



**ORDINARY MEETING  
OF COUNCIL**

**MINUTES  
OPEN MEETING**

**16 September 2019**

---

---

**TABLE OF CONTENTS**

<b>1.0</b>	<b>RECORD OF ATTENDANCE .....</b>	<b>5</b>
1.1	ATTENDANCE.....	5
1.2	APOLOGIES .....	5
1.3	LEAVE OF ABSENCE PREVIOUSLY APPROVED .....	5
<b>2.0</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....</b>	<b>6</b>
2.1	CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY COUNCIL MEETING.....	6
<b>3.0</b>	<b>DECLARATIONS OF INTEREST .....</b>	<b>7</b>
<b>4.0</b>	<b>COUNCILLORS ANNOUNCEMENTS AND REPORT .....</b>	<b>8</b>
4.1	ANNOUNCEMENTS BY MAYOR.....	8
4.2	MAYOR'S COMMUNICATIONS.....	8
4.3	NOTIFICATION OF COUNCIL WORKSHOPS.....	9
<b>5.0</b>	<b>PUBLIC QUESTIONS AND STATEMENTS.....</b>	<b>10</b>
5.1	RESPONSE(S) TO PUBLIC QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING .....	10
5.1.1	MR C HUTCHISON - PREOLENNA HALL.....	10
5.1.2	MR C HUTCHISON - PREOLENNA HALL - EVIDENCE OF USAGE DATA.....	10
5.2	PUBLIC QUESTIONS RECEIVED IN WRITING .....	11
5.2.1	MR C HUTCHISON - PUBLIC QUESTIONS AND STATEMENTS .....	11
5.2.2	MR C HUTCHISON - PREOLENNA COMMUNITY CENTRE.....	12
5.3	PUBLIC QUESTIONS WITHOUT NOTICE .....	12
5.3.1	MR I. BERRY – EXERCISE EQUIPMENT SOMERSET .....	12
5.3.2	MR I. BERRY – BINS AT SOMERSET FORESHORE .....	12
5.3.3	MS R. KRABBE – GLOBAL CLIMATE STRIKE.....	13
5.3.4	MR C. HUTCHISON – PREOLENNA COMMUNITY HALL .....	13
<b>6.0</b>	<b>PLANNING AUTHORITY ITEMS .....</b>	<b>14</b>
6.3	DWELLING EXTENSION 267 PORT ROAD, BOAT HARBOUR BEACH - DA 96/2019 .....	14
6.4	OUTBUILDING LOCATED AT 17 ELFRIDA AVENUE, SISTERS BEACH- DA101/2019.....	41
<b>7.0</b>	<b>MATTERS RAISED BY COUNCILLORS.....</b>	<b>56</b>
7.1	RESPONSE(S) TO COUNCILLOR QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING.....	56

7.1.1	CR FAIRBROTHER - SISTERS BEACH EROSION UPDATE FROM CROWN LAND SERVICES .....	56
7.1.2	CR C. EDWARDS - YARD ROAD YOLLA .....	56
<b>7.2</b>	<b>COUNCILLOR QUESTIONS RECEIVED IN WRITING .....</b>	<b>57</b>
7.2.1	CR D. FAIRBROTHER - IMPACT OF STATEWIDE PLANNING SCHEME ON BUILDING ACT OR REGULATIONS ON LANDSLIP ZONES .....	57
<b>7.3</b>	<b>COUNCILLOR QUESTIONS WITHOUT NOTICE .....</b>	<b>65</b>
	NATURAL BURIALS.....	65
	SISTERS BEACH COMMUNITY MEETING - COASTAL EROSION .....	65
	BOAT HARBOUR BEACH - POTHOLES .....	65
<b>8.0</b>	<b>NOTICE OF MOTION .....</b>	<b>66</b>
<b>8.1</b>	<b>CR D. FAIRBROTHER - PUBLIC STATEMENTS AT COUNCIL MEETINGS .....</b>	<b>66</b>
<b>9.0</b>	<b>REPORTS OF OFFICERS AND COMMITTEES.....</b>	<b>67</b>
9.1	OPEN SPACE, SPORT AND RECREATION PLAN - ANNUAL UPDATE .....	67
9.3	ANIMAL CONTROL REPORT .....	102
9.4	WYNYARD COMMUNITY HUB .....	106
9.5	LIVE STREAMING OF COUNCIL MEETINGS.....	112
9.6	LOCAL GOVERNMENT REFORM - RESPONSE TO REFORM DIRECTIONS PAPER ...	117
9.7	POLICY REVIEW: COUNCIL PROPERTIES - BOUNDARY FENCE POLICY.....	124
9.8	TENDER EVALUATION FOR CONTRACT #737 - FREDERICK STREET UNDERGROUND IRRIGATION .....	126
9.9	TENDER EVALUATION FOR CONTRACT #738 - CARDIGAN STREET RESERVE UNDERGROUND IRRIGATION .....	129
9.10	TENDER FOR CONTRACT 736 - CONSTRUCT WYNYARD RECREATION GROUND FEMALE-FRIENDLY CHANGEROOMS .....	132
9.11	CAPITAL WORKS CARRIED FORWARD ADJUSTMENTS 2019-20 BUDGET .....	136
9.12	FINANCIAL REPORT FOR THE PERIOD ENDED 31 AUGUST 2019 .....	139
9.13	SENIOR MANAGEMENT REPORT.....	161
9.14	MINUTES OF OTHER BODIES/COMMITTEES .....	173
9.14.1	MINUTES OF OTHER BODIES/COMMITTEES - WARATAH-WYNYARD COUNCIL AUDIT PANEL COMMITTEE HELD 27 AUGUST 2019 .....	173
<b>10.0</b>	<b>MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING .....</b>	<b>176</b>
<b>11.0</b>	<b>CLOSURE OF MEETING TO THE PUBLIC.....</b>	<b>177</b>
<b>12.0</b>	<b>RESUMPTION OF OPEN MEETING .....</b>	<b>178</b>
<b>13.0</b>	<b>PUBLIC RELEASE ANNOUNCEMENT.....</b>	<b>178</b>

---

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

**MINUTES OF AN ORDINARY MEETING OF THE WARATAH-WYNYARD COUNCIL TO BE HELD AT THE COUNCIL CHAMBERS, 21 SAUNDERS STREET, WYNYARD ON MONDAY 16 SEPTEMBER 2019, COMMENCING AT 6.04PM**

	<b>From</b>	<b>To</b>	<b>Time Occupied</b>
Open Council	6.04PM	6.21PM	17MINS
Planning Authority	6.21PM	6.48PM	27MINS
Open Council	6.48PM	8.25PM	97MINS
Closed Council	8.25PM	8.44PM	19MINS
Open Council	8.44PM	8.44PM	0MINS
TOTAL TIME OCCUPIED			190MINS

**AUDIO RECORDING OF COUNCIL MEETINGS POLICY**

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

**ACKNOWLEDGEMENT OF COUNTRY**

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

---

---

<b>1.0 RECORD OF ATTENDANCE</b>
---------------------------------

**1.1 ATTENDANCE**

Mayor Robby Walsh  
Councillor Mary Duniam  
Councillor Darren Fairbrother  
Councillor Celisa Edwards  
Councillor Allie House  
Councillor Gary Bramich  
Councillor Kevin Hyland  
Councillor Andrea Courtney

**IN ATTENDANCE**

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

**1.2 APOLOGIES**

Nil received.

**1.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Nil received.

---

---

<b>2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING</b>
--

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

MOVED BY	CR DUNIAM
SECONDED BY	CR BRAMICH

**That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at Council Chambers, 21 Saunders Street, Wynyard on Monday 19 August 2019, a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record with the following amendment:**

**Item 10.0 – Matters Listed to be Included in Closed Meeting – record to reflect that Crs House and Duniam voted against the motion.**

The MOTION was put and was CARRIED unanimously.

**IN FAVOUR**

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

---

---

<b>3.0 DECLARATIONS OF INTEREST</b>
-------------------------------------

**Councillor and Agenda Item Number**

Nil

**Staff and Agenda Item Number**

Director of Infrastructure and Development Services, Daniel Summers – Item 9.2

---

---

## 4.0 COUNCILLORS ANNOUNCEMENTS AND REPORT

### 4.1 ANNOUNCEMENTS BY MAYOR

Nil received.

### 4.2 MAYOR'S COMMUNICATIONS

13/8/19	Meeting with General Manager
14/8/19	Information Session on Reconciliation Action Plans
17/8/19	<b>DEPUTY MAYOR</b> Vietnams Veterans Day Service
19/8/19	Council Meeting
20/8/19	Meeting with Minister Ferguson, Minister Rockliff and Minister Jaensch regarding the Coastal Pathway
22/8/19	Cradle Coast Authority Representatives Meeting
24/8/19	Granville Harbour Wind Farm Open Day
26/8/19	Waratah Community Conversations forum
27/8/19	Audit Panel Meeting
27/8/19	Meeting with General Manager
27/8/19	Official Signing of Somerset Futures/Council Partnership Agreement
28/8/19	Business NW Breakfast
28/8/19	Community Business Breakfast – Healthy Food for All
28/8/19	Filming of Mayors Message
29/8/19	TICT Leadership Luncheon – North West in Focus
2/9/19	Councillor Workshop
3/9/19	Filming of Mayors Message
3/9/19	Meeting with General Manager
4/9/19	Meeting with Justine Key – UTAS
4/9/19	Battle for Australia Commemorative Service
4/9/19	Joint Councillor Workshop with Circular Head Council
9/9/19	Councillor Workshop
10/9/19	Filming of Mayors Message
10/9/19	Meeting with General Manager

MOVED BY	CR HYLAND
SECONDED BY	CR DUNIAM

### **That the Council note the Mayors Communications**

The MOTION was put and was CARRIED unanimously.

### IN FAVOUR

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



### 4.3 NOTIFICATION OF COUNCIL WORKSHOPS

#### Upcoming Workshops – Indicative only

23/9/19	U3A presentation
23/9/19	Cradle Coast Authority presentation
30/9/19	Boat Harbour Community Conversation
2/10/19	Commission Sarah Bolt – Councillor Responsibilities
2/10/19	NBN/Telstra Presentation
2/10/19	Sustainable Murchison Community Plan Update
9/10/19	Review of East Wynyard Playground design following public consultation

#### Councillor Attendance Record

##### Meetings attended during 2019/20

	Ordinary Meetings 2019/20 (2)	Special Meetings 2019/20 (0)	Workshops 2019/20 (10)	Weeks Leave Approved
Mayor Robert Walsh	2	0	10	
Deputy Mayor Mary Duniam	2	0	10	
Cr Gary Bramich	2	0	10	
Cr Andrea Courtney	2	0	6	
Cr Celisa Edwards	2	0	10	
Cr Darren Fairbrother	2	0	10	
Cr Allie House	1	0	8	1
Cr Kevin Hyland	1	0	6	

MOVED BY	CR DUNIAM
SECONDED BY	CR HYLAND

#### **That the Council note the following Councillor Workshops**

<b>2/9/19</b>	<b>Draft Animal Control Report Presentation</b>
<b>2/9/19</b>	<b>Business Plan for Warawyn Early Services and Wynyard Community Hub Project presentation</b>
<b>2/9/19</b>	<b>Council Roundtable session – 21<sup>st</sup> Century Council</b>
<b>4/9/19</b>	<b>Asset Management presentation – linking/addressing community needs/aspirations with long term financial forecasting and service level decision making</b>
<b>4/9/19</b>	<b>TasNetworks overview of Project Marinus</b>
<b>9/9/19</b>	<b>Draft Animal Control Report Presentation (cont'd.)</b>
<b>9/9/19</b>	<b>Visit to Wynyard SES</b>
<b>9/9/19</b>	<b>Legislative Reform discussion</b>

The MOTION was put and was CARRIED unanimously.

#### IN FAVOUR

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

---

---

**5.0 PUBLIC QUESTIONS AND STATEMENTS****5.1 RESPONSE(S) TO PUBLIC QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING****5.1.1 MR C HUTCHISON - PREOLENNA HALL****QUESTION**

Mr Hutchison of Preolenna asked if Council does not allocate funds based on Council building usage (*as stated in the officers response to item 5.2.1 of the May 2019 meeting minutes*) why did Council informally determine not to repair or maintain the Preolenna Hall because the asset showed limited use/requirement as detailed in item 5.2.1 of the July 2019 council Meeting Minutes?

The General Manager took the question on notice

**OFFICERS RESPONSE**

As has been previously advised, Council informally determined not to continue to maintain or repair the Preolenna Hall as the asset showed limited use/ requirement. At the time of decommissioning, there were no regular users of the Hall and Council could not justify spending significant amounts on repairs on an underutilised asset

**5.1.2 MR C HUTCHISON - PREOLENNA HALL - EVIDENCE OF USAGE DATA****QUESTION**

Mr Hutchison of Preolenna asked if council could provide documentary evidence that Preolenna Hall showed limited use before the decision was made to decommission the hall. He also asked if this was still councils' position and that there is still no evidence of a significant rise in use for the hall following review of his submissions.

The General Manager took the question on notice

**OFFICERS RESPONSE**

Council records do not have exact booking numbers for the Preolenna Hall. For a period prior to decommissioning of the Preolenna Hall, bookings for the facility were managed by a local resident rather than through Council. Historically, the Hall was utilised quite heavily by the local community for birthday parties, community festivals and as a community meeting place.

As people moved from the town and the population diminished, so did usage of the Hall. In its final iteration, the Hall was primarily utilised by a local Mother's Club and the local Fire Brigade. Other uses were irregular, one off events. The Mother's Club and the local Fire Brigade are no longer operational.

Other than the submissions from Mr Hutchison, there is no evidence of a significant rise in community requirement for the hall to be operational.

---

## 5.2 PUBLIC QUESTIONS RECEIVED IN WRITING

### 5.2.1 MR C HUTCHISON - PUBLIC QUESTIONS AND STATEMENTS

#### QUESTION

The council acts inconsistently with members of the public in their presentation and recording of questions and statements in the council minutes. For example: some members of the public receive immediate responses to questions without notice whilst my questions are 'taken on notice'.

Some members of the public print a copy of their written statement without notice and a council officer takes a copy for inclusion in the council minutes. This has happened on numerous occasions for various people, including myself. However, at the July and August council meeting, my statements have been ignored (apparently council did not receive my agenda item email, but conveniently receives and replies to other correspondence), as well as 'summarised', despite me printing and delivering a copy of my statement for inclusion in the council minutes.

In future, will council staff act consistently towards all members of the public in regard to their questions and statements with and without notice, and what guarantee will council staff provide?

#### OFFICERS RESPONSE

Council's adopted Meeting Procedures Policy, Clause 31 (5) states:

*The chairperson of an ordinary council meeting may:*

- (a) refuse to accept a question from a member of the public; or*
- (b) require a question from a member of the public asked without notice to be put on notice and in writing to be answered at a later ordinary council meeting.*

Whether a question without notice is answered at the meeting or "taken on notice" depends on the complexity of the question and whether all the information is available to respond accurately at the time.

In relation to the minutes, Clause 32 of the procedure states:

- (1) Subject to regulation 34(1), the general manager is to ensure that the minutes of a meeting accurately record the following matters:*
  - (a) any matter discussed at the meeting;*
  - (b) any decision made at the meeting;*
  - (c) if the Act or any regulations made under the Act require the making of a decision by absolute majority, that the decision was by absolute majority;*
  - (d) a summary of any address, statement or report made or provided on an invitation under regulation 38;*
  - (e) any motion moved during the meeting;*
  - (f) any question on notice by a councillor that is answered and the answer to that question;*
  - (g) any question asked and put in writing during the period referred to in regulation 31(3) and any written answer or summary of that answer to that question;*
  - (h) any question asked, without notice, by a member of the public and a summary of any answer given in response;*
  - (i) the attendance of councillors; and*

---

*(j) any absence of any councillor during the meeting, including the times of leaving and returning to the meeting. y motion moved during the meeting;*

The procedure does not require verbatim recording of questions or the reply, simply a summary of the question and answer. If the question is provided in writing, is concise and constructive it is included in full in the minutes. Those questions that are too lengthy, or unclear, are generally summarised for recording in the minutes.

## **5.2.2 MR C HUTCHISON - PREOLENNA COMMUNITY CENTRE**

### **QUESTION**

On which 2019 dates did council staff member Ashley McDougall meet with people to show them in and around the Preolenna Community Centre, and what was the purpose of this appointment.

### **OFFICERS RESPONSE**

Council has no obligation to report the movements of staff or the meetings which they attend. As indicated to you previously, over the past few years there has been a number of enquiries in relation to the hall, some resulting in site visits, but none of these enquiries have resulted in formal discussions reading lease or purchase of the site.

## **5.3 PUBLIC QUESTIONS WITHOUT NOTICE**

### **5.3.1 MR I. BERRY – EXERCISE EQUIPMENT SOMERSET**

Mr Ian Berry of Somerset asked when can we expect the exercise equipment that has been removed from the Somerset foreshore be reinstalled. He noted that there were eight pieces of equipment originally and now there are only three.

The Director of Infrastructure and Development Services advised that the equipment has not been reinstalled to date due to ongoing erosion concerns as well as the current design process for the development of ANZAC Park. Installation of exercise equipment will be considered during this process. There are no funds allocated in the 2019/20 budget for this project.

### **5.3.2 MR I. BERRY – BINS AT SOMERSET FORESHORE**

Mr Ian Berry of Somerset asked that one of the two rubbish bins, that were removed from within the turning circle out on the point between the two beaches, be reinstalled along with a dog bag station.

Mr Berry noted that he had spoken with Council Officers and did not accept that because the area was Crown Land council are not responsible for the provision of rubbish bins.

He stated that we look after our beaches and take pride in them it would be appreciated if council were to help us continue to act responsibly as dog owners.

The Director of Infrastructure and Development Services advised that item 9.3 on tonight's agenda is a Dog Control Report and this will include consideration of where dog bag stations will be located.

---

### **5.3.3 MS R. KRABBE – GLOBAL CLIMATE STRIKE**

Mrs Robin Krabbe asked what is council position re staff attendance at the Global Climate strike on 20 September 2019.

The General Manager advised that he had received no requests from staff at this point. He advised that any request would be considered and that Council has a strong interest and commitment to action in Environmental management which it is addressing through an Environmental Strategy currently being developed.

### **5.3.4 MR C. HUTCHISON – PREOLENNA COMMUNITY HALL**

Mr Codie Hutchison of Preolenna asked that considering the number of factors involved in determining the future direction of the Preolenna/Meunna and surrounds, will Council consider a significant delay of the expression of interest process for the Preolenna Community Centre, in order to carefully compose a long term strategic strategy for inland communities and adjacent public reserves, which reflect the insights over the past three decades as well as maximising the economic, social, cultural, environmental priorities for the residents, businesses and community groups within the municipal area.

The General Manager advised that he would take the question on notice. He also advised that as there was a Council resolution which asks that process commence, any changes would need to be addressed at a Councillor Workshop and brought back to a future Council meeting for discussion.

---

---

**6.0 PLANNING AUTHORITY ITEMS****PLANNING AUTHORITY OPENED AT 6.21PM****6.3 DWELLING EXTENSION 267 PORT ROAD, BOAT HARBOUR BEACH - DA 96/2019**

To:	Council
Reporting Officer:	Graduate Town Planner
Responsible Officer:	Manager Development and Regulatory Services
Report Date:	2 September 2019
File Reference:	7086783
Supporting Documents:	<ol style="list-style-type: none"><li>1. Consolidated Advertised Documents </li><li>2. Representation and Associated Documentation </li><li>3. Signed Extension of Time </li></ol>

---

**PURPOSE**

The purpose of this report is for Council to consider the merits of the Development Application DA 39/2019 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013*.

**BACKGROUND**

The subject site is located at 267 Port Road, Boat Harbour Beach and comprises approximately 5400m<sup>2</sup>. It is located within the Low-Density Residential zone and is accessed from Port Road via an existing crossover and internal driveway. The site is owned by Eleanora Holiday Cottages Pty Ltd and contains eight cottages which are individually occupied for residential purposes. The development application concerns Cottage Number 4. A tennis court and a variety of domestic outbuildings are also located on the site.

The adjoining titles to the north and west contain single dwellings and associated outbuilding development. The titles to the east across Port Road also contain single dwellings and associated outbuilding development. The land to the south across Cumming Street contains multiple dwelling development. A number of properties in the area are used for both residential and visitor accommodation purposes.

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

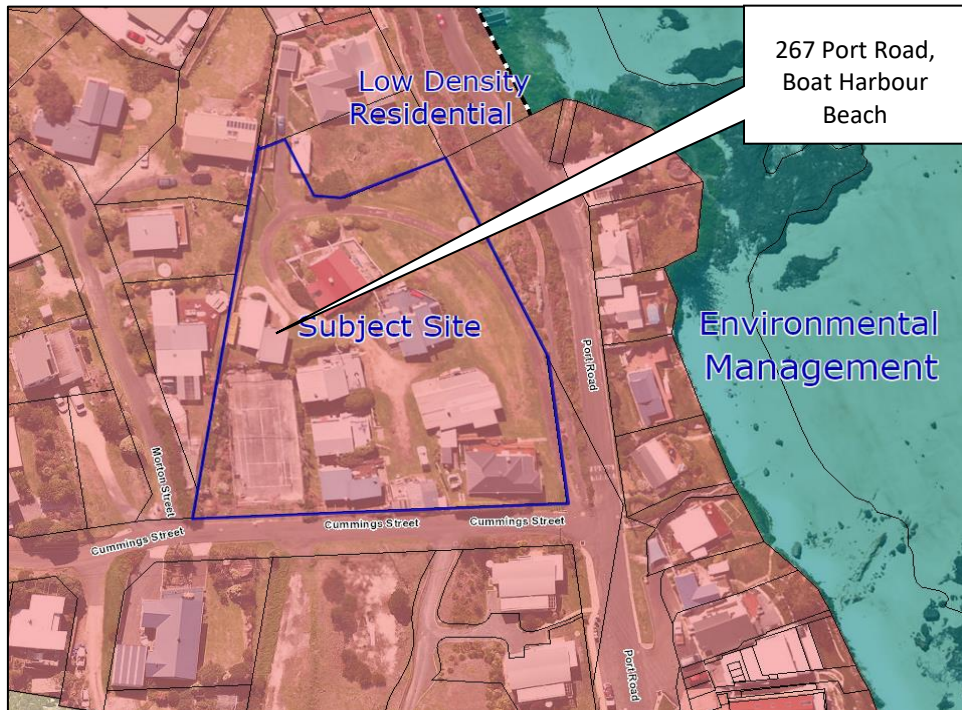


Figure 1: Subject Site with zoning

#### DETAILS

The applicant is seeking approval for a dwelling extension on a property described as 267 Port Road, Boat Harbour Beach (CT 247597/1). The property contains a multiple dwelling development, outbuildings and a tennis court. It is located in a residential area populated by single and multiple dwelling development.

The proposal is for an extension to Cottage No.4, which is located directly north of the tennis court and adjacent to the western title boundary of the subject site.

The proposed dwelling extension has an area of 101.7m<sup>2</sup> and a maximum height of 7.5m. The extension consists of a second storey addition to the existing cottage and comprises a bedroom with ensuite and walk-in-robe, study, lounge room, deck and separate balcony. It is clad in weatherboard and roofed in Colorbond to match the existing dwelling.

The extension is setback 2.83m from the western (side) title boundary and a minimum distance of 27m from all other title boundaries, including frontages onto Cummings Street and Port Road.

The proposal also includes two car parking spaces; 'Park 1' and 'Park 2'. Park 2 is an existing parking space whilst Park 1 is a proposed additional parking space. Both parking spaces are allocated to Cottage No.4.

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 Permitted use within the zone, should the application meet all the relevant Acceptable Solutions. The proposal does not comply with all the acceptable solutions. Therefore, the applicant is applying for discretion under the following clauses:

- Suitability of a site or lot for use or development 12.4.1 (P2, P3); and
- Use likely to be exposed to a natural hazard E6.5.2 (P1).



---

## CONSULTATION PROCESS

The consultation process was the public exhibition period set out in the *Land Use Planning and Approvals Act 1993* (LUPAA) and involved notification of adjoining 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 following documentation was advertised:

- Development Application Form X 3 Pages
- Title Documents X 2 Pages
- Agent Authorisation X 1 Page
- Landslide Risk Assessment X 21 Pages
- Additional Information Request X 1 Page
- Proposal Plans x 20 pages

The period for representations closed on 5 August 2019. A request for an extension of time to submit a representation was made on 5 August 2019 and the request granted by the General Manager pursuant to 57(5) LUPAA. The extension was granted until 12 August 2019.

One (1) representation was subsequently received. A map demonstrating the relationship between the subject site and the representor's property is shown in Figure 2.



**Figure 2: Relationship between 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: A copy of the photographs included with the representation are shown at the end of this table in Figures 3 and 4.*



## Representors – C Foster & G Hills

Issues raised:	Response:
<p>We did not receive any notice (written or otherwise) regarding the application prior to or during the advertising period.</p>	<p>Council is required to give public notice of discretionary planning applications. This involves advertising the proposal for two weeks in accordance with the requirements of s57 of LUPAA.</p> <p>A notice was placed in The Advocate on 20 July 2019 and a site notice placed on both frontages of the subject site on 19 July 2019. Adjoining land owners and occupiers, including the representors, were notified of the proposal by post. These letters were sent on 19 July 2019.</p>
<p>Suitability of a site or lot for use of development 12.4.1 (P3): The property resides on a single title comprising of multiple dwellings, the water supply is restricted and there are limitations on the number of inhabitants. With this extension increasing from a two bedroom cottage to a 3 bedroom family home with additional living space, it is reasonable to assume that number of people inhabiting the property will increase, if not now, with a future owner.</p>	<p>None of the properties in Boat Harbour are serviced by TasWater's reticulated water supply and the majority of properties, including the subject site, rely on tank water. The communal water tank for the subject site is located on the eastern side of the property, adjacent to Port Road.</p> <p>The proposal is for an extension to an existing dwelling which is part of a multiple dwelling development. There will be no increase in the number of dwellings relying on the existing communal water supply.</p> <p>According to Council records, the existing cottages contain a total of 17 bedrooms. Assuming a capacity of two persons per bedroom, the subject site has a population capacity of 34 people. The proposed extension does include an additional bedroom which has the potential to increase the capacity of the site by two people, or approximately 5.6%, however this is not a substantial increase in the overall population capacity of the subject site.</p> <p>It is considered that there is an adequate level of reliability, quality and quantity to service the anticipated use of the site as the proposal is not significantly increasing the intensity in use of the site.</p>
<p>Use likely to be exposed to a natural hazard E6.5.2 (P1)</p>	<p>The proposal satisfies the performance criteria for this Clause as demonstrated below under the planning assessment for E6.5.2 (Use likely to be exposed to a natural hazard).</p> <p>A Landslide Risk Assessment prepared by suitably qualified persons from Tasman Geotechnics was submitted with the application. The report provided both a discussion and recommendations, including limitations, to ensure that a very low to low risk profile can be achieved and maintained for the duration of the</p>

	<p>use of the building (50 years). Compliance with the Landslide Risk Assessment will form part of the conditions on any permit.</p>
<p>Overshadowing and loss of light: August - May, the extension will block the morning sun from our property. The morning sun currently hits our windows in the kitchen/dining, living area and master bedroom. This is what we rely on to heat our home for the day in the winter months. By not receiving this natural sunlight, our heating and lighting utility expenses will increase. The dwelling will directly overshadow our kitchen/meals area, and our outdoor deck which is used as additional living space in the summer months.</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.</p> <p>Impact on heating bills or efficiency of passive solar heating are not considerations under the Planning Scheme and are not relevant to any of the discretions invoked by the development application.</p> <p>As demonstrated above in Figure 2, the western title boundary of the subject site is shared with the representor's property. The proposal complies with the permitted setbacks from the common title boundary shared with the representor's property, as demonstrated below under Clause 12.4.3 (Location and configuration of development).</p> <p>Issues regarding overshadowing of the representor's property or proximity of the proposed dwelling extension to the shared title boundary are not matters for Council's consideration as the proposed development is located within the permitted building envelope in respect of the western title boundary.</p>
<p>Overlooking / loss of privacy: The proposed extension will directly look down upon our large deck and into our kitchen and living area making for less comfortable living conditions due to lack of privacy.</p>	<p>As demonstrated above in Figure 2, the western title boundary of the subject site is shared with the representor's property.</p> <p>The proposal complies with the permitted setbacks from the common title boundary shared with the representor's property, as demonstrated below under the planning assessment for Clause 12.4.4 (Visual and acoustic privacy for residential development).</p> <p>Issues regarding overlooking of the representor's property or proximity of the proposed dwelling extension to the shared title boundary are not matters for Council's consideration as the proposed development is located within the permitted building envelope in respect of the western title boundary.</p> <p>Further, there is only one window in the western elevation of the proposed dwelling extension. This window is for an ensuite which is not a habitable room and is unlikely to be occupied for any</p>

	<p>significant length of time. The deck and verandah included in the proposed extension are east facing and will not overlook the representor's property.</p>
<p>VISUAL AMENITY: <i>"The natural features of Boat Harbour Beach are a key visual element with the townscape responsive to the amphitheatre effect created by the landform. One and two storey dwellings are the dominant building form, with building stepping up with the slope."</i> - Boat Harbour Beach Plan_3 May 2019</p> <p><i>"There is a specific single storey height requirement for building on the lower side of Port Road"</i> - Boat Harbour Beach Plan_3 May 2019</p> <p>The charm and character of Boat Harbour Beach is aided by the amphitheatre flow of properties on the hill, looking over the beach. Within the planning scheme is states that that properties on the low side of the road cannot build second story extensions as it would disrupt that flow. The applicants dwelling is only considered the 'high' side of Port Rd due to sharing the land title with multiple dwellings, in reality the access road is not Port Road and the dwelling is on the low side of the properties on Morton street of which it directly backs onto. This property will become higher than the properties above it on Morton Street, including our property which it directly backs onto. This directly goes against town planning <i>'with building stepping up with the slope'</i></p> <p>As far as we can tell, our property will become the only property on the front side of Boat Harbour Beach unable to see Table Cape as the proposed extension will create a disruption to the amphitheatre incline of residential buildings by having a higher roof line than properties on Morton Street above it.</p> <p>In addition, the dwelling in question is white in colour and as it directly backs onto our kitchen/living space and outdoor deck the afternoon sun is going to create a strong glare as it reflects off of the large wall into our property. In-turn this will make living conditions both on the deck and inside the home glare-y and uncomfortable and it is likely we will need to use blinds during the day.</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.</p> <p>Consistency or compliance with strategic Council documents, including the Boat Harbour Beach Master Plan, is not a consideration under the Planning Scheme and impact on visual amenity or loss of view are not relevant to any of the discretions invoked by the development application.</p> <p>The site is not subject to any restrictive covenants or easements applicable to height and there are no specific provisions under the Planning Scheme restricting development height other than the standard provisions of the Low Density Residential zone. These provisions include a standard building envelope, with a maximum permitted height of 8.5m. The proposed dwelling extension has a maximum height of 7.5m.</p> <p>Acceptable Solution A6 for Clause 12.4.3 requires buildings on the lower side of a road in Boat Harbour to be single storey on the road elevation. The subject site is located on the higher side of Port Road and Cummings Road does not have a clear higher or lower side. The proposed dwelling extension is located behind the building line of existing development from both frontages and does not directly adjoin either road elevation. It is compliant with the A6 for this Standard.</p> <p>Similarly, the proposal complies the permitted setbacks from the common title boundary shared with the representor's property. Issues regarding visual impact on the representor's property, including colour choice and height, or proximity of the proposed dwelling extension to the shared title boundary are not matters for Council's consideration as the proposed development is located within the permitted building envelope in respect of the western title boundary.</p>
<p>In conclusion, although we understand Council cannot take into consideration 'loss of view' or 'perceived loss of property value' these factors are of huge concern to us both on a quality of life level, and financially. By losing a view, natural sun warmth in winter, and by having another property be visually imposing on ours, we understand this</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.</p>

application if approved will severely affect the resale value of our home. We have had independent valuers appraise the property whom have confirmed their valuations will decrease should the extension of 267 Port Road be approved. The worry and stress of losing a portion of our hard earned net worth and quality of life has been damaging to our mental health.

Impact on property values is not a consideration under the Planning Scheme and is not relevant to any of the discretions invoked by the development application.



**Figure 3: Representation Photo 1**



**Figure 4: Representation Photo 2**

---

## **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 un-loading of vehicles is to be confined to within the boundaries of the property.
- (3) Stormwater from the roofs and paved areas are to be diverted to Council's stormwater system in accordance with Geotechnical advice provided by Tasman Geotechnics dated 14 June 2019.

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 proposal did not require any 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 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.

