-type: none">(a) a window or glazed door, to a habitable room of another dwelling; and(b) the private open space of another dwelling.
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Planning Comments: Complies

The proposed development is for multiple dwellings (4 x units). The proposed units are two storeys and are setback from title boundaries as follows:

Boundary	Unit 1	Unit 2	Unit 3	Unit 4
Murchison Highway	48m	46.5	72m	70m
Northern (side)	3m	17m	3m	17m
Western (rear)	27.2m	28.8m	3.232m	3.232m
Southern (side)	17m	3m	17m	3m
Eastern (rear boundary of 19 Murchison Highway)	7m	5.483m	31m	31m

The units comply with Acceptable Solution A2(a)(i)-(ii)&(iv). The windows in the kitchen area and 3rd bedroom of Units 1 and 3 are separated from windows in the living area and 2nd bedroom of Units 2 and 4 by less than 6m and do not comply with Acceptable Solution A2(a)(iii).

Neither the windows in the kitchen area and 3rd bedroom of Units 1 and 3 nor the windows in the living area and 2nd bedroom of Units 2 and 4 comply with Acceptable Solution A2(b) for this Clause. Assessment against Performance Criteria P2 is required for the proximity of Units 1 and 3 to Units 2 and 4.

The site plan submitted with the application demonstrates that proposed Units 1 and 3 are separated from Units 2 and 4 by a minimum distance of 5.85m, an area which is occupied by a shared internal driveway. It is unlikely that occupants of the proposed units will spend any significant amount of time looking out over the shared driveway located between each row of units. The floor plan of each unit has been designed to have the main living space opening onto an east facing deck with views of the Cam River. Each unit's balcony and grassed private open space area is compliant with minimum setback requirements from both title boundaries and other units proposed for the site.

Further, the windows to the combined kitchen/dining/living area of Units 1 and 3 facing Units 2 and 4 are limited to a narrow highlight windows above the sink/cooktop in the kitchen area and the window to the first floor staircase landing. The main living space windows for Units 1 and 3 are north facing to take advantage of sunlight throughout the day and do not overlook Units 2 and 4.

The remaining window in the southern elevation of Units 1 and 3 which does not comply with the Acceptable Solution for this standard is the window to Bedroom 3. Windows to bedrooms are generally curtained by occupants to ensure privacy and block sunlight. However, to ensure adequate privacy, a condition will be included requiring screening with a transparency of not less than 25% to be installed in the window to bedroom 3 of Units 1 and 3 and the window to bedroom 2 of Units 2 and 4.

Due to the layout of each dwelling and orientation of main living area windows and openings to private open space areas (balconies), it is considered that each unit has reasonable opportunity for privacy and that the proposal satisfies P2 for this Standard.

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

STATUTORY IMPLICATIONS

Land Use Planning and Approvals Act 1993

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

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

STRATEGIC IMPLICATIONS

No significant strategic implications were identified.

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

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

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

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

CONCLUSION

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 x units) comply with either the acceptable solution or satisfies the performance criteria for all applicable standards of the Planning Scheme. The proposal makes efficient use of a large internal block and the layout and design of the proposed development provides reasonable opportunity for privacy for each of the proposed units.

The application is considered to comply with the General Residential Zone 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 x units).

6.4 DEMOLITION OF DWELLING & NEW DWELLING LOCATED AT 69 IRBY BOULEVARD, SISTERS BEACH - DA 118/2021

To: Council
Reporting Officer: Graduate Town Planner
Responsible Officer: Manager Development and Regulatory Services
Report Date: 2 August 2021
File Reference: 7088797
Supporting Documents: 1. Consolidated advertised documents 
2. Representation 

RECOMMENDATION

That Council, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Waratah-Wynyard Interim Planning Scheme 2013*, grant approval for demolition of a dwelling and construction of a new dwelling at 69 Irby Boulevard, Sisters Beach subject to the following conditions: -

CONDITIONS:

1. The development is to be generally in accordance with the application as submitted and endorsed documents as listed:
 - (a) Proposal Plans with Project Number 20-653 and Page Numbers 01 – 07 as prepared by Lachlan Walsh Design and dated 8 June 2021.
2. All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.
3. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
4. Loading and unloading of vehicles is to be confined to within the boundaries of the property.
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 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 & Development Services.
6. Stormwater from the development is to be connected and discharged into Council's stormwater drainage network.
7. Control measures are to be installed for the duration of the demolition and construction so as to limit the loss of soils and other debris from the site.

Notes: -

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

- An “Activity in Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
- This project must be substantially commenced within two years of the issue of this permit.
- The applicant is advised to consult with a building surveyor to ensure the development is constructed in accordance with *Building Act 2016*.
- This permit is based on information and particulars set out in Development Application DA 118/2021. Any variation requires an application for further planning approval of Council.
- This development/use is not to result in the generation of environmental harm or nuisance as defined in the *Environmental Management and Pollution Control Act 1994*.
- The works that are on land managed by Parks and Wildlife Services (PWS) and will require an “Authority to undertake works” via a RAA with PWS.
- Should any asbestos or asbestos containing materials are found/present during the demolition of any building/dwelling on this site, that asbestos and material is to be disposed of according to the Workplace Health and Safety requirements, the Environmental Management and Pollution Control Act 1994, or any other legislative requirements.
- If there is any septic tank or associated old soakage trenches within the property, the septic tank (including soakage trenches) is to be made redundant and/or disposed of following the requirements of any building or associated legislation and AS 1547-2012, On-site domestic wastewater management.
- Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact TasNetworks on 1300 137 008 to ensure these works do not impede on existing electricity easements and are at a safe distance from powerlines. Failure to do so could result in the relocation of electricity assets at your cost.
- Under Section 61 (4) of the *Land Use Planning and Approvals Act 1993*, the applicant has the right to lodge an appeal against Council’s decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to the Resource Management and Planning Appeal Tribunal, G.P.O. Box 2036, Hobart, 7001. Updated Notices of Appeal are available on the Tribunal’s website at www.rmpat.tas.gov.au.

PURPOSE

The purpose of this report is for Council to consider the merits of the application DA 118/2021 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013*.

BACKGROUND

The subject site is located at 69 Irby Boulevard, Sisters Beach and has an area of 500.7m². It is located within the Low Density Residential zone and has access onto Irby Boulevard. The site currently contains a water tank, small garden shed and single dwelling, which protrudes into the coastal reserve located to the north of the subject site.

The adjoining titles to the west, 71 Irby Boulevard, and east, 67 Irby Boulevard, as well as properties to the south across Irby Boulevard contain single dwellings and associated outbuilding development. To the north is a coastal reserve administered by DPIPWE (Crown Land Services) and zoned Environmental Management.

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



Figure 1: Subject site with zoning

DETAILS

The applicant is seeking approval for demolition of the existing dwelling on the site and construction of a new dwelling. The existing water tank and small garden shed on the site are to be retained.

The proposed two storey dwelling has a building footprint of approximately 195m² and an overall height of 7.5m. The ground floor has an area of 183.5m² and comprises a double garage, entryway with stairwell, lift, three bedrooms, laundry/bathroom with separate toilet, family room and external deck. The first floor has an area of 195m² and comprises a combined kitchen/dining/living space, stairwell, lift, main bedroom with walk-in-robe, bathroom, linen closet and two external decks extending from either side of the main living space.

The dwelling is clad and roofed in a mix of Colorbond, fibre cement, brick, timber and glass. It is setback 13.2m from Irby Boulevard, 1.9m from the western side boundary, 0m from the rear boundary and 1.9m from the eastern side boundary.

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

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

- 12.4.1 Suitability of a site or lot for use or development (P1);
- 12.4.2 Dwelling density (P1);
- 12.4.3 Location and Configuration of Development (P2, P3, P4);
- 12.4.5 Private open space for residential use (P1); and
- E10.6.2 Development in a shoreline area (P1)

Works within the Environmental Management zone are limited to demolition of the portion of the existing dwelling currently located within the coastal reserve. The development does not rely on any discretions under the Environmental Management zone provisions.

CONSULTATION PROCESS

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

- Development Application Form x 3 Pages
- Crown Consent x 1 Page
- Title Documents x 4 Pages
- Supporting report x 16 Pages
- Response to Additional Information Request x 2 Pages
- Proposal Plans x 8 pages

The period for representations closed on 2 August 2021. One (1) representation was subsequently received. A map demonstrating the relationship between the subject site and the representors' property is shown in Figure 2.



Figure 2: 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 representation which is included as an enclosure to this report.

Note: Copies of the photographs/renderings included with the representation are also shown at the end of this table in Figures 3 and 4.

Representors – P L J & T C Vincent

Issues raised:	Response:
<p>12.4.3 Location and configuration of development – The building is not contained within the building envelope. The Table to Clause 12.4.3 A2 requires a setback distance of 6 metres from a reserve under the <i>Crown Lands Act 1976</i> – the proposed development does not provide any set back at all from the reserve which borders the property to the north. This aspect has not been addressed in the application.</p>	<p>Council can consider an application for a dwelling which does not satisfy the Acceptable Solution for a Clause provided it complies with the relevant Performance Criteria. Performance Criteria P2 for Clause 12.4.3 is primarily concerned with impact on adjoining habitable rooms and private open space areas. It does not directly refer to impact on adjoining non-residential land such as a coastal reserve other than requiring Council to consider whether an application is consistent with the streetscape.</p> <p>The existing dwelling at 69 Irby Boulevard is constructed over the northern title boundary and protrudes into the coastal reserve. The proposed demolition and new dwelling rectifies this issue and constrains development within the boundaries of the subject site.</p> <p>The overall bulk and scale of the proposed dwelling is similar to the established pattern</p>

	<p>of development on the northern side of Irby Boulevard. Development on these lots usually consists of two storey dwellings located towards the rear of their respective block, in close proximity to the coastal reserve. The dwellings on either side of the subject site are also setback less than 6m from the coastal reserve.</p>
<p>12.4.3 P2 (a) The proposed building height and location in relation to the northern boundary will overshadow habitable space and private open space in the adjacent dwelling at 67 Irby Boulevard, Sister Beach. The balcony area of 67 Irby Boulevard is located at the north-west corner of the building. The proposed development will overshadow the balcony in summer afternoons when this space is enjoyed most by the residents. Relevant overshadowing diagrams have not been provided by the applicant, however diagrams provided in the previous application (DA 181/2020) demonstrate that overshadowing of the balcony is likely from early afternoon in the period three months either side of the summer solstice.</p>	<p>Satisfaction of Performance Criteria P2(a) for Clause 12.4.3 of the Planning Scheme requires development to ‘minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling’. This is not a requirement to avoid overshadowing completely.</p> <p>The dwelling at 67 Irby Boulevard and the proposed dwelling are equidistant from the common title boundary between both properties. The kitchen/living area and rumpus room are located to the eastern side of the dwelling and are unlikely to be overshadowed by the proposed development. Although the solar access to the first floor balcony will be affected during the afternoon, due to the apparent migration of the sun across the sky throughout the day, no shade will be cast onto this area by the proposed development during the morning. Other than the balcony, 67 Irby Boulevard has ground floor open space between the dwelling and the coastal reserve which will be largely unaffected by shade cast by the proposed dwelling.</p> <p>There is no requirement under the Planning Scheme to submit shading diagrams with an application. Council is required to consider each application on its own merits. Any documentation submitted with previous development applications cannot be considered in the assessment of another application.</p>
<p>12.4.3 P2 (c) The proposed location of the building in relation to the northern boundary is not consistent with the streetscape. The proposed building has no set back from the northern boundary. The adjacent property at 71 Irby Boulevard is set back 2.7 m from the northern boundary, the adjacent property at 67 Irby Boulevard is set back 4.0 m from the northern boundary.</p>	<p>Satisfaction of Performance Criteria P2(c) for Clause 12.4.3 of the Planning Scheme requires development to be ‘consistent with the streetscape’.</p> <p>The Planning Scheme defines ‘streetscape’ to include the visual characteristics and features of a street in terms of road width, street planting, public utilities within the road reserve, setback of buildings and structures from boundaries, and the quality, scale, bulk</p>

<p>The proposed building will dominate the outlook from the adjoining properties. The north-east corner of the proposed development sits disproportionately outside the building envelope. The building rises to a height of 7.2 metres at the northern boundary. Views of the Rocky Cape National Park are important to life at Sisters Beach, and these outlooks will be severely impacted.</p>	<p>and design of buildings and structures fronting the road reserve. However, in terms of consistency with a streetscape only land within 100m of the subject site is relevant.</p> <p>The proposed dwelling is setback 13.2m from the street, a distance consistent with other properties on the northern side of Irby Boulevard. Development on these lots usually consists of two storey dwellings of considerable bulk, located towards the rear of their respective block and in close proximity to the coastal reserve. Of the twelve lots within 100m either side of 69 Irby Boulevard, every one contains development setback less than the permitted 6m from the coastal reserve. Five of these properties contain dwellings setback 0m or built over the boundary to the coastal reserve.</p> <p>Clause 8.10 of the Planning Scheme sets out the matters which Council must have regard to when determining applications. This includes the content of any representations received, but only insofar as the matters raised in the representation are relevant to the particular discretion being exercised. Loss of views is not a consideration of Council's Planning Scheme.</p>
<p>A previous development application (DA 181/2020) was made for the property, and we believe the location of the building as proposed in that application (2.1 metres from the northern boundary) is more appropriate. When we constructed our building at 67 Irby Boulevard we were mindful of our neighbours and did not seek to build too close to the northern boundary, we seek the same consideration.</p> <p>The impact of the proposed building to our adjoining property is demonstrated in the photographs below.</p>	<p>Council is required to consider each application on its own merits. The design of any previously approved planning applications is not a matter for Council's consideration when assessing the current planning application.</p> <p>Whilst it is appreciated that the massing of the new dwelling will be different to the existing dwelling on the site, the photographs/renderings submitted with the representation are not a true reflection of the location of the new dwelling. It appears as though the rendering of the proposed dwelling has been overlaid over the existing dwelling on the subject site, which is partially located in the coastal reserve. The proposed dwelling is to be entirely located within the title boundaries of 69 Irby Boulevard.</p>



Figure 3: Rendering of current (L) and proposed (R) outlook from kitchen/living room of 67 Irby Boulevard as prepared by the representor



Figure 4: Rendering of current (L) and proposed (R) outlook from balcony of 67 Irby Boulevard as prepared by the representor

INTERNAL REFERRALS

Engineering Services Department

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

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- (1) All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.
 - (2) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
 - (3) Loading and un-loading of vehicles is to be confined to within the boundaries of the property.
 - (4) 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 & Development Services.
 - (5) Stormwater from the development is to be connected and discharged into Council's stormwater drainage network.

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

Environmental Health

The following environmental health conditions were recommended.

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

Notes:

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

If any asbestos or asbestos containing materials are found/present during the demolition of any building/dwelling on this site, that asbestos and material is to be disposed of according to the Workplace Health and Safety requirements, the *Environmental Management and Pollution Control Act 1994*, or any other legislative requirements.

If there is any septic tank or associated old soakage trenches within the property, the septic tank (including soakage trenches) is to be made redundant and/or disposed of following the requirements of any building or associated legislation and AS 1547-2012, On-site domestic wastewater management.

EXTERNAL REFERRALS

The application was referred to the Department of Primary Industries, Parks, Water & Environment (DPIPWE) on 17 July 2021. The date of which a response was therefore required was 29 July 2021 and no response has been received. Therefore, it is considered that DPIPWE have no comments or conditions.

The proposal did not require any other external referrals.

PLANNING ASSESSMENT

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

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

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

The application also includes works within the Environmental Management zone however the proposal did not rely on any discretions under these zone provisions. Works within the Environmental Management zone are limited to demolition of the portion of the existing dwelling currently located within the coastal reserve.

12.0 Low Density Residential Zone

12.4.1 Suitability of a site or lot for use or development

A1	P1
A site or each lot on a plan of subdivision must –	A site or each lot on a plan of subdivision must –
(a) have an area of –	(a) be of sufficient area for the intended use or development without likely constraint or interference for –
(i) not less than 500m ² excluding any access strip; or	(i) erection of a building if required by the intended use;
(ii) if in a locality shown in the Table to this clause, not less than the site area shown for that locality; and	(ii) access to the site;
(b) contain a building area of not less than 10.0m x 15.0m	(iii) use or development of adjacent land;
(i) clear of any applicable setback from a frontage, side or rear boundary;	(iv) a utility; and
(ii) clear of any applicable setback from a zone boundary;	(v) any easement or lawful entitlement for access to other land; and
(iii) clear of any registered easement;	(b) if a new residential lot, be orientated to maximise opportunity for solar access to a building area
(iv) clear of any registered right of way benefitting other land;	
(v) clear of any restriction imposed by a utility;	
(vi) not including an access strip;	
(vii) accessible from a frontage or access strip; and	

<p>(viii) if a new residential lot, with a long axis within the range 30° east of north and 20° west of north</p>	
<p>Planning Comments: Complies</p> <p>The minimum lot size in Sisters Beach is 800m². The subject site comprises 500.7m². The proposal requires assessment against Performance Criteria P1 for this Clause.</p> <p>The subject site contains an existing dwelling, garden shed and water tank. The existing dwelling is to be demolished to make way for a new dwelling.</p> <p>The site does not contain any registered right of way, burdening easement or restriction imposed by a utility and has frontage onto Irby Boulevard of 18.29m. No changes are proposed for the location of the existing access or existing connections to reticulated sewerage and stormwater infrastructure.</p> <p>Regarding adjacent land, the adjoining lots to the west, east, and lots to the south across Irby Boulevard have already been developed for residential use. They contain single dwellings and associated outbuilding development.</p> <p>The subject site adjoins a DPIPWE administered public reserve to the north. The land is unlikely to be developed for anything other than its current purpose, which is a publicly accessible coastal reserve.</p> <p>The subject site is adjoined by public land or established residential uses and the proposal is for a single dwelling. There will be minimal impact, if any, on the development potential of adjoining land.</p> <p>The proposal satisfies P1 for this Standard.</p>	

12.4.2 Dwelling Density

<p>A1</p> <p>The site area per dwelling must –</p> <p>(a) be not less than 500m² if the site has –</p> <p>(i) connection to a reticulated water supply;</p> <p>(ii) connection to a reticulated sewer system; and</p> <p>(iii) connection to a stormwater system; or</p> <p>(b) if the site is in a locality shown in the Table to this Clause, not less than the site area for that locality.</p>	<p>P1</p> <p>The number of dwellings on a site must be consistent with the capability of the land for residential use in terms of –</p> <p>(a) a suitable building area;</p> <p>(b) access from a road;</p> <p>(c) provision of a water supply;</p> <p>(d) disposal of sewage;</p> <p>(e) disposal of stormwater; and</p> <p>(f) a tolerable level of risk from a natural hazard.</p>
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Planning Comments: Complies

The minimum lot size in Sisters Beach is 800m². The subject site comprises 500.7m². The proposal requires assessment against Performance Criteria P1 for this Clause.

The subject site contains an existing dwelling, garden shed and water tank. The existing dwelling is to be demolished to make way for a new dwelling; there will be no change to the existing dwelling density.

The subject site is located in an area serviced by Council's stormwater and TasWater's reticulated sewerage infrastructure. Water is via on-site supply and the site is not subject to any natural hazards relevant to this Planning Scheme. Existing arrangements for water supply and connections to reticulated sewerage and stormwater infrastructure are to be retained. No changes to the location of the existing access on to Irby Boulevard are proposed.

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

12.4.3 Location and configuration of development

A2	P2
<p>All buildings must be contained within a building envelope determined by</p> <ul style="list-style-type: none">(a) the applicable frontage setback;(b) if the site is in a locality shown in the Table to this Clause, not less than the setback distance specific from the feature specified;(c) projecting a line at an angle of 45° from the horizontal at a height of 3.0m above natural ground level at each side boundary and at a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level if walls are setback(i) not less than 1.5m from each side boundary; or(ii) less than 1.5m from a side boundary if wall height is not more than 3.0m; and –<ul style="list-style-type: none">a. built against an existing wall of an adjoining building; orb. the wall or walls<ul style="list-style-type: none">i. have the lesser of a total length of 9.0m or one third of the boundary with the adjoining land;ii. there is no door or window in the wall of the building; and	<p>Building height and location of a building in relation to a frontage and site boundaries must</p> <ul style="list-style-type: none">(a) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling;(b) minimise the apparent scale, bulk, massing and proportion relative to any adjacent building;(c) be consistent with the streetscape;(d) respond to the effect of the slope and orientation of the site; and(e) provide separation between buildings to attenuate impact

<p>iii. overshadowing does not result in</p> <p>a. less than 2 hours of continuous sunlight to a required minimum private open space area in an adjacent dwelling between 9.00am and 3.00pm on 21st June; or</p> <p>b. a further reduction in continuous sunlight to a required minimum private open space area in an adjacent dwelling if already less than 2 hours between 9.00am and 3.00pm on 21st June; or</p> <p>(d) in accordance with any building envelope shown on a sealed plan</p>	
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Planning Comments: Complies

The proposal is for the demolition and replacement of a single dwelling. The proposed dwelling is two storeys with a maximum height of 7.5m. It is setback 13.2m from Irby Boulevard, 1.9m from the western side boundary, 0m from the rear boundary and 1.9m from the eastern side boundary.

The dwelling protrudes beyond the permitted building envelope in relation to the side and rear boundaries. It is also located within 6m of a reserve under the *Crown Lands Act 1976*. Assessment against Performance Criteria P2 is therefore required.

To the south, the subject site fronts Irby Boulevard. To the north, the subject site adjoins a public reserve managed by Crown Land Services. The proposal will not affect residential amenity in either of these directions.

The adjoining lot to the east, 67 Irby Boulevard, contains a single, two storey dwelling which is setback 1.84m from the common boundary shared with the subject site and separated by 3.74m from the proposed dwelling. Both the proposed dwelling and the existing dwelling at 67 Irby Boulevard have maximum heights which exceed 7m and are located in close proximity to the coastal reserve to the north.

Due to the apparent migration of the sun across the sky throughout the day, shade will be cast by the proposed dwelling onto 67 Irby Boulevard during the afternoon, however solar access will not be affected by the proposed development during the morning. The kitchen/living area and rumpus room of the dwelling at 67 Irby Boulevard is located on the eastern side of the building and is unlikely to be overshadowed by the proposed development. Other than the balcony, 67 Irby Boulevard has ground floor open space between the dwelling and the coastal reserve which will be largely unaffected by shade cast by the proposed dwelling.

The adjoining lot to the north-west, 71 Irby Boulevard, contains a single, two storey dwelling and separate garage. Development on this lot is setback approximately 2m from the common title boundary shared with the subject site and 3.9m from the proposed dwelling. Due to the location of the existing and proposed development on both lots, and the apparent migration of the sun across the sky throughout the day, any shade cast by the proposed dwelling onto 71 Irby Boulevard will be confined to the southern portion of the site during the morning. The

southern portion of 71 Irby Boulevard does not contain any habitable buildings and the main private open space area for this property is located north-west of the dwelling on the site. Solar access to both the dwelling and private open space area will be largely unaffected by the proposed development, with no shade cast onto 71 Irby Boulevard during the afternoon.

