



BURNIE
CITY COUNCIL

MINUTES

Ordinary Meeting

TUESDAY, 17 SEPTEMBER 2019

7.00PM

CITY OFFICES, 80 WILSON STREET, BURNIE

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**MINUTES OF THE OPEN SESSION ORDINARY MEETING
OF THE BURNIE CITY COUNCIL
HELD AT THE CITY OFFICES ON TUESDAY, 17 SEPTEMBER 2019**

HOUR: 5.30pm – 5.31pm
7.01pm – 8.13pm

TIME OCCUPIED: 1 hour 13 minutes

PRESENT: Mayor S Kons, Deputy Mayor G Simpson, Cr A Boyd, Cr T Brumby,
Cr T Bulle, Cr K Dorsey, Cr A Keygan, Cr C Lynch, Cr D Pease.

Officers in Attendance:

Acting General Manager and Director Land and Environmental Services (P Earle), Director Community and Economic Development (R Greene), Director Works and Services (G Neil), Executive Manager Corporate Finance (M Smith), Executive Manager Corporate Governance (M Neasey) and Governance Officer (N French).

APOLOGIES: There were no apologies tendered.

'CLOSED SESSION': COUNCIL

The General Manager advised that in his opinion, the agenda items listed below are prescribed items in accordance with Clause 15 of the *Local Government (Meeting Procedures) Regulations 2015* (i.e. confidential matters), and therefore Council may by absolute majority determine to close the meeting to the general public.

	Meeting Regulations Reference
AC141-19 COUNCILLOR DECLARATIONS OF INTEREST	15(2)(g)
AC142-19 CONFIRMATION OF MINUTES OF THE 'CLOSED SESSION' MEETING OF COUNCIL HELD ON 20 AUGUST 2019	15(2)(g)
AC143-19 APPLICATIONS FOR LEAVE OF ABSENCE	15(2)(h)
AC144-19 BURNIE AIRPORT CORPORATION PTY LTD - QUARTERLY REPORT	15(2)(g)
AC145-19 TAS COMMUNICATIONS PTY LTD - QUARTERLY REPORT	15(2)(g)
AC146-19 GENERAL MANAGER'S REPORT - CLOSED SESSION	15(2)(i)
AC147-19 PERSONNEL REPORT AUGUST 2019	15(2)(a)
AC148-19 OUTSTANDING DEBTORS	15(2)(j)
AC149-19 COMMUNICATIONS JOURNAL - OAK POSSIBILITY - EXTENSION OF MOU	15(2)(f)
AC150-19 NON AGENDA ITEMS	15(2)(f)
AC151-19 AUTHORISATION TO DISCLOSE CONFIDENTIAL INFORMATION	15(2)(f)
AC152-19 COMPLETION OF CLOSED SESSION / MEETING ADJOURNMENT	15(2)(f)

RECOMMENDATION

“THAT the meeting be closed to the public to enable Council to consider agenda items AC141-19 to AC152-19 which are confidential matters as prescribed in Clause 15 of the Local Government (Meeting Procedures) Regulations 2015”

COUNCIL RESOLUTION**Resolution number: MO256-19****MOVED:** Cr C Lynch**SECONDED:** Cr D Pease

“THAT the meeting be closed to the public to enable Council to consider agenda items AC141-19 to AC152-19 which are confidential matters as prescribed in Clause 15 of the Local Government (Meeting Procedures) Regulations 2015”

For: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

Against:

CARRIED UNANIMOUSLY

Reg Confidential Reason

- 15(2)(a) Personnel matters, including complaints against an employee of the council and industrial relations matters
- 15(2)(b) Information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposes to conduct, business
- 15(2)(c) Commercial information of a confidential nature that, if disclosed, is likely to (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret
- 15(2)(d) Contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal
- 15(2)(e) The security of (i) the council, councillors and council staff; or (ii) the property of the council
- 15(2)(f) Proposals for the council to acquire land or an interest in land or for the disposal of land
- 15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential
- 15(2)(h) Applications by councillors for a leave of absence
- 15(2)(i) Matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council
- 15(2)(j) The personal hardship of any person who is resident in, or is a ratepayer in, the relevant municipal area

RESUMPTION

At 7.00pm the Meeting of Council resumed in Open Session.

ACKNOWLEDGEMENT OF COUNTRY

The Mayor commenced the Open Session with the Acknowledgement of Country.

The Burnie City Council acknowledges Tasmanian Aborigines as the traditional owners of the land on which we are meeting and on which this building stands.

AUDIO RECORDING OF MEETING

It was noted that the open session of the meeting would be audio recorded. The audio recording will be made available to the public in accordance with Regulation 33 of the *Local Government (Meeting Procedures) Regulations 2015*.

PRAYER

The meeting was opened with prayer by City Chaplain, Chris Swain.

AO239-19 COUNCILLOR DECLARATIONS OF INTEREST

The Mayor requested Councillors to declare any interest that they or a close associate may have in respect of any matter appearing on the agenda.

Cr A Boyd declared an interest in Item AO244-19 Motion on Notice – Smoking Ban in CBD.

**AO240-19 CONFIRMATION OF MINUTES OF THE 'OPEN SESSION' MEETING
OF COUNCIL HELD ON 20 AUGUST 2019****RECOMMENDATION:**

“THAT the minutes of the ‘Open Session’ of the Burnie City Council, held at City Offices on 20 August 2019, be confirmed as true and correct.”

COUNCIL RESOLUTION

Resolution number: MO257-19

MOVED: Cr A Keygan

SECONDED: Cr D Pease

“THAT the minutes of the ‘Open Session’ of the Burnie City Council, held at City Offices on 20 August 2019, be confirmed as true and correct.”

For: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

Against:

CARRIED UNANIMOUSLY

MOTIONS ON NOTICE**AO241-19 MOTION ON NOTICE - SINGLE USE PLASTICS AT COUNCIL
SPONSORED SPORTS EVENTS**

FILE NO: 15/5/2
PREVIOUS MIN: AO198-18

Councillor Ken Dorsey has given notice that he would move the following motion at this meeting:-

“THAT Council resolve to re-examine the proposed ban on single use plastics at Council sponsored sports events with a view to developing a strategy of reduction and minimization with consideration to WH&S, practicality and the ability to recycle.”

COUNCILLOR’S COMMENTS

Council passed the following motion (AO198-18):

“That Council adopt a policy that bans single use plastic from all Council run events (events that are organised by Council for the public and/or internally for Council staff and Aldermen); council sponsored supported events (those organised by others that have Council funding or involve use of council support of event) AND that council encourage the same for events held on Council property/roads/buildings.”

Council staff have been working diligently to meet the objectives of this motion in all endeavours. The results was plastic cups (utilisation of stock on hand?) being used to serve dirty water at the Burnie Challenge, sporting clubs ignoring the proposed bans and event organisers pleading with Council to allow the use of bottled water to protect elite athletes.

With the Burnie 10 soon to be run, the organisers decided that the ban on plastic was contrary to WH&S for runners in addition:

- Ellie athletes, one year away from the Olympics, will not drink from an unsealed water container
- Premier runners do not take water from drink stops along the route (unsealed).
- Council has a duty of care to provide water immediately following the race to rehydrate athletes and runners
- The concept of providing more than 3000 runners lining up for a cup of water from a number of water dispersion units is unhygienic, unsafe, counterproductive, irresponsible and may result in fewer runner in subsequent years
- Bottled water can be sourced from local providers adding economic benefits to the city and/or offers have been made to provide the water for free
- Plastic bottles are recycled whereas, paper cups go to landfill and take up to 20 years to biodegrade

- Recycle bins can be placed strategically throughout the city to minimise any potential threat to the environment

Banning plastic bottles from all council sponsored events includes the:

- •Burnie International Tennis Tournament where we will advise professional tennis players that single use plastic bottled water is banned,
- •Burnie Dockers Football Club and the DFA
- •Burnie Challenge where we provided dirty water attempting to meet the literal translation of the motion (refer attached photos).
- •The New Years Eve Sports where elite athletes will be asked to forgo what is readily available worldwide and is considered safe due to the sealed cap. This is a duty of care issue for organisers with athletes requiring rehydration.

I spoke with representatives of the NY Sports who advised it was impractical, counter-productive, dangerous (WH&S) and relatively impossible to forgo bottled water and that future Olympians would worry about water source, availability, quantity, access, and hygiene.

BAC also advised that bottled water is sponsored; therefore, eliminating cost, organisation, and source whilst ensuring quality.

The policy will adversely impact all sporting clubs including basketball, football, hockey, cross country, netball etc and any sports tournaments that can be or will be held in Burnie.

Carols by Candlelight will cease to sell and/or provide bottled water to spectators and performers.

It will limit the ability of the clubs to generate an income from the sale of bottled water, wrapped lollies, many soft drinks (including Gatorade, Powerade and mineral enhanced drinks used for the purpose of rehydration).

Whilst I am 100% in favor of plastic minimization, it should be a stepped approach seeking alternatives that meet immediate requirements, ensuring that the single use plastic bottles are disposed of properly and sent for recycling.

The policy should include the placing of recycle bins at all sporting venues, events and markets. If FOGO is introduced include bins that provide for waste separation thereby reducing waste to landfill.



Water provided to Burnie Challenge Competitors



ACTING GENERAL MANAGER'S COMMENTS

As noted by Councillor Dorsey, Council officers have been seeking to implement the intent of the previous Council Motion banning single use plastic, while also seeking to draft a policy for Councillor's review.

Officers had sought to provide a presentation to a Council workshop from a Tasmanian council already attempting to implement a ban on single use plastic at events, so as to learn what issues and challenges had been faced and to inform the development of a policy for Burnie. Unfortunately, despite a number of attempts, this has been unable to be organised.

Council officers expect a draft policy to be completed by November, however given the current workshop schedule, it is unlikely that it will be considered by Councillors until February 2020.

In the meantime, officers will attempt to minimise the use of single use plastics as much as possible at Council events.

COUNCIL RESOLUTION

Resolution number: MO258-19

MOVED: Cr K Dorsey

SECONDED: Cr G Simpson

"THAT Council resolve to complete a workshop with the overall view for waste reduction and reducing the use of single use plastics."

For: Cr K Dorsey.

Against: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

LOST

MOTIONS ON NOTICE**AO242-19 MOTION ON NOTICE - CITY REVITALISATION PLAN**

FILE NO: 15/5/2
PREVIOUS MIN:

Councillor Ken Dorsey has given notice that he would move the following motion at this meeting:-

“THAT Council allocate funds in the next budget to a city revitalisation plan.”

COUNCILLOR’S COMMENTS

I travel monthly throughout the state and have taken notice of the work being completed and the beautification of many municipalities. Following meetings with CBD retailers, reviewing the upgrades of other municipalities, discussions with residents, and the overall appearance of the city; Council should adopt a “CBD revival action plan”. The plan needs to be discussed at the earliest time possible as time period between ideas, discussion, decisions, plans and action is usually years in the making. We do not do quickly. This will include plants in the CBD, revised parking structure, new footpaths, and of course designated motorcycle parking.

On this basis, if Council decides to move forward with a CBD revitalisation plan, an amount of funds will need to be designated in the next budget. We will require input from residents, artist impressions completed and cost determined. This is a long arduous path that seems to take an eternity. In the meantime, we will showcase to visitors a town stuck in the 70’s which could alternatively be a selling point and a marketing tool – “travel back in time to Burnie”.

During the last election, I was properly quoted as saying that Burnie was in danger of dying from boredom; the less intelligent slammed this statement without utilising any brain matter. That was never the case or the intent or reality of the statement – I was merely referencing that there was no building activity, the CBD was tired, retail activity had slowed, businesses were struggling – we needed to do something to lift the city. This remains true today. We need to attract people to the city, we need population growth, we need a larger rate base, we need a vibrant retail sector.

Whilst it is not the responsibility of Council to make business more attractive it is the responsibility of a Council to establish conditions in which businesses thrive.

The university is on the horizon, that may provide Burnie the steroids necessary to begin the path to revitalisation, activity, well being and economic enhancements.

With regards to the CBD in its’ current state, the red bricks are slippery, the footpaths uneven with water collection points (puddles) throughout the city. There are a variety of

surfaces that don't necessarily blend into each other. Pavers move and take constant maintenance. The city, as do all properties, require more than maintenance at some point in time.

Local retailers have for year been advising of the misplacement, height, colour and hazard the post are that dot our parking areas. Whilst everyone understands that they are a safety barrier – they have become more a boon to local vehicle bodywork businesses and for those who leave the damage a reduction in the value of their vehicle. We can do better:

The last council decided that cementing the islands in the street was city beautification? Fortuitously many of the Councilors that voted for this are gone.

\$7,000 was spent and the result is condemnation from residents and retailers and a continuation of 70's mentality.

We need to do better. We are the stewards of this city, we are "representatives", not necessarily of our own views but those of the populace. The city is tired, it need revitalizing, it needs life, we have an opportunity to change the city for the better of the populace.

If not us now, then who when?







ACTING GENERAL MANAGER'S COMMENTS

Background

Council has progressed significant development in the Burnie CBD over the last 25 plus years including:

- CBD upgrades (late 90's to early 2000's).
- Multistorey Car Park Development.
- Waterfront Development and Surf Club building.
- West Beach boardwalk.
- Marine Terrace cycleway.
- BAFC recladding and refurbishment.
- Makers Workshop.

To name a few projects.

It is acknowledged that as time passes trends for streetscape aesthetics change and it is common to see urban renewal occurring in CBD environments every 25 to 30 years. Not based upon asset condition rather based upon the design aesthetic of the day.

As noted in the Councillor's comments there would be many in the community who have a view about the current streetscape and would wish to see elements changed, whether it be the colour scheme, footpath surfacing, street furniture and the like.

Officers would attest to there being periodic comment made in regard to the various matters noted in the Councillor's comments. Equally there would be many in the community who would be satisfied with the CBD environment and may have views that there may be other priority projects which Council should consider for funding.

Council undertook a Burnie Town Centre Master Planning process a number of years ago for the CBD which included a number of consultation processes. The output from that process was the Burnie City Centre Master Plan.

There are many recommendations within the report suggesting actions by Council, building owners and business operators. Indicating that Council alone cannot revitalise the CBD, if that is the intended aim.

However the aesthetic and functionality of the streetscape are important elements in encouraging people to visit and spend time within a CBD environment.

Legislative Requirements

This Motion on Notice presents no legislative implications for Council in that it only seeks to include funding in a budget process.

Should funding be allocated, a range of matters including legislation considerations and Council meetings its obligations, would be considered in scoping and implementing the project.

Policy Considerations

Council has endorsed the Burnie City Centre Master Plan.

The plan notes a range of projects including suggestions for modifications and changes to the existing CBD streetscape.

The Motion on Notice is generally aligned with elements of the Burnie City Centre Master Plan.

In considering the allocation of funding for this project, it is suggested to Council that it consider the relative priority of the project in the context of the range of major projects currently being progressed, including:

- NWMAG project.
- Sport stadium planning project.

And the normal operational and capital works programs delivered by Council.

Financial Impact

There is significant value embedded in the CBD infrastructure and replacement before the end of its useful life can be a significant cost implication for Council.

In Council's asset system, asset lives for CBD assets are reflective of the more frequent renewal approach taken to address aesthetic considerations rather than functional life.

Putting a quantum on the cost to progress a revitalisation project is challenging as scope and extent have not been determined.

It would not be unreasonable to consider costs in the order of \$1M to replace street furniture, paved surfaces, modify existing infrastructure, street planting and the like as a starting point. This figure excludes consideration of any changes to on-street infrastructure, lighting systems and other such fixed infrastructure.

As a starting point a consultancy to undertake a consultation and concept design process as envisaged in this report may cost in the order of 5 % of the project value (\$50,000).

There would be additional cost incurred by Council in respect to officer time in supporting the consultancy.

Depending upon resources available, detailed design and implementation of agreed concepts could be resourced in-house.

Discussion

Council undertook an extensive master planning process a number of years ago to determine a future vision for the Burnie CBD.

This resulted in Council endorsing the Burnie City Centre Master Plan in November 2017.

The table of contents from the plan is **attached** to provide an overview of the matters considered in the document.

The plan is precinct based. However there is a general flavour of renewal of streetscape, greening of streetscapes and open spaces, including replacement of existing street plantings.

While there are general design guidelines and principles provide within the document there are no specific design plans for implementation of the concepts.

The Motion on Notice proposes that Council allocate funds in the next budget to a City Revitalisation Plan. In the absence of any other reference it is assumed the point of reference for revitalisation works would be the Burnie City Centre Master Plan.

From the nature of the councillor's comments it is understood that the desire of the motion is to allocate funding to concept design tasks in the next Capital Works Budget.

Typically the tasks envisaged may include:

- Develop a clear understanding of scope, issues and concerns, generally articulated in the Councillors comments.
- Determined focus areas for the planned revitalisation (what sections of the CBD are to be upgraded).
- What elements of street scape are to be revitalised.
- Are modifications to existing parking, road and pedestrian arrangements to be considered.
- Development of design concepts.
- Conceptual cost estimates.
- Consultation with the community: there will be many and varied views within the CBD community and broader community as to needs and expectations related to the CBD streetscape.

This all requires a significant allocation of resource to progress and would require the support of specialists generally in the area of landscape architecture and community consultation.

The engineering support component of the concept design could be facilitated via Technical Services.

This work is necessary to ensure that any investment proposed by Council is well considered, meets the broad needs and expectations of the community, is sustainable and value for money etc. Well intended modification and changes in the CBD without a broader design context may diminish the CBD aesthetic and be a cause for community concern.

Council should also consider who has responsibility for revitalisation of a CBD. As discussed in the Master Plan, it is a shared responsibility. Upgraded street infrastructure and street scape may improve the aesthetic and encourage visitation to the CBD, but businesses need to also present their buildings and shop fronts, and business and service offerings, in a satisfactory manner to build upon the interest of the Council.

An alternate wording for the motion is:

“THAT Council allocate \$50,000 in the 20/21 budget to commence concept design and community consultation processes to develop a new street scape design for the Burnie CBD based upon the design guidelines and principles contained within the Burnie City Centre Master Plan”.

Risk

The motion at hand is aligned to an agreed strategic direction for the Burnie CBD as detailed in the Burnie City Centre Master Plan.”

Concept design and community consultation tasks will include appropriate consideration of risk matters.

Key in the process is understanding the range of views and expectations within the community and communicating clearly Council’s desired intention for the project, should funding be allocated.

Through this process there may be a range of risk matters which require further attention and consideration.

While external resources are recommended to be engaged to facilitate the project, there will be a need to allocate officer time to support and direct the project.

In assigning this resource, other projects or initiatives of Council may not be able to be progressed or delivery timelines extended.

Consultation

Council undertook consultation with a range of stakeholders in the development of the Burnie City Centre Master Plan.

The officer comments notes that development of concept design plans for a CBD revitalisation project should incorporate a community consultation process.

Alternative Motion

“THAT Council allocate \$50,000 in the 20/21 budget to commence concept design and community consultation processes to develop a new street scape design for the Burnie CBD based upon the design guidelines and principles contained within the Burnie City Centre Master Plan”.

ATTACHMENTS

1 [↓](#). Burnie City Centre Master Plan - Table Of Contents

COUNCIL RESOLUTION**Resolution number: MO259-19****MOVED:** Cr K Dorsey**SECONDED:** Cr C Lynch

“THAT Council allocate \$20,000 in the 20/21 budget to commence concept design and community consultation processes to develop a new street scape design for the Burnie CBD based upon the design guidelines and principles contained within the Burnie City Centre Master Plan”.

For:

Against: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

LOST**COUNCIL RESOLUTION****MOVED:** Cr D Pease**SECONDED:** Cr T Brumby

“That Council form a working group of CBD operators and external expertise if required, to determine a revitalisation plan for the CBD, and that the working group determine by 31 March 2020 a list of initial ideas for funding in next year’s budget.”

For: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

Against:

CARRIED UNANIMOUSLY



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MOTIONS ON NOTICE**AO243-19 MOTION ON NOTICE - WATER DRIPPING ONTO FOOTPATHS IN THE CBD****FILE NO: 15/5/2****PREVIOUS MIN:**

Councillor Ken Dorsey has given notice that he would move the following motion at this meeting:-

“THAT Council work with CBD businesses and property owners to reduce the amount of water dripping onto the footpaths during the rain. The solution may be as simple as documenting and advising the owners of the issues?”

COUNCILLOR’S COMMENTS

An average of 154 days per year in Burnie. Rain in previous years was a boon to retailers as it brought people out of house into town for shopping and reduces the effects of feeling trapped in the house. Burnie buildings maintain awnings to allow easy passage throughout the city.

The objective of having awnings in the front of buildings are:

- Sun and weather protection for customers and employees
- Business promotion and marketing
- UV protection for goods and furnishings on display
- Energy efficiency
- Visual/Curb appeal
- Potential to expand business to footpath

Following discussions with local retailers advising of leaking awnings and puddles forming on the footpaths, Burnie experienced a long period of rain which exposed the problem. I was messaged on the day and subsequently walked the length of the city noting issues, speaking with retailers - many of them lessees and at the mercy of their landlords. I was advised that they, in some instances, had discussed the issue with the landlord without resolution.

I do not believe it is the responsibility of rate payers to subsidize property owners who fail to maintain their premises; it is however the responsibility of Council to provide an environment in which business can flourish.





ACTING GENERAL MANAGER'S COMMENTS

The awnings currently cantilevered over footpaths from adjoining buildings within the Burnie CBD are not always continuous in both the vertical and horizontal plane, and consequently provide a number of gaps in cover through which rain may penetrate.

Wind may also drive rain onto the fascia and flashing on the edge of awnings to create drip lines onto the surface below.

Some degree of water over the footpath may also be caused by wind driven rain entering under the awning.

The combination of gaps, drip lines and driven rain creates an inherent and long-standing risk of exposure by pedestrians to falling water in the CBD whenever it rains.

There are a number of locations where water may leak through existing awnings as a result of deterioration or failure in part of the awning cladding or drainage system. Discharge onto or over the footpath may become concentrated at a point.

It is also apparent water may drip from the cover over internal arcades over private property.

An authorised person of the Council has limited power to require an owner or occupier to undertake repair and maintenance on a building other than in relation to essential building services.

Roof water drainage is not an “essential building service” for purpose of the *Building Act 2016*.

An authorised person of the Council may initiate proceedings against a building owner under the relevant building, public health or nuisance legislation if the building is in such a condition as to present a health, safety or welfare risk or danger for the structure of the building, its occupation, adjoining premises, or the public; or by reason of neglect, disrepair, defacement of damage is of an appearance that is unsightly in comparison to its surroundings.

There is no power to require an owner to make “improvements” to a building to address an inconvenience experienced by an occupant, neighbour, or passer-by.

There is no evidence the current condition of awnings within the Burnie CBD is creating a public health, safety or welfare problem or is unsightly in comparison to its surroundings that is sufficient to warrant statutory action.

Council may elect to approach building owners with a courtesy request to repair any identified damage resulting in a concentration of water falling over the footpath.

Such a request should originate from the Mayor.

It should also be decided whether the process of request is a once off to address the current situation, or is to be a standing position applied as needs dictate.

It may be less possible to address issues inherent in the design and construction of existing awnings that results in drip lines and other discharge over the footpath area.

COUNCIL RESOLUTION

Resolution number: MO260-19

MOVED: Cr K Dorsey

SECONDED: Cr C Lynch

“THAT the information be noted.”

For: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

Against:

CARRIED UNANIMOUSLY

Cr A Boyd left the meeting, the time being 7.29pm

MOTIONS ON NOTICE

AO244-19 MOTION ON NOTICE - SMOKING BAN IN CBD

FILE NO: 15/5/2

PREVIOUS MIN:

Councillor Themba Bulle has given notice that he would move the following motion at this meeting:-

“THAT Council be provided with a report that investigates the matters relevant to a declaration in accordance with section 67B(1)(c) of the Public Health Act 1997 to make the Burnie town centre a smoke free area, such investigation to include –

- 1) informed consultation with the community to identify relevant issues and ascertain the level of support for designating the Burnie town centre as a smoke free area;***
- 2) consideration of the legal obligations on the Council to monitor and enforce compliance to a prohibition on smoking within the Burnie town centre;***
- 3) the means and measures available to the Council to effectively introduce and operate a smoking ban within the Burnie town centre; and***
- 4) the resource and cost implications for Council to implement and operate a designated smoke free area within the Burnie town centre.”***

COUNCILLOR’S COMMENTS

- 1) Such a motion has been brought before and the last one being narrowly lost in a 4/4 tie.
- 2) That this would just be an extension of the current Smoke Free Areas Policy and council's obligation under the Public Health Act to prohibit smoking in certain areas. Under the current provisions of the Public Health Act and other legislation smoking is prohibited in all work places, public and community buildings, places of entertainment and refreshments etc. This motion seeks to extend the smoking restrictions to all public areas in the CBD including all roadways, footpaths and public reserves.
- 3) A formal ban on smoking can be brought under the Public Health Act 1997 thus creating and declaring an enforceable prohibition on smoking
- 4) This is what a substantial number of the public want. Although infringing on individual right to enjoy smoking it is deemed to be more beneficial to them and the members of the public in the long run.

- 5) It would be in line with other Council positions.
- 6) It would reduce the health risk of the individual smoker.
- 7) It would reduce the health risk of the passive smoking.
- 8) It would help reduce the health burden of related disease .17 000 Australians die a year from smoking.
- 9) It would reduce the health cost.
- 10) It will be a plus to the environment by removing cigarette butts which contain micro plastics and chemicals which are harmful to land and ocean organism and plants.
- 11) It would increase the enjoyment by the public and may increase their visitation to the CBD.
- 12) The perceived threat to the Retail business has no foundation. Retailers affected by the ban are few and they should be able to venture into lines of business that still draw customers in family and children friendly environments.
- 13) Anti smoking is supporting by all health organisations.
- 14) The impact on the CBD as stated above would be positive.
- 15) The decision would be beneficial to Burnie.
- 16) The means and measures available to the Council to effectively introduce and operate a smoking ban within the Burnie town centre are thought to be attainable.
- 17) The resources and cost in the implementation and enforcement of the process is expected to be minimal.
- 18) Budget consideration - if approved this process will be allocated funding in the next budget. Other sources can be looking into include review of the current budget.
- 19) The legal obligations on the Council to monitor and enforce compliance to a prohibition on smoking within the Burnie town centre can be clarified by council.
- 20) The liability to Council of failure to enforce compliance and the \$6500 exposure on each occasion - Council can seek appropriate measures to mitigate against such exposure including Insurance Liability cover.
- 21) Enforcement - Council will have the responsibility, as the occupier of the roadways, footpaths and public reserves if the changes are accepted. Council and those who will be responsible for enforcing the ban can find ways of making this happen. Currently, penalties for breach of the current ban prescribed in the Public Health Act 1997 are a spot fine of \$260 or penalties of up to \$2600.

- 22) Adequate information - the Public should and can be adequately informed.
- 23) Adequate consultation - the Public should and can be adequately consulted.
- 24) The level of support for designating the Burnie town centre as a smoke free area can be assessed and it is thought to be substantial.
- 25) There are not too many things more important than your health.

ACTING GENERAL MANAGER'S COMMENTS

Background

The Council has on a number of previous occasions considered a possible ban on smoking within the Burnie town centre.

The Council has accepted the evidence of medical science that there is an irrefutable link between exposure to tobacco smoke and a number of life threatening conditions. It has also acknowledged that such conditions result each year in a significant number of potentially avoidable deaths in Australia.

The Council has acknowledged that it has a power as the occupier of the roads and public lands to designate the Burnie town centre to be a smoke free area to which the Tasmanian *Public Health Act 1997* will apply to prohibit smoking.

The Council has declined to introduce a statutory ban on smoking for a number of reasons, including –

- whether the level of risk associated with exposure to environmental tobacco smoke within an open public area is sufficient to warrant a ban on smoking;
- the level of public acceptance and the implications for the attractiveness, performance and viability of the Burnie town centre in both the short and longer-term; and
- the level of resource required to ensure a ban on smoking is observed, and that the Council is able to minimise its exposure to liability if it fails to take all reasonable measures to ensure people do not smoke within the Burnie town centre;
- the impact on persons who are smokers and work or visit within the Burnie town centre

The Council has determined to request that people do not smoke within the central part of the Burnie town centre; and has erected signs to articulate that position.

The action does not constitute a statutory ban on smoking.

The efficacy or otherwise of the request to not smoke has not been evaluated.

Legislative Requirements

The parliament of Tasmania has legislated to control the availability and use of tobacco products, including any personal vaporiser product, with the objective to de-normalise tobacco use and to reduce the risk of exposure to environmental tobacco smoke.

The Act does not ban tobacco products or make it illegal for a person over the age of 18 years to acquire and use a tobacco product. There is no statutory purpose to apply “quit” type programs.

The Act identifies in section 67B a number of specific locations to be smoke free areas, and within which it is both prohibited and an offence to “smoke”, including to –

- (a) *inhale, puff, draw or vape any smoke, fumes, vapour, mist or aerosol whilst using a smoking product, non-tobacco cigarette, non-tobacco cigar, non-tobacco pipe or other non-tobacco smoking device; and*
- (b) *hold or otherwise have control over a tobacco product, non-tobacco cigarette, non-tobacco cigar, non-tobacco pipe or other non-tobacco smoking device while it is ignited, or a personal vaporiser product while it is activated.*

The list of statutory smoke free areas is not exhaustive.

Section 67B(1)(c) of the *Public Health Act 1997* provides opportunity for the occupier of a place to extend the application of the smoke free area requirements to include –

any area, including, but not limited to including, a public street, that is not within private premises and is designated by the occupier of the area as a smoke-free area;

The Act defines “occupier” in relation to a place to mean –

- (a) *the holder of any right at law to use or carry on operations at that place other than an excluded person; or*
- (b) *if a place is occupied by different persons in different parts –*
 - (i) *the person occupying each part; and*
 - (ii) *the holder of any right at law to use or carry on operations in that place other than an excluded person;*

The Council is for the purposes of the Act, the occupier of land within the Burnie town centre comprised of –

- (a) *the public roads, including any footpath (excluding any licensed street dining area), parking space, median, and designated on-road area such as for a loading zone, bus stop, taxi rank, no stopping or no-standing zone, for which it has care, control and management under the *Local Government (Highways) Act 1982*;*

- (b) any land owned or occupied by the Council, including any car park to which the Parking By-Law applies, and any reserve or land to which the Public Reserves and Public Buildings By-Law applies if not a building.

The Council has a power in accordance with Section 67B(1) to declare by resolution that all or any part of an area within the Burnie town centre for which it is the occupier will be a smoke free area.

The effect of a smoke free area declaration will be to –

- (a) prohibit any person to smoke or use any tobacco or personal vaporiser product within the Burnie town centre;
- (b) make it an offence for a person to smoke within the Burnie town centre, unless the person can show that they did not know, and could not reasonably be expected to know, that the Burnie town centre was a smoke free area;
- (c) require the Council must –
 - (i) display signs of a type approved by the Director of Public Health sufficient to clearly identify the boundaries and all places within the Burnie town centre that form the designated smoke free area;
 - (ii) be responsible for ensuring a person does not smoke within the Burnie town centre; and
 - (iii) not provide any ashtray, match or lighter or do any other thing to facilitate smoking in the Burnie town centre;
- (d) make it an offence for the Council or any employee or agent of the Council, not to –
 - (i) take all reasonable measures to know whether a person is smoking within the the Burnie town centre;
 - (ii) take action if it knows, or ought reasonably be expected to know, that a person is smoking within the Burnie town centre to –
 - a. request the person to stop smoking;
 - b. inform the person that they are committing an offence by smoking in the Burnie town centre; and
 - c. if the person continues to smoke after being requested to stop, request that person to leave the Burnie town centre.

The council, its employees and agents may only make an appeal to a person to stop smoking or to leave the town centre. There is no authority for the Council, its

employees or agents to initiate proceedings or to issue an infringement notice if the request is ignored.

- (e) enable a nominated officer¹ to –
- (i) require a person who is smoking in the Burnie town centre to stop smoking;
 - (ii) initiate proceedings against a person who is smoking in the Burnie town centre if that person does not stop smoking, for which there is a monetary penalty not exceeding 20 penalty points; and
 - (iii) initiate proceedings against the Council if it fails to display within the Burnie town centre signs of an approved type to identify it is a smoke free area;
 - (iv) initiate proceedings against the Council if the Council, its employees or agents, allow a person to smoke within the Burnie town centre, for which there is a monetary penalty not exceeding 50 penalty points.

The Council does not currently employ any person who is a nominated officer and whose duties include powers and functions in tobacco control.

Policy Considerations

The Council has for a number of years had a policy position to support tobacco management objectives and to assist initiatives that will de-normalise tobacco use and reduce exposure of people to the harmful effects of tobacco smoke.

The Council's Smoke Free Area Policy applies to identify the places, buildings and activities of the Council to which the statutory controls on smoking will apply.

The Policy does not extend a prohibition on smoking beyond the places specified by legislation.

The current version of the Council's Smoke Free Areas Policy was adopted on 20 August 2019.

The Motion requires consideration of a position that will go beyond scope of the current Policy.

Financial Impact

There will be a financial impact resulting from any decision to designate the Burnie town centre as a smoke free area.

¹ Section 13A of the Act identifies a nominated officer to be the Director of Public Health, a health officer (being an environmental health officer or a medical officer of health), and a police officer who may exercise any of the powers and functions available to a nominated officer unconditionally; and a person or a class of persons approved by the Director to exercise the powers and functions of a nominated officer either conditionally or unconditionally.

The primary cost will be associated with –

- (a) preparation of a case to support introduction of a designated smoke free area and conduct of community consultation;
- (b) provision of approved signs to identify by words and symbols status of the Burnie town centre as a designated smoke free area;
- (c) appointment of a person or persons to be nominated persons to assist and enforce compliance;
- (d) response to any allegation that the Council has not properly discharged an obligation to ensure people do not smoke within the Burnie town centre

Discussion

The Council may lawfully designate the Burnie town centre to be a smoke free area.

A declaration will create a number of obligations on the Council.

The Council must be able to –

- (a) obtain and sustain support of the community for a complete ban on smoking within the Burnie town centre;
- (b) adequately identify and communicate status of the Burnie town centre as a smoke free area to all residents and visitors to Burnie;
- (c) set measures and processes, and assign adequate resource to effectively, fairly and reasonably –
 - (i) discharge its responsibilities as the occupier of public places within the Burnie town centre; and
 - (ii) enforce compliance to the ban

These matters will be examined in any report provided.

Risk

There are a number of risks associated with designation of the Burnie town centre as a smoke free area.

These have been identified above as matters requiring further investigation, including the level of community acceptance and response; effective compliance and enforcement; and resource requirements.

Again these matters will be reached and quantified as part of any further investigation.

COUNCIL RESOLUTION**Resolution number: MO261-19****MOVED: Cr T Bulle****SECONDED: Cr A Keygan**

“THAT Council be provided with a report that investigates the matters relevant to a declaration in accordance with section 67B(1)(c) of the Public Health Act 1997 to make the Burnie town centre a smoke free area, such investigation to include –

- 1) informed consultation with the community to identify relevant issues and ascertain the level of support for designating the Burnie town centre as a smoke free area;***
- 2) consideration of the legal obligations on the Council to monitor and enforce compliance to a prohibition on smoking within the Burnie town centre;***
- 3) the means and measures available to the Council to effectively introduce and operate a smoking ban within the Burnie town centre;***
- 4) the resource and cost implications for Council to implement and operate a designated smoke free area within the Burnie town centre;***
- 5) that the investigation include whether there is any assistance available from the State government to employ a person to enforce compliance to any smoke free area the Council may designate for the Burnie town centre; and***
- 6) that in the event the Council may determine to designate a smoke free area for the Burnie town centre, the Council request the Commonwealth government to consider initiating a pilot project to examine the benefits of a smoke free area on the behaviour of smokers and the general health of the community.”***

For: Cr S Kons, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

Against:

CARRIED UNANIMOUSLY

Cr A Boyd returned to the meeting, the time being 7.39pm.

Mayor S Kons vacated the chair and Deputy Mayor G Simpson took the chair, the time being 7.39pm.

MOTIONS ON NOTICE

AO245-19 MOTION ON NOTICE - MAGAZINE OR NEWSLETTER OF ACTIVITIES, FUNCTIONS AND EVENTS

FILE NO: 15/5/2
PREVIOUS MIN:

Councillor Steve Kons has given notice that he would move the following motion at this meeting:-

“THAT Council at least every 6 months send out in printed form a newsletter/magazine of activities, functions, events and any other information relating to the City.”

COUNCILLOR’S COMMENTS

It has come to my attention that too much reliance is placed on internet and facebook and other web based methods of communicating with ratepayers but that many of our residents are not linked to these methods of communicating and miss out on valuable information about Council activities and advice of what is happening in the City.

This should overcome the gaps in communication which are currently being experienced by residents.

ACTING GENERAL MANAGER’S COMMENTS

Council uses its corporate website www.burnie.net and social media feeds to promote events in Burnie from a single source. This includes Burnie City Council run events, and also some community events listed by others.

The motion recognises that not everyone in the community is connected, or able to be connected to this source of information.

There are several options that could be considered to get this information out in a hard copy newsletter.

1) Mail out to all households in Burnie

This is an expensive approach and the majority of the audience are not in need of the information in this format. The *Burnie News* was a hard copy newsletter prepared quarterly and sent out to all households. The cost in 2015-16 was \$4,369 for printing four quarterly issues (from inhouse design) and approximately \$7,200 for postage to every household, totalling \$11,569 for the year. One of the challenges with its

content was that on a quarterly basis, the news was old by the time it was delivered. The value of the newsletter was weighed up as part of the Financial Management Strategy initiatives to reduce costs and the newsletter was ceased in 2016-17. To reinstate this method for a quarterly events newsletter would incur approximately \$12,000 plus inhouse time to design.

2) *Include as insert to the newspaper*

Another method would be to prepare an insert that could be distributed in The Advocate newspaper. This method still may not reach the intended audience if they do not purchase The Advocate on a regular basis. Additionally, many of the copies would not be required and kept and we would likely be producing far more printed copies than required, including beyond Burnie.

3) *Provide publications to Tasmanian Catalogues*

Publications can be delivered to letterboxes through Tasmanian Catalogues. On a rough estimate of 10,000 households, at \$70 per 1000 for an A5 size booklet (40 pages), this would total \$700 per issue. Printing for 10,000+ would still be required as per option 1, around \$4,500. Four issues on this method would be in the order of \$7,300 plus inhouse design. Again this option is likely to be overproducing as the most of that audience may not need or want the hard copies.

4) *Send only to subscribed residents*

One way to ensure the newsletter is prepared and distributed only where it is needed is to run a subscription list. Anyone could subscribe by providing their mailing address on a form and the hard copies could be produced quarterly and mailed out. This method reaches the target audience, without wasting resources on those who do not need hard copies. The challenge with this approach is to grow the subscription list but this could be gathered over time. It could be undertaken by providing a simple form for subscription. The form could be available at all Council venues (eg including BAFC, Art Gallery, Museum, Visitor Information Centre, City Offices) and copies available to Councillors to provide to people as they come across the need.

The cost for this would be inhouse design time, a limited print run and postage costs for the limited number of subscribers.

It is worthwhile noting however that the Burnie Regional Art Gallery and the Burnie Arts and Function Centre used to operate on this system for their events, but in recent years phased it out in their efforts to reduce costs and switch to electronic methods.

5) *Place hard copies in targeted locations*

Hard copies produced could be placed in targeted locations around the city where the target audience, being seniors without internet access or social media, will be

able to pick up copies. This could include for example, the Senior Citizens club, Council venues, any community groups serving the target group.

Of the above options, if Council were of a mind to pursue this, it is recommended that options 4 and 5 together might be the best way to achieve the outcome. It will add a small cost back into the operations, but it is recognised that not everyone is able to access online information.

One of the disadvantages in preparing hard copy newsletters is that they are no longer time sensitive to changes. If an event is postponed, cancelled or amended in some way, the hard copies cannot be updated to reflect that. This point would need to be noted on the newsletter.

Alternative Motion

THAT Council introduce a six monthly newsletter on upcoming events, to be distributed by mail on a subscription basis and placed in any convenient and available locations around the city.

COUNCIL RESOLUTION

Resolution number: MO262-19

MOVED: Cr S Kons

SECONDED: Cr D Pease

“THAT Council work with businesses in Burnie, and at least every six months send out in printed form a newsletter/magazine of activities, functions, events, and promotions and any other information relating to the City; and that this be funded by parties participating in the catalogue to defray costs.”

For: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

Against:

CARRIED UNANIMOUSLY

Deputy Mayor G Simpson vacated the chair and Mayor S Kons resumed the chair, the time being 7.52pm.

Cr A Keygan left the meeting, the time being 7.53pm, and returned to the meeting, the time being 7.55pm.

PUBLIC QUESTION TIME

AO246-19 PUBLIC QUESTION TIME FILE NO: 15/5/5

In accordance with Clause 31 of the Local Government (Meeting Procedures) Regulations 2015 Council conduct a Public Question Time.

Our Process for Public Questions

A public question must be provided to Council in writing prior to the start of the meeting. You can submit your question at any time online at www.burnie.net or complete a form at the entry to the Meeting Room.

At each meeting the Mayor will invite those members of the public who have provided written questions to ask their questions.

There is a limit of two questions per person.

When requested please approach the microphone and state your name clearly, and then ask your question as it is written.

Council Meetings are recorded. If you do not wish to be recorded, you may choose for a Council Officer to read your question aloud for you.

Please note:

- Parliamentary Privilege does not apply at Council Meetings
- If it is not possible to answer the question at the meeting, the General Manager will provide a written answer within 10 days
- The question and answer cannot be debated
- The Mayor may refuse to accept a question

Keith Price of Burnie asked:

- 1) *With regard to the recent report on the coastal erosion between Burnie and Wynyard – Which government body has this report and what steps are the council taking to gain access to it?*

The Mayor replied that the report was done by the Department of State Growth (DSG). Most Councillors have seen the report when it was presented to a workshop. The DSG chosen to keep the report confidential. The Mayor added that he argued on ABC Radio

about a month ago that it should be a public document, and that it should have been released. The Mayor suggested Mr Price contact his local state member for follow-up.

Lyndal Thorne of Burnie asked:

- 1) *On account of the Burial and Cremation Legislation Review, natural burial has once again been in the spotlight. When we last asked about BCC's progress on this matter we were told there had been no public enquires. I would like to present a petition containing 142 signatures from North West coasters which indicate that there is indeed significant interest in natural burial options. Groundbreakers have also received feedback that when they search for natural burial options on the council website there is no information available. I've forwarded a statement relating to natural burial from the consultation paper released alongside the legislative review highlighting that there is no legislative barrier to natural burial. Our question (request) is that information relating to natural burial is made accessible on the council website – reflecting this permissibility, and staff are briefer – so your constituents can prepare their end-of-life plans with confidence.*

The Director of Land and Environmental Services replied that Council advised and acknowledged two years ago that natural burials are an option at our cemetery (that is the process of burial, not the location of burial). We recently moved our Council website onto a new platform so we are transferring and rebuilding information so some things may not be either regularly locatable or may have dropped off in that process. Council Officers will check the information is available. General enquires in relation to cemeteries now come from funeral directors rather than individuals and unless someone specifically asks the question, we do not necessarily volunteer what all the burial options are. If someone asks the question, then yes we will return the answer that natural burials is a possibility within the Burnie Lawn Cemetery, subject to the qualifications put on it by the Department of Health, we can accept a body for burial under those circumstances.

- 2) *Prior to Council's website upgraded sections of the Agenda and Minutes were able to be downloaded separately. This made it extremely easy to access and share relevant information. Could this method of documentation be restored? (Thank you for the amendments already made regarding the archiving of monthly Agendas and Minutes in reverse chronological order).*

The Executive Manager Corporate Governance replied that Council has recently moved to new platform for the website and we did look at this area. It is quite labour intensive to break down all the minutes and agendas into separate reports and we considered whether it was actually adding the value to the community and from feedback it sounds like it is. The other disadvantage that we have is that we cannot display the information the same way as the old website so the information would be much further buried and we then made the decision to go with the way we have done it. It does have a search capability built-in so you can search a key word and it will search the text to help people find what they need. We also added to the page that if you are looking for any report to please let us know and we can quickly send that to

you.

WORKS AND SERVICES**AO247-19 CITY OFFICES HVAC CHILLER UNIT REPLACEMENT****FILE NO: 5/5/138, 7623526****PREVIOUS MIN:**

MAKING BURNIE 2030 – CORPORATE PLAN REFERENCE:

Direction	7	AN ENGAGING AND ACCOUNTABLE LEADERSHIP FOCUSED ON A STRONG FUTURE
Objective	7.5	A sustainable long term future is planned through the management of Council's infrastructure and assets.
Strategy	7.5.2	Ensure assets are adequately developed, maintained and renewed.

1.0 RECOMMENDATION:

“THAT Council endorse the actions of the General Manager to apply the exemption provisions contained in its Code for Tenders and Contracts and purchase of a GeoClima chiller from Air Master for the quoted price of \$186,000, excluding GST to replace the existing chiller at the City Offices, on the basis of a need to address the emergency circumstances described in this report.”

2.0 SUMMARY

This report informs Council of a decision by the General Manager to accept a quotation from Air Master for the supply and installation of a GeoClima chiller unit as detailed in this report and seeks Council endorsement of the General Manager's decision.

Only a single quotation for this project was sought, which is a variation from the normal purchasing practices detailed in Council's Code for Tenders and Contracts.

An exemption provision of the Code has been applied, and allows the action is not a contravention of the *Local Government (General) Regulations 2015* tendering threshold.

The rationale for this approach is explained in this report.

3.0 BACKGROUND

The City Office Air-conditioning system has a chiller unit, located on the southern side of the building, which cools and heats incoming and return air for the building.

The unit has been in place since the construction of the offices some 31 years ago.

Over the last few years the unit's reliability has become a significant concern, with a number of the compressor units not being functional. The continued operation of the unit has required extensive and ongoing intervention by Council's HVAC contractor, Air Master.

Funds were allocated in the current year to replace the chiller unit with a tender process being the planned procurement method.

For several weeks only three of the six compressors were operating due to unit failure. Recently a reversing valve, which enables the heating function to be switched to cooling, has also failed which impacted on one of the compressors. To take the load off the system inline heater banks are being used to supplement heating but this is an inefficient mode of heating.

While not currently an issue, the lack of cooling capability will be an issue in the warmer months.

Officers identified the need to review the planned procurement method taking into consideration the following matters:

- Approximately \$76,000 had been spent on repairs to the chiller unit since 2016.
- A current need to spend some \$21,000 to fix one of the compressor units and replace the reversing valve.
- Delivery and installation timelines for a new chiller unit, approximately five months and ongoing risk in nursing the existing chiller over that timeline.
- Tender development and review process, potentially six to eight weeks.
- Potential for additional costs associated with energy consumption.

It was considered that time was of the essence in addressing replacement of the chiller on the basis of:

- Cost of repairs and potential for additional repair costs over the potential five to seven months.
- On-going risk in providing an appropriate HVAC system for the occupants of the City Office.

Options to fast track a procurement process were discussed with Council's HVAC maintenance contractor Air Master, who put forward a proposition of supplying a surplus chiller from a supplier in Melbourne which could be installed within the next four weeks.

The unit in question was surplus to a project, is in new condition, and would come with appropriate warranties and guarantees. It was advised that the offer included some pricing discount as the unit was some two years old but still a current model.

While the unit was available now, there was no guarantee that it would still be available should a tender process be progressed.

Officers requested that the supplier put the sale of the unit on hold for a short period of time so that an appropriate assessment of the unit could be made.

In considering whether the approach above was appropriate, the following matters needed to be considered:

- Councils' Code for Tenders and Contracts.
- The suitability of the chiller unit being offered.
- Value for money.

4.0 LEGISLATIVE REQUIREMENTS

The *Local Government (General) Regulations 2015* require a tender process be progressed for purchases greater than \$250,000.

23. Public tenders

- (1) For the purpose of section 333A(1) of the Act, the prescribed amount is \$250 000 (excluding GST).
- (2) A tender is to be publicly invited by one of the following:
 - (a) an open tender under [regulation 24](#) ;
 - (b) a multiple-use register under [regulation 25](#) ;
 - (c) a multiple-stage tender under [regulation 26](#) .
- (3) A council, through a public tender process, may establish a standing contract in which a single tenderer or multiple tenderers may be contracted for a specified period to provide specified goods or services during that period without the need for a further tender process.
- (4) A council must not split a contract into 2 or more contracts for the primary purpose of avoiding compliance with the requirement to publicly invite tenders.
- (5) A council may extend a contract entered into by tender –
 - (a) as specified in the contract; or
 - (b) if the contract does not specify extensions, by an absolute majority.

If a tender process is proposed not to be progressed, for a purchase greater than \$250,000, then Council must consider whether it can apply one of the exemption provisions in *Section 27 of the Regulations*.

27. Non-application of public tender process

The following situations and contracts are prescribed for the purposes of [section 333A\(3\)](#) of the Act:

- (a) an emergency, if, in the opinion of the general manager, there is insufficient time to invite tenders for the goods or services required in that emergency;
- (b) a contract for goods or services supplied or provided by, or obtained through, an agency of a State or of the Commonwealth;
- (c) a contract for goods or services supplied or provided by another council, a single authority, a joint authority or the Local Government Association of Tasmania;
- (d) a contract for goods or services obtained as a result of a tender process conducted by –
 - (i) another council; or
 - (ii) a single authority or a joint authority; or
 - (iii) the Local Government Association of Tasmania; or
 - (iv) any other local government association in this State or in another State or a Territory; or
 - (v) any organisation, or entity, established by any other local government association in this State or in another State or a Territory;

-
- (e) a contract for goods or services in respect of which a council is exempted under another Act from the requirement to invite a tender;
 - (f) a contract for goods or services that is entered into at public auction;
 - (g) a contract for insurance entered into through a broker;
 - (h) a contract arising when a council is directed to acquire goods or services due to a claim made under a contract of insurance;
 - (i) a contract for goods or services, if the council resolves by absolute majority and states the reasons for the decision, being that a satisfactory result would not be achieved by inviting tenders because of –
 - (i) extenuating circumstances; or
 - (ii) the remoteness of the locality; or
 - (iii) the unavailability of competitive or reliable tenderers;
 - (j) a contract of employment with a person as an employee of the council.

In this case the proposed purchase of the chiller and associated installation is valued at \$186,000, excluding GST.

Council in accepting the quotation from Air Master is not in contravention of the Regulation.

5.0 POLICY CONSIDERATIONS

Council has a Code for Tenders and Contracts to guide the manner in which it conducts its purchasing practices.

In respect to tenders Council has set a lower threshold, \$100,000, as the point where it will progress a tenders process.

Council also has established protocol's where it requires three quotations to be received for a quotation process.

In this particular circumstance Officers have progressed a purchase process that is not consistent with the normal practices of Council, rather have applied an exemption provision, refer to clause 13 (reproduced below).