### **12.0 Low Density Residential Zone**

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

<p><b>A1</b></p> <p>A site or each lot on a plan of subdivision must –</p> <p>(a) have an area of -</p> <p>(i) not less than 500m<sup>2</sup> excluding any access strip; or</p> <p>(ii) if in a locality shown in the Table to this clause, not less 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> <p>(i) clear of any applicable setback from a frontage, side or rear boundary;</p> <p>(ii) clear of any applicable setback from a zone boundary;</p> <p>(iii) clear of any registered easement;</p> <p>(iv) clear of any registered right of way benefitting other land;</p> <p>(v) clear of any restriction imposed by a utility;</p> <p>(vi) not including an access strip;</p> <p>(vii) accessible from a frontage or access strip; and</p> <p>(viii) if a new residential lot, with a long axis within the range 30° east of north and 20° west of north</p>	<p><b>P1</b></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>(i) erection of a building if required by the intended use;</p> <p>(ii) access to the site;</p> <p>(iii) use or development of adjacent land;</p> <p>(iv) a utility; and</p> <p>(v) any easement or lawful entitlement for access to other land; and</p> <p>(b) if a new residential lot, be orientated to maximise opportunity for solar access to a building area</p>
<p><b>Planning Comments:</b> Complies</p> <p>The subject site comprises approximately 5400m<sup>2</sup> and contains an existing multiple dwelling development. It does not contain any registered easement or restriction imposed by a utility and is accessed from Port Road. The proposed development is clear of all applicable setbacks and the burdening right of way registered on the title.</p> <p>The proposal complies with A1 for this Standard.</p>	
<p><b>A2</b></p> <p>A site or each lot on a subdivision plan must have a separate access from a road</p> <p>(a) across a frontage over which no other land has a right of access; and</p> <p>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</p> <p>(c) by a right of way connecting to a road</p> <p>(i) over land not required as the means of access to any other land; and</p> <p>(ii) not required to give the lot of which it is a part the minimum properties of a lot</p>	<p><b>P2</b></p> <p>(a) A site must have a reasonable and secure access from a road provided –</p> <p>(i) across a frontage; or</p> <p>(ii) by an access strip connecting to a frontage, if for an internal lot; or</p> <p>(iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(iv) the dimensions of the frontage and any access strip or the right of way must be</p>

<p>in accordance with the acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right of way of not less than –</p> <p>(i) 3.6m for single dwelling development; or</p> <p>(ii) 6.0m for multiple dwelling development or development for a non-residential use; and</p> <p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	<p>adequate for the type and volume of traffic likely to be generated by –</p> <p>a. the intended use; and</p> <p>b. the existing or potential use of any other land which requires use of the access as the means of access for that land; and</p> <p>(v) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan; or</p> <p>(b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan.</p>
<p><b>Planning Comments:</b> Complies</p> <p>The subject site has frontage onto Cummings Street and Port Road. It is accessed from Port Road via an existing crossover and internal driveway. The internal driveway is also subject to a burdening right of way in favour of 279 Port Road, which is comprised of two titles (CT 171021/2 &amp; 77973/2) and contains a single dwelling with associated outbuilding development. The proposal requires assessment against Performance Criteria P2 for this Standard.</p> <p>The proposal is for an extension to an existing dwelling which is part of a multiple dwelling development; there will be no increase in the number of dwellings. The density of residential development on 279 Port Road is unlikely to increase given the landslide hazards (including a Landslip Area B declaration) that are present on the site and that the existing dwelling spans both titles comprising the property.</p> <p>The right of way/internal driveway has a width of 4.02m. It is considered that the width of the shared access arrangements are adequate for the likely type and volume of traffic, given that these arrangements relate to an existing situation and that the proposal is unlikely to increase the intensity of use of the shared access.</p> <p>Council's road authority is satisfied that the existing arrangements are adequate to provide access for 267 and 279 Port Road, and has provided relevant permit conditions. No specific conditions relating to existing access arrangements were recommended.</p> <p>In this manner, the proposal satisfies P2(a) for this Clause.</p>	
<p><b>A3</b></p> <p>A site or each lot on a plan of subdivision must be capable of connecting to a water supply –</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system with a storage capacity of not less than 10,000 litres if–</p>	<p><b>P3</b></p> <p>(a) There must be a water supply available for the site or for each lot on a plan of subdivision with an adequate level of reliability, quality, and quantity to service the anticipated use of the site or the intended use of each lot on a plan of subdivision; or</p>

<ul style="list-style-type: none"> <li>(i) there is not a reticulated water supply; and</li> <li>(ii) development is for – <ul style="list-style-type: none"> <li>a. a single dwelling; or</li> <li>b. a use with an equivalent population of not more than 10 people per day</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(b) It must be unnecessary to require a water supply</li> </ul>
<p><b>Planning Comments:</b> Complies</p> <p>The subject site does not have a connection to TasWater’s reticulated water infrastructure and is not connected to a water supply in accordance with the <i>Water and Sewerage Industry Act 2008</i>. Water is via on-site supply. The proposal is for an extension to an existing dwelling which is part of a multiple dwelling development and therefore requires assessment against Performance Criteria P3 for this Standard.</p> <p>None of the properties in Boat Harbour are serviced by TasWater’s reticulated water supply and the majority of properties, including the subject site, rely on tank water. The communal water tank for the subject site is located on the eastern side of the property, adjacent to Port Road.</p> <p>According to Council records, the existing cottages contain a total of 17 bedrooms. Assuming a capacity of two persons per bedroom, the subject site has a population capacity of 34 people. The proposal is for an extension to Cottage No.4. There will be no increase in the number of dwellings relying on the existing communal water supply. The proposed extension does include an additional bedroom which has the potential to increase the capacity of the site by two people, or approximately 5.6%, however this is not a substantial increase in the overall population capacity of the subject site.</p> <p>It is considered that there is an adequate level of reliability, quality and quantity to service the anticipated use of the site, as the proposal is not significantly increasing the intensity in use of the site.</p> <p>In this manner, the proposal satisfies P3(a) for this Standard.</p>	
<p><b>A4</b></p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste –</p> <ul style="list-style-type: none"> <li>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</li> <li>(b) by onsite disposal if – <ul style="list-style-type: none"> <li>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</li> <li>(ii) the development <ul style="list-style-type: none"> <li>a. is for a single dwelling; or</li> <li>b. provides for an equivalent population of not more than 10 people per day; or</li> <li>c. creates a total sewage and waste water flow of not more than 1,000l per day; and</li> </ul> </li> <li>(iii) the site has capacity for onsite disposal of domestic waste water in accordance</li> </ul> </li> </ul>	<p><b>P4</b></p> <p>A site or each lot on a plan of subdivision must drain and dispose of sewage and liquid trade waste –</p> <ul style="list-style-type: none"> <li>(a) A site or each lot on a plan of subdivision must drain and dispose of sewage and liquid trade waste – <ul style="list-style-type: none"> <li>(i) in accordance with any prescribed emission limits for discharge of waste water;</li> <li>(ii) in accordance with any limit advised by the Tasmanian Environmental Protection Agency;</li> <li>(iii) without likely adverse impact for the health or amenity of the land and adjacent land;</li> <li>(iv) without compromise to water quality objectives for surface or ground water established under the State Policy on Water Quality Management 1997; and</li> </ul> </li> </ul>



<p>with AS/NZS1547:2012 Onsite domestic wastewater management clear of any defined building area or access strip</p>	<p>(v) with appropriate safeguards to minimise contamination if the use or development has potential to –</p> <ul style="list-style-type: none"> <li>a. indirectly cause the contamination of surface or ground water; or</li> <li>b. involve an activity or process which requires the use, production, conveyance or storage of significant quantities of sewage or trade waste that may cause harm to surface or ground water if released through accident, malfunction, or spillage; or</li> </ul> <p>(b) It must be unnecessary to require arrangements for the drainage and disposal of sewage or liquid trade waste</p>
<p><b>Planning Comments:</b> Complies</p> <p>The subject site has an existing connection to TasWater’s reticulated sewerage infrastructure.</p> <p>The proposal complies with A4 for this Standard.</p>	
<p><b>A5</b></p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater –</p> <ul style="list-style-type: none"> <li>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</li> <li>(b) if stormwater cannot be drained to a stormwater system – <ul style="list-style-type: none"> <li>(i) for discharge to a natural drainage line, water body, or watercourse; or</li> <li>(ii) for disposal within the site if – <ul style="list-style-type: none"> <li>a. the site has an area of not less than 5000m<sup>2</sup>;</li> <li>b. the disposal area is not within any defined building area;</li> <li>c. the disposal area is not within any area required for the disposal of sewage;</li> <li>d. the disposal area is not within any access strip; and</li> <li>e. not more than 50% of the site is impervious surface; and</li> </ul> </li> <li>(iii) the development is for a single dwelling</li> </ul> </li> </ul>	<p><b>P5</b></p> <ul style="list-style-type: none"> <li>(a) A site or each lot on a plan of subdivision must drain and dispose of stormwater – <ul style="list-style-type: none"> <li>(i) to accommodate the anticipated stormwater <ul style="list-style-type: none"> <li>a. currently entering from beyond its boundaries; and</li> <li>b. from the proposed development;</li> </ul> </li> <li>(ii) without likelihood for concentration on adjacent land;</li> <li>(iii) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land;</li> <li>(iv) to manage the quantity and rate of discharge of stormwater to receiving waters;</li> <li>(v) to manage the quality of stormwater discharged to receiving waters; and</li> <li>(vi) to provide positive drainage away from any sewer pipe, onsite sewage disposal system, or building area; or</li> </ul> </li> <li>(b) It must be unnecessary to require arrangements for the drainage and disposal of stormwater</li> </ul>
<p><b>Planning Comments:</b> Complies</p> <p>The subject site has an existing connection to Council’s reticulated stormwater infrastructure. Council’s Technical Officer requires the following condition to be included on any permit issued:</p>	

Stormwater from the roofs and paved areas are to be diverted to Council's stormwater system in accordance with Geotechnical advice provided by Tasman Geotechnics dated 14 June 2019.

In this manner, the proposal complies with A5 for this Standard.

#### 12.4.2 Dwelling density

<p><b>A1</b></p> <p>The site area per dwelling must –</p> <p>(a) be not less than 500m<sup>2</sup> if the site has –</p> <ul style="list-style-type: none"> <li>(i) connection to a reticulated water supply;</li> <li>(ii) connection to a reticulated sewer system; and</li> <li>(iii) connection to a stormwater system; or</li> </ul> <p>(b) if the site is in a locality shown in the Table to this Clause, not less than the site area for that locality.</p>	<p><b>P1</b></p> <p>The number of dwellings on a site must be consistent with the capability of the land for residential use in terms of –</p> <ul style="list-style-type: none"> <li>(a) a suitable building area;</li> <li>(b) access from a road;</li> <li>(c) provision of a water supply;</li> <li>(d) disposal of sewage;</li> <li>(e) disposal of stormwater; and</li> <li>(f) a tolerable level of risk from a natural hazard.</li> </ul>
<p><b>Planning Comments:</b> Complies</p> <p>The subject site comprises approximately 5400m<sup>2</sup> and contains eight cottages which are individually occupied for residential purposes. The proposal is for an extension to Cottage No.4. There will be no change in the existing dwelling density of 675m<sup>2</sup> per dwelling.</p> <p>The proposal complies with A1 for this Standard.</p>	

#### 12.4.3 Location and configuration of development

<p><b>A1</b></p> <p>The wall of a building must be setback from a frontage –</p> <ul style="list-style-type: none"> <li>(a) not less than 4.5m from a primary frontage; and</li> <li>(b) not less than 3.0m from any secondary frontage; or</li> <li>(c) not less than and not more than the setbacks for any existing building on each of the immediate adjoining sites;</li> <li>(d) not less than for any building retained on the site;</li> <li>(e) in accordance with any building area shown on a sealed plan; or</li> <li>(f) if the site abuts a road shown in the Table to this Clause, the setback specified for that road.</li> </ul>	<p><b>P1</b></p> <p>The setback of a wall of a building from a frontage must be –</p> <ul style="list-style-type: none"> <li>(a) consistent with the streetscape; and</li> <li>(b) required by a constraint imposed by – <ul style="list-style-type: none"> <li>(i) size and shape of the site;</li> <li>(ii) orientation and topography of land;</li> <li>(iii) arrangements for a water supply and for the drainage and disposal of sewage and stormwater;</li> <li>(iv) arrangements for vehicular or pedestrian access;</li> <li>(v) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme;</li> <li>(vi) a utility; or</li> <li>(vii) any lawful and binding requirement – <ul style="list-style-type: none"> <li>a. by the State or a council or by an entity owned or regulated by the State</li> </ul> </li> </ul> </li> </ul>
---	--

	<p>or a council to acquire or occupy part of the site; or</p> <p>b. an interest protected at law by an easement or other regulation</p>
<p><b>Planning Comments:</b> Complies</p> <p>The subject site contains eight cottages which are individually occupied for residential purposes. The proposal is for an extension to Cottage No.4. The extension is setback approximately 35m from the primary frontage onto Cummings Street and approximately 54m from the secondary frontage onto Port Road.</p> <p>The proposal complies with A1 for this Standard.</p>	
<p><b>A2</b></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>(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 21<sup>st</sup> June; or</p>	<p><b>P2</b></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> <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>

<p>b. a further reduction in continuous sunlight to a required minimum private open space area in an adjacent dwelling if already less than 2 hours between 9.00am and 3.00pm on 21<sup>st</sup> June; or</p> <p>(d) in accordance with any building envelope shown on a sealed plan</p>	
--	--

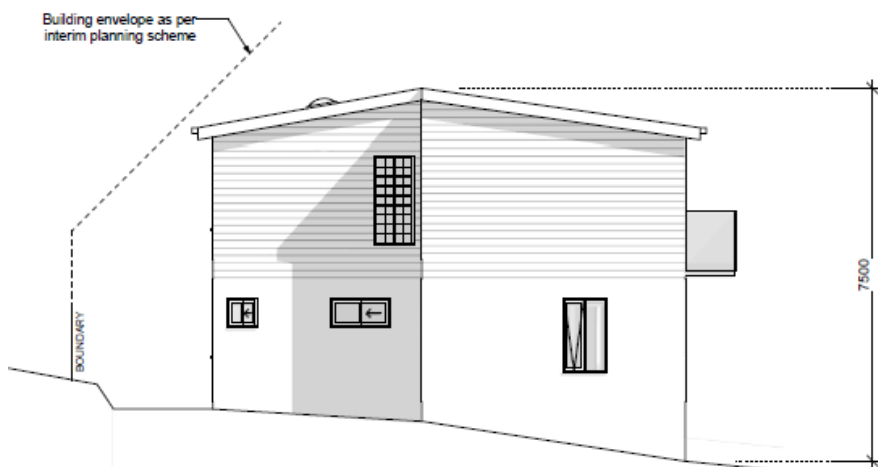
**Planning Comments:** Complies

The subject site contains eight cottages which are individually occupied for residential purposes. The proposal is for an extension to Cottage No.4. It has a maximum height of 7.5m and is setback 2.83m from the western (side) title boundary and a minimum distance of 27m from all other title boundaries, including frontages onto Cummings Street and Port Road.

Elevation plans demonstrating compliance with the applicable building envelope from the western title boundary were submitted with the development application. A copy of the relevant elevations is shown below in Figure 3.



West Elevation  
Scale: 1:100



South Elevation  
Scale: 1:100

**Figure 5: Building Envelope from Western title boundary**

<p>The site does not adjoin any reserves under the <i>Crown Lands Act 1976</i>; therefore Table 12.4.3 A2 is not applicable to the proposal.</p> <p>The proposal complies with A2 for this Standard.</p>	
<p><b>A3</b></p> <p>Site coverage must –</p> <ul style="list-style-type: none"> <li>(a) not be more than 50%; or</li> <li>(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</li> <li>(c) not include any part of a site required for the disposal of sewage or stormwater; or</li> <li>(d) be not more than any building area shown on a sealed plan</li> </ul>	<p><b>P3</b></p> <p>Site coverage must –</p> <ul style="list-style-type: none"> <li>(a) provide a usable area for private open space, landscaping, and vehicle parking and service activity;</li> <li>(b) retain capacity in any area required for disposal of sewage or stormwater; and</li> <li>(c) be consistent with the streetscape</li> </ul>
<p><b>Planning Comments:</b> Complies</p> <p>According to Table 12.4.3 A3, the maximum permitted site coverage for the locality of Boat Harbour is 30%. The subject site comprises approximately 5400m<sup>2</sup>. The total site coverage of existing development and proposed development is 1060m<sup>2</sup>, or 19.6%.</p> <p>The proposal complies with A3 for this Standard.</p>	
<p><b>A4</b></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><b>P4</b></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"> <li>(a) not dominate the architectural or visual frontage of the site;</li> <li>(b) be consistent with the streetscape;</li> <li>(c) be required by a constraint imposed by size, shape, slope, orientation, and topography on development of the site; and</li> <li>(d) provide durable physical screening to attenuate appearance of the parking or loading area from a frontage and adjacent land</li> </ul>
<p><b>Planning Comments:</b> Complies</p> <p>The site plan submitted with the development application also includes two car parking spaces, 'Park 1' and 'Park 2'. Park 2 is an existing parking space whilst Park 1 is a proposed additional parking space. Both parking spaces are allocated to Cottage No.4.</p> <p>The subject site is a corner lot and contains eight cottages which are individually occupied for residential purposes. It has a primary frontage onto Cummings Street. Park 1 is setback behind the elevation facing Cumming Street.</p> <p>The proposal complies with A4 for this Standard.</p>	
<p><b>A5</b></p>	<p><b>P5</b></p>

<p>Total width of openings in the frontage elevation of a garage or carport (whether freestanding or part of any other building) must be the lesser of –</p> <p>(a) 6.0m; or</p> <p>(b) half the width of the frontage</p>	<p>The frontage elevation of a garage or carport (whether freestanding or part of any other building) must minimise potential to dominate the streetscape</p>
<p><b>Planning Comments:</b> Not Applicable</p> <p>The proposal does not include a garage or carport.</p> <p>Neither A5 nor P5 are applicable to the proposal.</p>	
<p><b>A6</b></p> <p>If on a site at Boat Harbour, a building on the lower side of a road must be single storey on the road elevation.</p>	<p><b>P6</b></p> <p>If on a site at Boat Harbour a building on the lower side of a road must be located within the site and be of a mass and height that does not result in an unreasonable loss of outlook from the immediately adjacent site on the high side of the road</p>
<p><b>Planning Comments:</b> Complies</p> <p>The proposal is for a second storey addition to an existing building on a site which is within the locality of Boat Harbour. The subject site is located on the higher side of Port Road and Cummings Road does not have a clear higher or lower side. The proposed dwelling extension is located behind the building line of existing development from both frontages and does not directly adjoin either road elevation.</p> <p>The proposal complies with A6 for this Standard.</p>	

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

<p><b>A1</b></p> <p>A door or window to a habitable room, or any part of a balcony, deck, roof garden, parking space or carport of a building must –</p> <p>(a) if the finished floor level is more than 1.0m above natural ground level -</p> <p>(i) be not less than 6.0m from any door, window, balcony, deck, or roof garden in a dwelling on the same site;</p> <p>(ii) be not less than 3.0m from a side boundary;</p> <p>(iii) be not less than 4.0m from a rear boundary; and</p> <p>(iv) if an internal lot, be not less than 4.5m from the boundary abutting a rear boundary of an adjacent frontage site; or</p> <p>(b) if less than the setbacks in clause A1(a) -</p> <p>(i) be offset by not less than 1.5m from the edge of any door or window in another dwelling;</p>	<p><b>P1</b></p> <p>Likelihood for overlooking from a door or window in a habitable room or from any part of a balcony, deck, roof garden, parking space, or carport of a building must be minimised by –</p> <p>(a) physical separation from the door, window balcony, deck, or roof garden in an adjacent dwelling;</p> <p>(b) offset from a door or window to a habitable room in an adjacent dwelling;</p> <p>(c) effective use of screening other than vegetation; or</p> <p>(d) effect of topography and natural features</p>
--	---

<ul style="list-style-type: none"> <li>(ii) a have a window sill height of not less than 1.8m above finished floor level;</li> <li>(iii) have fixed and durable glazing or screening with a uniform transparency of not more than 25% in that part of a door or window less than 1.7m above finished floor level; or</li> <li>(iv) have fixed and durable external screen other than vegetation of not less than 1.8m height above the finished floor level and with a uniform transparency of not more than 25% located for the full width of the door, window, balcony, deck, roof garden, parking space, or carport</li> </ul>	
<p><b>Planning Comments:</b> Complies</p> <p>The subject site contains eight cottages which are individually occupied for residential purposes. The proposal is for a second storey addition to Cottage No.4 comprising a bedroom with ensuite and walk-in-robe, study, lounge room, deck and separate balcony.</p> <p>The extension is located 3.715m to the north-west of Cottage No.5 but is greater than 6m from any door, window, balcony, deck, or roof garden in this Cottage. It is also offset further than 1.5m from highlight windows in the family room of Cottage No.5. The extension is setback greater than 6m from all other Cottages on the subject site.</p> <p>The extension is setback 2.83m from the western (side) title boundary, however there are no windows to habitable rooms or any part of a balcony, deck, roof garden, parking space or carport in the western elevation of the proposed second storey. The extension is setback a minimum distance of 27m from all other title boundaries, including frontages onto Cummings Street and Port Road.</p> <p>The proposal complies with A1 for this Standard.</p>	
<p><b>A2</b></p> <p>An access strip or shared driveway, including any pedestrian pathway and parking area, must be separated by a distance of not less than 1.5m horizontally and 1.5m vertically from the door or window to a dwelling or any balcony, deck, or roof garden in a dwelling.</p>	<p><b>P2</b></p> <p>An access strip or communal driveway, including any pedestrian pathway and parking area, must minimise likelihood for impact from overlooking and noise disturbance on the amenity of any dwelling</p>
<p><b>Planning Comments:</b> Complies</p> <p>The subject site has frontage onto Cummings Street and Port Road. It is accessed from Port Road via an existing crossover and internal driveway. The shared driveway is separated from the proposed second storey addition by a distance of approximately 3m in both the vertical and horizontal planes.</p> <p>The site plan submitted with the development application also includes two car parking spaces; 'Park 1' and 'Park 2'. Park 2 is an existing parking space whilst Park 1 is a proposed additional parking space. Both parking spaces are allocated to Cottage No.4. There are no shared pedestrian pathways or parking areas within the minimum setback requirement from the proposed development.</p> <p>The proposal complies with A2 for this Standard.</p>	

#### 12.4.5 Private open space for residential use

<p><b>A1</b></p> <p>Each dwelling must provide private open space –</p> <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"> <li>(i) located adjoining the rear or side of the dwelling;</li> <li>(ii) accessible from the dwelling;</li> <li>(iii) of not less than 25m<sup>2</sup> ;</li> <li>(iv) with a minimum dimension of 4.0m;</li> <li>(v) on a single level; and</li> <li>(vi) with a gradient of not more than 1 in 10; and</li> </ul> <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"> <li>(i) of not less than 25m<sup>2</sup>;</li> <li>(ii) with a minimum dimension of 4.0m; and</li> <li>(iii) accessible from the dwelling</li> </ul>	<p><b>P1</b></p> <p>Private open space must -</p> <p>(a) have size and dimension appropriate for the projected requirements of the residents of the dwelling; and</p> <p>(b) provide a usable area taking into account –</p> <ul style="list-style-type: none"> <li>(i) the effect of shape, orientation, and topography of the site;</li> <li>(ii) the availability, accessibility, purpose, and characteristics of – <ul style="list-style-type: none"> <li>a. any other recreation and service area within the site;</li> <li>b. any external communal open space area; and</li> <li>c. public open space</li> </ul> </li> </ul>
<p><b>Planning Comments:</b> Complies</p> <p>The subject site contains eight cottages which are individually occupied for residential purposes. There are no fences between each cottage on the subject site and the property is not strata titled. There is sufficient green space on the site to provide each cottage with a private open space area compliant with A1(a) or A1(b) for this Clause, including for Cottage No.4. The proposal is for a second storey addition, including a deck, and will not affect the existing ground level private open space arrangements for Cottage No.4. The proposed extension</p> <p>In this manner, the proposal complies with A1 for this Standard.</p>	
<p><b>A2</b></p> <p>The required minimum private open space area must be capable of receiving at least 3 hours of sunlight between 9.00am and 3.00pm on 21<sup>st</sup> June.</p>	<p><b>P2</b></p> <p>Each required private open space area must maximise opportunity for access to sunlight having regard for</p> <ul style="list-style-type: none"> <li>(a) aspect, orientation, size, shape, slope, and topography of the site;</li> <li>(b) desirable to retain existing vegetation on the site; and</li> <li>(c) the impact of overshadowing by existing development on adjacent land</li> </ul>
<p><b>Planning Comments:</b> Complies</p> <p>The subject site contains eight cottages which are individually occupied for residential purposes. There are no fences between each cottage on the subject site and the property is not strata titled. There is sufficient green space on the site to provide each cottage with a private open space area. The proposal is for a second storey addition to Cottage No.4. The areas used as private open space for this cottage include a grassed area located directly north of the building. Due to the apparent migration of the sun</p>	



<p>across the sky throughout the day, the second storey addition will not affect solar access to existing open space to the north.</p> <p>In this manner, the proposal complies with A2 for this Standard.</p>	
<p><b>A3</b></p> <p>Unless there is a ground level private open space area directly accessible at grade to a shared driveway or pedestrian pathway, each dwelling in a multiple dwelling development must have access to a waste storage area –</p> <p>(a) located behind the applicable frontage setback;</p> <p>(b) of not less than 1.5m<sup>2</sup> per dwelling;</p> <p>(c) screened to view from the frontage and any dwelling by a wall of height not less than 1.2m above finished ground level; and</p> <p>(d) not less than 6.0 from a window, door, balcony, deck, roof garden or private open space area of a dwelling.</p>	<p><b>P3</b></p> <p>Arrangements must be made for the storage of waste –</p> <p>(a) with sufficient size and area to serve requirements of the site;</p> <p>(b) screened to view from the frontage and from dwellings; and</p> <p>(c) separated from a dwelling to attenuate noise and odour.</p>
<p><b>Planning Comments:</b> Complies</p> <p>The subject site contains eight cottages which are individually occupied for residential purposes. The proposal is for a second storey addition to Cottage No.4. The areas used as private open space for this cottage include a ground floor, grassed area which is abuts the shared internal driveway. The proposal does not involve any changes to this arrangement.</p> <p>Neither A3 nor P3 are applicable to the proposal.</p>	

**12.4.7 Setback of development for residential use**

<p><b>A1</b></p> <p>A building containing a sensitive use must be contained within a building envelope determined by –</p> <p>(a) the setback distance from the zone boundary as shown on the Table to this clause; and</p> <p>(b) projecting upward and away from the zone boundary at an angle of 45° above the horizontal from a wall height of 3.0m at the setback distance from the zone boundary</p>	<p><b>P1</b></p> <p>The location of a building containing a sensitive use must –</p> <p>(a) minimise likelihood for conflict, constraint or interference by the sensitive use on existing and potential use of land in the adjoining zone; and</p> <p>(b) minimise likely impact from existing and potential use of land in the adjoining zone on the amenity of the sensitive use</p>
<p><b>Planning Comments:</b> Complies</p> <p>The subject site contains existing development for sensitive use and the proposed development is located a minimum distance of 80m from the nearest zone boundary in any direction.</p> <p>The proposal complies with A1 for this Standard.</p>	
<p><b>A2</b></p>	<p><b>P2</b></p> <p>Development for a sensitive use must –</p>

<p>Development for a sensitive use must be not less than 50m from –</p> <p>(a) a major road identified in the Table to this clause;</p> <p>(b) a railway;</p> <p>(c) land designated in the planning scheme for future road or rail purposes; or</p> <p>(d) a proclaimed wharf area</p>	<p>(a) have minimal impact for safety and efficient operation of the transport infrastructure; and</p> <p>(b) incorporate appropriate measures to mitigate likely impact of light, noise, odour, particulate, radiation or vibration emissions; or</p> <p>(c) be temporary use or development for which arrangements have been made with the relevant transport infrastructure entity for removal without compensation within 3 years</p>
<p><b>Planning Comments:</b> Complies</p> <p>The subject site is not within 50m of the Bass Highway, a railway, proclaimed wharf area or land designated in the planning scheme for future road or rail purposes.</p> <p>The proposal complies with A2 for this Standard.</p>	

**Part E Codes**

**Bushfire-Prone Areas Code**

E1 Not applicable to this application.

**Airport Impact Management Code**

E2 Not applicable to this application.

**Clearing and Conversion of Vegetation Code**

E3 Not applicable to this application.

**Change in Ground Level Code**

E4 Not applicable to this application.

**Local Heritage Code**

E5 Not applicable to this application.

**Hazard Management Code**

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

<p><b>A1</b></p> <p>If a use is on land within an area of risk from exposure to a natural hazard as shown on a map forming part of this planning scheme –</p> <p>(a) use must not be for a critical use, a hazardous use, or a vulnerable use;</p> <p>(b) use must not be residential use if the level of risk is medium or higher; and</p> <p>(c) a hazard risk assessment must demonstrate a tolerable level of risk can be achieved and maintained for the nature and duration of the use</p>	<p><b>P1</b></p> <p>If use is on land within an area of risk from exposure to a natural hazard as shown on a map forming part of this planning scheme</p> <p>(a) a hazard risk assessment must demonstrate a tolerable level of risk can be achieved and maintained for the nature and duration of the use; and</p> <p>(b) if a critical use, a hazardous use, or a vulnerable use, a cost benefit analysis in economic, environmental, and social terms must establish there is a significant benefit to the community and there is no alternate site.</p>
--	---

**Planning Comments: Complies**

The subject site is subject to a medium level risk of exposure to landslip as identified on the map forming part of this planning scheme. It contains eight cottages which are individually occupied for residential purposes. The proposal is for a 101.7m<sup>2</sup> second storey addition to Cottage No.4 which is defined as a Residential use under the planning scheme. The proposal requires assessment against Performance Criteria P1 for this Standard.

The proposal is not for a critical use, hazardous use or vulnerable use. A Landslide Risk Assessment prepared by suitably qualified persons from Tasman Geotechnics was submitted with the application. The report provided both a discussion and recommendations to ensure that a very low to low risk profile can be achieved and maintained for the duration of the use of the building (50 years).

Part 6.1 of the Tasman Geotechnics Landslide Risk Assessment report recommends specific limitations on the proposed development, in order to achieve this profile. Compliance with the Landslide Risk Assessment will form part of the conditions on any permit.

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

**E6.6.2 Development on land exposed to a natural hazard**

<p><b>A1</b></p> <p>If the site is within an area of risk shown on a natural hazard map forming part of this planning scheme –</p> <p>(a) a hazard risk assessment must determine</p> <ul style="list-style-type: none"><li>(i) there is an insufficient increase in risk to warrant any specific hazard reduction or protection measure; or</li><li>(ii) a tolerable level of risk can be achieved for the type, form, scale and duration of the development; and</li></ul> <p>(b) if a hazard risk assessment established need to involve land on another title for hazard management consistent with the objective, the consent in writing of the owner of that land must be provided to enter into a Part 5 agreement to be registered on the tile of the land and providing for the effected land to be managed in accordance with recommendations for hazard management</p>	<p><b>P1</b></p> <p>There is no performance criteria</p>
---	--

**Planning Comments: Complies**

The subject site is subject to a medium level risk of exposure to landslip as identified on the map forming part of this planning scheme. It contains eight cottages which are individually occupied for residential purposes. The proposal is for a 101.7m<sup>2</sup> second storey addition to Cottage No.4 which is defined as a Residential use under the planning scheme.

A Landslide Risk Assessment prepared by suitably qualified persons from Tasman Geotechnics was submitted with the application. The report provided both a discussion and recommendations to ensure that a very low to low risk profile can be achieved and maintained for the duration of the use of the building (50 years).

Part 6.1 of the Tasman Geotechnics Landslide Risk Assessment report recommends specific limitations on the proposed development, in order to achieve this profile. This did not include the need to involve

land on another title for hazard management purposes. Compliance with the Landslide Risk Assessment will form part of the conditions on any permit.

The proposal complies with A1 for this Standard.

**Signs Code**

E7 Not applicable to this application.

**Telecommunications Code**

E8 Not applicable to this application.

**Traffic Generating Use and Parking Code**

The site plan submitted with the development application also includes two car parking spaces, 'Park 1' and 'Park 2'. Park 2 is an existing parking space whilst Park 1 is a proposed additional parking space. Both parking spaces are allocated to Cottage No.4.

As the proposal is for an extension to an existing dwelling which is part of a multiple dwelling development there will be no increase in the number of dwellings on the site. Clauses pertaining to minimum parking requirements are not applicable to the application.

**E9.6.1 Design of vehicle parking and loading areas**

<p><b>A1.1</b></p> <p>All development must provide for the collection, drainage and disposal of stormwater; and</p> <p><b>A1.2</b></p> <p>Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –</p> <p>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities Off Street Car Parking;</p> <p>(b) Be in accordance with AS/NZS2890.2 (2002) Parking Facilities Off Street Commercial Vehicles;</p> <p>(c) Be in accordance with AS/NZS 2890.3 1993) Parking Facilities - Bicycle Parking Facilities;</p> <p>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities Off Street Parking for People with Disabilities;</p> <p>(e) Each parking space must be separately accessed from the internal circulation aisle within the site;</p> <p>(f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and</p>	<p><b>P1</b></p> <p>The layout and construction of a vehicle parking area, loading area, circulation aisle, and manoeuvring area must be adequate and appropriate for –</p> <p>(a) the nature and intensity of the use;</p> <p>(b) effect of size, slope and other physical characteristics and conditions of the site;</p> <p>(c) likely volume, type, and frequency of vehicles accessing the site;</p> <p>(d) likely demand and turnover for parking;</p> <p>(e) delivery and collection vehicles;</p> <p>(f) familiarity of users with the vehicle loading and vehicle parking area;</p> <p>(g) convenience and safety of access to the site from a road;</p> <p>(h) safety and convenience of internal vehicle and pedestrian movement;</p> <p>(i) safety and security of site users; and</p> <p>(j) the collection, drainage, and disposal of stormwater</p>
---	--

<p>(g) Be formed and constructed with compacted subbase and an all-weather surface.</p>	
<p><b>Planning Comments: Complies</b></p> <p>Council's Technical Officer requires the following condition to be included on any permit issued:</p> <p style="padding-left: 40px;">Stormwater from the roofs and paved areas are to be diverted to Council's stormwater system in accordance with Geotechnical advice provided by Tasman Geotechnics dated 14 June 2019.</p> <p>In this manner, the proposal will comply with A1.1 for this Standard.</p> <p>The proposal is for an extension to an existing dwelling which is part of a multiple dwelling development. The site plan submitted with the development application also includes two car parking spaces, one existing and one proposed. Both parking spaces are allocated to Cottage No.4. The proposed parking space is independently accessible from the internal driveway and there is sufficient space to allow for the forward movement and passing of vehicles within the site.</p> <p>It is recommended that the following conditions be included on any permit issued:</p> <p style="padding-left: 40px;">Off-street car parking and hardstand area described as Park 1 is to be surfaced in an all-weather material such as concrete, asphalt or bitumen spray seal.</p> <p style="padding-left: 40px;">Off-street parking spaces are to be designed in accordance with AS 2980.1 and be approved by the Director of Infrastructure and Development Services.</p> <p style="padding-left: 40px;">Vehicular access to and egress from the site is to occur only in a forward motion.</p> <p>In this manner, the proposal will comply with A1.2 for this Standard.</p>	
<p><b>A2</b></p> <p>Design and construction of an access strip and vehicle circulation, movement and standing areas for use or development on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be in accordance with the principles and requirements for in the current edition of Unsealed Roads Manual – Guideline for Good Practice</p> <p>ARRB</p>	<p><b>P2</b></p> <p>Design of internal access roads and vehicle circulation, movement and standing areas for permitted use on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be adequate and appropriate for the likely type, volume, and frequency of traffic</p>
<p><b>Planning Comments:</b> Not applicable</p> <p>The subject site is in the Low Density Residential zone.</p> <p>Neither A2 nor P2 for this Standard are applicable to this proposal.</p>	

---

## **Water and Waterways Code**

E10 Not applicable to this application.

## **STATUTORY IMPLICATIONS**

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

The Council is established as a Planning Authority by definition under Section 3(1) of LUPAA and must enforce the Planning Scheme under S48 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 (1) representation was received during the exhibition period.

## **STRATEGIC IMPLICATIONS**

## **POLICY IMPLICATIONS**

## **NO POLICIES OF COUNCIL WERE IDENTIFIED AS BEING RELEVANT TO THIS MATTER. FINANCIAL IMPLICATIONS**

## **THERE ARE NO FINANCIAL IMPLICATIONS FOR COUNCIL OTHER THAN THOSE ORDINARILY ASSOCIATED WITH ADMINISTERING THE PLANNING SCHEME. RISK IMPLICATIONS**

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

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

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

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

## **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 dwelling extension complies with either the acceptable solution or satisfies the performance criteria for all applicable standards of the Planning Scheme. The existing communal water supply and shared vehicle access are adequate for the anticipated use of the site and likely type and volume of traffic given that the proposal does not substantially increase the intensity in use of the site. It has also been demonstrated that a tolerable level of risk can be achieved and maintained for the nature and duration of the use on the site.

The application is considered to comply with the Low Density Residential 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.

---

---

MOVED BY	CR HYLAND
SECONDED BY	CR BRAMICH

**That Council, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Waratah-Wynyard Interim Planning Scheme 2013*, grant approval for a dwelling extension at 267 Port Road, Boat Harbour Beach subject to the following 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 17094B as prepared by Abel Drafting Services and dated 12 July 2019.**
  - b) Landslide Risk Assessment for proposed extension to existing cottage with Document Reference TG19101/1 – 01report as prepared by Tasman Geotechnics and dated 14 June 2019.****
- (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 area described as Park 1 is to be surfaced in an all-weather material such as concrete, asphalt or bitumen spray seal.**
- (6) Off-street parking spaces are to be designed in accordance with AS 2980.1 and be approved by the Director of Infrastructure and Development Services.**
- (7) Vehicular access to and egress from the site is to occur only in a forward motion**
- (8) Stormwater from the roofs and paved areas are to be diverted to Council’s stormwater system in accordance with Geotechnical advice provided by Tasman Geotechnics dated 14 June 2019.**
- (9) Control measures are to be installed for the duration of the construction phase so as to limit the loss of soils and other debris from the site.**

Notes: -

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

- An “Activity in Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
- This project must be substantially commenced within two years of the issue of this permit.
- The applicant is advised to consult with a building surveyor to ensure the development is constructed in accordance with *Building Act 2016*.
- This permit is based on information and particulars set out in Development Application DA 96/2019. Any variation requires an application for further planning approval of Council.
- This development/use is not to result in the generation of environmental harm or nuisance as defined in the *Environmental Management and Pollution Control Act 1994*.
- Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact TasNetworks on 1300 137 008 to ensure these works do not impede on existing electricity easements and are at a safe distance from powerlines. Failure to do so could result in the relocation of electricity assets at your cost.

- Under Section 61 (4) of the *Land Use Planning and Approvals Act 1993*, the applicant has the right to lodge an appeal against Council's decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to the Resource Management and Planning Appeal Tribunal, G.P.O. Box 2036, Hobart, 7001. Updated Notices of Appeal are available on the Tribunal's website at [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).

The MOTION was put and was LOST.

IN FAVOUR

MAYOR WALSH			
	CR BRAMICH	CR HYLAND	

AGAINST

	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR HOUSE			CR COURTNEY

MOVED BY	CR FAIRBROTHER
SECONDED BY	CR HOUSE

**That 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* refuse an application for a dwelling extension at 267 Port Road Boat Harbour Beach as Council sitting as the Planning Authority deems that the applicant has not satisfactorily demonstrated compliance against performance criteria 12.4.3 A6 and P6 in that the site at Boat Harbour Beach has a building on lower side of the road and will not appear as a single story from road elevation. The Planning Authority consider that there is loss of outlook from adjacent site.**

The MOTION was put and was CARRIED.

IN FAVOUR

	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR HOUSE	CR BRAMICH		CR COURTNEY

AGAINST





MAYOR WALSH			
		CR HYLAND	



---

## 6.4 OUTBUILDING LOCATED AT 17 ELFRIDA AVENUE, SISTERS BEACH- DA101/2019

To: Council  
Reporting Officer: Town Planner  
Responsible Officer: Manager Development and Regulatory Services  
Report Date: 4 September 2019  
File Reference: 7091558

Supporting Documents: 1. Consolidated advertised documents   
2. Additional info request   
3. Representation   
4. Signed Extension of Time Agreement 

---

### PURPOSE

The purpose of this report is for Council to consider the merits of the application DA 101/2019 against the requirements of the *Waratah-Wynyard Interim Planning Scheme 2013* (Planning Scheme).

### BACKGROUND

The subject property is located at 17 Elfrida Avenue, Sisters Beach and has a site area of approximately 1004m<sup>2</sup>. Council records indicate the lot is currently vacant. The lot currently does not have a formed access onto Elfrida Avenue. The site is zoned Low Density Residential, as is all the adjoining land the property. A locality plan identifying the subject property is provided in Figure 1 below:



Figure 1- Subject site

---

## DETAILS

The applicant is seeking approval for an outbuilding to be used for storage purposes only on property identified as 17 Elfrida Avenue, Sisters Beach under the *Waratah-Wynyard Interim Planning Scheme 2013*. Council's records indicate the lot is currently vacant.

The proposed outbuilding details an 8m x 7m shed with water closet, roller door facing the frontage, a sliding access door and two windows facing north. The proposed outbuilding also has a 7m x 7m awning attached to the shed on the western side between the frontage and the garage and is an open bay reflective of a carport. This entire outbuilding is single storey and reaches a maximum height of approximately 3.9m to roof apex.

This report assesses the proposal against the *Waratah-Wynyard Interim Planning Scheme 2013* (the Scheme) and takes into account the representation 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 (P5); and
- Location and configuration of development 12.4.3 (P4), (P5).

