



BURNIE
CITY COUNCIL

MINUTES

Ordinary Meeting

TUESDAY, 10 DECEMBER 2019

7.30PM

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, 10 DECEMBER 2019**

HOUR: 5.30pm – 5.31pm
7.30pm – 9.17pm

TIME OCCUPIED: 1 hour 48 minutes

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

Officers in Attendance:

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

APOLOGIES: Cr A Boyd was previously granted a leave of absence at the meeting held on 19 November 2019.

'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
AC187-19 COUNCILLOR DECLARATIONS OF INTEREST	15(2)(g)
AC188-19 CONFIRMATION OF MINUTES OF THE 'CLOSED SESSION' MEETING OF COUNCIL HELD ON 19 NOVEMBER 2019	15(2)(g)
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AC192-19 PERSONNEL REPORT NOVEMBER 2019	15(2)(a)
AC193-19 TENDERS CONTRACT 2639 HVAC MAINTENANCE AND REPAIR SERVICES COUNCIL FACILITIES	15(2)(d)
AC194-19 OUTSTANDING DEBTORS	15(2)(j)
AC195-19 CRADLE COAST AUTHORITY BOARD MEETING UNCONFIRMED MINUTES OF MEETING HELD ON 14 NOVEMBER 2019	15(2)(g)
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AC197-19 AUTHORISATION TO DISCLOSE CONFIDENTIAL INFORMATION	15(2)(f)
AC198-19 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 AC187-19 to AC198-19 which are confidential matters as prescribed in Clause 15 of the Local Government (Meeting Procedures) Regulations 2015”

COUNCIL RESOLUTION

Resolution number: MO373-19

MOVED: Cr C Lynch

SECONDED: Cr T Brumby

“THAT the meeting be closed to the public to enable Council to consider agenda items AC187-19 to AC198-19 which are confidential matters as prescribed in Clause 15 of the Local Government (Meeting Procedures) Regulations 2015”

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

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 7.30pm 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

It is noted that the Open Session of the Meeting will 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 Captain Belinda Smith of the Salvation Army.

AO329-19 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.

There were no declarations of interest.

**AO330-19 CONFIRMATION OF MINUTES OF THE 'OPEN SESSION' MEETING
OF COUNCIL HELD ON 19 NOVEMBER 2019****COUNCIL RESOLUTION**

RECOMMENDATION:

“THAT the minutes of the ‘Open Session’ of the Burnie City Council, held at City Offices on 19 November 2019, be confirmed as true and correct.”

Resolution number: MO374-19

MOVED: *Cr D Pease*

SECONDED: *Cr G Simpson*

“THAT the minutes of the ‘Open Session’ of the Burnie City Council, held at City Offices on 19 November 2019, be confirmed as true and correct.”

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

QUESTIONS ON NOTICE**AO331-19 QUESTION ON NOTICE - UTAS ACCOMMODATION**

FILE NO: 15/5/5; 941035

PREVIOUS MIN:

THE GENERAL MANAGER referred to Councillor Amina Keygan's Question on Notice which asked:

In potentially entering into another accommodation agreement with UTAS, is Council able to provide information on student accommodation eligibility? For example, do students need to be enrolled full time? Part time? Online courses only? Or is there a requirement that students be physically attending UTAS Burnie campus?

COUNCILLOR'S COMMENTS

No comments provided.

GENERAL MANAGER'S COMMENTS

UTAS has advised that its student accommodation across the state is normally for both full time and part time students who study on campus. In addition to students who are undertaking multi-year degrees, in Launceston they also support the accommodation of students undertaking different modes of teaching – such as industry-supporting block courses which may run in a condensed manner over several months, taught on the campus.

As the academic program for the new West Park campus is brought to fruition, it envisions that the new accommodation would continue to be managed in a similar way to the rest of the portfolio.

RECOMMENDATION:

“THAT the information be noted.”

COUNCIL RESOLUTION

Resolution number: MO375-19

MOVED: Cr A Keygan

SECONDED: Cr T Bulle

“THAT the information be noted.”

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

Mayor S Kons vacated the Chair, and Deputy Mayor G Simpson took the chair, the time being 7.32pm.

MOTIONS ON NOTICE

AO332-19 MOTION ON NOTICE - CONTRACTUAL BREACHES - CAPITAL WORKS

FILE NO: 15/5/2; 940879

PREVIOUS MIN:

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

“THAT Council adopt a policy of zero tolerance for contractual breaches for contracts involving capital works and that this be identified and relayed to contractors in future contracts awarded for capital works.”

COUNCILLOR’S COMMENTS

In the past Council has allowed breaches of contracts to not be vigorously pursued and contractors have taken contract payments but the standard of work has been left wanting.

Council does not like to be in conflict with contractors and mostly allows breaches to be accepted and the community ends up paying twice and even more for rectification works.

Examples involve work at the Tennis Club, faulty leases, supervisory work at the Surf Club to name some.

The community expects work to be done at a good standard and not to pay for rectification works where the contractor has not provided as per their contractual obligations.

GENERAL MANAGER’S COMMENTS

Council undertakes many projects and the delivery of services through contractors.

In the majority of instances, the works or services provided meet the expectations of Council and the community.

However, in some instances issues can arise through a contract process:

- Variations due to error and omission in the documents.
 - Variations associated with latent conditions.
 - Defects in materials or equipment.
 - Defects in workmanship.
-

- Project time delay.
- Poor contractor performance generally.

In the delivery of a project, the aim is to obtain a successful outcome and officer focus is on getting the project to completion, while getting the quality outcome expected.

The majority of such issues can be worked through with a contractor through the application of the General Conditions of Contract, which guide the manner of settling disputes.

If the processes under the General Conditions of Contract are exhausted, then arbitration follows. Litigation would be the final step in resolving a contract issue process.

Officers undertake such negotiations periodically with the intent of protecting the interests of Council, however there will always be at least two sides to the argument. Most matters are resolved without the need for arbitration.

In any legal process, there is risk that the desired decision is not achieved and costs are incurred on top of the need to address the issues/matters at the centre of the dispute.

In a number of instances, officers have explored a litigation path to address contract matters and taken legal advice in that regard. In the matters where advice has been taken, the advice to date has been to negotiate an outcome rather than be exposed to more cost risk in a legal process.

Such advice is generally given in the context of the value of the issue at hand.

Officers note the desired policy position and believe this reflects how the majority of contract issues are now addressed, where Council has solid ground on which to negotiate.

COUNCIL RESOLUTION

Resolution number: MO376-19

MOVED: Cr S Kons

SECONDED: Cr K Dorsey

“THAT Council adopt a policy of zero tolerance for contractual breaches for contracts involving capital works and that this be identified and relayed to contractors in future contracts awarded for capital works.”

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

MOTIONS ON NOTICE**AO333-19 MOTION ON NOTICE - CONTRACTORS - ROADWORK SIGNS****FILE NO: 15/5/2; 940879****PREVIOUS MIN:**

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

“THAT Council write to the State Government urging them to impose penalties on contractors undertaking roadworks or work within the vicinity of roads whereby road signs which are not directly and currently being used in such roadworks or activities and are left outside work hours or where no work is being undertaken serving no purpose.”

COUNCILLOR’S COMMENTS

I along with many road users are frustrated with superfluous signs left on our roads impeding the flow of traffic because some contractors do not remove or cover over such signs when there are no works being undertaken i.e. after hours, weekends.

I have no issue with legitimate signs serving a purpose but when left for long periods of time serving no purpose they should be removed or penalties imposed.

GENERAL MANAGER’S COMMENTS

Roadworks signage is used to provide guidance to motorists of changed traffic conditions along a section of road, and to direct the motorist to comply with the instructions noted on the signage.

The signage used is detailed in various Australian Standards and guidelines and their use is quite prescriptive.

Motorists can be subject to traffic infringements if they do not obey the roadworks signage.

In most instances, the reason for roadworks signage is readily obvious, i.e. active works in progress.

However, many motorists would have driven through roadworks after normal working hours and may not identify the reason why a lower speed limit is applied. In most instances the rationale for the lower speed limit would relate to potential risk to the motorist associated with safety features having been removed, e.g. linemarking, guard fences or variable surface conditions and the like.

In some instances, motorists would have encountered long sections of speed limited road, where mobile road maintenance activities are occurring. There is no obvious need for the

control for the majority of the road length while passing through but the worksite is set up for the day's work.

Such scenarios can create frustration in motorists and lead to non-compliance with roadworks signage, putting them and road workers at risk.

Raising this concern and seeking advice as to the arrangements in place for managing contracted roadworks is an opportunity to shine a light on a concern expressed by many in the community.

COUNCIL RESOLUTION

Resolution number: MO377-19

MOVED: Cr S Kons

SECONDED: Cr D Pease

“THAT Council write to the State Government urging them to impose penalties on contractors undertaking roadworks or work within the vicinity of roads whereby road signs which are not directly and currently being used in such roadworks or activities and are left outside work hours or where no work is being undertaken serving no purpose.”

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

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

MOTIONS ON NOTICE**AO334-19 MOTION ON NOTICE - PUBLIC MEET AND GREET**

FILE NO: 15/5/2; 940878

PREVIOUS MIN:

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

“THAT Council resolve to hold public meet and greet sessions in an area of the municipality on a quarterly basis.”

COUNCILLOR’S COMMENTS

This concept is in line with Councilor Pease’s motion to hold a public forum with questions put to Councillors with a mediator. From recollection this was to be mediated by the Chamber of Commerce with questions asked of particular Councilors.

As a Waratah/Wynyard rate payer, I attended a meet the public session at the Somerset Surf Club. This was an informal meeting with Councilors, Council staff and members of the community. Food, coffee, tea and soft drinks were provided, no speeches were made, Councillors were accessible to everyone in the room as were Council officers.

There was a free exchange of ideas with no pressure to meet any specific objectives. There were suggestion and comment sheets provided throughout the room and I was advised that all suggestions were discussed and included in the Council minutes for all the public to see.

In my first term, I successfully raised a motion to hold Council meetings in different locations (Ridgley and Natone) which I believe has been relatively successful. This is an extension of the concept to a less formal format that allows for open and honest conversations with Councilors and staff.

To do this negates the need to hold formal meetings in alternative locations and provides one on one conversations with Councilors and staff. There is no particular reason that Council cannot hold formal and informal meetings; however, after experiencing both - an informal meeting seems to reap more rewards. There will be no stipulation that all Councilors attend.

Suggested locations: Ridgley, Natone, South Burnie, Burnie

GENERAL MANAGER’S COMMENTS

At its meeting on 19 March 2019 (AO056-19) Council resolved;

“THAT Council incorporates community think-tanks on a quarterly basis in to the regular Tuesday night workshops. The sessions to be moderated by the Executive of the Burnie Chamber of Commerce and Industry (BCCI), to last no longer than 1.5 hours, and be held in an easily accessible venue other than the Council Chambers.”

The first of a series of Ideas Forums was organised with the Business North West (Burnie Chamber of Commerce and Industry), however the forum was postponed to reduce confusion with the *Bank of Useful Ideas* initiative which is currently underway. It had been planned to move forward with the Ideas Forums in early 2020.

The Waratah-Wynyard Council developed the Community Conversations initiative earlier this year, with the first session held in July, and a further five sessions held since that time. Further information on the Community Conversations is **attached**. These events normally go for an hour.

Waratah-Wynyard Council has reported that the Community Conversations have been quite successful due to travelling to smaller communities, as well as due to their informal nature.

Should Council adopt this Motion, it is envisaged that Community Conversations could occur on a quarterly basis across the community in neighbourhoods such as:

- Burnie CBD
- Havenview
- Shorewell Park
- Brooklyn/Romaine
- Ridgley
- Natone
- Park Grove
- Cooee
- Montello

It is envisaged that these Community Conversations would be held in local schools, the Burnie Community House or church buildings if available. Council would need to budget a small amount for refreshments and possibly hire.

The quarterly Ideas Forums could still occur on other months if Council so chooses.

ATTACHMENTS

- 1 [↓](#) WWC Media Release
- 2 [↓](#) WWC Community Conversation details

COUNCIL RESOLUTION

Resolution number: MO378-19

MOVED: *Cr K Dorsey*

SECONDED: *Cr D Pease*

“THAT Council resolve to hold public meet and greet sessions in an area of the municipality on a quarterly basis.”

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



MEDIA RELEASE

25 June 2019

Community Engagement Forums coming to a town near you!

Waratah Wynyard Council passed a motion in the June Council meeting to commence community forums to increase and improve engagement.

The biennial community "Drop in Sessions" will kick off in Wynyard at 6pm Monday 29 July 2019 and will be followed by forums at Boat Harbour Beach, Sisters Beach, Yolla, Waratah and Somerset.

The motion to openly engage with the community was put forward by Councillor Allie House with the purpose of building trust, demonstrate transparency and to ensure that council operate in an informed manner when making decisions. The 2019 Waratah-Wynyard Council Community Satisfaction Survey, due for release in July, outlined the community's desire for more opportunities to interact in meetings with elected members and have greater participation in decision making.

"In order to build trust, demonstrate transparency and ensure council operate in an informed manner, is best practice to openly engage with our community at all times - not just at times of change or on contentious matters.

The October 2018 election "Candidates Forum" attracted in excess of 100 attendees at extremely short notice. This provides some demonstration as to the extent which our community are not apathetic to local government, and their desire to attend events of this nature and utilise opportunities to personally engage with Council" Clr House stated.

Mayor Robby Walsh added "By having good communication and engagement practices and by encouraging open conversations and interactions on local issues Council will improve service delivery and help inform, empower and connect the community."

It is envisaged that the setting will be informal to facilitate a relaxed and welcoming atmosphere. Staff and Councillors will be available at these sessions.

Further information on dates and forum locations can be found by viewing our website www.warwyn.tas.gov.au, phoning Council on (03) 6443 8333 or by calling into council any weekday from 9am to 5pm.

Authorised for general media distribution by Shane Crawford, General Manager, Waratah-Wynyard Council on TBA 2019

Waratah Wynyard Council
21 Saunders Street (PO Box 168) Wynyard Tasmania 7325
P: (03) 6443 8333 | F: (03) 6443 8383 | E: council@warwyn.tas.gov.au

From Waratah-Wynyard Council Website (<https://www.warwyn.tas.gov.au/page.aspx?u=622>)

Community Conversations

At Waratah-Wynyard Council communication is at the core of everything we do. By having good communication and engagement practices and by encouraging open conversations and interactions on local issues we will improve our service delivery and help inform, empower and connect our community.

In 2019 Council released a Communications and Engagement Strategy which outlines five key Strategic Objectives and Guiding Principles for the 2019-2021 period. These Guiding principles are:

- We will keep stakeholders informed with timely communication about Council projects, events and other newsworthy items.
- We will listen to our community by facilitating open, respectful two-way communication in order to build trust, encourage feedback and increase stakeholder understanding and support.
- With consideration for the diversity of our community, we commit to engaging with our stakeholders in innovative and meaningful ways that broaden our communication reach and increase the level of stakeholder engagement.
- We will collaborate with our stakeholders on major projects from conception to completion, incorporating feedback, advice and recommendations throughout the project lifecycle.
- We will deliver a consistent brand message and implement strategies to build awareness and advocacy amongst our stakeholders.

We're Listening!

Council has implemented an annual schedule of Community Conversations – where Councillors and key staff meet informally within local communities to provide information on some of the key Council activities and projects of relevance to that town and listen to matters of local importance to community members.

Dates for the 2019 Community Conversations are:

- Wynyard – July 29
- Waratah – August 26
- Boat harbour – September 30
- Sisters Beach – October 28
- Yolla – November 25
- SOMERSET - DECEMBER 2

Further information such as venues and times will be released closer to each date. Details of the inaugural Community Conversation in Waratah are below. To register your interest in attending (for catering purposes) please fill in the registration form. Follow us on facebook for updates!

MOTIONS ON NOTICE**AO335-19 MOTION ON NOTICE - CLOCK REPLACEMENT**

FILE NO: 15/5/2; 940878
PREVIOUS MIN:

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

“THAT Council replace the former clock on the arch with a digital all-weather digital display that is controlled by wifi.”

COUNCILLOR’S COMMENTS

Feedback from the community suggest that the constantly inaccurate and out of commission clock is missed.

The days of needing an operational clock with moving parts are a thing of the past. A digital display unit is all weather, operates remotely via wifi and can provide the same information the former unit did with added bonuses of being able relay messages and highlight activities. There are numerous suppliers of these units.

GENERAL MANAGER’S COMMENTS

The previous clock attached to the arch in Wilson Street was removed due to inoperability.

The provision of a new clock on the arch had been raised with Councillors a number of times in the past and there was no support to install a replacement clock.

Officers are investigating options to replace the existing clock in the Cattley Street bus interchange, due to a failure in the mechanism.

The preferred option for Cattley Street has a cost of some \$5,000 installed. This would provide a robust and weather resistant unit.

A larger display would be required under the arch. A budget cost for the clock would be in the order of \$6,500 installed.

Council may wish to refer this project to the budget process.

COUNCIL RESOLUTION

Resolution number: MO379-19

MOVED: *Cr K Dorsey*

SECONDED: *Cr T Bulle*

“THAT Council replace the former clock on the arch with a digital all-weather digital display that is controlled by wifi.”

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

MOTIONS ON NOTICE**AO336-19 MOTION ON NOTICE - BURNIE FIRST**

FILE NO: 15/5/2; 941004; 941031
PREVIOUS MIN:

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

“THAT Council resolve to put Burnie first in all considerations.

That we recognize that Burnie City provides us an allowance to put Burnie first.

That we endeavor to be the best regional city in Australia.

That the aspiration to make Burnie better is an unconditional requirement to being on the Burnie City Council.”

COUNCILLOR’S COMMENTS**Alternative motion 1**

That we recognize that Burnie is a regional city and all decisions should be on the basis that consideration be given to the additional requirement of meeting the needs of neighboring municipalities. In doing so, it becomes imperative that we discuss, seek approval and on-going funding from neighboring councils for “regional” decisions. There is no real reason that Burnie should bear the cost for all “regional” decisions. Examples include the pool, the arts and function centre, museum etc.

Alternative motion 2

That Council increase funding to the Cradle Coast Authority and conclude that they are best suited to meet the needs of the region and the city. In doing so, we accept and participate in their attempt to complete Council functions regionally and that Burnie City Council staff are allocated on a greater basis to them. Therefore, we pay them to use our staff to do their work.

This motion comes with the realization that CCA has been provided approximately \$20 million dollars in funding over the past 20 years to achieve the following:

Rationale

At the last meeting of Council; 4 Councilors voted to consider the region in preference to Burnie. They voted against Burnie’s desire to be the best it could be. They voted against putting Burnie first in decisions. They voted against attempting to make Burnie the best city in the region. They voted to be part of a broader community that at one time attempted to exclude Burnie from the Murchison Plan. They did not recognize the fact that competition and the desire to be better is the cornerstone to improvement. This is true in all endeavors.

These four Councilors, decided the fate of Burnie not lie with us as decision makers for Burnie but for the region?

I have had considerable feedback from the community regarding the lost motion to put Burnie first and wanting to be the best. Whilst the interesting reality of being on a Council is a wide range of views, there should be one constant – Burnie First.

One Councilor agreed with the Minister for Health that the rehab center moving to Latrobe was the right decision? This is not in the interest of Burnie. Our job, as Councilors, is to represent the needs and interest of Burnie residents. If Councilors do not believe this to be true, do not want to put Burnie’s interest first, do not want to be the best regional city in Tasmania/Australia there are property guides for neighboring cities attached.

Whilst I appreciate that all ships rise with a tide; the inverse is true also that all ships also fall with a receding tide. Ship Captains (Councilors) maintain the responsibility for their ship and differing sized ships contend differently with rising and falling tides. If quoting irrelevant statements, I would prefer honesty, I prefer positivity, I prefer achievements not platitudes.

I prefer the Obama message:

Can we be the best regional city in Australia	Yes we can
Can we out achieve our neighbours	Yes we can
Can Burnie be the shining light on the Coast	Yes we can
Can Burnie have the best facilities in Tasmania	Yes we can
Can our Councilors vote to make Burnie the best regional city in Australia	Some not

GENERAL MANAGER’S COMMENTS

This Notice of Motion is a follow up from Cr Dorsey’s motion at the meeting on 19 November 2019 (AO302-19). At this meeting the following motion was lost:

“THAT Council resolve in all matters to be the best city in Australia.

That our sole focus is to represent and enhance the city of Burnie.

That in all endeavors we recognize that we are in competition with the municipalities in our immediate region and Tasmania.

That we recognize and embrace parochialism. This is not a bad word for the municipalities of the Northwest Coast, it is a reality. The role of Council is to be parochial – Burnie elected us, Burnie pays us, we live and work in Burnie. This is our sole focus.

That we recognize that the other Councils are not concerned with our benefit and are, at all times, in competition with us for funding, developments, economic drivers, services, growth and livability.

Our goal is simple, to make Burnie the most desirable place to live on the NW Coast,- in Tasmania, and Australia.

To do this we need to compete. We need to be the best, we need to outdo, outperform, and ensure that we are better than the other neighboring municipalities in every way. Anything less is defeatism.

The days of mediocrity and a minimalistic view of meeting basic requirements is self-prophesying – you become what you aspire to be. To do so does not promote growth, it limits economic enhancement, it reduces competitiveness, it is mind slowing, it epitomizes average.”

As mentioned at the last meeting, it is the view of the General Manager that all elected bodies aspire to be the best that they can be and there is plenty of evidence that Burnie has been doing this for many years.

For example Burnie has generated infrastructure for the enjoyment for its residents however with the broader region in mind, this includes but not limited to the CBD, West Park, Burnie Park, Cruise Ships, Fernglade, Burnie Tennis Centre, Burnie Aquatic Centre, Burnie Arts and Function Centre, Burnie Regional Arts Gallery, Burnie Regional Museum and Burnie Waterfront.

Making Burnie 2030 was developed in consultation with the community and is the guiding document that is considered in decisions that Council makes. It sets the vision to create a vibrant, thriving beautiful place, a caring community, a regional leader engaged with the world and a city that lives its dreams. It sets values to be bold and courageous, work together, value knowledge and be respectful and inclusive.

Individually, Councillors have an obligation amongst other things to represent the community and to act in the best interest of the community. As Council’s strategic direction places some importance on Burnie being a regional leader it can be argued that when acting in the community’s best interests that both a regional and local lens should be applied.

The point of the alternative motions are somewhat unclear, however it is suffice to say that one is suggesting that Burnie seeks a contribution from neighbouring councils for all regional activities that it undertakes and the second suggesting that we transfer funding and resources associated with our regional activities to the Cradle Coast Authority.

It is recommended that Council should not consider either of the alternative motions until it fully appreciates and understands the intent of these alternative motion and has received sufficient advice to fully understand the financial and other implications of such a decision.

ATTACHMENTS

1. [Property Listing - LJ Hooker](#)

COUNCIL RESOLUTION

Resolution number: MO380-19

MOVED: Cr K Dorsey

SECONDED: Cr D Pease

“THAT Council resolve to put Burnie first in all considerations.

That we recognize that Burnie City provides us an allowance to put Burnie first.

That we endeavor to be the best regional city in Australia.

That the aspiration to make Burnie better is an unconditional requirement to being on the Burnie City Council.”

For: Cr S Kons, Cr K Dorsey, Cr D Pease.

Against: Cr T Brumby, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle.

LOST

Properties for Sale

LJ Hooker Burnie
03 6432 3000
burnie@ljh.com.au
burnie.ljhooker.com.au



Queenstown

4-6 Crotty Street

Style & Elegance - 7.6% return

1930s cottage has been stylishly renovated with no detail overlooked. The Deck leads you to the front door, around to the Entertaining Area. The footprint of the kitchen has been used efficiently with abundant storage & clever use of space by incorporating the wrap around breakfast bar & 900mm gas cooker & View: By Appointment

3 1 0

For Sale \$181,000
Rebecca Luck 0410541601



QUEENSTOWN

12 Penghana Road

Your Next Chapter Starts Here!

You will feel right at home here at 12 Penghana Road, Queenstown. Ideally situated within close proximity to the town centre and featuring 3 generously sized bedrooms.

View: By Appointment

3 1 1

For Sale \$115,000
Rebecca Luck 0410541601



Romaine

56a Roslyn Avenue

Buy Off The Plan

Brand New 3 Bedroom, 3 Bathroom, Brick Veneer Home available to buy off the plan. Construction scheduled to commence at the beginning of May. Open Plan Living, Modern, Sleek appliances, Double Glazed Windows, Single Car Remote Operated Tilt-a-Door Garage with additional external car space. \$20,000 First View: By Appointment

3 3 1

For Sale \$360,000
Rebecca Luck 0410541601



Romaine

56b Roslyn Avenue

Buy Off The Plan

Brand New 3 Bedroom, 3 Bathroom, Brick Veneer Townhouse available to buy off the plan. Construction scheduled to commence at the beginning of May. Open Plan Living, Modern, Sleek appliances, Double Glazed Windows, Single Car Remote Operated Tilt-a-Door Garage with additional external car space. View: By Appointment

3 3 1

For Sale \$360,000
Rebecca Luck 0410541601



ROSEBERY

2 Blackwood Avenue

A Solid Investment

On a corner 759m² block sits this 1976 Metal Clad 3 bedroom home with Aluminum Windows. All the bedrooms are generous in size and complemented with Built-In Robes. The bathroom will suit your growing family with a separate walk-in shower and bath and the Toilet separate again. Open plan living areas View: By Appointment

3 1 1

For Sale \$100,000
Rebecca Luck 0410541601



ROSEBERY

2 Giblin Street

Tranquil Tree Change

As you walk in the front gate and step inside the front door you will find all your boxes becoming checked off your home shopping list! The owners have maintained this home so beautifully that there is absolutely no need for any renovations or maintenance work to be comfortable. The lounge room is View: By Appointment

3 1 2

For Sale Offers Over \$135,000
Rebecca Luck 0410541601



West Ulverstone

Unit 1/123 South Road

The Heart of the North West Coast!

Constructed in 2010 is this Contemporarily designed, Low Maintenance and Free-Standing Villa. Positioned within less than 10 minutes from the Ulverstone CBD and 15 minutes drive to Devonport & 20 minutes to Burnie - Ulverstone is the heart of the NW Coast and where you want to be! Featuring high quality View: By Appointment

3 2 1

For Sale \$310,000
Rebecca Luck 0410541601



Wivenhoe

3-5 Smith Street

Investment Opportunity - 7.9% Gross Return

Rare investment opportunity for the astute investor! We have 2 dwellings on 1 title both currently rented to long term tenants. Situated in the heart of Burnie's industrial estate it lends itself to future development opportunities subject to council approval. Both houses are comprised of 2 bedroom, 1 bathroom and are View: By Appointment

4 2 2

For Sale \$245,000
Rebecca Luck 0410541601

38-40 Wilmot Street BURNIE TAS 7320



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MOTIONS ON NOTICE**AO337-19 MOTION ON NOTICE - BEDDOWN - MULTI STOREY CAR PARK****FILE NO: 15/5/2; 941033****PREVIOUS MIN:**

Councillor Amina Keygan has given notice that she would move the following motion at this meeting:-

"That Council officers investigate how Burnie City Council can work with 'Beddown' and other key stakeholders and service providers in the community to activate and re-purpose our multi storey car park at night for use as a pop up shelter for those in the area that are experiencing homelessness and sleeping rough, and that a report and proposal be brought back to council in the New Year to allow for implementation, budgeting and volunteer organisation prior to autumn and winter."

COUNCILLOR'S COMMENTS

Data from the most recent Census indicates that there are upward of 260 people in the Burnie area experiencing homelessness or sleeping rough (or in inadequate accommodation) each night. Under-reporting and difficulty with collecting data on a transient population means, realistically, that these numbers are likely higher than reported data suggests.

Part of our Making Burnie 2030 plan indicates that we want to have an inclusive community, with a healthy and well connected population. Tackling homelessness and providing safe, secure and comfortable areas for those sleeping rough is one way to help achieve that goal.

Beddown (www.beddown.org.au) is an Australian charity, based in Brisbane, that partners with car park operators to provide pop up accommodation solutions for those sleeping rough and experiencing homelessness. Importantly, Beddown partners with other similar organisations working to tackle and end homelessness, as well as allied health professionals (for example dentists) and service providers that volunteer their time offering a range of services that those experiencing homelessness may not otherwise be able to access (i.e. haircuts, dental checks etc). The organisation is run by volunteers and provides a solid framework for how Burnie Council and stakeholders/community organisations, could create a safe and secure sleeping area in our multi story parking facility.

The multi-story parking facility, owned and operated by Burnie City Council, is primarily empty at night and offers a somewhat sheltered and secure area that could be transformed into a safe temporary sleeping area.

In researching this motion, I have had discussions with Neil McGillivray, the founder of Beddown and he has indicated he would be quite keen to explore how something similar could potentially work in our City.

GENERAL MANAGER'S COMMENTS

The proposed initiative requires significant exploration from Council officers with potential recipients of the proposed service, Housing Tasmania, local service providers and car park managers to understand:

- the scale of the issue (while there may be 260 homeless people, it is unknown how many are rough sleepers)
- what rough sleepers are requiring - allowing them to co-design a service that best meets their needs, and "doing with", rather than "doing for"
- the current social accommodation service system, including service gaps, and what resources are currently available that could be better mobilised to assist
- how other issues such as unemployment, poverty, mental health, domestic violence, drug and alcohol dependency may impact on homelessness, and whether coordinated interventions in these areas could assist
- the personnel resources required in terms of volunteers and also staffing for volunteer coordination and support to provide the proposed service - and the budget required to deliver
- the scale of the issue and the scale of available community resources - e.g.: the client/volunteer ratio - it would be expected that there is a need for 2 shifts of 2 volunteers per night - so somewhere between 12 to 30 volunteers per week. This level of support would possibly be required whether there are two or 20 clients requiring use of the service. There is also a need to understand whether the level of need justifies the level of investment
- the impacts on the current operation and management of the carpark, including impact on current users, expectations of council staff, resourcing issues
- how the proposal fits within the Burnie Planning Scheme and Building Code

The amount of staff resources required to undertake consultation to respond to all the above issues is significant. It is anticipated that a report would not be finalised until the March 2020 meeting (as it is known that many services would be unavailable for consultation until February) and if there is support from Council at that time there would be a need to establish the service and recruit volunteers. Council would also need to decide if it was willing to run the service or seek another group to provide the service on its behalf, and to allocate funds to support.

COUNCIL RESOLUTION**Resolution number: MO381-19****MOVED:** Cr A Keygan**SECONDED:** Cr D Pease

"That Council officers investigate how Burnie City Council can work with 'Beddown' and other key stakeholders, service providers in the community and the Minister for Housing to activate and re-purpose our multi storey car park at night for use as a pop up shelter for those in the area that are experiencing homelessness and sleeping rough, and that a report and proposal be brought back to council in the New Year to allow for implementation, budgeting and volunteer organisation prior to autumn and winter."

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

PUBLIC QUESTION TIME**AO338-19 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

Tich Ferencz of Burnie asked:

- 1) The current state Government has recognised that its “embracing the Gig economy” approach to short term accommodation has created havoc in the market for long established businesses and legislated to try and remedy things by insisting on permits being issued by councils. There has been a rush of permits granted in Burnie over the recent past to meet the deadline of this month. Some of these permits have been issued to premises that have been operating for some time already, presumably with no permits.

Under the new system for a successful permit to be issued what criteria such as provision of public liability insurance, smoke alarms with regular checks, extinguishers, fire blankets and similar have to be met and checked?

The Director of Land and Environmental Services replied that there are essentially two categories of visitor accommodation. One is the home based bed and breakfast where accommodation is provided as part of the normal principal residence of the occupant. There is small visitor scale accommodation and large visitor scale accommodation. The Government have said that permits are not required for small scale visitor accommodation but there is a limit on the size of the premises, the number of bedrooms and the duration of occupation and on strata development lots. The owner is required to do a self assessment against particular requirements of the Building Act.

Large scale visitor accommodation which is a use in its own right for which separate permits and separate requirements under the Building Act apply. The Government, some time ago, encouraged the use of existing residential accommodation under the shared economy or Airbnb arrangements and they found a number of issues that occurred with that and they since introduced regulation to try and address some of those. These matters are set out in planning directive number 6 issued late last year and then some changes to the Building Regulations.

- 2) In this brave new world of essentially self regulation, what body is responsible for monitoring compliance with whatever criteria we heard about in question 1 and if it is council, has provision been made in the budget for training and supporting the work of "Inspectors"?

The Director of Land and Environmental Services replied the small scale or home based Bed and Breakfast, the responsibility for compliance rests with the owner/operator of the premises.

For larger scale developments the Council has responsibility for ensuring compliance to whatever requirements that are in the planning scheme and whatever requirements in the Building Act. There is no state registration system for visitor accommodation as a use type so Council has no involvement in that. The quality of the premises and the level of service they provide to their clients is a matter for self assessment and determination by the operator. There is no overarching regulatory system for that although I understand there might be some industry systems that members participate in.

COUNCIL MEETING AS A PLANNING AUTHORITY

The Mayor advised that for item AO339-19 Council is acting as a Planning Authority under the provisions of the *Land Use Planning and Approvals Act 1993*.

The Mayor advised that the following provisions apply with respect to motions relating to recommendations on a land use planning process:

- (a) a councillor moving a motion contrary to the recommendation is to:-
 - (i) provide the motion in writing; and
 - (ii) provide in writing supporting reasons for approval or refusal;
- (b) the motion and supporting reasons for approval or refusal are to be provided to the general manager at least 24 hours prior to the meeting to allow for circulation and consideration by all members of the planning authority;
- (c) the general manager is to ensure that the supporting reasons provided under paragraph (a)(ii) are recorded in the minutes, in accordance with regulation 25 of the Local Government (Meeting Procedures) Regulations 2015.

PLANNING AUTHORITY**AO339-19 LAND USE PLANNING
BURNIE INTERIM PLANNING SCHEME AMENDMENT
REQUEST TO INITIATE A SCHEME AMENDMENT
10 SMITH STREET & 17, 19 & 21 ANGLESEA STREET, WIVENHOE****FILE NO: 6130586
PREVIOUS MIN:**

MAKING BURNIE 2030 – CORPORATE PLAN REFERENCE:

Direction	5	A NATURAL AND BUILT ENVIRONMENT THAT IS RESPECTED AND CARED FOR
Objective	5.5	A built environment that is valued, reflects our past and embraces our future.
Strategy	5.5.1	Ensure the use and development of land enables communities to provide for their social, economic and cultural well-being and for their health and safety, while maintaining the potential for land to meet reasonably foreseeable needs, without risk to the life supporting capacity of land, air and water.

1.0 RECOMMENDATION:

“THAT Council in its capacity as a planning authority under the Land Use Planning and Approvals Act 1993 and in accordance with the saved provisions in former section 34 of the Act initiate a draft amendment to the Burnie Interim Planning Scheme 2013 –

- a) as it applies to land bounded by the rail corridor, Pearl Street, Anglesea Street, and Smith Street, Wivenhoe containing an area of some 1.29 ha, and comprised of land described on CT 216413/8, CT 76195/9, CT 216005/10, CT 232168/1, CT 167400/1, CT 223549/1, CT 77451/1, CT 77451/2, CT 60836/1, CT 60836/2, CT 231380/1, CT 231381/1 and CT 222644/1; and***
- b) to include a specific area plan that will allow use and development within the Community meeting and entertainment use class and the Sports and Recreation use class as permitted use in addition the use and development permissible on land to which the General Industrial zone applies.”***

2.0 SUMMARY

Application has been made to Council seeking a decision of the planning authority to initiate a draft amendment to the Burnie Interim Planning Scheme 2013 (BIPS).

The draft amendment seeks to insert a specific area plan, to be known as the ‘Wivenhoe Community District Specific Area Plan’ to apply for land known as 10 Smith Street and 17, 19 and 21 Anglesea Streets in order to permit community and recreational uses in addition to the uses permitted on land to which the General Industrial zone applies under provisions of the Burnie Interim Planning Scheme 2013.

The report examines the proposal and the requirements for preparation of a draft amendment to a planning scheme, and recommends that a draft amendment be initiated.

3.0 BACKGROUND

The land is located south of the western rail corridor between Pearl Street and Smith Street, and has frontage to Anglesea Street.

The site contains an area of some 1.29 ha, and comprises several titles described on CT 216413/8, CT 76195/9, CT 216005/10, CT 232168/1, CT 167400/1, CT 223549/1, CT 77451/1, CT 77451/2, CT 60836/1, CT 60836/2, CT 231380/1, CT 231381/1 & CT 222644/1.



Figure 1 – Aerial image of the site – source Mapinfo

Until recently most of the site had been owned by the Burnie Agricultural and Pastoral Society, and was used continuously over a period of some 100 years as part of the site for conduct of the annual Burnie Agricultural Show, and for occasional related activity.

The site contains a number of utilitarian buildings initially developed for the display and storage of animals and other exhibits of a show and local markets. These buildings have also become occupied, and variously improved, by other activities, including Burnie Mens Shed, Burnie Farmers Market, Zodiacs Gymnastics Club, Probus Club of Burnie, Emu Bay Lions Club, Burnie Soroptimists Club, St John Ambulance, Rotary Club of Burnie (community event) and Burnie Harness Racing Club.

Three of the lots contain existing residences and two of the lots forming part of the site are vacant.

The land has recently been sold, and the site is no longer to be used for the annual show and other activities of the Burnie Agricultural and Pastoral Society.

Notwithstanding the site was offered for sale as an industrial holding in accordance with the opportunities available for land assigned to the General Industrial zone under the Burnie Interim Planning Scheme 2013 (BIPS 2013), the purchaser has a desire to use the site in support of local community groups and associations.

The exact nature of such activity has not yet been determined. It is anticipated the existing pavilions and sheds on the land may be converted or replaced to provide activity, meeting and storage space, and facilities to accommodate a number of different groups.

The former Burnie Planning Scheme 1989 applied the then Community Purpose zone to the land from 1992 until 1997.

Purpose of the zone was to provide for institutional and community use.

In 1997 the Burnie Agricultural and Pastoral Society requested the Council amend the Burnie Planning Scheme 1989 to delete the Community Purpose zone as it applied to the land bounded by Pearl Street, Anglesea Street, Smith Street and the Western Line of the TasRail network and replace it instead with the then Industry zone.

The Show Society then explained the land was surplus to the requirements of the Society, and that the land could be better used for purposes consistent with use of the greater part of the land at Wivenhoe as an industrial estate.

The Council agreed to support a scheme amendment on grounds that the site as a whole provides an area attractive for large scale industrial activity, and was advantageously located within Burnie's major industrial precinct with good access to transport and utility services and relative remoteness from primary residential areas.

The Burnie Planning Scheme 1989 was amended in June 1997 and the land became part of the Wivenhoe industrial estate.

The site has remained in ownership and use of the Show Society until early 2019.

The Burnie Interim Planning Scheme 2013 was required to translate the former Burnie Planning Scheme without any change to the existing rights and interests of owners and occupiers.

The BIPS 2013 intentionally applied the General industrial zone to all the industrial land at Wivenhoe, including the land bounded by Pearl Street, Anglesea Street, Smith Street and the Western Line of the TasRail network as included within the zone area under the 1997 amendment.

Purpose of the BIPS 2013 General Industrial zone is to provide land for use by undertakings for manufacturing, processing, repair, and the storage and distribution of goods and materials in a manner that may have adverse impact on neighbouring non-industrial use.

The General Industrial zone provisions under the Scheme impose significant restriction on use and development of land for community and recreation purposes and prohibits -

- a) undertakings within the Community meeting and entertainment use class for social, religious and cultural activities, entertainment and meetings, including such use as an art and craft centre, church, cinema, civic centre, function centre, library, museum, public art gallery, public hall, theatre and the like; and
- b) undertakings within the Sports and recreation use class for organised or competitive recreation or sporting purposes including associated clubrooms for activities such as bowling alley, fitness centre, firing range, golf course or driving range, gymnasium, outdoor recreation facility, public swimming pool, race course and sports ground.

It is open to suggest the former Show Society site has continuing existing use rights under both the Community meeting and entertainment use class and the Sports and recreation use classes. However, the evolutionary nature of development and use on the site makes it debatable whether all aspects of the current occupation are defensible as parts of a lawful existing use.

While the provision of the *Land Use Planning and Approvals Act 1993* protects a lawful existing continuing use, there are statutory limits on the ability to lawfully change the nature of such use, or to intensify or relocate the use or any element of the use within a site.

The landowner cannot reasonably rely on any alleged existing continuing use right to lawfully redevelop the site and introduce activity that was not previously conducted from the land.

Any intention to restructure occupation of the site as a general purpose community facility for occupation by a range of community groups and associations requires a change to the provisions of the planning scheme as they apply to use of the land.

A detailed submission and request for the planning authority to initiate a draft amendment to the Burnie Interim Planning Scheme has been lodged.

The proposed draft amendment seeks to retain the current General Industrial zone as it applies to the land bounded by Pearl Street and Smith Street between the rail corridor and Anglesea Street; and to amend the operation of the scheme by inserting a specific area plan that will permit undertakings within the *Community meeting and entertainment* and the *Sports and recreation* use classes in addition to the uses permissible within the industrial zone.

All other requirements of the scheme as they currently apply to the land will not be changed.

A copy of the application and supporting material has been attached.

4.0 LEGISLATIVE REQUIREMENTS

The applicable legislation is the *Land Use Planning and Approvals Act 1993 (LUPAA)*.

The intention in a draft amendment is to change the purpose or requirements of the current planning scheme which apply for how land may be used, developed, protected or conserved under the current provisions of a planning scheme.

It is a strategic consideration to be made without regard for any specific or subsequent use or development.

A decision on whether to approve and implement a planning scheme amendment is ultimately made by the Tasmanian Planning Commission, and is not appealable.

The statutory role of a planning authority is to assist the Tasmanian Planning Commission by determining against prescribed criteria whether it is appropriate to initiate a draft amendment.

The *Land Use Planning and Approvals Act* as amended is currently understood to provide in Schedule 6 that during the transitional period between introduction of legislation to create the Tasmanian Planning Scheme and the making of a local planning schedule to replace the current interim planning scheme, a planning authority may continue to initiate amendments to the current planning scheme.

A draft interim planning scheme amendment must satisfy the following criteria –

- (a) contain all the mandatory provisions that must be contained in an interim planning scheme;
- (b) be for the purpose and be in the format prescribed by section 32 of the Act;
- (c) further the statutory objectives for the Tasmanian land use planning system and land use processes;
- (d) be consistent with each State policy;
- (e) be consistent with the Cradle Coast Regional Land Use Strategy;
- (f) be consistent with the strategic plan, prepared under section 66 of the *Local Government Act 1993*, that applies in relation to the land to which the relevant planning instrument relates;
- (g) as far as practicable, be consistent with and co-ordinated with any planning scheme in force for the municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and
- (h) have regard to the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*.

If a planning authority is satisfied a proposed draft amendment meets all legislative requirements and has determined to initiate the scheme amendment, it must prepare and certify the necessary draft amendment documents under its common seal. The planning authority must then conduct a public exhibition period for community consideration and comment on the draft amendment.

The planning authority must provide the Tasmanian Planning Commission with a report at conclusion of the exhibition period in which it is to detail its views and opinions on all matters in any representation received during the exhibition period; and indicate whether the draft amendment should be approved, modified or abandoned.

The Commission must independently assess and determine the draft amendment for compliance to statutory purpose. It is to be assisted in this task by the information provided in the application, any matter in a representation, and the advice and opinion of the planning authority.

The Commission is not bound to the opinion of the planning authority and may decide an outcome which is entirely different.

There is no right of appeal on the Commission's decision.

Where a planning authority decides not to initiate an amendment of the planning scheme, a person may not request the authority to initiate an amendment which is substantially the same as the first-mentioned amendment within a period of 2 years from the date on which the planning authority made its decision.

5.0 POLICY CONSIDERATIONS

An application to initiate a draft scheme amendment requires a planning authority must limit its policy consideration to those matters specified within the *Land Use Planning and Approvals Act 1993* as relevant to a decision to change the requirements or opportunities provided by a planning scheme.

The process requires regard must be had to the municipal strategy adopted by the Council for the municipal area in accordance with section 66 of the Local Government Act 1993 as are applicable for land use planning.

The planning authority must be particularly careful to direct and limit its deliberations to the matters set out in the Act if it is also the party seeking to benefit from the proposed draft amendment as the Council of the municipal area.

6.0 FINANCIAL IMPACT

There are no financial impacts directly associated with the requirement for a planning authority to make a decision on whether to initiate a draft planning scheme amendment.

There is no likelihood for appeal costs because the decision cannot be called for reconsideration by the Appeals Tribunal.

There may be costs incurred if the Commission assumes the planning authority's responsibilities because it fails to make a decision or complete an action within the prescribed timeframes.

There are some costs likely in any appearance before the Planning Commission.

These are structural costs associated with operation of the land use planning system.

7.0 DISCUSSION

Application has been made to Council seeking a decision of the planning authority to initiate a draft amendment to the Burnie Interim Planning Scheme 2013 (BIPS).

In order to initiate a draft amendment the planning authority may be satisfied the request to initiate a scheme amendment to the *Burnie Interim Planning Scheme 2013* is consistent with all relevant statutory requirements and is based on sound strategic planning and land capability.

The draft amendment seeks to insert a Specific Area Plan, known as the 'Wivenhoe Community District Specific Area Plan' to apply for the site.

The specific area plan proposes to change the provision in the Use Table in clause 25.2 to include as a permitted use any use in the Community meeting and entertainment use class and in the Sport and Recreation use class.

The plan does not include any use or development standards. All other provisions for application and operation of the general industrial zone as it applies to the 1.29 ha site would remain undisturbed.

In this regard, the conclusions contained within the documentation provided by the applicant support a conclusion –

- (a) the change in zone will avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area*

The land is considered suitable for community and recreation use. It is relatively level, vehicular access may be achieved from Pearl, Anglesea and Smith Street, and the land may be fully serviced with a water supply and arrangements for drainage and disposal of sewage and stormwater.

There are no known contamination that would preclude re-use for sensitive use. An Environmental Site Assessment undertaken by es&d forms part of the application and concludes '*there is no evidence for any contamination originating either from, or off site which will pose an increase in risk to future users of the site*'.

The site forms a contained and separate parcel that is not contiguous with adjacent properties as it is severed by road and rail infrastructure. The site is bordered on three sides by local roads and the railway line forms the remaining border.

Land to the north between the Bass Highway and the railway line is assigned to the BIPS 2013 Recreation zone and is public land for purposes of the *Local Government Act 1993* as the Wivenhoe recreation ground. The site provides facilities for football, cricket and harness racing.

Land to the south of Anglesea Street to Ormsby Street contains the Wivenhoe Cemetery, and is assigned to the BIPS 2013 Open Space zone.

Therefore, only the land to the east and west is zoned General Industrial. The unique history of the site, and the nature of former use and existing improvements mean it has never formed an active part of the industrial estate.

It is noted that the Tasmanian Planning Scheme allows opportunity for Sport and Recreation use class within the General Industrial zone. This supports the position that this use class can be appropriate within the zone despite the historic exclusion within schemes such as the Burnie Planning Scheme.

(b) not conflict with the requirements in any mandatory common provision of the interim planning scheme as prescribed by the State

The amendment seeks to allow two additional use classes for the site subject to the proposed specific area plan without restricting the potential use of the site for typical General Industrial land uses.

The purpose of the SAP is to recognise the unique nature of the site. The SAP does not specify any use or development standards.

The proposed SAP will not modify the application of codes contained within the BIPS 2013 in any way.

(c) have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms

The specific area plan proposes to allow the opportunity for Community Meeting and Entertainment use class and Sports and Recreation use class within the site.

The site is currently utilised by a number of Community Meeting and Entertainment uses and uses that would fall into the sports and recreational use class.

The proposed draft SAP will allow validation and continuation of existing long standing land uses without hampering the operation of the General Industrial zone.

Given that the land would remain within the General Industrial zone, the land is not being lost to the industrial land stock within Burnie.

(d) comply to the LUPAA requirements for content and operation of a planning scheme in relation to any applicable State policy, regional land use strategy, municipal strategic plan, the provisions of planning scheme applying for adjacent municipal areas, and for protection of the natural gas pipeline

The applicant demonstrates the proposed specific area plan will further and be consistent with the requirements in Schedule 1 of the *Land Use Planning & Approvals Act 1993* and the applicable State Policies (see attached supporting submission).

The Tasmanian Planning Commission appears to have adopted a particularly high standard for consistency of a draft amendment to the requirements of the regional land use strategy.

The draft amendment is considered consistent to the applicable provisions of the Cradle Coast Regional Land Use Strategy (CCR LUS) in that it does not remove or change the quantum of “employment land” as defined to include land to which the General Industrial zone applies.

The application documents make a comprehensive examination and response on each of the CCR LUS provisions.

There are no identified land capability factors to preclude use of the land for Community Meeting and Entertainment use class or Sports and Recreation use class.

8.0 RISK

The application for scheme amendment is determined by the Tasmanian Planning Commission.

Council’s role is to determine whether to initiate the application for scheme amendment.

As with any planning decision process, there is risk that the outcome may be adverse to the intention of the application. The risk is an acceptable part of the land use planning process.

There is no right of appeal in relation to determination of a draft scheme amendment.

The Council is currently exhibiting its Local Planning Provisions as part of Tasmanian Planning Scheme.

The draft BUR LPS will apply the General Industrial zone to the land, and does not propose a specific area plan for the land.

The TPS provisions will permit undertakings in the sport and recreation use class as discretionary permit uses on land to which the General Industry zone applies. However, the TPS prohibits undertakings within the Community meeting and entertainment use class on land to which the General Industrial zone applies.

Introduction of the Tasmanian Planning Scheme will effectively repeal the BIPS 2013, including the benefit of any draft scheme amendment that may be approved.

Transition of any draft amendment made in respect of land at Wivenhoe into the Tasmanian Planning Scheme is at discretion of the Minister for Planning on the advice of the Tasmanian Planning Commission in accordance with Schedule 6 clause 8A of the Act. The Minister's discretion cannot be anticipated and no commitment to carry benefit of the proposed amendment into the TPS can be given at this time.

It is important therefore, that if the proposed scheme amendment is successful, that the landowner make application for a land use permit and undertake any change of use and associated development described in that permit before the Tasmanian Planning Scheme takes effect.

In the event the Tasmanian Planning Scheme does not include a transitional provision, future use and development of the site for community and recreation purposes will be limited to the activity described in any permit issued and commenced during currency of the amended BIPS 2013 or in accordance with the opportunities provided by provisions of the TPS.

9.0 CONSULTATION

This report has been prepared following consultation with all relevant persons within the Council.

ATTACHMENTS

[1↓](#). Attachments - Scheme Amendment Application 2019/3 - Wivenhoe

COUNCIL RESOLUTION**Resolution number: MO382-19****MOVED:** *Cr T Bulle***SECONDED:** *Cr D Pease*

“THAT Council in its capacity as a planning authority under the Land Use Planning and Approvals Act 1993 and in accordance with the saved provisions in former section 34 of the Act initiate a draft amendment to the Burnie Interim Planning Scheme 2013 –


- a) as it applies to land bounded by the rail corridor, Pearl Street, Anglesea Street, and Smith Street, Wivenhoe containing an area of some 1.29 ha, and comprised of land described on CT 216413/8, CT 76195/9, CT 216005/10, CT 232168/1, CT 167400/1, CT 223549/1, CT 77451/1, CT 77451/2, CT 60836/1, CT 60836/2, CT 231380/1, CT 231381/1 and CT 222644/1; and***
- b) to include a specific area plan that will allow use and development within the Community meeting and entertainment use class and the Sports and Recreation use class as permitted use in addition the use and development permissible on land to which the General Industrial zone applies.”***

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

BURNIE CITY COUNCIL
PO Box 973, BURNIE, TASMANIA 7320.
Ph : (03) 6430 5775 Fax : (03) 6431 6840
Email : burnie@burnie.net



Land Use Planning and Approvals Act 1993
Burnie Interim Planning Scheme 2013
PERMIT APPLICATION

Office use only
Application No 2019/3
Date Received 20/11/19.
Permit Pathway - *Permitted/Discretionary*

Use or Development Site:

Street Address

Certificate of Title Reference

Applicant

First Name Second Name
Surname

Owner (note – if more than one owner, all names must be indicated)

First Name Second Name
Surname
Postal Address: Phone No:

Instruction for making a permit application**a) Use or development?**

The application must provide a full description of the proposed use and/or development and of the manner in which the use and/or development is to operate.

“Use” is the purpose or manner for which land is utilised. “Development” is any site works (including any change in natural condition or topography of land and the clearing or conversion of vegetation), and the construction, alteration, or removal of buildings, structures and signs, required in order to prepare a site for use or to change existing conditions within a site. Subdivision is development.

Clause 8.2 Burnie Interim Planning Scheme 2013 provides the use classes by which all use or development must be described. Development must be categorised by reference to the use class it is to serve.

b) Required Information

Adequate statements, plans and specifications must be included within the permit application to address and demonstrate compliance with all applicable requirements of the planning scheme, including any site analysis, impact report and recommendation, and advice, consent or determination required from a State agency or utility entity.

The application must clearly identify the documents relied upon for determination.

Section 51(1AC) *Land Use Planning and Approvals Act 1993* provides that a permit application is not valid unless it includes all of the information required by a planning scheme. Clause 8.1 Burnie Interim Planning Scheme 2013 prescribes the minimum information that is necessary in order to complete a valid permit application.

S54 *Land Use Planning and Approvals Act 1993* provides that the planning authority may require the applicant to supply further information before it considers a permit application. If the planning authority requires further information to more particularly address one or more of the applicable requirements of the Burnie Interim Planning Scheme 2013, the statutory period for determination of a permit application does not run until that information is answered to the satisfaction of the planning authority

c) Applicable Provisions and Standards

The permit application must be assessed against the applicable provisions and standards of the Burnie Interim Planning Scheme 2013.

The application is to identify by reference the clauses it relies upon to demonstrate compliance. (eg clause 10.4.3 (A1 – AA4, and P5))

d) Discretionary Permits

If a permit is discretionary the permit application must be notified for a period of 14 days to allow opportunity for any interested person to consider the proposed use and/or development and to provide comment on the discretionary matter.

If a permit application relies on performance criteria to satisfy an applicable standard or is discretionary under another provision of the interim planning scheme, the permit is discretionary only with respect to that standard.

The Council must have regard to all representations received during the notification period on a discretionary matter when determining whether to grant or refuse a permit.

e) If the applicant is not the landowner

If the applicant is not the owner of the land in the use or development site, the applicant is required to notify all of the owners either prior to or within 7 days from the date of making the permit application.

The permit application must identify all of the landowners; and the applicant must sign the application form to acknowledge the obligation to advise such landowners that the permit application has been made.

If the site includes land owned or administered by the Burnie City Council or by a State government agency, the consent in writing from the Council or the Minister responsible for Crown land must be provided at the time of making the application.

f) Applicant declaration

It is an offence for a person to do any act that is contrary to a compliance requirement created under the section 63 *Land Use Planning and Approvals Act 1993*. The applicant is required to complete a declaration that the information given in the permit application is true and correct.

g) Payment of Fees

The Council is not required to take any action on the permit application until all the relevant fees have been paid.

Permit Information	(NB If insufficient space, please attach separate document)
Proposed Use: Scheme amendment	
Use Class	
Documents included with the permit application to describe the Use	
Refer attached	
Proposed Development	
Use class to which the development applies –	
Documents included with the permit application to describe the Development	
Provisions and Standards relied upon for grant of a Permit	

Notification of Landowner/s	
If land is not in applicant's ownership	
I, Andrew Wardlaw , declare that the owner/each of the owners of the land has been notified of the intention to make this permit application.	
Signature of Applicant	Date 18.11.2019

If the permit application involves land owned or administered by the BURNIE CITY COUNCIL	
Burnie City Council consents to the making of this permit application.	
General Manager (Signature)	Date 18.11.2019

If the permit application involves land owned or administered by the CROWN	
I, the Minister responsible for the land, consent to the making of this permit application.	
Minister (Signature)	Date

Applicant Declaration	
I, Andrew Wardlaw declare that the information I have given in this permit application to be true and correct to the best of my knowledge.	
Signature of Applicant	Date 18.11.2019

s33. (Saved Provisions) WIVENHOE COMMUNITY DISTRICT SAP

2019

**s.33 (saved provisions) SCHEME AMENDMENT
SPECIFIC AREA PLAN – WIVENHOE COMMUNITY DISTRICT
BURNIE CITY COUNCIL**



PO BOX 7710
LAUNCESTON TAS 7250
PH 0409 793 803
enquiries@planplace.com.au



Issue	01
Date	November 2019
Project Number	18.014
Project Name	18.014 WCD SAP s.33(saved provisions) application
Author	Theresa Williams 0409 793 803 theresia@planplace.com.au
Document	C:\Users\User\Documents\LUP\Projects\18.014 WCD SAP

ACN9461 973 9310 / ABN 619 739 310

EXECUTIVE SUMMARY

The application seeks an amendment to the *Burnie Interim Planning Scheme 2013* to insert a Specific Area Plan over the site, known as the 'Wivenhoe Community District Specific Area Plan'.

The supporting submission, prepared on behalf of Burnie City Council, proposes to include two additional land uses within the Use Table for this site.

The proposed Specific Area plan seeks to:

- support the historic community and communal uses of the site;
- retain the current land uses and allow for improvement and adaptive reuse, outside the limitations of existing use rights;
- retain the underlying General Industrial land zoning; and
- reflect the strategic intent for this unique site within the planning scheme.

The Wivenhoe Community District Specific Area plan is required for the following reasons:

- the General Industrial zone does not otherwise accommodate a number of existing uses on this site which have significant social and economic benefit to the community;
- alternative zonings do not reflect the intent and / or purpose of the site nor are they considered appropriate to apply to the site;
- the current activities and their potential expansion are limited within the current land zoning and the existing use rights provided for within the Scheme;
- there are insufficient alternative sites for these activities to relocate or expand;
- the opportunity to retain the existing activities, and adapt or reuse the site for similar land uses is paramount for the future of the site and surrounds, as well as the larger Burnie area, therefore a unique plan for the site is required to achieve the appropriate mix of uses to allow continuation and reuse of buildings as well as new development.

Based on the assessment within this report, it is considered that the application of a Specific Area Plan to the Wivenhoe Community District is appropriate. This submission demonstrates:

- the site has a unique role to play within Burnie and the surrounding area, with the proposed SAP providing the necessary flexibility for future use and development;
- the current provisions are insufficient to appropriately manage the use and development of the site;
- the proposal furthers the Objectives and Resource Management and Planning System as set out in Part 1 and Part 2 of Schedule 1 of the *Land Use Planning and Approvals Act 1993*; and

- the proposed SAP will provide for land uses on the site which are compatible with the underlying zoning.

For these reasons, this submission can be supported.

Plan Place Pty Ltd have been engaged by Burnie City Council to request an amendment to the Burnie Interim Planning Scheme 2013 (the Scheme) pursuant to Section 33 (Saved provisions) of the *Land Use Planning and Approvals Act 1993* (the Act).¹

¹ References in this document to the provisions of the Land Use Planning and Approvals Act 1993 are references to the former provisions of the Act as defined in Section 2 of Schedule 6 - Savings and transitional provisions of the Act.

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Appendix A	Landowner consent
Appendix B	Land titles
Appendix C	Draft Wivenhoe Specific Area Plan
Appendix D	Site contamination investigation
Appendix E	Minutes – Ordinary Meeting of Council (Tuesday 19 March 2019)
Appendix F	Letter pertaining to Closed Minutes of Council (19 February 2019)

NOTE:

References in this document to the provisions of the *Land Use Planning and Approvals Act 1993* are references to the former provisions of the Act as defined in Section 2 of Schedule 6 - Savings and transitional provisions of the Act

Place.

1. INTRODUCTION

Application

Proposes to insert a Specific Area Plan over the land known as the "Wivenhoe Community District" to include two additional land uses.

It is proposed to insert a Specific Area Plan (SAP) into the *Burnie Interim Planning Scheme 2013* (the Scheme) pursuant to Section 33 (Saved provisions) of the *Land Use Planning and Approvals Act 1993* (the Act)² over the subject site as identified in **Figure 1**.

The SAP is intended to reflect the unique character of this site by allowing the land uses of 'Community Meeting and Entertainment' and 'Sports and Recreation', whilst retaining the underlying General Industrial zoning.

This amendment is required to provide a tailored approach for use and development on the site as:

- the site has a unique role to play within Burnie and the surrounding area, with the proposed SAP providing the necessary flexibility for future use and development; and
- the current provisions are insufficient to appropriately manage the use and development of the site.

This submission has been prepared in order to provide details of the site and address the requirements of the *Land Use Planning and Approvals Act 1993* (LUPAA) and all necessary supporting documentations, with reference to the proposed SAP.

Enquiries relating to this request can be directed to:

Theresa Williams

Director

Plan Place Pty Ltd

0409 793 803

Email: theresia@planplace.com.au

² References in this document to the provisions of the Land Use Planning and Approvals Act 1993 are references to the former provisions of the Act as defined in Section 2 of Schedule 6 - Savings and transitional provisions of the Act.



2. PROPOSAL

The proposal is intended to insert a Specific Area Plan (SAP) over the land known as the Wivenhoe Community District, as defined in **Figure 1: Proposed area to be covered by the Wivenhoe Community District Specific Area Plan** **Figure 1.**

The SAP is proposed to:

- Insert the Community Meeting and Entertainment use class; and
- Insert the Sports and Recreation use class

to the use table in the SAP area, and

The existing General Industrial zoning is intended to remain otherwise intact.

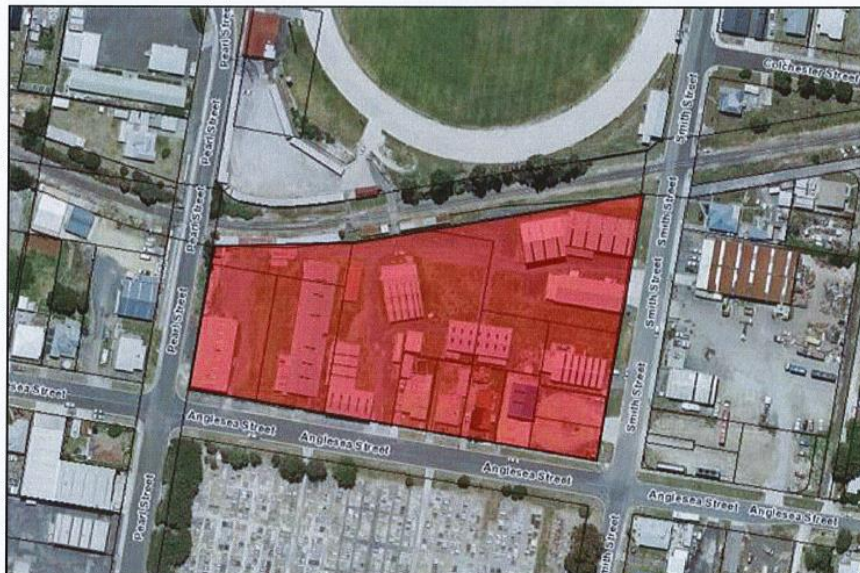


Figure 1: Proposed area to be covered by the Wivenhoe Community District Specific Area Plan

The application is not attempting to or dependent upon demonstrating existing land use rights. It is the applicant's intent to resolve the matter in the most cohesive manner possible. As such, the proposal demonstrates the need for additional land to be made available to these two land use categories.

The site currently accommodates a number of activities within these two land uses, as evidenced in Table 2 and Appendices E and F.

The proposed Specific Area plan seeks to:



- support the historic community and communal uses of the site;
- retain the current land uses and allow for improvement and adaptive reuse, outside the limitations of existing use rights;
- retain the underlying General Industrial land zoning; and
- reflect the strategic intent for this unique site within the planning scheme.

2.1. DRAFT WIVENHOE SPECIFIC AREA PLAN

2.1.1. Wivenhoe Community District Specific Area Plan – Spatial Application

The Draft Wivenhoe Community District Specific Area Plan is intended to be applied as per **Figure 2**.

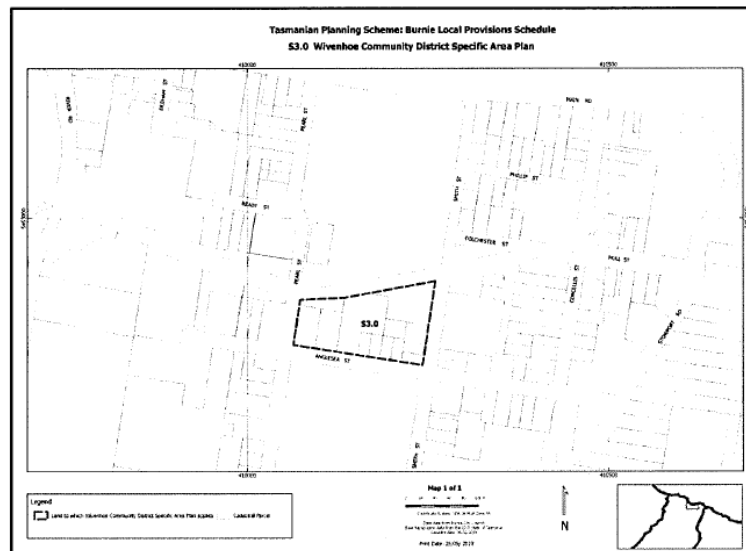


Figure 2 Application of the Wivenhoe Community District SAP

2.1.2. Draft Wivenhoe Community District Specific Area Plan

The draft Wivenhoe Community District Specific Area Plan has been drafted to be as simple as possible, inserting the two additional land uses as Permitted uses within the Plan area.

The Wivenhoe Community District Specific Area Plan is proposed as follows:



BUR-S3.0 Wivenhoe Community District Specific Area Plan

BUR-S3.1 Plan Purpose

The purpose of the Wivenhoe Community District Specific Area Plan is:

- BUR-S3.1.1 To provide for use and development of the land located within the Wivenhoe Community District for Community Meeting and Entertainment and Sport and Recreation.

BUR-S3.2 Application of this Plan

- BUR-S3.2.1 The specific area plan applies to the area of land designated as Wivenhoe Community District Specific Area Plan on the overlay maps and as shown in Figure BURS3.1.
- BUR-S3.2.2 In the area of land to which this plan applies, the provisions of the specific area plan are in substitution for the provisions of clause 25.2 Use Table.

BUR-S3.3 Local Area Objectives

This sub-clause is not used in this specific area plan.

BUR-S3.4 Definition of Terms

This sub-clause is not used in this specific area plan.

BUR-S3.5 Use Table

- BUR-S3.5.1 Use Table – Wivenhoe Community District

This table is in substitution for the General Industrial Zone – clause 25.2 Use Table.

Use Class	Qualification
No Permit Required	
Natural and cultural values management	If for conservation, rehabilitation, or protection against degradation, but must not include a building or outdoor area for information, interpretation or display of items or for any other use



Permitted	
Community meeting and entertainment	
Emergency services	
Equipment and machinery sales and hire	
Manufacturing and processing	
Recycling and waste disposal	If not a refuse disposal site
Research and development	If for a manufacturing and processing, service industry, storage or transport purpose
Service industry	
Sports and recreation	
Storage	
Transport depot and distribution	
Utilities	
Vehicle fuel sales and service	If not a service station
Discretionary	
Bulky goods sales	If wholesale of building materials, construction aggregates, and garden and landscape material
Educational and occasional care	If for trade training
Food services	If- (a) not licensed premise; (b) not including a drive through in a take away food premise; and (c) a seating capacity for not more than 20 people

Place.

Passive recreation	
Research and development	
Resource processing	
Prohibited	
All other uses	

BUR-S3.6 Use Standards

This sub-clause is not used in this specific area plan.

BUR-S3.7 Development Standards

This sub-clause is not used in this specific area plan.

BUR-S3.8 Development Standards for Subdivision

This sub-clause is not used in this specific area plan.

BUR-S3.9 Tables

This sub-clause is not used in this specific area plan.



3. PLANNING OVERVIEW

Table 1 provides a detailed planning overview of the site.