The overall bulk and scale of development is similar to other dwellings along Irby Boulevard and neither the eastern nor western elevations of the proposed dwelling present as a block wall to adjoining properties. The articulated design and use of contrasting cladding materials help to mitigate the bulk and appearance of the proposed dwelling when viewed from adjoining land at both 67 and 71 Irby Boulevard.

The majority of windows in elevations to side boundaries have been designed with a sill height of 1.7m to minimise impact on privacy for adjoining dwellings. Opaque glass screening along the portion of the main balcony facing 71 Irby Boulevard creates further separation between the outdoor living spaces of either dwelling.

The existing dwelling at 69 Irby Boulevard is constructed over the northern title boundary and protrudes into the coastal reserve. The proposed demolition and new dwelling rectifies this issue and constrains development within the boundaries of the subject site. Orientating development to the rear of the subject site maximises the opportunity for northern sunlight and is consistent with the streetscape, with most dwellings in the street also located to the rear of each block and away from Irby Boulevard.

The proposed dwelling is separated from buildings on adjoining lots by a minimum distance of 3.74m. This is consistent with separation between buildings in the area, which varies from 2.5m to 8m.

In this manner, the proposal satisfies P2 for this Standard.

<p>A3</p> <p>Site coverage must –</p> <ul style="list-style-type: none"> (a) not be more than 50%; or (b) if the site is in a locality shown in the Table to this Clause, not more than the site coverage for that locality; and (c) not include any part of a site required for the disposal of sewage or stormwater; or (d) be not more than any building area shown on a sealed plan 	<p>P3</p> <p>Site coverage must –</p> <ul style="list-style-type: none"> (a) provide a usable area for private open space, landscaping, and vehicle parking and service activity; (b) retain capacity in any area required for disposal of sewage or stormwater; and (c) be consistent with the streetscape
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Planning Comments: Complies

The subject site comprises 500.7m² and the proposed development has a building footprint of approximately 195m². The site also contains a garden shed and water tank with a combined footprint of approximately 12.5m². Total site coverage is approximately 41.5%.

According to Table 12.4.3 A3, the maximum permitted site coverage for the locality of Sisters Beach is 40%. Assessment against Performance Criteria P3 is required.

Site coverage on other lots along Irby Boulevard varies from approximately 30% to 60%. Private open space areas for the site include ground and first floor decks with views onto the coastal reserve to the north and an additional grassed area to the west of the existing driveway, between the proposed dwelling and Irby Boulevard.

The subject site is located in an area serviced by Council's stormwater and TasWater's reticulated sewerage infrastructure and water is via on-site supply. Existing arrangements for water supply and disposal of waste are to be retained. Stormwater runoff from the proposed development is to be directed to the existing stormwater connection within the property. The driveway is to be resurfaced but will remain against the eastern title boundary.

In this manner, the proposal satisfies P3 for this Standard.

<p>A4</p> <p>A garage, carport or an external car parking area and any area for the display, handling, or storage of goods, materials or waste, must be located behind the primary frontage of a building</p>	<p>P4</p> <p>A garage, carport or an external car parking area and any area for the display, handling, or storage of goods, materials or waste, must –</p> <ul style="list-style-type: none"> (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 physical 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 is for the demolition and replacement of a single dwelling with a new single dwelling. The proposed dwelling includes a double garage on the ground floor, flush with the southern elevation of the dwelling. Assessment against Performance Criteria P4 is therefore required.

The double garage is setback 13.2m from Irby Boulevard and does not protrude from the rest of the building. When viewed from Irby Boulevard, the garage appears as part of the structure of the main building on the site and is clad to match the rest of the dwelling. The setback of the garage and its integration into the proposed dwelling attenuates the appearance of the garage when viewed from the surrounding area.

The location of the garage in relation to the proposed dwelling is consistent with the streetscape. The majority of buildings on the northern side of Irby Boulevard are situated towards the rear of their respective lots, with garages/carports/parking areas located in closer proximity to Irby Boulevard than rear title boundaries. This includes adjoining titles to the west and east of the subject site. Properties at 67 and 71 Irby Boulevard both contain garages located in front of the primary frontage of a dwelling.

In this manner, the proposal satisfies P4 for this Standard.

12.4.5 Private open space for residential use

<p>A1</p> <p>Each dwelling must provide private open space –</p>	<p>P1</p> <p>Private open space must -</p>
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<p>(a) if a dwelling with a floor level of not more than 2.5m above finished ground level, a ground level area -</p> <ul style="list-style-type: none"> (i) located adjoining the rear or side of the dwelling; (ii) accessible from the dwelling; (iii) of not less than 25m² ; (iv) with a minimum dimension of 4.0m; (v) on a single level; and (vi) with a gradient of not more than 1 in 10; and <p>(b) if a dwelling with a floor level of more than 2.5m above finished ground level, as an alternative to a ground level area, a private balcony, deck, terrace or roof garden –</p> <ul style="list-style-type: none"> (i) of not less than 25m²; (ii) with a minimum dimension of 4.0m; and (iii) accessible from the dwelling 	<ul style="list-style-type: none"> (a) have size and dimension appropriate for the projected requirements of the residents of the dwelling; and (b) provide a usable area taking into account – <ul style="list-style-type: none"> (i) the effect of shape, orientation, and topography of the site; (ii) the availability, accessibility, purpose, and characteristics of – <ul style="list-style-type: none"> a. any other recreation and service area within the site; b. any external communal open space area; and c. public open space
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Planning Comments: Complies

The proposal is for the demolition and replacement of a single dwelling. The private open space areas for the proposed dwelling cannot satisfy A1(a) or A1(b) of this Clause and assessment against the Performance Criteria is required.

Private open space areas for the proposed four-bedroom dwelling include ground and first floor decks with views onto the coastal reserve to the north and an additional grassed area to the west of the existing driveway, between the proposed dwelling and Irby Boulevard. The ground floor deck is directly accessible from a family room and the two first floor decks/balconies extend from either side of the main living space. The decks/balconies provide sufficient opportunity for outdoor dining and entertaining and the grassed area provides a suitable area for relaxation and children’s play.

In addition to the private open space area available on the subject site, the property adjoins a coastal reserve and Razor Beach to the north and is within walking distance to community recreation facilities including a children’s playground, basketball court and skate park.

The proposal satisfies P1 for this Standard.

E10.6.2 Development in a shoreline area

<p>A1</p> <p>There is not acceptable solution.</p>	<p>P1</p> <p>Development must –</p> <ul style="list-style-type: none"> (a) be required to locate in, over, on or under the shoreline, sea or tidal waters for operational efficiency;
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	<ul style="list-style-type: none"> (b) avoid unreasonably or unnecessarily impact on existing or potential access by the public to shoreline land or waters; (c) minimise impact on scenic quality of the sea-shore area; (d) minimise impact on amenity or aesthetic appearance of the sea-shore area as a result of - <ul style="list-style-type: none"> (i) nature and operational characteristics of the development; (ii) location; (iii) bulk, size, and overall built form of any building or work; (iv) overshadowing; or (v) obstruction of views from a public place; and (e) minimise immediate or cumulative adverse effect for - <ul style="list-style-type: none"> (i) tidal, wave, current, or sediment movement processes; (ii) coastal landforms, seabed, and other geomorphic features, including sand dunes and mobile landforms; (iii) vulnerability to erosion and recession; (iv) natural cycles of deposition and erosion; (v) conservation of biodiversity and marine habitat, including during critical lifecycle stages of individual and migratory species; (vi) drainage from a water course, wetland, ground water, flood, stormwater, or tidal water; (vii) coastal water quality; (viii) likely interference or constraint on use of public areas; (ix) any scientific, architectural, aesthetic, historic or special cultural value; (x) exposure to or increased risk from a natural hazard, including sea level rise, storm surge, or inundation as a result of climate change;
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	<ul style="list-style-type: none"> (xi) coastal protection and rehabilitation works required to address erosion, instability, regression, or inundation; (xii) collection, treatment, and disposal of waste, including bilge waters and excavated or dredged sediment; (xiii) economic activity dependent for operational efficiency on a sea-shore location; (xiv) public safety and emergency services; (xv) marine navigation and communication systems; (xvi) safety of recreational boating; and (xvii) be consistent with the current edition of Tasmanian Coastal Works Manual DPIPWE 2011.
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Planning Comments: Complies

The proposal is for the demolition and replacement of a single dwelling. The existing dwelling at 69 Irby Boulevard is constructed over the northern boundary and protrudes into the coastal reserve. The location of the proposed dwelling rectifies this issue and constrains development within the title boundaries of 69 Irby Boulevard.

Whilst 69 Irby Boulevard is setback further than 30m from the mean high water mark (MHWM) of Razor Beach, the proposed demolition works are located within the coastal reserve and approximately 29m from the MHWM. According to LUPAA, the definition of ‘development’ includes demolition of a building and the proposal therefore requires assessment against the Performance Criteria for this Clause.

The demolition works are required to rectify the issue of the existing dwelling being built over a title boundary and partially in a public reserve. The replacement dwelling is to be located further than 30m from the MHWM and entirely within the boundaries of 69 Irby Boulevard. No buildings are to be located in, over, on or under the shoreline.

There are a number of public access points to Razor Beach from Irby Boulevard, none of which are adjacent to the subject site. The proposed dwelling demolition will have no impact on public access to either the coastal reserve, Razor Beach or ocean.

There will be no impact on the scenic quality of the shoreline area as the only portion of the proposed development relevant to the Water and Waterways Code is the dwelling demolition. Removal of structures within 30m of the MHWM will arguably improve scenic quality, if it has any affect at all. Similarly, issues relating amenity or aesthetic appearance of the sea-shore area are largely irrelevant to the application.

The proposed demolition will not further intensify development within 30m of the MHWM or further constrain use of the coastal reserve. The demolition site is not identified as containing any threatened flora or fauna or other significant natural values and it is not utilised for drainage or waste management purposes. It is not of any significant economic value and is not used by emergency services, for marine navigation/communication or for recreational boating.

Although within a coastal reserve, the location of the proposed demolition works abuts an established residential area and does not form part of any active management area for coastal erosion, recession or inundation. The application was referred to the relevant authority, the Department of Primary Industries, Parks, Water & Environment (DPIPWE) and no response was received. It is therefore considered that DPIPWE have no objections to the proposed demolition.

No changes to existing coastal water quality are expected as a result of the proposed development and demolition of a building 29m from the MHWL is considered unlikely to have any significant adverse effect on tidal, wave, current, or sediment movement processes, coastal landforms, the seabed, or other geomorphic features.

It is recommended that the following condition be included on any permit issued:

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

In this manner, the proposal satisfies P1 for this Standard.

STATUTORY IMPLICATIONS

Land Use Planning and Approvals Act 1993

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

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

STRATEGIC IMPLICATIONS

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

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

LUPAA provides for penalties against a Planning Authority that fails to enforce its planning scheme (ss. 63a and 64). Going against advice provided in the planning report, without

seeking alternate qualified advice, may create unnecessary risk for the Council in exercising its statutory functions as a Planning Authority.

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

CONCLUSION

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 demolition of a dwelling and construction of a new dwelling complies with either the acceptable solution or satisfies the performance criteria for all applicable standards of the Planning Scheme. The proposal rectifies the issue of residential use protruding into the coastal reserve and constrains new development within the boundaries of the subject site. The overall bulk and scale of the proposed dwelling is similar to the established pattern of development on the northern side of Irby Boulevard, including the existing dwellings on adjoining lots to the west and east.

The application is considered to comply with the Low Density Residential and Environmental Management Zone provisions for the *Waratah-Wynyard Interim Planning Scheme 2013*. It is therefore recommended that Council approve a planning permit for the proposed dwelling extension.

6.5 ANCILLARY DWELLING (STUDIO) AT 19 BANKSIA AVENUE, SISTERS BEACH- DA 126/2021

To: Council
Reporting Officer: Town Planner
Responsible Officer: Manager Development and Regulatory Services
Report Date: 4 August 2021
File Reference: 3399248
Supporting Documents: 1. Documentation Set 
2. Representation 
3. Signed Extension of time 

RECOMMENDATION

That Council, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Waratah-Wynyard Interim Planning Scheme 2013*, grant approval for an Ancillary Dwelling at 19 Banksia Avenue, Sisters Beach subject to the following conditions: -

1. **The development is to be generally in accordance with the application as submitted and endorsed plans as listed:**
 - (a) **Proposal drawings with Project Number 20297 as prepared by Abel Drafting Services Pty Ltd and marked up by applicant in red, dated 3 May 2021.**
2. **All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.**
3. **In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.**
4. **Loading and un-loading of vehicles is to be confined to within the boundaries of the property.**
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. **Vehicular access to and egress from the site is to occur only in a forward motion.**
7. **Stormwater from the development use is to be connected into Council's reticulated drainage network.**

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 126/2021. Any variation requires an application for further planning approval of Council.
 - 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*.
 - Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact TasNetworks on 1300 137 008 to ensure these works do not impede on existing electricity easements and are at a safe distance from powerlines. Failure to do so could result in the relocation of electricity assets at your cost.
 - Under Section 61 (4) of the *Land Use Planning and Approvals Act 1993*, the applicant has the right to lodge an appeal against Council's decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to the Resource Management and Planning Appeal Tribunal, G.P.O. Box 2036, Hobart, 7001. Updated Notices of Appeal are available on the Tribunal's website at www.rmpat.tas.gov.au.

PURPOSE

The purpose of this report is for Council to consider the merits of the application DA 126/2021 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013* (Planning Scheme).

BACKGROUND

The subject property is located at 19 Banksia Avenue, Sisters Beach and consists of the title identified as CT 83/7629. The subject site has an area of 647m² and is orientated east to west. Currently the site is improved with any existing dwelling in the form of a relocatable cabin on the southern side of the site and the existing outbuilding to become an ancillary dwelling located to the northern side boundary of the site.

The subject site is zoned Low Density Residential, with all surrounding land also zoned Low Density Residential. A locality plan identifying the subject site is provided in Figure 1 below.



Figure 1: Locality Plan Subject Site - Sourced MapInfo

DETAILS

Council is in receipt of an application for a change of use of an existing outbuilding, which was previously a double garage, to be converted into an ancillary dwelling (studio) on the property identified as 19 Banksia Avenue, Sisters Beach (CT 83/7629).

The site currently has access to TasWater sewer mains, existing on-site stormwater arrangements to a tank with overflow to connect into stormwater mains in Banksia Avenue road reserve. An existing double crossover is constructed in gravel from Banksia Avenue.

The proposed change of use to an ancillary dwelling also details an existing decking area that has not previously been approved. This decking area is proposed to remain and will be uncovered. It is approximately 1m from natural ground level and has a constructed privacy screen located on the northern boundary to a height of 1.85m to ensure no overlooking to the neighbour on the northern boundary.

This report assesses the proposal against the *Waratah-Wynyard Interim Planning Scheme 2013* (the Scheme) and takes into account the representations received during the public exhibition period. The proposal is defined as a Residential Use Class, a Permitted use under the Planning Scheme. The applicant is applying for discretion under the following clauses: -

- Suitability of a site or lot for use or development 12.4.1 (P1);
- Dwelling density 12.4.2 (P1);
- Location and configuration of development 12.4.3 (P2, P4) and;
- Development in proximity to 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 2 August 2021. One (1) representations was 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.

Representation Summary: Ms Dowling

Issues Raised:	Planning Response:
The original double garage has already been converted to a dwelling.	The application is for approval of this semi-converted double garage to be used as an ancillary dwelling (studio space). It is worth noting that this building currently has planning approval for visitor accommodation (short stay), however did not complete it's building permits and associated completions. Subsequently the application has been made for an ancillary dwelling studio space as a residential use instead of visitor accommodation as approved in 2020.
A second building was later added to the block which is also used as a second dwelling.	Noted. A relocatable cabin was approved on the site as a dwelling in 2017. This application also detailed demolition of a carport and garage.
The application lodged is now for a third dwelling.	The application is to change the use of what was the double garage to be used as an ancillary dwelling (studio space). This will be used in conjunction with the existing dwelling on-site.
There is already a garden shed on-site and there is already enough development on-site without the addition of a third dwelling being erected.	Noted. The application is not for a third dwelling. There is an existing dwelling, and the proposal is to convert a double garage into an ancillary dwelling.
This is a small block with massive overdevelopment on-site, this will deter from the character of Sisters Beach.	The subject lot measures 647m ² . This triggers the application to be assessed against the performance criteria at clause 12.4.1 (P1) Suitability of a site or lot for use or development, and 12.4.2 (P1) Dwelling Density to ensure the subject site is sufficient in area for the proposed development. A full assessment of these clauses can be found in the planning assessment portion of this report.

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. Vehicular access to and egress from the site is to occur only in a forward motion.
4. Stormwater from the development use is to be connected into Council's reticulated 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 Low Density 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 relevant discretionary provisions for the Low Density Residential Zone and relevant Codes is provided below.

12.4.1 (P1) Suitability of a site or lot for use or development

<p>A1</p> <p>A site or each lot on a plan of subdivision must –</p> <p>(a) have an area of -</p> <p style="padding-left: 40px;">(i) not less than 500m² excluding any access strip; or</p> <p style="padding-left: 40px;">(ii) if in a locality shown in the Table to this clause, not less</p>	<p>P1</p> <p>A site or each lot on a plan of subdivision must</p> <p>(a) be of sufficient area for the intended use or development without likely constraint or interference for –</p> <p style="padding-left: 40px;">(i) erection of a building if required by the intended use;</p> <p style="padding-left: 40px;">(ii) access to the site;</p> <p style="padding-left: 40px;">(iii) use or development of adjacent land;</p>
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<p>than the site area shown for that locality; and</p> <p>(b) contain a building area of not less than 10.0m x 15.0m -</p> <ul style="list-style-type: none"> (i) clear of any applicable setback from a frontage, side or rear boundary; (ii) clear of any applicable setback from a zone boundary; (iii) clear of any registered easement; (iv) clear of any registered right of way benefitting other land; (v) clear of any restriction imposed by a utility; (vi) not including an access strip; (vii) accessible from a frontage or access strip; and (viii) if a new residential lot, with a long axis within the range 30° east of north and 20° west of north 	<ul style="list-style-type: none"> (iv) a utility; and (v) any easement or lawful entitlement for access to other land; and <p>(b) if a new residential lot, be orientated to maximise opportunity for solar access to a building area</p>
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Planning Comments: Complies

The subject site has an area of 647m² and therefore is unable to comply with the acceptable solution as Sisters Beach locality is listed in the Table subject to this clause. The proposal must satisfy the performance criteria.

The site is connected to the reticulated sewer network and therefore the developable area is not constrained.

The ancillary dwelling is located inside the existing double garage. The proposal will not have any further impact or impede on the existing driveway, which will continue to provide access to the existing transportable dwelling and subject ancillary dwelling (converted garage).

The subject site has frontage onto Banksia Avenue of 18.3m and does not contain any registered right of way, burdening easement or restriction imposed by a utility.

Regarding adjacent land, the adjoining lot to the north and lots to the south and west of Banksia Avenue have already been developed for residential use. They contain single dwellings and associated outbuilding development.

The residential lot to the north contains a dwelling. The proposed change of use is all internal of the existing outbuilding on-site, and will not be extending any closer than the existing building to the northern side boundary.

The proposal will have minimal impact on the development potential of adjoining lots.

The proposal complies with the performance criteria.

Table to Clause 12.4.1 A1

Locality	Site Area
Sisters Beach	800m ²

12.4.2 (P1) Dwelling Density

<p>A1</p> <p>The site area per dwelling must –</p> <p>(a) be not less than 500m² if the site has –</p> <p style="padding-left: 40px;">(i) connection to a reticulated water supply;</p> <p style="padding-left: 40px;">(ii) connection to a reticulated sewer system; and</p> <p style="padding-left: 40px;">(iii) connection to a stormwater system; or</p> <p>(b) if the site is in a locality shown in the Table to this Clause, not less than the site area for that locality.</p>	<p>P1</p> <p>The number of dwellings on a site must be consistent with the capability of the land for residential use in terms of –</p> <p>(a) a suitable building area;</p> <p>(b) access from a road;</p> <p>(c) provision of a water supply;</p> <p>(d) disposal of sewage;</p> <p>(e) disposal of stormwater; and</p> <p>(f) a tolerable level of risk from a natural hazard.</p>
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Planning Comments: Complies

The minimum lot size in Sisters Beach is 800m² as shown in the Table subject to this clause. The subject site is 647m². Therefore, the application is to be assessed against the performance criteria.

The subject site has frontage onto Banksia Avenue of 18.3m and does not contain any registered right of way, burdening easement or restriction imposed by a utility. It is located in an area serviced by TasWater's reticulated sewerage infrastructure, water is via on-site supply, stormwater is to be conditioned to connect into Council's stormwater network in Banksia Avenue and the site is not subject to any identified hazard risk.

The proposal is for the conversion of an existing outbuilding to an ancillary dwelling (studio) and is to be used in conjunction with the existing approved relocatable dwelling onsite. The site is in an established residential area on an appropriately serviced lot. The proposed change of use is consistent with the capability of the land.

The proposal complies with the performance criteria.

12.4.3 (P2, P4) Location and configuration of a development

<p>A2</p> <p>All buildings must be contained within a building envelope determined by-</p> <p>(a) the applicable frontage setback;</p> <p>(b) if the site is in a locality shown in the Table to this Clause, not less than the setback distance specific from the feature specified;</p>	<p>P2</p> <p>Building height and location of a building in relation to a frontage and site boundaries must -</p> <p>(a) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling;</p>
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<p>(c) projecting a line at an angle of 45° from the horizontal at a height of 3.0m above natural ground level at each side boundary and at a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level if walls are setback -</p> <p>(i) not less than 1.5m from each side boundary; or</p> <p>(ii) less than 1.5m from a side boundary if wall height is not more than 3.0m; and –</p> <p>a. built against an existing wall of an adjoining building; or</p> <p>b. the wall or walls -</p> <p>i. have the lesser of a total length of 9.0m or one-third of the boundary with the adjoining land;</p> <p>ii. there is no door or window in the wall of the building; and</p> <p>iii. overshadowing does not result in -</p> <p>a. less than 2 hours of continuous sunlight to a required minimum private open space area in an adjacent dwelling between 9.00am and 3.00pm on 21st June; or</p> <p>b. a further reduction in continuous sunlight to a required minimum private open space area in an adjacent dwelling if already less than 2 hours between 9.00am and 3.00pm on 21st June; or</p> <p>(d) in accordance with any building envelope shown on a sealed plan</p>	<p>(b) minimise the apparent scale, bulk, massing and proportion relative to any adjacent building;</p> <p>(c) be consistent with the streetscape;</p> <p>(d) respond to the effect of the slope and orientation of the site; and</p> <p>(e) provide separation between buildings to attenuate impact</p>
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Planning Comments: Complies

The proposed ancillary dwelling is located 1.2m from the northern side property boundary and has a window in the form of a sliding door and therefore must address the performance criteria.