## 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 following documentation was placed on public exhibition:

- Application form x 3 pages
- Full set of titles x 2 pages
- Letter to act as an agent x 1 page
- Planning compliance letter x 1 page
- Proposal plans x 6 pages

The period for representations closed on 18 August 2019. One (1) representation has been received. The representation and planning responses to the issues raised are provided below. While every effort has been made to include all issues raised, this summary should be read in conjunction with the representation, which is included as an enclosure to this report.

### Representor – Richard Walsh

Issues raised:	Response:
The representor questions the use of the building being a storage shed for maintaining the block, given the building has a wall height of 3.4m and a footprint of 105m <sup>2</sup> . Comparably to maintenance sheds in the area being 3m x 3m sheds.	The assessment officer asked for a confirmation of the use of the building on receipt of the application, as a toilet was indicated on the site plan. The applicant has confirmed a storage shed for residential storage and maintaining the lot only. This will be conditioned as part of any permit to ensure the subject outbuilding is limited to a class 10a structure, non-habitable building. Should this change the land owner would require a further planning permit.

<p>The proposed location of said shed and existing caravan, fixed annex and toilet structure, eliminates area for a dwelling to be built in the future and strongly suggest it will be used as a shack.</p>	<p>Council records indicate the site is currently vacant, there are no approvals on record for a caravan and annex structure or toilet. This will be investigated through further compliance action. Council assessment of the application is limited to what is applied for. Future use and development of the site is not a consideration. Regardless, the subject shed has a 17.4m setback from the frontage being Elfrida Avenue and greater than 10m to the northern side of the proposed outbuilding. Further development could potentially be applied for on the property.</p>
<p>The representor raises clause 12.4.3 Location and configuration of development objectives, which considers sufficient area for services, a residentially dominant streetscape and reasonable opportunity to daylight and sunlight to habitable rooms. The representor raises this clause as only the front and rear boundaries are addressed, and the representors concern is the side boundaries significantly affecting and shading the representors private open space. The topography has not been considered in this height and subsequent shadowing.</p>	<p>The proposal as submitted meets the acceptable solution at the side setbacks and front and rear setbacks. The proposal is not required to provide justification to the objectives of the clause. Clause 12.4.3 A2 states <i>that all buildings must be contained within a building envelope determined by the applicable frontage setback, projecting a line at an angle of 45o 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></p> <p style="padding-left: 40px;"><i>(i) not less than 1.5m from each side boundary; or ...</i></p> <p>The proposal as submitted complies with this clause, with the development fitting within the building envelope and being greater than 1.5m from the side boundary setback. For a full assessment of this clause, please refer to the planning comments in the assessment report.</p>
<p>The representor provides alternative suggestions. The first suggestion is reducing the wall heights to 2.8m and reducing the rear boundary setback to 3m.</p>	<p>Assessment of the proposal is limited to what the applicant applies for. Council, acting as the planning authority, is unable to re-design a proposal. Further, the representor's suggestions would trigger an additional discretion, being the rear boundary setback would need to be relaxed.</p>
<p>The existing structure as seen in images provided by the applicant show a caravan and annex- be removed eastwards to the rear of the block where this structure currently site. Dwellings in Elfrida Avenue are staggered so that no two dwellings line up with the one adjoining them. This would eliminate our shading issues and allow the block to be suitable for a further permanent dwelling to be constructed at a future time.</p>	<p>Compliance matters are not direct matters addressed under clause 8.10 of the planning scheme. Clause 8.10 sets out what can be considered under the planning scheme and any representation received only in so far as the particular discretion being exercised.</p> <p>This matter will be referred to Council officers to be investigated for compliance action. These structures are likely to trigger the need for further planning permits prior to any requirement under the <i>Building Act 2016</i>.</p> <p>It is accepted the existing character of dwellings located along Elfrida Avenue have staggered frontage/rear boundary setbacks. However, this is not a requirement of the zone provisions within the planning scheme.</p>

---

## INTERNAL REFERRALS

### Engineering Services Department

The following Engineering conditions were recommended.

PLN\_0130

PLN\_0340

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

Road access and stormwater is to be in accordance with Road Access and Stormwater Drainage Assessment dated 29 July 2019.

### 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 proposal 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 provisions for the Low Density Residential Zone and relevant Codes is provided below.

### 12.4.1 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>(i) not less than 500m<sup>2</sup> excluding any access strip; or</p> <p>(ii) if in a locality shown in the Table to this clause, not less 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> <p>(i) clear of any applicable setback from a frontage, side or rear boundary;</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>(i) erection of a building if required by the intended use;</p> <p>(ii) access to the site;</p> <p>(iii) use or development of adjacent land;</p> <p>(iv) a utility; and</p>
---	--

<ul style="list-style-type: none"> <li>(ii) clear of any applicable setback from a zone boundary;</li> <li>(iii) clear of any registered easement;</li> <li>(iv) clear of any registered right of way benefitting other land;</li> <li>(v) clear of any restriction imposed by a utility;</li> <li>(vi) not including an access strip;</li> <li>(vii) accessible from a frontage or access strip; and</li> <li>(viii) if a new residential lot, with a long axis within the range 30° east of north and 20° west of north</li> </ul>	<ul style="list-style-type: none"> <li>(v) any easement or lawful entitlement for access to other land; and</li> <li>(b) if a new residential lot, be orientated to maximise opportunity for solar access to a building area</li> </ul>
<p>Planning comments: Complies</p> <p>The proposal complies with the acceptable solution. The subject property is greater than 800m<sup>2</sup> as required by the table to this clause for Sisters Beach, and can contain a building area of 10m x 15m clear of the boundary setbacks, registered easements, utilities accessible from a frontage and orientated with a long axis within 30 degrees east of north and 20 degrees west of north.</p>	
<p>A2</p> <p>A site or each lot on a subdivision plan must have a separate access from a road –</p> <ul style="list-style-type: none"> <li>(a) across a frontage over which no other land has a right of access; and</li> <li>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</li> <li>(c) by a right of way connecting to a road – <ul style="list-style-type: none"> <li>(i) over land not required as the means of access to any other land; and</li> <li>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</li> </ul> </li> <li>(d) with a width of frontage and any access strip or right of way of not less than – <ul style="list-style-type: none"> <li>(i) 3.6m for single dwelling development; or</li> <li>(ii) 6.0m for multiple dwelling development or development for a non-residential use; and</li> </ul> </li> <li>(e) the relevant road authority in accordance with the Local Government (Highways) Act 1982 or</li> </ul>	<p>P2</p> <ul style="list-style-type: none"> <li>(a) A site must have a reasonable and secure access from a road provided – <ul style="list-style-type: none"> <li>(i) across a frontage; or</li> <li>(ii) by an access strip connecting to a frontage, if for an internal lot; or</li> <li>(iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</li> <li>(iv) the dimensions of the frontage and any access strip or the right-of-way must be adequate for the type and volume of traffic likely to be generated by – <ul style="list-style-type: none"> <li>a. the intended use; and</li> <li>b. the existing or potential use of any other land which requires use of the access as the means of access for that land; and</li> </ul> </li> <li>(v) the relevant road authority in accordance with the Local Government (Highways) Act 1982 or the Roads and Jetties Act 1935 must have advised it is satisfied adequate arrangements can be made to</li> </ul> </li> </ul>

<p>the Roads and Jetties Act 1935 must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	<p>provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan; or</p> <p>(b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan.</p>
<p>Planning comments: Complies</p> <p>The proposal complies with the acceptable solution. The proposed lot identified as 17 Elfrida Avenue has a frontage which no other land has a right of frontage, and Council's engineering department has provided prelodgement advice in relation to the access point of the new crossover.</p>	
<p>A3</p> <p>A site or each lot on a plan of subdivision must be capable of connecting to a water supply –</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system with a storage capacity of not less than 10,000 litres if–</p> <p>(i) there is not a reticulated water supply; and</p> <p>(ii) development is for –</p> <p>a. a single dwelling; or</p> <p>b. a use with an equivalent population of not more than 10 people per day</p>	<p>P3</p> <p>(a) There must be a water supply available for the site or for each lot on a plan of subdivision with an adequate level of reliability, quality, and quantity to service the anticipated use of the site or the intended use of each lot on a plan of subdivision; or</p> <p>(b) It must be unnecessary to require a water supply</p>
<p>Planning comments: Complies</p> <p>The proposal complies with the acceptable solution. The site is capable of providing an on-site rechargeable drinking water system as there is no reticulated water in Sisters Beach, and the outbuilding will have an equivalent population of less than 10 people per day.</p>	
<p>A4</p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste –</p> <p>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) by on-site disposal if –</p> <p>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</p> <p>(ii) the development -</p> <p>a. is for a single dwelling; or</p> <p>b. provides for an equivalent population of not more than 10 people per day; or</p>	<p>P4</p> <p>A site or each lot on a plan of subdivision must drain and dispose of sewage and liquid trade waste –</p> <p>(a) A site or each lot on a plan of subdivision must drain and dispose of sewage and liquid trade waste –</p> <p>(i) in accordance with any prescribed emission limits for discharge of waste water;</p> <p>(ii) in accordance with any limit advised by the Tasmanian Environmental Protection Agency;</p>

<p>c. creates a total sewage and waste water flow of not more than 1,000l per day; and</p> <p>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS1547:2012 On-site domestic-wastewater management clear of any defined building area or access strip</p>	<p>(iii) without likely adverse impact for the health or amenity of the land and adjacent land;</p> <p>(iv) without compromise to water quality objectives for surface or ground water established under the State Policy on Water Quality Management 1997; and</p> <p>(v) with appropriate safeguards to minimise contamination if the use or development has potential to –</p> <p>a. indirectly cause the contamination of surface or ground water; or</p> <p>b. involve an activity or process which requires the use, production, conveyance or storage of significant quantities of sewage or trade waste that may cause harm to surface or ground water if released through accident, malfunction, or spillage; or</p> <p>(b) It must be unnecessary to require arrangements for the drainage and disposal of sewage or liquid trade waste</p>
<p>Planning Comments: Complies</p> <p>The proposal complies with the acceptable solution. The site can connect to the reticulated sewer system.</p>	
<p>A5</p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater –</p> <p>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</p> <p>(b) if stormwater cannot be drained to a stormwater system –</p> <p>(i) for discharge to a natural drainage line, water body, or watercourse; or</p> <p>(ii) for disposal within the site if –</p> <p>a. the site has an area of not less than 5000m<sup>2</sup>;</p> <p>b. the disposal area is not within any defined building area;</p> <p>c. the disposal area is not within any area required for the disposal of sewage;</p> <p>d. the disposal area is not within any access strip; and</p> <p>e. not more than 50% of the site is impervious surface; and</p>	<p>P5</p> <p>(a) A site or each lot on a plan of subdivision must drain and dispose of stormwater –</p> <p>(i) to accommodate the anticipated stormwater -</p> <p>a. currently entering from beyond its boundaries; and</p> <p>b. from the proposed development;</p> <p>(ii) without likelihood for concentration on adjacent land;</p> <p>(iii) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land;</p> <p>(iv) to manage the quantity and rate of discharge of stormwater to receiving waters;</p> <p>(v) to manage the quality of stormwater discharged to receiving waters; and</p> <p>(vi) to provide positive drainage away from any sewer pipe, on-site sewage disposal system, or building area; or</p>

(iii) the development is for a single dwelling	(b) It must be unnecessary to require arrangements for the drainage and disposal of stormwater
<p>Planning comments: Complies</p> <p>The proposed lot is unable to connect to stormwater mains and therefore the proposal must be assessed against the performance criteria.</p> <p>The proposed lot is considered to accommodate the anticipated stormwater currently entering from beyond the boundaries and will be able to cater for the proposed development on-site. The sandy soil aids with excellent drainage and accommodates the disposal of stormwater and an associated absorption trench is able to be kept away from neighbouring boundaries to prevent interference with adjoining properties.</p> <p>The proposal provided an on-site stormwater arrangement plan, with associated rainwater storage tank with overflow connecting to a soakage drain located to the rear of the lot. This will be assessed in detail at the building and plumbing application stage.</p> <p>The proposal will be connected into mains sewer and therefore will not interfere with any on-site systems.</p> <p>The proposal is considered to comply with the performance criteria.</p>	

#### 12.4.2 Dwelling density

<p>A1</p> <p>The site area per dwelling must –</p> <p>(a) be not less than 500m<sup>2</sup> if the site has –</p> <p style="padding-left: 20px;">(i) connection to a reticulated water supply;</p> <p style="padding-left: 20px;">(ii) connection to a reticulated sewer system; and</p> <p style="padding-left: 20px;">(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>
<p>Planning Comments:</p> <p>The site is greater than 800m<sup>2</sup> as required by the table to this clause for the Sisters Beach locality and therefore meets the acceptable solution.</p>	

#### 12.4.3 Location and configuration of development

<p>A1</p> <p>The wall of a building must be setback from a frontage –</p> <p>(a) not less than 4.5m from a primary frontage; and</p> <p>(b) not less than 3.0m from any secondary frontage; or</p> <p>(c) not less than and not more than the setbacks for any existing building on each of the immediate adjoining sites;</p>	<p>P1</p> <p>The setback of a wall of a building from a frontage must be –</p> <p>(a) consistent with the streetscape; and</p> <p>(b) required by a constraint imposed by –</p> <p style="padding-left: 20px;">(i) size and shape of the site;</p> <p style="padding-left: 20px;">(ii) orientation and topography of land;</p>
--	--



<p>(d) not less than for any building retained on the site;</p> <p>(e) in accordance with any building area shown on a sealed plan; or</p> <p>(f) if the site abuts a road shown in the Table to this Clause, the setback specified for that road.</p>	<p>(iii) arrangements for a water supply and for the drainage and disposal of sewage and stormwater;</p> <p>(iv) arrangements for vehicular or pedestrian access;</p> <p>(v) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme;</p> <p>(vi) a utility; or</p> <p>(vii) any lawful and binding requirement –</p> <p>a. by the State or a council or by an entity owned or regulated by the State or a council to acquire or occupy part of the site; or</p> <p>b. an interest protected at law by an easement or other regulation</p>
<p>Planning Comments:</p> <p>The proposed outbuilding is setback 17.4m from the frontage and therefore meets the acceptable solution. Elfrida Avenue is not listed in the Table to this clause.</p>	
<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>(c) projecting a line at an angle of 45o 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>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> <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>

<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>Planning Comments: Complies</p> <p>The proposed outbuilding is setback 17.4m from the frontage, 17.4m from the rear, 11m from the northern side boundary and 2m from the southern side boundary. The proposal fits within the building envelope identified in (a) and (c)(i), and therefore meets the acceptable solution.</p>					
<p>A3</p> <p>Site coverage must -</p> <p>(a) not be more than 50%; or</p> <p>(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</p> <p>(c) not include any part of a site required for the disposal of sewage or stormwater; or</p> <p>(d) be not more than any building area shown on a sealed plan</p> <p><b>Table to Clause 12.4.3 A3</b></p> <table border="1" data-bbox="263 1344 826 1444"> <thead> <tr> <th>Locality</th> <th>Site coverage (%)</th> </tr> </thead> <tbody> <tr> <td>Sisters Beach</td> <td>40</td> </tr> </tbody> </table>	Locality	Site coverage (%)	Sisters Beach	40	<p>P3</p> <p>Site coverage must –</p> <p>(a) provide a usable area for private open space, landscaping, and vehicle parking and service activity;</p> <p>(b) retain capacity in any area required for disposal of sewage or stormwater; and</p> <p>(c) be consistent with the streetscape</p>
Locality	Site coverage (%)				
Sisters Beach	40				
<p>Planning Comments: Complies</p> <p>Site coverage of the proposal equates to 10.4% and remains less than 40% of the site as required in the table to this clause for Sisters Beach. The proposal complies with the acceptable solution.</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> <p>(a) not dominate the architectural or visual frontage of the site;</p> <p>(b) be consistent with the streetscape;</p> <p>(c) be required by a constraint imposed by size, shape, slope, orientation, and topography on development of the site; and</p>				

	(d) provide durable physical screening to attenuate appearance of the parking or loading area from a frontage and adjacent land
<p>Planning comments: Complies</p> <p>Council records indicate the site is currently vacant. The proposal is for a single domestic storage outbuilding with awning located toward the frontage as a carport. No dwelling is proposed for the site and therefore the proposal cannot meet the acceptable solution and must address the performance criteria.</p> <p>The streetscape commonly viewed in Sisters Beach is a combination of residential shacks, with either no outbuilding, a small outbuilding and some with larger outbuildings. The properties with outbuildings provide parking within the outbuildings, whilst properties that do not have a garage use a parking space generally toward the frontage of the lots. Lots vary in vegetation maintained along the frontages to assist with screening the parking arrangements on-site. Given the large setback to the frontage of 17.4m, the proposal is considered not to dominate the visual frontage of the site. There is some vegetation remaining on site that would assist with reducing any visual dominance of the building on the frontage.</p> <p>The quality, bulk and scale of structure when viewed from the road frontage will be reflective of structures found within 200m of the site. Number 14 and Number 8 Honeysuckle Avenue both have their garages located toward the frontage of their lots, as does 14 Cummings Street and 13 Elfrida Avenue. Majority of the streetscape continues to have single storey structures and the design of the buildings remains as predominantly shacks with associated outbuildings. The proposed outbuilding is considered consistent with the streetscape.</p> <p>The subject site is not the developer’s primary place of residence and does not contain a dwelling. The proposed outbuilding is not a habitable building and vehicles or goods stored on the site are likely to be located within the shed portion of the outbuilding for security purposes. The carport portion may be used at times for residential parking only and will not be providing area for a non-residential loading area.</p> <p>The proposal continues to have a setback of 17.4m from the frontage to Elfrida Avenue. It is considered that this lot still provides sufficient room for a future dwelling and would maximise solar access to the building area with the outbuilding located in this position. Given the dimensions of the site, the orientation of the site and the fact that private open spaces are often located to the rear of the dwelling, it is likely that the primary elevation of any future dwelling on the site will be in front on the subject carport from the eastern frontage onto Elfrida Avenue. The proposed outbuilding has provided on-site stormwater treatment to the rear of the lot to ensure that future development could occur to the frontage.</p> <p>A condition has been recommended as part of any permit to ensure a durable physical screen is constructed to assist with attenuating the appearance of the parking space from the frontage and adjacent land to the south.</p> <p>The proposal complies with the performance criteria.</p>	
<p>A5</p> <p>Total width of openings in the frontage elevation of a garage or carport (whether freestanding or part of any other building) must be the lesser of –</p> <p>(a) 6.0m; or</p> <p>(b) half the width of the frontage</p>	<p>P5</p> <p>The frontage elevation of a garage or carport (whether freestanding or part of any other building) must minimise potential to dominate the streetscape</p>
<p>Planning comments: Complies</p> <p>The proposal has a carport to the frontage elevation of the outbuilding, and given the nature of carports the whole bay is an open bay with a width of 7m. Therefore, the proposal must address the performance criteria.</p> <p>Given the large setback from the frontage of 17.4m, the subject proposal is considered not to dominate the visual frontage of the site. Additionally, the proposal will be conditioned to have a screen constructed to assist with minimising the potential to dominate the streetscape.</p>	

The proposal has been conditioned to comply with 12.4.3 P5.

**12.4.7 Setback of development for sensitive use**

<p>A1</p> <p>A building containing a sensitive use must be contained within a building envelope determined by –</p> <p>(a) the setback distance from the zone boundary as shown on the Table to this clause; and</p> <p>(b) projecting upward and away from the zone boundary at an angle of 45° above the horizontal from a wall height of 3.0m at the setback distance from the zone boundary</p>	<p>P1</p> <p>The location of a building containing a sensitive use must –</p> <p>(a) minimise likelihood for conflict, constraint or interference by the sensitive use on existing and potential use of land in the adjoining zone; and</p> <p>(b) minimise likely impact from existing and potential use of land in the adjoining zone on the amenity of the sensitive use</p>
<p>Planning Comments: Complies</p> <p>The proposal complies with the acceptable solution as the building is located within the building envelope.</p>	
<p>A2</p> <p>Development for a sensitive use must be not less than 50m from –</p> <p>(a) a major road identified in the Table to this clause;</p> <p>(b) a railway;</p> <p>(c) land designated in the planning scheme for future road or rail purposes; or</p> <p>(d) a proclaimed wharf area</p>	<p>P2</p> <p>Development for a sensitive use must –</p> <p>(a) have minimal impact for safety and efficient operation of the transport infrastructure; and</p> <p>(b) incorporate appropriate measures to mitigate likely impact of light, noise, odour, particulate, radiation or vibration emissions; or</p> <p>(c) be temporary use or development for which arrangements have been made with the relevant transport infrastructure entity for removal without compensation within 3 years</p>
<p>Planning Comments: Complies</p> <p>The proposal complies with the acceptable solution as the outbuilding is not located near a major road identified in the table subject to this clause, a railway or land designated for a road, railway, or a wharf area.</p>	

**STATUTORY IMPLICATIONS**

Land Use Planning and Approvals Act 1993

The Council is established as a Planning Authority by definition under Section 3(1) of the *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.

---

## **STRATEGIC IMPLICATIONS**

There are no significant strategic implications identified as part of this application.

## **POLICY IMPLICATIONS**

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

## **FINANCIAL IMPLICATIONS**

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

## **RISK IMPLICATIONS**

There 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 outbuilding complies with either the acceptable solution or satisfies the performance criteria for all applicable standards of the Planning Scheme. The proposal demonstrates that the lot is sufficiently able to contain stormwater on-site due to the size of the site in relation to the size of the development, and also due to the sandy soil which assists with drainage.

The proposed outbuilding is considered to be consistent within the streetscape along Elfrida Avenue and a condition has been recommended for screening to the frontage to ensure parking is less visible when viewed from the street. The bulk, proportions and dimensions of the outbuilding are reflective of surrounding outbuildings in Sisters Beach and sufficient area has been maintained on-site for any further development.

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

---

---

MOVED BY	CR COURTNEY
SECONDED BY	CR HOUSE

**That Council, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Waratah-Wynyard Interim Planning Scheme 2013*, approve an outbuilding at 17 Elfrida Avenue, Sisters Beach subject to the following 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 19112 as prepared by Abel Drafting Services and dated 5 June 2019.****
- (2) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.**
- (3) Stormwater from the development is to be contained within the boundaries of the property.**
- (4) Loading and un-loading of vehicles is to be confined to within the boundaries of the property.**
- (5) Vehicular access to and egress from the site is to occur only in a forward motion.**
- (6) Controls 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.**
- (7) The subject outbuilding is to be a class 10a structure only, no habitation is permitted as part of this permit.**
- (8) Screening is to be provided between the frontage of the site at Elfrida Avenue and the proposed carport portion of the outbuilding to a height of 1.8m and with a transparency of no more than 30%, to assist with screening the carport portion of the outbuilding from the frontage.**

Notes: -

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

- This project must be substantially commenced within two years of the issue of this permit.
- An “Activity within the Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
- The applicant is advised to consult with a Building Surveyor to ensure the development is constructed in accordance with the *Building Act 2016*.
- 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*.
- Road access and stormwater is to be in accordance with Road Access and Stormwater Drainage Assessment dated 29 July 2019.
- This permit is based on information and particulars set out in Development Application DA 101/2019 for a class 10A structure as an outbuilding. Any variation requires an application for further planning approval of Council.
- Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact Aurora Energy on 1300 132 003 to ensure these works do not impede

- 
- on existing electricity easements and are at a safe distance from 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, GPO Box 2036, Hobart, 7001.

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

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

**PLANNING AUTHORITY CLOSED AT 6.48PM**

---

---

**7.0 MATTERS RAISED BY COUNCILLORS****7.1 RESPONSE(S) TO COUNCILLOR QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING****7.1.1 CR FAIRBROTHER - SISTERS BEACH EROSION UPDATE FROM CROWN LAND SERVICES****QUESTION**

Cr Fairbrother asked the General Manager for an update on what was happening in regard to Sisters Beach erosion activities.

The General Manager advised that there was no update at the present time. He advised that the timing of the proposed individual site assessments and works by Parks and Wildlife Services was being followed up constantly and consistently by officers and would continue to be.

Cr Fairbrother then asked that the General Manager or Mayor write to Premier seeking his intervention to get action on this matter due to lack of response from Crown Land Services.

The General Manager advised that he would arrange for escalation to occur.

**OFFICERS RESPONSE**

Following the request from Council to escalate the matter at the last meeting, officers wrote to the established contacts at the Tasmania Parks and Wildlife Service requesting immediate response to outstanding action otherwise escalation would occur.

In response, Council were advised that Parks and Wildlife were “appraising fee proposal with the preferred consultant to do the works as discussed to guide future decision making”. Since that time, no further update has been provided.

As a result, escalation has commenced with a letter to the relevant Minister, Peter Gutwein.

**7.1.2 CR C. EDWARDS - YARD ROAD YOLLA****QUESTION**

Cr Edwards asked if council could look into the matter regarding maintenance of Yard Road Yolla as raised by Mr Neal.

**OFFICERS RESPONSE**

Council officers spoke to Mr Neale on the phone on Friday 16 August regarding his concerns. Council officers indicated that the level of maintenance could be reassessed based upon the volume of traffic using the road as part of the current service level review. Council purchased traffic counters as part of the 2019/20 budget to assist in this purpose



---

## 7.2 COUNCILLOR QUESTIONS RECEIVED IN WRITING

### 7.2.1 CR D. FAIRBROTHER - IMPACT OF STATEWIDE PLANNING SCHEME ON BUILDING ACT OR REGULATIONS ON LANDSLIP ZONES

#### QUESTION

Can Council staff explain the implications, impact or changes that the introduction of the new state-wide planning scheme have through the building act or regulations on proclaimed landslip zones in the municipality.

#### OFFICERS RESPONSE

Information on building in defined hazard areas is available on the Consumer, Building and Occupational Services (CBOS) website. In summary, the major shift specific to landslip is in terminology and classification. The original landslip designations under both planning and building were landslip A and B. Through the adoption of the Interim Planning Schemes, further hazard levels were introduced and a classification system of low, medium, medium-active and high was introduced. This classification system was then adopted in the Building Act 2016 and will be enacted once each Council area adopts their version of the Tasmanian Planning Scheme.

A Fact Sheet is attached and an extract of CBOS information provided below.

#### **Building in hazardous areas**

There may be additional considerations if you are building in areas subject to natural hazards in Tasmania.

New statewide planning and building requirements are being implemented for hazardous areas. These include areas potentially subject to:

- landslip
- bushfire
- flooding
- coastal erosion
- coastal inundation.

The changes are set out in Part 5 of the **Building Regulations 2016**, and in new **hazardous area Determinations issued by the Director of Building Control.**

When do the new building requirements for hazardous areas apply?

The changes to planning and building requirements for hazardous areas will take effect in each municipal area at the same time as the new Tasmanian Planning Scheme. The Tasmanian Planning Scheme will contain new planning hazard codes, as well as maps which define land subject to various natural hazards.

---

Until then, the specific building requirements for areas subject to bushfire, landslip and flooding which are set out in the Building Act 2000 and Building Regulations 2014 will continue to apply.

### **What are hazardous areas?**

The *Building Act 2016* defines a hazardous area as including land that is:

- prone to bushfire, landslip or flooding
- subject to slope instability
- subject to erosion or coastal inundation
- subject to sea level rises or storm surges.

### **When do hazardous area requirements apply?**

The hazardous area requirements apply if the land is located in a relevant hazard area (either shown on the planning scheme maps or otherwise defined), and the work is:

- permit work, or
- low risk or notifiable work listed in Schedule 1 of the relevant hazard Determination, or
- significant work in a landslip hazard area or bushfire-prone area.

### **What are the exemptions to hazardous area requirements?**

The hazardous area requirements do not apply if:

- the land is located outside a relevant hazard area, or
- the work is not low risk work or notifiable work listed in Schedule 1 of the relevant hazard Determination; or
- the work is specified as an exclusion in the *Building Regulations 2016* or in the relevant hazard Determination.

If a geotechnical report is required at the planning stage, then this same report should be able to be relied upon at the building stage.

## Building requirements for hazardous areas

### When do the new building requirements for hazardous areas apply?

The requirements for building work in areas subject to natural hazards are changing during 2017/2018.

New statewide planning and building controls are being implemented for hazardous areas. These include areas potentially subject to landslip, bushfire, flooding, coastal erosion and coastal inundation. The changes are set out in Part 5 of the [Building Regulations 2016](#), and in new hazardous area Determinations which will be issued later in 2017/2018.

Part 5 of the *Building Regulations 2016* has not commenced so does not currently apply to work in hazardous areas.

The changes to planning and building controls for hazardous areas will take effect in each municipal area at the same time as the new Tasmanian Planning Scheme. The Tasmanian Planning Scheme is expected to commence in the first municipal areas in 2017/2018.

Until then, the specific building requirements for areas subject to bushfire, landslip and flooding which are set out in the [Building Act 2000](#) and [Building Regulations 2014](#) will continue to apply.

### Summary of current requirements and future changes

Hazardous area	Requirements that apply from 1 January 2017	Requirements that apply from the commencement of Tasmanian Planning Scheme (for a particular municipal area) – from 2017/2018
Landslip	<p>Previous requirements still apply</p> <p>Controls apply to 'landslip A' and 'landslip B' areas</p> <p>Requirements are set out in Division 1 of Part 10 of the <i>Building Act 2000</i>, and Division 1 of Part 2 of the <i>Building Regulations 2014</i></p>	<p>New requirements apply to 'landslip hazard areas' as well as landslip A and landslip B areas</p> <p>Landslip hazard areas will be defined in planning scheme maps</p> <p>Requirements are set out in Part 5 of the <i>Building Regulations 2016</i> and in the new Landslip Determination (to be issued in 2017/2018)</p>

Hazardous area	Requirements that apply from 1 January 2017	Requirements that apply from the commencement of Tasmanian Planning Scheme (for a particular municipal area) – from 2017/2018
Flooding	<p>Previous requirements still apply</p> <p>Controls apply to land subject to flooding</p> <p>Requirements are set out in Section 159 of the <i>Building Act 2000</i>, and Division 3 of Part 2 of the <i>Building Regulations 2014</i></p>	<p>New requirements apply to 'land subject to riverine inundation'</p> <p>Requirements are set out in Part 5 of the <i>Building Regulations 2016</i> and in the new Riverine Inundation Determination (to be issued in 2017/2018)</p>
Coastal inundation	<p>Previous requirements still apply</p> <p>Controls apply to land subject to tidal flooding</p> <p>Requirements are set out in Section 159 of the <i>Building Act 2000</i>, and Division 3 of Part 2 of the <i>Building Regulations 2014</i></p>	<p>New requirements apply to 'coastal inundation hazard areas', which are defined in planning scheme maps</p> <p>Requirements are set out in Part 5 of the <i>Building Regulations 2016</i> and in the new Coastal Inundation Determination (to be issued in 2017/2018)</p>
Coastal erosion	No requirements	<p>New requirements apply to 'coastal erosion hazard areas' which are defined in planning scheme maps</p> <p>Requirements are set out in Part 5 of the <i>Building Regulations 2016</i> and in the new Coastal Erosion Determination (to be issued in 2017/2018)</p>
Bushfire	<p>Previous requirements still apply</p> <p>Requirements are set out in Part 1A of the <i>Building Regulations 2014</i>, the <a href="#">Requirements for Building in Bushfire-prone Areas Determination (Version 2.1.1 September 2017)</a> and the <a href="#">Application of Requirements for Building in Bushfire-prone Areas Determination (Version 1.2.1 September 2017)</a>.</p>	<p>New requirements apply to 'bushfire-prone areas' which are either defined in planning scheme maps or based on proximity of bushfire prone vegetation</p> <p>Requirements are set out in Part 5 of the <i>Building Regulations 2016</i> and in the new Bushfire Determination (to be issued in 2017/2018)</p>

---

## What are “hazardous areas”?

Section 4 of the *Building Act 2016* defines “hazardous area” as including land that is:

- Prone to bushfire, landslip or flooding;
- Subject to slope instability;
- Subject to erosion or coastal inundation;
- Subject to sea level rises or storm surges.

## Transitional provisions

Schedule 6 of the *Building Regulations 2016* sets out transitional provisions that provide that relevant parts of the *Building Act 2000* and the *Building Regulations 2014* continue to apply for building work in hazardous areas after 1 January 2017.

The transitional provisions set out that Part 5 of the *Building Regulations 2016* (relating to hazardous areas) will come into effect only when the new Tasmanian Planning Scheme commences in a particular municipal area.

## *Building Act 2000* and *Building Regulations 2014* requirements still apply

Until Part 5 of the *Building Regulations 2016* is active in a municipal area, the previous requirements under the *Building Act 2000* and *Building Regulations 2014* still apply.

Any definitions which are contained in section 3 of the *Building Act 2000* or regulation 3 of the *Building Regulations 2014* which are necessary to give effect to the requirements need to be considered.

This means, for example that ‘bushfire-prone area’ and ‘bushfire-prone vegetation’ which are contained in regulation 3 of the *Building Regulations 2014* should be referred to because they are necessary to give effect to Part 1A of the *Building Regulations 2014*.

## Requirements for land subject to landslip

The previous requirements in the *Building Act 2000* and *Building Regulations 2014* relating to building work in landslip A and landslip B areas still apply.

Requirements are set out in Division 1 of Part 10 of the *Building Act 2000*, and Division 1 of Part 2 of the *Building Regulations 2014*.

## Requirements for land subject to flooding

The previous requirements in the *Building Act 2000* and *Building Regulations 2014* relating to building work on land subject to flooding still apply.

Requirements are set out in Section 159 of the *Building Act 2000*, and Division 3 of Part 2 of the *Building Regulations 2014*.

---

## Requirements for bushfire-prone areas

The previous requirements in the *Building Act 2000* and *Building Regulations 2014* relating to building work in bushfire-prone areas still apply.

In addition, two bushfire determinations set out specific requirements, and the application of the requirements to low risk work and notifiable work.

### Bushfire determinations

The Determination entitled [Requirements for Building in Bushfire-Prone Areas Version 2.1 \(1 September 2017\)](#) effectively replaces Version 1 of the Determination (14 March 2016) for the purposes of the transitional arrangements.

Along with Part 1A of the *Building Regulations 2014*, this Determination sets out the current requirements for building in bushfire-prone areas.

The Determination entitled [Application of Requirements for Building in Bushfire-Prone Areas \(Version 1.2, 1 September 2017\)](#) specifies the types of low risk work in bushfire-prone areas that are to be considered as notifiable work, and specifies the types of low risk work and notifiable work in bushfire-prone areas that are subject to specific controls. Under this Determination, low risk work and notifiable work does not necessarily become permit work if it is located in a hazardous area.

### How do the requirements under the *Building Regulations 2014* work with the new Director's Determination on Categories of Work?

The requirements of the *Building Regulations 2014* generally operate as they did previously. However, those requirements work in unison with the new system of obtaining a building permit (ie. with reference to the Director's Determination on Categories of Building and Demolition Work).

Consequently, the definition of 'building work in a bushfire-prone area' in regulation 3 has been amended to delete (d) and (e) to be as follows:


*building work in a bushfire-prone area* means –

- (a) the erection, re-erection or construction of a new building; and
- (b) additions or alterations, requiring a building permit, of existing buildings; and
- (c) a change from a non-residential class of building to a residential class –

but does not include the following:

- ~~(d) any work exempted by the Building Regulations from requiring a building permit;~~
- ~~(e) minor alterations or minor repairs of an existing building;~~
- (f) any work where the BAL has been assessed as BAL-Low unless the building use is a vulnerable use;



- 
- 
- (g) demolition or removal of a building, or part of a building, unless that work would expose a habitable building to a higher bushfire attack level from embers or radiant heat;
  - (h) erection of a non-habitable building (Class 10a) that is separated from a habitable building by 6 metres or more;
  - (i) erection of a structure (Class 10b);
  - (j) internal building work that requires a building permit;
  - (k) a change of use of a building that requires a building permit for new work, but not –
    - (i) for a change of use of a building that is classed as a vulnerable use; or
    - (ii) where the new use is classed as a hazardous use that requires planning approval, as hazardous chemicals or explosives will be stored on the site;
  - (l) a change of building classification that requires a building permit for new work (but not for a vulnerable use, or a hazardous use that requires planning approval);

Items (d) and (e) have been deleted because under the new risk-based approach to obtaining a building permit in the *Building Act 2016*, there is no longer a concept of “exempt” or “minor” work.

When deciding if building work is ‘building work in a bushfire-prone area’ practitioners must decide if the building work fits into (a), (b) or (c) and then decide if it can nevertheless be excluded as building work in a bushfire-prone area by application of (f) through to (l).

### **Low risk or notifiable building work in a bushfire-prone area**

The Determination on Application of Requirements for Building in Bushfire-Prone Areas, sets out the low risk work and notifiable work in a bushfire-prone area to which the previous requirements for permit work under the *Building Act 2000* and *Building Regulations 2014* still apply.

### **Alternative Solutions and the Tasmania Fire Service for permit work**

The requirement for an “alternative solution” or a “performance solution” (as defined in the National Construction Code) in a bushfire-prone area to be referred to the Chief Officer of the Tasmania Fire Service was formerly in Schedule 2 of the *Building Regulations 2014*.


Please note that Schedule 2 of the *Building Regulations 2014* is no longer operative. Practitioners should instead refer to Schedule 1 of the *Building Regulations 2016* (which unlike Part 5 is already active).