13.0 Exemptions

The Local Government (General) Regulations 2005 provide that Councils must publicly invite tenders for the purchase of goods and services with a value in excess of \$250,000 excluding GST. Council has set its tender limit at \$100,000. Burnie City Council are committed to:

- *Encouraging open and effective competition between suppliers with the objective of obtaining value for money; and*
- *Enhancing opportunities for local business.*

As per the Regulations, Council may not issue a tender or use a quotation process where the goods and services sought relate to:

- a) An emergency if, in the opinion of the general manager, there is insufficient time to invite tenders for the goods or services required in that emergency;*
- b) A contract for goods or services supplied or provided by, or obtained through, an agency of a State or of the Commonwealth; and*
- c) A contract for goods or services supplied or provided by another Council, a single authority, a joint authority or the Local Government Association of Tasmania;*
- d) A contract for goods or services obtained as a result of a tender process conducted by:*
 - i) another Council; or*
 - ii) a single authority or a joint authority; or*
 - iii) the Local Government Association of Tasmania; or*
 - iv) any other local government association in this State or in another State or a Territory; or*

- v) any organisation, or entity, established by any other local government association in this State or in another State or a Territory;
- e) A contract for goods or services in respect of which a Council is exempted under another Act from the requirement to invite a tender;
- f) A contract for goods or services that is entered into at public auction;
- g) A contract for insurance entered into through a broker;
- h) A contract arising when a Council is directed to acquire goods or services due to a claim made under a contract of insurance;
- i) A contract for goods or services if the Council resolves by absolute majority and states the reasons of the decision, that a satisfactory result would not be achieved by inviting tenders because of:
- i) Extenuating circumstances; or
 - ii) Remoteness of the locality; or
 - iii) The unavailability of competitive or reliable tenderers;
- j) A contract of employment with a person as an employee of the Council.
- Point i) of this clause may be applied for one or more of the following reasons:
- Where it can be established that there is only one supplier of a particular product or service and there is no appropriate substitute available, or where alternative options are not viable or do not provide value for money;
 - Where the original product or service has been selected through an open tender process and the request for exemption relates to the proposed purchase of an upgrade or addition to the existing system, and there are limited supply options;
 - The product is being trialled to assist in the evaluation of its performance prior to a large scale purchase for which open tenders will be called;
 - To assist in the development of a new product in conjunction with a private sector business;
 - Where the cost to Council and to suppliers would outweigh the value for money benefits of calling public tenders;
 - Projects of genuine urgency (e.g. in the case of a natural disaster or similar emergency circumstances); or
 - Other exceptional circumstances, where conclusive justification of the request is provided.
- Where an exemption has been granted on the basis of point a) and i) of this clause, Council will report in its Annual Report the following details:
- (i) A brief description of the reason for not inviting public tenders;
 - (ii) A description of the goods or services acquired;
 - (iii) The value of the goods or services acquired; and
 - (iv) The name of the supplier.

Officer's rationale in using the exemption provision is related to an emergency situation in that progressing a formal tender / quotation process would:

- Delay the replacement of the chiller unit and potentially expose Council to additional repair and maintenance costs.
- Present ongoing risk in providing a suitable work environment for City Office staff, visitors and customers.
- Require the expenditure of \$21,000 on immediate repairs.

An independent review has shown that the proposal at hand is value for money.

6.0 FINANCIAL IMPACT

Council has allocated \$153,000 in the current budget for the replacement of the City Office chiller unit.

Due to a number of factors Officers progressed an alternate approach to the procurement process and sought a quotation directly from Air Master for the provision and installation of a suitable unit.

The price supplied for this work was \$186,000, excluding GST.

This included a provisional sum of \$15,000 for crane hire.

An independent review of the proposal was carried out by consultants Engineering Solutions Tasmania. A copy of the report is **attached**.

It was concluded that the cost to supply and install a suitable chiller would be in the order of \$200,000, as such the offer from Air Master was below the expected market value.

There is a further cost advantage in this offer in that the works could be progressed in the next four weeks and Council would avoid the need to expend the estimated \$21,000 on repairing the compressor unit and replacing the reversing valve.

There is a short fall off \$33,000 between the quotation price and funds available in budget. There is potential for some savings in the quotation process subject to site access and opportunities to use a smaller crane.

The balance of cost would need to be funded through management of expenditure for other projects within the Capital Works Program.

7.0 DISCUSSION

Officers identified an urgent need to replace the chiller which is a key component of the City Office HVAC systems.

The Background section of this report notes the factors Officers took into consideration in determining there was an emergency situation and thus a need to apply the exemption provisions in the Code for tenders and contracts and seek only one quotation for the works from Air Master.

Air Master identified an opportunity to secure a unit on ground in Melbourne that could be delivered in a short time frame, avoiding long delivery timelines and obviating the need to undertake the urgent repair works to restore functionality for the summer months.

The chiller replacement works could be progressed within four weeks from confirmation of purchase.

To assess value for money and suitability of the Air Master offer, consultant's Engineering Solutions Tasmania were engaged to assess the submission.

The report is **attached** and it was concluded that the offer from Air Master was fair and reasonable.

Council was briefed in regard to the actions taken by officers and the assessment of the Air Master quotation at the Council Workshop held on 3 September 2019 and the General Manager advised Council that he had applied his discretion and approved the purchase and installation of the chiller.

This report seeks Council's endorsement of the General Managers decision

8.0 RISK

The Chiller unit at the City Offices is a critical item of plant in providing an appropriate conditioned atmosphere for staff and visitors to the City Offices.

The current unit is in poor repair and was identified as requiring replacement in the current financial year. Unfortunately recent failure of additional components of the chiller necessitate progressing replacement quicker than anticipated.

A replacement chiller has been sourced via Council's HVAC contactor. Suitability and value for money considerations have been assessed by Engineering Solutions Tasmania.

A purchase agreement has been entered into with Air Master.

However in progressing this project, Officers have not followed the normal purchasing path, rather applied the exemption provisions of Council's Code for Tenders and Contracts. It is noted that Council continues to comply with the requirements of the *Local Government (General) regulations 2015*.

The rationale for this approach is noted in earlier sections of this report.

However key considerations were:

- Approximately \$76,000 had been spent on the chiller unit since 2016.
- A current need to spend some \$21,000 to fix the compressor unit and replace the reversing valve.
- Delivery and installation timelines for a new chiller unit is approximately five months and ongoing risk in nursing the existing chiller over that timeline.
- Tender development and review process, potentially six to eight weeks.
- Potential for additional costs associated with energy consumption.

Repairing and maintaining the chiller until a tender process could be progressed and a new unit supplied exposed Council to reliability and financial risk implications.

9.0 CONSULTATION

Officers sought independent advice from consulting engineers Engineering Solutions Tasmania as to the suitability and value for money aspects of the offer from Air Master.

Councillors were briefed in regard to the variation from Council's normal purchasing process at the Workshop held on 3 September 2019 and the General Manager advised of his decision to progress the purchase of the chiller unit.

Officers also sought validation as to the performance of the chiller unit from previous purchasers, with no concerns being raised in these discussions.

ATTACHMENTS

1↓. [BCC Chiller Replacement Report by Engineering Solutions Tasmania](#)

COUNCIL RESOLUTION

Resolution number: MO263-19

MOVED: Cr A Keygan

SECONDED: Cr G Simpson

“THAT Council endorse the actions of the General Manager to apply the exemption provisions contained in its Code for Tenders and Contracts and purchase of a GeoClima chiller from Air Master for the quoted price of \$186,000, excluding GST to replace the existing chiller at the City Offices, on the basis of a need to address the emergency circumstances described in this report.”

For: Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

Against: Cr S Kons.

CARRIED

Burnie City Council - Chiller Replacement Report

REPORT FOR
Burnie City Council





199 Macquarie Street
Hobart 7000
Tasmania

100 Cameron Street
Launceston 7250
Tasmania

Contents

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Report Version

<i>Revision</i>	<i>Description</i>	<i>Issue Date</i>	<i>Issued By</i>
P1	Preliminary Issue	30 th August 2019	John Nichols
P2	Preliminary Issue	4 th September 2019	John Nichols
3	Final Issue	5 th September 2019	John Nichols

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Introduction

Engineering Solutions Tasmania have been requested by the Burnie City Council to provide an independent validation of the Airmaster offer for the option of a replacement HVAC chiller as detailed below to serve the Burnie City Council offices. Airmaster are currently the contract services company for the site.

The report will provide feedback on the HVAC chiller unit being offered from Airmaster in regard to:

- system requirement & capacity
- quality & performance
- efficiency & energy demand
- contemporary technology in terms of performance
- overall cost and cost to determine "value to council"

Existing equipment

The existing heating and cooling system consist of 3 off modular reverse cycle chillers (Temperzone UCA 70R) with nominal capacity of 210kW connected to a 5000L buffer tank, primary circulation pumps and flow/return pipework serving various air handling units.

The existing primary pumps are specified as 2 Off D&F 65x50-160 KL-ISO Compact with a duty of 11 L/s @ 25.5m (head pressure).

Proposal

The proposal provided by Air Master is for the supply, installation, testing and commissioning of a new reverse cycle chiller (heat pump) as detailed below including all demolition works of redundant plant:

- Make: GeoClima
- Model: VHA 2760 EC-01 HP TP
- Function: reverse cycle heat pump unit (heating/cooling mode)
- Compressor: Danfoss Manuerop scroll
- Circuits: 2
- Cooling Capacity: 250.4 kW @ 30 deg C ambient
- Heating Capacity: 288.6 kW @ 0 deg C ambient
- Refrigerant: R410a
- Built Date 07/09/2017

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Unit specific feature options include:

- Epoxy coated condenser coils
- Compressor housing including maintenance doors
- Flow switch (electromechanical type)
- Inertia tank (pressurized)
- Variable speed pump (inverter)
- Double pump kit with 1000L insulated buffer tank
- Anti-vibration supports type with rubber dumping element
- Control interface via Modbus HLI with Web management

Other works include:

- Decommission of redundant chiller including reclaim & disposal of refrigerant, pumps, 5000L buffer tank, pipework
- Freight and cranaage
- Electrical and controls works
- Water treatment
- New pipework, valves and insulation for connection to the existing system

Total installation cost: \$186,000 excluding gst.

Manufacturer

GeoClima have been designing and supplying specialist chillers to the world since 1994 and have factories in Italy, Russia and Thailand. GeoClima have provided sales and services in Australia since 2014 and have various installations throughout Australia.

Airmaster are the current GeoClima National Service Agent and will provide standard response times for Burnie City Council. GeoClima units come standard with remote access capability and as such remote support can be offered at any time from GeoClima.

We discussed recent installations with 3 of the contacts below with the following feedback:

- 'the new heat pump unit has been performing well with no issues. The unit is quiet'.
- 'the new heat pump unit had some initial issues with the factory setpoint not setup to suit local ambient conditions. The issues have since been resolved by Airmaster and the unit is now running fine'

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- 'the new heat pump unit had some initial issues with the High-Level Interface (HLI) and integration with the existing site network. After software upgrades were performed the issues have since been resolved by Airmaster'

Locations of recent installations in Australia and contacts:

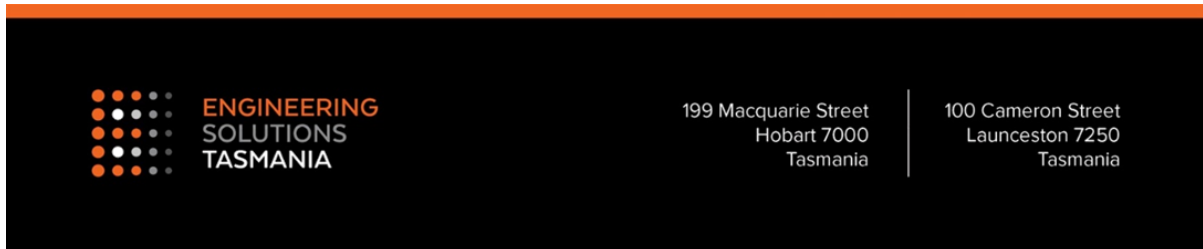
GeoClima unit model	Installation address	Airmaster manager	Mobile Number	Site Contact	Mobile Number
GHA2B2180 EC 34K	50 Franklin St, Melb	Paul Randles	0434 600 426	Brendan Hamill, Knight Frank	0438 891 212
TMA2A500A ES EC-34	1 Collins St, Melb	Paul Randles	0434 600 426	Cameron Henderson, Knight Frank	0418 146 605
THM2A600WT-34	222 Exhibition St, Melb	Phil Barrow	0427 505 439	TBA, Knight Frank	TBA
TMA2B750A ES EC 34	RMIT Building 108	Nick McDonald	0415 039 397	TBA, RMIT	TBA
VHA 2600A EC-01 KTP	804 Stud Rd, Scoresby	Bryce McGrath	0438 385 698	Jay Nimervol, Nintendo	0403 242 216
VHA 4388 A 4T AC BP 10	Monash Clayton B36	Greg Woodmass	0427 762 189	Ryan Martin, Monash	0437 718 625
TMA2A550A EC-34K	Target Brimbank	Matt Kristiansen	0418 546 294	Ray Martin, JLL	0450 781 171

Budget review

The below are estimated cost for the installation:

- *The estimate of cost for the new 'Helical Rotary (Screw or Scroll Compressor) 300 kW water chiller including installation but excluding piping, electrical, controls, ancillary items & crainage:* \$130,000
- *The estimate of cost for the new 'Chilled water pumps' (11 L/s @25m head):* \$10,000
- *The estimate of cost for the piping modifications:* \$10,000
- *The estimate of cost for the electrical modifications:* \$10,000
- *The estimate of cost for the control modifications:* \$10,000
- *The estimate of cost for the ancillary modifications:* \$15,000

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- The estimate of cost for the crainage for the modifications: \$15,000
- Total estimated cost \$200,000

Above cost estimates as per 'Rawlinsons 2019 Australian Construction handbook'.

Recommendations

Based on our review we believe the offer is fair and reasonable for the works being provided. The new unit exceeds the existing capacity by 20-35% providing allowance for some future expansion (existing capacity nominal 210 kW vs new nominal capacity 250-288 kW). The new system offers improved energy efficiency due to the improvement in chiller technology including the Danfoss Manuerop scroll compressor technology, inbuilt variable speed pumps and integrated 1000 L buffer tank.

Other system improvements are the reduced capacity buffer tank which will greatly reduce the change over time and energy required to change from heating to cooling in mid-season suiting an office environment. The size of the inbuilt 1000 L tank as stated by the contractor meets the supplier's minimum requirements of 3.5 L per kW or 3.5 L x 288 kW = 1008 L (total system volume) which would be achieved by including the volume within the pipework and coils as well as the new 1000 L buffer tank.

The proposed chiller unit complies with the Energy Efficiency requirements of the NCC-2019 Section J5.10 Refrigerant Chillers for both 'full load' and 'integrated part load' operation exceeding the requirements for each item as shown in the table below.

Table J5.10a Minimum energy efficiency ratio for refrigerant chillers – Option 1

Chiller type (Air-cooled chiller with capacity ≤ 528 kW _r)	Minimum NCC requirement	Actual requirement of proposed unit (<i>GeoClima - VHA 2760 EC-01 HP TP</i>)
full load operation (W _r /W _{input} power)	2.985	3.14
Integrated part load (W _r /W _{input} power)	4.048	4.40

From the budget review it is believed the council are getting an offer below the current market price for the full system upgrade as offered. The reduced cost is due to the discount on the chiller unit (\$15,000 discount) as this unit was originally ordered for another project and is nearly 2 years old. Although nearly 2 years old, the chiller unit it is still in new condition, with full warranties and



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product guarantees' and exceeds the current energy efficiency requirements. Other similar units would take a minimum of 12-16 weeks to be delivered from receipt of order.

From discussions with other users who have had recent installation of similar GeoClima units we would recommend the unit have all software updated and ensure the systems is setup to suit the local ambient conditions prior to, or during the commissioning.

For full details of the proposed and existing plant refer to the below appendices.

Appendices

Key email dates:

From	Subject	Date	Comments	Attachments
Rowan Sharman	BCC City Offices - HVAC Chiller Unit - Airmaster Offer Validation Review	Friday 23/08/2019	Introduction to project	N/A
Rowan Sharman	Burnie City Council Chiller Replacement	Friday 23/08/2019	Background to project and Scope of Review/Validation	- Burnie City Council Chiller Replacement – Budget Estimate - Code-for-Tenders-and-Contracts-CP-CBS-SG-012-v5.0 (13)
Rowan Sharman	Burnie City Council Chiller Replacement	Friday 23/08/2019	Clarifications to council queries by Airmaster and additional documents	- Existing Plant and Equipment - Burnie Council New Equipment Info - Budget Estimate Price Breakdown
Rowan Sharman	Burnie City Council Chiller Replacement	Friday 23/08/2019	Clarifications to council queries by Airmaster	N/A
Rowan Sharman	Burnie City Council Chiller Replacement	Friday 23/08/2019	Clarifications to council queries by Airmaster	- Burnie Council Chiller Details
Rowan Sharman	Burnie City Council Chiller Replacement	Monday 26/08/2019	Additional information, weblink and documents provided by Airmaster	https://www.dropbox.com/s/17hm7a185s0084r/V-Range_DE.pdf?dl=0 - Heatpump 1
John Nichols	Burnie City Council - Chiller Replacement review	Thursday 29/08/2019	EST queries to Airmaster	N/A
Rowan Sharman	Burnie City Council - Chiller Replacement review	Monday 02/09/2019	Response to EST queries	- Images - Onboard_reachweb - REACH web monitoring sys. - GeoClima Hydronic Schematic

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Rowan Sharman	Burnie City Council - Chiller Replacement review	Tuesday 03/09/2019	Further response to EST queries	- GeoClima recent installations table
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Photos:



3 off existing modular reverse cycle chillers (Temperzone UCA 70R) to be replaced



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Proposed reverse cycle chiller unit (GeoClima VHA 2760 EC-01 HP TP) to be installed

Other documents (attached below):

- Budget Estimate
- Budget Estimate Breakdown
- Chiller Technical Data
- Existing plant information

Disclaimer

Engineering Solutions Tasmania is not a professionally qualified Quantity Surveyor. We have used our current knowledge and understanding of the required scope of work to produce a cost estimate we believe to be consistent with the aims of this exercise. However, a professional Quantity Surveyor should ratify any estimates to be used for the purposes of expenditure.

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A large graphic consisting of two overlapping triangles. The left triangle is blue and the right triangle is grey, meeting at a diagonal line that runs from the bottom-left to the top-right.

BURNIE CITY COUNCIL
CHILLER REPLACEMENT

BUDGET ESTIMATE



Quotation TTG179201

20/08/2019

Rowan Sharman
Engineering Services Manager
Burnie City Council
80 Wilson Street
Burnie, Tasmania



Dear Rowan,

BUDGET ESTIMATE – BURNIE CITY COUNCIL CHILLER REPLACEMENT

We have pleasure in submitting our **budget estimate** for the chiller replacement and associated required works at the Burnie City Council Chambers, 80 Wilson Street, Burnie. This budget estimate has been based subsequent investigations and site visits.

1. Confidentiality

The information contained in this tender submission, including the budget estimate price, technical, data, specifications, drawings and/or other documents submitted with the tender, shall be kept secret and confidential by the client and/or the main contractor, and shall not be disclosed to any third party without the prior written consent of Airmaster Australia Pty Ltd

2. Scope of Works.

The scope of works to complete the chiller replacement is inclusive of the supply, installation, testing and commissioning of mechanical services including but not limited to the following items:

- Decommissioning and removal of the existing chiller inclusive of reclaiming refrigerant and disposal in a compliance to relevant Australian Standards
- Decommissioning and removal of existing 5000 litre buffer tank from the existing chiller enclosure. This unit is the original tank installed for the installation and is deemed end of life
- Decommissioning and removal of existing pump set located in plant room. This pump set is the original unit installed for the installation and is deemed end of life
- Supply, install, test and commission new GeoClima One (1) of ~~VHA 2084 A CH EC BP 10~~ ^{VHA 2760A EC-01 HP TP' as per email dated 02/09/19} Chiller. The unit is ex. Stock Victoria and as such lead time is restricted to freight to Tasmania

SPECIFIC FEATURES FOR SELECTED UNIT:

- Epoxy coated condenser coils
- Compressor housing with doors: Metal box for housing compressors with removable doors for inspection and service
- Flow switch: electromechanical type, suitable to increase the safety of flow control in the evaporator, is supplied separately to be installed by the user

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2



- Inertia tank (pressurized): It's equipped with thermal insulation, closed pre-pressurized expansion vessel, air vent and drain valves, safety valve. If length increase of standard unit is required, these is highlighted in the final notes
- Variable speed pump (inverter): additional option, able for the correct delivery pressure calibration of the normal pump – the primary circuit always remains at constant flow
- Anti-vibration supports type with rubber dumping element
- Modbus HLI
- Web management: Allows the visualization via WEB of the main working variables of the unit, historical alarms, reset of the alarms, possibility to software remote update, it is provided standard with a 3G modem
- Double pump kit with buffer tank; Centrifugal pumps, check valves, safety valve at inlet side, air bleed valve, drain valve, 1000L lined buffer tank
- Freight and crange to allow for the installation of new equipment and disposal of redundant equipment
- Required electrical work to allow for the installation of the new GeoClima chiller inclusive of mechanical services switchboard works, installation of required conduit and associated works for the rerouting of the electrical supply to the new chiller, new electrical supply to the chiller from the existing mechanical services switchboard
- Integration into the existing Innotech controls strategy. Innotech will be engaged for this portion of the work
- Excavation to allow for the rerouting of existing system pipework within the plant enclosure to allow for connection to the new chiller, installation of required electrical conduit and infrastructure
- Reinstatement of paving in the plant enclosure
- Treatment of the water loop prior to system commissioning
- Construction and installation of galvanised support structure to allow for the installation of the new chiller in the plant enclosure
- Installation of all associated pipework, valves, insulation (lagging) and associated infrastructure to allow for the connection to the new unit inclusive of plantroom alterations required for the removal of the existing pump set
- Allowance for the removal of the end wall of the plant enclosure, manufacture and installation of a powder coated ColorBond fence to allow for the existing plant enclosure to be extended approximately 1 meter. Allowance has been made to reroute the existing path however discussions will be required with council as existing garden bed will be encroached upon (please note this alteration may not be required and if this is the case an adjustment will be made to the contract price and a negative variation applied to the contract)
- Testing and commission inclusive of water balancing and load balancing of the new system

This tender has been based on plans, specification and other documents made available to Airmaster Australia Pty Ltd, by Burnie City Council. It is assumed all data contained within is true and accurate.

Our price to carry out the above works

\$171,500 excluding GST

PLEASE NOTE A PROVISIONAL SUM OF \$15,000 HAS BEEN ALLOWED FOR CRANAGE OF THE NEW UNIT INTO PLACE.

TOTAL PRICE INCLUSIVE OF PROVISIONAL SUM

\$186,000 excluding GST

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3. Tender Clarification's.

- No allowance has been made for engineering computations or the cost of any strengthening required to the structure to support the additional weight of equipment
- The provision of complying access to roof, access walkways, handrails and guard rails (temporary or permanent) for installation and ongoing maintenance of Mechanical Services is to be provided by others at no cost to Airmaster Australia Pty Ltd.
- While we have allowed for the installation of required control and electrical supplies required for the installation, no allowance has been made for upgrading of mechanical switchboards or sub-main cabling
- No allowance has been made for warranty or repair to existing equipment or infrastructure

4. Commissioning.

Air & Water Balancing

- We have included for all commissioning, balancing, performance testing, and recording of test results, to be carried out by Airmaster Australia Pty Ltd N.E.B.B. Certified Commissioning Department.
- We have allowed to re-balance the existing systems with the air and water quantities available, and no allowance has been made for any upgrading of or modifications to the existing plant and equipment necessary, in order to obtain the specified duties.

5. Drafting.

- Our tender is based on providing simplified, as-installed drawings, including single line pipework layouts if applicable. It is also based on being supplied, free of charge, Mechanical / Architectural Drawings, in AUTOCAD 2018 Format, or DXF Format (maximum file size 2 Meg.), in either disk form or Email.

6. Drains.

- Condensate and overflow drains will connect to the various items of equipment and run to a common drain point provided by others, adjacent to the plant.

7. Electrical

- The electrical work which forms part of this Tender, has been based on the kilowatts specified, or where not specified, as nominated to us by the suppliers of equipment included in this tender.
- We have allowed for electrical wiring in our budget estimate, but no allowance has been made for the upgrading of incoming electrical mains or switchboard.

8. Excavation

- It is to be noted that we have based our budget estimate on normal excavation of earth works, however, if we strike water or rock formation, additional costs would be involved.

9. Mineral Fibres

- The budget estimate price is based on the assumption that the work for which this budget estimate is provided (the Work), will be executed in an asbestos free environment. The Builder and/or Client shall accept full responsibility for the resolution of any problems and for delays and additional costs (if any), which may result from the presence of asbestos or asbestos contaminated materials, in or about the site on which the Works or any part thereof are to be performed.

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10. Noise levels

- No allowance has been made for noise level tests to be carried out. If these are required, the costs of such tests would be additional to the budget estimate.

11. Service and Maintenance

- As there is an existing service contract in place, no additional maintenance allowance is included. Only the 12 month defect liability conditions of our contract are included.

12. Harmonics

- We are unable to confirm a specific system level harmonic compliance as this is dependent on several factors including other linear and non-linear loads, system impedances, transformer ratings, etc.
- Should it be considered necessary for the project, we will be happy to assist with carrying out a detailed analysis of the system level harmonic performance to determine whether additional harmonic filtration is required.

13. Weld Testing

- We have made no provision in our Budget estimate for the radiographic testing of welds, as we consider this unnecessary on a project of this nature. However, all welding would be carried out by competent and experienced personnel.

14. Price Clause

- The above price will remain valid for a period of 30 days, or until such time as the proposed unit is no longer available after which time the budget estimate price will become subject to review.
- No allowance has been made in our Budget estimate for the inclusion of any P.C. or Contingency Sums.

15. Site Agreement

- We have not included for any site allowances, but should any special industry or site allowance come into effect on this project during the course of the contract, it would be necessary for any additional costs incurred, to be treated as an adjustment to the contract sum.

16. Working Hours

- This budget estimate is based on free and clear access being provided during the working hours required on this project.
- The hours estimated in this Budget estimate have been based on being carried out during normal working hours i.e.: 8.00am to 5.00pm Monday to Friday. If on receipt of the final Building Programme it is necessary for us to work overtime to match the programme, the cost of the overtime would be additional to the contract.

17. Contractual Qualifications

- We reserve the right to discuss the contract conditions included as part of the budget estimate documents, prior to acceptance.
- This budget estimate letter forms an integral part of our budget estimate and if accepted, the final contract document.

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- We reserve the right to discuss all aspects of the programme, including equipment lead times, which affect Mechanical Services.
- Goods delivered on to your premises are at your risk from time of delivery.

18. Hoisting and Cranage

- We have included for cranage, rigging facilities as necessary to carry out and complete these works.

19. Quality Assurance

- We have based our budget estimate on the project being executed to AS/NZS ISO9002 Quality Management System Standard.

20. Budget estimate Exclusions

- Works outside of normal work hours unless otherwise stated.
- Building works.
- Upgrading of electrical supplies that may be deemed necessary.
- Painting or patching.
- Removal, Isolation or relocation of existing sprinkler pipes or fire services.
- Repairs or replacement of any items of equipment not detailed in the above quotation.
- Warranty on existing equipment or controls.
- Retention, liquidated damages and consequential losses excluded unless otherwise stated.

21. Warranty and Conditions

Warranty on materials used is as per the original supplier and as such will be passed on in full. Airmaster Australia warrants against faulty workmanship performed by its personnel in undertaking the above for a period of 12 months. Please refer to our General Terms and Conditions of Supply. Additional copies available on request.

22. Terms of Payment

All account invoices are due and payable in accordance with our Terms of Trade, which are Net 30 Days. Progress claims will apply for work extending past the end of any month. All cash accounts are due for payment prior to any works commencing on site.

We have planned for this work to be completed within 3 months of the agreed project start date. If for any reasons outside our control, the work cannot be completed within this time, additional costs may apply. This quotation is firm and fixed for a period of 30 days from the above date; after which confirmation from this office will be required. All works are to be carried out during business hours.

We trust the above meets with your approval and look forward to your reply. Should you have any queries in relation to the above, please do not hesitate in contacting the undersigned.

Yours faithfully,

Tom Green

PROJECT MANAGER

Airmaster Australia Pty Ltd

Tel: 03 6326 6212

Mob: 0429 064 693

E-mail: tgreen@airmaster.com.au

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Acceptance of Quotation

Airmaster Reference No.: _____

BILLING DETAILS:

Company Name: _____ ABN: _____

Street Address: _____

City / State: _____

Postcode: _____

Contact Person: _____

Purchase Order No.: _____

(Please provide a copy of purchase order)

Please proceed with the works detailed in the quotation provided (re-Airmaster reference above). I / We acknowledge that by signing this document, the Debtor named above will accept all charges associated with this work.

Full quotation accepted: (Please tick) or

Partial quotation accepted: (Please tick)

Payment Terms

30 Day Account application to be submitted: (Please tick) or

Cash only account: (Please tick)

Details of partial acceptance / Special Instructions: _____

Total Value of Order excluding GST: \$ _____

Priority: Urgent High Medium Next visit

I/We, the undersigned am /are authorised to confirm acceptance of quotation on behalf of nominated debtor.

Signature/s: _____ **Date:** _____

Print Name/s: _____

For new Airmaster clients please note that by signing this acceptance of quotation, you are also agreeing and providing Airmaster to conduct a credit check. All information will be kept confidential and will only be used by Airmaster for this purpose alone. Kindly be advised that the credit check will take 4 to 5 working days to process.

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Airmaster Australia Pty Ltd – Terms & Conditions of Trade

1. **Definitions**
- 1.1 "AMA" means Airmaster Australia Pty Ltd ATF Airmaster Australia Unit Trust T/A Airmaster Australia Pty Ltd, its successors and assigns or any person acting on behalf of and with the authority of Airmaster Australia Pty Ltd ATF Airmaster Australia Unit Trust T/A Airmaster Australia Pty Ltd.
- 1.2 "Customer" means the person buying the Goods as specified in any invoice, document or order, and if there is more than one person, a reference to such Customer jointly and severally.
- 1.3 "Goods" means all Goods or Services supplied by AMA to the Customer at the Customer's request from time to time where the contract so permits to terms "Goods" or "Services" shall be interchangeable for the other.
- 1.4 "Price" means the Price payable for the Goods as agreed between AMA and the Customer in accordance with clause 4 below.
2. **Acceptance**
- 2.1 The Customer is taken to have exclusively accepted and is immediately bound, jointly and severally, by these terms and conditions if the Customer places an order for or accepts delivery of the Goods.
- 2.2 These terms and conditions may only be amended with AMA's consent in writing and shall prevail to the extent of any inconsistency with any other document or agreement between the Customer and AMA.
- 2.3 The Customer acknowledges and accepts that the supply of Goods for accepted orders may be subject to availability and if, for any reason, Goods are not of course to be available, AMA reserves the right to vary the Price with alternative Goods as per clause 4.2. AMA also reserves the right to halt all Services until such time as AMA and the Customer agree to such changes.
- 2.4 Where AMA gives advice, recommendations, information, assistance or service to the Customer or the Customer's agent, regarding the Goods or Services then it is given in good faith and AMA shall not be liable for any damages, losses or costs however arising resulting from the Customer relying on the same.
3. **Change in Control**
- 3.1 The Customer shall give AMA not less than fourteen (14) days prior written notice of any proposed change of ownership of the Customer and/or any other change in the Customer's details (including but not limited to, changes in the Customer's name, address, contact phone or fax number(s), or business practices). The Customer shall be liable for any loss incurred by AMA as a result of the Customer's failure to comply with this clause.
4. **Price and Payment**
- 4.1 At AMA's sole discretion the Price shall be either:
 - (a) as indicated on any invoice provided by AMA to the Customer; or
 - (b) the Price as at the date of delivery of the Goods according to AMA's current price list; or
 - (c) AMA's quoted price (as shown in clause 4.2) which will be valid for the period stated in the quotation or otherwise for a period of thirty (30) days.
- 4.2 AMA reserves the right to change the Price if a variation to AMA's quotation is requested. Any variation from the plan or scheduled Services or specifications of the Goods (including, but not limited to, any variation as a result of increases to AMA in the cost of taxes, levies, materials and labour or where additional Services are required due to the discovery of hidden or unidentifiable difficulties, but not limited to, poor weather conditions, limitations to accessing the site, safety considerations, pre-approval work by any third party not being completed, hidden pipes and wiring in walls, pipes, etc.) such as those listed in clause 4.2.1 shall be considered an amendment to the Services) will be charged for on the basis of AMA's quotation and will be shown as variations on the invoice.
- 4.3 At AMA's sole discretion a non-refundable deposit may be required.
- 4.4 Time for payment for the Goods being the essence, the Price will be payable by the Customer on the date determined by AMA, which may be:
 - (a) on delivery of the Goods;
 - (b) before delivery of the Goods;
 - (c) by way of instalments/progress payments in accordance with AMA's payment schedule; or
 - (d) the date which is thirty (30) days following the date of any invoice given to the Customer by AMA; or
 - (e) the date specified on any invoice or other form as being the date of payment; or
 - (f) Failing any notice to the contrary, the date which is seven (7) days following the date of any invoice given to the Customer or other form.
- 4.5 Payment may be made by cash, cheque, bank cheque, electronic-line banking, credit card (plus a surcharge of up to two and a half percent (2.5%) of the Price), or by any other method as agreed to between the Customer and AMA.
- 4.6 Unless otherwise stated the Price does not include GST. In addition to the Price the Customer must pay to AMA an amount equal to any GST/AMA must pay for any supply by AMA under this or any other agreement for the sale of the Goods. The Customer must pay GST, without deduction or set off of any amounts at the same time and in the same manner as the Customer pays the Price. In addition the Customer must pay any other taxes and duties that may be applicable in addition to the Price except where they are expressly included in the Price.
5. **Delivery of Goods**
- 5.1 Delivery of the Goods is taken to occur at the time that:
 - (a) the Customer or the Customer's nominated carrier takes possession of the Goods at AMA's address; or
 - (b) AMA (or AMA's nominated carrier) delivers the Goods to the Customer's nominated address even if the Customer is not present at the address.
- 5.2 At AMA's sole discretion the cost of delivery is either included in the Price or is in addition to the Price.
- 5.3 The Customer must take delivery by receipt or collection of the Goods whenever they are tendered for delivery by the Customer. The Customer is unable to take delivery of the Goods as arranged then AMA shall be entitled to charge a reasonable fee for re-delivery and/or storage.
- 5.4 AMA may deliver the Goods in separate instalments. Each separate instalment shall be invoiced and paid in accordance with the provisions in these terms and conditions.
- 5.5 Any time or date given by AMA to the Customer is an estimate only. The Customer must still accept delivery of the Goods even if late and AMA will not be liable for any loss or damage incurred by the Customer as a result of the delivery being late.
6. **Risk**
- 6.1 Risk of damage to or loss of the Goods passes to the Customer on Delivery and the Customer must insure the Goods.
- 6.2 If any of the Goods are damaged or destroyed following delivery but prior to ownership passing to the Customer, AMA is entitled to receive all insurance proceeds payable for the Goods. The production of these terms and conditions by AMA is sufficient evidence of AMA's rights to receive the insurance proceeds without the need for any person dealing with AMA to make further enquiries.
- 6.3 If the Customer requests AMA to leave Goods outside AMA's premises for collection or to deliver the Goods to an unattended location then such Goods shall be left at the Customer's sole risk.
- 6.4 Where AMA is required to install the Materials the Customer warrants that the structure of the premises or equipment in or upon which these Materials are to be installed or erected is sound and will sustain the installation and work incidental thereto and AMA shall not be liable for any claims, demands, losses, damages, costs and expenses however caused or arising in connection with the installation and work incidental thereto.
7. **Air-Conditioning Risk**
- 7.1 Whilst the final location of any plant installation is at the discretion of the Customer, a charge will apply as a variation to the price per clause 4.2. If the Customer requests the unit to be located other than as per quotation.
- 7.2 The Customer acknowledges and agrees that AMA does not guarantee any noise levels (external or internal) and AMA shall not be held liable for any loss, damages, or costs, however resulting from noise levels.
- 7.3 In the event that any of the equipment needs to be relocated due to complaints from neighbours or local authorities, then the Customer shall be responsible for any and all costs involved.
- 7.4 The Customer acknowledges and agrees that it is their responsibility to insure any equipment partly or completely installed on site, against theft or damage.
- 7.5 In the event that the electrical wiring is required to be re-positioned or upgraded at the request of any third party contracted by the Customer, or to meet regulatory requirements, then the Customer agrees to notify AMA immediately upon any proposed changes. The Customer agrees to indemnify AMA against any additional costs incurred with such a relocation of electrical wiring. All such variations shall be invoiced in accordance with clause 4.2.
8. **Customer's Responsibilities**
- 8.1 The Customer acknowledges that in the event asbestos or any other toxic substances are discovered at the Works that it is their responsibility to ensure the safe removal of the same. The Customer further agrees to indemnify AMA against any costs incurred by AMA as a consequence of such discovery. Under no circumstances will AMA handle removal of asbestos product.
- 8.2 The Customer acknowledges that it is their responsibility to ensure that all Goods, plant or equipment which AMA is required to install (or to connect any of its Goods to) are of the correct type, size, rating, standard, quality, colour and finish, conform with relevant Australian standards and local statutory requirements, and are as specified in the specifications, drawings and plans upon which AMA based the quotation on and therefore the Customer agrees to indemnify AMA against any costs incurred by AMA in rectifying such errors if required.
- 8.3 AMA is not responsible for the removal of rubbish from or clean-up of the building/construction site. This is the responsibility of the Customer or the Customer's agent.
9. **Accuracy of Customers Plans**
- 9.1 AMA shall be entitled to rely on the accuracy of any plans, specifications and other information provided by the Customer. The Customer acknowledges and agrees that in the event that any of this information provided by the Customer is inaccurate, AMA accepts no responsibility for any loss, damages, or costs however resulting from these inaccurate plans, specifications or other information.
10. **Access**
- 10.1 The Customer shall ensure that AMA has clear and free access to the work site at all times to enable them to undertake the works. AMA shall not be liable for any loss or damage to the
11. **Underground Locations or Hidden Services**
- 11.1 Prior to AMA commencing any work the Customer must advise AMA of the precise location of all underground locations, damage to pathways, driveways and concealed or paved or grassed areas) unless due to the negligence of AMA.
- 11.2 The Customer must identify, but are not limited to, electrical services, gas services, sewer services, pumping services, sewer connections, sewer sludge mains, water mains, irrigation pipes, telephones cables, fibre optic cables, of pumping mains, and any other services which may be on site.
- 11.3 Whilst AMA will take all care to avoid damage to any underground services, the Customer agrees to indemnify AMA in respect of all and any liability claims, loss, damage, costs and fines as a result of damage to services not precisely located and notified as per clause 11.1.
12. **Title**
- 12.1 AMA and the Customer agree that ownership of the Goods shall not pass until:
 - (a) the Customer has paid AMA all amounts owing to AMA; and
 - (b) The Customer has met all of their obligations to AMA.
- 12.2 Receipt by AMA of any form of payment other than cash shall not be deemed to be payment until that form of payment has been honoured, cleared or received.
- 12.3 It is further agreed that:
 - (a) until ownership of the Goods passes to the Customer in accordance with clause 12.1 until the Customer is only a trustee of the Goods and must retain the Goods to AMA on request;
 - (b) the Customer holds the benefit of the Customer's insurance of the Goods on trust for AMA and must pay to AMA the proceeds of any insurance in the event of the Goods being lost, damaged or destroyed;
 - (c) the Customer must not, and shall not be deemed to, sell, lease, gift, mortgage, or otherwise part with possession of the Goods other than in the ordinary course of business and for market value. If the Customer sells, disposes or parts with possession of the Goods then the Customer must hold the proceeds of any such act on trust for AMA and must pay or deliver the proceeds to AMA on demand;
 - (d) the Customer shall not convert or grant an encumbrance on the Goods or inform them of any goods if it is a customer, does so then the Customer holds the resulting product on trust for the benefit of AMA and must sell, dispose of or return the resulting product to AMA as to the goods;
 - (e) the Customer irrevocably authorises AMA to enter any premises where AMA believes the Goods are lost or recover possession of the Goods;
 - (f) AMA may recover possession of any Goods in transit whether or not delivery has occurred;
 - (g) the Customer shall not charge or grant an encumbrance on the Goods nor grant or otherwise give away any interest in the Goods while the property of AMA;
 - (h) AMA may commence proceedings to recover the Price of the Goods notwithstanding that ownership of the Goods has not passed to the Customer.
13. **Personal Property Securities Act 2009 ("PPSA")**
- 13.1 In this clause financing statement, financing charge statement, security agreement, and security interest has the meaning given in the PPSA.
- 13.2 Upon assenting to these terms and conditions in writing the Customer acknowledges and agrees that these terms and conditions constitute a security agreement for the purposes of the PPSA and creates a security interest in all Goods that have previously been supplied and that will be supplied in the future by AMA to the Customer.
- 13.3 The Customer understands that:
 - (a) promptly sign any further documents and/or provide any further information (such information to be complete, accurate and up-to-date in all respects) which AMA may reasonably require;
 - (i) register a financing statement or financing charge statement in relation to a security interest on the Personal Property Securities Register;
 - (ii) register any other documents required by the PPSA; or
 - (iii) correct a defect in a statement referred to in clause 13.3(a)(i) or 13.3(a)(ii);
 - (b) indemnify, and upon demand reimburse, AMA for all expenses incurred in registering a financing statement or financing charge statement on the Personal Property Securities Register established by the PPSA or releasing any Goods charged thereby;
 - (c) register a financing charge statement in respect of a security interest without the written consent of AMA;
 - (d) not register, or permit to be registered, a financing statement or a financing charge statement in relation to the Goods in favour of a third party without the prior written consent of AMA;
 - (e) immediately advise AMA of any material change in its business practices of selling the Goods which would result in a change in the nature of proceeds derived from such sales;
- 13.4 AMA and the Customer agree that sections 96, 115 and 125 of the PPSA do not apply to the security agreement created by these terms and conditions.
- 13.5 The Customer consents to the registration of its name in sections 95, 118, 121(4), 130, 132(3) (d) and 132(4) of the PPSA.
- 13.6 The Customer waives their rights as a grantor and/or a debtor under sections 142 and 143 of the PPSA.
- 13.7 Unless otherwise agreed to in writing by AMA, the Customer waives their right to receive a verification statement in accordance with section 157 of the PPSA.
- 13.8 The Customer must unconditionally indemnify any actions taken by AMA under clauses 13.3 to 13.5.
- 13.9 Subject to any express provisions to the contrary nothing in these terms and conditions is intended to have the effect of contracting out of any of the provisions of the PPSA.
14. **Security and Charge**
- 14.1 In consideration of AMA agreeing to supply the Goods, the Customer charges all of its rights, title and interest (whether joint or several) in any land, realty or other assets capable of being charged, owned by the Customer either now or in the future, to secure the performance by the Customer of its obligations under these terms and conditions (including, but not limited to, the payment of any money).
- 14.2 The Customer irrevocably assigns to AMA from and against all AMA's costs and disbursements including legal costs on a solicitor and own Customer basis incurred in exercising AMA's rights under this clause.
- 14.3 The Customer irrevocably appoints AMA and each director of AMA as the Customer's true and lawful attorney(s) to perform all necessary acts to give effect to the provisions of this clause 14 including, but not limited to, signing any document on the Customer's behalf.
15. **Defects, Warranties and Return, Competition and Consumer Act 2010 (CCA)**
- 15.1 The Customer must ensure the Goods on delivery and must within seven (7) days of delivery notify AMA in writing of any evident defect/damage, shortage in quantity, or failure to comply with the description or quote. The Customer must notify any other alleged defect in the Goods as soon as reasonably possible after any such defect becomes evident. Upon such notification the Customer must allow AMA to inspect the Goods.
- 15.2 Under applicable State, Territory and Commonwealth Law (including, without limitation the CCA), certain statutory implied warranties and warranties (including, without limitation the statutory guarantees under the CCA) may be implied into these terms and conditions (**Non-Excluded Guarantees**).
- 15.3 AMA acknowledges that nothing in these terms and conditions purports to modify or exclude the Non-Excluded Guarantees.
- 15.4 Except as expressly set out in these terms and conditions or in respect of the Non-Excluded Guarantees, AMA makes no warranties or other representations under these terms and conditions including but not limited to the quality or suitability of the Goods. AMA's liability in respect of these warranties is limited to the fullest extent permitted by law.
- 15.5 If the Customer is a consumer within the meaning of the CCA, AMA's liability is limited to the extent permitted by section 64A of Schedule 2.
- 15.6 If AMA is required to replace the Goods under this clause or the CCA, but is unable to do so, AMA may refund any money the Customer has paid for the Goods.
- 15.7 If the Customer is not a consumer within the meaning of the CCA, AMA's liability for any defect or damage in the Goods is:
 - (a) limited to the value of any express warranty or warranty card provided to the Customer by AMA at AMA's sole discretion;
 - (b) limited to any warranty to which AMA is entitled, if AMA did not manufacture the Goods; or
 - (c) otherwise negated absolutely.
- 15.8 Subject to this clause 15, returns will be accepted provided that:
 - (a) the Customer has complied with the provisions of clause 15.1; and
 - (b) AMA has agreed that the Goods are defective; and
 - (c) the Goods are returned within a reasonable time at the Customer's cost (if that cost is not significant); and
 - (d) the Goods are returned in a close condition to that in which they were delivered as is possible.
- 15.9 Notwithstanding clauses 15.1 to 15.8 but subject to the CCA, AMA shall not be liable for any defect or damage which may be caused or partly caused by or arise as a result of:
 - (a) the Customer failing to properly maintain or store any Goods;
 - (b) the Customer using the Goods for any purpose other than that for which they were designed;
 - (c) the Customer continuing the use of any Goods after any defect became apparent or should have become apparent to a reasonably prudent operator or user;
 - (d) the Customer failing to follow any instructions or guidelines provided by AMA;
 - (e) fire, war, nuclear, any accident, or act of God.
- 15.10 Notwithstanding anything contained in this clause if AMA is required by a law to accept a return then AMA will only accept a return on the conditions imposed by that law.
16. **Intellectual Property**
- 16.1 Where AMA has designed, drawn or developed Goods for the Customer, then the copyright in any designs and drawings and documents shall remain the property of AMA.
- 16.2 The Customer warrants that all designs, specifications or instructions given to AMA will not cause AMA to infringe any patent, trademark or other intellectual property rights of the Customer or the Customer's agent and the Customer agrees to indemnify AMA against any action taken by a third party against AMA in respect of any such infringement.
- 16.3 The Customer agrees that AMA may use any copyright for the purposes of marketing or entry into any competition, any documents, designs, drawings or Goods which AMA has created for the Customer.
17. **Default and Consequences of Default**
- 17.1 Interest on overdue invoices shall accrue daily from the date when payment becomes due until the date of payment, at a rate of two and a half percent (2.5%) per calendar month (and at AMA's sole discretion such interest shall compound monthly at such a rate after as well as before any judgment.
- 17.2 If the Customer owes AMA any money the Customer shall indemnify AMA from and against all costs and disbursements incurred by AMA in recovering the debt (including but not limited to external administration fees, legal costs on a solicitor and own Customer basis, AMA's collection agency costs, and bank disbursement fees).
- 17.3 Without prejudice to any other remedies AMA may have, if at any time the Customer is in breach of any obligation (including those relating to payment) under these terms and conditions AMA may suspend or terminate the supply of Goods to the Customer. AMA will not be liable to the Customer for any loss or damage the Customer suffers because AMA has exercised its rights under this clause.
- 17.4 Without prejudice to AMA's other remedies at law AMA shall be entitled to cancel all or any part of the order of the Customer which remains unfulfilled and all amounts owing to AMA shall, whether or not due for payment, become immediately payable if:
 - (a) any money payable to AMA becomes overdue, or in AMA's opinion the Customer will be unable to make a payment when it falls due; or
 - (b) the Customer becomes insolvent, convenes a meeting with its creditors or proposes or enters into an arrangement with creditors, or makes an assignment for the benefit of its creditors; or
 - (c) a receiver, manager, liquidator (provisional or otherwise) or similar person is appointed in respect of the Customer or any asset of the Customer.
18. **Compliance with Laws**
- 18.1 The Customer and AMA shall comply with the provisions of all statutes, regulations and bylaws of government, local and other public authorities that may be applicable to the works.
- 18.2 The Customer shall obtain (at the expense of the Customer) all licenses and approvals that may be required for the works.
- 18.3 The Customer agrees that the site will comply with any occupational health and safety laws relating to building/construction sites and any other relevant safety standards or legislation.
19. **Dispute Resolution**
- 19.1 If a dispute arises between the parties to this contract then either party shall send to the other party a copy of a dispute in writing adequately identifying and providing details of the dispute. Within fourteen (14) days after service of a notice of dispute, the parties shall confer at least once, to attempt to resolve the dispute. At any such conference each party shall be represented by a person having authority to agree to a resolution of the dispute. In the event that the dispute cannot be so resolved either party may by further notice in writing delivered by hand or sent by certified mail to the other party refer such dispute to arbitration.
 - (a) referred to a single arbitrator to be nominated by the President of the Institute of Arbitrators Australia; and
 - (b) conducted in accordance with the Institute of Arbitrators Australia Rules for the Conduct of Commercial Arbitration.
20. **Cancellation**
- 20.1 AMA may cancel any contract to which these terms and conditions apply or cancel delivery of the Goods any time before the Goods are delivered by giving written notice to the Customer. On giving such notice AMA shall repay to the Customer any money paid by the Customer for the Goods. AMA shall not be liable for any loss or damage whatsoever arising from such cancellation.
- 20.2 In the event that the Customer cancels delivery of Goods the Customer shall be liable for any and all loss incurred (whether direct or indirect) by AMA as a direct result of the cancellation (including, but not limited to, any loss of profits).
- 20.3 Cancellation of orders for Goods made to the Customer's specifications, or for non-stock items, shall definitely not be accepted once production has commenced, or an order has been placed.
21. **Privacy Act 1988**
- 21.1 The Customer agrees for AMA to obtain from a credit reporting agency a credit report containing personal credit information about the Customer in relation to credit provided by the Customer.
- 21.2 The Customer agrees that AMA may exchange information about the Customer with those credit providers either named as trade referees by the Customer or named in a consumer credit report issued by a credit reporting agency for the following purposes:
 - (a) to assess an application by the Customer; and/or
 - (b) to notify other credit providers of a default by the Customer; and/or
 - (c) to exchange information with other credit providers as to the status of this credit account, where the Customer is in default with other credit providers; and/or
 - (d) to assess the creditworthiness of the Customer.
- 21.3 The Customer understands that the information exchanged can include anything about the Customer's creditworthiness, credit standing, credit history or credit capacity that credit providers are allowed to exchange under the Privacy Act 1988.
- 21.4 The Customer consents to AMA being given a consumer credit report to collect overdue payment on commercial credit (Section 18K (1) (b) Privacy Act 1988).
- 21.5 The Customer agrees that personal credit information provided may be used and retained by AMA for the following purposes (and for other purposes as shall be agreed between the Customer and AMA or required by law from time to time):
 - (a) the provision of Goods; and/or
 - (b) the marketing of Goods by AMA, its agents or distributors; and/or
 - (c) analysing, verifying and/or checking the Customer's credit, payment and/or status in relation to the provision of Goods; and/or
 - (d) processing of any payment instructions, direct debit facilities and/or credit facilities requested by the Customer; and/or
 - (e) enabling the daily operation of Customer's account and/or the collection of amounts outstanding in the Customer's account in relation to the Goods.
- 21.6 AMA may disclose information about the Customer to a credit reporting agency for the following purposes:
 - (a) to obtain a consumer credit report about the Customer;
 - (b) to obtain the credit reporting agency to create or maintain a credit information file containing information about the Customer;
 - (c) to provide information to the credit reporting agency may include:
 - (i) personal particulars (the Customer's name, sex, address, previous addresses, date of birth, name of employer and driver's licence number);
 - (ii) details concerning the Customer's application for credit or commercial credit and the amount requested;
 - (iii) advice that AMA is a current credit provider to the Customer;
 - (iv) details of any overdraft accounts, loan repayments, and/or any outstanding monies owing which are overdue by more than sixty (60) days; and for which debt collection action has been started;
 - (v) that the Customer's overdue accounts, loan repayments and/or any outstanding monies are no longer overdue in respect of any default that has been listed;
 - (vi) information that, in the opinion of AMA, the Customer has committed a serious credit infringement that is, fraudulently or shown an intention not to comply with the Customer's credit obligations);
 - (vii) advice that cheques drawn by the Customer for one hundred dollars (\$100) or more, have been dishonoured more than once;
 - (viii) that credit provided to the Customer by AMA has been paid or otherwise discharged.
22. **General**
- 22.1 The failure by AMA to enforce any provision of these terms and conditions shall not be treated as a waiver of that provision, nor shall it affect AMA's right to subsequently enforce that provision. If any provision of these terms and conditions shall be invalid, void, illegal or unenforceable the validity, enforceability, legality and enforceability of the remaining provisions shall not be affected, prejudiced or impaired.
- 22.2 These terms and conditions and any contract to which they apply shall be governed by the laws of the state of Victoria in which AMA has its principal place of business, and are subject to the jurisdiction of the courts of Dandenong in that state.
- 22.3 Subject to clause 15.8, AMA shall be under no liability whatsoever to the Customer for any indirect and/or consequential loss and/or expense (including loss of profits) suffered by the Customer arising out of a breach by AMA of these terms and conditions (alternatively AMA's liability shall be limited to damages which under no circumstances shall exceed the Price of the Goods).
- 22.4 The Customer shall not be entitled to set off against, or deduct from the Price, any sums owed or claimed to be owed to the Customer by AMA nor to withhold payment of any invoice because part of that invoice is in dispute.
- 22.5 AMA may license or sub-contract all or any part of its rights and obligations without the Customer's consent.
- 22.6 The Customer agrees that AMA may amend these terms and conditions at any time. If AMA makes a change to these terms and conditions, then that change will take effect from the date on which AMA notifies the Customer of such change. The Customer will be taken to have accepted such changes if the Customer makes a further request for AMA to provide Goods to the Customer.
- 22.7 Neither party shall be liable for any default due to any act of God, war, terrorism, strike, lock-out, industrial action, fire, flood, storm or other event beyond the reasonable control of either party.
- 22.8 The Customer warrants that it has the power to enter into this agreement and has obtained all necessary authorisations to allow it to do so, it is not insolvent and that this agreement creates binding and valid legal obligations on it.