Table 1 Planning summary

3.1. Site Overview and Surrounding Uses			
Site	Wivenhoe Community District: Known locally as the "Wivenhoe Showgrounds" and adjoining land, Wivenhoe		
Certificates of Title and Area (Refer to Appendix B)	Certificates of Title	PID	Address
	CT76195/9	3041449	10 Smith Street, Wivenhoe
	CT216413/8		
	CT216005/10		
	CT232168/1		
	CT167400/1		
	CT223549/1		
	CT222644/1		
	77451/1	6130586	17 Anglesea Street, Wivenhoe
	77451/2	6130594	19 Anglesea Street, Wivenhoe
	60836/1	6130607	21 Anglesea Street, Wivenhoe
	231380/1	3041457	Smith Street, Wivenhoe (unnumbered)
231381/1			
60836/2			
Land ownership	The majority of the site is owned by Burnie City Council. Three land titles along the southern boundary are owned independently as follows: <ul style="list-style-type: none"> • CT77451/1; • CT77451/2; and • CT60836/1. Landowner consent for the making of this application is provided as Appendix A.		
Current Uses	The subject land is and has been utilised for a variety of activities. Any compliance matters that may have arisen in the historic activities are to be dealt with by the planning authority separately to the making of this application for amendment.		



Table 2: Current uses over the site*		
CT	Address	Currently operating on site
CT76195/9	10 Smith Street, Wivenhoe	<ul style="list-style-type: none"> • Burnie Men's Shed • Burnie Farmer's Market • Zodiacs Gymnastics Club • Probus Club of Burnie • Emu Bay Lions Club • Burnie Soroptimists Club • St Johns Ambulance • Rotary Club of Burnie (community event) • Burnie Harness Racing Club
CT216413/8		
CT216005/10		
CT232168/1		
CT167400/1		
CT223549/1		
CT222644/1	Smith Street, Wivenhoe (unnumbered)	
CT231380/1		
CT231381/1		
CT60836/2		
CT77451/1	17 Anglesea Street, Wivenhoe	Single dwelling
CT77451/2	19 Anglesea Street, Wivenhoe	Single dwelling
CT60836/1	21 Anglesea Street, Wivenhoe	Single dwelling
<p>*it is noted that these represent the use that is currently operating on each site. This is not a reflection of valid existing use rights or other compliance matters.</p>		
Access	Anglesea Street (multiple access locations) Smith Street (multiple access locations) Pearl Street (single vehicle access)	

Place.

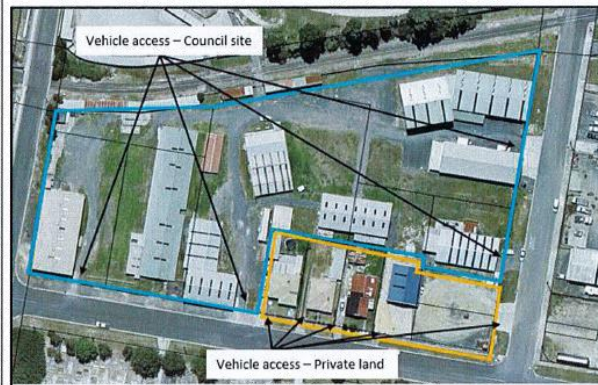


Figure 3 Access to the site would be available via retention of the existing access points.

Site description

The site is located within the General Industrial zone of the Burnie Interim Planning Scheme 2013 (BIPS). The site proposed for the SAP forms a dividing unit of land between the Burnie Showgrounds (Recreation Zone) and the Wivenhoe Cemetery (Open Space Zone). The rail line sits directly along the northern boundary of the site (Utilities Zone). No overlays apply to the site. It is not subject to the draft Bushfire-Prone Areas Overlay.

The site contains:

- a number of utilitarian buildings for the display and storage of animals and other exhibits of a show and local markets;
- additional buildings which house a gymnastics facility and the Burnie Men's shed;
- three lots contain existing residences (constructed in the 1940's and 1960's); and
- two vacant lots.

A number of the smaller sheds are constructed over the rail reserve. These are the subject of a separate compliance matter.

The vegetation on site is limited to exotic grasses and small trees. The three residential sites contain residential gardens.

Place.

The site is not contiguous with adjacent properties as it is severed by road and rail infrastructure. The site is bordered on three sides by local roads, and the rail line forms the remaining border.



Figure 4 Smith Street frontage



Figure 5 Anglesea Street frontage – existing residences



Figure 6 Pearl Street frontage. Rail line to left of image

Place.

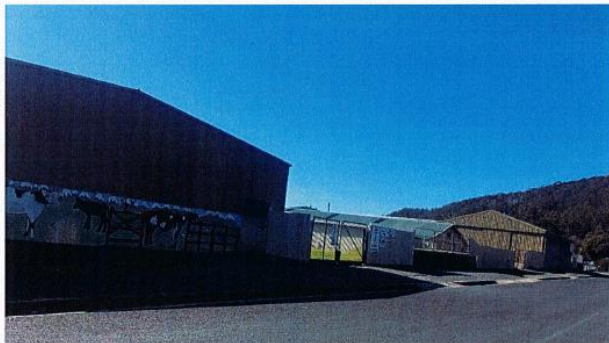


Figure 7 Anglesea Street frontage, west of existing residences

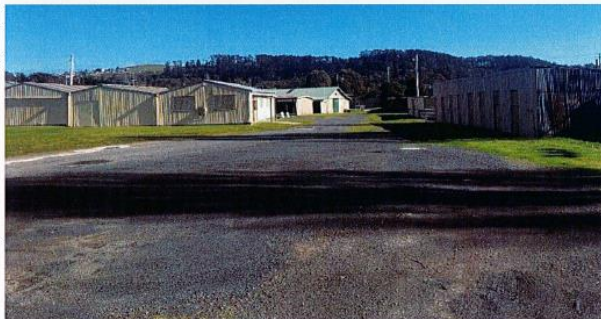


Figure 8 Image inside property, looking west. Rail line to east

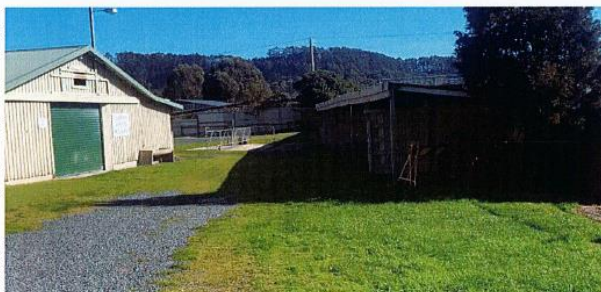


Figure 9 Existing structures onsite. Small lean to buildings potentially encroaching upon TasRail land.

Place.



Figure 10 Existing utilitarian buildings, SW corner of site.

<p>Brief Site Background</p>	<p>The site has previously been utilised for land uses within the <i>Community Meeting and Entertainment</i> and <i>Sport and Recreation</i> use classes, as defined within the Burnie Interim Planning Scheme 2013. These include:</p> <ul style="list-style-type: none"> • the regional agricultural show; • Burnie Farmers Market; • not for profit gymnastics club; • Men's Shed; • Boxing Club; • Probus Club of Burnie; • Emu Bay Lions' club; • Burnie Soroptimists Club; • St John's Ambulance; • Rotary Club; and • Burnie Harness Racing Club. <p>A number of these land uses would be eligible to claim existing use rights for the current operation.</p> <p>The majority of the site has recently been purchased by the Burnie City Council.</p> <p>The site contains a number of buildings, some of which have compliance matters to be resolved, which have come to light since the Council's purchase of the site and the due diligence undertaken as part of this transfer of land. Others (e.g. Gymnastics and Men's Shed) require potential for expansion.</p> <p>The application of existing use rights as the sole mechanism over these activities does not necessarily result in the best outcome for the community, due to the inherent restrictive nature of such rights and the valuable role that this site has played, currently plays and is envisioned to play into the future.</p>
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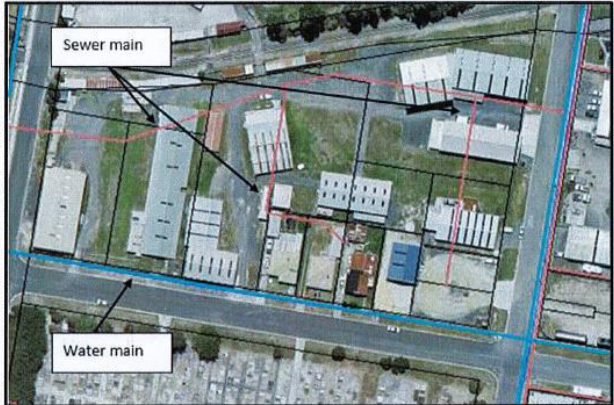
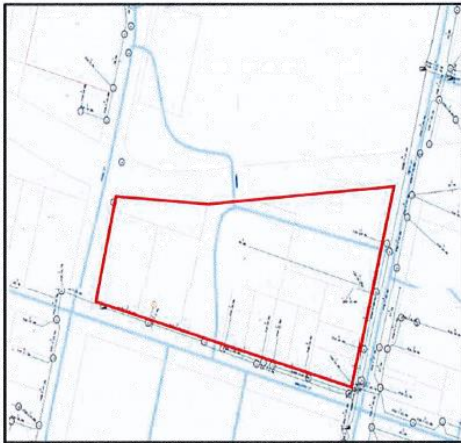


	<p>The zoning of the site in the current iteration of the Planning Scheme was a result of a straight translation. The translation did not provide for the current or intended future role that the site plays within the community.</p>
<p>Surrounding Uses</p>	<p>The site forms a dividing unit of land between the Burnie Showgrounds (Recreation Zone) and the Wivenhoe Cemetery (Open Space Zone). The rail line sits directly along the northern boundary (Utilities Zone).</p> <p>Development along the remaining eastern and western boundaries sit within the standard land use categories within the General Industrial Zone.</p>
<p>Established Character of surrounding area</p>	<p>Wivenhoe is one of the original settlement nodes within the Burnie municipal area, around which an industrial estate has been established. The area also contains a local business strip, and residual residential land uses scattered throughout.</p> <p>The properties to the north and south of the subject land are the exception to this development pattern. The site to the north contains the Wivenhoe sporting ground(s), and the site to the south contains the cemetery.</p> <p>Lot sizes within Wivenhoe are varied and are directly responsive to the requirements of the industry on the site, rather than to any established pattern of development.</p>

Place.

3.2. Burnie Interim Planning Scheme	
Planning Instrument	Burnie Interim Planning Scheme 2013
Current zoning	<p>Figure 11 Current zoning map (Source: Listmap)</p>
Proposed Use	No change in use proposed with this application. Future use would be assessed under Part D, 25.0 General Industrial zone and all other relevant sections of the BIPS, in conjunction with the proposed SAP.
Proposed Development	No development proposed.
Overlays	Nil
Applicable Code(s)	The relationship with all Codes is discussed.
3.3. Services	
Summary	<p>The subject site is within an area where connection to full reticulated services is possible and within the capacity of the existing network.</p> <p>The proposed SAP does not alter the servicing demands on the site. Individual applications for development would be assessed at the relevant point in time.</p>

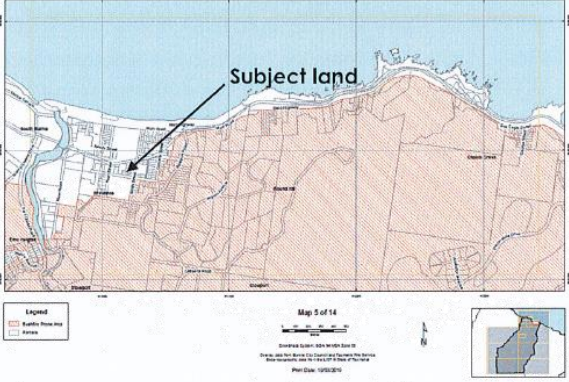
Place.

	 <p>Figure 12 Reticulated Mains Water and Sewerage System (source: theLISTmap).</p>
<p>NBN</p>	<p>The site is within the area serviced by the NBN infrastructure.</p>  <p>Figure 13 NBN service locations (source: BBYD)</p>
<p>Electricity Transmission Corridor</p>	<p>N/A.</p>

Place.

3.4. Natural and Other Hazards	
Site contamination	<p>The site is within the General Industrial zone, and as such has potential to be contaminated. In the interests of thorough process, a Site Investigation was undertaken in order to determine whether there was potential site contamination on the site which may conflict with the proposed amendment.</p> <p>The investigation is attached as Appendix D. It was concluded that "there is no evidence for any contamination originating either from, or off site which will pose an increase in risk to future users of the site".</p>
Landslide	Nil.
Waterway and Coastal Protection Area Guidance Map	Nil.
Future Coastal Refugia Area Guidance Map	Nil.
Coastal Inundation and Flooding	Nil.
Bushfire Management	<p>The site is not within 100m of bushfire prone vegetation.</p> <p>The site is not identified within the draft Bushfire Prone Areas Overlay.</p>

Place.

	<p style="text-align: center;">Tasmanian Planning Scheme - Burnie Local Provisions Schedule: Bushfire-Prone Areas Overlay</p>  <p style="text-align: center;">Figure 14 Draft Bushfire Prone Areas Overlay Mapping (Source: Burnie City Council website).</p>
<p>SAP Area</p>	<p>1.6ha^{+/-}</p>
<p>3.5. Strategic Documents</p>	
<p>Applicable strategic documents</p>	<ul style="list-style-type: none"> • Cradle Coast Regional Land Use Strategy 2010-2030 • Burnie Settlement and Investment Strategy 2007 and Addendum 2017 • Making Burnie 2030 • Corporate Plan 2016-2020 • Burnie Open Space Development Strategy 2010 • Sustainable Murchison Community Plan 2040



3.6. ADDITIONAL SITE BACKGROUND

The Minutes of the Ordinary Meeting of Council, Tuesday 19 March 2019 provide additional background information. The Minutes of the Open Session of this meeting are provided in their entirety as Appendix E.

A letter from the General Manager has been included (Appendix F) to provide insight into the Closed Session of the Council Meeting on that date.

The following extracts from the Minutes of the open session are provided here as particularly pertinent to the site and this application:

"The 1.29ha holding has until recently been owned by the Burnie Agricultural and Pastoral Society, and was used continuously over a period of some 100 years as part of the site for annual Burnie Agricultural Show and for occasional related activity.

The former Show Society contains a number of utilitarian buildings for the display and storage of animals and other exhibits of a show.

There is a relatively recent conversion of one building on the Smith Street frontage to provide a facility for gymnastics. A second building has recently been occupied to provide accommodation for the Burnie Men's shed organisation.

The land has recently been sold, and is no longer to be used as a site for the annual show and other activities of the Burnie Agricultural and Pastoral Society.

Notwithstanding the site was offered for sale as an industrial holding in accordance with the opportunities available for land assigned to the General Industrial zone under the Burnie Interim Planning Scheme 2013 (BIPS 2013), the purchaser has a desire to use the site in support of local community groups and associations.

The exact nature of such activity has not yet been determined. It is anticipated the existing pavilions and sheds on the land may be converted or replaced to provide activity, meeting and storage space, and facilities to accommodate a number of different groups.

The former Burnie Planning Scheme 1989 applied the then Community Purpose zone to the land from 1992 until 1997.

The Purpose of the zone was to provide for institutional and community use.

In 1997 the Burnie Agricultural and Pastoral Society requested the Council amend the Burnie Planning Scheme 1989 to delete the Community Purpose zone as it applied to the land bounded by Pearl Street, Anglesea Street, Smith Street and the Western Line of the TasRail network and replace it instead with the then Industry zone.



The Show Society then explained the land was surplus to the requirements of the Society, and that the land could be better used for purposes consistent with use of the greater part of the land at Wivenhoe as an industrial estate.

The Council agreed to support a scheme amendment on grounds that the site as a whole provides an area attractive to large scale industrial activity and was advantageously located within Burnie's major industrial precinct with good access to transport and utility services and relative remoteness from primary residential areas.

The Burnie Planning Scheme 1989 was amended in June 1997 and the land became part of the Wivenhoe industrial estate.

The site has remained in ownership and use of the Show Society until early 2019.

The Burnie Interim Planning Scheme 2013 was required to translate the former Burnie Planning Scheme without any change to the existing rights and interests of owners and occupiers.

The BIPS 2013 intentionally applied the General Industrial zone to all the industrial land at Wivenhoe, including the land bounded by Pearl Street, Angelsea Street, Smith Street and the Western Line of the TasRail network.

Purpose of the BIPS 2013 General Industrial zone is to provide land for use by undertakings for manufacturing, processing, repair, and the storage and distribution of goods and materials in a manner that may have adverse impact on neighbouring non-industrial use.

The provisions of the BIPS 2013 General Industrial zone prohibit the Community meeting and entertainment use class for social, religious and cultural activities, entertainment and meetings, including such as an art and craft centre, church, cinema, civic centre, function centre, library, museum, public art gallery, public hall, theatre and the like.

The Scheme also prohibits Sports and recreation use class for organised or competitive recreation or sporting purposes including associated clubrooms for activities such as bowling alley, fitness centre, firing range, golf course or driving range, gymnasium, outdoor recreation facility, public swimming pool, race course and sports ground.

No representations were received in relation to zoning of the land during the exhibition period for the BIPS 2013."

"the alternate approach is to propose an amendment to the BIPS2013 that will apply only to thesite and permit community and recreation use in addition to the full scope of activity permitted by the General Industrial zone.

Such an amendment will not destroy the General Industrial zone, and therefore does not immediately run-foul of the regional and municipal strategies for provision and protect[ion] of industrial land. It will remain open at any time for the land to be put to industry use.

Place.

The land has a long history as a particular community and recreation use, and has not previously been used for industry purposes. An opportunity for new and different community and recreation activity is not inconsistent with the unique history of the site.

The ... site is bound by Pearl Street and Smith Street, and is located between two larger holdings, each of which has historically and currently been used for non-industrial purposes.

Land to the north between the Bass Highway and the railway line is assigned to the BIPS 2013 Recreation zone and is public land for purposes of the Local Government Act 1993 as the Wivenhoe recreation ground. The site provides facilities for football, cricket and harness racing. The recreation ground has been used annually in conjunction with the ...site to accommodate the arena and sideshow alley components of the Burnie Show.

....

Land to the south of Anglesea Street...contains the Wivenhoe Cemetery, and is assigned to the BIPS 2013 Open Space Zone. The first burial occurred in 1900, and plots reserved under the exclusive right of burial system remain available for interment of human remains. Recent changes to the Burial and Cremation Act 2002 provide that the cemetery cannot be converted to passive recreation purposes until the expiration of a period of 100 years from the last interment. The current law of Tasmania instructs the cemetery site can never be redeveloped for industrial purposes.

The land bound by Pearl Street, Anglesea Street, Smith Street and the Western line of the TasRail network therefore forms an intermediate bridge of industrial land between that part of the Wivenhoe industrial estate located between the Emu River and Pearl Street, and that part between Smith Street and Stowport Road. However, the unique history of the site, and the nature of former use and existing improvements mean it has never formed an active part of the industrial estate."

Appendix F, pertaining to the Closed Session of this Council meeting states:

"at its meeting on 19 February 2019, Council formally resolved to:

Confirm the strategic use of the site to be used primarily for the support of community groups."

"This could include the provision of workshops, meetings spaces, storage areas, events spaces and activity areas"

The letter continues to provide evidence that the Council has been under increasing pressure to assist these groups in the sourcing of appropriate sites upon which to locate, demonstrating the lack of alternative sites within the current market.



4. RATIONALE FOR THE SPECIFIC AREA PLAN – WIVENHOE COMMUNITY DISTRICT

The application proposes to insert a Specific Area Plan over the area known as the Wivenhoe Community District (refer to **Figure 2**).

The rationale for the SAP can be broadly summarised as follows:

- The existing activities on the site have significant social and economic benefit to the community, as recognised in the recent purchase decisions made by Council and documentation provided as Appendices E and F.
- The nature of the site (past, present or intended) is not consistent with the current restrictions within the General Industrial Zone.
- The current activities and their potential expansion are limited within the current land zoning and the existing use rights provided for within the Scheme.
- There are insufficient alternative sites for these activities.
- The value of the provision of these activities on this site is recognised within the strategic documents, however the conflict with the land zoning is not.
- Alternative zonings do not reflect the intent and / or purpose of the site nor are they considered appropriate to apply to the site.
- The opportunity to retain the existing land uses, and adapt or reuse the site for similar land uses is paramount for the future of the site and surrounds, as well as the larger Burnie area, therefore a unique plan for the site is required to achieve the appropriate mix of uses to allow continuation and reuse of buildings as well as new development.
- The proposed SAP will provide the necessary flexibility for future use and development, whilst retaining compatibility with the underlying zoning.



The ordinance of the Scheme will be amended to insert the Specific Area Plan (refer to Appendix C).

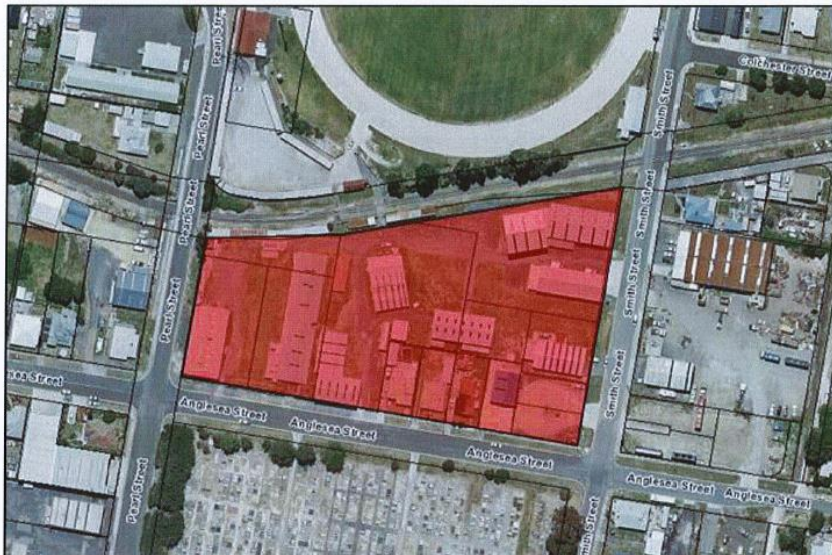


Figure 15 The application proposes to apply the Specific Area Plan – Wivenhoe Community District (red shaded area).

The subsequent discussion considers the influencing factors driving the SAP and justifies the proposed tailored approach for the site. This is considered in context of the following:

- site objectives;
- spatial context;
- current zoning and implications for existing and future use and development; and
- alternative zones.

4.1. SITE OBJECTIVES

The Burnie City Council, as the owner of the majority of the site, seeks to retain the vibrant and dynamic site for the use of the community, comprising a mix of activities which fall within the Community Meeting and Entertainment and Sports and Recreation use classes. The intention is to strive towards the following broad objectives:



- to stimulate ongoing investment in local business, building re-use and redevelopment and reinforcing the site's vibrancy and dynamic patterns of use;
 - to support and strengthen the local attraction for the use of this site for existing activities, including expansion of these activities within the boundaries of the site;
 - support community group activities which:
 - may require large areas of space, both indoor and outdoor;
 - do not compete with the prevailing uses in the area;
 - generally require large, utilitarian buildings; and
 - may occur out of normal business hours;
- by providing a site where these are able co-locate;
- to complement the adjacent sports oval and cemetery land uses; and
 - to provide the necessary flexibility for future use and development, whilst retaining compatibility with the underlying zoning as well as the various applicable strategies.

Retaining the existing community-based activities on the site and providing an area for co-location of such activities adds to the long-term sustainability of the site and reduces the risk of the buildings being underutilised. The proposed inclusion of the two additional land uses in the SAP area provides for the retention and expansion of existing on-site activities, without compromising the underlying land zoning. This also allows for the interim retention of the market whilst the long-term strategy for this use is developed. Potential future relocation of the market to the Makers Precinct (identified in the Burnie CBD Masterplan) provides the community with additional area within this location, which is able to support community groups as tenants, where appropriate. The Makers Precinct is not suitable for all activities on the subject site whilst retaining land which can be redeveloped for other General Industrial land uses.

The three land titles currently utilised for residential purposes retain existing use rights, as their historic use for residential purposes is undisputed, having been in continual residential use since their construction. Once these land uses lapse, the properties are able to be redeveloped in accordance with the surrounds, the zoning, and the proposed SAP. It is illogical to exclude these three properties from inclusion within the SAP simply because of their existing use for residential purposes or alternative ownership.



4.2. SPATIAL CONTEXT

South Burnie (

Figure 16) is a pocket of low lying land adjacent to the ocean and divided by the Emu River. Surrounding this low lying land, Round Hill, Emu Heights and Fern Glade rise steeply, thus geographically limiting the South Burnie landscape. South Burnie is bordered to the north by the Bass Highway, running along the coastline.

The South Burnie area has traditionally been utilised for industrial land uses, interspersed with residential uses, with no clear pattern of separation between these uses.

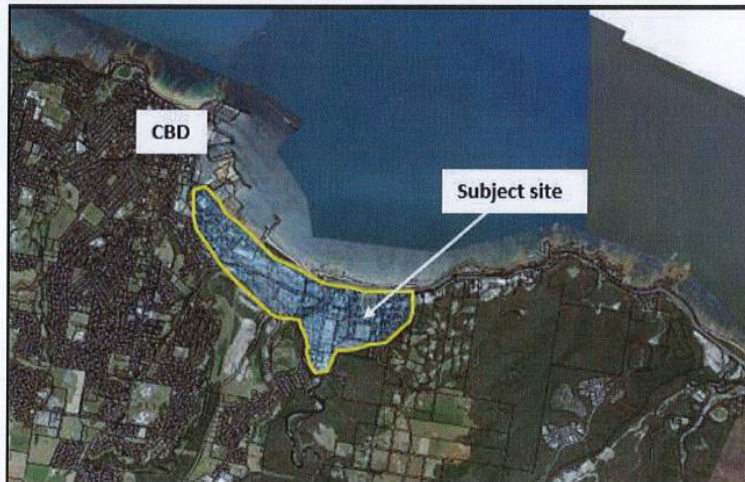


Figure 16 Site context within Burnie



Figure 17 Site is located on low-lying land

Place.

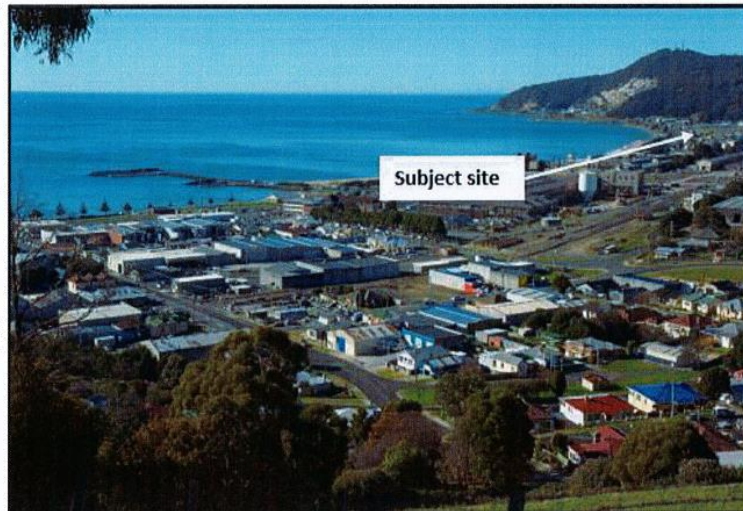


Figure 18 Subject site located in Wivenhoe, on the eastern side of the Emu River. South Burnie is bordered by land of higher elevation and the CBD.

The site is dominated by the home of one of the earliest community run farmers markets in Tasmania with additional land activities including community groups such as the gymnastics club and Men's Shed. These properties were purchased in early 2019 by the Burnie City Council as were two vacant lots and a single property with a large shed onsite, previously used by a transport company. Additional properties within the site include three residential lots, in private ownership.

Together with the cemetery and the showgrounds, the sites form a unique role within the South Burnie landscape. They provide vibrancy and utilisation of the land outside general business hours, including on the weekends as well as acting as a hub for local community groups, which may require large areas of space, both indoor and out, at low cost.

4.3. POTENTIAL ALTERNATIVE LOCATIONS FOR EXISTING ACTIVITIES

An alternative to a SAP is the relocation of the existing land use(s). Notwithstanding the impracticality of this action, potential locations within the wider area are identified in Figure 19 and Figure 20. Sites within the Open Space, Local Business, Recreation and Community Purpose zones are all considered, despite the potential restrictions these zonings may place upon the two land uses under consideration.

Place.



Figure 19 Recreation and Community Purpose zoned land (current)

Table 3 Current use of potential alternative sites, as identified in Figure 19

Potential Alternative Sites		
#	Ownership	Comment
1	Waratah Wynyard Council	Somerset Recreation Centre Outside Municipal boundaries Site is fully developed.
2	Crown Land	Somerset Cemetery
3	Waratah Wynyard Council	Somerset Soccer Club Outside Municipal boundaries Site is fully developed
4	Waratah Wynyard Council	Langley Park (oval) Outside Municipal boundaries
5	Burnie Golf Club Inc.	Burnie Golf Course
6	Burnie City Council	Cemetery Site is fully developed
7	Burnie City Council	Bowls Club
8	Department of Education	University Campus University undergoing relocation.
9	Department of Education	College
10	Private Ownership	Burnie Hospital
11	Burnie City Council	Netball centre
12	Burnie City Council	Hockey Ground
13	Private Ownership	School (secondary and primary)
14	Burnie City Council	West Park Oval

Place.

15	Burnie City Council	Burnie Pool
16	Burnie City Council	Burnie Tennis Centre
17	Burnie City Council	Soccer ground
18	Burnie City Council	Basketball centre, additional showground Site has restrictions due to slope, landslip and access and servicing
19	Burnie City Council	Makers Workshop
20	Burnie City Council	South Burnie Bowls Club
21	Burnie City Council	Wivenhoe Show Ground
22	Privately owned	Primary School



Figure 20 Open Space and Local Business Zoned land (current)

Table 4 Current use of potential alternative sites, as identified in Figure 20


Potential Alternative Sites		
#	Ownership	Comment
1	Private land	Landslip and Tree preservation overlay Access and servicing challenges
2	Private land, including Department of Education	Landslip and Tree preservation overlay, waterway
3	Private land	Landslip and Tree preservation overlay, waterway

Place.

4	Private land	Landslip and Tree preservation overlay, waterway
5	Crown Land	Landslip and Tree preservation overlay
6	Various Government Bodies	Electricity Transmission Infrastructure Overlay
7	Burnie City Council	Shorewell Creek
8	Burnie City Council	Acton Recreation Ground
9	Burnie City Council	Burnie Park
10	Private Land	Local shops
11	Burnie City Council	Landslip and Operational Airspace Overlays Very steep, vegetated land
12	Burnie City Council	Oakleigh Park
13	Burnie City Council Private Land	Romaine Reserve Additional space under landslip overlay, steep, vegetated land and / or heavily modified land / fill with potential site contamination
14	Burnie City Council	Wivenhoe Cemetery
15	Private ownership	Wivenhoe Shops

The majority of sites within these four land zonings are currently fully utilised. Those which at first glance do not appear to be fully utilised and appear to retain some potential for relocation of the existing land uses, largely due to the size of the properties, are highlighted in **bold** in Figure 19 and Figure 20. These are discussed in more detail in Table 5.

Table 5 Consideration of Sites with some potential for relocation of existing uses.

Site	Comment
UTAS Campus	 <p>Figure 21 UTAS Campus</p>



This site is currently utilised for the University of Tasmania north western campus. The University has gained approval for relocation of the Campus to West Park. Works are not completed. The site is not available.

There would be additional matters to consider in regards to traffic and amenity impacts if these land uses were to be located within what is essentially a residential area, in particular the impact on West Park Grove and Mooreville Road, which already service a large proportion of Burnie's residential traffic and a number of schools (primary and secondary).

Note that the existing zoning of Community Purpose would limit the Recreation uses allowable on the site.

Basketball Centre and surrounding land



Figure 22 Basketball Centre and surrounds

This site includes the local lookout point, a testament to the significant areas of steep land at risk of landslip on the property. The retention of existing vegetation on site provides protection for the existing land uses. The existing basketball courts have previously been identified as being at maximum capacity and in need of redevelopment. The site contains particular traffic challenges, with all traffic accessing the site

Place.

needing to travel through existing residential land uses off Mount Street, and limited to access and egress in one direction only.
Current zoning of Recreation would limit the Community Meeting and Entertainment uses allowable on the site.

Additional space to the northern end of Romaine Reserve.



Figure 23 Land to the north of Romaine Reserve

The land is currently privately owned, and provides light vehicle access to the industrial use which occurs directly to the south.
Much of this land is simply not available for use due to the slope.
This land has been identified as containing a significant amount of fill, with potential for contamination if disturbed. In addition, disturbance of this land would have potential impacts on the unstable land upslope.
The current zoning of this land would similarly limit the Community Meeting and Entertainment uses allowable on the site.

In short, consideration of alternative sites reveals that there are no sites within the existing and appropriate zoning(s) to which these land uses can be relocated.

4.4. ALTERNATIVE ZONES

As a potential alternative to the application of a SAP, the rezoning of the site was considered. The site is currently zoned as General Industrial, as is the land to the east and west.



The remaining adjoining zonings include the Recreation Zone to the north, and the Open Space zone to the south. The Local Business Zone is applied to the shopping strip to the north west of the site.

Table 6 considers alternative zonings and provide comments in regard to these.

Table 6 Potential alternative zonings

Potential Alternative Zones		
Zone		Comment
10	General Residential	Land use conflict would be created with surrounding industrial uses. In addition, the two land uses requiring accommodation would be restricted under this zoning.
11	Inner Residential	Not used in this Scheme.
12	Low Density Residential	Not applicable. This zone is for the purpose of residential development on large lots and is contrary to the intent of the site.
13	Rural Living	Not appropriate. This zone is for the purpose of residential development on large lots and lower order rural activities. The site is within the urban boundary of Burnie and is not suited to rural living or lower order agricultural pursuits.
14	Environmental Living	Not appropriate. There are no natural or landscape values to be retained and the area is not suitable for the ongoing provision of residential use.
15	Urban Mixed Use	Not used in this Scheme.
16	Village Zone	Not appropriate. This area is not a small rural centre.
17	Community Purpose Zone	Not appropriate. Whilst one of the land uses proposed would be accommodated, the zoning of the land for Community Purposes would be at odds with the overall intention for this area.
18	Recreation Zone	Potential alternative zone. Recreation zone would accommodate both land uses. Loss of land from General Industrial use would result. Refer to Discussion below.

Place.

19	Open Space	Potential alternative zone. Community meeting and entertainment use would be restricted. Sport and recreation use would be accommodated. Refer to Discussion below.
20	Local Business Zone	Both land uses would be possible under this zoning. It is not however, intended for this land to provide for business, professional or retail services, or to move away from the underlying General Industrial Zoning. As such, is not considered suitable as an appropriate alternative zoning.
21	General Business Zone	Not used in this Scheme.
22	Central Business Zone	Not appropriate. This zone is only spatially applied to the CBD of Burnie.
23	Commercial Zone	Not appropriate. The site is not suited to large floor area retailing, service industry or warehousing.
24	Light Industrial	Not applicable. The site does not contain any light industrial activities for consideration of this zone.
25	General Industrial	Existing zoning. Neither land use would be accommodated.
26	Rural Resource	Not appropriate. The site is within the urban area of Burnie.
27	Significant Agriculture	Not used in the Scheme.
28	Utilities Zone	Not appropriate. There are no public infrastructure or utilities located on the site.
29	Environmental Management	Not appropriate.
30	Major Tourism	Not used in this Scheme.
31.0	Port and Marine Zone	Not appropriate. The site is not part of any port and marine activity.

Discussion

The majority of alternative land zonings were ultimately dismissed as they would either result in 'spot zonings', ensure land use conflict or are not used in this Scheme.

Three zones have some potential for the site. This includes the retention of the existing zone.



The site certainly appears at first glance of being capable of incorporation into the Recreation or Open Space Zone in its entirety. The discussion then needs to be not whether it is can be incorporated, but whether it is appropriate to do so.

The strategic documents that apply to this site do not identify either a need for a reduction in the area of General Industrial land, nor a demand for an increase in either the Open Space or Recreation Zones within Wivenhoe.

As such, it has been deemed not appropriate to rezone this land and the proposal has been considered within the context of the General Industrial Zone.

5. Burnie Interim Planning Scheme 2013

5.1. PLANNING SCHEME OBJECTIVES

The planning scheme objectives are set out in Clause 3.0 of the Interim Scheme. The requested specific area plan is consistent with the objectives of the planning scheme as this change of land use policy will:

- facilitate a high quality, consistent and responsive development assessment process of the site, fulfilling the regulatory responsibilities of the Council as planning authority;
- allow the continuation of existing activities and enable the diversification of other compatible uses, whilst retaining the regional model for business and retail centres; and
- acknowledge the site specific values and facilitating appropriate development.

5.2. GENERAL INDUSTRIAL ZONE

The General Industrial zone currently prohibits the consideration of either Community Meeting and Entertainment or Sport and Recreation use classes.

The proposed SAP is considered here against this zoning, with the conclusion that the activities provided for on this site under the proposed SAP are well suited to the surrounds. The existing activities and the use classes proposed to be inserted:

- require extensive vehicular access (all weights of vehicle);
- can create a noticeable level of noise and potential odour;
- require large areas of space, both indoor and outdoor;
- do not compete with the prevailing uses in the area;
- generally require large, utilitarian buildings;
- may occur out of normal business hours



in keeping with the zone purpose and desired future character statements of the General Industrial Zone.

5.2.1. Zone Purpose

The General Industrial zone provides for listed, specific uses, where there may be impact on neighbouring uses. The following provides comment on the cl.25.1.1.1 Zone Purpose Statements.

Table 7 Compliance with Zone Purpose

<p>Wivenhoe SAP - Compliance with Zone Purpose</p> <p><i>cl. 25.1.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where there may be impacts on neighbouring uses.</i></p>
--

Comment

The proposed SAP intends to allow these two complementary activities to continue across the site, without restricting the potential use of any of the subject land titles for more typical General Industrial land uses, thus not restricting compliance with cl.25.1.1.1. It is recognised throughout this document that the existing activities have some potential to impact on neighbouring uses.

The current activities spread across the land titles within the proposed SAP area. The intention is to provide a section of land between existing Recreation Zone and Open Space Zone, where long standing existing land uses may continue, without hampering the operation of the General Industrial zone. Given that the land would remain within the General Industrial zone, should the market demand it, these lots can be converted to an existing General Industrial Permitted or Discretionary land use.

5.2.2. Local Area Objectives

Table 8 provides commentary on the compliance of the proposal with the Local Area Objectives.

Table 8 Compliance with Local Area Objectives

<p>Wivenhoe SAP - Compliance with Local Area Objectives</p> <p><i>cl. 25.1.2(a) General Industrial Use is clustered into one or more localities with strategic advantage for industrial activity resulting from availability of suitable land, efficient access for freight transport and adequate provision for utilities.</i></p>

Place.

Comment

The proposed SAP does not modify the spatial application of the General Industrial zone, nor does this proposal remove land from the market for other uses within the General Industrial zone. It is intended to provide potential site(s) for complementary uses, which also require access for freight, transport and utilities, but which fall under the banner of having a community purpose rather than an underlying industrial purpose. These proposed uses also require space for manufacturing, storage, repair, processing as well as potentially having impacts on neighbouring uses, as per the stated Zone Purpose.

Potential alternative sites for these uses have been explored within this application documentation, and found lacking.

cl.25.1.2(b) Provide for industry that requires separation from other use due to likelihood for conflict and impact to extend beyond the zone boundary.

Comment

These uses – existing and proposed – have potential for impact through noise or other emissions, vehicle movements, or impact on amenity due to large, utilitarian style buildings, resulting in these activities traditionally being located on this site. Alternative sites have been sought and found lacking.

cl.25.1.2(c) Restrict use that competes for and displaces availability of land for industrial use, including general retail and hire, bulky goods sales, large format retail, community meeting and entertainment, and sports and recreation.

Comment

The proposed SAP is not in conflict with this clause – these land uses remain restricted across the General Industrial zone whilst the interim scheme remains in place. The proposed SAP is intended to modify the application of the restriction, allowing for tailored restrictions to reflect the historic and intended use of this site as well as the relationship between demand for these sites and the lack of supply of potential sites, rather than carte blanche across the entire zone.

It is not considered necessary to amend cl 25.1.2(c) to state that these additional uses as listed are actually allowable within the SAP area, as the insertion of the SAP itself achieves this.

It is noted that cl.25.1.2(c) is currently in conflict with the SPPs as drafted, which allow Sports and Recreation as a discretionary use in the zone.

It is considered that the proposal is in keeping with the Local Area Objectives, allowing for tailored restrictions which reflect the local community needs.

5.2.3. Desired Future Character Statements

Table 9 provides a position statement on the compliance of the proposal with the Desired Future Character Statements.



Table 9 Compliance with Desired Future Character Statements

Wivenhoe SAP - Compliance with Desired Future Character Statements	
<i>cl. 25.1.3(a) Use or development for general industry -</i>	
<i>(i)</i>	<i>is to occur on a site of sufficient size to fully accommodate all buildings and external activity areas;</i>
<i>(ii)</i>	<i>is to create a site with well-defined frontage access;</i>
<i>(iii)</i>	<i>typically provide utilitarian style buildings and structures of large floor area and bulk;</i>
<i>(iv)</i>	<i>may include extensive hard-seal and illuminated parking and loading areas and areas for the display, storage and handling of goods and materials exposed to view from a road internal to the industrial estate; and</i>
<i>(v)</i>	<i>may include an activity, process, good, material, product or plant that if undertaken, operated, handled or stored in accordance with all measures to minimise impact could create likely risk to human health, life or property, or to the biophysical environment.</i>

Comment

The land uses proposed with this SAP have a demonstrated history of requiring larger sites, both for buildings, as well as outside activities. These include, but are not limited to, storage, community movie nights, markets, parking, support activities for the adjoining showground and horse racing facilities. The frontages for the properties are already well defined. These are not proposed to change. The two land uses proposed to be included also require utilitarian style buildings and structures of large floor area and bulk, evidenced in the stated site objectives.

<i>cl. 25.1.3(2) Use on industrial land is likely to include activities that conflict with or impact on the amenity of use on land external to the industrial zone boundary by reason of:</i>	
<i>(i)</i>	<i>emission to air, land or water of light, noise, odour, particulates, radiation or vibration;</i>
<i>(ii)</i>	<i>hours of operation;</i>
<i>(iii)</i>	<i>level of freight transport activity; or</i>
<i>(iv)</i>	<i>visual prominence of buildings, structures and external activity areas.</i>

Comment

The activities provided for on this site under the proposed SAP (existing and proposed land uses):

- require extensive vehicular access (all weights of vehicle);
- have the potential to create a noticeable level of noise and potential odour (eg market, gymnastics centre, Men's Shed);
- require large areas of space, both indoor and outdoor;
- generally require large, utilitarian buildings;
- may occur out of normal business hours.

This is in keeping with cl. 25.1.3(2).



It is demonstrated that the proposal is in keeping with the Desired Future Character Statements of the General Industrial Zone, supporting the position that the proposal is intended to reflect the unique character of this site by allowing the land uses of 'Community Meeting and Entertainment' and 'Sports and Recreation', whilst retaining the underlying General Industrial zoning.

5.3. CONSIDERATION OF USE AND FUTURE DEVELOPMENT

The proposal intends to allow for consideration of two additional potential use classes over this site. No other change is proposed. Any development would then be required to comply with existing development standards for the General Industrial zone and relevant overlays and Codes.

The purpose of the General Industrial zone is outlined at cl.25.1.1.1 and is discussed above. The proposal is intended to recognise the unique nature of this site, allowing for additional land uses on this site to service a need in the community that is not being met elsewhere, and where these uses are compatible with the existing land zoning.

It is noted that the current version of the TPS includes the Sport and Recreation land use within the General Industrial zone. The draft Burnie LPS does not include any recommendation to modify this, despite the current wording in the Scheme excluding this use from the General Industrial zone. This supports the position that this use class can be appropriate within the zone, despite the historic exclusion within the Burnie planning scheme(s).

The Council has a balancing role to play on this site. A decision must be made as to whether the current iteration of the Scheme remains appropriate, which specifically excludes these two land uses from consideration within this zone. The proposal is not intended to modify this across the zone, rather, to recognise:

- the lack of alternative sites across the Municipal area for these land uses;
- the lack of consideration within the strategic documentation that this site would no longer be available for these land uses (the assumptions made in the strategic documents that this site would remain available to these land uses); and
- the need for land to be available for these land uses.

5.4. CODES

The proposed Wivenhoe Community District SAP is not intended to modify the application of the Codes in any way.

**E1 Bushfire Prone Areas Code**

The proposed SAP will not modify the application of this Code. The site is not within the Draft Overlay areas.

E2 Airport Impact Management Code

Not applicable to the site.

E3 Clearing and Conversion of Vegetation Code

The proposed SAP would not result in a change in the application of this Code.

E4 Change in Ground Level Code

The proposed SAP does not modify the application of the E4 Change in Ground Level Code.

E5 Local Heritage Code

The site does not contain any buildings with identified local heritage values, nor is it within a conservation area identified in the Code.

E6 Hazard Management Code

The proposed rezoning does not change the application of the Code. There are no identified natural hazards on the site. There was considered to be a risk of a history of contamination on the site, and as such research was undertaken into the background of the site. No significant risk was identified.

E7 Sign Code

The proposed SAP will not modify the current application of the Sign Code.

E8 Telecommunications Code

The proposed SAP will not modify the current application of the Code.

E9 Traffic Generating Use and Parking Code

The proposed SAP will not alter the application of the Traffic Generating Use and Parking Code. The proposal is able to connect to the existing road network, utilising existing accesses. All future development would be assessed under the Code as required.

E10 Water and Waterways Code

The proposed SAP will not change the current application of the Water and Waterways Code.

6. STRATEGIC CONSIDERATION

6.1. STRATEGIES



Earlier in this report, it is stated that "The strategic documents that apply to this site do not identify either a need for a reduction in the area of General Industrial land, nor a demand for an increase in either the Open Space or Recreation Zones". It is important to differentiate between the demand for the area within a particular zone, and the demand for, or space available, for specific land uses. The strategic documents explored below all discuss this site and assume retention of the existing land uses, regardless of zoning. None of these documents make provision for the relocation of these existing land uses – or indeed the loss of these services, or the loss of the use of this area for these serviced, to the community. There is an inherent assumption that these uses will remain on site.

Nevertheless, the spatial application of the proposed SAP is examined and considered against the relevant strategies and land use policies. The assessment of the strategies is considered as a collective, and none of these considerations can be read in isolation of the other.

6.1.1. Cradle Coast Regional Land Use Strategy 2010- 2030

The amendment must be as far as is practicable, consistent with the Cradle Coast Regional Land Use Strategy 2010 – 20130 (CCRLUS).

In short, the CCRLUS provides overall direction on future use and development for the Cradle Coast Region. As required by the Act, this proposed SAP must be consistent as far as is practicable with the CCRLUS. There are no prescribed tests or criteria, however, to determine consistency, or in fact what is meant by "as far as is practicable". Similarly, there is no guidance as to how to treat any conflicts that may arise, whereby the details within the CCRLUS may be in conflict in a particular scenario.

Table 10 provides detailed commentary against the CCRLUS. In summary, The proposal is intended to provide for the continued use of the land, infrastructure and services, protecting existing economic and community activity without restricting the conversion of the land to other industrial uses as the market demands.



Table 10 Compliance with the CCRLUS

Implementation		
CCRLUS Reference		Comment
1.1	Purpose of the Strategy	The CCRLUS is intended as "a framework for the future – an outline for what is desired and a description of intended future conditions. The Strategy does not define definitive actions for how to deliver the intended result – rather it expresses the principles and policies against which all future proposals for process and prescriptions for land use planning are to be considered....the Strategy is not a regulatory instrument for the purpose of individual use and development decisions." The proposed SAP does not introduce any conflict with the underpinning Purpose of the Strategy.
1.2	Structure of the Strategy	The structure of the CCRLUS recognised the complex interactions between the different factors within land use planning. The proposed SAP is a reflection of these complexities, addressing matters within each of these five policy groupings.
1.3	Statutory status	The CCRLUS was declared by the Minister under former s 30C of LUPAA. The proposed SAP does not modify or impact on the statutory function of the CCRLUS, as declared.
1.4	Strategic Outcomes	The proposed SAP does not modify the underlying strategic justification of the CCRLUS as referenced in 1.4.
1.5	Principles for Implementation	The proposed SAP does not propose any modification of the standard tests within the Scheme or legislation for these Principles of Implementation.
	(a) All levels of government, industry and the community work collaboratively, share responsibility and are accountable for sustainable use	This application will go through the standard statutory process, as would any application for development lodged under the SAP at a later date.
	(b) Strategies, policies and decisions for land use are integrated across all levels of government, industry and the community.	The proposed SAP will be required to follow the statutory process, integrating the required levels of government into the decision making process. Community and industry are also involved through the public notification period.
	(c) Land is a limited, non-renewable resource and is not wasted.	The proposed SAP recognises the potential for this site to provide for a wider range of land uses that is currently possible.



(c) Facilitate use and development	The proposal has little to no potential adverse impacts on natural, economic or social systems. It does however, provide for a number of potential community benefits.
(e) Improve the livability and sustainability of communities	A number of the land uses proposed for within the SAP area provide for strengthening of community bonds, improving liveability and sustainability of both the Burnie and wider north west region.
(f) Land and resources are consumed at a rate sufficient to meet social and economic needs of the present generation without compromise to the ability of future generations to also meet their own needs.	This is the founding principle of sustainability. The proposal intends to broaden the potential land uses on the site, without compromising the ability of the site to accommodate the standard land uses within the General Industrial zoning. This is in keeping with this founding principle, allowing consideration of both existing and future needs of the community, without one compromising the other.
(g) Decisions and choices are informed by science and expert knowledge.	Where appropriate (eg site contamination), the proposal is accompanied by additional expert information.
(h) Consider the complete and cumulative effect of past, present and likely future use and development on the health or carrying capacity of a natural or human system.	Given the fact that this site is already developed, and is within a highly developed area, this proposal has limited capacity to impact on the carrying capacity of these systems. The potential impacts considered centre mostly around traffic changes, servicing loads and water and waterways – and the potential impact of the proposed additional land uses is generally less than those provided for within the General Industrial Zone.
(i) Where there are threats of serious or irreversible social, economic or environmental damage the lack of scientific certainty is not to be used as a reason for postponing measures to prevent harm or degradation.	The SAP proposes no relaxation of any tests designed to prevent harm or degradation within the Scheme.
(j) Decisions are responsive to changing economic, environmental and social circumstance.	The proposal is intended to provide additional capacity for responsiveness, based on the unique nature of this site.
(k) Principles and policies are reviewed for possible correction, replacement or repeal where negative unintended consequences are identified.	The CCRLUS has been through a minor review since its introduction. There has been some indication of late of a change in the interpretation and application of the CCRLUS, taking a more literal interpretation than that which was intended at the writing of the Strategy. If this is the case, the Strategy will require review.
(l) Maintain and enhance state, national and internal connectedness and competitiveness.	The proposed SAP does not impact upon these connections.
(m) Assessment processes and decision criteria are specific, measurable, reasonable, robust and attainable.	The proposed SAP does not modify the assessment process for the spatial area to which the proposal applies.
(n) Market based mechanisms and incentives are used as an alternative to regulatory control wherever feasible.	The proposed SAP will result in a greater reliance on market based mechanisms to determine the use of the land covered by the SAP, through broadening the land uses possible within the SAP area.



	(o) Decisions and actions provide for broad community involvement on issues which affect them.	This particular proposal relies on X layers of community involvement through: <ul style="list-style-type: none"> • Council (as landowner) decision making processes; • Landowner consents; • Council (as planning authority) processes; and • Public notification.
1.6	Coordination	Noted. The current BIPS has been determined to be consistent with the CCRLUS. The draft LPS is undergoing assessment against the CCRLUS.
1.7	Continuous improvement	The proposed SAP does not modify any of these listed requirements in order to continue implementation of the CCRLUS.
1.8	Monitoring and review	This application, along with the recent and upcoming assessments of other scheme amendments, will contribute to the next review of the CCRLUS, whether the amendments are approved or rejected.
1.9	Public Engagement	The statutory engagement processes will be required if the amendment is initiated.
Wise Use of Resources		
2.1	Context	The proposal does not intend to modify in any way the relationship between land use or development and the objectives for natural resource management.
2.2	Land Use Outcomes for Wise Use of Resources	The proposal opens opportunity for the retention of existing land uses, whilst protecting the rights of other, potential land uses, optimizing use of land and resources. The outcomes of 2.2 are achieved.
Changing Climate		
2.3a	Promote outcomes which reduce carbon emissions and increase energy efficiency in a manner consistent with and appropriate to furthering declared Commonwealth and State Policies and targets.	The proposal is intended to allow community activities to continue and or expand within an established site, retaining existing buildings, and allowing development within an area serviced by public transport and within walking distance for many users, as well as close proximity to other services.
2.3b	Promote compact and contained settlement centres which allow reduced dependency on private vehicle use and the length of daily journeys by providing communities with ready local access to daily needs for employment, education, health care, retail and personal services and social and recreation facilities, including – i. A greater mix and less dispersal or segregation in the nature and distribution of land use;	The site allows for continuation and utilisation of existing public transport services. It is within the settlement boundary, facilitating access to related services, employment, complementary retail, personal services and other social and recreation facilities in both Burnie CBD, South Burnie and Wivenhoe, as well as farther afield. Both the main town centre as well as adjoining settlements are accessible by public transport, due to the proximity of the highway. The site is also accessible via public walkways and cycle routes. The proposal is intended to provide for retention of the existing uses into the future. The boundaries of the proposal are within the existing urban serviced land.



	<p>ii. Provision of local activity centres where there is a concentrated mix of activity for shopping, working, studying, recreation and socializing clustered at readily accessible locations;</p> <p>iii. Improvement in the level of internal connectedness and convenience for pedestrian, cycle and public transport options;</p> <p>iv. Increase in urban densities for residential and commercial use;</p> <p>v. Location of employment opportunities within a greater number of centres and at a rate commensurate with local need;</p> <p>vi. Minimise expansion at the urban fringe and creation of rural residential clusters in remote or poorly connected locations.</p>	
2.3c	Facilitate opportunity for resource processing, manufacturing and utility development in locations which minimise distances for freight transport, energy distribution and journey to work.	The proposal includes the retention of the existing land uses, which includes businesses which support resource processing and boutique manufacturing small businesses. The location of the site in close proximity to the town centre, public transport and passive transport routes as well as close to the source of the local fruit and vegetables being sold at the market supports the minimisation of freight transport and energy utilised for distribution of product. The location of the Men's Shed within close proximity to the industrial uses allows for waste product to be easily accessible and upcycled for other uses.
2.3d	Promote energy efficient urban places and facilitate energy efficient buildings through design and construction requirements for subdivision layout, building disposition and the use of materials and landscaping which maximise solar access....	The proposed SAP is intended to ensure continued utilisation of these existing buildings wherever possible. If the SAP does not go ahead, the sites will likely require redevelopment for use in line with the unadjusted General Industrial zone, reducing efficiency of this urban space.
2.3e	Facilitate non-carbon energy alternatives, renewable energy and energy recovery projects which enhance transition to a carbon-neutral society....	The proposal does not modify or impact on the capacity of this site to pursue non-carbon energy alternatives.
2.3f	Facilitate carbon capture and storage	The site is almost entirely cleared, other than grasses and small shrubs. There are limited opportunities for carbon capture and storage of any type on this site, regardless of the existing zoning or proposed SAP.
2.3g	Apply sound risk management practices	The proposal does not alter any risk management practices for the site.
Water Management		

Place.

The quality of waterways and wetlands is considered within E10 Water and Waterways Code of the current Interim Planning Scheme and C7.0 Natural Assets Code of the draft Tasmanian Planning Scheme. The site is outside the applicable area for either of these Codes.

2.4a	Use catchments as the ecological and hydrological unit of meaningful scale for planning and land management	The catchment affected by the proposal is the Emu River. This site, combined with the Showgrounds and the Cemetery, can be seen as a potential for excellent WSUD, with the retention of vegetation within a landscape otherwise dominated by impervious surfaces.
2.4b	Identify the surface water and ground water features, hydrological function, and natural features and areas necessary for the ecological and hydrological integrity of catchments	There are no natural water sources on the site. Impervious surfaces are connected to the stormwater system. Remaining surface water flow is to the north west of the site.
2.4d	Limit modification of natural drainage systems, including change in channel alignment and in the nature of the stream beds and flow rates.	The amendment does not propose modification of any drainage systems.
2.4e	Impact on water quality by runoff from adjacent use or development	The proposed amendment does not include water source points.
2.4d [sic]	Promote sustainable water use practices including water harvesting and recycling such as Water Sensitive Urban Design for stormwater and waste water.	The proposed amendment does not directly impact the sustainability of the water use practices on the site. It does however, provide and allow for potential upgrades to the site which may include WSUD outside the standard scope of the General Industrial zone.
2.4e [sic]	Require retention and rehabilitation of native vegetation within riparian and foreshore areas	The proposal does not impact on native vegetation within 30m of the creek.
2.4f	Require urban... landuse or development incorporate measures... in accordance with the Tasmanian State Policy on Water Quality Management 1997 and Tasmanian State Stormwater Strategy 2010	The planning scheme would require that all future development on this site would comply with these requirements.
Land		
2.5a	Recognise land is an irreplaceable and exhaustible resource	The proposal intends to maximise utilisation of existing, developed land.
2.5b	Ensure the sustainable use or development of land in accordance with capability to provide the greatest economic and social benefit for the region's communities at least cost to natural values.	The site has already been converted from natural values.
2.5c	Identify land for: i. Protection and conservation; ii. Primary production; iii. Economic activity; iv. Settlement; v. Community, transport and utility infrastructure;	The site is not suitable for i or ii. Similarly, the site has been identified as not suitable for ongoing use as residential land, as part of the larger Wivenhoe Industrial area. The site has potential for use within the bounds of iii, v and vi. The proposed SAP is intended to allow for flexibility to adapt between these land uses, dependent on demand.



	vi. Tourism and recreation.	
2.6	Land Use Policies for Air	Air quality is considered under the current E6 Hazard Management Code and the proposed C9.0 Attenuation Code (under the SPPs). The proposed SAP does not impact interaction with these Codes.
2.7	Conservation	The spatial application of the proposed SAP does not impact on the existing and proposed recognition within the current Interim Planning Scheme, nor the draft LPS, land that is: <ul style="list-style-type: none"> • of natural conservation value; or • declared under the legislation of the Commonwealth or State of Tasmania.
2.8	Coastal Management	Coastal Management is currently addressed under E6 Hazard Management Code and E10 Water and Waterways Code within the Burnie IPS. The Draft SPPs provide C10 Coastal Erosion Hazard Code and C11 Coastal Inundation Hazard Code. The proposal does not impact on the application of any of these existing or proposed mechanisms. The SAP is consistent with the outcomes sought by 2.8.
2.9	Land Use Policies for Cultural and Historic Heritage	The proposed SAP does not impact the application of the E5 Local Heritage Code (Interim Planning Scheme) nor C5 Local Historic Heritage Code (draft SPPs). The application of the Aboriginal Heritage Act 1975 is not impacted by this proposal. This is consistent with the outcomes sought by 2.9.
Support for Economic Activity		
3.1	Context	Noted.
3.2	Land Use Outcomes to Support Economic Activity	The spatial application of zones provide opportunity to continue to support economic development consistent with the outcomes sought by 3.2. This proposed SAP broadens the economic activity possible on this site. The proposal allows for innovation and entrepreneurship to occur, supported by the local government and complementary to the surrounding land uses.
3.3	Economic Activity and Jobs	
3.3.1	Economic Activity	No aspect of the proposal results in a smaller area of land available for economic activity.
3.3.1a	Facilitate supply of employment land in all settlement areas for industrial, business and institutional use including in residential locations.	The site is currently available as "employment land". The proposed SAP is intended to widen the base of the potential types of employment on this area of land. This will also include activities that allow people to begin to make the journey back into employment after unemployment.
3.3.1b	Recognise the implication of enhanced capacity in digital communication to diminish location dependencies for economic activity and provide the Region with competitive equality and opportunity for new business ventures in non-traditional sites.	The proposed SAP does not impact on the potential use of the land for economic activity dependent upon enhanced digital communication.
3.3.1c	Ensure locations for employment use accommodate new forms and changing patterns of economic activity	The proposed SAP is intended to recognise the long standing role that this site has played in the provision of alternative forms of employment for the wider area. The site provides cash



		flow for small farm holdings, craftspeople and makers and not for profit organisations, as well as potential for meaningful activity for members of the alternative uses on the site.
3.3.1d	Promote provision of employment land in locations where – i. Land is physically capable of development; ii. Transport access and utilities can be provided at reasonable economic, social and environmental cost; iii. There is access to resource, energy, communication and workforce; iv. Sufficient separation can be provided to buffer impact on natural values, economic resources and adjoining settlement	This site is serviced, accessible for public and private transport. There is also appropriate separation between the existing and proposed complementary land uses and other sensitive uses, values or resources. The site is considered to be suitable for the current use and uses proposed within the SAP as 'employment land'.
3.3.1e	Protect designated economic activity and employment lands against intrusion by alternate forms of use or development	The site is currently designated for General Industrial land use. The current <i>Burnie Interim Planning Scheme 2013</i> dictates that the two proposed land uses are not appropriate for land within this zoning. This site demonstrates that these land uses have occurred on this site for an extended period of time without compromising the use of the adjoining land for other land uses more typical to the General Industrial zone. Indeed, the draft SPPs recognise that under some circumstances, Sports and Recreation use is appropriate within the General Industrial zone. The two land uses proposed for insertion within the SAP are in keeping with the Desired Future Character of the existing zone (as explored in this report). The proposal is intended to provide for the continued use of the land without restricting the conversion of the land to other industrial uses as the market demands.
3.3.1f	Indicate necessary infrastructure must be planned or available and protected to support current and forecast employment needs	The site is fully serviced, including access to public transport.
3.3.1g	Convert employment land to non-employment use only where...	The proposal does not convert employment land to non-employment use. Instead, it widens the potential employment types on the subject land.
3.3.2	Natural Bio-Resource Production	The proposal does not impact on Bio-resource production. The site remains available for supporting processing facilities if required.
3.3.3	Agricultural Production	The proposal does not reduce agricultural capacity of the land, nor does it remove the land from availability for processing facilities if required.
3.3.4	Mineral, Construction Aggregate and Stone Resource Construction	The site and SAP do not interact with any areas of mineral or resource extraction. The proposal does not remove the availability of the land for supporting processing facilities if required.



3.3.5	Sustainable Tourism	The proposal is intended to have some impact on sustainable tourism in the area. The local market services both the local community as well as potentially the tourism market. The introduction of the SAP allows for the potential upgrades to the market to capitalise on the local activities and makers who may service the tourism market through this site.
3.3.6	Visitor Accommodation	No changes proposed affect visitor accommodation.
3.3.7	Energy Generation	No changes proposed affect energy generation.
3.3.8	Manufacturing and Processing	The proposal would retain the application of the General Industrial zone. The proposed land uses retain similar needs to the land uses provided for within the General Industrial zone – space, transport and other infrastructure, proximity to settlement, and the retention of the ability to buffer against impact on other land uses. The potential for alternative sites for the existing and proposed land uses has been explored and found lacking. The strategic documents all implicitly assume the retention of these land uses on this site. The Burnie City Council has demonstrated their vision for the site through their recent decision making (refer to Appendix F, in keeping with the implicit understandings within the applicable strategic documents).
3.3.9	Business and Commercial Activity	The proposed SAP does not impact on the business and retail hierarchy provided within the CCRLUS. The repeated requests and enquiries made of the Council add to the demonstration that there are no suitable alternative sites available. The intention is to provide for existing land uses whilst there is demand for these uses.
3.3.10	Micro-Enterprises	The proposed zoning provides opportunity for home-based activities to continue that are small in scale and can be undertaken in conjunction with lifestyle opportunities. The proposal would retain the ability for these micro-enterprises to congregate and achieve economies of scale, without removing the capacity of these lands to be utilised for industrial development.
Places for People – Livable and Sustainable Communities		
4.1	Context	The proposal is intended to support an inclusive community, and provide for places where people are able to work, play and invest.
4.2	Land Use Outcomes for Livable and Sustainable Communities	The proposal does not result in any modification to the settlement hierarchy. The site and proposal utilises existing services and infrastructure and allows for a broader scope of infill development.
4.3.1	Urban Settlement Areas	The proposal is in keeping with the existing growth scenario and provides for existing uses to be retained and have potential for expansion on an appropriate site within established settlement areas.
4.3.2	Rural Land	The proposal is not on, or within proximity to, rural land. It does however, provide for a flow on effect, with smaller farming operations retaining the capacity to improve cash flow, thus retaining these lands within primary production and managed lands.



4.4	Protecting People and Property	The Interim planning scheme and the SPPs provide for a range of codes concerned with protecting people and property from risk of landslides, bushfire, coastal inundation, coastal erosion and site contamination. Specific to this site, potential site contamination has been considered and found not to be a concern.
4.5	Facilitating access to business and community services	The proposal is intended to retain liveability of the region through the retention of the existing land uses, and the potential for these to expand into the future if required, which neither the current zoning, nor that proposed in the draft LPS fully provides for.
4.7	Housing Land – Places to Live	The application of this SAP does not impact on housing supply (existing or future). There has been a conscious move away from the scattered residential land uses which have been the legacy in Burnie's industrial areas. The site includes three residences with existing use rights, which would not be impacted by this proposal, other than broadening the potential buying base, should these landowners wish to sell.
4.8	Healthy and Educated Communities	The location of this site encourages service provision in close proximity to public transport. The SAP would also allow for the retention of the gymnastics teaching facility into the future as expansion may be needed, as well as the lifelong learning service provided for by the Men's Shed. Appendix F lists additional land uses (existing and potential).
4.9	Active Communities	The proposal provides for service provision in close proximity to the North West Coastal Pathway and integration between multiple land uses and the existing oval to the north.
Planned Provision for Infrastructure		
5.1	Context	The proposal does not impact on potential access to infrastructure.
5.2	Land Use Outcomes for Integrated Land Use and Infrastructure Planning	The proposed SAP would result in the utilisation of existing infrastructure.
5.3	Integrated Land Use and Infrastructure Planning	The proposed SAP would result in the utilisation of existing infrastructure.
5.4 Transport Systems – moving freight and people		
5.4.1	Integrated Planning	The proposed SAP would result in the utilisation of existing infrastructure. The land uses are already utilising this infrastructure, thus there is no additional demand on infrastructure as a result of the proposed SAP. Any future development application would be subject to the standard provisions of the planning scheme in force at that time.
5.4.2	Sea Transport	Not applicable.
5.4.3	Air Transport	Not applicable.
5.4.4	Road Transport	The proposal does not intend to change the application of E9.0 Traffic Generating Use and Parking Code.

Place.

		C3.0 Road and Railway Code under the SPPs provides for assessment of use and development and its impact on the road network and hierarchy.
5.4.5	Rail Transport	The subject site adjoins the existing rail line. It is likely that some of the structures located along this shared boundary are currently impinging upon the railway corridor. The current land zoning limits the design responses available to the land owners and operators to those within cl.9.1 of the Scheme. The SPPs propose similar provisions in cl. 7.1. The SAP will assist in the resolution of these issues, through providing greater flexibility in the responses available, without detrimentally impacting on the land zoning or surrounds.
5.4.6	Active Transport	The site is linked to business and residential areas through the public transport, walking and cycling systems within Burnie and across the north west coast.
5.5	Energy Systems – generation, distribution and supply	No impact.
5.6	Supply of Water	The SAP would provide the capacity for site improvements, which may include WSUD and potentially site-specific alternative water systems if appropriate.
5.7	Information Technology – moving data, information knowledge and services	No impact.
5.8	Policies for Waste Management	The SAP would allow for site improvements outside those provided for existing non-conforming land uses.
5.9	Community Services Land Use accommodates arrangements for community service facilities appropriate to meet the needs of the local and regional population.	The existing land uses, including the Men's Shed and the local market and those listed in Appendix F, provide community service facilities to the local and regional population(s). The proposed SAP is intended to provide for retention or upgrades to these services outside the limitations of cl.9.1.