### **Future requirements for hazardous areas**

Part 5 of the *Building Regulations 2016* (sections 48 to 64 inclusive) sets out the future requirements for work in hazardous areas.

Part 5 is not active in respect to a municipal area until the new Tasmanian Planning Scheme come into effect in that municipal area. The Tasmanian Planning Scheme will contain new planning hazard codes relating to hazardous areas, as well as maps which define land subject to various natural hazards.

---



Part 5 will therefore generally become active on a Council by Council basis. Practitioners will need to check if the Tasmanian Planning Scheme has come into force for that municipal area.

The Director of Building Control will also issue a range of new Determinations in relation to hazardous areas prior to the commencement of Part 5.

This document has been produced and published by the Consumer Building and Occupational Services Division of the Department of Justice. Although every care has been taken in the production of the work, no responsibility is accepted for the accuracy, completeness, or relevance to the user's purpose, of the information. Those using it for whatever purpose are advised to verify it with the relevant government department, local government body or other source and to obtain any appropriate professional advice. The Crown, its officers, employees and agents do not accept liability however arising, including liability for negligence, for any loss resulting from the use of or reliance upon the information and/or reliance on its availability at any time.



PO Box 56, Rosny Park TAS 7018  
Phone: 1300 654 499 Fax: 03 6233 8338  
Email: [cbosinfo@justice.tas.gov.au](mailto:cbosinfo@justice.tas.gov.au) Visit: [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

Page | 6



---

## 7.3 COUNCILLOR QUESTIONS WITHOUT NOTICE

Legislative Reference:

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

*Council Meeting Procedures (GOV-009) June 2019*

### **29. Questions without notice**

- (1) A Councillor at a meeting may ask a question without notice:
  - (a) of the chairperson; or
  - (b) through the chairperson, of:
    - (i) another Councillor; or
    - (ii) the general manager.
- (2) In putting a question without notice at a meeting, a Councillor must not:
  - (a) offer an argument or opinion; or
  - (b) draw any inferences or make any imputations –  
except so far as may be necessary to explain the question.
- (3) The chairperson of a meeting must not permit any debate of a question without notice or its answer.
- (4) The chairperson, Councillor or general manager who is asked a question without notice at a meeting may decline to answer the question.
- (5) The chairperson of a meeting may refuse to accept a question without notice if it does not relate to the activities of the council.
- (6) Questions without notice, and any answers to those questions, are not required to be recorded in the minutes of the meeting.
- (7) The chairperson of a meeting may require a Councillor to put a question without notice in writing.

### **7.3.1 CR DUNIAM - NATURAL BURIALS**

Cr Mary Duniam asked if natural or 'green' burials were allowed in the municipal area.

The General Manager took the question on notice.

### **7.3.2 CR FAIRBROTHER - SISTERS BEACH COMMUNITY MEETING - COASTAL EROSION**

Cr Darren Fairbrother asked if the General Manager could arrange a second meeting with Sisters Beach stakeholders as a follow-up to the meeting held 23 October 2018 to provide an update and develop a forward plan listing roles and responsibilities. He also asked if the meeting could be held before summer.

The General Manager advised that this could be arranged.

### **7.3.3 CR FAIRBROTHER BOAT HARBOUR BEACH - POTHoles**

Cr Darren Fairbrother asked if a load of dirt could be provided to fill potholes in the Boat Harbour Beach Surf Club car park and Moore Street.

The General Manager advised he would ask officers to investigate.

---

---

<b>8.0 NOTICE OF MOTION</b>
-----------------------------

**8.1 CR D. FAIRBROTHER - PUBLIC STATEMENTS AT COUNCIL MEETINGS**

**BACKGROUND INFORMATION**

Council have recently taken steps since the 2018 election to improve our communication with the community. This is consistent with the values of the organisation particularly transparency.

Occasionally the public statements opportunity provided to the community is at times abused by some. This can be controlled with assertive direction provided from the meeting chairperson. Criticism of Council is at times warranted and public statements has previously contributed to and ensured improved decision making by Councillors

**OFFICERS COMMENT**

At the June Council meeting, Council determined unanimously:

*That Council:*

- 1. Adopts the Council Meeting Procedures Policy based on the Local Government (Meeting Procedures) Regulations 2015 to take effect by the July 2019 Council meeting; and*
- 2. Determine any other procedures under Regulation 37 considered relevant and appropriate in addition to prescribed procedures following further review of the Policy over the next twelve months*

Some of the minor and procedural changes were implemented by July but others, such as those requiring structural changes to the agenda document were scheduled to take place at the September meeting. Regular participants to the Council meetings have been advised of the changes.

The adopted resolution by Council indicates review of the Policy after twelve months. The Notice of Motion in effect brings forward that review and instigates a change immediately. Should the motion be successful, the Policy can be updated to reflect the permission of public statements, in line with previous practice.

MOVED BY	CR FAIRBROTHER
SECONDED BY	CR DUNIAM

**That Council amend its Meeting Procedures to allow for Public Statements**

The MOTION was put and was CARRIED.

**IN FAVOUR**

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR HOUSE	CR BRAMICH		CR COURTNEY

**AGAINST**

		CR HYLAND	

---

---

## 9.0 REPORTS OF OFFICERS AND COMMITTEES

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

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	8 August 2019
File Reference:	2019 09-01
Enclosures:	Nil

---

#### PURPOSE

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

#### BACKGROUND

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

The Plan provides:

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

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

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

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

---

Throughout this period the Plan received extensive coverage in the Advocate Newspaper, individual letters and fact sheets were distributed to all clubs and identified stakeholders, information was included on the Council's website and social media sites and several public information sessions were held. 119 people attended the information sessions which were held in Wynyard and Somerset and 47 meetings were held between clubs and the Mayor and General Manager.

## **DETAILS**

The OSSR Plan delivered a series of recommendations and are listed in the Plan.

An update on the actions taken or to be taken against these recommendations are listed in the table included at the end of this report.

Items of note included:

1. Completion of design and obtaining of funding for the Coastal Pathway
2. Concept designs of new All Ability Playground at ANZAC Park has been completed with \$1.3m funding committed as part of the Federal Election
3. Commencements of the Wynyard Waterfront and Environs Masterplan projects:
  - a. The wharf augmentation and parking improvements has been substantially completed
  - b. The seawall has been upgraded
  - c. Work on the Boardwalk which links Gutteridge Gardens to the coastal pathway has commenced with completion expected in November
  - d. The detailed design for the Multi-Purpose Community Facility (incorporating the Wynyard Yacht Club is almost ready to go to tender.
4. The Wynyard BMX park upgrades are well underway.
5. New changerooms are being built at the Wynyard Recreation Ground to cater for female sports.
6. A Freedom Camping Options Report was developed and adopted
7. New Community Health and Wellbeing, Age Friendly Communities and Youth Plans were adopted
8. Design work for the East Wynyard Playground is progressing and due for completion in early 2020. The design and tender for the public toilets at the East Wynyard Playground has been completed and will be the first component of the project to be delivered.
9. The Wynyard CBD Civica Plaza including public toilets is due for construction early 2020.
10. A location for a Somerset Community Centre has been identified with negotiations currently underway.
11. A working group has been established to develop a new Environmental Strategy for Council
12. Establishment of a series of Council and Community Working Groups to progress planning for key projects:

WORKING GROUP	STATUS
Cam River Reserve Working Group	Yet to commence
Boat Harbour Masterplan Group	Terms of Reference and charter for group currently being drafted with first meeting to be scheduled.
Somerset Sporting Precinct Plans	Yet to commence
Sisters Beach Working Group	Group has now had several meetings with key priorities identified.
Wynyard Showgrounds Working Group	Show Society has provided list of names and first meeting has been scheduled.
Environmental Plan Working Group	Group has been formed with several meetings held. Currently researching and analysing data.
ANZAC Park Working Group	Commonwealth Grant application completed. Independent costing undertaken. Progress meeting scheduled

13. Key items included in Annual Plan and Budget Estimates 2019/20:

- a. In conjunction with the Community, develop a plan for Sisters Beach informed by OSSR and other relevant plans.
- b. Implementation of the Public Camping Strategy and practices.
- c. Implementation of actions from Community Health and Wellbeing, Age Friendly Communities and Youth Plans.
- d. Development of Masterplan for Cam River Precinct.
- e. Development of detailed design for a Somerset Sports Precinct.
- f. Completion of the Wynyard Recreation Ground Changerooms.
- g. Completion of the Wynyard Waterfront and Environs Masterplan Projects.
- h. Complete a feasibility study for Waratah Falls Walk.
- i. Installation of irrigation at Frederick Street Reserve and Somerset Recreation Ground (Cardigan Street).
- j. Review of all leases, agreements and fees and implementation of changes to ensure equity and consistency.

**STATUTORY IMPLICATIONS**

Statutory Requirements

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

---

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

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

### Sustainable Murchison Community Plan 2040

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

## POLICY IMPLICATIONS

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

## FINANCIAL IMPLICATIONS

There will be financial implications in addressing the recommendations within the OSSR Plan, these will be managed during the usual budget approval processes.

## RISK IMPLICATIONS

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

---

## CONSULTATION PROCESS

There was no consultation undertaken in relation to this report.

## CONCLUSION

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

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

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

The MOTION was put and was CARRIED unanimously.

### IN FAVOUR

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

<b>Priority</b>	<b>High (1-2 years)</b>
	<b>Medium (3-5years)</b>
	<b>Low (5-9 Years)</b>
	<b>Not proceeding</b>

**OPEN SPACE SPORT & RECREATION PLAN - RECOMMENDATIONS BY ISSUES PAPERS**

		<b>Priority</b>	<b>Responsibility</b>	<b>Budget (year)</b>	<b>Current Status</b>
<b>OFF ROAD TRAILS</b>					
1	Consider trails as a priority type of recreation infrastructure for all localities with visitor accommodation, scenic or heritage attractions and urban settlements.	Medium	Community Activation		Policy position
2	Continue to negotiate with property owners to secure rights of way or access around private land along key trail routes such as Stanley to Smithton, key scenic routes and regional links along former rail lines, the coast as well as river corridors	Low	Community Activation		A specific review has not been conducted however as part of “business as usual” this is occurring on a case by case basis. E.g. Gone Nuts event and Coastal Pathway.
3	Ensure that all new projects that include open space consider the opportunity to provide a trail corridor (i.e. foreshore developments).	Medium	Development Services	Ongoing	Policy position
4	Provide and promote trails that offer different levels of physical challenge e.g. stairs or hill climbs, suitable for mountain bikes, suitable only for walking, suitable for wheelchair users, suitable for dogs, suitable for horses, etc.	Medium	Development Services	Ongoing	Policy position To be considered as part of each project during design stage
5 Also refer #2	Complete the existing local trail plans and add routes suggested by this plan.	Medium	Community Activation	Complete Ongoing	Information is available at the Wonders of Wynyard. Reviews will continue as per #2
6	Promote and support trail events that encourage tourism and physical activity.	Medium	Community Activation	Ongoing	Community Activation team is involved in this space, the Gone Nuts event is an example
7	Work with Parks and other groups to further promote trails and future routes, highlighting each trail’s unique attributes as a point of difference to attract visitors,	Medium	Community Activation	Ongoing	Tassie Trails Destination Marketing Plan CCA Coastal Walks



		Priority	Responsibility	Budget (year)	Current Status
	amalgamate existing trails information and produce a single source of information. Provide consistent wayfinding and signage, trails markers and route information including what activities they are suitable for. Investigate creating a technological solution to the provision of mapping and trail information.				
8	Prioritise the development of the coastal pathway from Burnie to Wynyard and then connecting to the airport and other destinations of interest in the vicinity.	High	Engineering & Projects		Plan has been developed and funding secured. Now waiting on state funding to address coastal erosion issues which will impact infrastructure if not addressed prior to building path.
9	Encourage volunteer involvement in the development, maintenance and management of trails.	Medium	Community Activation		Explore based on need, project specific
10	Include trail design recommendations / regulations as part of the land development policy	Medium	Development Services		
11	Where possible ensure all future trail corridors are at least 10 metres wide and include buffers and right of way on either side of the trail and canopy trees within the trail corridor	Medium			
12	Where possible light key trails in urban areas e.g. Gutteridge Gardens and along the river in Smithton	Low			To be considered as part of each project. Lighting is included for walkways around the new multi-purpose facility and Boardwalk. Lighting established in Gutteridge Gardens
13	Ensure a suitable surface is used for unsealed trails to manage risk and assist older people and those using mobility devices	Low	Community Activation		Project to list/audit trails and determine requirements
<b>OCCUPANCY AGREEMENTS</b>					
14	Ensure all clubs and use groups have occupancy agreements for the use of community and sporting facilities and reserves.	High	Community Activation	19/20	Annual Plan Action Item – 4.4 - Review all council infrastructure leases, agreements and fees and implement any required changes to ensure equity and consistency. Report and recommendations currently being developed for presentation Council

		Priority	Responsibility	Budget (year)	Current Status
15	A license (an agreement for casual, seasonal or annual use over 3-5 years) is the preferred form of occupancy agreement as it retains the asset in public ownership and encourages sharing.	refer 14	Community Activation	19/20	Annual Plan Action Item – 4.4 - Review all council infrastructure leases, agreements and fees and implement any required changes to ensure equity and consistency. Report and recommendations currently being developed for presentation Council
16	Usage agreements shall require (and reward) clubs and user groups for sharing. Facility design should ensure sharing is practical	NO ACTION	Community Activation	19/20	Annual Plan Action Item – 4.4 - Review all council infrastructure leases, agreements and fees and implement any required changes to ensure equity and consistency. Report and recommendations currently being developed for presentation Council
17	Agreements should be devised more like service agreements than commercial leases and set out: common objectives for the facilities, specific responsibilities for grounds, facilities and surrounds, and encourage use especially by people less able to participate	refer 14	Community Activation	19/20	Annual Plan Action Item – 4.4 - Review all council infrastructure leases, agreements and fees and implement any required changes to ensure equity and consistency. Report and recommendations currently being developed for presentation Council
18	The nature of agreements and conditions of use should be consistent across all facilities and require clubs to provide records of use and member numbers per season	refer 14	Community Activation	19/20	Annual Plan Action Item – 4.4 - Review all council infrastructure leases, agreements and fees and implement any required changes to ensure equity and consistency. Report and recommendations currently being developed for presentation Council
19	Council should negotiate with the Crown to have consistent occupancy agreements for community facilities on public land so that they have the same type of agreement, conditions and tenure.	refer 14	Community Activation	19/20	CLS are currently reviewing all agreements to develop a consistent approach. Council officers are working with CLS to progressively update all agreements.
20	Utilise the process of managing agreements to enhance communication between Council and user groups to share	refer 14	Community Activation	Ongoing	Recreation Officer building relationships with all clubs. Clubs and organisations included in working groups when projects impact their

		Priority	Responsibility	Budget (year)	Current Status
	information about demand, assist with growing participation and facilitate club development.				facilities or operations. Community Activation Department works with Clubs and organisations on events, club strategic planning, facilities management and grant applications as required.
21	Organise discussion and networking opportunities to share ideas and information and aid sharing between user groups in each season.	Medium	Community Activation	Ongoing	Regular Meetings are organised e.g.: <ul style="list-style-type: none"> <li>• 2 x per year - presidents meeting</li> <li>• Frederick Street Users Group as required</li> </ul>
22	Encourage clubs or peak bodies to make capital contributions to the development of facilities <i>that are beyond the level council is reasonably expected to provide e.g. fit for purpose facilities</i> to: a) progress them to a higher quality; or b) enable these to be developed more quickly than otherwise possible; or c) provide more specialised surfaces than a community can otherwise afford.	Medium	Community Activation	Ongoing	Council has been working with State Bodies to gain maximum support and funding for local facilities including: Cricket Tasmania Tasmanian Football Federation Council also works with clubs to assist them with grant applications for funding capital works.
23	A standard capital contribution agreement with a sunset clause should be struck with all user groups willing to make a contribution to a capital project	#22			
24	The capital contribution agreement should include the date and amount contributed and may include in-kind contributions if work is designed and project managed by Council. In return for the assistance, a user group should be offered a rental rebate for a specified term commensurate to the amount contributed. The agreement should acknowledge that the facility's ownership rests with the Council and sharing with other users is required unless all costs associated with the operation and replacement of the infrastructure is the user group's responsibility	#22			
25	An acknowledgement of a capital contribution by a user group should be made (i.e. a through a commemorative plaque and/or naming).	#22			
26	All users should pay a user fee that does not discourage use	High		19/20	Annual Plan Action Item – 4.4 - Review all council infrastructure leases, agreements and fees and implement any

		Priority	Responsibility	Budget (year)	Current Status
					required changes to ensure equity and consistency. Report and recommendations currently being developed for presentation Council
27	Fees should be the same for the same type and quality of facility, regardless of the location.	High		19/20	Annual Plan Action Item – 4.4 - Review all council infrastructure leases, agreements and fees and implement any required changes to ensure equity and consistency. Report and recommendations currently being developed for presentation Council
28	Use should be allocated based on sessions, not seasons, to encourage other users	High		19/20	Annual Plan Action Item – 4.4 - Review all council infrastructure leases, agreements and fees and implement any required changes to ensure equity and consistency. Report and recommendations currently being developed for presentation Council
29	The price a user pays should be consistent with the same type of facility regardless of where the ground is	High		19/20	Annual Plan Action Item – 4.4 - Review all council infrastructure leases, agreements and fees and implement any required changes to ensure equity and consistency. Report and recommendations currently being developed for presentation Council
30	User fees should reflect a proportion of costs only related to that use (marginal cost).	High		19/20	Annual Plan Action Item – 4.4 - Review all council infrastructure leases, agreements and fees and implement any required changes to ensure equity and consistency. Report and recommendations currently being developed for presentation Council
31	Commercial or for-profit groups should have different rate of fees to Club users of facilities	High		19/20	Annual Plan Action Item – 4.4 - Review all council infrastructure leases, agreements and fees and implement any

		Priority	Responsibility	Budget (year)	Current Status
					required changes to ensure equity and consistency. Report and recommendations currently being developed for presentation Council
	Users willing to share, and those providing for females, juniors, all-ability teams and masters users should pay less than other users	High		19/20	Annual Plan Action Item – 4.4 - Review all council infrastructure leases, agreements and fees and implement any required changes to ensure equity and consistency. Report and recommendations currently being developed for presentation Council
33	Indoor centres should be co-located with schools and other facilities to enable cost sharing, maximise occupancy and the provision of a management presence and programming to increase use and income.				Council has commenced discussions with the Education department for Somerset facility
<b>PUBLIC TOILETS</b>					
34	Adopt the siting and provision guidelines for public toilets in the Issues Paper	Medium	Asset Services		Any requests for public toilet are to be considered as per locality guide
35	Ensure that all new toilets and all upgrades consider the principles of crime prevention through environmental design			19/20	Design Consideration Capital Budget – Wynyard Civic Square - \$500k Capital Budget – East Wyn. Foreshore Toilet \$95k Capital Budget – BHB Toilet S/Steel Lining \$22k
36	Use good lighting at all public toilets and use sensor lights where possible			Ongoing	Design Consideration Capital Budget – Wynyard Civic Square - \$500k Capital Budget – East Wyn. Foreshore Toilet - \$95k
37	Ensure any future park toilets are positioned on street frontages and not internally in parks unless impractical due to the size of the park and if provided in association with specific facilities			Ongoing	Design Consideration Civic Square Toilet Wynyard Capital Budget – Wynyard Civic Square - \$500k
38	Each time a toilet is to be upgraded and refurbished, ensure it is made more accessible			Ongoing	Design Consideration and all facilities have a DDA compliance requirement

		Priority	Responsibility	Budget (year)	Current Status
39	Encourage smart contemporary architectural design of new public toilets accommodating elements described in this strategy, including some standard colour identifier so as they are very easily identifiable as public toilets.			Ongoing	Design Consideration Civic Square Toilet Wynyard Capital Budget – Wynyard Civic Square - \$500k Capital Budget – East Wyn. Foreshore Toilet - \$95k
40	Review and upgrade all directional and on-building signage relating to public toilets including way finding to ensure that signage is clear, consistent, and compliant and toilets facilities are clearly identifiable and convey a unified brand	Medium		19/20	Audit of signage to be completed Develop budget submissions for 20/21 Design to be as per branding and signage policy currently being developed Annual Plan Action 3.1 – Develop a Municipal Sign Strategy
41	Prepare a standardised guide and specification for signage of public toilets that meets relevant Australian standards and is clear for people with vision impairment	Medium		19/20	Annual Plan Action 3.1 – Develop a Municipal Sign Strategy
42	Coordinate the development of one single quality source of information on toilets, that is mapped, and kept up to date and includes some basic information	Medium		Complete & ongoing	National Public Toilet Register is being utilised.
42	Ensure the design principles outlined in this document are brought into all design specifications for future toilets		Asset Management	Complete	Design Consideration for all facilities
44	Investigate and undertake a cost-benefit analysis or adding the ability to remotely open, close and lock all toilet facilities.	High	Asset Services		Not yet progressed
45	Consider managing toilets with other agencies and community organisations	High	Asset Services		Not yet progressed
	<b>SOMERSET</b>				
47	Consider the need to provide access to a public toilet to serve Coastal pathway users.	High	Infrastructure & Development Services	19/20 20/21	Complete Toilet facility included in ANZAC Park detailed design
	<b>BOAT HARBOUR</b>				
50	Negotiate public access to toilets at the Surf Club			20/21	Complete Toilets have been considered in the recently adopted BHB Masterplan
	<b>WYNYARD</b>				

		Priority	Responsibility	Budget (year)	Current Status
53	Ensure there are public toilets in the Sport and Recreation Precinct, Frederick Street Reserve and at the waterfront development	High		19/20	Complete Included in concept design for each precinct and will be finalised during detailed design phase. The Waterfront Multi-Purpose Facility has included public toilets
	<b>YOLLA</b>				
54	Negotiate with a local business to provide a public toilet or open the toilet in the Recreation Ground for community use	High			.
<b>COMMUNITY MEETING PLACES</b>					
55	Create a directory of community spaces and advertise their availability and suitability for both community and commercial activities.	High	Community Activation	Ongoing	Available on website and at Council offices
56	Work in close collaboration with and encourage schools, sports clubs and churches who have halls and spaces that may be suitable for arts, cultural and sporting activities, to allow their facilities to be used for community meetings and appropriate activities. Include these in an inventory of facilities available for community use and advertise their availability.		Community Activation		NFA - This is already occurring
57	Implement a more effective booking and management system for the halls under Council control. Additionally, the Council(s) should work with the willing current providers of community halls to develop an online booking system, advertise all halls for hire (regardless of ownership) and promote the activities conducted there.	High	Community Activation	19/20	Capital Budget Item Online booking system for facilities - \$20k
58	Promote all halls, and sports facilities that can be used for community activities, and investigate other opportunities to use local halls for cultural activities and events.	Same as #55			
59	Ensure all sports club venues are available for community use and that there is some consistency in fees and charges to hire these, based on the type of facility, size and quality etc.	High	Community Activation	19/20	Annual Plan Item 4.4 - Review all council infrastructure leases, agreements and fees and implement any required changes to ensure equity and consistency.

		Priority	Responsibility	Budget (year)	Current Status
60	Selectively upgrade the access into one large community meeting place and any internal toilet, in each town and village. Promote the accessible facilities to assist people when choosing facilities				
61	Following the promotion of community facilities and the availability of a simple booking system that enables the accurate calculation of use, income and expenditure, hold a community consultation to discuss the facilities not well utilised, and options to:	Med		21/22	
	A) service the need for gathering spaces in hamlets such as Moorleah within 20 mins of a town	Med			
	b) options to consolidate community meeting spaces in Wynyard, considering the redevelopment of the Football / Cricket facilities at the Recreation Ground, and c) opportunities to retain the public land but either gift the building to the community with the caveat that it be returned to Council for disposal/rationalisation if required or lease or sell the buildings for commercial / private uses	Med High	GM Office		
65	If the Wynyard indoor recreation centre is to be expanded to multiple courts, consider designing this to accommodate space for large civic gatherings	Med		21/22?	Will be considered during design stage.
67	The WWC should work to promote and revitalise the use of the Elma Fagan Hall through initiatives such as the Men's Shed. If usage does not increase investigate relocating it, allowing the hall to be used by campground customers or selling the building			19/20 20/21	
68	Consider providing a community centre in Somerset in conjunction with the primary school, and the Somerset Sport and Recreation Precinct Master Plan				A Community Centre alternate site has been identified and negotiations are underway to finalise a suitable arrangement.
69	Consider redeveloping a community meeting space in conjunction with the fire shed at Sisters Beach and encouraging the use of the Boat Harbour Life Saving Club for other community activities	High	Community & Engagement	19/20	Annual Plan Action 1.1 - In conjunction with Community, develop a plan for Sisters Beach informed by OSSR and other relevant plans





		Priority	Responsibility	Budget (year)	Current Status
					during public consultation phase due to commence.
74	Enhance the accessibility of social /family recreation spaces to people with a disability and older adults, in both areas	High	Community Activation	Ongoing	Will be addressed as part of Community Wellbeing Plan, Age and Youth Friendly Plans. Annual Plan Actions 3.5 – Develop Implementation Plan for Health and Wellbeing Plan and implement Year one deliverables. 3.5 - Develop Implementation Plan for the Youth and Age Friendly Plans and implement Year One deliverables.
<b>FREEDOM CAMPING</b>					
75	Encourage and promote camping as a recreation activity that benefits the community, in areas that are appropriate and sustainable.	High	Community Activation Tourism & Marketing	19/20	Annual Plan Action 1.3 –Implement Public Camping Strategy and Practices
76	Encourage the Cradle Coast Authority to engage with National Parks, Forestry, commercial providers and the crown, to develop a model where camping facilities are marketed, developed and managed collectively, throughout the region	High	Community Activation Tourism & Marketing	19/20	Annual Plan Action 1.3 –Implement Public Camping Strategy and Practices 5.1 – Review and Update Tourism Plan (2011-20) Working with key stakeholders will be part of developing the strategy

		Priority	Responsibility	Budget (year)	Current Status
77	Identify selected suitable sites for Freedom Camping, for example; <ul style="list-style-type: none"> <li>• adjacent to (within 1 km of) but not at the same location as scenic attractions and visitor destinations</li> <li>• in localities without campgrounds or accommodation premises offering freedom camping</li> <li>• adjacent to a river or coastal foreshores, at sites that don't conflict with public use</li> <li>• not in a residential area</li> <li>• not in a park or reserve used for recreation – for example, where children play, people walk, picnic etc.</li> <li>• within easy access for and suitable for the manoeuvring of large vehicles, and not likely to cause traffic congestion</li> <li>• on the hinterland side of any road along a foreshore</li> <li>• not between the closest roadway and within any view shed of a scenic headland, coast or natural feature, historic or visitor destination</li> <li>• within a short walk or drive of a commercial facility</li> <li>• with a suitable surface for parking – (i.e. not managed sports turf or in conservation areas)</li> <li>• serviced by an off-road trail</li> <li>• already served by a dump point</li> <li>• not in a car park designated for boat trailers or other non-self-contained vehicles in the hours required</li> <li>• in townships in reasonable proximity to retail areas, points of interest and amenities</li> </ul>	High	Community Activation Development & Regulatory Services	19/20	A Freedom Camping Options prepared by David Hammond has been presented to Council with high level decisions made regarding locations for freedom camping. Detailed decisions and implementation is to be determined. Public consultation is the first step in determining possible sites, including at Sisters Beach, alternate sites will also be considered. Annual Plan Action <a href="#">1.3 –Implement Public Camping Strategy and Practices</a>
78	Signage of freedom camping should; <ul style="list-style-type: none"> <li>• Specify parking is only for vehicles that are self-contained</li> <li>• Specify parking hours that minimise conflict with other users: (for example after 9 pm and before 7 am)</li> <li>• Restrict vehicles staying more than two nights stay in the designated area.</li> </ul>	High	Development & Regulatory Services	19/20	This will be informed by the Public Camping Strategy and Practices and the Signage Strategy currently being developed. Signage is being erected as required. Annual Plan Action <a href="#">1.3 –Implement Public Camping Strategy and Practices</a> <a href="#">3.1 – Develop a Municipal Sign Strategy</a>
79	Review the strategic location of campgrounds and freedom camping areas (in conjunction with the Cradle Coast Authority, National Parks and local tourism associations) to ascertain whether or not there are sufficient facilities, and in strategic nodes, to provide benefits to the local community	High	Community Activation	19/20	A Freedom Camping report has been completed and adopted. This will inform the investigation and determination of potential sites as form part of the Public Camping Strategy and Practices <a href="#">1.3 –Implement Public Camping Strategy and Practices</a>

		Priority	Responsibility	Budget (year)	Current Status
80	Exclude prime foreshore, pedestrian and scenic locations from freedom camping areas, opting instead for areas that are close by to, but do not obscure, attractions	High	Community Activation Development & Regulatory Services	19/20	Freedom Camping has now been banned at Boat Harbour Beach following a resolution of Council in August 2019. Annual Plan Action 1.3 –Implement Public Camping Strategy and Practices 5.4 - Develop and deliver a Settlement Strategy to guide future growth and development within the municipality
81	Install signage to control the movement and parking of camping vehicles	High	Development & Regulatory Services	19/20	Signs are being erected as required.
82	Investigate design options for select designated car parks to make these more functional for large camper vehicles	Med		ongoing	Design consideration for any new projects.
84	Encourage local committee and clubs to support freedom camping at select local halls and recreation reserves	Med		19/20	Annual Plan Action 1.3 –Implement Public Camping Strategy and Practices Key stakeholders will be consulted during the development of the strategy and any action would need to be in line with policy once adopted
85	Encourage campers to use local services by locating dump and water points adjacent to commercial outlets and service centres.	High	Tourism & Marketing Works & Services	19/20	A resolution of Council has determined that the RV dump point will be relocated outside the waste transfer station with ample turnaround area. Capital Budget Item - Relocate RV Dump Point \$25k
86	Review (in conjunction with the Cradle Coast Authority, National Parks and local tourism Associations) the strategic location of campgrounds, and freedom camping areas.	Same as #79			
87	Work with industry partners to promote camping as a recreational activity, and Freedom camping, within the municipalities of Waratah-Wynyard and Circular Head (regardless of land ownership).	Same as #76			

		Priority	Responsibility	Budget (year)	Current Status
88	Wherever freedom camping is promoted, outline the nearest available shops and restaurants and the other attractions, and utilise electronic media for promotional and informational dissemination and regulatory processes.	Med	Community Activation Tourism & Marketing		Destination Marketing Plan Tourism and Marketing strategies for Council and Region Annual Plan Action <a href="#">3.1 – Develop a Municipal Sign Strategy</a>
<b>SUSTAINABLE SPORTS FACILITIES</b>					
89	Continue to develop sporting precincts with multiple grounds and facilities and shared support facilities.	Med	General Managers Office	19/20	Annual Plan Actions <a href="#">4.3 - Develop detailed design for Somerset Sporting Precinct</a> Other precincts will be considered in future budgets
90	Consider supporting clubs and committees by providing turf management expertise on a shared basis for multiple sports facilities across both Councils.	Med	Parks & Gardens		Not yet progressed. Council in conjunction with the Wynyard Cricket Club and Cricket Tasmania have upgraded to centre square at the Wynyard Showgrounds.
91	Consider opportunities to encourage more social and casual community uses and programmed activities and community meetings in sports facilities.	Low	Community Activation Department	Ongoing	Officers provide recommendations for Clubs and organisations as the opportunity arises.
92	Where possible provide a shared perimeter path for exercise and social family recreation areas in conjunction with sporting infrastructure.	Low		Ongoing	To be considered as part of detailed design for new or upgraded facilities
93	Where possible consolidate separate support facilities such as clubrooms, canteen, storage etc. into one building envelope and locate on the perimeter of playing fields to allow more space for playing fields and other open space features.	Med		Ongoing	To be considered as part of detailed design for new or upgraded facilities

		Priority	Responsibility	Budget (year)	Current Status
94	Where possible negotiate access to school facilities for community or club use and explore partnership opportunities with schools for collocation or develop shared facilities, for example: <ul style="list-style-type: none"> <li>• Further explore the development of the Wynyard High School grounds as part of the Wynyard Recreation Ground Precinct.</li> <li>• Further explore the development of a sporting precinct in conjunction with Somerset Primary School.</li> </ul>				Annual Plan Actions <b>4.3 - Develop detailed design for Somerset Sporting Precinct</b> Initial discussions have been held with the Education Department and a partnership has been discussed. A working group will be established before December 2019 to progress the consultation and design. Funding applications will be commenced.
<b>LANDSCAPE AMENITY AND CLIMATE CHANGE ADAPTION</b>					
96	Acquire/ take foreshores and ridgelines not in public ownership, in the long term as part of development contributions.	High	Community Activation Development Services Infrastructure and Engineering	19/20 21/22	Annual Plan Actions <b>1.3 –Implement Public Camping Strategy and Practices</b> <b>5.4 - Develop and deliver a Settlement Strategy to guide future growth and development within the municipality</b> <b>7.3 - Develop and adopt Environmental Plan</b> An Environmental Strategy is being developed with a Council and Community working group. The Public Camping Strategy and Operations , as well as the Settlement Strategy will also address this matter
97	Introduce relevant planning controls/ policies to prevent inappropriate development in iconic, coast and river foreshore locations.	High	Development Services	19/20	Annual Plan Actions <b>5.4 - Develop and deliver a Settlement Strategy to guide future growth and development within the municipality</b>
98	Ensure developments in strategic locations such as those above do not impact negatively on the aesthetics and landscape character of the area.	High	Development Services	19/20	<b>5.4 - Develop and deliver a Settlement Strategy to guide future growth and development within the municipality</b>
99	Protect these iconic landscapes and those providing important contributions to residential community, through landscape overlays, etc.	High	Development Services	19/20	<b>5.4 - Develop and deliver a Settlement Strategy to guide future growth and development within the municipality</b>

		Priority	Responsibility	Budget (year)	Current Status
100	Further investigate issues associated with open space and sports facility management, to adapt to climate change.	High	Development Services Infrastructure and Engineering	19/20	Annual Plan Actions <b>7.3 - Develop and adopt Environmental Plan</b> A Climate report recently commissioned by the State Government will assist Council to develop its Environmental Strategy which is currently being developed.
101	Consider the vulnerability of foreshores to the impact of climate change in the ongoing development of infrastructure.	High	Development Services Infrastructure and Engineering	19/20	Annual Plan Actions <b>7.3 - Develop and adopt Environmental Plan</b> <b>5.4 - Develop and deliver a Settlement Strategy to guide future growth and development within the municipality</b> A Climate report has recently be commissioned by the State Government which will assist with Council developing its strategy on this issue. Key strategic decisions will be required in the next year.
<b>MARKETING AND INFORMATION</b>					
102	Continue to work closely and communicate with clubs, peak bodies and user groups in the planning, development, management and promotion of facilities and events.	High	Community Activation	Ongoing	NFA - The Recreation Officer, The Community Events Officer and the Manager Community Activation work in this space with relationships being developed across all levels of sports and organisations. Council has recently commenced doing videos with clubs with the first one being the upgrades to the BMX Club
103	Provide key contacts in Council to all clubs and users, and at facilities.	High	Community Activation	Ongoing	NFA - This has occurred with one point of contact established.
104	Advertise all community meeting places available for hire in both Councils, including those managed by Council.	High	Tourism & Marketing Community Activation	Ongoing	NFA - Listed on website.
105	Provide a combined directory of parks, sports and recreation facilities in different formats accessible to all people.	High	Tourism & Marketing Community Activation	Ongoing	Listed on website.

		Priority	Responsibility	Budget (year)	Current Status
106	Promote routes and trails for walking and cycling including those accessible to people using mobility devices.	High	Tourism & Marketing Community Activation	Ongoing	NFA Listed on council and regional websites as well as activity-based websites
107	Hold regular activities to enhance communication between clubs, users of facilities and the Councils.	High	Community Activation	Ongoing	Regular contact with clubs is maintained, clubs are included on working groups where activities will impact on clubs.
108	Include more information about the history of facilities and places of interest in any promotional information.	Low	Tourism & Marketing		Not yet progressed
109	Promote the benefits of parks, physical and social recreation activities – especially for older adults as these may not be widely known.	Med	Community Activation	19/20 ongoing	These are contained with the Health and Wellbeing Plan and the Youth and Age Friendly Plans adopted in 2019. Annual Plan Actions 3.5 – Develop Implementation Plan for Health and Wellbeing Plan and Implement year one deliverables 3.5 - Develop Implementation Plan for Youth and Age Friendly Plans and Implement year one deliverables
110a	Encourage users to report issues and damage to infrastructure in open space and facilities.	High	Community Activation	Ongoing	Customers are encouraged to call council or visit the website to report issues. Annual Plan Actions 3.2 – implement year one priorities from the Communications and Engagement Plan Councils new website will encourage (and make simpler) reporting of any issues. Phone app will add extra convenience and accessibility for customers
<b>ACQUIRING AND DISPOSING OF OPEN SPACE</b>					
110b	The sale of open space or land with community infrastructure on it is not an effective way of revenue raising especially for small capital projects – which may be more easily sought through grants, etc.	Low	General Managers Office Organisational Performance		Noted – No action required. Council assets would only to be sold if surplus to requirements. Following a clear legislative and community engagement process.