• Budget Estimate Price

	Fixed Price
Preliminaries – excavations and reinstatement of paving etc for pipe alterations conduit installations, Colorbond fence and steel frame work for chiller unit	\$ 13,200
Decommissioning, Isolation and Removal	\$ 6,650
Controls Modifications, Graphics and Additions	\$ 7,450
Electrical	\$ 7,850
Insulation, Pipework, valves and fittings & isolation valves etc.	\$ 23,700
Balancing and NEBB Commissioning	\$ 2,750
As Built Drawings and Operation/Maintenance Manuals	\$ 750
GeoClima VHA-2084-A-CH-EC-BP-10 Chiller Unit	\$ 105,000
Cranage (Provisional Sum)	\$15,000
Water Treatment	\$ 3,650
Sub Total	\$ 186,000
GST	\$ 18,600
Total	\$ 204,600

WWW.GEOCLIMA.COM



Customer : Airmaster
Attention : Greg Woodmass
From : AM
Project : Burnie Council
Model : VHA-2760-EC
Option
Date : 23/07/2019
Internal reference : HECO139 – POS.1

GENERAL DESCRIPTION – VHA SCROLL CHILLERS & HEAT PUMPS

The aircooled chillers of the VHA series are assembled on a self-supporting metal screwed structure, painted with epoxy powder suitably treated for outdoor installation. All units are supplied completely wired and ready to be connected to the user’s plant. Prior to delivery every machine is submitted to a performance test according to the strictest norms in force, with intervention tests of all the safety systems and components installed. Each unit is available with low-speed fans and compressor sound insulation kit for installation in areas where noise emission must be extremely limited.



***Example unit shown only*



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INCLUSIONS:

- Scroll compressors
- Internally mounted anti-vibration mounts and clasps for compressor and refrigeration system.
- Reachweb GSM/sim card module for remote maintenance, alarm console and M&V suite (<https://www.geoclima.com/on-board-touch/>)
- Copper aluminium condenser coils with epoxy treatment.
- Separate brazed plate evaporator
- EC axial fans.
- Safety valves (as required by EN 378)
- Pressure switch
- Filter driers
- Sight glass
- Electronic expansion valve (equipped with backup battery for emergency closing)
- Pressure transducers
- Water temperature sensors for combined multi-purpose operation.
- Water flow differential pressure transducers and water flow switch.
- R410a
- Electrical panel with main switch, fuses, sequence phase monitor
- Electronic board for unit management by: inlet/outlet water temperatures, cooling capacity, operating hours of each compressors, high/low pressure alarms, condensing pressure regulation for all available functions.
- Commissioning (undertaken by Geoclima & Airmaster)
- Preventative maintenance (undertaken by Airmaster)
- 12 months parts & labour warranty
- Delivery to site in Burnie – curbside (normal business hours)

SPECIFIC FEATURES FOR SELECTED UNIT:

- Compressor housing with doors: Metal box for housing compressors with removable doors for inspection and service
- Inertia tank (pressurized): It's equipped with thermal insulation, closed pre-pressurized expansion vessel, air vent and drain valves, safety valve.
- Flowswitch: electromechanical type, suitable to increase the safety of flow control in the evaporator, is supplied separately to be installed by the user
- Modbus HLI
- Web management: <https://www.geoclima.com/on-board-touch/>
- Dual pump kit: Centrifugal pump, check valves, safety valve at inlet side, air bleed valve, drain valve, 1000L thermally lined buffer tank (pressurized). Pump suitable for up to 250kPa ext. static.

Draft proposal


IMPORTANT NOTES:

- Allowable ambient air temperature during operation: -10 °C / + 45 °C
- Allowable ambient air temperature during transport: -10 °C / + 45 °C
- All specifications are subject to change without notice from the manufacturer
- The installation must be in accordance with regulations, and laws valid at the installation site
- For proper operation of the unit, respect all the indications from the instruction manual, use it inside the operating limits, maintain a constant flow of water on evaporator and guarantee an adequate volume of water commensurate to unit capacity (3...15 L/kW - lower the number of unit steps and greater the required volume - contact manufacturer for further details)
- The standard unit is supplied only suitable for constant water flows to the exchangers. The indicated water flows must be guaranteed by the user by calibrating the pressures appropriately and using any balancing valves when necessary. The unit is able to start integrated or remote pumps. Variable flow to heat exchangers, are possible only when expressly indicated in the offer documents.
- When variable water flows to the unit's exchangers are required (and technically it is possible to realize), the specifications must all be strictly agreed and confirmed in detail before the order, so that, all the necessary modifications and devices can be foreseen and installed
- Weight data are with compressor's cabinet (option LN*, or XLN*) and with NO pumps or tank or partial - total heater recovery
- The dimensions do not include the footprint of hydronic connections and lifting brackets. For outdoor units, it is included even the length of the rain cover of the electrical panel
- Unit is equipped by frost protection down to -15°C, but it's mandatory to guarantee the electrical power to it
- Sound data, are with compressor's cabinet (option LN, LNX or LNT)
- If the unit is exposed to potential fire hazards, before order contact the manufacturer to fit the necessary components
- If the user hydronic circuits are equipped by appliances and systems that can enter heat to the plant, the user must ensure that this device are stopped by "safe mode" before the water entering the chiller go over the maximum temperature allowed. Maximum allowed temperature (not intended as operating limits) are: 40°C for cooling exchangers and 58°C for heating exchangers. If the high-water temperature risk is not eliminated, contact chiller manufacturer before order the unit, for agree and provide all necessary safety devices
- The heat exchangers require water free from impurities or dirt and with chemical characteristics within allowable limits (see manual for further details) - If this requirement are not verified, it's necessary install an (or more) auxiliary heat exchanger to separate the user's hydronic circuits from chiller. If the working temperature of the water falls below 5°C, it is mandatory to use non-freezing mixtures that guarantee a differential of at least 5°C between the working point and the freezing point
- In case of special unit with shell and tube evaporator or double pump, the inertia tank (option T) could be external to the unit, and the unit dimensions, compared to the table data, will be increased
- Units have limitation for maximum and minimum outdoor air temperature: before order, check the outdoor temperature limits of installation site, to verify the operating limits of the unit
- Max operating pressure of hydronic circuits PS= 6 bar (for some pump hydronic kit it's reduced down to 4 bar)

SPECIFIC FEATURES FOR SELECTED UNIT:

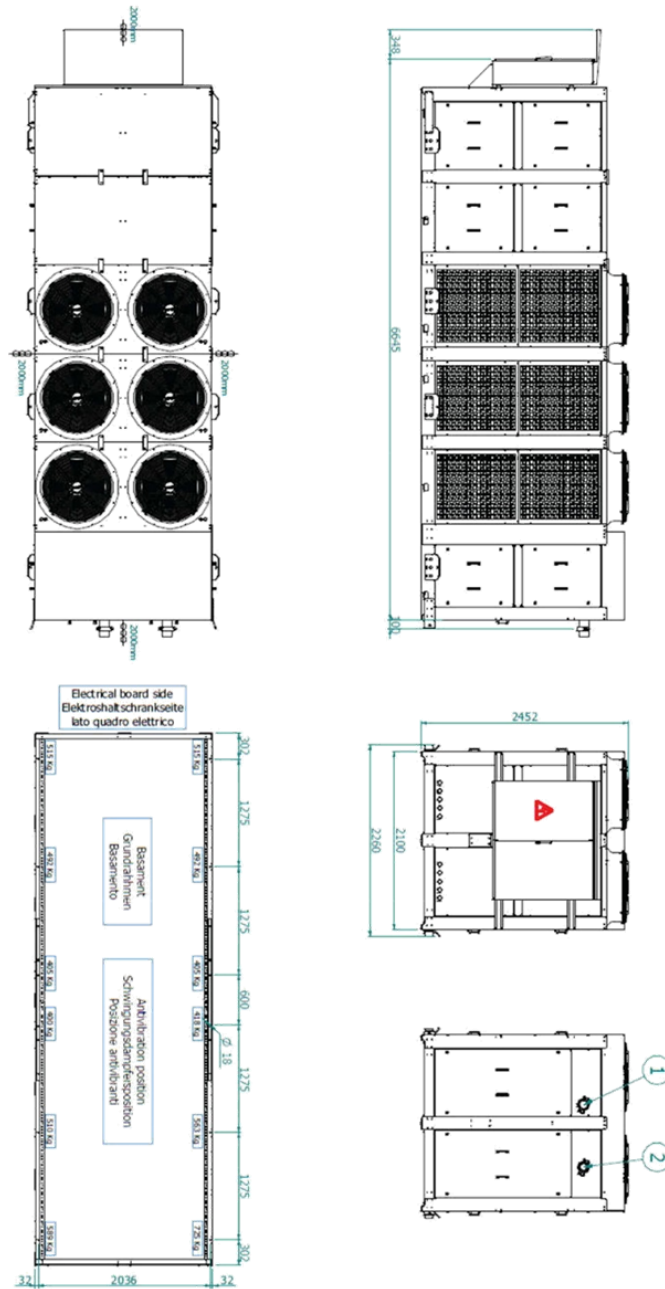
- Epoxy coated condenser coils
- Compressor housing with doors: Metal box for housing compressors with removable doors for inspection and service
- Flow switch: electromechanical type, suitable to increase the safety of flow control in the evaporator, is supplied separately to be installed by the user
- Inertia tank (pressurized): It's equipped with thermal insulation, closed pre-pressurized expansion vessel, air vent and drain valves, safety valve. If length increase of standard unit is required, these is highlighted in the final notes
- Variable speed pump (inverter): additional option, able for the correct delivery pressure calibration of the normal pump - the primary circuit always remains at constant flow
- Anti-vibration supports type with rubber dumping element
- Modbus HLI
- Web management: Allows the visualization via WEB of the main working variables of the unit, historical alarms, reset of the alarms, possibility to software remote update, it is provided standard with a 3G modem
- Special version: the particular features are described at the end of this document
- Double pump kit with buffer tank; Centrifugal pumps, check valves, safety valve at inlet side, air bleed valve, drain valve, 1000L lined buffer tank.

Series : VHA R410A

VHA / 01 HP PRELIMINARY TECHNICAL DATA					
		<i>Summer mode</i>		<i>Winter mode</i>	
Design data :					
Cooling Capacity	kW	250.4			
Heating Capacity				288.6	
Ambient Temperature	°C	30		0	
Refrigerant Circuits	n°			2	
Capacity Steps	n°			4	
Sound pressure (free field)	dB(A) -10m	60		58	
Altitude	m			0	
Evaporator Fouling Factor	m2K/W			0.000043	
Power circuit voltage	V/Hz/Ph			400-3-50	
Control circuit voltage	V/Hz/Ph			230-1-50	
Refrigerant	Type			R410A	
Compressor	Type			Scroll	
Chiller performance :					
Entering Fluid Temp.	°C	12		44,2	
Leaving Fluid Temp.	°C	7		50	
Ethyl. Glycol	%			0.00	
Water Flowrate	m3/h	42,93		42,93	
Water Pressure Drop	KPa	48		#VALUE!	
Chiller Connections	"			2 X 3"	
Compressors :					
N° of Compressors	n°	2	2	2	2
Nominal Power Input (each)	kW	18.6	15.2	21.5	17.7
Running Current (each)	A	33	26.6	36.8	29.9
Max Current (each)	A	62	51	62	51
Starting Current (each) soft starter	A	260	215	260	215
Reverseble coil :					
Type	Type	finned coil			
Pipe material	Type	Copper			
Fins material	Type	Alluminium			
Fan Section :					
Fans	type	Axial EC 800			
Fans Quantity	n°	4			
Total Fans Airflow	mc/h	88000.00		68000.00	
Total Fans Motor Power Input	kW	7.0		3.5	
Total Fans Circuit Amperes	A	14.8		6.0	
Heat exchanger :					
Quantity	n°	1			
Type	Type	plate to plate dual			
Electrical data :					
Minimum/Maximum Voltage	V - V	380 + 415		380 + 415	
Total Power Input	kW	74.6		46.5	
Total Running Current	A	134.0		79.6	
Total Max Current	A	240.8		130.0	
Total Starting Current	A	361.0		302.8	
TP section:					
Tank	Lt	750			
Pump	qty/type	1+1 fixed speed			
Power input	kW	5.50			
Running Current	A	11			
Available ext pressure	kpa	220			
Physical Data :					
Length with electrical cabinet	mm	5560			
Width	mm	2100			
Height	mm	2505			
Shipping Weight approx	Kg	3789			



Drawing



01/10/2018

REF.BOX Api v1.6 - DB 122



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The Geoclimate Group

HECOCLIMA Heating & Cooling Solutions
GEOFLANGE Air-tight practical
clima tech a brand of summer
GEOSERVICE A Canadian leader
everest energy performance management
CROM

For contacts and information, please visit
www.geoclimate.com

LAND AND ENVIRONMENTAL SERVICES**AO248-19 POLICY REVIEW - DOG MANAGEMENT POLICY CP-CBS-SG-032**

FILE NO: 21/13/4, 4/14/2
PREVIOUS MIN: AO193-19

MAKING BURNIE 2030 – CORPORATE PLAN REFERENCE:

Direction	1	AN ATTRACTIVE PLACE TO LIVE, WORK AND PLAY
Objective	1.1	A range of vibrant, safe and attractive community spaces.
Strategy	1.1.2	Enhance the use of community spaces through initiatives to improve the feeling of safety for all ages.

1.0 RECOMMENDATION:

“THAT Council:

- 1) Receive the written submissions made during the notification period for the draft Burnie Dog Management Policy 2019; and***
- 2) Adopt the Burnie Dog Management Policy 2019, including the dog control area declarations, without modification to the draft Burnie Dog Management Policy 2019 as notified; and***
- 3) Advise people making submissions of the decision to adopt the Burnie Dog Management Policy 2019 and provide the response on each matter as detailed in this Report.”***

2.0 SUMMARY

Council is required under the *Dog Control Act 2000* to adopt a Dog Management Policy and to consider declarations of areas within which dogs are restricted or prohibited, and to review the Policy and declarations every five (5) years.

Council determined at the meeting of 16 July 2019 to exhibit and invite public submissions on a draft replacement Burnie Dog Management Policy and draft declarations for dog control areas in accordance with requirements set out in the *Dog Management Act 2000*.

Two written representations were received during the exhibition period.

Matters raised in representations identify concerns of relevance to purpose of the draft Policy and the statutory requirement for responsible dog ownership.

However, there are no matters that warrant the draft Policy and declarations be modified.

It is recommended that the draft Burnie Dog Management Policy 2019, and the draft dog control area declarations be approved.

If adopted, this policy will replace the existing *Dog Management Policy*.

3.0 BACKGROUND

The *Dog Control Act 2000* is the principle legislation for encouraging responsible dog ownership and for enabling a comprehensive and consistent regulatory approach to making dog ownership without risk or inconvenience to the community.

The *Act* requires that each council must develop a Dog Management Policy to promote responsible dog ownership within its municipal district.

The *Act* also permits a council may declare dog exercise areas, and areas within which dogs are restricted or prohibited.

The Dog Management Policy and dog control area declarations must be kept under regular review.

Preparation and review of a municipal Dog Management Policy must involve consultation with the community and any appropriate body or organisation.

A decision on the content of a Policy must have regard to any submissions received during the period of consultation.

Council first adopted a Dog Management Policy in 2004.

The Policy was reviewed in 2007, 2010, and 2014. Only minor changes were made to the Policy as a result of each review.

The Policy has operated since 2007 with only minor comment or criticism.

The Dog Management Policy is again due for review in accordance with the requirements of the *Act*.

The Council adopted a draft replacement Dog Management Policy and dog control area declarations at its meeting of 16 July 2019 when it determined -

THAT the Council-

- 1) Notify an intention pursuant to Section 7 Dog Control Act 2000 to review the Burnie Dog Management Plan 2014 in accordance with the draft circulated with this report and incorporating -***
 - a) a Code of Responsible Dog Ownership;***
 - b) Identification of Declared Areas where special restrictions or opportunities may apply for access and use by dogs;***

-
- c) *a Fee Structure containing the principles of Council with respect to the application of fees and charges established under the Act; and*
- d) *a statement with respect to its commitments for achieving and enforcing compliance with provisions of the Act.*
- 2) *Notify its intention in accordance with section 24 of the Act to renew declarations made under Sections 20, 22 and 23 of the Dog Control Act 2000 to create the following Exercise Areas, Prohibited Areas and Restricted Areas -*
- a) *Dog Exercise Areas -*
- i) *Cooee Creek Beach east of the Cooee Point access road and south to the Bass Highway alignment and limited to the sand portion below the seawall;*
- ii) *South Burnie Beach east of the Yacht Club bund to the mouth of the Emu River and limited to the foreshore area of the beach and not extending to the vegetated dune system and Bass Highway verges;*
- iii) *Wivenhoe Beach east of the Emu River mouth to the Round Hill waste water treatment plant;*
- iv) *Tioxide Beach east of Titan Point to the Blythe River;*
- v) *Shorewell Creek Reserve immediately south of View Road and only within the fenced enclosure if provided;*
- b) *Prohibited Areas -*
- i) *At all times for protection of Little Penguin and other shore feeding and nesting birds on Camdale Beach, Cooee Beach and Cooee Point from the Cam River to Cooee Creek Beach, extending from low water mark south to include the vegetated dune system to the Little Penguin fence along the Bass Highway alignment and for a distance of 30.0 m above low water mark around the seaward perimeter of Cooee Point to Cooee Creek Beach;*
- ii) *At all times for protection of Little Penguin and other shore feeding and nesting birds in the area from Red Rock Point east to and including Parsonage Point to West Beach and extending south to the alignment of the Bass Highway and North Terrace and northward to low water mark, other than if the dog is on a lead and confined to the paved Burnie Coastal Pathway;*
- iii) *At all times for protection of Little Penguin and other shore feeding and nesting birds on West Beach and Hilder Parade being the entirety of the paved, grassed, and sand area north of and including the rail corridor to low water mark from Parsonage Point east to the boundary of the Burnie Port Area and including that part of the West Beach Boardwalk east of the pedestrian access between Alexander Street and King Street; and*
- iv) *At all times for protection of native flora and fauna in accordance with status of the land as a reserve under the Nature Conservation Act 2002 in Fernglade Reserve being the whole of the riverside portion of the reserve incorporating both the*
-

upper and lower picnic areas and including the river and any pathway linking between these two areas and extending downstream to the Fernglade Bridge;

c) Restricted Areas-

- i) Any Public Reserve defined under Burnie City Public Reserve and Building By-law No 1 of 2011 within which a dog must –**
 - a) be on a lead at all times unless within that part of any reserve that has been declared under the Act as an Exercise Area; and**
 - b) not at any time be on that part of a reserve that is a sporting ground;**
- ii) Any cemetery under the care, control or management of the Burnie City Council to require a dog must be on a lead at all times and under the control of a person attending on a grave-site;**
- iii) The Burnie Coastal Pathway between Cooee Point and the Emu River to –**
 - a) exclude dogs at all times on that part of the Coastal Pathway north of the rail corridor and east of the pedestrian access to the West Beach Boardwalk located between Alexander Street and King Street and the eastern end of Hilder Parade where it adjoins the Burnie Port; and**
 - b) require a dog must be on a lead at all times on any other part of the Burnie Coastal Pathway;**
- iv) Burnie Park to exclude dogs at all times unless on a on a lead and being walked through the Park on the eastern pedestrian pathway paralleling West Park Grove between the Bass Highway and Oldaker Street;**
- v) Romaine Reserve to exclude dogs at all times from that part of the Reserve between the dam wall and the southern end of the pond, other than for dogs on a lead being walked through the Reserve along a formed walking track; and**
- vi) South Burnie Beach to exclude dogs at all times on that area north of the Coastal Pathway and between the Burnie Port and the boat ramp bund, and on the boat launching ramp and bund at South Burnie."**

The draft Policy and declarations were notified on 10 August 2019 and a period until 6 September provided during which the public could make written submissions.

4.0 LEGISLATIVE REQUIREMENTS

The applicable legislation is the *Dog Control Act 2000*.

The Act provides –

7. Dog management policy

(1) A council is to develop and implement a policy relating to dog management in its municipal area.

(2) A dog management policy is to include the following:

- (a) a code relating to responsible ownership of dogs;*
 - (b) the provision of declared areas;*
 - (c) a fee structure;*
 - (d) any other relevant matter.*
- (3) A council is to –*
- (a) invite public submissions relating to a proposed dog management policy; and*
 - (b) consult with any appropriate body or organisation; and*
 - (c) consider any submissions and results of any consultation before finalising the policy.*
- (4) A council is to review its dog management policy at least once every 5 years.*
- (5) In reviewing its dog management policy, a council is to take the actions referred to in subsection (3).*

Section 24 - Public notice of intention to declare areas

Before a council resolves to make a declaration under this Division in relation to an area, it is to –

- (a) notify, by public notice, the details of –*
 - (i) the area; and*
 - (ii) any condition relating to the use of that area; and*
 - (iii) in the case of a restricted area or prohibited area, the reasons for the declaration; and*
- (b) invite submissions to be lodged within 15 working days after the notice is published; and*
- (c) consider any submissions lodged.*

5.0 POLICY CONSIDERATIONS

A Dog Management Policy is a statement of principle and intent identifying the Council's approach to promoting responsible dog ownership, and providing a framework within which an authorised officer is to exercise statutory responsibilities and obligations in dog management and control.

A Dog Management Policy should be even-handed and seek to address any identified problem or need within the municipality

Successful dog management requires a community that is receptive to the obligations on dog owners to control and manage dog behaviour. It also requires a community acceptance of dog ownership and enjoyment as a legitimate part of a contemporary lifestyle.

A Dog Management Policy cannot embellish or diminish mandatory standards set under provisions of the Act. It cannot for example, provide for a lesser or greater range of offences

or penalties; depart from or increase any statutory standard of behaviour expected of a dog owner; or increase or reduce the criteria on which to determine whether there is an adequate level of protection from harm or nuisance to individuals and the community.

The Policy will provide guidance to management in assessing resource requirements and in applying resource allocations

6.0 FINANCIAL IMPACT

A Dog Management Policy has resource implications for the actions that are necessary to deliver compliance.

If Council is to effectively implement and monitor compliance with its statutory obligation in control of dogs, sufficient resources must be allocated to provide adequate and appropriate personnel, equipment, and pound facilities, and to support effective and efficient performance in compliance process and procedures.

The Council's annual budget provides an allocation to meet operational expenses associated with animal management responsibilities within Council's normal working hours, and in response to after-hours emergencies.

The budget allocation for municipal inspection in 2019/20 is \$237,400. The bulk of work in this area relates to dog control matters.

Revenue is anticipated at \$43,260, primarily from dog registration and kennel fees.

Fees and user charges do not offset costs; and the animal control function is supported from the General Rate.

7.0 DISCUSSION

A Dog Management Policy was first introduced in 2004. The current version of the Policy was adopted in 2014.

There is need to again review the Dog Management Policy.

The current Policy has provided guidance on responsible dog ownership and control; and is the framework for the Council's position on undertaking compliance and enforcement action.

The current Policy appears to have been generally well received by the community.

There are no matters identified through operation of the Policy that will require change in the purpose, principles or actions set out in the current Dog Management Policy.

A draft revised Dog Management Policy has been adopted for public exhibition and comment.

Minor changes have been made in drafting to improve clarity and to address typographic errors in the current document.

The draft Dog Management Policy and dog control area declarations are consistent with the purpose and content of the current Policy and declarations, and those that have preceded the current version.

There were two (2) representations received during the notification period.

(a) J and P Chatwin

Reference is made to an incident that occurred earlier this year in which a person using the Shorewell Creek walking track was bitten by a dog being walked by another person while on a lead.

It is submitted the safety of other users on footpaths and walking tracks requires dogs must be confined to the declared dog exercise area off View Road, and not be permitted on any footpath or walking trail.

Response

The incident in May 2019 was unfortunate in that it resulted in a serious injury.

The incident highlights the importance for dog owners to use a high level of care and control over dogs while on a public footpath, and to show and execute respect for the safety of others using the walking trail network.

Council's policy in provision of walking tracks is to make them available for use by all members of the public, including for the walking of dogs while on a lead.

The draft Dog Management Policy and dog control area declarations do not propose a prohibition on dogs being walked on Council provided footpaths and walking tracks.

It is open for Council to declare all walking trails to be places on which dogs are prohibited.

Any consideration of a prohibition requires careful consideration for the interests and risk to the general public against the ability of dog owners to exercise and enjoy the companionship of their animals while walking on a public footway.

Any proposal to modify the Policy and declarations to include a prohibition on walking of dogs on public footpaths and walking tracks would be a significant change to the notified draft.

If supported, an amended draft Policy and declarations must be re-notified, and further public comment must be provided.

(b) G Palmer

Requests –

- (i) Declaration of an on-lead dog exercise beach;
- (ii) Provision of more dog-waste bags at dog exercise areas

Response

(i) On-lead Dog Exercise Beach

Off-lead dog exercise areas are currently provided at Cooe, South Burnie, Wivenhoe and Toxide beaches.

Other beaches within the municipal area at West Beach and South Burnie Beach (Yacht Club) are prohibited to dogs for reasons of public safety and convenience and for protection of shorebirds.

Purpose of an off-lead area is to allow the dog an opportunity to run freely.

A requirement to keep dogs on a lead while on a dog exercise beach may be viewed as counterproductive to the purpose of a dog exercise beach.

There is a fenced dog exercise area within the Shorewell Creek corridor off View Road.

Use of an off-lead dog exercise area does exempt the dog owner from a responsibility to keep the dog under effective control at all times.

It is an offence for a dog to attack or menace a person or any animal or bird, including other dogs.

The State government is currently contemplating amendments to the *Dog Control Act 2000* that will significantly increase penalties on the dog owner for taking or allowing a dog into a prohibited wildlife protection area, and create a new offence of a dog attacking wildlife of a kind and in any location specified by the Minister.

The purpose of the amendment is to provide a greater deterrent to unlawful use of prohibited dog areas; and may limit the beaches available for use as dog exercise area or the means by which such beaches are used.

(ii) Dog Waste Bags

It is an offence under the Act for a person in charge of a dog to fail to immediately remove and dispose of faeces left by a dog in a public place.

The Act creates an obligation for the person in charge of a dog to anticipate likelihood of a need to immediately remove faeces and implies they are required to go equipped for that purpose while having their dog in a public place.

The Council provides dog waste bags and disposal bins in a number of key access and use locations along both the coastal and creek pathway systems, and at the View Road dog exercise area, as a courtesy and convenience to dog owners.

However, the provision by the Council of bags and bins does not diminish the responsibility on a dog walker to make their own arrangements.

Reliance should not be placed on Council to provide bags and disposal bins in order to enable the dog walker to discharge their statutory responsibility and immediately remove any waste left by a dog in a public place or a place not owned by the dog walker.

The submissions do not raise matters that warrant the draft Dog Management Policy 2019 or the draft dog control area declarations be rejected.

Any amendment to prohibit walking of dogs on a footpath of walking track is significant, and will require the Policy and declarations be redrafted and re-exhibited.

8.0 RISK

The following table identifies relevant risks that are relevant to dog management and how they may need to be addressed in a Dog Management Policy to either eliminate or reduce such risks.

Risk Category	Risk identified	Ways to eliminate or reduce the risk
Assets and infrastructure	Access by dogs to sporting fields and other use areas within a reserve has potential to foul or disturb ground surfaces and present likely health, safety and amenity risk to users	Declare a Restricted Area in accordance with section 23 of the Act to exclude dogs from sports grounds and from high-use passive recreation areas
Corporate business systems	Systems cannot establish whether a dog is currently registered or provide information on the status of a breach or other dog control matter	Maintain current registers within the Council's corporate business systems
Emergency management	Dogs causing likely or actual harm to people or animals	Seize a dog that has bitten, menaced or harassed a person or animal, and consider declaration of the dog to be a dangerous dog in order that it is housed and managed in a manner to minimize further risk
Environmental	Dogs create nuisance through persistent barking or by fouling public places	Investigate each alleged nuisance and initiate appropriate action in accordance with section 49 and 50 of the Act

Risk Category	Risk identified	Ways to eliminate or reduce the risk
Financial	The cost of dog control will be unreasonable	Set fees and charges for registration of dogs. Recover the cost of seizure and detention of dogs, and for any successful prosecution, from the dog owner. Apply the most cost effective approach to achieve compliance and to rectify a known breach
Political	Council is inadequate or inconsistent in the manner by which it enforces compliance and investigates or deals with allegations of a breach Council is overly restrictive in the public areas from which dogs are excluded or constrained	Provide sufficient information to the community and to persons making a complaint to identify the powers available to a council and the circumstances in which they may be used Provide sufficient information as part of the community consultation process to explain the reasons for why dogs are prohibited or restricted in specific areas
Public Safety	Dogs at large are likely to attack or create a nuisance to people and animals	Respond to reports of dogs at large, and seize animals whenever possible if not able to return them immediately to their registered address
Strategic	A decline in responsible dog ownership	Provide sufficient information to advise dog owners of their responsibilities and of the penalties that may apply in the event of non-compliance
Regulations and Compliance	Council does not adequately undertake its responsibilities to enforce compliance	Allocate sufficient resources to train, equip, and deploy staff with the capacity to reasonably monitor for and enforce compliance
Workers	Staff are at risk from dogs and people while engaged in dog control duties	Train and equip staff to handle dogs and the community in a safe and respectful manner

There is risk that the Council's decision on the draft Dog Management Policy may not satisfy people who have made a submission.

The Council's obligation is to *"consider any submissions and the results of any consultation before finalising the Policy"*.

It is not incumbent on the Council to agree with any matter or to make the modifications requested.

This Report provides a copy of each submission in its original form, and addresses the issues raised.

There is no appeal on the Council's decision other than a general statutory right to have the process of the decision reviewed for procedural fairness.

9.0 CONSULTATION

This report has been prepared following consultation with the relevant officers of the Council.

Broader consultation has also occurred through the public notification process.


ATTACHMENTS

1. [Submission G Palmer](#)
2. [Submission J and P Chatwin](#)
3. [DRAFT Dog Management Policy CP-CBS-SG-032](#)

COUNCIL RESOLUTION**Resolution number: MO264-19****MOVED:** Cr T Bulle**SECONDED:** Cr K Dorsey***“THAT Council:***

- 1) Receive the written submissions made during the notification period for the draft Burnie Dog Management Policy 2019; and***
- 2) Adopt the Burnie Dog Management Policy 2019, including the dog control area declarations, without modification to the draft Burnie Dog Management Policy 2019 as notified; and***
- 3) Advise people making submissions of the decision to adopt the Burnie Dog Management Policy 2019 and provide the response on each matter as detailed in this Report.”***

For: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.**Against:*****CARRIED UNANIMOUSLY***

From: 
Sent: Monday, 2 September 2019 2:22 PM
To: burnie
Subject: Re Dog Management proposal Remarks

Remarks concerning restricted dog exercise areas.

*1. Could a beach area in please be set aside where it is only for dogs on leads..off leash dogs often uncontrolled frighten our small dog, we have him on an extender lead always but cannot take him to a dog exercise area for reasons cited.

2. Please bags at all these sites..we use many dont.

*PS In Sydney Roselle area thay have a beautiful park where people can take dogs...all on a lead..all have fun..water to play in..picnic area for families and a kiosk...its a great idea and works well because ALL dogs on a lead there.

They are family members and its nice to include in family outings. This proposal Is not allowing for that..it is pushing dogs out of sight.

Thankyou
G Palmer

Sent from my SAMSUNG Galaxy S7 edge on the Telstra Mobile Network

CANINE
30/8/19
930802

Peter and Jenny Chatwin

Withheld for Privacy

Withheld for Privacy



DOG MANAGEMENT POLICY

General Manager
Burnie City Council

We as rate payers and long time residents of Burnie have great concern for walkers, bike riders and recreational users adults and children in our parks and on walking tracks in our area.

We don't believe that it is safe for either walkers/bike riders young or elderly to use our walking tracks in the area due to irresponsible dog owners who use these tracks for walking their dogs big and small tame and savage!

Even on leads these dogs are not safe as most owners do not have their dog or dogs under control, how can they when the leads are a couple of metres long! this is NOT UNDER CONTROL! As Peter found out!

On Friday 26th May 2019, this year, Peter was on his daily walk on the walking track between Ogden Street and the Three Mile Line when he meet another walker leading two dogs, he had what appeared to be a piece of pipe with the dogs leads wrapped around the centre, each leads was a couple mts in length, as Peter and the dog owner passed each other they both said 'good day' then the next thing Peter knew one of the dogs had swung around and latched onto the calf of his right leg and as the the owner was trying to get this dog off Peters leg the other dog was coming in for his go!! A very nasty experience for anyone, but if this had have been a child and not an adult the end result could have been a lot more serious, could have resulted in the child being maimed for life or even death!!

As a result of this Peter spent the rest of the day and over night in the Burnie hospital where he had a IV line put in his arm for heavy antibiotics as it was a dog bite, then was transferred to Launceston General Hospital where he under went surgery to clean the wound and to have a skin graft, over thirty staples, he spent 5 days in the Launceston Hospital, two of which he was not allowed out of bed, then only out for toilet, and came home in a surgical boot, the district nurses dressed his leg every second day and he had to go back to Launceston to have staples out! this wasn't the end of it he had reoccurring infections and many trips to the Doctor and is left with a huge scare on the calf of his leg and one on his thigh, the skin donor area, so yes we do know what we are talking about!

And we have been told that dog attacks in Burnie are one of the Dog controlers main areas of work< and do know that the day they came for our statements they had two other dog attacks to go to that same afternoon.

These walking tracks and parks should be for walkers to enjoy and feel safe on at all times NOT be looking out for their safety due to irresponsible dog owners!

There is a good council dog exercise compound at the 'old tip sight' and this is where dogs should be exercised!

AND NO! We are not dog haters we have had some awesome dogs over the years big and small, BUT we were responsible dog owners, respected other peoples right to enjoy the outdoors and feel safe while doing so!

Jenny & Peter Chatwin



COUNCIL POLICY

Dog Management Policy (Draft)

Approved By: Council
 Doc Controller: Executive Manager
 Corporate Governance
 File: 4/14/2

Document Code: CP-CBS-SG-032
 Version: 6.0
 Approved Date: TBC
 Next Review Date: 16 Jul 2024

1 PURPOSE

Council must develop and implement a Dog Management Policy detailing how it will provide dog management within the Burnie municipal district in accordance with the requirements of the *Dog Control Act 2000*.

Council recognises dog ownership for assistance, companionship or business reasons is an established and constructive part of life for many people in the Burnie community.

The *Dog Control Act 2000* provides a regulatory framework for balancing the rights and responsibilities of dog owners against the rights and expectations of the community at large to be free from likely risk of threat, harm and nuisance caused by dogs.

The *Dog Control Act 2000* makes a dog owner responsible for the actions and behaviour of their dog, and creates a number of obligations on the owner to register and control that dog. A failure to satisfy such obligations may be an offence.

The *Dog Control Act 2000* appoints a Council as the principle authority for ensuring dogs are not a threat to the health and safety of the community within its municipal district.

The Act requires that each Council must provide information to its community to assist responsible dog ownership.

A Council must take all reasonable measures to enforce compliance to the requirements of the Act and to remedy any known breach.

2 OBJECTIVE

The objective of the Dog Management Policy is to provide an operational framework for the actions necessary to meet the Council's statutory obligations and responsibilities to ensure dog ownership within the municipality –

- a) minimises likely risk of threat of harm to the amenity and safety of the community; and
- b) facilitates the pleasures and benefits of dog ownership in a responsible and harmonious manner

3 SCOPE

The Dog Management Policy will -

- a) provide information on responsible dog ownership;
- b) assist administration and enforcement of compliance to the *Dog Control Act 2000*;
- c) identify areas for exercise of dogs;



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- d) identify areas where dogs are restricted or prohibited;
- e) identify the fees and charges to be applied to assist with funding of dog management responsibilities; and
- f) identify the Burnie City Council's approach to dog management and control.

4 POLICY**4.1 Code of Responsible Dog Ownership**

Responsible dog ownership requires the owner of a dog or the person responsible for a dog within the meaning of section 7 of the Act must accept full responsibility for meeting all the care and attention needs of a dog and for ensuring the dog does not become a threat or nuisance to the safety or welfare of any other person or animal.

The Code for Responsible Dog Ownership is advisory, and does not replace any obligation under any law relating to the ownership or care of an animal.

Compliance to the Code will assist to increase the enjoyment from owning a dog, and will enable other persons to equally enjoy being a resident or visitor to Burnie.

Responsible dog ownership requires a person –

- a) Select a breed and temperament of dog that meets their personal needs and that is best suited to the nature of their budget, lifestyle, household composition, and the premises and location where the owner lives.

The Act identifies certain breeds to be *restricted breeds*; and requires specific additional control and management measures must be applied for dogs of these breeds.

The following are restricted breeds –

- i) *dogo Argentino*;
- ii) *fila Brasileiro*;
- iii) *Japanese tosa*;
- iv) *American pit bull terrier* or *pit bull terrier*;
- v) *Perro de Presa Canario* or *Presa Canario*;
- vi) any other breed, kind or description of dog whose importation into Australia is prohibited by or under the *Customs Act 1901* of the Commonwealth.



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Dog Management Policy (Draft)

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- b) Provide a dog with proper health care and attention, sufficient exercise, appropriate training, and with adequate food, water and shelter.
- c) Acquire and apply adequate knowledge of the requirements for proper care and management of a dog.

The RSPCA, Tasmanian Canine Defence League, veterinary practitioners, and training and kennel organisations are good sources of information of how to keep a dog safe, happy and healthy.

- d) Register a dog with the council when it reaches six months of age, and renew the registration annually

The Council must be informed of any change in ownership or address of the dog, and of the loss or the death of a dog.

- e) Micro-chip a dog with an approved microchip and provide the details required by Regulation 3A before it reaches six months of age.
- f) Obtain a kennel license if more than 2 dogs or more than 4 working dogs are kept on a property.
- g) Make sure a dog is wearing a collar and a registration disc whenever in a public place.
- h) Recognise that not all people like or feel comfortable with dogs, and that such people have a right not to feel threatened or inconvenienced by a dog.
- i) Keep a dog under effective control at all times.

The premises at which a dog lives must be adequately fenced or an enclosure provided to prevent the dog from wandering onto other property, a road, or any other public or private place.

A dog must be on a lead and in the care of a responsible person when on any road or footpath or in a Council reserve, unless the Reserve is a declared dog exercise area.

A dog must respond immediately to commands if not on a lead when in a declared free-run dog exercise area.

Particular requirements apply for identification and control of guard dogs, and any dog declared under the Act to be a dangerous dog.

- j) Make sure a dog is not in a place where a dog is prohibited, including in a school or playground.
- k) Immediately clean-up any mess, including faeces, caused by a dog in a public place.
- l) Make sure a dog does not create a nuisance to any person by persistent or loud barking or by behaving in a manner that causes inconvenience or interference to another person's peace,



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comfort or enjoyment of any place or premises, including by chasing any person, animal, car or bicycle.

- m) Make sure a dog is not allowed, encouraged or provoked to threaten, attack, harass, endanger or otherwise cause apprehension or distress to any person or to any agricultural, domestic or native animal when in a public place or to any person having business on your property.
- n) Acknowledge the Burnie City Council has authority to require compliance to the standards and regulations for responsible dog ownership, and that the Council may be required to take action against an owner or a dog under the *Dog Control Act 2000* for any breach of a regulatory requirement.
- o) Comply with the requirements of the *Dog Control Act 2000* and with any declaration or direction of an authorized person with respect to a dog; and
- p) Comply with any other legislative requirement relating to the care or treatment of an animal and to the protection of the safety and convenience of the community, including the *Animal Welfare Act 1993*.

4.2 Declared Areas

Council may declared areas within its municipal district and under its care, control or management to be locations where –

- (a) a dog may exercise without being on a lead; and
- (b) a dog is restricted or prohibited.

Declaration must be made in accordance with requirements of the *Dog Control Act 2000* following a period of community consultation and consideration of comments.

Declared areas to restrict or prohibit dogs do not apply for a guide dog or a hearing dog as defined by the *Guide Dogs and Hearing Dogs Act 1967* or for a dog training to be a guide dog or a hearing dog.

The Council has made the following declarations in accordance with the *Dog Control Act 2000* –

a) Dog Exercise Areas

Dog Exercise Areas are for the exercise or training of dogs at sites reasonably accessible to dog owners and in locations attractive to use by dog owners and where conflict with other users and values can be minimised.

Dog Exercise Areas are shown on the map attached to this Policy.



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A dog not on a lead in a declared exercise area must be under effective control in accordance with section 4(3) of the Act¹

Use of Exercise Areas must be without exclusion, threat or inconvenience for other dogs. The owner must immediately address excessive barking, aggressive or nuisance behaviour, and deposition of faeces.

Dog exercise areas are declared at –

- i) **Cooee Creek Beach** east of the Cooee Point access road and south to the Bass Highway alignment and limited to the sand portion below the seawall;
- ii) **South Burnie Beach** east of the Yacht Club bund to the mouth of the Emu River and limited to the foreshore area of the beach and not extending to the vegetated dune system and Bass Highway verges;
- iii) **Tioxide Beach** east of Titan Point to the Blythe River;
- iv) **Shorewell Creek Reserve** immediately south of View Road and only within the area indicated by signs and within the fenced enclosure; and
- v) **Wivenhoe Beach** from the Emu River to the Round Hill Waste Water Treatment Plant and north of the base of the abutment to the Bass Highway

b) Prohibited Area

- i) Dogs are prohibited in accordance with the *Dog Control Act 2000* at all times within the following places –
 - a. Any grounds of a school, preschool, crèche or other place where there is a presence of children unless with the permission of the person in charge of the place;
 - b. Any shopping centre or any shop unless a pet shop, veterinary surgery, pet grooming shop, or other premises related to the care and management of dogs;
 - c. The grounds of any swimming pool;
 - d. Any playing area of a sportsground on which sport is being played; or
 - e. Any area within 10 m of a children's playground.
- ii) any location where it is necessary to provide protection for native wildlife, with particular emphasis on habitat of the Little Penguin, and river and streamside reserves.

¹ Effective control means the dog must at all times be in close proximity to the person, in sight of the person, and immediately responsive to the person's commands



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Dogs are prohibited in the Burnie municipal area –

- a. At all times for protection of Little Penguin and other shore feeding and nesting birds on **Camdale Beach, Cooee Beach and Cooee Point** from the Cam River to Cooee Creek Beach, extending from low water mark to include that part of the vegetated dune system south to the Little Penguin fence along the Bass Highway alignment and from low water mark to a distance of 30.0 m above high water mark around the seaward perimeter of Cooee Point to Cooee Creek Beach;
- b. At all times for protection of Little Penguin and other shore feeding and nesting birds in the area from Red Rock Point east to and including Parsonage Point to West Beach and extending south to the alignment of the Bass Highway and North Terrace and northward to low water mark, other than if the dog is on a lead and confined to the paved Burnie Coastal Pathway;
- c. At all times for protection of Little Penguin and other shore feeding and nesting birds on **West Beach and Hilder Parade** being the entirety of the paved, grassed, and sand area north of and including the rail corridor to low water mark from Parsonage Point east to the boundary of the to Burnie Port and including that part of the West Beach Boardwalk east of the pedestrian access between Alexander Street and King Street; and
- d. At all times for protection of native flora and fauna in accordance with status of the land as a reserve under the *Nature Conservation Act 2002* in **Fernglade Reserve** being the whole of the riverside portion of the reserve incorporating both the upper and lower picnic areas and including the river and any pathway linking between these two areas and extending downstream to the Fernglade Bridge;

c) Restricted Areas

Access by dogs is restricted or excluded under certain circumstances or conditions for purposes of protecting the amenity, convenience and safety of other persons or activity, whether –

- i) On a permanent basis in areas of high and regular levels of use, such as beaches, parks and sports grounds; and
- ii) On a temporary or seasonal basis in locations where use by others is limited to a more definable or seasonal period

Restricted Area are declared for –

- i. Any **Public Reserve** defined under Burnie City Public Reserve and Building By-law No 1 of 2011 within which a dog must –
 - a. be on a lead at all times unless within that part of any reserve that has been declared as a Dog Exercise Area; and



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- b. not at any time be on that part of a reserve that is a sporting ground
- ii. Any **cemetery** under the care, control or management of the Burnie City Council to require a dog must be on a lead at all times and under the control of a person attending on a grave-site;
- iii. The **Burnie Coastal Pathway** between Cooe Point and the Emu River to –
 - a. exclude dogs at all times on that part of the Coastal Pathway *north of the rail corridor and east of the pedestrian access to the West Beach Boardwalk located between Alexander Street and King Street and the eastern end of Hilder Parade where it adjoins the Burnie Port; and*
 - b. require a dog must be on a lead at all times on any other part of the Burnie Coastal Pathway;
- iv. **Burnie Park** to exclude dogs at all times unless on a on a lead and being walked through the Park on the eastern pedestrian pathway paralleling West Park Grove between the Bass Highway and Oldaker Street
- v. **Romaine Reserve** to exclude dogs at all times from that part of the Reserve between the dam wall and the southern end of the pond, other than for dogs on a lead being walked through the Reserve along a formed walking track; and
- vi. **South Burnie Beach** to exclude dogs at all times on that area north of the Coastal Pathway and between the Burnie Port and the boat ramp bund, and on the boat launching ramp and bund at South Burnie

All declared Dog Exercise, Prohibited and Restricted Areas will be identified by appropriate signage.

4.3 Fee Structure

The Council may establish the fees payable under the *Dog Control Act 2000*.

The following principles underpin the fee structure for dog control -

- a) Dog registration fees are to be affordable to all persons;
- b) Dog registration fees are not intended to recover the full cost to Council for dog management obligations from dogs owners;
- c) No distinction is made in the fees applying for companion and working dogs;
- d) Registration fees are payable annually in order to ensure accuracy and currency of the Dog Register;



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- e) Fees are to be reviewed annually against CPI movements for the preceding 12 months, and will be set in conjunction with the adoption of fees and charges in the annual Council Budget process;
- f) Discounts are to apply for sterilised dogs to encourage responsible dog ownership.

Proof of sterilization or micro-chipping must be provided from a registered veterinary surgeon or accredited person;
- g) A higher fee is to apply for a dog declared or deemed under the Act to be a *dangerous dog*;
- h) A discount on the registration fee may apply for registration of a whole dog within 28 days from the date of the annual notice of a requirement to register a dog
- i) Registration fees do not apply for guide and hearing dogs.

Proof of status is required to accompany an application to register a dog;
- j) A replacement registration tag fee is to apply for transfer of a dog currently registered within another municipal district;
- k) A pro-rata payment is to apply for a new dog registration made after the annual renewal or registration period, such fee to be reduced by 25% for each 3-months elapsed from the annual renewal date;
- l) A dog owner is responsible for the costs associated with seizure of a dog;
- m) A dog owner is responsible for the costs associated with detention of that dog at the Council pound;

The fee for detention of a dog at the Council pound is that fee as is from time to time set by the Canine Defence League (operating as Dogs Homes Tasmania), and must be paid to the pound prior to release of the dog;
- n) A fee in addition to the dog registration fee for each dog applies for a kennel licence;
- o) A fee may be applied for the making of a complaint alleging the existence of a nuisance under Section 47 of the Act; and
- p) Council may provide a discount registration fee to persons holding a pension card of a kind creating eligibility for a rebate on Council rates

4.4 Dog Management and Control

In order to meet its responsibilities under the *Dog Control Act 2000* the Council will –

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- a) Recognise the owner of a dog has a right to enjoy in all respects a lawful association with their dog;
- b) Recognise the community has a right to be protected against the risk of harm, threat, and nuisance caused by the action or behaviour of a dog;
- c) Achieve compliance with provisions of the *Dog Control Act 2000* through a process of community awareness and information and regulatory inspection and enforcement action;

Council will –

- (i) provide information on responsible dog ownership and on the obligations and rights of all persons under the *Dog Control Act 2000*;
- (ii) engage with the community and persons and organizations with a relevant specialist knowledge or interest in the preparation and review of its Dog Management Policy;
- d) Apply a fee for the registration of a dog;
- e) Declare areas to be for dog exercise, and areas where access by a dog is restricted or prohibited.

Council will –

- (i) provide and maintain appropriate and approved signage to identify declared areas where access opportunities or restrictions apply for dogs;
- (ii) provide and maintain dedicated bins for the collection and disposal of dog waste at all Dog Exercise Areas;
- f) Use its power and authority under the *Dog Control Act 2000* to identify and investigate any alleged offence, and to remedy any known breach;

The Council may seize and detain a dog if it is at large, or if it has threatened or caused harm to others.

A dog allegedly at large and recovered and delivered to the pound by a private person will not be considered to be a dog seized and detained in accordance with the *Dog Control Act 2000*.