6.1.2. Burnie Settlement and Investment Strategy 2007 & Addendum

6.1.2.1. Burnie Settlement and Investment Strategy 2007

The *Burnie Settlement and Investment Strategy* (BSIS) was adopted in 2007 and included an examination of the demand and suitability of land in Burnie to accommodate industrial activity. The conclusion was that Wivenhoe is the most appropriate location for industrial use (p.18). The strategy also speaks to the conversion of residential to industrial land use in this area (p.20), and the importance to reduce land use conflicts (p.18).

The Strategy also considered recreational sites, listing the Wivenhoe Showgrounds specifically (p.49), and stating that many existing venues offer opportunities for expansion and redevelopment. It is unclear whether this reference includes the subject land. Colloquial use of the "Wivenhoe Showgrounds" in the community has historically included the subject land.

There is also mention (p.18) of the "significant open space....allocated to sport and recreation facilities". There is no discussion of sport and recreation facilities which may require large buildings, nor of the current use of land within Wivenhoe for sport and recreation facilities, within this established industrial area.

These vague references are the only potential mentioning of the existing Sports & Recreation or Community Meeting & Entertainment uses within the Wivenhoe area. There is no discussion of the impact of the potential loss of this land for these uses.

What is clear is that the issue is unclear within the BSIS. The use of this site appears to be recognised as valuable to the community, as is the use of the wider area for industrial purposes. There is no discussion of the potential for this site to be lost to industrial uses.

6.1.2.2. 2017 Addendum to the Burnie Settlement and Investment Strategy

An addendum to the BS&IS was prepared in 2017. The main points relevant to this proposal are provided:

"Burnie has a legacy of uncoordinated, fragmented industrial development that predates the adoption of town planning. The resultant pattern has adverse impacts on supply, function and amenity. Manufacturing, processing and bulk storage and handling activities are to be encouraged to cluster in locations where there is a clear advantage for industry through the availability of large, suitable land



sites, proximity to resource or workforce, secure access to available or planned transport and utilities infrastructure, an established pattern of industrial use and a reasonable ability to buffer against impact on other land uses." P.6

"The conversion of residual residential uses in Wivenhoe to industrial is to be encouraged." P.6

"Complete transition to industrial use has yet to occur with mixed activity including residential, community and recreation continuing to coexist" P.32.

"Burnie is well endowed with cultural and recreational infrastructure" p.48

The Addendum essentially recognises the value of Wivenhoe to the supply of General Industrial land, as well as identifying that cultural and recreational space is in good supply.

The issue of the land uses on this site being non-conforming land uses is not considered in either the original strategy or the Addendum. There is an inherent assumption that these land uses will be able to continue, and clear recognition of the value that these uses provide to the community.

6.1.2.3. Conclusion

The proposed SAP is considered to be in keeping with this Strategy and the Addendum, through the retention of the General Industrial zoning whilst also recognising the value of the existing activities and allowing for their appropriate upgrade, outside the limitations imposed by the reliance upon existing use rights.

6.1.3. Making Burnie 2030

Brief comment is provided in Table 11 in relation to Making Burnie 2030.

Table 11 Comment against Making Burnie 2030

#	Strategic Objectives	Council Role	Comment
1.1	A range of vibrant, safe and attractive community spaces.	Provider	The site currently provides a number of community spaces, with Council as the landowner and provider. The proposed SAP is intended to protect these sites and the role of Council.
1.2	A community that celebrates and participates in its arts, culture and heritage.	Facilitator, provider	The site currently provides a number of opportunities for contributing towards 1.2, with Council as the landowner and

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			provider. The proposed SAP is intended to protect these sites and the role of Council.
1.3	A community that promotes and values its broad range of quality leisure, recreational and sporting opportunities.	Provider Facilitator	The site currently services at least two sporting activities. The proposed SAP is intended to protect these sites and the role of Council, due to the lack of alternative sites.
1.4	N/A		
1.5	A vibrant and progressive central business district	Advocate Facilitator	The proposed SAP is intended to provide a location for activities which are not suitable for location within the central business district.
1.6	N/A		
1.7	N/A		
2.1	N/A		
2.2	The importance of physical and emotional wellbeing is valued and actively adopted by the community	Advocate	The site contains a number of community and not-for profit organisations, activities which are recognised for their important role in emotional wellbeing. The site also provides for direct physical activities.
2.3	A place where everyone feels accepted and participates freely in community activities	Provider Facilitator	The Men's Shed is an example of an activity on this site which assists in achieving this objective, yet has found alternative sites lacking.
3.1-3.5	N/A		
4.1	A globally competitive business community, focussed on the development of niche and premium products.	Facilitator Advocate	The market provides an opportunity for such businesses to test their product.
4.2-4.5	N/A		
5.1-5.5	A natural and built environment that is respected and cared for	Facilitator Advocate Provider	The site is within an established, developed area.
6.1-6.3	A regional hub	Facilitator Advocate	The site currently services Bumie as well as the wider community. The proposed SAP is intended to protect these activities.



6.1.4. Burnie City Council Corporate Plan 2016-2020

The most relevant section of this document is the statement requiring that "Council remains compliant with all its statutory and regulatory obligations" p.13.

The Minutes of the Ordinary Meeting of Council, Tuesday 19 March 2019 (Appendix E) include the following:

"The Burnie City Council has recently acquired land...with a view to providing facilities that will support a range of community groups and associations.

The land is currently assigned to the General Industrial zone under the Burnie Interim Planning Scheme 2013.

The General Industrial zone provisions under the Scheme impose significant restriction on use and development of land for community and recreation purposes.

This report examines what is required in order that the land may lawfully be used in the proposed manner".

The use of the majority of the site has not changed in over 100 years, despite the changes in zoning over time. It can be argued that there are some existing use rights applicable to the site. These do not necessarily provide for appropriate or sufficient modifications to that use, intensification or relocation of the use within the site. The Council as landowner and planning authority has a responsibility to resolve this conflict.

6.1.5. Burnie Open Space Development Strategy

The Burnie Open Space Development Strategy identifies the need for a Master Plan for the showground site, recognising the value of the site and the land uses located therein. The showground site is not identified individually. There is no consideration within this strategy of any possibility of this site being converted away from existing uses. In addition, there is no mention of oversupply of space available to recreational uses.

6.1.6. Sustainable Murchison Community Plan 2040

Whilst Burnie is not within the Murchison area, the plan considers the role that Burnie plays for the region as the regional hub. Within the Murchison region, Burnie has an important role to play in the provision of industrial



land and regional facilities in order to support the greater Murchison region.

This proposal will facilitate exactly that outcome, providing community facilities within a serviced area, in keeping with strategic objective 8.1 and 9.2.

Table 12 Relevant Objectives from Sustainable Murchison Plan 2040

Strategic Objectives	Comment
8.1 Well utilised multi-purpose sport, recreational and cultural facilities	The site currently provides services within these categories to the wider Murchison community. The SAP is intended to protect these existing activities without undermining the underlying zoning.
9.2 Governance and working together. Shared Resources	

6.2. DISCUSSION

The Strategies all discuss the site and the existing land uses. Within these documents, the retention of the existing activities as part of the important overall strategic development of the Burnie Municipality is assumed. There is no direct discussion of an overall strategic plan for this area within these documents.

The strategic documents applicable to the site assume retention of the existing land uses in the supply of land available for Community Meeting & Entertainment and Sport and Recreation land use. The lack of specific mention of a strategic plan for this area is notable. Instead, the strategic intent for this site is achieved through inference in these documents; the assumption(s) that this site will retain the existing land uses is not challenged within any of the documents.

The proposed SAP would allow for such retention of use and development capacity as that which is inferred in the strategic documents.

It is noted in Appendix F that the Council formally resolved to:

“Confirm the strategic use of the site to be used primarily for the support of community groups”

during the closed Council meeting of the 19 February 2019. This decision formalises the inherent assumption within the strategic documents

Place.

7. STATUTORY REQUIREMENTS

7.1. STATE POLICIES

The following State Policies are made under the *State Policies and Projects Act 1993*:

- State Policy on the Protection of Agricultural Land 2009;
- State Policy on Water Quality Management 1997;
- Tasmanian State Coastal Policy 1996;
- Gas Pipelines Act 2000

The National Environmental Protection Measures are automatically adopted as State Policies under the *State Policies and Projects Act 1993*.

7.1.1. State Policy on the Protection of Agricultural Land 2009

The purpose of the State Policy on the Protection of Agricultural Land 2009 (PAL Policy) is to 'conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land'.

The site is on land that has long been converted from any potential agricultural use. The PAL Policy therefore is not relevant to this amendment.

7.1.2. Tasmanian State Coastal Policy 1996

The State Coastal Policy 1996 applies to all land within 1km of the high water mark. The site is within this area.

Table 13 Relevant Principles and outcomes of the State Coastal Policy

Principal	Outcome
1	Protection of Natural and Cultural Values of the Coastal Zone
1.1.1	<i>The coastal zone will be managed to ensure sustainability of major ecosystems and natural processes.</i>
	Response



	<p>The site sits on and surrounded by land which has been highly modified. The potential impact on natural processes for this site relates to the management of stormwater and groundwater. The proposal is to include two additional land uses, both of which have lesser potential to impact on stormwater and groundwater than the majority of other uses within the General Industrial zone.</p>
1.1.2	<p><i>The coastal zone will be managed to protect ecological, geomorphologic and geological coastal features and aquatic environments of conservation value.</i></p> <p>Response</p> <p>The site is not located on or in close proximity to, any natural features or environments of conservation value.</p>
1.1.4	<p><i>Exotic weeds within the coastal zone will be managed and controlled, where possible, and the use of native flora encouraged.</i></p> <p>Response</p> <p>The site currently contains limited vegetation. This is likely to continue with future uses.</p>
1.1.5	<p><i>Water quality in the coastal zone will be improved, protected and enhanced to maintain coastal and marine ecosystems, and to support other values and uses, such as contact recreation, fishing and aquaculture in designated areas.</i></p> <p>Response</p> <p>Use and development within the proposed SAP have the capacity to connect to reticulated sewer, water and stormwater.</p>
1.1.10	<p><i>The design and siting of buildings, engineering works and other infrastructure, including access routes in the coastal zone, will be subject to planning controls to ensure compatibility with natural landscapes.</i></p> <p>Response</p> <p>The site and surrounds are highly modified.</p>
1.4	Coastal Hazards
1.4.1	<p><i>Areas subject to significant risk from natural coastal processes and hazards such as flooding, storms, erosion, landslip, littoral drift, dune mobility and sea level rise will be identified and managed to minimise the need for engineering or remediation works to protect land, property and human life.</i></p> <p>Response</p> <p>The site is not subject to coastal inundation or erosion.</p>



2	Sustainable Development of Coastal Areas and Resources
2.1	Coastal uses and Development
2.1.1	<i>The coastal zone shall be used and developed in a sustainable manner subject to the objectives, principles and outcomes of this Policy. It is acknowledged that there are conservation reserves and other areas within the coastal zone which will not be available for development.</i> Response The site is not subject to any reserves. The land is converted from natural coastal processes.
2.1.2	<i>Development proposals will be subject to environmental impact assessment as and where required by State legislation including the Environmental Management and Pollution Control Act 1994.</i> Response The use and development of land would be subject to assessment under the Scheme and other relevant legislation.
2.1.4	<i>Competing demands for use and development in the coastal zone will be resolved by relevant statutory bodies and processes.....Planning schemes,....and other statutory plans will provide guidance for resource allocation and development in accordance with this Policy.</i> Response The discussion in this regard is around whether the proposed two land uses conflict with the General Industrial zoning of the land.
2.1.6	<i>In determining decisions on use and development in the coastal zone, priority will be given to those which are dependent on a coastal location for spatial, social, economic, cultural or environmental reasons.</i> Response This area of Burnie has an extended history of industrial use, initially because of the access to the coast and associated transport.
2.1.7	<i>New industrial development will be encouraged to locate in specified industrial zones.</i> Response The site is within the General Industrial zone.
2.4	Urban and Residential Development
2.4.2	<i>Urban and residential development in the coastal zone will be based on existing towns and townships. Compact and contained planned urban and residential development will be encouraged in order to avoid ribbon</i>



	<i>development and unrelated cluster developments along the coast.</i>
	Response The proposal is intended to retain the existing urban use and development of this site.
2.4.3	<i>Any urban and residential development in the coastal zone, future and existing, will be identified through designation of areas in planning schemes consistent with the objectives, principles and outcomes of this Policy.</i>
	Response The site is identified through the existing planning scheme as appropriate for urban development. The discussion for this proposal is around what kind of urban development is appropriate on this site.
2.8	Recreation
2.8.1	<i>Recreational use of the coastal zone will be encouraged where activities can be conducted in a safe and environmentally responsible manner.</i>
	Response Though it is doubtful that this type of site is what was in mind when this clause was being discussed, the proposal will result in recreational use of the coastal zone being conducted in a safe and environmentally responsible manner, protecting the remaining foreshore in the area.
2.8.2	<i>Suitable recreational opportunities will be identified through strategic planning and may be provided in appropriate locations where they do not adversely affect sensitive coastal ecosystems and landforms or in designated areas where such effects can be remedied or mitigated.</i>
	Response Similarly, the proposal will allow for recreational opportunities that do not impact on sensitive coastal ecosystems or landforms. Again, it is recognised that this particular scenario, of land within an established and developed area, with limited capacity to impact on these ecosystems and landforms, was not the purpose of this section of the Policy.

The proposed SAP is aligned with the intended outcomes of this Policy.

7.1.3. State Policy on Water Quality Management 1997

The State Policy on Water Quality Management 1997 provides for "sustainable management of Tasmania's surface water and

Place.

groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania's Resource Management and Planning System".

The proposed SAP will not modify existing surface or groundwater resources directly. The subsequent use and development of this land has the potential to impact on these in a limited manner. The largest impact would be if the entirety of the site were to be developed with non-permeable surfaces, in contrast to the existing development which incorporates large grassed areas.

The area proposed for the SAP is able to be fully serviced (water, stormwater and sewer), with all concentrated water runoff and sewage able to be managed and disposed of appropriately. There is potential for water sensitive urban design features to be incorporated into the development of any development, thus potentially improving the water quality of the Emu River.

The proposed zoning and existing provisions of the BIPS and the draft Tasmanian Planning Scheme provide adequate safeguards in regard to the protection of water quality within the surrounding area.

The proposed amendment is considered to meet the Objectives of the State Policy on Water Quality Management.

7.1.4. National Environmental Protection Measures (NEPMs)

The National Environmental Protections Measures (NEPMs) are made under the *National Environment Protection Council (Tasmania) Act 1995* and provide objectives and protections for aspects of the environment. Under Section 12A of the *State Policies and Projects Act 1993*, the NEPMs are automatically accorded the status of a State Policy.

The NEPMs relate to:

- Ambient air quality;
- Air Toxins;
- Assessment of Site Contamination;
- Diesel Vehicle Emissions;
- Movement of Controlled Waste;
- National Pollutant Inventory; and
- Used Packaging.



None of these NEPMs are considered relevant to this amendment application.

7.1.5. Gas Pipelines Act 2000

The planning authority must be satisfied that the amendment has regard to the safety requirements set out in the standards prescribed under the Gas Pipelines Act 2000.

The infrastructure corridor containing the gas pipeline is not located in the vicinity of the site. The SAP is in accordance with this requirement.

7.2. MANDATORY PROVISIONS

7.2.1. Land Use Planning and Approvals Act 1993, Schedule 1, Part 1

The following comments are offered in support of this submission to demonstrate that the proposal furthers the Objectives of the Resource Management and Planning System as set out in Part 1 Schedule 1 of the Act.

Table 14 Furthering the Objectives of Schedule 1 of the Act

Schedule 1, Part 1

(a) *promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity.*

Response

The amendment involves a highly modified and developed site that is uniquely located to take advantage of the existing infrastructure, the historic use of the site and the potential for complementary land uses to coexist within the General Industrial zone.

The current provisions, and those proposed within the SPPs result in impediments on the site as discussed in this report limiting the reuse of existing buildings, maintenance, upgrades and future use and development. The assessment against the applicable codes ensure that the natural and physical resources are duly considered in any application for a future planning permit.



The impacts of the proposed SAP to broaden the mix of uses on the site are applied to an area that is already developed for these uses and has a long history of interaction with the General Industrial zoning.

The amendment will have little impact on the natural and physical resources and the maintenance of ecological processes and genetic diversity outside reducing expenditure of resources through reuse of existing buildings.

(b) To provide for the fair, orderly and sustainable use and development of air, land and water.

Response

The SAP provides for practical ongoing use of an existing site, within the capacity of the existing infrastructure.

The proposal provides capacity for complementary activities to operate within the existing framework.

This allows for fair, orderly and sustainable use of land, consistent with this objective.

(c) To encourage public involvement in resource management and planning.

Response

Public involvement will be achieved through the required exhibition process of the amendment.

(d) To facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c).

Response

The amendment for the sustainable use of the site as it will allow a broader consideration of uses than is currently allowed under the standard General Industrial zone.

The amendment enables the opportunity to repurpose existing buildings and redevelop or upgrade the site. A number of these uses provide additional community support services, whilst supporting a broader economic base. In turn, these uses which are provided for on the site make available alternative economic channels for agricultural practices at a non-commercial scale, supporting micro-economic activity.



The proposal does not limit the existing use classes allowable within the General Industrial zone. The SAP is consistent with this objective.

(e) To promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.

Response

Responsibility for resource management and planning has been shared between the Burnie City Council and the Tasmanian Planning Commission, the landowners, community and industry.

7.2.2. Land Use Planning and Approvals Act 1993, Schedule 1, Part 2

The comments that follow are offered in support of this submission to demonstrate that the proposal furthers the Objectives of the Resource Management and Planning System as set out in Part 2 of Schedule 1 of the Act.

7.2.2.1. Additional Requirements of the Act

Schedule 6 of the *Land Use Planning and Approvals Act 1993* (the Act) saves Parts 2A and 3 of the former provisions under the Act.

Pursuant to Section 32(1) of the former provisions, an amendment (draft or otherwise) of a planning scheme must avoid the potential for land use conflicts with the adjacent area.

The activities provided for on this site under the proposed SAP (existing and proposed land uses):

- require extensive vehicular access (all weights of vehicle);
- have the potential to create a noticeable level of noise and potential odour (eg market, gymnastics centre, Men's Shed);
- require large areas of space, both indoor and outdoor;
- generally require large, utilitarian buildings;
- may occur out of normal business hours.

It is not expected that the proposed SAP will result in any land use conflicts. The site currently operates Community Meeting and Entertainment as well as Sport and Recreation land uses. Three of the land titles currently contain residential land uses. The

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proposed SAP would not increase the potential for residential or other sensitive land uses on the site. The only change would be to allow these two land uses (Community Meeting and Entertainment, Sport and Recreation) to potentially locate on the subject site. It is noted that Sport and Recreation is a proposed discretionary use class within the draft SPP's.

This site is unique within the General Industrial zone. The site is bound by roads on three sides, and the rail line along the northern boundary. The land to the north is within the Recreation zone and the land to the south, the Open Space zone. Areas of the site have been in continuous use for Community Meeting and Entertainment & Sport and Recreation purposes for over 100 years. The area plays an important role within the provision of these land uses for the greater Burnie area and surrounds.

As such, the proposed SAP avoids the potential for land use conflicts, as per s.32(1)(e) of the saved provisions.

7.2.2.2. Section 20(2) of the Act

Section 32(2) of the Act requires an amendment to a planning scheme to be in accordance with the provisions of s20(2), (3), (4), (5), (6), (7), (8) and (9) of the Act.

The proposal is intended to:

- regulate the use and development of the subject land;
- protect the existing activities on the site and the maintenance of these activities and the buildings in which they are housed; and
- will allow for the use of the land that does not conform to the scheme to be brought into conformity with the scheme in accordance with s20(2)(j).

The proposed amendment will not:

- prevent the continuance or completion of any lawful use or development;
- prevent the reconstruction or restoration of buildings or works unintentionally destroyed or damaged;
- extend or transfer an existing non-conforming use from one parcel of land to another parcel of land; nor
- affect any forestry operations, mineral exploration, fishing or marine farming operations.



The proposal is intended to facilitate lawful use and development in accordance with the Council's role as planning authority.

In regards specifically to s20(8), the proposal is not intended to legitimise a use which was illegal under a previous planning scheme. The intention is for Council as landowner and operator of a number of the uses on the site to properly consider the future use and development of this area within its role as planning authority. The proposed SAP does not alter the status of any of the existing land uses on the site.

The proposal complies with this requirement.

7.2.2.3. Section 30O of the Act

Section 32(1) of the Act specified that an amendment to a planning scheme must not conflict with the requirements of Section 30O of the Act.

The proposed rezoning has been assessed in response to the CCRLUS (above) and the proposal has been considered to be in keeping with the Strategy. The relevant Codes and Planning Directives will still apply to the site.

The proposal is in keeping with this provision.

7.2.2.4. Section 32(1)(f) of the Act

Section 32(1)(f) specifies that an amendment must have regard to the impact that the use and development permissible under an amendment will have on use and development of the region as an entity within environmental, economic and social terms.

The proposed SAP is consistent with the CCRLUS which considers the environmental, economic and social development of the region. It will provide for the continued operation and potential expansion of, the existing land uses on the site, in keeping with the implied strategic intent of the site.



7.3. TRANSITIONING INTO THE TASMANIAN PLANNING SCHEME

With the planning schemes in Tasmania currently being restructured, it is necessary to discuss how the proposal could translate into, and interact with, the SPPs and the Burnie LPS.

7.3.1. Local Overriding Provisions

s.32(3) allows for the inclusion of Local Overriding Provisions into an LPS. This amendment proposes a Specific Area Plan, one form of local overriding provisions, for the site.

Local Overriding Provisions may only be included where they meet the requirements of s32(4) of the Act.

s.32(4) *An LPS may only include a provision referred to in subsection (3) in relation to an area of land if-*

- (a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or*
- (b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that area unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*

Table 15 Compliance of the Wivenhoe Community District SAP with s32(4) of the Act

Wivenhoe Community District SAP - Compliance with s32(4) of the Act
<i>s32(4)(a) A use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area</i>

Social

The two land uses proposed to be permissible under the draft SAP provide valuable support for local community groups and associations. As stated in the report to Council, "The land has a long history as a particular community and recreation use, and has not previously been used for industry purposes. An opportunity for new and different community and recreation activity is not inconsistent with the unique history of the site".

The site has historically serviced the market, as well as the agricultural show. Whilst the agricultural show is not expected to continue operating on this site, the market is. The operation of this market brings direct economic benefits to the region (refer below) as well as social benefits, with local markets identified



as one of the contributing factors to the amenity of a community, maintaining vibrant food systems, improving access to nutrient dense food supplies, and supporting community health.

Additional uses such as the Men's Shed provide community support services to the wider community, including Burnie and beyond.

The site is also proposed to integrate existing and future potential sport and recreation uses. Currently the site provides one of the leading, not-for-profit gymnastics schools within Tasmania, with students relocating from Hobart to Burnie to attend.

In short, the recreational activities on site provide services which support the community, increasing livability for the local municipal area and assisting in the retention of residents within the area.

Potential relocation of both of these land uses is explored in the body of this report.

These uses on site are of benefit to both the municipal area of Burnie, as well as the wider community, servicing the greater north west coast.

Economic

It can be argued that the use of the site for these land uses provides a location for minor economic activity. Whilst not a large portion of the economic activity along the north west coast, or within the municipal area, these kinds of smaller economic practices and micro-enterprises make a significant contribution in any smaller community, supporting the key economic drivers and the community economic health in the local community.

The potential economic impacts of farmers markets include direct benefits (eg profits to business owners in the market, job creation, sales etc) and indirect benefits (eg farmland preservation, community economic resilience etc).

The activities on site include a number of not-for-profit organisations. These organisations provide employment to a number of staff, as well as supporting local small businesses in their own operation.

Environmental

N/A

s32(4)(b) The area of land has particular environmental, economic, social or spatial qualities that require provisions that are unique to the area of land, to apply to land in substitution for, or in addition to, or modification of, the provisions of the SPPs

Environmental

N/A

Economic

N/A

**Social**

N/A

Spatial

The site provides a unique location for the existing and proposed uses. These uses require large, serviced areas, where they will not interfere with, or impede, other activities, through noise or other emissions, vehicle movements, or impact on amenity due to large, utilitarian style buildings. The potential for an alternative location is addressed in this report.

An additional requirement is proximity to the community and transport corridors, in order to remain accessible to all users.

The site meets all of these criteria.

7.3.2. Draft State Planning Provisions

The draft SPPs state the zone purpose as:

19.1 *The purpose of the General Industrial Zone is:*

19.1.1 *To provide for manufacturing, processing, repair, storage and distribution of goods and materials where there may be impacts on adjacent uses.*

19.1.2 *To provide for use or development that supports and does not adversely impact on industrial activity.*

The position stated in this application is that the proposed SAP is directly in line with 19.1.2. The majority of the land has been utilised for these activities for an extended period of time, with no adverse impact on surrounding industrial activity. The draft SAP does not propose any requirements which conflict with the compliance with 19.1.1 either – there is no proposed reduction in capacity for the site to be utilised for standard industrial uses as described in 19.1.1.

The main difference between the existing interim scheme General Industrial zone and the draft SPPs is that the Draft SPPs list Sports and Recreation within the Discretionary Use Class for the General Industrial zone.

As such, the transition to the draft LPS from the interim scheme will increase consistency between the SAP and the scheme.

7.3.3. Draft Burnie LPS

The Burnie Draft LPS has been submitted to the Commission. At the writing of this report, the draft LPS is under public notification.



The draft LPS proposes this site for General Industrial zoning. Within this zone, Sport and Recreation is listed as a Discretionary land use. The showgrounds to the north are proposed to remain in the Recreation Zone; the Cemetery to the south within the Open Space zone.

The proposed SAP is intended to include two specific uses as Permitted within the area prescribed by the SAP. As stated in the Minutes of the Ordinary Meeting of Council, Tuesday 19 March 2019 (Appendix E) "*all other provisions for application and operation of the general industrial zone as it applies....would remain undisturbed*" (p.120).

The issues related to compliance with the draft Burnie LPS are essentially identical to those of compliance with the interim scheme. The main difference is that of the stated zone intent in the interim scheme, which specifically restricts certain land uses, including those proposed to be allowed under the SAP, within the General Industrial zone. This restriction is not within the draft version of the Burnie LPS at this time. In short, the assessment within the bulk of this report is also applicable to the issue of compliance with the draft LPS.

8. CONCLUSION

The proposed Specific Area Plan seeks to provide a tailored approach for use and development on the site in order to:

- support the historic community and communal uses of the site;
- retain the current land uses and allow for improvement and adaptive reuse, outside the limitations of existing use rights;
- retain the underlying General Industrial land zoning; and
- reflect the strategic intent for this unique site within the planning scheme;

Based on the assessment within this report, it is considered that the application of a Specific Area Plan to the Wivenhoe Community District is appropriate. This submission demonstrates:

- the site has a unique role to play within Burnie and the surrounding area, with the proposed SAP providing the necessary flexibility for future use and development;
- the current provisions are insufficient to appropriately manage the use and development of the site;
- the proposal furthers the Objectives and Resource Management and Planning System as set out in Part 1 and Part 2 of Schedule 1 of the *Land Use Planning and Approvals Act 1993*; and



- the proposed SAP will provide for land uses on the site which are compatible with the underlying zoning.

For these reasons, this submission can be supported.

APPENDIX A

Burnie City Council
c/- Rodney Greene

To whom it may concern,

LANDOWNER CONSENT – APPLICATION FOR AMENDMENT TO PLANNING SCHEME

I hereby provide consent for the inclusion of CT77451/1 known as 17 Anglesea Street, Wivenhoe, to be included in the application for an amendment to the *Burnie Interim Planning Scheme 2013*. I understand that the amendment would consist of a Specific Area Overlay, which would allow the use of the site for Community Meeting and Entertainment as well as Sports and Recreation.



Figure 1. Location plan CT77451/1 (red), Specific Area Plan (blue)

Yours faithfully

C Barker
Landowner(s) of CT77451/1

N Barker

Burnie City Council
c/- Rodney Greene
80 Wilson Street
Burnie 7320

To whom it may concern,

LANDOWNER CONSENT – APPLICATION FOR AMENDMENT TO PLANNING SCHEME

I hereby provide consent for the inclusion of CT77451/2 known as 19 Anglesea Street, Wivenhoe, to be included in the application for an amendment to the *Burnie Interim Planning Scheme 2013*. I understand that the amendment would consist of a Specific Area Overlay, which would allow the use of the site for Community Meeting and Entertainment as well as Sports and Recreation.



Figure 1. Location plan CT77451/2 (red), Specific Area Plan (blue)

Yours faithfully

J Mackinnon
Landowner(s) of CT77451/2

Date: 24.9.2019

CONTACT DETAILS

Postal address:

Phone:

Burnie City Council
c/- Rodney Greene

To whom it may concern,

LANDOWNER CONSENT – APPLICATION FOR AMENDMENT TO PLANNING SCHEME

I hereby provide consent for the inclusion of CT60836/1 known as 21 Anglesea Street, Wivenhoe, to be included in the application for an amendment to the *Burnie Interim Planning Scheme 2013*. I understand that the amendment would consist of a Specific Area Overlay, which would allow the use of the site for Community Meeting and Entertainment as well as Sports and Recreation.



Figure 1. Location plan CT60836/1 (red), Specific Area Plan (blue)

Yours faithfully

A handwritten signature in black ink, appearing to read 'G Rowlands'.

G Rowlands
Landowner(s) of CT60836/1

Date: 20 Sept 2019

CONTACT DETAILS

Postal address:

Phone:

APPENDIX B



FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



APPROVAL has been given to this subdivision plan by Burnie Municipal Council. THE COMMON SEAL of the Warden, Councillors and Electors of the Municipality of Burnie has been hereunto affixed in the presence of us this 3rd day of June, 1958 in pursuance of an authorisation given at a meeting of the Council held on the 2nd day of June, 1958

DIAGRAM FROM ACTUAL SURVEY
TOWN OF BURNIE
SECTION K

No. OF APPLICATION
W.J. Campbell
CT. 618-59

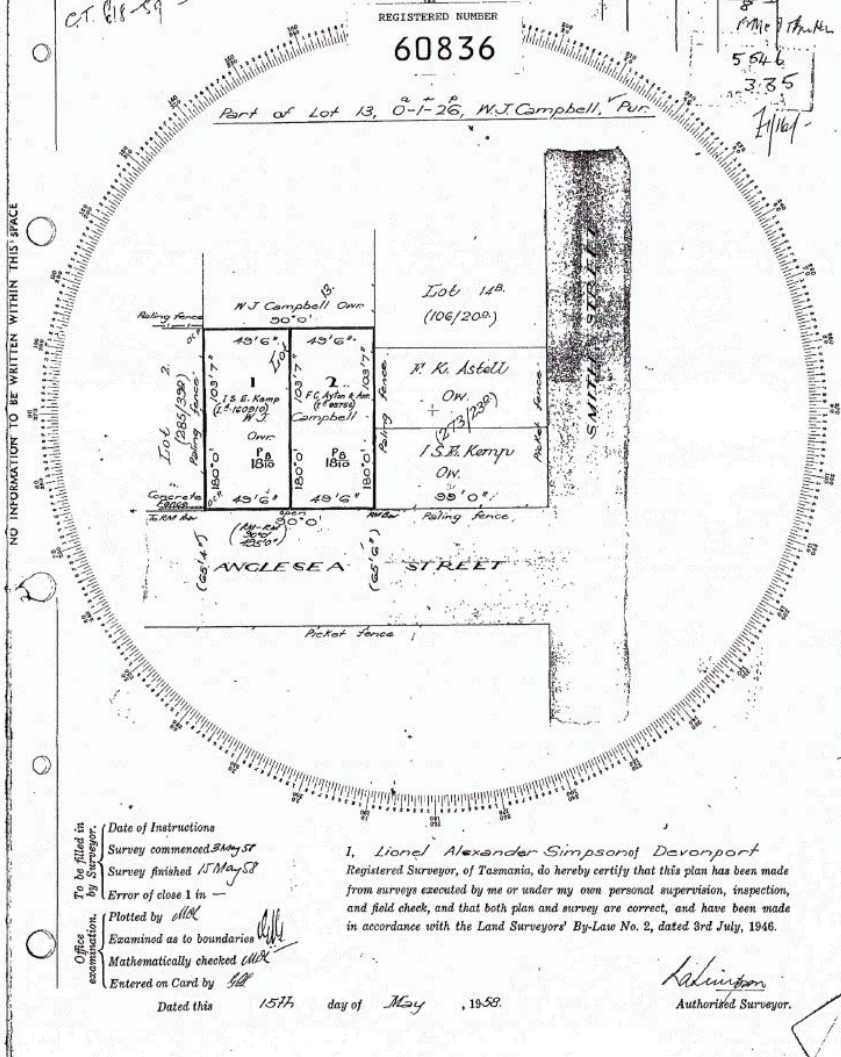
Scale: 40 Feet to an inch

REGISTERED NUMBER
60836

REFERENCE TO CORNERS

COR.	BEARING	DISTANCE IN LINKS	FROM
		366/8	
		564/6	
		335	

NO INFORMATION TO BE WRITTEN WITHIN THIS SPACE



To be filled in
By Surveyor:
Date of Instructions
Survey commenced 24 May 57
Survey finished 17 May 58
Error of close 1 in -
Plotted by MHC
Examined as to boundaries
Mathematically checked MHC
Entered on Card by MHC
Dated this 15th day of May, 1958.

I, Lionel Alexander Simpson of Devonport
Registered Surveyor, of Tasmania, do hereby certify that this plan has been made
from surveys executed by me or under my own personal supervision, inspection,
and field check, and that both plan and survey are correct, and have been made
in accordance with the Land Surveyors' By-Law No. 2, dated 3rd July, 1946.

L. A. Simpson
Authorized Surveyor.

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 60836	FOLIO 1
EDITION 6	DATE OF ISSUE 11-Aug-2016

SEARCH DATE : 01-Nov-2019

SEARCH TIME : 07.55 AM

DESCRIPTION OF LAND

City of BURNIE

Lot 1 on Diagram 60836 (formerly being 366-8D)

Derivation : Part of Lot 13 Sec. K. Gtd. to W.J. Campbell

Prior CT 2815/100

SCHEDULE 1M584221 TRANSFER to GREGORY MARK ROWLANDS Registered
11-Aug-2016 at 12.01 PMSCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



APPROVAL has been given to this subdivision plan by Burnie Municipal Council. THE COMMON SEAL of the Warden, Councilors and Electors of the Municipality of Burnie has been hereunto affixed in the presence of us this 3rd day of June, 1958 in pursuance of an authorisation given at a meeting of the Council held on the 2nd day of June, 1958.

DIAGRAM FROM ACTUAL SURVEY
TOWN OF BURNIE
SECTION K
D 366 / 8

No. OF APPLICATION
W.J. Campbell
C.T. 618-59

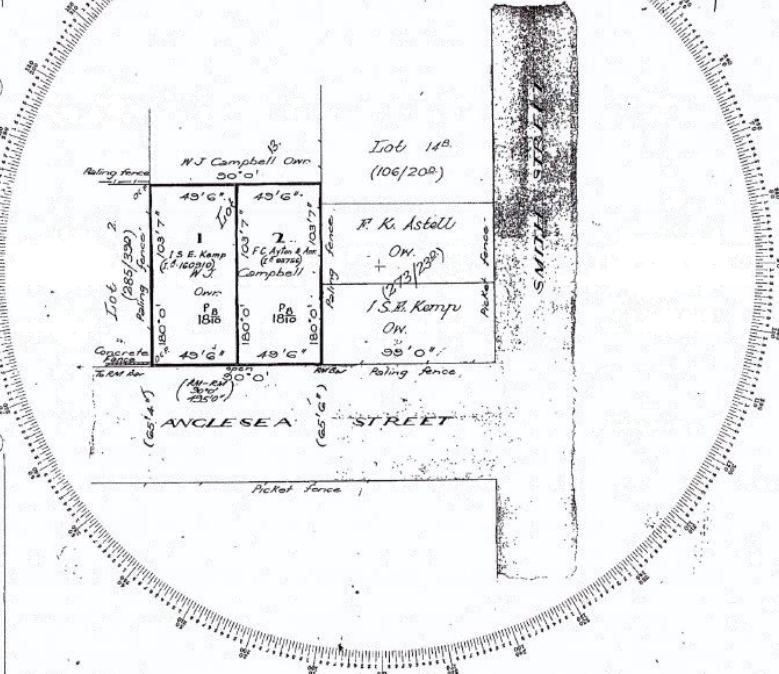
Scale: 40 Feet to an inch

REGISTERED NUMBER
60836

REFERENCE TO CORNERS			
COL.	BEARING	DISTANCE IN LINKS	FROM
		366	D
		5.546	Mile 7 from N.E.
		3.35	

Part of Lot 13, O-1-26, W.J. Campbell, Pur.

NO INFORMATION TO BE WRITTEN WITHIN THIS SPACE



To be filled in by Surveyor:
 Date of Instructions
 Survey commenced 31 May 57
 Survey finished 15 May 58
 Error of close 1 in -
 Plotted by MLC
 Examined as to boundaries
 Mathematically checked MLC
 Entered on Card by MLC
 Dated this 15th day of May, 1958.

I, Lionel Alexander Simpson of Devonport Registered Surveyor, of Tasmania, do hereby certify that this plan has been made from surveys executed by me or under my own personal supervision, inspection, and field check, and that both plan and survey are correct, and have been made in accordance with the Land Surveyors' By-Law No. 2, dated 3rd July, 1946.

L. A. Simpson
 Authorized Surveyor.

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
60836	2
EDITION	DATE OF ISSUE
4	18-Sep-2019

SEARCH DATE : 01-Nov-2019

SEARCH TIME : 07.57 AM

DESCRIPTION OF LAND

City of BURNIE

Lot 2 on Diagram 60836 (formerly being 366-8D)

Derivation : Part of Lot 13 Section K. Gtd. to W.J. Campbell

Prior CT 3102/81

SCHEDULE 1M776113 TRANSFER to BURNIE CITY COUNCIL Registered
18-Sep-2019 at noonSCHEDULE 2Reservations and conditions in the Crown Grant if any
A93756 FENCING CONDITION in TransferUNREGISTERED DEALINGS AND NOTATIONS

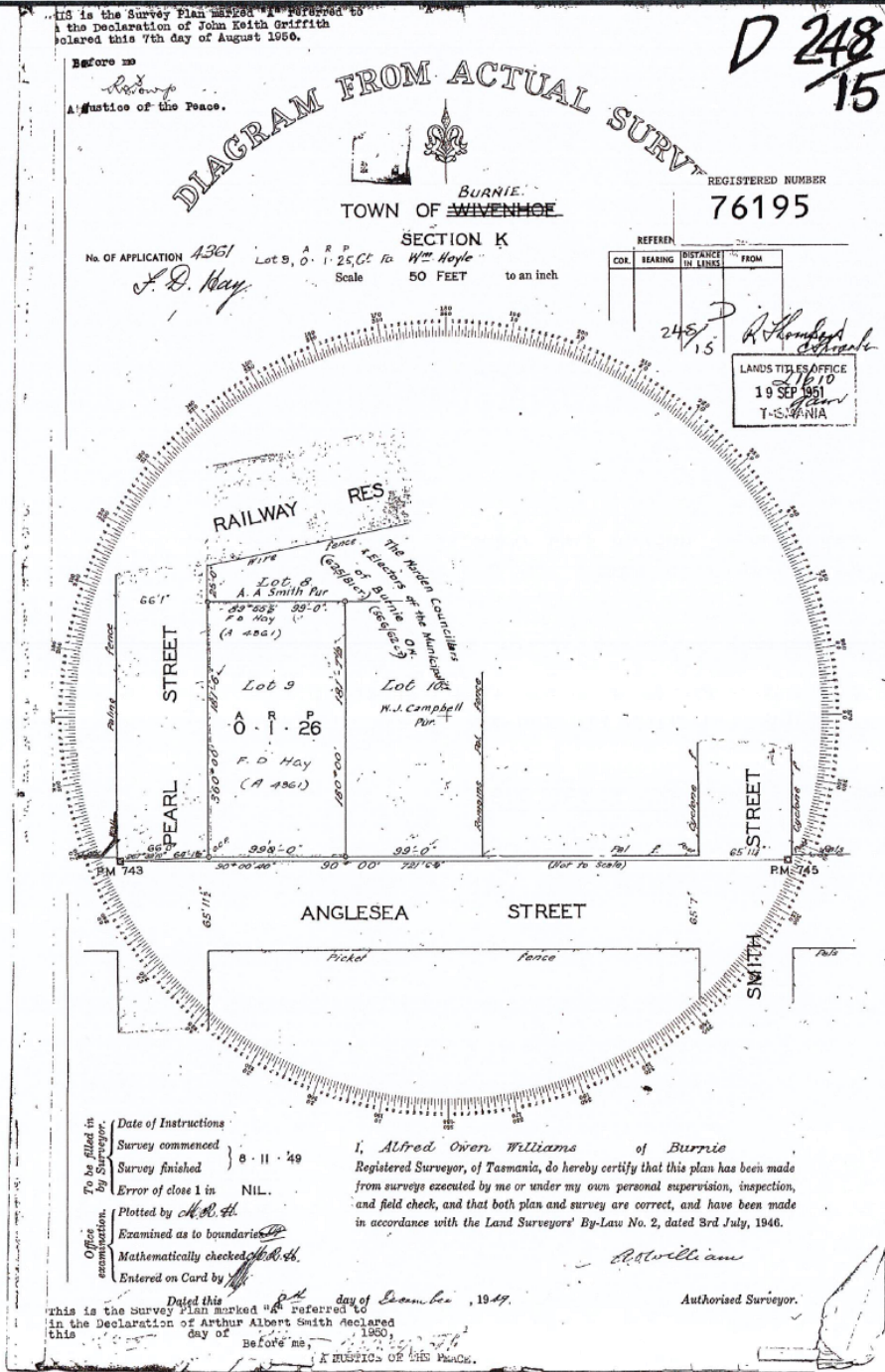
No unregistered dealings or other notations



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980





RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 76195	FOLIO 9
EDITION 4	DATE OF ISSUE 20-May-2019

SEARCH DATE : 01-Nov-2019

SEARCH TIME : 07.49 AM

DESCRIPTION OF LAND

City of BURNIE
 Lot 9 on Diagram 76195 (formerly being 248-15D)
 Derivation : Whole of Lot 9 Section K
 Prior CT 3190/75

SCHEDULE 1

M743926 TRANSFER to BURNIE CITY COUNCIL Registered
 20-May-2019 at 12.02 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

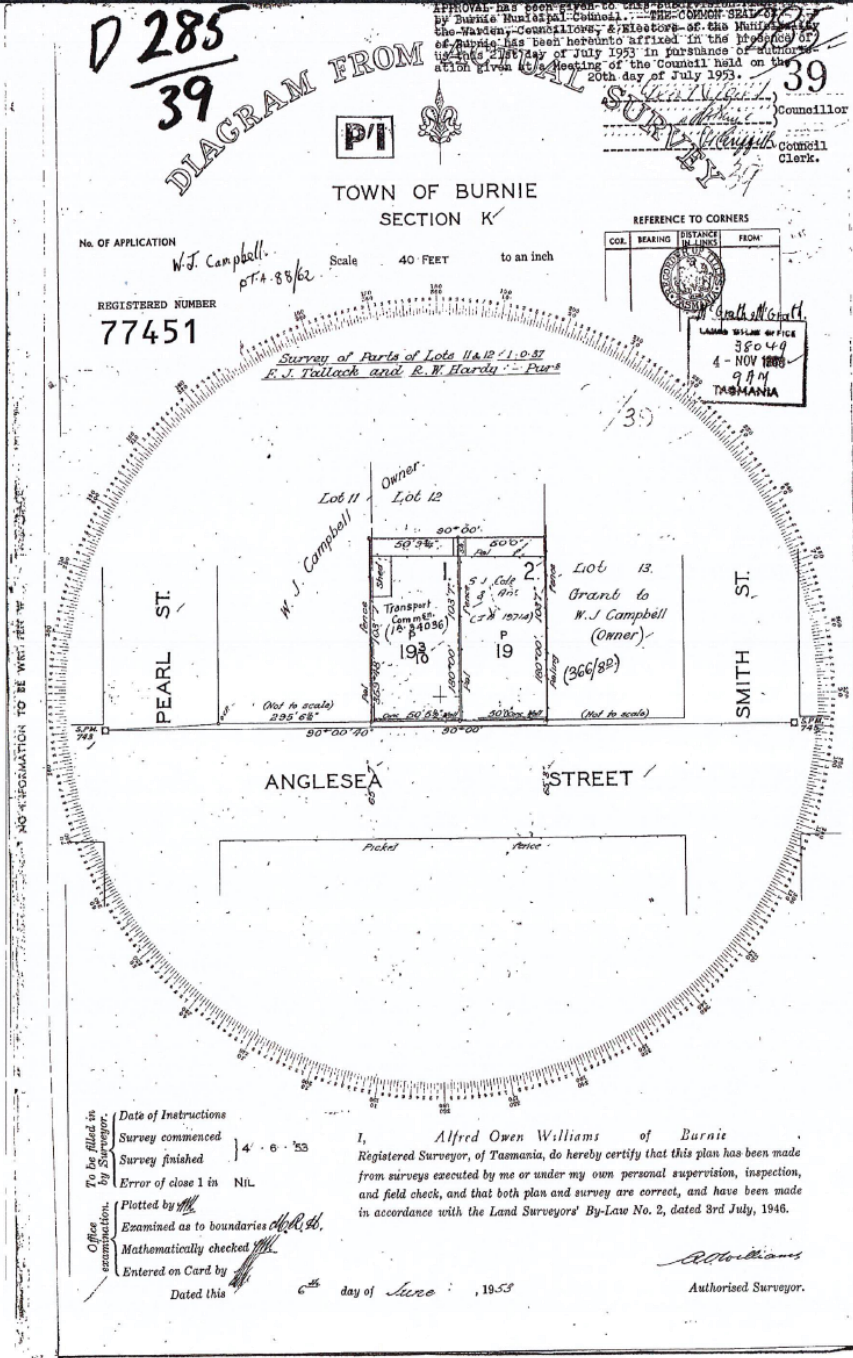
UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980





RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 77451	FOLIO 1
EDITION 7	DATE OF ISSUE 13-Apr-2015

SEARCH DATE : 01-Nov-2019

SEARCH TIME : 07.53 AM

DESCRIPTION OF LAND

City of BURNIE

Lot 1 on Diagram 77451 (formerly being 285-39D)

Derivation : Parts of Lots 11 & 12 (Sec.K.) - Gtd. to F.J.

Tallack & Anr.

Prior CT 3097/18

SCHEDULE 1

M510964 TRANSFER to CHRISTOPHER JOHN BARKER and NATALIE DEBRA
BARKER as tenants in common in equal shares
Registered 13-Apr-2015 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
D160197 MORTGAGE to Australia and New Zealand Banking Group
Limited Registered 13-Apr-2015 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN
RECORDER OF TITLES
Issued Pursuant to the Land Titles Act 1980



D 285
39

DIAGRAM FROM
PI

APPROVAL has been given to this plan by the Council of the Town of Burnie...
39
Councillor
Council Clerk.

TOWN OF BURNIE
SECTION K

No. of APPLICATION
W.J. Campbell
Scale 40 FEET to an inch

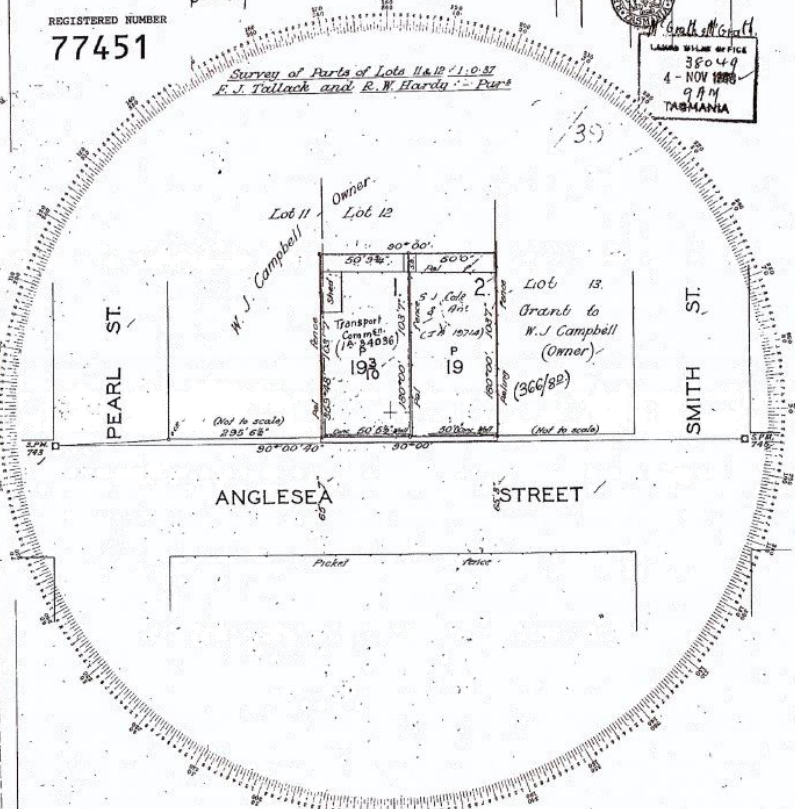
REGISTERED NUMBER
77451

REFERENCE TO CORNERS

COL	BEARING	PERMANENT PLANT	FROM
1			
2			
3			
4			

LANDS WILSON OFFICE
3504-9
4 - NOV 1988
9 8 4
TASMANIA

NO INFORMATION TO BE WESTERN



To be filled in by Surveyor.

Date of Instructions
Survey commenced } 4. 6. 53
Survey finished }
Error of close 1 in Nil.
Plotted by
Examined as to boundaries
Mathematically checked
Entered on Card by
Dated this 6th day of June, 1953

I, Alfred Owen Williams of Burnie
Registered Surveyor, of Tasmania, do hereby certify that this plan has been made from surveys executed by me or under my own personal supervision, inspection, and field check, and that both plan and survey are correct, and have been made in accordance with the Land Surveyors' By-Law No. 2, dated 3rd July, 1946.

Authorised Surveyor.



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 77451	FOLIO 2
EDITION 2	DATE OF ISSUE 28-Jun-2017

SEARCH DATE : 01-Nov-2019

SEARCH TIME : 07.55 AM

DESCRIPTION OF LAND

City of BURNIE

Lot 2 on Diagram 77451 (formerly being 285-39D)

Derivation : Part of Lot 12 Section K. Gtd. to F.J. Tallack &
Anor.

Prior CT 3126/7

SCHEDULE 1M634132 TRANSFER to JASON ROBERT MACKINNON Registered
28-Jun-2017 at noonSCHEDULE 2

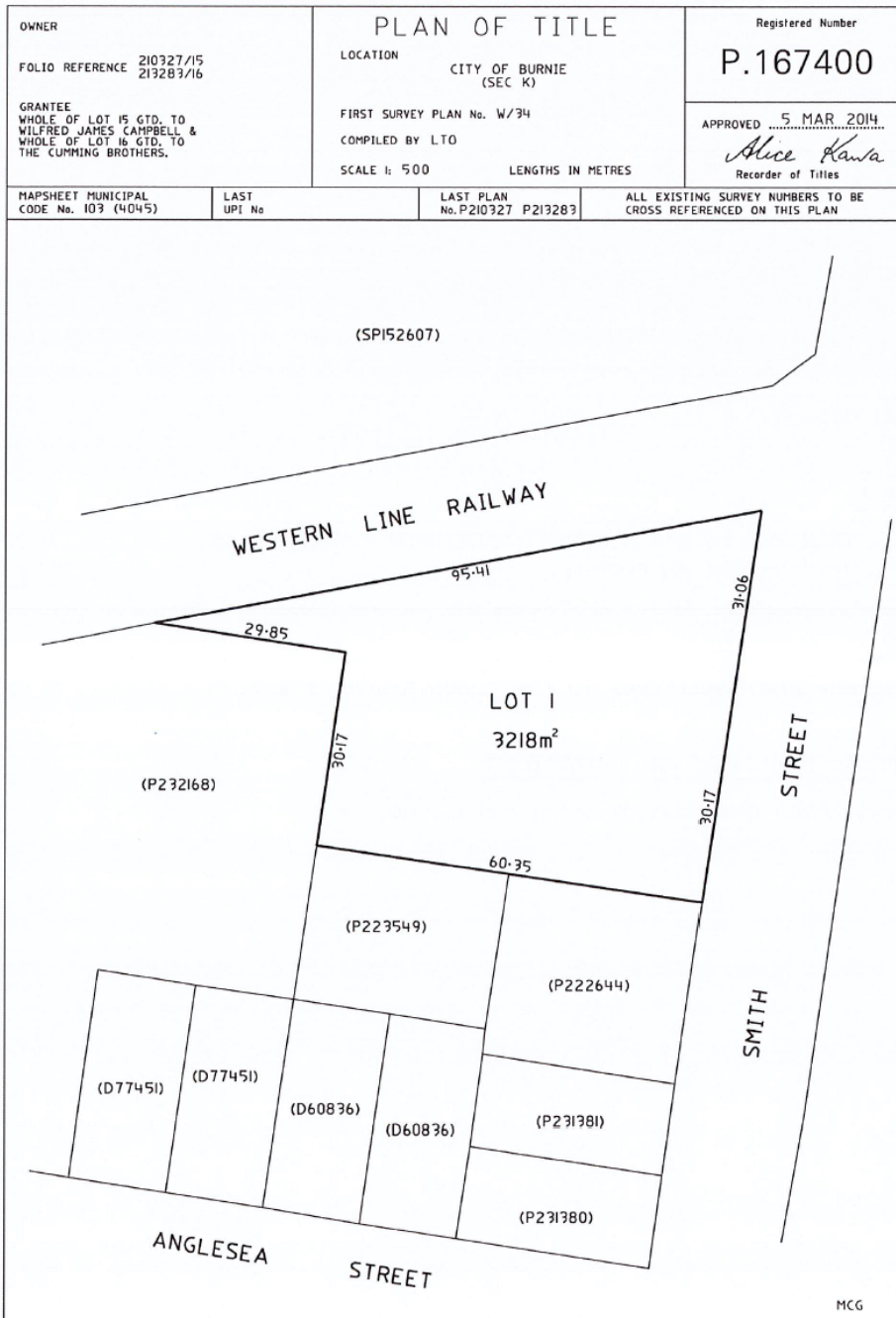
Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN
RECORDER OF TITLES
Issued Pursuant to the Land Titles Act 1980





RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 167400	FOLIO 1
EDITION 3	DATE OF ISSUE 20-May-2019

SEARCH DATE : 01-Nov-2019

SEARCH TIME : 07.52 AM

DESCRIPTION OF LAND

City of BURNIE

Lot 1 on Plan 167400

Derivation : Whole of Lot 15 Gtd to Wilfred James Campbell and
Whole of Lot 16 Gtd to Cumming Brothers.

Prior CTs 210327/15 and 213283/16

SCHEDULE 1M743926 TRANSFER to BURNIE CITY COUNCIL Registered
20-May-2019 at 12.02 PMSCHEDULE 2Reservations and conditions in the Crown Grant if any
D118657 ADHESION ORDER under Section 110 of the Local
Government (Building and Miscellaneous Provisions)
Act 1993 Registered 12-Mar-2014 at noonUNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN
RECORDER OF TITLES
Issued Pursuant to the Land Titles Act 1980



ORIGINAL - NOT TO BE REMOVED FROM TITLES OFFICE

R.P. 1489
TASMANIA
REAL PROPERTY ACT, 1882, as amended



CERTIFICATE OF TITLE

Register Book
Vol. Fol.

2630 68

NOTE—REGISTERED FOR OFFICE
CONVENIENCE TO REPLACE

Cert. of Title. Vol. 566. Fol. 62.

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple in the land within described together with such interests and subject to such encumbrances and interests as are shown in the Second Schedule. In witness whereof I have hereunto signed my name and affixed my seal.

M. Hutchinson
Recorder of Titles.



DESCRIPTION OF LAND

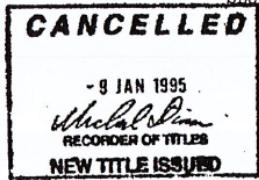
TOWN OF BURNIE
ONE ROOD TWENTY SIX PERCHES on the Plan hereon

FIRST SCHEDULE (continued overleaf)

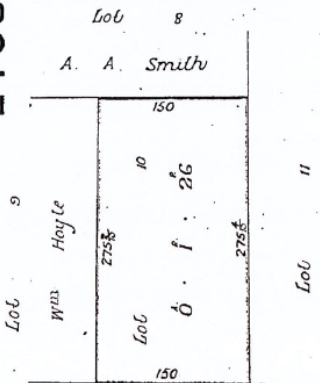
THE WARDEN COUNCILLORS AND ELECTORS
OF THE MUNICIPALITY OF BURNIE.

SECOND SCHEDULE (continued overleaf)

NIL.



REGISTERED NUMBER 216005
NOTE—ENTRIES CAN
RECORDER OF TITLES ARE NO LONGER SUBSISTING.



Lot 10 of this plan consists of all the land comprised in the above-mentioned cancelled folio of the Registrar.

Lot 10. Sec. K. - Gtd. to W.J. Campbell - Meas. in Links.
FIRST Edition. Registered 20 APR 1970
Derived from C.T. Vol. 566. Fol. 62. Transfer 123172 W.J. Campbell.



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME	FOLIO
216005	10
EDITION	DATE OF ISSUE
4	20-May-2019

SEARCH DATE : 01-Nov-2019

SEARCH TIME : 07.50 AM

DESCRIPTION OF LAND

City of BURNIE
Lot 10 on Plan 216005
Derivation : Lot 10 Sec. K. Gtd. to W.J. Campbell
Prior CT 2630/68

SCHEDULE 1

M743926 TRANSFER to BURNIE CITY COUNCIL Registered
20-May-2019 at 12.02 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ORIGINAL - NOT TO BE REMOVED FROM TITLES OFFICE

R.P. 1469
TASMANIA
REAL PROPERTY ACT, 1862, as amended

CERTIFICATE OF TITLE

Register Book
Vol. Fol.
2605 10

NOTE—REGISTERED FOR OFFICE
CONVENIENCE TO REPLACE
Cert. of Title. Vol. 625, Fol. 81



I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple in the land within described together with such interests and subject to such encumbrances and interests as are shown in the Second Schedule. In witness whereof I have hereunto signed my name and affixed my seal.

Muthinsons
Recorder of Titles.



DESCRIPTION OF LAND

TOWN OF BURNIE
THIRTY TWO PERCHES on the Plan hereon

FIRST SCHEDULE (continued overleaf)

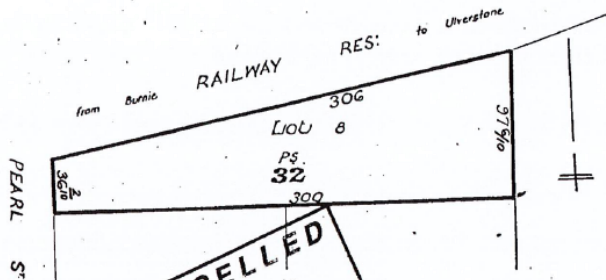
THE WARDEN COUNCILLORS AND ELECTORS OF THE MUNICIPALITY OF

SECOND SCHEDULE (continued overleaf)

NIL.

Lot 8 of this plan consists of all those RECORDERS OF TITLES ARE NO LONGER SUBSISTING.
land comprised in the above-mentioned cancelled folio of the Register.

REGISTERED NUMBER
216413



CANCELLED
-3 JAN 1995
RECORDER OF TITLES
NEW TITLE ISSUED

Whole of Lot 8 Sec. K. - Gtd. to A.A. Smith - Meas. in Links.
FIRST Edition. Registered 16 MAR 1970
Derived from C.T. Vol. 625, Fol. 81. Transfer 133842 A.A. Smith.



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME	FOLIO
216413	8
EDITION	DATE OF ISSUE
3	20-May-2019

SEARCH DATE : 01-Nov-2019

SEARCH TIME : 07.50 AM

DESCRIPTION OF LAND

City of BURNIE

Lot 8 on Plan 216413

Derivation : Whole of Lot 8 Sec. K. - Gtd. to A.A. Smith.

Prior CT 2605/10

SCHEDULE 1M743926 TRANSFER to BURNIE CITY COUNCIL Registered
20-May-2019 at 12.02 PMSCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN
RECORDER OF TITLES
Issued Pursuant to the Land Titles Act 1980



ORIGINAL - NOT TO BE REMOVED FROM TITLES OFFICE
R.P. 1469
TASMANIA
REAL PROPERTY ACT, 1852, as amended
NOTE—REGISTERED FOR OFFICE
CONVENIENCE TO REFERENCE
Cert. of Title Vol.410 Fol.169



CERTIFICATE OF TITLE
Register Book
Vol. Fol.
2775 61

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple in the land within described together with such interests and subject to such encumbrances and interests as are shown in the Second Schedule. In witness whereof I have hereunto signed my name and affixed my seal.

W. H. Matthews

Recorder of Titles.



DESCRIPTION OF LAND

TOWN OF BURNIE.
THIRTY THREE PERCHES on the Plan hereon.

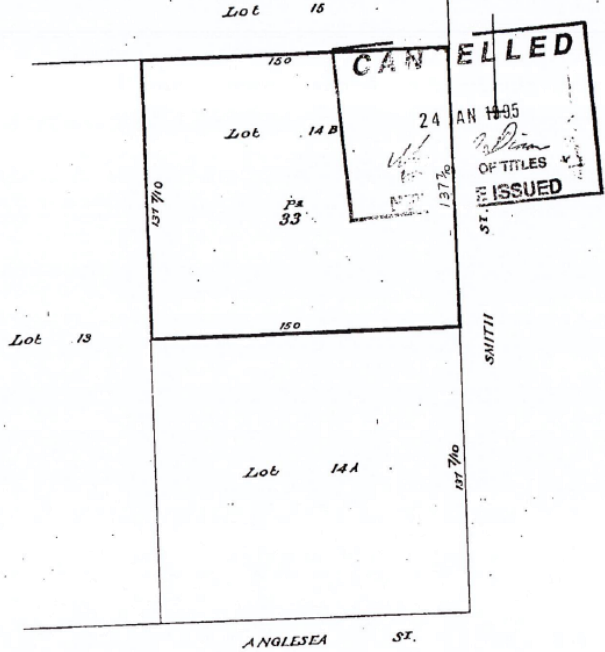
FIRST SCHEDULE(continued overleaf)

THE SALVATION ARMY (TASMANIA) PROPERTY TRUST.

SECOND SCHEDULE(continued overleaf).

NIL.

Lot 15



REGISTERED NUMBER
222644
Lot 1 of this plan consists of all the land comprised in the above-mentioned cancelled folio of the Register.
CORNER OF TITLES ARE NO LONGER SUBSISTING.

Part of Lot 14 Sec.K. Gtd.to J.Smith. Meas.in Links 106/20D.
FIRST Edition. Registered **27 AUG 1970**
Derived from C.T. Vol.410 Fol.169 Transfer 105982 R.A.Plummer.



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 222644	FOLIO 1
EDITION 3	DATE OF ISSUE 20-May-2019

SEARCH DATE : 01-Nov-2019
SEARCH TIME : 07.53 AM

DESCRIPTION OF LAND

City of BURNIE
Lot 1 on Plan 222644
Derivation : Part of Lot 14 Sec.K. Gtd. to J. Smith.
Prior CT 2772/61

SCHEDULE 1

M743926 TRANSFER to BURNIE CITY COUNCIL Registered
20-May-2019 at 12.02 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN
RECORDER OF TITLES
Issued Pursuant to the Land Titles Act 1980



TO BE REMOVED FROM TITLES OFFICE

R.P. 1469
TASMANIA
REAL PROPERTY ACT, 1862, as amended



CERTIFICATE OF TITLE

Register Book
Vol. Fol.

2816

Cert. of Title Vol. 1050 Fol. 63.

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple in the land within described together with such interests and subject to such encumbrances and interests as are shown in the Second Schedule. In witness whereof I have hereunto signed my name and affixed my seal.

[Signature]

Recorder of Titles.



IF RECORDER OF TITLES ARE NO LONGER SUBSISTING.

Lot 1 of this plan consists of all the land comprised in the above-mentioned cancelled folio of the Register

REGISTERED NUMBER

223549

DESCRIPTION OF LAND
TOWN OF BURNIE
TWENTY EIGHT PERCHES AND FOUR TENTHS OF A PERCH on the Plan hereon

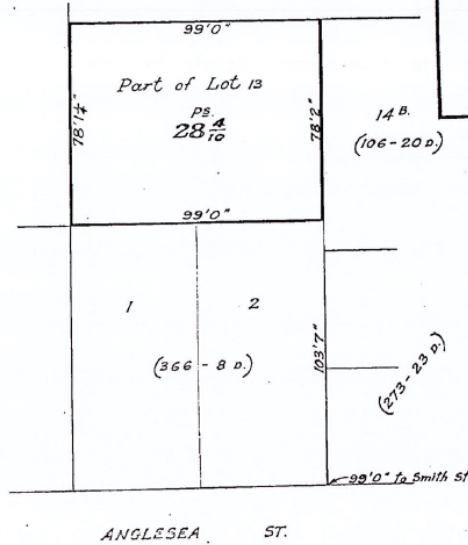
FIRST SCHEDULE (continued overleaf)

WILFRED JAMES CAMPBELL of Burnie, Hotel Proprietor.

SECOND SCHEDULE (continued overleaf)

NIL.

CANCELLED
- 1 FEB 1995
[Signature]
RECORDER OF TITLES
NEW TITLE ISSUED



Part of Lot 13, Sec. K. - Gtd. to W.J. Campbell - Meas. in ft. & ins.
FIRST Edition. Registered 28 SEP 1970
Derived from C.T. Vol. 1050. Fol. 63. Balance A161267.



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 223549	FOLIO 1
EDITION 4	DATE OF ISSUE 20-May-2019

SEARCH DATE : 01-Nov-2019

SEARCH TIME : 07.52 AM

DESCRIPTION OF LAND

City of BURNIE

Lot 1 on Plan 223549

Derivation : Part of Lot 13 Sec K Gtd to W J Campbell

Prior CT 2816/1

SCHEDULE 1M743926 TRANSFER to BURNIE CITY COUNCIL Registered
20-May-2019 at 12.02 PMSCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ORIGINAL - NOT TO BE REMOVED FROM TITLES OFFICE

R.P. 1469
TASMANIA
REAL PROPERTY ACT, 1862, as amended
NOTE - REGISTERED FOR OFFICE
CONVENIENCE TO REPLACE



CERTIFICATE OF TITLE

Register Book
Vol. Fol.

3167 74

Cert. of Title Vol. 710 Fol. 90

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple in the land within described together with such interests and subject to such encumbrances and interests as are shown in the Second Schedule. In witness whereof I have hereunto signed my name and affixed my seal.

T. E. Hutchinson



Recorder of Titles.

DESCRIPTION OF LAND

TOWN OF BURNIE
SIXTEEN PERCHES AND FIVE TENTHS OF A PERCH on the Plan hereon.

FIRST SCHEDULE (continued overleaf)

IDA SUSAN ETHEL KEMP of Wivenhoe, Mill Employee

SECOND SCHEDULE (continued overleaf)

DISCHARGED A426453(6.9.1973)

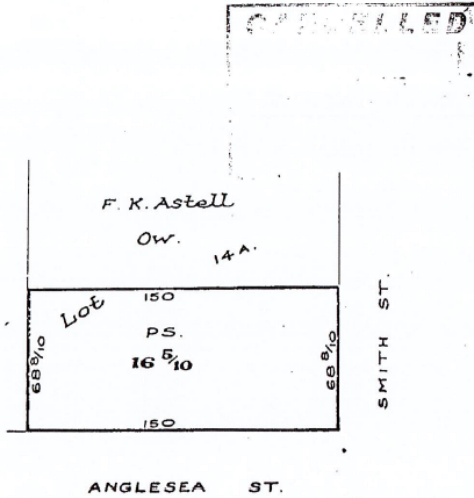
NO. A263051 MORTGAGE TO
Commonwealth Trading Bank of Australia.
Registered 19th April, 1967 at Noon.
(Sgd.) T.E.HUTCHINSON.
Recorder of Titles.