		Priority	Responsibility	Budget (year)	Current Status
111	Before contemplating sale or transfer of community land: <ul style="list-style-type: none"> <li>• Assets of low value should be promoted, and users engaged to ascertain their current value and alternatives</li> <li>• Expressions of interest, and potential commercial uses of sites should be explored</li> <li>• Options for gifting or relocation of the building should be considered preferable to selling the land.</li> </ul>	Low	General Managers Office Organisational Performance		Noted – No action required. Council assets would only be sold if surplus to requirements and a community consultation process is included in the decision-making process.
112	Funds derived from the disposal of public open space should primarily be used for the acquisition of, and then secondarily the development or improvement of the open space network.	Low	General Managers Office Organisational Performance		Noted – no further action
113	The disposal of public open space shall only be considered in cases where such disposal is demonstrably beneficial to the public open space network and the land for disposal is identified in an adopted open space strategy or equivalent.	Low	General Managers Office Organisational Performance		Noted – No action required. Council assets would only be sold if surplus to requirements or if was part of a consolidation as part of the Open Space Sport & Recreation Plan. Community Consultation would be a key part of the decision making process
114	Funds derived from the disposal of any public open space or community land should be added to a fund used for open space contributions (Open Space Development Fund), and the details of the nature of use of the fund and locality where spent should be recorded.	Low	General Managers Office Financial Services		Noted – no further action at this stage. Council will not be creating additional funds or reserves.
115	Funds derived from the disposal of public open space should be allocated in line with community needs, and an adopted Strategy or Plan.	Low	General Managers Office Financial Services		Noted – No action required. All projects and allocation of funds are primarily determined by community need.
116	The expenditure from the Open Space Development Fund shall be reported to Council.	Low	General Managers Office Organisational Performance		No fund has been established – Use of funds will be determined on a case by case basis in line with Council Strategy and adopted Plans.
117	Adopt the assessment criteria (as provided above) to assess any open space and community infrastructure proposed for divestment.	Low	General Managers Office Organisational Performance		Any public land to be considered for divestment will be considered as per legislation and in line with Council Strategy and adopted Plans

		Priority	Responsibility	Budget (year)	Current Status
<b>KEY RECOMMENDATIONS - WYNYARD</b>					
118	Develop the regional Coastal Path to Somerset and Burnie, (including a connection to the airport and Frederick Street Reserve) with a right of way along the rail corridor route north towards Smithton and west. This path will require negotiation with property owners.	High	Engineering & Projects	19/20 21/22	The design of the Coastal Pathway has been completed and funding has been obtained. Currently awaiting outcome of funding requirements to negate coastal erosion issues that would impact on pathway if not addressed prior to or at the same time as path developed.
119 Refer to #94	Develop two consolidated sporting precincts to serve the Town, at the Recreation Ground/ Indoor Sport Centre and Wynyard High School, and Frederick Street Reserve, which would include further development of the indoor sports ball courts and gymnastics.		General Managers Office	20/21	The Somerset Precinct will be considered in this financial year with focus on Wynyard facilities to follow. This is due to ongoing discussions with Showground users. Background work will commence on these so that a report on how to proceed can be presented in due course.
120	Plan several trail circuits around the town for incremental construction and enhancement. These will be important to encourage more residents to walk for health outcomes, in addition to providing access to school, community facilities and destinations without having to drive.	High Med			Inglis River walking track upgraded Additions to the Coastal Pathway will remove gaps in the trail. (boardwalk / upgraded bridge across Camp Creek) with more works to follow.
121	Consider infrastructure to serve events at Frederick Street and in the vicinity of the sailing club and foreshore in Gutteridge Gardens, retaining good public access to the foreshore, and a high-quality landscape in keeping with the significance of this site.	High Med	Infrastructure & Development Services		The Waterfront Masterplan project is well underway with Wharf Augmentation complete, Camp Creek Remediation almost complete, Seawall and Boardwalk works underway with completion expected in November and the Multi-Purpose Facility & Yacht Club construction expected to commence in February 2020 with completion by December 2020. Capital Project Multi-Use Community Facility \$3.66m Boardwalk/Seawall \$679k
122	Protect the existing significant trees along the River and Camp Creek and undertake tree planting to enhance the	Low- Med	Parks & Reserves	19/20	Capital Project Camp Creek Remediation - \$601k

		Priority	Responsibility	Budget (year)	Current Status
	landscape amenity of all reserves as well as streetscapes generally, for walking and cycling.				Landscaping will be the final stage of the camp creek remediation project currently underway.
123	Consider consolidating the number of sites with play equipment, providing strategic hubs along the coast, central to the town in the west, and to the north, that can provide social/family recreation spaces for the Wynyard community in the long-term.	Med	Parks & Reserves	20/21	Further playground audit has been completed with recommendations to be considered during the 20/21 budget process
124	Relocate the Freedom Camping area from the Showground to a location such as Lions Park behind Wynyard and the dump point to provide greater access to self-contained caravans and campervans.	High	General Managers Office Community Activation	19/20	Location of freedom camping will be considered as part of the Public Camping Strategy Annual Plan Action 1.3 –Implement Public Camping Strategy and Practices Capital Budget Item - Relocate RV Dump Point - \$25k
125	Protect the Wynyard Golf course land (especially the foreshore) as open space using planning zones and overlays, as it is an important scenic backdrop to the town.	Med	Infrastructure & Engineering Development Services		Annual Plan Actions 7.3 - Develop and adopt Environmental Plan 5.4 - Develop and deliver a Settlement Strategy to guide future growth and development within the municipality
126	In further urban development along the coast towards Somerset, seek to protect the landscape amenity of the foreshore and take large open spaces as part of a subdivision in strategic nodes only, rather than as small pocket-parks.	Med	Infrastructure & Engineering Development Services	19/20	Annual Plan Actions 7.3 - Develop and adopt Environmental Plan 5.4 - Develop and deliver a Settlement Strategy to guide future growth and development within the municipality
127	Ensure that all river and coastal foreshore land is protected in public ownership, and where possible, facilitate adequate space in any development for the expansion of a track or trail along the foreshore.	Med	Infrastructure & Engineering Development Services	19/20	Annual Plan Actions 7.3 - Develop and adopt Environmental Plan 5.4 - Develop and deliver a Settlement Strategy to guide future growth and development within the municipality
128	Consider encouraging greater use of the new cricket and football rooms, the bowls club and the golf club rooms for community activities, reducing the need for multiple small community meeting spaces. Retain the Railway Institute Hall abutting the future rail trail.	Med	Community Activation	Ongoing	Officers provide recommendations for Clubs and organisations as the opportunity arises. The need for Community spaces will be considered on a case by case basis.

		Priority	Responsibility	Budget (year)	Current Status
<b>KEY RECOMMENDATIONS - SOMERSET</b>					
129	Consider developing a sports and community precinct in conjunction with the school that will provide 3 soccer pitches, 1 or 2 AFL/cricket grounds, and a minimum of 4-6 tennis courts. In the longer-term, include a two-court basketball stadium. Following this development—consider allowing the divestment of Langley Park, the Somerset Soccer Ground and the tennis club site.	High	Community Activation General Managers Office	19/20 20/21	Annual Plan item <b>4.3 - Develop detailed design for the Somerset Recreation Precinct.</b> Initial discussions have been held with the Education Department regarding developing a partnership for the project. The instigation of a working group for the project has been commenced.
130	If a two-court indoor facility is developed in conjunction with the Somerset Primary School, develop the indoor sports centre site into a town park, and create a connecting off-road trail to the Coastal Path.	Low	Community Activation		Will be considered as part of the Somerset Recreation Precinct development / strategy considerations.
131	Develop a network of trails around Somerset to connect sport, shopping, community facilities, the school and the foreshore, as well as around the larger reserves, such as the cemetery and proposed sporting precinct.	Med			Not yet progresses
132	Develop Anzac Park as a higher quality unique multi-aged, accessible play space with high play value.	High	Community Activation Infrastructure & Development Services	19/20	Annual Plan Action <b>3.3 - Complete the ANZAC park All Ability Playground</b> Capital Item – <b>ANZAC Park All-Ability Playground \$150k</b> There are some key strategic decisions to be made relating to long term site sustainability which will be brought before council in due course
133	Consider rationalising the two small play spaces at Ronald and Oonah Crescent, and replacing these with one high-quality play space to serve the south area of Somerset.	Med			This will be considered once the ANZAC Park playground has been completed.

		Priority	Responsibility	Budget (year)	Current Status
134	If Langley Park and the soccer ground are divested, retain the vegetated area along the north of these areas for conservation and landscape amenity, and provide a road easement between the open space and any development.	Med	Infrastructure & Development Services		Will be considered after proposal completed for Somerset Sports Precinct
135	Seek to provide a safe connection with the Cam River and Anzac Park under or over the highway.	Med	Infrastructure & Development Services		Not yet progressed
136	Investigate opportunities to acquire the land on the corner of the Bass and Murchison Highways to provide parking for the Cam River and Anzac Park precinct. Allow the realignment of the road; and develop the river corridor as a social/family recreation area, and the pullback facilities off the foreshore.				Closed Land acquisition is not possible due to Bass Highway upgrades and approval of development application. A working Group has been established to develop a masterplan for the CAM River Reserve
137	Enhance the streetscapes, sports facilities, and open spaces in Somerset by a major tree planting program.		Parks & Reserves		No further action Streetscape upgraded as part of Somerset CBD Upgrade Sports facilities and open space will be considered during the Sports Precinct development process
138	Continue to develop Cam River as a water-based recreation node especially for non-powered recreational craft; and protect the environmental quality of the hill above which is integral to the value and the amenity of the site.	High	Infrastructure & Development Services	19/20 20/21	Annual Plan Action <b>4.4 – Develop a Masterplan for the Cam River Reserve</b> A working Group has been established to develop a masterplan for the CAM River Reserve
<b>KEY RECOMMENDATIONS - SISTERS BEACH</b>					
174	Develop a small community meeting place and potentially additional social/family recreation facilities in conjunction with the Tas Fire facility or the central community space	High	Community Activation	19/20	Annual Plan Action <b>1.1 – In conjunction with the community develop a plan for Sisters Beach informed by OSSR and other relevant plans</b> A Council and community Working Group has been established to develop the Plan – a project of priority for the group is the establishment of a community meeting place.

		Priority	Responsibility	Budget (year)	Current Status
175	Prepare a simple master plan for a community park area creating a functional interface with the adjacent residential land.				AS above
176	Provide an off-road circuit trail around Sisters Beach to the foreshore, the boat ramp, and the subdivision in the south, and to Lake Llewellyn and consolidate tracks and trails in other locations.	Low			Not yet progressed
177	In the long-term, identify partners to assist with the development recreation area for water-based recreation at Lake Llewellyn.	Low			Not yet progressed
178	Provide several overnight parking spaces for ARV's off Honeysuckle Avenue				This will be considered as part of Freedom Camping investigations as per resolution at the August Council Meeting and will be dependant of community feedback
179	In any future subdivision, ensure the street pattern is permeable rather than circular with cul-de-sacs. Any further access ways should be generous with a minimum of 10m wide to provide a prominent off-road trail with a landscape buffer adjacent to residential properties.	Low	Development Services		Annual Plan Action 5.4 - Develop and deliver a Settlement Strategy to guide future growth and development within the municipality
180	Develop only several key access points to the beach from Irby Boulevard.				Access ways have been rationalised as part of recent and ongoing infrastructure works.
<b>KEY RECOMMENDATIONS - BOAT HARBOUR</b>					
181	In the long-term, relocate the toilet block off the foreshore and negotiate with the lifesaving club to provide public access to a toilet	High		19/20 20/21	No further action Annual Plan Action 3.1 - Develop a detailed and prioritised implementation plan for the Boat Harbour Beach Masterplan and complete year one actions. The recent adopted Boat Harbour Beach masterplan has addressed this matter.
182	Restrict access to the foreshore for ARV's.	High		20/21	The recent adopted Boat Harbour Beach masterplan has addressed this matter

		Priority	Responsibility	Budget (year)	Current Status
183	In the infrastructure plan currently being undertaken, consider upgrading the small reserve at the back of the foreshore with the current play space, and include picnic facilities, and trees.	High		n/a	No further action - The recent adopted Boat Harbour Beach masterplan has addressed this matter
185	Investigate the opportunity to negotiate with the private owner to upgrade the tennis court in an accommodation premises and allow some community use.	Low			Not yet progressed
186	Seek to provide an off-road trail loop west of the village and back to the highway	Med			Alternate access to Boat Harbour Beach is being considered as part of a separate project and report
<b>KEY RECOMMENDATIONS - YOLLA</b>					
196	Consider providing more of trail circuit around town connecting to the Myrtle Park village.	Low			Not yet progressed
197	Assist the local sports clubs to upgrade the cricket nets and umpires' rooms	Med			Not yet progressed
198	Consider improving the site adjacent to the general store with seats and tables as a wayside stop, encouraging travellers to stop at the town.	Med			Not yet progressed
199	Negotiate with a local business to maintain the picnic sport and local paths, and to provide access to a toilet for the public. Alternatively, keep a toilet at the Recreation Ground open space for public use	Med			Not yet progressed
200	Retain public land abutting the recreation reserve – for future expansion if required long term.	Med			Not yet progressed
<b>KEY RECOMMENDATIONS - WARATAH</b>					
201	Continue to promote Waratah as a unique heritage and scenic place to visit and stay. Consider marketing facilities to schools and sports for camps, for example.	Med	Tourism & Marketing	Ongoing	Marketing and promotion of Waratah is considered by the Waratah Tourism Plan, The Waratah-Wynyard Destination Action Plan and Regional Tourism Plans.

		Priority	Responsibility	Budget (year)	Current Status
202	Consider allowing the rainforest to revegetate in select reserves around the township thereby reducing mowing and enhancing the diversity of landscape settings in the town.	Low			Not yet progressed
203	Promote the golf course and indoor recreation facility and character of the town as an affordable place to live.	Low			Not yet progressed
204	Develop an integrated network of pathways around the town, including a pathway around the full lake foreshore	Low			Not yet progressed



---

## 9.2 Wilkinson Street Wynyard Proposed Road Closure

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	6 September 2019
File Reference:	0.08
Enclosures:	Nil

---

### **PURPOSE**

There are several motions / action items to be resolved in relation to the Department of State Growth's (DSG) recommended closure of Wilkinson Street Wynyard. Council is now in receipt of all information and must make a decision on direction.

### **BACKGROUND**

The current proposal by the Department of State Growth (DSG) to close Wilkinson Street, Wynyard from access to the Bass Highway has been heavily opposed by some community members but is believed to be supported by others.

Council has a resolution from the December 2018 Council meeting to initiate closure under section 14 of the *Local Government Highways Act 1982*: -

*"That Council that on receipt of assurances from DSG that council legal expenses associated with any representation and associated legal process will be reimbursed; and*

- 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 investigations into relocation of the existing York Street bus stop to another area within the vicinity".*

### **DETAILS**

DSG have indicated that they would be willing to reimburse legal expenses if Council are successful in Section 14 action. Based on the history of similar matters where opposition is received to the notification of intent to close, it seems likely that a magistrate would find in favour of the representors and not allow closure of Wilkinson Street. Legal advice indicates that if this was to be the case that the Magistrates Court (Administrative Appeals Division) would not award the costs of one party to be funded by another. That is to say Council's costs would be limited to its own.

---

A motion was then carried on 15/7/19 which superseded the previous resolution pending a safety assessment of the already completed works and a consideration of options.

*“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.*

Following contact with DSG they have provided the following response:

*“I provide the following in response to Council’s resolution after consultation with our traffic safety engineers.*

*The new roundabout at Bass/Calder/York street is 600m from the Bass/Oldina/Wilkinson intersection. In itself, the construction of a roundabout at one intersection does not deliver any safety improvement at the other intersection. The planned safety benefits would only be realised if Wilkinson Street was closed and the traffic that currently uses it was re-routed through the new roundabout.*

*Council has suggested an alternative treatment at the Bass / Oldina / Wilkinson intersection which includes offsetting the side road approaches and providing additional lanes for traffic turning off the highway. These works have not been costed but would be significantly in excess of the remaining funding for the Wynyard junction safety improvements. The safety benefits would not be as great as those that would be achieved by diverting Wilkinson Street traffic through the new roundabout. The planned safety benefits will only be achieved by closing off Wilkinson Street at its intersection with the Bass Highway.*

*The Department has carried forward the funding to pay for the roadworks for with the closure of Wilkinson Street and the construction of a right turn lane into Oldina Road (which was a requirement of Council). However, if the works are not undertaken in the current financial year, the Department will not be able to carry this funding forward again.”*

It is council’s responsibility to maintain, and indeed improve where possible, the safety of its residents. While decisions may sometimes not be popular Council should act in the best interest of the community.

Should Council wish to proceed with a Notice of Closure for Wilkinson Street, the public consultation process could commence immediately. Should Council choose not to proceed with the recommended closure, it should be noted that there are no further funds

---

available to make changes to the Wilkinson Street junction, leaving an outcome of no safety improvement to the Oldina/Wilkinson Intersection with the Bass Highway.

## STATUTORY IMPLICATIONS

### Statutory Requirements

Council is required to follow the legislated process contained in section 14 of the *Local Government Highways Act 1982*

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL</b>
<b>Desired Outcomes</b>
Our transport and access network is sustainable, affordable and fit for purpose.
<b>Our Priorities</b>
6.2 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	<b>Local, regional and global transport and infrastructure access</b> – Safe and efficient access alternatives, growing freight capacity, renewable energy, water management and contemporary communications. Community infrastructure that supports economic development.
Governance and working together	<b>Working together for Murchison</b> – Everyone plays a part in achieving the objectives of the Sustainable Murchison Community Plan. There is cooperation, resource sharing and less duplication between Councils. Leadership is provided across all community sectors.

## POLICY IMPLICATIONS

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

## FINANCIAL IMPLICATIONS

Should Council not proceed with the possible closure of Wilkinson Street, DSG have stated they will not carry forward any funding for this project, so Council may have some financial implications for work on the intersection in the future if needed.

## RISK IMPLICATIONS

Council has a responsibility to consider the safety of the community and be aware of any potential risks should they overrule the recommendations of subject matter experts.

---

## CONSULTATION PROCESS

Two rounds of community consultation have been conducted. Further consultation will be required under section 14 of the *Local Government Highways Act 1982* before it is determined if the road closure can/will occur.

MOVED BY	CR BRAMICH
SECONDED BY	CR COURTNEY

**That Council note the information received from the Department of State Growth and determine NOT to proceed with the Council notification procedure to close Wilkinson Street, Wynyard as per the resolution carried in December 2018.**

The MOTION was put and was LOST.

### IN FAVOUR

	CR BRAMICH		CR COURTNEY

### AGAINST

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR HOUSE		CR HYLAND	

MOVED BY	CR FAIRBROTHER
SECONDED BY	CR DUNIAM

**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.**

The MOTION was put and was CARRIED.

### IN FAVOUR

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR HOUSE	CR BRAMICH	CR HYLAND	

### AGAINST

			CR COURTNEY

---

MOVED BY	CR FAIRBROTHER
SECONDED BY	CR BRAMICH

**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.**

The MOTION was put and was CARRIED unanimously.

IN FAVOUR



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

---

### 9.3 ANIMAL CONTROL REPORT

To: Council  
Reporting Officer: Manager Development and Regulatory Services  
Responsible Manager: Director Infrastructure and Development Services  
Report Date: 6 September 2019  
File Reference: 506.02

Enclosures:

1. Animal Control Report [⇒](#)
2. Current Dog Management Policy 
3. Letter from Parks and Wildlife Services regarding attack on penguin colony 

---

#### PURPOSE

To report on the current level of service provided by Council under the *Dog Control Act 2000* and to provide a report that identifies options to improve service delivery.

#### BACKGROUND

At the May 2019 Council meeting, the following motion was adopted:

*That Council:*

1. Commence, this year, the inclusion of a dog management brochure to be issued annually with the dog registration notice, as an improved information and education measure; and
2. Within 3 months, produce a report detailing areas of opportunity to improve animal control, which includes considering;
  - Initiating a compulsory enforcement period or location, regarding public area dog offences.
  - Feasibility of after-hours animal control patrols (seasonal or ongoing).
  - Publication of a complaint handling framework.
  - Development of a suite of dog related resources and education campaign, for print, social media and the council's website.
  - Improvement of Councils animal control statistics and data collection

The first part of the recommendation has been completed with the processing of the 2019/2020 dog registration renewals. This report addresses the second part of the motion.

#### DETAILS

The purpose of the Animal Control Report is to respond to the motion above, but has also considered all other operations of the animal compliance operations of Council. The key areas to consider when reviewing this report are as follows:

- Council's current legislative obligations under the *Dog Control Act 2000*;
- The cost and strategic implication when considering any current service level increase or decrease.
- The balance between dog owners and non-dog owners alike.
- Recognition of the value of education and the delivery of information for dog owners and non-dog owners as the first guiding principle.

- Recognition of the value that regulatory measures are most effectively used where education has previously been provided and a subsequent offence is detected, or in the instance of a serious offence.

The Animal Control Report provides a clear and succinct set of service tasks, outlining the current level of service that staff are adhering to in providing for the management of dogs within the Municipal Area.

The report also outlines alternative options that provide Council with guidance and costing to consider to either further expand or reduce level of service within the confines of legislative obligations under the *Dog Control Act 2000*, as set out in the enclosures.

The report also acknowledges that an important step towards implementing service level changes will be to review Council’s Dog Management Policy.

Also working within this space, Council has recently been requested to review its restrictions for dogs accessing beaches following a recent attack on penguins at Doctors Rocks. Parks and Wildlife Services have requested that the current prohibited area be extended further to the west as far as Burntwood Point, as the penguin colonies have expanded beyond the boundaries of the current prohibited area. This issue has been added to the Animal Control Report for consideration.

## STATUTORY IMPLICATIONS

### Statutory Requirements

The review of Council’s Dog Management Policy in accordance with Section 7 (4) of the *Dog Control Act 2000*.

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL 1: Leadership and Governance</b>
<b>Desired Outcomes</b>
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.
<b>Our Priorities</b>
1.8 Review and adjust service levels to provide value for money.

<b>GOAL 2: Organisational Support</b>
<b>Desired Outcomes</b>
We are future-focussed and value continuous improvement.
<b>Our Priorities</b>
2.6 Lead a positive and supportive culture which is resilient and adaptive to change.

### Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Natural resource management	<b>Managing abundant, natural and productive resources</b> – Natural resource management is valued and development is environmentally sustainable. The environment is clean and healthy with unspoilt beauty and biodiversity.

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

## POLICY IMPLICATIONS

Adoption of service level changes will likely trigger the need to review and update the Dog Management Policy. This has been acknowledged with the second recommendation 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. The Animal Control Report has been provided to Council for consideration into current service level development. Formal community consultation may be required pending a Council decision on this report.

## CONCLUSION

The Animal Control Report and associated options have been provided for Council consideration in setting the service level standards for animal control. It is recommended that this report be noted, and considered in review of the Dog Management Policy, which is a necessary step prior to implementing service level changes. It is therefore also recommended that the current Dog Management Policy be reviewed.

MOVED BY	CR HOUSE
SECONDED BY	CR DUNIAM

**That Council note the Animal Control Report and the options presented regarding service level changes.**

The MOTION was put and was CARRIED unanimously.

### IN FAVOUR

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



---

MOVED BY	CR DUNIAM
SECONDED BY	CR HOUSE

**That Council commence review of the current Dog Management Policy, making relevant amendments that may be identified within the Animal Control Report**

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

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

**Cr Hyland moved a procedural motion that the motion:**

**“That Council extend western boundary of Dog Prohibited Zone between Woody Point and Seabrook Creek to Burntwood Point in accordance with request from Parks and Wildlife Services”**

**be deferred for further discussion at a council workshop as soon as possible**

The MOTION was put and was CARRIED.

IN FAVOUR

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR HOUSE		CR HYLAND	CR COURTNEY

AGAINST

	CR BRAMICH		

**The Manager Development and Regulatory Services left the meeting at 7.53pm**

---

## 9.4 WYNYARD COMMUNITY HUB

To: Council  
Reporting Officer: Director Community and Engagement  
Responsible Manager: Director Community and Engagement  
Report Date: 4 September 2019  
File Reference: 4 September 2019  
Enclosures: 1. Wynyard Community Hub Project Report 

---

### PURPOSE

The purpose of this report is to provide Council with an overview of the Wynyard Community Hub project for noting.

### BACKGROUND

This project followed on from the Feasibility Study relating to the proposed Wynyard Community House completed in July 2015. Whilst this initial Feasibility Study drew unequivocal conclusions relating to the desirability of establishing a community hub in Wynyard, its conclusions were less clear about the structure, operations, sources of income and the overall requirements for the sustainability of the proposed Community Hub.

This project addressed these two issues (legal and operating structure and financial sustainability) as it applies to the establishment and operation of a Community Hub in Wynyard. The momentum to establish and operate a Community Hub in Wynyard received further impetus from actions including community meetings as part of the Wynyard School Community Partnership with the Smith Family.

### DETAILS

Council provided a budget allocation of \$10,000, which was fully expended, in the 2017-2018 budget, to facilitate a detailed assessment of an operating model for a Community Hub in Wynyard.

Warren Moore from Moore Consulting was contracted to work with relevant stakeholders identified through the Feasibility Study consultation and to develop a report that covers activities of the project, and to prepare a detailed assessment of the likely structure options and financial analysis for a community hub proposed for Wynyard.

Moore Consulting undertook this project using the following methodology:

#### Stage One – Literature Review

This stage reviewed existing reports and studies as they applied to Australia and Tasmania in particular. Work in this stage provided the context of community houses in Tasmania, and Australia generally. It was also useful for the consultant to be aware of the range of models, structures and funding options employed by community and neighborhood houses in Tasmania.

---

## Stage Two – Data Analysis

Work in this stage involved a review of relevant statistical data, predominantly from the 2016 Census of Population and House (Australian Bureau of Statistics).

## Stage Three – Stakeholder Consultation

Work in this stage consulted major demand and supply side stakeholders relevant to the establishment and operation of a community hub in Wynyard.

Stakeholders were consulted in order to gain a clear indication as to:

- a. What is the rationale, nature and extent of their interest in establishing a community hub in Wynyard;
- b. What contribution, particularly in terms of resources, are they able to make to both the establishment and operation of the proposed community hub;
- c. What is their preferred structure (legal, management, operational) of a community hub in Wynyard; and,
- d. What do they see as the major sources of funding to finance the proposed community hub during both establishment and operational stages.

## Stage Four Conclusions and Recommendations

Work in this stage analysed the work completed in stage three from which conclusions are drawn and recommendations made.

From the information gathered, research and consultation with stakeholders during this project, Moore Consulting developed a range of conclusions and recommendations. The conclusions were:

1. That the establishment and operation of a community hub in Wynyard would need to follow current, accepted practice in terms of:
  - a. Corporate governance;
  - b. Strategic planning;
  - c. Operational planning (activities, people, finances); and,
  - d. Program evaluation and reporting.
2. That a community hub in Wynyard is unlikely to receive funding through neighbourhood house funding programs through the Department of Health and Human Services community support program.
3. That a community hub in Wynyard be owned and operated by service providers and individuals from the Wynyard community in response to issues and opportunities identified by the Wynyard community.
4. That, through data analysis, there are no, individual social, health or economic

---

issues that require the single and immediate roles of a community hub established and operated in Wynyard.

5. In terms of relative social advantage/disadvantage, the Wynyard municipality sits approximately midway between the most advantaged municipalities in Tasmania (Hobart) and the most disadvantaged municipalities in Tasmania (Brighton).
6. That the major focus of activities of a community hub located in Wynyard is that of:
  - a. the dissemination of information relating to the services available to the members of the Wynyard community currently delivered in Wynyard both local and external service providers;
  - b. collaboration and information of the activities of existing and potential providers of community services in the Waratah/Wynyard municipality.
7. That a community hub in Wynyard be established and operated as a separate legal entity with its own board comprising relevant members of the Wynyard community.
8. That the main sources of income comprise:
  - a. Contributions from fee for service providers;
  - b. Income from fee for service activities; and,
  - c. Income from public sector grant programs as they arise.
9. That there is sufficient interest, willingness to contribute and, demand for a community hub in Wynyard to the extent that, should financial and in-kind contributions be fulfilled from stakeholders as indicated, Moore Consulting considers the operation of a community hub in Wynyard to be feasible and likely to be financially viable in at least the short to medium terms.

Recommendations of the study were:

1. That a community hub at Wynyard is considered by Moore Consulting to be feasible if:
  - a. The hub meets the major requirements of stakeholders as described in this report, that is:
    - i. The community hub operates as a hub providing information regarding community services delivered within the Waratah/Wynyard municipality and surrounding districts; and,
    - ii. The community hub does not operate as a provider of a services(s) to a particular social group within the Waratah/Wynyard municipality and surrounding districts; and,
    - iii. The community hub operates as a separate legal entity owned and

---

operated by members of the Wynyard community including individuals from relevant stakeholder groups.

- b. The hub is able to secure sufficient resources (cash and in-kind) from relevant stakeholder organisations; and,
  - c. The hub is able to secure significant cash contributions from suitable investors
2. From the information gathered from stakeholders during this project, Moore Consulting believes that the probability of obtaining the quantity and quality of resources required to establish and operate a community hub in Wynyard, is high.
3. That the Wynyard community, currently led by the Waratah-Wynyard council, continue to pursue the establishment and operation of a community hub in Wynyard with a view to implementing one of the following options.

The Wynyard Community Hub has now been established as an incorporated body with a Board of Management. There is a endorsed constitution which governs the way the organisation operates.

## **STATUTORY IMPLICATIONS**

### Statutory Requirements

## **STRATEGIC IMPLICATIONS**

### Strategic Plan Reference

GOAL 1: Leadership and Governance
Desired Outcomes
We encourage broad community input to create a focussed and strong sense of belonging.
Our Priorities
1.3 Encourage increased participation by all stakeholders.

### Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
Strong communities and social capital	Enduring community capital – Growing, proud, self-reliant communities that are inclusive and engaged with volunteers and shared facilities.
Health and Wellbeing	Maintaining good health and wellbeing – Healthy communities, people taking responsibility for their wellness, convenient access to medical services and facilities.

## **POLICY IMPLICATIONS**

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

---

## **FINANCIAL IMPLICATIONS**

There are no financial implications identified from this activity

Two key findings from the stakeholder consultations indicated that:

Almost all of those consulted indicated that the structure needed to be that of a separate legal entity (not part of an existing structure) that was governed by stakeholders. Those consulted indicated that they did not see that ownership and operation of the proposed community centre was the responsibility of Waratah/Wynyard Council.

Most indicated that the major source of funding for the proposed community hub was most likely to be in the form of grants from government. A major conclusion from these findings is that there is no requirement in either the establishment and/or operation of the Wynyard Community Hub that the Waratah/Wynyard Council make any financial contribution to the establishment and operation of the proposed Wynyard Community Hub.

## **RISK IMPLICATIONS**

Legislative compliance

The Wynyard Community Hub is established as an entity legally separate from the Council; and given the Community Hub does not intend to operate out of premises under the control of the Council, there are no significant legal risks expected for the Council as a result of the establishment and operation of the Wynyard Community Hub.

Financial Sustainability

The Waratah/Wynyard Council is not required to make any financial contribution to the establishment and operation of the Wynyard Community Hub and given the Community Hub does not intend to operate out of premises under the control of the Council, there are no significant financial risks expected for Council as a result of the establishment and operation of the Wynyard Community Hub.

## **CONSULTATION PROCESS**

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

## **CONCLUSION**

The Wynyard Community Hub is a new approach to providers working collaboratively to deliver services and program in Wynyard. The inaugural Board has developed a constitution and is an incorporated body. Through facilitation and seed funding Council has played a pivotal role in facilitating this partnership approach.

---

MOVED BY	CR DUNIAM
SECONDED BY	CR HOUSE

**That Council note the Wynyard Community Hub Report**

The MOTION was put and was CARRIED unanimously.

**IN FAVOUR**

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

---

## 9.5 LIVE STREAMING OF COUNCIL MEETINGS

To: Council  
Reporting Officer: Executive Officer - Governance and Performance  
Responsible Manager: Director Organisational Performance  
Report Date: 30 August 2019  
File Reference: 004.15  
Enclosures: Nil

---

### PURPOSE

This report provides information for the consideration of proposed video streaming and recording of Council Meetings.

### BACKGROUND

This report is prepared as a result of a Notice of Motion by Cr House at the meeting of Council held on 19 August 2019 as follows:

*“That Council produce a report by October 2019, which considers the value and viability of publishing video recording of its public monthly Council Meetings to enable greater transparency, knowledge, accountability and engagement for its residents and ratepayers.”*

### DETAILS

Currently the principles of transparency, accountability, knowledge and engagement relating to Council decision making is upheld through traditional mechanisms of local government.

Council decisions are supported by agenda papers and minutes of the meetings which are made available to the public via Councils web site.

Councils need to communicate in a world that is changing. Policies and practices must mature in line with changing technologies and community expectations. Social media is driving community expectations for a greater level of connectedness, ease of access and visibility around Council activities and decisions.

Council has already elected to increase the transparency of meetings through its Audio Recording of Council Meetings Policy which states: -

*“The digital files of all other meeting proceedings will be accessible on the Council’s website for listening by any person for the period they are retained by the Council. The Council makes this information available as a routine disclosure under the Right to Information Act 2009.”*

It is understood that technical issues have prevented full publication of audio recordings in recent months however in recent weeks these issues have been overcome and publication of the audio recording can and will occur again.



---

The existing audio system which is only several months old has been able to isolate background noise with the effective use of the new microphones and has achieved a better clarity for listening purposes.

Under the Local Government (Meeting Procedures) Regulations 2015, an audio recording of a council meeting that is to be made available to the public is to be retained for 6 months and therefore if this method is the recommended amount of time that Audio recordings would be made available on the web site.

### **Benefits of Video-Streaming**

Making a recording of meetings improves the level of transparency and therefore public confidence in the integrity of Council and may bring a heightened level of accountability to Council decision making.

Live streaming is expected to increase the community's access to meetings and connection with Council decision-making processes. It will enable access to meetings by people in the community that may not otherwise be able to physically attend.

### **Risks/Disadvantages of Video-Streaming**

It can be argued that there is a risk of adverse or unwanted public attention on Council and/or Councillor behaviour because of live streaming.

Parliamentary privilege is a legal immunity enjoyed by members of state and federal parliament which provides protection against civil or criminal liability for actions done or statements made in the course of their legislative duties. Councillors do not have the same legal immunity protections for statements that they make, and it could be argued that live recordings will increase the level of risk of litigation to Councillors.

Council meetings are already public however and therefore these risks are not new or increased with the introduction of Livestreaming. Council meetings are already public by way of public attendance and through audio recordings.

Council would need to continue to be aware of their legal obligations including but not limited to copyright, privacy of individuals, confidential Council information, managing conflicts of interest, and discriminative behaviour.

### **Software & Equipment Requirements**

It is considered feasible to utilise a relatively inexpensive camera and software for video recordings. Council have purchased a 360 degree camera that has been purchased for CCTV purposes that it could trial at no cost. The recently upgraded microphones and sound equipment will likely provide audio at a suitable quality. An internal installation is likely to be achievable and therefore technical support costs for installation minimised.

Internal testing of the camera and software would need to occur internally to ensure that it is fit for purpose and reliable enough to use without IT support on hand for the meeting.

If the installation and testing is successful, the total cost is expected to be around \$2,000 for the additional equipment needed.

---

## Procedures

If Council wishes to pursue live recording procedures will need to be reviewed and updated to address the following matters:

- Standardised introductory remarks to inform that recording is taking place;
- Public question time - members of the public to read their question at a microphone, or have the option for their question to be read out on their behalf;
- Allocated electronic storage of the recording for required time frame;
- Documented procedure for operating equipment and broadcasting files;
- Process for destroying the recording after the required retention period (as determined by the Tasmanian Archives Office);
- Guidance on handling items where a Councillor has a conflict of interest.

## What are other Councils currently doing?

A desktop assessment of Tasmanian Council has been undertaken by reviewing Council web sites and the following table provides an overview of the 29 Councils in Tasmania and the extent to which they have recordings available on their web sites.

COUNCIL	AUDIO	LIVESTREAMING	NO OF VIEWS (last 7 meetings)	NOTE
Break O'Day	No	No		
Brighton	No	No		
Burnie City Council	Yes	No		
Central Coast Council	Yes	No		
Central Highlands Council	Yes	No		
Circular Head Council	Yes	No		
Clarence City Council	Yes	Yes	35, 23, 59, 51, 0, 57, 47	
Derwent Valley Council	Yes	No		
Devonport City Council	Yes	No		
Dorset Council	No	No		
Flinders Council	No	No		
George Town Council	No	No		
Glamorgan Spring Bay Council	Yes	Yes	123, 83, 111, 174, 181, 154, 123	
Glenorchy City Council	Yes	No		
Hobart City Council	Yes	Yes		No visual
Huon Valley Council	Yes	No		
Kentish Council	No	No		
Kingborough Council	Yes	No		
King Island Council	Yes	No		
Latrobe Council	No	No		
Launceston City Council	Yes	Yes	50, 40, 111, 60, 65, 67, 207	Static Picture
Meander Valley Council	No	No		
Northern Midlands Council	No	No		
Sorell Council	No	No		
Southern Midlands Council	Yes	No		
Tasman Council	No	No		
Waratah Wynyard Council	Yes	No		
West Coast Council	No	No		
West Tamar Council	No	No		
<b>Total Yes</b>	<b>16</b>	<b>4</b>		

16 Councils audio record their meetings and make them available on their web site. There are 4 that livestream being Hobart City Council (visual only – no video), Launceston City Council (static picture only) Clarence City Council, and Glamorgan Spring Bay Council.