The subject shed is located to the south of the closest neighbouring dwelling and therefore will not overshadow the property identified as 21 Banksia Avenue.

As previously mentioned, the proposal is for the conversion of an existing building. The building is single storey in height and will not create any further bulk, scale or extensions to the existing building, therefore will not create any further impact to adjacent properties due to appearance bulk or scale.

The proposal is considered consistent with the existing streetscape of Banksia Avenue, particularly as the existing building is limited to having internal upgrades only.

The subject building responds to the site, orientation and slope of the site as it is located on a previously levelled portion of the title before the site tapers towards the east.

<p>The separation distance between buildings will not alter as this application is for the change of use and internal works to upgrade the existing shed to become an ancillary dwelling.</p> <p>Therefore, the application complies with the performance criteria.</p>	
<p>A4</p> <p>A garage, carport or an external car parking area and any area for the display, handling, or storage of goods, materials or waste, must be located behind the primary frontage of a building</p>	<p>P4</p> <p>A garage, carport or an external car parking area and any area for the display, handling, or storage of goods, materials or waste, must –</p> <ul style="list-style-type: none"> (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 physical screening to attenuate appearance of the parking or loading area from a frontage and adjacent land
<p>Planning Comments:</p> <p>The subject site will provide carparking at the primary frontage of a building and therefore must address the performance criteria.</p> <p>The carparking on-site is located to the south-western side and front of the site alongside the neighbouring property identified as 17 Banksia Avenue. A portion of this parking arrangement is existing and by locating it toward the side boundary, allows much of the frontage to be clear of carparks and practical for manoeuvring on-site.</p> <p>Locating the parking to one side of the lot remains consistent with many properties located along Banksia Avenue including but not limited to 13, 15 and 17 Banksia Avenue.</p> <p>Parking is required to be located in front of the buildings due to the existing development arrangements on-site, the size, orientation and topography of the site having a steep grade at the rear.</p> <p>The proposal will continue to have native vegetation screening located along the frontage of Banksia Avenue.</p> <p>The proposal complies with the performance criteria.</p>	

E10.6.1 (P1) Development in proximity to a waterbody, watercourse or wetland

<p>A1</p> <p>There is no acceptable solution</p>	<p>P1</p> <p>Development must –</p> <p>minimise risk to the function and values of a water body watercourse or wetland, including for -</p> <ul style="list-style-type: none">(i) hydraulic performance;(ii) economic value;(iii) water based activity; <p>disturbance and change in natural ground level;</p> <ul style="list-style-type: none">(v) control of sediment and contaminants;(vi) public access and use;(vii) aesthetic or scenic quality; <p>water quality management arrangements for stormwater and sewage disposal;</p> <p>modification of a natural drainage channel;</p> <ul style="list-style-type: none">(x) biodiversity and ecological function; <p>level of likely risk from exposure to natural hazards of flooding and inundation; and</p> <ul style="list-style-type: none">(xii) community risk and public safety; and <p>be consistent with any advice or decision of a relevant entity administering or enforcing compliance with an applicable protection and conservation regulation for –</p> <p>impact of the development on the objectives and outcomes for protection of the water body, watercourse or wetland; and</p> <p>any condition or requirement for protection of the water body, water course or wetland</p>
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Planning Comments:

The proposed ancillary dwelling and associated decking is located approximately 25m from the creek tributary that flows to the north, connecting to Sisters Creek. This creek is intermittent and is not always running. However, the application must address the performance criteria.

The proposed development is limited to internal works to the existing building and is able to connect to mains sewer and mains stormwater provided in Banksia Avenue.

No further impact is anticipated to occur from this development on the hydraulic performance on the watercourse, the economic performance of the watercourse, water-based activities of the watercourse and no further disturbance or change in ground level is to occur.

Sediment control will not be changing from the proposed development, as work is limited to an internal change of use to the site.

Public use of the waterway will not be changed from this proposal, as the subject tributary is located on neighbouring privately owned titles. Aesthetic and scenic qualities of the watercourse will not be impacted from the proposed development, as the proposal is inside an existing building.

No changes are proposed to the watercourse and no buildings are extending any closer to the subject watercourse.

Biodiversity and ecological function of the watercourse are not anticipated to be impacted by the change of use and no further increase in risk is anticipated to the exposure of flooding, inundation or community risk or public safety. The proposed building will continue to be located approximately 25m from the edge of the creek line and on a particularly elevated portion of the site.

The proposal complies with the performance criteria.

STATUTORY IMPLICATIONS**Land Use Planning and Approvals Act 1993**

The Council is established as a Planning Authority by definition under Section 3(1) of the *Land Use Planning and Approvals Act 1993 (the Act)* and must enforce the *Waratah-Wynyard Interim Planning Scheme 2013* (the Planning Scheme) under S.48 of the Act.

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

Local Government (Building & Miscellaneous Provisions) Act 1993

The application has been considered against the requirements of section 85 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*. The application is generally consistent with these provisions.

STRATEGIC IMPLICATIONS

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONCLUSION

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

The proposed ancillary dwelling meets the relevant performance criteria of the planning scheme. The subject site is considered capable of servicing the proposed ancillary dwelling and has setbacks consistent with those existing in Banksia Avenue.

The application is considered to comply with the Low Density Residential Zone and all other applicable Codes of the *Waratah-Wynyard Interim Planning Scheme 2013*. It is therefore recommended that Council approve a planning permit for the proposed ancillary dwelling.

7.0 MATTER RAISED BY COUNCILLORS

Legislative Reference:

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

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

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

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

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

7.1 RESPONSE(S) TO COUNCILLOR QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING**7.1.1 CR C EDWARDS - IMMUNISATION RECORDS****QUESTION**

Cr Edwards noted the quarterly statistics and asked what type of immunisations Council provides.

OFFICERS RESPONSE

Officers advised that Council provides school vaccinations. Last financial year vaccinations were undertaken at the three high schools (Wynyard High, Australian Christian College Somerset, and Yolla District school). All vaccinations were booster shots and were for the following:

- Boostrix which comprises Diphtheria, Tetanus and Pertussis (Whooping Cough);
- Gardasil for the Human Papillomavirus; and
- Nimenrix for Meningococcal (ACWY Strains).

7.1.2 CR G BRAMICH - ARCHERS ROAD NAME CHANGE**QUESTION**

Cr Bramich queried whether the Archers Road name change directed by the Nomenclature Board as noted in the Senior Management Report could be rejected given the road has been called Archers Road for over 100 years.

OFFICERS RESPONSE

The matter is addressed in a separate report in this agenda.

7.1.3 CR A COURTNEY - ROAD CONDITIONS**QUESTION**

Cr Courtney asked if the State Government could be approached about the condition of key roads, such as the Bass Highway near Doctors Rocks, compared to roads in the south which are in a much better condition in all areas.

OFFICERS RESPONSE

Council officers have communicated Council concerns around existing levels of service to the State Government. A further letter is being prepared.

7.1.4 CR C EDWARDS - DOG ATTACK

QUESTION

Cr Edwards noted there had been several dog attacks by roaming dogs. She asked if an update could be provided on these incidents and what action had been taken.

OFFICERS RESPONSE

There was one incident that had been reported to Council in the few weeks previous to the July Council meeting. This incident was in Wynyard, with a report of a dog off lead with no owner present attacking another dog that was being walked on the footpath.

Council officers commenced an investigation. During this time the owner of the alleged dog surrendered it to the Burnie Dogs Home and after assessment it was not deemed suitable for rehoming. No further action was required.

If incidents such as dog attacks occur it is important that they are reported to Council as soon as possible so they can be investigated.

7.2 COUNCILLOR QUESTIONS RECEIVED IN WRITING

Nil received.

7.3 COUNCILLOR QUESTIONS WITHOUT NOTICE

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

8.0 NOTICE 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 subregulation (6) is to move the motion at the meeting, otherwise it lapses.*

Nil received.

9.0 REPORTS OF OFFICERS AND COMMITTEES

9.1 BUDGET AMENDMENTS FOR PROJECTS CARRIED FORWARD 2021/22

To:	Council
Reporting Officer:	Corporate Accountant
Responsible Manager:	Director Organisational Performance
Report Date:	2 August 2021
File Reference:	007.17
Enclosures:	1. Estimated Financial Statements 2021-22 
	2. Carry Forward Capital Works 2020-21 

RECOMMENDATION

That Council:

- 1. Adopt the revised Estimated Financial Statements for the year ending 30 June 2022 replacing the statements adopted in the Annual Plan and Budget Estimates adopted on 21 June 2021; and**
- 2. Note the Final Annual Plan Progress Report for 2020/21 and the Annual Plan Actions carried over for completion in 2021/22.**

PURPOSE

Revised estimated capital expenditure estimates for the year ending 30 June 2022 are provided to Council for consideration.

Revised estimated financial statements for the year ending 30 June 2022 are provided to Council for consideration (**attached**).

Changes in the budget estimates result in an estimated closing cash balance as of 30 June 2022 of \$5.714m (previously \$5.472m).

BACKGROUND

When Council adopted its Annual Plan and Budget Estimates on 22 June 2021, the estimated capital works expenditure did not include an allowance for carry forwards from 2020-21.

Revised estimates have been prepared to recognise the actual expenditure for projects in progress as of 30 June and the impact of unspent funds on the new financial year.

The budget estimates also include assumptions relating to final forecasts for balance sheet items (like receivables and payables) based on known final balances of Councils assets and liabilities as of 30 June 2021.

On adoption of the revised estimates will supersede those previously adopted as part of the Annual Plan and Budget adopted at the 21 June 2021 meeting.

DETAILS

Revised Estimated Capital Expenditure

The capital works projects that were ongoing as of 30 June 2021 were not identified as a part of the 2021-22 budget process. Each year, a report of this nature is prepared for Council to consider and account for unspent funds for ongoing projects and other known changes since adopting the budget in June.

It is proposed that the estimated capital expenditure for the year ended 30 June 2022 be revised to include the following changes:

Original budgeted capital works expenditure 2022	\$10,009,987
Add: Change in carry forward budgets	\$8,446,257
Add: Capital budget amendments	\$825,934
Revised budgeted capital works expenditure 2022	\$19,282,178

The revisions will result in an increase in expenditure from \$10,009,987 to \$19,282,178 (an increase of \$9,272,191).

\$8,446,257 of the proposed changes relate to projects that are ongoing and require unspent funds to be carried forward. These changes reflect timing changes only for projects that were not fully complete and spent as of 30 June 2021. The final capital expenditure report and a summary of carry forward budget changes are attached.

Budget amendments totalling \$825,934 reflect additional funding allocations needing to be allowed for in the budget estimates.

The amendments cover those projects where additional funds are required to complete the project and/or new projects committed to by Council which were not in the original budget adopted.

Should no adjustments be made, Council's capital works priorities will not reflect Council's actual priorities for the year.

Project	Budget Amount	Comment
Cloud Hosting - Civica	\$61,000	Project approved at Council's July 2021 meeting.
Cumming Street Reseal	\$32,340	Additional funding required for change in scope for an asphalt seal.
Hepples Road – Retaining Wall	\$301,255	Emergency works to rectify a retaining wall on Hepples Road reported to Council in March 2021.
Safer Rural Road Program	\$230,000	Projects fully funded under the Safer Rural Roads program reported to Council in May 2021 meeting
Freedom Camping	\$30,000	Freedom camping facilities with an additional \$30,000 funded under grant program reported to Council in May 2021 meeting
Heat pump & External Lighting Repairs – Wonders of Wynyard	\$14,100	New item - Funding to allow for emergency replacement to a heat pump and external lighting.
Blackspot Funding Project	\$72,000	Funding for a project under the Federal Government Blackspot Funding Program (project to be determined).
Cardigan Street Lighting Upgrade	\$56,592	Refer Tender report in this Council meeting.
Public Toilet Upgrades	\$28,647	Refer Tender report in this Council meeting.
	\$825,934	

Revised Estimated Cash Flow Statement to 30 June 2022

Council's revised estimated of cash held as at 30 June 2022 is \$5,713,891 an increase of \$241,420. A reconciliation of the main changes is as follows:

Original budgeted cash as at 30 June 2022	5,472,471
Changes in opening cash position	1,061,566
Adjustments to Council's operating budget	5,788
Additions to 2021-22 Capital Works expenditure	(825,934)
New budgeted cash as at 30 June 2022	5,713,891

The above reconciliation contains adjustments to recognise a change in the opening cash position based on the June 2021 actual cash balance rather than the forecast at the time of setting the budget. Changes are a result of changes in payables and receivables as at 30 June, and differences between the actual operating results compared to the forecast result for the 2020/21 year.

Revised Estimated Income Statement

The revised income statement includes some changes to Council's operating position for 2021-22 which include:

Taswater Dividend

The revised estimates have been updated to include an additional \$112,400 to be received in the 2021-22 financial year. Taswater announced in its 2021-22 Annual Plan that it would pay Council's an extra 20% dividend for the next five years in recognition of the lower dividends received during 2019-20 & 2020-21 financial years.

Special Projects Expenditure

A number of special projects items have also been included to reflect funding for either ongoing projects or amounts that were not allowed for in the original operating estimates adopted.

Special Projects funded in the operating budget include:

Project	Amount
Table Cape Amenities Feasibility Study	\$5,000
Wynyard Sports Centre – Garden Replacement	\$4,972
Little Resource Boxes	\$5,000
Waratah Windsock	\$1,300
Carbon Audit	\$60,000
East Wynyard Foreshore Masterplan Design	\$5,840
Public Place Recycling Audit	\$4,500
Digital Strategy	\$20,000
	\$106,612

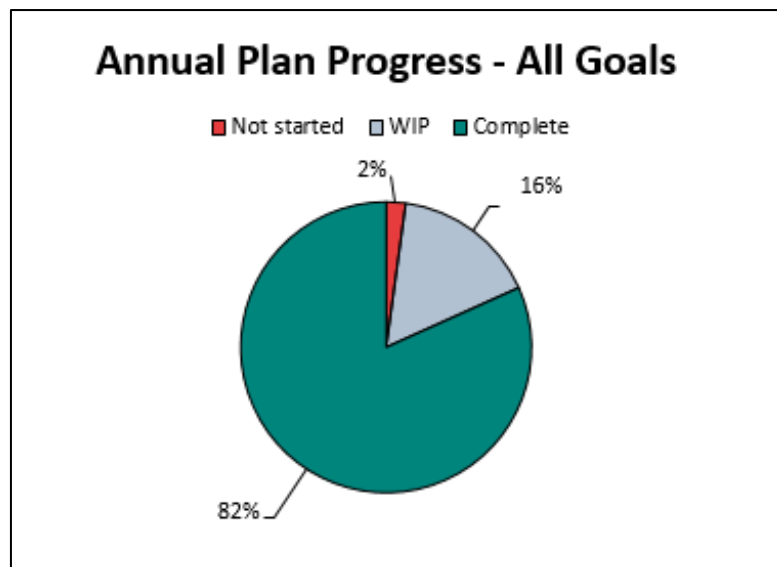
Capital Funding

The capital funding adjustment relates to capital grants which were budgeted for in 2020-21 but have not yet been received. Funding is now expected to be received in 2021-22. The funding carried forward includes \$2.244m for the Multi-Purpose Facility, \$204,750 for ANZAC Park, \$1.240m for the Coastal Pathway and \$82,342 for the Cam River Masterplan.

Final Annual Plan Progress Report

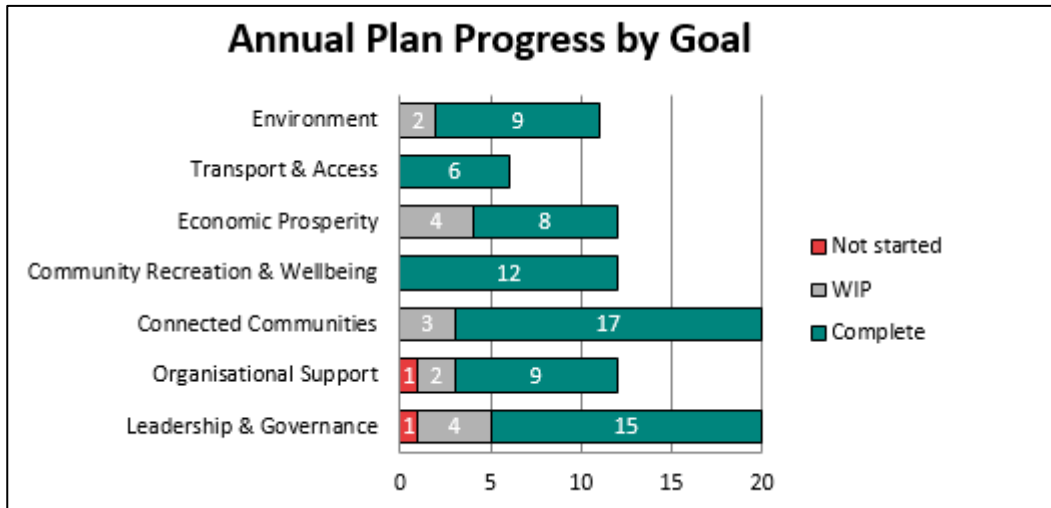
The quarterly annual plan update report provided to at its meeting in July had a number of annual plan actions in the final stages of completion. A number of actions have since been completed and therefore a final progress report for the year is provided for the information of Councillors.

There was a total of 93 actions included in the Annual Plan as at 30 June 2021 with final progress as follows:



- 82% of actions are now complete.
- 16% are continuing and are in progress.
- 2% of actions are not started.

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



Annual Plan Actions Carried Over

There are 13 Annual Plan that will be carried over to the new financial year for continuing projects being:

Strategy	Action
1.2.1.1	Undertake a review of town planning services.
1.5.1.1	Improve Asset Management Systems (this is deferred in favour of CRM Module implementation first).
1.5.2.1	Create a Council Enforcement Policy to guide how <i>Land Use Planning and Approvals Act 1993</i> obligations of Council will be executed.
1.5.2.1	Develop a Cemetery Master Plan identifying future service needs.
2.4.1.1	Develop an internal Digital Strategy to improve service delivery to the community.
2.6.1.1	Implement online time-sheets and leave approval process.
3.3.2.1	Establish an enclosed dog exercise area in Wynyard.
5.1.3.1	Review and update the Tourism Plan and ensure consistent with the Regional Tourism Direction.
5.1.3.2	Develop a business plan for public amenities at Table Cape.
5.4.2.1	Undertake Port Creek flood mitigation works.
5.4.2.2	Undertake Big Creek flood mitigation works.
7.2.1.1	Tasmanian Planning Scheme implementation.
7.2.1.2	Undertake zoning identified in the Central Area Development Plan.

STATUTORY IMPLICATIONS

The *Local Government Act 1993* provides:

82. Estimates

- (1) *The general manager must prepare estimates of the council's revenue and expenditure for each financial year.*
- (2) *Estimates are to contain details of the following:*
 - (d) *the estimated capital works of the council;*
- (4) *A council may alter by absolute majority any estimate referred to in subsection (2) during the financial year.*

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
1.2 We maintain and manage our assets sustainably.
Our Priorities
1.5.2 Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.

Sustainable Murchison Community Plan 2040

Governance and working together	Working together for Murchison – Everyone plays a part in achieving the objectives of the Sustainable Murchison Community Plan. There is cooperation, resource sharing and less duplication between Councils. Leadership is provided across all community sectors.
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POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The overall financial impact of the budget amendments is an increase in estimated capital expenditure of \$9,272,191. The total capital expenditure for 2021-22 is now estimated to be \$19,282,178 (previously \$10,009,987).

The net change in cash position as at 30 June 2022 is an increase of \$241,420 (\$5,472,471 to \$5,713,891).

RISK IMPLICATIONS

Adjustment to the Estimates allows Council to take into account changes not known when the budget estimates were adopted. There has been no change to the underlying principles used to prepare the original budget. Should no adjustments be made, Council's capital works priorities will not reflect Council's actual priorities for the year.

CONSULTATION PROCESS

The annual budget planning process involves input from staff, managers and Councillors over a number of months, and also the community via the strategic planning process.

CONCLUSION

This is an administrative process to ensure that Council's capital works budget reflects all works to be undertaken during the 2021-22 financial year.

It is recommended that Council adopt the revised Estimated Financial Statements for the year ending 30 June 2022 replacing the statements adopted in the Annual Plan and Budget Estimates adopted on 21 June 2021.

It is also recommended that Council note the Final Annual Plan Progress Report for 2020/21 and the 13 annual plan actions carried over for completion in 2021/22.

9.2 ROAD CLOSURE - WILKINSON STREET

To:	Council
Reporting Officer:	Manager Engineering Services
Responsible Manager:	General Manager
Report Date:	29 July 2021
File Reference:	.
Enclosures:	1. Determination of the Magistrates Court, Wilkinson Street - Confidential

RECOMMENDATION

That Council:

1. **Note the Magistrates determination regarding the closure of the south-western end of Wilkinson Street at the Bass Highway intersection; and**
2. **Liaise with the Department of State Growth to resolve the closure of the south-western end of Wilkinson Street at the Bass Highway intersection.**

PURPOSE

To update Council and the community on the determination of the Magistrates Court of Tasmania to close the south-western end of Wilkinson Street for the interests of public safety.

BACKGROUND

Council has a resolution from the December 2018 Council meeting to initiate closure of Wilkinson Street under section 14 of the *Local Government Highways Act 1982*, such that;

“That Council, on receipt of assurance from DSG that Council legal expenses associated with any representation and associated legal process will be reimbursed;

1. *Support the recommendation of the Department of State Growth to close the Wilkinson Street access to the Bass Highway; and*
2. *Initiate the process of notification of intent to close under section 14 of the Local Government Highways Act 1982; and*
3. *Undertake investigation into the relocation of the existing York Street bus stop to another area within the vicinity”.*

Further to this motion, and as published in the Minutes of Ordinary Meeting of Council 15 July 2019, confirmation was received that *“DSG have indicated that they would be willing to reimburse legal expenses if Council are successful in section 14 action.”*

Pursuant to this advice a supplementary motion was put and carried stating that;

“That Council delay any decision on the closure of Wilkinson Street at the Bass Highway intersection until the speed limit changes from Bass Highway modifications have been assessed to determine their impact on traffic safety and write to the Department of State Growth seeking:

-
1. *Assessment of road safety impacts of the Wilkinson/Oldina intersection with the Bass Highway following the implementation of the Calder/York intersection roundabout.*
 2. *Alternative intersection treatment options for the Wilkinson/Oldina intersection including offsetting the Wilkinson and Oldina approach legs, widening to include a right-hand turn lane into Oldina Road from the Bass Highway.*
 3. *An assessment from Department of State Growth of the relative merits of the current proposal for the Wilkinson St/Oldina intersection against the alternatives.”*

At the Ordinary Meeting of Council, 16 September 2019 advice from the Department of State Growth was presented to address the motion raised at the Ordinary Meeting of Council, 15 July 2019.