T. E. Hutchinson
Recorder of Titles.

RECORDER OF TITLES ARE NO LONGER SUBSISTING.

Lot 1 of this plan consists of all the land comprised in the above-mentioned cancelled folio of the Register.

REGISTERED NUMBER
231380



Sec K.
273/23

Part of Lot 14 Sec. K. Gtd. to J. Smith - Meas. in Links 273/23D.

FIRST Edition. Registered

Derived from

C.T. Vol. 710 Fol. 90 - Transfer A8604 F.K.Astell.



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME	FOLIO
231380	1
EDITION	DATE OF ISSUE
4	18-Sep-2019

SEARCH DATE : 01-Nov-2019

SEARCH TIME : 07.56 AM

DESCRIPTION OF LAND

City of BURNIE

Lot 1 on Plan 231380

Derivation : Part of Lot 14 (Section K.) Gtd. to J. Smith.

Prior CT 3167/74

SCHEDULE 1M776113 TRANSFER to BURNIE CITY COUNCIL Registered
18-Sep-2019 at noonSCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ORIGINAL - NOT TO BE REMOVED FROM TITLES OFFICE

R.F. 1459
TASMANIA
REAL PROPERTY ACT, 1862, as amended
NOTE - REGISTERED FOR OFFICE
CONVENIENCE TO REPLACE



CERTIFICATE OF TITLE

Register Book
Vol. Fol.
3167 75

Cert. of Title Vol. 710 Fol. 91

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple in the land within described together with such interests and subject to such encumbrances and interests as are shown in the Second Schedule. In witness whereof I have hereunto signed my name and affixed my seal.

R.M. Apple
Recorder of Titles.



DESCRIPTION OF LAND

TOWN OF BURNIE
SIXTEEN PERCHES AND FIVE TENTHS OF A PERCH on the Plan hereon.

FIRST SCHEDULE (continued overleaf)

NELLIE CLARA MARY HOOPER of Burnie, Widow.

SECOND SCHEDULE (continued overleaf)

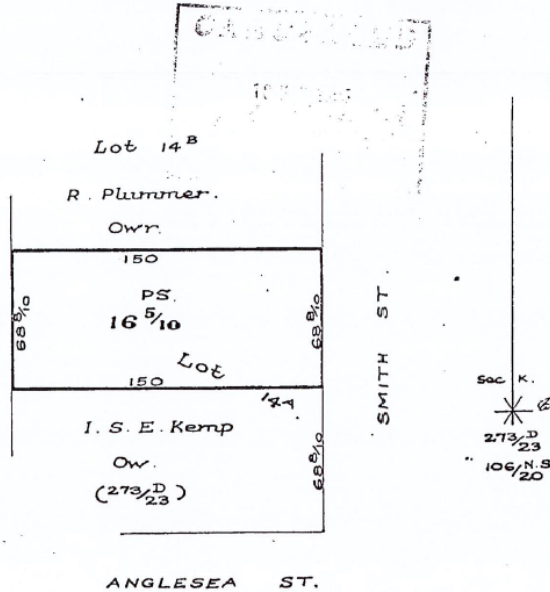
NIL

IS ARE NO LONGER SUBSISTING.

REGISTERED NUMBER
231381
Lot 1 of this plan consists of all the land comprised in the above-mentioned cancelled folio of the Register

CELLED UNDER SIGN.

231381



Part of Lot 14 Sec. K. Gtd. to J. Smith - Meas. in Links 106/20D,
FIRST Edition. Registered 273/23D.
Derived from G.T. Vol. 710 Fol. 91 - Transfer A158095 N.C.M. Hooper.



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME	FOLIO
231381	1
EDITION	DATE OF ISSUE
4	18-Sep-2019

SEARCH DATE : 01-Nov-2019

SEARCH TIME : 07.56 AM

DESCRIPTION OF LAND

City of BURNIE
 Lot 1 on Plan 231381
 Derivation : Part of Lot 14 (Section K.) Gtd. to J. Smith.
 Prior CT 3167/75

SCHEDULE 1

M776113 TRANSFER to BURNIE CITY COUNCIL Registered
 18-Sep-2019 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ORIGINAL - NOT TO BE REMOVED FROM TITLES OFFICE

R.P. 1469
TASMANIA
REAL PROPERTY ACT, 1862, as amended
NOTE--REGISTERED FOR OFFICE
CONVENIENCE TO REPLACE



CERTIFICATE OF TITLE

Register Book
Vol. Fol.
3007 19

Cert. of Title Vol. 763, Fol. 2.

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple in the land within described together with such interests and subject to such encumbrances and interests as are shown in the Second Schedule. In witness whereof I have hereunto signed my name and affixed my seal.

[Signature]

Recorder of Titles.



DESCRIPTION OF LAND

TOWN OF BURNIE
THREE RODS THIRTY EIGHT PERCHES AND SEVEN TENTHS OF A PERCH on
the Plan hereon

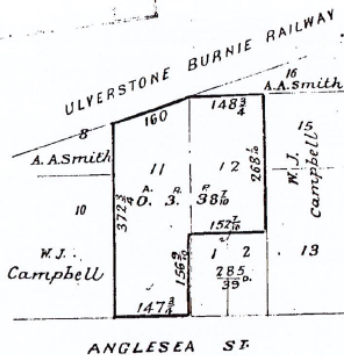
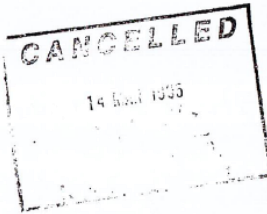
FIRST SCHEDULE (Continued overleaf)

BURNIE AGRICULTURAL AND PASTORAL SOCIETY

SECOND SCHEDULE (Continued overleaf)
NIL.

Lot 1 of this plan consists of all the land comprised in the above-mentioned cancelled folio of the Register.

REGISTERED NUMBER
232168



Parts of Lots 11 & 12 Sec.K, Gtd.to F.J. Tallack & Anr. Meas. In Links
FIRST Edition. Registered 2071
Derived from C.T. Vol.763.Fol.2. Transfer A320335 W.J. Campbell



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 232168	FOLIO 1
EDITION 3	DATE OF ISSUE 20-May-2019

SEARCH DATE : 01-Nov-2019

SEARCH TIME : 07.51 AM

DESCRIPTION OF LAND

City of BURNIE

Lot 1 on Plan 232168

Derivation : Parts of Lots 11 & 12 Sec.K. Gtd. to F.J. Tallack
& Anor.

Prior CT 3097/19

SCHEDULE 1M743926 TRANSFER to BURNIE CITY COUNCIL Registered
20-May-2019 at 12.02 PMSCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

APPENDIX C

BUR-S3.0 Wivenhoe Community District Specific Area Plan

BUR-S3.1 Plan Purpose

The purpose of the Wivenhoe Community District Specific Area Plan is:

BUR-S3.1.1 To provide for use and development of the land located within the Wivenhoe Community District for Community Meeting and Entertainment and Sport and Recreation.

BUR-S3.2 Application of this Plan

BUR-S3.2.1 The specific area plan applies to the area of land designated as Wivenhoe Community District Specific Area Plan on the overlay maps and as shown in Figure BURS3.1.

BUR-S3.2.2 In the area of land to which this plan applies, the provisions of the specific area plan are in substitution for the provisions of clause 25.2 Use Table.



BUR-S3.3 Local Area Objectives

This sub-clause is not used in this specific area plan.

BUR-S3.4 Definition of Terms

This sub-clause is not used in this specific area plan.

BUR-S3.5 Use Table

BUR-S3.5.1 Use Table – Wivenhoe Community District

This table is in substitution for the General Industrial Zone – clause 25.2 Use Table.

Use Class	Qualification
No Permit Required	
Natural and cultural values management	If for conservation, rehabilitation, or protection against degradation, but must not include a building or outdoor area for information, interpretation or display of items or for any other use
Permitted	
Community meeting and entertainment	
Emergency services	
Equipment and machinery sales and hire	
Manufacturing and processing	
Recycling and waste disposal	If not a refuse disposal site
Research and development	If for a manufacturing and processing, service industry, storage or transport purpose

Service industry	
Sports and recreation	
Storage	
Transport depot and distribution	
Utilities	
Vehicle fuel sales and service	If not a service station
Discretionary	
Bulky goods sales	If wholesale of building materials, construction aggregates, and garden and landscape material
Educational and occasional care	If for trade training
Food services	If- (a) not licensed premise; (b) not including a drive through in a take away food premise; and (c) a seating capacity for not more than 20 people
Passive recreation	
Research and development	
Resource processing	
Prohibited	
All other uses	

BUR-S3.6 Use Standards

This sub-clause is not used in this specific area plan.

BUR-S3.7 Development Standards

This sub-clause is not used in this specific area plan.

BUR-S3.8 Development Standards for Subdivision

This sub-clause is not used in this specific area plan.

BUR-S3.9 Tables

This sub-clause is not used in this specific area plan.

APPENDIX D

Environmental Site Assessment

Land south of the
Wivenhoe
Showground
between the Rail
Line and Anglesea
Street Wivenhoe

Project No: 6773

Date: July 2019



environmental service & design

ABN: 97 107 517 144
74 Minna Road
Heybridge TAS 7316
Ph: (03) 6431 2999

ACN: 107 517 144
PO Box 651
Burnie TAS 7320
www.esandd.com.au

Document Control

Prepared & Published by:

ES&D

Version:

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File:	6773		
Contact:	Gillian Rasmussen		
Phone No:	(03) 6431 2999		
Prepared For:	Burnie City Council		
Version:			Date:
DRAFT 1	Gillian Rasmussen	ES&D	1/07/2019
DRAFT 2	Reuben McCormack	ES&D	26/07/2019
REVIEW	Rod Cooper	ES&D	27/07/2019
FINAL	Rod Cooper	ES&D	31/07/2019

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Project 6773 - ESA – Land south of Wivenhoe Showground

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1 Introduction

Environmental Service and Design (ES&D) were commissioned by Burnie City Council to undertake a Preliminary Site Investigation (PSI) for land in Wivenhoe (the site) to inform a proposed Planning Scheme (Burnie Interim Planning Scheme 2013, “the Scheme”) amendment. The site is located at 10 Smith Street but covers the majority of the land bound by the railway to the north, Pearl Street to the west, Smith Street to the east and Anglesea Street to the south shown highlighted blue in Figure 1.

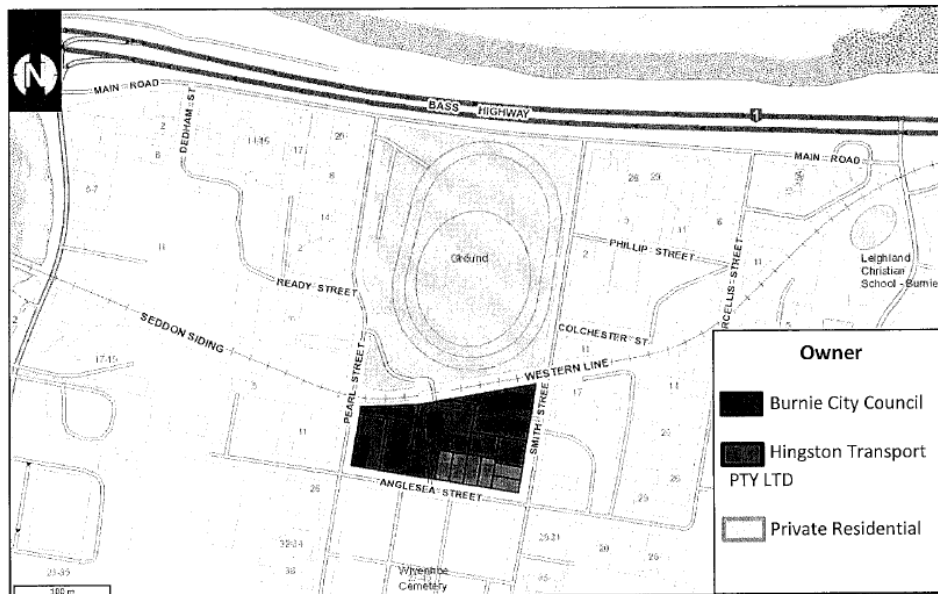


Figure 1: Location of investigation sites.

Table 1: Site details

Property Address	Property ID	Title Reference	Client	Postal Address
10 Smith Street Wivenhoe TAS 7320	3041449	76195/9	Burnie City Council	Burnie City Council Chambers 80 Wilson Street Burnie TAS 7320
		216413/8		
		216005/10		
		232168/1		
		167400/1		
		223549/1		
222644/1				

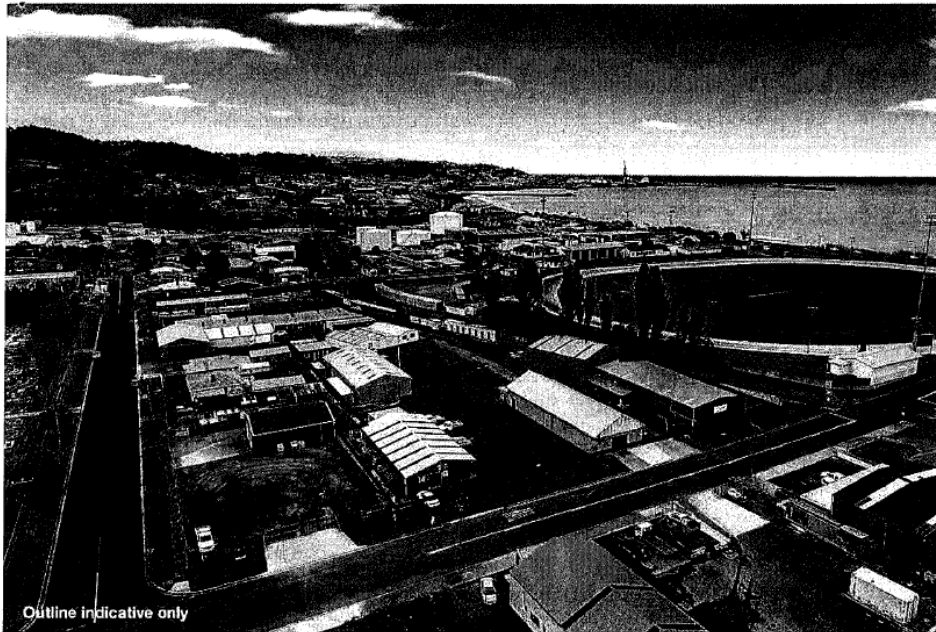


Figure 2: Overview and approximate outline of site (photo sourced from the Advocate)

1.1 Proposal

The proposed amendment will allow “Community Meeting and Entertainment” as well as “Sports and Recreation” use classes on this land, which is currently zoned General Industrial. Neither of these are “Vulnerable” use classes.

1.2 Objectives of the Investigation

The purpose of Code E6 (Hazard Management Code) of the Scheme is to:

- (a) identify areas of likely risk for use or development from exposure to a natural or environmental hazard;
- (b) minimise exposure of use or development to an unacceptable level of community risk from a natural or environmental hazard;
- (c) minimise likelihood for use or development to trigger, spread, or intensify a natural or environmental hazard; and
- (d) require a tolerable level of risk can be achieved and maintained for the type, scale, intensity, and anticipated life of a use or development

Pursuant to Code E6 the aim of the investigation is to

Project 6773 - ESA – Land south of Wivenhoe Showground

- determine whether activities have occurred on or near the site which may have resulted or may result in contamination of the land, and, if so,
- whether the level of risk to human health or the environment will increase if the land is used for the proposed additional class; or, if necessary,
- propose environmental testing required to properly understand the risk,
- determine whether a management plan is required to properly manage any perceived risks.

Clause E6.4.1 states that use is exempt under the Code if on a site of a previous use for an activity listed in Table E6 to this Code and

(a) a hazard risk assessment determines -

(i) there is no contamination; or

(ii) there is an insufficient increase in the level of risk to warrant any specific hazard reduction or protection measure; or

(b) the use is an intensification of an existing potentially contaminating use if it does not involve a sensitive use or a vulnerable use.

1.3 Scope of Works

The investigation included the following:

Environmental setting

Site history study, including potential adverse effects from historical activities on surrounding properties

Review of surrounding properties for potential adverse effects from current activities on surrounding properties

Identification of potential sources of contaminants and contaminants of concern

Identification of potential receptors and pathways which may link sources to receptors

Development of a Conceptual Site Model

Risk assessment

2 Stages of Investigation

The scope of the preliminary site investigation included:

Project 6773 - ESA – Land south of Wivenhoe Showground

- Desktop review of the site and surrounding land use history;
- Determination of potential contaminants of concern;
- Field investigations and site visit;
- Consideration of the site's environmental setting;
- Identification of potential human and ecological receptors and consideration of risks to identified receptors;
- Development of a Conceptual Site Model (CSM); and,
- Preparation of the assessment report.

3 Preliminary Investigation

3.1 Site Inspection

A site visit was conducted on the 22nd of July 2019 in order to take photos of the buildings, discuss the site history with members of the Burnie Men's Shed and search for any signs of onsite contamination (past or present).



Figure 3: Stables

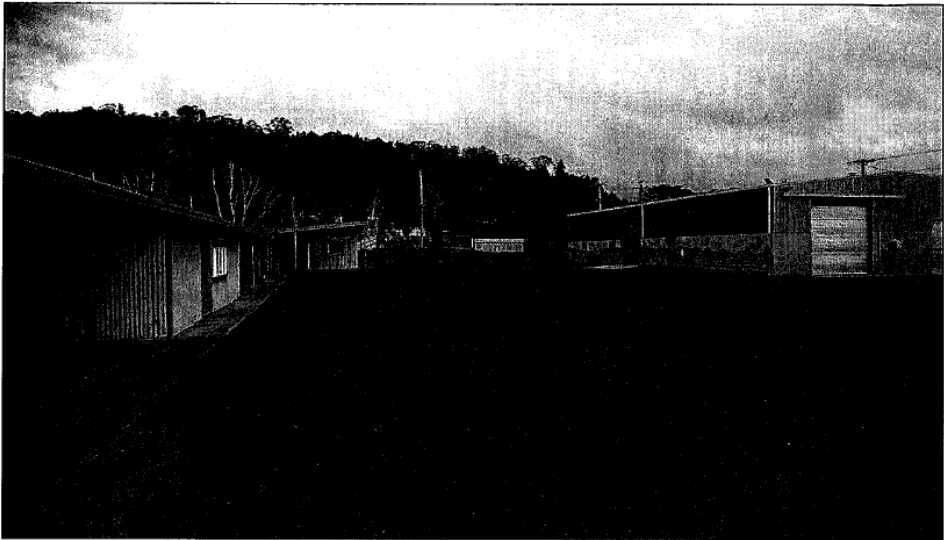


Figure 4: Grassed area, used for farmers market



Figure 5: Northern end of the property

Project 6773 - ESA – Land south of Wivenhoe Showground

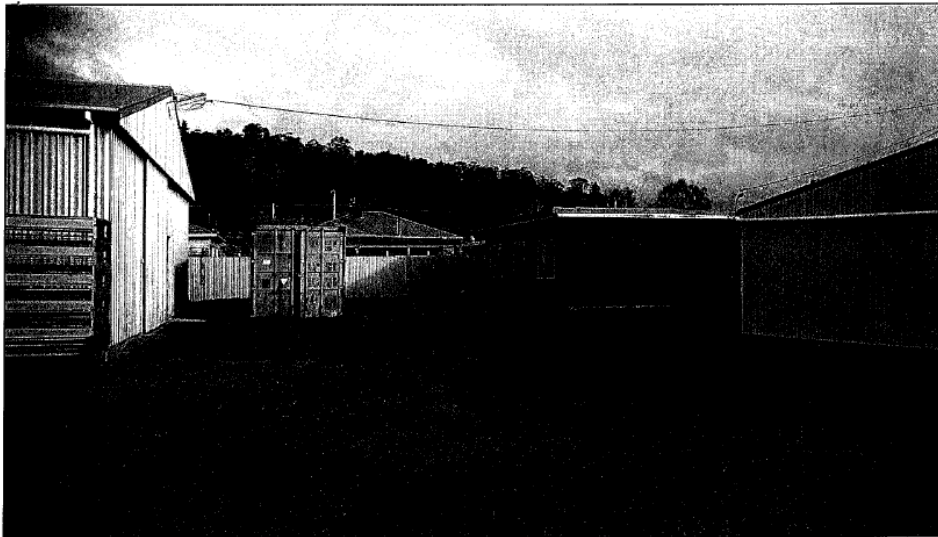


Figure 6: Southern area of the property

3.2 Current and Proposed Use

The site currently has multiple users in the various shed that occupy the site. These include:

- Burnie Men's Shed
- Zodiac Gymnastics Club
- The Burnie Farmers Market held twice monthly uses the grassed area for temporary stalls and some of the onsite sheds.
- Stables are used by the Burnie Harness Racing Club for their meets at the Wivenhoe Oval

3.3 Site History

3.3.1 Site Plan, Historical Maps and Aerial Photographs

Figure 7 to Figure 12 show the aerial images of the site taken over the past 50 years. No major changes in the site can be seen from these images, with the current layout of sheds all being present in the earliest photo. Minor changes can be seen between 1990 and 2013 with a new roof added to the sheds on the western side of the block. Also, between 2013 and 2015 the northeast building (which houses the Zodiac Gymnastics Club) has been extended.



Figure 8: Site 1977



Figure 7: Site 1970

Project 6773 - ESA – Land south of Wivenhoe Showground



Figure 10: Site 1990

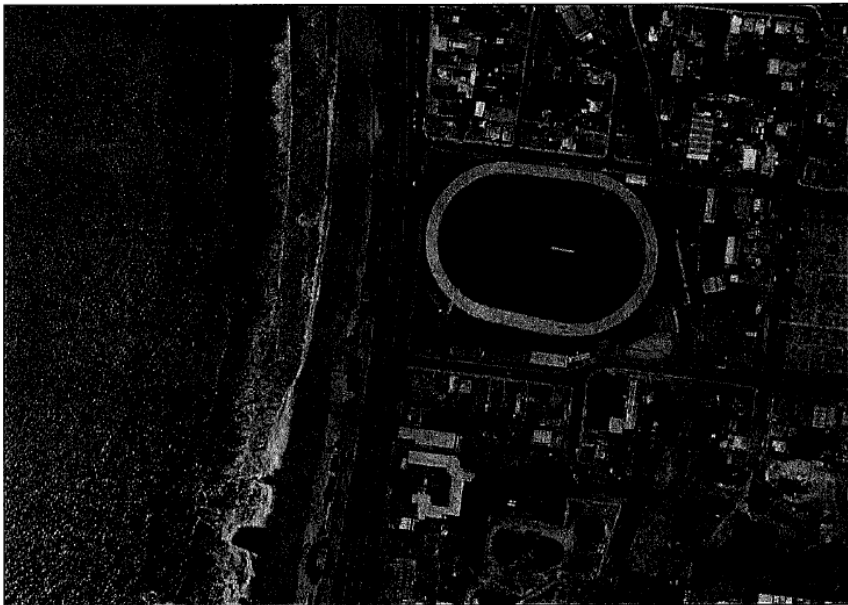


Figure 9: Site 1985



Figure 12: Site 2015



Figure 11: Site 2013

Project 6773 - ESA - Land south of Wivenhoe Showground

3.3.2 Land Use Zoning

The site is located within a General Industrial zone and is bounded by utilities (the railway line) and Recreation zones to the north with an Open Space (cemetery) zone to the south.

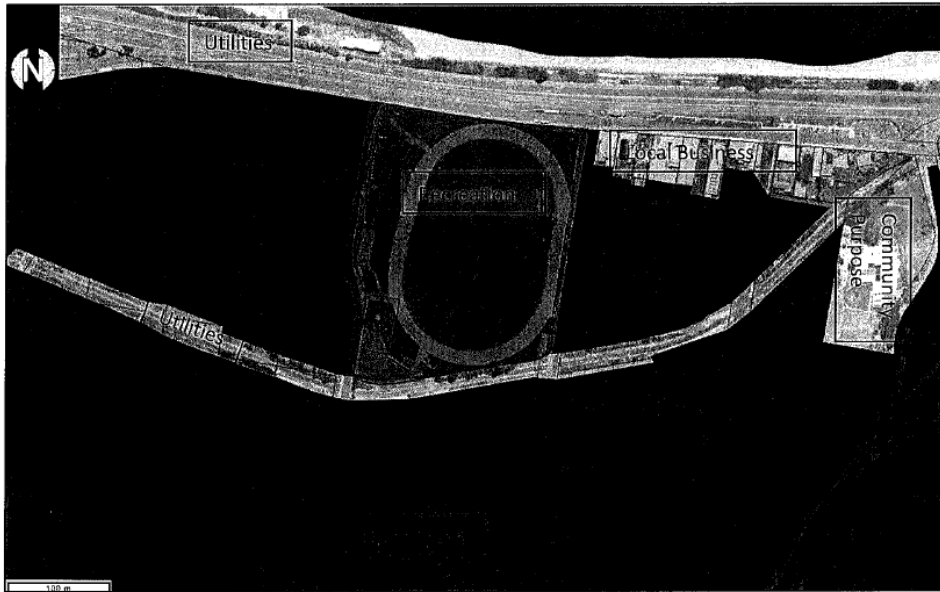


Figure 13: Tasmanian Interim Planning Scheme Zoning. Site shaded in black is within the General Industrial zone.

3.3.3 Previous Owners, and occupiers of the site

The Burnie City Council purchased the site from long term owners; the Burnie Agricultural and Pastoral Society, towards the end of 2018.

3.3.4 Previous Activities and Uses

The site has been used as part of the location for the annual Burnie Show. The predominant use of the area over the weekend event has been for animal and agricultural (non-mechanical) displays.

3.3.4.1 Land Improvements

Historical photos show no evidence of significant earth works over the past 50 years.

3.3.5 Previous and Present Buildings and Structures

Multiple sheds currently occupy the site some with continuous use (Zodiacs Gymnastics Club and Burnie Men's Shed) while some appear to receive little to no use.

3.3.6 Industrial Processes and Products

3.3.7 Product Spills, Losses, Incidents and Accidents

Historical images show the layout of the site has been unchanged in nearly 50 years. This indicates that there has been no significant loss of infrastructure due to fire or similar.

3.3.8 Wastes Produced

The nature of the use of the site mean the only waste produced onsite in recent time will have been for the animals using the site. The cleanliness of the stables suggests that they are cleaned after use and the animal waste produced disposed of elsewhere. It can be assumed that when the site has been used for other animals (in particular the Show) similar clean up measures have been carried out by the owners.

3.3.9 Waste Disposal Locations and Imported Fill

ES&D Text Body

3.3.10 Information Sources

- (the LIST) Land Information System Tasmania (www.thelist.tas.gov.au), accessed 23/07/2019;
- (GIP) DPIPWE Groundwater Information Portal (<http://wrt.tas.gov.au/groundwater-info>);
- Burnie Interim Planning Scheme 2013 (www.iplan.tas.gov.au), accessed 24/07/2019;
- Google Earth Pro, accessed 23/07/2019;
- Site visit and interviews with site users

4 Environmental Setting

Located within a General Industrial zoning area the site is surrounded by industrial and residential properties with a sports ground to the north and a cemetery to the south.

There is a low potential for acid sulfate soils in the area as shown in Figure 14. Any building works that may take place as part of the rezoning should take this into account.

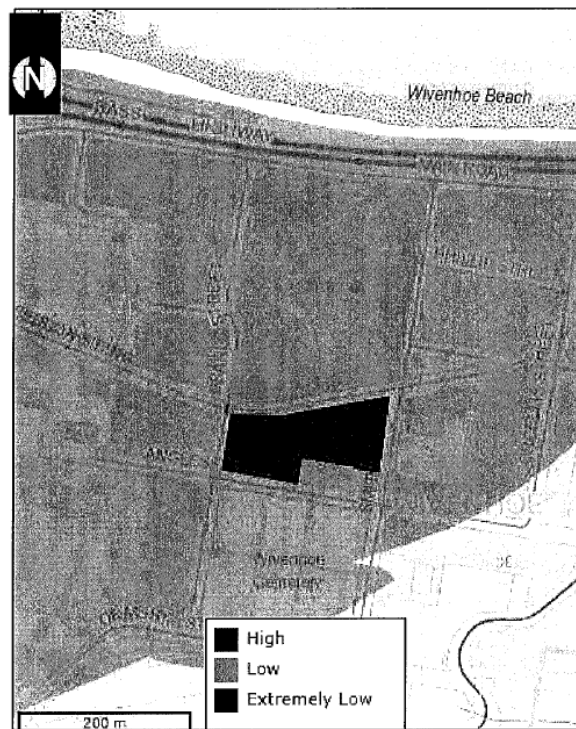


Figure 14: Acid sulfate soils

5 Geology, Hydrology and Hydrogeology

The Mineral Resources Tasmania Digital Geological Atlas, 1:25,000 Series, Burnie sheet, shows the site to be located on Quaternary aged sediments described as “*older aeolian sand of coastal plain*”

There is a regional elevation trend sloping down to the north and west towards Bass Straight and the Emu River respectively. The railway line is a localised low point in the topography with a shallow slope from the south (the site) and a short steep incline immediately to the north up to the Wivenhoe sports ground. Groundwater is likely to flow west across the site towards the Emu River as outlined in Figure 16.

6 Potential Offsite Contamination

There is no indication from site visits, interviews with locals or historical images that there is or ever has been industrial processes carried out at the site. Across Smith Street to the east is Besser Engineering a steel fabrication and suppliers. There is a small (and what appears to be little used) washdown area at the southwestern corner of the site (Figure 15).

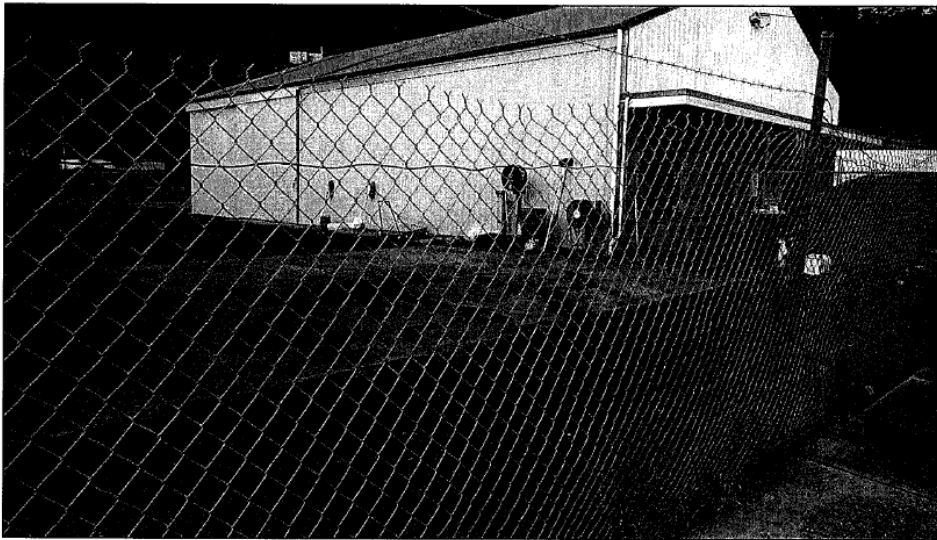


Figure 15: Besser Engineering washdown area

Figure 16 shows the location of known or potential underground petroleum storage systems (UPSS). Inferred ground water flow direction has been added to the map which suggests that there is unlikely to be any pathway between these locations and the site. All potential risks were assessed and found to be low risk. Explosions of the large above ground tanks are designed to explode upwards minimising lateral damage. Groundwater flows are all away from the Site. Carbon waste is buried in the original marshlands to the west of the Site. This material will cause geotechnical issues but does not extend below the showgrounds. All potential risks are considered to be covered.

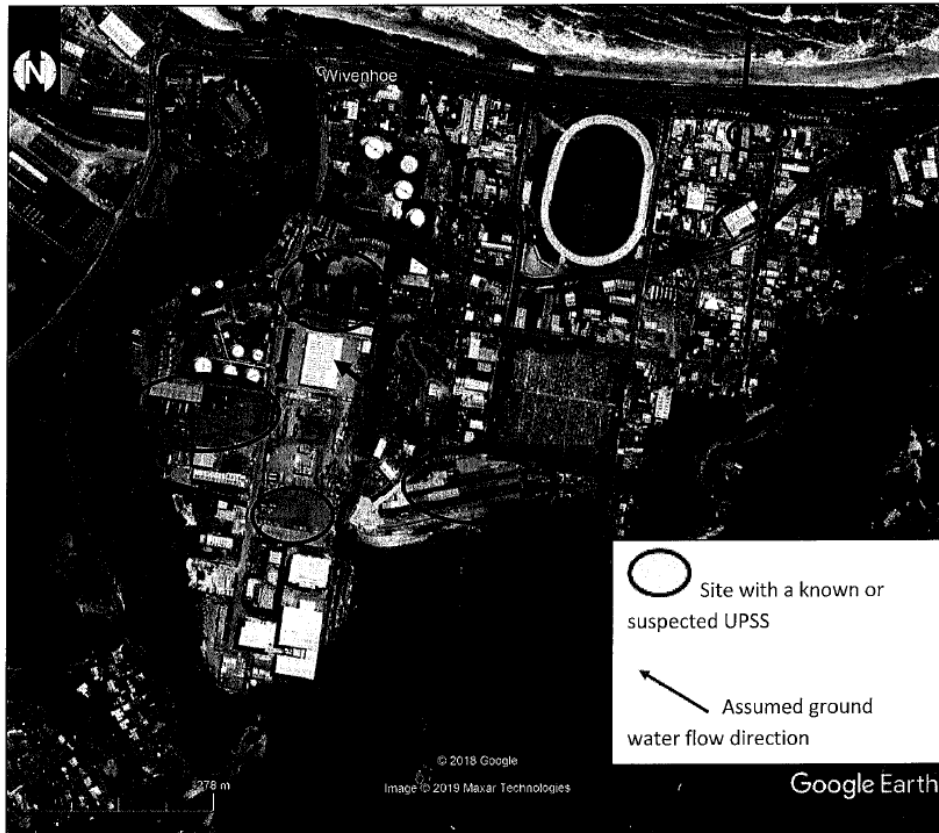


Figure 16: UPSS sites

7 Summary of Previous Investigations

ES&D have previously conducted an asbestos survey and subsequent register for the site. Full details can be found in that separate report.

8 Potential Receptors

There is no evidence for any contamination originating either from, or off site which will pose an increase in risk to future users of the site.

9 Conceptual Site Model

Table 2: Conceptual Site Model

Source	Contaminants of Concern	Potential Pathway	Likely Pathway	Receptor
Underground petroleum storage systems (UPSS) from surrounding properties.	<ul style="list-style-type: none"> ● Heavy metals (Lead) ● Total Petroleum Hydrocarbons (TPH) ● Total Recoverable Hydrocarbons (TRH) ● BTEXN, PAH ● Phenols 	Migration into soil and groundwater and subsequent ingestion/dermal contact or inhalation of COPC	No contamination – no pathway between UPSS and the site based on likely groundwater flow direction	<ul style="list-style-type: none"> ● Building occupants/ site users ● Subsurface workers ● Surrounding site users

9.1 Data Gaps and Uncertainties

The likelihood of contamination outlined in the conceptual site model (Table 2) is based on the inferred ground water flow direction calculated from the elevation profile and data from previously established groundwater bore in the vicinity. No formal calculations or investigations have been made to further assess and confirm/deny this hypothesis.

10 Discussion

No evidence of contaminant producing activities on the site have occurred. Local businesses are unlikely to produce any contamination that has a pathway to the Site.

An asbestos register has been created for the buildings to summarize the location of all known asbestos on site. Any building or renovation works conducted on this site should refer to this document and mitigate any hazards associated with working with asbestos as appropriate.

The change in zoning will not initially change the way the site is being used. Therefore, there will be no contaminating activities that may cause an increase in risk to site users. This investigation will cover future development of the site as long as it is within the planning scope for the Site.

11 Conclusions

There will be no increase in risk to site uses based on the proposed re-zoning.

12 Recommendations

Re-zoning of the site from General Industrial to Community Purpose (or similar) will give a better representation of the current activities being undertaken on the site.

13 Limitations

ES&D has prepared this report in accordance with the care and thoroughness of the consulting profession for the use of the Land south of the Wivenhoe Showground between the Rail Line and Anglesea Street Wivenhoe. It was based on accepted practices and standards at the time it was prepared. No other warranty, expressed or implied, is made as to the professional advice included in this report. It is prepared in accordance with the scope of work and for the purpose outlined.

This report was prepared in July 2019 and is based on the conditions encountered and information reviewed at the time of preparation. ES&D disclaims the responsibility for any changes that may have occurred after this time.

This report should be read in full. No responsibility is accepted for any use of any part of this report in any other context or for any other purpose or by third parties. This report does not purport to give legal advice.

Subsurface conditions can vary across a particular site and cannot be explicitly defined by these investigations. It is unlikely therefore that the results and estimations expressed in this report will represent the extreme conditions within the site.

The information in this report is considered to be accurate at the date of issue and is in accordance with conditions at the site at the dates sampled.

This document and the information contained herein should only be regarded as validly representing the site conditions at the time of the investigation unless otherwise explicitly stated in a preceding section of the report.

No warranty or guarantee of property conditions is given or intended.

14 References

Calver, C.R., Everard, J.L., Green, D.C., Seymour, D.B., Stevenson, M.D. and Vicary, M.J. (compilers) 2010: Map 3, Burnie – Geology. Tasmanian Landslide Map Series. Mineral Resources Tasmania, Department of Infrastructure Energy and Resources, Hobart.

Department of Primary Industries, Parks, Water and Environment (DPIPWE) Groundwater Information Access Portal: <http://wrt.tas.gov.au/groundwater-info/>

Tasmanian Government Land Information System - [http:// www.thelist.tas.gov.au](http://www.thelist.tas.gov.au)

Project 6773 - ESA – Land south of Wivenhoe Showground

APPENDIX E

OPEN SESSION

MINUTES - ORDINARY MEETING OF COUNCIL
TUESDAY, 19 MARCH 2019**LAND AND ENVIRONMENTAL SERVICES****AO065-19 BURNIE PLANNING SCHEME
10 SMITH STREET, WIVENHOE**FILE NO: 3041449
PREVIOUS MIN: AC025-19

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 as landowner request in accordance with section 33 of the former provisions of Land Use Planning and Approvals Act 1993 that the planning authority for the Burnie municipal area initiate under section 34 of the former provisions of the Act the preparation of a draft amendment to the Burnie Interim Planning Scheme 2013 that will change the provisions of the scheme to permit use and development for the Community meeting and entertainment use class and the Sports and recreation use class on land described as 10 Smith Street, Wivenhoe in addition to the use and development currently permitted on land to which the General Industrial zone applies.”

2.0 SUMMARY

The Burnie City Council has recently acquired land at 10 Smith Street, Wivenhoe with a view to providing facilities that will support a range of community groups and associations.

The land is currently assigned to the General Industrial zone under the Burnie Interim Planning Scheme 2013.

The General Industrial zone provisions under the Scheme impose significant restriction on use and development of land for community and recreation purposes.

This report examines what is required in order that the land may lawfully be used in the proposed manner.

3.0 BACKGROUND

Land bounded by Pearl Street, Anglesea Street, Smith Street and the Western Line of the TasRail network comprises 12 separate titles and contains a total area of approximately 2 ha.

OPEN SESSION

MINUTES - ORDINARY MEETING OF COUNCIL
TUESDAY, 19 MARCH 2019

The land forms part of an extensive area located between the Bass Highway, the Emu River, Stowport Road, and slightly south of Ormsby Street that is known as the Wivenhoe industrial area, and is currently assigned to the General Industrial zone under provisions of the Burnie Interim Planning Scheme 2013.

The land includes a single holding comprised of several titles and containing an area of 1.2932 ha.

The balance area of the land bounded by Pearl Street, Anglesea Street, Smith Street and the Western Line of the TasRail network comprises three (3) separate titles at 17, 9 and 21 Anglesea Street, each of which contains an existing single dwelling in residential use. Three (3) titles at the corner of Anglesea Street and Smith Street form a parcel used by a single occupant as a transport depot.

The 1.29 ha holding has until recently been owned by the Burnie Agricultural and Pastoral Society, and was used continuously over a period of some 100 years as part of the site for the annual Burnie Agricultural Show and for occasional related activity.

The former Show Society site contains a number of utilitarian buildings for the display and storage of animals and other exhibits of a show.

There is a relatively recent conversion of one building on the Smith Street frontage to provide a facility for gymnastics. A second building has recently been occupied to provide accommodation for the Burnie Men's shed organisation.

The land has recently been sold, and is no longer to be used as a site for the annual show and other activities of the Burnie Agricultural and Pastoral Society.

Notwithstanding the site was offered for sale as an industrial holding in accordance with the opportunities available for land assigned to the General Industrial zone under the Burnie Interim Planning Scheme 2013 (BIPS 2013), the purchaser has a desire to use the site in support of local community groups and associations.

The exact nature of such activity has not yet been determined. It is anticipated the existing pavilions and sheds on the land may be converted or replaced to provide activity, meeting and storage space, and facilities to accommodate a number of different groups.

The former Burnie Planning Scheme 1989 applied the then Community Purpose zone to the land from 1992 until 1997.

Purpose of the zone was to provide for institutional and community use.

In 1997 the Burnie Agricultural and Pastoral Society requested the Council amend the Burnie Planning Scheme 1989 to delete the Community Purpose zone as it applied to the land bounded by Pearl Street, Anglesea Street, Smith Street and the Western Line of the TasRail network and replace it instead with the then Industry zone.

OPEN SESSION

MINUTES - ORDINARY MEETING OF COUNCIL
TUESDAY, 19 MARCH 2019

The Show Society then explained the land was surplus to the requirements of the Society, and that the land could be better used for purposes consistent with use of the greater part of the land at Wivenhoe as an industrial estate.

The Council agreed to support a scheme amendment on grounds that the site as a whole provides an area attractive for large scale industrial activity, and was advantageously located within Burnie's major industrial precinct with good access to transport and utility services and relative remoteness from primary residential areas.

The Burnie Planning Scheme 1989 was amended in June 1997 and the land became part of the Wivenhoe industrial estate.

The site has remained in ownership and use of the Show Society until early 2019.

The Burnie Interim Planning Scheme 2013 was required to translate the former Burnie Planning Scheme without any change to the existing rights and interests of owners and occupiers.

The BIPS 2013 intentionally applied the General industrial zone to all the industrial land at Wivenhoe, including the land bounded by Pearl Street, Anglesea Street, Smith Street and the Western Line of the TasRail network.

Purpose of the BIPS 2013 General Industrial zone is to provide land for use by undertakings for manufacturing, processing, repair, and the storage and distribution of goods and materials in a manner that may have adverse impact on neighbouring non-industrial use.

The provisions of the BIPS 2013 for the General Industrial zone prohibit the Community meeting and entertainment use class for social, religious and cultural activities, entertainment and meetings, including such use as an art and craft centre, church, cinema, civic centre, function centre, library, museum, public art gallery, public hall, theatre and the like.

The Scheme also prohibits Sports and recreation use class for organised or competitive recreation or sporting purposes including associated clubrooms for activities such as bowling alley, fitness centre, firing range, golf course or driving range, gymnasium, outdoor recreation facility, public swimming pool, race course and sports ground.

No representations were received in relation to zoning of the land during the exhibition period for the BIPS 2013.

The current provisions of the BIPS 2013 impose significant restriction on ability to lawfully use the land in the manner identified by the purchaser.

It is open to suggest the former Show Society site has continuing existing use rights under both the Community meeting and entertainment use class and the Sports and recreation use classes.

However, while the provision of the *Land Use Planning and Approvals Act 1993* protect an existing continuing use, there are limits on the ability to lawfully change the nature of such use, or to intensify or relocate that use within a site.

The landowner cannot reasonably rely on any alleged existing continuing use right to lawfully redevelop the site and introduce activity that was not previously conducted from the land.

Any intention to re-use the site as a general purpose community facility for occupation by a range of community groups and associations requires a change to the provisions of the planning scheme as they apply to use of the land.

4.0 LEGISLATIVE REQUIREMENTS

The *Land Use Planning and Approvals Act 1993* provides the statutory arrangements and considerations relevant to the preparation, approval, and amendment of a planning scheme.

A planning authority may of its own volition, or on the request of a third party, initiate an amendment to change the manner in which land is zoned or the provisions that apply to regulate the use, development and protection of land.

A decision on whether to initiate an amendment to a planning scheme is a strategic consideration which must be made without regard for any specific and subsequent use or development.

A decision on whether to approve and implement a planning scheme amendment is ultimately made by the Tasmanian Planning Commission.

The statutory role of a planning authority is to assist the Tasmanian Planning Commission by determining against prescribed criteria whether it is appropriate to initiate a draft amendment.

The *Land Use Planning and Approvals Act* as amended currently provides in Schedule 6 that during the transitional period between introduction of legislation to create the Tasmanian Planning Scheme and the making of a local planning schedule to replace the current interim planning scheme, a planning authority may continue to initiate amendments to the current planning scheme.

The relevant statutory requirements are those which applied under s20 and s32 of the *Land Use Planning and Approvals Act 1993* as it operated immediately prior to the amendments which introduced the arrangements for making of the Tasmanian Planning Scheme.

A draft amendment to an interim planning scheme must satisfy the following criteria –

- (a) contain any applicable mandatory provisions that must be contained in an interim planning scheme;
- (b) be for the purpose and be in the format prescribed by section 32 of the Act;

- (c) further the statutory objectives for the Tasmanian land use planning system and land use processes;
- (d) be consistent with each State policy;
- (e) be consistent with the Cradle Coast Regional Land Use Strategy;
- (f) be consistent with the strategic plan, prepared under section 66 of the *Local Government Act 1993*, that applies in relation to the land to which the relevant planning instrument relates;
- (g) as far as practicable, be consistent with and coordinated with any planning scheme in force for the municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and
- (h) have regard to the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*
- (i) must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and
- (j) must not conflict with any mandatory provision required to be in the planning scheme by instruction of a Planning Directive; and
- (k) must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms

If a planning authority is satisfied a proposed draft amendment meets all legislative requirements, and has determined to initiate the scheme amendment, it must prepare and certify the draft amendment documents under its common seal in accordance with the requirements of the former s35.

The planning authority must then conduct a public exhibition period and provide the draft amendment for community consideration and comment for a period of not less than 28 days.

The planning authority must provide the Tasmanian Planning Commission with a report under section 39 at conclusion of the exhibition period, in which it is to detail its views and opinions on all matters in any representation received during the exhibition period; and indicate whether the draft amendment should be approved, modified or abandoned.

The Commission must independently assess and determine the draft amendment for compliance to statutory purpose. It is to be assisted in this task by the information provided in the application, any matter in a representation, and the advice and opinion of the planning authority.

The Commission is not bound to the opinion of the planning authority and may decide an outcome which is entirely different.

There is no right of appeal on the Commission's decision.

Where a planning authority decides not to initiate an amendment of the planning scheme, a person may not request the authority to initiate an amendment which is substantially the same as the first-mentioned amendment within a period of 2 years from the date on which the planning authority made its decision.

5.0 POLICY CONSIDERATIONS

A proposal to amend a planning scheme requires assessment against any applicable State, regional and local policy to determine whether it is appropriate to initiate a draft scheme amendment.

The planning authority must also consider the policy objectives embedded in the legislation which require planning decisions based on sound strategic planning and which provide a long-term benefit to the community, environment and economy.

Policy in relation to matters outside the scope of the planning process is not relevant.

6.0 FINANCIAL IMPACT

There are no financial impacts directly associated with the requirement for a planning authority to make a decision on whether to initiate a draft planning scheme amendment.

There is no likelihood for appeal costs because the decision cannot be called for reconsideration by the Appeals Tribunal or a court unless for judicial review on grounds of failed process of misuse of power.

There may be costs incurred if the Commission assumes the planning authority's responsibilities because it fails to make a decision or to complete an action within the prescribed timeframes.

There are some costs likely in any appearance before the Planning Commission at any hearing held to assist determination.

These are administrative costs associated with the Council's functions as a planning authority and its obligation to comply with the statutory requirements of the land use planning system.

The financial interests of the landowner in relation to obtaining a return on an investment in property are not relevant or proper considerations in any decision to amend a planning scheme.

7.0 DISCUSSION

The then owner of the land at 10 Smith Street, Wivenhoe requested, and the Burnie City Council in its capacity as a planning authority initiated, an amendment in 1997 that resulted in a conversion of the regulatory purpose under the former Burnie Planning Scheme 1989

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from community purposes to industrial for the land at Wivenhoe bounded by Pearl Street, Anglesea Street, Smith Street and the Western Line of the TasRail network.

The industrial zone was intentionally carried into the Burnie Interim Planning Scheme in 2013 to retain the strategic purpose of the former scheme.

There is no error or omission in the current provisions of the Burnie Interim Planning Scheme 2013 that requires correction.

The industry zone has applied to the land for marginally more than 20 years, albeit without release from the prevailing use of the previous owner or redevelopment to an industrial purpose.

There is a new owner with an ambition to use the land in a way that cannot adequately or confidently be accommodated within the provisions of the planning scheme as they currently apply for the land.

It will be necessary to make a successful amendment to the provisions of the planning scheme before any change in use may lawfully occur.

The scheme amendment process requires a two stage examination in which matters of strategic significance are to be addressed and resolved in advance of any decision on suitability of the land to meet a particular alternate purpose.

The strategic considerations are to examine whether it is appropriate to release the land from its current zoning before contemplating any alternative zone.

The planning authority is on record as having supported a change in the strategic purpose of the land from community to industry.

The planning authority must have sound strategic reason for reversing that position.

The Burnie Settlement and Investment Strategy was initially adopted in 2007 to guide development and investment decisions in Burnie in a manner that will provide a pattern of settlement and infrastructure provision that is achievable, orderly, economic and sustainable, and that will be relevant to future needs, capabilities and potentials.

The Strategy examined the demand for and the suitability of land in Burnie to accommodate industrial activity.

The Strategy concluded land at Wivenhoe represented the most appropriate location for continued and expanded industrial use given it contained a large area of relatively flat and highly accessible serviced land in a location relatively remote for major residential areas, and contained a significant number of undeveloped or non-industrial site that could be converted to future industrial use.

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The strategy suggested the Council actively engage in land acquisition to consolidate sites to create larger more practical parcels, and to prevent continued alienation of non-industrial site from industrial use.

The Strategy was reviewed in 2017, and contains a conclusion that there is no requirement to modify the approach to the identification and regulation of land at Wivenhoe as the prime site for new and intensified industrial use.

The Council adopted the revised strategy in July 2017.

While the review noted large and long-established industries have respectively ceased or markedly scaled back operations, and the uptake of industrial land was relatively modest at about 1,900 m² per annum, it reported that Burnie's greater reliance on the manufacturing and resources, utilities, and construction sectors distinguishes the city from the balance of Tasmania.

The review particularly noted –

Burnie has a legacy of uncoordinated, fragmented industrial development that predates the adoption of town planning. The resultant pattern has adverse impacts on supply, function and amenity.

Manufacturing, processing and bulk storage and handling activities are to be encouraged to cluster in locations where there is a clear advantage for industry through the availability of large, suitable land sites, proximity to resource or workforce, secure access to available or planned transport and utility infrastructure, an established pattern of industrial use and a reasonable ability to buffer against impact on other land uses.

It is intended that the remainder of the former paper mill site at South Burnie be retained for industrial purposes in accordance with a General Industrial zone.

The conversion of residual residential uses in Wivenhoe to industrial is to be encouraged.

Transport and storage activities are to be promoted in locations with access to strategic transport infrastructure and main freight corridors including sea and airports, major road junctions and rail yards.

The Strategy does not indicate any need to increase the area of land available in the Burnie municipal area for community purposes.

Any change to the provisions of a planning scheme must be consistent, as far as is practicable, with the Cradle Coast Regional Land Use Strategy (CCR LUS).

The CCR LUS is a statutory document made by the Minister for Planning under the *Land Use Planning and Approvals Act 1993* in October 2011, and provides a regional planning perspective for the considerations that are relevant to management of natural resources and values, and for the provision of land for community and economic activity.

There are specific objectives in the CCR LUS that address the provision and protection of employment land, including industrial land.

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The Settlement and Investment Strategy Review in Section 7 addressed the considerations contained in the CCR LUS as –

Land Use planning processes for economic activity is intended to facilitate the supply of employment land in all settlement areas for industrial, business and institutional use. It is to ensure locations for employment use accommodate new forms and changing patterns of economic activity.

Employment land should be provided in locations where the land is physically capable of development, transport access and utilities can be provided at reasonable economic, social and environmental cost, where there is access to resource, energy, communication and workforce and sufficient separation can be provided to buffer impact on natural values, economic resources and adjoining settlement.

Economic activity and employment lands should be protected against intrusion by alternate forms of use or development.

Employment land should only be converted to non-employment use only where the land is not required, is incapable of effective use for employment purposes over the long term, conversion will not adversely affect the overall efficiency of other employment land in the vicinity, there is a need for conversion and the land is suitable for the proposed alternative use.

The strategic objectives contained in the adopted 2017 Strategy in relation to industrial land include –

To consolidate industrial uses and development at appropriate locations.

To ensure that industrial land supply addresses the specific contemporary industrial site requirements as to area, dimensions, slope, services and location

To ensure the adequate provision of appropriately located and suitable industrial land.

The objectives are to be met through strategic actions that will –

Limit the conversion of Industrial land to non-employment use to circumstances where the land is not required, is incapable of effective use for employment purposes over the long term, conversion will not adversely affect the overall efficiency of other employment land in the vicinity, there is a need for conversion and the land is suitable for the proposed alternative use.

Protect industrial land from encroachment by sensitive non-industrial uses.

The 2017 Strategy also established that the Council has an objective to *transition obsolete and inappropriate industrial sites to more appropriate alternative uses* by actions that will *select and target rezoning of obsolete industrial land to more appropriate alternate purposes.*

The Strategy did not identify land at Wivenhoe as obsolete or inappropriate for industrial purposes.

The 2017 Strategy also addressed requirements for community and recreation facilities. However, the Strategy does not include any requirement to increase the provision of land or facilities for new or relocated community infrastructure.

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There is no compelling reason within the adopted land use strategy of the Burnie City Council that will allow a planning authority to conclude there is a need to release 2.0 ha of land known as 10 Smith Street, Wivenhoe from the current General Industrial zone.

It is therefore unproductive to examine an alternate zone for the land.

The current provisions of the BIPS 2013 prohibit community and recreation purposes on land assigned to the General Industrial zone.

It is open to consider whether it is appropriate to amend the use provisions for the General Industrial zone to also permit community and recreation purposes without loss of potential for industrial use.

There are two possible approaches –

- (a) a general amendment that would permit community and recreation use in addition to the existing permissible industry uses on any land within the municipal area to which the zone applies; or
- (b) a site specific amendment to permit community and recreation use in addition to the existing permissible industry uses on the 1.2932 ha of land known as 10 Smith Street, Wivenhoe

A general amendment would open all zoned industrial land to potential for community and recreation use. The proposition is contrary to the regulatory purpose of the General Industrial zone to provide land on which industrial undertakings may confidentially undertake routine operations without risk of conflict and interference from adjoining non-industry use.

It is also inconsistent with the strategic considerations contained in both the CCR LUS and the Settlement and Investment Strategy to protect the availability and use of industrial land against intrusion and conversion by incompatible and non-industry activity.

Council must also consider the longevity of any regulatory amendment to the BIPS 2013 that would permit community and recreation use on industry land.

There is to be a Tasmanian Planning Scheme that will replace the Burnie Interim Planning Scheme some time during 2020. The land use controls that will apply under the Scheme have already been set.

The Tasmanian Planning Scheme provisions for an industrial zone will prohibit use within the Community meeting and entertainment and the Sports and recreation use classes.

It will be difficult for the reasons set out above for the Tasmanian Planning Scheme to abandon the current application of a zone for industry purposes and apply an alternate zone for the land at Wivenhoe.

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Application of the Tasmanian Planning Scheme will eliminate any general provision for how land may be used and developed under the BIPS 2013.

A general amendment would therefore be relatively short-lived. The benefit of any general change in the provisions of the BIPS 2013 would be lost, and the restrictions currently experienced on community and recreation use of the land would again apply.

Any subsequent proposal to amend the Tasmanian Planning Scheme to recover the advantage contained in any general amendment of the BIPS 2013 will require compliance to the criteria now in section 34 of the Act, and be able to establish any change will have significant social, economic or environmental benefit to the State, region and municipal area, or is necessary because the site has unique qualities that cannot be adequately managed under the standard provisions of the Tasmanian Planning Scheme.

The alternate approach is to propose an amendment to the BIPS 2013 that will apply only to the 1.29 ha site and permit community and recreation use in addition to the full scope of activity permitted by the General Industrial zone.

Such an amendment will not destroy the General Industrial zone, and therefore does not immediately run-afoul of the regional and municipal strategies for provision and protect of industrial land. It will remain open at any time for the land to be put to industry use.

The land has a long history as a particular community and recreation use, and has not previously been used for industry purposes. An opportunity for new and different community and recreation activity is not inconsistent with the unique history of the site.

The 1.29 ha site is bound by Pearl Street and Smith Street, and is located between two larger holdings, each of which has historically and currently been used for non-industrial purposes.

Land to the north between the Bass Highway and the railway line is assigned to the BIPS 2013 Recreation zone and is public land for purposes of the *Local Government Act 1993* as the Wivenhoe recreation ground. The site provides facilities for football, cricket and harness racing. The recreation ground has been used annually in conjunction with the 1.29 ha site to accommodate the arena and sideshow alley components of the Burnie Show.

The two sites are separated by the railway alignment. Internal access between the two is dependent on there being a current level crossing licence issued under the *Rail Infrastructure Act 2007*. However, it is possible for the 1.29 ha site to operate independently of the Wivenhoe Recreation Ground for community and recreation purposes.

Land to the south of Anglesea Street to Ormsby Street contains the Wivenhoe Cemetery, and is assigned to the BIPS 2013 Open Space zone. The first burial occurred in 1900, and plots reserved under the exclusive right of burial system remain available for interment of human remains. Recent changes to the *Burial and Cremation Act 2002* provide that the cemetery cannot be converted to passive recreation purposes until the expiration of a period of 100 years from the last interment. The current law of Tasmania instructs the cemetery site can never be redeveloped for industrial purposes.

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The land bounded by Pearl Street, Anglesea Street, Smith Street and the Western Line of the TasRail network therefore forms an intermediate bridge of industrial land between that part of the Wivenhoe industrial estate located between the Emu River and Pearl Street, and that part between Smith Street and Stowport Road. However, the unique history of the site, and the nature of former use and existing improvements mean it has never formed an active part of the industrial estate.

A specific area plan amendment to the BIPS 2013 may be proposed to change the provisions in the Use Table in clause 25.2 to include as a permitted use any use in the Community meeting and entertainment use class and the Sports and recreation use class.

All other provisions for application and operation of the general industrial zone as it applies to the 1.29 ha site would remain undisturbed.

Again, introduction of the Tasmanian Planning Scheme will effectively repeal the BIPS 2013 and the benefit of its provisions will be lost.

The ability to retain a specific area plan as part of the Tasmanian Planning Scheme will require the Minister for Planning must agree the provision be transitioned into the Scheme in accordance with Schedule 6 clause 8A of the Act. A decision to do so is at discretion of the Minister on the advice of the Tasmanian Planning Commission.

The introduction of a specific area plan for the purpose discussed will be more challenging after the Tasmanian Planning Scheme takes effect.

It is therefore important that the landowner act quickly to request the planning authority initiate a draft amendment to the BIPS 2013 to introduce a specific area plan that will permit use and development for community and recreation purposes in addition to uses permitted under the General Industrial zone on the 1.29 ha site known as 10 Smith Street, Wivenhoe.

It is also important, if a scheme amendment is successful, that the landowner make application for a land use permit and undertake any change of use and associated development described in that permit before the Tasmanian Planning Scheme takes effect.

In the event the Tasmanian Planning Scheme does not include a transitional provision, future use and development of the site for community and recreation purposes will be limited to the activity described in any permit issued and commenced during currency of the amended BIPS 2013.

The land is considered suitable for community and recreation use. It is relatively level, vehicular access may be achieved from Pearl, Anglesea and Smith Street, and the land may be fully serviced with a water supply and arrangements for drainage and disposal of sewage and stormwater. There are no known contamination that would preclude re-use for sensitive use.

The observations as to suitability do not include any position in relation to whether the existing buildings and improvements on the land may be occupied in accordance with the relevant standards for a community use building in relation to structural adequacy,

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accessibility, sanitation, light and ventilation, and fire safety. These are matters independent of the land use planning process, and must be separately examined.

8.0 RISK

There is a high level of risk to the integrity of the Council in how it deals with any scheme amendment process.

A council in its role as a planning authority has an obligation as a planning authority to prepare and maintain currency of a planning scheme for the municipal area.

There is no statutory restriction on a planning authority seeking to amend a planning scheme as it applies to land owned by the Council for the municipal area to which the planning scheme applies.

However, a planning authority engaged in such a process must be careful to manage risk to its credibility, integrity, and reputation.

The *Land Use Planning and Approvals Act 1993* in section 48 requires a planning authority must within the ambit of its powers observe and enforce the observation of that scheme in relation to all use and development within the municipal area by the planning authority or any other person. The Act is very specific on the duty of a planning authority to observe a planning scheme in relation to its own actions to use and develop land.

Section 63A provides that a planning authority that does not take all reasonable steps to ensure compliance to the municipal planning scheme is guilty of an offence punishable on summary conviction to an initial fine of up to \$80,000 and a further fine of up to \$8,000 per day during with the breach continues.

The duty created by the Act means the Council must be a model applicant, model landowner, and a model occupier in relation to use and development on the former Showground site.

The Council as a planning authority must be a model regulator in relation to how it observes and enforces compliance to applicable planning scheme requirements.

Both roles require a full and independent observation of all the proprietaries of procedural fairness and compliance with all aspects of statutory process to avoid any actual or perceived bias or conflict.

In this regard the roles of the applicant and the planning authority must be separated such that –

- (a) the Council as landowner must make an application to the Council as the planning authority for the municipal area requesting that the planning authority initiate a scheme amendment to include provisions that will permit use and development of land at 10 Smith Street, Wivenhoe for community and recreation purposes;

- (b) the application and supporting information to address the relevant statutory considerations for a draft scheme amendment must be prepared by a person who is not employed by the Council to assist or advise its functions as a planning authority;
- (c) the Council as a planning authority must separately and independently receive and determine the application to initiate a draft scheme amendment;
- (d) the Council as the applicant and the Council as the planning authority must be separately represented in any proceedings in relation to the hearing and determination of a draft scheme amendment by the Tasmanian Planning Commission.

The landowner cannot under the current provisions of the Burnie Planning Scheme 2013 lawfully obtain a permit or take any action on the site that will introduce or change the nature, intensity or location of community or recreation use on the land.

There must be a change to the provisions of the planning scheme before the site may be properly used and developed in the manner described by the Council's intentions in Minute ACO25-19 of 19 February 2019 .

The risks associated with a need to change the planning scheme are -

- (a) a moderate level of risk for the strategic reasons set out in the CCR LUS and the Settlement and Investment Strategy 2017 that the TPC will not agree to any amendment that has potential to alienate availability or access to industrial land or to consolidate potential for non-industrial use in a location where it may conflict or constrain existing and future industrial use;
- (b) a moderate level of risk that any amendment made to the BIPS 2013 will be lost when the Tasmanian Planning Scheme takes effect in the Burnie municipal area, and that the future use and development of the land after that date will be limited to such activity as may have been approved and commenced under a permit issued during currency of the amendment; and
- (c) a low level of risk that a third party or State agency may make a representation on a draft amendment that identifies matters sufficient to defeat the amendment

There is also a high level of risk to the credibility and statutory duty of the Council as a planning authority to observe and enforce compliance to the Burnie Interim Planning Scheme 2013 if it is to invite and permit use and development on the land in any manner that is contrary to the requirements of the scheme.

9.0 CONSULTATION

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

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COUNCIL RESOLUTION

Resolution number: MO058-19

MOVED: Cr K Dorsey**SECONDED:** Cr A Boyd

"THAT Council as landowner request in accordance with section 33 of the former provisions of Land Use Planning and Approvals Act 1993 that the planning authority for the Burnie municipal area initiate under section 34 of the former provisions of the Act the preparation of a draft amendment to the Burnie Interim Planning Scheme 2013 that will change the provisions of the scheme to permit use and development for the Community meeting and entertainment use class and the Sports and recreation use class on land described as 10 Smith Street, Wivenhoe in addition to the use and development currently permitted on land to which the General Industrial zone applies."

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

APPENDIX F

PLEASE QUOTE

Your Ref:

Our Ref: 3041449, 29/11/1

Enquiries Mr Rodney Greene RG:CTL

80 Wilson Street, Burnie Tasmania
PO Box 973, Burnie TAS 7320ABN: 29 846 979 690
Phone: (03) 6430 5700
Email: burnie@burnie.net
Web: www.burnie.netWe value your feedback on our service.
Tell us about it at www.burnie.net/feedback

29 October 2019

Theresa Williams
Director & Urban and Regional Planner
Plan Place
PO Box 7710
Launceston 7250

Dear Madam

SMITH STREET WIVENHOE

I refer to the proposed Scheme Amendment for Smith Street Wivenhoe, and wish to confirm that at its meeting on 19 February 2019, Council formally resolved to:

"Confirm the strategic use of the site to be used primarily for the support of community group."

Council had considered its strategic intent for the site at the meeting, and given the number of existing community groups already based at Wivenhoe, and the requests from other community groups to be accommodated on site, it decided that the site be used primarily to support community groups. This could include the provision of workshops, meeting spaces, storage areas, events spaces and activity areas.

The site is already being utilised by a number of community groups. These include:

- Burnie Men's Shed
- Burnie Farmers Market
- Zodiacs Gymnastics Club
- Probus Club of Burnie
- Emu Bay Lions Club
- Burnie Sorooptimists Club
- St Johns Ambulance
- Rotary Club of Burnie for a Halloween community event
- Burnie Harness Racing Club

It is Council's intention that once the Scheme Amendment is in place, to then promote the use of the site to other community groups.

Council has already received expressions of interest from the Burnie Gemstones Club and Burnie Fairy God Mothers group to use the site.

A large pavilion is currently being converted as storage space for community events. In the past 12 months fourteen community groups have accessed equipment for their events.

- 2 -

The utilisation of the storage space at Wivenhoe has allowed Council to free up another building for use by the Burnie United Football club.

Should you require further information, please do not hesitate to contact me.

Yours faithfully



Andrew Wardlaw
GENERAL MANAGER

WORKS AND SERVICES**AO340-19 POLICY REVIEW - BOUNDARY FENCE CONTRIBUTION -
PUBLIC RESERVES CP-CBS-SG-014**

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 Boundary Fence Contribution – Public Reserves CP-CBS-SG-014, as presented.”

2.0 SUMMARY

This report presents a revised policy in relation to Council’s requirements for the standard of fencing to be constructed adjacent to its public reserves and the quantum of financial contribution it will make to agreed fence renewals or new fencing works, adjacent to Council reserves.

The policy as presented has not materially changed from the previous version.

3.0 BACKGROUND

Council’s policy *Boundary Fence Contribution – Public Reserves CP-CBS-SG-014* provides guidance to staff and to the public as to the required standard for fences between private lands and public reserves, where a new or replacement fence is proposed.

The quantum of contribution that will be made by Council to an agreed fencing project is identified in the policy.

This policy is now due for review.

4.0 LEGISLATIVE REQUIREMENTS

The *Boundary Fences Act 1908* specifies the rights and responsibilities of landowners in regard to the erection and maintenance of boundary fences.

There are various exemptions to the application of the *Act*. In regard to public reserves, the following provision is applied:

6. Act not to apply to unalienated Crown lands

This Act shall not apply to any –

(a) unoccupied Crown lands; or

(b) public reserves –

nor shall the Crown, the Governor, the Director-General of Lands, nor any public officer appointed by the Governor for the administration, management, or control of Crown lands or public reserves, or who may, by virtue of his office, however styled, have any such administration, management, or control, be liable under the authority of this Act to make any contribution towards the erection or repair of any fence between the land of any occupier and any Crown lands.

This means that Council has no obligation to contribute to fencing between a public reserve and private lands.