- g) Enforce compliance through regulatory action where there is evidence of a disregard for the obligations of responsible dog ownership;
- h) appoint persons employed by the Council as an authorised officer under the *Dog Control Act 2000* to monitor and enforce compliance;



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- i) Make sure all staff responsible for the seizure and handling of dogs receive relevant training in the safe handling of dogs and execute their duties in a manner that causes minimum distress and avoids harm to a dog;
- j) Approve and resource patrols for the purposes of monitoring compliance and for engaging with the community to achieve a consistently high standard of performance in responsible dog ownership;
- k) Provide as a minimum an after-hours dog management capacity to respond in situations where there is an actual harm or immediate threat of harm to a person or animal;
- l) Consider in accordance with the allocation priorities of the Council the provision of resources to allow the conduct of patrols during daylight hours on weekdays before and after Council's normal hours of business and on weekends and public holidays for the purposes of monitoring compliance and for engaging with the community to achieve a reasonable level of compliance to responsible dog ownership;
- m) Contract the Canine Defence League (operating as Dogs Homes Tasmania) to provide and operate its premises at Stowport Road as a pound in accordance with the *Local Government Act 1993* for the purposes of detaining any dog seized or held under provisions of the *Dog Control Act 2000*;
- n) Make sure the pound is maintained and operated in a humane manner with proper regard to health, safety and welfare of all dogs in detention, including by the provision of food, water and shelter, and veterinary attention as required;
- o) Make all attempts to contact the owner of a dog seized for being at large within the statutory detention period;
- p) Dispose of an unclaimed dog to the Canine Defence League at conclusion of the statutory detention period in accordance with provisions of the *Dog Control Act 2000*.

The Council will require the Canine Defence League make all reasonable endeavour to re-home abandoned dogs.

If re-homing is not appropriate or possible, a dog may be euthanised by a registered veterinary surgeon at the discretion of the League.

4 LEGISLATION

Dog Control Act 2000
Dog Control Regulation 2010

5 RELATED DOCUMENTS

Dog Registration Form

 <p>BURNIE CITY COUNCIL</p>	<p style="text-align: center;">COUNCIL POLICY</p> <p style="text-align: center;">Dog Management Policy (Draft)</p> <p>Approved By: Council Doc Controller: Executive Manager Corporate Governance File: 4/14/2</p>	<p>Document Code: CP-CBS-SG-032 Version: 6.0 Approved Date: TBC Next Review Date: 16 Jul 2024</p>
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Kennel License Application Form
Map of Declared Dog Areas

6 OTHER REFERENCES

No further references

Policy Endorsement	
Responsibility:	It is the responsibility of the Directory Land and Environmental Services to oversee the implementation of this policy. It is the responsibility of the Governance Unit to maintain this policy in the corporate document framework.
Minute Reference:	
Council Meeting Date:	
Strategic Plan Reference:	Strategy 7.1.1 Formulate policy that is equitable, inclusive and responsive to current needs, and ensure decision-making is informed and accountable.
Previous Policies Replaced:	This policy replaces the previous Dog Management Policy version 5.2 dated 17 May 2018 (Version 5.0 approved on 15 July 2014 - AO237/14).
Date of Commencement:	
Publication of policy:	Members of the public may inspect this policy at the City Offices where copies can be obtained free of charge. Alternatively it can be accessed on Council's website (www.burnie.net)

COUNCIL POLICY

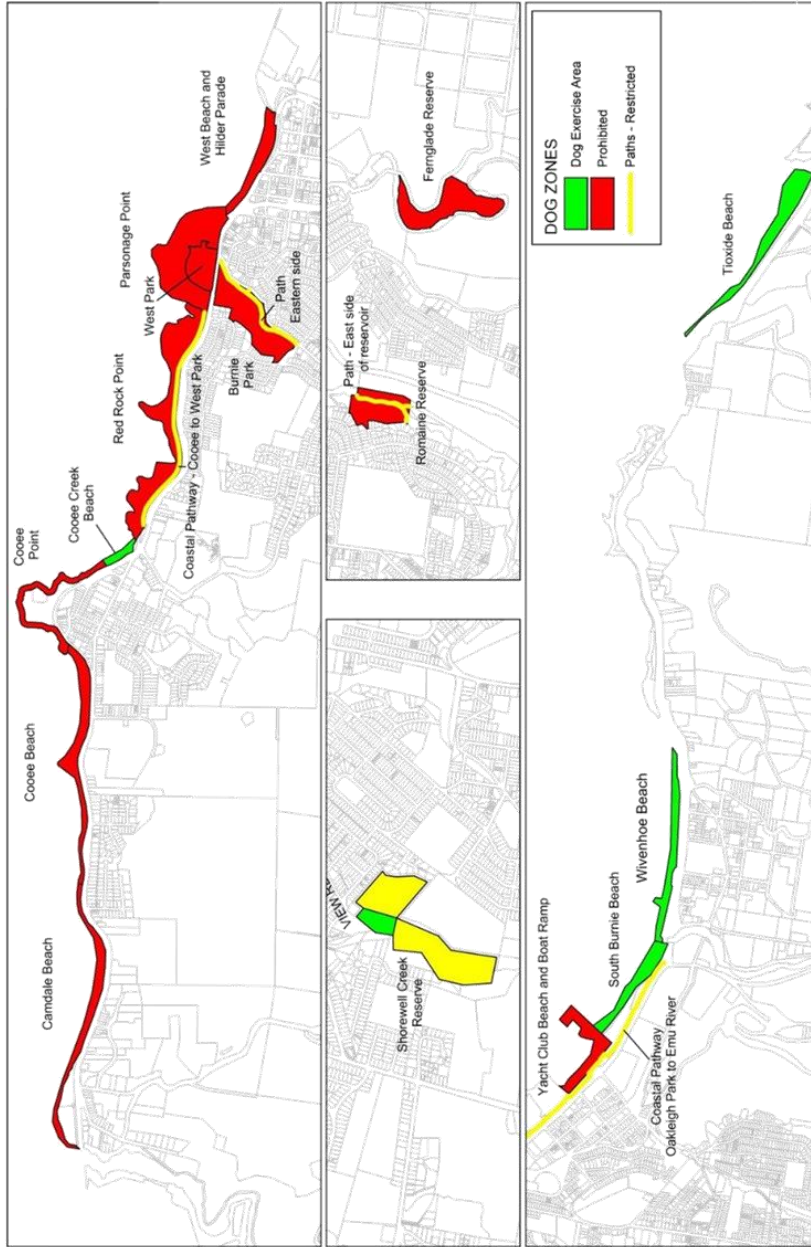


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BURNIE CITY COUNCIL - DOG ZONES

Map Inclusion to Dog Management Policy CP-CBS-SG-032
Revision 4, Drawn 08/04/2015

CORPORATE AND BUSINESS SERVICES**AO249-19 POLICY REVIEW - COMMUNITY LIABILITY POLICY CP-CBS-SG-025**

FILE NO: 4/14/2
PREVIOUS MIN:

MAKING BURNIE 2030 – CORPORATE PLAN REFERENCE:

Direction	7	AN ENGAGING AND ACCOUNTABLE LEADERSHIP FOCUSED ON A STRONG FUTURE
Objective	7.1	A Council that provides engaging and effective leadership to Burnie.
Strategy	7.1.1	Formulate policy that is equitable, inclusive and responsive to current needs, and ensure decision-making is informed and accountable.

1.0 RECOMMENDATION:

“THAT Council adopt the revised policy Community Liability Policy CP-CBS-SG-025 as presented.”

2.0 SUMMARY

This report presents a revised draft policy in relation to Community Liability Insurance.

If adopted, this policy will replace the existing *Community Liability Policy – Facilities and Reserves*.

3.0 BACKGROUND

The purpose of this policy is to provide a potential public liability insurance option for community groups or individuals who wish to hire Council reserves or facilities, but may not reasonably be expected to carry their own public liability insurance.

Examples include:

- parents hiring a hall for a teenager’s birthday party;
- a wedding being held in a reserve;
- or hobby group hiring a meeting room;
- a community group conducting an event in a reserve.

The policy also extends to performers, stallholders, artists at Council events, and buskers operating under a Council permit.

4.0 LEGISLATIVE REQUIREMENTS

There are no legislative requirements identified to be considered with this matter.

5.0 POLICY CONSIDERATIONS

Revisions to Council policies are made on an ongoing basis in order to meet Strategy 7.1.1 of the Corporate Plan:

“Formulate policy that is equitable, inclusive and responsive to current needs, and ensure decision-making is informed and accountable.”

6.0 FINANCIAL IMPACT

There is no financial impact in relation to the review of this policy. Council maintains a Community Liability insurance policy within its insurance portfolio. The policy premium is currently less than 1.0% of the total annual insurance premium paid by Council across its portfolio. Members of the public utilising this policy are not charged an additional fee. The review of this policy presents no change in terms of financial impact.

7.0 DISCUSSION

There are no substantial changes recommended to the policy content. The name has been amended slightly as the policy extends broader than just hirers of facilities and reserves. Text within the policy has been clarified to include and refer to performers, stallholders, artists and buskers.

The policy is intended to be kept brief and simple to understand for individuals or groups who may seek to use it.

This policy is available to the public on Council’s website.

An internal process is in place for Council Officers who are dealing with the public to submit requests for approval under this policy to the Governance Officer. Assessments are made in accordance with the insurance policy provisions.

In the case of venue hirers, the scope of the policy is limited to situations where the hirer signs a formal Hire Agreement with Council.

8.0 RISK

The primary risk associated with hirers of Council’s facilities and reserves is in ensuring that such groups take appropriate responsibility for risk management of their own event. Risk management plans may be requested as part of the hiring process, although this can depend on the nature of the event. Public liability insurance can be a form of protection where that group may be found as a negligent party in such an event.

While Council has its own Public Liability in place, it cannot extend that policy to cover the liability of other such parties.

Instead Council sources this separate Community Liability Pack policy which is specifically available to cover those groups who may be hiring Council’s reserves or facilities, but would

not reasonably be expected to carry their own public liability. The policy also extends to performers, stallholders, artists at Council events, and buskers under a Council permit.

All hirers of Council's reserves and facilities are requested to attach a copy of their public liability insurance. Those that do not have public liability can request to rely on this Community Liability policy if they appear to be eligible under the attached public policy document and subject to the current conditions.

9.0 CONSULTATION

This policy has been reviewed for consistency with the current relevant insurance policy.

The draft policy was tabled with workshop papers on 3 September 2019, allowing opportunity for review and questions. Minor clarifications as outlined above have been made since that draft.

ATTACHMENTS

1. [Community Liability Policy CP-CBS-SG-025](#)

COUNCIL RESOLUTION

Resolution number: MO265-19

MOVED: Cr C Lynch

SECONDED: Cr D Pease

"THAT Council adopt the revised policy Community Liability Policy CP-CBS-SG-025 as presented."

For: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

Against:

CARRIED UNANIMOUSLY



COUNCIL POLICY

Community Liability Policy (Draft)

Approved By: **Council**
Doc Controller: **Executive Manager**
Corporate Governance
File: 4/14/2

Document Code: **CP-CBS-SG-025**
Version: **7.0**
Approved Date:
Next Review Date: **+1**

1 PURPOSE

The purpose of this policy is to provide an insurance option for groups or individuals who do not carry their own public liability insurance but wish to hire a Council venue, perform, demonstrate or operate a stall at a Council event, or be a busker under a Council permit.

2 OBJECTIVE

The objective of this policy is to explain in simple terms the requirements and limitations of Council's Community Liability insurance policy that may be available to eligible hirers of Council's reserves and facilities, as well as performers, stallholders, artists and buskers.

3 SCOPE

This policy may apply to:

- Casual hirers of Council reserves and facilities under a signed hire agreement,
- Performers, stallholders, and artists at a Council event, and
- Buskers operating under a Council permit

This is subject to their eligibility to rely on the insurance, and approval by Council.

Casual hirers are defined as all casual, ad-hoc and regular hirers provided hire occurs no more than 52 times per annum (per hirer).

4 POLICY**4.1 Hirers of reserves and facilities**

Burnie City Council carries a Community Liability insurance policy which generally extends to casual hirers of Council-owned reserves and facilities.

The policy is intended to provide liability insurance for individuals or groups that are using the facilities on a casual basis and who would not reasonably be expected to have their own public liability insurance cover.

Examples include a parent hiring a hall for a teenager's birthday party, a wedding being held in a reserve, or hobby group hiring a meeting room.

4.2 Casual hirers not eligible for cover

Coverage under Council's Community Liability policy excludes:

- Regular hirers where their hire occurs more than 52 times per year



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- Hirers undertaking certain activities such as sporting activities, markets, fairs, dances and shows, rock concerts
- Persons or groups undertaking child minding or childcare services
- Products liability for second hand electrical items or tools
- Hirers undertaking commercial activities (including where an admission fee is charged)
- Participants in a festival or event not organised by Council – cover should be maintained by the event organiser

For details of all policy terms, reference should be made to the conditions and exclusions of the Community Liability insurance policy.

It is a requirement as a condition of use, for all sporting bodies having regular use of sporting facilities provided by the Council, to maintain a Public Liability insurance policy, and that the cover be at least ten million dollars (\$10 million) or such other amount as determined in consultation with the Council's Insurance Brokers.

It is a requirement as a condition of use, for all other hirers not covered as a casual hirer under Council's Community Liability policy to maintain public liability insurance extending to the use, activity and premises being hired. The level of such cover to be not less than ten million dollars (\$10 million) unless specified differently by Council.

4.3 Hire agreements

Casual hirers will not be covered by Council's Community Liability policy where a formal Hire Agreement is not completed.

The Hire Agreement asks hirers to provide a copy of their public liability insurance certificate. In cases where hirers do not carry public liability (such as individuals or ad hoc groups), they may request that they rely on Council's Community Liability policy.

The decision as to whether the policy will extend to any particular hirer, booking or event will be made by the Governance Officer or Executive Manager Corporate Governance, acting upon advice from Council's insurance broker.

Those individuals or groups who have approval to rely upon the Community Liability policy will be provided with a copy of the policy conditions and exclusions.



COUNCIL POLICY

Community Liability Policy (Draft)

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4.4 Performers / Stallholders / Artists / Buskers

The Community Liability policy may extend in certain cases to cover various uninsured performers, stallholders and artists operating under Council-organised events within the municipality of Burnie.

The Community Liability policy may also extend in certain cases to cover buskers and stallholders not otherwise excluded under the insurance policy, who are operating under a Council permit.

Enquiries of this nature should be directed to the Governance Officer or the Executive Manager Corporate Governance.

4.5 Risk management responsibility

All casual hirers of Council reserves and facilities, as well as performers, stallholders, artists and buskers have a primary responsibility to conduct their activities in a safe manner for all involved, and to ensure risks are minimised.

Any incidents, accidents, near misses (regardless of any fault) or hazards identified must be reported to Council through the relevant Council Officer for that venue or event.

4.6 Claims

Insurance claims under this policy directed at any party relying on this policy must be directed to Council's Governance Officer or Executive Manager Corporate Governance who will lodge the claim with the insurers as appropriate.

The insured party must not admit any liability, as this is determinable by the insurance assessors and may breach the conditions of the insurance policy.

4.7 Policy deductible (excess)

In the event of a claim, a policy excess applies and is payable by the insured party. (In 2019-20 the excess is \$250 'for each and every claim or series of claims arising out of any one occurrence'.)



COUNCIL POLICY

Community Liability Policy (Draft)

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4.8 Policy subject to change

The provisions of this policy are subject to changes in the Community Liability insurance policy on an annual basis following renewal negotiations.

Should a conflict exist between this document *CP-CBS-SG-025 Community Liability Policy*, and Council’s Community Liability insurance policy, the insurance policy shall take precedent.

5 LEGISLATION

There is no relevant legislation applicable to this policy.

6 RELATED DOCUMENTS

Current Community Liability Insurance Policy – Burnie City Council
 Written Hire Agreements relative to each venue or reserve

Policy Endorsement	
Responsibility:	It is the responsibility of the Executive Manager Corporate Governance to administer this policy and ensure the relevant insurances are maintained in accordance with the policy. It is the responsibility of the Governance Unit to maintain this policy in the corporate document framework.
Minute Reference:	
Council Meeting Date:	
Strategic Plan Reference:	Strategy 7.1.1 Formulate policy that is equitable, inclusive and responsive to current needs, and ensure decision-making is informed and accountable. Strategy 7.8.1 Develop an integrated approach to risk management from the strategic level through to the activity level.
Previous Policies Replaced:	This policy replaces the previous policy <i>CP-CBS-SG-025 Community Liability – Facilities and Reserves</i> version 6.0 dated 21 August 2018, Item Number AO212-18.
Date of Commencement:	
Publication of policy:	Members of the public may inspect this policy at the City Offices, or access it on Council’s website (www.burnie.net)

GENERAL MANAGER**AO250-19 GENERAL MANAGER'S REPORT - OPEN SESSION**

FILE NO: 4/18/2

PREVIOUS MIN:

MAKING BURNIE 2030 – CORPORATE PLAN REFERENCE:

Direction	7	AN ENGAGING AND ACCOUNTABLE LEADERSHIP FOCUSED ON A STRONG FUTURE
Objective	7.2	Council and the community are informed and engaged on issues of local importance.
Strategy	7.2.1	Enhance the level of community and organisational engagement across a range of Council operations.

1.0 RECOMMENDATION:***“THAT Council note the information contained in the General Manager’s Report.”*****2.0 SUMMARY**

This report includes the following items:

- 2.1 General Manager’s Communications
- 2.2 Council Meeting Action List

2.1 GENERAL MANAGER’S COMMUNICATIONS

The General Manager advises Council the following functions and meetings were attended, since the last Council Meeting report:

Date	Meeting / Function
8 August	CatholicCare Housing Connect Support North West - Morning Tea
12 August	North West Museum and Art Gallery (NWMAG) - Architect Services Briefing
13 August	Meeting with Burnie Athletic Club
	Q&A Session with the Federal Treasurer, Hon Josh Frydenberg MP
14 August	BCCI Breakfast Session with Guest Speaker Chris Whitelaw
	Meeting with CLTP (Hermal Group)
	BCCI – Brand Launch
16 August	Cradle Coast General Manager’s Meeting
19 August	Burnie Airport Corporation Board Meeting

Date	Meeting / Function
20 August	Meeting with Department of State Growth - North West Bus Service.
	Meeting with Minister Michael Ferguson MP
21 August	BCCI General Meeting and AGM
22 August	Cradle Coast Authority - Representatives Meeting
	Luncheon with Deputy Prime Minister, Hon Michael McCormack MP
	Brand Tasmania Networking Event
23 August	Meeting with Commercial Tennant
	Teleconference - Cruise Stakeholder Group Meeting
24 August	TMEC Voice of Industry Footy Day
	Volunteer Thank You Dinner 2019
27 August	Meeting with Anita Dow MP
	Meeting with David Searle and Andrew Barton (McKenna Park/Baseball)
	UTAS West Park Transition Working Group Meeting
28 August	BCCI Breakfast Session with Guest Speaker Ben Maynard, Grange Resources
29 August	Cradle Coast Authority - Board Meeting
30 August	Meeting with Jane Haley, Ten Days on the Island
	Meeting with Senator Carol Brown (Shadow Assistant Minister for Infrastructure and Regional Tourism)
	Meeting with Justine Keay
4 – 6 September	Australian Cruise Association 2019 Conference

2.2 COUNCIL MEETING ACTION LIST

The action lists from Council Meetings in Open Session are attached.

ATTACHMENTS

1. [Open Session - All Actions - 20 August 2019](#)
2. [Open Session - Outstanding Actions - Jul 2017 - Jul 2019](#)

COUNCIL RESOLUTION

Resolution number: MO266-19

MOVED: *Cr T Brumby*

SECONDED: *Cr T Bulle*

“THAT Council note the information contained in the General Manager’s Report.”

For: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

Against:

CARRIED UNANIMOUSLY

Council Meeting Action Report				
All Actions for Open Session of 20 Aug 2019				
Key: RES = Action arising from Resolution; ACT = Action required in addition; QON = Question on Notice; NOTE = Progress Note			Date From: 20/08/2019	
			Date To: 20/08/2019	
			Printed: Monday, 9 September 2019	
Item Number	Report Title	Action	Department	Completed
AO214-19	MOTION ON NOTICE - ROAD SAFETY ADVISORY COUNCIL	22 Aug 2019 RES: Invite a Rep from the Road Safety Advisory Council to address a workshop with council, to address matters raised in AO214-19. 5 Sep 2019 Action completed. Representative addressed Council workshop.	Works and Services	5/09/2019
Council 20/08/2019				
AO215-19	MOTION ON NOTICE - SKATE PARK LIGHTING	22 Aug 2019 RES: Engage a lighting designer and prepare an indicative design and price to install lighting at the Burnie Skate Park for consideration, in accordance with the resolution of Council AO215-19.	Works and Services	
Council 20/08/2019				
AO216-19	MOTION ON NOTICE - BURNIE GIFT VOUCHERS	22 Aug 2019 RES: Arrange for the yearly unredeemed Burnie gift vouchers to be reallocated to shopping promotions for Christmas, Mothers' Day and Fathers' Day periods, in accordance with the resolution of Council AO216-19. 30 Aug 2019 Action completed. Arrangements in place for Gift Voucher promotions. First promotion held for Fathers Day 2019.	Community and Economic Development	30/08/2019
Council 20/08/2019				
AO217-19	MOTION ON NOTICE - BUDGET WISH LIST	22 Aug 2019 RES: Develop and maintain an ongoing wishlist of projects, activities and events that can be used to lobby politicians for funding, in accordance with the resolution of Council AO217-19. 2 Sep 2019 NOTE: Discussion scheduled for workshop on 26.11.2019.	Office of the General Manager	
Council 20/08/2019				
AO218-19	MOTION ON NOTICE - STREET ART WORKING GROUP	22 Aug 2019 RES: Form a street art working group to develop a 3 year strategy and action plan for street art in the city, to be presented to council in March 2020, in accordance with the resolution of Council AO218-19.	Community and Economic Development	
Council 20/08/2019				
AO221-19	BURNIE ARTS AND FUNCTION CENTRE RISK ISSUE - LEMON SCENTED GUM TREE	22 Aug 2019 RES: Arrange for the removal of the gum tree at the Burnie Arts and Function Centre, and for the planting of additional trees in Romaine Reserve. 5 Sep 2019 NOTE: Quotations being sought for the tree removal.	Works and Services	
Council 20/08/2019				
AO222-19	CRADLE COAST WASTE MANAGEMENT GROUP - ANNUAL PLAN AND BUDGET 2019/20	22 Aug 2019 ACT: Send a response to the Cradle Coast Waste Management Group noting Council's endorsement of the Annual Plan and Budget 2019-20, as per AO222-19. 23 Aug 2019 Action completed. Written advice provided to the CCWMG 23 August 2019.	Works and Services	23/08/2019
Council 20/08/2019				

Council Meeting Action Report				
All Actions for Open Session of 20 Aug 2019				
Key: RES = Action arising from Resolution; ACT = Action required in addition; QON = Question on Notice; NOTE = Progress Note			Date From: 20/08/2019	Date To: 20/08/2019
			Printed: Monday, 9 September 2019	
Item Number	Report Title	Action	Department	Completed
AO223-19	UPPER NATONE RESERVE SPECIAL COMMITTEE APPOINTMENT OF COMMITTEE	22 Aug 2019 ACT: Send letters of appointment to the new members of the Upper Natone Reserve Special Committee, in accordance with the resolution of Council AO223-19. 22 Aug 2019 Action completed. Letters sent 22 August 2019.	Works and Services	22/08/2019
Council 20/08/2019				
AO224-19	POLICY REVIEW CP012 CODE FOR TENDERS AND CONTRACTS	22 Aug 2019 ACT: Finalise the Code for Tenders and Contracts Policy in the Corporate Document Framework and make available to the public. 29 Aug 2019 Action completed. Finalised and published.	Corporate and Business Services	29/08/2019
Council 20/08/2019				
AO225-19	POLICY REVIEW CP029 SMOKE FREE AREAS	22 Aug 2019 ACT: Finalise the Smoke Free Areas Policy in the corporate document framework and make available to the public. 29 Aug 2019 Action completed. Finalised and published.	Corporate and Business Services	29/08/2019
Council 20/08/2019				
AO227-19	MOTOR CYCLE PARKING	22 Aug 2019 RES: Prepare a further report to Council on designated motor cycle parking areas in the CBD, in accordance with the resolution of Council AO227-19.	Land and Environmental Services	
Council 20/08/2019				
AO231-19	GENERAL MANAGER'S INFORMATION REPORT COMMUNITY AND ECONOMIC DEVELOPMENT JULY 2019	22 Aug 2019 QON: Provide a copy of the risk management plan for the revised Burnie Ten course to Councillors. 30 Aug 2019 Action completed. Risk Management Plan provided to Councillors 30/8/2019.	Community and Economic Development	30/08/2019
Council 20/08/2019				
AO233-19	COMMUNICATIONS JOURNAL AUGUST 2019	22 Aug 2019 ACT: Send an acknowledgment to Senator Carol Brown for her letter of 23 July 2019 offering engagement on issues relating to her new portfolio. 22 Aug 2019 Action completed. Meeting with Mayor Kons and GM on 30/8/19.	Office of the General Manager	22/08/2019
Council 20/08/2019				
AO234-19	COMMUNICATIONS JOURNAL - PUBLIC ART PROJECTS SPECIAL ADVISORY COMMITTEE - REVIEW OF COMMITTEE	22 Aug 2019 ACT: Send an acknowledgement to the Public Art Projects Special Advisory Committee for their letter of 26 July 2019 and noting the upcoming workshop session. 23 Aug 2019 Action completed. Letter sent 930278.	Corporate and Business Services	23/08/2019
Council 20/08/2019				
AO235-19	COMMUNICATIONS JOURNAL - DIRECTOR OF LOCAL GOVERNMENT - LOCAL GOVERNMENT REFORM	22 Aug 2019 RES: Send Council's submission on the LG Reform Directions Paper Phase Two to DPAC and to LGAT, in accordance with Report AO235-19. 5 Sep 2019 Action completed. Letters sent - 931622 and 931623.	Corporate and Business Services	5/09/2019
Council 20/08/2019				

Council Meeting Action Report				
All Actions for Open Session of 20 Aug 2019				
Key: RES = Action arising from Resolution; ACT = Action required in addition; QON = Question on Notice; NOTE = Progress Note			Date From: 20/08/2019	Date To: 20/08/2019
			Printed: Monday, 9 September 2019	
Item Number	Report Title	Action	Department	Completed
AO218-19	MOTION ON NOTICE - STREET ART WORKING GROUP	22 Aug 2019 ACT: Update the Register of Councillor Appointments to Special Committees and Regional Bodies REG-CBS-SG-015 with the Street Art Working Group to be formed in accordance with resolution of Council AO218-19. 28 Aug 2019 Action completed. REG-CBS-SG-015 updated.	Corporate and Business Services	28/08/2019
Council 20/08/2019				
AO223-19	UPPER NATONE RESERVE SPECIAL COMMITTEE APPOINTMENT OF COMMITTEE	22 Aug 2019 ACT: Update the Register of Members of Special Committees with the new appointments to Upper Natone Reserve Special Committee, as per AO223-19. 28 Aug 2019 Action completed. REG-CBS-SG-028 updated.	Corporate and Business Services	28/08/2019
Council 20/08/2019				
AO223-19	UPPER NATONE RESERVE SPECIAL COMMITTEE APPOINTMENT OF COMMITTEE	22 Aug 2019 ACT: Update Special Committees Planner with appointment process completed for Upper Natone Reserve Special Committee. 28 Aug 2019 Action completed. REG-CBS-SG-029 updated.	Corporate and Business Services	28/08/2019
Council 20/08/2019				
AO233-19	COMMUNICATIONS JOURNAL AUGUST 2019	22 Aug 2019 ACT: Send an acknowledgement to Minister Roger Jaensch for his letter dated 30 July 2019 regarding the next stage of the planning reform agenda. 26 Aug 2019 Action completed. Letter sent 23.8.2019 (930358).	Office of the General Manager	26/08/2019
Council 20/08/2019				
AO233-19	COMMUNICATIONS JOURNAL AUGUST 2019	22 Aug 2019 ACT: Send an acknowledgment to Margaret Hayes for her letter dated 5 July 2019 regarding the suburb of Upper Burnie. 26 Aug 2019 Action completed. Letter sent 23.8.2019 (930351).	Office of the General Manager	26/08/2019
Council 20/08/2019				

Council Meeting Action Report		Date From: 18/07/2017	
Outstanding Actions for Open Sessions Jul 2017 – Jul 2019		Date To: 31/07/2019	
		Printed: Monday, 9 September 2019	
Key: RES = Action arising from Resolution; ACT = Action required in addition; QON = Question on Notice; NOTE = Progress Note			
Item Number	Report Title	Action	Department Completed
AO268-17	MOTION ON NOTICE - PROPOSED FUTURE FUND	21 Nov 2017 RES: Develop a draft Future Fund strategy for consideration by Council, in accordance with the resolution of Council, and work through the steps outlined in the alternative recommendation under AO268-17. 10 Sep 2018 NOTE: The Executive Manager Corporate Finance provided a presentation to Aldermen at the workshop on the 7th August 2018. Aldermen requested further investigation be conducted which will be brought to Council at a future workshop. 9 Aug 2019 NOTE: A presentation and discussion is scheduled for a workshop in November.	Corporate and Business Services
Council 21/11/2017			
AO278-17	BURNIE TOWN CENTRE MASTER PLAN	22 Nov 2017 RES: Commence negotiations with DSG to access areas in or adjacent to the highway corridor to install art and sculpture features, and request the Public Art Committee to develop concepts for entry features (Note: concept plan to be developed for consideration by Council in the 2019/20 capital works budget) in accordance with the resolution of Council AO278-17. 8 Jun 2018 NOTE: Discussions held with DSG. DAP Working group to develop a proposal for detailed consideration. 3 Aug 2018 NOTE: Draft signage plan developed. Now attempting to link in with a broader regional branding strategy.	Community and Economic Development
Council 21/11/2017			
AO011-18	MOTION ON NOTICE - PROPOSED RECREATIONAL PIER	31 Jan 2018 -RES: Write to the State Government to request financial support to complete a feasibility study for a recreational pier at West Beach, in accordance with the resolution of Council AO011-18. 7 Feb 2018 NOTE: Letter prepared for Minister Hidding. Awaiting comment from State Government. 11 May 2018 NOTE: Awaiting response from the State Government. 25 Jun 2018 NOTE: Awaiting advice from SG. 2 Oct 2018 NOTE: Follow up letter sent to Minister's office. 14 Dec 2018 NOTE: No response to date. 4 Mar 2019 NOTE: No response received as at 4 March.	Works and Services
Council 30/01/2018			
AO074-18	CONTROLLED ENTITIES - AUDIT REQUIREMENT	21 Mar 2018 RES: Write to the Auditor-General and request dispensation from the requirement for an audit for BAC and TC, in accordance with the resolution of Council AO074-18.	Corporate and Business Services
Council 20/03/2018			

Council Meeting Action Report		Date From: 18/07/2017	
Outstanding Actions for Open Sessions Jul 2017 – Jul 2019		Date To: 31/07/2019	
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Item Number	Report Title	Action	Department
AO105-18	COMMUNICATIONS JOURNAL - BURNIE ATHLETIC CLUB INC - WEST PARK CLUB ROOMS	17 Apr 2018 RES: Work with the appointed interim Working Group for West Park Sports Ground to develop the draft Terms of Reference for a West Park Special Advisory Committee, incorporating members as per the resolution of Council AO105-18. 3 Aug 2018 NOTE: To be considered at next Working Group meeting in late August 9 Nov 2018 NOTE: Funding application submitted for BAC Clubroom extension and other improvements at West Park.	Community and Economic Development
Council 17/04/2018			
AO126-18	BURNIE LOOP TRAIL	18 May 2018 RES: Progress signage and marketing collateral and implement the Burnie Loop Trail as endorsed by Council resolution AO126-18. 14 Dec 2018 NOTE: Route identified. Signage plan in development	Works and Services
Council 15/05/2018			
AO198-18	MOTION ON NOTICE - SINGLE USE PLASTICS	23 Aug 2018 RES: Develop and communicate a council-wide approach to the banning of single use plastics at all Council-run events, and encourage the same by external events on council property in accordance with the resolution of Council AO198-18. 5 Sep 2018 NOTE: Initial discussion of ban workshopped with Aldermen 28 August. Council officers to present draft policy in early 2019. 18 Jan 2019 NOTE: A working group established to develop policy.	Community and Economic Development
Council 21/08/2018			
AO237-18	MOTION ON NOTICE - BIKE TRACK VIEW ROAD	21 Sep 2018 RES: Arrange a workshop visit to View Road Bike Track and seek interest in a working group for improvements in 2019-20 budget, in accordance with the resolution of Council AO237-18. 9 Nov 2018 NOTE: To be arranged for a workshop in the new year 19 Jun 2019 NOTE: Workshop scheduled for 22 October 2019	Works and Services
Council 18/09/2018			
AO240-18	TASWATER MEMORANDUM OF UNDERSTANDING	21 Sep 2018 ACT: Seek a briefing from the Taswater Regulator on how they undertake the job of setting rates, in accordance with the resolution of Council AO240-18. 2 Oct 2018 NOTE: Enquiry made as to the possibility of a briefing session being provided	Works and Services
Council 18/09/2018			

Council Meeting Action Report		Date From: 18/07/2017	
Outstanding Actions for Open Sessions Jul 2017 – Jul 2019		Date To: 31/07/2019	
		Printed: Monday, 9 September 2019	
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Item Number	Report Title	Action	Department
AO241-18	POLICY REVIEW - PARKING POLICY	21 Sep 2018 ACT: Schedule a workshop session to overview all Council policies for awareness. 11 Nov 2018 NOTE: Session to be scheduled in the new year. 5 Aug 2019 NOTE: Session has been scheduled.	Corporate and Business Services
Council 18/09/2018			
AO303-18	MOTION ON NOTICE - INVESTIGATE WATERSLIDE COSTS	22 Nov 2018 RES: Investigate the cost to install a waterslide at the Aquatic Centre, and a timeline for 50m pool upgrade, in consultation with working with the Aquatic Centre Working Group, Youth Council and Aquatic Centre operator, per AO303-18. 4 Mar 2019 NOTE: Indicative costs being developed as part of federal election prospectus. Engagement with Aquatic centre working group to occur	Works and Services
Council 20/11/2018			
AO311-18	MOTION ON NOTICE - WALKING TRAILS	22 Nov 2018 RES: Review the opportunity to create two walking trails - a cultural Red Line trail, and an environmental Green Line trail in accordance with the resolution of Council AO311-18; and provide an update to councillors on current walking trail plans in progress. 5 Jul 2019 NOTE: Trails being considered as part of broader track / trail strategy. Briefing previously provided to Council on signage strategy.	Works and Services
Council 20/11/2018			
AO335-18	MOTION ON NOTICE - UPPER BURNIE SPORTS CENTRE	13 Dec 2018 RES: Undertake a review of the Upper Burnie Sports Centre building in terms of current and future needs and a comparison of costs for upgrading versus replacing the facility, in accordance with the resolution of Council AO335-18. 20 Feb 2019 RES: Incorporate subsequent resolution AO031-19 on 19 Feb 2019 to explore requirements, benefits, cost and location for an indoor multi-sport facility prior to the federal election. 4 Mar 2019 NOTE: Developing an improvement plan discussed as part of 25 Feb workshop.	Works and Services
Council 11/12/2018			
AO033-19	MOTION ON NOTICE - PROMOTING BURNIE PHOTO OPPORTUNITIES	20 Feb 2019 RES: Work toward developing a series of photo opportunities for Burnie in accordance with the report AO033-19. 4 Mar 2019 NOTE: Meeting to be held with Tourism representatives on 15/3/19 29 Mar 2019 NOTE: Meeting held with tourism representatives. Series of photo frames to be developed for costing 6 May 2019 NOTE: Funding included in budget for photo frames	Community and Economic Development
Council 19/02/2019			

Council Meeting Action Report		Date From: 18/07/2017	
Outstanding Actions for Open Sessions Jul 2017 – Jul 2019		Date To: 31/07/2019	
		Printed: Monday, 9 September 2019	
Key: RES = Action arising from Resolution; ACT = Action required in addition; QON = Question on Notice; NOTE = Progress Note			
Item Number	Report Title	Action	Department Completed
AO057-19	MOTION ON NOTICE - JORGENSEN STREET RESERVE	22 Mar 2019 RES: Schedule a workshop session to review the Jorgensen Street Reserve and provide a subsequent report to Council, per AO057-19. 25 Mar 2019 NOTE: Meeting date being sought 6 May 2019 NOTE: To be discussed at 14 May workshop 23 May 2019 NOTE: Reviewed at workshop - site development concept (play space improvements) to be developed	Works and Services
Council 19/03/2019			
AO065-19	BURNIE PLANNING SCHEME 10 SMITH STREET, WIVENHOE	22 Mar 2019 RES: Initiate a draft amendment to the BIPS 2012 to permit proposed additional permitted use and development of land at 10 Smith Street Wivenhoe, in accordance with the resolution of Council AO065-19. 3 Jun 2019 NOTE: Consultant appointed to prepare submission for draft scheme amendment	Land and Environmental Services
Council 19/03/2019			
AO085-19	MOTION ON NOTICE - SPEED LIMIT REDUCTION SMITH STREET	18 Apr 2019 RES: Request DSG to approve a 40km/hr speed zone for the section of Main Road Wivenhoe, between Stowport Road and Smith Street, in accordance with the resolution of Council. 6 May 2019 NOTE: Letter sent to DSG / Transport commissioner seeking approval for 40 km/hr limit 5 Jul 2019 NOTE: DSG have sought further information on pedestrian movements. Information being collected 5 Sep 2019 NOTE: Awaiting advice from Transport Commissioner	Works and Services
Council 16/04/2019			
AO086-19	MOTION ON NOTICE - INVESTIGATION INTO INDUSTRIAL NOISE	18 Apr 2019 RES: Investigate the cause of industrial noise from the port that can be heard over large areas of Burnie and provide options to resolve the issue, in accordance with the resolution of Council AO086-19. 3 Jun 2019 NOTE: Revised Target Date 26 Jun 2019 To: 26 Sep 2019. Reason: waiting on public to provide information; and for Toll to complete environmental survey on impact of new vessel. 4 Jul 2019 NOTE: Burnie Port Authority has advised results of a noise study conducted at a residential premises in Princes Street. General noise from atmospheric, ocean and other activities does not exceed thresholds for noise emissions. Low frequency hum audible in residence - does not exceed thresholds, but may be considered a nuisance. However, noise detectable during periods when Toll ship not in port. Further analysis required.	Land and Environmental Services
Council 16/04/2019			

Council Meeting Action Report				
Outstanding Actions for Open Sessions Jul 2017 – Jul 2019				
Key: RES = Action arising from Resolution; ACT = Action required in addition; QON = Question on Notice; NOTE = Progress Note			Date From: 18/07/2017	Date To: 31/07/2019
			Printed: Monday, 9 September 2019	
Item Number	Report Title	Action	Department	Completed
AO088-19	MOTION ON NOTICE - REEVES STREET	18 Apr 2019 RES: Undertake a preliminary investigation into traffic management at the Reeves St and Bunnings connection in consult with DSG, and provide a further report to Council, in accordance with the resolution of Council AO088-19. 5 Jul 2019 NOTE: Consultation with DSG has occurred and accident history assessed. Briefing paper to be prepared in near future as to finding 7 Aug 2019 NOTE: Discussion paper to be presented to a workshop(date TBD) 5 Sep 2019 NOTE: Discussion at 29 October workshop.	Works and Services	
Council 16/04/2019				
AO092-19	PUBLIC QUESTION TIME	18 Apr 2019 QON: Refer the public question from Lyn Price on the sand sculpting suggestion to relevant officers for consideration and provide a response back to Mrs Price. 3 Jun 2019 NOTE: YDO discussing opportunities with Arts Council.	Community and Economic Development	
Council 16/04/2019				
AO098-19	QUEEN STREET OFF-STREET PARKING REQUEST	18 Apr 2019 RES: Review the safety of property accesses at 30 and 32 Queen Street upon the completion of current Queen Street works, in accordance with the resolution of Council AO098-19. 6 May 2019 NOTE: Property owners advised of Council decision. To review when works complete 5 Jul 2019 NOTE: Project now complete. Officers will review operation over the next month or two and then engage with Residents as to how the street scheme is operating	Works and Services	
Council 16/04/2019				
AO103-19	BY-LAW STREET DINING BY-LAW	18 Apr 2019 RES: Progress the development of a new Street Dining By-law in accordance with the resolution of Council and the required consultation process under the Local Government Act. 24 May 2019 NOTE: Draft information compiled and sent to lawyer for review and drafting of Regulatory Impact Statement.	Corporate and Business Services	
Council 16/04/2019				
AO088-19	MOTION ON NOTICE - REEVES STREET	18 Apr 2019 RES: Write to Metro to consider the possibility of a bus shelter in the vicinity of the Reeves St - Bunnings connection, in accordance with the resolution of Council AO088-19. 5 Jul 2019 NOTE: Department of State Growth are reviewing bus routes in Burnie. Opportunity to include stops on Reeve street under consideration by DSG and Metro	Works and Services	
Council 16/04/2019				

Council Meeting Action Report		Date From: 18/07/2017	
Outstanding Actions for Open Sessions Jul 2017 – Jul 2019		Date To: 31/07/2019	
		Printed: Monday, 9 September 2019	
Key: RES = Action arising from Resolution; ACT = Action required in addition; QON = Question on Notice; NOTE = Progress Note			
Item Number	Report Title	Action	Department
AO115-19	BURNIE CITY COUNCIL PUBLIC ART PROJECTS SPECIAL ADVISORY COMMITTEE UNCONFIRMED MINUTES OF MEETING HELD ON 27 MARCH 2019 Council 16/04/2019	18 Apr 2019 RES: Refer the proposal to allocate 2% of non-transport capital works for public art projects to the 2020-21 capital budget deliberations, following consultation with public art organisations, in accordance with the resolution of Council AO115-19.	Community and Economic Development
AO121-19	MOTION ON NOTICE - FORESHORE BEACH SWINGS Council 21/05/2019	23 May 2019 RES: Refer the development of an infrastructure plan for the waterfront to a workshop session with Council (by August 2019). 5 Jul 2019 Consultation with key stakeholders has occurred. Preparing an issues paper for consideration in August 7 Aug 2019 NOTE: Discussion paper completed. Programmed for 24 September workshop	Works and Services
AO122-19	MOTION ON NOTICE - FORESHORE TOY LIBRARY Council 21/05/2019	23 May 2019 RES: Install a small structure to host a library of beach toys at the Waterfront, in accordance with the resolution of Council AO122-19. 5 Sep 2019 NOTE: Consultation with surf club and other stake holders has occurred. Site and box design determined. Box being fabricated	Works and Services
AO123-19	MOTION ON NOTICE - FORESHORE SHADE COVER Council 21/05/2019	23 May 2019 RES: Incorporate consideration of shade structure into the workshop discussion on a waterfront infrastructure plan, as raised in AO123-19. 5 Jul 2019 NOTE: Consultation with key stakeholders has occurred. Preparing an issues paper for consideration in August. 7 Aug 2019 NOTE: Discussion paper prepared. Scheduled for 24 September workshop	Works and Services
AO139-19	GENERAL MANAGER'S INFORMATION REPORT CORPORATE AND BUSINESS SERVICES APRIL 2019 Council 21/05/2019	23 May 2019 QON: Provide a response to Councillors on whether there was corresponding income against the higher BAFC employee costs (\$57K higher than budget).	Corporate and Business Services
AO156-19	MOTION ON NOTICE - CBD COMMITTEE Council 18/06/2019	19 Jun 2019 RES: Consider establishment of a CBD Promotion Working Group, after consultation with retail representatives and BCCI; and provide a further report to Council by August 2019, in accordance with the resolution of Council AO156-19. 2 Jul 2019 NOTE: Invitation sent to BCCI and retailers to attend a workshop with Council 30 Aug 2019 NOTE: Workshop held with Business Northwest and retailers	Community and Economic Development

Council Meeting Action Report		Date From: 18/07/2017	
Outstanding Actions for Open Sessions Jul 2017 – Jul 2019		Date To: 31/07/2019	
		Printed: Monday, 9 September 2019	
Key: RES = Action arising from Resolution; ACT = Action required in addition; QON = Question on Notice; NOTE = Progress Note			
Item Number	Report Title	Action	Department Completed
AO158-19	MOTION ON NOTICE - VIDEO RECORDING OF MOTIONS ON NOTICE AND PUBLIC QUESTION TIME AT COUNCIL MEETINGS Council 18/06/2019	19 Jun 2019 RES: Investigate livestreaming of Council Meetings, in accordance with resolution of Council AO158-19.	Corporate and Business Services
AO159-19	MOTION ON NOTICE - CITY AND SUBURB INFRASTRUCTURE 2019-20 Council 18/06/2019	19 Jun 2019 RES: Prepare a framework for a city and suburb infrastructure plan that addresses the matters put forward in the resolution of Council AO159-19. 5 Jul 2019 NOTE: Officers working on a consultation framework.	Works and Services
AO160-19	MOTION ON NOTICE - INSTALLATION OF FISH CLEANING TABLE AT SOUTH BURNIE BOAT RAMP Council 18/06/2019	19 Jun 2019 RES: Work with relevant stakeholders to install a fish cleaning table at South Burnie boat ramp area, in accordance with the resolution of Council AO160-19. 5 Jul 2019 NOTE: Location for cleaning station identified. Engaging with local fishers as to possibility to supply a cleaning station.	Works and Services
AO161-19	MOTION ON NOTICE - AURORA BOXES ARTWORK Council 18/06/2019	19 Jun 2019 RES: Investigate the potential to pain Aurora boxes in Burnie and workshop further with Council, as per the resolution of Council AO161-19. 5 Jul 2019 NOTE: Youth development officer has carriage of project. Currently liaising with relevant agencies.	Works and Services
AO189-19	MOTION ON NOTICE - FOOD ORGANICS AND GARDEN ORGANICS (FOGO) COLLECTION Council 16/07/2019	17 Jul 2019 RES: Provide an updated FOGO Discussion Paper at a 2019 Workshop incorporating community consultation and cost implications for the FMS, so that the matter can be considered prior to the 2020-21 budget process, in accordance with the resolution of Council AO 189-19. 5 Sep 2019 NOTE: Paper drafted to be presented to 29 October workshop.	Works and Services
AO193-19	DOG CONTROL DOG MANAGEMENT POLICY DOG CONTROL ACT 2000 Council 16/07/2019	17 Jul 2019 RES: Undertake a consultation period on the Dog Management Policy and provide a further report to Council addressing any submissions received, in accordance with the resolution of Council AO193-19. 2 Sep 2019 NOTE: Consultation period to end at 5.00pm 6 September 2019.	Land and Environmental Services

GENERAL MANAGER**AO251-19 GENERAL MANAGER'S INFORMATION REPORT FOR LAND AND ENVIRONMENTAL SERVICES AUGUST 2019****FILE NO: 4/18/2****PREVIOUS MIN:**

MAKING BURNIE 2030 – CORPORATE PLAN REFERENCE:

Direction	7	AN ENGAGING AND ACCOUNTABLE LEADERSHIP FOCUSED ON A STRONG FUTURE
Objective	7.3	Council is compliant in all areas and carries out the role of regulatory enforcement in a fair and effective manner.
Strategy	7.3.2	Resource the reasonable enforcement of the legislative and regulatory provisions for which Council is responsible within its financial resources, and ensure the community is well informed of their obligations.

1.0 RECOMMENDATION:

“THAT the General Manager’s Information Report for Land and Environmental Services for August 2019 be noted.”

2.0 SUMMARY

The report includes the following items:-

- 2.1 Health
- 2.2 Building Applications
- 2.3 Planning
- 2.4 Parking
- 2.5 Cemetery Statistics

2.1 HEALTH**2.1.1 Environmental Enquiries / Investigations**

Type	Number of Enquiries / Investigations	
	August 2019	YTD Total
Air	1	4
Water	0	0
Noise	0	1
Solid Waste	1	1
Other	0	0

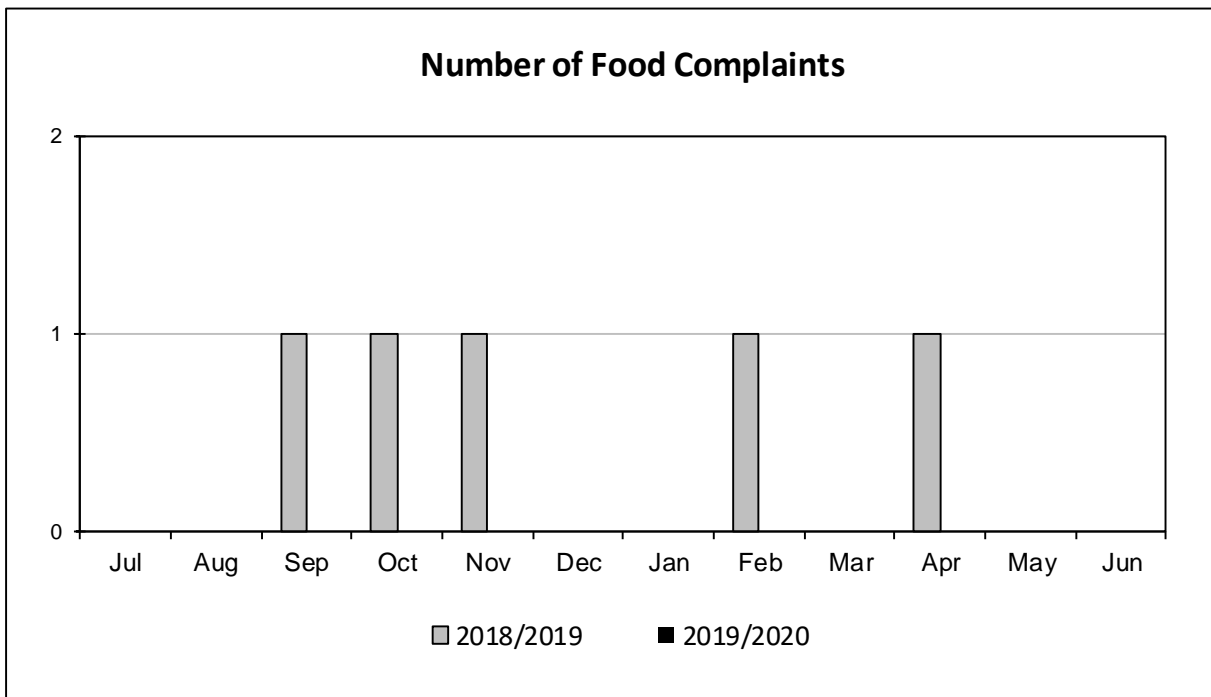
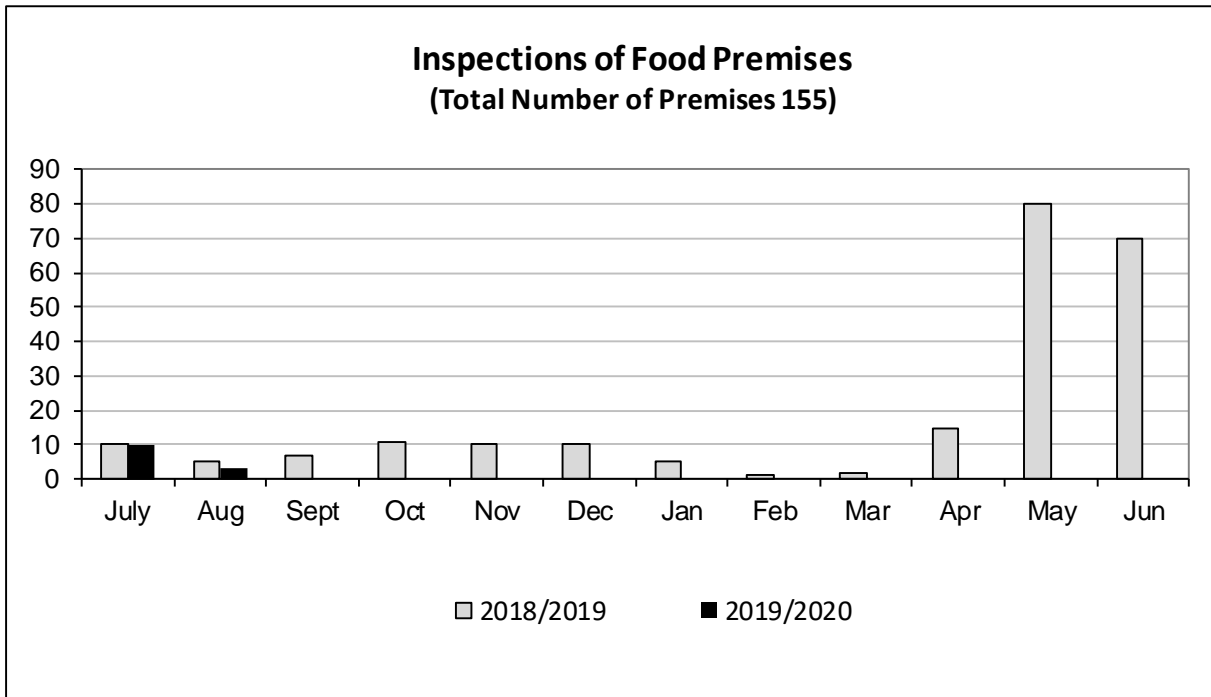
YTD is measured from 1 July each year.