Pursuant to receipt of this advice the following motions were put and carried at the Ordinary Meeting of Council, 16 September 2019;

“That Council note the information received from the Department of State Growth and determine to proceed with the closure of Wilkinson Street, Wynyard as per the resolution carried in December 2018.”

“That Council invite State Growth to a Councillor Workshop and make representation to the Department of State Growth in relation to the potential danger of the recently installed 100kph speed signs between Calder Road roundabout and Stennings Road and to discuss other State Growth matters in the municipal area.”

DETAILS

In accordance with the requirements of the *Local Government (Highways) Act, Division 2 – Permanent closure, diversion &c., of highways, section 14. Closure and diversion of Highways.* Council Officers proceeded with the closure of the south-western end of Wilkinson Street such that:

- On the 1 November 2019 a notice was served on each owner and occupier affected by the proposed closure, (including an indicative plan of works) advising that objections to the proposal may be received by email, written and posted, or hand delivered to the Waratah-Wynyard Council Chambers by 4:00pm Monday 2 December 2019;
- On the 1 November 2019 a notice was served on the Transport Commission (including an indicative plan of works);
- On the 1 November 2019 the proposed closure was displayed in a prominent position at each end of the highway (including an indicative plan of works) advising that objections to the proposal may be received by email, written and posted, or hand delivered to the Waratah-Wynyard Council Chambers by 4:00pm Monday 2 December 2019; and
- On the 2 and 9 November a notice was published in a local newspaper circulating in the municipality (the Advocate) advising that objections to the proposal may be received by email, written and posted, or hand delivered to the Waratah-Wynyard Council Chambers by 4:00pm Monday 2 December 2019.

At the closure of the public representation period, 35 representations were received.

Several directions hearings were held prior to hearing of the matter in the Administrative Appeals Division of the Magistrates Court and a significant delay incurred due to the effects of the Covid 19 Pandemic.

The matter was heard in the Administrative Appeals Division of the Magistrates Court at Burnie on 4 February 2021, with a determination reached and delivered on the 16 July 2021, such that:

“The decision of the Waratah-Wynyard Council, initially resolved in December 2018 and ratified on 16 September 2019, is affirmed.”

STATUTORY IMPLICATIONS

Statutory Requirements

In accordance with the *Local Government (Highways) Act 1982, section 14 (9) – Where the Magistrate Court (Administrative Appeals Division) makes an order under subsection (7)(b), the Minister shall, as soon as possible after making of the order, cause a notice containing particulars of the order to be published in the Gazette.*

In this regard the ‘Minister’ referred to in this section, is the Minister for Local Government and Planning and he has been informed of the Magistrate’s determination.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

The closure of the south-western end of Wilkinson Street at the intersection of Bass Highway is a safety based decision in order to reduce risk to road users.

CONSULTATION PROCESS

The community will have many questions following communication of this outcome. Information is being sought from the Department of State Growth to enable response to these queries, including the timing of any works.

CONCLUSION

That Council note the determination of the Magistrates Court and liaise with the Department of State Growth to resolve the closure of the south-western end of Wilkinson Street at the intersection of Bass Highway.

9.3 TULIP FESTIVAL

To: Council
Reporting Officer: Manager Community Activation
Responsible Manager: General Manager
Report Date: 3 August 2021
File Reference: 001
Enclosures: Nil

RECOMMENDATION

That Council endorse a ‘Spring Loaded’ program of activities and events occurring over a four-week period to coincide with the blooming of the tulips and public opening of the Tulip Farm.

PURPOSE

To inform Council of the impacts of Covid-19 restrictions on delivery of the Tulip Festival and provide options for event delivery.

BACKGROUND

Covid-19 uncertainty and ongoing restrictions have continued to lead to widespread reimagining of events and activities.

At the time of writing this report, Public Health have authorised a maximum of 5000 people to attend an event at any one time.

To enable appropriate distancing, events require a larger physical footprint, with gated entry and exit points, using a “one out, one in” approach to controlling crowd numbers. Adhering to necessary Covid-19 safety protocols require additional financial, volunteer and staff resources.

In reviewing the possibility of delivering the 2021 Tulip Festival, information was considered from the Tulip Farm, local businesses, Events Tasmania, Worksafe Tasmania, Public Health and Business Tasmania. Information was also sourced from staff and businesses involved in the successful delivery of the Spring-Loaded month-long calendar of events in 2020.

DETAILS

It is recommended that to celebrate spring and the blooming of tulips Council endorse a month-long calendar of events. In reaching this recommendation, consideration has been given to the resources required and the financial and logistical implications of hosting a one-day event with a maximum of 5,000 participants.

While hosting a one-day event with a participation cap may not be financially, logistically or reputationally viable, the value of the event to the community remains and consideration must be given to the potential impact of not having any spring events.

The 2021 Spring Loaded program will seek to capture the essence of the flowers, community coming together, food, drink and icons of the traditional one-day Tulip Festival event whilst bringing back the nostalgia of the past. The Waratah- Wynyard Council Spring Loaded program will be delivered over the September/October period. Activities will be delivered with partners where possible and groups and organisations across the community will be invited to add their activities into the program for promotion.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

GOAL 3: Connected Communities
Desired Outcomes
4.3 We provide recreational opportunities to the community for all ages and abilities.
Our Priorities
2.4.1 Lead a positive and supportive culture which is resilient and adaptive to change.

GOAL 4: Community Recreation and Wellbeing
Desired Outcomes
5.1 We understand our local and regional potential, and we plan for and encourage investment in it.
Our Priorities
4.1.1 Collaborate with community organisations that provide recreation opportunities to our community.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Business & Industry	Specialised diversity of the economy – Value adding, diversification, innovation and employment. A resilient economy with global brand recognition and growing exports.
Tourism	Memorable visitor experiences all year round – The must see destination, quality product, easy access, popular events and festivals with coordinated marketing. A longer season with increasing yields.
Strong communities and social capital	Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
Health and Wellbeing	Maintaining good health and wellbeing – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.

Place making and liveability	Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.
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POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Spring Loaded, as a coordinated calendar of events, will be delivered below the budget set aside for the Tulip Festival.

Existing covid restrictions will add significant costs to the operational delivery of a traditional event, with additional fencing, cleaning and staffing required. The financial pressures are heightened by limited patronage and potentially less sponsorship and vendor support.

RISK IMPLICATIONS

All events and activities will be planned with due consideration to the current COVID-19 restrictions and requirements.

All activities will be planned, and projected budget estimates managed within the current budget.

Community events throughout October are an important economic stimulus for the region.

CONSULTATION PROCESS

In reviewing the delivery of events in the community, information was provided from the Tulip Farm, local businesses, Events Tasmania, Worksafe Tasmania, Public Health and Business Tasmania. Additionally, information was also provided by staff and stakeholders involved in the successful delivery of the 2020 Spring-Loaded month-long calendar of events.

A briefing was provided to Council at the August workshop, on 2 August 2021.

A full program for Spring Loaded, or communication calling for event partners, has not yet been progressed.

CONCLUSION

The delivery of Spring Loaded, a coordinated month-long celebration, has been recommended after careful consideration of information from a range of stakeholders. Paramount in decision making is the delivery of a safe and enjoyable event. The development and successful delivery of the Waratah-Wynyard Spring Loaded program in 2020, which enabled a coordinated series of small events and activities that encourage the community to engage and celebrate safely, is again considered to be the best way forward given the present circumstances.

9.4 WARATAH 150 YEAR CELEBRATIONS

To: Council
Reporting Officer: Manager Community Activation
Responsible Manager: General Manager
Report Date: 26 July 2021
File Reference: 001
Enclosures: Nil

RECOMMENDATION

That Council note the intention of the Waratah community to hold a celebration to mark the 150th anniversary of the discovery of tin at Mount Bischoff in Waratah and provide an appropriate level of support to assist in coordination of the event.

PURPOSE

To mark the 150th anniversary of the discovery of tin at Mount Bischoff, Waratah community members and other stakeholders are hosting a series of events primarily to run over the weekend of 4-5 December 2021.

BACKGROUND

On 4 December 1871 James “Philosopher” Smith discovered tin at Waratah. This discovery triggering the creation of the Waratah township, a mining boom and invigoration of the island’s social, political and economic development. Waratah became the world’s richest tin mine and mining surpassed wool growing as the colony’s largest industry. By the time of federation in 1901 the Mount Lyell Copper Mine at Queenstown was the “engine room” of the Tasmanian economy.

DETAILS

Descendants of James Smith, Peter and Sue Smith, will host an historical display at the Athenaeum Hall in support of celebrations of the 150th anniversary of tin discovery at Mount Bischoff. Themes of the display will be James Smith’s life story, explorations and mining development in Waratah. Rarely seen primary source information, memorabilia and interpretation will provide a unique and engaging visitor experience.

Events to celebrate the anniversary will be conducted from late November over a four week period. The official launch will be held at 2.00pm on 4 December 2021 and will include a presentation by Nic Haygarth. Guests will be invited to attend, and refreshments will be provided to launch attendees.

Council can support the community by being involved in promotion, through helping with the creation and distribution of a program and utilising communication networks to publicise the historical display and other community led events. A community meeting was held in Waratah on Saturday 31 July where community members identified a range of events they will develop.

A proposal for the funding of a commemorative statue has been distributed to Councillors via email on July 9, 2021. Council have confirmed that no state or federal funding is currently reserved for this project. It is recommended that a financial provision be made for the

fabrication and installation of an interpretation panel, in line with the Waratah-Wynyard Council Signage Strategy, that recognises the significant contribution of James Smith and his tin discovery that can be officially unveiled in Waratah to coincide with the 150 year milestone.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 3: Connected Communities
Desired Outcomes
1.3 We encourage broad community input to create a focussed and strong sense of belonging.
Our Priorities
13.1 Facilitate the meeting of community needs through strong advocacy and local and regional collaboration for shared outcomes.

GOAL 4: Community Recreation and Wellbeing
Desired Outcomes
4.2 Our community values, encourages and supports physical, social and cultural activities.
Our Priorities
3.3.2 Facilitate activities and events that promote inclusion, health, safety and a sense of place.

GOAL 7: Environment
Desired Outcomes
7.5 Stewardship of our land, water and marine ecosystems respects past, present and future generations.
Our Priorities
5.1.3 Support existing and encourage new innovative activities/industries to the area.

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Business & Industry	Specialised diversity of the economy – Value adding, diversification, innovation and employment. A resilient economy with global brand recognition and growing exports.
Tourism	Memorable visitor experiences all year round – The must see destination, quality product, easy access, popular events and festivals with coordinated marketing. A longer season with increasing yields.
Strong communities and social capital	Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
Natural resource management	Managing abundant, natural and productive resources – Natural resource management is valued and development is environmentally sustainable. The environment is clean and healthy with unspoilt beauty and biodiversity.
Education	Lifelong learning and education – Education and lifelong learning is valued and there is access to vocational training and tertiary education. Education retention rates have increased.
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

Community Future Direction Theme	Key Challenges & Opportunities:
	character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There is a budget allocation for events which can be utilised to support the program. It is recommended that a financial provision be made for the fabrication and installation of an interpretation panel that will be officially unveiled in Waratah to coincide with the 150-year milestone.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

Consultation with the Waratah community and interested stakeholders is ongoing.

CONCLUSION

It is recommended that Council note the intention of the Waratah community to hold a celebration to mark the 150th anniversary of the discovery of tin at Mount Bischoff.

9.5 ARCHERS ROAD RENAMING

To: Council
Reporting Officer: Manager Digital Innovation
Responsible Manager: Director Organisational Performance
Report Date: 5 August 2021
File Reference: 1
Enclosures: 1. Submission Regarding Archers Road Renaming from Mrs Angela Fry and Others 

RECOMMENDATION

That Council note the information provided relating to the renaming of “Archers Road” to “Ramskill Road” and request that Council Officers explore opportunities available to Council to reinstate the name of the Road to Archers Road through Placenames Tasmania.

PURPOSE

The purpose of this report is to provide additional information to Councillors on the process for renaming streets and for the recent renaming of “Archers Road” to “Ramskill Road”.

BACKGROUND

Council at its meeting on 19 July requested additional information be provided in relation to the renaming of “Archers Road” to “Ramskill Road”.

Placenames Tasmania is the authoritative register of Tasmanian place names approved. All proposed changes by naming authorities (including local government) must be submitted to the Place Names Advisory Panel who will make a formal recommendation to the Minister for approval after having checked that the proposal complies with the Act and associated guidelines.

Naming authorities for place names approved under the *Place Names Act 2020* are:

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

DETAILS

Council were recently contacted by Placenames Tasmania in relation to their ongoing state-wide audit of unofficial but signposted roads. Their audit of the Oldina Locality identified that the road signposted as “Archers Road” was unofficial.

Place names are intended to be enduring and therefore given this road is commonly known to locals as Archer’s Road, Council’s initial response was to request that “Archers Road” be gazetted and become official.

This request was rejected on the basis that duplication of names is not allowable under section 7.6 of the Tasmanian Place Naming Guidelines.

Another street with the same name is located at Lower Wilmot. The Tasmanian Place Naming Guidelines state:

“7.6. Duplication of road and street names

Names of roads and streets must not be duplicated in Tasmania. For example, if Smith Lane in North Hobart exists, another Smith Lane must not be approved in Tasmania.

The name (specific) element of a road or street, regardless of any difference in the road type (generic), must not be duplicated or be similar in spelling or sound to an existing road or street name within the same region (North, North-West or South). For example, if Smith Lane in North Hobart exists, another road or street with the name Smith must not be approved in the South region of Tasmania.

An example of similarity in spelling or sound is the existing Riverbank Road, Riverside Drive and Riverview Drive, all located in Riverside. These are confusing and similarities like this must be avoided.

An unbroken section of road crossing an administrative boundary must keep the same name.”



Council maintains a list of historically significant names in line with its Street Naming Policy. The list contains names that have some historical significance to the Waratah-Wynyard municipal area. Where a name is not selected by a developer and Council is required to suggest a name, one is selected from the list for use.

Once Council were made aware that the continued use of “Archers Road” was disallowed, an alternate name was selected from Councils historically significant names list.

The name “Ramskill Road” is after an early mariner turned farmer. This name was checked and was accepted by Placenames Tasmania and approved for use.

Following approval of Ramskill Road, the Placenames Tasmania Register was amended and published on subsequent mapping publications and spatial data sets delivered through the Land Information System Tasmania (theLIST).

Following approval by Placenames Tasmania, Councils usual practice is to notify impacted property owners addressed to the Street and install a new street sign which has occurred for Ramskill Road.

Consultation Obligations

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

In the case of street renaming, it is Councils current practice to undertake consultation with property owners that are addressed to the street in which an addressing decision is made.

The Guidelines state:

“2.2. Requirements for consultation

Place names have an important role within the community with many names, including road names, having a direct effect on individuals. It is essential that the community is adequately consulted as part of the process in the development of a place name proposal and opportunity is provided to ensure that the proposed name is acceptable to the community as well as conforming to these guidelines. Public participation in the place naming process lends strength and provides a level of ownership to a naming proposal, which will assist in the approval process.

The level of consultation required is largely dependent upon the type of feature proposed to be named or altered, the significance of the feature to the community and any direct impacts of the proposal to an individual.

For altering or approving names for geographical, topographical and cultural features, proposals may be referred for consultation to relevant land management authorities and community groups, which include progress and ratepayer associations, bushwalking clubs and local history organisations.

For altering a road name, locality name, approving a new locality name, or major changes to a locality boundary, it is critical that extensive community consultation is undertaken, including ensuring affected residents are made aware of the proposal. This can be done by public notices, advertising in local government publications or letters to residents.”

Council has an obligation to consult with property owners impacted by any proposed name change. In this case, there was not a consultation process undertaken given that there was only a single unimproved parcel addressed to Archers Road with interstate ownership, and as such the direct impact to any individual was deemed minimal.

Council on 29 July received correspondence from concerned residents regarding the renaming requesting a re-instatement of the name "Archers Road". The letter from Mrs Angela Fry and other residents who own property adjoining the Road (but not formally addressed to Archers Road and therefore not consulted on the name change) is attached for the information of Council.

The letter requests a reinstatement of the name Archers Road which is consistent with Council's preferred name for the road which was rejected by Placenames Tasmania.

The letter provides some historical references not previously known. Whilst this knowledge is not expected to have impacted the decision making of Placenames Tasmania, it is recommended that Council Officers seek further information from Placenames Tasmania on whether the information provided would assist in creating a pathway for reinstatement of the name or in challenging the original decision.

Council could at a minimum add the historical references referred to in the letter to the Placenames Tasmania public record for the road including the reasons for the change in name.

STATUTORY IMPLICATIONS

Statutory Requirements

The relevant sections of the *Place Names Act 2020* include: -

Section 9. Proposal of certain place names

- (1) *This section applies to a place other than a place referred to in section 4(1)(c).*
- (2) *In accordance with the guidelines, a person may propose one or more of the following in respect of a place to which this section applies:*
 - (a) *a name to be approved, under this Act, for the place;*
 - (b) *an alteration to, or the revocation of, an approved name for the place;*
 - (c) *the alteration, clarification, extension or reduction of the location, boundaries or extent of the place.*
- (3) *A proposal under subsection (2) is to be –*
 - (a) *in a form approved by the chairperson; and*
 - (b) *submitted to the Registrar in accordance with the guidelines.*
- (4) *The Registrar may refuse to accept a proposal submitted under subsection (3) if the Registrar believes, on reasonable grounds, that the consultation requirements within the guidelines have not been complied with in respect of the proposal.*

Section 10. Approval of certain place names

- (1) *If a proposal relates to a minor revision of the register, within the meaning of section 7(3), the Registrar is to revise the register, in accordance with that section, to reflect the proposal.*
- (2) *If a proposal does not relate to a minor revision of the register, within the meaning of section 7(3), the Registrar must –*
 - (a) *cause the proposal to be advertised, in accordance with the guidelines, calling for submissions in respect of the proposal; and*
 - (b) *at the end of the period specified in the advertisement for submissions in respect of the proposal, forward to the Panel –*
 - (i) *the proposal; and*
 - (ii) *any submissions received by the Registrar in respect of the proposal.*
- (3) *As soon as practicable after receiving a proposal under subsection (2)(b), the Panel is to provide the Minister with recommendations in respect of the proposal.*

- (4) After considering the recommendations of the Panel in respect of a proposal, the Minister may –
- (a) in accordance with the recommendation –
- (i) approve the name, or names, for the place; or
- (ii) refuse to approve the name, or names, for the place; or
- (iii) alter an approved name for the place; or
- (iv) revoke an approved name for the place; or
- (v) alter, clarify, extend or reduce the location, boundaries or extent of the place; or
- (b) refuse to take an action referred to in paragraph (a) in respect of the recommendation and request that the Panel make a new recommendation.
- (5) If the Minister makes a request under subsection (4)(b) for a new recommendation in respect of a proposal, the Panel –
- (a) may, but is not required to, seek further information from the person who made the proposal; and
- (b) is to provide the Minister with a new recommendation in respect of the proposal.
- (6) On receipt of a new recommendation in accordance with subsection (5)(b), the Minister is to comply with subsection (4) in respect of the recommendation.

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
1.5 We highly value the use of an evidence-based approach to the development and implementation of strategies and policies that support and strengthen our decision making.
Our Priorities
1.5.1 Build our knowledge base to apply in decision-making processes.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

Council’s Street Naming and Addressing Policy clearly stipulates “All proposed names are to be in accordance with the Tasmanian Place Naming Guidelines”.

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

- Legislative compliance

With the introduction of The *Place Names Act 2020*, Council became the responsible authority to propose names through Placenames Tasmania. Council must comply with the Act and associated guidelines in its addressing activities.

- **Reputational Risk**

Street renaming can be a contentious matter given the inconvenience to property owners and potential historical associations of street names. It is important that sound decision making principles are followed and that the rules applied consistently by Council to manage community expectations.

CONSULTATION PROCESS

Council has an obligation to consult with property owners impacted by any proposed name change. In this case there was not a consultation process undertaken given that there was only a single unimproved parcel addressed to Archers Road with interstate ownership, and as such the direct impact to any individual was deemed minimal.

CONCLUSION

It is recommended that Council note the information provided relating to the renaming of “Archers Road” to “Ramskill Road” and request that Council Officers explore opportunities available to Council to reinstate the name of the Road to Archers Road through Placenames Tasmania.

9.6 AWARD CONTRACT 763 - CARDIGAN STREET SPORTS LIGHTING UPGRADES

To: Council
Reporting Officer: Project Manager
Responsible Manager: Director Infrastructure and Development Services
Report Date: 4 August 2021
File Reference:
Enclosures: 1. Tender Evaluation - Contract 763 - Confidential

RECOMMENDATION

That Council:

1. **Award Contract #763 – Cardigan Street Sports Lighting Upgrades to AJR Construct; and**
2. **Amend the 2021/22 Annual Plan and Budget Estimates such that a further allocation of \$56,952 is provided to the project and funded through the Local Roads and Community Infrastructure (LRCI) grant program; and**
3. **Negotiate with the grantor to extend the construction completion timeframe from December 2021 to May 2022 due to extended lead times as a result of COVID-19.**

PURPOSE

To determine the Council's position in relation to the tenders submitted for the upgrades to the sports light towers at the Cardigan Street Recreation Ground.

BACKGROUND

The Open Space, Sport and Recreation Plan (OSSR), endorsed in 2017, provides key recommendations for the management of open space, sport and recreation in the municipal area. The Somerset Recreation Precinct was highlighted as one of the three key areas that support recreation activities and suggested consolidating sporting venues within the area to co-locate on one or two sites.

Council has endeavoured to pursue this vision but has not been able to due to a substantial increase in residential growth and a subsequent reduction in available land. A review of the Somerset Sporting Precinct is underway to progress any further recreation development.

The more immediate need then becomes the Cardigan Street Recreation Ground, which does not currently meet the standards specified by Football Tasmania and, at times, has poor drainage which creates issues with maintenance and use of the ground. At its June 2020 ordinary meeting, the Council endorsed the Master Plan prepared by Sugden & Gee Pty Ltd which aims to address the issues associated with the site.

The works proposed by this Master Plan suggests a staged approach to delivery. During the 2020/21 financial year, works were undertaken to reorientate the pitch and make the necessary adjustments to ancillary infrastructure such as irrigation, fencing and goals.