Council has a long standing policy position of contributing 50% to the cost of fencing materials (up to a predetermined threshold) where it has approved an application to construct a new or replacement fence adjacent to a public reserve.

For the majority of other Council lands, where no similar exemption applies, Council (as any other landowner) must comply with the requirements of the Act.

5.0 POLICY CONSIDERATIONS

Council has had in place a Boundary Fence Contribution – Public Reserves Policy for a period of time.

A position has been taken by Council in relation to the fencing of public reserves, in that while there is no legislative requirement for Council to do so, it will make a contribution (to the level detailed in the policy) towards the construction of new fences or fence renewals, between a public reserve and private lands, subject to an approval process.

6.0 FINANCIAL IMPACT

Council allocates a sum of \$15,000 per annum to fund its contribution to any agreed fencing works.

The maximum contribution that Council will make under the policy is \$1,500 including GST.

7.0 DISCUSSION

Council's policy *Boundary Fence Contribution – Public Reserves CP-CBS-SG-014* is due for review in March 2020.

The policy sets Council's position in respect to contributions it will make towards fencing between adjacent private lands and public reserves.

The normal requirements of the *Boundary Fences Act 1908* apply to the sharing of cost for boundary fences between private and Council lands, which are not designated as a public reserve or are not specifically excluded under the legislation. An example of this situation would be a Works Depot that is used for operational purposes and is not accessible to the public.

In the March 2017 review the maximum contribution payable by Council to a fence replacement was increased to \$1,500 including GST.

Officers have reviewed the current policy and consider that the document reflects current practices and is consistent with associated Council policies, bylaws and relevant legislation.

Minor changes have been made to ensure consistent terminology throughout the policy, no amendments of substance are proposed.

A copy of the draft policy is ***attached***.

8.0 RISK

This policy has been in place for a period of time and has been found to be a practical approach to managing the balance between the legislative position available to Council and acting as a good neighbour and supporting adjacent property owners in addressing their fencing concerns.

The policy approach is consistent with that applied by the majority of Local Government in Tasmania.

9.0 CONSULTATION

Discussions have occurred with relevant Council Officers and Councillors were provided with a draft copy of the revised policy for comment at the Council Workshop on 26 November 2019.

ATTACHMENTS

1. [Current Boundary Fence Contribution Public Reserves CP-CBS-SG-014 v4.0](#)
2. [Revised Draft Boundary Fence Contribution - Public Reserves CP-CBS-SG-014 v5.0](#)

COUNCIL RESOLUTION

Resolution number: MO383-19

MOVED: *Cr A Keygan*


SECONDED: *Cr T Bulle*

“THAT Council adopt the revised policy Boundary Fence Contribution – Public Reserves CP-CBS-SG-014, as presented.”

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

 BURNIE CITY COUNCIL	COUNCIL POLICY		Boundary Fence Contribution – Public Reserves	
	Approved By: Council	Doc Controller: General Manager	File: 4/14/2	Document Code: CP-CBS-SG-014 Version: 4.0 Approved Date: 21 Mar 2017 Next Review Date: 21 Mar 2020

1 PURPOSE

To outline the principles to be applied in assessing Council's financial contribution towards the erection/replacement of boundary fencing to private land adjoining a Public Reserve.

2 OBJECTIVE

Provide guidance to Council staff on the principles to be applied in any negotiations with persons in relation to the fencing of property adjoining a Public Reserve.

3 SCOPE

This policy applies only to the erection/replacement of boundary fences adjoining a Public Reserve and does not apply to:

- a) The repair/maintenance of boundary fences (which is the responsibility of the landholder).
- b) The erection/replacement of boundary fences abutting undeveloped Crown land that is leased by Council.
- c) Retaining walls and other structures intended by the landowner to support land or to extend the usefulness and enjoyment of private land.
- d) Boundary fences abutting roads or vehicular lanes, including adjacent nature strips.


4 POLICY

4.1 Application

An application for a contribution to fencing erection/replacement is to be made to the Council by the landowner on the Application Form.

Approval of the works and extent of Council contribution is to be determined prior to the works commencing.

The landowner is responsible for obtaining any approvals pertaining to the erection/replacement of the fence.

 BURNIE CITY COUNCIL	COUNCIL POLICY		Boundary Fence Contribution – Public Reserves	
	Approved By: Council	Doc Controller: General Manager	File: 4/14/2	Document Code: CP-CBS-SG-014 Version: 4.0 Approved Date: 21 Mar 2017 Next Review Date: 21 Mar 2020

4.2 Contribution to Fencing of Land Adjoining a Public Reserve

For approved applications, a financial contribution will be made towards the cost of erection/replacement of boundary fencing to private land adjoining a Public Reserve.

The contribution will be calculated at the rate of 50% of the actual invoiced cost of materials only to complete the fence up to a maximum of \$1,500 including GST for each allotment, providing fencing is carried out in accordance with Council's standard specification.

The fence construction is to be completed and the claim for a refund lodged with Council within six (6) months of the date a contribution to the fence was approved.

4.2.1 Standard of Boundary Fence

The standard of boundary fence shall be:

- a) Where there exists a reasonable expectation that use and activity within the reserve will, by reason of its intensity and/or frequency, present an inconvenience in terms of the security or privacy of the private land, then the standard shall be a timber paling fence or similar of height between 1500mm to 1800mm, erected in a tradesman like manner using sturdy long life materials of acceptable visual presentation, generally in accordance with Council's specification.
- b) Where the adjoining Public Reserve is remote, generally inaccessible, or infrequently used, then the standard shall be a post and five (5) strand appropriate wire construction, erected in a tradesman like manner using new materials.


4.2.2 Landholder's Option to Exceed Standard

A landowner may erect a boundary fence of a standard greater than that detailed in this policy, however Council's contribution will not exceed that otherwise payable for a fence erected in accordance with the adopted policy.

An alternate fence standard must comply with relevant legislation.

4.3 Approval/Refusal

The General Manager or delegate is authorised to administer the policy, and to have discretion to grant (subject to adequate funds remaining in the budget allocation) or refuse a contribution.

	COUNCIL POLICY		Document Code: CP-CBS-SG-014
	Boundary Fence Contribution – Public Reserves		Version: 4.0
	Approved By: Council		Approved Date: 21 Mar 2017
	Doc Controller: General Manager		Next Review Date: 21 Mar 2020
	File: 4/14/2		

5 LEGISLATION


Boundary Fences Act 1908
 Building Act 2000
 Public Reserves & Public Buildings Bylaw No. 1 of 2011

6 RELATED DOCUMENTS

FO-WS-A-604 Boundary Fence Contribution - Public Reserves
 (Application Form, Procedure and Specification)

7 OTHER REFERENCES

Policy Endorsement	
Responsibility:	It is the responsibility of the Director Works and Services to facilitate the implementation of this policy and review its content from time to time. It is the responsibility of the Governance Unit to maintain this policy in the Corporate Document Framework.
Minute Reference:	AO062-17
Council Meeting Date:	21 March 2017
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 policy <i>Boundary Fence Contribution – Public Reserves</i> CP-CBS-SG-014 version 3.0 dated 18 February 2014 (MO048-14).
Date of Commencement:	22 March 2017
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).

 BURNIE CITY COUNCIL	COUNCIL POLICY	
	Boundary Fence Contribution – Public Reserves (Draft)	
	Approved By: Council	Document Code: CP-CBS-SG-014
	Doc Controller: Executive Manager	Version: 5.0
	Corporate Governance	Approved Date:
File: 4/14/2	Next Review Date:	

1 PURPOSE

To outline the principles to be applied in assessing Council's financial contribution towards the erection/replacement of boundary fencing to private land adjoining a Public Reserve.

2 OBJECTIVE

Provide guidance to Council staff on the principles to be applied in any negotiations with persons in relation to the fencing of property adjoining a Public Reserve.

3 SCOPE

This policy applies only to the erection/replacement of boundary fences adjoining a Public Reserve and does not apply to:

- a) The repair/maintenance of boundary fences (which is the responsibility of the landowner).
- b) The erection/replacement of boundary fences abutting undeveloped Crown land that is leased by Council.
- c) Retaining walls and other structures intended by the landowner to support land or to extend the usefulness and enjoyment of private land.
- d) Boundary fences abutting roads or vehicular lanes, including adjacent nature strips.


4 POLICY

4.1 Application

An application for a contribution to fencing erection/replacement is to be made to the Council by the landowner on the Application Form.

Approval of the works and extent of Council contribution is to be determined prior to the works commencing.

The landowner is responsible for obtaining any approvals pertaining to the erection/replacement of the fence.

 BURNIE CITY COUNCIL	COUNCIL POLICY	
	Boundary Fence Contribution – Public Reserves (Draft)	
	Approved By: Council	Document Code: CP-CBS-SG-014
	Doc Controller: Executive Manager	Version: 5.0
	Corporate Governance	Approved Date:
File: 4/14/2	Next Review Date:	

4.2 Contribution to Fencing of Land Adjoining a Public Reserve

For approved applications, a financial contribution will be made towards the cost of erection/replacement of boundary fencing to private land adjoining a Public Reserve.

The contribution will be calculated at the rate of 50% of the actual invoiced cost of materials only to complete the fence up to a maximum of \$1,500 including GST for each allotment, providing fencing is carried out in accordance with Council's standard specification.

The fence construction is to be completed and the claim for a refund lodged with Council within six (6) months of the date a contribution to the fence was approved.

4.2.1 Standard of Boundary Fence

The standard of boundary fence shall be:

- a) Where there exists a reasonable expectation that use and activity within the reserve will, by reason of its intensity and/or frequency, present an inconvenience in terms of the security or privacy of the private land, then the standard shall be a timber paling fence or similar of height between 1500mm to 1800mm, erected in a tradesman like manner using sturdy long life materials of acceptable visual presentation, generally in accordance with Council's specification.
- b) Where the adjoining Public Reserve is remote, generally inaccessible, or infrequently used, then the standard shall be a post and five (5) strand appropriate wire construction, erected in a tradesman like manner using new materials.


4.2.2 Landowner's Option to Exceed Standard

A landowner may erect a boundary fence of a standard greater than that detailed in this policy, however Council's contribution will not exceed that otherwise payable for a fence erected in accordance with the adopted policy.

An alternate fence standard must comply with relevant legislation.

4.3 Approval/Refusal

The General Manager or delegate is authorised to administer the policy, and to have discretion to grant (subject to adequate funds remaining in the budget allocation) or refuse a contribution.

 <p>BURNIE CITY COUNCIL</p>	COUNCIL POLICY	
	Boundary Fence Contribution – Public Reserves (Draft)	
Approved By: Council	Doc Controller: Executive Manager	Document Code: CP-CBS-SG-014
	Corporate Governance	Version: 5.0
File: 4/14/2		Approved Date:
		Next Review Date:

5 LEGISLATION

Boundary Fences Act 1908
Building Act 2000
Public Reserves & Public Buildings Bylaw No. 1 of 2011

6 RELATED DOCUMENTS

Boundary Fence Contribution - Public Reserves FO-WS-A-604
 (Application Form, Procedure and Specification)

7 OTHER REFERENCES

Policy Endorsement	
Responsibility:	It is the responsibility of the Director Works and Services to facilitate the implementation of this policy and review its content from time to time. 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 policy <i>Boundary Fence Contribution – Public Reserves CP-CBS-SG-014</i> version 4.0 dated 21 March 2017 (AO062-17).
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).

WORKS AND SERVICES**AO341-19 POLICY REVIEW - PUBLIC AMENITIES CP-CBS-SG-035**

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 ‘Public Amenities CP-CBS-SG-035’ as presented.”

2.0 SUMMARY

It is recommended to Councillors that the current policy *Public Amenities CP-CBS-SG-035* be adopted with minor changes. The changes made address minor errors in spelling, grammar and some changes in terminology. There have been no material changes in regard to the intent of the policy.

3.0 BACKGROUND

Council’s policy *Public Amenities CP-CBS-SG-035* is due for review in February 2020.

The purpose of this policy is to provide guidance on the “Siting, design and minimum features and fittings for public amenities throughout the City”.

In applying the policy, Council also has a need to ensure compliance with relevant legislation e.g. National Construction Code, Burnie Planning Scheme and other relevant Council policies.

This report outlines the review process.

4.0 LEGISLATIVE REQUIREMENTS

The policy is consistent with Council’s role as the manager of building assets. The policy itself has no legislative implications. However Council is required to comply with relevant legislation in respect to development and building works.

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.”

There is a continuing need for this policy.

6.0 FINANCIAL IMPACT

Provision is made annually in the Operational and Capital Works budgets for the repair, maintenance and servicing of public amenities.

A public amenity development and improvement plan has been prepared and is identified in the forward works program. Funding for such projects is considered on a case by case basis during annual budget deliberations.

Council’s policy *Public Amenities CP-CBS-SG-035* provides guidance in the design and implementation of the programs and projects noted above.

7.0 DISCUSSION

A review of the Council’s policy *Public Amenities CP-CBS-SG-035* was carried out by Officers.

This review determined that the policy reflects current standards and the management approach of Council in developing new and upgrading existing public amenities facilities.

As such the policy and its content continue to be relevant and useful.

In undertaking the review some spelling and grammar issues were noted and amended. Minor changes in terminology are also proposed.

A revised policy, with the minor amendments highlighted, is **attached** and presented to Councillors for adoption.

8.0 RISK

The *Public Amenities CP-CBS-SG-035* policy documents Council’s approach to the provision of and upgrading of public amenities, and aims to support the delivery of a consistent level of service from such facilities.

The policy does not present significant risk to Council.

In applying the content of the policy, various risk issues may be identified and these would be managed through community consultation, deliberation processes within Council and ultimately through the project design and management process.

9.0 CONSULTATION

The *Public Amenities CP-CBS-SG-035* policy has been in place for a number of years and is available to the public via Council's website.

No feedback on the adequacy or otherwise of the policy has been received by Officers during this time.

From time to time, requests for facility improvement or provision are received from the community. Inclusion in the forward Capital Works program is considered on a case by case basis.

Discussions have occurred with relevant Council Officers and Councillors were provided with a draft copy of the revised policy for comment at the Council Workshop on 26 November 2019.

ATTACHMENTS

1. [Current Public Amenities Policy CP-CBS-SG-035 v3.0](#)
2. [Revised Draft Public Amenities Policy CP-CBS-SG-035 v4.0](#)

COUNCIL RESOLUTION

Resolution number: MO384-19

MOVED: *Cr C Lynch*


SECONDED: *Cr T Bulle*

"THAT Council adopt the revised policy 'Public Amenities CP-CBS-SG-035' as presented."

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

 BURNIE CITY COUNCIL	COUNCIL POLICY		Document Code: CP-CBS-SG-035
	Public Amenities	Approved By: Council Doc Controller: General Manager File: 4/14/2	Version: 3.0 Approved Date: 16 Feb 2016 Next Review Date: 16 Feb 2020

1 PURPOSE

To provide guidance on the siting, design and minimum features and fittings for public amenities throughout the City.

2 OBJECTIVE

Guide the provision of contemporary public amenity facilities that are durable, accessible and appropriately located to meet the needs of the community.

Provide a framework for the ongoing management and upgrade of public amenities throughout the city.

3 SCOPE

This policy applies to all Public Amenities under the control of Council. It excludes amenities in permanently staffed Council buildings, community centres, recreation centres and sports grounds.

4 POLICY

Public amenities are provided to support health, recreation, tourism and leisure activities within public areas.


Key issues to consider in the provision of public amenity facilities are:

- Candidate site selection criteria.
- Design, fixture and facility standards.

4.1 Candidate Site Selection Criteria

Criteria to consider in regard to assessing proposals for the provision of new public amenities can include:

- Demonstrated need: activities or facilities in the general vicinity result in community need for amenities.
- Proximity to existing public amenities: are existing facilities available within a reasonable distance.
- Linkage to Council's strategic plan/strategic actions.
- Whole of life costs and non-asset creation solutions.

 BURNIE CITY COUNCIL	COUNCIL POLICY		Document Code: CP-CBS-SG-035
	Public Amenities	Approved By: Council Doc Controller: General Manager File: 4/14/2	Version: 3.0 Approved Date: 16 Feb 2016 Next Review Date: 16 Feb 2020

Situations/scenarios where a public amenity may be required include:

- Areas with a diverse range of business activities that encourage the public to stay greater than one hour.
- Regional and community parks (as noted in the Burnie Open Space Development Strategy).
- Foreshore areas with recreational opportunities: swimming, boating and the like that encourage longer stays by the public.
- Visitor/tourist rest area/facility.

4.2 Design Criteria

General guidance on matters to consider in the design, siting and the features and fittings provided in public amenities is provided below:

4.1.1 Amenity Siting

Upon establishing the need for a public amenity, siting issues to consider may include:


- Access/accessibility for all persons.
- Lighting conditions.
- Surrounding vegetation and structures.
- Proximity to services.
- Safety of patrons.
- Access for servicing.
- Topography.

4.1.2 Scale/Size of Public Amenities

The size of and features provided in a public amenity will vary according to the expected level of patronage and the types of activities occurring in the general vicinity of the amenity.

To provide cost effective and appropriate public amenities, the following configurations are suggested:

- Basic facility: Unisex disabled toilet with baby change facilities. Used where consistent low level use is expected (e.g. community park).
- Standard facility: Unisex disabled toilet with baby change facilities, two unisex cubicles. Used in commercial areas (outside CBD), visitor/tourist facility or area.
- High use facility: Unisex disabled toilet with baby change facilities, more than two unisex toilet, possible changerooms or special facility for adjacent activity: high use foreshore, regional park, CBD.

 BURNIE CITY COUNCIL	COUNCIL POLICY		Document Code: CP-CBS-SG-035
	Public Amenities	Approved By: Council Doc Controller: General Manager File: 4/14/2	Version: 3.0 Approved Date: 16 Feb 2016 Next Review Date: 16 Feb 2020

Cost, actual patronage, age of users, times of patronage, seasonal use variations and the like need to be considered in the selection of a facility type.

Portable public amenities may be used where high levels of patronage are expected for single events, rather than over designing a facility to cater for one off events or periodic special events.

4.1.3 Design Considerations

In the design of public amenities, the aim is to achieve a facility that is:

- Aesthetically pleasing.
- Durable and functional.
- Designed with reference to the site.
- Cost effective.
- Siting issues considered.

Compliance with the requirements of the Building Code of Australia and Tasmanian Plumbing Code must be achieved.

The design response needs to be considered on a site by site basis.

In Appendix 1 of the policy a range of design considerations are noted.

4.1.4 Features and Fittings

The use of durable and a consistent range fixtures and fittings allow for ease of maintenance and replacement and ensure that a common standard is provided to patrons.

Fixture and fitting specifications generally call for a commercial grade due to the demands placed upon public infrastructure.


Appendix 2 details general requirements for fixtures and fittings.

5 LEGISLATION

No legislation identified.

6 RELATED DOCUMENTS


Service Level Documents – Park and Reserves and Buildings.
Asset Management Policy CP-CBS-SG-016.

 BURNIE CITY COUNCIL	COUNCIL POLICY		Document Code: CP-CBS-SG-035
	Public Amenities Approved By: Council Doc Controller: General Manager File: 4/14/2		Version: 3.0 Approved Date: 16 Feb 2016 Next Review Date: 16 Feb 2020

7 OTHER REFERENCES

Burnie Open Space Development Strategy
 Building Code of Australia
 Tasmanian Plumbing Code
 Plumbing Regulations
 Burnie Interim Planning Scheme 2013 (or current planning scheme as applicable)

Policy Endorsement	
Responsibility:	It is the responsibility of the Director Works and Services to facilitate the implementation of this policy and review its content from time to time. It is the responsibility of the Governance Unit to maintain this policy in the Policy Register.
Minute Reference:	MO057/16 (Item Number AO039/16)
Council Meeting Date:	16 Feb 2016
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 7.5.2 Ensure assets are adequately developed, maintained and renewed.
Previous Policies Replaced:	This policy replaces the previous policy C35 version 2.0 dated 19 March 2013 (Minute MO/0087/13, 19 March 2013).
Date of Commencement:	17 Feb 2016
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)

 BURNIE CITY COUNCIL	COUNCIL POLICY		Document Code: CP-CBS-SG-035
	Public Amenities	Approved By: Council Doc Controller: General Manager File: 4/14/2	Version: 3.0 Approved Date: 16 Feb 2016 Next Review Date: 16 Feb 2020

APPENDIX 1

DESIGN AND SITING CONSIDERATIONS

The notes below provide guidance on a range of considerations that may be taken into account in the design and siting of public amenities.

The list is not exhaustive and not all factors may need to be considered in all instances.

The Building Code of Australia and Plumbing Regulations and Code detail mandatory performance and design requirements for public amenities.

GENERAL SITING CONSIDERATIONS

Visibility

For public safety reasons, public amenities should be located in positions that are easily visible for patrons and passers-by. In most instances by placing toilets in high pedestrian traffic areas, the constant movement of pedestrians will reduce unsafe and inappropriate behaviour.

Co-location

It is generally beneficial to consider locating a public amenity near other public facilities (Multi Storey Car Park etc). This is considered to be a benefit as public activity is likely to be higher and more constant than a stand-alone facility. Once again clear signage to the facility is important.

Criteria to consider for locating a public amenity with another facility include:


- Co-location is compatible.
- Amenities are visible or well signed.
- Amenities open during operating hours of facility with auto locking outside of operating hours.
- The amenity is orientated to an active and visible aspect.

Grade and Access

Access to public amenities should consider access by both able bodied and persons with a disability. Steps and steep ramps should be avoided. Access should be safe and meet the relevant Australian Standards. In high activity locations or in car parks consideration should be given to providing a clearly defined, accessible and safe pedestrian path to the amenity.

Lighting

Natural lighting should be preferred and used where possible. Amenity design should incorporate the use of sky lights and other passive design features to allow as much natural light as possible. Lighting should be sufficient to allow people to access the amenities in safety. Lighting should be installed to comply with the relevant Australian Standard.

 BURNIE CITY COUNCIL	COUNCIL POLICY		Document Code: CP-CBS-SG-035
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	File: 4/14/2		

PROXIMITY ISSUES

Proximity refers to the conditions and features around the building and surrounding areas such as lighting, vegetation and access.

Vegetation

Public amenities **should not** be located near thick vegetation as this provides concealment and opportunities for inappropriate behaviour.

Shrubs and garden beds around the amenities should not exceed 700mm in height; mature trees can remain around the facility but must be maintained to ensure that their branches and foliage is kept above 2000mm to maintain sight lines.

Loitering Cues

Features that can support loitering include seating, public notice boards, telephones etc. Consideration should be given to the placement of these articles to minimise loitering potential.

Car Parking

A public amenity should where possible be located in close proximity to car parks, at least one disabled parking bay should be provided close to the facility.

Consultation

The installation of public amenities can have an impact on the surrounding area and environment.

The aesthetic appearance of the amenity and positioning of the amenity will have an influence on how the public react to the facility.

It is important that the community be included in the consultation and design stage of the installation.


ENVIRONMENTALLY SUSTAINABLE DESIGN

Council will ensure that its public amenities employ environmental sustainability principles where possible.

Energy

Amenities should have and/or be designed to have the following:

- A high degree of natural light.
- Low energy light fittings.
- Use of solar power (where possible).
- Passive ventilation (where possible).

 BURNIE CITY COUNCIL	COUNCIL POLICY		Document Code: CP-CBS-SG-035
	Public Amenities	Approved By: Council Doc Controller: General Manager File: 4/14/2	Version: 3.0 Approved Date: 16 Feb 2016 Next Review Date: 16 Feb 2020

Water

Amenities should be designed or adapted to minimise water needs.

The following items should be considered:

- Dual flush systems.
- Vandal resistant spring loaded tap ware.
- Waterless or low flow urinals.

LIFECYCLE CONSIDERATIONS

Designs for new public amenities should factor in lifecycle issues including the following:

- Structure should be robust and durable.
- Construction material to suit the location.
- Vandal resistant.
- Low maintenance.
- Environmentally sustainable.

EXTERNAL DESIGN

The external appearance should be well presented, clean, welcoming and engender a feeling of safety.

The services of an architect or building designer are to be used for high profile facilities.

Appearance


Opportunities should be taken to create an aesthetically pleasing structure which fits in with the character of the area.

Entrance Orientation

Stand-alone facilities should face public areas such as footpaths, roads, ovals with high usage. Entry should be from the public orientated face.

Security

The amenities (if not open 24hrs) should be lockable to prevent access. The entire structure should be enclosed with a roof, or security mesh and gates and doors should be able to be secured in both the open or shut positions. The amenities should have clear sight lines for casual surveillance around the amenity. Plants and shrubs should not be allowed to grow any higher than 700mm around the facility.

 BURNIE CITY COUNCIL	COUNCIL POLICY		Document Code: CP-CBS-SG-035
	Public Amenities		Version: 3.0
	Approved By: Council		Approved Date: 16 Feb 2016
	Doc Controller: General Manager		Next Review Date: 16 Feb 2020
	File: 4/14/2		

Lighting

Where after dark access is available, adequate lighting should be provided to the amenities and access paths to the amenities.

It is not recommended to provide lighting to the facility, if the facility is not open for use.

Graffiti Management

External walls should be constructed of vandal resistant material or coating applied that will hinder graffiti attempts. Graffiti resistant materials should be considered where possible.

Gardens/Planting

External garden beds where provided should have native vegetation of a variety that have low water needs.


Access

Access to public amenities should comply with all *Disability Discrimination Act* requirements; this should include parking facilities, pathways, ramps, and clearances. Access should as a minimum comply with AS 1428 and AS 2890.

Information/Signage

The amenities should be clearly identified by the use of internationally recognised symbols for Male, Female and Disabled. Signage should be installed to the relevant Australian Standards.

Signage should indicate opening and closing times of the facility along with cleaning times (if consistent). A Council contact number should also be provided to allow reporting of problems. Signage should be graffiti resistant.

	COUNCIL POLICY		Document Code: CP-CBS-SG-035
	Public Amenities		Version: 3.0
	Approved By: Council		Approved Date: 16 Feb 2016
	Doc Controller: General Manager		Next Review Date: 16 Feb 2020
	File: 4/14/2		

APPENDIX 2

The types of features and fittings that may be incorporated in a public amenity are noted below.

The Building Code of Australia and Plumbing Regulations and Code detail mandatory performance and design requirements for public amenities.

Interior Design of Public Amenities	
Item	Comment
Cubicles	Should be spacious, vandal resistant, well lit and easy to clean.
Doors	Should be of solid construction and have gaps from floor and from ceiling to the door. Doors should be scratch resistant, easy to clean, have robust locks fitted and be fitted with spring hinges so that they return to the closed position after use.
Walls	Should be vandal resistant, solid construction and painted a light bright colour.
Ceilings	Vandal resistant, preference for no exposed beams to be within reach.
Sharps Disposal	Each cubicle should be fitted with a sharps disposal container fitted at least 1600mm from floor out of reach of children.
Fittings	Should be solid and robust and securely fitted. Roll dispensers should be stainless steel and restricted feed in style. Fittings to be vandal proof.
Pans	Where practical pans should be stainless Steel, securely fixed with no exposed piping. Cisterns should be contained within service duct with only vandal proof dual flush buttons visible.
Locking System	Locking system to be provided to secure facilities. Locks to be keyed to Council system. Electronic locking systems to be considered for use.
Lighting	Electric lighting to be provided to supplement natural light. Lights to be controlled by PE cells or sensor control.
Mirrors	Facilities with common area are to be provided with stainless steel mirrors.
Waste Disposal	Generally sanitary disposal facilities to be provided in selected cubicles and signed.
Coat Hooks	Coat hooks to be provided on rear of cubicle doors.
Hand Dryer	Hand dryers to be provided in cubicles and common areas.
Urinals	Stainless steel, wall hung and where possible fitted with waterless disposal or water saving disposal fixtures.
Basins	Stainless steel securely fitted to wall. If pipework exposed covering to be fitted to prevent vandalism.
Tap Ware	Vandal proof tap ware, spring loaded where possible.
Ventilation	Passive ventilation preferred.
Fire Prevention	All materials used to be fire retardant where possible.
Water Conservation	Conserve water usage where practical with the application of water saving devices.

 BURNIE CITY COUNCIL	COUNCIL POLICY	
	Public Amenities (Draft)	
	Approved By: Council	Document Code: CP-CBS-SG-035
	Doc Controller: Executive Manager	Version: 4.0
	Corporate Governance	Approved Date: 10 Dec 2019
File: 4/14/2	Next Review Date: 16 Feb 2023	

1 PURPOSE

To provide guidance on the siting, design and minimum features and fittings for public amenities throughout the City.

2 OBJECTIVE

Guide the provision of contemporary public amenity facilities that are durable, accessible and appropriately located to meet the needs of the community.

Provide a framework for the ongoing management and upgrade of public amenities throughout the City.

3 SCOPE

This policy applies to all public amenities under the control of Council. It excludes amenities in permanently staffed Council buildings, community centres, recreation centres and sports grounds.

4 POLICY

Public amenities are provided to support health, recreation, tourism and leisure activities within public areas.

Key issues to consider in the provision of public amenity facilities are:

- Candidate site selection criteria.
- Design, fixture and facility standards.

4.1 Candidate Site Selection Criteria

Criteria to consider in regard to assessing proposals for the provision of new public amenities can include:

- Demonstrated need: Activities or facilities in the general vicinity result in community need for public amenities.
- Proximity to existing public amenities: Are existing facilities available within a reasonable distance?
- Linkage to Council's strategic plan/strategic actions.
- Whole of life costs and non-asset creation solutions.

	COUNCIL POLICY		Document Code: CP-CBS-SG-035
	Public Amenities (Draft)		Version: 4.0
Approved By: Council	Doc Controller: Executive Manager	Corporate Governance	Approved Date: 10 Dec 2019
File: 4/14/2			Next Review Date: 16 Feb 2023

Situations/scenarios where a public amenity may be required include:

- Areas with a diverse range of business activities that encourage the public to stay greater than one hour.
- Regional and community parks (as noted in the Burnie Open Space Development Strategy).
- Foreshore areas with recreational opportunities: swimming, boating and the like that encourage longer stays by the public.
- Visitor/tourist facility or area.

4.2 Design Criteria

General guidance on matters to consider in the design, siting and the features and fittings provided in public amenities is provided below:

4.1.1 Amenity Siting

Upon establishing the need for a public amenity, siting issues to consider may include:

- Access/accessibility for all persons.
- Lighting conditions.
- Surrounding vegetation and structures.
- Proximity to services.
- Safety of patrons.
- Access for servicing.
- Topography.

4.1.2 Scale/Size of Public Amenities

The size of and features provided in a public amenity will vary according to the expected level of patronage and the types of activities occurring in the general vicinity of the amenity.

To provide cost effective and appropriate public amenities, the following configurations are suggested:

- Basic facility: Unisex disabled toilet with baby change facilities. Used where consistent low level use is expected (e.g. community park).
- Standard facility: Unisex disabled toilet with baby change facilities, two unisex cubicles. Used in commercial areas (outside CBD), visitor/tourist facility or area.
- High use facility: Unisex disabled toilet with baby change facilities, more than two unisex toilets, possible changerooms or special facility for adjacent activity: high use foreshore, regional park, CBD.

 BURNIE CITY COUNCIL	COUNCIL POLICY	
	Public Amenities (Draft)	
	Approved By: Council	Document Code: CP-CBS-SG-035
	Doc Controller: Executive Manager	Version: 4.0
	Corporate Governance	Approved Date: 10 Dec 2019
File: 4/14/2	Next Review Date: 16 Feb 2023	

Cost, actual patronage, age of users, times of patronage, seasonal use variations and the like need to be considered in the selection of a facility type.

Portable public amenities may be used where high levels of patronage are expected for single events, rather than over designing a facility to cater for one off events or periodic special events.

4.1.3 Design Considerations

In the design of public amenities, the aim is to achieve a facility that is:

- Aesthetically pleasing.
- Durable and functional.
- Designed with reference to the site.
- Cost effective.
- Siting issues considered.

Compliance with the requirements of the National Construction Code and Plumbing Code of Australia must be achieved.

The design response needs to be considered on a site by site basis.

In Appendix 1 of the policy a range of design considerations are noted.

4.1.4 Features and Fittings

The use of durable and a consistent range fixtures and fittings allow for ease of maintenance and replacement and ensure that a common standard is provided to patrons.

Fixture and fitting specifications generally call for a commercial grade due to the demands placed upon public infrastructure.

Appendix 2 details general requirements for fixtures and fittings.

5 LEGISLATION

No legislation identified.

6 RELATED DOCUMENTS

Service Level Documents – Parks and Reserves and Buildings.
Policy – Asset Management CP-CBS-SG-016.

 BURNIE CITY COUNCIL	COUNCIL POLICY		Document Code: CP-CBS-SG-035
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7 OTHER REFERENCES

Burnie Open Space Development Strategy
 National Construction Code
 Plumbing Code of Australia
 Burnie Interim Planning Scheme 2013 (or current planning scheme as applicable)

Policy Endorsement	
Responsibility:	It is the responsibility of the Director Works and Services to facilitate the implementation of this policy and review its content from time to time. It is the responsibility of the Governance Unit to maintain this policy in the Policy Register.
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 7.5.2 Ensure assets are adequately developed, maintained and renewed.
Previous Policies Replaced:	This policy replaces the previous policy C35 version 3.0 dated 16 February 2016 Item AO039-16.
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)

 BURNIE CITY COUNCIL	COUNCIL POLICY	
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APPENDIX 1

DESIGN AND SITING CONSIDERATIONS

The notes below provide guidance on a range of considerations that may be taken into account in the design and siting of public amenities.

The list is not exhaustive and not all factors may need to be considered in all instances.

The National Construction Code and Plumbing Code of Australia detail mandatory performance and design requirements for public amenities.

GENERAL SITING CONSIDERATIONS

Visibility

For public safety reasons, public amenities should be located in positions that are easily visible for patrons and passers-by. In most instances by placing toilets in high pedestrian traffic areas, the constant movement of pedestrians will reduce unsafe and inappropriate behaviour.

Co-location

It is generally beneficial to consider locating a public amenity near other public facilities (Multistorey Car Park, etc). This is considered to be a benefit as public activity is likely to be higher and more constant than a stand-alone facility. Once again, clear signage to the facility is important.

Criteria to consider for locating a public amenity with another facility include:

- Co-location is compatible.
- Amenities are visible or well signed.
- Amenities open during operating hours of facility with auto locking outside of operating hours.
- The amenity is orientated to an active and visible aspect.

Grade and Access

Access to public amenities should consider access by both able bodied and persons with a disability. Steps and steep ramps should be avoided. Access should be safe and meet the relevant Australian Standards. In high activity locations or in car parks consideration should be given to providing a clearly defined, accessible and safe pedestrian path to the amenity.

Lighting

Natural lighting should be preferred and used where possible. Amenity design should incorporate the use of skylights and other passive design features to allow as much natural light as possible. Lighting should be sufficient to allow people to access the amenities in safety. Lighting should be installed to comply with the relevant Australian Standards.

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PROXIMITY ISSUES

Proximity refers to the conditions and features around the building and surrounding areas such as lighting, vegetation and access.

Vegetation

Public amenities **should not** be located near thick vegetation as this provides concealment and opportunities for inappropriate behaviour.

Shrubs and garden beds around the amenities should not exceed 700mm in height; mature trees can remain around the facility but must be maintained to ensure that their branches and foliage is kept above 2000mm to maintain sight lines.

Loitering Cues

Features that can support loitering include seating, public notice boards, telephones etc. Consideration should be given to the placement of these articles to minimise loitering potential.

Car Parking

A public amenity should where possible be located in close proximity to car parks, at least one disabled parking bay should be provided close to the facility.

Consultation

The installation of public amenities can have an impact on the surrounding area and environment.

The aesthetic appearance of the amenity and positioning of the amenity will have an influence on how the public react to the facility.

It is important that the community be included in the consultation and design stage of the installation.

ENVIRONMENTALLY SUSTAINABLE DESIGN

Council will ensure that its public amenities employ environmental sustainability principles where possible.

Energy

Amenities should have and/or be designed to have the following:

- A high degree of natural light.
- Low energy light fittings.
- Use of solar power (where possible).
- Passive ventilation (where possible).

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Water

Amenities should be designed or adapted to minimise water needs.

The following items should be considered:

- Dual flush systems.
- Vandal resistant spring loaded tap ware.
- Waterless or low flow urinals.

LIFECYCLE CONSIDERATIONS

Designs for new public amenities should factor in lifecycle issues including the following:

- Structure should be robust and durable.
- Construction material to suit the location.
- Vandal resistant.
- Low maintenance.
- Environmentally sustainable.

EXTERNAL DESIGN

The external appearance should be well presented, clean, welcoming and engender a feeling of safety.

The services of an architect or building designer are to be used for high profile facilities.

Appearance

Opportunities should be taken to create an aesthetically pleasing structure which fits in with the character of the area.

Entrance Orientation

Stand-alone facilities should face public areas such as footpaths, roads, ovals with high usage. Entry should be from the public orientated face.

Security

The amenities (if not open 24 hours) should be lockable to prevent access. The entire structure should be enclosed with a roof, or security mesh and gates and doors should be able to be secured in both the open or shut positions. The amenities should have clear sight lines for casual surveillance around the amenity. Plants and shrubs should not be allowed to grow any higher than 700mm around the facility.

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Lighting

Where after dark access is available, adequate lighting should be provided to the amenities and access paths to the amenities.

It is not recommended to provide lighting to the facility, if the facility is not open for use.

Graffiti Management

External walls should be constructed of vandal resistant material or coating applied that will hinder graffiti attempts. Graffiti resistant materials should be considered where possible.

Gardens/Planting

External garden beds where provided should have native vegetation of a variety that have low water needs.

Access

Access to public amenities should comply with all *Disability Discrimination Act* requirements; this should include parking facilities, pathways, ramps, and clearances. Access should as a minimum comply with AS 1428 and AS 2890.

Information/Signage

The amenities should be clearly identified by the use of internationally recognised symbols for Male, Female and Disabled. Signage should be installed to the relevant Australian Standards.

Signage should indicate opening and closing times of the facility along with cleaning times (if consistent). A Council contact number should also be provided to allow reporting of problems. Signage should be graffiti resistant.

 BURNIE CITY COUNCIL	COUNCIL POLICY		Document Code: CP-CBS-SG-035
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APPENDIX 2

The types of features and fittings that may be incorporated in a public amenity are noted below.

The National Construction Code and Plumbing Code of Australia detail mandatory performance and design requirements for public amenities.

Interior Design of Public Amenities	
Item	Comment
Cubicles	Should be spacious, vandal resistant, well lit and easy to clean.
Doors	Should be of solid construction and have gaps from floor and from ceiling to the door. Doors should be scratch resistant, easy to clean, have robust locks fitted and be fitted with spring hinges so that they return to the closed position after use.
Walls	Should be vandal resistant, solid construction and painted a light bright colour.
Ceilings	Vandal resistant, preference for no exposed beams to be within reach.
Sharps Disposal	Each cubicle should be fitted with a sharps disposal container fitted at least 1600mm from floor out of reach of children.
Fittings	Should be solid and robust and securely fitted. Roll dispensers should be stainless steel and restricted feed in style. Fittings to be vandal proof.
Pans	Where practical pans should be stainless Steel, securely fixed with no exposed piping. Cisterns should be contained within service duct with only vandal proof dual flush buttons visible.
Locking System	Locking system to be provided to secure facilities. Locks to be keyed to Council system. Electronic locking systems to be considered for use.
Lighting	Electric lighting to be provided to supplement natural light. Lights to be controlled by PE cells or sensor control.
Mirrors	Facilities with common area are to be provided with stainless steel mirrors.
Waste Disposal	Generally sanitary disposal facilities to be provided in selected cubicles and signed.
Coat Hooks	Coat hooks to be provided on rear of cubicle doors.
Hand Dryer	Hand dryers to be provided in cubicles and common areas.
Urinals	Stainless steel, wall hung and where possible fitted with waterless disposal or water saving disposal fixtures.
Basins	Stainless steel securely fitted to wall. If pipework exposed covering to be fitted to prevent vandalism.
Tap Ware	Vandal proof tap ware, spring loaded where possible.
Ventilation	Passive ventilation preferred.
Fire Prevention	All materials used to be fire retardant where possible.
Water Conservation	Conserve water usage where practical with the application of water saving devices.

COMMUNITY AND ECONOMIC DEVELOPMENT**AO342-19 TOURISM DEVELOPMENT PLAN**

FILE NO: 8/3/8
PREVIOUS MIN: NIL

MAKING BURNIE 2030 – CORPORATE PLAN REFERENCE:

Direction	4	A SECURE, INNOVATIVE AND DIVERSE ECONOMY
Objective	4.3	A five-star visitor experience on the edge of adventure.
Strategy	4.3.1	Promote Burnie as a hub for a diverse range of tourism experiences within the region.

1.0 RECOMMENDATION:

“THAT Council engage a Consultant to develop a new Burnie Tourism Development Plan with a total budget of not more than \$50,000.”

2.0 SUMMARY

Council last developed a Tourism Development Plan in 2004. During this time, a number of changes have occurred in the visitor economy, internationally, in the state and regionally.

With the recent establishment of the new Regional Tourism Organisation (RTO), there is a need to align the Burnie brand with the regional brand, to ensure as many visitors as possible coming to the region are captured locally. This also relates to the outcomes of the State Governments “Reimagining the Regions” project and other initiatives.

While there is continued support for the City of Makers brand, there is a need to ensure that the brand is contemporary, particularly with its presentation to an online audience.

There is also a need to review the relationship between Council’s marketing and promotions, and the Visitor Information Centre, including optimising its presence. This will become more important as the current West Park site has much more of a University presence, and other visitor products are developed.

There is also a need to understand how the city can maximise value from repeat visitation from cruise ship passengers, current and potential new visitor product offerings; and how the retail sector can benefit from increased visitation.

3.0 BACKGROUND

Council developed its Tourism Development Plan in 2004. Most of the key actions have been completed for some time, including the development of the Makers’ brand, the construction of Makers’ Workshop, and relocation of the Visitor Information Centre and the redevelopment of the Burnie Waterfront.

Since that time Burnie has seen a significant growth in Cruise Ship visitation, and the development of new tourism product including Hellyer's Road Distillery and Creative Paper Tasmania. The Emu Valley Rhododendron Gardens have gained a higher profile, Penguin Tours at West Park has grown in popularity, and Fern Glade also attracts many visitors. Council is currently developing a new cultural facility with a regional focus, and is aware of other new visitor products being developed. The completion of the coastal cycle pathway is also anticipated to grow visitor numbers.

On a regional level, the State Government has recently completed the development of a new West Coast brand and announced the development of a new West Coast walking trail, is redeveloping Cradle Mountain, has developed a new Cruise Ship Strategy and is undertaking the *Reimagining the Regions* initiative in Circular Head and Waratah-Wynyard municipalities. At the same time a new RTO has commenced.

Internationally and nationally, tourism marketing and promotion is moving primarily into the on-line space with an emphasis on visitors self-organising holidays. At the same time visitors expect and respond to interaction with local residents. This makes the role of Visitor Information Centres much more critical.

4.0 LEGISLATIVE REQUIREMENTS

There are no legislative requirements impacting on this report.

5.0 POLICY CONSIDERATIONS

There are no policy considerations impacting on this report.

6.0 FINANCIAL IMPACT

It is proposed that the development of a Tourism Development Plan will be funded through savings following the restructure of the Marketing and Events area. This has created savings in the current financial year of approximately \$100,000.

It is anticipated that the development of a new Tourism Plan will cost approximately \$50,000. This is based on the cost of other similar studies.

However, there may be an opportunity to leverage a co-investment with the new RTO.

7.0 DISCUSSION

While Council has successfully implemented the current Tourism Development Plan, there is still some way to go for Burnie to capitalise on the state's growth in the visitor economy. There is also an opportunity for the city to position itself to take advantage of the anticipated growth in regional tourism following the completion of a number of state government initiatives including:

- West Coast rebranding
- West Coast walking trail
- Cradle Mountain redevelopment
- Reimagining the Regions

The brief for the development of a new Plan will include how the city can position itself within the region to maximise the opportunities from these initiatives, and the anticipated growth in the regional visitor economy.

A key consideration for the study is how the city should present itself in the digital marketplace. While the City of Makers' brand is still strongly supported, there is a need to ensure that the brand is engaging and consistent with the State and region's on-line presence. With the creation of a new RTO, there may be an opportunity for Burnie's brand to be refreshed in line with any work they are contemplating.

A recent national review of Visitor Information Centres has revealed the critical importance of ensuring visitors are able to access information locally. The Study recommended that Australia explore how Visitors Centres operate in New Zealand, and develop similar models. The Cradle Coast Authority also completed a review of regional visitor's centres, but this is yet to be implemented. It is proposed that the Plan will include recommendations on the operation and site of the Visitor Information Centre to ensure it meets the needs of visitors and local businesses. With the development of West Park for university activities and a number of new tourism products under development along with the growth in existing visitor attractions, there is a need to ensure the Visitors Centre is sited to maximise the capture of passing visitors.

Council currently invests significantly in cruise ship support. One of the underlying reasons for this support is to attract repeat visitation to the region. However little work has been done to date in integrating this with other marketing and promotional activities.

While air and sea access is continually raised as a key issue for the far north-west, it is proposed that this be excluded from the scope of this Plan, and Council seek to partner with other Murchison councils to develop a Visitor Access Plan when the *Reimagining the Regions* initiative is completed.

8.0 RISK

Risk Category	Risk identified	Ways to eliminate or reduce the risk
Financial	The Plan may cost more than budgeted.	The brief will be re-scoped to ensure the budget is met. There may be an opportunity to leverage co-investment with West by North West RTO.

Risk Category	Risk identified	Ways to eliminate or reduce the risk
Political	Part of the scope of the Plan is for Burnie to position itself as a key centre within the regional visitor economy. This may create issues with neighbouring Councils.	It will be important that Council engage with other councils, particularly within the Murchison area, but also more broadly. However Burnie is currently leading regional activity with its cruise ship program, and there is recognition that at times it must proceed without the support of others.
Strategic	Burnie's positioning in the region may not reflect a new State or Regional Strategy.	It is proposed that Council will engage closely with Tourism Tasmania and the new RTO to ensure its new Plan is situated within the overall strategic direction for the region.

9.0 CONSULTATION

It is proposed that key stakeholder groups will be consulted during the development of the Plan. This will include Tourism Tasmania, West by North West RTO, the Cradle Coast Authority, Murchison Councils, Business North West and local tourism and hospitality providers.

COUNCIL RESOLUTION

Resolution number: MO385-19

MOVED: *Cr D Pease*

SECONDED: *Cr C Lynch*

“THAT Council engage a Consultant to develop a new Burnie Economic Development Plan with a total budget of not more than \$50,000.”

The motion was not put due to the following procedural motion

COUNCIL RESOLUTION

MOVED: *Cr G Simpson*

SECONDED: *Cr C Lynch*

“THAT the matter be deferred.”

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

COMMUNITY AND ECONOMIC DEVELOPMENT**AO343-19 BURNIE PROMOTIONS COMMITTEE**

FILE NO: 8/5/7
PREVIOUS MIN:

MAKING BURNIE 2030 – CORPORATE PLAN REFERENCE:

Direction	4	A SECURE, INNOVATIVE AND DIVERSE ECONOMY
Objective	4.1	A globally competitive business community, focused on the development of niche and premium products.
Strategy	4.1.1	Support the growth of the Burnie economy through the principles of the Burnie Economic Development Strategy and the Settlement and Investment Strategy.

1.0 RECOMMENDATION:

“THAT Council:

- 1) Discontinue the Local Traders Marketing Program as at 31 December 2019; and***
- 2) Council enter into a Partnership Agreement with Business North West to establish a Burnie Promotions Committee including Council resourcing of:***
 - a) 0.4 FTE staff member;***
 - b) Up to \$20,000 in discretionary funding for the remainder of the 2019/20 Financial Year; and***
 - c) Up to \$40,000 in discretionary funding per annum for the 2020/21 – 2023/24 Financial Years;***

with the Committee to seek cash and in-kind contributions from businesses towards promotional activities where appropriate.”

2.0 SUMMARY

In response to a Councillor motion, Council Officers have been exploring the establishment of a Promotions Committee.

The following report proposes the establishment of a Promotions Committee under the auspices of Business North West, with Council providing staffing and cash resources.

3.0 BACKGROUND

At its meeting on 18 June 2019 (AO156-19), Council resolved:

That Council consider the establishment of a CBD Promotion Working Group, after consultation has occurred with retail representatives and the Burnie Chamber of Commerce

to present their plans for CBD promotion at a workshop of Council. A report to be provided to the August meeting of Council.

A workshop was held on 27 August 2019, and was attended by retailers and representatives of Business North West.

4.0 LEGISLATIVE REQUIREMENTS

There are no legislative requirements impacting on this report.

5.0 POLICY CONSIDERATIONS

There are no policy considerations impacting on this report.

6.0 FINANCIAL IMPACT

It is expected that the full year effect for Council's budget will be approximately \$73,000 including staff wages and the allocation of the discretionary fund.

The half year effect will be \$36,500.

This will be funded from savings from discontinuing the Local Traders Marketing Program of \$20,000 in the next financial year, and the restructure of Council's marketing and events area, which is expected to be approximately \$100,000.

7.0 DISCUSSION

Since the demise of City Link, Council established the Local Traders Marketing program. While this has been successful in supporting discrete promotional activities for groups of businesses, the overall promotion of Burnie as a retail and business destination has not occurred.

Following on from a Motion from Councillor Dorsey and a Workshop with retail representatives, further discussions have occurred around a suitable model to support promotional activities.

It is now proposed that Council discontinue the Local Traders Marketing program, and establish a Promotions Committee under the auspices of Business North West. This will ensure promotional activity is directed and designed by those most likely to benefit from promotional activities, creating a level of ownership and responsibility for the program.

Based on past City Link activities, it is expected the Committee will require two days a week of administrative support. The staff person will be employed by Council and seconded to Business North West under a secondment agreement.

The Committee will also require discretionary funds to invest in promotional and marketing activities. While this was not anticipated in the Councillor's earlier Motion, discussions with

representatives of Business North West indicate it is unlikely the Committee will be able to operate without discretionary funding.

It would be expected that the funding would be provided to Business North West under a funding agreement setting out Council's expectations, and include six monthly reporting back to Council, including the level of co-investment by businesses in promotional activity.

While it would be useful for Council to indicate the level of co-investment expected, it is expected that there will be instances of general promotional and marketing initiatives which might prove to be unfair to expect a small group of businesses to invest in. However; there may also be opportunities where individual businesses, or groups of businesses, could leverage of general promotional activities and where co-investment would be reasonable.

It is also proposed that Council will seek to regularly evaluate the success of promotional investment. A number of simple measurements are proposed, including the level of car parking activity, the level of foot traffic in Wilson and Wilmot streets and Business North West providing consolidated sales figures for a selected group of local businesses with this data consolidated and de-identified.

8.0 RISK

Risk Category	Risk identified	Ways to eliminate or reduce the risk
Corporate Business Systems	Funds are not acquitted appropriately.	Funding agreement in place, including regular reporting to Council.
Financial	Funding is not sufficient to support the activities desired by business community, with further funding sought.	The funding agreement will set out Council's funding commitment and seek an appropriate level of co-investment. Additional funding requests would need to present an evidence based business case.
Political	Council is seen to support some businesses over others.	Auspicing through Business North West creates a level of independence in the allocation of funding.
Strategic	Business activity does not increase despite the level of Council investment in promotional activities	Funding Agreement to include an evaluation process to be developed, including a number of KPI's: <ol style="list-style-type: none"> 1. Growth in car parking activity – numbers and length of stay. 2. Measurement of foot-traffic in Wilson and Wilmot Street on a six monthly basis (June and December each year). 3. Business NW to supply de-identified and consolidated sales figures from a number of local businesses – including a baseline figure.

Risk Category	Risk identified	Ways to eliminate or reduce the risk
Workers	Council staff are exposed to unnecessary risks.	A Secondment Agreement will set out expectations and obligations of each party with respect to staffing support.

9.0 CONSULTATION

Retail and business representatives attended a workshop of Council in August. The establishment of a Promotions Committee has been discussed with Business North West.

ATTACHMENTS

1↓. [Business Northwest Letter of Support](#)

COUNCIL RESOLUTION

Resolution number: MO386-19

MOVED: *Cr K Dorsey*

SECONDED: *Cr D Pease*

“THAT Council:

- 1) Discontinue the Local Traders Marketing Program as at 31 December 2019; and**
- 2) Council enter into a Partnership Agreement with Business North West to establish a Burnie Promotions Committee including Council resourcing of:**
 - a) 0.4 FTE staff member;**
 - b) Up to \$20,000 in discretionary funding for the remainder of the 2019/20 Financial Year; and**
 - c) Up to \$40,000 in discretionary funding per annum for the 2020/21 – 2023/24 Financial Years;**

with the Committee to seek cash and in-kind contributions from businesses towards promotional activities where appropriate.”

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



PO Box 139
Burnie
TAS 7320

December 3rd, 2019

Mr R Greene
Director Community & Economic Development
Burnie City Council
PO Box 973
Burnie TAS 7320

Dear Rodney

Further to our recent discussions I am pleased to propose for Business Northwest (BNW) to partner with Burnie City Council to promote the city via way of forming a Promotions Committee operating under the guidance of our Executive team.

The Promotions Committee would act to administer applications from businesses and organisations for cooperative funding for promotions in the Burnie area and operate in close cooperation with your department along mutually agreed guidelines to be established as soon as practical; with a draft framework and event calendar ready early in the New Year.

BNW is a volunteer-based organisation and has some limitations in addressing the manpower required for large public functions so would appreciate the allocation of some resource from Council to assist in organising events and administering the program.

I am confident that BNW can work with Council to deliver effective promotions and foster successful activities to help drive economic growth in our great city.

Yours sincerely

A handwritten signature in blue ink that reads 'Ian C Jones'.

Ian Jones

President

Business Northwest
A division of The Burnie Chamber of Commerce & Industry
ABN 77896127563

COMMUNITY AND ECONOMIC DEVELOPMENT**AO344-19 REQUEST FOR ASSISTANCE
STRINGALONG ORCHESTRA****FILE NO: 13/22/1****PREVIOUS MIN: NIL**

MAKING BURNIE 2030 – CORPORATE PLAN REFERENCE:

Direction	1	AN ATTRACTIVE PLACE TO LIVE, WORK AND PLAY
Objective	1.2	A community that celebrates and participates in its arts, culture and heritage.
Strategy	1.2.1	Promote the value of arts and culture in our community by supporting initiatives and opportunities that grow participation and appreciation of cultural diversity and the arts.

1.0 RECOMMENDATION:

“THAT Council provide \$2,000 to the Burnie Stringalong Orchestra to enable the holding of a weekend workshop for students from Burnie schools

2.0 SUMMARY

Council has received a request for assistance from the Burnie Stringalong Orchestra to hold a weekend workshop with students from a number of Burnie schools involved in the Stringalong programme. A copy of the request is ***attached***.

3.0 BACKGROUND

The Burnie Stringalong Orchestra has operated for a number of years. It currently works across Montello, Havenview and Romaine Park Primary Schools and Parklands High School.

The Orchestra has been involved in Tasmanian Youth Orchestra workshops and has identified a string teacher, Karen Kyriakou who it believes would provide valuable experience to students in the Orchestra.

4.0 LEGISLATIVE REQUIREMENTS

There are no legislative requirements impacting on this report.

5.0 POLICY CONSIDERATIONS

Council has a Community Assistance Policy, which includes recurrent funding for certain community groups, as well as the annual Financial Assistance Grants to clubs and organisations.

The Stringalong Orchestra currently receives \$2,500 in recurrent funding, of which \$1,686 has already been spent.

6.0 FINANCIAL IMPACT

The request from the Stringalong Orchestra is outside of the normal budget allocation.

However; Council officers have been in discussions with the Burnie Youth Choir for the past 18 months about its future funding needs, and the Choir was given until 30 November 2019 to confirm that annual recurrent financial assistance of \$2,500 was still required. To date no confirmation has been received.

It is therefore recommended that funding of \$2,000 be reallocated to support the additional Stringalong proposal.

7.0 DISCUSSION

While the request of the Orchestra is outside Council's policy; due to funds being available from the Burnie Youth Choir, it is recommended that in this instance Council support the request on a one-off basis.

The Orchestra is actively engaging young students in a music program, which many would otherwise be unable to access. Numerous studies have demonstrated that these musical programs are of great benefit to assistant students in achieving academic and other success.

Council has assisted other organisations with similar requests in the past, including assisting the Brass Band to bring a conductor for a series of workshops, and providing funding for the National Institute of Dramatic Art (NIDA) to hold workshops with local high school students.

To ensure Council is not seen to be providing one organisation with additional funding, Council could consider making the \$2,500 originally allocated to the Youth Choir, available to all local music and drama groups annually to assist in holding workshops. These workshops are often outside the regular operations of these groups, however the benefit of bringing leading teachers in their fields to Burnie to provide these quality learning opportunities is something Council may wish to support. Council's support could also assist local groups to leverage other funding opportunities.

8.0 RISK

Risk Category	Risk identified	Ways to eliminate or reduce the risk
Political	There is a risk that it is perceived the Stringalong Orchestra is being provided with support over and above that offered to other similar organisations	Council consider utilising the unspent recurrent funding in future years for music and drama groups to apply to hold workshops.

9.0 CONSULTATION

There has been no consultation with the Orchestra around this request for assistance.

ATTACHMENTS

1 [↓](#). Stringalong Request

COUNCIL RESOLUTION

Resolution number: MO387-19

MOVED: Cr T Brumby

SECONDED: Cr A Keygan

“THAT Council provide \$2,000 to the Burnie Stringalong Orchestra to enable the holding of a weekend workshop for students from Burnie schools

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

C/o 36 Mawson Road, Burnie, 7320



Introduction to Workshop Planning

This year for the first time ever(!) the Tasmanian Youth Orchestra (TYO) has offered workshops in the NW and N for young players and invitations were extended to many groups in the region including Stringalong.

Leanne Raw (former principal at Romaine Park Primary and now fully involved in the Stringalong Programme as Programme Manager) offered to take any of our players who were interested to attend these sessions in Devonport (2) Launceston (1) and Burnie (1). Each time the TYO supplied top class tutors for the sessions and on one occasion flew a highly regarded string pedagogist Karen Kyriakou, over from Melbourne.

Ever since meeting and working with her Leanne has been very anxious to set up an opportunity for Karen to come over to Burnie and work with our Stringalong Programme.

Initially it was very difficult to ascertain a time when Karen (who works extensively in Australia and overseas) could fit such a weekend into her schedule but this has now been established for May 2020.

Please find enclosed Leanne's suggested outline for this visit at an appropriate time to assist with Eisteddfod preparation as well as general skill development.

Workshop Director:

KK Karen Kyriakou

Committee personnel:

LR Leanne Raw

LP Lynne Price

JR Josie Riches

VA Vanessa Abbott (bass tutor)

Schools:

MPS Montello PS

HPS Havenvue PS

RPPS Romaine Park Primary School

PHS Parklands High School

Lynne Price (Stringalong Co-ordinator)

Project Outline

Weekend Workshop

with

Karen Kyriakou (Melb.)

Burnie Stringalong Programme

and

Burnie Stringalong Orchestra

Friday May 22nd May - Saturday May 23rd 2020

Leanne Raw (Manager), Josie Riches (String Teacher), Vanessa Abbott (Bass tutor)

Lynne Price (Programme Co-ordinator)

Introduction

2019 has seen considerable consolidation and extension activities for our Burnie Stringalong teaching programme as well as the Burnie Stringalong Orchestra (BSO). In addition to the weekly group lessons in our Primary schools (Havenview/Romaine and Montello) the secondary extension into Parklands High has been consolidated following the disrupted year accommodating all the building activity.

BSO commenced the year with a huge injection of skill development following the attendance of 10 players at the week long *29th Residential Summer String Camp* at Camp Clayton in January. Supported by the *Winifred Booth Trust Fund* (Launceston) with a grant of \$5250 our disadvantaged players were able to afford the substantial registration costs.

This development resulted in considerable improvement of its overall standard to the point where BSO performed very creditably at the Burnie City Eisteddfod in June. Every player was challenged by more intense ensemble work as well as solos/duets and chamber groups. The top groups from each primary school also participated in the U13 section as small ensembles.

For the first time ever (to my knowledge) the Tasmanian Youth Orchestra (TYO) having received funding to set up a *Northern Ensemble Program* planned a four term schedule of Workshops with conductors and mentors from the Tasmanian Symphony Orchestra, Virtuosi Tasmania, and interstate specialists. Our manager, Leanne Raw, was eager to see BSO players involved and undertook to oversee and where necessary provide transport for our students to attend.

It was at one of these workshops that she was introduced to Karen Kyriakou from Melbourne who directed one of these sessions. An experienced teacher herself, though not necessarily in music, Leanne was overwhelmed by the brilliance of Karen , her method and rapport with the attendees.

Based on that experience Leanne has initiated this May Workshop so that all our BSO players can benefit from Karen's teaching and it is timed not only to fit in to her very busy schedule around the world but also at an appropriate period of Eisteddfod preparation for everyone.

As well as Professional Development for our String Teacher, Josie Riches and Bass Tutor Vanessa Abbott, it promises to be a sensational opportunity for us all.

Curriculum Vitae
Karen Kyriakou

Karen Kyriakou

Qualifications

Masters of Education (Music), Monash University (2010)
Bachelor of Education (Secondary Music), University of Melbourne, Institute of Education (1993)
Auslan (Australian Sign Language) Level 3, VicDeaf (2012)

Awards

Churchill Fellowship winner, 2012. *'Inclusive Learning - Music And The Deaf'*.
Winner of the Port Fairy Folk Festival Tim Whelan Tune Writing Award, 2005.
Runner Up, Music Oz 'Best World Music Group', 2005.

Memberships & Committees

Victorian Institute of Teaching
Full current VIT Registration

AUSTA VIC (Australian Strings Association) 2007-Current

Active Victorian Committee Member, facilitating the organisation of Professional Development and Learning for string teachers, students and players.

Churchill Fellowship Committee Member 2016-Current

Committee Member - Education Panel for the Churchill Fellowship Trust, Victorian Chapter.

Publishing

In A Piece Publishing

Author of recently published *Strings Together* (2018); a teachers' handbook with lesson plans and resources for the string classroom and group teaching environment.

Alfred's Publishing (USA) & In A Piece Publishing, 2006-2018

Composer of String Orchestra music for schools repertoire.

Previous Education Employment

Musica Viva in Schools, Musician in The Classroom, 2012-2018

Artist in Residence at Rosamond Special School, P-6 (2012-2018)

Dandenong Ranges Music Council, Ranges Young Strings, 2018

Composer In Residence. Facilitation of students' own composition 'The Water Cycle'.

The Pizzicato Effect - Leading Teacher, Melbourne Symphony Orchestra, 2016

Teaching students in the MSO's Community Music program how to play string instruments and develop ensemble, musical and personal skills. Position oversaw the mentoring and development of the teaching artists involved in the program.

Camberwell High School, 2013-2015

Part-Time String teacher - Violin, Viola and Ensembles.

aMuse, The Singing Classroom & Music Count Us In, 2012-2015

Facilitating teacher PD sessions for non-music specialist teachers in primary schools, exploring the use of creative musical activities in the general classroom.

Musica Viva in Schools, 2005-2016

Educator and Performer (violinist and singer) with Celtic Ensemble '*Ogham Soup*'.

Kazband, 2004-2013

Composer, Violinist and Band Leader of world music group. Regular performances included concerts, touring and festivals around Australia.

Distance Education Centre Victoria, 2011

Part Time casual position teaching VCE Music Styles Unit 3. Included assessment, reporting, liaising with students and parents via email and phone, correcting work and writing resources.

St Leonard's College - Brighton Campus, 2002-2010 (P-12)

Violin Teacher/CRT (P-12)

Part time position as a violin teacher, ensemble Director. Through this time I took three replacement Head of Strings positions to assist with staffing and was involved in much classroom and CRT work within the school on a casual basis.

St Leonard's College - Brighton Campus, 1999-2001 (P-12)

Head of Strings (P-12)

Overseeing string curriculum and staffing, directing ensembles, assessment and reporting, overseeing AMEB enrolments, leading and managing House Music groups for competitions, (arranging music and rehearsing 200 piece choirs, liaising with parents, administration), managing budgets and overseeing repairs and maintenance of instruments.

Current Employment

Musica Viva in Schools, Musician in The Classroom, 2006-2019

Artist in Residence

Projects are philanthropically funded as part of the *Equal Music Project*, delivering a cohesive music education curriculum, and creative and performing experiences to disadvantaged students in Specialist Schools.

- Current engagement with Furlong Park School for Deaf Children, ELC-6 (2010-2018)
- Current engagement with Ashwood Special School, P-6 (2012-2018)

Melbourne Symphony Orchestra 'Jams for Juniors', 2011-2018

Leader of Education and Community Outreach projects.

Creator/Arranger/Presenter of '*Jams for Juniors*' program providing educational and musical experiences with a program of participation for Under 5's and their families.

Professional Development & Learning Facilitator/Presenter

Regular presenter at PD's and conferences. Most recent presentations include;

- '*Exploring Creative Potential of Students with Disabilities and Diverse Learning and Access Needs*' (2018) for Musica Viva in Schools, Canberra, Adelaide, Sydney & Geelong
- '*Facilitating Composition with your String Ensemble*' (2018) AUSTA National Conference, Perth
- '*Best Practice: Professional Learning & Development for Teaching Artists, Setting Up for Effective Teaching, Curriculum Planning & Behavioural Strategies*' (2018) Melbourne Symphony Orchestra's 'Pizzicato Effect' Community Music Program
- '*Inclusive Music for Early Learners' - Early Years*' (2017) Early Childhood Conference of the Performing Arts (ECCPA)
- '*Active and Inclusive Music*' (2017) Musica Viva in conjunction with The Arts Centre, Melbourne
- '*Teaching Music to Students who are Deaf or Hard-of-Hearing*' (2017) The Department of Education and Training Victoria, Statewide Instrumental Music Teachers Conference
- '*Special Needs in Music Education*' (2016) aMuse (Association of Music Educators) 11 x Professional Learning sessions for music educators in Melbourne and regional Victoria

Australian National Academy of Music (ANAM), 2016-Current

Lecturer and facilitator of the Music in the Community program, mentoring ANAM students to prepare performances in schools and the community.

Melbourne Graduate School of Education - University of Melbourne, 2015-Current

Casual lecturer in the areas of 'Special Needs' and 'Composition'

Workshops

Regular engagements in schools as a clinician, conductor and composer-in-residence.

AUSTA (Australian Strings Association) National Administrator

Processing memberships, website updates, organisation of national events and tours as required.

Karen Kyriakou Suggestions 22nd & 23rd May 2019

Friday 22 nd May 2020		Costings	Saturday 23 rd May 2020		Costings
8.45AM	KK Departs Melbourne	130	9 → 10.30AM	Burnie Stringalong Orchestra Workshop	50
9.55AM	KK Arrives Wymard		10.30 → 11AM	Morning Tea	
10.30 → 11.30AM	Morning Tea	50	11AM → 12.30PM	Burnie Stringalong Orchestra Workshop	150
11.30AM → 12.30PM	Meeting - PHS Strings Room		12.30 → 1PM	Lunch	
	<ul style="list-style-type: none"> Go through plans, expectations, outcomes for 2 days Discussion - Tips for 'How to Teach Strings' (KK lead) 		1 → 2PM	Final Concert	
12.30 → 1.15PM	Lunch	100	Play through in preparation		
(LR to go on bus to collect top groups from MPS and HPS. RPPS walk up hill with JQ, PHS to walk to room at 1.15PM)		200	<ul style="list-style-type: none"> 1 → 1.30PM BSO 1.30 → 2PM Stringalong Top Groups (MPS, HPS, RPPS, PHS) 	Concert	
1.15 → 2.30PM	Stringalong Top Groups Workshop		2 → 3PM	Concert	
<ul style="list-style-type: none"> Each group play their prepared piece with JR Comments/Support/Workshopping from KK Group combines together to workshop/play piece. KK has bought along or composes a piece with KK 		50	<ul style="list-style-type: none"> Stringalong Top Groups (1 piece each of 4 groups) JR Stringalong Top Groups (combined workshopped piece) KK BSO (Three Seas + 3 or 4 other pieces) JR BSO (Workshopped Composition) KK Tickets for concert free 		
2.30 → 3PM	Afternoon Tea for adults				
(LR reverse bus trip to drop students at MPS and HPS. RPPS walk back down. PHS walk back to class)					
3.30 → 5PM	Burnie Stringalong Orchestra Session (instead of Thurs)				
<ul style="list-style-type: none"> Play prepared pieces with JR Three Seas + 3 or 4 other pieces Comments/Support/Workshopping from KK Preparation for tomorrow's concert 					

			<ul style="list-style-type: none"> • 4 each family + Principals + Music Teachers + Burnie City Council 	
6.30 → 8.30PM Dinner	375		4.20PM Wynyard 5.35PM Melbourne KK Departs KK Arrives	130
Karen Kyriakou daily fee Karen Kyriakou accommodation	550 200		Karen Kyriakou daily fee	550
	Daily Total	1655		
			Daily Total	880
			Combined 2 Day Workshop Total	\$2535

STRINGALONG HISTORY

CRADLE COAST STRINGS OUTREACH PROGRAMME

“Stringalong Club” Project

BACKGROUND INFORMATION

In November 2004 I visited Gallions Primary School, a heavily disadvantaged school in East London where the whole school curriculum is based around a range of in depth arts practice. In particular, a string programme run from grades 1-6 embraced every student in the school and had the most impressive outcomes both musically as well as socially and academically. I was both impressed and inspired.