---

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL 1: Leadership and Governance</b>	
<b>Desired Outcomes</b>	
We make publicly transparent decisions on spending and future directions while encouraging community feedback.	
We are recognised for proactive and engaged leadership.	
<b>Our Priorities</b>	
1.1	Commit to best practice in community engagement.
1.2	Strengthen our communication with the community using diverse communications channels relevant to the demographic.
1.3	Encourage increased participation by all stakeholders.
<b>GOAL 3: Connected Communities</b>	
<b>Desired Outcomes</b>	
Waratah-Wynyard is a modern community—moving forward but not forgetting where it started.	
3.2	Deliver engagement strategies that adapt to community needs to ensure effective communication and collaboration.
3.9	Become a 24/7 accessible council through the use of technology.

### Sustainable Murchison Community Plan 2040

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

## POLICY IMPLICATIONS

Council has a Policy in relation to the Audio Recording of its meetings. This will require a review should Council decide to proceed with Livestreaming.

Council may determine any procedure relating to audio recordings of meetings. An internal procedure can be developed to ensure audio recordings are managed in a consistent way. It is recommended that practices be developed over time as testing progresses based on what works best.

## FINANCIAL IMPLICATIONS

Council is already audio recording its meetings and have recently upgraded the Chamber equipment to improve this process. It is estimated that an additional cost of up to \$2,000 to cover a 360-degree camera and accessories for livestreaming would be required.

Technical accessories which are required for the use of the camera equipment have already been purchased for the new audio system and are compatible with program required for utilising the camera for live streaming.

---

Additional set up time for each meeting would be required from staff but this can be managed within existing ordinary hours. Staff support during the meeting may also be necessary to turn on / off the system for the closed meeting session.

### **RISK IMPLICATIONS**

Much of the risk rests with the content of discussions and the responsibility therefore lies with elected members, staff and the public gallery in always giving careful consideration to their comments and behaviour. However, this should always occur regardless of whether Council are livestreaming / audio recording the proceedings.

There is a risk of equipment failure and managing viewer frustrations if this does occur. Although Council has already acquired the audio infrastructure needed for livestreaming, there may be ongoing costs associated with staff time to operate the equipment and the monitoring of the content that are not known at this time.

Council would need to manage privacy risks and ensure that appropriate meeting procedures were in place to ensure that members of the public attending are informed that they are being recorded.

### **CONSULTATION PROCESS**

Not undertaken.

MOVED BY	CR HOUSE
SECONDED BY	CR COURTNEY

#### **That Council:**

- a) Instruct Council officers to undergo internal testing using currently available equipment and software to ensure a quality recording can be achieved; and**
- b) If testing is successful, purchase and install cameras and equipment up to a value of \$2,000 with the aim of implementing of live streaming of Council Meetings by January 2020.**

The MOTION was put and was CARRIED unanimously.



#### **IN FAVOUR**

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

---

## 9.6 LOCAL GOVERNMENT REFORM - RESPONSE TO REFORM DIRECTIONS PAPER

To: Council  
Reporting Officer: General Manager  
Responsible Manager: General Manager  
Report Date: 3 September 2019  
File Reference: 016

Enclosures: 1. Correspondence - Alex Tay, Director Local Government   
2. Reform Directions Paper Phase Two 

---

### PURPOSE

Correspondence has been received from Alex Tay, Director Local Government, Alex Tay, requesting feedback on the *Reform Directions Paper: Review of Tasmania's Local Government Legislation Framework* by 30 September 2019.

The Local Government Association of Tasmania (LGAT) is compiling a sectorial response and has requested feedback by 16 September 2019.

Feedback is also able to be submitted direct to the Department of Premier and Cabinet (DPAC). Submissions will be published on the Local Government Division's website.

The purpose of this report is to consider and present a submission on behalf of Council.

### BACKGROUND

#### *Overview of Process*

The Reform Directions Paper is phase two of the Government's Review of Tasmania's Local Government Legislation Framework.

The Minister announced a full review of the legislation in June 2018. The review is to address the fact that the current *Local Government Act* is no longer fit for purpose and requires a re-design to support the sector into the future. The aim is to have a new Act within 1-2 years.

The following timetable is expected:

Phase 1	Principles to underpin the new Local Government Act	Dec 2018 – Mar 2019
Phase 2	Consultation Reform Options	July 2019 – Sep 2019
Phase 3	Draft Bill	May 2020 – Jul 2020
Phase 4	New Act	Aug 2020 – Nov 2020

The current phase is Phase 2 Consultation on Reform Options.

Submissions are invited from the sector, the community and other interested persons on how they think councils should be governed into the future. Anyone may make a submission in writing or by completing the online survey at [www.dpac.tas.gov.au/LGReview](http://www.dpac.tas.gov.au/LGReview).

The Department of Premier and Cabinet have conducted information sessions which Councillors have had the opportunity to attend, and copies of the report are available on their website.

## DETAILS

### *Response to Proposed Reforms*

The following feedback has been discussed by Council in workshop setting. Details of each proposed Reform are set out in the attached *Reform Directions Paper Phase Two*.

Area	Reform	Comments	Support
<b>PART A: A flexible innovative and future-focused legislative framework</b>			
	1. Principles based legislation	This provision will allow for legislation that can be flexible to move with changes over time	Yes
	2. Accessible, easy to read legislation	This should be a fundamental principle of all legislation	Yes
	3. A new Act for electoral purposes	Given the electoral provisions are only used every four years, a separate Act will make it easier to understand and administer	Yes
	4. Consolidating related local government legislation	Consolidating legislation, including the Local Government (Building and Miscellaneous Provisions) Act 1993 will be welcomed	Yes
<b>PART B: Representative and Democratic Councils</b>			
<b>Eligibility to vote</b>	5. Reform eligibility for the General Manager's Roll	Support the concept that you must be an Australian Citizen to be eligible to vote on LG elections	Yes
	6. Reform the voting franchise to reflect 'one person, one vote' principle in any one municipality	One vote per municipality is supported	Yes
<b>Increasing Voter participation</b>	7. Simplify the election process for the positions of mayor and deputy mayor	There are differing views regarding the election process however the majority of Councillors support a popularly elected Mayor and Deputy Mayor	Yes
	8. Make alternative voting methods available	The concept of electronic voting should be explored	Yes
	9. Simplify the voting process to reduce informal voting rates	Simplified voting as proposed is reasonable.	Yes
<b>Electoral Integrity</b>	10. Introduce caretaker provisions to reduce major policy and contractual decisions that may bind an incoming council, and avoid the inappropriate use of ratepayer resources during an election	The election period is currently challenging regarding significant decisions and any provisions to clarify direction is supported	Yes
	11. Move administration of the General Manager's Roll from councils to the Tasmanian Electoral Commission	Council supports the Tasmanian Electoral Commission to fulfil this role.	Yes
<b>Candidate Changes</b>	12. Introduce a pre-nomination training package	A simple, information based training package is supported	Yes
	13. Introduce a candidate nomination fee	The proposed fee is not significant and may deter candidates who are not serious. The fee must not become so great that it	Yes

Area	Reform	Comments	Support
		prevents some candidates from nominating	
	14. Require the disclosure of gifts and donations by all local government candidates received during the electoral period	It is fair for all candidates to declare gifts and donations received during the election period.	Yes
	15. Align eligibility requirements to nominate as a candidate with State eligibility requirements	Support for consistency	Yes
<b>Modern Councillor titles</b>	16. Remove the title of 'Alderman'	Not applicable to Waratah-Wynyard Council but support the principle of consistent and modern terminology	Yes
<b>PART C: Councils Connected to their Communities</b>			
<b>Community Engagement</b>	17. All councils will develop and adopt a community engagement strategy	Council already have a communication and engagement strategy and would support a continued review of this document. It is imperative engagement requirements are not prescribed thus creating more administration, delays and "red-tape" delaying decision making and implementation.	Yes
<b>Removing prescription and giving councils autonomy and flexibility</b>	18. Removing prescriptive consultation requirements	Support the abolishment of AGMs and other changes as suggested	Yes
	19. Remove requirements for public meetings and elector polls	Agree to remove this provision	Yes
<b>PART D: Responsible and Effective Councils</b>			
<b>Good Governance</b>	20. Legislate the eight good governance principles	It is recommended that Council retain control to provide flexibility in this area. Councils should be given discretion and be guided by their community's needs which can change over time.	No
<b>Financial Governance</b>	21. Set high-level financial management principles that encourage efficiency and value for money in council service delivery	This principle is supported	Yes
<b>Elected Member Development</b>	22. Establish core capability requirements for elected members	This concept need further exploration however is supported in principle	Yes
	23. Require councils to publicly report the core capability training that each elected member has completed annually	Each elected member will require a different level of training based on their skills, background and experience. Reporting training undertaken in a period will not provide a complete picture of capability or existing qualifications. The requirement is an unnecessary administrative task for minimal/if any benefit.	No
<b>Council Staff Accountability</b>	24. Establish principles for all council staff that set minimum standards of behavior	Councils should all have Codes of Conduct and a suite of HR policies that outline expectations without need for further legislative reference through this Act	No

Area	Reform	Comments	Support
General Manager Performance	25. Prescribe minimum standards for general manager recruitment, contracts, performance management and termination	There is general support for this area to have prescribed minimum standards.	Yes
Complaints Management	26. Include principles on complaints management in legislation	The current Act provides very limited guidance in this area and further detail would be beneficial	Yes
Rating Policies	27. Ensure council rating policies consider taxation principles and align with their budget and financial planning documents	This is supported.	Yes
	28. Introduce more flexibility for councils to easily transition from one rating approach to another, to manage rating impacts on ratepayers	This is supported	Yes
Transparent and accountable rate setting	29. Establish an independent rates oversight mechanism	It is recommended that Council retain control to provide flexibility in this area. Councils should be given discretion and be guided by their community's needs which can change over time.	No
Transparent and accountable fees and charges	30. Set principles or guidelines for setting fees and charges	There is a view that Councils should retain flexibility in this area	No
Budget Management	31. Provide for a more autonomous and less prescriptive budget process	Support in principle however question the need to prescribe a half-yearly financial report stating actual expenditure against budget	Yes
Significant Business Activities	32. Clarify significant business activities	This is supported	Yes
Council Meetings	33. Require electronic recording of council meetings to be made publicly available	This is supported	Yes
Conflict of Interest Framework	34. Simplify what is a conflict of interest	Clarity in this area would be beneficial.	Yes
Managing Conflicts in the Exercise of Statutory Functions	35. Enhance the integrity of council decisions made when exercising statutory powers	This is supported	Yes
Independent Oversight	36. Strengthen the information gathering powers of the Director of Local Government	This is supported	Yes
	37. Create a power for the Director of Local Government to require an undertaking from a council as a measure to address compliance issues	This is supported	Yes



Area	Reform	Comments	Support
	38. Establish a Monitor/Advisor role	This is a reasonable proposition	Yes
	39. Establish the power to appoint a Financial Controller	Hopefully would not be required but support the principle	Yes
	40. Continue to conduct formal investigations by the Director of Local Government	This is supported	Yes
<b>Ministerial Intervention</b>	41. Provide for the Minister to dismiss a council or individual Councillor	This is supported	Yes
<b>Maladministration</b>	42. Create offences for mismanagement and to address poor governance (maladministration)	Support the concept of consequences for non-compliance with Act.	Yes
<b>Complaints Management</b>	43. Simplify the complaints framework	It would be beneficial to clearly outline the complaints process	Yes
<b>Performance Reporting Framework</b>	44. Introduce a local government performance reporting framework	Support the full use of consolidated data to provide greater information to the community	Yes
	45. Require councils to publish a compliance statement in the Annual Report	Existing Audit Panel requirements are sufficient to ensure compliance and this suggestion again adds duplicate tasks for no benefit	No
	46. Remove prescription around Annual Report	This is supported	Yes
<b>PART E: Adaptable Councils</b>			
<b>Collaboration across Councils</b>	47. Introduce provisions that support efficient and high-quality council operations and collaborative shared service opportunities	The existing legislative does not provide practical mechanisms for resource sharing and it is imperative this is addressed as part of this process	Yes
	48. Introduce the option to create Regional Councils	The concept of working with other councils is supported however should model simply add another layer of bureaucracy and cost it will not be beneficial. It is unclear how these Regional Councils will be funded. More information is required prior to giving full support to this reform area	No clear direction
<b>Consistent By-laws</b>	49. Create model by-laws for common issues, with streamlined administrative processes	Common by-laws would be beneficial in addition to any process that reduces the timeframes associated with by-law development and review	Yes
<b>PART F: Strategic Reviews</b>			
<b>Local Government Board</b>	50. Strategic reviews of councils	This is supported	Yes
	51. Voluntary amalgamation	This is supported	Yes

## 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
<b>Desired Outcomes</b>
We are recognised for proactive and engaged leadership.
<b>Our Priorities</b>
1.6 Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.

### Sustainable Murchison Community Plan 2040

Community Future Direction Theme	Key Challenges & Opportunities:
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.

## 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

Councillors and staff have attended information sessions to better inform them of the proposed changes and to address any concerns that they may have in relation to the review.

## CONCLUSION

Council have been invited to provide a submission on the Reform Directors Paper Phase Two for the review of the *Local Government Act* and it is therefore recommended that Council provide a submission to both LGAT and DPAC directly, on the Reform Directions Paper Phase Two issued by the Department of Premier and Cabinet, with the submission to be in accordance with this report.

---

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

**That Council provide a submission to both LGAT and DPAC directly, on the Reform Directions Paper Phase Two issued by the Department of Premier and Cabinet, with the submission to be in accordance with this report.**


The MOTION was put and was CARRIED unanimously.

**IN FAVOUR**

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

---

## 9.7 POLICY REVIEW: COUNCIL PROPERTIES - BOUNDARY FENCE POLICY

To: Council  
Reporting Officer: Asset Services Support Officer  
Responsible Manager: Director Infrastructure and Development Services  
Report Date: 26 August 2019  
File Reference:  
Enclosures: 1. Council Properties - Boundary Fence Policy 

---

### PURPOSE

This Policy sets out the conditions under which Council will make a financial contribution toward the erection, repair or replacement of boundary fencing between Council properties and private land and ensures that all applications for such assistance are dealt with in a fair and consistent manner and at a known cost to Council.

### BACKGROUND

This policy was last approved in November 2010 and, as such, is due for revision to ensure its contents continue to be relevant and consistent with Council's current practices, and compliant with current legislation.

### DETAILS

The draft policy contains only minor wording and format changes from the 2010 version. In particular, the wording has been revised to clarify the exclusion of road reserves.

### STATUTORY IMPLICATIONS

#### Statutory Requirements

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

### STRATEGIC IMPLICATIONS

#### Strategic Plan Reference

<b>GOAL</b>
<b>Desired Outcomes</b>
We make publicly transparent decisions on spending and future directions while encouraging community feedback.
<b>Our Priorities</b>
1.6 Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.

---

---

## Sustainable Murchison Community Plan 2040

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

### **POLICY IMPLICATIONS**

This policy will replace the 2010 version of the Council Properties – Boundary Fencing Policy, effective immediately.

### **FINANCIAL IMPLICATIONS**

There are no changes to the financial implications as a result of this report. Shared boundary fencing contributions are funded through Council’s recurrent operating budget.

### **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**

Adoption of the Council Properties – Boundary Fencing Policy involves no material change to the current policy. It is therefore recommended that the Council adopt the draft Council Properties – Boundary Fencing Policy to replace the 2010 version.

MOVED BY	CR HYLAND
SECONDED BY	CR DUNIAM

**That Council adopt the Council Properties – Boundary Fencing Policy as attached with immediate effect.**

The MOTION was put and was CARRIED unanimously.

### **IN FAVOUR**

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

---

## 9.8 TENDER EVALUATION FOR CONTRACT #737 - FREDERICK STREET UNDERGROUND IRRIGATION

To: Council  
Reporting Officer: Acting Manager Engineering and Projects  
Responsible Manager: Director Infrastructure and Development Services  
Report Date: 12 August 2019  
File Reference: 2019-09  
Enclosures: 1. Tender Evaluation - Confidential

---

### PURPOSE

To determine Council's position in relation to tender submissions received for the design and construction of an underground irrigation system at the Frederick Street Reserve.

### BACKGROUND

The provision of installing underground irrigation at the Frederick Street Reserve has been adopted in the 2019/20 budget for an estimated \$153,379.00, with a project aim to increase the options of utilisation of the reserve and to reduce the operational and maintenance cost associated with the Reserve.

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

A call for tenders for provision of these works for the 2019/20 period was published in the Advocate Newspaper on Wednesday, 24<sup>th</sup> July 2019.

### DETAILS

The Contract operates as a Lump Sum design and construct contract, based upon the anticipated quantities to design and deliver the scope of the project. Tender price comparison and assessment is based upon the indicative total cost to Council to complete the works, given the rates submitted.

At the close of tenders on 9<sup>th</sup> August 2019, three (3) tender submissions were received for the works;

- Blackley Pipelines
- Irrigation Tasmania
- The Baker Group

All Tenderers have a 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.

Weighting factors associated with, price, capability and resources, quality control and Health and Safety issues have all been considered in the assessment process. Generally, the past services provided to Council by these companies have been considered satisfactory, and they have an understanding of the established requirements associated with performance of the works under contract. Each 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 Tenderer is considered primarily to be a matter of price in this instance.

Irrigation Tasmania have submitted the lowest price tender option with a calculated overall price of \$139,850.00.

## STATUTORY IMPLICATIONS

### Statutory Requirements

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

### Strategic Plan Reference

<b>GOAL</b>
<b>Desired Outcomes</b>
We provide recreational opportunities to the community for all ages and abilities.
<b>Our Priorities</b>
4.1 Commit to ongoing recreation and open space planning to ensure evidence-based decisions are made about the role of Council and its partners in recreation.

### Sustainable Murchison Community Plan 2040

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

## POLICY IMPLICATIONS

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

## FINANCIAL IMPLICATIONS

Council has adopted a budget of \$153,379.00 to deliver this project during 2019/20. If the Tender is adopted as recommended, the estimated total cost for the design and construction of underground irrigation at the Frederick Street Reserve, at the rates tendered, will be \$139,850.00

---

## **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 will minimise any risk to Council.

## **CONSULTATION PROCESS**

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

## **CONCLUSION**

The tender price submitted by Irrigation Tasmania for the design and construction of underground irrigation at the Frederick Street Reserve is the lowest cost option to Council and it is recommended Contract 737 be awarded accordingly.

MOVED BY	CR BRAMICH
SECONDED BY	CR HYLAND

**That Council Award contract #737 – Frederick Street Reserve Underground Irrigation to Irrigation Tasmania Pty Ltd.**

The MOTION was put and was CARRIED unanimously.

### **IN FAVOUR**

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



---

## 9.9 TENDER EVALUATION FOR CONTRACT #738 - CARDIGAN STREET RESERVE UNDERGROUND IRRIGATION

To: Council  
Reporting Officer: Acting Manager Engineering and Projects  
Responsible Manager: Director Infrastructure and Development Services  
Report Date: 21 August 2019  
File Reference: 2019-09  
Enclosures: 1. Tender Evaluation - Confidential

---

### PURPOSE

To determine Council's position in relation to tender submissions received for the design and construction of an underground irrigation system at the Cardigan Street Reserve.

### BACKGROUND

The provision of installing underground irrigation at the Cardigan Street Reserve has been adopted in the 2019/20 budget for an estimated \$148,470.00, with a project aim to increase the options of utilisation of the reserve and to reduce the operational and maintenance cost associated with the Reserve.

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

A call for tenders for provision of these works for the 2019/20 period was published in the Advocate Newspaper on Wednesday, 24<sup>th</sup> July 2019.

### DETAILS

The Contract operates as a Lump Sum design and construct contract, based upon the anticipated quantities to design and deliver the scope of the project. Tender price comparison and assessment is based upon the indicative total cost to Council to complete the works, given the rates submitted.

At the close of tenders on 9<sup>th</sup> August 2019, three (3) tender submissions were received for the works;

- Blackley Pipelines
- Irrigation Tasmania
- The Baker Group

All Tenderers have a 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.

Weighting factors associated with, price, capability and resources, quality control and Health and Safety issues have all been considered in the assessment process. Generally the past services provided to Council by these companies have been considered satisfactory, and they have an understanding of the established requirements associated with performance of the works under contract. Each 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 Tenderer is considered primarily to be a matter of price in this instance.

Irrigation Tasmania have submitted the lowest price tender option with a calculated overall price of \$113,800.00.

## STATUTORY IMPLICATIONS

### Statutory Requirements

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

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL</b>
<b>Desired Outcomes</b>
We provide recreational opportunities to the community for all ages and abilities.
<b>Our Priorities</b>
4.1 Commit to ongoing recreation and open space planning to ensure evidence-based decisions are made about the role of Council and its partners in recreation.

### Sustainable Murchison Community Plan 2040

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

## POLICY IMPLICATIONS

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

## FINANCIAL IMPLICATIONS

Council has adopted a budget of \$148,470.00 to deliver this project during 2019/20. If the Tender is adopted as recommended, the estimated total cost for the design and construction of underground irrigation at the Cardigan Street Reserve, at the rates tendered, will be \$113,800.00.

---

## **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 will minimise any risk to Council

## **CONSULTATION PROCESS**

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

## **CONCLUSION**

The tender price submitted by Irrigation Tasmania for the design and construction of underground irrigation at the Cardigan Street Reserve is the lowest cost option to Council and it is recommended Contract 738 be awarded accordingly.

MOVED BY	CR HYLAND
SECONDED BY	CR FAIRBROTHER

**That Council Award contract #738 – Cardigan Street Reserve Underground Irrigation to Irrigation Tasmania Pty Ltd.**

The MOTION was put and was CARRIED unanimously.

## **IN FAVOUR**

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

---

## 9.10 TENDER FOR CONTRACT 736 - CONSTRUCT WYNYARD RECREATION GROUND FEMALE-FRIENDLY CHANGEROOMS

To:	Council
Reporting Officer:	Project Manager
Responsible Manager:	Director Infrastructure and Development Services
Report Date:	3 September 2019
File Reference:	01
Enclosures:	<ol style="list-style-type: none"><li>1. Tender Comparison - Evaluation Summary Contract 736 -Confidential</li><li>2. Tender Comparison - Tender Cost Breakdown Contract 736 - Confidential</li></ol>

---

### PURPOSE

To present to Council the tender award recommendations for the contract relating to the construction of the female-friendly changerooms at the Wynyard Recreation Ground.

### BACKGROUND

There has been an increased interest and participation for women in football and cricket for the municipality and the existing facilities provided at the Wynyard Recreation Ground restrict programming and effective use by the facility users. The construction of an additional changeroom facility and public amenities will enable local clubs to utilise both the existing changerooms and proposed changerooms, easing programming between men's and women's sports.

To complete the works, the existing unutilised grandstand structure and attached spectator amenities area will be removed. Given the spectator amenities area is not a council asset and is owned and maintained by the Wynyard Football Club, Council will continue to work the Football Club to ensure a satisfactory outcome is achieved in the reinstatement of the spectator amenities.

The aim is to accomplish a fit-for-purpose construction that includes the necessary elements for both home and away teams, such as changerooms, medical rooms, storage, showers and other amenities. Demolition and construction may occur as soon as approvals are achieved. The project is scheduled for completion before April 2020, in line with the beginning of the next football season.

At the close of tenders on Monday 2<sup>nd</sup> September 2019, three (3) tender submissions were received for the works. All tenders submitted conformed to the requirements.

### DETAILS

The contract operates as a lump sum contract, based upon a cost-breakdown of the identified elements associated with the construction of the changerooms. Tender price comparison and assessment is based upon the total lump sum excluding any provisional items offered by the Contractor. The prices received and the evaluation summary are provided to Councillors as a "Confidential Attachment".

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 tender sum was considered as one of the evaluation criteria, tenders were also assessed based on relevant

---

experience, quality management systems, project understanding and a demonstrated ability to deliver within the requested timeframe.

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 construction services across Tasmania. 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 therefore is primarily considered as a matter of price in this instance.

To summarise the tender options in relation to the overall price (GST Exclusive);

- AJ & M Construction Pty Ltd - \$419,632
- AJR Construct Pty Ltd - \$459,195
- 2B Build Pty Ltd - \$453,586

## STATUTORY IMPLICATIONS

### Statutory Requirements

Council's statutory requirements for public tender under the *Local Government Act 1993* were followed.

## STRATEGIC IMPLICATIONS

### Strategic Plan Reference

<b>GOAL 4: Community Recreation and Wellbeing</b>
<b>Desired Outcomes</b>
We provide recreational opportunities to the community for all ages and abilities.
<b>Our Priorities</b>
4.4 Provide and maintain quality and safe places and spaces for physical, social and cultural activities, including shared and multi-use facilities where possible.
4.5 Collaborate with community organisations that provide recreation opportunities to our community.

### Sustainable Murchison Community Plan 2040

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

## POLICY IMPLICATIONS

Council's Asset Management Policy is relevant in this instance in ensuring that sustainable provision of assets designed to meet the service delivery needs of the community. In this

---

regard, variations to the project will be minimised and engagement with the user groups will continue to ensure the service needs are met.

### **FINANCIAL IMPLICATIONS**

The project was originally estimated to cost \$500,000 with \$350,000 funded from grants and Waratah-Wynyard Council contributing \$150,000. Confirmed grant funding at this time includes \$310,00 in “Levelling the playing field grant program” and \$40,000 from AFL Tasmania.

Following the tender process, the total project spend is expected to be \$550,000 once Council-led works, overheads and contingencies have been taken into account.

Additional funding of \$100,000 for grass roots football has been sought. If Council is successful in receiving the additional funding, it will cover the additional cost anticipated and Council’s required contribution will reduce to \$100,000. If Council are not successful in receiving the additional funding Council’s contribution to the project will be \$200,000 (an increase of \$50,000 on the original budget estimate discussions). It is proposed that the project proceed and not be contingent on Council’s success in receiving the additional funding.

### **RISK IMPLICATIONS**

In the conduct of any contract there are risks associated to Council including time delays, poor quality of work and budget overruns.

The use of experienced contractors coupled with contract documents are intended to minimise the risk to Council.

### **CONSULTATION PROCESS**

Consultation has already occurred to ensure project outcomes are clear and consistent with expectations for the land owner (Crown Land Services) and the user groups.

Further updates will be provided to the user groups as the project continues and general engagement with the community will occur as works commence.

### **CONCLUSION**

It is therefore recommended that the Council award Contract 736 to AJ&M Construction Pty Ltd, as tendered.

---

MOVED BY	CR BRAMICH
SECONDED BY	CR FAIRBROTHER

**That Council award Contract #736 – Wynyard Recreation Grounds Changerooms to 2B BUILD PTY LTD on the basis that contract adds to the enhancement of local capability and industry in accordance with *Section 28 of the Local Government Act Code of Tenders.***

The MOTION was put and was LOST.

IN FAVOUR

	CR BRAMICH		

AGAINST

MAYOR WALSH	CR DUNIAM	CR FAIRBROTHER	CR EDWARDS
CR HOUSE		CR HYLAND	CR COURTNEY

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

**That Council award Contract #736 – Wynyard Recreation Grounds Changerooms to AJ & M Construction Pty Ltd.**

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

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

---

## 9.11 CAPITAL WORKS CARRIED FORWARD ADJUSTMENTS 2019-20 BUDGET

To:	Council
Reporting Officer:	Manager Financial Services
Responsible Manager:	Director Organisational Performance
Report Date:	4 September 2019
File Reference:	7.17
Enclosures:	Nil

---

### PURPOSE

Revised estimated capital expenditure estimates for the year ending 30 June 2020 are provided to Council for consideration.

### BACKGROUND

When Council adopted its Annual Plan and Budget Estimates on 24 June 2019, the Estimated Capital Works Expenditure included an allowance for carry forwards from 2018-19 based on Council's knowledge at that time. Revised Estimates have been prepared to recognise the actual expenditure for projects in progress as at 30 June and the impact of unspent funds on the new financial year.

On adoption of the revised reports the new estimates will supersede those previously adopted as part of the Annual Plan and Budget adopted at the 24 June 2019 meeting.

### DETAILS

The capital works projects that had not been finalised by 30 June 2019, and were not identified in the 2019-20 budget, which need to have funds carried forward are highlighted in the table below

#### Summary of Changes to Capital Expenditure Estimates

<b>Original budgeted capital works expenditure 2020</b>	<b>\$11,714,744</b>
Reduction to Unspent Budgets to be Carried Forward	(\$1,677)
Budget Amendment – Wynyard Recreation Ground Change Rooms	\$150,000
<b>Total revised capital works expenditure 2020</b>	<b>\$11,863,067</b>

The revised capital expenditure estimates result in an increase in expenditure of \$148,323 throughout 2019-20.

The reduction to unspent funds required to be carried forward of \$1,677 relates purely to changes in timing of project completion and the associated cash outflows.

The budget amendment to the Wynyard Recreation Ground Change room budget of \$150,000 represents a correction to the original budget estimates adopted. The tender for this project is being considered by council at previous agenda item 9.12.



A detailed listing of budget changes is provided below: -

Work Order	Description	Original C\FWD 2019-20 Budget	Revised 2019-20 Budget	Change in Carry Forward	Budget Amendment
2374	Dart Street Outfall Upgrade	25,000	20,319	(4,681)	
2373	Sisters Beach Pedestrian Bridge	0	129,122	129,122	
2365	East Wynyard Foreshore Playground	500,000	491,690	(8,310)	
2359	Wynyard Recreation Ground Change Rooms	400,000	550,000	0	150,000
2349	Wynyard Lawn Cemetery New Memorial Wall		30,000	30,000	
2308	Boat Harbour Beach Toilets Stainless Steel Lining	15,000	13,658	(1,342)	
2282	Interactive Christmas Street Scape		13,174	13,174	
2273	IT Replacements		41,131	41,131	
2268	Council Chambers Sound System		3,000	3,000	
2252	Woolworths Car Park Modifications	79,643	78,349	(1,294)	
2246	Wynyard Yacht Club/Multi-Purpose Community Facility		147,598	147,598	
2176	New Boardwalk and Seawall Renewal	679,000	495,077	(183,923)	
2175	Wynyard Wharf Entrance Augmentation	200,000	201,326	1,326	
2082	Camp Creek Rehabilitation Stage 2	601,864	361,591	(240,273)	
2074	Somerset CBD Masterplan Works	262,615	261,332	(1,283)	
2011	Redesigning of Council Branding		74,078	74,078	
		<b>2,763,122</b>	<b>2,911,445</b>	<b>(1,677)</b>	<b>150,000</b>

## 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

<b>GOAL</b>
<b>Desired Outcomes</b>
We maintain and manage our assets sustainably.
<b>Our Priorities</b>
1.6 Maintain accountability by ensuring council decisions are evidence based and meet all legislative obligations.
<b>Desired Outcomes</b>
We are a knowledgeable organisation—we demonstrate best practices in our business processes.
<b>Our Priorities</b>
2.2 Facilitate effective knowledge management practices.

---

## **POLICY IMPLICATIONS**

There are no specific policies that directly relate to the compilation of the budget.

## **FINANCIAL IMPLICATIONS**

The overall financial impact of the budget amendments is an increase in estimated capital expenditure of \$148,323. The total capital expenditure for 2019-20 is now estimated to be \$11,863,067 (previously \$11,714,744).

The net change in cash position as at 30 June 2020 is a decrease of \$148,323 (\$6,272,242 to \$6,123,919).

## **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.

## **COMMENT**

This is an administrative process to ensure that Council's capital works budget reflects all works to be undertaken during the 2019-20 financial year.

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

**That Council by absolute majority adopt the revised capital expenditure estimates replacing the capital expenditure estimates adopted on 24 June 2019.**

The MOTION was put and was CARRIED unanimously.

## **IN FAVOUR**

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

---

---

## 9.12 FINANCIAL REPORT FOR THE PERIOD ENDED 31 AUGUST 2019

To: Council  
Reporting Officer: Accountant  
Responsible Manager: Director Organisational Performance  
Report Date: 3 September 2019  
File Reference: 1  
Enclosures: Nil

---

### PURPOSE

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

### BACKGROUND

The financial reports presented incorporate:

- Underlying Position
- Balance Sheet
- Statement of Cashflows
- Cash Position
- Rate Summary
- Rate Debtor Analysis
- Capital Works Summary
- Capital Program Monthly Progress

### STATUTORY IMPLICATIONS

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

### STRATEGIC IMPLICATIONS

Strategic Plan Reference

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

### POLICY IMPLICATIONS

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

### FINANCIAL IMPLICATIONS

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

---

## **RISK IMPLICATIONS**

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

## **CONSULTATION PROCESS**

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

## **CONCLUSION**

End of year statutory reports were prepared and lodged by the Finance Team by the scheduled 14 August 2019 submission date. Currently the audit process is in the final stages with the report to be made available for formal adoption by Council at the next available meeting.

MOVED BY	CR DUNIAM
SECONDED BY	CR HOUSE

**That the Council notes Financial Reports for the period ended 31 August 2019.**

The MOTION was put and was CARRIED unanimously.

## **IN FAVOUR**

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

## Underlying Position

The Underlying Position Statement shows the outcome of Council's day to day operations. As at 31 August 2019 the actual YTD surplus is \$9,227,762, above budget by \$162,558. At this time there have been no material variances to budget identified and Councils operating performance is expected to be consistent with the budget estimates.



UNDERLYING POSITION STATEMENT		Note	YTD ACTUAL	YTD BUDGET	% VARIANCE	YTD VARIANCE	ANNUAL BUDGET	
As at 31 August 2019								
<b>INCOME</b>								
Rate Revenue	1	11,335,885	11,331,753	0%	(4,132)	🟢	11,331,753	
User Charges	2	418,624	473,332	12%	54,708	🔴	2,613,127	
Reimbursements/Contributions	3	56,467	20,581	-174%	(35,886)	🟢	708,309	
Grants and Subsidies	4	427,193	555,822	23%	128,629	🔴	3,935,370	
Interest		40,769	37,500	-9%	(3,269)	🟢	225,000	
Proceeds from Sale of Assets		-	-	0%	-	🟢	155,763	
Other	5	500	23,732	98%	23,232	🔴	562,000	
		<b>12,279,437</b>	<b>12,442,720</b>	<b>1%</b>	<b>163,282</b>	🟡	<b>19,531,322</b>	
<b>EXPENDITURE</b>								
Employee Costs	6	1,106,684	1,077,873	3%	28,811	🔴	7,006,172	
State Levies		-	-	0%	-	🟢	527,258	
Remissions & Discounts		388,652	389,956	0%	(1,305)	🟢	401,695	
Materials & Contracts	7	844,607	1,197,953	-29%	(353,346)	🟢	6,974,750	
Depreciation		712,006	712,006	0%	-	🟢	4,272,038	
Borrowing Costs		(273)	(272)	0%	(1)	🟡	32,293	
Value of Disposed Assets		-	-	0%	-	🟢	231,243	
		<b>3,051,676</b>	<b>3,377,517</b>	<b>-10%</b>	<b>(325,841)</b>	🟢	<b>19,445,449</b>	
<b>UNDERLYING SURPLUS/(DEFICIT)</b>			<b>9,227,762</b>	<b>9,065,203</b>	<b>2%</b>	<b>162,558</b>	🟢	<b>85,873</b>
<b>RECONCILIATION TO COMPREHENSIVE RESULT</b>								
Capital Grants/Contributions		-	-	0%	-	🟢	2,966,131	
Advance Payment of FAGs Grant		-	-	0%	-	🟢	(1,487,140)	
<b>COMPREHENSIVE SURPLUS/(DEFICIT)</b>			<b>9,227,762</b>	<b>9,065,203</b>	<b>2%</b>	<b>162,558</b>	🟢	<b>1,564,864</b>

Legend 🟢 Favourable  
🟡 Insignificant  
🔴 Unfavourable

Note	Commentary
1	Rates levied are consistent with the annual budget estimates. Any supplementary rates received throughout the year is expected to have a favourable impact on the budget.
2	Timing of receipt for Child Care, Waratah services and Cemetery operations, and is expected to be consistent with budget estimates by year end.
3	Early lodgement of subdivision fees and additional Child Care rebate from July School Holidays. Expected to be consistent with budget estimates by year end.
4	Profiling of Grant revenue based off actual received during 2019. Expected to be consistent with budget estimates by year end.
5	Profiling of Other revenue based off actual received during 2019. Expected to be consistent with budget estimates by year end.
6	Wages, whilst showing as an unfavourable variance to budget, are expected to be in line with the budget estimates. The YTD variance relates primarily to a higher level of depot labour being directed to operational tasks year to date. The budget profiling allows for work on capital projects to be undertaken evenly over the course of the year.
7	Materials & Contracts below budget due to timing of expenses and budget profiling.

---

## Balance Sheet

This report provides a balance sheet of the Council's Assets and Liabilities as at 31 August 2019. It is anticipated that no movements will occur in the Provisions until end of year 30 June 2020.