2.1.2 Environmental Sampling

Type	Number of Samples Taken	
	August 2019	YTD Total
Beach Water Samples (summer months only)	0	0
Public Swimming Pool samples	6	12

YTD is measured from 1 July each year.

2.1.3 Food



Zero food complaints for February, March, May, July, August and December 2018. Nil complaints in January, March, May, June, July and August 2019.

2.2 BUILDING APPLICATIONS

Permit Authority Applications - 2018												
Month	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Notifiable Plumbing	4	9	3	6	11	4	8	11	7	5	3	3
Notifiable Building	6	8	9	11	7	9	8	17	11	10	7	6
Permit Plumbing	3	3	2	0	2	5	0	4	2	3	4	2
Permit Building	3	7	2	2	6	5	3	8	4	3	0	7
Substantial Compliance	0	1	0	0	2	1	2	0	0	0	0	2
Notifiable Demolition	0	0	0	0	0	0	0	2	0	0	0	0
Permit Demolition	0	0	1	0	1	0	0	1	0	1	0	0
Permit Refused	0	0	0	0	0	0	0	0	0	0	0	0
Application Value \$	5,035,168	4,107,085	2,459,856	2,958,652	2,683,319	2,227,180	2,522,141	5,871,485	1,705,925	2,137,527	357,624	2,625,655
Cumulative Total \$	5,035,168	9,142,253	11,602,109	14,560,761	17,244,080	19,521,260	22,043,401	27,914,886	29,620,811	31,758,338	32,115,962	34,741,617

Permit Authority Applications - 2019												
Month	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Notifiable Plumbing	3	3	13	4	8	7	5	9				
Notifiable Building	7	13	6	14	10	8	4	9				
Permit Plumbing	2	3	1	5	5	4	5	5				
Permit Building	2	5	4	4	5	1	7	6				
Substantial Compliance	2	0	1	1	2	0	0	0				
Notifiable Demolition	0	0	0	0	0	0	0	0				
Permit Demolition	0	0	0	1	1	0	0	0				
Permit Refused	0	0	0	0	0	0	0	0				
Application Value \$	3,166,007	1,796,148	1,022,630	3,714,353	5,931,974	1,336,546	2,978,446	5,352,472				
Cumulative Total \$	3,166,007	4,962,155	5,984,785	9,699,138	15,631,112	16,967,658	19,946,104	25,298,576				

2.3 PLANNING**2.3.1 Summary Land Use and Development Applications**

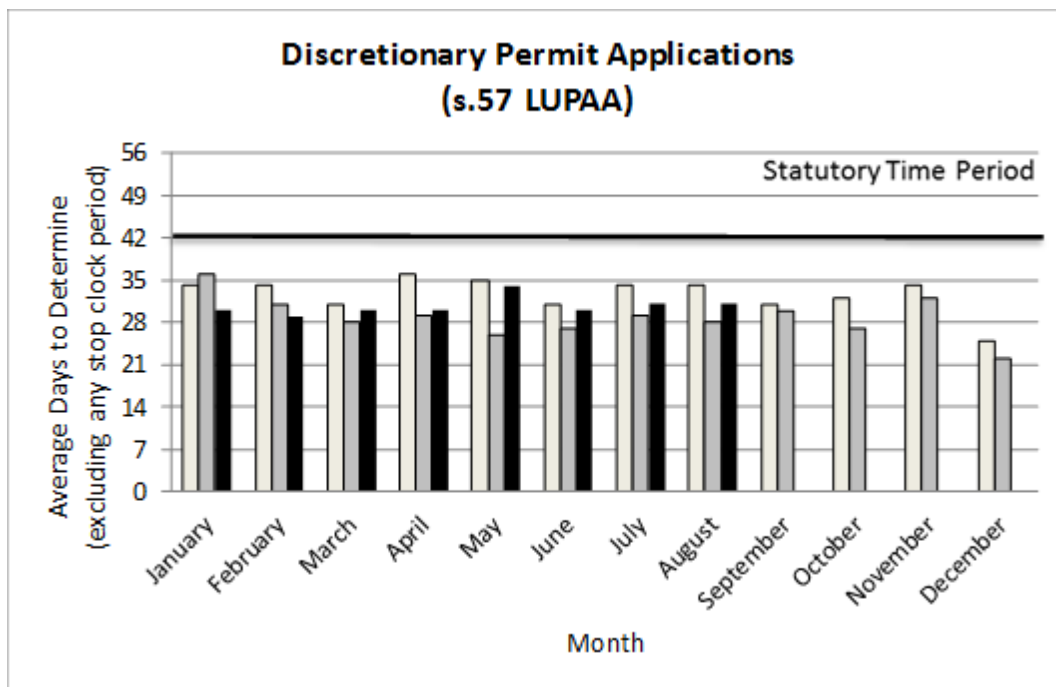
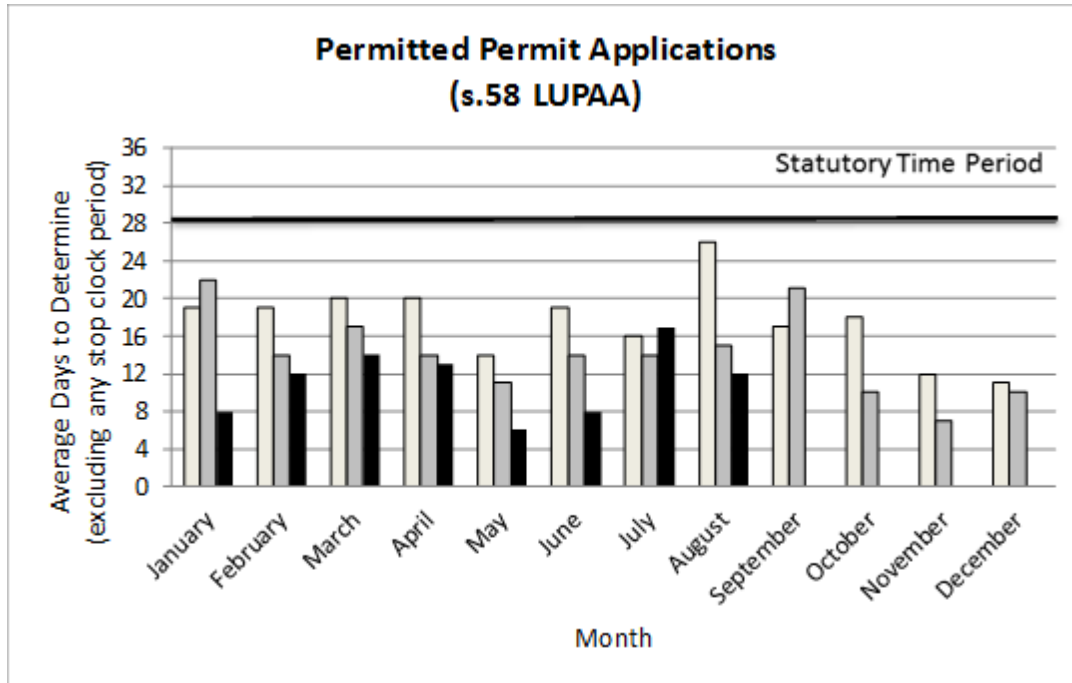
LAND USE AND DEVELOPMENT APPLICATIONS	Aug 18	Sept 18	Oct 18	Nov 18	Dec 18	Jan 19	Feb 19	Mar 19	Apr 19	May 19	Jun 19	Jul 19	Aug 19
Permitted Use & Development	3	5	3	7	4	0	4	6	5	5	7	4	9
Discretionary Use & Development	8	6	6	13	10	6	8	8	5	4	2	7	5
Subdivisions	2	1	0	0	0	1	2	1	1	0	1	1	3
TOTAL APPLICATIONS	13	12	9	20	14	7	14	15	11	9	10	12	17
Determined by Delegation	10	12	13	8	10	8	10	12	14	18	6	8	10
Determined by Council	1	1	0	0	0	1	2	0	1	0	1	0	1
Withdrawn	2	0	2	0	0	0	0	4	0	3	2	2	0
Applications Cancelled by Planning Authority	0	0	1	0	0	0	0	1	0	0	2	0	0
Consent Decisions	0	0	0	0	0	0	0	0	0	0	0	0	0
Application Approved by Tasmanian Planning Commission	0	0	0	0	0	0	0	0	0	0	0	0	0
Applications Appealed and Approved by Resource Management & Planning Appeals Tribunal	0	0	0	0	0	0	0	0	0	0	0	0	0
PLANNING SCHEME AMENDMENTS													
Amendment requests	0	0	0	0	0	0	1	1	0	0	0	0	0
Amendment finally approved	0	0	0	0	0	0	0	0	0	0	0	0	0
Amendment Refused by Tasmanian Planning Authority	0	0	0	0	0	0	0	0	0	0	0	0	0
Applications Appealed and Refused by Resource Management & Planning Appeals Tribunal	0	0	0	0	0	0	0	0	0	0	0	0	0

2.3.2 Land Use Permit Applications

DATE	PERMIT NO.	LOCATION	TYPE OF DEVELOPMENT	PUBLIC NOTIF. DATE	EXPIRY DATE	DECISION / DATE
4/6/19	2019/54	12 Bissett Place, Heybridge	Single Dwelling and Outbuilding	N/A	N/A	Approved 19/8/19
27/6/19	2019/59	100 Wilson Street, Burnie	Establish 'Business and Professional Services' use and carry out development for a two (2) storey building measuring approximately 22.5m x 30.5m to a height of 8.5m to contain first floor offices and ground level parking	N/A	N/A	Approved 14/8/19
28/6/19	2019/61	10 Bass Highway, Parklands	Refurbishment of the West Park Grandstand (facilities upgrade, stairway and entrance) and extension to the Burnie Athletic Clubroom, as works directly associated and a subservient part of the existing Sports and Recreation use (West Park Sporting Centre)	N/A	N/A	Approved 1/8/19
4/7/19	2019/64	32 Malunna Crescent, Parklands	Dwelling Extension. Grant of Permit reliant on Performance Criteria under Clause 10.4.2 (P3)	27/7/19	12/8/19	Approved - C 20/8/19
8/7/19	2019/66	150 Cascade Road, Romaine	Single Dwelling and Outbuilding. Grant of Permit reliant on assessment under Performance Criteria – Clause 13.4.1 (P1)	20/7/19	5/8/19	Approved 13/8/19
10/7/19	2019/68	269 East Cam Road, East Cam	Additions and Alterations to an existing Single Dwelling comprised of a 4.0m x 19.0m covered Verandah across the northern elevation of the dwelling and freestanding 12.0m x 8.0m Outbuilding associated with an existing Residential use	N/A	N/A	Approved 6/8/19
11/7/19	2019/69	80 Wilson Street, Burnie	12m high Flag Pole in association with the existing 'Business and Professional Service' use	N/A	N/A	Approved 19/8/19
29/7/19	2019/71	24 Mount Street, Burnie	New 'Food Service' use (Shop 16) and 'General Retail and Hire' Use (Shop 17) within the Kmart Shopping Centre	N/A	N/A	Approved 9/8/19
19/8/19	2019/81	6 Janet Drive, Park Grove	Single Dwelling	N/A	N/A	Approved 30/8/19
28/8/19	2019/86	18 Ellis Road, Romaine	Outbuilding associated with a Residential use in an existing Single Dwelling	N/A	N/A	Approved 30/8/19

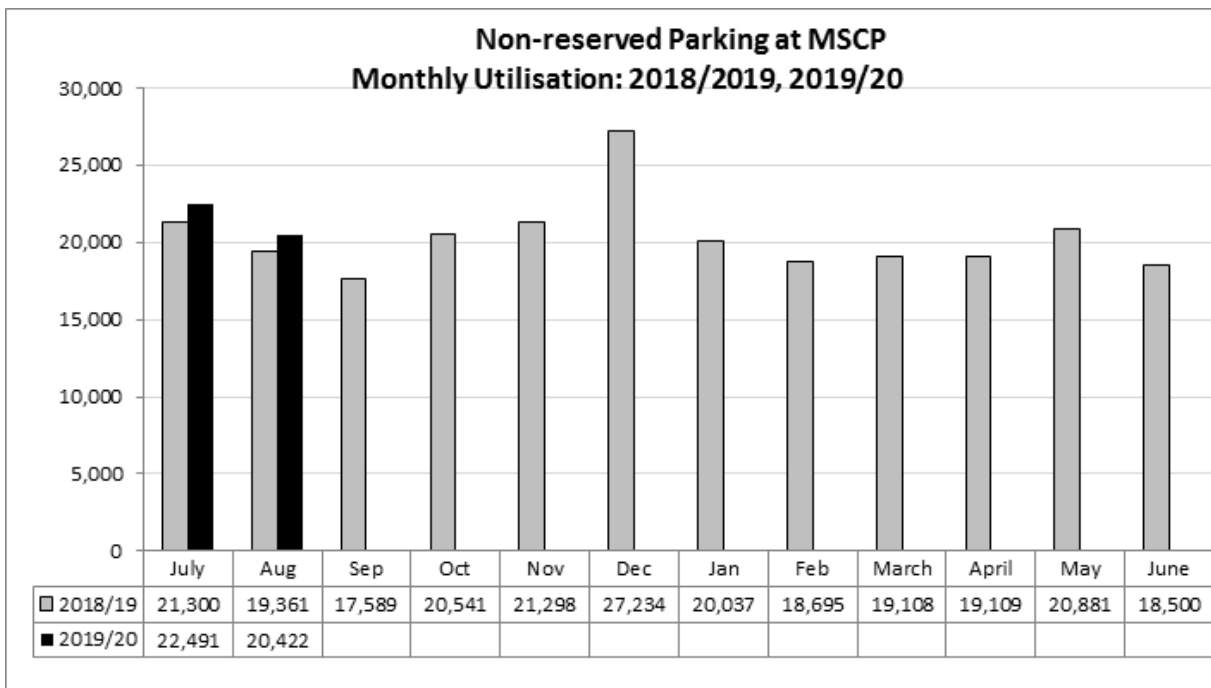
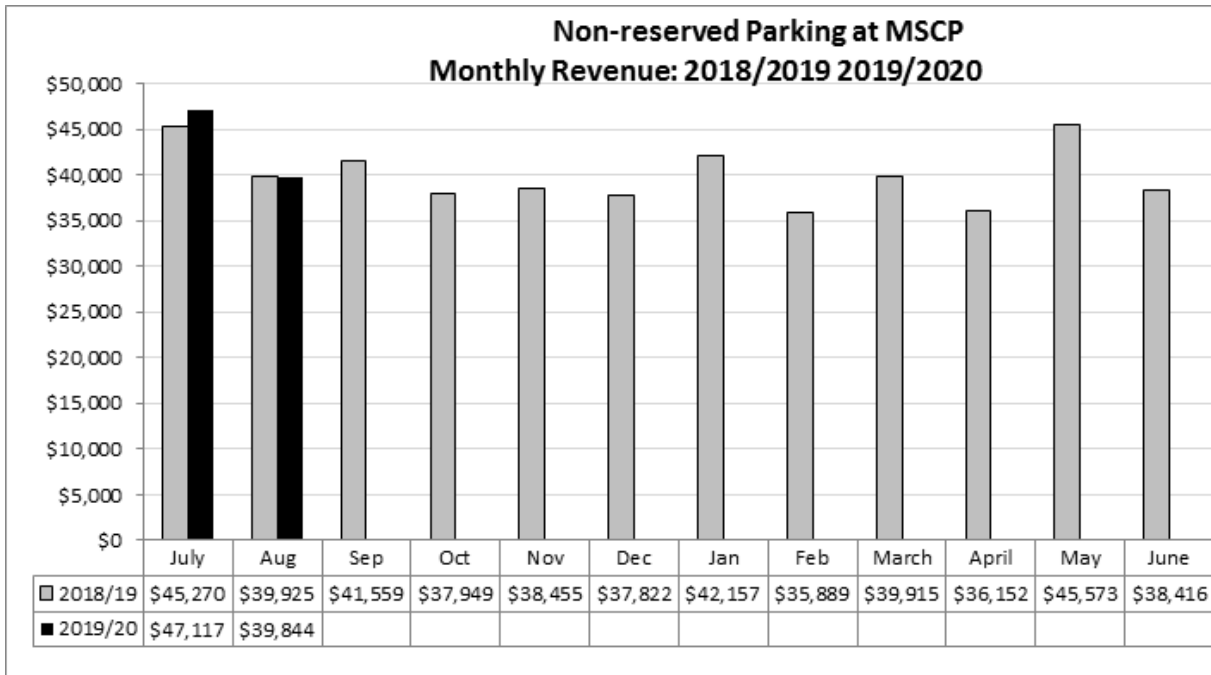
2.3.3 Subdivision Applications

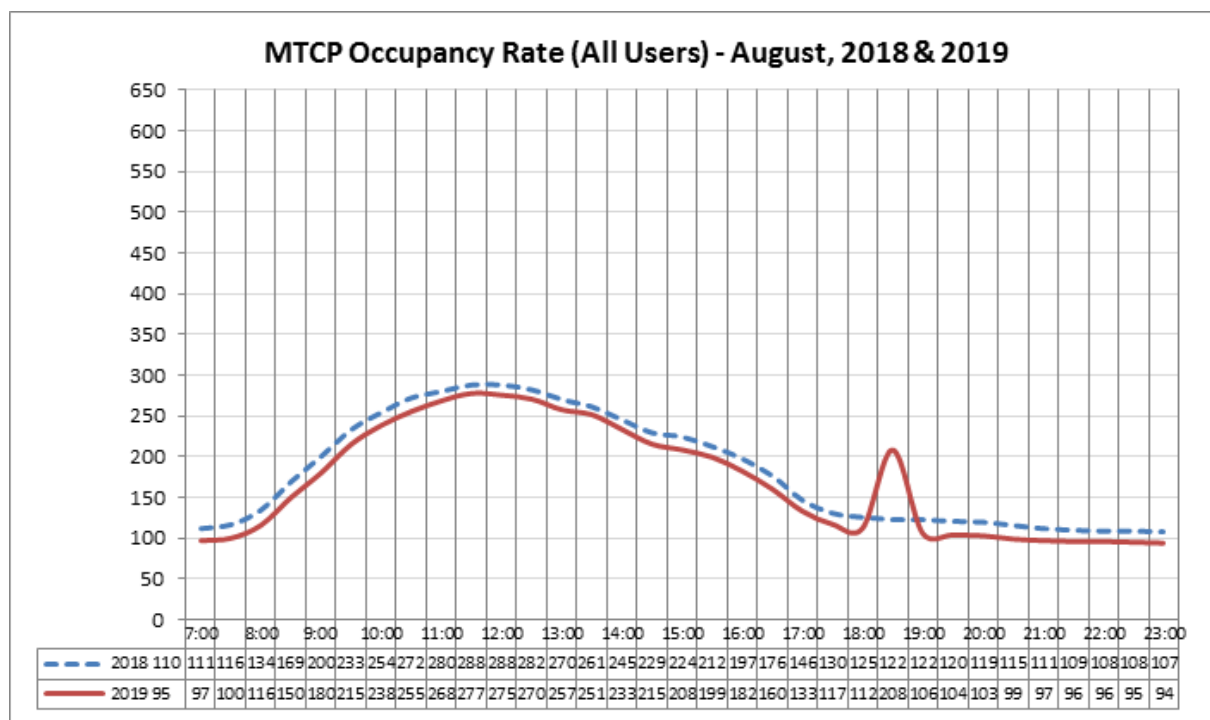
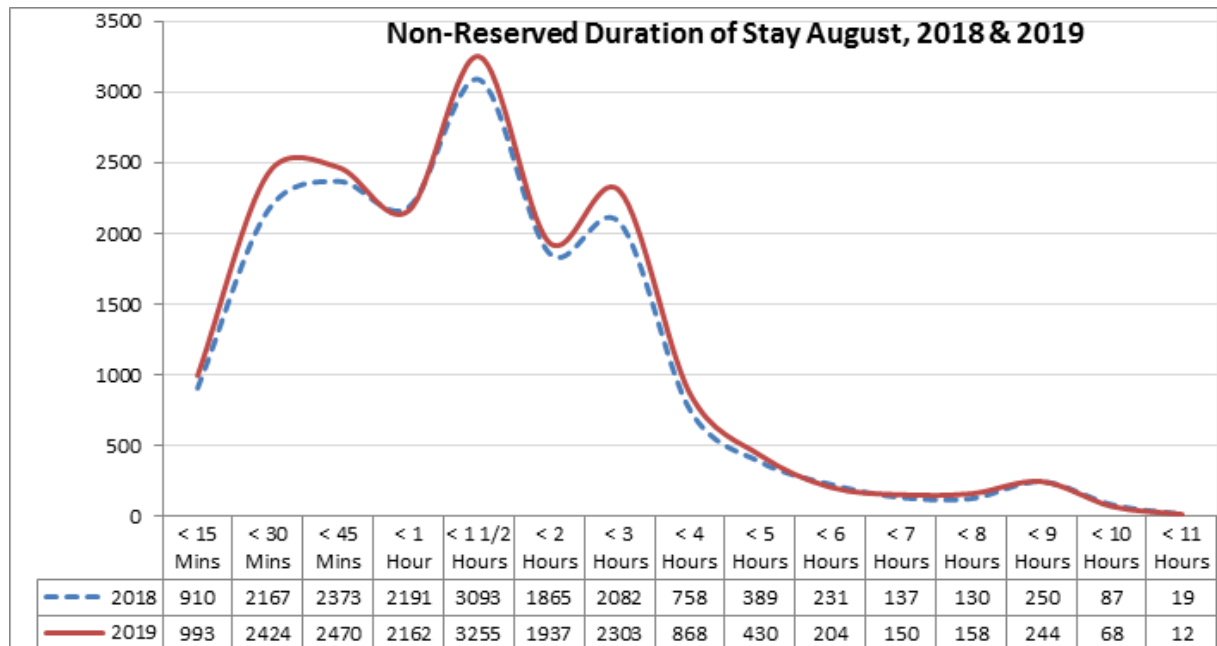
DATE	PERMIT NO.	LOCATION	TYPE OF DEVELOPMENT	PUBLIC NOTIF. DATE	EXPIRY DATE	DECISION / DATE
25/1/19	SD1288	11, 13 & 15 Wembley Street Lane, Brooklyn	Subdivision through consolidation of four lots described in CT 131309/3, CT 131309/4, CT 131309/5 and CT 131309/6 into one (1) 3,088m ² lot to contain an existing Residential use (Single Dwelling)	N/A	N/A	Approved 9/8/19



Average time for determination of permit applications decided by month.

2.4 PARKING





Calculated on remaining spaces – 101 Reserved spaces for 2018, 89 Reserved spaces for 2019

2.5 CEMETERY STATISTICS

Burials	August 2019	YTD Total
Lawn Cemetery	8	18
Wivenhoe / Ridgley	0	0
Other	0	0
Total	8	18

YTD is measured from 1 July each year.

Ashes Interred	August 2019	YTD Total
Lawn Cemetery	2	3
Wivenhoe / Ridgley	0	0
Total	2	3

YTD is measured from 1 July each year.

COUNCIL RESOLUTION

Resolution number: MO267-19

MOVED: *Cr G Simpson*

SECONDED: *Cr A Keygan*

“THAT the General Manager’s Information Report for Land and Environmental Services for August 2019 be noted.”

For: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

Against:

CARRIED UNANIMOUSLY

GENERAL MANAGER**AO252-19 GENERAL MANAGER'S INFORMATION REPORT FOR WORKS AND SERVICES AUGUST 2019****FILE NO: 4/18/2****PREVIOUS MIN:**

MAKING BURNIE 2030 – CORPORATE PLAN REFERENCE:

Direction	7	AN ENGAGING AND ACCOUNTABLE LEADERSHIP FOCUSED ON A STRONG FUTURE
Objective	7.5	A sustainable long term future is planned through the management of Council's infrastructure and assets.
Strategy	7.5.2	Ensure assets are adequately developed, maintained and renewed.

1.0 RECOMMENDATION:

“THAT the General Manager’s Information Report for Works and Services August 2019 be noted.”

2.0 SUMMARY

The report includes the following items:

- 3.0 Capital Works
 - 3.1 Request for Expressions of Interest, Quotations, Tenders and Contracts
 - 3.2 Civil Construction and Stormwater
 - 3.3 Buildings
 - 3.4 Parks, Reserves, Sporting Grounds and Cemeteries
 - 3.5 Waste Management
- 4.0 Operations and Maintenance
 - 4.1 Civil Construction and Stormwater
 - 4.2 Buildings
 - 4.3 Parks, Reserves, Sporting Grounds and Cemeteries
 - 4.4 Waste Management
- 5.0 Vandalism and Reported Incidents
- 6.0 Private Works
- 7.0 SES and Burnie Emergency Management Committees Activity Reports
- 8.0 Energy Management

CAPITAL WORKS**3.1 Request for Expressions of Interest, Quotations, Tenders and Contracts****3.1.1 Expressions of Interest**

No information to report.

3.1.2 Quotations**a) Quotation 2620 – Burnie Tennis Centre Resurfacing**

Officers have received a report from Tennis Australia and will now liaise with the Contractor and the Burnie Tennis Club to finalise the scope and method of remediation of the defects to be undertaken in December 2019.

b) Quotation 2592 – Montello Soccer Ground – Light Tower

Works to install a 2kW light on a new 20m high light pole at the southwest corner of the junior training pitch are awaiting the ground to dry out to prevent ground damage prior to progressing. All electrical work from the switchboard has been completed and we are awaiting suitable weather to erect the light pole.

3.1.3 Tenders**a) Architect Services Brief 194 – North West Museum and Art Gallery**

The Architect Services tender closes on 20 September 2019.

b) Contract 2637 – Supply and Delivery of Three (3) 4x4 Ride-on Mowers

Advertised on LGAT Procurement Vendor Panel - Tenders close on 6 September 2019.

c) Contract 2635 – Supply and Delivery of One (1) 4WD Backhoe

Advertised on LGAT Procurement Vendor Panel - Tenders close on 27 September 2019.

d) Contract 2634 – Supply and Delivery of 4x4 Tractor and Front Bucket

Advertised on LGAT Procurement Vendor Panel - Tenders close on 13 September 2019.

e) Contract 2633 – Bitumen Surfacing Services 2019-2020

The contract has been awarded to Roadways Pty Ltd for asphalt works and to Hardings Hotmix Pty Ltd for spray seal works.

f) Contract 2629 – West Park Grandstand Facilities Upgrade

The contract has been awarded to AJ & M Construction Pty Ltd and works commenced on 9 September 2019 and will be completed by 19 December 2019.

3.1.4 Contracts**a) Contract 2613 – Waterfront Eastern Promenade**

Officers anticipate Fairbrother will begin works in late-September 2019 and it is envisaged the project will be substantially complete by Christmas.

3.2 Civil Construction and Stormwater

- Queen Street Upgrade – Outstanding Works

Centre linemarking was recently installed. The raised safety platform speed cushions will be installed during mid-September 2019. The coloured borders to the parking bays (and a final coat of paint on the garden walls) are not able to be completed until warmer weather arrives in late Spring. The paint application on the asphalt surface requires temperatures of a minimum of 16 degrees.

- Multistorey car park exit lane improvements – Completed.
- Parking meter installation works – 30% complete.

3.3 Buildings

- Cooee Beach access stair repairs – Completed.
- Waterfront playground toilet – Completed. Landscaping works almost complete.
- Ridgley Bowls Club fence replacement – 95% complete.
- Hilder Parade boardwalk bolt replacement – Completed.
- Aquatic Centre umbrella installation – 60% complete.
- Pearl Street overpass pedestrian safety fence – 20% complete.

3.4 Parks, Reserves, Sporting Grounds and Cemeteries

- Oakleigh Park pedestrian overpass stairs landscaping and retaining wall – Completed.
- Waterfront Playground toilet landscaping – 95% complete.

3.5 Waste Management

Council is aware of high-level discussions occurring with regard to Statewide Waste Management arrangements. LGAT will consider a motion at the next General Meeting seeking to determine a preferred model for such arrangements.

4 OPERATIONS AND MAINTENANCE

4.1 Civil Construction and Stormwater

Operation and maintenance in accordance with the Service Level Document, including:

- Customer Request Module (CRM) works – as required.
- Road signage repairs and installation – ongoing.
- Rural and urban hotmix patching program, pothole repairs and monitoring of road shoulder hotspots – 10% complete.
- Stormwater hotspot inspections and monitoring – ongoing.
- Driveway maintenance program – 10% complete.
- Gravel roads maintenance program – 30% complete.
- Road shoulder grading program – 10% complete.
- Kerb and channel maintenance program – 5% complete.
- Footpath maintenance program – 30% complete.
- CBD paver maintenance program – 30% complete.
- Circular Road tree trimming – Completed.
- Camena Road stormwater drain rock lining – Completed.
- Culvert maintenance – Highclere Road – Completed.

4.2 Buildings

Planned and reactive maintenance and minor works in accordance with the Service Level Document and maintenance program, including:

- CRM works – as required.
- Building gutters clean out – seasonal recurring.
- Electrical testing and tagging – numerous Council locations – ongoing.
- Plumbing maintenance and inspections of public amenities and Council facilities – ongoing (grease traps, backflow prevention devices, valves, etc.) – ongoing.
- CBD linemarking – as required.
- Vandalism repairs and painting – as required.
- Aquatic Centre change room floor vinyl replacement – Completed.
- Aquatic Centre toilet painting – Completed.
- Burnie Surf Life Saving Club wall leak – investigations ongoing.
- Burnie Greens greenkeeper shed exterior painting – Completed.
- Wivenhoe grandstand window replacement – 80% complete.
- Burnie Park light pole concrete base – Completed.
- Aquatic Centre outdoor pool annual maintenance – 20% complete.
- Burnie Park irrigation leak repairs – 90% complete.

4.3 Parks, Reserves, Sporting Grounds and Cemeteries

Maintenance and minor works in accordance with the Service Level Document, including:

- CRM works – as required.
- Preventative tree maintenance – ongoing.

- Dangerous tree assessments/removal – as required/identified.
- Grass care and ground and feature care schedules – ongoing.
- Sports grounds maintenance and mowing schedules – ongoing.
- Walking track annual maintenance program – ongoing.
- Routine playground maintenance and statutory inspections – in accordance with SLD and regulations. Softfall mulch replacement – ongoing.
- West Park Oval and sports grounds maintenance and wicket preparation – ongoing (including WBBL preparations).
- Sports grounds maintenance – ongoing.
- Durham Reserve tree removal – 85% complete. On-hold awaiting drier conditions.
- Wilson Street tree uplifting (7 x trees) – Completed.
- Mooreville Road street tree condition assessments – Completed.
- Ridgley, Natone and Montello sports grounds cricket wicket cover removal – Completed.
- Wilf Campbell Hill vegetation maintenance and clean-up – Completed.
- Upper Burnie sports ground renovation – Completed.
- Ridgley sports ground concrete cricket wicket repairs – 20% completed.

4.4 Waste Management

Waste data and information is reported quarterly and due next in the November 2019 agenda.

5 VANDALISM AND REPORTED INCIDENTS

Incidents of vandalism where repairs that are likely to exceed \$250 are generally reported and appear in the table below as separate incidents. Repair costs for minor instances of vandalism identified through routine inspections are aggregated and reported under the asset area they belong to i.e. facilities, community amenities, sports grounds, parks and reserves and transport services as a monthly total cost.

Vandalism and reported incidents to Council property are as follows:

DATE	LOCATION	VANDALISM AND REPORTED INCIDENTS	POLICE REPORT FILED	MONTHLY SUMMARY TO POLICE	CCTV FOOTAGE	OUTCOME	ESTIMATED MONTHLY COST	PROGRESSIVE ANNUAL TOTAL
AUGUST								
	Sports Grounds	Aggregate of incidents reported or identified from inspections - Remediation by painting, cleaning or general repairs		Yes	No	Damage made good and surfaces cleaned, repaired and repainted as necessary	\$450.00	
1/08/19	Multi Storey Carpark Toilet	Graffiti on Walls of Disabled Toilet	No	Yes	No	Removed Graffiti & repainted	\$500.00	
6/08/19	Fern Glade Reserve	Smashed Down Pipe on Pump House Building	No	Yes	No	Replace Smashed Section of Down Pipe	\$115.00	
18/08/19	Jorgenson Street Reserve	Vehicle has been hooning on the grassed reserve and stuck the playground equipment	Yes	Yes	No	Repair & Replace playground equipment	\$1,600.00	
23/08/19	Bass Highway (Near Burnie Park Entrance)	Asbestos Sheeting in Kerb/Road/Footpath	No	Yes	No	Bag up Asbestos and Dispose at BWMC	\$250.00	
23/08/19	View Road Dog Park	Water Tap Broken off Drink Fountain	No	Yes	No	Replace with New Water Tap	\$250.00	
TOTAL							\$3,165.00	\$3,915.00

6 PRIVATE WORKS

No information to report.

7 SES AND BURNIE EMERGENCY MANAGEMENT COMMITTEES ACTIVITY REPORTS

North Western Regional Emergency Management Committee (NWREMC) – Next meeting 13 November 2019 at Ulverstone Fire Station.

Western Emergency Management Committee (WEMC) – Next meeting 21 November 2019 at Waratah-Wynyard Council.

Council is working with Tas Fire Bushfire Risk Unit (formerly Fuel Reduction Unit) to plan fuel reduction burns in Havenview and Round Hill areas.

SES Burnie Unit Activity Report – no report provided.

8 ENERGY MANAGEMENT

No information to report.

COUNCIL RESOLUTION

Resolution number: MO268-19

MOVED: *Cr T Brumby*

SECONDED: *Cr C Lynch*

“THAT the General Manager’s Information Report for Works and Services August 2019 be noted.”

For: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

Against:

CARRIED UNANIMOUSLY

GENERAL MANAGER**AO253-19 GENERAL MANAGER'S INFORMATION REPORT COMMUNITY AND ECONOMIC DEVELOPMENT AUGUST 2019**

FILE NO: 4/18/2
PREVIOUS MIN:

MAKING BURNIE 2030 – CORPORATE PLAN REFERENCE:

Direction	2	AN INCLUSIVE AND HEALTHY COMMUNITY
Objective	2.3	A place where everyone feels accepted and participates freely in community activities.
Strategy	2.3.4	Promote inclusiveness and participation within identifiable groups.

1.0 RECOMMENDATION:

“THAT the General Manager’s Information Report for Community and Economic Development August 2019 be noted.”

2.0 SUMMARY

This report provides the past month’s updates under the following areas:

Community and Economic Development

- 2.1 Business and Recreation
- 2.2 Community / Cultural Development
- 2.3 Burnie Regional Museum
- 2.4 Burnie Regional Art Gallery
- 2.5 Makers’ Workshop – Visitor Information Centre
- 2.6 Marketing and Events
- 2.7 Collective Impact
- 2.8 Youth Development

2.1 BUSINESS AND RECREATION

The Heritage Burnie Ten – October 20, 2019

The Heritage Burnie Ten started its second year of partnership with the specialty cheesemaker by introducing the popular Mersey Valley as its signature brand for the event.

RACT is also in its second year and was thrilled to have over 300 participants who identified themselves as members in our 2018 race.

The Heritage Burnie Ten was launched on Saturday morning August 3 to over 200 people many who had just completed Burnie's parkrun.

Advertising for the event has been organised through August to commence early September in our local newspaper, radio and television.

We are dedicating resources to filling content on our Social Media page in the form of running tips, competitions and information about the race.

A billboard was erected at Wivenhoe in August and street banners ready for Burnie's CBD during September.

MakerX Burnie

On Sunday August 18, the MakerX Burnie was held at the Burnie Arts and Function Centre.

This brand new event attracted 71 exhibits and activities commencing at 11am. During this time almost 2,000 people attended the event.

A diverse range of 'making' was on display, some for visual entertainment and lots of interactive activities people could participate in. Stalls included wearable paper art and paper string making to felted display and wood turning with a brand new Metro Bus and an Elphinstone WR810 Fuel and Lube truck amongst some other equipment. An electrical car in the plaza was featured in addition to a Gin Distillery and melted cheese tastings.

Interactive activities where the public could build, create and innovate included a Burnie Derby where children could build their own race cars and launch them from the Town Hall stage into the Town Hall.

This event was a collaboration of University of Tasmania with support from Burnie City Council, Tasmanian Minerals, Manufacturing and Energy Council (TMEC) and Bitlink.

There was significant media in the lead up to the event with some great event coverage through The Advocate Newspaper and ABC Northern Tasmania.

2.2 COMMUNITY / CULTURAL DEVELOPMENT

Volunteer Thank You Dinner

181 Invitations were sent out to volunteers from the Burnie Regional Art Gallery, Burnie Arts and Function Centre, Burnie Regional Museum, Business and Recreation, Dream Big and the Visitor Information Centre.

Financial Assistance Round Two

The Financial Assistance Grants, Round Two opened on 1 August and will close Wednesday 25 September.

Promotion included Council's Facebook page, The Advocate and emails to local community and sporting clubs.

All Hours Taxi Working Group

Council Officers are working on the formation of an All Hours Wheelchair Taxi Service Working Group with representatives from NDIS, Speakout and the Burnie Wynyard Taxis, to explore the demand for the service and to seek the means to accommodate the needs of people requiring specialised access to taxi services.

NW Regional Social Recovery Sub-committee Meeting

Council's Social Recovery officer attended the Regional Social Recovery Meeting in Burnie on 6 August. Social Recovery officers across the North West attend these meetings to report recovery issues within their areas.

Tasmania will be producing a 'Lessons Management' handbook similar to the Australian Disaster Resilience Handbook Collection. This handbook will provide advice on lessons management that is adaptable to any sector or organisation.

Disability Action Plan Consultation Group Burnie (DAP)

Bus Procurement – 43 new buses arrived State wide and on target.
There are 12 DDA compliant with four left to be replaced in Burnie.
Street Infrastructure:

Location	Bus Stops	*DDA Compliant Stops	Shelters	Seats	*TGSIs	TGSIs *PCT	Sum DDA Impracticable
Burnie	291	49	21	8	38	5.65	126
Hobart	1941	950	217	87	450	19.20	615
Launceston	759	136	65	25	96	11.46	49

*Disability Discrimination Act (DDA)

*Tactile Ground Surface Indicator (TGSi)

*Pedestrian Countdown Timers (PCT)

NW Bus Service Consultation

State Growth engaged consultants to undertake a detailed review of Devonport and Burnie urban bus networks, who held Workshops in April and May this year.

A community consultation will be undertaken to seek feedback from the community on the proposed changes to the network, bus routes, timetables and the hours of operation.

Metro proposes to implement these changes to the network in early 2020.

2019/2020 Financial Assistance Grants (as at 3/9/19)

Round One 2019-20

Name/Organisation	Committed	Paid	Description of Project
Stowport Cricket Club	\$7,039	\$0	Removal of old and replacement of the main cricket pitch at Stowport Cricket ground.
Cradle Coast Outrigger Canoe Club	\$1,270	\$1,270	Purchase 12 junior paddles and 6 junior life jackets for junior paddlers.
South Burnie Bowls Club	\$4,480	\$0	Replace outdoor seating around the Greens and purchase 25 tables for clubrooms.
Burnie PCYC	\$2,118	\$2,118	To purchase two 'Assault Bikes' for the PCYC Operation Resilience Program.
Carers Tasmania Inc	\$2,310	\$0	To provide a high tea for unpaid family carers residing in Burnie.
Old English Country Dancing	\$100	\$0	To purchase a second hand computer.
Cooee to Camdale Coastcare	\$1,000	\$1,000	To purchase a laptop and software.
Hellyer District Venturer Scouts	\$3,560	\$0	To replace storage shed to store equipment.
Tas Conservation Trust	\$3,000	\$0	To assist with the costs of producing a Penguin Tourism Viewing Translation Website.
Total	\$24,877	\$4,388	

Committed Three Year Sponsorship (2017-2020)

Burnie Men's Shed (\$1,716 over 3yrs)	\$572	\$0	Assist with costs for kerbside collection.
Stowport Community Morning Tea Group (\$608 over 3yrs)	\$202	\$0	Exemption of hall hire fees for annual Great Big Community Morning Tea and Christmas Luncheon for seniors.
Total	\$774	\$0	

Committed Three Year Sponsorship (2019-2022)

Cooee to Camdale Coastcare (\$6,353 over 3yrs)	\$2,470	\$210	To purchase equipment, clothing and assist with insurance and telephone costs.
Burnie Amateur Swimming Club (\$5,000 over 3yrs)	\$3,000	\$0	To assist with the costs of hiring the Burnie Aquatic Centre.
Total	\$5,470	\$210	

Other Annual Community Group Assistance

Name/Organisation	Committed	Paid
Morning Melodies	\$1,460	\$0
Tasmanian Special Children's Christmas Party	\$1,500	\$1,500
Koori Kids - NAIDOC Week	\$400	\$400
Total	\$3,360	\$1,900

State Representatives Allowance

	Budget	Paid
State Representatives	\$10,000	\$4,050

Mayor Financial Assistance Minor Sponsorship Requests

	Budget	Paid
Minor Sponsorship Requests	\$2,500	\$0

Food License Permits Requests

	Budget	Paid
City of Burnie Lions Club		\$138
Somerset Rotary Club		\$26
Cancer Council		\$138
Total		\$302

Community Bands Assistance

Name/Organisation	Committed	Paid
Burnie Concert Band	\$2,500	\$2,500
Burnie Highland Pipe Band	\$2,500	\$0
Burnie Youth Choir	\$2,500	\$0
City of Burnie Brass Band	\$2,500	\$0
EMUSICIANS	\$2,500	\$2,500
Stringalong Music Programme	\$2,500	\$981
Total	\$15,000	\$5,981

Other - Annual Assistance

Name/Organisation	Committed	Paid
Carols by Candlelight	\$4,500	\$0
Total	\$4,500	\$0

Waste Disposal Costs for Charitable & NFP Organisations

Name/Organisation	Committed	Paid
Australian Red Cross	\$720	\$20
Launceston City Mission	\$1,000	\$0
Total	\$1,720	\$0

YTD Totals

Name/Organisation	Budget	Committed	Paid
Financial Assistance Grants Round 1		\$24,735	\$4,388
Committed Three Year Sponsorship (2017-2020)		\$774	\$0
Committed Three Year Sponsorship (2019-2020)		\$5,470	\$210
Other Annual Community Group Assistance		\$3,360	\$1,900
State Representatives Allowance		\$10,000	\$4,050
Minor Sponsorship Grants by Mayor		\$2,500	\$0
Food License Permits		\$1,000	\$302
Total Financial Assistance Grants	\$70,500	\$68,023	\$10,850
Community Bands		\$15,000	\$5,981

Name/Organisation	Budget	Committed	Paid
Other – Annual Assistance		\$4,500	\$0
Waste Disposal Costs for Charitable & NFP Organisations	\$5,000	\$1,720	\$20

2.3 BURNIE REGIONAL MUSEUM

BRM Total Admissions

Month	2018	2019
Aug	470	339

BRM Total Attendance

Month	2018	2019
Aug	1437	1160

BRM Total Revenue

Month	2018	2019
Aug	\$1,860	\$1,186

2.4 BURNIE REGIONAL ART GALLERY

Month	2018	2019
Aug	1,870	1,498

2.5 MAKERS' WORKSHOP – VISITOR INFORMATION CENTRE

Visitor Numbers – August 2019

Makers Workshop Door Count	3,250 people
Visitor Centre Count	1,019 people
Cruise ships	0

Creative Paper Tasmania – August 2019

Hand Made Paper Tour Experience	192 entries
Coach/School Groups	3 schools
Creative Paper Website	0 enquiries. 13 online sales.
August 7 - Filming for Hong Kong Travel Show	

2.6 MARKETING AND EVENTS

Burnie Shines

This year's program consists of approximately 80 registered events. Brochures are currently at printers and due to for distribution via letterbox between Smithton and Penguin via Australia Post and Tasmanian Catalogues.

This years brochure has been reduced from an A4 size booklet to a more user friendly size. It is hoped this will make the brochure more portable along with a more focussed approach to the events advertised.

Eighty street banners will be installed in the CBD consisting of Burnie Shines, Burnie Ten and 321GO.

Work also continues on the Bite and Brew event to be held in the Civic Plaza on 18 October as part of Burnie Shines. A number of vendors have been confirmed for this event along with entertainment from The Coachmen.

"Burnie Bite and Brew New Year's Eve" planning continues with a renewed focus on providing entertainment for families earlier in the evening with a party atmosphere past 9.30 pm.

2.7 COLLECTIVE IMPACT

Burnie Works

Burnie Works is currently participating in the joining up process for Stronger Places, Stronger People.

Dream BIG

Dream BIG visits are continuing, with students learning about careers in hospitality, V8 Supercar racing, social work, mining, motorbike racing, architecture, hairdressing, music, childcare, cricket, computer science/ coding and as pilots in August.

Local Drug Action Team (LDAT)

RULER Emotional Intelligence Training for Parents commenced in August and will continue over 4 weeks at the Burnie Child and Family Centre.

The Local Drug Action Team is working on the development of a second Community Action Plan.

2.8 YOUTH DEVELOPMENT

Burnie Youth Council (BYC)

There was a meeting of the Burnie Youth Council on 8 August.

NWAY

The Youth Network of Tasmania is looking to consult youth services in the North West and the YDO will coordinate with them as to a date in September.

Community Paper Clothing Competition

A free workshop ran over the two days of 1 and 2 of August at the Burnie Regional Art Gallery with the incredibly talented Cynthia Hawkins, public vote winner of the 2018 Paper On Skin event.

The community were invited to kick start their techniques and skills that pertain to wearable art, or build on their work for their entries into the Community Paper Clothing Competition to be held later this year at the workshop that was made up of two, 2 hour sessions from 3 to 5pm. It was a wonderful chance for our community to speak to and learn from one of the best wearable artists on the circuit in Australia today and prepare for the competition.

Entries for the Community Paper Clothing Competition were opened.

Burnie Youth Council Art Challenge

Entries for the Burnie Youth Council Art Challenge were opened.

Diversity

Council supported the delivery of the Narragunnawali workshop in the Council Chambers on Monday 5 August in which around 30 high school principals, teachers, early childhood educators and tertiary level educators attended.

Narragunnawali is an educational framework which supports educators in fostering an elevated level of knowledge and pride in Aboriginal and Torres Strait Islander histories, cultures and contributions.

Narragunnawali provides a wide range of professional learning resources for teachers and educators to support the implementation of reconciliation initiatives in the classroom, around the school and with the community. These resources assist teachers and educators to meet the National Quality Standard (early learning educators) and the Australian Professional Standards for Teachers (primary and secondary school teachers).

General

The YDO attended the Hellyer Careers Countdown on the 7 August with a stand for Burnie City Council. Printed career information was provided to students on the diversity of jobs in local government as well as a laptop with <http://thinkbigworklocal.com.au> accessible to browse. There was a great response this year with the YDO providing lollies and discussing the importance of administration skills as a base to all levels and careers paths.

The YDO attended a briefing with the Department of State Growth on the North West bus service consultation they have planned, along with attending the monthly disability action plan consultation group meeting facilitated by Metro Buses.

COUNCIL RESOLUTION

Resolution number: MO269-19

MOVED: Cr A Boyd

SECONDED: Cr D Pease

“THAT the General Manager’s Information Report for Community and Economic Development August 2019 be noted.”

For: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

Against:

CARRIED UNANIMOUSLY

GENERAL MANAGER**AO254-19 GENERAL MANAGER'S INFORMATION REPORT CORPORATE AND BUSINESS SERVICES AUGUST 2019****FILE NO: 4/18/2****PREVIOUS MIN:**

MAKING BURNIE 2030 – CORPORATE PLAN REFERENCE:

Direction	7	AN ENGAGING AND ACCOUNTABLE LEADERSHIP FOCUSED ON A STRONG FUTURE
Objective	7.4	A sustainable, viable financial future is assured and accountability is demonstrated through open and transparent processes.
Strategy	7.4.2	Demonstrate financial accountability and ensure strong internal controls underpin performance.

1.0 RECOMMENDATION:

“THAT the General Manager’s Information Report for Corporate and Business Services for August 2019 be noted.”

2.0 SUMMARY

The report includes the following items:

Corporate and Business Services

- 2.1 Summary Financial Statements
- 2.2 Schedule of Investments
- 2.3 Operational Report by Directorate/Department
- 2.4 Receivables Analysis
- 2.5 Rates Analysis
- 2.6 Capital Expenditure Report
- 2.7 Contracts Awarded
- 2.8 Consultants Engaged
- 2.9 Governance – Use of Council Seal

2.1 SUMMARY FINANCIAL STATEMENTS

Statement of Comprehensive Income

This report provides the draft YTD operating results for the period ending 31 August 2019.

YTD Comprehensive Income Statement

	YTD Actual	YTD Budget	YTD Variance to Budget	Annual Budget 2020	Annual Forecast 2020	Forecast Variance to Budget		
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000		
Recurrent Income								
Rates and charges	22,695	22,778	⊖ 84	22,923	22,923	⊕	-	F
Statutory fees and fines	213	171	⊕ (42)	1,024	1,024	⊕	-	F
User fees	619	774	⊖ 155	4,732	4,732	⊕	-	F
Grants	454	567	⊖ 113	3,399	3,399	⊕	-	F
Reimbursements	16	44	⊖ 28	323	323	⊕	-	F
Other income	87	150	⊖ 63	902	902	⊕	-	F
Investment income	-	153	⊖ 153	917	917	⊕	-	F
Total recurrent income	24,084	24,637	⊖ 553	34,221	34,221	⊕	-	F
Recurrent Expenses								
Employee benefits	1,711	2,065	⊖ (355)	12,210	12,210	⊕	-	F
Materials and services	410	1,790	⊖ (1,380)	10,786	10,786	⊕	-	F
Depreciation and amortisation	1,294	1,294	⊕ 0	7,765	7,765	⊕	-	F
Finance costs	-	10	⊖ (10)	57	57	⊕	-	F
Other expenses	409	751	⊖ (342)	3,400	3,400	⊕	-	F
Total recurrent expenses	3,824	5,910	⊖ (2,086)	34,219	34,219	⊕	-	F
Operating surplus/(deficit)	20,260	18,727	⊕ (1,533)	2	2	⊕	-	F
Capital Items								
Capital grants	-	477	⊖ 477	1,102	1,102	⊕	-	F
Expenditure on assets not owned by Council	-	-	⊕ -	-	-	⊕	-	F
Developer Contributions	-	-	⊕ -	-	-	⊕	-	F
Net gain/(loss) on disposal of assets	-	-	⊕ -	(250)	(250)	⊕	-	F
	-	477	⊖ 477	852	852	⊕	-	F
Surplus/(deficit)	20,260	19,204	⊕ (1,056)	854	854	⊕	-	F
Operating Margin	6.30	4.17		1.00	1.00			

⊕ A favourable variance

⚠ An unfavorable variance < \$50k

⊖ An unfavorable variance > \$50k

F = YTD favourable variance to budget

U = YTD unfavourable variance to budget

Statement of Financial Position

The Statement of Financial Position provides a snapshot of Council's financial position at the end of the reporting period. The current ratio line is an indicator of Council's liquidity and ability to pay its debts when they fall due. A ratio of more than 1.00 or more indicates that there is more cash and short terms assets than short term liabilities.