The 2021/22 Annual Plan and Budget has committed to undertaking sports lighting upgrades at the site, which will better enable the users to train throughout winter and allow junior games to be played of an evening.

A call for tenders was made through Councils electronic tendering portal 'Tenderlink' and advertised through The Advocate. At the close of tenders on 6 July 2021, six (6) tenderers provided a submission for the works.

DETAILS

The contract operates as a Lump Sum contract, based upon the anticipated scope of works for the project which includes detailed design and construction. Tender prices and assessment of the tender, based on pre-defines tender criteria, defines the recommendation to Council to award the contract.

All tenders received have been assessed by the evaluation panel against a range of weighted criteria being:

Selection Criteria	% Weighting
Project understanding including quality and completeness of submission	10
Capacity and resources, materials, Plant and Equipment to complete the works including financial viability	15
Capability and relevant experience of personnel and management.	20
Quality Management Systems, including WHS, Traffic, risk and environmental	15
Tender Sum	40
	100

At the close of tenders on the 6 July 2021, seventeen (17) contractors had accessed the tender documents via Tenderlink and six (6) contractors had submitted tenders for the works. Tender submissions were received from;

- AJR Construct Pty Ltd
- RBD Electrical
- Industrial Fire & Electrical
- Contact Electrical
- 2B Build Pty Ltd
- Halliday Lighting

The assessment documents have been provided to Councillors as a confidential attachment. All tender prices received were higher than the budgeted amount.

All valid tenders were checked for compliance against pre-determined criteria and evaluated by means of the weighted average from the evaluation panel. Whilst overall price and value-for-money was considered as one of the evaluation criteria, tenders were also assessed based on the understanding of the design brief as well as a demonstrated ability to deliver within the requested timeline.

All tenderers have demonstrated experience within the industry, have established safety management systems in place, and have been assessed as competent and capable in the performance of the works for which they have tendered. All tenderers have and continue to provide similar services to other Councils and private enterprises within Tasmania. Each tenderer has provided sufficient evidence to demonstrate their competence and capability to perform the works to the quality required. Some tenderers were able to submit more complete and thorough documents and cite specialised experience in sports lighting. Accordingly, it was these slight differences alongside price that were the final determining factors in the evaluation.

The funding for this project has been allocation through the LRCI program (round two allocations). A requirement for this round is for construction to be completed by 31 December 2021, or an extension of time negotiated and approved by the grantor.

The recommended tenderer has suggested works would not be completed until May 2022; the delays a result of COVID-19 affecting the delivery of customised lights suited to the ground. The tenderer had investigated alternative off-the-shelf lights to reduce the lead time however this was considered disadvantageous as it increased the number of lights and cables required to complete the work. Acceptance of this tender would require negotiation of the extended timeframe with the grantor.

It is worth noting the evaluation panel’s assessment indicated a close second preference to award the contract to RBD Electrical, who scored similarly or better across all criteria with exception to price. This tenderer utilises a different lighting supplier and has suggested practical completion of the works could be finalised in line with the LRCI timeframe however at a higher cost (approx. \$33,320).

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

Council's Asset Management Policy is relevant in this instance in considering ongoing life cycle costs. In this regard, the selection of the lowest cost tender would give the lowest ongoing life cycle cost.

ENVIRONMENTAL IMPLICATIONS

Some existing light towers were recently upgraded to include LED lighting. Whilst this provision is not enough to meet the minimum lighting levels required, contractors have been asked to re-use these lights in their designs where feasible to do so.

FINANCIAL IMPLICATIONS

In Council's 2021/22 Annual Plan and Budget Estimates, an allocation of \$369,150 has been set aside for the purposes of this project and funded through the LRCI grant program. If the tender is adopted as recommended, the estimated project cost is \$426,952 including internal allocations and overheads plus a contingency allowance of \$38,492 for a potential maximum of \$464,594. This is \$56,952 more than the allocated budget amount if no contingency allowance is spent.

Some external factors seem to have influenced the difference in prices received to the budget allocation made by tenderers. In this instance original budget estimates were based on a project costing from a lighting designer and included a healthy contingency allowance. This information was provided prior to the COVID-19 global pandemic and consequent economic impacts upon the construction industry. The original prices were also based on a lower scope and level of lighting.

Since the onset of the COVID-19 pandemic and subsequent strive from all levels of Government to stabilise the States economy, the building and construction industry has received several sizable grants to drive economic prosperity and regional stabilisation.

The economic stimulus packages to promote recovery from the pandemic, along with ongoing restrictions to import skills and material from mainland Australia may be contributing factors in price escalation from originally forecast budget estimates preceding the pandemic.

Market prices and timeframes for other projects indicated for LRCI funding are also coming back outside the anticipated range. Given the December timeframe for LRCI round two, it is likely some of these projects will need to be removed from this round of grant funding and other methods of funding considered.

In doing so, a reallocation of LRCI funds can be undertaken and the full cost of this project (\$426,952) can be funded from the grant program. Any further variations would need to be funded by Council.

RISK IMPLICATIONS

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

CONSULTATION PROCESS

The Somerset Soccer Club and Football Tasmania have been key stakeholders as part of the planning of this project and will continue to be consulted with during the design and construction phase. Adjoining properties were notified of the works as part of the standard development application (planning permit) process. These residences will be consulted again prior to the commencement of the works in regard to any impacts that might occur as a result of construction.

The forecast construction delays have been communicated to the Somerset Soccer club and confirmed to not be detrimental. All efforts will be made to work with the contractor to reduce the project delivery time frame.

CONCLUSION

Based on the tender assessment undertaken by the evaluation panel utilising the predetermined criteria, it is therefore recommended that Council:

1. Award Contract #763 – Cardigan Street Sports Lighting Upgrades to AJR Construct; and
2. Amend the 2021/22 Annual Plan and Budget Estimates such that a further allocation of \$59,952 is provided to the project and funded through the Local Roads and Community Infrastructure (LRCI) grant program; and
3. Negotiate with the grantor to extend the construction completion timeframe from December 2021 to May 2022 due to extended lead times as a result of COVID-19.

9.7 AWARD OF CONTRACT 766 - PROVISION OF PAVEMENT STABILISATION AND RESURFACING

To: Council
Reporting Officer: Manager Engineering Services
Responsible Manager: Director Infrastructure and Development Services
Report Date: 23 July 2021
File Reference: 766
Enclosures: 1. Summary cover page - contract 766 - Confidential

RECOMMENDATION

That Council award Contract #766 – Provision of Pavement Stabilisation and Resurfacing to Stabilised Pavements Australia Pty Ltd.

PURPOSE

To determine Council's position in relation to tender submissions received for the provision of pavement stabilisation and resurfacing works for 2021/22.

BACKGROUND

The provision of pavement stabilisation and resurfacing services has been adopted in the 2021/22 budget for an estimated \$335,356.

There are instances in a road network where pavement failure precludes the ability to simply apply a resurfacing overlay to extend a roads useful life. The cause of these pavement failures can have several contributing factors such as an increase of heavy vehicle usage, water ingress into the pavement material or breakdown of biodegradable materials in subgrade levels.

Traditional techniques to rectify sections of road pavement failure generally rely upon the removal of failed pavement material and the importation of new materials to reconstruct the road pavement to a standard dictated by anticipated traffic load. Industry initiatives to reduce cost and to improve the environmental sustainability have sought to re-use road pavement materials by means of insitu stabilisation using binding additives such as cement and/or lime to strengthen and stabilised the pavement materials.

This tender was prepared and presented to give the option to tenderers to either utilise traditional pavement repair methodologies or insitu pavement recycling.

Provision of these road pavement stabilisation services is undertaken by external contract providers, owing to the expense of specialist equipment, skills required and the short duration over which these works are performed.

A call for tenders for provision of these works for the 2021/22 period was published in the Advocate newspaper and released on Tenderlink on Saturday, 12 June 2021. At the close of tenders on 8 July 2021, ten (10) prospective tenderers had accessed the tender documents and two (2) tenderers provided submissions for the works.

DETAILS

The contract operates as a Lump Sum contract, based upon the items noted in the Lump Sum schedules of the tender documentation. Tender price comparison is based upon the tenderer total cost to Council to complete the works, give the lump sum rates submitted.

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

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

Criteria A – Tender Sum – Weighting 40%

Criteria B – Project understanding including quality and completeness of submission – Weighting 15%

Criteria C – Capacity and resources, materials, plant and equipment to complete the works including financial viability – Weighting 15%

Criteria D – Capability and relevant experience of personnel and management – Weighting 25%

Criteria E – Quality management systems, including WHS, traffic, risk and environmental – Weighting 5%

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

Stabilised Pavements Australia (SPA) have submitted the lowest price tender option with a calculated overall price of \$294,420.36. whilst noting that this total price is an estimate based upon identified areas, the relativity of pricing is not anticipated to vary to any degree of significance should the final area be different.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 6: Transport and Access
Desired Outcomes
6.2 Our transport and access network is sustainable, affordable and fit for purpose.
Our Priorities
6.2.2 Plan for all movements and modes of transport with a fit-for-purpose network.
GOAL 6: Transport and Access
Desired Outcomes
6.1 Our transport and access network can accommodate the changing needs of our industry and community.
Our Priorities
7.3.2 Embed environmental considerations and potential climate impacts in Council's infrastructure planning and decision making.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

Council's Asset Management Policy is relevant in this instance in that the lowest ongoing life cycle cost renewal method is recommended, being in situ pavement recycling.

ENVIRONMENTAL IMPLICATIONS

The engagement of Stabilised Pavements Australia to undertake insitu pavement stabilisation rather than traditional methodologies of pavement rehabilitation meet the objectives identified in Council's Integrated Council Environmental Plan (iCEP), namely objective 8.3:

Through Council's contracting and procurement processes, seek ongoing innovation from suppliers to minimise waste going to landfill.

Stabilised Pavements Australia provide the following statement on their website which demonstrates alignment with the objectives of iCEP;

Environmental benefits of road recycling often include the following aspects:

Significant reduction in the use of virgin quarry materials

Minimal generation of construction waste through the use of insitu material

Reduced trucking movements as a result of limited importing or exporting of materials from site

Reduction in emissions, energy use and noise due to shorter construction duration

FINANCIAL IMPLICATIONS

Council has a total of \$335,356 budgeted across multiple sites for the purposes of delivering the works under this contract. It is expected that award of this contract to Stabilised Pavements Australia (SPA) at the tendered rate of \$294,420.36 will allow a contingency of \$40,9335.64 to address any unforeseen variation due to differential pavement abnormalities or service locations.

RISK IMPLICATIONS

In the conduct of any contract there are risks to Council including time delays, poor quality of work etc.

The use of experienced Contractors coupled with contract documents minimises contractual risk to Council.

CONSULTATION PROCESS

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

CONCLUSION

The tender price submitted by Stabilised Pavements Australia (SPA) for the provision of pavement stabilisation and resurfacing services is the lowest cost to option to Council and achieves the objectives of environmentally sustainable practices as identified in Councils Integrated Council Environmental Plan (iCEP). It is therefore recommended that Contract #766 be awarded accordingly.

9.8 AWARD CONTRACT 767 - PUBLIC TOILET UPGRADES

To: Council
Reporting Officer: Project Manager
Responsible Manager: Director Organisational Performance
Report Date: 4 August 2021
File Reference:
Enclosures: 1. Contract 767 - Tender Evaluation Summary - Confidential

RECOMMENDATION

That Council award Contract #767 – Public Toilet Upgrades to Fairbrother Pty Ltd.

PURPOSE

To consider the award of a contract for the upgrades to a range of public toilets within the municipal area following Councils recent tender process.

BACKGROUND

Council has experienced a decrease in community satisfaction in relation to our public toilet service levels in recent times, mainly around cleanliness and odour. This issue is currently being investigated through a review of the existing public toilet cleaning contract and performance.

Outside of cleaning practices, limitations around the physical infrastructure was recognised as an area that could be improved. This includes better ventilation, replacing faulty door locks, and utilising alternative flooring materials to reduce porosity and odour retention. A review of all public amenities' blocks has highlighted those in most need of upgrading based on the recommended improvements mentioned above. The toilets proposed to be included as part of the public toilet upgrades project includes:

- Cam River Reserve, Somerset
- Wragg Street, Somerset
- Surf Club, Somerset
- Cardigan Street Recreation Ground, Somerset
- Rotary Park Playground, Wynyard
- East Wynyard Foreshore, Wynyard
- Gutteridge Gardens, Wynyard
- CBD Plaza (roof ventilation only), Wynyard
- Woolworths Car Park, Wynyard
- Boat Harbour Foreshore, Boat Harbour
- Sisters Beach Foreshore, Sisters Beach

The 2021/22 Annual Plan and Budget has committed to undertaking these physical alterations with a total budget allocation of \$232,677.

A call for tenders was made through Councils electronic tendering portal 'Tenderlink' and advertised through The Advocate. At the close of tenders on 28 July 2021, one (1) tenderer had provided a submission for the works.

DETAILS

The contract operates as a Lump Sum contract, based upon the anticipated scope of works for the project which includes detailed design and construction. Tender prices and assessment of the tender, based on pre-defines tender criteria, defines the recommendation to Council to award the contract.

All tenders received have been assessed by the evaluation panel against a range of weighted criteria being:

Selection Criteria	% Weighting
Project understanding including quality and completeness of submission	10
Capacity and resources, materials, Plant and Equipment to complete the works including financial viability	20
Capability and relevant experience of personnel and management.	15
Quality Management Systems, including WHS, Traffic, risk and environmental	15
Tender Sum	40
	100

Fairbrother Pty Ltd was the only company to submit a tender in this instance. Whilst only one tender was received, it was still evaluated per the normal process based on the aforementioned criteria.

Fairbrother Pty Ltd have a demonstrated experience in the industry, have established safety and management systems in place and have been assessed as competent and capable in the performance of the works for which they have tendered.

The tender submitted from Fairbrother Pty Ltd demonstrated an understanding of the project and has indicated they have the resources available to complete the project within the dedicated timeframe.

Fairbrother Pty Ltd has submitted a tender with the lump sum price of \$327,710, which includes the optional hose reel installation in service bays and offered a savings of \$37,500 if alternative door vent grilles are utilised.

The scope of the works includes the upgrades of the Boat Harbour Beach amenities block, which is earmarked for relocation as part of a current master plan. Investment in upgrades at this site at this time would be short-lived when the proposals within the Master Plan are realised. As such, it is recommended the upgrades of the Boat Harbour Beach amenities block are withheld from the immediate public toilet upgrade project.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
1.2 We maintain and manage our assets sustainably.
Our Priorities
1.2.1 Review and adjust service levels to provide value for money.
GOAL 4: Community Recreation and Wellbeing
Desired Outcomes
4.3 We provide recreational opportunities to the community for all ages and abilities.
Our Priorities
4.2.1 Focus on the value of recreation in promoting the health and wellbeing of our community.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

The project proposes to replace internal lighting within select public toilet buildings with LED lighting equipped with movement activated sensors to ultimately reduce energy consumption.

FINANCIAL IMPLICATIONS

Council has a budgeted sum of \$232,677 inclusive of overheads, which was to be funded partially through the LRCI program and a Council contribution. If the tender is awarded in its initial rights, the estimated project cost is \$385,714, inclusive of contingency and overheads. This is \$153,037 more than the allocated budget amount.

Council officers have negotiated with Fairbrother Pty Ltd to lower the lump sum construction cost by removing the optional hose reel element, accepting the alternative offered for the door grilles and removing the Boat Harbour Foreshore toilets from the project scope given it is subject to the Boat Harbour Master Plan proposed development. In doing so, the total estimated project cost will be \$261,323, including overheads and a contingency allowance, which represents a capital expenditure of \$28,647 more than the budget allocation.

Some external factors seem to have influenced the difference in prices received to the budget allocation made by tenderers. In this instance original budget estimates were based on project costings from recent public toilet construction experience with an adequate contingency allowance. This information was provided prior to the COVID-19 global pandemic and consequent economic impacts upon the construction industry.

Since the onset of the COVID-19 pandemic and subsequent strive from all levels of Government to stabilise the State's economy, the building and construction industry has received several sizable grants to drive economic prosperity and regional stabilisation.

The economic stimulus packages to promote recovery from the pandemic, along with ongoing restrictions to import skills and material from mainland Australia may be contributing factors in price escalation from originally forecast budget estimates preceding the pandemic.

Market prices and timeframes for other projects indicated for LRCI funding are also coming back outside the anticipated range. Given the December timeframe for LRCI round two, it is likely some of these projects will need to be removed from this round of grant funding and other methods of funding considered.

In doing so, a reallocation of LRCI funds can be undertaken to provide funding of \$225,408 from the grant program. This will require the shortfall of \$35,915 to be funded by Council unless the additional cost can be absorbed in the contingency allowance. If the contingency allowance is not needed throughout the project the funding shortfall to Council will be \$6,443.

RISK IMPLICATIONS

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

Council has heard from the community through the Community Satisfaction Survey and ongoing customer requests that the levels of service for public toilets do not meet their expectations. This has informed the decision making around scope of the project.



Prior to works commencing, the community will be notified of the upgrades. The proposed contractor has committed to ensuring each toilet block will have at least one cubicle open at all times during the construction phase.

CONCLUSION

It is recommended that the Council award Contract #767 – Public Toilet Upgrades to Fairbrother Pty Ltd and note that a further expenditure of up to \$28,647 subject to contingency requirements.

9.9 AWARD OF WORKS - MARTIN STREET AND RAGLAN STREET RESEAL USING RECYCLED CRUMB RUBBER

To: Council
Reporting Officer: Manager Engineering Services
Responsible Manager: Director Infrastructure and Development Services
Report Date: 9 August 2021
File Reference: .
Enclosures:

1. Fulton Hogan Crumb Rubber Brochure 
2. Tender rate comparison - Confidential
3. Fulton Hogan - Sustainable Products and Processes 

RECOMMENDATION

That Council:

1. award the works to reseal Martin Street to Fulton Hogan, utilising recycled crumbed rubber technology; and
2. bring forward the reseal works for Raglan Street and award to Fulton Hogan, utilising recycled crumbed rubber technology.

PURPOSE

To determine Council's position in relation to pricing submissions received for the resealing of Martin Street, Wynyard and Raglan Street, Somerset.

BACKGROUND

Tenders for the provision of bitumen surfacing services for 2021/22 have been called and awarded to Roadways Pty Ltd (Contract #758 awarded under GM delegation).

Martin Street, Wynyard was included in the budget for reseal, however was not tendered due to the requirement to undertake further investigation into the mechanism of surface failure and appropriate methodologies for rectification prior to reseal.

During a post tender debrief with Fulton Hogan they provided an example of where they had utilised a recycled crumbed rubber surface treatment on a road in similar condition in the Tasman Council municipality.

DETAILS

Two sections of Martin Street, Wynyard (ID 20647 & ID 20648) are due for re-surfacing and have been adopted in the 2021/22 for an estimated \$93,983. The existing road surface of these sections in Martin Street consist of a 10mm slurry seal placed in 2007. The seal is showing signs of fatigue and cracking but retains a bound and undeformed pavement structure.

A section of Raglan Street, Somerset (ID20250) is due for reseal in 2022/23, the road surface of this section consists of a 10mm slurry seal placed in 2006 and is showing similar signs of fatigue and cracking but also retains a bound and undeformed pavement structure with the exception of one 8m² that will require correction.

Given that these three sections of road seal are experiencing similar mechanisms of failure and the life expectation of each has expired or is close to expiration, a quotation was sought from Fulton Hogan to reseal these sections using an alternative recycled crumb rubber technique to alleviate the requirement of traditional surface repair techniques prior to applying seal.

Some other Tasmanian Council's that have use the recycled modified crumb rubber binder in reseal projects include:

- George Town Council;
- Meander Valley Council;
- Dorset Council;
- Tasman Council;
- Sorell Council; and
- Central Highlands Council.

Brochures from Fulton Hogan detailing the environmental and performance benefits of crumbed rubber modified bitumen binder and Sustainable Products and Processes are attached to this report.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL 6: Transport and Access
Desired Outcomes
6.1 Our transport and access network can accommodate the changing needs of our industry and community.
Our Priorities
6.2.2 Plan for all movements and modes of transport with a fit-for-purpose network.
GOAL 7: Environment
Desired Outcomes
5.3 Long-term sustainable economic growth is achieved through adaptability and innovation.
Our Priorities
7.1.1 Divert waste from landfill and build awareness around sustainable waster generation and management.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

Compliance with Council's procurement policy is achieved by comparing tendered rates for conventional reseal and preparation against the alternative recycled crumb rubber technology.

ENVIRONMENTAL IMPLICATIONS

The use of recycled crumbed rubber in road pavements provides a significant environmental advantage and meets the objectives of Council iCEP plan and the Waste and Resource Recovery plan.

To demonstrate the social, economic and environmental advantages of using recycled crumbed rubber materials in road surface construction, Fulton Hogan have provided the following statement in support of their submissions:

'In regard to the supply of the crumb rubber raw product, currently Barwick's (Tasmanian owned and operated) collect 90% of the tyres in Tasmania. They have a commercial agreement with Tyre Cycle to send the truck tyres to Victoria which we then buy back into Tasmania as processed crumb rubber. Fulton Hogan then produce the crumb rubber bitumen at our Mowbray facility with 100% local labour. Hopefully, with Tasmania State Government support (last election promise of \$3mil funding) there will be a local crumbing facility which will allow Fulton Hogan to use 100% local product and labour. An important part of this is to have a market to support the local crumbing facility, in using more crumb rubber modified bitumen we can the volume required and start making some impact on the Longford and Mowbray tyre stockpiles.

Crumb Rubber Binder is a solution to improve the durability, deformation and fatigue resistance over conventional non-modified binders. It provides a cost effective treatment for treatment of road with extensive cracking offers superior performance to traditional asphalt and spray seals and potentially increase the use of crumb rubber in Australia. The reduced maintenance cycles achieved through the use of crumb rubber asphalt and spray seal provides enhanced value to the asset owners, a cost saving passed on to Waratah-Wynyard Council, Circular Head Council and the rate payer/ road users. The asphalt is produced using warm mix technology. The lower asphalt mix and placement temperature resulted in a substantial reduction in fuming and odour during production, placement, transport and surfacing operations.

The benefits of crumbed rubber modified binders include:

- *Reducing the number of end of use tyres to landfill;*
- *Increase binder viscosity;*
- *Increase film thickness on aggregate;*
- *Improved elastomeric properties;*
- *Improved fatigue resistance (crack resistance);*
- *Gap graded asphalt utilising high percent crumbed rubber modified binder can be place at half the thickness of conventional asphalt when placed on cracked roads; and*
- *Excellent adhesion properties when used in surface seals.*

All of the above objectives have been met through meticulous planning and quality control as well as open and explicit communications with all interested parties. The other positive outcome achieved through this project has been community and industry education in regard to the use of crumb rubber, awareness of TSA and the positive environmental impacts that can be achieved at little to no extra cost through circular economy initiatives. 50 tonne of crumb rubber was consumed in the initial project and market research indicates future growth.