In 2006 Peter Tanfield Lecturer in Violin at UTAS Conservatorium, Hobart and a former student of Yehudi Menuhin, initiated the Cradle Coast Strings Outreach Programme in order to support and encourage the playing of stringed instruments on the North West Coast. On hearing of the Galleons Programme he encouraged me to attempt to introduce a primary string programme in Burnie as a means of offering this musical experience to a wider group of students other than the youngsters who currently learn privately at a substantial cost.

I identified Havenview Primary School as the most appropriate starting point having had contact with principal Vicki Hales for two years through Burnie Arts Council initiatives and discovered her passion for arts based learning activities. Havenview Primary is a school in the Burnie area suffering not only from isolation but also a large percentage of disadvantaged families in its school enrolment.

Having successfully applied to the Federal Government’s Regional Arts Fund a grant was allocated to put a *Taster Programme* into action. Margaret Hoban, a well credentialed and nationally recognized string teacher and conductor from Launceston has been working in a group teaching situation since July this year and will continue until December. The programme runs at no cost to the students. Instruments have been purchased with grants from Burnie City Council, Burnie Rotary Club, National Foods and Burnie Arts Council. Margaret runs two group lessons for an hour each week grades 3/4 and 5/6. Her activities are supported by volunteer players from the Cradle Coast String Orchestra.

The next stage of this programme involves an extension for three years and follows the current year 6 string students into high school until the end of grade 9 as well as continuing with new grade 3’s each year and maintaining the opportunity for the others through till the time they move to high school

The financing of this extension involves many partnerships including community groups, local government and a successful application to the Tasmanian Community Fund currently being prepared.

Lynne Price (Project Co-ordinator)

CURRENT STATUS**Update 2019****Schools Programme:**

Teacher **Josie Riches** conducts group lessons in all our East Burnie Schools.

Romaine Park Primary:	Wednesday mornings	26 students	5 groups
Montello Primary:	Fridays	28 students	8 groups
Havenview Primary:	Thursday afternoons	16 students	2 groups
Parklands High:	Thursday mornings	13 students	2 groups

These sessions are supported by volunteer tutors Leanne Raw and Bradley Martin.

Burnie Stringalong Orchestra: Conductor Josie Riches

This ensemble meets weekly in the Performing Arts Centre at Parklands. The current membership is:

- Hobie Ditcham (leader), Ryan Smith, Chloe Ling, Abbey Granger, Iyanah Contractor, Tyrone Jackson (Parklands students)
- Gemma Fletcher, Jemima McLaren, Shiloh Dawson (Burnie High students*)
- Zac Turner (Marist R. College student*)
- Drew Spiewak (Hellyer College)
- BSO Membership is open primarily to current Stringalong school students or those who commenced their string learning in the primary programme before moving to other high schools.

2019 Activities:

- Attendance at Residential Summer String Camp (January 10 players)
- Performances at Burnie City Eisteddfod (June)
- Performances planned for October 27th (Fairy Godmothers' Market)
- Stringalong in the BCC Atrium October 31st (Burnie Shines)
- Helen Jones Bursary Fundraising Concert (November 29th)
- Planned Primary Schools' Tour December – Ridgley/Romaine/Havenview/Montello.

Successful Bunnings Barbeque raised \$720

Prize money from the Eisteddfod \$150

Application currently with the *Winifred Booth Trust* (Launceston) for assistance to attend Residential Summer String Camp 2020.

We acknowledge the support given by Parklands High School for the use of its Performing Arts Centre and administrative assistance.

COMMUNITY AND ECONOMIC DEVELOPMENT**AO345-19 REQUEST FOR FINANCIAL ASSISTANCE
BURNIE ATHLETIC CLUB**

FILE NO: 5/5/146; 2213333
PREVIOUS MIN: AC132-19

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	1.1.1	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 enter into a Lease Agreement with the Burnie Athletic Club for the area under the south western end of the West Park Oval Grandstand (as shown on the attached Plan) on the following terms:

- a) The lease shall be the standard Council lease for Community Groups and Clubs;***
- b) The lease term shall be for a period of nine years;***
- c) The lease will require the Burnie Athletic Club to make three annual payments of \$4,807 for the first three years of the lease, in addition to the normal rental and ISR contribution, being its contribution towards the cost of the entry; and***
- d) Council shall contribute \$3,809 towards the cost of the additional works required to complete the entry.”***

2.0 SUMMARY

Council has received a request from the Burnie Athletic Club (BAC) for assistance with the creation of a new entry into a redeveloped area under the West Park Oval Grandstand to be used by BAC.

BAC requests a three-year term to pay its contribution to the entry works, along with Council assistance to meet the costs of additional works to create the entry.

3.0 BACKGROUND

At its meeting on 20 August 2019 (AC132-19) to consider the redevelopment of the West Park Grandstand, Council resolved to:

- 1) Seek grant funding opportunities for 50% of the BAC entry costs; and***

2) Require the BAC to fund 50% or the total of the BAC entry cost."

Prior to the resolution, BAC had requested a new entry be created into a redeveloped space for BAC beneath the West Park Oval Grandstand. The redevelopment is part of a wider body of works being undertaken under the grandstand. BAC had been part of the planning of the redevelopment.

The new entry had not been part of the original plans, but BAC had indicated to Council that BAC would be prepared to pay the cost of the works to create the entry. This was confirmed in a letter from BAC on 21 August, 2019. A copy of the letter is **attached**.

Following the resolution, Council officers submitted an application for funding to the Office of Sport and Recreation, seeking funds for the new entry works. Council was advised on the 13 November 2019 that the funding submission was unsuccessful. BAC was advised of this on the same date.

On 21 November 2019 Council became aware that the creation of the new entry would require further work, due to the location of a column which had not be identified during the planning stage. The cost to remove the column and to create new structural supports for the entry was estimated to be \$3,809. A copy of the quote is **attached**.

Based on the Council resolution, BAC was advised that it would be responsible for the additional cost of the entry works and approval was sought from BAC to undertake the work on that basis.

BAC advised that due to the additional cost, it was unable to proceed with any of the entry works.

Following discussions at a meeting of the West Park Users Group on 28 November 2019, BAC has now written to Council requesting that Council meet the additional cost of the entry works, and allow BAC to pay the original contribution over three payments. A copy of the email request is **attached**.

4.0 LEGISLATIVE REQUIREMENTS

There are no legislative requirements impacting on this Report.

5.0 POLICY CONSIDERATIONS

There are no policy considerations impacting on this Report.

6.0 FINANCIAL IMPACT

The report recommends that Council pay the cost of \$3,905 for the additional work to create the new entry.

Based on the previous report to council there is scope within the current capital budget to accommodate this cost.

7.0 DISCUSSION

Council previously considered whether it would contribute towards the cost of the new entry at the Grandstand, at its meeting on 20 August 2019. At this meeting, it was agreed that as BAC had originally advised it would pay for the creation of a new entry, and plans had been developed on that basis, Council would require BAC to fulfil its commitment.

However; Council was prepared to seek funding for the entry works through an application to the Office of Sport and Recreation, with any funding off-setting the amount BAC would be required to contribute. As noted above the funding application was submitted but was unsuccessful.

BAC has advised it is still willing to pay the original cost of the entry works, but is now seeking to pay the amount over three payments. While this was not advised previously, BAC has advised that following its decision on 21 November 2019 to not proceed with the entry works due to the additional costs, it had since reallocated the original contribution to the New Year's Eve Carnival and is no longer in a position to pay the full amount at this time.

Council needs to balance a number of issues in relation to this request.

BAC has demonstrated a high degree of community leadership in successfully reinvigorating the Burnie New Year's Day Sports Carnival. The commitment of BAC in seeking to continue the Carnival in the face of significant challenges cannot be understated. The move to break with 130 years of tradition and hold the Carnival on New Year's Eve is a demonstration of innovation and willingness to take risks that should be admired. It should be acknowledged that this decision does have the potential to put BAC in a loss-making situation, especially until the change are supported by the community.

It should also be noted that the entry works are being carried out on a Council facility, and that all works, including the entry will be to the advantage of Council in the longer term, by the creation of a more usable and accessible space.

However, the key concern of Council has been that BAC had originally committed to pay for the creation of the entry. This commitment was made in the context of the above mentioned environment, and Council is not aware of any change in circumstances that would warrant a change in its original decision for BAC to be held to its commitment.

BAC's request to repay the cost of the entry over a period of time is also new. Given the potential risk of this year's Carnival incurring a loss given the significant changes proposed, it is recommended that Council agree to an extended payment period.

It is clear that BAC believes the additional cost of the entry works is beyond the capacity of BAC to fund. Council could seek a similar arrangement, with BAC meeting the cost through an additional fourth payment. However, given the acknowledgement of the financial risk to BAC with the change to the Carnival, and based on BAC not being aware of the need for the

additional works at the time of committing to fund the entry works, it is recommended that Council pay the additional cost to remove the column and add new structural supports.

There is a risk to Council of BAC not paying the funds. It is recommended that a community lease be entered into with BAC and include the payment of the funds as part of the lease terms, with non-payment resulting in a breach of the lease, and BAC losing access to the new Grandstand area. A plan showing the leased area is ***attached***.

8.0 RISK

Risk Category	Risk identified	Ways to eliminate or reduce the risk
Financial	As noted above there is a risk that BAC may not make the future payments to Council	The proposed lease will include provision of the payment of the funds with non-payment resulting in a breach of the lease

9.0 CONSULTATION

Council officers and representatives have held a number of discussions with BAC about this matter.

ATTACHMENTS

1. [BAC letter confirming funding of entry](#)
2. [BAC Entry Quote](#)
3. [BAC Email request](#)
4. [BAC Lease area](#)
5. [BAC Financial Report](#)

COUNCIL RESOLUTION

Resolution number: MO388-19

MOVED: Cr C Lynch

SECONDED: Cr G Simpson

“THAT Council enter into a Lease Agreement with the Burnie Athletic Club for the area under the south western end of the West Park Oval Grandstand (as shown on the attached Plan) on the following terms:

- a) The lease shall be the standard Council lease for Community Groups and Clubs;***
- b) The lease term shall be for a period of nine years;***
- c) The lease will require the Burnie Athletic Club to make three annual payments of \$4,807 for the first three years of the lease, in addition to the normal rental and ISR contribution, being its contribution towards the cost of the entry; and***
- d) Council shall contribute up to \$6,500 towards the cost of the additional works required to complete the entry.”***

The motion was not put due to the following procedural motion

MOVED: Cr K Dorsey

SECONDED: Cr T Bulle

“THAT Council enter into a Lease Agreement with the Burnie Athletic Club for the area under the south western end of the West Park Oval Grandstand (as shown on the attached Plan) on the following terms:

- a) The lease shall be the standard Council lease for Community Groups and Clubs;***
- b) The lease term shall be for a period of nine years; and***
- c) That Council will contribute to the full cost of the entry door.”***

For: Cr K Dorsey.

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

LOST

MOVED: Cr C Lynch

SECONDED: Cr G Simpson

“THAT Council enter into a Lease Agreement with the Burnie Athletic Club for the area under the south western end of the West Park Oval Grandstand (as shown on the attached Plan) on the following terms:

- a) The lease shall be the standard Council lease for Community Groups and Clubs;***
- b) The lease term shall be for a period of nine years;***
- c) The lease will require the Burnie Athletic Club to make three annual payments of \$4,807 for the first three years of the lease, in addition to the normal rental and ISR contribution, being its contribution towards the cost of the entry; and***
- d) Council shall contribute up to \$6,500 towards the cost of the additional works required to complete the entry.”***

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

**BURNIE ATHLETIC CLUB INC**

ESTABLISHED 1887

PATRON: Bruce Clark
PRESIDENT: Ricky Aitken
SECRETARY: Allan Johnson
PO Box 231
BURNIE TAS 7320
EMAIL: markcs1955@gmail.com

21st August 2019

Rodney Greene
Director Community & Economic Development | Burnie City Council
80 Wilson Street (PO Box 973) Burnie TAS 7320

Dear Rodney

Re: West Park Grandstand Renovations

On behalf of the Burnie Athletic Club I am writing to confirm the Club's support for the additional entrance works on the West Park Grandstand renovation project. This is an important addition to the new BAC Clubrooms in the Grandstand.

The BAC supports the Burnie City Council minor grants program application for \$7,210 to the Department of Sport and Recreation current round that is open for applications. This being 50% of the total cost of the works at \$14,420. Should this application not prove successful then the BAC will meet the full cost of these additional works.

Whilst this is a significant cost for the Club to bear, we are prepared to invest in getting the facility right for our future use. We thank you for the support of the Council with this project.

Yours sincerely

BURNIE ATHLETIC CLUB INC

Mark Smith
Administrator

Request For Information

Project Name:	West Park Grandstand – Facilities upgrade
Project Number:	Contract # 2629
RFI No:	04
Date:	21/11/19
Client/Superintendent:	Burnie City Council / JD2
Attention:	Allan Johnson
Address:	80 Wilson Street, Burnie, Tas, 7320
Tel:	
Email	Allan.johnson@jd2consulting.com.au
Copies (AJ&M Construction):	Des Hodgetts AJ Croome
Copies (Others):	Allan Johnson, Patrick Troughton
File Reference:	RFI #04

AJ&M Construction Pty Ltd

ABN:16 515 953 751
3 Upper Stowport Road,
Burnie, TAS. 7320
Ph: 0408 568 235

Request For Information – Detailed Description

Additional Wall & Roof Framing support Doorway to BAC Rooms

Installation of 2 x 150SHS support columns to replace existing column which is currently located in the middle of the proposed extended doorway to BAC rooms.

Require additional support to grandstand structure, remove timber support members & re-frame underneath.

Current structure load comes down onto existing column.

2 new support footings & associated steel structure to support grandstand seating

2 days work allowed for – 2 personnel

Estimate of Cost

Item.	Description.	Qty.	Per	Rates	Claim \$
1	Installation of SHS support Columns & welding of existing frame to support - Materials & subcontract works	1	Item		\$ 1,460.00
2	Labour to complete works..	1	Item		\$ 2,100.00
3		1	Item		\$
4		1	Item		
5		1	item		
SUB TOTAL					\$ 3,560.00
PROFIT & ATTENDANCE [7.0%]					\$ 249.20
PRELIMS & O/HEADS [7.0%]					\$ 0.00
TOTAL EXC. GST					\$ 3,809.20

If the works are delayed as a result of this variation, a separate claim for time and costs, if applicable, will be made in accordance with the relevant conditions of Contract.

From: Mark Smith [
Sent: Monday, 2 December 2019 4:17 PM
To: Rodney Greene <rgreene@burnie.net>
Cc: Chris Lynch <clynch@burnie.net>; blake4@bigpond.net.au; Ricky Aitken <rickyaitken4@gmail.com>
Subject: West Park Grandstand additions

Thanks Rodney

I have clarified this situation with Chris Lynch and Ron Blake as members of the West Park Users Group. I outline this below.

The BAC remains of the view that we are not in a position to make any further financial contribution than the \$14,000 agreed. This in itself is a stretch especially when we have made changes to our event that require additional financial cost and we have not been able to attract 2 important grants that were applied for in 2019 . For a non profit club we have to be mindful of our financial position and to go beyond the already stretched agreement to provide an additional \$4,000 is a bridge too far.

That said there is much logic in doing the extra works with the widened entranceway while the DA is in place. So if Council were able to fund this and provide some relaxed payment of the \$14,000 beyond one year (we request 3 years for this) then we are prepared to proceed now to have the works done early in the new year while it is possible under this DA. Otherwise then we are not in a position to proceed.

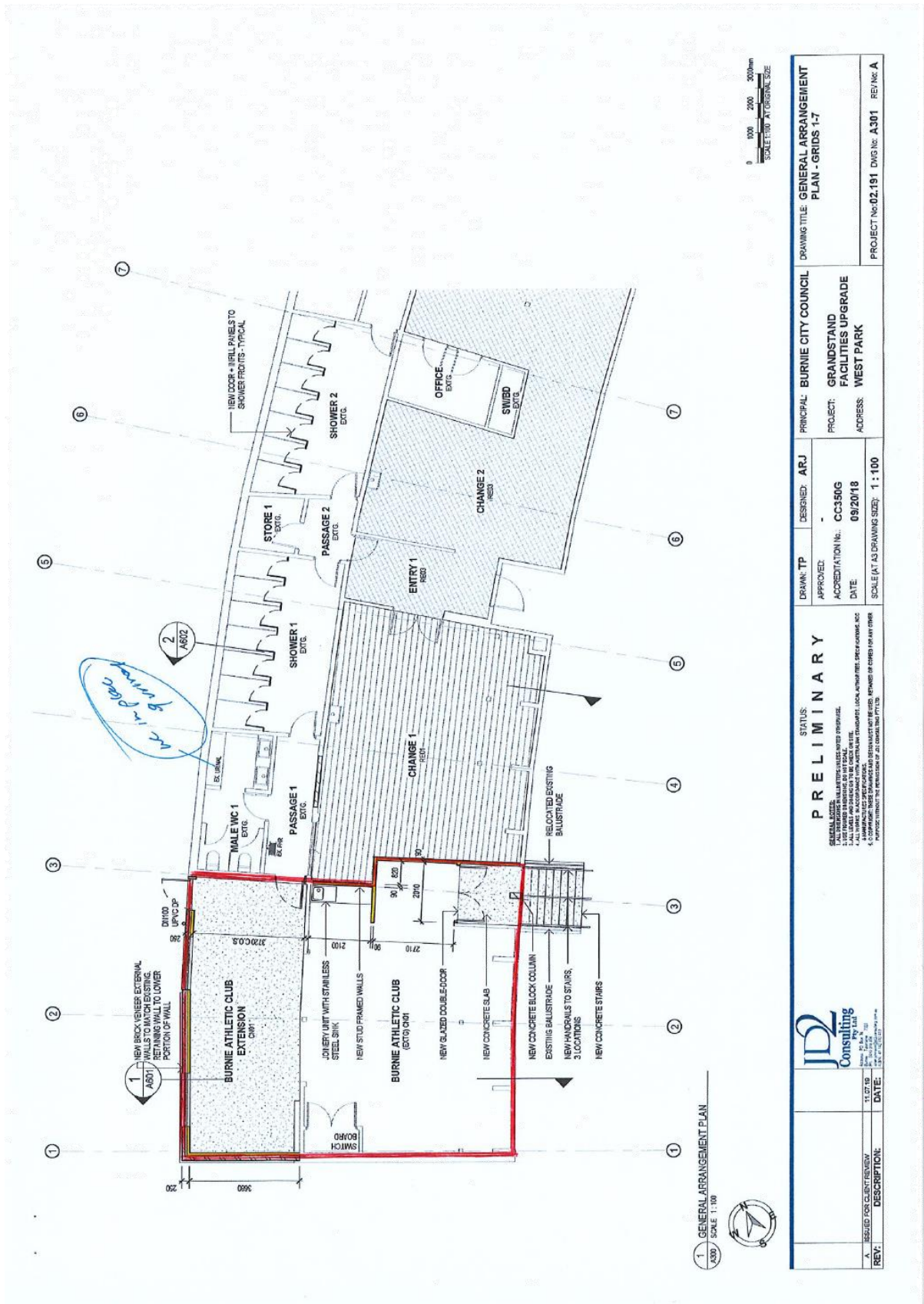
We note that BAC would be providing cash towards capital works that it will not own or have any lease over. Having said that we are very appreciative of the support Council has provided us in the securing of the new clubroom area. We have access to Arts Tasmania Roving Curator support to help us furnish the new area and display memorabilia which will make the clubrooms much more functional and usable over the whole year.

We would appreciate Council support for this request at the coming meeting on December 10th to enable a good overall outcome on this valuable project for the West Park sports clubs and Community.

Regards

Mark Smith

BAC Administration



1 GENERAL ARRANGEMENT PLAN SCALE 1:100		STATUS: PRELIMINARY GENERAL NOTES: 1. ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED. 2. ALL WORK TO BE DONE TO THE CURB OF SITE. 3. ALL WORK TO BE DONE TO THE CURB OF SITE. 4. ALL WORK TO BE DONE TO THE CURB OF SITE. 5. ALL WORK TO BE DONE TO THE CURB OF SITE. 6. ALL WORK TO BE DONE TO THE CURB OF SITE.		DRAWN/TP: ARJ DESIGNED: ARJ APPROVED: CC350G ACCREDITATION No.: CC350G DATE: 09/2018 SCALE (AT A3 DRAWING SIZE): 1:100		DRAWING TITLE: GENERAL ARRANGEMENT PLAN - GRIDS 1-7 PROJECT: GRANDSTAND FACILITIES UPGRADE ADDRESS: WEST PARK PROJECT No: 02.191 DWG No: A301 REV No: A	
REV:	DESCRIPTION:	DATE:	11.07.19	11.07.19	11.07.19	11.07.19	

**Burnie Athletic Club Inc.
Financial Statements**

For the Year Ended 31 May 2019

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**Burnie Athletic Club Inc.
Committee List**

For the Year Ended 31 May 2019

- Patron: Peter Blake
- President: Ricky Aitken
- Vice President: David Downie
- Secretary: Allan Johnson
- Treasurer: Vacant
- Committee: Gerard Leary
- Dale Atkinson
- Gary Munro
- Denzil Munday
- Steve Arrol
- Des O'Shannessey
- Brian Wells
- Michael Hardy

Stephen Morrison
LOVELL & MORRISON
Accountants & Advisors

Dated this.....day of.....2019.

Burnie Athletic Club Inc. Income Statement

For the Year Ended 31 May 2019

	Note	2019 \$	2018 \$
INCOME			
Admission, programme and raffle sales		25,720	27,438
Bar trading	2	-	3,270
Criterion profit	3	-	-
Donations		1,000	1,250
Entry fees		5,544	10,491
Grants		13,182	8,000
Interest received		1,542	1,197
Other income		663	880
Sponsorship		86,242	97,958
Subscriptions		418	363
Vendor fees		1,336	1,159
Total Income		<u>137,647</u>	<u>152,008</u>
EXPENDITURE			
Administration costs		12,883	686
Audit Fees		960	-
Advertising		1,605	9,795
Affiliation fees		1,114	1,370
Chopping expenses		5,197	5,279
Cleaning		800	909
Competitors, prizemoney, trophies		73,953	60,993
Criterion loss	3	218	3,397
Donations		-	1,350
Entertainment		2,818	2,400
Gates expenses		1,400	1,182
Honorariums		270	5,000
Insurance		1,578	1,651
Nu Gen Expenses		2,303	928
Other expenses		3,167	983
PA System		3,300	3,300
Programmes		3,020	5,837
Raffle expenses		4,638	-
Running/Cycling expenses		7,375	10,099
Security		1,890	1,320
Sponsorship expenses		11,585	10,136
Web page and App		6,896	-
TV Broadcast costs		9,270	5,750
Total Expenses		<u>156,236</u>	<u>132,365</u>
Net surplus/(deficit)		<u>(18,589)</u>	<u>19,641</u>

This statement should be read in conjunction with the accompanying notes.
Page 2

Burnie Athletic Club Inc. Statement of Financial Position

As At 31 May 2019

	Note	2019 \$	2018 \$
ASSETS			
Current Assets			
Cash and cash equivalents	4	81,083	94,963
Trade and other receivables	5	<u>4,175</u>	<u>4,020</u>
Total current assets		85,258	98,983
Non-current assets			
Property, plant & equipment	6	<u>8,272</u>	<u>8,272</u>
Total non-current assets		<u>8,272</u>	<u>8,272</u>
TOTAL ASSETS		<u>93,530</u>	<u>107,255</u>
LIABILITIES			
Current liabilities			
Trade and other payables	7	8,340	1,309
Income in Advance	8	<u>7,000</u>	<u>9,167</u>
TOTAL LIABILITIES		<u>15,340</u>	<u>10,476</u>
NET ASSETS		<u>78,190</u>	<u>96,779</u>
MEMBERS FUNDS			
Accumulated funds	9	<u>78,190</u>	<u>96,779</u>
TOTAL MEMBERS FUNDS		<u>78,190</u>	<u>96,779</u>

This statement should be read in conjunction with the accompanying notes.

Page 3

Burnie Athletic Club Inc. Notes to the Financial Statements

For the Year Ended 31 May 2019

1 Summary of Significant Accounting Policies

The financial report covers the Burnie Athletic Club Inc as an individual entity. Burnie Athletic Club Inc is incorporated under the Constitution.

(a) Basis of Preparation

This financial report is a special purpose financial report prepared in order to satisfy the requirements of the Constitution.

The committee have determined that the Burnie Athletic Club Inc is not a reporting entity and therefore there is no need to apply Australian Accounting Standards or other mandatory professional reporting requirements in the preparation and presentation of the financial report.

The financial report has been prepared on an accrual basis and is based on historic costs and does not take into account changing money values or, except where specifically stated, current valuations of non-current assets.

The following significant accounting policies, which are consistent with the previous period unless otherwise stated, have been adopted in the preparation of this financial report. The amounts represented have been rounded to the nearest dollar.

(b) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, deposits held at call with banks, other short-term highly liquid investments and bank overdrafts. Bank overdrafts are shown within short-term borrowings in current liabilities on the statement of financial position.

(c) Trade and Other Receivables

The Association provides an allowance for losses on trade receivables based on a review of the current status of existing receivables and management's evaluation of periodic ageing of accounts.

(d) Property, Plant & Equipment

Each class of property, plant and equipment is carried at cost or fair value less, where applicable, any accumulated depreciation.

The depreciation amount of all fixed assets including plant and equipment, is depreciated on either a prime cost or a diminishing value basis over their useful lives commencing from the time the asset is held ready for use.

(e) Trade and Other Payables

Trade and other payables are stated at cost, which approximates fair value due to the short term nature of these liabilities.

Burnie Athletic Club Inc.
Notes to the Financial Statements

For the Year Ended 31 May 2019

(f) Income Tax

No provision for income tax has been raised as the association is exempt from income tax under Division 50 of the Income Tax Assessment Act 1997.

(g) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the statement of financial position are shown inclusive of GST.

(h) Revenue

Revenue is measured at fair value of the consideration received or receivable and is presented net of returns, discounts and rebates.

Revenue from the sale of goods is recognised upon delivery of goods to customers.

Revenue from the rendering of services is recognised upon the delivery of service to the customers.

(i) Comparative Figures

Where appropriate, comparative figures have been adjusted to conform to changes in presentation of the current financial year.

Burnie Athletic Club Inc. Notes to the Financial Statements

For the Year Ended 31 May 2019

	2019 \$	2018 \$
2 Bar Trading		
Sales	-	4,678
Less: Purchases	<u>-</u>	<u>1,408</u>
	<u>-</u>	<u>3,270</u>
3 Criterium		
Sponsorship	3,000	4,000
Less: Promoter fee	3,000	7,000
Other expenses	<u>218</u>	<u>397</u>
	<u>3,218</u>	<u>7,397</u>
	<u>(218)</u>	<u>(3,397)</u>
4 Cash		
Cash at bank	12,710	33,247
Cash at bank	116	-
Term deposits	<u>68,257</u>	<u>61,716</u>
	<u>81,083</u>	<u>94,963</u>
5 Trade and Other Receivables		
Trade debtors	<u>4,175</u>	<u>4,020</u>
	<u>4,175</u>	<u>4,020</u>
6 Property, Plant and Equipment		
Plant and Equipment		
Plant and equipment at cost	<u>8,272</u>	<u>8,272</u>
	<u>8,272</u>	<u>8,272</u>
7 Trade and Other Payables		
Trade Creditors	1,210	220
Goods and services tax	<u>7,130</u>	<u>1,089</u>
	<u>8,340</u>	<u>1,309</u>
8 Income In Advance		
Sponsorship	<u>7,000</u>	<u>9,167</u>
	<u>7,000</u>	<u>9,167</u>

Burnie Athletic Club Inc.
Notes to the Financial Statements

For the Year Ended 31 May 2019

	2019	2018
	\$	\$
9 Accumulated Funds		
Accumulated funds brought forward	96,779	77,138
Net surplus/(deficit)	<u>(18,589)</u>	<u>19,641</u>
	<u>78,190</u>	<u>96,779</u>

**Burnie Athletic Club Inc.
Committee's Declaration**

For the Year Ended 31 May 2019

In the opinion of the Committee the financial report as set out on pages 2 - 8:

- (a) presents fairly the financial position of the Burnie Athletic Club Inc as at 31 May 2019 and its performance for the year ended on that date in accordance with the accounting policies outlined in Note 1 to the financial statements;
- (b) satisfies the requirements of the Associations Incorporations Act (Tas) 1984 to prepare accounts; and
- (c) at the date of this statement there are reasonable grounds to believe that the Burnie Athletic Club Inc will be able to pay its debts as and when they fall due.

This statement is made in accordance with a resolution of the committee and is signed for and on behalf of

President.....

Treasurer.....

Dated this..... day of.....2019.

PRESIDENT'S ANNUAL REPORT 2019

It is with much pride and pleasure that I present my annual report to our members in this 132nd Year of the Burnie Athletic Club.

We have again had another good carnival this year where competition and attendance was strong. The feedback from competitors and spectators alike was positive indicating we are heading in the right direction in evolving our great Club.

Participation was again strong where we had over three hundred & fifty competitors enter events and just under 3000 people attended the carnival.

Our four main corporate partners including Lion, Elphinstone Group / William Adams, Stubbs Construction and Direct Edge again all made major financial contributions towards our carnival. Without their support our current level of achievements simply would not be possible. We are truly grateful to have these corporate partners along with all the other corporate partners as part of our Club. I would like to thank our sponsorship coordinator Michael Rowlands who again did an excellent job for the Club. Given that we are currently experiencing tough economic times and considering this the task of gaining financial support for the Club becomes an even bigger mission.

In summary, the simple breakdown of the sponsorship gained is as follows: -

Cash - \$88,292.00

Grants - \$13,182.00

In-kind - \$3,000

As you will see from the financial report the Club's trading results for this year the overall result has not been as good as the past two years. The Committee believed it was important to continue to invest in the Club's future ensuring we remain sustainable. Areas that we invested were as follows;

Built a new website & established a new App \$6900

Hello World Travel voucher - \$4,000

Invested in first year athlete program - \$2,000

Increased overall prize money by \$5,000

Total cost of \$17,900

Additional to this the Club engaged an administrator for the first time to assist with the day to day operations of the Club which came at an additional cost of \$12,000

The Club has a proud and rich history and although it is important that we stay connected with our traditions, we must take steps towards modernising our carnival and build on our position as a premier athletic club in Australia. The continuing growth of your Club can only be achieved by the support and patronage of our loyal members and the community. We must be clear with our objectives and the message that we send to our members, corporate partners and the public and that is we are open for business.

The reality is we are in competition with many other activities over the Christmas period and we need to examine everything we do and improve where possible. Patrons who attend our carnival have changed their habits whereby they do not spectate like they used to, interests and focus have

changed, with this we need to change the way we provide entertainment this may mean we need to make some decisions that are unconventional. The key areas that we are focusing on going forward are as follows;

- Sustainability
- Carnival attendance numbers
- Prize money, including raising women's prize money
- Carnival entertainment

Engaging with the community has always been important to our Club, however Community involvement is not only a key part of constitution obligation, but important in ensuring we as a Club continue to be sustainable as in return it increases attendance to our carnival and participation in general.

In closing I would like to thank all Club members. We are lucky we have many committed volunteers that provide the stability and framework to build a strong club. I would like to take the opportunity to thank all the committed volunteers that have made contributions throughout the year. I would again like to make the point that our volunteers are our most important asset.

I find the engagement truly motivating and I insist our recent achievements is only the tip of the iceberg and together we can achieve something truly special.

Burnie Athletic Club Inc

Ricky Aitken

PRESIDENT

16th July 2019

COMMUNITY AND ECONOMIC DEVELOPMENT**AO346-19 REQUEST FOR ASSISTANCE
BURNIE HARNESS RACING CLUB****FILE NO: 13/22/1****PREVIOUS MIN: NIL**

MAKING BURNIE 2030 – CORPORATE PLAN REFERENCE:

Direction	1	AN ATTRACTIVE PLACE TO LIVE, WORK AND PLAY
Objective	1.3	A community that promotes and values its broad range of quality leisure, recreational and sporting opportunities.
Strategy	1.3.2	Maintain and develop recreational and sporting facilities to encourage greater participation and sporting opportunities.

1.0 RECOMMENDATION:

“THAT Council allocate funds from its Financial Assistance Grants Program to the Burnie Harness Racing Club for assistance to off-set the costs associated with access across the rail corridor at Wivenhoe as follows:

- a) Financial Year 2019/20 - \$1,485***
- b) Financial Year 2020/21 - \$1,980***
- c) Financial Year 2021/22 - \$1,980.”***

2.0 SUMMARY

Due to changes in requirements from the Rail Infrastructure Manager, the Burnie Harness Racing Club has written to Council seeking financial assistance to meet the costs of new requirements for access across the rail corridor at Wivenhoe during its Harness Club Race Meetings.

3.0 BACKGROUND

The Burnie Harness Racing Club has conducted race meetings at the Wivenhoe Recreation Ground for many years. Until recently it was able to access a crossing between the Wivenhoe Recreation Ground and the southern Wivenhoe Showgrounds site, to allow horses to move from floats to the main racing area.

However due to a change in approach from the state rail operator, the Harness Club is now required to have a Track Protection Officer present for the duration of its race meetings.

As the land owner of both the Wivenhoe Recreation Ground and the old Show Grounds on the southern side of the rail corridor, Council holds the license for access across the rail corridor.

4.0 LEGISLATIVE REQUIREMENTS

The operations of rail activity are governed by the National Rail Safety Laws and Regulation.

5.0 POLICY CONSIDERATIONS

The provision of financial assistance to community groups is governed by Council's Community Assistance Policy.

The policy provides assistance to:

- Clubs and Community Organisations either located in Burnie or which have substantial membership from Burnie residents, and which offer benefits to the people of Burnie (Note that financial assistance may be made to Regional/District organisations for distribution to sub or local branches where this situation applies); or
- Not-for-profit community organisations providing a public benefit to the Burnie community.

The Harness Racing Club would qualify for assistance under this policy.

6.0 FINANCIAL IMPACT

The Harness Club is seeking the following financial assistance over three financial years:

Financial Year 2019/20 - \$1,485

Financial Year 2020/21 - \$1,980

Financial Year 2021/22 - \$1,980

Council has budgeted \$70,500 for its community assistance grants in 2019/20, and has allocated \$68,023 to date. Council is able to meet this request in this financial year and stay within budget.

If Council supports the request the balance of the funds will be allocated out of the Financial Assistance Grants budgets for those years, as currently occurs with a number of grant applications.

7.0 DISCUSSION

The Burnie Harness Racing Club has been faced with additional costs due to changes in rail access processes which it has had no control over.

Unfortunately, due to timing of on-going discussions with the Rail Infrastructure Manager, the Club was unable to submit an application for funding under Council's Financial Assistance Grants program by the due date.

The regulation of rail activities has become much more rigorous due to the need to meet national and legislated safety requirements. As the licensee of the crossing, Council has an

obligation to ensure the use of the crossing is operated according to these national regulations.

By providing the requested assistance, Council is not only assisting a long standing community organisation to maintain its sustainability; it will also assist in ensuring that the crossing is used in a safe and compliant manner as per the operator's requirements and national regulations.

8.0 RISK

Risk Category	Risk identified	Ways to eliminate or reduce the risk
Public Safety	There is a risk that without Council assistance, the rail access may not be crossed in a safe manner	Assisting with the cost of a Track Protection Officer will ensure the safety of users accessing the crossings
Regulations and Compliance	There is a risk that without Council assistance, the rail access may not be used in a manner that ensures compliance with the national rail regulations. As the licensee of the rail crossing, Council is responsible to ensure the crossing is used in a manner which complies with these legislated regulations	Assisting with the cost of a Track Protection Officer will ensure the crossing is used in manner which meets national rail legislation.

9.0 CONSULTATION

Council officers have had numerous discussions on this matter with the rail operator and the Harness Racing Club. To seek alternative options to the provision of a Track Protection Officer.

ATTACHMENTS

1. [Request for Assistance - Burnie Harness Racing Club](#)

COUNCIL RESOLUTION

Resolution number: MO389-19

MOVED: Cr A Keygan

SECONDED: Cr K Dorsey

“THAT Council allocate funds from its Financial Assistance Grants Program to the Burnie Harness Racing Club for assistance to off-set the costs associated with access across the rail corridor at Wivenhoe as follows:

- a) Financial Year 2019/20 - \$1,485***
- b) Financial Year 2020/21 - \$1,980***
- c) Financial Year 2021/22 - \$1,980.”***

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

Mayor Kons and Councillors
Burnie City Council
Wilson Street
BURNIE TAS 7320

Dear Mayor and Councillors

I write to you as President of the Burnie Harness Racing Club (BHRC) to request a grant from Council to cover the cost imposed on BHRC by TasRail, for access over the train line at Wivenhoe. This access is via a licence Council has with TasRail. However, for BHRC to use this access, TasRail has imposed on us the costs of covering a Track Protection Officer (TPO) for the duration of each of our race meetings.

BHRC has used this access over the train line to move horses from floats to the stables for many decades, without incident. TasRail requires BHRC to obtain a permit to access the rail corridor for every meeting with their own TPO supplied, at a cost to BHRC, despite there being only one train movement during our meetings. BHRC used to communicate directly with TasRail's control room and close and lock the gates before and after the train had passed through the area. Now, TasRail does not deem this sufficient.

At a recent meeting with Council, BHRC and TasRail, Council officers suggested that the BHRC could apply for funding from Council to cover this cost. As you can appreciate, the BHRC is a volunteer organisation, providing family friendly events for the Burnie community in addition to supporting the state's racing industry. BHRC was advised that the TPO cost to us for this permit requirement was in the vicinity of \$3,000 per year. Our income is mainly generated by the four meetings per season, covering the cost of our events. This new cost has a relative impact on us. Whilst the Club is in a reasonable financial position, this cost does have an impact on our position. BHRC is always looking for innovative ways to generate sustained income in order to provide a great calendar of events and support for our generous sponsors. TasRail has kindly waived the permit fees we are required to have for each meeting.

We were never provided with an actual cost per meeting/year to be able to apply for funding from Council prior to our first meeting on November 22. Council's General Manager has kindly offered for Council to cover half of the TPO cost for our first meeting. We have today received the first meeting's invoice from TasRail for \$495. We would be very grateful

for a 3 year funding allocation from Council for \$1485, 2019/20; \$1980 2020/21 and \$1980 2021/22.

In the interim of being advised of the TPO requirement, the BHRC has been active in trying to find a more reasonable and cost-effective solution to safe access over the train line at Wivenhoe. I have written to the CEO of requesting a review and change of the TPO requirement, however it has taken many weeks to receive a response.

We are of the firm view that this licenced access should be used by BHRC as a stock access, removing the costly requirement for a TPO for just one train movement during each of our four race meetings. BHRC will continue to pursue options and actions and do our best to change TasRail's requirement to a more reasonable and cost-effective option. I have written to our local state members of parliament and will continue down these avenues whilst TasRail continue to hold their position.

I thank the Council for considering this request and wish to take this opportunity to thank Councillors and the Burnie community for their continued support of our Club and our volunteers that make our events possible. Please contact me should you require any further information.

Yours sincerely

Justine Keay
PRESIDENT
BHRC

GENERAL MANAGER**AO347-19 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 Shared Services Project Update
- 2.3 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
12 November	Meeting with Darren Cooke, TasRail
	Meeting with Colin Paterson and Darren French, UPC Renewables
	Meeting with Kate Dean, TasPorts
13 November	TasWater General Meeting and AGM, Riverside
	Tourism 2030 - A Visitor Economy for All Tasmanian
14 November	CCA - Board Meeting
15 November	Sustainable Murchison Reference Group Bi-Monthly Meeting
	Cradle Coast General Manager’s Meeting
19 November	UTAS West Park Transition Working Group Meeting
20 November	Business North West General Meeting

Date	Meeting / Function
25 November	NWMAG - Project Control Group (PCG)
27 November	NWMAG - Concept Design and Progress Meeting
	UTAS West Park Transition Working Group Meeting
28 November	CCA Representatives Meeting and AGM
	BAFC Subscription Season Launch
2 December	Meeting with Dean Dixon, TasNetworks

2.2 SHARED SERVICES PROJECT UPDATE

Collaboration Project:

The project has encompassed evaluation and testing of a range of communication, file sharing, desktop and smart device video calling and interaction tools with the councils electing to pilot use of Microsoft Teams.

The use of Microsoft Teams (Teams) in the pilot has been achieved at no additional cost. The existing Microsoft subscriptions held enabled Circular Head and Waratah-Wynyard to adopt the platform at no extra cost as part of their Microsoft Office 365 (Office 365) suite. As Burnie is not a subscriber to Office 365 their users have been able to access the free version so far, however this does have some limitations. Burnie is currently evaluating the addition of Office 365 subscriptions with a view to adding extended features and functionality not available with its current version of Microsoft Office/Exchange.

More than 30 combined staff across the councils and a number of external contractors/guests/collaborators have been utilising Teams as part of day to day work on the group of initial Shared Services Projects. Additionally, the General Managers and groups of executive and senior managers have been replacing day to day physical meetings limiting the associated need to travel to physical sites with meetings conducted virtually using Teams. Some early call quality issues affecting participants using Teams from the Wynyard offices have been resolved. The quality of virtual meetings will continue to be monitored and refined to maintain call quality and useability as increased adoption continues.

Accounts Receivable Project:

As a result of a series of workshops involving senior managers and accounts receivable subject matter experts representing Circular Head, Burnie and Waratah-Wynyard an agreed single standardised process for initiating and generating invoices has been achieved.

In order to achieve the standardisation of the process a number of changes to the work practices of each council have been required and changes are in the process of being applied to work instructions with the expectation that these will be uniformly adopted at a meeting scheduled in early December 2019. Further work is currently underway to review and align where possible revenue receipt and debt collection components of the accounts receivable process.

In addition to alignment of the initial process components, methods to move many of the process steps from manual, paper and unstructured email to digital electronic forms with elements of data validation and checking are being trialled. If adopted the tools and approach may be more broadly applied to other working processes accelerating the ability for each of the councils to standardise workflow and process using a consistent repeatable approach.

Civica Upgrades:

Burnie's upgrade was successfully completed overnight on 7 November 2019 with Waratah Wynyard's upgrade initially planned to occur overnight on the evening of 25 November 2019, however it was mutually agreed that this be delayed until later in December.

The schedule of upgrades was dictated by Civica resources, with November being Civica's earliest availability.

A project manager from Burnie was shared across project team with functional finance and technical staff along with other operational departments collaborated to complete planning and testing activities more efficiently than undertaking the exercises independently. The testing identified at least three major issues which would have resulted in the upgrades having to be aborted and re-scheduled.

CCTV Project:

Key milestones complete so far include:

- Joint evaluation, technical design and roadmap development aligning the Burnie extension and Waratah-Wynyard's establishment of CCTV systems and infrastructure.
- Joint development, issue, vendor briefings and vendor response evaluation of the Request for Proposal/Quote process for equipment and contractor provision.
- Purchase orders placed with suppliers for all technical equipment (cameras, network infrastructure, recording and monitoring software and devices as well as contractor services for both Burnie and Waratah-Wynyard.
- Federal grant reporting requirements have been fulfilled by each council providing status updates required to receive subsequent grant instalments.
- Pre-build and testing of a 'mesh' wireless network environment required to connect Wynyard and Somerset cameras to infrastructure has been completed pending delivery of hardware for field deployment.

During the RFQ briefing and response period in October, all potential suppliers expressed doubt that a large proportion of Wynyard located cameras could be physically installed by March 2020 due to a combination of dependency on TasNetworks processes and approvals relating to authorisation to utilise power supply and pole locations. Similarly, due to a need to undertake civil works to route network and power for a camera to cover the entrance to the Burnie courthouse it is unlikely that this camera sight can be achieved by the end of 2019.

The sub-contractors and project currently hope to receive delivery recording and monitoring software and equipment for both councils to be implemented during the remainder of 2019 with all but the courthouse camera in Burnie having been physically installed and implemented within this timeframe. Electrical cabling work for camera installation is scheduled to commence in Burnie on 25 November 2019.

In terms of installing and commissioning the CCTV cameras for Waratah-Wynyard, assuming delivery of the recording and control equipment is received prior to Christmas 2019 it will be installed at Burnie offices and three initial camera locations which are not dependant on power and street access interdependencies will be implemented first. These cameras are the Wynyard Chamber Foyer, the WOW Centre and the Wynyard Depot. Delivery of control and recording equipment is reliant on international shipping and customs clearance.

Ongoing work with subcontractors is being undertaken in order to plan and establish a schedule for the balance of the Wynyard and Somerset location cameras. Based on the potential issues identified by contractors during the RFP process, Waratah-Wynyard has taken steps to identify alternative locations for pole and power provision. As a result, the Wynyard CBD Refurbishment Project will be providing alternative poles and power for many of these cameras. It is understood that this project is currently in its own Request for Quotation phase and will establish associated timeframes for the CCTV project to work with when complete.

Summary

In summary the four projects identified earlier this year have been completed or on track for completion early next year. The General Managers are currently exploring opportunities with key staff from the three councils to deliver more projects in 2020.

2.3 COUNCIL MEETING ACTION LIST

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

ATTACHMENTS

1. [Open Session - All Actions Nov 2019](#)
2. [Open Session - Outstanding Actions Jan 2018 to Oct 2019](#)

COUNCIL RESOLUTION

Resolution number: MO390-19

MOVED: Cr T Bulle

SECONDED: Cr D Pease

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

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

Council Meeting Action Report				
All Actions for Open Meeting of 19 Nov 2019				
Key: RES = Action arising from Resolution; ACT = Action required in addition; QON = Question on Notice; NOTE = Progress Note				Date From: 19/11/2019 Date To: 19/11/2019 Printed: Tuesday, 3 December 2019
Item Number	Report Title	Action	Department	Completed
AO303-19	MOTION ON NOTICE - CLEAN OUT THE CLOSET	21 Nov 2019 RES: Schedule a workshop discussion on a proposed Clean out the Closet day, in accordance with the resolution of Council AO303-19. 29 Nov 2019 Action completed. Workshop Scheduled.	Community and Economic Development	29/11/2019
Council 19/11/2019				
AO305-19	MOTION ON NOTICE - CARDBOARD BOXES	21 Nov 2019 RES: Prepare correspondence from Mayor to write to local supermarkets encourage reuse of cardboard boxes as an alternative to bags, in accordance with the resolution of Council AO305-19.	Office of the General Manager	
Council 19/11/2019				
AO307-19	MOTION ON NOTICE - EVENTS MEASUREMENT OF SUCCESS	21 Nov 2019 RES: Schedule a workshop to discuss purpose of events and development of an events strategy, in accordance with the resolution of Council AO307-19. 29 Nov 2019 Action completed. Workshop Scheduled.	Community and Economic Development	29/11/2019
Council 19/11/2019				
AO311-19	PROPOSAL TO DISPOSE (LEASE) A PORTION OF PUBLIC LAND TO BURNIE POLICE AND CITIZENS BOYS AND GIRLS CLUB INC (PCYC) 1-5 TERRYLANDS STREET, BURNIE CT VOLUME 158965 FOLIO 1	21 Nov 2019 RES: Negotiate a community lease with PCYC, in accordance with the resolution of Council AO311-19.	Community and Economic Development	
Council 19/11/2019				
AO312-19	LAND DISPOSAL PROPOSAL TO TRANSFER A PORTION OF PUBLIC LAND TO UNIVERSITY OF TASMANIA NEAR WEST PARK OVAL, BASS HIGHWAY, PARKLANDS WITHIN CONVEYANCE 22/4840, CT VOLUME 137631, FOLIO 1	21 Nov 2019 RES: Undertake public land disposal consultation process for portion of West Park land to UTAS and provide a further report to Council, in accordance with the resolution of Council AO312-19. 25 Nov 2019 NOTE: Advertising of the proposed disposal occurred 23 Nov. Report to be considered at the January 2020 meeting.	Works and Services	
Council 19/11/2019				
AO313-19	COUNCIL POLICY IMMUNISATION PROGRAM	21 Nov 2019 RES: Finalise the Immunisation Policy in the Corporate Document Framework and publish to Council website, in accordance with the resolution of Council AO313-19. 29 Nov 2019 Action completed. Finalised and published 938726.	Corporate and Business Services	29/11/2019
Council 19/11/2019				

Council Meeting Action Report				
All Actions for Open Meeting of 19 Nov 2019				
Key: RES = Action arising from Resolution; ACT = Action required in addition; QON = Question on Notice; NOTE = Progress Note			Date From: 19/11/2019	Date To: 19/11/2019
			Printed: Tuesday, 3 December 2019	
Item Number	Report Title	Action	Department	Completed
AO321-19	COMMUNICATIONS JOURNAL NOVEMBER 2019	21 Nov 2019 ACT: Arrange letter from Mayor to thank the Hon Sarah Courtney MP for her recent meeting. 25 Nov 2019 Action completed. Letter of thanks sent - DOC ID 939803.	Office of the General Manager	25/11/2019
Council 19/11/2019				
AO321-19	COMMUNICATIONS JOURNAL NOVEMBER 2019	21 Nov 2019 ACT: Arrange acknowledgement of letter to the LGAT in relation to Feral Cats motion. 25 Nov 2019 Action completed. Letter of acknowledgement sent - DOC ID 939814.	Office of the General Manager	25/11/2019
Council 19/11/2019				
AO321-19	COMMUNICATIONS JOURNAL NOVEMBER 2019	21 Nov 2019 ACT: Arrange acknowledgement of letter to the Burnie Farmers Market Stallholders. 25 Nov 2019 Action completed. Acknowledgement sent - DOC ID 938364.	Office of the General Manager	25/11/2019
Council 19/11/2019				
AO322-19	COMMUNICATIONS JOURNAL - NORTH WEST CAR CLUB OONAH ROAD HILLCLIMB - COURSE SAFETY IMPROVEMENTS	21 Nov 2019 RES: Invite the NWCC to a workshop to provide briefing on course safety improvements for Oonah Road Hillclimb, in accordance with the resolution of Council AO322-19.	Works and Services	
Council 19/11/2019				
AO324-19	BURNIE REGIONAL MUSEUM SPECIAL ADVISORY COMMITTEE UNCONFIRMED MINUTES OF MEETING HELD ON 28 OCTOBER 2019	21 Nov 2019 RES: Invite the Minister for the Arts to a meeting at the BRM to discuss on going operational funding and capital funding for the NW MAG as per AO324-19. 22 Nov 2019 Action completed. Letter of invitation sent.	Community and Economic Development	22/11/2019
Council 19/11/2019				
AO325-19	PUBLIC ART PROJECTS SPECIAL ADVISORY COMMITTEE UNCONFIRMED MINUTES OF MEETING HELD ON 30 OCTOBER 2019	21 Nov 2019 RES: Arrange refurbishment of the water front and Cattley Street seats as per AO325-19.	Community and Economic Development	
Council 19/11/2019				
AO325-19	PUBLIC ART PROJECTS SPECIAL ADVISORY COMMITTEE UNCONFIRMED MINUTES OF MEETING HELD ON 30 OCTOBER 2019	21 Nov 2019 RES: Undertake an EOI process for locations for a public art commission as per AO214-19.	Community and Economic Development	
Council 19/11/2019				

Council Meeting Action Report		Date From: 21/11/2017	
Outstanding Actions for Open Sessions Jan 2018 – Oct 2019		Date To: 31/10/2019	
		Printed: Tuesday, 3 December 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
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 Mar. 26 Nov 2019 NOTE: Further correspondence drafted to new minister in regard to this matter.	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			
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			

Council Meeting Action Report		Date From: 21/11/2017	
Outstanding Actions for Open Sessions Jan 2018 – Oct 2019		Date To: 31/10/2019	
		Printed: Tuesday, 3 December 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
AO198-18	MOTION ON NOTICE - SINGLE USE PLASTICS	<p>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.</p> <p>5 Sep 2018 NOTE: Initial discussion of ban workshopped with Aldermen 28 August. Council officers to present draft policy in early 2019.</p> <p>18 Jan 2019 NOTE: A working group established to develop policy.</p> <p>27 Sep 2019 NOTE: Policy being completed. To be presented to a Workshop of Council in February 2020.</p>	Community and Economic Development
Council 21/08/2018			
AO237-18	MOTION ON NOTICE - BIKE TRACK VIEW ROAD	<p>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.</p> <p>9 Nov 2018 NOTE: To be arranged for a workshop in the new year.</p> <p>19 Jun 2019 NOTE: Workshop scheduled for 22 October 2019.</p> <p>23 Oct 2019 NOTE: Council visited site, Pump track concept to be explored and further briefing provided to Council.</p> <p>26 Nov 2019 NOTE: Council to further discussed project at 26 November workshop.</p>	Works and Services
Council 18/09/2018			
AO311-18	MOTION ON NOTICE - WALKING TRAILS	<p>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.</p> <p>5 Jul 2019 NOTE: Trails being considered as part of broader track / trail strategy. Briefing previously provided to Council on signage strategy.</p>	Works and Services
Council 20/11/2018			
AO303-18	MOTION ON NOTICE - INVESTIGATE WATERSLIDE COSTS	<p>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.</p> <p>4 Mar 2019 NOTE: Indicative costs being developed as part of federal election prospectus. Engagement with Aquatic centre working group to occur.</p>	Works and Services
Council 20/11/2018			

Council Meeting Action Report		Date From: 21/11/2017	
Outstanding Actions for Open Sessions Jan 2018 – Oct 2019		Date To: 31/10/2019	
		Printed: Tuesday, 3 December 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
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. 26 Nov 2019 NOTE: Working group established to consider new stadium project.	Works and Services
Council 11/12/2018			
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. 23 Oct 2019 NOTE: Awaiting consent of each landowner in accordance with requirements of the Land Use Planning and Approvals Act 1993 before a request can be made to initiate a draft scheme amendment	Land and Environmental Services
Council 19/03/2019			
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. 26 Nov 2019 NOTE: Paper prepared. To be referred to workshop in 2020.	Works and Services
Council 19/03/2019			

Council Meeting Action Report		Date From: 21/11/2017	
Outstanding Actions for Open Sessions Jan 2018 – Oct 2019		Date To: 31/10/2019	
		Printed: Tuesday, 3 December 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
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. 25 Nov 2019 NOTE: RIS Certification received from Director Local Government. Consultation phase underway. 2 Dec 2019 NOTE: Consultation phase in process - report to come to January meeting.	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			
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 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 Jan 2018 – Oct 2019				
Key: RES = Action arising from Resolution; ACT = Action required in addition; QON = Question on Notice; NOTE = Progress Note			Date From: 21/11/2017 Date To: 31/10/2019 Printed: Tuesday, 3 December 2019	
Item Number	Report Title	Action	Department	Completed
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				
AO161-19	MOTION ON NOTICE - AURORA BOXES ARTWORK	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	
Council 18/06/2019				
AO159-19	MOTION ON NOTICE - CITY AND SUBURB INFRASTRUCTURE 2019-20	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	
Council 18/06/2019				
AO158-19	MOTION ON NOTICE - VIDEO RECORDING OF MOTIONS ON NOTICE AND PUBLIC QUESTION TIME AT COUNCIL MEETINGS	19 Jun 2019 RES: Investigate livestreaming of Council Meetings, in accordance with resolution of Council AO158-19.	Corporate and Business Services	
Council 18/06/2019				
AO189-19	MOTION ON NOTICE - FOOD ORGANICS AND GARDEN ORGANICS (FOGO) COLLECTION	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. 23 Oct 2019 NOTE: Briefing provided to 22 October workshop. To progress to an education and communication planning process with CCWMG.	Works and Services	
Council 16/07/2019				
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				

Council Meeting Action Report		Outstanding Actions for Open Sessions Jan 2018 – Oct 2019		
Key: RES = Action arising from Resolution; ACT = Action required in addition; QON = Question on Notice; NOTE = Progress Note		Date From:	21/11/2017	
		Date To:	31/10/2019	
		Printed:	Tuesday, 3 December 2019	
Item Number	Report Title	Action	Department	Completed
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. 23 Oct 2019 NOTE: DCED held a discussion with Councillors at workshop on 22.10.19.	Office of the General Manager	
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. 11 Sep 2019 NOTE: Concept design obtained. To be referred to budget process.	Works and Services	
Council 20/08/2019				
AO245-19	MOTION ON NOTICE - MAGAZINE OR NEWSLETTER OF ACTIVITIES, FUNCTIONS AND EVENTS	19 Sep 2019 RES: Introduce a printed newsletter featuring activities, functions, events, and promotions and any other information relating to the City, at least every six months, with participating advertisers to help defray the costs, in accordance with the resolution of Council AO245-19.	Corporate and Business Services	
Council 17/09/2019				
AO257-19	COMMUNICATIONS JOURNAL - BURNIE FIELD NATURALIST CLUB INC - MEMORIAL PLAQUE AND/OR DEDICATION SEAT FOR THE LATE LEXIE PAUL	19 Sep 2019 RES: Send a response to the Burnie Field Naturalists Club confirming Council's support for the installation of a plaque and memorial seating for the late Ms Lexie Paul, and make arrangements for this to be implemented, per resolution AO257-19. 22 Sep 2019 NOTE: Club advised of Council's decision. Officer to works with the Club.	Works and Services	
Council 17/09/2019				
AO242-19	MOTION ON NOTICE - CITY REVITALISATION PLAN	30 Sep 2019 RES: Prepare a report to Council with proposed Terms of Reference for a CBD Revitalisation Working Group, in accordance with the resolution of Council AO242-19. 1 Oct 2019 NOTE: Listed for discussion at Workshop on 8.10.2019. 9 Oct 2019 NOTE: The establishment of a terms of reference was discussed at Council workshop on 8.10.2019. The consensus of the discussion was that this matter be deferred for six months. This will be discussed further with Council in April 2020.	Office of the General Manager	
Council 17/09/2019				

Council Meeting Action Report		Date From: 21/11/2017	
Outstanding Actions for Open Sessions Jan 2018 – Oct 2019		Date To: 31/10/2019	
		Printed: Tuesday, 3 December 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
AO244-19	MOTION ON NOTICE - SMOKING BAN IN CBD	19 Sep 2019 RES: Prepare a report to council that investigates matters relevant to proposing the town centre be a smoke free area, by addressing each of the matters contained in Council resolution AO244-19.	Land and Environmental Services
Council 17/09/2019			
AO279-19	BURNIE BOWMEN - HOSTING OF NATIONAL ARCHERY TITLES	20 Oct 2019 ACT: Add budget note for 2020-21 to include \$10,000 to support the National Senior Archery Championships in October 2020, in accordance with the resolution of Council AO279-19.	Corporate and Business Services
Council 15/10/2019			
AO277-19	MOTORCYCLE PARKING	20 Oct 2019 RES: Implement steps to allocate 15 motorcycle parking spaces in the MTCP for a 12 month trial basis, in accordance with the resolution of Council AO277-19. 23 Oct 2019 NOTE: Instructions issued to prepare and mark additional motorcycle parking bays adjacent to existing provision in the MTCP and to monitor use for a period of 12 months.	Land and Environmental Services
Council 15/10/2019			
AO269-19	MOTION ON NOTICE - MULTI STOREY CAR PARK - FIRST HOUR FREE - DECEMBER PROMOTION	20 Oct 2019 RES: Implement first hour free parking at MTCP from 14-31 December and request journal allocation to Finance of \$2,500 from the Local Traders Marketing Grants Program. 23 Oct 2019 NOTE: Arrangements in hand to provide a "grace period" of one hour for which no payment is required for use of a parking space in the MTCP from 14 December until 31 December 2019.	Land and Environmental Services
Council 15/10/2019			

GENERAL MANAGER**AO348-19 GENERAL MANAGER'S INFORMATION REPORT FOR LAND AND ENVIRONMENTAL SERVICES NOVEMBER 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 November 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	
	November 2019	YTD Total
Air	1	7
Water	1	2
Noise	1	4
Solid Waste	0	2
Other	0	1

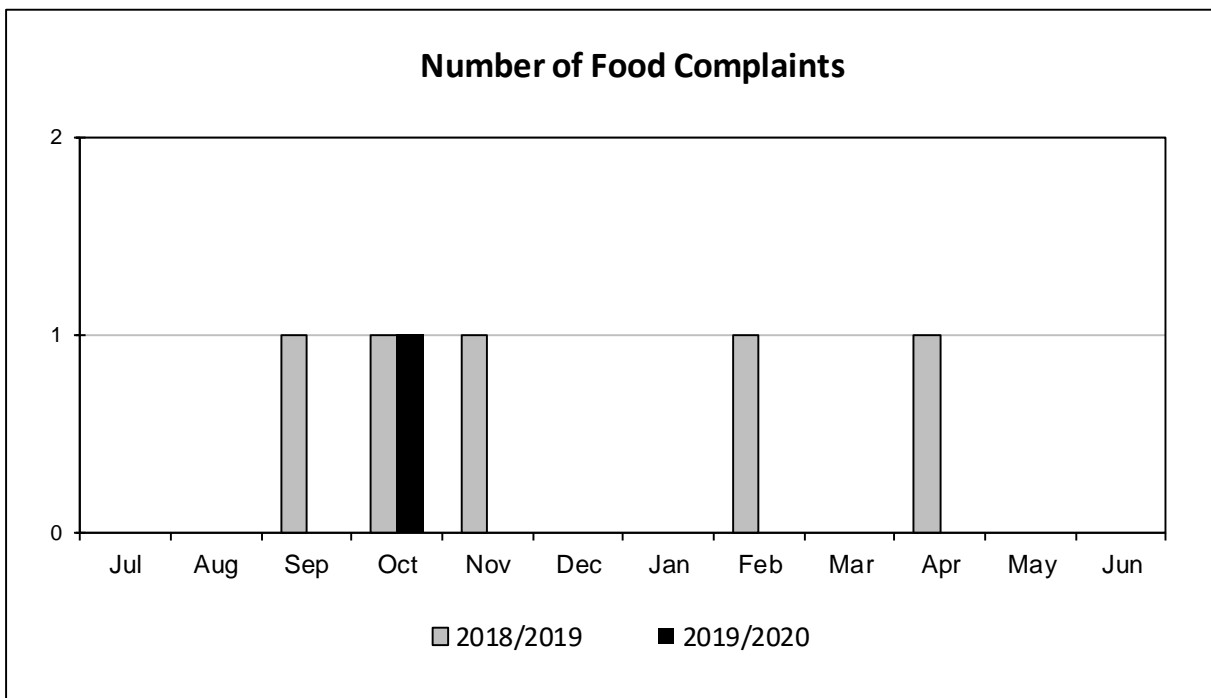
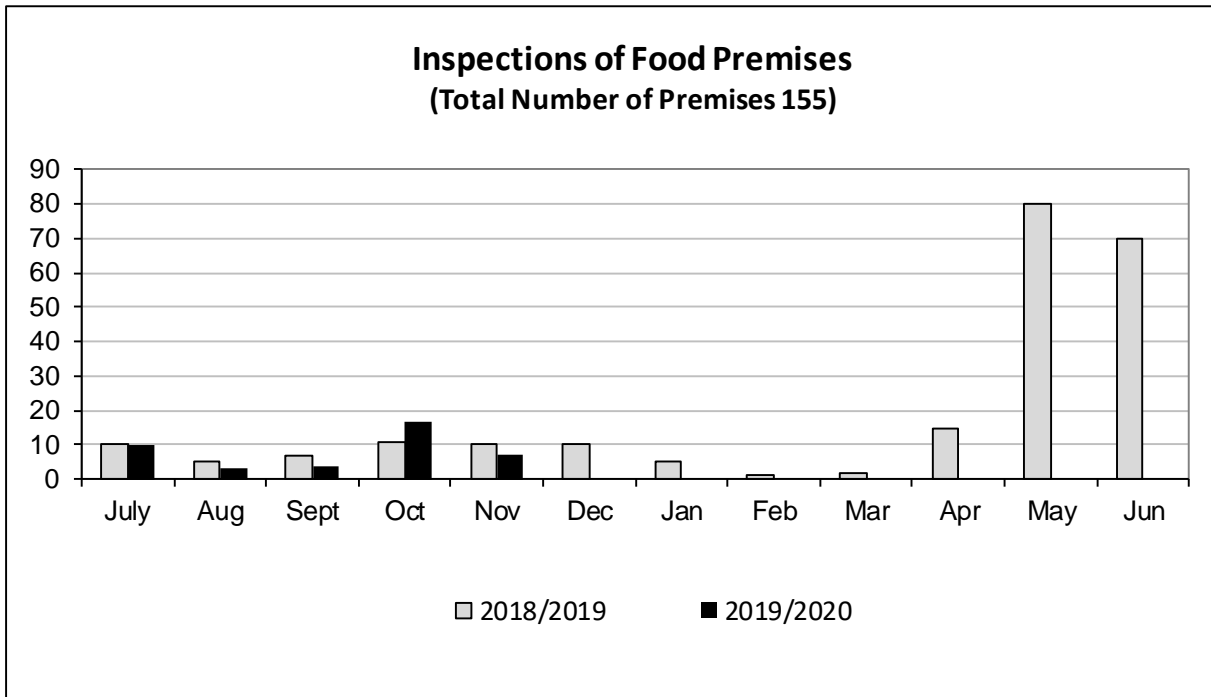
YTD is measured from 1 July each year.

2.1.2 Environmental Sampling

Type	Number of Samples Taken	
	November 2019	YTD Total
Beach Water Samples (summer months only)	5	5
Public Swimming Pool samples	6	30

YTD is measured from 1 July each year.