Statement of Financial Position

	Actual 2020 \$'000	Budget 2020 \$'000	Forecast 2020 \$'000
Assets			
Current assets			
Cash and cash equivalents	15,435	4,349	4,307
Trade and other receivables	10,175	1,625	1,625
Inventories	143	134	134
Other assets	15	48	48
Total current assets	25,768	6,156	6,114
Non-current assets			
Investment in water corporation	75,672	66,151	75,672
Investments in subsidiaries	2,103	2,103	2,103
Investment in joint venture	3,311	3,329	3,329
Property, infrastructure, plant and equipment	337,599	336,173	341,479
Total non-current assets	418,684	407,756	422,583
Total assets	444,453	413,912	428,697
Liabilities			
Current liabilities			
Trade and other payables	632	2,656	2,656
Trust funds and deposits	132	138	138
Interest-bearing loans and borrowings	326	343	343
Employee provisions	2,514	2,343	2,343
Total current liabilities	3,604	5,480	5,480
Non-current liabilities			
Interest-bearing loans and borrowings	938	1,796	1,796
Employee provisions	164	165	165
Total non-current liabilities	1,102	1,961	1,961
Total liabilities	4,706	7,441	7,441
Net Assets	439,747	406,471	421,256
Equity			
Accumulated surplus	274,147	276,027	274,148
Surplus/(deficit)	20,260	854	854
Reserves	145,340	129,590	146,254
Total Equity	439,747	406,471	421,256
CURRENT RATIO	7	1.12	1.12

Statement of Cash Flows

This report details cash and investment movements and balances as at the end of the reporting period.

Council's cash and investments balance as at 31 August 2019 is \$15.435m.

Burnie City Council
Statement of Cash Flows

	Actual 2020 \$'000	Budget 2020 \$'000	Forecast 2020 \$'000
Cash flows from operating activities			
Rates and charges	13,979	22,923	22,757
Statutory fees and fines	213	1,023	1,024
User fees	619	4,679	4,732
Grants	454	3,399	3,399
Reimbursements	16	323	323
Other income	87	925	902
Payments to suppliers	(1,746)	(10,731)	(10,116)
Payments to employees	(1,753)	(12,357)	(12,441)
Other payments	(409)	(3,400)	(3,400)
Net cash provided by (used in) operating activities	11,459	6,784	7,181
Cash flows from investing activities			
Payments for property, infrastructure, plant and equip	(894)	(9,961)	(10,581)
Dividends and distributions	-	917	917
Capital grants	-	1,102	1,102
Net cash provided by (used in) investing activities	(894)	(7,942)	(8,562)
Cash flows from financing activities			
Finance costs	-	(57)	(57)
Trust funds & deposits	-	3	-
New borrowings	-	1,200	1,200
Repayment of interest bearing loans and borrowings	-	(324)	(325)
Net cash provided by (used in) financing activities	-	822	818
Net increase (decrease) in cash and cash equivalents	10,565	(336)	(563)
Cash and cash equivalents at the beginning of the financial year	4,870	4,685	4,870
Cash and cash equivalents at the end of the period	15,435	4,349	4,307

2.2 SCHEDULE OF INVESTMENTS

A schedule of Council's investments is provided as at 31 August 2019:

Investments Schedule as at 31/08/19							
Institution	Term	Rate	S&P Rating	Lodgement Date	Maturity	Amount	Total
ANZ	At Call	1.90%	A1+			1,954,978	1,954,978
MyState	365 Days	2.90%	A2	02-09-18	02-09-19	500,000	
My State	90 Days	2.15%	A2	09-08-19	09-11-19	1,000,000	
MyState	90 Days	2.40%	A2	02-06-19	02-09-19	500,000	
MyState	150 Days	2.20%	A2	12-08-19	12-01-20	1,000,000	3,000,000
NAB	180 Days	1.92%	A1+	31-07-19	31-01-20	1,000,000	
NAB	150 Days	1.90%	A1+	31-07-19	31-12-19	500,000	
NAB	90 Days	1.80%	A1+	08-08-19	06-11-19	500,000	
NAB	180 Days	1.83%	A1+	08-08-19	08-02-20	500,000	
NAB	120 Days	1.80%	A1+	09-08-19	09-12-19	500,000	3,000,000
Bankwest	60 Days	1.70%	A1+	09-08-19	09-10-19	500,000	
Bankwest	60 Days	1.65%	A1+	30-08-19	29-10-19	1,500,000	2,000,000
BOQ	180 Days	1.75%	A2	21-08-19	21-02-20	1,000,000	
BOQ	180 Days	1.75%	A2	30-08-19	27-02-20	1,500,000	2,500,000
ME Bank	124 Days	1.70%	A2	21-08-19	23-12-19	500,000	
ME Bank	184 Days	1.70%	A2	21-08-19	21-02-20	500,000	1,000,000
							13,454,978

Investment Allocation by Credit Rating

Credit Rating	%	Amount	WAIR
A1+	52%	\$6,954,978	1.82%
A1	0%	\$0	0.00%
A2	48%	\$6,500,000	2.01%
	100%	\$13,454,978	

Investment Allocation by Bank

Bank	%	Amount
ANZ	15%	\$1,954,978
MyState	22%	\$3,000,000
NAB	22%	\$3,000,000
Bankwest	15%	\$2,000,000
BOQ	19%	\$2,500,000
ME Bank	7%	\$1,000,000
	100%	\$13,454,978

Council's Treasury Management Policy CP-CBS-SG-038 sets the parameters for management of Council's investment portfolio.

Cash reserves require careful management to both achieve optimum investment incomes and to ensure that cash is available when needed for planned expenditures. Funds are invested in a manner that allows Council to earn interest on community funds for as long as possible while retaining flexibility in accessing those funds for Council operations.

The primary tool for deciding on how much and how long to invest is the cash flow budget. A buffer of funds is retained in an interest bearing at call account to ensure funds are available to meet the Council's commitments.

Council's risk from exposure to any individual institution is restricted through diversification of the investment portfolio. No more than 40% of Council's total investment portfolio will be invested in any one institution. Council is also mindful of limiting its exposure to institutions with a credit rating of less than A1 and will not invest more than \$3,000,000 with any one institution with a credit rating of less than A1.

2.3 OPERATIONAL REPORT BY DIRECTORATE/DEPARTMENT

This section provides an overview of the operational performance of each department. Forecasts are provided for each department highlighting anticipated variances to budget identified to date.

Department	31-Aug	Annual Budget	Forecast
Community & Economic Development			
Burnie Arts & Function Centre	113,340	919,939	919,939
Burnie Regional Art Gallery	19,926	536,080	536,080
Burnie Regional Museum	7,003	292,928	292,928
Burnie Works	(27,408)	85,951	85,951
Business & Recreation	56,914	218,656	218,656
CED Management	73,686	347,710	347,710
Community & Youth	48,020	296,308	296,308
Marketing & Events	48,482	499,811	499,811
Visitor Information Centre	49,621	449,133	449,133
Community & Economic Development Total	389,583	3,646,516	3,646,516
Corporate & Business Services			
Accounting Services	(43,937)	(1,513)	(1,513)
Information Management	11,617	190,686	190,686
Information Technology Services	1,012	128,970	128,970
Revenue Services	59,612	430,046	430,046
Strategic and Governance	(16,829,276)	(15,699,821)	(15,699,821)
Corporate & Business Services Total	(16,800,971)	(14,951,632)	(14,951,632)
Employee Oncost Recovery			
Oncosts	(43,287)	-	-
Employee Oncost Recovery Total	(43,287)	-	-
Land & Environmental Services			
Compliance Support	(183,028)	(645,042)	(645,042)
Development Services	80,653	711,159	711,159
Management LES	46,735	325,371	325,371
Land & Environmental Services Total	(55,640)	391,488	391,488
Office of the General Manager			
Executive Management	66,809	499,303	499,303
Organisational Development	(26,805)	12	12
Office of the General Manager Total	40,005	499,315	499,315
Works & Services			
Cemetery Services	(5,839)	(3,221)	(3,221)
Facilities Management	232,623	2,168,587	2,168,587
Management WS	(210,827)	(20,982)	(20,982)
Parks & Reserves	287,995	2,075,295	2,075,295
Sporting Grounds	180,503	1,470,451	1,470,451
Stormwater Services	(1,395,449)	(461,939)	(461,939)
Transport Services	800,288	5,184,358	5,184,358
Waste Management	(3,678,973)	-	-
Works & Services Total	(3,789,677)	10,412,549	10,412,549
Total	(20,259,988)	(1,764)	(1,764)

2.4 RECEIVABLES ANALYSIS

The receivables analysis summarises all current amounts owed to Council as at the end of the reporting period. Graphical analysis is provided for the breakup of main receivable categories.

Receivables Analysis as at 31 August 2019

	<u>Total</u>	<u>Current</u>	<u>30-60 Days</u>	<u>60-90 Days</u>	<u>90+ Days</u>
Trade Debtors					
Sundry Debtors	202,919	164,083	20,903	(443)	18,376
Reserved Parking Spaces	9,764	8,267	258	242	997
Burnie Venues & Catering	30,160	26,290	2,035	1,029	806
Lease Debtors	39,527	18,258	20,604	665	
Business & Recreation Debtors	1,090		200	890	
Waste Debtors	43,655	42,541	790	143	181
Total Trade Debtors	327,114	259,439	44,790	2,525	20,360
Goods & Services Tax	72,773				
Infringements & Parking	1,281,260				
Other Receivables	121,979				
Rates & Charges	9,463,538				
Allowance for Impaired Debts	(1,091,882)				
Total Receivables	10,174,782				

Infringements & parking

	Aug-19		Aug-18		Movement	
	Count	Balance	Count	Balance	Count	Balance
Issued 2020	1,244	57,326			1,244	57,326
Issued 2019	2,036	169,870	1,129	51,578	907	118,292
Issued 2018	1,109	82,369	1,920	151,867	(811)	(69,498)
Issued 2017	1,671	61,393	1,745	82,488	(74)	(21,095)
Issued 2016	995	41,162	1,036	49,871	(41)	(8,709)
Issued 2015	603	38,971	661	44,217	(58)	(5,246)
Issued 2014	532	35,294	586	40,472	(54)	(5,178)
Issued 2013	634	38,384	701	43,706	(67)	(5,322)
Issued 2012	542	34,013	573	36,788	(31)	(2,775)
Issued 2011	548	33,025	605	37,862	(57)	(4,837)
Issued 2010	663	24,591	702	27,815	(39)	(3,224)
Issued 2009	772	53,458	828	57,928	(56)	(4,470)
Issued 2008	1,452	72,108	1,477	75,202	(25)	(3,094)
Issued Pre-2007	11,902	548,420	11,937	554,441	(35)	(6,021)
	24,703	1,290,385	23,900	1,254,235	803	36,150

2.5 RATES ANALYSIS

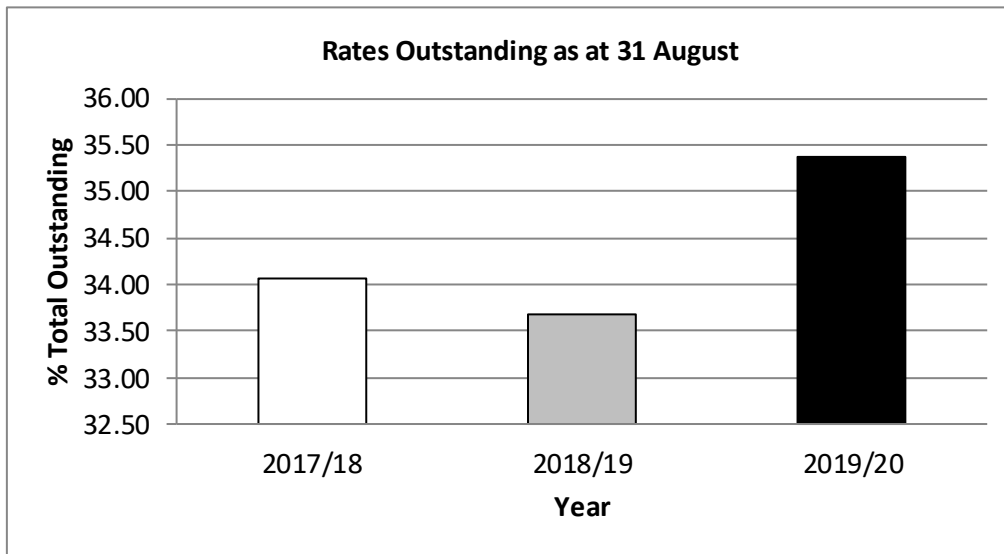
The rates analysis contains a summary of rating transaction movements for 2019/20 including the total levied, the total paid to date and the total unpaid as at the end of the reporting period. Rates are levied in July each year.

Rates Outstanding as at 31/08/2019

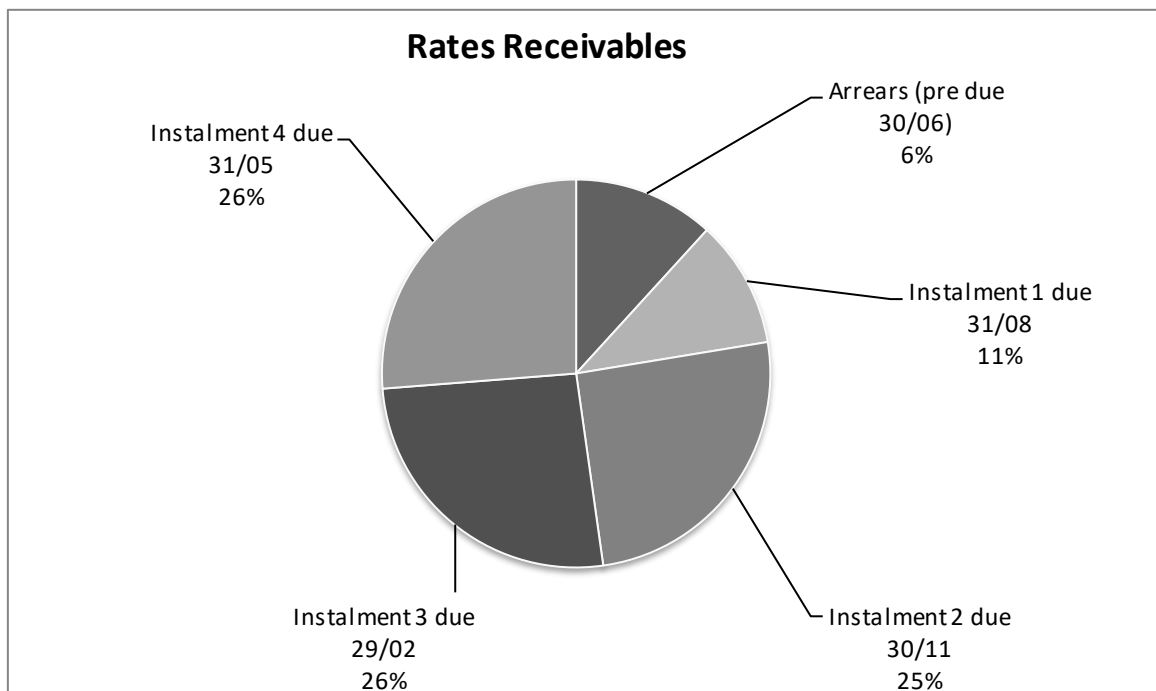
	This Financial Year 31 Aug 2019		Last Financial Year 31 Aug 2018		Change
		\$		\$	\$
Arrears Brought Forward as at July 1	2.90%	674,513	5.41%	1,239,630	(565,117)
Credit Brought Forward	-0.45%	(103,929)	-3.02%	(692,968)	589,039
Add Current Rates & Charges					
Levied	97.47%	22,694,693	97.56%	22,361,854	332,838
Penalty	0.08%	17,802	0.06%	13,032	4,770
Supplementary Rates	0.00%	-	0.00%	-	-
Gross Rates and Charges Demanded	100.00%	23,283,078	100.00%	22,921,549	361,530
Less: Rates & Charges Collected	60.00%	13,969,974	61.31%	14,053,536	(83,562)
Pension Remission	3.05%	709,558	3.04%	696,224	13,334
Residential Waste Remission	0.08%	19,008	0.08%	18,144	864
Hardship Interest Remission	0.00%	-	0.00%	85	(85)
Private Conservation	0.00%	165	0.00%	105	60
Misc Remissions	0.00%	-	0.06%	12,988	(12,988)
Services Remissions	0.00%	-	0.00%	-	-
Stormwater Remission	0.04%	8,781	0.04%	8,133	648
General Rate Remission	0.00%	-	0.02%	4,611	(4,611)
- Legal Fees	0.00%	-	-0.01%	(2,317)	2,317
- Discounts	1.46%	338,941	1.78%	407,976	(69,034)
- Roundings/Adjustments	0.00%	(15)	0.00%	(2)	(13)
Sub Total	64.62%	15,046,412	66.31%	15,199,483	(153,071)
Unpaid Rates & Charges as at 31/08	35.38%	8,236,666	33.69%	7,722,065	514,601

	<u>2019/2020</u>		<u>2018/2019</u>	
Outstanding as at 31 August		20,010,119		7,897,780
Rates in credit		(132,545)		(175,715)
		19,877,574		7,722,065
Total number of assessments		10,036		10,007
Assessments outstanding	68.75%	6,900	47.7%	4,771
Credit Rates	-2.3%	(190,141)	-2.3%	(175,715)
Arrears (pre due 30/06)	12.0%	990,987	11.1%	860,906
Instalment 1 due 31/08	10.9%	896,963	10.0%	768,678
Instalment 2 due 30/11	25.9%	2,137,414	26.5%	2,045,274
Instalment 3 due 29/02	26.6%	2,189,646	27.2%	2,099,684
Instalment 4 due 31/05	26.9%	2,211,797	27.5%	2,123,239
	100.00%	8,236,666	100.00%	7,722,065

There were 6,900 assessments outstanding as at 31 August 2019 compared to 4,771 as at 31 August 2018.



The following graph provides a breakdown of total rates outstanding by instalment.



2.6 CAPITAL EXPENDITURE REPORT

The following report outlines council's YTD capital expenditure compared to budget as at 31 August 2019. Explanations are provided below for project forecast variances to budget of \$20,000 or more.

YTD Capital Expenditure 2019/20						
	YTD Expenditure	Annual Budget	Balance Unspent	Forecast	Forecast Variance to Budget	Note
ROADS						
RURAL ROADS						
Upgrade Programme	122,473	888,920	766,447	889,063	● 143	
Rural Roads Resealing	599	86,700	86,101	86,700	● -	
Rural Roads Major Patching & Resealing	11,266	146,120	134,854	146,120	● -	
Rural Roads Bridges Programme	4,150	187,900	183,750	187,900	● -	
TOTAL RURAL ROADS	138,488	1,309,640	1,171,152	1,309,783	● 143	
URBAN ROADS						
Car Parking Improvements	16,210	151,710	135,500	151,710	● -	
Driveways, Footpaths and Channel	14,490	221,120	206,630	221,120	● -	
Retaining Walls	45,870	287,376	241,506	289,833	● 2,457	
Urban Infrastructure	29,682	264,562	234,880	264,562	● -	
Urban Road Renewal & Upgrades	70,668	520,160	449,492	522,768	● 2,608	
Urban Road Resealing	1,631	868,122	866,491	868,122	● -	
TOTAL URBAN ROADS	178,551	2,313,050	2,134,499	2,318,115	● 5,065	
TOTAL ROADS	317,039	3,622,690	3,305,651	3,627,898	● 5,208	
STORMWATER						
Storm Water Upgrades & Replacements	76,846	606,070	529,224	606,265	● 195	
TOTAL STORMWATER	76,846	606,070	529,224	606,265	● 195	
PARKS, RESERVES AND SPORTING FACILITIES						
General Parks and Reserves	133,566	2,208,771	2,075,205	2,232,045	✘ 23,274	1
Cemeteries	30,150	264,480	234,330	264,480	● -	
Sporting Grounds & Facilities	17,218	162,076	144,858	162,076	● -	
TOTAL PARKS, RESERVES & SPORTING FACILITIES	180,934	2,635,327	2,454,393	2,658,601	✘ 23,274	
WASTE						
Garbage and Recycling	1,245	42,045	40,800	42,045	● -	
Waste Management Centre	17,275	269,420	252,145	269,420	● -	
TOTAL WASTE MANAGEMENT	18,520	311,465	292,945	311,465	● -	
BUILDINGS						
Sporting Facilities	61,875	656,336	594,461	656,336	● -	
Public Amenities	86,117	408,500	322,383	490,466	✘ 81,966	2
Burnie Arts & Function Centre	6,640	328,240	321,600	328,240	● -	
Burnie Regional Museum	165	-	(165)	165	● 165	
Other Buildings	20,893	436,776	415,883	439,953	● 3,177	
TOTAL BUILDINGS	175,691	1,829,852	1,654,161	1,915,160	✘ 85,308	
PROPERTY, PLANT & EQUIPMENT (PPE)						
Computer Equipment	4,755	270,000	265,245	270,000	● -	
Vehicles	-	134,600	134,600	134,600	● -	
Plant	22,908	776,055	753,147	776,055	● -	
Other	38,297	177,261	138,964	182,210	● 4,949	
Parking Equipment	51,160	37,200	(13,960)	37,200	● -	
Furniture & Fittings	3,151	49,295	46,144	49,295	● -	
Heritage Assets	4,849	11,860	7,011	11,860	● -	
TOTAL PLANT/EQUIPMENT/VEHICLES	125,121	1,456,271	1,331,150	1,461,220	● 4,949	
TOTAL	894,151	10,461,675	9,567,524	10,580,609	✘ 118,934	

Note 1 – General Parks and Reserves

Project Description	YTD Actual	Annual Budget	Forecast	Forecast Variance	% Variance
Waterfront - Eastern Promenade	4,361	0	4,361	●	0%
Signage Strategy	1,900	0	1,900	●	0%
Fernglade Reserve - Install new path	8,213	0	8,213	●	0%
Montello Soccer Ground Upgrade Management Plan & Stage 1	8,800	0	8,800	●	0%

Waterfront – Eastern Promenade - Works from 2018-19, project costs paid in current financial year.

Signage Strategy - Works from 2018-19, project costs paid in current financial year.

Fernglade Reserve – Install new path – Works from 2018-19, project costs paid in current financial year.

Montello Soccer Ground Upgrade Management Plan & Stage 1 – Works from 2018-19, project costs paid in current financial year.

Note 2 – Public Amenities

Project Description	YTD Actual	Annual Budget	Forecast	Forecast Variance	% Variance
Waterfront Playground Toilet	81,966	0	81,966	●	0%

Waterfront Playground Toilet - Works from 2018-19, project costs paid in current financial year.

2.7 CONTRACTS AWARDED

The following table shows contracts awarded over \$100,000 (full contract value) during August 2019.

Contract Number	Contract Title	Contractor Registered Business Name and Address	Awarded Date	Initial Term	Extension Options	Value of Contract (Ex GST)
2633	Bitumen Surfacing Services 2019-2020	Hardings Hotmix Pty Ltd 30 Industrial Drive Ulverstone TAS 7315	20/08/2019	1 year	N/A	Schedule of Rates (Part A)
2633	Bitumen Surfacing Services 2019-2020	Roadways Pty Ltd 3 Ormsby Street Wivenhoe TAS 7320	20/08/2019	1 year	N/A	Schedule of Rates (Parts B and C)
2629	West Park Grandstand Facilities Upgrade	AJ & M Construction Pty Ltd 3 Upper Stowport Road Burnie TAS 7320	20/08/2019	15 weeks	N/A	\$351,488.98

2.8 CONSULTANTS ENGAGED

The following table lists consultants engaged throughout the current financial year for a cost greater than \$10,000. For the purpose of this table, a consultant is defined as a person or organisation that provides Council with professional advice in areas of strategy, planning or engineering. Consultants are engaged in accordance with Council's policy *Code for Tenders and Contracts CP-CBS-SG-012*.

Reasons that consultants may be engaged:

- A Lack of resource within Council
- B Specialist expertise required
- C Independence
- D Value for money (where Council cannot provide the service as efficiently)
- E Legal requirement

Project	Consultant	Description	Committed \$	Actual \$ LTD	Reason	Funded from	Complete
West Park Grandstand Upgrade	JD2 Consulting	Consultant Brief 192 Architectural Design and Project Delivery	37,170	25,919	B	Capital Works Allocation	No
North West Museum & Art Gallery	Lifecycle Cost Management	Quantity Surveyor Cost Estimating, Stage 1 Services	\$19,550		B	Budget Allocation Required	No
Mooreville Road Upgrade Stage 3	PDA Surveyors	Detail Land Survey and Structures assessment	\$13,300		B	Capital Works Allocation	No

2.9 GOVERNANCE – USE OF COUNCIL SEAL

9 August 2019	Final Survey Plan and Schedule of Easements – 35 Queen Street, Burnie
30 August 2019	Contract 2629 – West Park Grandstand Facilities Upgrade

COUNCIL RESOLUTION

Resolution number: MO270-19

MOVED: Cr K Dorsey

SECONDED: Cr G Simpson

“THAT the General Manager’s Information Report for Corporate and Business Services for August 2019 be noted.”

For: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

Against:

CARRIED UNANIMOUSLY

AO255-19 COMMUNICATIONS JOURNAL SEPTEMBER 2019

FILE NO: 2/17/3
PREVIOUS MIN:

MAKING BURNIE 2030 – CORPORATE PLAN REFERENCE:

Direction	7	AN ENGAGING AND ACCOUNTABLE LEADERSHIP FOCUSED ON A STRONG FUTURE
Objective	7.2	Council and the community are informed and engaged on issues of local importance.
Strategy	7.2.2	Inform the community of key decisions and actions of Council.

1.0 RECOMMENDATION:

“THAT Council note the information contained in the Communications Journal as listed.”

2.0 SUMMARY

The purpose of the Communications Journal section of the Agenda is to provide Council with relevant general communication items received that need to be brought to the attention of Councillors.

Items contained in this monthly report are generally for noting. Any specific correspondence items which require an officer’s comment and a recommendation are tabled in the reports immediately following this one.

3.0 MAYOR’S COMMUNICATIONS

The Mayor advised that the following meetings, events or appointments were attended since the last Council Meeting report:

- CatholicCare Housing Connect Support North West – Morning Tea
- Reconciliation Tasmania - Inaugural Annual International Day of the Worlds' Indigenous Peoples (IDWIP) Lecture
- ArtRage The 2018 Collection - Official Opening
- North West Museum and Art Gallery (NWMAG) - Architect Services Briefing
- Q&A Session with The Federal Treasurer, Hon Josh Frydenberg MP
- BCCI Breakfast session - Guest Speaker Chris Whitelaw
- Meeting with CLTP (Hermal Group)
- BCCI – Brand Launch
- AMWU Women's Forum - Go Beyond
- Vietnam Veterans Day 2019 - Commemoration Service
- Official Opening of Primary Kaleidoscope
- Meeting with Minister Ferguson MP

- BCCI - AGM and General Meeting
- Cradle Coast Authority - Representatives Meeting
- Luncheon with Deputy Prime Minister, Hon Michael McCormack MP
- Brand Tasmania Networking Event
- Granville Harbour Wind Farm - Burnie Community Open Day
- TMEC Voice of Industry Footy Day
- Volunteer Thank You Dinner 2019
- Meeting with David Searle and Andrew Barton (McKenna Park / Baseball)
- UTAS West Park Transition Working Group Meeting
- TICT Leadership Luncheon 'North West in Focus'
- Bernie's Lounge Launch at Burnie Library
- Meeting with Senator Carol Brown (Shadow Assistant Minister for Infrastructure and Regional Tourism)
- Meeting with Justine Keay
- Annual Meeting of the North West Regional Burnie Hospital Auxiliary
- Teleconference with Vice-Chancellor Rufus Black
- Burnie Regional Art Gallery Advisory Meeting

The Mayor advised that the following meetings, events or appointments were attended on his behalf since the last Council Meeting report:

- Premier's Health and Wellbeing Advisory Council - Leaders' Breakfast – attended by Councillor Ken Dorsey
- Health in All Policies Forum: Working Together for the Health and Wellbeing of Tasmanians – attended by Councillor Ken Dorsey
- UTAS Science & Engineering Investigation Awards – attended by Deputy Mayor Giovanna Simpson

4.0 NOTIFICATION OF COUNCIL WORKSHOPS

Workshop	27 August 2019	
Councillors in attendance	Mayor Kons, Deputy Mayor Simpson, Cr Boyd, Cr Brumby, Cr Bulle, Cr Dorsey, Cr Keygan, Cr Lynch, Cr Pease	
Apologies		
Items Discussed	LGAT Sector Engagement – 21st Century Councils	Discussion with Councillors
	Road Safety Advisory Council	Road Safety Advisory Council discussion with Councillors
	General Manager's Update	Presentation to Councillors
	CBD Promotions	CBD representatives discussion with Councillors
	General Manager's Update	Councillor discussion

Workshop	3 September 2019	
Councillors in attendance	Deputy Mayor Simpson, Cr Boyd, Cr Brumby, Cr Bulle, Cr Dorsey, Cr Keygan, Cr Lynch, Cr Pease	
Apologies	Mayor Kons	
Items Discussed	Quarterly Works Update	Presentation to Councillors
	South Burnie Foreshore	Discussion with Councillors
	TasCom	Discussion with Councillors
	Burnie Athletics Club Inc	Burnie Athletics Club discussion with Councillors
	Ground Hire Fees	Discussion with Councillors
	Music in the Burnie CBD	Discussed motion with Councillors
	Farmers Market	Discussion with Councillors

5.0 CORRESPONDENCE FOR NOTING

The following correspondence is **attached** for noting.

ATTACHMENTS

1. Correspondence received from Hon Roger Jaensch MP, Minister for Planning - Notice of issue of Interim Planning Directive No. 3 - Permits for Temporary Housing
2. Correspondence received from Department of Primary Industries, Parks, Water and Environment - Cat Management Amendment Bill 2019
3. Correspondence received from Department of Education - Intake Area Review
4. Correspondence received from Drug Advisory Council of Australia - Community Awareness
5. Correspondence received from Burnie Arts Council - Winter Closure of BRAG and BRM
6. Correspondence received from Burnie / Wynyard Operation Christmas Child - Samaritans Purse (Shoeboxes)
7. Correspondence received from Robert C. Foon - Dual Names for Burnie

COUNCIL RESOLUTION

Resolution number: MO271-19

MOVED: *Cr T Brumby*

SECONDED: *Cr C Lynch*

“THAT Council note the information contained in the Communications Journal as listed.”

For: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

Against:

CARRIED UNANIMOUSLY

Minister for Human Services
Minister for Housing
Minister for Disability Services and Community
Development
Minister for Planning
Minister for Aboriginal Affairs

Level 5 4 Salamanca Place, Parliament Square Building HOBART TAS 7000 Australia
GPO Box 123 HOBART TAS 7001 Australia
Ph: +61 3 6165 7686
Email: minister.jaensch@dpac.tas.gov.au



Alderman Steve Kons
Mayor
Burnie City Council
PO Box 973
BURNIE TAS 7320
burnie@burnie.net

Dear Mayor

Notice of issue of Interim Planning Directive No. 3 – Permits for Temporary Housing

The Tasmanian Planning Commission (the Commission) has provided me with its recommendation to assess a draft planning directive relating to permits for temporary housing which was lodged with the Commission by the Department of Justice.

The Commission has also recommended, under former section 12A(1) of the *Land Use Planning and Approvals Act 1993* (the Act) that the draft planning directive be issued as an interim planning directive.

I have considered the recommendations and have directed the Commission to undertake an assessment of the draft planning directive under former section 11(1)(a) of the Act.

I have also decided to issue *Interim Planning Directive No. 3 – Permits for Temporary Housing* under former section 12A(2) of the Act.

The interim planning directive will take effect on 4 September 2019 for a 12 month period or until it is superseded by a planning directive or the Tasmanian Planning Scheme takes effect in a municipal area.

The interim planning directive is a self-executing document that must be read with the relevant interim planning scheme or the *Sullivans Cove Planning Scheme 1997*.

Insert CM reference

2

Enclosed is a copy of the interim planning directive which is also available on the Tasmanian Planning Reform website: <https://www.planningreform.tas.gov.au/home>.

Enquiries can be directed to the Department of Justice's Planning Policy Unit on (03) 6166 1429 or email planning.unit@justice.tas.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'R Jaensch', enclosed within a large, loopy blue oval.

Hon Roger Jaensch MP
Minister for Planning

cc: Mr Andrew Wardlaw, General Manager

Interim Planning Directive No. 3 Permits for Temporary Housing

This Interim Planning Directive has been issued by the Minister for Planning under section 12A(2)(a) of the former provisions of the *Land Use Planning and Approvals Act 1993* (the Act) and came into effect on 4 September 2019¹.

¹ References to provisions of the *Land Use Planning and Approvals Act 1993* (the Act) are references to the **former provisions** of the Act as defined in Schedule 6 – Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015*. The **former provisions** apply to a planning scheme that was in force prior to the **commencement day** of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015*. The **commencement day** was 17 December 2015.

Interim Planning Directive No. 3
Permits for Temporary Housing

1.0 Citation

This planning directive may be cited as Interim Planning Directive No. 3 – Permits for Temporary Housing.

2.0 Application

2.1 This planning directive applies to the following planning schemes:

- (a) interim planning schemes that have been declared or made under the *Land Use Planning and Approvals Act 1993* (the Act); and
- (b) the *Sullivans Cove Planning Scheme 1997*.

3.0 Interpretation

3.1 In this planning directive, unless the contrary intention appears:

“**Director of Housing**” means the Director as defined in the *Homes Act 1935*.

“**eligible persons**” means as defined in the *Homes Act 1935*.

“**housing support provider**” means as defined in the *Homes Act 1935*.

“**temporary housing**” means residential use or development for a period of not more than 12 months commencing from the date on which an occupancy permit or temporary occupancy permit is issued in accordance with Part 17 of the *Building Act 2016*.

4.0 Effect of the planning directive

4.1 For all interim planning schemes to which this planning directive applies must have the effect that:

- (a) Use and development for temporary housing of eligible persons within an existing building is Permitted, and a permit must be granted, if:
 - (i) on land within a General Residential Zone, Inner Residential Zone, Urban Mixed Use Zone, Central Business Zone, General Business Zone, Local Business Zone, Community Purpose Zone, Recreation Zone, or Open Space Zone under an interim planning scheme, or the Commercial Zone under the *Hobart Interim Planning Scheme 2015*;
 - (ii) funded or operated by, or on behalf of, the Director of Housing or a housing support provider;
 - (iii) the development is limited to minor building works or structures necessary for the use of the existing building for temporary housing;
 - (iv) a code relating to heritage does not apply, or the use or development does not involve:

Interim Planning Directive No. 3
Permits for Temporary Housing

- a. any external alteration or modification to a building that forms part of a heritage place, unless required for compliance with fire regulation under the *Building Code of Australia* and is not visible from any road or public open space adjoining the site; or
 - b. excavation of land to a depth of more than 0.3m and more than 20m² in area on a site within a listed place or precinct of archaeological significance; and
- (v) the Bushfire-Prone Areas Code, or a code relating to flooding or inundation hazards, does not apply.
- (b) Use and development for temporary housing of eligible persons within demountable, relocatable, or other forms of non-permanent buildings is Permitted, and a permit must be granted, if:
- (i) on land within a General Residential Zone, Inner Residential Zone, Urban Mixed Use Zone, Central Business Zone, General Business Zone, Local Business Zone, Community Purpose Zone, Recreation Zone, or Open Space Zone under an interim planning scheme, or the Commercial Zone under the *Hobart Interim Planning Scheme 2015*;
 - (ii) funded or operated by, or on behalf of, the Director of Housing or a housing support provider;
 - (iii) located on the same site, or a site adjoining, an existing residential facility that is funded or operated by, or on behalf of, the Director of Housing or a housing support provider;
 - (iv) the building height is not more than 8m above existing ground level; and
 - (v) the buildings have a setback from an adjoining property of not less than half the wall height of the building if the adjoining property is within a General Residential Zone, Low Density Residential Zone, or Inner Residential Zone, excluding:
 - a. an adjoining property to which subclause 4.1(b)(iii) applies; and
 - b. the portion of the wall that is not more than 3m above existing ground level;
 - (vi) a code relating to heritage does not apply, or the use or development does not involve:
 - a. any external alteration or modification to a building that forms part of a heritage place, unless required for compliance with fire regulation under the *Building Code of Australia* and is not visible from any road or public open space adjoining the site; or
 - b. excavation of land to a depth of more than 0.3m and more than 20m² in area on a site within a listed place or precinct of archaeological significance; and

Interim Planning Directive No. 3
Permits for Temporary Housing

- (vii) the Bushfire-Prone Areas Code, or a code relating to flooding, inundation, or landslip hazards, does not apply.
 - (c) Unless subclause 4.1(a) or 4.1(b) applies, use or development for temporary housing of eligible persons within an existing building, or in a demountable, relocatable or other non-permanent building, is Discretionary, if funded or operated by, or on behalf of, the Director of Housing or a housing support provider.
 - (d) In determining an application under subclause 4.1(c), a planning authority must have regard to:
 - (i) locating the temporary housing as close as possible to existing residential facilities and social support services that are funded or operated by, or on behalf of, the Director of Housing or a housing support provider;
 - (ii) the availability and capacity of infrastructure to the site;
 - (iii) the purpose and provisions of the applicable zone and any applicable codes; and
 - (iv) the potential for land use conflict with other use or development on adjoining properties and any measures available to manage or mitigate such conflict.
- 4.2 For the *Sullivans Cove Planning Scheme 1997* to which this planning directive applies must have the effect that:
- (a) Use and development is Permitted, and a permit must be granted, for temporary housing of eligible persons within an existing building if:
 - (i) on land within Activity Area 1.0 Inner City Residential (Wapping) or Activity Area 2.0 Sullivans Cove Mixed Use;
 - (ii) funded or operated by, or on behalf of, the Director of Housing or a housing support provider;
 - (iii) the development is limited to minor building works or structures necessary for the use of the existing building for temporary housing; and
 - (iv) Schedule 1 – Conservation of Cultural Heritage Values does not apply, or the use or development does not involve:
 - a. any external alteration or modification to a building that forms part of a place of cultural significance, unless required for compliance with fire regulation under the *Building Code of Australia* and is not visible from any road or public open space adjoining the site; or
 - b. excavation of land to a depth of more than 0.3m and more than 20m² in area on a site within a place of archaeological sensitivity.

Interim Planning Directive No. 3
Permits for Temporary Housing

- (b) Use and development for the temporary housing of eligible persons within demountable, relocatable, or other non-permanent buildings is Permitted, and a permit must be granted, if:
 - (i) on land within Activity Area 1.0 Inner City Residential (Wapping) or Activity Area 2.0 Sullivans Cove Mixed Use;
 - (ii) funded or operated by, or on behalf of, the Director of Housing or a housing support provider;
 - (iii) located on the same site, or a site adjoining, an existing residential facility that is funded or operated by, or on behalf of, the Director of Housing or a housing support provider;
 - (iv) building height is not more than 8m above existing ground level; and
 - (v) Schedule 1 – Conservation of Cultural Heritage Values does not apply, or the use or development does not involve:
 - a. any external alteration or modification to a building that forms part of a place of cultural significance, unless required for compliance with fire regulation under the *Building Code of Australia* and is not visible from any road or public open space adjoining the site; or
 - b. excavation of land to a depth of more than 0.3m and more than 20m² in area on a site within place of archaeological sensitivity.
- (c) Unless subclause 4.2(a) or 4.2(b) applies, use or development for temporary housing of eligible persons within an existing building, or in a demountable, relocatable or other non-permanent building, is Discretionary, if funded or operated by, or on behalf of, the Director of Housing or a housing support provider.
- (d) In determining an application under subclause 4.2(c), a planning authority must have regard to:
 - (i) locating the temporary housing as close as possible to existing residential facilities and social support services that are funded or operated by, or on behalf of, the Director of Housing or a housing support provider;
 - (ii) the availability and capacity of infrastructure to the site;
 - (iv) the purpose and provisions of the applicable Activity Area and any applicable Schedule; and
 - (v) the potential for land use conflict with other use or development of adjoining properties and any measures available to manage or mitigate such conflict.

Interim Planning Directive No. 3
Permits for Temporary Housing

- 4.3 A permit granted under this planning directive must be subject to a condition to require that not more than 6 months after the date on which the permit lapses, all traces of any works, buildings, plant or materials introduced and used for the purposes temporary housing must be removed from the site to the satisfaction of the planning authority, unless:
- (a) a new permit for temporary housing has been granted; or
 - (b) such works, buildings, plant or materials are to be used for a use or development for which a permit has been granted, or are exempt from requiring a permit.

5.0 Application of standards and planning requirements

- 5.1 Subclauses 4.1(a) and 4.1(b) do not apply to use or development that has the status of No Permit Required under the applicable planning scheme.
- 5.2 Subclauses 4.1(c) and 4.2(c) do not apply to use or development that has the status of No Permit Required or Permitted under the applicable planning scheme.
- 5.3 No other provision or requirement in a planning scheme to which this planning directive applies is applicable to a proposal under subclauses 4.1(a), 4.1(b), 4.2(a) or 4.2(b).
- 5.4 If any provision or requirement in a planning scheme to which this planning directive applies that is directly or indirectly inconsistent with the provisions or requirements specified in subclauses 4.1(c), 4.1(d), 4.2(c) or 4.2(d), that provision or requirement does not apply to the extent of the inconsistency.

6.0 Commencement

This Interim Planning Directive takes effect on 4 September 2019.

FACT SHEET IPD 3

INTERIM PLANNING DIRECTIVE NO. 3 – PERMITS FOR TEMPORARY HOUSING

Overview

As a consequence of numerous and complex factors, Tasmania is currently experiencing considerable pressures on housing affordability and housing availability. Data suggests that levels of homelessness in Tasmania are also steadily rising.

While the Government is addressing the long-term provision of suitable permanent accommodation for all people experiencing homelessness, there is an urgent need to provide temporary housing options as an interim measure.

This requires ensuring local councils are able to issue planning permits for temporary housing in suitable locations. This may include the conversion of existing underutilised buildings, or the use of temporary buildings (such as converted shipping containers).

Interim Planning Directive No. 3 – Permits for Temporary Housing (IPD3) came into effect on 4 September 2019 and provides for councils to issue planning permits for

temporary housing for periods of up to 12 months, under specified circumstances.

What is an interim planning directive?

An interim planning directive gives immediate and interim effect to provisions in a draft planning directive while it is being formally assessed by the Tasmanian Planning Commission (the Commission). Planning directives include provisions relating to the use and development of land in Tasmania.

Interim planning directives may be issued by the Minister for Planning under the former provisions¹ of the *Land Use Planning and Approvals Act 1993* (the Act) after considering the recommendations of the Commission on a draft planning directive. They can only be applied to land currently subject to an interim planning scheme or another planning scheme made under the former provisions of the Act.

An interim planning directive can only remain in effect for up to 12 months. An interim planning directive ceases to have effect once the planning directive is issued,

¹ The former provisions of Part 2A of the Act which relate to planning directives remain in effect through the savings provisions under Schedule 6, Clause 3 of the Act. The savings provisions provide for the making of a planning directive, and an interim planning directive, as though the former provisions of the Act were still in operation.



FACT SHEET IPD 3
INTERIM PLANNING DIRECTIVE NO. 3 – PERMITS FOR TEMPORARY HOUSING

following the formal assessment by the Commission.

What does IPD3 do?

IPD3 provides local councils with the ability to issue a planning permit for temporary housing for up to 12 months but only under specific circumstances. The temporary housing must be funded or operated by, or on behalf of, the Director of Housing, or another recognised housing support provider, and must be made available to eligible persons² as defined under the *Homes Act 1935*. The 12 month period for the permit commences after an occupancy permit, or temporary occupancy permit, is issued in accordance with the *Building Act 2016*.

Specifically, IPD3 provides a:

1. Permitted pathway³ for the use of an existing building, and any necessary minor development, for temporary housing in certain zones (refer to [Appendix 1](#)).

2. Permitted pathway for installing buildings (such as converted shipping containers) for temporary housing on the same site, or a site adjoining, an existing social housing facility⁴ in certain zones (refer to [Appendix 1](#)).
3. Discretionary pathway⁵ for the use and development of an existing building, or the installation of buildings, for temporary housing that is beyond the Permitted pathway options or in other zones.

IPD3 also requires specific conditions to be included in a planning permit requiring the restoration of the site within 6 months of the expiry of the permit.

More details on the planning requirements in IPD3 are contained in [Appendix 1](#).

How does IPD3 work with existing planning schemes?

IPD3 applies to all interim planning schemes and the *Sullivans Cove Planning Scheme 1997*. It overrides the provisions in the relevant planning scheme.

² As of 19 April 2018, the Director of Housing determined that eligible persons in need of housing assistance are those that:

- are homeless or at risk of becoming homeless; or
- live in housing that is unsafe or unsuitable; or
- are a safety risk to themselves or others or there is a third party threat to them; or
- are living in housing that does not meet or makes worse their health or mobility; or
- do not have the financial capacity to meet their housing needs.

³ A Permitted pathway means that the application for a planning permit will be subject to the requirements under section 58 of the *Land Use Planning and Approvals Act 1993*.

⁴ This is limited to an existing residential facility funded or operated by, or on behalf of, the Director of Housing or a housing support provider.

⁵ A Discretionary pathway means that the application for a planning permit will be subject to the requirements under section 57 of the *Land Use Planning and Approvals Act 1993*.



FACT SHEET IPD 3
INTERIM PLANNING DIRECTIVE NO. 3 – PERMITS FOR TEMPORARY HOUSING

The Permitted pathway requirements under IPD3 substitute for the relevant planning scheme. This means that no other provisions of the relevant planning scheme apply to temporary housing that meets the Permitted pathway requirements under IPD3.

The Discretionary pathway requirements under IPD3 operate differently. These requirements override the applicable provisions in the relevant planning scheme to the extent of any inconsistency. This means that if a provision of the relevant planning scheme is directly or indirectly inconsistent with the IPD3 requirements, the IPD3 requirements prevail to the extent of that inconsistency.

The Permitted pathway requirements under IPD3 do not apply if the proposal already has the status of No Permit Required under the relevant planning scheme. Similarly, the Discretionary pathway requirements under IPD3 do not apply if the proposal already has the status of No Permit Required or Permitted under the relevant planning scheme.

Does IPD3 affect building approvals under the *Building Act 2016*?

IPD 3 only relates to the issuing of a planning permit. The normal building permits or authorisations for temporary housing under the *Building Act 2016* remain applicable.

What happens if the planning directive is not approved?

While IPD3 is operating the Commission is required to assess the draft planning directive that is in the same form as the IPD. If the assessment recommends either modifications or that the planning directive is not appropriate to make permanently, and the Minister agrees with such recommendations, then the provisions of the IPD will cease to operate.

However, any permits issued under IPD3 will still be valid.

Where can I find a copy of IPD3?

A copy of *Interim Planning Directive No. 3 – Permits for Temporary Housing* can be viewed on the Tasmanian Planning Reform website: <https://www.planningreform.tas.gov.au/home>

Enquiries

Any enquiries can be directed to the Planning Policy Unit within the Department of Justice at Planning.Unit@justice.tas.gov.au or by telephoning (03) 6166 1429.

September 2019

FACT SHEET IPD 3
INTERIM PLANNING DIRECTIVE NO. 3 – PERMITS FOR TEMPORARY HOUSING

Appendix I – Summary of Interim Planning Directive No. 3 requirements

INTERIM PLANNING SCHEMES

Requirements	Permitted pathway for temporary housing within existing building	Permitted pathway for temporary housing within temporary buildings	Discretionary pathway for temporary housing within existing building or temporary buildings
Applicable zones	General Residential Zone Inner Residential Zone Urban Mixed Use Zone Central Business Zone General Business Zone Local Business Zone Community Purpose Zone Recreation Zone Open Space Zone Commercial Zone (Hobart Interim Planning Scheme only)	General Residential Zone Inner Residential Zone Urban Mixed Use Zone Central Business Zone General Business Zone Local Business Zone Community Purpose Zone Recreation Zone Open Space Zone Commercial Zone (Hobart Interim Planning Scheme only)	All zones
Other locational requirements	Nil	Same site, or site adjoining, an existing residential facility funded or operated by, or on behalf of, the Director of Housing or a housing support provider.	Nil
Building height	Nil, only minor building works and structures allowed which are necessary for use of the existing building.	8m	In accordance with the relevant planning scheme
Building setbacks	Nil, only minor building works and structures allowed which are necessary for use of the existing building.	Half the wall height of the building if adjoining the General, Low Density, or Inner Residential Zone, excluding: <ul style="list-style-type: none"> an adjoining property containing the existing residential facility to which it relates; and the portion of the wall that has a height of 3m or less. 	In accordance with the relevant planning scheme
Heritage requirements	Must not involve: <ul style="list-style-type: none"> alterations or modifications to a heritage building unless required by fire regulations and not visible off the site; or excavations to a depth of more than 0.3m and an area of 20m² on site of archaeological significance. 	Must not involve: <ul style="list-style-type: none"> alterations or modifications to a heritage building unless required by fire regulations and not visible off the site; or excavations to a depth of more than 0.3m and an area of 20m² on site of archaeological significance. 	In accordance with the relevant planning scheme
Natural hazard code requirements	Bushfire-Prone Areas Code, or a code relating to flooding, inundation, or landslip hazards, must not apply.	Bushfire-Prone Areas Code, or a code relating to flooding, inundation, or landslip hazards, must not apply.	In accordance with the relevant planning scheme

FACT SHEET IPD 3
INTERIM PLANNING DIRECTIVE NO. 3 – PERMITS FOR TEMPORARY HOUSING

SULLIVANS COVE INTERIM PLANNING SCHEME 1997

Requirements	Permitted pathway for temporary housing within existing building	Permitted pathway for temporary housing within temporary buildings	Discretionary pathway for temporary housing within existing building or temporary buildings
Applicable activity areas	Activity Area 1.0 Inner City Residential (Wapping) Activity Area 2.0 Sullivans Cove Mixed Use	Activity Area 1.0 Inner City Residential (Wapping) Activity Area 2.0 Sullivans Cove Mixed Use	All activity areas
Other locational requirements	Nil	Same site, or site adjoining, an existing residential facility funded or operated by, or on behalf of, the Director of Housing or a housing support provider.	Nil
Building height	Nil, only minor building works and structures allowed which are necessary for use of the existing building.	8m	In accordance with the relevant planning scheme
Building setbacks	Nil, only minor building works and structures allowed which are necessary for use of the existing building.	Nil	In accordance with the relevant planning scheme
Heritage requirements	Must not involve: <ul style="list-style-type: none"> alterations or modifications to a heritage building unless required by fire regulations and not visible off the site; or excavations to a depth of more than 0.3m and an area of 20m² on place of archaeological sensitivity. 	Must not involve: <ul style="list-style-type: none"> alterations or modifications to a heritage building unless required by fire regulations and not visible off the site; or excavations to a depth of more than 0.3m and an area of 20m² on site of archaeological significance. 	In accordance with the relevant planning scheme
Requirements of other schedules	Nil	Nil	In accordance with the relevant planning scheme

Department of Primary Industries, Parks, Water and Environment
BIOSECURITY TASMANIA

Hobart GPO Box 44, Hobart TAS 7001
Launceston PO Box 46, Kings Meadows TAS 7249
Devonport PO Box 303, Devonport TAS 7310
Ph 1300 368 550
www.dpipwe.tas.gov.au



Mayor Steve Kons
Burnie Council
PO Box 973
BURNIE TAS 7320
burnie@burnie.net

Dear Mayor Kons,

A final exposure draft of the Cat Management Amendment Bill 2019 has been released for public comment.