All of the benefits that we know crumb rubber from tyres can deliver are extremely important in Tasmania. The results from the work that we have completed show the product performing well with extremely high stone retention, especially in high stress corners and steep grades as well as a consistent and uniformed appearance over heavily patched and inconsistent prepared surfaces. I personally see crumb rubber binders as the best option in Tasmania for multiple reasons. As just mentioned:

- *High stress corners;*
- *Uphill, downhill high stress breaking;*
- *Environmental conditions – The variance in weather conditions that differ to the rest of Australia, we know that we experience all extremes of weather in Tasmania, crumb rubber binders are a good way to mitigate these risks;*
- *Financial benefits – low homeowner rates, limited prep for seal funding, large road network – low population causes stress on local and state government budgets. Crumb rubber delivers a cost effective alternative to virgin PMB's; and*
- *Environmental benefits – tyre stockpile, Longford and Mowbray / largest in Australia currently.*

Put simply, the crumb rubber product works better, lasts longer and is better for the environment.'

FINANCIAL IMPLICATIONS

Council has adopted a budget in 21/22 for the provision of bitumen surfacing services, including the reseal of Martin Street, Wynyard. The budget adoption for the reseal of Martin Street is \$93,983 owing to the level of pre-seal preparation works required to prevent reflective cracking and seal failure resulting using conventional reseal techniques.

The quotation received from Fulton Hogan to complete the resealing works on Martin Street, utilising a recycled crumbed rubber modified binder in lieu of traditional methodologies is estimated to be \$56,266.

This would result in a \$37,716 budget saving, allowing for the reseal works to also occur on Raglan Street for \$24,150 and achieving total estimated budget savings of \$13,646.60. It is estimated that the loss on disposal incurred from bringing Raglan Street forward to complete in 2021/22 would be \$892.75.

RISK IMPLICATIONS

In the conduct of any contract there are risks to Council, including time delays and poor quality of work. The use of experienced contractors and formalised project management documentation will minimise any risk to Council.

CONSULTATION PROCESS



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

CONCLUSION

Use of recycled crumb rubber modified bitumen is proven to be an environmentally sustainable technique to reduce waste to landfill whilst providing a significant cost saving to Council in lieu of tradition surface preparation/repair techniques for this type of surface failure.

It is recommended that on this basis, Fulton Hogan are awarded these projects for the purposes of reseal using a recycled crumb rubber modified bitumen.

9.10 INTEGRATED COUNCIL ENVIRONMENTAL PLAN (ICEP) - ANNUAL UPDATE

To: Council
Reporting Officer: Project Manager
Responsible Manager: Director Infrastructure and Development Services
Report Date: 4 August 2021
File Reference:
Enclosures: 1. iCEP Actions - Status Update (August 2021) 
2. IPCC Climate Summary Report for Policy Makers 

RECOMMENDATION

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

PURPOSE

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

BACKGROUND

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

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

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

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

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

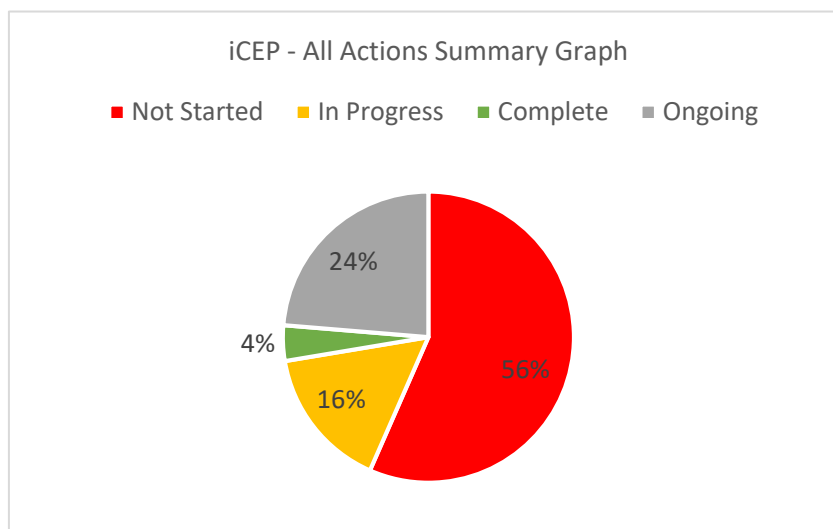
DETAILS

Since adopting the iCEP, new research regarding global climate change has become available from the Intergovernmental Panel on Climate Change (IPCC). The latest research, released on 9 August 2021, suggests that global surface temperatures are rapidly changing and will continue to increase until at least the mid-century under all emissions scenarios considered. Global warming of between 1.5 and 2.0 degrees Celsius will be exceeded during the 21st century unless deep reductions in carbon dioxide and other greenhouse gas emissions occur in the coming decades. The best of the five scenarios modelled is in line with 1.6 degrees of warming between 2041 and 2060, before dipping back below 1.5 degrees by the end of the century. The worst of the five modelled scenarios suggests 1.6 degrees of warming within 20 years and a planet that's likely 4.4 degrees hotter by the end of the century. Information relating to our climate is constantly updated in light of new scientific evidence and we will continue to review new information as it comes to light. A copy of the summary headlines from the IPCC is attached to this report for further information

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

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

Of the 152 actions recognised within iCEP, six of those have been completed and a quarter of them (36) are recognised as "ongoing" activities embedded into standard business practice. Further details on progress is shown in the summary graph below.



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

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

1. Planting of 3,500 trees throughout the municipality during 2020/21, including a large rehabilitation at the Ballast Pit site.
2. Updated the 10-year Corporate Strategic Plan 2017-2027 to reflect the environmental philosophies and priorities contained within iCEP.

-
3. Development of an Environmental Sustainability Policy.
 4. Installation of a solar panel system for the use of renewable energy at the Wynyard Council Chambers.
 5. Development of the Draft Fossil Bluff and Surrounds Master Plan in partnership with the Wynyard Landcare Group.
 6. Installation of a Recycling Hub at the Wynyard Council Chambers.
 7. Development of a Settlement Strategy.
 8. Installation of virtual fencing devices on the Sisters Beach Road in partnership with the Sisters Beach Community Association.
 9. Agreement with Wynyard Landcare to translocate several species of heathland plants (several of which are rare in Tasmania and some are the only example of their species known in the Wynyard area) to a public reserve.
 10. Recycling of insitu pavement material to reduce use of natural materials, fewer truck kilometres on the road and fewer carbon emissions as part of pavement renewal works on Deep Creek Road, George Street and Pelissier/Raglan roundabout.
 11. Developed and implemented a paperless Planning, Building and Plumbing assessment process.
 12. Provided compostable dog poo bags in our public dispensers with the added benefit of this style being more cost effective than the plastic alternative that was being used.
 13. Supported the Wynyard High School's Climate Awareness Day by participating in workshop/s and providing sustainability educational information.
 14. Added an environmental sustainability criteria to the tender evaluation process to ensure future tenders are assessed accordingly.
 15. Continued sustainability efforts at Warawyn Early Learning Centre, including:
 - a) Warawyn - indigenous edible garden being created in collaboration with community members.
 - b) Partnered with LiveWell to secure funding for a Bee Friendly garden.
 - c) Educators undertake online training re food handling and are and accredited "Move Well, Eat Well" service, promoting nutrition and physical activities. Family resources are available and promoted. Produce grown at services, is used to supplement morning and afternoon tea and surplus offered to parents. Boat Harbour Outside School Hours Care (through children's interests) grow tomatoes with excess made into sauce and offered to parents and families.
 - d) Warawyn staff educate children about soft plastics and recycling. Promote and deliver plastics to local drop off centre. Parents/families are encouraged to use "package free" items in lunchboxes. Promote Nude Food Month, Earth Hour, World Water Day annually.

Some of the key activities planned to be delivered during the 2021/22 financial year are:

1. Undertake a Council emissions audit and set an emissions target to achieve carbon neutrality by 2050 with interim targets on the pathway to this goal.
2. Establish an Environmental Advisory Committee.
3. Develop a suite of indicators relating to the key aspects of iCEP for ongoing evaluation of progress.

4. Conduct a public place recycling bin audit.
5. Continued implementation of the Waste and Resource Recovery Strategy, including investigating opportunities to include smart technology, continuous improvement in operations and further exploration of a rural kerbside collection service.
6. Finalisation and endorsement of the Fossil Bluff and Surrounds Master Plan and commence implementation, including continued partnership with Wynyard Landcare and Parks and Wildlife for planned and purposeful revegetation and land management of the area.
7. Continue to work towards eradication of invasive weed species such as gorse and sea spurge.
8. ANZAC Park erosion mitigation works.
9. Establishing and offering a community solar grant program.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Tourism	Memorable visitor experiences all year round – The must see destination, quality product, easy access, popular events and festivals with coordinated marketing. A longer season with increasing yields.
Access and infrastructure	Local, regional and global transport and infrastructure access – Safe and efficient access alternatives, growing freight capacity, renewable energy, water management and contemporary communications. Community infrastructure that supports economic development.
Natural resource management	Managing abundant, natural and productive resources – Natural resource management is valued and development is environmentally sustainable. The environment is clean and healthy with unspoilt beauty and biodiversity.
Health and Wellbeing	Maintaining good health and wellbeing – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.
Place making and liveability	Liveable places for all ages – Liveable attractive townships, relaxed lifestyles and community pride attract people to Murchison. Communities have history and character that drive their place-making strategies. Sport and recreation is widely supported especially by young people. Multi-purpose recreational and cultural facilities are well utilised.
Governance and working together	Working together for Murchison – Everyone plays a part in achieving the objectives of the Sustainable Murchison Community Plan. There is cooperation, resource sharing and less duplication between Councils. Leadership is provided across all community sectors.

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

There are no directly related environmental implications as a result of this progress update, however actions contained within iCEP are intended to reduce Council's environmental footprint, provide education and access to relevant environmental information, and improve the community's adaptability and resilience to climate related risks.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

There are no risk implications associated with undertaking this progress update.

CONSULTATION PROCESS

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

CONCLUSION

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

9.11 WASTE AND RESOURCE RECOVERY STRATEGY - ANNUAL UPDATE

To: Council
Reporting Officer: Project Manager
Responsible Manager: Director Infrastructure and Development Services
Report Date: 5 August 2021
File Reference:
Enclosures: 1. Waste and Resource Recovery Strategy - Annual Update



RECOMMENDATION

That Council note the annual status update on the progress of the Waste and Resource Recovery Strategy 2019-2024.

PURPOSE

To provide Council with an annual update on the status of the actions recommended within the Waste and Resource Recovery Strategy 2019-2024 (WARRS).

BACKGROUND

The WARRS seeks to critically assess the way waste services are provided to customers to ensure that Council is meeting the needs of the community whilst still providing value-for-money services. It relates only to the activities which generate waste from households and business directly.

The WARRS is a commitment to achieving a 50% diversion of waste from landfill by 2024, in line with the regional waste diversion target, and the continuous improvement in the way Council manages waste generated within the community. To be in the best position to meet the target, Council must introduce progressive ways to minimise waste to landfill through implementing targeted activities and broad education and advocacy programs.

The strategic aim of the WARRS and its objectives are:

To grow a sustainable community through proactive waste initiatives and increasing materials recovery.



Figure 2 - Strategy Objectives

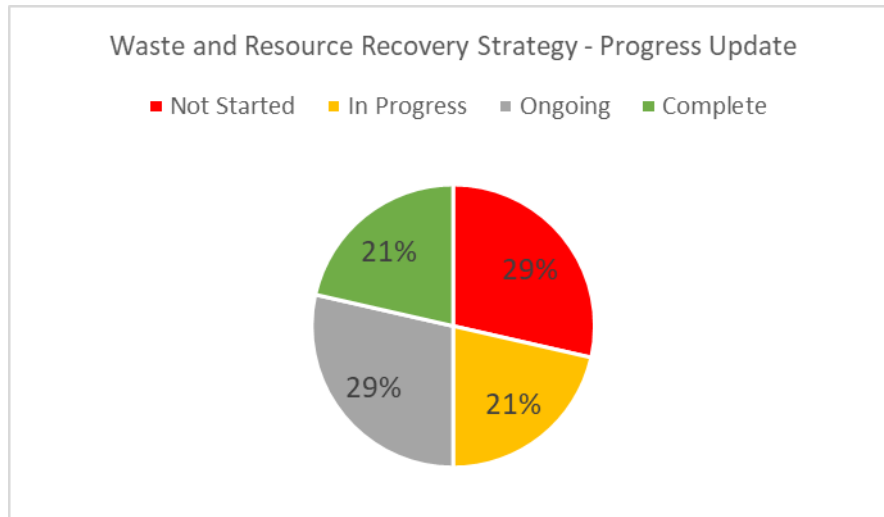
The WARRS was adopted by Council on the 19 August 2019.

DETAILS

The WARRS proposed a series of actions against four focus areas of Materials Recovery; Education and Awareness; Environmental Compliance; and Value-for-money.

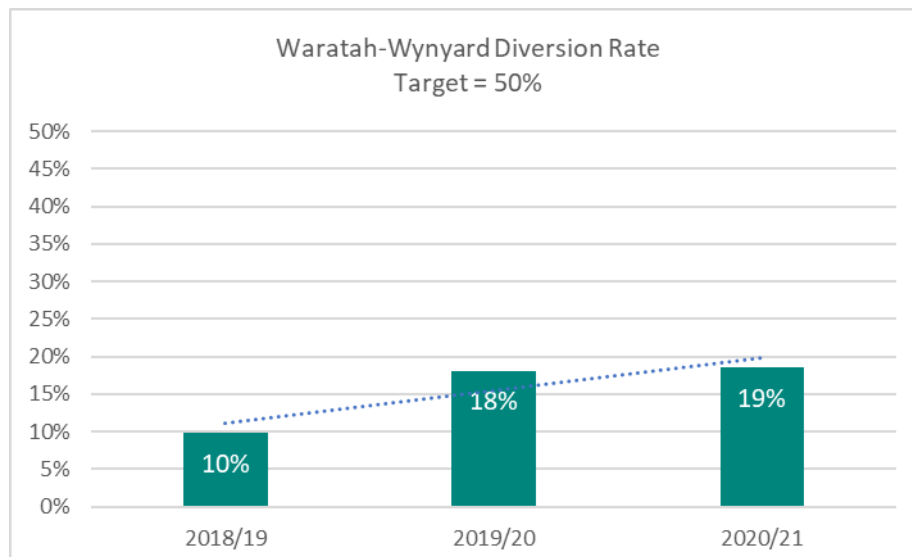
A detailed update of the activities undertaken against each action has been included in the table attached to this report.

Of the 28 actions, six have been completed, six are in progress and eight are embedded into standard business practices. The remaining eight actions have not been started; however, some are included for commencement during the 2021/22 financial year.



A key aim of the WARRS is to reach 50% diversion of waste from landfill by 2024/25, similar to the target set within the regional waste strategy. One difficulty in relation to measuring this target is the integrity of the data used to ensure it is consistent across all years measured and across all councils within the region.

The below data represents the estimated diversion rate for community waste within Waratah-Wynyard, based on waste and recycling tonnages from the kerbside and waste transfer station streams. Data for builder's rubble, green waste and cardboard could not be obtained during the preparation of this report and will be flagged as a possible future improvement. For the 2020/21 financial year, Council recorded an approximate 19% diversion rate which is 31% behind the targeted 50%.



One of the largest components of the Waratah-Wynyard community's waste is food and garden organics (FOGO) material. A feasibility study on a FOGO collection service was undertaken during 2020 and the final results tabled at the 16 November 2020 Council Meeting. The feasibility study suggested that a 54-58% recovery rate could be achieved if a kerbside FOGO collection service was implemented, and if not, it was acknowledged that the diversion target may not be met. Whilst there was potential for an improved diversion rate, the proposed service presented other challenges such as a perceived lack of value-for-money as considered through community feedback on the predicted service costs. There were also concerns of adding further costs to community members during a period of uncertainty due to Covid-19. For these reasons Council determined:

That Council note the contents of the Food Organics and Garden Organics (FOGO) Feasibility Study and given the current economic uncertainty:

- 1. Reject at this time, any implementation of a Waratah-Wynyard FOGO kerbside collection service; and**
- 2. promote alternative methods to encourage the diversion of FOGO materials from landfill.**

The MOTION was put and was CARRIED unanimously.

Further efforts to divert waste from landfill will be explored in the future in line with the actions contained within WARRS.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

There are no directly related environmental implications as a result of this progress update, however actions contained within the WARRS are intended to divert waste from landfill and reduce the community's environmental footprint.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

There are no risk implications associated with undertaking this progress update.

CONSULTATION PROCESS

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

CONCLUSION

It is therefore recommended that Council note the annual status update on the progress of the Waste and Resource Recovery Strategy 2019-2024.

9.12 TOURISM PLAN REVIEW

To: Council
Reporting Officer: Manager Tourism and Marketing
Responsible Manager: General Manager
Report Date: 29 July 2021
File Reference: 1
Enclosures: Nil

RECOMMENDATION

That Council note the final review of the 2011-2020 Tourism Plan.

PURPOSE

To provide Council with a summary of the progress and outcomes across the six recommendations of the 2011-2020 Tourism Plan.

BACKGROUND

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

The Plan outlined the general challenges facing the tourism industry at the time, with the fallout of the Global Financial Crisis creating threats including rising personal debt and decline in affordability of domestic travel in comparison to overseas travel providing pressure on domestic tourism. In addition, regional destinations were noted as facing the additional challenge of low-cost airlines entering the market making fly-in fly-out short stay holidays more attractive than longer, touring holidays.

The report also detailed the underdeveloped tourism industry in the Waratah-Wynyard area, identifying that of the 102 businesses listed in the tourism database, 'most are not active at a local level and even less with regional or state marketing activities. The industry was also noted as having 'limited capability to function independently to manage, grow and foster tourism in the municipality'. Adoption of new technology was low, with only a few operators having live book ability of their products. Almost all of the local industry comprised of micro-tourism businesses with fewer than 3 employees. The report also noted a lack of understanding of the various structures within the tourism industry and the roles each played.

Not surprisingly given the above findings, since the report was commissioned around 60% of the businesses identified in the municipal area no longer in operation. The industry tends to be transient and vulnerable to seasonality and market forces. The structure of the broader tourism industry has also had many changes over the duration of the plan, with the Zone Marketing Groups being superseded by Cradle Coast Tourism Association and subsequently by the West by North West Regional Tourism Association. Tourism Tasmania has moved to a marketing organisation only, with industry development falling under the Department of State Growth at a State Government level. Council has also changed the structure of its Tourism and Marketing functions.

DETAILS

The Plan made recommendations for Council to concentrate their tourism efforts around six key areas.

A number of the recommendations speak directly to actions to be carried out by the Waratah-Wynyard Tourism Special Committee (WWTSC), which existed as the tourism administration body of Council at the time the plan was commissioned. This committee has since been abolished and the functions have been absorbed into Council roles including Tourism, Events and Economic Development.

A summary of the performance against recommendations follows:

Infrastructure recommendations

- WWC continue to manage public infrastructure.
 - Complete a needs assessment of tourism infrastructure through the WWTSC including directional and interpretive signage.
 - Complete the Wynyard Wharf development.
 - Install Mining heritage interpretation into the Waratah Athenaeum Hall
 - Focus on key strengths of wilderness and coastal experiences and work with CCA, land managers and/or neighbouring Councils.
-

Council continues to manage public tourism-related infrastructure including:

- Wonders of Wynyard Exhibition and Visitor Information Centre
- Waratah Caravan Park
- Athenaeum Hall (Tarkine Interpretation centre) – including mining heritage interpretation
- Kenworthy Stamper Mill
- Waratah Museum
- Fossey Information Hut
- Table Cape Lighthouse tours
- Interpretive signage including the Town of Tin Walk in Waratah, lookouts and viewing platforms including Table Cape and Whyte Hills.
- Walking track signage
- Wynyard Wharf development
- Public toilets, picnic tables, parks, playgrounds and BBQ's
- Coastal pathway and associated linkages

Tourism Planning recommendations

- Appoint a full-time Tourism Development Coordinator
- Amend Council Tourism structures
- Investigate potential to tender Waratah Tourism services

-
- Support all-of-council volunteer management program
-

- Council now has a Manager, Tourism and Marketing employed on a .9 basis overseeing the tourism functions including the Wonders of Wynyard. Tourism structures have been amended to reflect the growing importance of Tourism to the municipal area, with strong connections with Regional Tourism Organisation (WXNW), the Tasmanian Visitor Information Network (TVIN), Tourism Industry Council of Tasmania (TICT) accreditation for the Wonders of Wynyard. Council also has successful partnerships and alignment with Tourism Tasmania and Department of State Growth priorities for tourism such as the Western Wilds Story Stop at Waratah, the Reimagining the Regions report, Destination Action Plan and various tourism marketing programs.
- A Request for Proposal process was conducted in 2015 for the Waratah Tourism Assets, with no successful tenderer. The process has remained open and on the table for interested parties since, with a number of options being explored but no interest being followed through to contract stage. Council continues to look for innovative ways to manage the tourism potential of Waratah and the assets Council manages continue to be maintained.
- Council is currently creating a Volunteer Management system, with a centralised volunteer registration, induction and training process.
- The Waratah-Wynyard Municipality Destination Action Plan (DAP) was developed through industry and community consultation and collaboration in 2017, with a number of infrastructure projects were highlighted as priorities such as developments around Table Cape and an all-abilities playground. The actions of the DAP are reported to Council separately.

Visitor Services recommendations

- Review the operational structure of the Wonders of Wynyard
 - Review opening hours of Athenaeum Hall
 - Maintain tourism infrastructure at Fossey Information Bay
-

- The operational structure of the WOW has undertaken significant changes. The Manager, Tourism and Marketing provides marketing, strategic and operational direction, with four permanent and casual staff across the 7 day roster managing the day to day operations of the WOW. Volunteers are rostered each day across 2 shifts to augment the service delivered by staff.

With an internal makeover and a re-focussed business plan, 2015 marked the beginning of a period of rapid growth in retail sales, visitation and ticket sales to the Veteran Car Collection. The WOW won its first Tasmanian Tourism Award for excellence in 2016, in recognition of the new initiatives including a focus on Tasmanian products in the retail section, new marketing strategies and a commitment to excellence in visitor servicing

through industry participation. This award has been won each year since, with a silver medal at the Australian Tourism Awards a highlight in early 2020.

- The opening hours of the Athenaeum Hall are reviewed each year during budget deliberations and have been maintained at 12 hours per week for the past several years.
- Fossey Information Bay has been retained by Council, with the Waratah Tourism Association now taking stewardship of the information displays and content.