2.1.3 Food



Zero food complaints for February, March, May, July, August and December 2018.
Zero food complaints in January, March, May, June, July, August, September and November 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	4	4	9	
Notifiable Building	7	13	6	14	10	8	4	9	5	6	5	
Permit Plumbing	2	3	1	5	5	4	5	5	4	7	3	
Permit Building	2	5	4	4	5	1	7	6	1	3	5	
Substantial Compliance	2	0	1	1	2	0	0	0	1	2	0	
Notifiable Demolition	0	0	0	0	0	0	0	0	0	0	0	
Permit Demolition	0	0	0	1	1	0	0	0	0	2	0	
Permit Refused	0	0	0	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	1,639,537	3,344,759	1,709,660	
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	26,938,113	30,282,872	31,992,532	

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

LAND USE AND DEVELOPMENT APPLICATIONS	Nov 18	Dec 18	Jan 19	Feb 19	Mar 19	Apr 19	May 19	Jun 19	Jul 19	Aug 19	Sept 19	Oct 19	Nov 19
Permitted Use & Development	7	4	0	4	6	5	5	7	4	9	9	11	7
Discretionary Use & Development	13	10	6	8	8	5	4	2	7	5	8	8	11
Subdivisions	0	0	1	2	1	1	0	1	1	3	2	1	0
TOTAL APPLICATIONS	20	14	7	14	15	11	9	10	12	17	19	20	18
Determined by Delegation	8	10	8	10	12	14	18	6	8	10	16	20	17
Determined by Council	0	0	1	2	0	1	0	1	0	1	0	1	0
Withdrawn	0	0	0	0	4	0	3	2	2	0	1	1	2
Applications Cancelled by Planning Authority	0	0	0	0	1	0	0	2	0	0	0	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	1
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	1	1	0	0	0	0	0	0	0	1
Amendment finally approved	0	0	0	0	0	0	0	0	0	0	0	1	0
Amendment Refused by Tasmanian Planning Commission	0	0	0	0	0	0	0	0	0	0	0	0	1
Applications Appealed and Refused by Resource Management & Planning Appeals Tribunal	0	0	0	0	0	0	0	0	0	0	0	0	0

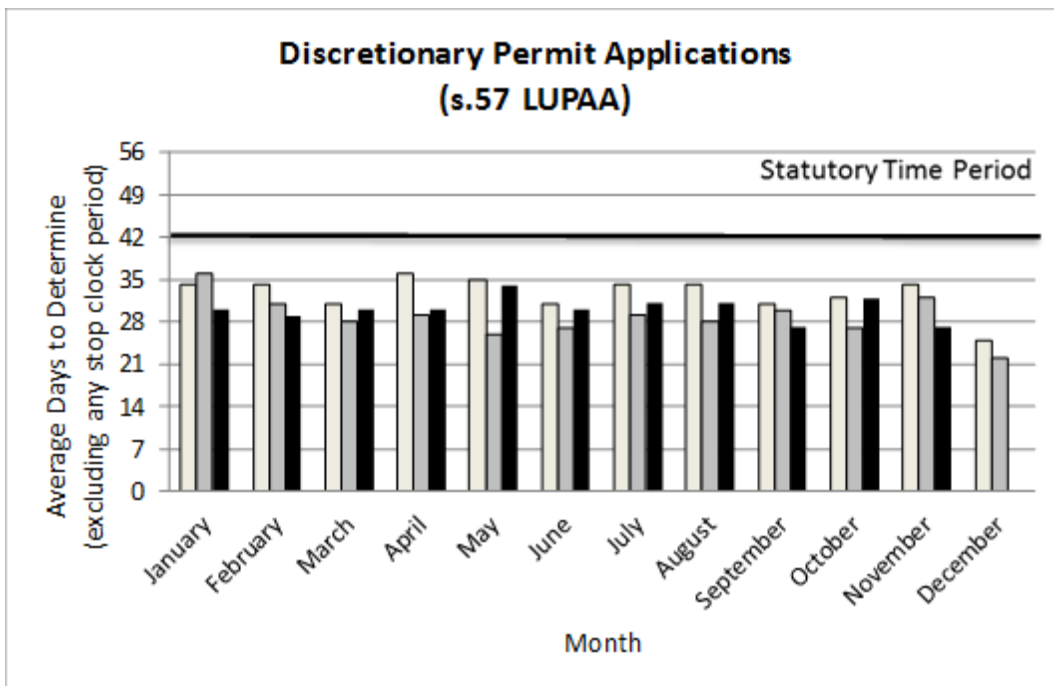
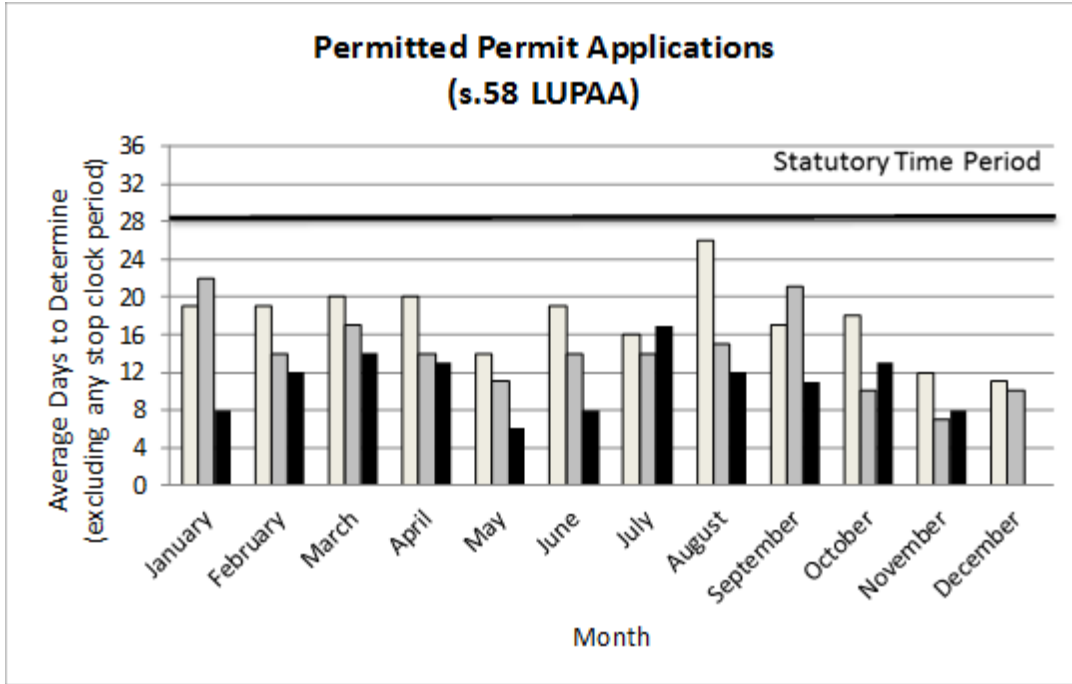
2.3.2 Land Use Permit Applications

DATE	PERMIT NO.	LOCATION	TYPE OF DEVELOPMENT	PUBLIC NOTIF. DATE	EXPIRY DATE	DECISION / DATE
17/10/18	2018/111	52 Blackwood Parade, Romaine	Outbuilding (Carport)			Withdrawn by Applicant 7/11/2019
15/8/18	2019/80	6 Madeline Drive, Mooreville	Dwelling - Single	N/A	N/A	Approved 5/11/2019
10/9/19	2019/94	44 Studholme Street, South Burnie	Retaining Wall within Council Road Reserve and located adjacent to 44 Studholme Street, South Burnie	N/A	N/A	Approved 6/11/2019
30/9/19	2019/102	1 Amanda Court, Romaine	Demolition of existing Carport and Replacement with new Outbuilding (Garage). Reliant on assessment against Performance Criteria for grant of a Permit – Clause 10.4.2 (P2 & P3)	12/10/19	28/10/19	Approved 5/11/2019
2/10/19	2019/105	27 Mawson Road, East Cam	New Shed, Relocation of Carport and Retrospective Permit for Dwelling Renovations and Extensions and Shipping Container. Reliant on Performance Criteria for grant of a Permit – Clause 14.4.3 (P2 & P4), and Clause 14.4.4 (P1)	9/11/19	25/11/19	Approved 28/11/2019
7/10/19	2019/107	557 Stowport Road, Stowport	Single Dwelling. Reliant on Performance Criteria for grant of a Permit – Clause 13.4.1 (P1) and Clause 13.4.2 (P1)	26/10/19	12/11/19	Approved 14/11/2019
10/10/19	2019/109	9 Conrad Street, Acton	Dwelling Extension (Deck). Reliant on Performance Criteria for grant of a Permit – Clause 10.4.6 (P1)	19/10/19	5/11/19	Approved 6/11/2019
14/10/19	2019/110	19 Main Road, Wivenhoe	16.0m x 10.0m Storage Shed associated with the existing Service Industry use	N/A	N/A	Approved 26/11/2019
15/10/19	2019/111	2/174 Old Surrey Road, Havenvue	Extension to Multiple Dwelling Development. Reliant on Performance Criteria for grant of a Permit – clause 10.4.2 (P3)	26/10/19	12/11/19	Approved 13/11/2019
22/10/19	2019/113	221 Bass Highway, Cooee	Establish a new Visitor Accommodation use	N/A	N/A	Approved 5/11/2019
24/10/19	2019/114	24 Besser Crescent, Camdale	Retrospective Planning Permit – two new buildings (warehouses with floor areas of 151.6ms and 71.6ms) to be used in association with the existing Manufacturing and Processing use	N/A	N/A	Approved 26/11/2019
25/10/19	2019/118	15 Princes Street, Burnie	Establish a new Visitor Accommodation use	N/A	N/A	Approved 6/11/2019
28/10/19	2019/119	13 Cunningham Street, South Burnie	Establish a new Visitor Accommodation use	N/A	N/A	Approved 1/11/2019
30/10/19	2019/123	8 Beattie Street, Acton	Retaining Walls and Change in Ground Level in association with an existing Multiple Dwelling Development	N/A	N/A	Approved 13/11/2019

DATE	PERMIT NO.	LOCATION	TYPE OF DEVELOPMENT	PUBLIC NOTIF. DATE	EXPIRY DATE	DECISION / DATE
8/11/19	2019/126	8A O'Grady Street, Havenview	10.0m x 12.0m Outbuilding and a 4.0m x 10.1m Deck attached to an Outbuilding directly associated and subservient parts of a proposed Residential use and development for a Single Dwelling	N/A	N/A	Approved 28/11/2019
11/11/19	2019/129	76 Maydena Road, Stowport	New Farm Shed			Withdrawn (No Permit Required) 12/11/2019
22/11/19	2019/136	164 Wilson Street, Burnie	Establish a new Visitor Accommodation use in an existing Single Dwelling	N/A	N/A	Approved 28/11/2019
22/11/19	2019/137	166 Wilson Street, Burnie	Establish a new Visitor Accommodation use in an existing Single Dwelling	N/A	N/A	Approved 28/11/2019

2.3.3 Subdivision Applications

DATE	PERMIT NO.	LOCATION	TYPE OF DEVELOPMENT	PUBLIC NOTIF. DATE	EXPIRY DATE	DECISION / DATE
23/10/19	SD 1301	Loongana Avenue, Shorewell Park	Subdivision to create 2 Residential lots, 1 Road lot and 8 Multiple Dwellings	N/A	N/A	Approved 11/11/2019



Average time for determination of permit applications decided by month.

Burnie Interim Planning Scheme 2013 – Draft Amendment 2019-1

At its meeting of 16 April 2019 (AO094-19) the council in its capacity as a planning authority agreed to initiate a draft amendment to the Burnie Interim Planning Scheme 2013 to remove application of the Rural Resource zone to part of land described on CT 134067/2 immediately northeast of the established Singline residential estate and to apply instead the General Residential zone to some 3.39 ha and the Open Space zone to some 1.2 ha along the Romaine Creek.

The planning authority prepared, certified and exhibited the draft amendment during May 2019; and referred the draft amendment to the Tasmanian Planning Commission (TPC) for a decision in June 2019.

The TPC conducted a hearing on the draft amendment and took evidence and submissions from the Council and the applicant (RailPine Pty Ltd).

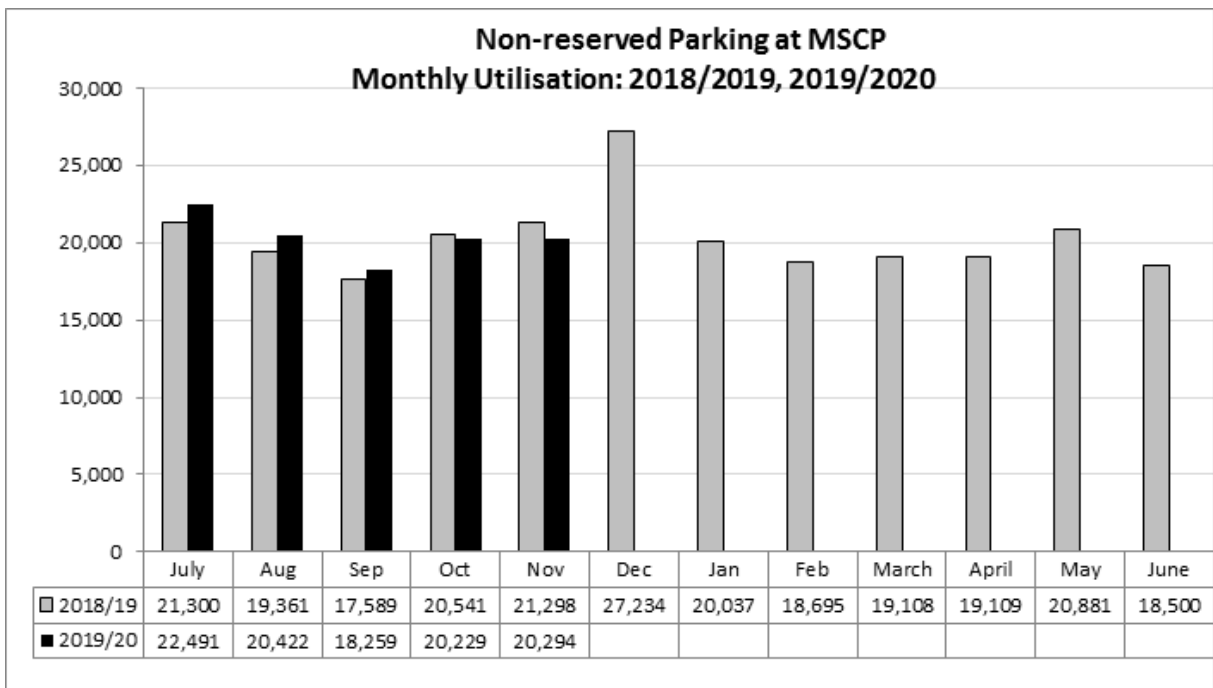
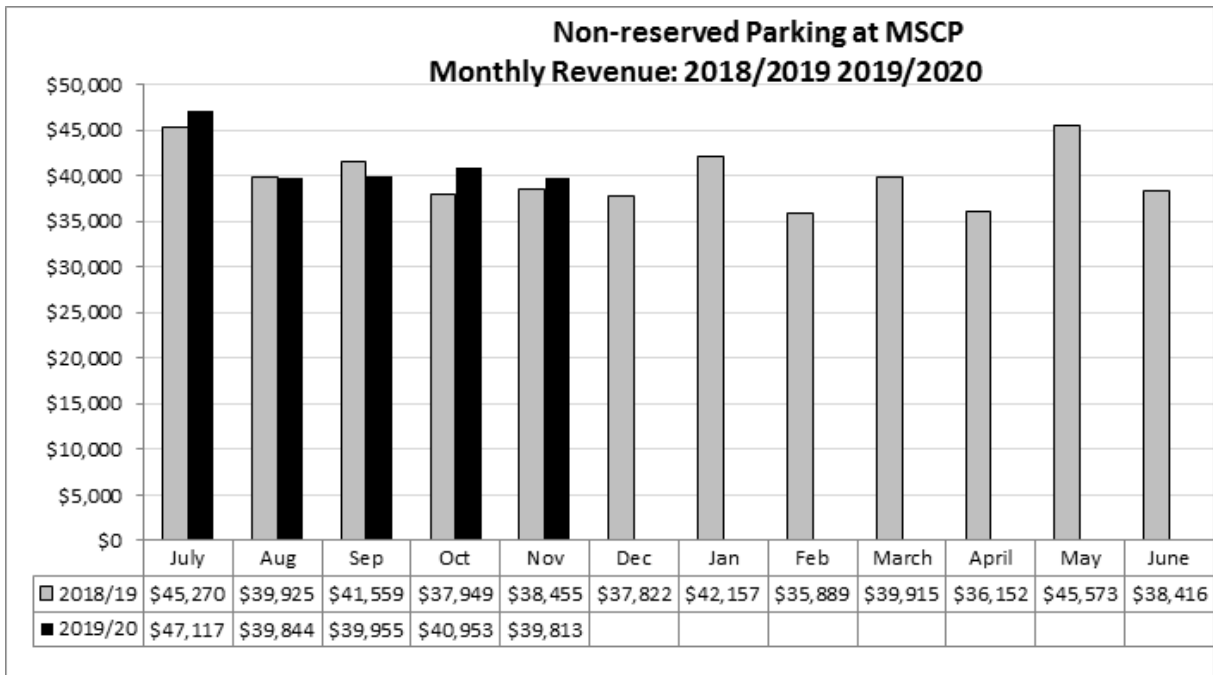
The TPC issued its decision to **refuse the draft amendment** on 19 November 2019 for the reason –

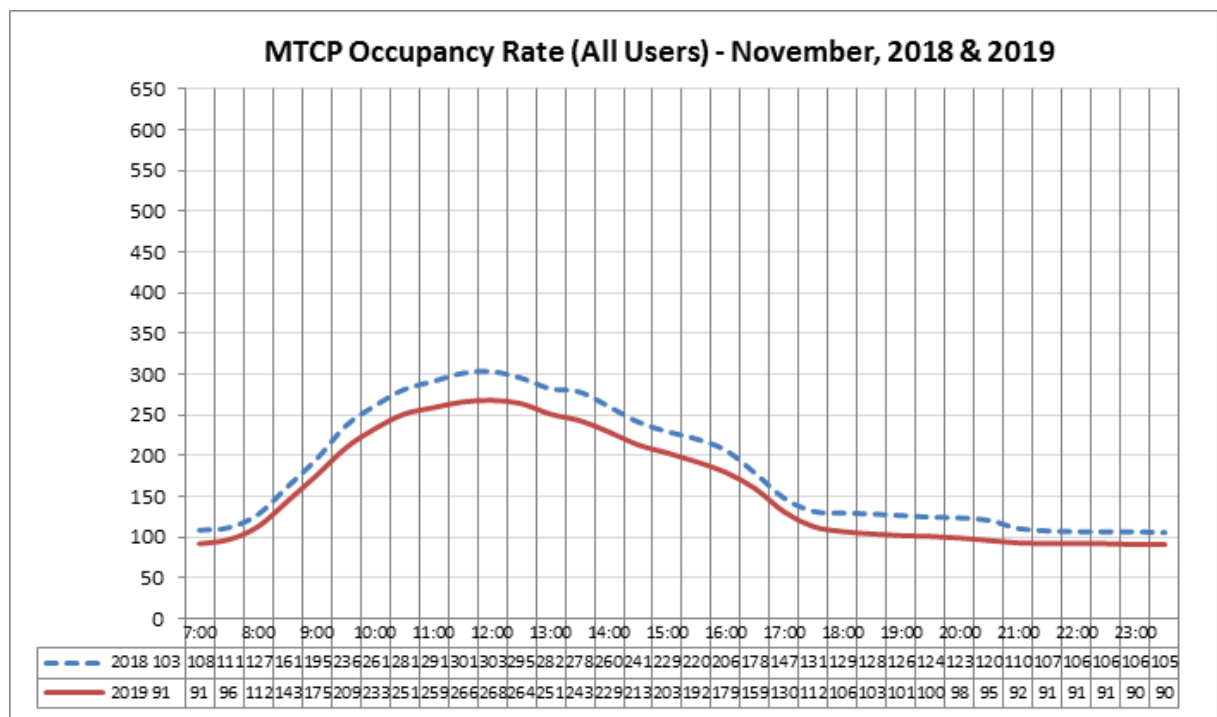
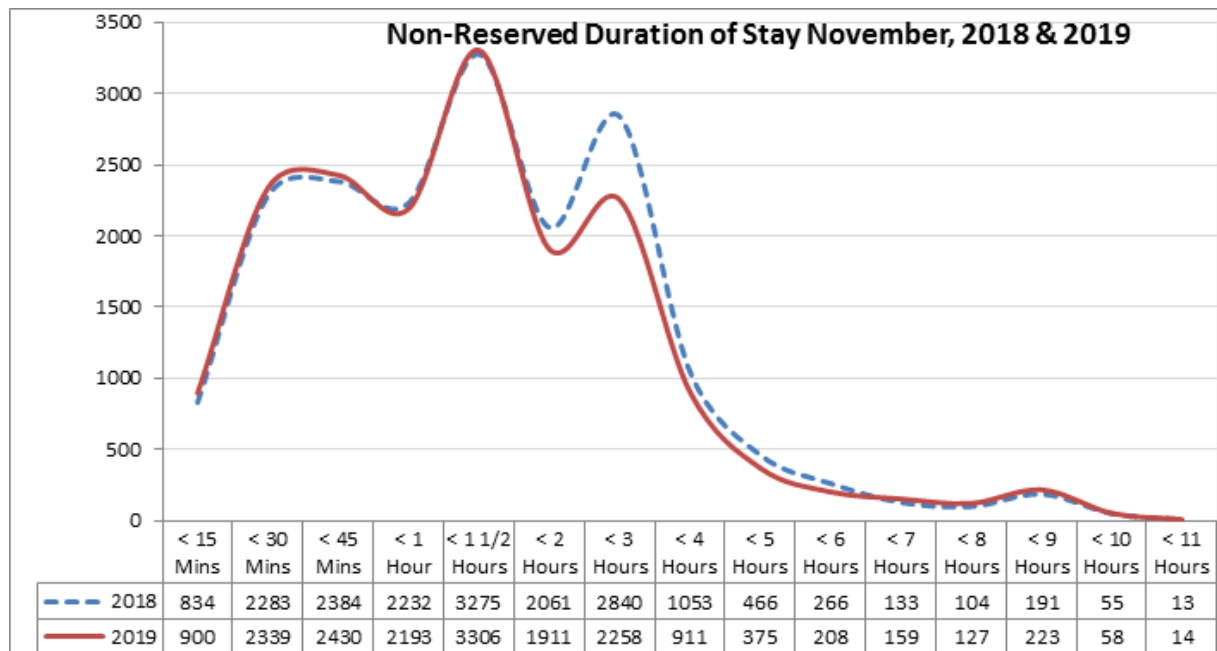
- a) *“The settlement of Burnie already has an oversupply of General Residential zoned land and rezoning of the subject site will result in an increased oversupply when the regional strategy intends the land supply is matched to need by allowing for not less than 10 but not exceeding 20 years supply (4.3.1(d));*
- b) *“Given the sizeable supply of land zone General Residential available in Burnie, the rezoning is premature and therefore may not further the objectives of Schedule 1 Part 1 (1)(b) to provide for the fair, orderly and sustainable use and development of air, land and water.”*

The merits of the decision of the TPC cannot be appealed.

A copy of the decision is attached.

2.4 PARKING





Calculated on remaining spaces – 100 Reserved spaces for 2018, 86 Reserved spaces for 2019

2.5 CEMETERY STATISTICS

Burials	November 2019	YTD Total
Lawn Cemetery	6	37
Wivenhoe / Ridgley	0	1
Other	0	0
Total	6	38

YTD is measured from 1 July each year.

Ashes Interred	November 2019	YTD Total
Lawn Cemetery	2	10
Wivenhoe / Ridgley	0	0
Total	2	10

YTD is measured from 1 July each year.

ATTACHMENTS

1. [TPC decision on draft BIPS amendment 2019-1](#)

COUNCIL RESOLUTION

Resolution number: MO391-19

MOVED: *Cr G Simpson*

SECONDED: *Cr D Pease*

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

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

TASMANIAN PLANNING COMMISSION

DECISION

Planning scheme	Burnie Interim Planning Scheme 2013
Amendment	2019-1 – rezone land at Massy-Greene Drive, Burnie (Certificate of Title 134067/2) from Rural Resource to General Residential and Open Space
Planning authority	Burnie City Council
Applicant	Railpine Pty Ltd
Date of decision	19 November 2019

Decision

The draft amendment is rejected under section 41(b) of the *Land Use Planning and Approvals Act 1993*.



Marietta Wong
Delegate (Chair)



Peter Fischer
Delegate

Note:

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 an interim 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.

Burnie Interim Planning Scheme 2013
Draft amendment 2019-1

REASONS FOR DECISION

Background

Amendment

The draft amendment proposes to rezone part of CT 134067/2 at Massy-Greene Drive, South Burnie from the Rural Resource Zone to General Residential and Open Space zones.

Site information

The site consists of approximately 4.6ha of a larger 28.25ha title, located northeast of the intersection of Massy-Greene Drive and Old Surrey Road, Havenview.

The site is on the northern face of a ridge between Romaine Creek to the north and Cascade Creek to the south. The land has moderate to steep slopes falling towards Romaine Creek, is generally cleared and has no significant natural values.

The site is vacant, apart from the remains of an old quarry on the northern part of the site. It is bounded to the west by dwellings and a logging depot, to the north by a riparian reserve, to the east, and within the same title, by a mature eucalypt plantation and to the south by Massy-Greene Drive, which provides a truck route to the Bass Highway.

The site has a frontage to Massy-Greene Drive, a Category 3 State road, and to Singline Avenue which is a local access road under the care and maintenance of the council. The site is capable of being fully serviced.

The site is zoned Rural Resource and is subject to the Bushfire-Prone Areas overlay. The northern parts of the site are also subject to the Low or Medium Landslip Hazard Area overlay.

Surrounding land is in the Rural Resource Zone to the north and the Open Space Zone further to the north and to the east, the General Residential Zone to the west and Utilities to the south, with the Low Density Residential Zone and Rural Resource Zone further to the south.

Issues raised in representations

One representation was received from the Burnie City Council that identified an apparent cadastral boundary error between the site and the Council-owned parcel to the north. The effect of the error would be to leave part of the adjoining Council-owned riparian reserve as an isolated area of Rural Resource zoning.

On 25 February 2019, TasWater provided a Submission to the Planning Authority Notice (SPAN) under section 56S of the *Water and Sewerage Industry Act 2008*. TasWater did not object to the draft amendment and had no formal comments for the Commission.

Planning authority's response to the representations

The planning authority considered the representations under delegation by the Director Land and Environmental Services on 7 June 2019 and determined:

- not to recommend any changes to the draft amendment as initiated on 16 April 2019; and
- to recommend that the draft amendment be modified to include the correction in the location of the current boundary between the Rural Resource Zone and Open Space Zone within CT 40951/5.

The planning authority noted it was open for any required correction to the zone map to be made as an urgent amendment under section 30IA of the Act, as the zone map is inaccurate due to an error in the cadastral base map on which the scheme map was prepared.

Burnie Interim Planning Scheme 2013
Draft amendment 2019-1

The planning authority resolved to request an urgent amendment under section 30IA to rectify the zoning.

Date and place of hearing

The hearing was held at the Burnie City Council Chambers, Level 4, 80 Wilson Street, Burnie on 8 October 2019. Final submissions were lodged in writing following the hearing.

Prior to the hearing, the delegates made an inspection of the site.

Appearances at the hearing

Planning authority: Mr Patrick Earle, Director Land and Environmental Services, and Ms Sally Pearce, Development Services Manager, (planning)

Applicant: Ms Theresia Williams, consultant planner for Railpine Pty Ltd.
Mr David Martin and Mr Simon Yuncken, Railpine Pty Ltd.

Consideration of the draft amendment

1. Under section 40 of the *Land Use Planning and Approvals Act 1993* (the Act), the Commission is required to consider the amendment and the representations, statements and recommendations contained in the planning authority's section 39 report.
2. While no third party representations were received, the Commission held a hearing.
3. The amendment has been initiated and certified by the Burnie City Council, in its capacity as planning authority, and further supported in the reports under sections 35 and 39.
4. Under section 32(1), in the opinion of the relevant decision-maker, a draft amendment:
 - (a)-(d) . . .
 - (e) must, as far as practicable, avoid potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area;
 - (ea) must not conflict with the requirements of section 300;
 - (f) must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.
5. Section 32(1)(e) is not relevant to the draft amendment as the site does not adjoin an adjacent municipal area.
6. Section 300(1) provides:
 - (1) An amendment may only be made under Division 2 or 2A to a local provision of a planning scheme, or to insert a local provision into, or remove a local provision from, such a scheme, if the amendment is, as far as is, in the opinion of the relevant decision-maker, practicable, consistent with the regional land use strategy for the regional area in which is situated the land to which the scheme applies.
7. Section 300(2)-(5) inclusive relate to the effect of amending a local provision with respect to common provisions. These matters are not relevant, as to the draft amendment has no implications for any common provisions.
8. Under section 32(2), the provisions of section 20(2)-(9) inclusive apply to the amendment of a planning scheme in the same manner as they apply to a planning scheme.

Burnie Interim Planning Scheme 2013
Draft amendment 2019-1

Regional land use strategy

9. The site is located within the Cradle Coast region and the draft amendment must be considered with reference to Living on the Coast: The Cradle Coast Regional Land Use Planning Framework, October 2011 (the regional strategy).
10. In the applicant's supporting report (p 42), prepared by Ms Williams, it is noted that Burnie has a medium growth scenario with a contained settlement strategy under the regional strategy. A medium growth scenario is one where:
 - ... demand is driven by internal population change and growth and/or moderate positive inward migration. Growth relies on intensification of existing land supply within designated urban boundaries and/or expansion (p.66 of the regional strategy).
11. and a contained settlement strategy is one that:
 - ... promotes a mix of intensification and strategically planned expansion to retain compact urban form and provide a mix of development and growth opportunities. The mix does not need to occur in balanced proportion. The approach allows for optimum use of available and planned infrastructure in both established and new release areas (p.65 of the regional strategy).
12. Ms Williams concluded the draft amendment is in keeping with the regional strategy and in summary:
 - Is within an identified area for settlement expansion;
 - Is fully serviceable through expansion of existing services;
 - Can mitigate appropriately for potential hazards (e.g. bushfire, truck route);
 - Can provide options for variety in housing supply;
 - Facilitates adaptation to a changing climate;
 - Provides potential for residential lots with maximisation of solar orientation;
 - Has potential to improve water quality;
 - Protects land as a resource;
 - Retains the valuable Romaine Reserve and is in keeping with the Burnie Open Space Strategy 2009 (p 54)
13. Prior to the hearing, the Commission directed the planning authority and applicant to provide submissions regarding the consideration of clause 4.3.1 (d) of the regional strategy:
 - Match land supply to need and provide sufficient land within the designated urban settlement boundaries of each centre to meet forecast need for a time horizon of not less than 10 years but not exceeding 20 years (p.145 of the regional strategy).

Application of the regional strategy

14. Responses to the Commission's directions from both the planning authority and the applicant emphasised the importance of considering consistency with the regional strategy as a whole, and not by interpreting any single policy in isolation.
15. Ms William's response identifies that clause 4.3.1 (d) is a single clause and the strategy cannot be interpreted in a way that a single clause is applied to the exclusion of all others (p 7).
16. Ms Williams also identifies (p 9) that in 4.3.1 (g), it is anticipated that structure plans would identify arrangements for intensification through infill and the expansion of urban boundaries.

Burnie Interim Planning Scheme 2013
Draft amendment 2019-1

However, the applicant says that as these documents do not yet exist, other elements of 4.3.1 (g) are important and the draft amendment fulfils these (p 10).

17. The other requirements referred to are in 4.3.1 (g) i-xii and include such considerations as access to services and retention of natural values.
18. Ms Williams says that the subparagraphs in the regional strategy are not mutually exclusive, citing the policy statements of 4.3.1 (b) and (d):
 - (b) Promote established settlement areas for the focus of growth and development.
 - (d) Match land supply to need and provide sufficient land within the designated urban settlement boundaries of each centre to meet forecast need for a time horizon of not less than 10 years but not exceeding 20 years.'
19. Ms Williams submits that that the promotion of an established settlement area as the focus for future growth and development may concurrently satisfy the strategic statements that the planning of future land supply must meet past demand within the timeframe of between 10 and 20 years' (pp 3-4).
20. Ms Williams concludes that the rezoning of land, for example for residential use and development in an established settlement, may not require a supply and demand analysis where it is self-evident that the location of the demand, and the provision of infrastructure, makes it ideal for achieving the regional strategy intent of promoting an established settlement area.
21. Mr Earle, for the planning authority, similarly submits that the regional strategy is intended to be read in its entirety, citing:
 - 1.6 (a) The strategy is to be read and applied in its entirety and all applicable policies are to be applied' (p 123 of the regional strategy).
22. He also submits that clause 4.3.1 does not prioritise or weight any matters, nor does it require that each subclause is satisfied. Further, the planning authority identifies that the 'matters in clause 4.3.1 are not internally consistent or mutually exclusive' (p.6).
23. With respect to section 300 of the Act, Ms Williams submits that the decision-maker has some latitude to determine consistency with the regional strategy, citing the Australian Concise Oxford Dictionary (5th Edition) which gives the meaning of 'consistent' as 'compatible or in harmony; not contradictory' (p 4).
24. Mr Earle considers that section 300 requires the Commission to form an opinion about consistency and that 'consistency is not compliance' (p 3). He suggests that it is for the Commission to conclude, on balance, that the draft amendment is as far as is practicable, consistent with the regional strategy.
25. Mr Earle submits that practicability is 'the extent or degree to which it is feasible in a prudent, logical and worthwhile manner for the draft amendment to accomplish the requirements of the CCRLUS (p 3)'.

Commission's consideration

26. The Commission agrees with the parties that section 300 means a draft amendment must do whatever is possible to be consistent to the regional strategy but that complete consistency is not required. It also agrees that it is intended that the regional strategy is to be read as a whole, and that the regional strategy does not give priority or primacy to specific policies and outcomes.

Burnie Interim Planning Scheme 2013
Draft amendment 2019-1

27. It is for the Commission to form an opinion about whether, on balance, taking into account the regional strategy as a whole, the draft amendment is 'as far as is practicable, consistent with the regional strategy'. In doing this, it may consider the relevance and weight that should be given to specific policies and outcomes with reference to the circumstances of a particular draft amendment.
28. That the Commission sought further submissions on clause 4.3.1 (d) specifically does not mean that it did not consider each other part of the strategy.
29. However, the Commission is of the opinion that clause 4.3.1 (d) is relevant to the draft amendment which seeks to rezone land from Rural Resource to General Residential at the outskirts of Burnie. It is complementary to other policies for urban settlement areas such as, 4.3.1 (b) and 4.3.1 (g) which promote settlement in established areas and a planned approach to intensification and expansion for urban settlement. Understanding land supply is fundamental to the consideration of the intensification or expansion of settlements.

Regional strategy outcomes and policies relevant to settlement

30. Ms Williams identifies in her application to the planning authority that under the regional strategy the subject site, being in Burnie, is subject to a medium growth scenario and matched with a contained settlement strategy. She identifies specific sections of the regional strategy that are relevant and provides her response. These address a wide range of matters.
31. The planning authority's section 35 report does not specifically address the regional strategy, except for the statement:

A change in zoning to provide for a possible additional 40 residential lots will not significantly increase the available supply of vacant zoned residential land and distort the supply and demand criteria detailed in the Cradle Coast Regional Land Use Strategy (p 112)
32. In their subsequent submissions and the hearing, Ms Williams and Mr Earle acknowledge that the regional strategy does not identify the boundary of the Burnie settlement but they consider that it can readily be identified by observation and with reference to information about servicing and agricultural land potential.
33. Mr Earle, addresses the 4.3.1 (e), (f) and (g) in his response to the Commission's directions. At the hearing he further elaborated on the relationship between 4.3.1(d) (which is about land supply) and other relevant policies under 4.3.1. Mr Earle submits that 4.3.1 (e) confirms the growth strategy and growth scenario for Burnie; 4.3.1 (f) intends that the pattern of settlement is characterised by physical and visual separation between towns, and that 4.3.1 (g) allows for change in the configuration and intensity of urban development as well as expansion of urban boundaries. (p 4)
34. He submits:

the amendment is consistent with the intention to infill and optimise the use of existing urban land and infrastructure; and will not expand urban boundaries or modify urban form (p 5).
35. Ms Williams submits that the structure plans and regulatory instruments recommended in 4.3.1(g) to identify arrangements for intensification and expansion do not yet exist (p 9) but that:

The importance of access to services, retention of natural values, sustainability, active and healthy communities are also identified in cl.4.3.1 (g). (pp 9-10)
36. She considers that the site fulfils all of those requirements.

Burnie Interim Planning Scheme 2013
Draft amendment 2019-1

Commission's consideration

37. The Commission acknowledges, that although some other regional strategies spatially define the boundaries of settlement, the Cradle Coast regional strategy does not and it is reasonable to make findings on the extent of settlements on a case by case basis, with reference to evidence.
38. The Commission agrees that the site can be seen as being within the settlement of Burnie, irrespective of whether the Burnie truck route constitutes the south eastern boundary of settlement.
39. The Commission agrees with Mr Earle and Ms Williams that there are a number of related policies in 4.3.1 Urban Settlement Areas, and that 4.7 Land Use Policies for Housing Land - places to live, is also relevant to the rezoning, in addition to 4.3.1(d) about land supply.
40. However, the Commission considers that the regional strategy has a broad aim of consolidating settlement and managing growth. The context to 'Places for People - liveable and sustainable communities' states:

The strategy promotes contained and compact centres and settlement nodes. New growth and development will occur through a balance of intensification to optimise use of designated serviced urban land, and expansion in locations where there rate a (sic) sequence of growth is consistent with need, land capability and the availability of infrastructure services. (pp 143-144 regional strategy)
41. It is the Commission's opinion that land supply is fundamental to furthering policies that aim to consolidate settlement and intensify or expand in a planned way (4.3.1(b) and 4.3.1(g)(ii)).

Land supply

42. At the hearing, Mr Earle submitted that the interim planning scheme was essentially a translation of the earlier planning scheme and did not include strategic expansion of zoning. He also confirmed that the Burnie Settlement and Investment Strategy had been reviewed in 2017.
43. Ms Williams refers to the Burnie Settlement and Investment Strategy as a source of information for demand and observes it reinforces a trend towards smaller households and prioritises infill and serviced land over other land.
44. In her application, Ms Williams provides information about population change, real estate sales and a land supply analysis with reference to the Burnie Settlement and Investment Strategy. She identifies that when rezoned, the subject site could yield 39 lots. She considers there is approximately 50 ha of available land in Burnie but considers there is still a gap in demand and that the rezoning will assist in meeting the required 10 to 20 year supply (p 33).
45. In her further submission, she considers that:

Whilst the area of land already zoned as General Residential may meet the explicit area requirements as outlined in the CCRLUS (10-20 Years supply for Burnie), these areas are not necessarily aligned with the remainder of the strategy' (p 10).
46. In support of the arrangements that the planning authority has made to manage supply, Ms Williams submits that:

Burnie City Council has an established model of issuing subdivision permits with explicit staging requirements in order to avoid over supply at any point in time. (p.8)

Burnie Interim Planning Scheme 2013
Draft amendment 2019-1

47. Mr Earle's submission gives information about Burnie's land supply:
 - There is an estimated 210+ha of zoned vacant land assigned to the General Residential zone by the BIPS 2013 at February 2019. . . .
 - The average take-up rate for vacant residential land of the last 10 years is marginally less than 60 dwellings per annum. (p 3)
48. He concludes that there is sufficient land to satisfy demand for 58-72 years or, if agricultural land is 'back zoned' through the Local Provisions Schedule, the available stock would have capacity for 40-50 years supply (p 3)
49. Mr Earle submits there is no current data or indicator on which to change the medium growth scenario and contained growth strategy for the Burnie municipal area as identified in Table 4.5 in Part B of the regional strategy. However, the scale of the draft amendment is very small and will represent less than the area required to accommodate the current annual take-up rate for residential land (p 4).
50. Both Mr Earle and Ms Williams take the view that the site constitutes infill as it would provide a small scale residential extension within the perceived boundaries of the Burnie settlement.
51. In his closing submission, Mr Earle submits that supply is 'the amount of the land that developers will make available' and that it is the land 'actually available to the market and is not the amount of land that could potentially be made available to the market' (p 9).
52. Mr Earle submits that:
 - The supply of land for residential use does not necessarily equate with the amount of land that is zoned for residential purposes. The amount of land to which a particular zone applies is an imperfect or inappropriate measure of supply (p 9).
53. He also submits that new lots are released in stages that generally meet the rate of take-up. He states 'The numerical value for supply of vacant residential land is some 60-70 lots per annum as measured by lots created on a new sealed plan'. Mr Earle suggests that supply is currently matched to demand (p 9).

Commission's consideration

54. The Commission notes that the regional strategy does not define 'infill' or 'land supply'.
55. The Commission agrees the site is within the Burnie urban settlement, however defined, and may be suitable for residential development, whether for infill or not.
56. The Commission agrees with Mr Earle in so far as he observes that the land to which a particular zone applies is an imperfect measure of supply. However, the Commission does not subscribe to the concept that the supply of land for residential development is only that land that is subdivided and available for development at a given time.
57. The Commission acknowledges that the calculation of land supply is often vexed because land that is residentially zoned may not be available to the market for a number of reasons. For example, the land owner does not intend to develop the land or servicing costs are a financial impediment to the land becoming development ready in the short to medium term.
58. However, to base land supply only on the number of lots that are development-ready at the time has the potential undermine sound strategic planning and the intent of the regional strategy to consolidate settlement and manage growth.
59. It is Mr Earle's evidence that if considering zoned land for Burnie, then there is already an oversupply and not by a small margin.

Burnie Interim Planning Scheme 2013
Draft amendment 2019-1

60. The Commission also notes that Appendix 1 of the regional strategy comprises a residential land demand and supply analysis for the region's municipalities. At the time the information was compiled, Burnie is recorded as having a 20-40 year supply of residential land (p 166) from which it is concluded 'There is no requirement to anticipate additional land through rezoning in the short to medium term'.
61. As a result, the Commission concludes that adequate residential zoned land has been provided and will continue to be developed and supplied as market demand requires.

Suitability of the General Residential Zone

62. At the hearing the Messrs Martin and Yuncken confirmed that the site, although now cleared, forms part of a forestry seed bank that formerly occupied the entire title. The seed bank is redundant due to new technologies for propagation and as the trees are reaching the end of their life, it is likely they will need to be harvested.
63. Ms Williams and Mr Earle agree that the land is fully serviced, adjoins the Singline Estate to the west and is well located with respect to transport and social infrastructure.
64. The Commission sought further information on the potential for land use conflict from neighbouring land. Responses from Ms Williams and Mr Earle identify that 238-240 Old Surrey Road, is developed with a complex of industrial sheds which are used for storage and vehicle parking in association with forestry operations on other land. Mr Earle advised that there was no record of major or sustained complaints.
65. Ms Williams notes 'The opportunity for land use conflict, if it were to occur, between residential use and rural resource properties has existed since the Singline Estate subdivision was undertaken. (p 18)
66. In her application, Ms Williams considers the appropriateness of the General Residential Zone provisions and concluded that General Residential zoning will allow for more effective use of the land which is currently underutilised, provides for linkages to existing walking trails, public transport, community services and sport and recreation facilities. Further, that connection with existing infrastructure is clear and straightforward.
67. A Bushfire Hazard Management Plan and Geotechnical Investigation and Landslide Investigation Assessment, prepared by suitably qualified experts were submitted with the application. They attest to the hazards being able to be managed if the subject site were to be rezoned to General Residential.

Commission's consideration

68. The Commission accepts that the General Residential Zone is potentially an appropriate zone for the subject site. It accepts the evidence that adjoining uses are not likely to cause unreasonable land use conflict, acknowledging that 238-240 Old Surrey Road also adjoins established residential development in the Singline Estate. Further, that landslip and bushfire hazards can be managed.

State Policies

69. The Commission notes that the State Policy on the Protection of Agricultural Land (PAL policy) applies to that part of the land zoned Rural Resource. However it accepts Ms Williams' submission that the land is excluded from the 'Land Potentially Suitable for the Agriculture Zone' and is surrounded by land identified as constrained due to settlement.
70. No other State Policies are relevant.

Burnie Interim Planning Scheme 2013
Draft amendment 2019-1

Decision on draft amendment

71. In the opinion of the Commission, the draft amendment is not, as far as is practicable, consistent with the regional strategy when taken as a whole. The draft amendment is rejected for the following reasons:
- a. The settlement of Burnie already has an oversupply of General Residential zoned land and rezoning of the subject site will result in an increased oversupply when the regional strategy intends that land supply is matched to need by allowing for not less than 10 but not exceeding 20 years supply (4.3.1 (d));
 - b. Given the sizeable supply of land zoned General Residential available in Burnie, the rezoning is premature and therefore may not further the objectives of Schedule 1, Part 1 (1)(b) to provide for the fair, orderly and sustainable use and development of air, land and water.

GENERAL MANAGER**AO349-19 GENERAL MANAGER'S INFORMATION REPORT FOR WORKS AND SERVICES NOVEMBER 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 November 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

3 CAPITAL WORKS

3.1 Request for Expressions of Interest, Quotations, Briefs, Tenders and Contracts

3.1.1 Expressions of Interest

No information to report.

3.1.2 Quotations

a) Quotation 2643 – Burnie Tennis Centre – Acrylic Resurfacing

Remediation works have been awarded to Blacktac Pty Ltd and works commenced on 3 December 2019 and are expected to be complete by 20 December 2019. Council has applied to Tennis Australia under their National Court Rebate fund for a grant to resurface the walkway areas.

3.1.3 Briefs

a) Consultant Services Brief 198 - Bridge Management Services

Consultant submissions close on 4 December 2019 and Officers will undertake an evaluation in accordance with the brief.

b) Consultant Services Brief 193 – West Ridgley Culverts Upgrade

Design work is being finalised with the aim of construction work starting in late February/March 2020.

3.1.4 Tenders

a) Contract 2642 – Supply and Delivery of Two (2) Single Cab Tilt Tray Trucks

The tender was advertised on LGAT Procurement Vendor Panel and closed on 25 October 2019. The successful Contractor was Webster Trucks.

b) Contract 2641 – Supply and Delivery of One (1) 6.5GVM Dual Cab Tipper Truck

The tender was advertised on LGAT Procurement Vendor Panel and closed on 25 October 2019. The successful Contractor was Webster Trucks.

c) Contract 2640 – Provision of Annual Weed Spraying Services

The successful Contractor was Coastal Landcare Services Pty Ltd.

d) Contract 2639 – HVAC Maintenance and Repair Services – Council Facilities

Tenders were advertised on Saturday, 26 October 2019 and closed on Friday, 22 November 2019. Five (5) submissions were received and a tender report is included in the closed section of this Agenda.

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

The tender was advertised on LGAT Procurement Vendor Panel and closed on 27 September 2019. The successful Contractor was JF Machinery.

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

The tender was advertised on LGAT Procurement Vendor Panel and closed on 13 September 2019. The successful tenderer was Gaffney Machinery Pty Ltd. Delivery is expected in April 2020.

3.1.5 Contracts

a) Architect Services Brief 194 (Rev 2) – North West Museum and Art Gallery

Stage 1 Services – Concept and Design Development are progressing on schedule as follows:

- Council has engaged Life Cycle Management to provide regular cost reviews throughout Stage 1 Services to monitor changes in design scope and the impact on the project budget and construction costs.
- Terroir presented the 30% Concept Design to the Project Working Group on 27 November 2019, which was favourably received.
- The 30% Concept Design stage was presented to Councillors at a Workshop on 2 December 2019 in which the concept design was favourably received and approved to progress.
- Terroir are continuing to the next hold point, 50% Concept Design.

b) Contract 2633 – Bitumen Surfacing Services 2019-2020

Sealing works commenced in November 2019.

Completed works include:

- Wiseman Street from Woniora Road to Loongana Avenue.
- Pearl Street from Ready Street to Anglesea Street.
- Burnie Park car park. Kerbs and a garden bed around the existing trees are to be installed by Council staff in December 2019.

c) Contract 2629 – West Park Grandstand Facilities Upgrade

Works are progressing well and are on schedule for completion on or before 20 December 2019.

d) Contract 2613 – Waterfront Eastern Promenade

The project is progressing well. Foundation excavations are complete and all the superstructure posts and footing systems are installed. Additional armour rock for long-term sand dune erosion protection to the west of the existing armour has been placed on the batter face and the interface with the top of the dune is covered with sand to enable vegetation re-establishment.

The pre-existing armour rock seawall has been reinstated to TasPort's and Officer satisfaction. Works are in progress placing timber bearers and a section of concrete pathway at the west end. The anticipated project completion is the end of February 2020.

3.2 Civil Construction and Stormwater

- Mooreville Road upgrade – Stage 3 – 75% complete.
- Wiseman Street Gully Pit Upgrades (pre-reseal) – completed.
- Driveway crossover upgrade program – 10% complete.
- Stormwater Flooding Hotspot Improvement works – 5% complete.
- Bathurst Stormwater Upgrade – completed.

3.3 Buildings

- Barker Street toilet – 5% complete.
- View Road retaining wall – 20% complete.
- Shorewell Park barbecue replacement – completed.
- Wivenhoe Events Storage Shed – Storage platforms and sink area – 95% complete.

3.4 Parks, Reserves, Sporting Grounds and Cemeteries

- Waterfront Western Boardwalk Bolt Renewal – 60% complete.
- Fernglade Reserve Pathway – completed.

3.5 Waste Management**a) Hard Waste Collection**

The hard waste collection was progressed over the 11 November to 18 November 2019.

This year, the service was expanded to incorporate collection of materials from strategic locations in the rural areas.

Drop off sites were located at:

- Stowport.
- Natone.
- Highclere.
- Ridgley Highway (Mooreville Road intersection).

Collection tonnages were as follows:

Material Source	Waste (t)	Recycling (t)	Total
Urban	44.46	21.30	65.76
Rural	26.68	20.00	46.68
Totals	71.14	41.30	112.44

There were also a total of 57 car tyres and 7 truck tyres collected. While not a permitted item, once at the kerbside, collection is necessary.

Some 37% was directed from the waste stream.

Observations in regard to the collection:

- Additional resources were required to collect the volume of material placed for collection.
- The rural collection points were well utilised, especially Ridgley (approx. 20 loads) and Stowport (approx. 10 loads).
- The size and weight of waste dropped at rural collection points far exceeded the maximum advertised.
- There were several loads not collected from kerbsides that were non-compliant i.e. paints and chemicals.
- Ongoing issue with residents placing hard waste out after the advertised time and missing collection. Most of the complaints received related to residents not following the instructions or claiming they did not know.
- Participation (number of properties) in urban areas decreased over previous years, however some of the loads were much bigger. The rural areas made up the volume.
- Small quantity was recycled this year as much of the salvageable items were taken prior to collection by scavengers or did not meet Tip Shop quality standards due to water/weather damage or disrepair. Probably the lowest year for reusable/resalable items.
- To investigate segregating scrap steel and general hard waste in rural drop off points next year and possibly talk to a scrap steel merchant about collecting.
- Only one incident was recorded this year – a finger jammed lifting a load onto a truck.

Despite significant efforts to publicise the hard waste collection, including the dates being included on the Services Calendar included with the rates notice, a number of residents contacted Officers to express concerns that they were not aware of the hard waste collection.

The efforts of the staff involved in the collection are acknowledged. The collections are challenging to coordinate and are physically taxing on workers.

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 – ongoing.
- Stormwater hotspot inspections and monitoring – ongoing.
- Driveway maintenance program – ongoing.
- Gravel roads maintenance program – 45% complete.
- Road shoulder grading program – 30% complete.
- Kerb and channel maintenance program – ongoing.
- Footpath maintenance program – ongoing.
- CBD paver maintenance program – ongoing.
- Annual urban and rural roadside spraying program – commenced.

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.
- Rooftop solar panel cleaning - City Offices and Guide Falls toilet – completed.
- 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 line marking – as required.
- Vandalism repairs and painting – as required.
- Wivenhoe Events Storage Shed raised desk and install kitchen bench – 35% complete.
- Wivenhoe Showgrounds South – Seal Gym Wall – completed.
- Portside toilets painting – completed.
- BAFC aluminium door and frame installation – completed.
- BAFC painting to exterior concrete panels – 20% complete.
- Lawn Cemetery Niche Wall painting – completed.
- Parks furniture maintenance – Guide Falls, Oakleigh Park and Fernglade Reserve completed.
- Netball Centre car park light pole repairs – completed.
- Plummers Avenue retaining wall realignment – completed.
- West Park toilet painting – completed.
- Annual Remembrance Day Cenotaph maintenance – completed.

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.
- Mowing of high-risk areas – completed.
- Christmas street decorations installed 30 November. Scheduled for removal 4 January 2020.
- Annual Fire Hazard Reduction Program – 35% complete.
- Annual Broadleaf spraying (Contracted service) – 15% complete.
- Annual (Summer) sand sifting at West Beach – commenced 23 November 2019. Due to conclude 22 March 2020.

4.4 Waste Management

- Wetlands maintenance – ongoing.
- Wetlands road maintenance – 30% complete.
- Mulched green waste removal from site – 60% complete.
- Gas flare maintenance – 90% complete.
- Wetlands planting program – 70% complete.

Waste data and information is reported quarterly and due next in the February 2020 agenda.

Officers have received CBD Cardboard and Public Place Recyclables collection data back to February 2019 and these figures, including for the 2019/20 year will be compiled and the data updated for the February 2020 agenda.

5 VANDALISM AND REPORTED INCIDENTS

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
NOVEMBER								
	Community Amenities	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	\$570.00	
	Parks and Reserves (including Cemeteries)	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	\$717.00	
	Transport Services	Aggregate of incidents reported or identified from inspections - Remediation by painting, cleaning or general repairs		Yes	No	Damage made good and surfaces cleaned, repaired, replaced or repainted as necessary	\$500.00	
11/11/19	Fern Glade Reserve	Cut Chain & Bolts Between Bollards	No	Yes	No	Replace Chain & Bolts	\$200.00	
11/11/19	Ocean Vista	1 Gate Stolen & 1 Gate Damaged	No	Yes	No	Replace & Repair Gates	\$450.00	
12/11/19	Various Public Toilets	Graffiti	No	Yes	No	Remove/Paint Out Graffiti	\$1,100.00	
28/11/19	Balalt Column Car Park Stairwell	Graffiti on Glass Balustrade	No	Yes	No	Remove Graffiti	\$75.00	
TOTAL							\$3,612.00	\$12,372.00

6 PRIVATE WORKS

No information to report.

7 SES AND BURNIE EMERGENCY MANAGEMENT COMMITTEES ACTIVITY REPORTS

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

Western Fire Management Area Committee (FMAC) – Risk Planning Workshop held on 14 November 2019 at Tasmania Fire Service North West Headquarters, Burnie. Deputy Emergency Management Coordinator attended.

Western Emergency Management Committee (WEMC) – Meeting held 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 and public information sessions in Havenview and Round Hill areas.

SES Burnie Unit Activity Report – Currently upgrading first aid kits and purchasing cribbing.

8 ENERGY MANAGEMENT

No information to report.

COUNCIL RESOLUTION

Resolution number: MO392-19

MOVED: Cr T Brumby

SECONDED: Cr D Pease

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

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

GENERAL MANAGER**AO350-19 GENERAL MANAGER'S INFORMATION REPORT COMMUNITY AND ECONOMIC DEVELOPMENT NOVEMBER 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 November 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

After three big events in three weeks with the last in early November most of this month has revolved around post event tasks, debriefs, awarding category winners, partner summaries and appreciation presentations.

Planning for The Heritage Burnie Ten new website has also begun.

2.2 COMMUNITY / CULTURAL DEVELOPMENT**Health and Wellbeing Information Hub in Burnie**

A Planning session for the Community Health and Wellbeing Information Hub in Burnie was advertised in the Advocate on Saturday 2 November.

The information session was held on 27 November in the Braddon Hall at the Burnie Arts and Function Centre, from 4.30pm to 6.30pm. Approximately 25 people attended the session.

Following the information session, expressions of interest were called to be a part of the Steering Committee with 12 people registering an interest.

Burnie Christmas Parade

Promotion of the Christmas Parade via Council's website, Social Media and emailed out to community and sporting clubs.

Burnie Farmers Market

Stallholders have requested to hold a third market on 30 November.

Penguin Rehab and Release

Council Officers attended the Penguin Rehab and Release's 1st Birthday on 27 November.

This facility has been kept very busy with a steady number of penguins needing assistance since its opening.

2019/2020 Financial Assistance Grants (as at 27/11/19)**Round One 2019-20**

Name/Organisation	Committed	Paid	Description of Project
Stowport Cricket Club	\$7,039	\$4,660	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	\$3,725	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	\$100	To purchase a second hand computer.
Coee to Camdale Coastcare	\$1,000	\$1,000	To purchase a laptop and software.

Name/Organisation	Committed	Paid	Description of Project
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	\$12,873	

Round Two 2019-20

Name/Organisation	Committed	Paid	Description of Project
Burnie Athletic Club	\$5,500	\$0	To assist with costs for broadcasting and media coverage of the Burnie Athletic Carnival (conditional on sourcing remaining funding).
Burnie Surf Life Saving Club	\$2,170	\$0	For a Beach Safety Awareness Project.
Western Division Badminton Association	\$1,162	\$1,162	Update I.T. Equipment.
Women's Essential Service Providers	\$8,864	\$0	For a series of Workshops over five days as part of 16 Days of Activism Against Gendered Violence.
The Salvation Army – Oakleigh Accommodation Service	\$5,000	\$0	To upgrade playground at Oakleigh House. (conditional on TCF funding).
The Humour Foundation	\$3,969	\$0	The Clown Doctors Program at the NW Regional Hospital.
Total	\$26,665	\$1,162	

Committed Three Year Sponsorship (2017-2020)

Burnie Men's Shed (\$1,716 over 3yrs)	\$572	\$216	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	\$216	

Committed Three Year Sponsorship (2019-2022)

Cohee to Camdale Coastcare (\$7,410 over 3yrs)	\$2,470	\$285	To purchase equipment, clothing and assist with insurance and telephone costs.
Burnie Amateur Swimming Club (\$9,000 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	\$1,379
Tasmanian Special Children's Christmas Party	\$1,500	\$1,500
Koori Kids - NAIDOC Week	\$400	\$400
Total	\$3,360	\$3,279

State Representatives Allowance

	Budget	Paid
State Representatives	\$10,000	\$6,600

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	\$1,686
Total	\$15,000	\$6,686

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	\$30
Launceston City Mission	\$1,000	\$0
The Salvation Army Thrift Shop	\$720	\$0
Total	\$1,720	\$30

YTD Totals

Name/Organisation	Budget	Committed	Paid
Financial Assistance Grants Round 1		\$24,735	\$12,873
Financial Assistance Grants Round 2		\$26,665	\$1,162
Committed Three Year Sponsorship (2017-2020)		\$774	\$216
Committed Three Year Sponsorship (2019-2020)		\$5,470	\$210
Other Annual Community Group Assistance		\$3,360	\$3,279
State Representatives Allowance		\$10,000	\$6,600
Minor Sponsorship Grants by Mayor		\$2,500	\$0
Food License Permits		\$1,000	\$302
Total Financial Assistance Grants	\$70,500	\$68,023	\$24,642
Community Bands		\$15,000	\$6,686
Other – Annual Assistance		\$4,500	\$0
Waste Disposal Costs for Charitable & NFP Organisations	\$5,000	\$1,720	\$30

2.3 BURNIE REGIONAL MUSEUM

BRM Total Admissions

Month	2018	2019
Nov	1069	316

BRM Total Attendance

Month	2018	2019
Nov	2321	1262

BRM Total Revenue

Month	2018	2019
Nov	\$2216	\$1838

2.4 BURNIE REGIONAL ART GALLERY

Attendance Figures

Month	2018	2019
Nov	1,633	1,181

2.5 MAKERS' WORKSHOP – VISITOR INFORMATION CENTRE***Visitor Numbers – November 2019***

Makers Workshop Door Count	5632 people
Visitor Centre Count	1632 people
Cruise ships	2

Creative Paper Tasmania – November 2019

Hand Made Paper Tour Experience	261 entries
Coach/School Groups	5 groups
Creative Paper Website	2 enquiries. 8 online sales.

2.6 MARKETING AND EVENTS

Burnie Bite and Brew NYE 2019 (A Night on the Terrace)

Planning for Burnie Bite & Brew on NYE continue with vendors being contacted and confirmed.

Bands booked for this year's event include: - Clinton Hutton, Women of Rock (Jimmy Reece and Sherry Rand), The Blues Brother Revival band and The Ringmasters. For this year's event we are working with two organisations, The Fairy Godmothers and Fairy Tales and Pirate Sails to present a free area for small children, patrons with small children will be able to access this area at no charge, if they do not wish to enter the main area. The two organisations will offer a range of entertainment and activities for children at minimal or no cost.

Officers have been working with the Burnie Athletic Club to help them secure a band for their event, the band will play from 6pm – 6:30pm, and this same band is part of our line-up for NYE. Patrons from the New Year's Eve Sports have been offered free entry into the Bite & Brew NYE event.

Burnie Bite and Brew 2020

The cancelled October event has been re-scheduled to be held on 7 February 2020. The Burnie Baptist Church has offered the use of their car park. This is a well sheltered area but will involve some logistical issues – mainly power and will involve the use of generators for the event. The Arts and Function Centre Plaza area is unavailable due to the Breast Screen bus being in the plaza during Feb 2020.

2.7 COLLECTIVE IMPACT

Burnie Works

Burnie Works representatives attended Change Fest in Mount Druitt, 21-23 November 2019, with members of the Local Enabling Group Inc.

Dream Big

Dream Big has commenced planning for 2020 Higher Education Visits.

Employment Partnership Group

The Transport to Work Regional Employment Trial will commence on 9 December 2019, with skills training.

2.8 YOUTH DEVELOPMENT

Burnie Youth Council (BYC)

The next meeting is the end of year excursion on Friday 6 December 2019.

YMCAB (Youth Making Changes Around Burnie)

YMCAB submitted a grant application for Youth Week 2020, to run a 'Party in the Park' event.

Burnie Youth Council Art Challenge

The awards night for the Burnie Youth Council Art Challenge was held on 1 November from 4pm at Studio 2eleven in Upper Burnie.

Winners of the Burnie Youth Council Art Challenge were shown at the Burnie Regional Art Gallery from 12 November.

Community Paper Clothing Competition

The Community Paper Clothing Competition was held at Studio 2eleven in Upper Burnie following the Burnie Youth Council Art Challenge. The opening night Friday 4 November had a number in attendance with winners awarded their certificates and prizes.

Other

A collaboration with Infoxchange and Google to deliver a workshop to approach supporting regional internet literacy, "Getting started with code", was cancelled due to lack of enrolment. The event was promoted on social media (Instagram/Facebook with a Reach of 2,400 young people 12 to 25 in Burnie and surrounds) and via Infoxchange and Google.

COUNCIL RESOLUTION

Resolution number: MO393-19

MOVED: Cr C Lynch

SECONDED: Cr D Pease

"THAT the General Manager's Information Report for Community and Economic Development November 2019 be noted."

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

GENERAL MANAGER**AO351-19 GENERAL MANAGER'S INFORMATION REPORT CORPORATE AND BUSINESS SERVICES NOVEMBER 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 November 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 30 November 2019.

YTD Comprehensive Income Statement

	YTD Actual \$'000	YTD Budget \$'000	YTD Variance to Budget \$'000	Annual Budget 2020 \$'000	Annual Forecast 2020 \$'000	Forecast Variance to Budget \$'000		
Recurrent Income								
Rates and charges	22,741	22,822	✘ 81	22,923	22,884	⚠ 40	U	
Statutory fees and fines	469	426	✔ (42)	1,024	1,037	✔ (14)	F	
User fees	1,763	2,015	✘ 252	4,732	4,753	✔ (21)	F	
Grants	898	1,416	✘ 518	3,399	3,409	✔ (10)	F	
Reimbursements	339	135	✔ (204)	323	573	✔ (249)	F	
Other income	289	376	✘ 87	902	775	✘ 128	U	
Investment income	-	382	✘ 382	917	939	✔ (22)	F	
Total recurrent income	26,498	27,572	✘ 1,074	34,221	34,369	✔ (148)	F	
Recurrent Expenses								
Employee benefits	4,426	4,881	✔ (455)	12,210	12,273	✘ 63	U	
Materials and services	3,078	4,485	✔ (1,407)	10,786	10,744	✔ (42)	F	
Depreciation and amortisation	3,153	3,236	✔ (83)	7,765	7,766	⚠ 1	U	
Finance costs	-	24	✔ (24)	57	57	✔ -	F	
Other expenses	1,165	1,554	✔ (389)	3,400	3,395	✔ (5)	F	
Total recurrent expenses	11,821	14,178	✔ (2,357)	34,219	34,235	⚠ 16	U	
Operating surplus/(deficit)	14,677	13,394	✔ (1,283)	2	134	✔ (132)	F	
Capital Items								
Capital grants	425	901	✘ 476	2,163	2,163	✔ -	F	
Expenditure on assets not owned by Council	-	-	✔ -	-	-	✔ -	F	
Developer Contributions	-	-	✔ -	-	-	✔ -	F	
Net gain/(loss) on disposal of assets	-	-	✔ -	(250)	(250)	✔ -	F	
	425	901	✘ 476	1,913	1,913	✔ -	F	
Surplus/(deficit)	15,102	14,295	✔ (807)	1,915	2,047	✔ (132)	F	
Operating Margin	2.24	1.94		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

Council is currently forecasting to have a favourable operational variance to budget of \$0.132m. While there are a number of favourable and unfavourable variances across the budget the favourable variance of \$132k is predominately due to funds received from the State and Federal government for reimbursement of operational costs for the June 2016 floods.

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	13,162	4,096	3,858
Trade and other receivables	7,044	1,492	1,492
Inventories	142	139	139
Other assets	15	34	34
Total current assets	20,364	5,761	5,523
Non-current assets			
Investment in water corporation	75,672	75,672	75,672
Investments in subsidiaries	2,103	2,103	2,103
Investment in joint venture	3,311	3,311	3,311
Property, infrastructure, plant and equipment	338,336	342,869	343,039
Total non-current assets	419,421	423,955	424,125
Total assets	439,785	429,716	429,648
Liabilities			
Current liabilities			
Trade and other payables	264	2,347	2,347
Trust funds and deposits	132	138	138
Interest-bearing loans and borrowings	326	329	329
Employee provisions	2,459	2,411	2,411
Total current liabilities	3,180	5,225	5,225
Non-current liabilities			
Interest-bearing loans and borrowings	938	1,811	1,811
Employee provisions	164	163	163
Total non-current liabilities	1,102	1,974	1,974
Total liabilities	4,282	7,199	7,199
Net Assets	435,503	422,517	422,449
Equity			
Accumulated surplus	274,147	274,348	274,148
Surplus/(deficit)	15,102	1,915	2,047
Reserves	146,255	146,254	146,254
Total Equity	435,503	422,517	422,449
CURRENT RATIO	6	1.10	1.06

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 30 November 2019 is \$13.162m.

Burnie City Council
Statement of Cash Flows

	Actual 2020 \$'000	Budget 2020 \$'000	Forecast 2020 \$'000
Cash flows from operating activities			
Rates and charges	17,155	22,923	22,850
Statutory fees and fines	469	1,023	1,037
User fees	1,763	4,679	4,753
Grants	898	3,399	3,409
Reimbursements	339	323	573
Other income	289	925	775
Payments to suppliers	(4,782)	(10,731)	(11,574)
Payments to employees	(4,524)	(12,357)	(12,419)
Other payments	(1,165)	(3,400)	(3,395)
Net cash provided by (used in) operating activities	10,442	6,784	6,009
Cash flows from investing activities			
Payments for property, infrastructure, plant and equip	(2,575)	(11,970)	(10,942)
Dividends and distributions	-	917	939
Capital grants	425	2,163	2,163
Net cash provided by (used in) investing activities	(2,150)	(8,890)	(7,840)
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)	(324)
Net cash provided by (used in) financing activities	-	822	819
Net increase (decrease) in cash and cash equivalents	8,292	(1,284)	(1,012)
Cash and cash equivalents at the beginning of the financial year	4,870	5,380	4,870
Cash and cash equivalents at the end of the period	13,162	4,096	3,858

2.2 SCHEDULE OF INVESTMENTS

A schedule of Council's investments is provided as at 30 November 2019:

Investments Schedule as at 30/11/19							
<u>Institution</u>	<u>Term</u>	<u>Rate</u>	<u>S&P Rating</u>	<u>Lodgement Date</u>	<u>Maturity</u>	<u>Amount</u>	<u>Total</u>
ANZ	At Call	1.90%	A1+			1,059,518	1,059,518
MyState	365 Days	1.90%	A2	02-09-19	02-09-20	1,000,000	
My State	120 Days	1.75%	A2	09-11-19	09-03-20	1,000,000	
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	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	2,500,000
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	
BOQ	270 Days	1.65%	A2	30-09-19	26-06-20	500,000	3,000,000
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
Westpac	180 Days	1.65%	A1+	30-09-19	30-03-20	1,000,000	
Westpac	180 Days	1.61%	A1+	31-10-19	30-04-20	500,000	1,500,000
Suncorp	207 Days	1.65%	A1	30-09-19	24-04-20	500,000	500,000
							12,559,518

Investment Allocation by Credit Rating

<u>Credit Rating</u>	<u>%</u>	<u>Amount</u>	<u>WAIR</u>
A1+	40%	\$5,059,518	1.81%
A1	4%	\$500,000	1.65%
A2	56%	\$7,000,000	1.82%
	100%	\$12,559,518	

Investment Allocation by Bank

<u>Bank</u>	<u>%</u>	<u>Amount</u>
ANZ	8%	\$1,059,518
MyState	24%	\$3,000,000
NAB	20%	\$2,500,000
BOQ	24%	\$3,000,000
ME Bank	8%	\$1,000,000
Westpac	12%	\$1,500,000
Suncorp	4%	\$500,000
	100%	\$12,559,518

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.