The draft Amendment Bill is the outcome of an extensive and ongoing consultation that commenced as part of developing the *Tasmanian Cat Management Plan 2017-2022* (the Plan). The Tasmanian Cat Management Plan represents the first comprehensive and collaborative approach to managing cats in Tasmania.

The Plan documents a number of regulatory changes identified as necessary to facilitate improved cat management in Tasmania. The draft Amendment Bill contains the legislative amendments to the *Cat Management Act 2009* based on the Plan, including:

- Compulsory desexing of owned cats by the age of four months (12 month transition period);
- compulsory microchipping of cats by the age of four months (12 month transition period);
- limiting to four, the maximum number of cats allowed at a property without a permit (12 month transition period);
- increased measures to protect private land from roaming, stray and feral cats;
- changing the option for cat breeders to be registered with the State Government to a permit system (12 month transition period);
- removing the option of a Care Agreement;

- commencing Section 24 of the Act that requires a cat to be microchipped and desexed before being released from a cat management facility.

Regional cat management working groups have been established as part of the statewide Cat Management Coordination Project, and local government has been a participant in those working groups. Cat management is an important issue for the different levels of government in Tasmania, and feedback from local government on these amendments will be key to ensuring that the Act is able to support responsible cat ownership and reduce the impacts of cats on agriculture and the environment.

The draft Amendment Bill, a summary of the amendments, frequently asked questions and a feedback form are available on the DPIPWE website at [Draft Cat Management Amendment Bill 2019](#).

Submissions may be lodged either by:

Email: catmanagementact@dpiuwe.tas.gov.au; or

Mail: Office of the General Manager
Biosecurity Tasmania
Department of Primary Industries, Parks, Water and Environment
GPO Box 44
Hobart TAS 7001

The public submission period is open until 5.00 pm on 4 October 2019.

Yours sincerely,



Rae Burrows
A/ GENERAL MANAGER
Biosecurity Tasmania

Department of Education
OFFICE OF THE SECRETARY

GPO Box 169, HOBART TAS 7001 Australia
OfficeoftheSecretary@education.tas.gov.au
Ph (03) 6165 5757



File no: DOC/19/121260

21 August 2019

Mr Andrew Wardlaw
The General Manager
Burnie City Council

Re: INTAKE AREA REVIEW – INVITATION TO COMMENT

The Department of Education (DoE) is undertaking a review of Tasmanian Government School intake areas as required by the *Education Act 2016*. We are seeking feedback from the Tasmanian community to help inform the development of an updated intake area for each Government primary and combined (district) school, to apply from 2021. This is the second consultation round of the review.

Each Tasmanian Government primary and combined school has an intake area. Every student living within an intake area is guaranteed enrolment at that school. Enrolment from outside the intake area may be accepted by the Principal, subject to school capacity. Intake areas are essential for schools to plan for expected enrolments and to ensure facilities and staff are provided to support students' learning.

Intake area boundaries are determined according to such factors as student enrolment patterns, residential developments, demographic data, public transport routes and road access. These factors change over time.

DoE invites you to provide feedback on a set of Proposed Intake Area Maps. These maps have been developed based on the above factors and the over 900 submissions received as part of the first consultation round held in 2018. A summary of these submissions is available on the DoE internet site at <https://documentcentre.education.tas.gov.au/layouts/15/DocIdRedir.aspx?ID=TASED-1797567314-10630>

These maps can be accessed, together with further explanatory material, on the DoE website at <https://www.education.tas.gov.au/about-us/school-directory/school-intake-area-maps/>

To provide feedback, please use our online survey at <https://www.surveymonkey.com/r/intakeareareviewpublic>. Alternatively submissions may be sent by email to intake.areas@education.tas.gov.au or by post to:

Intake Area Review
Department of Education
GPO Box 169 Hobart TAS 7001

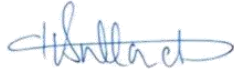
The closing date for feedback is 27 September 2019.

Your feedback will help us to make any required changes to the Proposed Intake Area Maps before they are finalised.

If you require any further information please contact Kasia Kremzer-Kozłowska on (03) 6165 6154 or email intake.areas@education.tas.gov.au

Thank you for your cooperation in the intake area review process and we look forward to any feedback you may wish to provide.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Tim Bullard', with a stylized flourish at the end.

Tim Bullard
Secretary



RE: DVD, Drug Policy - Prevent, Don't Promote: Changing the Narrative & U.N. World Drug Day 2019 "Let's Develop our Lives, Communities & Identities, Without Drugs!"

August 2019

Dear Mayor,



The Drug Advisory Council of Australia (DACA) is a national organisation reaching out to all tiers of government to highlight the increasing dangers of illicit drug use in this country and what proactive and protective measures can be taken to make our communities and their families safer.

My name is Meralyn Klein and as an executive member of DACA and former Councillor of the Nillumbik Shire Council I am approaching all Councils on behalf of DACA to seek your assistance in raising community awareness of and taking effective steps towards building stronger, healthier, safer and more resilient communities thus better combating illicit drug harms.

The Impact and consequences of drug use in our communities is becoming much more prevalent, contributing to rising crime, family violence, social breakdown, community disorder, and drug overdoses causing death.

Just as Council is able to speak out against the dangers of gambling, and pass resolutions that limit the number of poker machines in our municipalities, to regulate tobacco use, and implement initiatives that limit the use of plastic bags, we would like to see all Councils take a strong public stand, and implement active campaigns that challenge the destructive impact of illicit drug use.

As a starting point we ask that you make available to all Councillors this DVD and table it in Council. We are also encouraging all Councils to hold open policy forums to allow the public to be made fully aware of the consequences of drug use within the community.

We would also like Council to put forward a resolution taking a stand for healthier safer and stronger communities, and as such a stand that sees no place for illicit drug use.

We at the Drug Advisory Council of Australia would appreciate your supportive response to our request in due course.

Kind Regards,

Meralyn Klein
Executive member
DACA



P.O Box 508
Burnie
nthorne@iinet.net.au

23.08.19

To

Mayor Kons, Deputy Mayor Simpson, Councillors,
General Manager Andrew Wardlaw and City Managers

Re: Winter Closure of the Regional Gallery and Museum

Dear Everyone

It has been a while now since an announcement that a decision had been made regarding winter closures of both Burnie Regional Art Gallery and the Burnie Regional Museum. Whilst we reluctantly accept this action we do in many ways also question the wisdom of this move and look forward to normal resumption of hours for both city assets in a few weeks.

As you are all aware this issue received considerable public discussion through mainstream media and online social networks instigated not just by the news itself but also the manner with which it was imparted – ie. a sudden announcement. As members of Burnie Arts Council, an organisation that by its very name and nature is intrinsic to the artscape and reputation of the city, we were very unhappy with this process and lack of consultation. We appreciate that the making of the decision would have been thoroughly discussed and not taken without due consideration of other options but nevertheless we want to register our discontent with the manner in which it was handled. It was felt more acutely perhaps because Burnie Arts Council has been very much enjoying working co-operatively with Council in recent times to lift the city's cultural profile.

Winter 2019 is almost over and we do request that when discussions are held regarding the 2020 season we are invited to sit around the table and assist Council with its future planning.

In conclusion may I say we are very grateful for Council's considerable support for a wide variety of arts activities over the past twelve months and look forward to continuing a partnership for many exciting projects and events in the future.

Yours sincerely, on behalf of members

L. Price

Wendy Weeks
Community Relations Member
Burnie/Wynyard Operation Christmas Child Team
3/11 Morse Place
Wynyard 7325
Tasmania

16th August 2019

The Mayor and Councillors
Burnie City Council

I am a member of the Burnie/Wynyard Operation Christmas Child Team. This is a Christian ministry. It is a project of Samaritans Purse, an international Christian relief organisation headed by Franklin Graham. It is the largest project of its kind in the world.

Our ministry consists of volunteers who pack and encourage others to pack a shoebox of gifts to be delivered, in our case to Cambodia and Philippines, where children are living in desperate situations and have never received a gift as such in their life.

This small treasure chest when opened gives love and hope to these children and then the opportunity if they wish to learn about Jesus.

We have heard some heart wrenching stories from the fields about the right box ending up with the child with needs that are catered for in the box eg. shoes – child needing shoes, paper and pencils to a child who wasn't able to go to school because they did not have these items - I could go on and on. Evidently wearing a pair of underpants for a girl can stop her from being raped!

Each box costs \$10 to send – covering transport, customs duties, the printing of poster pamphlets etc.

At our NW launch held in Devonport a few months ago, the Devonport City and Kentish Councils were represented and their Mayors have challenged each councillor to pack a box and include the \$10. I recently met with my Mayor here in Wynyard and he and his councillors are taking up the challenge. I am therefore writing to ask you each to consider this proposal and to join in on this most worthwhile challenge?

It has been on my heart to encourage high profile people in our communities to join us in blessing a child and just have the experience of packing a shoebox and then writing a note to put in the box. Packing a box for a child in a desperate situation can be such an uplifting and rewarding thing to do when we live in a society where we have disposable income.

I went to Chile with OCC in March this year to help distribute boxes to children living in desperate situation on the outskirts of the capital, Santiago. What a delight to see the faces of these children! They were so thankful and grateful!

I have a real passion for this ministry and love shopping for items and packing shoeboxes.

Thank you for your time and blessings!

THURS 15/8/2019

Robert. C. Foon

(Withheld for Privacy)

RECEIVED
16 AUG 2019
BURNIE CITY COUNCIL

TO:
THE MAYOR
Burnie City Council
80 Wilson St,
Burnie — 7320 .

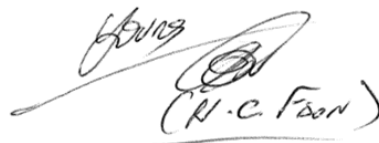
TO:
THE MAYOR

Please see copy of a letter I sent to the Advocate
Newspaper 14/8/19 — Re: Dual names for Burnie
^{Previously}
HAVING LIVED IN Burnie for approx 15 years I HAVE
Never Read a more STUPID Suggestion — Burnie
is a very good city and HAS very long history
with timber (APP), TROXOE, and a very good
PORT — and is the "CAPITAL" of Far North-West / West Coast.

I do not believe the majority of people who have lived
in Burnie or have there now would agree with
any dual name — Burnie should always be Burnie .

It will only divide the city of Burnie when Burnie
is making a come BACK

Thanks you


(R.C. Foon)

WEDNESDAY 14/8/2019.

ROBERT C. FOON (e Withheld for Privacy)

THE EDITOR.
LETTERS TO THE EDITOR.
THE ADVOCATE
39-41 ALEXANDER ST
BURNIE - 7320.

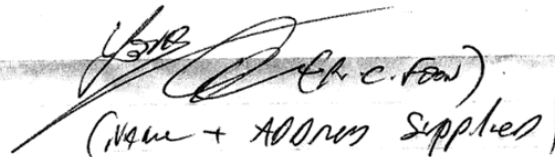
Re: ARTICLE (25/7/19 - PAGE 3) DUAL NAMES FOR BURNIE.

"WAKE UP BURNIE" "WAKE UP TASMANIA"

- 1) DO NOT TAKE ANY NOTICE OF THIS MINORITY GROUP (WHO CLAIM TO HAVE ABORIGINAL ANCESTORS) WITH THIS LOT OF DUAL NAMING OF PLACES
- 2) BURNIE IS BURNIE AND IF THIS MINORITY GROUP OF RACIST, DIVISIVE, TASMANIANS DON'T LIKE IT THEN LET THEM MOVE OUT
- 3) THERE IS NO REASON FOR ^{THIS} STUPIDITY OF WANTING TO GO BACKWARDS 200 THOUSAND YEARS - WHICH IS WHAT THIS MINORITY GROUP WANTS EVEN THOUGH THEY ARE QUITE HAPPY WITH ALL THE BENEFITS OF MODERN TAS.
- 4) AS FOR THE SO CALLED "OFFICIAL DUAL NAMING POLICY" →

② -

- A) CONTINUED = I would suggest NO STATE GOVT. HAS ANY RIGHT TO CHANGE ANY NAMES WITHOUT THE TASMANIAN PEOPLE BEING ASKED THE QUESTION AT A STATE ELECTION (SECRET BALLOT)
- 5) TASMANIA PEOPLE WERE NEVER ASKED ABOUT MR. WELLINGTON. - FOR EXAMPLE
- 6) THIS RACIST, DIVISIVE, ANTI TASMANIAN MINORITY GROUP HAS TO BE STOPPED.


(Name + ADDRESS SUPPLIED)

AO256-19 COMMUNICATIONS JOURNAL - DEPARTMENT OF JUSTICE - LOCAL GOVERNMENT PARTICIPATION IN THE NATIONAL REDRESS SCHEME

FILE NO: 2/17/3; 18/12/3; 930341

PREVIOUS MIN:

MAKING BURNIE 2030 – CORPORATE PLAN REFERENCE:

Direction	7	AN ENGAGING AND ACCOUNTABLE LEADERSHIP FOCUSED ON A STRONG FUTURE
Objective	7.3	Council is compliant in all areas and carries out the role of regulatory enforcement in a fair and effective manner.
Strategy	7.3.1	Ensure Council remains compliant with all its statutory and regulatory obligations and contributes to the regulatory environment which affects our community.

1.0 RECOMMENDATION:

“THAT Council authorise the Mayor to sign the Memorandum of Understanding on the participation of local councils in the National Redress Scheme for Institutional Child Sexual Abuse, as attached.”

2.0 SUMMARY

Correspondence has been received from the Department of Justice attaching a copy of the Memorandum of Understanding (MOU) for Tasmanian Councils to join the National Redress Scheme for Institutional Child Sexual Abuse.

3.0 ACTING GENERAL MANAGER’S COMMENTS

Background

The LGAT Report from 3 July 2019 General Meeting Minutes provides the following background:

Following the Royal Commission into Institutional Responses to Child Sexual Abuse, on 4 November 2016, the Australian Government announced its intention to establish a National Redress Scheme for individuals who experienced institutional sexual abuse as children. In May 2018, the Tasmanian Government committed to joining the National Scheme.

The National Redress Scheme provides support to people who experienced institutional childhood sexual abuse and includes three key components for individuals deemed eligible for redress:

- *A monetary payment (up to \$150,000);*

- *A direct personal response (such as a meeting with a senior institutional official and an apology); and*
- *Access to counselling consistent with National Service Principles (with the method of delivery to be determined by the relevant jurisdiction).*

The Scheme started on 1 July 2018 and will run for 10 years.

Legislative Requirements

The National Redress Scheme operates under the following legislation:

- *the National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth),*
- *the National Redress Scheme for Institutional Child Sexual Abuse Rules 2018 (the Rules), and*
- *the National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Act 2018 (Tas).*

Policy Considerations

There are no policy considerations relevant to this report.

Financial Impact and Risk

There is no cost for Local Government to join the Scheme or for the State Government to administer responses to the Scheme (this is handled by the State Government). However, the Scheme operates on a 'responsible entity pays' basis for the monetary payment, access to counselling and psychological care and costs associated with delivering direct personal responses. This means that councils who receive a claim via the Scheme are liable for that claim, but the claim is limited to that council, not all councils. In the event of a claim, contributions are also required for the Commonwealth Government's administrative charge and for legal support costs as outlined in the MOU.

It is important to note that a claimant who has not been able to progress an application for abuse against a non-participating institution may pursue civil law options against that institution. Unlike the redress scheme, payments determined through civil law processes are not capped, however the burden of proof is likely higher.

Discussion

Each State Government has been asked to engage with Local Government by the Scheme Operator (the Commonwealth Department of Social Services) to provide information to assist the sector in considering whether to participate in the National Redress Scheme and how that may occur. LGAT reported that staff from the Tasmanian Royal Commission Response Unit in the Department of Justice have been meeting with councils to progress this discussion and recently presented at the General Managers' Workshop.

The matter was listed at the LGAT General Meeting on 3 July 2019. The decision to join the National Redress Scheme for institutional Child Sexual Abuse was made at that General Meeting, with the following resolution carried:

“That Members resolve to joining the National Redress Scheme with the State Government as a ‘State Institution’.

As a result, the Director of the Child Abuse Royal Commission Response Unit (Department of Justice) has written to all councils attaching the MOU for signing. A copy of the letter and MOU is attached.

The attached MOU lists all 29 Tasmanian councils as parties.

The LGAT report provided the following comments about joining the Scheme.

The State Government is offering Local Government the opportunity to join the Scheme as a ‘State Institution’, which would provide the following benefits:

- *A clear mechanism to provide redress for any child sexual abuse that has occurred within a council in the past, which may reduce potential civil litigation ;*
- *Participation under the auspice of the State Government without the need to undertake individual steps to join the Scheme. Practically, Local Government claims will be received like claims against any another Tasmanian Government Agency and the processing, coordination and management of claims will be supported and coordinated by the Department of Justice; and*
- *The Tasmanian Government will underwrite the redress liability for Local Government as calculated by the Scheme Operator for individual claims for payment by Local Government in arrears.*

It is noted that the MOU is not a legally binding document, however as stated at clause 10, this does not lessen the Parties’ commitment to this MOU.

The MOU sets out the role and purpose of the MOU, roles and responsibilities and implementation arrangements, governance, financial arrangements and the scheme.

It is recommended that Council authorise signing of the MOU.

Consultation

This matter was discussed with Council prior to the LGAT Meeting and voting on the matter at that meeting.

ATTACHMENTS

- 1 [↓](#). Correspondence from the Department of Justice
- 2 [↓](#). Memorandum of Understanding

COUNCIL RESOLUTION

Resolution number: MO272-19

MOVED: *Cr C Lynch*

SECONDED: *Cr T Bulle*

“THAT Council authorise the Mayor to sign the Memorandum of Understanding on the participation of local councils in the National Redress Scheme for Institutional Child Sexual Abuse, as attached.”

For: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

Against:

CARRIED UNANIMOUSLY

Department of Justice
CHILD ABUSE ROYAL COMMISSION RESPONSE UNIT

Level 3, 85-99 Collins Street
GPO Box 825, Hobart TAS 7001
Phone 03 6165 4806
Email amber.mignot@justice.tas.gov.au Web www.justice.tas.gov.au



Andrew Wardlaw
General Manager
Burnie City Council
awardlaw@burnie.net

Local Government Participation in the National Redress Scheme

On 1 July 2019, the Hon Elise Archer MP, Attorney-General and Minister for Justice together with the Hon Peter Gutwein MP, Treasurer and former Minister for Local Government wrote to Mayors regarding the participation of local councils in the National Redress Scheme for Institutional Child Sexual Abuse attaching a draft Memorandum of Understanding.

The Tasmanian Government welcomes the decision of 2 July 2019 at the Local Government Association of Tasmania General meeting by all local councils to join the National Redress Scheme with the Tasmanian Government as a 'State Institution' with support from the Tasmanian Department of Justice administrative arrangements undertaken by the Child Abuse Royal Commission Response Unit.

I now attach a copy of the Memorandum of Understanding to underpin this arrangement signed by the Attorney-General on behalf of the Tasmanian Government on 5 August 2019 for endorsement by your Council. This MOU is an important step in recognising and alleviating the impact of past institutional child sexual abuse.

If you require any additional information about these arrangements or about potential claims, please do not hesitate to contact me at amber.mignot@justice.tas.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "Amber".

Amber Mignot
Director



Memorandum of Understanding
on the participation of local councils
in the National Redress Scheme for
Institutional Child Sexual Abuse

Recitals

1. The Parties enter into this Memorandum of Understanding (MoU) in recognition of the importance of the National Redress Scheme for Institutional Child Sexual Abuse. This Agreement is an acknowledgment that sexual abuse suffered by children in institutional settings is wrong and should not have happened.
2. The Parties agree the objective of providing redress for survivors of child sexual abuse is to recognise and alleviate the impact of past institutional child sexual abuse and related abuse, and to respond to the recommendations contained in the *Redress and Civil Litigation Report* of the Royal Commission into Institutional Responses to Child Sexual Abuse.
3. This MoU represents the cooperation between Parties on the participation in the National Redress Scheme and sets out the roles and responsibilities of the Parties under the National Redress Scheme.
4. This MoU is to be read in conjunction with the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth) and other related legislation.
5. The Minister for Justice or the Minister with portfolio responsibility for the National Redress Scheme and Lord Mayors are authorised to agree to amendments to this MoU in accordance with Part 5 – Governance Arrangements.

PART I – Operative Provisions

Parties

6. This MoU is between:
 - a) the State of Tasmania (the “State”); and
 - b) the local councils, being:
 - Break O’Day Council
 - Brighton Council
 - Burnie City Council
 - Central Coast Council
 - Central Highlands Council
 - Circular Head Council
 - Clarence City Council
 - Derwent Valley Council
 - Devonport City Council
 - Dorset Council
 - Flinders Council
 - George Town Council

Glamorgan – Spring Bay Council
Glenorchy City Council
Hobart City Council
Huon Valley Council
Kentish Council
Kingborough Council
King Island Council
Latrobe Council
Launceston City Council
Meander Valley Council
Northern Midlands Council
Sorell Council
Southern Midlands Council
Tasman Council
Waratah-Wynyard Council
West Coast Council
West Tamar Council

(Together, “the Parties”)

Term of this MoU

8. This MoU will commence for each Party as soon as it is signed by them. This may occur after the commencement date of the National Redress Scheme. This MoU will expire on 30 June 2028, unless terminated earlier or extended as agreed in writing by the Parties.
9. Commitments under this MoU which refer to participating government institutions, only apply to Parties that have participating government institutions declared.

Enforceability

10. The Parties do not intend any of the provisions of this MoU to be legally enforceable. However, that does not lessen the Parties’ commitment to this MoU.

Delegations

11. The Minister for Justice or the relevant Minister with portfolio responsibility for the National Redress Scheme is authorised to agree to amendments to this MoU and schedules to this MoU in accordance with Part 5 – Governance Arrangements.
12. Respective Mayors are authorised to agree to amendments to this MoU and schedules to this MoU in accordance with Part 5 – Governance Arrangements.

Definitions

13. In this MoU, unless the contrary appears:
- a) where a word or phrase has a defined meaning, any grammatical form of that word has a corresponding meaning,
 - b) a reference to legislation or a legislative provision includes a reference to any amendment, substitution or re-enactment of that legislation or provision, and
 - c) the singular includes the plural and vice versa.
14. Terms in this MoU will have the same meaning as in Scheme legislation.
15. In this MoU, unless the contrary appears:

Confidential Information means information that:

- i. The Parties know, or ought to know is confidential, or
- ii. The Parties agree in writing after the commencement of this MoU is confidential information for the purpose of this MoU.

For the avoidance of doubt, Confidential Information does not include Protected Information as defined in the National Redress Scheme for Institutional Child Sexual Abuse Bill 2018. An example of Confidential Information would be a policy position shared by a Party on an issue that has arisen in the course of the Scheme.

The assessment framework policy guidelines for the monetary redress payment is Confidential Information.

Scheme legislation means:

- i. the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth) (the National Redress Scheme Act)
- ii. the National Redress Scheme for Institutional Child Sexual Abuse Rules 2018 (the Rules), and
- iii. the *National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Act 2018* (Tas).

PART 2 – Objectives

Role and purpose of this MoU

16. This MoU provides the foundation for governments to work together to implement the Scheme. This MoU will be signed by any local council that seeks to become a participating state institution for the purposes of the Scheme.
17. In addition, this MoU provides Parties with the framework for delivering the Scheme by setting out:
- a) roles and responsibilities of the State and participating local councils;
 - b) governance arrangements;
 - c) financial arrangements;

-
- d) implementation arrangements; and
 - e) Scheme operational arrangements.

Objects of the Redress Scheme

- 18. The National Redress Scheme Act set out the objects of the Scheme.
- 19. The main objects of the Scheme are to recognise and alleviate the impact of past institutional child sexual abuse and related abuse, and provide justice for the survivors of that abuse.

PART 3 – Roles and Responsibilities

Shared roles and responsibilities

- 20. The State and local councils which have had participating government institutions declared will:
 - a) work collaboratively to deliver redress from participating institutions to eligible survivors;
 - b) share information and data, subject to this MoU and privacy requirements, to promote a best practice and survivor-focused Scheme; and
 - c) identify and seek to resolve issues in a timely manner where Scheme arrangements are having unintended impacts.

Roles and responsibilities of the State

- 21. The State will:
 - a) introduce legislation to refer to the Commonwealth Parliament the text reference and the amendment reference, or adopt the relevant version of the National Redress Scheme Act once enacted and refer the amendment reference, in accordance with s 51(xxxvii) of the Constitution;
 - b) administer the participation of the Parties to the Scheme through the State Department of Justice;
 - c) deliver direct personal responses to its survivors in accordance with the Direct Personal Response Framework;
 - d) deliver access to counselling and psychological care to survivors residing in Tasmania;
 - e) fulfil reporting obligations to the Scheme; and
 - f) fulfil agreed financial obligations in accordance with Part 6 – Financial Arrangements.

Roles and responsibilities of the local councils

- 22. The local councils will:
 - a) deliver direct personal responses to its survivors in accordance with the Direct Personal Response Framework;

-
- b) fulfil information sharing and reporting obligations required under the National Redress Scheme to the State; and
 - c) fulfil agreed financial obligations in accordance with Part 6 – Financial Arrangements.

PART 4 – IMPLEMENTATION ARRANGEMENTS

Reporting

- 23. The State will provide local councils which have had claims made under the Scheme with an individual quarterly report on applications made under the Scheme that relate to their participating institutions, including information on:
 - a) the number of completed applications,
 - b) the number of completed internal reviews of decisions,
 - c) the proportion of affirmed decisions,
 - d) the proportion of accepted offers,
 - e) the number of applicants that have been determined not entitled to redress under the criminal convictions policy, and
 - f) the number of applications to be processed.

Confidential Information

- 24. Subject to clause 25, a Party must not disclose Confidential Information to anyone, without the prior written consent of the Party that provided them with the information.
- 25. A Party can disclose Confidential Information to the extent that it:
 - a) is disclosed to its internal management personnel, solely to enable effective management and/or auditing of the Scheme;
 - b) is shared within a Party, or with another agency, where this serves the State's or local council's legitimate interests;
 - c) is authorised or required by law to be disclosed, or
 - d) is in the public domain otherwise than due to a breach of this MoU.
- 26. Where a Party discloses Confidential Information to another person under clause 25 they must:
 - a) notify the receiving person that the information is confidential; and
 - b) not provide the information unless the receiving person agrees to keep the information confidential.
- 27. A Party receiving Confidential Information will take all reasonable steps to ensure that the Confidential Information of the other Party is protected at all times from any unauthorised use or access and to immediately notify the other Party if the receiving Party becomes aware of any unauthorised access to, or use or disclosure of Confidential Information.

Privacy

28. In exchanging information under this MoU, officials need to be aware of their obligations under privacy legislation.

PART 5 – GOVERNANCE**Variation of this MoU**

29. This MoU, and schedules to this MoU, may be amended at any time by agreement in writing by all the Parties.

Review of this MoU

30. The Parties may review the operation and objectives of this MoU following the review of the Scheme outlined in the Scheme legislation, or as otherwise agreed by the Parties.

Withdrawal and Termination of this MoU

31. The Parties agree that withdrawal from this MoU will be a measure of last resort.
32. A Party that ceases to be a declared participating state institution under the Scheme legislation immediately ceases to be a Party to this MoU.
33. A Party to the MoU may indicate its intent to withdraw from this MoU at any time by notifying all other Parties in writing of its intention to do so. A Party that proposes to withdraw will give at least three months' notice of its intention to withdraw.
34. Following notification of a Party's intention to withdraw from this MoU under clause 33, the terms of withdrawal, including the date on which the Party will cease to be a Party, and arrangements necessary because of the withdrawal, will be negotiated in good faith and agreed between the State and the Party intending to withdraw from this MoU.
35. If a Party withdraws, this MoU will continue between all remaining Parties.

Counterparts

36. This MoU may be executed in any number of counterparts. All counterparts, taken together, constitute this MoU. A Party may execute this MoU by signing any counterpart.

Dispute Resolution

37. Any Party may give notice in writing to other Parties of a dispute under this MoU.
38. Officials of relevant Parties will attempt to resolve any dispute in the first instance.
39. If a dispute is unable to be resolved by officials, it may be escalated to the Minister for Justice or relevant Minister with responsibility for redress and Lord Mayors.

Ministerial Declarations

40. Local councils will declare the participating local council institutions as participating State institutions.

-
41. Local councils are required to specify which local government institutions they agree to being declared under the Scheme, in accordance with the Scheme Legislation, and may do this by specifying a list of institutions by class.
 42. The State will arrange the Commonwealth Minister responsible for redress to declare the specified local government institutions as participating institutions where the relevant requirements are met. The Minister's declaration will be in the form of a notifiable instrument (which is not disallowable).

PART 6 – FINANCIAL ARRANGEMENTS

43. The Scheme operates on a 'responsible entity pays' basis, as recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse. Parties will fund the cost of providing redress to each eligible survivor for whom one of their participating government institutions is responsible. This includes the monetary payment, access to CPC and costs associated with delivering direct personal responses.
44. Participating local government institutions that are determined to be responsible for abuse will pay the Commonwealth Government administrative charge, set at 7.5 per cent of the total value of the institution's gross liability for redress payments made in relation to that abuse in each quarter.
45. Participating local government institutions, will also be required to pay a per-claim contribution towards legal support costs, delivered by the Scheme's legal support services. This amount will be \$1,000 for each claim for which the institution is the only liable participating institution, or a portion of the \$1,000 contribution proportionate to the institution's share of the redress payment where it is jointly responsible for providing redress with another institution or institutions. This amount does not include any GST, and no GST will be charged. These costs are directly attributable to supporting eligible applicants to access legal support.
46. The State will not seek a contribution from participating local government institutions to the State's administrative costs arising from the coordination and management of local government institution claims.
47. The State will underwrite participating local government institutions as assessed by the Scheme Operator and levy participating local government institutions accordingly.
48. Parties will be invoiced in arrears on a quarterly basis. The quarterly invoice will include the total amount owed and the total number of applicants who have been paid in the quarter broken down by CPC contribution, redress payment, legal support contribution and administrative charge along with details for payment.
49. The Parties note that the per-claim administrative charge will be reviewed by the Commonwealth Government in accordance with the requirements under the Scheme legislation to ensure it accurately reflects the costs being recovered.

PART 7 – THE SCHEME

50. The National Redress Scheme Act establishes the National Redress Scheme for Institutional Child Sexual Abuse. It provides the legislative basis for entitlement,

participation, how to obtain redress, offers and acceptance of redress, provision of redress, funding, funder of last resort and other administrative matters.

Responsibility for redress

51. A participating institution will be responsible for redress if the abuse occurred in circumstances where the institution is, or should be treated as being, primarily or equally responsible for the abuse.

Release from civil liability

52. Survivors receiving redress under the Scheme will be required to release the responsible participating institution(s), their associates and the officials of these institutions (other than the abuser) from all civil liability in relation to all instances of child sexual abuse, and related non-sexual abuse within scope of the Scheme. This will be a condition of accepting any components of redress under the Scheme.
53. Where a participating institution has been released from civil liability either at common law or under another payment scheme in relation to the abuse they have been found liable for under the Scheme, then that release and any confidentiality provisions, cannot be relied upon for the limited purpose of determining the payment amount that a survivor may be entitled to under the Scheme.
54. Parties agree that their participating government institutions will waive their rights under prior releases to the extent necessary, and will not take action against survivors for failing to comply with the prior release simply on the basis that the survivor has applied for redress and notified the Scheme of information relevant to their application including a prior payment received. All other conditions under existing releases with survivors will remain.

Counselling and psychological care (CPC)

55. Parties agree that survivors found eligible under the Scheme, and who have signed the release from civil liability, will have the opportunity to access CPC to address the impact of their experience.
56. The State will provide access to CPC by delivering CPC services directly to survivors residing in Tasmania and receiving a tiered payment of \$1,250, \$2,500 or \$5,000 from responsible institutions for the provision of their services.

Direct personal response

57. Parties agree that survivors who are entitled to redress under the Scheme, and who have signed the release from civil liability, should have the opportunity to receive a direct personal response from the responsible participating institution(s), if they choose it.
58. Parties that have had participating institutions declared agree to adhere to the National Redress Scheme for Institutional Child Sexual Abuse Direct Personal Response Framework 2018.

Signed for and on behalf of the State of
Tasmania by

The Honourable Elise Archer MP
Attorney-General and Minister for Justice

Date **5 August 2019**

Signed for and on behalf of the
Break O'Day Council by

Cr Mick Tucker
Mayor of the Break O'Day Council

Date

Signed for and on behalf of the
Brighton Council by

Cr Tony Foster
Mayor of the Brighton Council

Date

Signed for and on behalf of the
Burnie City Council by

Ald Steven Kons
Mayor of the Burnie City Council

Date

Signed for and on behalf of the
Central Coast Council by

Cr Jan Bonde
Mayor of Central Coast Council

Date

Signed for and on behalf of the
Central Highlands Council by

Cr Loueen Triffitt
Mayor of the Central Highlands Council

Date

Signed for and on behalf of the
Circular Head Council by

Cr Daryl Quilliam
Mayor of the Circular Head Council

Date

Signed for and on behalf of the Clarence City
Council by

Ald Doug Chipman
Mayor of the Clarence City Council

Date

Signed for and on behalf of the Derwent Valley
Council by

Cr Ben Shaw
Mayor of the Derwent Valley Council

Date

Signed for and on behalf of the Devonport City Council by

Ald Annette Rockliff
Acting Mayor of the Devonport City Council
Date

Signed for and on behalf of the Flinders Council by

Cr Annie Revie
Mayor of the Flinders Council
Date

Signed for and on behalf of the Glamorgan – Spring Bay Council by

Cr Debbie Wisby
Mayor of the Glamorgan – Spring Bay Council
Date

Signed for and on behalf of the Hobart City Council by

Ald Anna Reynolds
Lord Mayor of the Hobart City Council
Date

Signed for and on behalf of the Kentish Council by

Cr Tim Wilson
Mayor of the Kentish Council
Date

Signed for and on behalf of the King Island Council by

Cr Julie Arnold
Mayor of the King Island Council
Date

Signed for and on behalf of the Dorset Council by

Cr Greg Howard
Mayor of the Dorset Council
Date

Signed for and on behalf of the George Town Council by

Cr Bridget Archer
Mayor of the George Town Council
Date

Signed for and on behalf of the Glenorchy City Council by

Ald Kristie Johnston
Mayor of the Glenorchy City Council
Date

Signed for and on behalf of the Huon Valley Council by

Cr Bec Enders
Mayor of the Huon Valley Council
Date

Signed for and on behalf of the Kingborough City Council by

Cr Dean Winter
Mayor of the Kingborough City Council
Date

Signed for and on behalf of the Latrobe Council by

Cr Peter Freshney
Mayor of the Latrobe Council
Date

Signed for and on behalf of the Launceston City Council by

Ald Albert van Zetten

Mayor of the Launceston City Council

Date

Signed for and on behalf of the Northern Midlands Council by

Cr Mary Knowles

Mayor of the Northern Midlands Council

Date

Signed for and on behalf of the Southern Midlands Council by

Cr Alex Green

Mayor of the Southern Midlands Council

Date

Signed for and on behalf of the Waratah Wynyard Council by

Cr Robert Walsh

Mayor of the Waratah Wynyard Council

Date

Signed for and on behalf of the West Tamar Council by

Cr Christina Holmdahl

Mayor of the West Tamar Council

Date

Signed for and on behalf of the Meander Valley Council by

Cr Wayne Johnston

Mayor of the Meander Valley Council

Date

Signed for and on behalf of the Sorell City Council by

Cr Kerry Vincent

Mayor of the Sorell Council

Date

Signed for and on behalf of the Tasman Council by

Cr Kelly Spaulding

Mayor of the Tasman Council

Date

Signed for and on behalf of the West Coast Council by

Cr Phil Vickers

Mayor of the West Coast Council

Date

**AO257-19 COMMUNICATIONS JOURNAL - BURNIE FIELD NATURALIST CLUB
INC - MEMORIAL PLAQUE AND/OR DEDICATION SEAT FOR THE
LATE LEXIE PAUL**

FILE NO: 2/17/3, 12/10/3, 6184656
PREVIOUS MIN:

MAKING BURNIE 2030 – CORPORATE PLAN REFERENCE:

Direction	1	AN ATTRACTIVE PLACE TO LIVE, WORK AND PLAY
Objective	1.1	A range of vibrant, safe and attractive community spaces.
Strategy	1.1.1	Create and maintain a range of welcoming and attractive spaces across the municipality that foster a sense of community, belonging and pride.

1.0 RECOMMENDATION:

“THAT Council determines to support the request of the Burnie Field Naturalists for the installation of a plaque and seating to mark the contribution of the late Ms Lexie Paul, with the club to fund the supply of a suitable plaque (wording and location to be determined in conjunction with council officers) and the club contributing \$500 toward the supply of a suitable seat.”

2.0 SUMMARY

Correspondence has been received from the Burnie Field Naturalist Club seeking Council support for the installation of a memorial plaque and/ or memorial seat to be erected in memory of the late Ms Lexie Paul.

3.0 ACTING GENERAL MANAGER’S COMMENTS

There are many past examples in the City's parks and reserves where various types of infrastructure has been donated or funded (in part or in full) by organisations or individuals to recognise events or the contribution of local people to the Burnie Community.

In recent years there have been a number of examples of seats being donated to mark the contribution of Burnie Residents. Councillors may recall previous approvals for seating to acknowledge Mr Rex Collins and his wife Mrs Dawn Collins:

Council’s Policy *Community Recognition (Individuals)* – CP-CBS-SG-041 provides a framework for recognising the contribution of individuals to the community and aims to:

- a) *Provide consistency in the way Council recognises the service or achievements of individuals from Burnie.*
-

- b) *Provide appropriate avenues for the community to apply for the recognition of Burnie individuals upon attaining significant achievements or voluntary service contributions.*

This policy applies to the recognition of individuals under the following available programs:

- Volunteer Recognition Awards.
- Australia Day Awards.
- Outstanding International Achievement Awards.

The policy does not though contemplate situations where an organisation or individuals may wish to donate an asset to Council to recognise the contribution of an individual to the Burnie community.

No specific assessment criteria have been adopted by Council in assessing such requests, previous discussions on such requests broadly considered:

- Whether the person was a Burnie resident.
- The nature of the contribution to the community, e.g. long term involvement with a service club (or other community organisation) at an executive level.
- Whether the person's contribution would be recognised by a broad segment of the community.

In respect to Ms Lexie Paul, many will recall her extensive involvement in coastal management, caring and protecting little penguins, cruise ship volunteering, to name some areas of involvement. Many Officers in Council worked with Ms Paul over the years.

Generally the past practice has been that the full cost to supply the donated item would be the responsibility of the organisation seeking to recognise the individual.

However it is noted that the suggested seating location is along the coastal strip and Council has plans to progressively install additional seating at various locations. In the knowledge of that planned work and extensive contribution by Ms Paul to activities aligned with Council operations, it is suggested that a cost share arrangement be considered for the seat.

A typical bench seat manufactured in Burnie has a supply cost of around \$1,600. It is suggested a donation of \$500 toward the seat would be a reasonable contribution.

Council would arrange for the installation of the seating.

In respect to the plaque, Officers proposed to work with the Burnie Field Naturalist Club Inc as to a suitable location and appropriate wording. The supply of the plaque would be at the cost of the club.

ATTACHMENTS

1. [Correspondence from Burnie Field Naturalist Club Inc Proposing a Memorial Plaque and/or Seat for the Late Lexie Paul](#)

COUNCIL RESOLUTION**Resolution number: MO273-19****MOVED:** Cr A Boyd**SECONDED:** Cr C Lynch

“THAT Council determines to support the request of the Burnie Field Naturalists for the installation of a plaque and seating to mark the contribution of the late Ms Lexie Paul, with the club to fund the supply of a suitable plaque (wording and location to be determined in conjunction with council officers) and the club contributing \$500 toward the supply of a suitable seat.”

For: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

Against:

CARRIED UNANIMOUSLY



TO: Burnie City Council.

FROM Burnie Field Naturalist Club inc. (PO Box 455 Burnie 7320)

SUBJECT: Proposed memorial plaque and/or a memorial seat for the late Lexie Paul

2nd September 2019

Dear Sir,

At the August meeting of the Burnie Field Naturalist Club it was raised that the club should approach the Burnie City Council to propose a memorial plaque and/or a memorial seat be placed or erected in memory of the late Lexie Paul. Lexie Paul was involved in many community projects in the Burnie area including Burnie Penguins, catering to cruise ship visitors and foreshore clean-ups among others, and was also a long serving Burnie Field Naturalist Club member and club officer.

Should the council be in favour of the above proposal some suggestions for the location of the proposed memorial seat included the West Park penguin viewing area or the foreshore areas to the west of West Park and east of the Cam River. Suggestions for the placement of a memorial plaque was the shelter shed at Fern Glade reserve for the cruise ship visitors which Lexie was instrumental in having erected.

Should this proposal be approved the club would be prepared to cover 50% of the cost up to the sum of \$750.

Thank you for taking the time to consider this proposal

Yours Sincerely

A handwritten signature in blue ink that reads "G. Wickham".

Geoff Wickham

Hon. Secretary (64 421253)

MINUTES AND REPORTS OF COMMITTEES**AO258-19 BURNIE CITY YOUTH COUNCIL UNCONFIRMED MINUTES OF MEETING HELD ON 8 AUGUST 2019**FILE NO: 2/5/34

RECOMMENDATION:

“THAT the Unconfirmed Minutes of meeting of Burnie City Youth Council held on 8 August 2019, be received for discussion.”

SUMMARY

Youth Councillors broke into groups to brainstorm ideas relating to a hashtag for projects involving cleaning up Burnie. A vote was taken to determine the best hashtag which resulted in:

#youthenvirochallenge
#slamdunkthejunk
#vitaltorecycle

The Youth Council also voted to develop a media release to describe the project.

ATTACHMENTS

1 [↓](#). Burnie City Youth Council Unconfirmed Minutes of Meeting 8 August 2019

COUNCIL RESOLUTION

Resolution number: MO274-19

MOVED: *Cr G Simpson*

SECONDED: *Cr T Brumby*

“THAT the Unconfirmed Minutes of meeting of Burnie City Youth Council held on 8 August 2019, be received for discussion.”

For: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

Against:

CARRIED UNANIMOUSLY

Meeting Minutes



Meeting: **BURNIE YOUTH COUNCIL**
 Held on: 8 August 2019
 Venue: Burnie City Council Chambers
 File No(s): 2/5/34

The meeting opened at 9.15am.

		Action	
1	Present Iyanah Contractor Luka Starick Alec Mollison Bronte van der Ploeg Harry Poke Caitlin Crack Kyara Gleeson Noah Ranson Georgia Jones Ariel Hyatt Nic Broxam Isabella Riley Gi'Annie Kingdon Zeke Pennington Harry Mason Caragh Lawson Noah Beskin-Clark Lottee Rolls Robyn Luttrell Alexei Dean	Parklands High School Burnie High School Burnie High School Stella Maris Primary School Stella Maris Primary School Montello Primary School Natone Primary School Natone Primary School Ridgley Primary School Leighland Christian School Leighland Christian School Romaine Park Primary School Romaine Park Primary School Cooe Primary School Cooe Primary School Marist Regional College Marist Regional College Burnie Primary School Ridgley Primary School Montello Primary School	
2	Apologies Maya Mitchell Imogen Lloyd	Parklands High School Burnie Primary School	
3	Others in attendance: Phil Hrstich Councillor Youth Development Officer	NRM Officer Giovanna Simpson Dave Fregon	

4	<p>Welcome</p> <p>The Youth Mayor, Iyanah Contractor commenced the meeting with the Acknowledgement of Country.</p> <p><i>“The Burnie Youth Council acknowledges Tasmanian Aborigines as the traditional owners of the land on which we are meeting and on which this building stands.”</i></p>	
5	<p>Confirmation of Previous Minutes</p> <p><i>Confirmation of the minutes of the Burnie City Youth Council Special Committee meeting held on Thursday 26 June 2019.</i></p> <p>Moved: Harry Poke Seconded: Lottee Rolls</p> <p>CARRIED UNANIMOUSLY</p>	

6	<p>Guest Speaker – Phil Hrstich, NRM Officer</p> <p>Phil Hrstich spoke of his roll as a Natural Resource Management Officer that is shared between Councils on the North West Coast.</p> <p>Some of the discussions covered:</p> <ul style="list-style-type: none"> - Removing weeds from areas, as well as supporting residents to remove weeds - Planting and support of native species - Burnie Park - guards on trees near the waterfall, removing weeds and planting of native species - Focusses on declared weeds. Weeds are classified on how invasive they are and how much they can spread - Improving creeks and removal of blackberry - Hand weeding of Romaine Creek - Burrowing crayfish (protected in Devonport) come through in August and a lot in the Kelsey Tiers area - All drains in Burnie flow into the creeks, and therefore creeks are a big issue in the Burnie region - Clean up Australia day is only one part of larger efforts that could happen - Wood-hooking (taking of wood from our forests) is also an issue - Rubbish dumping is also an issue - Working with community groups surveying and weeding - Controlled burns <p>Some recommendations:</p> <ul style="list-style-type: none"> - Find an area to focus on - Schools could take on an area - Phil can help with spots - Beaches and plastics are a number of focus points - Think of timing (weekends, during school, get the community involved and groups such as Lions and Penguin groups) - Romaine Creek, Shorwell Creek, Messenger Creek, Fernglade, Emu River and the beach are specific areas that could be targeted - Inform people of REDcycle, the recycling of soft plastics usually via spots at the major supermarkets. Soft plastics are a big issue ending up in our creeks, rivers and oceans. Burnie has a good facility - Veolia Dulverton education officer may be a good resource 	
7	Morning Tea	

8	<p>General Business</p> <p>The Youth Mayor Iyanah Contractor led the Youth Councillors in a discussion of feedback from their schools as to possible projects around cleaning up Burnie.</p> <p>Youth Councillor Bronte van der Ploeg spoke to the Stella Maris Vice Principle about ideas to do something around the school.</p> <p>Marist SRC are enthusiastic to be involved in something.</p> <p>Youth Councillor Harry Poke asked Cr Simpson for feedback from the Council as to their impressions of the ideas, and Cr Simpson said that they were all impressed with the discussions.</p> <p>Youth Councillor Caragh Lawson raised the idea of a 'trash bag challenge', but instead of before and after shots of areas worked on, just posting the on social media with some sort of a hashtag.</p> <p>It was discussed the difficulty for a 'one size fits all plan' for a clean up that worked for all schools in the region, and that it may be a better idea to have an initiative that runs across the whole of Term 4 that allows not only schools but also community groups, business and individuals to contribute to a broad clean up effort in numerous ways. This would allow schools/students to contribute in a way that best suits both themselves and the environment in which they are part.</p> <p>The Youth Mayor Iyanah Contractor broke the Youth Councillors up into groups to brainstorm ideas around a hashtag. The groups came back together and after going through the results a number of hashtag catch phrases were identified.</p> <p>While in the working groups there was discussion that any naming could take into consideration the possibility that a project might expand outside of Burnie into the broader region, or even go viral.</p> <p>The results of the votes over the best ideas so far were:</p> <ul style="list-style-type: none">- #youthenvirochallenge- #slamdunkthejunk- #vitaltorecycle <p><i>It was decided:</i></p> <p><i>"That a working group be created to work on a media release that best describes the project by the Youth Council for a youth environmental challenge. That Youth Councillors request involvement in this working group by emailing the Youth Development Officer."</i></p> <p>CARRIED UNANIMOUSLY</p>
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7	End of meeting The YDO and Cr Giovanna Simpson congratulated the Youth Councillors on their first meeting with definite outcomes, and how well they have collectively managed the process.	
8	Next Meeting The next meeting will be held on Thursday 19th September, 9.15am to 11.30am at the Burnie City Council Chambers Upcoming meetings: Thursday 31st October, 9.15am to 11.30am (Meeting venue TBA) Friday 6th December, 9am to 3pm (End of Year Excursion, Venue TBA)	

MINUTES AND REPORTS OF COMMITTEES**AO259-19 BURNIE REGIONAL MUSEUM SPECIAL ADVISORY COMMITTEE
UNCONFIRMED MINUTES OF MEETING HELD ON 26 AUGUST 2019**FILE NO: 29/3/9

RECOMMENDATION:

“THAT the Unconfirmed Minutes of meeting of the Burnie Regional Museum Special Advisory Committee held on 26 August 2019, be received for discussion.”

SUMMARY

New Collections Officer has been appointed and will begin work at the Museum on 7 October 2019.

Tendering process underway for an architect to design the new BRM/BRAG building proposed for the Civic Plaza. Final Concept design to be submitted by 20 March 2020.

ATTACHMENTS

1. [BRMSAC Unconfirmed Minutes of Meeting of 26 August 2019](#)

COUNCIL RESOLUTION**Resolution number: MO275-19****MOVED:** Cr T Bulle**SECONDED:** Cr D Pease

“THAT the Unconfirmed Minutes of meeting of the Burnie Regional Museum Special Advisory Committee held on 26 August 2019, be received for discussion.”

For: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

Against:

CARRIED UNANIMOUSLY

Agenda and Meeting Notes *(unconfirmed)*



Meeting: **BRM Special Advisory Committee**
 Date & Time: 26th August, 2019 at 5pm
 Venue: First Floor Conference Room, Burnie City Council
 File No(s): 29/3/139

Chairperson:	Tich Ferencz
Present:	Georgia Wade, Ray Crawshaw, Richard Ruddle, Elizabeth Singleton, Chris Lynch, Lauren Stanton
Apologies:	Peter Cocker, Robyn House, Rodney Greene

Discussion Item and Notes	Action / Responsible
1. Welcome/Apologies	
2. Declarations of Interest	None
3. Confirmation of Minutes	Previous minutes were deemed acceptable by all present.
<p>4. Matters Arising from Minutes</p> <p>Minister Archer's visit Still no date set for Minister Archer's visit although Hon Leonie Hiscutt MLC has extended her an invitation.</p> <p>Proxy Requirements Chairman called for need for Proxies for those who cannot attend.</p>	
<p>5. Curator's Report</p> <p>Staffing The new Collections Officer has been appointed. Rosie Cooper will commence on the 7th Oct 2019 after completing her current contract obligations with the National Museum in Canberra ACT. The Collection Officer's position will be 30 hours per week.</p> <p>Our Administration Officer is in the process of planning his relocation to accommodate Rosie. Selected shelving will be removed and retail items will be relocated as part of the plan.</p>	

Meeting Notes

Retail Sales Data

We have recently completed a review of our retail sales over the last 12 months. As a result, it has been decided to retain and restock only the items that have a proven sales history. The remaining stock is being offered at a discounted price in an effort to clear.

A new booklet is also now on offer – Landmarks – promoting and celebrating our Landmarks exhibition. Staff are marketing this booklet and the Picturing the Past booklet to visitors as a package deal at a slightly reduced price if purchased together.

New Window Decals

New external window decals have been installed. As well as improving the visual appeal of the museum on the northern side, they serve to give visitors a taste of some of the beautiful objects and photography in the collection.

Social Media Update

Our Administration Officer is in the process of ramping up our FaceBook awareness. Recent posts have included “Throwback Thursday”, “BRM is Wrapped”, our free entry to Cradle Coast residents and notification of the return to weekend opening hours on 7th September.