Community Events and Festivals recommendations

- Align 'Colours of Wynyard' to the WWTSC and broadened the scope of this group to include events and festivals throughout the municipality.
- Retain part-time Festival project Coordinator
- Review structure of foreshore market

The Festival Coordinator role has now been merged into a full time Community and Events Officer role within Council. The Tulip Festival has grown exponentially over the past 5 years, winning Regional and State Awards for excellence and attracting an estimated 20,000 people in 2019 (the festival was cancelled in 2020 due to COVID-19 restrictions). The Events Officer works closely with regional and state events bodies to leverage funding and align with cooperative marketing opportunities. The Events Officer also builds community capacity by assisting local organisations with event development and management. Events are recognised as key drivers for tourism and included in our marketing strategies.

Encouraging investment recommendations

Council work with the WWTSC to produce:

- skills gap analysis
- investment prospectus
- review of barriers to investment
- regional planning scheme that encourages sensitive and sustainable development.

The WWTSC no longer exists and the focus of the Tourism role over the past 5 years has been on the industry support and development, visitor servicing and marketing and promotions.

Marketing and Promotion recommendations

- Develop a performance-based marketing plan
- Market the activities and attractions of Waratah under the banner of 'Last Explorers'
- Seek representation on the Zone Marketing Groups
- Establish co-operative marketing strategy
- Monitor industry contribution to Council initiatives, in particular destination promotion, event development and associated sponsorship.

- Following on from the 2017 Council-wide rebranding project, a Destination Marketing Strategy was developed by consultants *The Contenders*. The four themes of Secret Nature, Culture Dive, Artist Footpath and Eco-adventure and their associated coloured ‘threads’ are incorporated into current destination marketing. The concept of underpinning these themes with seasonal events also forms the basis of Council event planning and marketing.
- Council has continued to invest in tourism support, development and promotion, including the instigation of and on-going support for the Waratah Tourism Association and the Waratah Community Board. The Waratah Promotions Plan 2017 provided a framework for the development of the brand identity and promotions for Waratah. Council updated the Town of Tin interpretation panels and produces a promotional flyer for the town. Other marketing activities such as the ‘Wintervention’ by Sunrise TV program and various other tourism related media have been supported by Council.
- A number of co-operative marketing opportunities are offered to local businesses by Council regularly, including advertising in the Welcome to Tasmania brochure, Travelways, Holiday at Home publications and print campaigns such as the ‘Get Closer’ 2020 campaign. These are well supported and received by local operators.

STATUTORY IMPLICATIONS

Statutory Requirements

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

GOAL
Desired Outcomes
5.4 Pathways to improve liveability now and in the future are provided.
Our Priorities
5.4.1 Develop a recognised brand and actively market the local government area.

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

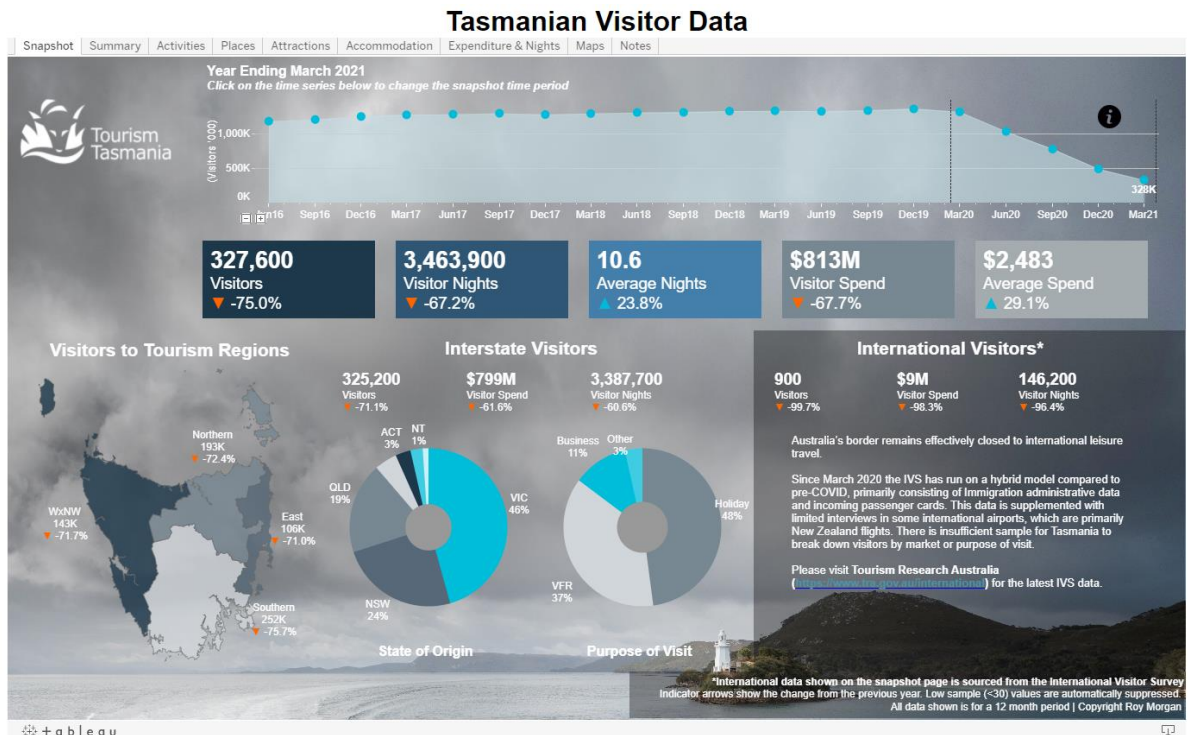
CONSULTATION PROCESS

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

CONCLUSION

Between June 2016 (first available Tasmanian Visitor Survey (TVS Data) and March 2020, Tasmania as a whole state saw a growth in visitation of 11.4%. During the same time, the North West region experienced growth of 4.5% and Wynyard visitation increased by 7.6%. This trend shows Wynyard increasing in popularity as a destination at a much faster rate than other destinations within our region over the past 5 years.

Tourism in general took a downward turn after March 2020 with the COVID-19 pandemic causing global travel to shut down and interstate travel to be severely disrupted for the past 18 months. Visitor numbers across Tasmania have plummeted to around 25% of pre-COVID levels.



Whilst this report provides evidence of some positive gains and commendable achievements for the Waratah-Wynyard municipal area pre-COVID, the development of the 2020-2025 Tourism Plan (Tourism Plan) will see a updated tourism plan that is mindful of the challenges the industry faces now and in the coming years, whilst building on the positive gains made in destination branding, visitor servicing and tourism infrastructure development.

The development of the new Tourism Plan has been delayed due to COVID disruptions and staff resourcing. Resourcing issues have been addressed and the coming year will see the completion of the Tourism Plan in conjunction with Regional Tourism and the completion of an Annual Plan Action to “Complete year 1 actions of the Tourism Plan 2020-2025.

9.13 SENIOR MANAGEMENT REPORT

To: Council
Reporting Officer: Executive Officer
Responsible Manager: General Manager
Report Date: 12 July 2021
File Reference: 1202
Enclosures: Nil

RECOMMENDATION

That Council note the monthly Senior Management Report.

SUMMARY/PURPOSE

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

GENERAL MANAGERS OFFICE

ACTIVITIES SINCE LAST COUNCIL MEETING

Listed below is a summary of activities undertaken by the General Manager during the period 17 July to 6 August 2021.

Corporate

- Enterprise Bargaining has commenced to develop a new Enterprise Agreement. The first meeting of a negotiation committee, comprising of those staff that elected to be bargaining representatives, was held with further meetings scheduled throughout the next few months. Council's Enterprise Agreement expires 31 December 2021
- Attended the Community Conversation session at Boat Harbour Beach
- Met with the Mayor and Acting Mayor as an update and handover meeting

Community

- Met with a developer seeking information on Wynyard and surrounds
- Met with residents from Pages Road regarding queries about access to private properties
- Attended a meeting of the Boat Harbour Beach Working Group
- Met with West x North West and Business North West regarding tourism opportunities at Table Cape
- Attended a meeting of the Wynyard Sports Precinct working group

Industry

- Attended a meeting delivered by West x North West and Optimum Standard, the team engaged to deliver Tasmania's Agritourism Accelerator Program

- Attended the TasWater Owner Representatives Quarterly briefing
- Attended the Local Government Association of Tasmania General Meeting and Annual Conference

Other

- Met with Labor's Senator Anne Urquhart and provided an update on Council project's and activities
- Met with Liberal Federal Representative Gavin Pearce and provided an update on Council project's and activities

Ballad Avenue Disposal Progress Update

Council, at its meeting in April 2021, resolved to proceed with the sale of land at 0 Ballad Avenue (PID 1875765). Council also authorised the General Manager to undertake an expression of interest process for the sale and development for residential purposes.

Since its meeting in April, Council has received new information relating to the site that requires further consideration before any development of the land.

Following concerns from the local Wynyard Landcare group that there is a presence of protected species on the site, Council's NRM Officer facilitated an inspection of the site by a local nursery operator considered an expert on local provenanced native plant species.

The presence of Eucalyptus Brookerianna, commonly known as "Brooker Gums" was noted on the site. Eucalyptus Brookerianna is considered endemic to Tasmania and is classed as critically endangered. It is now protected under Tasmanian State and Australian Government law.

Council officers will seek independent advice to verify the findings and implications on the site's development.





Two of the stands of Eucalyptus brookerianna (Brookers Gum), initially identified by the smooth grey and white mottled bark, at Ballard Avenue during the inspection.

Resource Sharing

Resource Sharing Report to 30 June 2021

Council continues to support and action the resource sharing agreement between Circular Head and Waratah Wynyard Councils. This agreement provides a valuable collaborative approach to meeting increasing community expectations and innovation in service delivery.

The formal resource sharing arrangement helps both Councils to:

- Secure future viability for their communities;
- Deliver better and relevant services;
- Retain their own unique identity;
- Maintain final decision making with each Council;
- Be proactive and choose mutually beneficial alliance;
- Make long term cost savings;
- Spend savings on more projects and resources;
- Develop economies of scale; and
- Attract skilled staff.

Both Councils pursue joint strategic tasks and projects, including sharing plant and equipment, undertaking joint procurement and contract management activities, policy development, reviewing business processes, and shared meeting attendance and joint Committee representations. Councils have worked on the following projects this financial year as of 30 June 2021.

REPORTS OF OFFICERS AND COMMITTEES

Project/Area	Benefits Sought
Shared Plant & Equipment	
Investigating opportunities for sharing equipment.	<p>On an ongoing basis, Works Managers actively investigating options to share equipment, including the ability to reduce reliance on contractors where business case and scale support.</p> <p>Throughout the December quarter, site visits have occurred to consider options for sharing roadside slashing equipment. The outcome of the investigation concluded that there are opportunities for efficiency. More information will be provided to Councillors throughout the budget deliberation process.</p>
Shared Procurement and Contract Management Activities	
Building asset revaluations – shared engagement	<p>Reduction in duplications of effort and cost using one process, advertisement and assessment panel.</p> <p>Greater value for money achieved in through greater economy of scale.</p> <p>Less cost to suppliers in making one submission rather than two.</p>
Cyber Security Audit Procurement	<p>In December, CHC assisted WWC with scoping an internal review by sharing its own approach and learning from its own audit/review. This has saved WWC officers administrative time in the procurement process.</p> <p>Outcomes of WWC review will be shared with CHC for opportunities to work together on any improvement projects arising from the review.</p> <p>There have been several shared improvements made to date, including antivirus and an upgrade to the backup environments, both on-premises and “cloud”.</p>
Bridge replacement procurement was conducted jointly for the replacement program for 2020/21.	<p>The result of the procurement for 2020/21 was to award separate contracts in this instance, but this collaborative process allowed for administration and project management efficiencies, the potential to attract a broader sector of the market—more significant testing of the market and pricing options to consider for the best value.</p> <p>The market will be tested again over the coming months with opportunities to be explored for joint procurement of the 2021/22 capital budgets.</p>
Coordination of specialist assessments	<p>Whilst specialists are currently engaged by each Council, and there is coordination in the logistics to benefit from travel efficiencies.</p>

Shared Policies & Procedures	
<p>Legislative Audits This is an ongoing program to undertake internal audits of Councils compliance with legislation. This program test Councils compliance with various legislative requirements. Throughout the quarter both councils undertook a Local Government Highways Act Audit.</p>	<p>The benefits of undertaking this program together include the efficiency gained from sharing specialized staff knowledge and using a shared audit program and framework. This reduces the preparation time required to prepare and report on findings and makes the audit program cost-effective.</p> <p>An added benefit for Circular Head Council is that the audit has some independence.</p> <p>The program itself provides the Council with assurance about compliance with its statutory obligations.</p> <p>Joint audits are undertaken or currently underway this year to date include:</p> <ul style="list-style-type: none"> - <i>Public Health 1997</i> - <i>Food Act 2003</i> - <i>Local Government Highways Act 1982</i> - <i>Public Health 1997</i> - <i>Local Government Highways Act 1982</i> - <i>Land Use Planning and Approvals Act</i>
<p>Safety Systems</p>	<p>Review of CHC safety systems was undertaken by WWC HR and Safety Coordinator who as able to provide further guidance and resources.</p>
Shared Meeting Attendance and Joint Committee Representations	
<p>Joint Council Workshop – 26 August 2020 This joint workshop with Councillors focused on the Waste and Resource Recovery Strategy 2019-2024 and the merits of implementing a food and organic collection.</p>	<p>Benefits include reduced duplication of effort in presenting and preparing presentations, collaboration, and sharing ideas and perspectives.</p>
<p>Joint Executive Meetings There have been three meetings held this financial year to explore operational opportunities that could benefit both Councils.</p>	<p>Meeting 18 August 2020 Outcomes of the meeting:</p> <ul style="list-style-type: none"> • Progress the shared internal legislative audit program. • Explored opportunities and learnings from shared procurement practices, including training. • An agreed annual program of key assets and financial tasks. <p>Meeting 15 December 2020 Outcomes of the meeting:</p> <ul style="list-style-type: none"> • Progression of the shared internal legislative audit program. • Discussed regional blackspot connectivity issues and potential funding opportunities. Agreed to schedule a meeting with Telstra and MP Gavin Pearce to better understand extent of problems and solution options for the region. (meeting has since been held and a joint workshop including both Councils is proposed once the matter has progressed further). • Agreed to share IT Cyber Security Audit learnings and explore opportunities to work together.

	<p>Meeting 24 March 2021 Outcomes of the meeting:</p> <ul style="list-style-type: none"> • Agreed to explore shared funding opportunities through JLT for an WHS framework audit. • Agreed to continue with the quarterly internal legislative audit program. • Agreed to share and discuss annual plan priorities of each Council to identify further opportunities to work together. • Discussed future direction of the Sustainable Murchison Plan given Burnie’s withdrawal. • Reviewed 5 priority projects identified by the Sustainable Murchison Reference Group and agreed on the following actions for inclusion in each Council annual plans to progress collectively: <ol style="list-style-type: none"> 1. Lobby for an update of the regional land use strategy based using the settlement strategies of Waratah Wynyard Council and Circular Head Council as evidence to support the need for change. 2. Continue to lobby the department of state Growth and local MPs for funding to improve internet speeds and address mobile blackspots. 3. Continue to collectively lobby and advocate for the Bass Highway upgrade, including a commitment to completion timeframes. 4. Undertake a review of the Sustainable Murchison 2040 Community Plan next financial year to ensure its continued relevance in the post COVID environment. <p>Meeting 29 June 2021 Outcomes of the meeting:</p> <ul style="list-style-type: none"> • Discussion on local government reform and potential impacts on communities.
<p>NRM Officer Joint rep on Western Fire Area Management Committee</p>	<p>The NRM Officer’s role across both councils enables the representation of both communities in consideration of bushfire planning.</p>
<p>Western Emergency Management Committee The committee is a joint committee of 3 councils: Burnie, Circular Head, & Waratah Wynyard Council</p>	<p>Broader input and sharing of skills and resources for emergency planning. Single plan and framework. Increased access to other government agencies who can attend one meeting between three rather than three individual meetings. A joint representative attended a meeting held 29 October 2020 & 10 February 2021. Joint response to State Evacuation plans provided to the state government.</p>
<p>Shared Training</p>	
<p>Leadership Training Works teams at both councils undertaking combined leadership training.</p>	<p>Benefits included efficiencies of scale, joint training and language. This opens the scope for greater collaboration between teams when moving in similar directions.</p>

REPORTS OF OFFICERS AND COMMITTEES

<p>Shared Procurement Training LGAT Vendor Panel training</p>	<p>It reduced administration cost in the coordination of training and shared experiences and knowledge and increased flexibility of time.</p>
<p>Public Interest Disclosure Training Tasmanian Training Consortium</p>	<p>This training was more cost-effective by coordinating on behalf of all NW Councils and allowing an additional session that would otherwise have not been accessible to NW Councils. The training was undertaken on 19 March 2021.</p>
<p>Integrated Strategic & Operational Planning</p>	
<p>Digital Connectivity</p>	<p>Jointly advocating for improved telecommunications. This has involved working together with Telstra to identify potential areas for improvement and discussions with the Regional Communications Minister.</p>
<p>Youth Plan</p>	<p>The Community Services Teams have developed an implementation plan for 2021 with a joint project officer now delivering the program for both Councils. Youth Officers jointly deliver programs and facilitate opportunities for young people.</p>
<p>Age-Friendly Community Plan</p>	<p>The Community Services Teams of both Councils have developed an implementation plan for 2021</p>
<p>Health & Wellbeing Program</p>	<p>The Health and Wellbeing Plan was developed across both municipal areas. An implementation plan was developed with shared responsibility for actions by both teams, irrespective of location. Joint funding was received (Breathe Eat Move Relax for a healthy lifestyle program (BEMR)) to implement a range of actions from the Health and Wellbeing Plan – a joint project officer will deliver this program over two across both Council areas. This program is now in its second year.</p>
<p>Asset Planning - Joint Project Delivery</p>	<p>Documentation efficiencies and joint learning across councils, whilst maintaining strategies and plans unique to each municipality. Collaboration draws on a wider pool of ideas and knowledge. Lowered costs from single and shared procurement of highly technical third-party advice (i.e. FOGO). Shared projects this year to date include:</p> <ul style="list-style-type: none"> • Transport Infrastructure Asset Management plans • Transport Infrastructure Service levels • Urban Stormwater Infrastructure Asset Management plans • Urban Stormwater Infrastructure Service levels • Waste and Resource Recovery Strategy 2019-2024 • FOGO Feasibility Study • Buildings Asset Management Plans • Building Revaluations

	<ul style="list-style-type: none"> Parks, reserves and sporting ground asset management plan and service level project planning for 2021/22.
Community Programs – Joint Project Delivery	<p>Documentation efficiencies and joint learning across councils, whilst maintaining strategies and plans unique to each municipality. Collaboration draws on a wider pool of ideas and knowledge.</p> <ul style="list-style-type: none"> Public Art Work Inspirations Youth Program Youth Leaders Programs Community Grants I am Project
GIS Modernisation Project	<p>Corporate GIS systems across the both Councils are disparate and non-web based and not currently accessible by field staff and the public.</p> <p>This shared software will provide a web based Corporate GIS System for both Councils allowing for enhanced user administration, ubiquitous access from any device and common operating platform across both Councils.</p>
Other Shared Business Processes	
<p>Shared Audit Panel The Independent Audit Panel is shared between both Councils and King Island Council.</p>	<p>Benefits from the shared panel include a reduction in administration and cost in relation to recruitment and training of independent members.</p> <p>The knowledge of Panel members is enriched through exposure to multiple Council operating environments which adds value to their ability to identify risks for each organization.</p>
<p>Dog Control Signage Exercise areas standardized formats across the two Councils. One set of standard signage designed and prepared at one Council.</p>	<p>Access to in house graphic design capability for both Council's.</p> <p>Avoid duplication of effort and increase consistency.</p>
<p>Mobile - Roads Defect Inspection Tool Methodology jointly developed by current Project Officers who were formerly works managers at each Council with close to 100 years working knowledge. Mobile tool programming developed by shared GIS Officer</p>	<p>This is a significant step forward in our structured asset management approach which will provide many ongoing benefits: -</p> <ul style="list-style-type: none"> Maintenance planning. Visual representation of defect in the road network to assist maintenance planning. Evidence based operational budgeting to meet Council's service standards.

As at 30 June 2021 there were 13 positions shared to varying degrees across the two Councils. The shared positions include:

Position	Split	Benefits
Employed by Waratah Wynyard Council:		
Director Community and Engagement	0.8 WWC 0.2 CHC	Enables the delivery of joint Community Wellbeing Plans and the collaboration of teams to deliver.
Manager Digital Innovation & GIS Services	0.8 WWC 0.2 CHC	Provide scale to develop and maintain GIS capacity at each Council.
Manager Development and Regulatory Services	0.5 WWC 0.5 CHC	Shared learnings applied to same legislative functions.

REPORTS OF OFFICERS AND COMMITTEES

Manager Asset Services	0.5 WWC 0.5 CHC	Each Council access to skill and resources. Same framework used across each Council.
Project Manager	0.5 WWC 0.5 CHC	Each Council accesses to the function. Similar or joint projects undertaken across both Councils.
Graduate Civil Engineer	0.5 WWC 0.5 CHC	Similar or joint projects undertaken across both Council's. Each Council access to this resource, reduce reliance on consultant designers.
Infrastructure – Future Projects & Delivery Coordinator ¹	0.5 WWC 0.5 CHC	Reciprocal arrangement. Skill sharing, leave coverage, and collaboration.
² Compliance Officer		Reciprocal arrangement. Skill sharing, leave coverage, and collaboration.
Employed by Circular Head Council:		
Director Infrastructure & Development	0.45 CHC 0.55 WWC	Collaboration and greater access to technical, strategic, executive and management skills across both Councils.
NRM Officer	0.5 CHC 0.5 WWC	Each Council accesses to the function. Similar program can be delivered with shared learning. Single representation at regional level.
IT Coordinator	0.5 CHC 0.5 WWC	Access to key skills. Benefits where shared projects or systems are implemented. Learnings are shared.
Plumbing Compliance Officer	0.5 CHC 0.5 WWC	Each Council accesses to the function.
Manager Engineering and Projects ¹	0.5 CHC 0.5 WWC	¹ Reciprocal arrangement. Skill sharing, leave coverage, and collaboration.
² Compliance Officer		Reciprocal arrangement. Skill sharing, leave coverage, and collaboration.

¹ These two roles interchange as a reciprocal arrangement.

² Reciprocal leave coverage and weekend call out arrangements, particularly in the area of Animal Control.