<b>BALANCE SHEET</b>	<b>YTD Actual</b>	<b>Annual Budget</b>
<b>As at 31 August 2019</b>	<b>\$</b>	<b>\$</b>
Current Assets		
Cash & Cash Equivalents	17,730,879	6,272,242
Receivables	3,843,617	891,000
Inventories	112,763	227,000
Other Current Assets	209,810	190,000
<b>Total Current Assets</b>	<b>21,897,068</b>	<b>7,580,242</b>
Non-Current Assets		
Property, Plant and Equipment	159,192,865	168,822,714
Other Non-Current Assets	51,687,318	46,117,782
<b>Total Non-Current Assets</b>	<b>210,880,182</b>	<b>214,940,496</b>
<b>Total Assets</b>	<b>232,777,251</b>	<b>222,520,738</b>
Current Liabilities		
Payables	552,256	1,418,407
Interest-Bearing Liabilities	115,936	119,862
Provisions	1,696,838	1,923,745
<b>Total Current Liabilities</b>	<b>2,365,030</b>	<b>3,462,014</b>
Non-Current Liabilities		
Interest-Bearing Liabilities	870,174	750,312
Provisions	280,145	406,607
<b>Total Non-Current Liabilities</b>	<b>1,150,319</b>	<b>1,156,919</b>
<b>Total Liabilities</b>	<b>3,515,349</b>	<b>4,618,933</b>
<b>Net Assets</b>	<b>229,261,901</b>	<b>217,901,805</b>
Equity		
Accumulated Surplus	163,338,513	156,003,558
Reserves	65,923,387	61,898,247
<b>Total Equity</b>	<b>229,261,900</b>	<b>217,901,805</b>

---

## Statement of Cashflows

This report provides details of cash movement and balances for the current financial year to 31 August 2019. Total cash and investments is \$17,730,879.



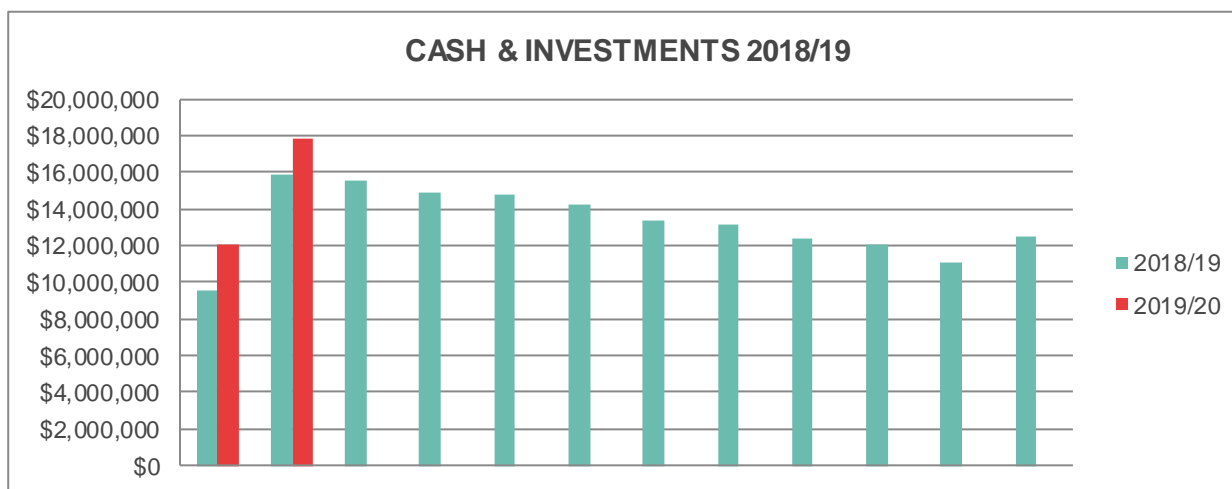
<b>STATEMENT OF CASHFLOWS TO 31 AUGUST 2019</b>	<b>YTD Actual \$</b>
	<b>\$</b>
<b>Cash flows from operating activities</b>	
Employee Costs	-1,106,684
Materials and Contracts	-1,434,480
State levies	0
Finance costs	0
Receivables	7,531,617
User charges	518,683
Interest	40,769
Reimbursement of expenses	56,467
Government grants	427,193
<b>Net Cash provided by (used in) operating activities</b>	<b>6,033,564</b>
<b>Cash flows from investing activities</b>	
Payments for Property, Plant and Equipment	-743,883
Investment revenue from Water Corporation	0
Proceeds from Sale of Property, Plant and Equipment	0
Capital grants	0
<b>Net cash provided by (used in) investing activities</b>	<b>-743,883</b>
<b>Cash flows from financing activities</b>	
Financial liabilities	273
<b>Net cash provided by financing activities</b>	<b>273</b>
<b>Net (Decrease) in Cash Held</b>	<b>5,289,954</b>
Cash at beginning of year	12,440,925
<b>Cash at end of period</b>	<b>17,730,879</b>

## Cash Position

The following table provides an outline of Council's cash and investment portfolio as at 31 August 2019. Council's Investment Policy is currently being reviewed internally and will be tabled for Council's consideration at the next available meeting.



CASH POSITION			INVESTMENTS		Weighted
As at 31 August 2019		\$		\$	Average
					Return
Deposits	15,500,000		Commonwealth Bank	2,229,279	1.00%
			Bankwest	15,500,000	1.85%
Petty Cash and Till Floats	1,600		Petty Cash and Till Floats	1,600	
Trading Account	2,229,279				
<b>BALANCE (ALL ACCOUNTS)</b>	<b>17,730,879</b>			<b>17,730,879</b>	<b>1.74%</b>



RBA Cash Rate\* 1.000  
 90 Day BBSWs Rate\*\* 0.973

\*source: [www.rba.gov.au](http://www.rba.gov.au) as at 2 September 2019

\*\*source: <https://www.asx.com.au/data/benchmarks/bbsw-10-day-rolling-history.pdf> as at 2 September 2019

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



## Rates Summary

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

Rates were levied in July but issued on 2 August 2019 in line with the rates set by Council as part of the Annual Plan and Budget Estimates adopted on 24 June 2019.



<b>RATE SUMMARY</b>		<b>2019/20</b>		<b>2018/19</b>	
<b>For the period 1 July 2019 to 31 August 2019</b>		<b>%</b>	<b>\$</b>	<b>%</b>	<b>\$</b>
<i>Notice Issue Date - 2 August 2019</i>					
OUTSTANDING RATE DEBTORS (As at 1 July 2019)	4.29	507,597	3.91	452,217	
ADD CURRENT RATES AND CHARGES LEVIED (including penalties)	95.71	11,335,885	96.09	11,112,407	
GROSS RATES AND CHARGES DEMANDED	100.00	11,843,482	100.00	11,564,624	
LESS RATES AND CHARGES COLLECTED	63.59	7,531,617	65.41	7,564,995	
REMISSIONS AND DISCOUNTS**	8.24	975,509	8.23	951,358	
	71.83	8,507,126	73.64	8,516,353	
ADD PROPERTIES IN CREDIT	(1.29)	152,930	(1.23)	142,532	
UNPAID RATES AND CHARGES (includes Deferred Rates)	29.46	3,489,286	27.59	3,190,803	
**REMISSIONS AND DISCOUNTS		<b>2019/20</b>		<b>2018/19</b>	
Discount		384,432		379,929	
Pensioner Rebates		583,620		565,229	
Council Remissions and Abandements		7,457		6,200	
		<u>975,509</u>		<u>951,358</u>	
<b>Number of Assessments</b>	<b>2,616</b>				

## Capital Works Summary

The Capital Works Summary provides a snapshot of the percentage of expenditure against the 2019/2020 Capital Works program. Timing of expenditure is based on the works plan and actual spend, and not reflective of the actual progress of the Capital Works, which is detailed under Capital Program Monthly Progress.



CAPITAL WORKS SUMMARY As at 31 August 2019	Actual \$	Budget \$	% Spend of Budget
<b>Governance</b>			
Multi Use Community Facility	6,792	3,666,100	0.19%
New Board Walk and Seawall Renewal	12,040	679,000	1.77%
Other	2,900	303,570	0.96%
	<b>21,732</b>	<b>4,648,670</b>	<b>0.47%</b>
<b>Strategic &amp; Financial Services</b>	<b>2,470</b>	<b>320,000</b>	<b>0.77%</b>
<b>Organisational Performance</b>	<b>-</b>	<b>58,000</b>	<b>0.00%</b>
<b>Community Services</b>			
Children Services	3,397	69,868	4.86%
Tourism	4,188	4,500	93.06%
General	370	49,000	0.75%
	<b>7,954.62</b>	<b>123,368</b>	<b>6.45%</b>
<b>Engineering Services</b>			
Depot	-	98,255	0.00%
Plant	80,664	791,777	10.19%
	<b>80,664</b>	<b>890,032</b>	<b>9.06%</b>
<b>Waste Management</b>	<b>0</b>	<b>25,000</b>	<b>0.00%</b>
<b>Public Conveniences</b>	<b>20336.36</b>	<b>117,000</b>	<b>17.38%</b>
<b>Transport</b>			
Re-Sheeting	1,637	721,288	0.23%
Reseals - Rural	-	234,207	0.00%
Reseals - Urban	324	158,660	0.20%
Footpaths	3,507	192,605	1.82%
Bridges	-	10,000	0.00%
Somerset CBD	4,019	262,615	1.53%
Wynyard CBD	-	500,000	0.00%
General	41,028	509,521	8.05%
	<b>50,514</b>	<b>2,588,896</b>	<b>1.95%</b>
<b>Sporting Facilities</b>			
Wynyard	15,155	872,927	1.74%
Somerset	15,688	199,970	7.85%
	<b>30,843</b>	<b>1,072,897</b>	<b>2.87%</b>
<b>Parks &amp; Gardens</b>			
Wynyard	157,438	1,416,928	11.11%
Somerset	-	150,000	0.00%
General	-	178,708	0.00%
	<b>157,438</b>	<b>1,745,636</b>	<b>9.02%</b>
<b>Stormwater Drainage</b>			
Stormwater Pipe Replacement/Upgrades	820	79,245	1.03%
General	9,591	46,000	20.85%
	<b>10,411</b>	<b>125,245</b>	<b>8.31%</b>
<b>Total Capital Works Program 2019/20</b>	<b>382,363.06</b>	<b>11,714,744</b>	<b>3.26%</b>

---

## 2019/20 Capital Program Monthly Progress Report

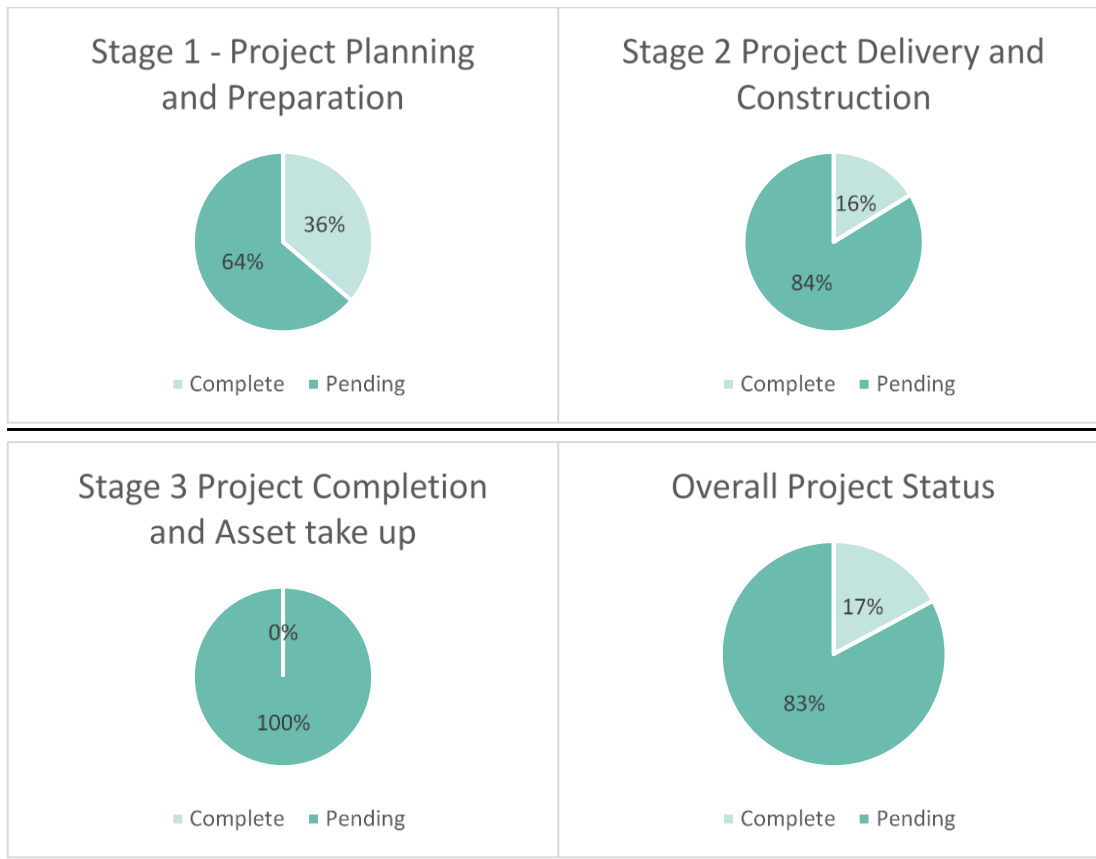
Overall the capital works program is on target for full completion with no foreseeable delays.

The overall project status completion is provided for each category of the program in the table below.

Section	Total Project Completion (%)
Governance	17.19
Strategic & Financial Services	18.31
Community Services	28.61
Engineering Services	13.98
Waste Management	10.00
Public Convenience	62.50
Transport	22.66
Sporting Facilities	10.31
Parks and Gardens	30.96
Stormwater Drainage	33.13
Special Projects	20.23

Status %	Stage
Between 0% and 25%	Stage 1 - Project Preparation including, design, permits, tender and consultation
Between 25% and 75%	Stage 2 - Project construction and delivery
Between 75% and 100%	Stage 3 - Project Completion including asset take up, defects liability period, construction approval, as constructed drawings

## GOVERNANCE

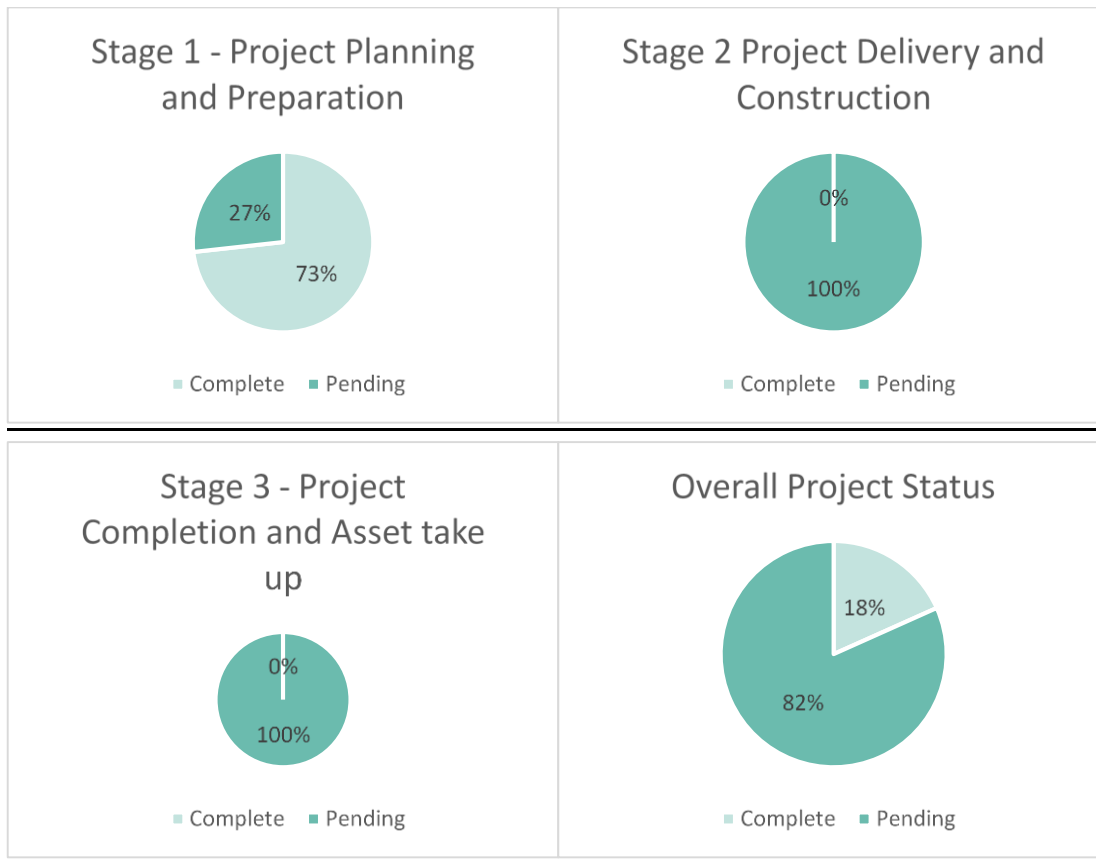


Projects	Status (%)
Renew Chambers Facia & Eaves	0.00
Replace Chambers Atrium Roof	0.00
Council Chambers Security Improvements	0.00
RSL Honour Board	17.50
Multi Use Community Facility	5.00
Wynyard Wharf Entrance Augmentation	72.50
New Boardwalk and Seawall Renewal	42.50
HR Management System	0.00

### Key project milestones/updates:

- New Boardwalk and Seawall Renewal into construction and progressing well.
- Line marking required in wharf area.

## STRATEGIC AND FINANCIAL SERVICES

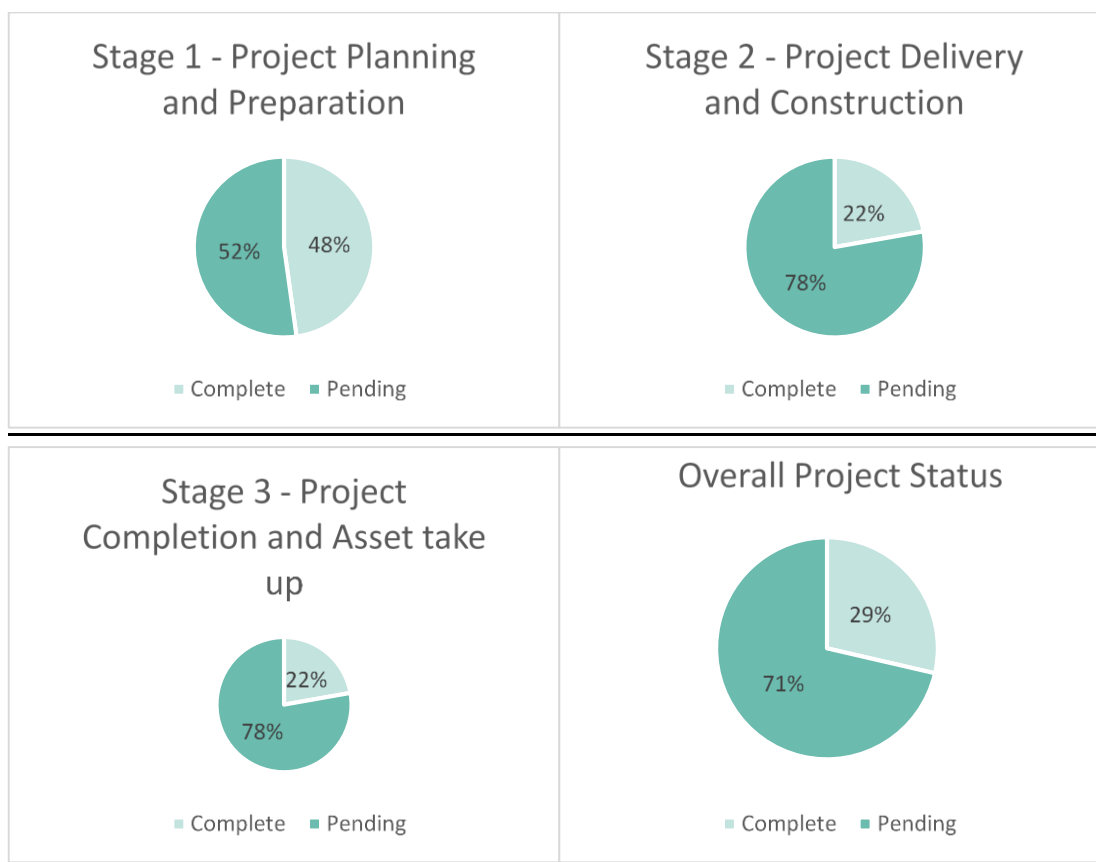


Projects	Status (%)
Finance/Assets Software	7.50
CCTV Cameras	22.50
IT Replacement	25.00
Aerial Imagery Upgrade	25.00

### Key project milestones/updates:

- Aerial Imagery to be taken in early 2020.
- CCTV Project underway in conjunction with Burnie City Council.

## COMMUNITY SERVICES

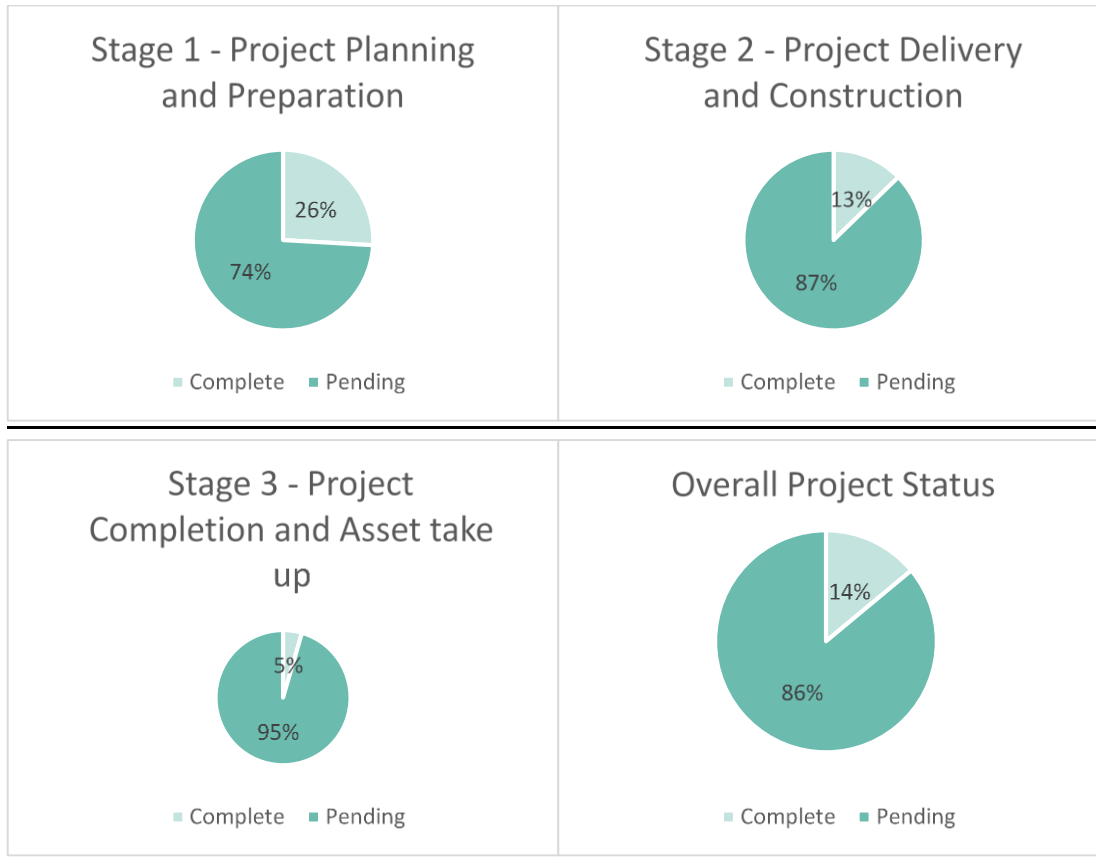


Projects	Status (%)
Links Child Care Security Door	10.00
Links Child Care Playground Replacement	20.00
Links Child Care Drainage Upgrade	0.00
Duress Alarm – WOW	100.00
Waratah Museum Veranda Enclosure	100.00
Online Booking System	0.00
Public Art	2.50
Somerset Xmas Decorations	25.00
Skate Park Art Boards	0.00

### Key project milestones/updates:

- Duress Alarm at WOW has now been installed.
- Waratah museum veranda enclosure works complete.
- Christmas Decorations have been ordered.

## ENGINEERING SERVICES

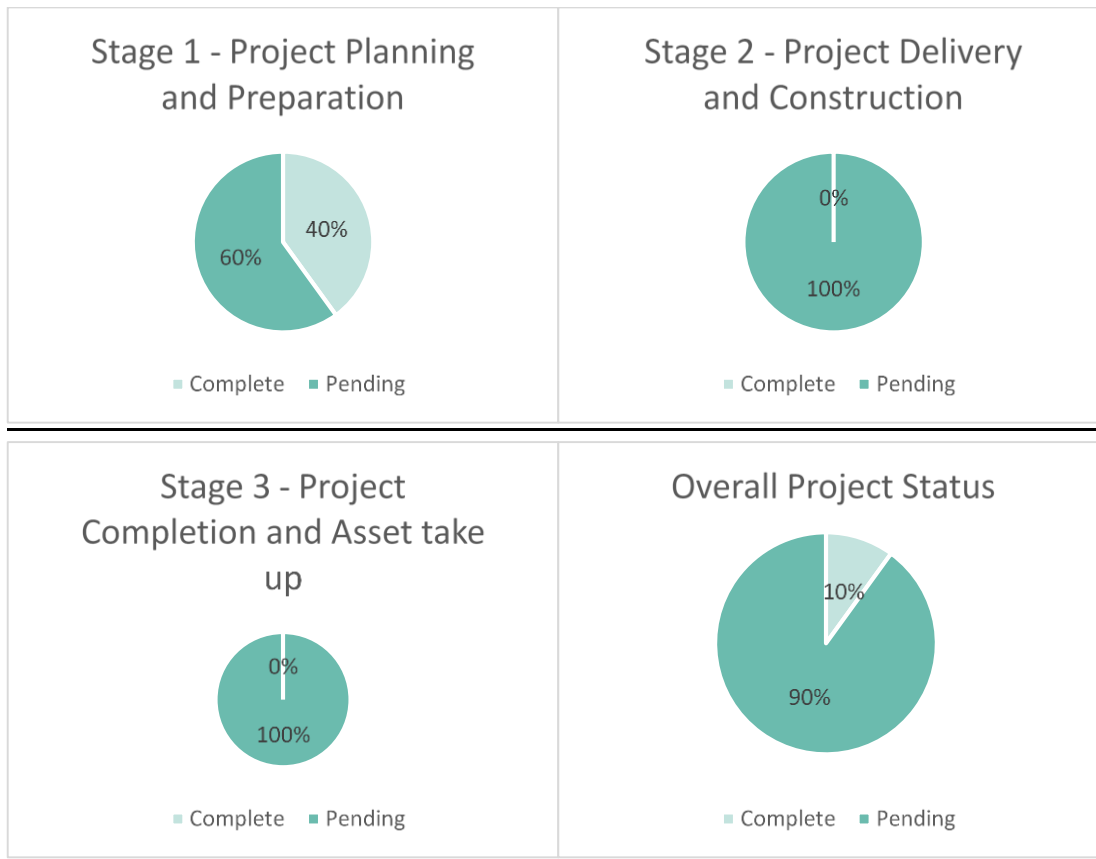


Projects	Status (%)
Asset System Upgrade	2.50
360° Site Camera	70.00
Depot Trade Waste System	22.50
Depot Car Park & Security	70.00
New Radio System	12.50
10' Grader Blade	0.00
8' Grade Blade	0.00
Plant & Fleet Vehicles	8.67

### Key project milestones/updates:

- Depot carpark and security works nearing completion.
- New truck mounted Cherry Picker purchased and operating.

## WASTE MANAGEMENT



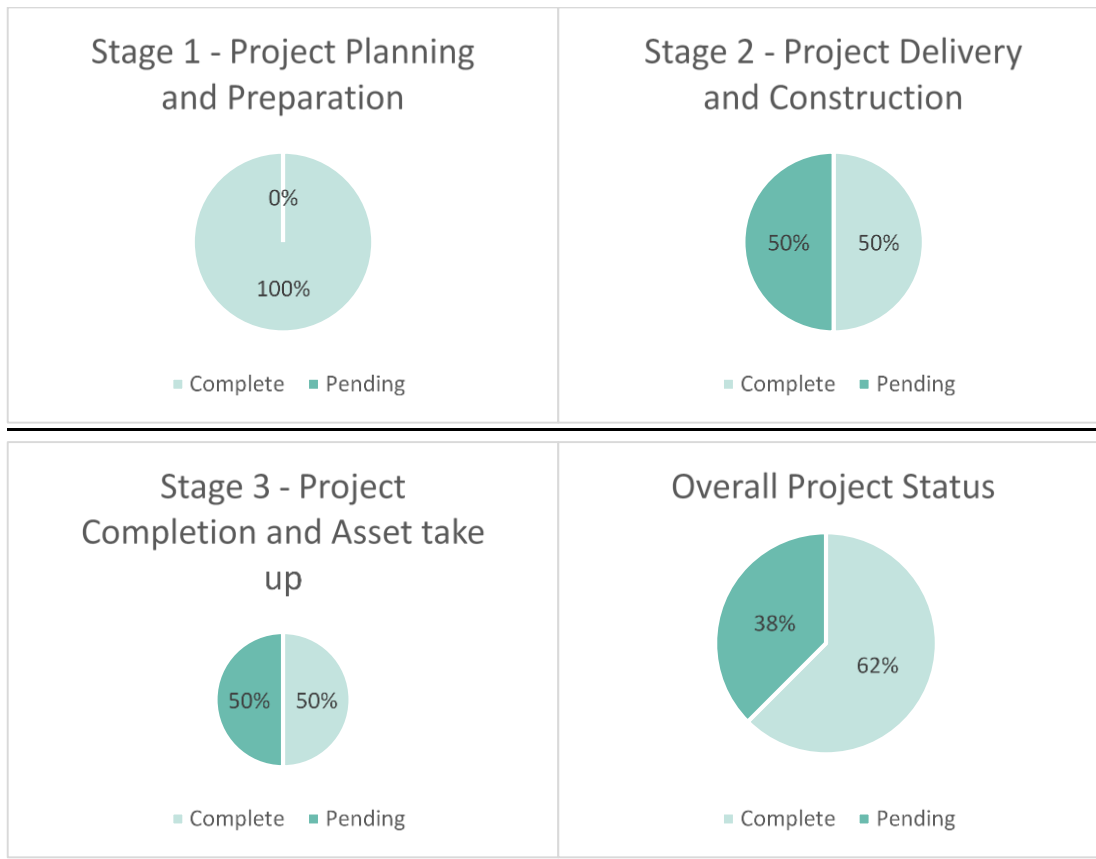
Projects	Status (%)
Relocate RV Dump Point	10.00

### Key project milestones/updates:

- Concept for RV dump point being progressed and at planning stage.



## PUBLIC CONVENIENCE



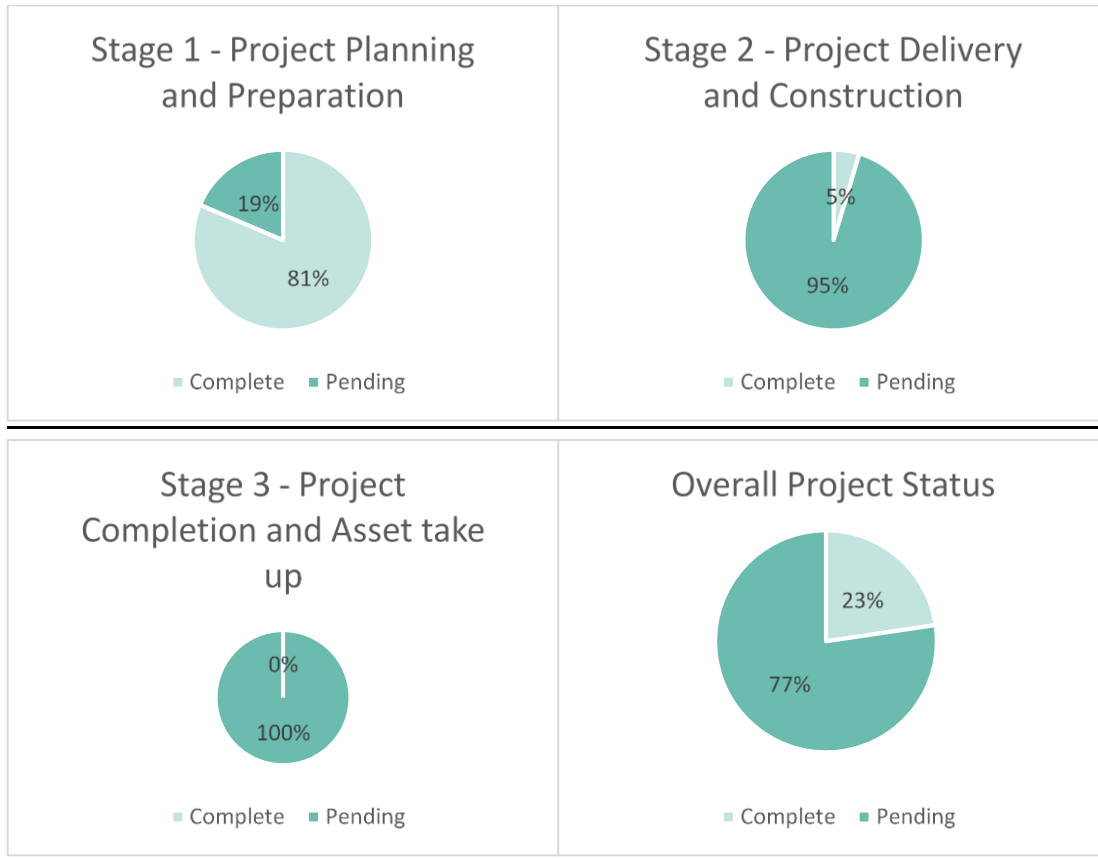
Projects	Status (%)
Boat Harbour Beach Toilets Stainless Steel Lining	100.00
East Wynyard Foreshore Toilets	25.00

### Key project milestones/updates:

- Boat Harbour Beach stainless steel toilet lining complete.
- East Wynyard Foreshore Toilets are at planning stage.