We will also be inviting people to share their own “Landmark” memories on our Facebook page throughout the month of October as part of the Burnie Shines program.

Burnie Shines program

To complement the current Landmarks exhibition, we will be hosting a Kid’s workshop: *X Marks the Spot!* on Wednesday 9th October at the Museum and Thursday 10th October at the Gallery. Children are invited to create their own map of real or imagined landmarks that are important or special to them.

We will have a guest speaker from the Tasmanian Aboriginal Centre speaking on the topic of *Landmarks of the North-West: A Tasmanian Aboriginal Perspective* on Wednesday 23rd October at 12:30-1:30pm.

Redevelopment Update

Tendering process commenced several weeks ago. A tendering brief was recently held attracting 11 architectural firms.

Current timeline is for expressions of interests to be presented by the 20th September 2019. Detailed plans with costings and specifications are to be completed by 20th March to submit for State funding. The construction phase has been estimated to take 18 months with completion in 2022.

Meeting Notes

<p>6. Opportunities for members to present any matters arising from their constituency.</p> <p>Lauren Stanton – asked if Education Boxes were still available. GW advised there are 3 available mainly aimed a primary school students. LS indicated that thought should be given to education boxes targeted to High School students i.e local history of Burnie</p> <p>Georgie Wade – Planning for the establishment of a World War 1 Education Box at some time in the future</p> <p>Tich Ferencz – Would there be funding opportunities and/or some thought process put forward to attract secondary teachers to pool resources for high school Education Boxes. Have interested teachers do a workshop sessions and/or provide professional learning outcomes.</p> <p>Chris Lynch – Announcing the sad demise of the Gum Tree adjacent to the gallery. Full report still needed however the trees future is unfortunately looking terminal.</p> <p>Richard Ruddle – Entity previously known as the Chamber of Commerce is changing its name to Business North West.</p> <p>Richard Ruddle – Questioned whether local history is still taught as part of the Australian Curriculum. Also questioned the inclusion of indigenous teachings</p> <p>Lauren Stanton – confirmed local schools do teach indigenous awareness. Local history is not part of the Australian Curriculum for high school students but there are opportunities to weave it into the curriculum with other topics.</p> <p>Ray Crawshaw – Acknowledged the relevance of Scott Rankin’s talk at the recent Friends AGM to recognizing and telling the stories of indigenous Australians.</p>	
<p>7. Any other business. Beth Singleton – nothing to add</p>	
<p>Meeting closed at 5:35pm Next meeting 28th October 2019 @ 5pm</p>	

MINUTES AND REPORTS OF COMMITTEES**AO260-19 UPPER NATONE RESERVE SPECIAL COMMITTEE
CONFIRMED MINUTES OF ANNUAL GENERAL MEETING HELD ON
13 AUGUST 2018**FILE NO: 2/5/16; 3383617

RECEPTION FOR DISCUSSION**RECOMMENDATION:**

“THAT the Confirmed Minutes of the Annual General Meeting of Upper Natone Reserve Special Committee held on 13 August 2018, be received for discussion.”

The 2019 Annual General Meeting was held on 26 August 2019.

The AGM confirmed the proceedings of the 2018 Annual General Meeting of the Upper Natone Reserve Special Committee. A copy of the confirmed 2018 minutes is **attached**.

There are no specific matters to report.

ATTACHMENTS

1. [Confirmed minutes of the Upper Natone Reserve Special Committee Annual General Meeting held on 13 August 2018](#)

COUNCIL RESOLUTION

Resolution number: MO276-19

MOVED: *Cr K Dorsey*

SECONDED: *Cr T Bulle*

“THAT the Confirmed Minutes of the Annual General Meeting of Upper Natone Reserve Special Committee held on 13 August 2018, be received for discussion.”

For: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

Against:

CARRIED UNANIMOUSLY

Minutes of Upper Natone Reserve Special Committee AGM, 13th August 2018

Meeting opened 7:35 pm (Natone School)

Attendance

Present: Fiona Tustian (President), Phil Tustian (Secretary) Ivan Caston, Dianne Cripps, Arthur Bryan, Alwyn Boyd (Mayor), Garry Watts, Gary Neil (Burnie City Council), Rodney Lincoln, & Heather Ross.

Apologies: Rodney Sutton

Declaration of Interest: Nil

Minutes of the 2017 AGM were read by the President

Moved Fiona Tustian, & seconded Rodney Lincoln the Minutes be accepted as read. **Carried**

Matters arising: Typographical error 15/16 ammended to read 16/17

Correspondence: (In) Gary Neil - Expenses Report

Gary Neil – Committee Members nominations accepted

(Out) Notice of AGM

Finances

Gary Neil presented the Financial Report

Advocate advertising \$362-11 (Advertising)

Burnie Plumbing Supplies \$1,345-57 (material for shed roofing)

P W Tustian reimbursement \$30-36 (Reserve operations)

P W Tustian reimbursement \$46-25 (Reserve operations)

BCC labour costs \$109-96 (Support activities during the year)

The Budget allocated for the 2018/2019 Financial Year is \$2,000.

Moved Fiona Tustian & seconded Arthur Bryan that the Financial Report be accepted - **Carried**

President's Report

The President (Fiona Tustian) presented the Chairman's Report 2017/2018 to the Meeting.

Moved Fiona Tustian & seconded Dianne Cripps that the President's report shall be received

Carried

Committee Members: Gary Neil declared all nominated persons had been elected (Fiona Tustian, Phil Tustian, Ivan Caston, Rodney Lincoln, Gary Watts, Dianne Cripps, Arthur Bryan, Rodney Sutton & Heather Ross.)

Election of Office bearers:

Fiona Tustian declared all Office Holders positions vacant, & Gary Neil took the chair and called for nominations for the position of President & Secretary.

Philip Tustian nominated Fiona Tustian as President, seconded by Arthur Bryan.

Arthur Bryan nominated Phil Tustian as Secretary/Treasurer, seconded by Rodney Lincoln.

There were no other nominations.

Both nominees accepted the nomination, and were declared elected.

There were no other matters for discussion.

AGM declared Closed at 7:51pm

MINUTES AND REPORTS OF COMMITTEES**AO261-19 UPPER NATONE RESERVE SPECIAL COMMITTEE
UNCONFIRMED MINUTES OF MEETING HELD ON 26 AUGUST 2019**FILE NO: 2/5/16; 3383617

RECOMMENDATION:

“THAT the Unconfirmed Minutes of a meeting of Upper Natone Reserve Special Committee held on 26 August 2019, be received for discussion.”

SUMMARY

The minutes record the discussions of the most recent Upper Natone Reserve Special Committee meeting.

Letters of appreciation are to be sent by the committee to two retiring members, Rodney Lincoln and Rodney Sutton. Officers will also organise for letters of appreciation to be provided on behalf of Council.

Various works have been carried out in the Reserve, as noted in the minutes.

ATTACHMENTS

- 1 [↓](#). Unconfirmed Minutes of the Upper Natone Reserve Special Committee meeting held on 26 August 2019

COUNCIL RESOLUTION

Resolution number: MO277-19

MOVED: *Cr C Lynch*

SECONDED: *Cr A Keygan*

“THAT the Unconfirmed Minutes of a meeting of Upper Natone Reserve Special Committee held on 26 August 2019, be received for discussion.”

For: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

Against:

CARRIED UNANIMOUSLY

Minutes of the Upper Natone Reserve Special Committee
26th August 2019

Meeting opened 7.51pm

Attendance: Fiona Tustian (President), Phil Tustian (Secretary), Dianne Cripps, Gary Watts, Ivan Caston, Andrew Stephenson & Heather Ross.

Apologies: Arthur Bryan, & Gary Neil.

Declaration of Interest – Nil Declarations

Minutes of previous Meeting (24 June 2019) were read by the President.

Moved Phil Tustian & seconded Heather Ross the Minutes be accepted as read. **Carried**

Business arising: Heather & Ivan thanked for fixed the toilet door latch etc. Bricks purchased and gravel (\$330) purchased through Wayne Bramich and spread at the Reserve.

Correspondence: (Inwards)

Gary Neil - Apology inability to attend Meeting

Gary Neil fallen- tree at Reserve possibly dangerous

Manieka Reeve - advice newspaper advert for AGM & nominations

Gary Neil - nominations for Committee accepted by Burnie City Council

(Outwards) email (phone) Notice of Meeting 26/8/2019

Treasurer's Report: Balance is \$3575-92 expenditure for 18/19 year (overspend) and allocation for 19/20 is not known. Moved Fiona & seconded Dianne the Treasurer's Report be accepted **Carried**

General Business

1. The Meeting resolved letters of appreciation be forwarded by the Secretary to both Rodney Lincoln & Rodney Sutton for their services to the Committee.
2. Financial Situation to be clarified by correspondence with Gary Neil
3. BBQ & Table Repairs with Ivan to complete this Sunday coming and BBQ initial preparation also
4. Fallen tree with Andrew agreeing removal was necessary and a start to be made by Phil this Sunday & completed at a later date (possibly completion at working bee)
5. New Roster was distributed to members up to March 2020 with Andrew to share duties with Heather
6. Working Bee set down for Sunday 15/9/19 10am – 1pm & Tustian's authorised to provide refreshments for BBQ after.
7. Resignations noted of Rodney Lincoln & Rodney Sutton.
8. Heather raised the question of name badges for Members (safety vest/t shirt). Members to research and to bring ideas ref same to next Meeting.

Next Meeting 21st October 2019 Natone School 7.30pm.

Meeting Closed 8.19pm

MINUTES AND REPORTS OF COMMITTEES**AO262-19 WESTERN EMERGENCY MANAGEMENT COMMITTEE CONFIRMED
MINUTES OF MEETING HELD ON 16 MAY 2019**FILE NO: 2/5/39

RECOMMENDATION:

“THAT the confirmed minutes of a meeting of Western Emergency Management Committee held on 16 May 2019 be received for discussion.”

SUMMARY

The minutes report on the deliberations of the Western Emergency Management Committee (WEMC) meeting.

The minutes contain reports on a range of matters including:

- Updates on the activities of member agencies and organisations.
- The Department of State Growth conducted a state wide desk top exercise to test incident and emergency management response. A range of local agencies and organisations participated in the North West.
- West Emergency Management Plan (review draft presented). Committee endorsed lodgement subject to minor final amendments.
- Presentation by Peter Young – Grandville Harbour wind farm project, focus on EM matters.
- Western Emergency Management Committee Risk Register – status update provided.

ATTACHMENTS

- 1 [↓](#). Confirmed Minutes of the Western Emergency Management Committee Meeting held on 16 May 2019

COUNCIL RESOLUTION

Resolution number: MO278-19

MOVED: *Cr T Brumby*

SECONDED: *Cr C Lynch*

“THAT the confirmed minutes of a meeting of Western Emergency Management Committee held on 16 May 2019 be received for discussion.”

For: Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.

Against:

CARRIED UNANIMOUSLY

- 4 Matters Arising from the Previous Minutes**
- 4.1** Nil
- 5 Correspondence**
- 5.1 Correspondence Inward**
- | | | |
|----------|--------------------------------|---|
| 15.05.19 | Wayne Richards – SES | Appointment of Regional Officer Anthony Dick as SES Agency Lead to TasGRN Project & interim arrangements for coverage |
| 01.05.19 | Georgia Palmer | Evacuation Centre Registration information from workshop in south of the state |
| 25.04.19 | SRCT (Police) & Wayne Richards | Invitation to State Crowded Places Forum Hobart 3 May 2019 |
| April | Wayne Richards – SES | Weather warnings & Operational Readiness Strategies SES |
| 08.05.19 | Fiona McLeod – DSG | Cam River Bridge Emergency Response Plan |
| 09.04.19 | Georgia Palmer – LGAT | Opportunity to submit to 2018-19 Bushfire Review |
| 02.04.19 | Georgia Palmer – LGAT | Disaster Resilience Discussion Paper |
| 02.04.19 | Sarah Stent | Transport route Burnie to Granville Harbour Wind Farm |
| 29.03.19 | Georgia Palmer – LGAT | Municipal Emergency Management Guidelines survey |
| 04.03.19 | Gary Baxter – ABC | Request for update ABC reception since changes at Lileah |
| 22.02.19 | LGAT | Opportunity to take part in project to review Municipal Management Guidelines |
| 15.05.19 | Wayne Richards – SES | Appointment of Regional Officer Anthony Dick as SES Agency Lead to TasGRN Project & interim arrangements for coverage |
- 5.2 Correspondence Outward**
- | | | |
|----------|-------------------|--|
| 04.03.19 | Gary Baxter - ABC | Ongoing poor radio reception Circular Head |
|----------|-------------------|--|
- 6 Standing Agenda Items**
- 6.1 NW Regional Emergency Management Committee Update (Michael Foster)**
- West Coast Council
 - Command centre nearing completion
 - Strahan Airport EM exercise planned 11-12 May
 - Granville Harbour windfarm – Transport route concerns
 - Pieman River Evacuation plan under review
 - Central Coast Council
 - Penguin foreshore & Heybridge Beach erosion concerns
 - Updating EM manuals and plans
 - Forth River flood modelling in progress
 - Council UHF radio network upgrade completed
 - Kentish-Latrobe Council
 - Port Sorrell foreshore erosion concerns
 - Latrobe flood mitigation - preliminary design completed
 - Railton flood mitigation – investigations underway
 - New risk management officer has been appointed

- New shared IT system implemented
 - Latrobe Works Depot EM readiness works completed
 - Devonport City Council
 - Revised EM Plan endorsed by Council
 - Working on scenario for EM training exercise
 - Ambulance Tasmania
 - There have been early presentations of influenza
 - Currently recruiting NW Manager
 - Parks & Wildlife
 - 3 Major Fires approx. 200,000 hectares – IMT in place for 100 days
 - Tas inter-agency approach to bushfires applauded by interstate colleagues
 - P&R fire debrief process starting
 - State bushfire inquiry underway
 - Fuel reduction burns underway
 - Telstra
 - Security Report 2019 released
 - Telstra is compliant with the Apparent Violent Act Legislation introduced after the Christchurch NZ massacre
 - NBN
 - Fixed line upgrades continuing state-wide
 -
 - State Roads
 - Draft bridge EM plan developed
 - Emergency exercise held across all three regions
 - Emergency response plan for Cam River Bridge being developed
 - Risk-based tree management framework nearing completion
 - Setting up formal EM coordination group
 - Sustainable Timber Tasmania - No report
 - Tas Networks – Nothing to report
 - Department of Education – Nothing to report
 - Red Cross – Nothing to report
 - Tasrail
 - Melba Line EM agency tour conducted
 - Working on Melba Line EM exercise
 - National Rail Regulator audit conducted – Good results
 - Tasmanian Health Service
 - EM units are being aligned across the state
 - Mass casualty EM exercise being planned
 - Biosecurity Tasmania
 - Fruit Fly Pest Free status to be achieved at end of March 2019
 - New control centre being established at Mount Pleasant facility
 - Tas Water
 - Southern bushfire debrief underway
 - N/NW/W flood mitigation works in progress
 - Sewer stormwater infiltration works underway
 - DPAC
 - Bushfire taskforce winding up end of May 2019
- 6.2 Regional Social Recovery Update – Lisa Allison**
- The most recent NW Regional Social Recovery Meeting took place on 7 May 2019
 - Lisa Allison (THS) officially appointed as NW Regional Social Recovery Coordinator – first time Chairing meeting. Dominic Peters (THS) at this time remains as the Deputy NW Regional Social Recovery Coordinator.

- The draft Social Recovery Arrangements of DOH, THS and Communities is in its last stages of consultation. The finalised document is expected to be circulated for endorsement by the SHHSEC by the end of financial year.
 - Bushfire Recovery Taskforce is winding up this month. Interoperability arrangements were noted as successful but at capacity.
 - Nil regional social recovery requests.
 - Circular Head experienced a significant rain fall event at the end of April, impacting on surrounding businesses and the community.
 - Latrobe Council's General Manager is representing local government for Australia at the United Nations Office for Disaster Risk Reduction global platform this week in Geneva.
 - Next NW Regional Social Recovery meeting will take place 6 August.
- 6.3 Western FMAC – Julie Bernhagen (CHC)**
- Western Fire Management Area Plan now available on website
 - Julie Bernhagen invited to attend Tasmanian Fire and Emergency Annual; Conference in Launceston
 - Project Officer appointed and there is to be a revamp of plans and the risk register. FMAC members will be invited to workshops across all regions.
- 6.4 Municipal Coordinator Reports**
- 6.4.1 Burnie City Council – Gary Neil**
- Flood warning system being investigated for Emu River
 - Ridgley Flood Study works are underway. Drainage system is currently being improved through capital works
 - General discussion on Bass Hwy/Cam River Bridge transport study and associated federal election funding pledges – update at next WEMC meeting
- 6.4.2 Circular Head Council – Julie Bernhagen**
- Reviewed CHC component of WEMC plan and few other areas updated
 - Significant amount of wind events however limited damage
 - Rain event Wednesday/Thursday morning 2 May. Approximately 54 mm fell – majority in early hours of the morning during 2-hour period
 - Impacted storm water network with some stormwater covers lifting, damage to paved footpaths due to runoff etc
 - Water entry to buildings, mostly commercial premises in the CBD
 - Resulted in business closures from a couple of hours to a couple of days
 - Most was result of water entry via roofs and guttering
 - Couple of council buildings impacted
 - if have rain events like this moving forward will need to develop more community awareness and council/community management strategies
 - General discussion regarding nuisance calls to SES to respond to poor building maintenance practices which are totally avoidable. Education campaign suggested.
 - New Circular Head Community Wellbeing Centre (pool) now known as SWIRL opened on 10 May – potentially another site for community use in emergencies with meeting room, showers and toilet facility and linking to the neighbouring basketball stadium
- 6.4.3 Waratah-Wynyard Council – Julie Bernhagen**
- Chris Fagg, long standing Emergency Management Coordinator for Waratah Wynyard resigned from the role effective 1 April 2019.
 - Joined SES on 01 March 1989, as a volunteer member with the Wynyard Unit.

- He was also appointed as the Local Coordinator for the Wynyard Council at that time.
 - Previous service as a member of the Defence Force and Northern Territory police officer.
 - He spent 21 years as a volunteer and Deputy Unit Manager with Wynyard SES Unit.
 - During much of this period, Wynyard SES Unit was a strong and respected emergency service, performing at many State and National Disaster Rescue Competitions.
 - Chris was a strong advocate for improvements and maintenance of facilities for the Wynyard and Waratah SES Units.
 - His leadership and dedication have resulted in much of his time being committed to emergency management planning and preparedness, ensuring that emergency management is given serious consideration by local council.
 - He has been an active member of the North-West Regional Emergency Management Committee, where his input and contribution are highly valued, particularly with his development and conduct of exercises.
 - Will be missed – with committee's approval would like to send official letter.
 - Very quiet couple of months in emergency management – Chris's handover has taken substantial amount of time.
 - Reviewed the WWC component of WEMC Plan
 - Numerous documents requiring review & comment
 - Responded to Cam River Bridge Plan
 - Met with Sarah Stent about transport of Granville Harbour Wind Farm components
- 6.5 Municipal Recovery Coordinator Reports**
- 6.5.1 Burnie City Council**
- Nothing to report
- 6.5.2 Circular Head Council**
- Evacuation centre setup training to be planned
 - Minor weather events in the region but no evacuation centres opened
- 6.5.3 Waratah-Wynyard Council**
- Richard Muir-Wilson attended EM exercise at Burnie Airport – Mass casualty incident from gas explosion.
 - Regional Social Recovery Meeting – Bronwyn Watson gave briefing on learnings from Huonville Evacuation Centre
- 6.6 Agency Reports**
- 6.6.1 Tasmania Police – Insp Adrian Shadbolt**
- Tas Police participated in the Burnie Airport EM exercise
 - Tas Police participated in the DSG Emu River ridge EM exercise
 - Western District have had a bushfire season debrief
 - Smithton station has two additional staff bringing the total to ten full time officers
- 6.6.2 Tasmania Fire Service – Tyron Clark**
- Currently reviewing influenza pandemic organisational preparedness
 - Sustainable Timber Tasmania and TFS working on Brittons Swamp bushfire rehabilitation
 - Fire Permit period is closed but it is recommended that burns still be registered with TFS
 - TFS involved in Tasrail EM planning
 - SES/TFS undertaking recruitment drive for Waratah station
 - BRU – Autumn fuel reduction burns completed. Preparing for Spring burning.
- 6.6.3 Ambulance Tasmania**

- Nothing to report
- 6.6.4 Tasmania Health Service – North West**
- The *Emergency Management Action Plan for the Tasmanian Health Service* was issued by the Health Secretary on 27 March 2019. The next steps are the commencement of an Implementation Manager and the development of an Implementation Plan with a project-based approach to implementing required changes.
 - A state-wide Mass Casualty Incident exercise is currently being undertaken within THS. The Northwest portion of the exercise was completed on 2 April. A post-exercise report has been drafted with eight recommendations.
 - The A/Director of Nursing for West Coast District Hospital was in attendance at the Strahan Airport Exercise on 11 May.
- 6.6.5 State Emergency Service – report from Wayne Richards**
- Congratulations to Julie Bernhagen on her nomination for the Waratah-Wynyard Municipal Coordinator role. Formal appointment is currently with the Minister
 - The Regional Emergency Management Plan is still being updated
 - There are currently no EM funding opportunities available
 - Work is ongoing for the recently formed Flood Policy Unit with staff appointments now complete and trips planned to assess the region’s flood prone areas.
 - Andrea Heath has commenced as Project Officer responsible for the review and updating of the Municipal Emergency Management Guidelines and has already met with some EM Coordinators
 - Louise Chesterman is leading the Training Continuum project to develop a structured EM training pathway for all EM stakeholders
 - Circular Head Council and THS have a number of people wishing to attend Intro to EM training which will be scheduled in June 2019. These sessions are available on request for minimum of 5-6 participants
 - Presentations have been given to newly elected members at Burnie, Waratah-Wynyard and Circular Head Councils to inform them of their obligations and responsibilities for Emergency Management
 - Wednesday 22 May is WOW Day for the recognition of SES volunteers as part of National Volunteer Week. A morning tea will be held at NW Regional HQ.
- 7 Committee Plans & Associated Documents**
- 7.1 Western Emergency Management Plan (Due for review June 2019)**
- Councils to submit reviewed sections of WEMC plan to Gary Neil for compilation to present to SES.
- 7.2 WEMC Risk Register – Michael Foster**
- Once endorsed the Risk Register is to be made available on WebEOC.
- 8 Emergency Management Programs**
- 8.1 Other Funding Opportunities (if any) - Nil**
- Wayne Richards advised he is not aware of any impending opportunities for funding grants.
- 9 Training/Workshop Opportunities/Reports (reports on future & past attendances)**
- 9.1 WebEOC Training**
- Gary Neil and Michael Foster (BCC) to follow up with Ricki Eaves (TasPol) on training and Registration/Login

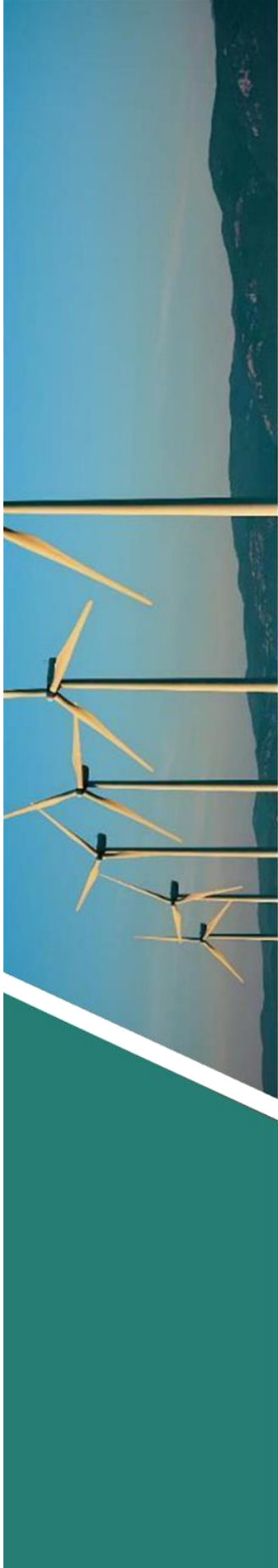
- 10 General Business**
- 10.1** WebEOC – training to access documents – Gary Neil
- Recent training following REMC discussed – need logon
 - WebEOC now document store
- 10.2** Municipal Emergency Management Guidelines – Gary Neil
- Gary Neil is part of group reviewing the guidelines & will report to committee
- 10.3** DSG – Desktop Exercise Premonition – Gary Neil
- 10.4** DSG – Cam River Bridge Emergency Plan
- Bridge ranked 2nd most important in the state
 - Draft plan discussed
- 10.5** Review of 2019 fires
- Discussed in conjunction with agency reports
- 10.6** Coastal Erosion – Opportunities mitigation strategies & State Government agencies
- Committee to share information due to significance of risk
- 10.7** Future Meetings – Potential Guest Speakers/Invited Guests
- Recommendations to Julie Bernhagen
- 11 Presentation – Granville Harbour Wind Farm – Peter Young**
- Copy attached to minutes
- 12 Meeting Closure**
- Next Meeting 15 August 2019 at Waratah-Wynyard Council**
- Forward Meeting Dates – 3rd Thursday Quarterly*
- | | |
|-------------------------|--------------------------------|
| <i>21 November 2019</i> | <i>Circular Head Council</i> |
| <i>20 February 2020</i> | <i>Burnie City Council</i> |
| <i>21 May 2020</i> | <i>Waratah-Wynyard Council</i> |
| <i>20 August 2020</i> | <i>Circular Head Council</i> |

Michael Foster (BCC)

Outstanding Actions

No.	Description	Owner	Date Assigned	Status	Date Closed
5	Letter to be forwarded to appropriate agency regarding ABC radio interference	Julie Bernhagen	24.11.16	Completed 13.02.17 – acknowledgements received. 18.05.17: Ongoing matter – Minister considering further information from Commander. 17.08.17: Circular Head Council continuing to follow up matter. 16.08.18: In discussions with Gary Baxter (ABC) re Lileah station. 15.11.18 Letter received from ABC advising of changes to Lileah broadcast. To review during summer conditions. 21.02.19 Julie Bernhagen & Wayne Richards to liaise to address this issue.	
20	EM Coordinators to develop combined Risk Register to bring to WEMC	EM Coordinators	17.08.17	17.08.07 EM Coordinators/Deputies present met following WEMC meeting. BCC & WWC to format current registers to new style and forward to Julie Bernhagen to collate. Julie forwarded CHC register and blank register to BCC & WWC. 16.11.17 Michael Foster to collate registers. MEMCs to meet and finalise register which will be brought to next meeting. 12.08.18 Met to combine risk registers – further analysis required. 15.11.18 Ongoing. Coordinators to meet to continue development.	

No.	Description	Owner	Date Assigned	Status	Date Closed
23	Determine if there is appetite for TasRail to attend WEMC meetings.	?????	16.11.17	Julie Bernhagen contacted Shannon Cox who was to attend meetings. Advised 08.08.18 he has left organisation.	
24	Determine if there is a TasPorts representative in the north west who may be able to attend WEMC meetings.	Julie Bernhagen	16.11.17	15.11.18 Anna Flower from TasPorts advise a person has been appointed to work in Emergency Coordinator role and should attend meetings commencing 2019.	
28	Work plan on Risk Register to become an Agenda item.	Committee	21.02.19		
29	Julie Bernhagen to liaise with WWC Mayor Robbie Walsh to draft a letter to TasWater highlighting the issue of works carried out in Waratah during fires.	Julie Bernhagen & Mayor Walsh	21.02.19		
30	WEMC Executive Officer to write letter of appreciation and acknowledgement to Chris Fagg for his service to the Committee and EM in the region	Julie Bernhagen	16.05.19		
31	Bass Hwy/Cam River Bridge transport study and associated federal election funding pledges – update at next WEMC meeting	Gary Neil	16.05.19		

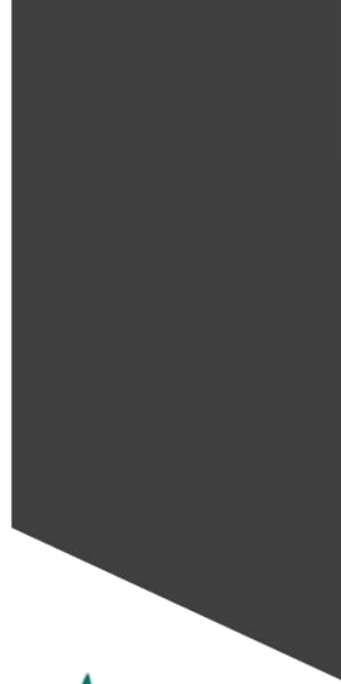


Granville Harbour Wind Farm

North West Coast Emergency Management Committee Update - May



GRANVILLE HARBOUR
WIND FARM





GRANVILLE HARBOUR WIND FARM

Background

Description	Date	Attendees
Kick off meeting for WF	26 Sep 2018	GHO + Vestas + Landowner
Interface meeting for WF + TL	17 Oct 2018	GHO + Vestas + TasNetworks
Drop in session with Queenstown Ambulance + West Coast Police + Zeehan SES	17 Oct 2018	GHO + Vestas + TasNetworks
West Coast Council + West Coast Police meet	18 Oct 2018	GHO + Vestas
Burnie council, Waratah –Wynyard Council, Ambulance, SES, Burnie Police	19 Oct 2018	GHO + Vestas + TasNetworks
SES site visit	22 Nov 2018	Vestas
TAS Police site visit	5 Dec 2018	Vestas + TasNetworks
SES, TAS Police meeting	6 Mar 2019	Vestas
TAS Police site visit	16 Apr 2019	Vestas + GHO
West Coast Council + West Coast Police meet	17 Apr 2019	GHO + Vestas + Lucas
West Coast Emergency Management Committee	17 April 19	GHO + Vestas + Lucas



Project status

Wind Farm

- **Staff:** ~80 personnel onsite
- **Mobilisation:** complete access tracks, signage, gate access, operations area, first-aid
- **Civil works:** - 30 of 31 turbine foundation excavations complete – preparing for steel works
- **Procurement** – shipments to Port of Burnie underway and Burnie site storage area (adj. Bunnings) in play
- **Transportation** of large items to storage, planning for enroute
- **Management plans** complete

Transmission Line

- **Civil works:** vegetation clearing, access tracks complete. Pole foundations & switching station prep underway. Switching yard
- **Procurement** – completed, poles stored at final locations.



Emergency Coordination

Emergency Management Plans (EMP)

- Wind Farm (WF)
- Transmission Line (TL)
- Granville Harbour farm

Primary risk – wind farm

- highest % personnel
- key risk activities
- Remote context and geographical location of site

Active plan

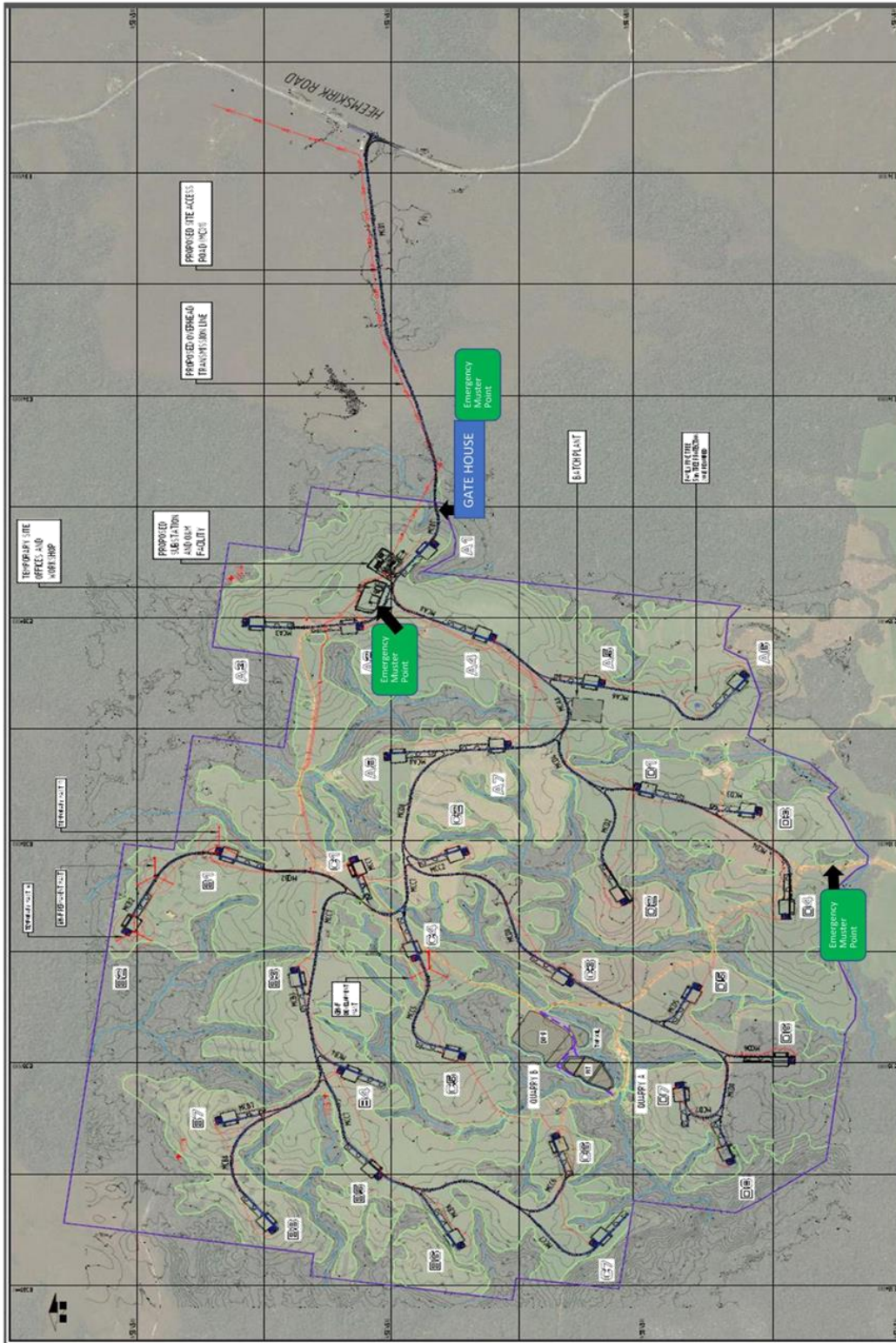
- incorporates feedback from Emergency Services. Max. 6mth review
- Focus is risk based: **prevent, mitigate, respond to, overcome range of emergency situations**
- Response to any declared emergency situation **will be coordinated from site**
- Ongoing – GHWF site familiarisation tours for Emergency Services given unique/complex nature of ops. Further training planned

Action – GHO to distribute GHWF EMP on request.





Risk	Potential Mitigation Measures
Description of location	<ul style="list-style-type: none"> • Provide designated locations to local emergency services • Incident controllers know GPS and latitude/longitude of emergency points • All three sites refer to meeting points with consistent language
Escort of Emergency Vehicle	<ul style="list-style-type: none"> • Nominate personnel to be responsible for this task • Complete site drills to test procedures
Access e.g. 4WD	<ul style="list-style-type: none"> • Maintain roads throughout construction • Ensure 4WD at site of incident if emergency vehicle can not get close enough
After hours access	<ul style="list-style-type: none"> • Provide keys/fob/code etc. of site to local police and fire station • Provide map of roads and key features on site to emergency personnel • Site visit by police and fire personnel
Limited satellite phone/mobile phone coverage	<ul style="list-style-type: none"> • Ensure processes in place to radio other sites for assistance as a back-up
Road blockage due to oversize vehicles	<ul style="list-style-type: none"> • Provide emergency services with access to GPS locator via internet of escorted transport vehicles (oversize/overweight) – both to and from site.
Emergency services capability is out of West Coast	<ul style="list-style-type: none"> • Heights rescue/confined space rescue would come from Burnie • Ensure multiple personnel on site are qualified to undertake specialised rescues
Limited capability of emergency services to assist with incident	<ul style="list-style-type: none"> • Have procedures in place within workers staff to support emergencies for which local emergency services have capability such as for: <ul style="list-style-type: none"> - Oversize load overturned/breakdown - Fire in nacelle too high • Discuss potential incidents that would require emergency services to understand the gaps in their capabilities • Site managers attend local fire station training evening
Remoteness means emergency service delay to get to site	<ul style="list-style-type: none"> • Personnel carry medicine on them and incident controller has an awareness, e.g. diabetics or people susceptible to anaphylactic shock • Ensure first aid kits are carried in all site vehicles • Ensure sufficient number of advanced first-aid trained personnel are on site at all times (refer to national standards based on number and location of workers). • Ensure site first aid is well stocked at all times • Have multiple AED on site and register them with Ambulance TAS



Works planning - Fire

Fire Management Plan (FMP) active

- TasFire feedback sought as per DA Proposal condition
- Conditions to minimise fire risk:
 - All works in accordance with FMP
 - FMP developed in consultation with local authorities
 - Total Fire Ban Day: advice of CFA (Guidelines for Wind Facilities) to be followed
 - Regular fire activity monitoring by site
 - Fire protection and equipment installed and operational at all times
 - FMP regularly reviewed & updated
- Risk Assessment identifies **bushfires** as most likely cause of fire incident onsite

Action – GHO to distribute GHWF FMP on request.





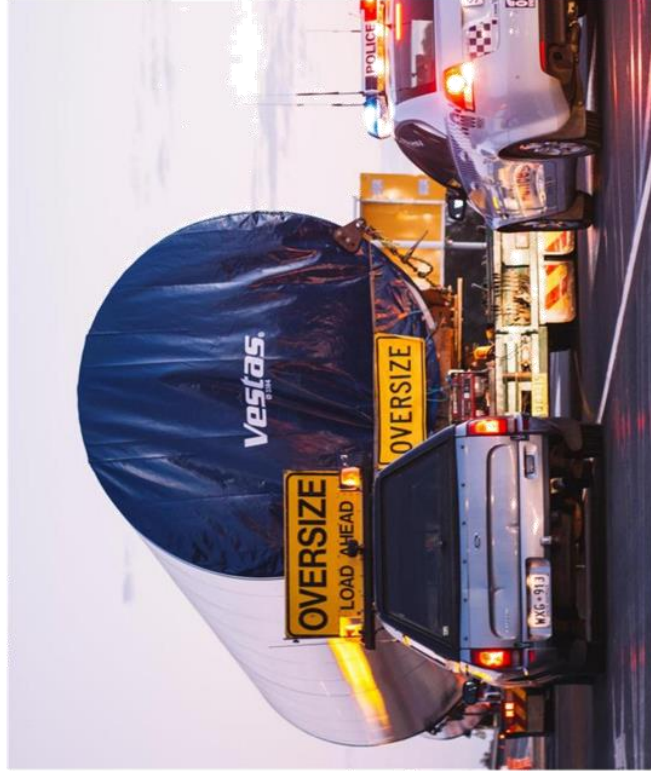
Works planning – Transport

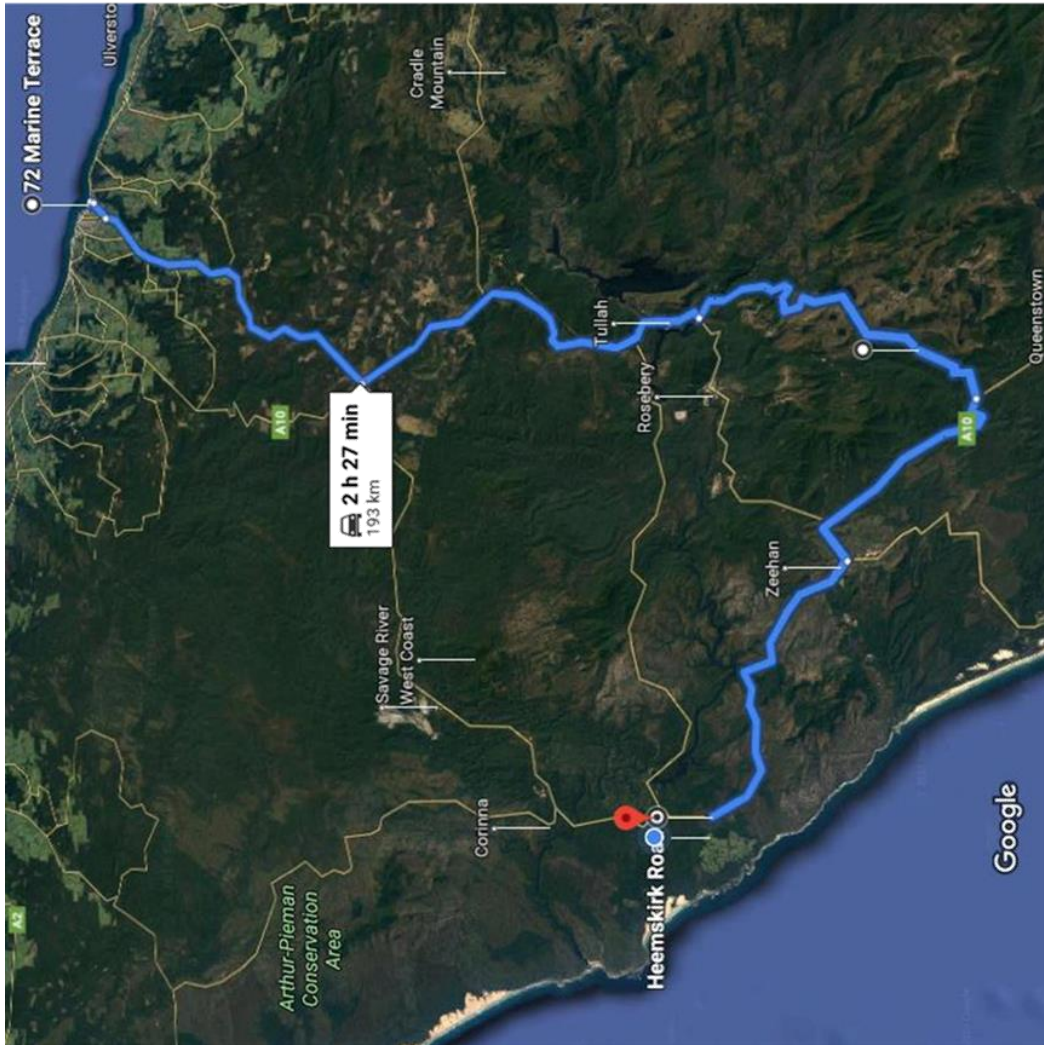
Significant interest in oversize transport to site

- Transport (Burnie-GHWF) likely to be June – requirement of site sequencing
- Transport Management Plan (TMP) complete – Council, Emergency Mgmt completing technical review

Key points

- Route change – no longer travelling via Rosebery
- No. of transport journeys approx. 372
- Transport to occur b/w **3am & 11am Mon-Sat** to minimise disruption
- All oversize trucks escorted by <5 support vehicles to ensure safety
- **No road closures expected** however escorts may hold traffic to allow safe passage of trucks





Transport Engagement

Spreading the message

- Letters to be sent to route stakeholders prior to transport (mines, schools, public transport)
- Seeking feedback on potential impacts – will seek to mitigate where practical
- General community comms- Resident Notification via AustPost, advertisements, update notices
- Ongoing comms for duration of transportation ~ 8 months.

Key points

- Largest delivery program ever attempted on West Coast
- Some delays anticipated (up to 30 minutes)
- Information provided to assist residents/businesses plan to limit impacts

Important traffic information for residents

Big deliveries planned for new wind farm

Works are currently underway to build Tasmania's newest wind farm near Zeehan on the West Coast of Tasmania – the Granville Harbour Wind Farm.

Significant effort is going into planning the delivery of parts for the wind farm's 31 turbines – including tower sections, blades, nacelles and other components.

Escorted deliveries of these oversize items are expected to commence later this month.

Transport route
Oversize items will be transported on trucks 193km along an approved route from the Port of Burnie to the Granville Harbour Wind Farm site.

Transport schedule
Oversize items will be transported to site between the hours of 3am and 11am Monday to Saturday or six days of the week. Deliveries will not occur on Sundays and Public Holidays.

GRANVILLE HARBOUR WIND FARM

Estimated times of departure from key locations:
 Burnie - 3am
 Zeehan - 6am-8am
 Wind Farm - 8am-10am



Upcoming works

Wind Farm

- Foundations – continue excavations, commence steel works
- Substation construction
- Final batch of blade shipments to Port Burnie
- Oversize item transportation to site
- Installation first turbines
- Blasting at Quarry B – post Easter.
- Erosion & Sediment control & drainage

Transmission Line

- Switch station works
- Pole installation commence May





Tasmania’s newest wind farm is currently being built near Zeehan, on the West Coast of Tasmania.

The \$280 million, 112MW Granville Harbour Wind Farm will significantly increase the amount of clean energy available to Tasmanians and diversify the state’s energy generation mix.

Granville Harbour Wind Farm will use 31 latest–technology turbines to generate enough electricity to power around 46,000 homes each year. That’s almost every household in North West Tasmania.

Location

The wind farm site has been selected for its exceptional quality wind resources. When complete, Granville Harbour Wind Farm is expected to be one of the most productive and efficient wind farms in Australia.

Benefits to the region

Granville Harbour Wind Farm will deliver a significant boost to the local economy through investment in local suppliers, flow-on benefits to local businesses and new employment opportunities.

Construction

Construction of the wind farm is expected to be complete by mid 2020. Up to 200 workers will contribute to the delivery of this state-significant project. The wind farm will then operate for 30 years – with a team of 10 permanent workers needed to manage the site.

Safety

Safety is a daily consideration for our construction team given the scale and complexity of installing Tasmania’s largest wind turbines. Careful planning is also going into the transport of oversize items to site via a 193-kilometre route from the Port of Burnie.

BENEFITS TO THE REGION

\$1.3M spent directly in the local economy

\$3.8M spent in Tasmania

50 JOBS for Tasmanians during construction

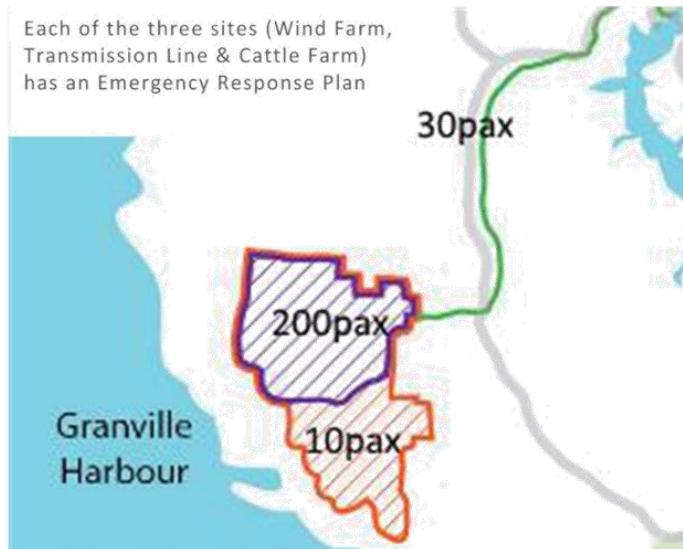
Annual Community Fund



granvilleharbourwindfarm.com.au
enquiries@granvilleharbourwindfarm.com.au
 0416 698 158
 @granvilleharbourwind



KEY CONTACT PERSONNEL



Emergency Response Procedure

PLEASE CONTACT THE PRIMARY OR SECONDARY CONTACT FOR BOTH SITES IN THE EVENT OF AN EXTERNAL INCIDENT. IN THE EVENT OF INABILITY TO CONTACT SITE PERSONNEL, PLEASE CONTACT OFF-SITE CONTACTS WHO HAVE MULTIPLE METHODS TO CONTACT SITE PERSONNEL.

Contact Numbers

	Wind Farm	Transmission Line	Granville Farm (cattle farm)
UHF	21	19	20
Satellite Phone	+87 0776141 533	0147 165 662	
Primary Site Emergency Controller	Site Manager Gordon Greig 0438 389 291	Site Manager Bert Brookman 0429 930 106	Farm Owner Royce Smith 0447 715 011
Secondary Site Emergency Controller	Site Safety Manager John Keating 0459 866 377	Site Works Inspector Roland Alger 0427 727 471	Farm Hand Paul Cobbing 0437 662 996
Alternative Contacts – Offsite	Sarah Stent Community Relations Advisor 0418 142 173		
	Peter Young GHO Wind Farm Project Manager 0428 810 285		

- 0416 698 158
- enquiries@granvilleharbourwindfarm.com.au
- PO Box 47, Zeehan, TAS

Site Facilities/Constraints

	Wind Farm	Transmission Line
Water Abstraction Points	E 337 518 E 338340 N 5 371 731 N 5373331 Batch plant unlimited L/ unlimited standpipe L/s	Reece Dam
Water Carts	2 x 22,000 L mobile tankers	Nil
Water Tanks	E 338597 N 5372195 Capacity: 1 x 5,000 L poly tank	E 344068 N 5379504 Capacity: 1 x 1,000 L plus 1 x 500 L trailer mounted tankers.
Fire Fighting	All vehicles have fire extinguisher	All vehicles have fire extinguisher Both water tanks have fire pumps fitted.
Medical Facilities	Registered Nurse or Senior First Aider on site 1 x AED [Registered with Ambulance TAS] All vehicles first aid kit	First Aiders on site 1 x AED [Registered with Ambulance TAS] All vehicles have first aid kits
Security Gates	Access road – gate uses key lock. Keys provided to: State Emergency Services (SES) Zeehan Police – Adam Spencer TAS Fire	Currently no lockable entry points
Hazardous Materials On-site	Diesel – 50 kL fuel tank, 5400L fuel truck [GHWF Compound] Cement Lime Oils/Lubricants Explosives	Diesel Cement Lime Oils/Lubricants
Roads	12.5 t/axle 5.5 m width unsealed	Class 4 Forestry Tracks
Rescue Support	2 cranes 0 personnel qualified in confined space rescue 25 personnel qualified in heights rescue Multiple heavy machinery – excavators, ADTs Multiple locations across site for helicopter to land (hardstands, pasture, compound carpark) No personnel trained in wildlife rescue	3 x personnel qualified in heights rescue Multiple heavy machinery – excavators, ADTs Limited locations for helicopter to land (Reece Dam, 60m cleared easement, Heemskirk Road, Pieman Switch Station). No personnel trained in wildlife rescue.

Meeting Points

Emergency Services will be escorted to the site of an incident from the nominated meeting point:



ID	Easting/Northing	Lat/Long
317	E 341479 N 5 377 995	-41° 44' 03" 145° 05' 38"
GHWF	E 341154 N 5 373 077	-41° 46' 41.7" 145° 05' 19.2"
305	E 342823 N 5 369 533	-41° 48' 38" 145° 06' 28"

0416 698 158
enquiries@granvilleharbourwindfarm.com.au
PO Box 47, Zeehan, TAS



AO263-19 NON AGENDA ITEMS

In accordance with the requirements of Regulation 8(5) of the *Local Government (Meeting Procedures) Regulations 2015* a matter may only be discussed at a meeting if it is specifically listed on the agenda of that meeting.

Council by absolute majority may decide at an ordinary meeting to deal with a matter that is not on the agenda if the General Manager has reported:

- (a) the reason it was not possible to include the matter on the agenda; and
- (b) the matter is urgent; and
- (c) that advice has been provided under section 65 of the *Act*.

There were no non agenda items.

There being no further business the Mayor declared the Meeting closed at 8.13pm.

CERTIFICATION OF MINUTES AS A TRUE RECORD

These minutes are confirmed as an accurate record of the Ordinary Meeting of Burnie City Council held on 17 September 2019.

Confirmed:



Andrew Wardlaw, GENERAL MANAGER

Confirmed:



Steven Kons, MAYOR