ADMINISTRATION – USE OF CORPORATE SEAL

13/7/21	Transfer of Land	9 Martin Street, Wynyard
20/7/21	Final Plan & Schedule of Easements	SD1902-A 7 Hill Court Wynyard (subdivision 43 lots reliance on Performance Criteria under residential zone provisions)
28/07/21	Final Plan & Schedule of Easements	3464919/3464898/3438489 – 18 Table Cape Road Wynyard – Subdivision (Boundary Realignment 3 Lots into 2) Subdivision 12.4.8 (P2)
29/7/21	Transfer of Easement	3371704 / 2673823 / 9724374 68A Irby Boulevard Sisters Beach

POLICIES TO BE RESCINDED

Nil

COMMUNITY CONVERSATIONS

The next round of Community Conversations will start in July. The time of forums will move from mornings to evenings and run for 1.5 hours.

Location	Date	Start Time	Number in Attendance
Boat Harbour Beach	26 July 2021	5.30pm	35
Sisters Beach	22 September 2021	5.30pm	
Yolla	17 November 2021	5.00pm	
Waratah	19 January 2022	5.30pm	
Wynyard	23 March 2022	5.00pm	
Somerset	18 May 2022	5.00pm	
TOTAL			35

WORKING GROUPS

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

	Elected Member Representatives	Responsible Officer(s)	Status
Wynyard Show Grounds	Cr Bramich Cr Edwards Mayor (ex-officio)	General Manager Recreation Liaison Officer Executive Officer (GM office)	The Wynyard Sporting Precinct working group continue to meet to progress their concept. Once this process is completed and the Wynyard Cricket Club have made a determination about their future location, meetings of the Wynyard Showgrounds Working Group can recommence.
WWC Environmental Plan	Cr Fairbrother Cr Courtney Cr House Mayor (ex-officio)	Project Manager – Infrastructure & Development Services	An Environmental Sustainability Policy has been adopted by Council. The next step will be for Council to work towards the creation of an Advisory Committee for the adopted policy.
Somerset Sporting Precinct	Cr Duniam Cr Hyland Mayor (ex-officio)	General Manager Manager Community Activation Recreation Liaison Officer	Preliminary investigation and design continues. The group will be convened pending results of initial studies
ANZAC Park		Director Community & Engagement	Internal working group meeting to review Tenders for the project.
Boat Harbour Masterplan	Cr Courtney Cr Fairbrother Cr Bradley Mayor (ex-officio)	General Manager Executive Officer (GM office)	Group last met on 22 July. Work is continuing in the background on infrastructure design and approval requirements. A full status report, with tenders and recommendations is likely to be provided at the September Council Meeting.

REPORTS OF OFFICERS AND COMMITTEES

PLANNING PERMITS APPROVED UNDER DELEGATION – JULY 2021

DA No.	Applicants Name	Location	Development	Date Permit Issued	No of Days to Process	(D)Discretionary (P)Permitted
DA 88/2021	Hotondo Homes North West Tas	19 Millpond Court Wynyard	Dwelling	02.07.2021	40	D
DA 99/2021	Abel Drafting Services	414 Murchison Highway Somerset	Outbuilding (Shed)	02.07.2021	42	D
DA 96/2021	RCC Design Pty Ltd	8 Brighton Place Wynyard	2 x Units	13.07.2021	42	D
DA 107/2021	Abel Drafting Services	664 Preolenna Road Moorleah	Outbuilding (2 x Sheds)	13.07.2021	42	D
SD 2122	EnviroPlan	76 Haywoods Lane & 250 Back Cam Road Somerset	Subdivision (Boundary Reconfiguration)	13.07.2021	42	D
DA 84/2021	M & S Ashe	41 Irbys Circus Sisters Beach	Visitor Accommodation (In a Motorhome)	14.07.2021	42	D
DA 60/2021	Tasbuilt Homes	139 Andersons Road Wynyard	Dwelling & Outbuilding (Garage)	15.07.2021	42	D
DA 34/2021	Wilson Homes	10 Banksia Avenue Sisters Beach	Dwelling & Water Tanks	26.07.2021	42	D
DA 113/2021	J Groenewege	400 Seabrook Road Somerset	Outbuilding (Shed)	26.07.2021	42	D
DA 116/2021	Abel Drafting Services	88 Hoares Lane Elliott	Dwelling & Shed	26.07.2021	28	P
DA 108/2021	Greiner & Associates Pty Ltd	82 Fosters Road Wynyard	Dwelling & Outbuilding (Shed)	28.07.2021	42	D
DA 117/2021	Andrew Smith Architects	2 Falmouth Street Somerset	Dwelling	28.07.2021	42	D
DA 110/2021	D Cuff	243 Port Road Boat Harbour Beach	Visitor Accommodation (Change of Use)	28.07.2021	42	D
SD 2124	PDA Surveyors Pty Ltd	39 & 41 Old Bass Highway Wynyard	Boundary Adjustment	28.07.2021	28	P
DA 78/2021	Lachlan Walsh Design	231 Old Bass Highway Doctors Rocks	Dwelling Extension	28.07.2021	42	D
DA 65/2021	6ty Pty Ltd	13, 15 & 17 Hepples Road Boat Harbour Beach	Demolition of Dwelling and New Dwelling, Retaining Walls & Associated Works	29.07.2021	55*	D
DA 42/2021	Jaws Architects	30 Church Street Wynyard	Child and Family Learning Centre and Associated Community Use	30.07.2021	42	D

*extension until 26 .07.2021

BUILDING PERMITS APPROVED – JULY

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
2021-79-01	S Chugg	29 Ramsden Street Somerset	Dwelling & Shed	13.07.2021	6	DA 190/2020
2021-89-01	Abel Drafting Services	85 Smiths Road Wynyard	Dwelling and 2 x Storage Sheds	16.07.2021	3	DA 51/2021
2021-57-01	M & F Pearce	139 Reservoir Drive Wynyard	Dwelling Alteration/Addition	16.07.2021	2	DA 182/2020
2021-110-01	T M & V F Lamprey Builders	6 Beamish Avenue Wynyard	Dwelling - New	20.07.2021	4	NPR

COUNCIL MEETING ACTIONS

	ITEM	TOPIC	ACTION/STATUS	OFFICER	STATUS
10/12/18	10.1	Wilkinson Street Highway Junction works Amended Motion carried	That Council on receipt of assurances from DSG that council legal expenses associated with any representation and associated legal process will be reimbursed <i>Notification has been received from Magistrates Court advising Wilkinson Street closure to proceed. Officers are liaising with Dept. of State Growth to determine timeline.</i>	MPE	Ongoing
22/6/20	8.2	NOM – Cr Fairbrother – Crown Land	Motion Carried - That Council consider that where areas of Crown land separate a road and a property boundary, for the purposes of planning, that the area be incorporated and or considered as a Part of the road reserve. <i>Council staff met with Minister Jaensch's office and they are going to follow up the option of Crown Land Services essentially providing a waiver that they have no interest where "impact" is limited to an existing access running through Crown Land. No further progress.</i>	MDRS	Progressing
19/10/20	7.3.3	CQWON – Cr Fairbrother – Building and Planning Statistics Reporting	Cr Darren Fairbrother asked if it was possible to have additional information added to building and planning reporting contained within the Senior Management Report each month to enable Councillors to be aware of what is happening with current applications that may not have progressed to advertising. For example, applications received, awaiting additional information or currently on advertising. <i>This request has been factored into the scope for an external planning services review. Given higher than usual volume of work in the planning area, the review has been deferred until later in the financial year</i>	GM	Progressing
16/11/20	7.3.6	CQWON – Cr Courtney – Expenditure Monitoring	Cr Courtney asked if the General Manager could advise how Councillors could be provided with further information and detail of purchases, in light of proposed changes to the purchasing policy. <i>Presentation on reporting and audit framework and how finances are managed to be presented to future Councillor workshop.</i>	DOP	In progress
15/3/21	7.3.4	CQWON – Cr Bramich – Mt Hicks Roundabout	<i>Officers are continuing to follow-up with relative departments and response is pending.</i>	DIDS	In progress
19/7/21	5.3.2	PQWON – C Hutchison Document Request	<i>Refer response this agenda</i>	DIDS	Complete
19/7/21	7.3.1	CQWON -Cr Courtney – Road Conditions	Cr Andrea Courtney asked if the State Government could be approached regarding condition of roads in the North West in key areas such as the Bass Highway near Doctors Rocks compared to similar roads to key tourist destinations in the south which seem to be much better maintained.	DIDS	Complete

			<i>Letter being prepared.</i>		
19/7/21	7.3.2	CQWON -Cr Edwards - Dog Attacks	Cr Celisa Edwards noted there had been a number of dog attacks by roaming dogs recently and asked if an update could be provided on what action had been taken. <i>Refer response this agenda</i>	GM	Complete
19/7/21	7.3.3	CQWON -Cr Hyland – Mobile CCTV	Cr Kevin Hyland asked if was possible to have a mobile CCTV camera that could be deployed to hotspots as required, for example Mount Hicks Roundabout vandalism. The General Manager noted it was possible however costs for set-up and deployment would need to be determined. The General Manager took the matter on notice to obtain the information <i>This matter has been scheduled for workshop with Councillors</i>	DOP	Complete
19/7/21	7.3.4	CQWON -Cr Hyland –Sue Walsh	Cr Kevin Hyland asked if Council had planned, or could consider, an acknowledgement of the work of Sue Walsh in the Waratah Community. The question was taken on notice <i>Contact has been made with current committee members to determine appropriate recognition of the contribution of Sue Walsh to the Waratah Museum. Acknowledgement will be incorporated into the next Community Conversation in Waratah.</i>	DCE	Complete
19/7/21	7.3.5	CQWON -Cr Bradley – Gates Rd Junction	Cr Maureen Bradley noted that she had previously requested that water pooling on the Bass Highway at the Gates Road junction could be addressed. The last weather event resulted in a warning sign being placed on the Highway; this time there are no signs and the pooling is causing vehicles to aquaplane. The water can't be seen until vehicles are already in a hazardous situation. Can council write to State Growth to have the issue addressed. The Director of Infrastructure and Development Services agreed to include the matter in letter to State Growth addressing other road issues. <i>Letter being prepared.</i>	DIDS	Complete

9.14 FINANCIAL REPORT FOR THE PERIOD ENDED 31 JULY 2021

To: Council
Reporting Officer: Corporate Accountant
Responsible Manager: Director Organisational Performance
Report Date: 6 August 2021
File Reference: 6
Enclosures: 1. July Monthly Capital Reporting 
2. Memo - Request for Tender Exemption 

RECOMMENDATION

That Council:

1. Notes the Financial Reports for the period ended 31 July 2021; and
2. Agrees to the non-application of a public tender process under section 27(i)(iii) of the Local Government (General) Regulations 2015 for design of flood mitigation works at Big Creek and Port Creek Wynyard.

PURPOSE

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

BACKGROUND

The financial reports presented incorporate:

- Income Statement
- Cash Position
- Rate Summary
- Tenders and Contracts
- Capital Works Report (attached)

DETAILS

The Finance Team have been working on Council's statutory financial reports for the 2020/21 financial year. Full reports will be presented to Council for formal adoption following the independent audit. Statements are due to be submitted for audit on 14 August.

Departmental performance against budget for the 2021/22 financial year will be reported from next month following finalisation of the end of year statements.

Council's Income Statement for July 2021 is provided below, there are currently no known variances to budget with the exception of those items outlined in the carried forward report included in this agenda.

Design Works – Big & Port Creeks

The General Manager has authorised the non-application of a public tender process for replacement the design of flood mitigation works at Big Creek and Port Creek Wynyard due to the unavailability of competitive or reliable tenderers.

A memo is attached to this report providing additional background to the works which need to be completed and the reason for the non-application of normal public tender processes.

STATUTORY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

Council Strategy or Plan Reference

Council Strategy or Plan	Date Adopted:
Financial Management Strategy 2021-2031	Adopted March 2021

POLICY IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONSULTATION PROCESS

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

CONCLUSION

All details are included in the attached reports.

Income Statement

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

Income Statement as at 31 July 2021

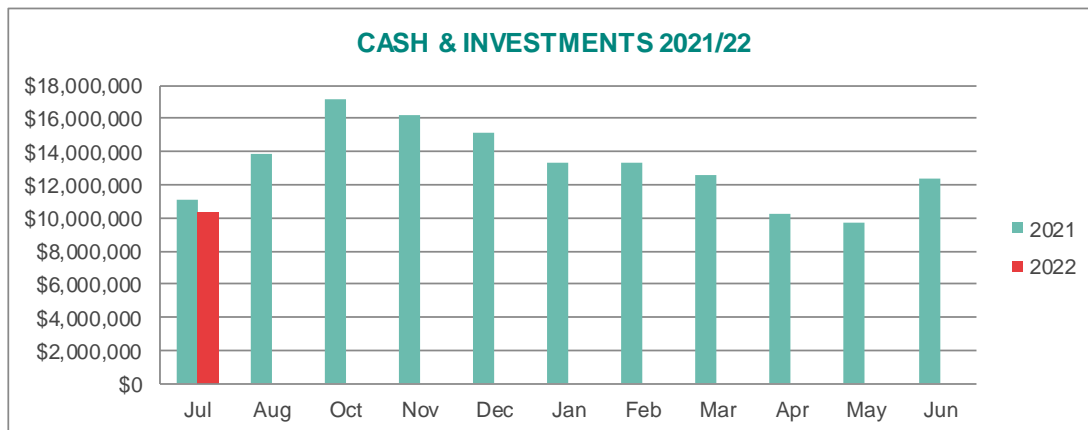
	YTD Actual	Budget	Forecast	Forecast Variance
Recurrent Income				
Rate Revenue	12,053,063	12,046,053	12,046,053	✓ -
User Charges	248,567	2,779,866	2,779,866	✓ -
Reimbursements/Contributions	34,170	788,355	788,355	✓ -
Grants and Subsidies	-	3,479,313	3,479,313	✓ -
Interest	10,146	74,000	74,000	✓ -
Distributions from Water Corporation	-	562,000	562,000	✓ -
Total Recurrent Income	12,345,946	19,729,587	19,729,587	✓ -
Recurrent Expenditure				
Employee Costs	622,786	8,047,404	8,047,404	✓ -
State Levies	-	630,703	630,703	✓ -
Remissions & Discounts	107,615	411,436	411,436	✓ -
Materials & Contracts	313,783	5,237,270	5,237,270	✓ -
Depreciation	391,270	4,695,237	4,695,237	✓ -
(Gain)/Loss on Disposal	-	74,102	74,102	✓ -
Borrowing Costs	-	48,307	48,307	✓ -
Other Expenses	17,865	276,450	276,450	✓ -
Total Recurrent Expenditure	1,453,319	19,420,909	19,420,909	✓ -
Surplus/(Deficit)	10,892,627	308,678	308,678	✓ -
Capital Items				
Capital Grants/Contributions	-	4,122,120	4,122,120	✓ -
Derecognition of Assets	-	-	-	✓ -
Asset Recognition	-	-	-	✓ -
Comprehensive Surplus/(Deficit)	10,892,627	4,430,798	4,430,798	✓ -

Cash Position

The following table provides an outline of Council's cash and investment portfolio as of 31 July 2021. Total cash and investments on hand as of 31 July is \$10.252m.

Cash Position as at 31 July 2021

	\$	INVESTMENTS	\$	Weighted Average Return
Deposits	9,903,582	Commonwealth Bank	347,177	0.00%
Petty Cash and Till Floats	1,600	Investments		
Trading Account	347,177	ME Bank	3,101,551	0.43%
		NAB	3,800,000	0.21%
		ING	2,500,000	0.27%
		Bendigo Bank	502,031	0.40%
		Petty Cash and Till Floats	1,600	
Balance - All Accounts	10,252,359		10,252,359	0.37%



Rates Summary

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

Overall a greater number of properties have paid current year rates in the month of July when compared with last year. Total receipts taken throughout the month totalled \$1,810,941 compared with \$1,703,197 last July (\$107,744 higher).

The total cost of the early payment discount incentive is dependent on the number of ratepayers taking up the incentive and the total cost for the current year will be known at the end of August. 26% of Council's ratepayers have so far elected to take advantage of the early payment discount incentive by paying their rates in full.

Interest penalties have been applied for the first time for the month of July in accordance with Council's Policy.

Rates Summary to 31 July 2021

	2021/22		2020/21	
	%	\$	%	\$
<i>Notice Issue Date - 16 July 2021</i>				
Outstanding Rates Debtors (1 July 2021)		775,169	5.00	602,240
Less: Rates in Credit		(715,966)		
NET RATES OUTSTANDING (1 July 2021)	0.49	59,203		
Rates and Charges Levied	99.47	12,094,825	95.00	11,451,582
Interest Penalties Charged	0.04	4,646	-	-
GROSS RATES AND CHARGES DEMANDED	100.00	12,158,673	100.00	12,053,822
LESS RATES AND CHARGES COLLECTED	14.89	1,810,941	14.13	1,703,197
REMISSIONS AND DISCOUNTS**	5.86	712,853	5.56	669,803
	20.76	2,523,794	19.69	2,373,000
ADD PROPERTIES IN CREDIT	(1.34)	163,335	(1.11)	133,903
UNPAID RATES AND CHARGES * (includes Deferred Rates)	80.59	9,798,214	81.42	9,814,725
**REMISSIONS AND DISCOUNTS		2021/22		2020/21
Early Payment Discount		114,266		72,884
Pensioner Rebates		597,162		596,919
Council Remissions and Abandonments		1,425		-
		712,853		669,803
Number of Rateable Properties		7,929		
Number of Unpaid Rateable Properties		5,819		
% not fully paid		73.39%		

Tenders & Contracts

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





Contract No And Description	Name and Address of Contract Holder	Contract Dates	Contract Extension Options	Contract Value at Start Date
762 – Provision of Roadside Weed Spraying Services	All Weed Solutions 45 Makombe Street Longford, TAS 7301	01/07/2021 – 30/06/2024	3 Years	\$25,088.94 per annum
764 – Camp Creek Final Rehabilitation	Gradco Pty Ltd 79-81 St Leonards Rd St Leonards, TAS 7250	28/02/2022 – 23/05/2022	N/A	\$297,488.97

In accordance with Waratah-Wynyard Council's Code for Tenders and Contracts, section 10, this report seeks Council approval for exemption from undertaking the public tender process for the design of flood mitigation works at Big Creek and Port Creek Wynyard.

Given the lack of competitive tenders received and the risk associated with timing of this project it is proposed to split the design construction elements to be procured separately. It is proposed to depart from public tendering for the design element and undertake a request for quote process to ensure valid and competitive pricing can be achieved. A memo outlining more reasons for the exemption is attached.

9.15 MINUTES OF OTHER BODIES/COMMITTEES

9.15.1 MINUTES OF OTHER BODIES/COMMITTEES - AUDIT PANEL COMMITTEE HELD 29 JUNE 2021, ANNUAL REPORT 2020/21 AND ANNUAL WORK PLAN

To: Council
Reporting Officer: Executive Officer - Governance and Performance
Responsible Manager: Director Organisational Performance
Report Date: 22 July 2021
File Reference: 007.17
Enclosures: 1. Audit Panel correspondence to Council 
2. Unconfirmed Minutes Waratah-Wynyard Council Audit Panel Committee - 29 June 2021 
3. Waratah-Wynyard Council Audit Panel Annual Report 2020/21 
4. Waratah-Wynyard Audit Panel Annual Work Plan 

RECOMMENDATION

That Council:

1. note the **Unconfirmed Minutes of the Audit Panel Committee meeting held on 29 June 2021;**
2. note the **Annual Report of the Audit Panel for the 2020/21 financial year; and**
3. note the **Annual Work Plan for the joint Audit Panel Committee.**

PURPOSE

The Audit Panel met on the 29 June 2021 and the Unconfirmed Minutes were released by the Chair on the 14 July 2021 and are presented to Council for noting.

BACKGROUND

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

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

The current members of the Shared Panel are:

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

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

DETAILS

Meeting Held 29 June 2021

The Audit Panel met on 29 June 2021 at the Circular Head Council Chambers.

The meeting reviewed the following standard agenda items:

- Business arising from previous meetings
- General Manager Risk and Assurance Certificate. The Panel noted the report on Roads to Recovery funding requirements, resolved legal matters and internal control improvements
- Communications from Council
- Financial Management reports presented to Council
- General Manager's Reports provided to Council
- Minutes of Safety (OSHWELL) Committee
- Internal audit reports. The Panel noted the outcome of the Waste Rates Charges internal audit and the supplementary rates internal audit currently underway.
- Tasmanian Audit Office Memorandum of Findings, noting that eight of the eleven findings from the 2019-20 Audit had been resolved
- Asset revaluation and policies/procedures review schedules noting the revaluation of building assets in 2020/21.
- Major initiatives. The Panel noted good progress on corporate system updates for online timesheets, customer request system and GIS user access upgrades.

The major work plan for the meeting covered:

- Financial management /financial governance – The Panel reviewed the 2021-22 Annual Plan and Budget, noting a 1.9% general rate increase and forecast operating surplus.

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

The Panel's next meeting is scheduled to be held on 24 August 2021 at the Waratah-Wynyard Council Offices.

Annual Report

The Chair of the Audit Panel, Mr John Howard, has provided an Annual Report summarising the Panel's activities for the 2020/21 financial year as well as a copy of the adopted Annual Work Plan jointly developed for both Waratah-Wynyard and Circular Head Councils. A copy of the Annual Report and the Annual Work Plan are attached.

The Chair's annual report highlights the work of the Panel in reviewing the outcome of a number of internal audits, including internal audits on procurement practices, cybersecurity, a review of waste charges identifying operational efficiency of detected of \$70,000 per annum, and the progress on supplementary rates internal audit to minimise revenue leakage.

Several legislative audits were also undertaken throughout the year. The Panel reviewed the internal audit reports and action taken by Council to address the areas of minor non-compliance. The Panel noted that the internal legislative audits were being undertaken jointly by Waratah-Wynyard and Circular Head Councils under the Councils' resource sharing agreement.

STATUTORY IMPLICATIONS

Statutory Requirements

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

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

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

STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

Sustainable Murchison Community Plan 2040

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no financial implications in this recommendation.

Costs associated with the Audit Panel are approximately \$11,000 per annum.

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

Not applicable.

CONCLUSION

It is recommended that Council note the Unconfirmed Minutes of the Audit Panel Committee held on 29 June 2021 and released by the Chair on 14 July 2021. The Annual Report of the Panel is attached for information and noting.

10.0 MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015; Regulation 15

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

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

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

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

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

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

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

RECOMMENDATION

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

Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) (h) - Leave of Absence Request - Councillors</i>	15(2)(h)
<i>Confidential Report R15 (2) - Closed Senior Management Report</i>	15(2)

11.0 CLOSURE OF MEETING TO THE PUBLIC

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2015; Regulation 15

RECOMMENDATION

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

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

12.0 RESUMPTION OF OPEN MEETING
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At pm the Open Meeting was resumed.

13.0 PUBLIC RELEASE ANNOUNCEMENT

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

Min. No.	Subject	Decisions/Documents

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