---

## TRANSPORT



---

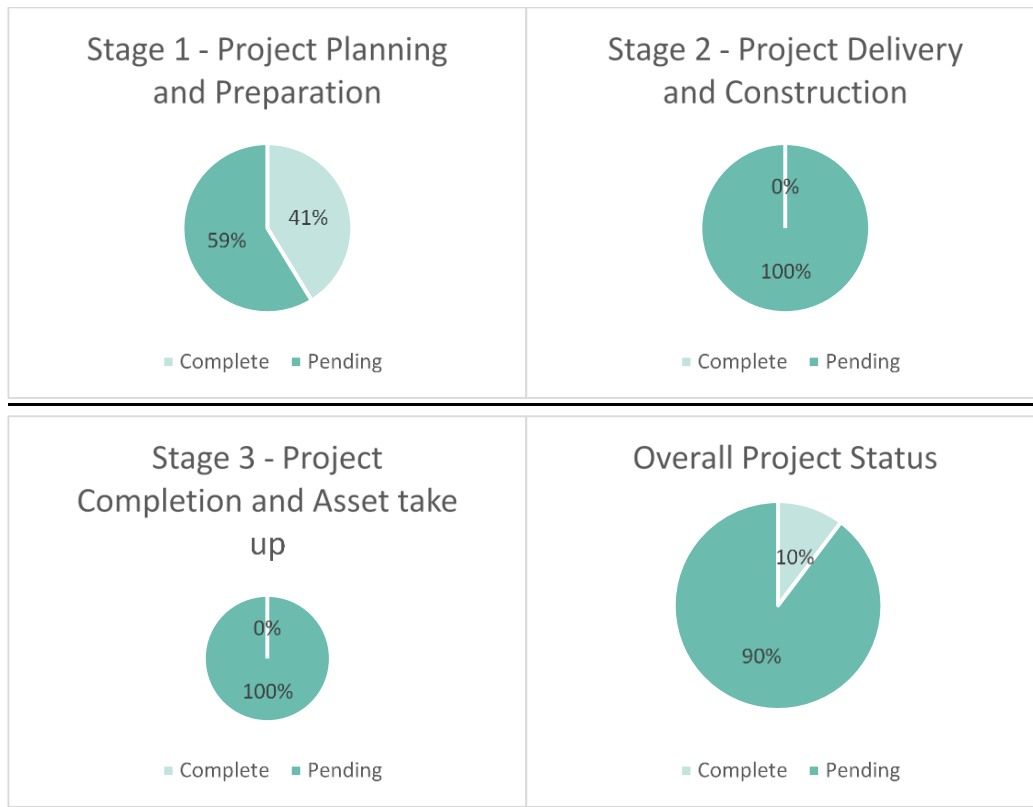
## **TRANSPORT Cont.**

<b>Projects</b>	<b>Status (%)</b>
Re-Sheeting	25.00
Rural Reseals	25.00
Urban Reseals	25.00
Footpath Repairs Dodgin to Wharf Entry	75.00
Urban Footpaths (DDA)	45.00
Belton St/Frederick St Footpath	20.00
Bridge St Footpath	2.50
Woolworths Car Park	25.00
SSet CBD Art	17.50
SSet Master Plan	22.50
Railway Int. Window Replacement	18.75
Rural Road Junctions	0.00
Wynyard CBD Bins	27.50
57 Jackson St Retaining Wall	75.00
96 Jackson St Retaining Wall	5.00
Wynyard CBD Heavy Vehicle Signs	25.00
Jackson St – VRU Link	5.00
Goldie St – Ped Crossing	5.00
Exhibition Link VRU Link	5.00
Tennis Court Road – Speed Humps	5.00
Big Creek Guard Rail (Inglis St)	0.00
Park St – DDA Compliant Parking Bays	2.50
Wynyard CBD Plaza	23.75
Rural Road Bridges – Upgrade Approaches	0.00

### **Key project milestones/updates:**

- Wynyard CBD heavy vehicle signs purchased and pending installation
- Urban footpath DDA compliant ramps being rolled out in Somerset and Wynyard
- Several designs substantially commenced

## SPORTING FACILITIES

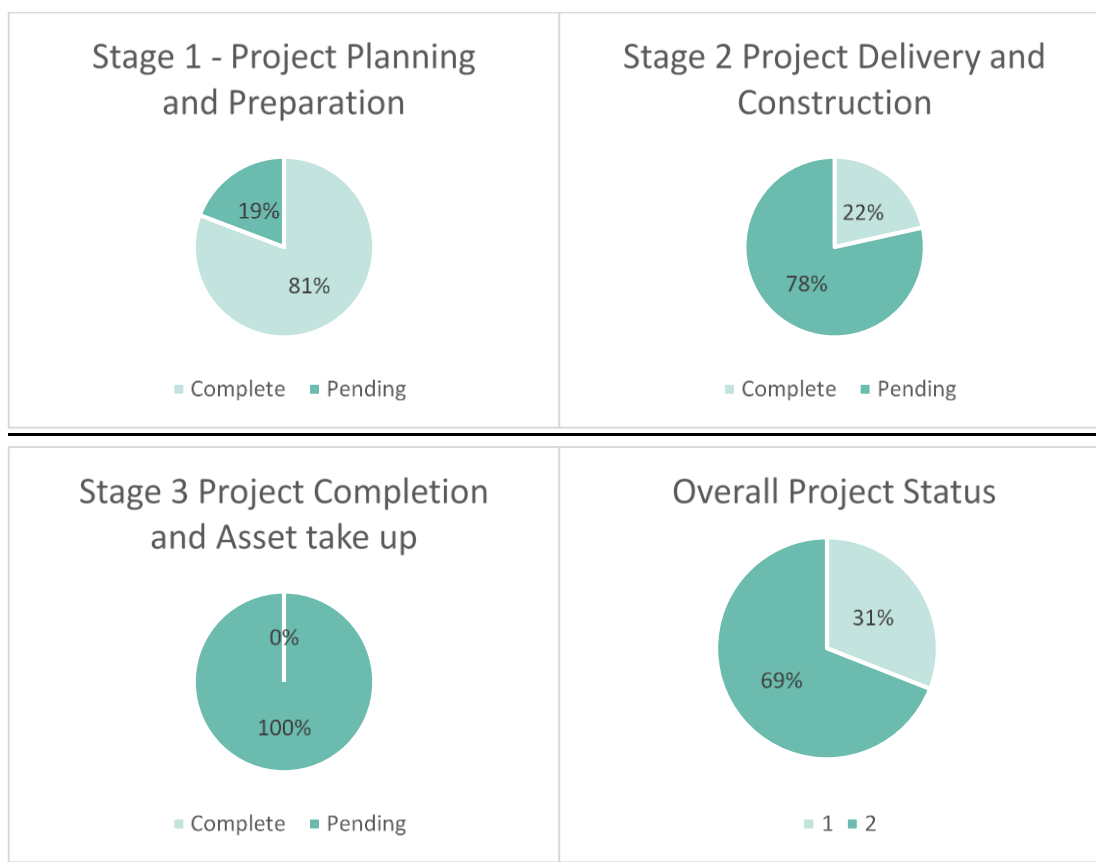


Projects	Status (%)
Wynyard Rec Change Rooms	23.75
Wynyard Rec Fence Replacement	2.50
Wynyard Sports Centre Linemarking	0.00
Wynyard Tennis Upgrade Lights	25.00
Wynyard Wharf Damaged Pylons	0.00
Frederick St Underground Irrigation	23.75
SSet Soccer Fence and Security	0.00
SSet Rec Replace Box Gutters	12.50
SSet Rec Install LED Lights West Wing	12.50
Langley Park Grease Trap	0.00
SSet Surf Club Grease Trap	0.00
Cardigan St Underground Irrigation	23.75

### Key project milestones/updates:

- Tenders received for Cardigan Street and Frederick Street irrigation projects, preferred tender selected (report included with this agenda).
- Tenders received for Wynyard rec change rooms (report included with this agenda).
-

## PARKS AND GARDENS

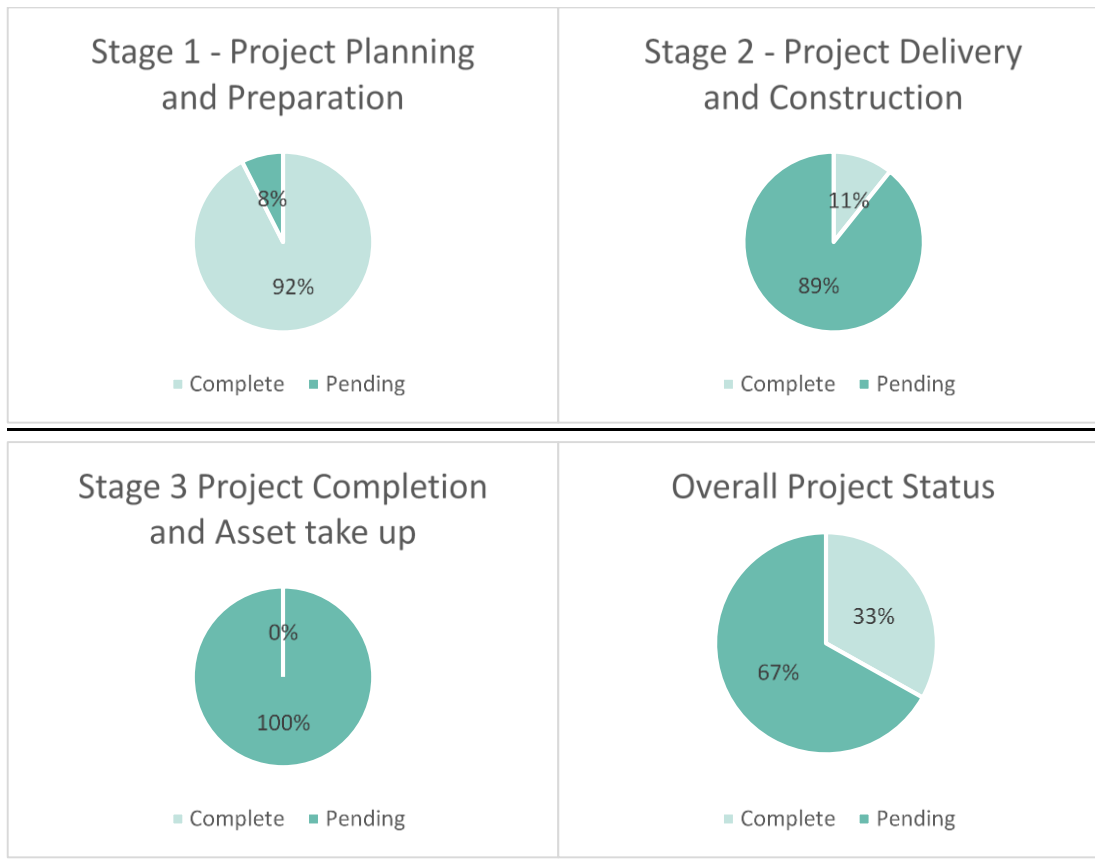


Projects	Status (%)
Camp Creek Remediation	70.00
Camp Creek Ped Bridge	25.00
East Wynyard Foreshore Playground	18.75
Guttridge Gardens Replace Fence	25.00
Bollard Replacement	40.00
Zig Zag Track	22.50
Inglis River Telford Creek Bridge	20.00
ANZAC Park Playground	7.50
BBQ Renewals	60.00
Parks Furniture Renewals	60.00
Waratah Falls – Lookout Track	23.75
Sisters Beach – Access Repairs	25.00
Sisters Beach Hardstand	5.00

### Key project milestones/updates:

- Gutteridge Gardens fence replacement project has been awarded to successful tenderer.
- Construction of the Sisters Beach access stairways has commenced.
- Zig Zag track upgrade project is currently out for public tender.

## STORMWATER DRAINAGE



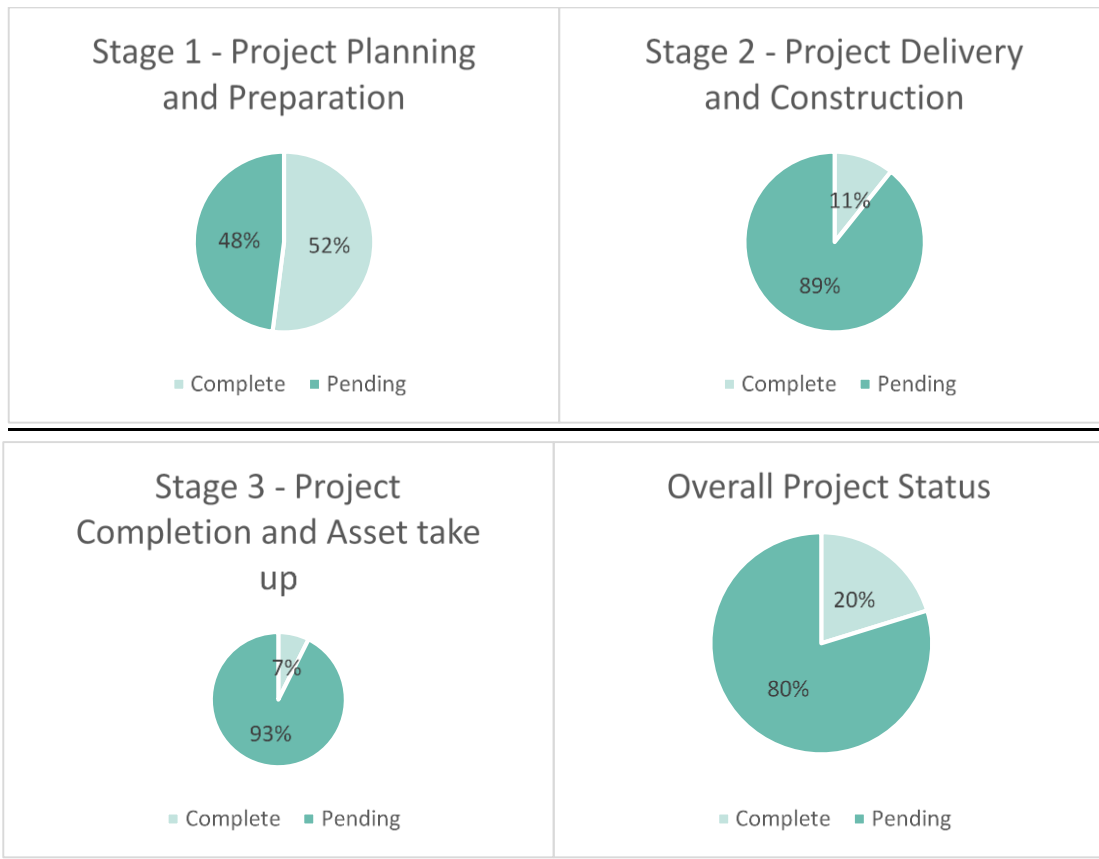
Projects	Status (%)
Rural Road Culverts	37.50
Dart St Outfall	17.50
Gully Pits	37.50
Manhole Covers	40.00

### Key project milestones/updates:

- Rural road culvert replacements have commenced.

---

## SPECIAL PROJECTS



---

## **SPECIAL PROJECTS Cont.**

<b>Projects</b>	<b>Status (%)</b>
Tulip Festival Reusable Glasses	25.00
Tulip Festival Hats & T-Shirts	17.50
Mural for Market Shed	0.00
Reroof Philosophers Hut	1.25
SES Equipment Replacement	22.50
Waratah Falls Walking Track	25.00
I Am Youth Project	20.00
Council Chamber Lawn	0.00
WOW Gardens & Lawn	100.00
Athenatheum Hall – Bird Proofing	0.00
Lifetime Dog Tags	100.00
Settlement Strategy	15.00
Cam River Master Plan	1.25
Enviro Strategy	32.50
Rural Road Safety Audit	25.00
Depot Special Projects	32.50
1069 Calder Rd Tree Trimming	10.00
Old Pool Demolition	5.00
Wynyard Rec Landscaping	0.00
SSet Surf Club Paint Exterior	12.50
SSet Tennis Club Rewiring	12.50
Waratah Historic Rail Study	0.00
Mt Hicks Round About	0.00
FOGO Feasibility	42.50
Inglis/IGA Area – Study	5.00
Digital Innovation	16.25
BHB Master Plan	25.00

### **Key project milestones/updates:**

- Tenders received for rural road safety audit and preferred tenderer selected.
- Permit application for demolition of the old pool submitted to Crown Land Services for approval.



### 9.13 SENIOR MANAGEMENT REPORT

To:	Council
Reporting Officer:	Executive Officer
Responsible Manager:	General Manager
Report Date:	27 August 2019
File Reference:	0.0
Enclosures:	Nil

---

#### **SUMMARY/PURPOSE**

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

#### **GENERAL MANAGERS OFFICE**

##### ACTIVITIES SINCE LAST COUNCIL MEETING

Listed below is a summary of activities undertaken by the General Manager during the period 13 August 2019 and 7 September 2019.

#### **Corporate**

- Completed performance appraisals for all direct reports in line the organisations commitment to create a culture that promotes personal success
- Continued weekly meetings to progress the Shared Services project being undertaken by Burnie, Circular Head and Waratah-Wynyard Council
- Participated in a training session on *Preventing Discrimination and Harassment in the Workplace for Managers and Supervisors* as part of an overall training and awareness program for all employees
- Attended the Waratah-Wynyard Audit Panel
- Met with Greg Alomes, General Manager King Island Council, to welcome him to the role and region and explore opportunities for collaborative projects
- Met with the Cradle Coast Authority regarding their Regional Employment Trials project

#### **Community**

- Participated in the Community Conversations Forum in Waratah
- Met with the Wynyard Cricket Club to discuss their plans and initiatives for the upcoming season
- Met with a concerned community member to clarify planning advice
- Met with the owner/operators of the Waterfront Motel to ensure construction work was progressing as planned and to discuss and resolve minor matters
- Met with Justine Keay, University Of Tasmania who provided a briefing on a research project that the Wicking Centre for Dementia Research and Education, UTas, will be conducting in the Wynyard community on dementia prevention. The ISLAND Project

will be the largest dementia prevention study in the world and the NW of Tasmania (including Wynyard) will be where this study will start.

### **Industry**

- Attended the regular North West General Manager's meeting where agenda items included updates from the Cradle Coast Authority, Regional Futures Plan Implementation and Waste Governance
- Attended a Regional Futures Plan implementation meeting with Cradle Coast Authority Program Manager, Carol Bracken
- Attended the Cradle Coast Authority Representatives meeting with included a luncheon with Deputy Prime Minister and Leader of the National Party, Michael McCormack
- Attended the Business North West (formally BCCI) breakfast with guest speaker Ben Maynard, Grange Resources
- Attended the Tourism Industry Council Tasmania Leadership Luncheon where the West by North West Regional Tourism Organisation was introduced by Chair Chris Oldfield. Guest speakers were Will Hodgman MP, Premier and Minister for Tourism, Hospitality and Events and Peter Gutwein MP, Treasurer and Minister for the Environment, Parks and Heritage.

### **Other**

- With the Mayor, General Manager and Mayor from Burnie City Council met with Ministers Michael Ferguson MP, Jeremy Rockliff MP and Roger Jaensch MP regarding the Coastal Pathway and remediation of erosion issues
- Met with Murchison member of the Tasmanian Legislative Council Ruth Forrest as a regular catch up to update on projects and discuss matters of interest

### **POLICIES TO BE RESCINDED**

Nil

**WORKING GROUPS**

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

	Elected Member Representatives	Responsible Officer(s)	Current Status
Sisters Beach	Cr Edwards Cr Fairbrother Mayor (ex-officio)	Director Community & Engagement Community Development Officer	Group has now had several meetings with key priorities identified.
Wynyard Show Grounds	Cr Bramich Cr Edwards Mayor (ex-officio)	General Manager Recreation Liaison Officer Executive Officer	Show Society has provided list of names and first meeting has been scheduled.
WWC Environmental Plan	Cr Fairbrother Cr Courtney Cr House Mayor (ex-officio)	Project Manager – Infrastructure & Development Services	Group has been formed with several meetings held. Currently researching and analysing data.
Cam River Reserve	Cr Duniam Cr House Mayor (ex-officio)	Project Manager – Infrastructure & Development Services	Yet to commence
Somerset Sporting Precinct	Cr Duniam Cr Hyland Mayor (ex-officio)	General Manager Manager Community Activation Recreation Liaison Officer	Yet to commence
ANZAC Park		Director Community & Engagement	Commonwealth Grant application completed. Independent costing undertaken. Progress meeting scheduled
Boat Harbour Beach Masterplan	Cr Fairbrother Cr House Cr Courtney	General Manager Town Planner Engineering Projects Coordinator Executive Officer	Group to commence by end of September

### COMMUNITY CONVERSATIONS

The first Waratah Community Conversations forum was held on Monday 26 August at the MUSHroom. The evening was very successful with 21 community members in attendance. A summary of all items raised will be provided at the October Council meeting.

Location	Workshop Attendees	Workshop Registrations	TOTAL
Wynyard	14		14
Waratah	21		21
Boat Harbour Beach	0		0
Sisters Beach		6	6
Yolla		2	2
Somerset	0		0
TOTAL	35	8	43

### ADMINISTRATION – USE OF CORPORATE SEAL

16/8/19	Schedule of Easement	SD2022 Stennings Road Wynyard
19/8/19	Schedule of Easements	PID1917486 – 11 Newhaven Drive Somerset
26/8/19	Partnership Agreement	Building Somerset Futures and Waratah-Wynyard Council

PLANNING PERMITS APPROVED UNDER DELEGATION – AUGUST 2019

DA No.	Applicants Name	Location	Development	Date Permit Issued	No of Days to Process	(D)Discretionary (P)Permitted
DA 73/2019 & SD 2075	PLA Designs	19 Simpson Street Somerset	Subdivision (1 into 2 Lots), Multiple Dwelling Development (5 Units) & Dwelling Extension	02.08.2019	42	D
DA 98/2019	Abel Drafting Services	84 Inglis Street Wynyard	Rural supplies store extension	5.08.2019	34	D
DA 84/2019	Abel Drafting Services	89a Old Bass Highway Wynyard	Outbuilding	5.08.2019	33	D
DA 104/2019	J Wells	17473 Bass Highway Boat Harbour	Outbuilding (shed)	5.08.2019	17	P
DA 68/2018	M Wells (EnviroPlan)	Blackabys Road Boat Harbour (CT 239127/1)	Dwelling	09.08.2019	33	D
DA 51/2019 & SD 2074	S M Wigg & W A Boyle	13 Old Bass Highway Wynyard	Subdivision & Consolidation & Staged Multiple Dwelling Development (8 Additional Units)	09.08.2019	42	D
DA 91/2019	D E Clarke & R A Bryan	119 Old Bass Highway Wynyard	Outbuilding	12.08.2019	33	D
DA 103/2019	R J & M D Fowler	21 Table Cape Road Wynyard	Outbuilding (Shed Extension) & Verandah	12.08.2019	33	D
DA105/2019	P Allen	13 Inglisdale Drive Wynyard	Dwelling & Shed (Shed NPR)	12.08.2019	25	D
SD2079	EnviroPlan	4 Saunders Street Wynyard	Subdivision (1 into 2 lots)	12.08.2019	42	D
DA 79/2019	EnviroPlan	Stennings Road Wynyard	Dwelling (managers residence)	14.08.2019	42	D
DA 82/2019	Abel Drafting Services	53 Dodgin Street Wynyard	Visitor Accomodation (2 apartments & house) and outbuilding demolition x2)	15.08.2019	42	D
DA 107/2019	Abel Drafting Services	28 Table Cape Road Wynyard	Carport	15.08.2019	29	D
SD2077	P Allen	2 Stanwyn Court & 44 Belton Street Wynyard	Subdivision (boundary reconfiguration)	22.08.2019	19	P
DA 106/2019	P Allen	21 Serrata Crescent Sisters Beach	Dwelling	23.08.2019	36	D
DA 95/2019	S & S Warren	1 Fenton Crescent Boat Harbour Beach	Dwelling Extension	27.08.2019	42	D
DA 88/2019	P Allen	512 Murchison Highway Elliott	Dwelling	30.08.2019	42	D

**BUILDING PERMITS APPROVED –AUGUST 2019**

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

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

Permit Number	Applicants Name	Location	Development	Date Permit Issued	No of Days to Process	Related Planning Approval
2019-73-01	Spencer Park Incorporated	5 Moore Court Wynyard	Units	1.08.2019	0	DA 12/2019
2019-87-01	K & R Jones	6a Elfrida Avenue Sisters Beach	Dwelling	6.08.2019	6	DA 22/2018
2019-66-01	Rosene Cox Building Design & Drafting	8 Pine Street Sisters Beach	Dwelling & Shed (inc demolition of existing dwelling)	20.08.2019	1	DA 132/2018
2019-69-01	Garth Murphy	57 Irby Boulevard Sisters Beach	Dwelling addition	20.08.2019	1	DA 109/2019
2019-96-01	E Odgers & A Brown	45 Serrata Crescent Sisters Beach	Dwelling	28.08.2019	6	DA 60/2019

## ACTION LIST

w	Item #	Topic	Action/Status	Officer	Status
19/2/18	10.1	<p>ROC – Proposed East Wynyard Foreshore Masterplan - Motion Carried</p> <p>Adopt the Draft East Wynyard Foreshore masterplan;</p> <ul style="list-style-type: none"> <li>☐ Consider implementation of the proposed playground and landscaping elements for the 2018/19 budget;</li> <li>☐ Consider rationalising the existing 4 local playground sites, 2 at the East Wynyard Foreshore, 1 at 9 Martin Street and 1 at 25 Lockett Street in order to fund the proposed district level playground; and</li> <li>☐ Remain flexible in the implementation of the East Wynyard Foreshore masterplan as it assesses cost and benefits in consultation with the community and users into the future</li> </ul>	<p>Multiple workshops have been held to outline the proposed timetable for this playground project. Preliminary work will continue as part of the project planning and preparatory stage.</p> <p>4/9/19 – Second focus group session has been held.</p>	DIDS	Ongoing
17/9/18	10.1	Freedom Camping	<p>Outstanding motions:</p> <ol style="list-style-type: none"> <li>1. That Council proceed with necessary planning for establishment of a site for Freedom Camping at Sisters Beach. 12/8/19 – Working Group priority action</li> <li>2. That Council determine that a designated Freedom Camping site will not be provided for in Somerset or Yolla. Signage to be organised</li> <li>3. That Council Explore low cost camping opportunities at Waratah through the existing caravan park or creation of an overflow area. No progress to date</li> <li>4. That Council liaise with the Show Society to lodge a planning application to amend the use of showgrounds to allow self-contained caravans. No progress to date</li> </ol>	EMT	In Progress
19/11/18	9.1	Motion – Cr Fairbrother – Coast to Coast Section – Advocate Newspaper	<p>Motion Passed</p> <p>The Mayor raised the matter at the CCA Representatives Meeting and it received support. The editor attended the CCA Reps meeting on 28 February. At the end of the meeting he stated he would explore options for re-introduction of the Coast to Coast section of the newspaper, including the Mayors Message, and options would be presented in the near future.</p> <p>13/8/19 The CCA is pursuing on behalf of all councils. GM asked for update at last reps meeting with nothing reported. Radio seems to be taking a lead</p>	GM	Ongoing

			role in this space and looking at options to partner with Mayors/Councils. No further information at this stage.		
10/12/18	9.2	NOM Cr Edwards – PWS Audit of Sisters Beach properties Carried	That Council request Parks and Wildlife complete their proposed assessment audits of beach front properties at Sister Beach by March/April rather than the proposed 30 June deadline.  5/9/19 PWS have indicated to Council Officers that they have reached the selection phase of procurement for the assessment audit.	DIDS	Ongoing
10/12/18	10.1	Wilkinson Street Highway Junction works Amended Motion carried	That Council on receipt of assurances from DSG that council legal expenses associated with any representation and associated legal process will be reimbursed; and  Support the recommendation of the Department of State Growth to close the Wilkinson Street access to the Bass Highway; and  Initiate the process of notification of intent to close under section 14 of the Local Government Highways Act 1982; and  Undertake investigations into relocation of the existing York Street bus stop to another area within the vicinity  State Growth have advised they will cover legal expenses if the closure goes ahead only. Further request made to State Growth as to what potential expenses may be, so a determination can be made by Council. Refer report this agenda.	DIDS	Ongoing
18/2/19	10.2	York Street Bus Stop	Motion Passed Progress design for alternative bus stop, with temporary relocation to be agreed with Dept. of Education  Follow-up observations to date have not revealed any specific safety concerns and no further action to date.	DIDS	Ongoing
18/3/19	10.9	ROC – Recreational Vehicle Dump Point	Motion LOST Alternate Motion CARRIED That Council nominate the site outside the waste transfer station as its preferred site for relocation of the Wynyard Recreational Vehicle dump point and authorise the commencement of design work for this location 4/9/19 – estimate for design work being compiled ready for Councillor workshop Update	DIDS	Ongoing
15/4/19	9.2	NOM – Cr Fairbrother – Waratah Dam	Motion carried - That council liaise with TasWater and the local Waratah community to establish the environmental, cultural and the historical significance of the Waratah Dam; and	GM	Ongoing



			<p>That council make representation to the owners of TasWater highlighting the significance and exceptional circumstances surrounding the Waratah Dam requesting that the dam be made safe by reinstatement or repair.</p> <p>13/8/19 – TasWater advised that assessment of EOI's is ongoing with an outcome likely to be determined by the end of August. Have not received any information despite repeated requests.</p>		
20/5/19	7.3.6	CQWON – Cr Fairbrother – Crown Land Consent for Signs	<p>(Refer item 7.2.6) Cr Fairbrother asked if copy of crown land approval for signs at Boat Harbour Beach can be provided.</p> <p>The Director of Infrastructure and Development Services advised that a copy of the letter has been sought from Crown Land Services and should be available for this week</p> <p>4/9/19 – Letter received previously</p>	DIDS	Complete
20/5/19	8.1	NOM – Cr House – Dog Management	<p>Motion Carried</p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Commence, this year, the inclusion of a dog management brochure to be issued annually with the dog registration notice, as an improved information and education measure; and</li> <li>2. Within four (4) months, produce a report detailing areas of opportunity to improve animal control, which includes considering; <ul style="list-style-type: none"> <li>- Initiating a compulsory enforcement period or location, regarding public area dog offences.</li> <li>- Feasibility of after-hours animal control patrols (seasonal or ongoing).</li> <li>- Publication of a complaint handling framework.</li> <li>- Development of a suite of dog related resources and education campaign, for print, social media and the council's website.</li> <li>- Improvement of Councils animal control statistics and data collection</li> </ul> </li> </ol> <p>6/7 – Brochure has been prepared and shown to Councillors. It was included with the registration renewals sent out 28/6/19.</p> <p>A further discussion has been had with Cr House to seek direction on the key matters to be addressed by the animal control report. Council officers have commenced preparation of the animal control report</p> <p>6/9/19 - 2 x Councillor Workshops held. Refer report this agenda</p>	DIDS	Complete
20/5/19	9.1	ROC – Wynyard Showgrounds	<p>Motion Carried</p> <p>That Council note the submissions received from users of the Wynyard Showgrounds Committees and determine that:</p>	GM	Complete

			<ul style="list-style-type: none"> <li>• There will be no OSSR relocation of users from the showground (unless users request such);</li> <li>• The OSSR plan not be updated or reviewed with the information and recommendations it provides used to inform Council and community in its decision making as it progresses aspects of or variations to OSSR and the commentary against the actions of the OSSR plan are to be updated with sufficient detail to outline the current position of the Showground Committees;</li> <li>• The status quo at the showgrounds will be maintained and Council will support the users strategically, but not financially, in the short term;</li> <li>• When the user's needs have been clearly identified and concepts, project and business plans agreed on Council might become financially involved if it has the capacity and there is an alignment with Council's strategic intent; and</li> <li>• Council interest in developing aspects of the Wynyard High School plan that increase community access and use is retained.</li> <li>• Write a letter of support to the Wynyard Show Society for their pending funding application for the Industrial Hall</li> </ul> <p>12/8/19 – List of names from Show Society has now been provided which will enable staff to organise the first work group meeting in early September. Letter of support finalised. 6/9/19 – Working Group being formed to address all matters raised.</p>		
17/6/19	9.2	ROC – Dog Exercise Park	<p>MOTION LOST</p> <p>That Council select the area between the Cemetery and Table Cape Primary School as its preferred site for a dog exercise park and commence consultation with Wynyard Rotary Club and other potential partners to complete a design and cost estimates for the site for further consideration.</p> <p>Revised concept plans, and further information is currently being sought to present at a future workshop</p>	DCE	In Progress
15/7/19	8.1	Nom – Cr Bramich – Wilkinson St Wynyard	<p>Motion Carried</p> <p>14/8/19 A letter has been sent to State Growth and they have confirmed that they will provide a response. 6/9/19 – Refer report this agenda</p>	DIDS	Complete
15/8/19	7.3.3	CQWN- Cr Edwards – Yard Road Yolla	<p>Cr Edwards asked if council could look into the matter regarding maintenance of Yard Road Yolla as raised by Mr Neal. Refer response this agenda</p>	DIDS	Complete

15/8/19	7.3.4	CQWN – Cr Fairbrother – Sisters Beach Erosion	<p>Cr Fairbrother asked the General Manager for an update on what was happening in regard to Sisters Beach erosion activities.</p> <p>The General Manager advised that the timing of the proposed individual site assessments and works by Parks and Wildlife Services was being followed up constantly and consistently by officers and would continue to be.</p> <p>Cr Fairbrother then asked that the General Manager or Mayor write to Premier (who is the responsible Minister) seeking his intervention to get action on this matter due to lack of response from Crown Land Services. Refer update this agenda.</p>	GM	In progress
19/8/19	8.1	NOM – Cr House – Council Meeting Video Streaming	<p>Motion carried Refer report this agenda</p>	GM	Complete
19/8/19	8.2	NOM – Mayor – Camping at Boat Harbour Beach	<p>Motion Carried That Council with immediate effect:</p> <ol style="list-style-type: none"> <li>1. Prohibit and abolish camping, caravan and motorhome overnight occupancy on council-controlled land at Boat Harbour Beach;</li> <li>2. Erect signage to that effect at the Port Road Junction in particular and other locations as necessary;</li> <li>3. Commence consultation and communication and investigate options of providing an area at Sisters Beach to accommodate such activities</li> </ol> <p>Sisters Beach consultation continues through established Working Group. Comms plan developed for Boat Harbour Beach and signs ordered.</p>	GM	In Progress
19/8/19	9.1	Boat Harbour Beach Masterplan	<p>Masterplan Adopted Working Group to be Established 6/9/19</p>	GM	In Progress
19/8/19	9.2	Waste and Resource Recovery Strategy	<p>Strategy and Action Plan adopted Strategy uploaded to website year one actions commenced</p>	DIDS	Complete
19/8/19	9.4	Preolenna Hall	<p>Motion Carried to commence EOI process for sale or other uses of 2420 Preolenna Road 6/9/19 – Not yet progressed due to staff absences.</p>	GM	
19/8/19	9.7	St Brigid’s Proposal for After School Care	<p>Motion Carried 6/9/19 - Preparation underway for possible term 4 commencement.</p>	DCE	Progressing

---

---

MOVED BY	CR DUNIAM
SECONDED BY	CR COURTNEY

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

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

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

---

## 9.14 MINUTES OF OTHER BODIES/COMMITTEES

### 9.14.1 MINUTES OF OTHER BODIES/COMMITTEES - WARATAH-WYNYARD COUNCIL AUDIT PANEL COMMITTEE HELD 27 AUGUST 2019

To:	Council
Reporting Officer:	Executive Officer - Governance and Performance
Responsible Manager:	Director Organisational Performance
Report Date:	30 August 2019
File Reference:	007.17
Enclosures:	1. Unconfirmed Minutes of the Waratah-Wynyard Council Audit Panel Committee 

---

#### PURPOSE

The Unconfirmed Minutes of the Meeting of the Waratah-Wynyard Council Audit Panel Committee held on 27 August 2019 are laid on the table and circulated.

#### 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, the Council appointed a shared Audit Panel on 3 August 2015.

The common Audit Panel members are:

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

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

The meeting dates set for 2019 are:

- (a) 5 March 2019 held at Waratah-Wynyard Council;
- (b) 11 June 2019 held at Circular Head Council;
- (c) 27 August 2019 held at Waratah-Wynyard Council; and
- (d) 5 November 2019 held at Circular Head Council.

#### DETAILS

The Audit Panel met on 27 August 2019 and the main focus of the meeting was Financial Statements, Financial Governance, Annual Audit and Reporting and Long-Term Planning.

The meeting was largely based on the unaudited Financial Statements to the 30 June 2019.

It was determined that the Annual Audit and Reporting would be held over until the November meeting.

---

The General Manager provided an update on major initiatives, projects and a legislative compliance audit that has been undertaken.

The minutes have been released out of session by the Chair on 4 September 2019.

The Panel made a number of operational observations and recommendations however did not make any formal recommendations to Council at this meeting.

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

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

The *Local Government (Audit Panels) Amendment Order 2015* was issued on 1<sup>st</sup> January 2016.

## **STRATEGIC IMPLICATIONS**

<b>GOAL 1: Leadership and Governance</b>	
<b>Desired Outcomes</b>	
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.	
<b>Our Priorities</b>	
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	<i>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.</i>

### POLICY IMPLICATIONS

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

### FINANCIAL IMPLICATIONS

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

### RISK IMPLICATIONS

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

### CONSULTATION PROCESS

Not applicable.

### COMMENT

The unconfirmed minutes of the Waratah-Wynyard Council Audit Panel Committee meeting held on 27 August 2019 and released by the Chair on the 4 September 2019 are attached and it is therefore recommended that Council note the Minutes as submitted.

MOVED BY	CR DUNIAM
SECONDED BY	CR BRAMICH

**That Council note the Unconfirmed Minutes of the Waratah-Wynyard Council Audit Panel Committee held on 27 August 2019.**

The MOTION was put and was CARRIED unanimously.

### IN FAVOUR

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

---



---

**10.0 MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING**

MOVED BY	CR HYLAND
SECONDED BY	CR DUNIAM

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

<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>	15 (2)
<i>Confidential Report R15 (2) – Notices Of Motion</i>	15(2)
<i>Confidential Report R15 (2) (h) applications by Councillors for leave of absence</i>	15 (2) (h)
<i>Confidential Report R15 (2) (g) information of a personal nature or information provided to the council on the condition it is kept confidential – <b>Closed Senior Management Report</b></i>	15 (2) (g)
<i>Confidential Report R15 (2) (c (iii)) commercial information of a confidential nature, that if disclosed, is likely to-reveal a trade secret – <b>Children’s Services Business Plan</b></i>	15 (2) (c (iii))
<i>Confidential Report R15 (2) (h) - Leave of Absence Request - Councillors</i>	15(2)(h)

The MOTION was put and was CARRIED unanimously.

**IN FAVOUR**

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



---

---

**11.0 CLOSURE OF MEETING TO THE PUBLIC**

MOVED BY	CR BRAMICH
SECONDED BY	CR COURTNEY

**That the Council RESOLVES BY AN ABSOLUTE MAJORITY to go into Closed Meeting to consider the following matters, the time being 8.25PM**

<b>Matter</b>	<b>Local Government (Meeting Procedures) Regulations 2015 Reference</b>
<i>Confidential Report R15 (2) - Confirmation Of Closed Minutes Of Previous Meeting</i>	15 (2)
<i>Confidential Report R15 (2) – Notices Of Motion</i>	15(2)
<i>Confidential Report R15 (2) (h) applications by Councillors for leave of absence</i>	15 (2) (h)
<i>Confidential Report R15 (2) (g) information of a personal nature or information provided to the council on the condition it is kept confidential – <b>Closed Senior Management Report</b></i>	15 (2) (g)
<i>Confidential Report R15 (2) (c (iii)) commercial information of a confidential nature, that if disclosed, is likely to-reveal a trade secret – <b>Children’s Services Business Plan</b></i>	15 (2) (c (iii))
<i>Confidential Report R15 (2) (h) - Leave of Absence Request - Councillors</i>	15(2)(h)

The MOTION was put and was CARRIED unanimously.

**IN FAVOUR**

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

---

---

**12.0 RESUMPTION OF OPEN MEETING**

At 8.44pm the Open Meeting was resumed.

**13.0 PUBLIC RELEASE ANNOUNCEMENT****RECOMMENDATION**

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

<b>Min. No.</b>	<b>Subject</b>	<b>Decisions/Documents</b>
NIL		

THERE BEING NO FURTHER BUSINESS THE CHAIRPERSON DECLARED THE MEETING CLOSED AT 8.44pm.

Confirmed,

MAYOR

21 October 2019