Explanations are provided for forecast budget variances of \$20,000 or more.

Department	30-Nov	Annual Budget	Forecast	Forecast Variance to Budget	Note
Community & Economic Development					
Burnie Arts & Function Centre	346,498	919,939	920,814	875 Unfavourable	
Burnie Regional Art Gallery	144,633	536,080	530,620	(5,460) Favourable	
Burnie Regional Museum	74,314	292,928	292,928	- Favourable	
Burnie Works	(59,628)	85,951	89,018	3,067 Unfavourable	
Business & Recreation	133,424	218,656	225,926	7,270 Unfavourable	
CED Management	178,408	347,710	351,017	3,307 Unfavourable	
Community & Youth	122,266	296,308	295,872	(436) Favourable	
Marketing & Events	135,526	499,811	498,080	(1,731) Favourable	
Visitor Information Centre	155,829	449,133	452,427	3,294 Unfavourable	
Community & Economic Development Total	1,231,271	3,646,516	3,656,702	10,186 Unfavourable	
Corporate & Business Services					
Accounting Services	(47,396)	(1,513)	(1,513)	- Favourable	
Information Management	54,516	190,686	200,464	9,778 Unfavourable	
Information Technology Services	(16,508)	128,970	88,747	(40,223) Favourable	1
Revenue Services	157,910	430,046	430,046	- Favourable	
Strategic and Governance	(16,083,150)	(15,699,821)	(15,641,938)	57,883 Unfavourable	2
Corporate & Business Services Total	(15,934,628)	(14,951,632)	(14,924,194)	27,438 Unfavourable	
Employee Oncost Recovery					
Oncosts	35,351	-	-	- Favourable	
Employee Oncost Recovery Total	35,351	-	-	- Favourable	
Land & Environmental Services					
Compliance Support	(357,770)	(645,042)	(644,531)	511 Unfavourable	
Development Services	254,915	711,159	759,811	48,652 Unfavourable	3
Management LES	120,616	325,371	323,571	(1,800) Favourable	
Land & Environmental Services Total	17,761	391,488	438,851	47,363 Unfavourable	
Office of the General Manager					
Executive Management	176,614	499,303	476,666	(22,637) Favourable	4
People & Safety	(24,661)	12	(23,021)	(23,033) Favourable	5
Office of the General Manager Total	151,953	499,315	453,645	(45,670) Favourable	
Works & Services					
Cemetery Services	(5,938)	(3,221)	(3,221)	- Favourable	
Facilities Management	782,789	2,168,587	2,159,781	(8,806) Favourable	
Management WS	(347,277)	(20,982)	(22,493)	(1,511) Favourable	
Parks & Reserves	728,134	2,075,295	2,074,668	(627) Favourable	
Sporting Grounds	587,903	1,470,451	1,462,543	(7,908) Favourable	
Stormwater Services	(1,121,327)	(461,939)	(468,407)	(6,468) Favourable	
Transport Services	2,197,493	5,184,358	5,057,842	(126,516) Favourable	6
Waste Management	(3,000,416)	-	(19,602)	(19,602) Favourable	
Works & Services Total	(178,640)	10,412,549	10,241,111	(171,438) Favourable	
Total	(14,676,932)	(1,764)	(133,885)	(132,121) Favourable	

Corporate & Business Services

1. Information Technology Services

This business unit is where costs associated with the maintenance of business systems used to assist Council in achieving its objectives and the management of Council's IT resources and infrastructure.

The favourable forecast variance to budget of \$40k for Information Technology Services is due to a reduction in contract costs relating to system development.

2. Governance and Strategic

This business unit provides the overall governance focus for Council. General rate revenue and expenses attributed with Councillors, the compilation of Council agendas and minutes, the facilitation of civic and ceremonial events, the oversight of insurance, organisational policies and by-laws, as well as attendance to Council's legislative imperatives are captured here.

The unfavourable forecast variance to budget of \$57k for Strategic & Governance is predominately due to lower than budget interest income on Council's term deposits due to reductions in the RBA cash rate.

Land and Environmental Services

3. Development Services

The development services business unit includes land use planning, building compliance and environmental health.

The unfavourable forecast variance to budget of \$48k for Development Services is due to higher than budgeted employee costs.

Office of the General Manager

4. Executive Management

This business unit provides strategic leadership and direction to Council and focuses on the development of strategic projects, effective communications both within and outside Council, and managing the overall performance of Council.

The favourable forecast variance to budget of \$22k for Executive Management is due to staffing vacancies.

5. People & Safety

This business unit provides professional services relating to health, safety, risk management and human resource advice.

The favourable forecast variance to budget of \$23k for People and Safety is due to a staff vacancy which has now been filled.

Works and Services***6. Transport Services***

Transport services is where the costs relating to construction and maintenance of Council's local roads network, maintenance and management of road reservations is captured.

The favourable forecast variance to budget of \$126k for Transport Services is predominately due to receiving funds for natural disaster funding from the floods of June 2016.

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 30 November 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	55,044	32,173	3,296	805	18,770
Reserved Parking Spaces	9,172	7,709	192	23	1,247
Burnie Venues & Catering	41,918	37,325	-	389	4,204
Lease Debtors	24,128	21,966	810	-	1,352
Business & Recreation Debtors	11,566	10,476			1,090
Waste Debtors	47,664	46,684	822	(318)	476
Total Trade Debtors	189,491	156,333	5,120	898	27,139
Goods & Services Tax	4,914				
Infringements & Parking	1,301,695				
Other Receivables	390,635				
Rates & Charges	6,249,382				
Allowance for Impaired Debts	(1,091,745)				
Total Receivables	7,044,372				

Infringements & parking

	Nov-19		Nov-18		Movement	
	Count	Balance	Count	Balance	Count	Balance
Issued 2020	2,015	110,481			2,015	110,481
Issued 2019	1,608	157,705	1,753	104,270	(145)	53,435
Issued 2018	1,055	76,195	1,521	133,382	(466)	(57,187)
Issued 2017	1,658	57,853	1,723	75,748	(65)	(17,895)
Issued 2016	990	39,492	1,025	47,674	(35)	(8,182)
Issued 2015	590	37,728	645	42,797	(55)	(5,069)
Issued 2014	526	34,641	576	39,478	(50)	(4,837)
Issued 2013	624	37,548	685	42,430	(61)	(4,882)
Issued 2012	534	33,178	566	36,191	(32)	(3,013)
Issued 2011	536	32,541	587	36,415	(51)	(3,874)
Issued 2010	652	24,070	695	27,184	(43)	(3,114)
Issued 2009	764	52,973	815	56,850	(51)	(3,877)
Issued 2008	1,443	71,454	1,472	74,705	(29)	(3,251)
Issued Pre-2007	11,893	547,055	11,935	553,530	(42)	(6,475)
	24,888	1,312,915	23,998	1,270,654	890	42,261

2.5 RATES ANALYSIS

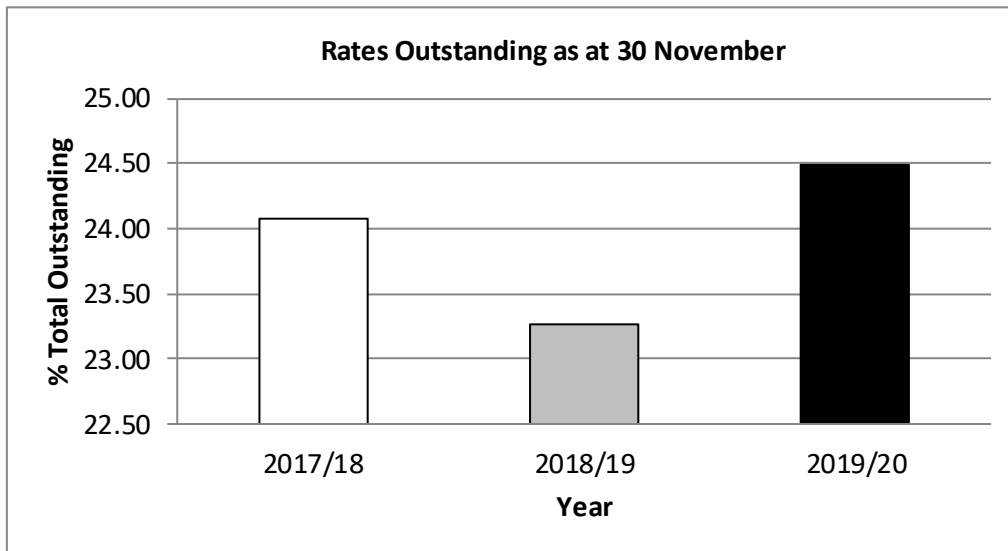
The rates analysis contains a summary of rating transaction movements for 2019/20 including the total levied, the total paid to date and the total unpaid as at the end of the reporting period. Rates are levied in July each year.

Rates Outstanding as at 30/11/2019

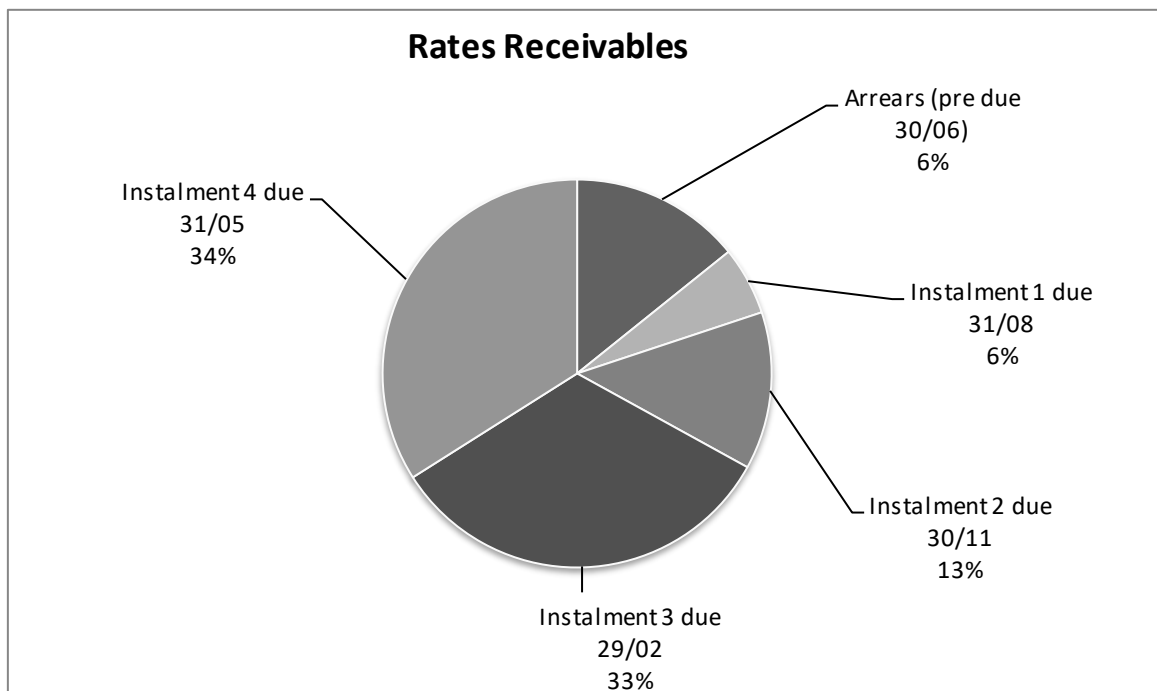
	This Financial Year 30 Nov 2019		Last Financial Year 30 Nov 2018		Change
		\$		\$	\$
Arrears Brought Forward as at July 1	2.89%	674,513	5.33%	1,239,630	(565,117)
Credit Brought Forward	-0.45%	(103,929)	-2.98%	(692,968)	589,039
Add Current Rates & Charges					
Levied	97.24%	22,709,789	96.42%	22,405,917	303,872
Penalty	0.18%	42,234	0.13%	29,940	12,294
Supplementary Rates	0.13%	30,845	1.10%	255,079	(224,234)
Gross Rates and Charges Demanded	100.00%	23,353,452	100.00%	23,237,599	115,853
Less: Rates & Charges Collected	70.84%	16,543,492	65.48%	15,216,663	1,326,829
Pension Remission	3.08%	718,257	3.02%	701,895	16,362
Residential Waste Remission	0.08%	19,008	0.08%	18,144	864
Hardship Interest Remission	0.00%	76	0.00%	164	(89)
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%	8,933	0.04%	8,133	800
General Rate Remission	0.00%	-	0.02%	4,611	(4,611)
- Legal Fees	0.00%	(468)	-0.01%	(2,317)	1,849
- Discounts	1.48%	344,877	1.81%	420,371	(75,494)
- Roundings/Adjustments	0.00%	4	0.00%	(2)	5
Sub Total	75.51%	17,634,343	70.49%	16,380,756	1,253,586
Unpaid Rates & Charges as at 30/11	24.49%	5,719,110	29.51%	6,856,843	(1,137,733)

Outstanding as at 30 November		6,045,094		5,706,643
Rates in credit		(325,984)		(293,071)
		5,719,110		5,413,572
Total number of assessments		10,062		10,017
Assessments outstanding	66.59%	6,700	45.7%	4,573
Credit Rates	-5.7%	(325,983)	-5.4%	(293,071)
Arrears (pre due 30/06)	15.0%	858,807	12.0%	650,123
Instalment 1 due 31/08	6.0%	343,886	6.3%	338,512
Instalment 2 due 30/11	13.9%	793,989	15.7%	852,261
Instalment 3 due 29/02	34.9%	1,993,463	35.2%	1,904,544
Instalment 4 due 31/05	35.9%	2,054,948	36.2%	1,961,203
	100.00%	5,719,110	100.00%	5,413,572

There were 6,700 assessments outstanding as at 30 November 2019 compared to 4,573 as at 30 November 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 30 November 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	355,927	888,920	532,993	889,185	265	
Rural Roads Resealing	1,194	86,700	85,506	86,700	-	
Rural Roads Major Patching & Resealing	22,450	146,120	123,670	155,518	9,398	
Rural Roads Bridges Programme	24,364	362,900	338,536	362,900	-	
TOTAL RURAL ROADS	403,935	1,484,640	1,080,705	1,494,303	9,663	
URBAN ROADS						
Car Parking Improvements	67,502	151,710	84,208	151,710	-	
Driveways, Footpaths and Channel	72,409	221,120	148,711	225,848	4,728	
Retaining Walls	67,562	450,817	383,255	450,817	-	
Urban Infrastructure	107,002	409,920	302,918	428,801	18,881	
Urban Road Renewal & Upgrades	117,725	520,160	402,435	544,136	23,976	1
Urban Road Resealing	165,152	985,823	820,671	985,823	-	
TOTAL URBAN ROADS	597,351	2,739,550	2,142,199	2,787,135	47,585	
TOTAL ROADS	1,001,286	4,224,190	3,222,904	4,281,438	57,248	
STORMWATER						
Storm Water Upgrades & Replacements	121,711	652,389	530,678	652,584	195	
TOTAL STORMWATER	121,711	652,389	530,678	652,584	195	
PARKS, RESERVES AND SPORTING FACILITIES						
General Parks and Reserves	277,455	3,080,893	2,803,438	3,105,170	24,277	2
Cemeteries	32,150	218,480	186,330	218,980	500	
Sporting Grounds & Facilities	75,862	237,076	161,214	248,954	11,878	
TOTAL PARKS, RESERVES & SPORTING FACILITIES	385,467	3,536,449	3,150,982	3,573,104	36,655	
WASTE						
Garbage and Recycling	1,645	42,045	40,400	42,045	-	
Waste Management Centre	24,358	300,179	275,821	300,179	-	
TOTAL WASTE MANAGEMENT	26,003	342,224	316,221	342,224	-	
BUILDINGS						
Sporting Facilities	310,451	656,336	345,885	656,336	-	
Public Amenities	117,554	474,670	357,116	513,757	39,087	3
Burnie Arts & Function Centre	14,960	328,240	313,280	328,240	-	
Burnie Regional Museum	-	-	-	-	-	
Other Buildings	241,024	1,077,419	836,395	1,087,014	9,595	
TOTAL BUILDINGS	683,990	2,536,665	1,852,675	2,585,347	48,682	
PROPERTY, PLANT & EQUIPMENT (PPE)						
Computer Equipment	7,315	438,050	430,735	438,050	-	
Vehicles	21,802	134,600	112,798	134,600	-	
Plant	180,340	960,976	780,636	960,976	-	
Other	77,284	246,416	169,132	260,851	14,435	
Parking Equipment	51,160	37,200	(13,960)	51,160	13,960	
Furniture & Fittings	13,446	49,295	35,849	49,295	-	
Heritage Assets	4,949	11,860	6,911	11,860	-	
TOTAL PLANT/EQUIPMENT/VEHICLES	356,296	1,878,397	1,522,101	1,906,792	28,395	
TOTAL	2,574,753	13,170,314	10,595,561	13,341,489	171,175	

Note 1 - Urban Road Renewal & Upgrades

Project Description	YTD	Annual	Forecast		%
	Actual	Budget	Forecast	Variance	Variance
Queen St - William St - Bass Hwy	23,976	0	23,976	●	23,976 0%

Queen St - William St - Bass Hwy – Last year’s budget

Note 2 – General Parks and Reserves

Project Description	YTD	Annual	Forecast		%
	Actual	Budget	Forecast	Variance	Variance
Fernglade Reserve - Install new path	37,159	13,779	37,159	●	23,380 170%

Fernglade Reserve – Install new path – Scope of works has increased as boardwalk sections required.

Note 3 – Public Amenities

Project Description	YTD	Annual	Forecast		%
	Actual	Budget	Forecast	Variance	Variance
Waterfront Playground Toilet	105,257	66,170	105,257	●	39,087 59%

Waterfront Playground Toilet – Construction costs estimate was greater than the original budget due to a number of factors thus carried forward funds were not sufficient to fund the balance of the project. To balance across the capital works program.

2.7 CONTRACTS AWARDED

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

Contract Number	Contract Title	Contractor Registered Business Name and Address	Awarded Date	Initial Term	Value of Contract (Ex GST)
2640	Provision of Annual Weed Spraying Services	Coastal Landcare Services Pty Ltd 11 Thirkell Street Cooee TAS 7320	19/11/2019	2 years	\$59,207.24 per annum indexed

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	33,345	B	Capital Works Allocation	No
North West Museum & Art Gallery	Lifecycle Cost Management	Quantity Surveyor Cost Estimating, Stage 1 Services	19,550	0	B	Budget Allocation Required	No
Mooreville Road Upgrade Stage 3	PDA Surveyors	Detail Land Survey and Structures assessment	16,300	9,400	B	Capital Works Allocation	No
Bay Street Upgrade	PDA Surveyors	Detail survey and civil design	15,000	0	A/B	Capital Works Allocation	No
Linton Street Upgrade	PDA Surveyors	Detail survey and civil design	21,500	0	A/B	Capital Works Allocation	No
West Ridgley Culverts Upgrade	Pitt & Sherry	Detail design of culverts	29,920	10,320	A	Capital Works Allocation	No
North West Museum & Art Gallery	Terrior	Stage 1 Services – Concept and Design Development	566,473	0	B	Capital Works Allocation	No

2.9 GOVERNANCE – USE OF COUNCIL SEAL

5 November 2019	Agreement between Burnie City Council and Tasmanian Canine Defence League Inc
5 November 2019	Final Survey Plan and Schedule of Easements – 30 Breffny Road, Romaine – SD 2016/1261
12 November 2019	Transfer and Survey Plan – Electricity Infrastructure Easement with the benefit of a restriction as to user of land comprised in CT 163575/1.
14 November 2019	Contract 2633 – Provision of Bitumen Surfacing Services 2019-2020
26 November 2019	Final Survey Plan and Schedule of Easements – 11 & 13 Durham Road, Cooe – SD 2019/1295
26 November 2019	Final Survey Plan and Schedule of Easements – 31 Main Road, Wivenhoe, 10 Corcellis Street, Wivenhoe – DA 2018/118
29 November 2019	Contract 2633 – Provision of Bitumen Surfacing Services 2019-2020
29 November 2019	Contract – Architect Services Brief 194 – North West Museum and Art Gallery

COUNCIL RESOLUTION

Resolution number: MO394-19

MOVED: *Cr K Dorsey*

SECONDED: *Cr T Brumby*

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

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

AO352-19 COMMUNICATIONS JOURNAL DECEMBER 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:

- Announcement by The Hon Steve Irons MP, Assistant Minister for Vocational Education, Training and Apprenticeships - initiative for the NW and West Coast
- Audit Committee Chairperson interview
- New Years Eve Prizemoney Announcement and Photo
- TasWater General Meeting and AGM
- Tourism 2030 - A Visitor Economy for All Tasmanian
- Cruise Ship Welcome on the Wharf – Maasdam
- Meeting with Dr Tim Ault, Director - Department of Foreign Affairs and Trade
- 2019 Hellyer College Student Art Exhibition
- Burnie Regional Art Gallery Special Advisory Committee
- Cruise Ship Volunteer Information Session
- Business North West Breakfast Session - UTAS Pro Vice-Chancellor for Cradle Coast campus, Prof. Jim Cavaye

- Business North West General Meeting
- Montello Primary School - Morning Tea
- 30th Anniversary of Laurel House - Sexual Assault Support Service
- North West Domestic Violence Consultative Committee – Opening of 16 Days of Activism Against Gendered Violence campaign
- ARC Linkage Project – dinner meeting with Associate Professors Sandra Gattenhof, Donna Hancox, Jane Haley and Dawn Oelrich
- BAFC 2020 Subscription Season Launch
- Business North West Christmas Function
- Friends of the Burnie Regional Art Gallery - Christmas Festive Lunch

The Mayor advised that the following meetings, events or appointments were attended on his behalf since the last Council Meeting report:

- Burnie Kids4Kids Sustainability Conference– attended by Deputy Mayor Giovanna Simpson
- Tasmanian Community Achievement Awards – attended by Cr Ken Dorsey
- Probus Club of Burnie - Christmas Luncheon– attended by Cr David Pease
- 2019 VET Celebration Evening – attended by Deputy Mayor Giovanna Simpson
- Cradle Coast Authority Representatives Meeting and AGM – attended by Cr Ken Dorsey

4.0 NOTIFICATION OF COUNCIL WORKSHOPS

Workshop	26 November 2019	
Councillors in attendance	Mayor Kons, Deputy Mayor Simpson, Cr Brumby, Cr Bulle, Cr Dorsey, Cr Keygan, Cr Lynch, Cr Pease	
Apologies	Cr Boyd	
Items Discussed	Farewell for Phil Mayne	Farewell with Councillors
	Quarterly Works Update	Presentation to Councillors
	Future Fund	Discussion with Councillors
	Ten Days on the Island	Presentation by Ten Days on the Island representatives
	Burnie Mountain Bike Development Proposal	Presentation by Club members
	General Manager's Update	Discussion with Councillors

Workshop	2 December 2019	
Councillors in attendance	Mayor Kons, Cr Brumby, Cr Dorsey, Cr Keygan, Cr Lynch, Cr Pease	
Apologies	Deputy Mayor Simpson, Cr Boyd, Cr Bulle	
Items Discussed	NWMAG - Design review	Discussion with Councillors

5.0 CORRESPONDENCE FOR NOTING

The following correspondence is **attached** for noting.

ATTACHMENTS

1. Correspondence received from Senator the Hon Michaelia Cash - Burnie Training Hub
2. Correspondence received from Hon Michael Ferguson MP - Coastal Pathway
3. Correspondence received from Hon Roger Jaensch MP - New Rural and Agriculture Zones
4. Correspondence received from Road Safety Advisory Council - response to Burnie City Council Motion
5. Correspondence received from Landcare Tasmania - 25th Anniversary celebrations
6. Report received from State Emergency Service - Burnie SES Unit Annual Report 2018-2019

COUNCIL RESOLUTION

Resolution number: MO395-19

MOVED: *Cr K Dorsey*

SECONDED: *Cr G Simpson*

1.0 RECOMMENDATION:

“THAT Council note the information contained in the Communications Journal as listed.”

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

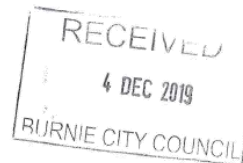


COPY

Senator the Hon Michaelia Cash
Minister for Employment, Skills, Small and Family Business

Reference: MC19-008223

Cr Darryl Quilliam JP
Mayor
Circular Head Council
PO Box 593
SMITHTON TAS 7330



Dear Mayor Quilliam

Thank you for your letter of 12 September 2019 co-signed by Mayor Robby Walsh (Waratah-Wynyard Council), Mayor Phil Vickers (West Coast Council) and Mayor Steve Kons (Burnie City Council), concerning the Industry Training Hub (Training Hub) for Burnie, Tasmania.

I am pleased to advise that, on 12 November 2019, it was announced that the Burnie Training Hub will be one of the first two Training Hubs to commence from January 2020.

The Department of Employment, Skills, Small and Family Business will shortly undertake a procurement process to engage a Career Facilitator as a full-time on-the-ground presence to deliver Training Hub services in Burnie.

While the Career Facilitator will be located in Burnie, the Training Hub will service the broader West and North West region of Tasmania.

The Career Facilitator will work to create better links between local industry, employers and schools, and support industry pathways in areas of local skills shortages that complement the completion of secondary education. The Career Facilitator will work closely with state and local governments, local industry, employers, service providers and school authorities to meet the region's specific workforce and training needs and maximise benefits to the region.

I trust this information is of assistance.

I have copied this letter to Mayor Walsh, Mayor Vickers and Mayor Kons.

Yours sincerely

Senator the Hon Michaelia Cash

23/11/2019

Perth
44 Outram Street, West Perth WA 6005
Ph 08 9226 2000

Canberra
Parliament House, Canberra ACT 2600
Ph 02 6277 7610

Minister for State Growth
Minister for Infrastructure and Transport
Minister for Small Business
Minister for Science and Technology
Leader of the House



Level 5, 4 Salamanca Place, Hobart
Public Buildings, 53 St John Street, Launceston
GPO Box 123, HOBART TAS 7001
Phone: (03) 6165 7701; Email: Michael.Ferguson@dpac.tas.gov.au

Mayor Steve Kons
Burnie City Council
By email: skons@burnie.net

Dear Mayor Kons

Steve and aldermen

At our meeting to discuss the proposed coastal pathway between Cooee and Wynyard, held in Devonport on 20 August 2019, it was agreed that a working group be established to oversee the progress of this project.

The Cooee to Wynyard Coastal Pathway Working Group met in Burnie on 31 October 2019. The Working Group meeting was attended by senior representatives of the Department of State Growth, Burnie City Council and the Waratah-Wynyard Council.

I am advised that the Working Group's discussion on the coastal pathway was positive and productive, and representatives of the Department of State Growth have provided me with a briefing on the outcomes of the meeting.

It was agreed by the Working Group that the safety of users and the continued integrity of the pathway infrastructure at the lowest cost should be the primary objectives of the pathway alignment. While construction of the pathway on the rail alignment provides a number of advantages, recent coastal erosion events have highlighted the need to review the alignment for the pathway, in vulnerable sections, to ensure an optimal outcome. This may include consideration of an alignment outside of the rail corridor in some sections, subject to approval of the relevant land owner.

The Working Group also discussed the potential synergies arising from upgrades to the Bass Highway, where the coastal pathway and the Highway adjoin, and the ongoing responsibilities for the coastal pathway corridor, including future erosion events.

Consistent with these discussions, a number of actions were identified and will be pursued by the Working Group. These actions will be further considered and progressed at the next meeting of the Working Group, which is currently proposed for early December 2019.

I look forward to meeting with you and Mayor Walsh on Wednesday, 11 December in Burnie to discuss the progress of the Working Group.

The Tasmanian Government has committed \$1.86 million to the Coastal Pathway project between Cooee and Wynyard and a further \$4.8 million with the Australian Government to the wider project. The Government is keen to make a start on this project with the significant funds available.

MIN19/30214

I am confident that with continued cooperation and collaboration we can achieve a successful resolution for the Coastal Pathway from Cooee to Wynyard.

Yours sincerely *Regards*



Michael Ferguson MP
Minister for Infrastructure and Transport

MIN19/30214

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

I want to thank you for working so cooperatively with the Government to finalise your Local Provisions Schedule (LPS). Now that the vast majority of these have been submitted to the Tasmanian Planning Commission it would be appreciated if you could provide a timely response to any requests that they make to ensure that your LPS moves quickly to exhibition and finalisation.

I understand that the Commission has in place arrangements to enable your council to keep track of the progress of your LPS.

I understand that for some councils, the issue of changing some land from the Rural Resource to Agriculture Zone, in line with the advisory map prepared by the Government, may draw some attention during the LPS public hearing process. The use of agricultural land is of course subject to the State Policy on the Protection of Agricultural Land and the new zones have been prepared to provide a better reflection of that policy.

It is my understanding that while the new Agriculture Zone has some tight restrictions on the development of houses unconnected to agricultural production. This is very similar to the detailed controls already in place in the Rural Resource zone in existing planning schemes. The Rural Resource Zone is not a residential zone and the change to the Agriculture Zone will make very little difference to the way the land can be used and developed. I have attached a fact sheet that the Planning Policy Unit have developed around this issue. This can be found on their website. I encourage you to use this information and messaging when communicating to the public in order to alleviate some of their concerns regarding the perceived loss of development opportunities.

DOC/19/124195

Once we have completed this phase of the planning reform agenda, we can move onto the establishment of important planning policies and the review of the now quite dated regional land use strategies. I am pleased to advise that as the vast majority of the LPSs have now been submitted I will shortly be releasing the Scoping Paper for the preparation of the Tasmanian Planning Policies (TPPs).

Thank you again for your cooperation in making the Tasmanian planning system the best in the nation.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'R Jaensch', enclosed within a large, loopy blue circle.

Hon Roger Jaensch MP
Minister for Planning

cc: Mr Andrew Wardlaw, General Manager

Attachments:

Fact Sheet - new Rural and Agriculture zones



As part of developing the Tasmania Planning Scheme, the Rural Resource Zone and the Significant Agriculture Zone in the current interim planning schemes were recalibrated to the Rural Zone and Agriculture Zone in order to better reflect the characteristics of Tasmania's agricultural land and improve protection of our valuable agricultural land resource. It also ensures that the zones are applied consistently across the State.

Most land currently within the Significant Agriculture Zone will be changed to the new Agriculture Zone. A significant proportion of the Rural Resource Zone is likely to be rezoned to the Agriculture Zone.

Where the agricultural potential of the land is limited, some areas within the Rural Resource Zone will be reallocated to the new Rural Zone.

How will the rezoning affect land use?

The purpose of the new Agriculture Zone is the same as the existing Rural Resource Zone in that it primarily provides for agricultural use and development and other supporting uses.

The requirements for use and development which restrict the building of a house not directly related to farming purposes, are largely the same. However, houses can be approved if located on a site that is not capable of

supporting agriculture and where the residential use will not constrain agricultural use on adjoining land.

The new Rural Zone, provides for a broader range of land uses and developments to occur on land with limited agricultural potential.

Why is the protection of agricultural land important?

Agricultural land is an extremely valuable resource for Tasmania. Agriculture is a major employer and amongst the largest contributors to the State's economy. The total gross value of agriculture was \$1.60 billion in 2017-18 and the Tasmanian Government has a goal of increasing the value of the sector to \$10 billion by 2050.

Significant investment has been made to support our agricultural enterprises and provide for future growth. Planning schemes play a very important role in ensuring agricultural land is protected for agricultural enterprises, including providing protections from constraints such as conflict with neighbouring land uses.

More information on the new Rural and Agriculture Zones can be found in [Fact Sheet 4 – Tasmanian Planning Scheme – Rural and Agriculture](#).

www.planningreform.tas.gov.au
27 November 2019



ROAD SAFETY ADVISORY COUNCIL
TOWARDS ZERO

Andrew Wardlaw
General Manager
Burnie City Council
80 Wilson St
Burnie TAS 7320

andrew.wardlaw@burnie.net

Dear Mr Wardlaw

I am writing in response to the Burnie City Council Motion of 15 October 2019 and am pleased to provide information as requested (Attachment 1).

I would like to offer a further briefing by myself and members of the Road Safety Branch, Department of State Growth, to further explain how the Road Safety Levy funds are expended and prioritised and to discuss programs and projects supported by this funding.

You may be also aware that RSAC and State Growth has been developing the next five year Action Plan under the Towards Zero – Tasmanian Road Safety Strategy 2017-2024. The Action Plan is with the Government for final consideration. We would also like to present to you about the projects, programs and expenditure outlined in the Action Plan 2020-2024 to inform Council about the strategy going forward.

If your Aldermen would like RSAC and State Growth to present to Council, please contact the Manager RSAC Secretariat, Ms Ange Green, by email at ange.green@stategrowth.tas.gov.au or by telephone on 6166 3243 to arrange a suitable time for the briefing.

Yours sincerely



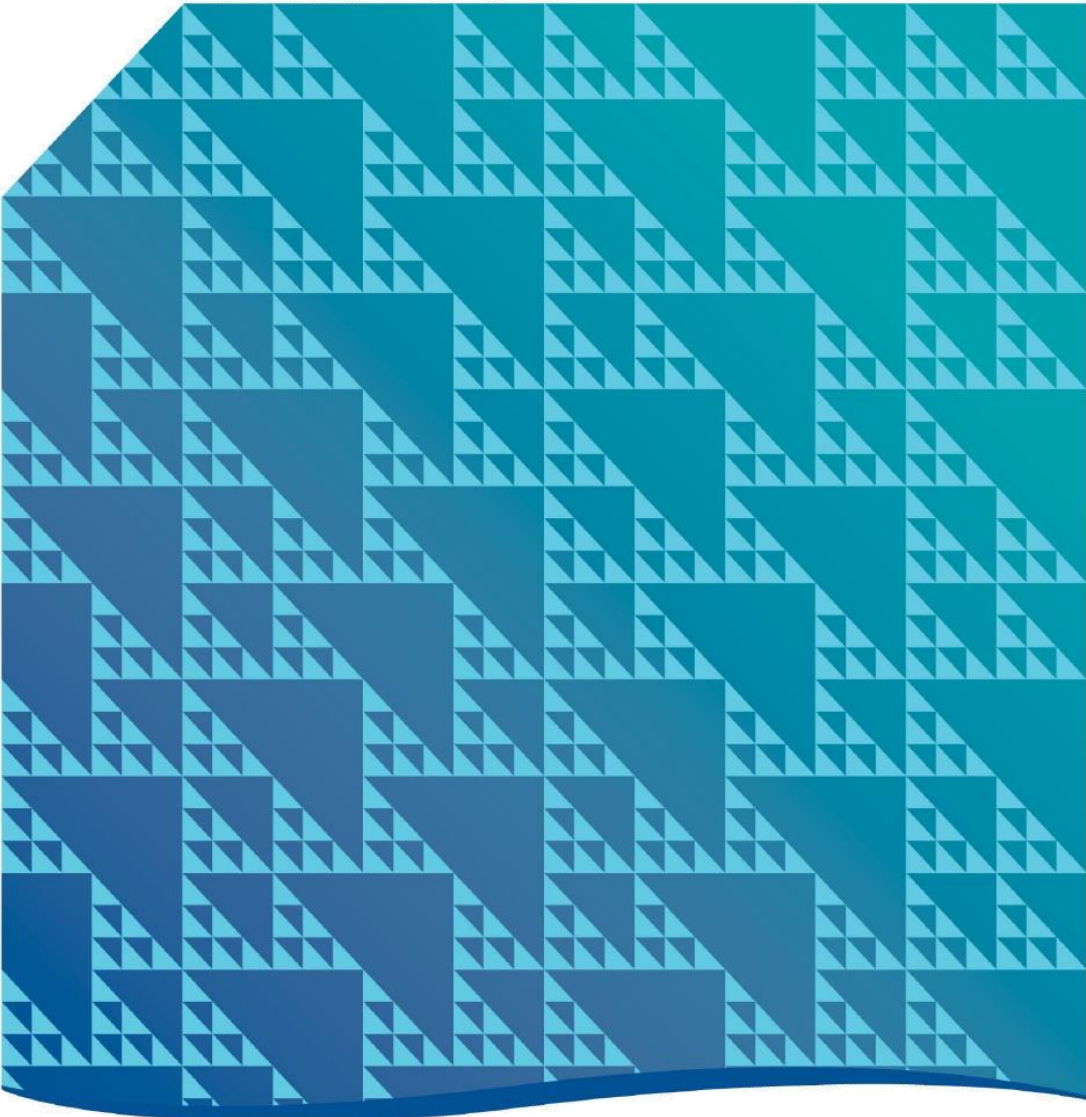
GARRY BAILEY
CHAIR
ROAD SAFETY ADVISORY COUNCIL

14 November 2019

Burnie City Council Motion of 15 October 2019

RSAC Response

ROAD SAFETY ADVISORY COUNCIL
TOWARDS ZERO



Department of State Growth



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Road Safety Advisory Council

The Road Safety Advisory Council (RSAC) was established in October 2010 to provide leadership in developing the Government's road safety policy agenda and strategic alignment through recommendations on strategies and action plans. RSAC also monitors and provides advice and recommendations on initiatives, campaigns and programs that will reduce serious injuries and deaths on Tasmanian roads.

RSAC makes recommendations to the Minister for Infrastructure and Transport and oversees expenditure of the Road Safety Levy (the Levy) and other funds available for the purpose of improving road safety.

Tasmanian Road Safety Strategies

RSAC provides advice to the Government on strategies to reduce the number and severity of crashes on Tasmanian roads. The shared long-term vision is for a Tasmanian road network where no one is seriously injured or killed as the result of a crash on our roads. The strategies acknowledge this will not be easy to achieve and focus on incremental steps, innovative solutions, address our problem crash areas and build on our road safety successes to realise this vision.

Tasmanian Road Safety Strategy 2007-2016

The first strategy was the *Tasmanian Road Safety Strategy 2007-2016* (TRSS). The TRSS was evidence based. It drew on a combination of expert analysis of 10 years of Tasmanian crash data, international research and incorporated the most successful approaches from around the world, proven to reduce road trauma.

This Strategy had four key Strategic Directions:

- Safer Travel Speeds
- Best Practice Infrastructure
- Increased Safety for Young Road Users
- Increase Vehicle Safety.

Towards Zero - Tasmanian Road Safety Strategy 2017-2026

In December 2016, the Government launched the current 10 year strategy, the *Towards Zero - Tasmanian Road Safety Strategy 2017-2026* (Towards Zero Strategy).

The RSAC took a lead role in developing the new Strategy, including facilitating community and stakeholder consultation, analysing potential measures and endorsing the key directions of the Towards Zero Strategy and the priority actions in the Action Plan 2017-2019.

The Towards Zero Strategy continues to be based on the best-practice Safe System approach to road safety and has a long-term vision of zero serious injuries and deaths on Tasmanian roads.

To work towards a Safe System and achieve the long-term vision, the Towards Zero Strategy has an interim target of reducing the number of annual serious injuries and deaths on Tasmanian roads to fewer than 200 by 2026.

There are 13 key directions under the Towards Zero Strategy, grouped under the Safe System pillars of:

- Safe Road Users
- Safe Roads and Roadsides
- Safe Vehicles
- Safe Speeds.

The Action Plan 2017-2019, the first of three Action Plans is due to expire at the end of this year.

The new five year Action Plan 2020-2024 is currently being considered by Government. The new Action Plan has a thematic approach and includes the following themes of:

- Making our rural roads safer
- Improving safety in our towns and cities
- Saving young lives
- Encouraging safer road use
- Making visitors safer
- Improving safety through vehicles and technology.

The Towards Zero Strategy and Action Plans target our highest risk areas and deliberately focus on those initiatives that will gain the greatest reductions in serious injuries and deaths.

Towards Zero Strategy Development

Extensive community and stakeholder consultation and independent research and modelling informed the development of the Towards Zero Strategy at every stage.

Research

The Centre for Automotive Safety Research (CASR) gathered data on our crash statistics, road environment, treatment costs, our commitment to invest and many other factors that have an effect on the Towards Zero Strategy.

Secondly, CASR reviewed the performance of the TRSS to determine what measures were successful and priorities for improvement.

Thirdly, CASR developed a method for modelling fatal and serious road injuries in Tasmania. This modelling involved using road transport data (including crash data, traffic growth and the impact of previous road safety changes) from past years to predict the number of serious casualties in future years. The effects of possible future changes were also modelled to determine their possible effect on the number of serious casualties.

Lastly, CASR identified and discussed a range of potential countermeasures which could decrease serious casualties and move Tasmania's road network further towards Safe System performance. Targets for the Towards Zero Strategy were proposed and best-practice options recommended.

Consultation

The first stage of stakeholder and community consultation saw 22 separate forums take place across Tasmania from October 2015 to December 2015.

Initially, 13 internal government stakeholder forums were held with relevant sections of the Department of State Growth, external Tasmanian Government agencies and Members of Parliament. A total of approximately 125 people attended these sessions.

Following the internal forums, four separate regional stakeholder forums were conducted in Hobart, Burnie, Smithton and Launceston, with approximately 60 stakeholders attending. To achieve the best possible outcomes at these forums, all key stakeholders were contacted prior and provided with information to assist them to consult within their organisations about road safety issues.

Five regional public forums were also conducted in Hobart, Queenstown, Burnie, Launceston and St Helens, with approximately 70 people attending. Due to attendance numbers, the forums in Queenstown and St Helens were combined stakeholder and public forums. Advertising to promote the forums took place across various media platforms (including print media, television and radio).

There was a high level of discussion at all forums and various road safety issues were raised and debated. Collectively, approximately 250 people attended all forums to have their say on what they believed should be included in the Towards Zero Strategy.

Additionally, a total of 370 people completed an online survey which was created to gather community views on the development of the Towards Zero Strategy. This option was primarily provided for people who were unable to attend a forum, however, forum participants were still encouraged to complete the survey. The survey consisted of 44 questions and was open from 8 October to 31 December 2015.

In addition to the forums and survey, community members and stakeholders were also invited to put forward a written submission if they wished. A total of 17 submissions were received, many of which were thoroughly researched and highly detailed.

Discussion Paper and further consultation

A discussion paper based on results of independent research and community views from phase I (as discussed above) was developed and released.

Subsequent consultation of the discussion paper occurred with the community and stakeholders. This included consultation with service and special interest groups, regional community forums, on-line surveys, independent random community attitude surveys and feedback to those who had provided submissions.

The Strategy and first Action Plan was then developed under the auspices of RSAC.

Outcomes and progress

The analysis of the TRSS during the development process of the Towards Zero Strategy determined successful measures of the TRSS and what challenges could be set as priorities moving forward under the Towards Zero Strategy.

As part of this analysis, the average level reductions in the number of fatal and serious casualties were categorically examined. For various target areas there was an indicative positive improvement in road safety since the implementation of the TRSS.

Table I categorically summarises the average number of serious casualties during the progress of the TRSS. Given that the Towards Zero Strategy is yet to reach a third of its term it has not yet been reviewed.

Table 1 - Annual average number of fatal and serious casualties for various target areas during the three periods 2001-2006, 2007-2010 and 2011-2014

Analysis and modelling of crashes in Tasmania (CASR 2016)

Target Area	Annual average number of serious casualties in 2001 - 2006	Annual average number of serious casualties in 2007 - 2010	Annual average number of serious casualties in 2011 - 2014	Percentage of all serious casualties in 2011 - 2014
All crashes	442	332	290	100%
Rural crashes	260	216	181	62.4%
High speed crashes (80km/h and above)	267	210	173	59.7%
Night time crashes (8pm-6am)	94	68	46	15.9%
Run off road crashes (straight alignment)	73	64	50	17.2%
Run off road crashes (curved alignment)	128	94	83	28.6%
Crashes at intersections	68	43	39	13.4%
Hit fixed object crashes	128	109	73	25.2%
Head on crashes	79	61	49	16.9%
Crashes involving young drivers (<25 years old)	132	86	57	19.7%
Crashes involving young drivers (L or P licence)	79	65	41	14.1%
Crashes involving older drivers (<65 years old)	49	38	43	14.8%
Crashes involving pedestrians	44	30	33	11.4%
Crashes involving pedal cycles	14	10	12	4.1%
Crashes involving motorcycles	86	81	76	26.2%
Crashes involving trucks	39	29	19	6.6%

Funding

RSAC and Tasmania's road safety strategies are primarily funded by the Road Safety Levy. Additional funding is provided by the Motor Accidents Insurance Board and reviewed on a triennial basis. Around \$1.4 million per annum (MAIB funding) is spent on public education campaigns aimed at reducing high risk behaviours. This funding is managed by the Education and Enforcement Sub Committee, a sub committee of RSAC.

Road Safety Levy

The Road Safety Levy was introduced in December 2007 as a funding source for the purposes of improving road safety in accordance with Tasmania's road safety strategies. The Levy is payable on the registration of all vehicles that have broad access to the road network. The Levy was initially set at \$20 per annum (concession \$12) before it was increased in 2011 to \$25 per annum (concession \$15) and extended to November 2017.

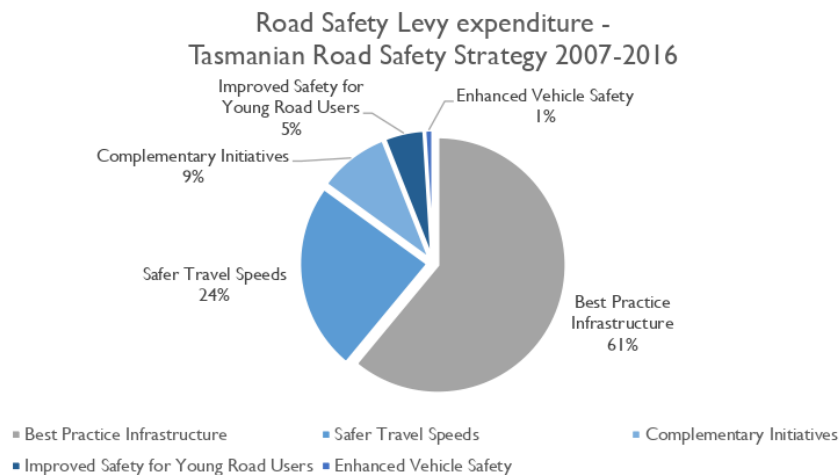
In 2016, to coincide with the launch and life of the Towards Zero Strategy, the Levy was extended to 30 June 2027 and from 1 July 2017 was indexed by an amount relevant to Hobart CPI, with payments prescribed in Fee Units.

The Levy raises around \$14 million per annum. Quarterly progress reports detailing progress under the Strategy and expenditure of the Levy are provided to RSAC and the Minister and published on the RSAC website.

Expenditure of the Levy

Throughout the first strategy nearly two thirds of Levy funds were allocated to high return infrastructure safety improvement projects. The remaining allocation funded a range of policy based initiatives, community and school programs, grants programs, public education, campaigns and support to RSAC. Chart 1 provides an overview of the expenditure profile from the first strategy.

Chart 1 - Road Safety Levy expenditure - Under the Tasmanian Road Safety Strategy 2007-2016

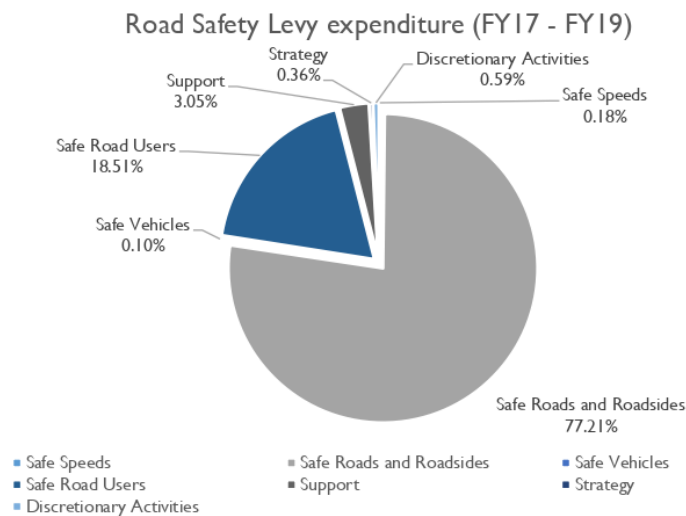


The Towards Zero Strategy utilises the Safe System approach to road safety with expenditure categorised by the four 'pillars' (Safe Roads and Roadsides, Safe Vehicles, Safe Speeds and Safe Road Users). Under the Towards Zero Strategy the majority (over 75 per cent) has been allocated to high return infrastructure safety improvement projects.

A similar allocation of remaining funds exists with the funding delivered to a range of policy based initiatives, community and school programs, grants programs, campaigns and support to the RSAC.

Chart 2 provides an overview of the expenditure profile under the current Towards Zero Strategy.

Chart 2 - Road Safety Levy expenditure - Under the Towards Zero - Tasmanian Road Safety Strategy 2017-2026



Infrastructure projects

Infrastructure can produce long lasting road safety benefits and help reduce the likelihood of crashes and the severity of crashes should they occur. Whilst the Tasmanian and Australian Governments are investing heavily on our major state roads, the Levy can be used to improve lower volume roads that would not otherwise attract funding. In addition, the Levy provides funding to trial innovative technologies on our road network.

Some infrastructure projects funded from the Levy include:

- electronic speed limit signs at schools (more than 600 around the State)
- the Vulnerable Road User Program - a grants program for local government to install infrastructure that reduces conflict between vehicles and pedestrians and cyclists
- flexible safety barrier on the Bass and Midland Hwy
- enhanced delineation, including audio tactile line marking, reflective pavement markers, speed and curve warning signage
- weather-based warning signage
- cyclist warning signage on popular cycling routes
- fixed speed cameras

motorcycle safety treatments, such as rubrail, collapsible CAMS, warning signage, on gateways to the Tasman Hwy, the Great Eastern Drive and Sheffield area

- shoulder sealing on lower priority State roads
- line marking on local government roads.

Policy and projects, rules and regulation, community and education programs, public education campaigns

A quarter of Levy funding and \$1.4 million MAIB funding has contributed to a range of policy changes, changes to regulations, community and school education, public education and tourist education campaigns aimed at reducing serious injuries and deaths on our roads. The 'fatal five' high risk behaviours are targeted through our campaign funding. In addition campaigns are also developed to support changes to the law and on the introduction of new road safety measures.

Rules and regulations

Some examples of rules and regulation changes funded by the Levy include:

- Introduction of safe passing distances for cyclists
- Introduction of lane filtering rules
- Introduction of 40km/h speed limits around emergency vehicles.

Policy and projects

Some examples of policy and projects funded by the Levy include:

- Review of Tasmania's Graduated Licensing System
- Support of the Mandatory Alcohol Interlock Program
- Support to ANCAP and MotoCAP
- Community Road Safety Grants - program of low-cost community centric road safety initiatives

Campaigns

Some examples of campaigns funded by the MAIB funding include:

- Speed shatters lives
- Real Mates don't let mates drink drive
- 'Vet' - Drinking, Driving, They're better apart
- Don't be a goose. Leave you phone alone
- What sort of driver are you raising?

Some examples of campaigns for policy and law changes funded by the Levy include:

- Quality Time - to support learner drivers gaining more experience
- Distance makes the difference - allowing 1.5m to pass cyclists
- Love 40 - safe speeds around schools and school buses

- See Red and Blue know what to do - supports the introduction of 40km/h speed limits around emergency vehicles.

Public and school education

Some examples of education activities funded by the Levy include:

- the Learner Driver Mentor Program - assisting disadvantaged to gain a licence by providing mentors and cars to log hours on the road
- the Rotary Youth Driver Awareness Program (RYDA) - road safety education program for grade 10-12 students
- the Driving for Jobs Program - supports disadvantaged grade 11-12 students to progress through the Graduated Licensing System and reduce barriers to employment opportunities
- the RACT and Bicycle Network education campaigns.

Tourist education

Tourist education is delivered through initiatives of the Levy funded Tourist Road Safety Strategy.

The Tourist Road Safety Strategy has been developed to educate visiting drivers and new Tasmanians about road safety in Tasmania, including the different driving conditions prevalent on our roads.

Activity is focused on key gateway entry points to Tasmania including airports and the Spirit of Tasmania but is also reinforced through rental vehicles, key tourism locations and the RSAC webpage.

Visiting drivers include international tourists, touring motorcyclists and people new to Tasmania.

Motorcycle safety

The new Motorcycle Training and Assessment Program (Program) has been designed to protect one of our most vulnerable road user groups by targeting key riding skills and behaviours that novice riders need when they commence riding a motorcycle.

The Program consists of a two-day Pre-Learner course, a Check Ride and a new Pre-Provisional Test and includes a significant increase in on-road supervised riding instruction (around three times more than the previous motorcycle training program).

The Program is mandatory for all new riders and the Pre-Learner course ensures novice riders receive 15 hours of coaching and mentoring, including on-road training for the first time in Tasmania, before being allowed to drive on our roads. This is double the duration of the previous Pre-Learner course.

The costs to undertake training and assessment and obtain a motorcycle P1 licence are comparable to the costs associated with obtaining a P1 car licence. This takes into account the recommended minimum 30 hours of supervised driving in the car L1 stage, the 50 hours of mandatory supervised driving in the L2 stage, driving assessment fees (L2 and P1) and professional driving lessons.

The costs in Tasmania for motorcycle training are similar to the costs for a new rider to participate in the same program in Victoria. The overall costs for the full program in Tasmania is \$1,133. The average costs for the program in Victoria is \$1030. It is important to note that the average fees in Victoria, vary depending upon

whether the delivery is in metropolitan or regional areas and on weekdays or weekends. In Tasmania the fees are uniform across the state, and the day of the week.

At this stage, there is no appetite to subsidise aspiring riders to obtain a motorcycle licence. Motorcyclists continue to be over-represented in crash statistics, as at 3 November 2019, six motorcyclists have been killed on Tasmanian Roads in 2019 and motorcyclists currently account for 26% of a serious casualties, however only represent 4% of the Tasmanian vehicle fleet.

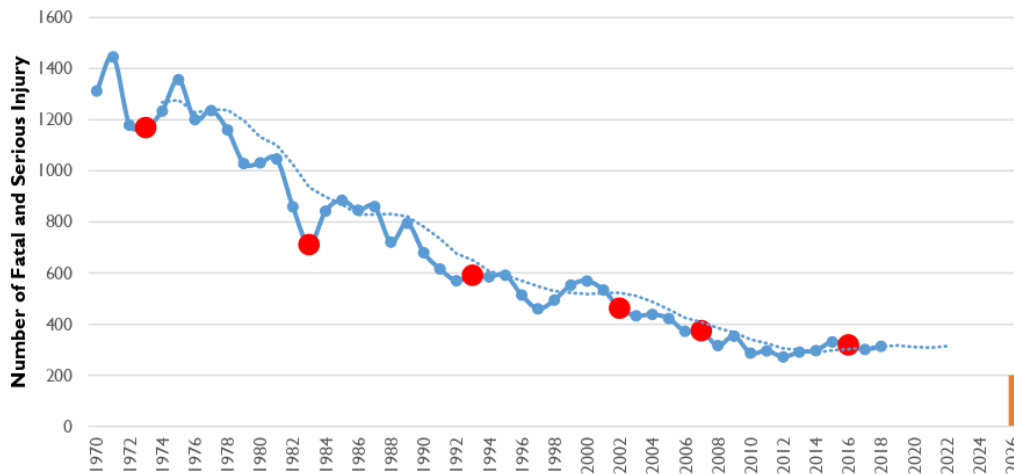
Road Trauma

Since the peak of serious injury and fatalities from road trauma on Tasmanian roads in the 1970's there has been a gradual decline in road trauma. However, as the Tasmanian road safety strategies acknowledge, reducing road trauma will not be easy and ongoing road safety action is required to achieve the target of the Towards Zero Strategy of less than 200 fatal or serious injuries by 2026.

Chart 3 presents how road trauma has reduced from the highest levels of the 1970's to current levels. Highlighted are some of the significant changes implemented over this period, these include:

- 1973 - Compulsory use of seatbelts
- 1983 - Introduction of a maximum Blood/Breath Alcohol Concentration of 0.05
- 1993 - Introduction of road safety cameras
- 2002 - Introduction of the 50km/h urban speed limit
- 2007 - *Tasmanian Road Safety Strategy 2007-2016*
- 2016 - *Towards Zero - Tasmanian Road Safety Strategy 2017-2026.*

Chart 3 - Historical chart of road trauma in Tasmania (1970 - 2026)





Department of State Growth

4 Salamanca Place
Hobart TAS 7001 Australia

Phone: 03 6166 3243

Email: ange.green@stategrowth.tas.gov.au

Web: www.rsac.tas.gov.au

PLEASE QUOTE

Your Ref: 33/15/3, 15/5/2 & 936686
Our Ref:

Enquiries Mr Gary Neil (GN:MR)

24 October 2019

80 Wilson Street, Burnie Tasmania
PO Box 973, Burnie TAS 7320ABN: 29 846 979 690
Phone: (03) 6430 5700
Email: burnie@burnie.net
Web: www.burnie.netWe value your feedback on our service.
Tell us about it at www.burnie.net/feedbackMr Garry Bailey
Chair
Road Safety Advisory Council
GPO Box 536
HOBART TAS 7001

Dear Mr Bailey

ROAD SAFETY ADVISORY COUNCIL

I refer to your attendance at the Council Workshop on 27 August 2019 and wish to extend Council's appreciation to you for providing the Councilors with a briefing on the activities of the Road Safety Advisory Council (RSAC).

Council considered a motion on notice in regard to the RSAC activities and has sought further information on various matters. I reproduced the motion below for your information:

"THAT Council write to the Road Safety Advisory Council (RSAC) and thank them for attending a workshop at Council and request further information on the following:

- 1) Funding received from the state government each year;**
- 2) Expenditure each year including:**
 - a. Infrastructure;**
 - b. Advertising;**
 - c. education in the schools;**
 - d. driver's education;**
- 3) Effectiveness of programs:**
 - a. What has worked and to what extent;**
 - b. What has failed and to what extent;**
- 4) Cost barriers to motorcycle licenses, is this being addressed;**
- 5) Comparison with Victoria's success – is a 50% increase in the road toll a success?;**
and
- 6) Do more rules and regulations assist in reducing the road toll?"**

I also enclose a copy of the report to Council for reference.

It would be appreciated if a response to Council's questions can be provided in due course

Should you require any further information in relation to this matter, please contact Council's Director Works and Services, Mr Gary Neil on 6430 5760.

Yours faithfully

Andrew Wardlaw
GENERAL MANAGER

Enc

OPEN SESSION

AGENDA - ORDINARY MEETING OF COUNCIL
TUESDAY, 15 OCTOBER 2019**MOTIONS ON NOTICE****AO272-19 MOTION ON NOTICE - ROAD SAFETY COUNCIL**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 write to the Road Safety Advisory Council (RSAC) and thank them for attending a workshop at Council and request further information on the following:

- 1) *Funding received from the state government each year;*
- 2) *Expenditure each year including:*
 - a. *Infrastructure;*
 - b. *Advertising;*
 - c. *education in the schools;*
 - d. *driver’s education;*
- 3) *Effectiveness of programs:*
 - a. *What has worked and to what extent;*
 - b. *What has failed and to what extent;*
- 4) *Cost barriers to motorcycle licenses, is this being addressed;*
- 5) *Comparison with Victoria’s success – is a 50% increase in the road toll a success?; and*
- 6) *Do more rules and regulations assist in reducing the road toll?”*

COUNCILLOR’S COMMENTS

The RSAC continues to be of community concern. We know from the figures provided that 10 years of effort by the RSAC has not resulted in a reduction in road accidents or fatalities.

We are also aware that at some point in time there will be a reduction for which they will claim that this is the culmination of 10 or more years effort; if accidents then increase the RSAC will introduce more rules, reduced speed limits, greater cost for drivers, more learner driver scrutiny, stricter enforcement, more cameras and barriers.

We know from research conducted that:

1. 15% of fatal accidents happen near intersections
2. 85% Occur on the open road
3. 62% of fatal accidents happen on straightaways
4. Rural roads are more fatal than urban streets
5. Most non-fatal accidents occur within 25 miles of home

No-one questions the sincerity of the RSAC or their motives – reduced accidents and fatalities. The information requested should be readily available to all concerned.

OPEN SESSION

AGENDA - ORDINARY MEETING OF COUNCIL
TUESDAY, 15 OCTOBER 2019

I continue to receive questions as to effectiveness and concerns about the RSAC. I have reviewed their website and cannot fault their Board Members in anyway. This is a quality board full of experts, but where is the poor schmucks that have no voice, have limited income, are isolated, and can't secure employment. Travel and distance are a problem on the NW Coast as is accessibility to public transport.

GENERAL MANAGER'S COMMENTS

Council considered a Motion on Notice from Cr Dorsey at its meeting on 20 August 2019 (AO214-19). At this meeting Council determined:

"That Council invite a representative of the Road Safety Advisory Council to address a workshop detailing how the community is benefitting from more oppressive regulations that seem to have little bearing on desired outcomes."

As a result of this decision the Chair of the RSAC, Mr Garry Bailey attended a workshop with councillors on 27 August 2019.

Attached is a copy of the Quarterly Progress Report to the RSAC as at 30 June 2019. This report details:

- Progress on Meeting Towards Zero Strategy targets
- Progress on Meeting MAIB targets
- Statistics
- Priority Actions 2017-2019
- Progress on projects (including budget and YTD expenditure)
- Funding – Road Safety Levy
- Funding – MAIB

This Motion is seeking that a letter be sent to acknowledge the attendance of the Chair at the workshop and request further information from the Road Safety Advisory Council.

ATTACHMENTS

1. Towards Zero Tasmanian Road Safety Strategy 2017–2026



13 November 2019

Dear Gary Neil,

I would like to thank you for your generous support of Landcare Tasmania's 25th anniversary celebrations, held in and around Hobart from Friday 25- Sunday 27 October.

Over 300 people participated in the various weekend events, most of which were sold out or booked to capacity.

Highlights included 27 deserving Tasmanians being recognised at Government House including the inaugural Tasmanian Premier's Landcare Award, Welcome to Country with official welcome ceremony on the Hobart Domain on Friday night. The Saturday conference included 43 presentations on an enormous variety of topics at Blundstone Arena, our first ever stream dedicated to 10 – 11 years old school students, inspiring trade stalls and displays and a Landcare Tasmania 25 year historical timeline. Saturday night our State Awards Dinner was hosted by the Guardian's cartoonist First Dog on the Moon, with 9 awards presented to Landcarers who are now finalists in the 2020 National Landcare Awards, finishing with fantastic raffle of generously donated prizes. The weekend was rounded off with 5 inspiring field trips to Landcare sites around south east Tasmania on the Sunday.

That's one big weekend and it wouldn't have been possible without the generous support of sponsors such as you. Sponsorship helped make the event more accessible to a large number of people and enabled us to design a rich and fulfilling program that will help Tasmania's Landcarers build resilience, succession plan, network and stay ahead of weeds, pests and environmental factors on their future journeys caring for our land and waterways.

On behalf of Landcare Tasmania, and all those who attended I offer sincere thanks and hope you will choose to be part of Landcare Tasmania's projects, conferences and events in the future. Please feel free to contact me if you would like further information about future projects, events or opportunities.

Yours sincerely

A handwritten signature in black ink that reads "Rod Knight".

Rod Knight
CEO

M: 0419 529807 support@landcaretas.org.au

Landcare Tasmania Inc. ABN: 50 622 521 764
PO Box 4791 Bathurst St, Hobart, TAS, 7000
Ph: (03) 6234 7117 support@landcaretas.org.au
www.landcaretas.org.au

Burnie SES Unit

Annual Report to Council

2018 / 2019



Foreword:

The *Emergency Management Act 2006* places a legislative obligation on Councils and imposes a responsibility to establish, maintain and provide for the municipal SES Unit.

s48: ' a council is to establish and maintain such municipal volunteer SES units as, after consultation with the Director SES, it considers necessary to ensure the effective operation and for undertaking rescue and retrieval operations. '

s49: ' a council is responsible for the effective operation of its municipal volunteer units and, for this purpose, is responsible for all aspects of the storage and maintenance of the equipment and the provision of other facilities and resources necessary for those units to perform their functions, including adequate accommodation for the purposes of training members. '

A Memorandum of Understanding (MOU) is established between SES and the Burnie City Council

The Annual Report is submitted in accordance with the above MOU by the Unit Manager in conjunction with the SES Regional Manager.

The Unit is trained and equipped to provide a 24 hour / 7 day a week support service to members of the public and other Emergency Services.

The Unit is based at 9 Wellington Street - Burnie, and serves the Burnie City Council municipal area.

The Unit under normal circumstances provides a service within its municipal boundaries, however on request may deploy resources outside these boundaries.

Ordinary People Doing Extraordinary Things

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Our Unit

Membership

Unit Manager: Mark Bryan

Deputy Unit Managers: Jeffrey Broxam and Mark Smith

Total strength of the Unit is 21 members – 8 female and 13 male.

The Unit has attracted 4 new members, with the retirement/resignation of 3 members.

We are proud of the commitment of our members.

Honours & Awards

The following members gained honours during the year.

- ▲ Deputy Unit Manager Jeffrey Broxam - National Medal
- ▲ Anthony Flannery – National Medal
- ▲ Gary Watts – National Medal
- ▲ John Davis (SES Long Service – 45yrs)
- ▲ Gary Watts (SES Long Service 15yrs)
- ▲ Jeffrey Broxam (SES Long Service 10yrs)
- ▲ Mark Smith (SES Long Service – 5yrs)

Building

Improvements Completed:

- Toilet repairs

Outstanding Repairs:

- Back fence
- Front side fence
- Laneway lights

Fleet (includes ATVs and Trailers)

The current fleet comprises one primary and one secondary support vehicle.

Regn	Year of Manufacture	Vehicle Type	Function
	1992	Mazda T4000 Twin Cab	Rescue Vehicle
	2006	Holden Rodeo Twin Cab	Secondary Vehicle
	2005	Ford Transit	Rescue Vehicle

Comments: (includes servicing and maintenance)

Servicing and maintenance has been undertaken by DPFEM mechanics in this period.

Equipment

During the year the Unit received the following items from:

Council

Equipment	Qty
First Aid Kits	3
Samsung Tablets	4
Office computer	1
Milwaukee portable lights	2

Equipment Replacements / Maintenance (including radios, computers etc)

- First Aid Kits
- Office Computer

<i>Servicing of Equipment:</i>	Date of Last Inspection
Portable Fire Fighting Equipment / /
Testing & Tagging of Electrical Equipment / /
Airbags and Harnesses / /

Council Support

After hours access to Parks, reserves and Council Depot for training purposes

Accomplishments

Good member stability

Unit maintained to an acceptable standard

The Unit Manager attended a state-wide Unit Managers workshop in Launceston.

Unit Operations**Emergency Calls**

Our unit has responded to a total of 10 calls for assistance during this year, with the breakdown as follows:

	No. of Incidents	Volunteer Hours
1) Storm Damage	6	44.55
2) Search and Rescue	2	209.8
3) Other	2	536.8

Assistance to other Agencies

Date	Agency	Location	Type of Incident	No. of personnel	Hours
Aug – Sept December	Tasmania Police	Launceston Hampshire	SAR	2	209.8
October	Tasmania Police	Natone	Dangerous tree	4	8.5
Jan – March	Tasmania Fire Service	West Coast	Wildfire	12	528.8

Deployments (includes Intra & Interstate)

Date	Agency	Location	Type of Incident	No. of personnel	Hours
December	Tasmania Police	Launceston	SAR	2	196.8

Training

Training is conducted every Thursday night 1900 hrs to 2100 hrs and on some weekends. Members have attended 9185.75 hours of training.

The objective is to teach skills required to members and to maintain skills previously obtained. Regional training activities occur to ensure a consistent standard equal to other units is maintained.

During the course of the year members undertook certified training in the following competencies.

	No. of members completed	
	Competency	Skills Maintenance
SES Core Competencies	4	-
Basic Rescue	6	-
First Aid	5	-
Other		
Leadership Course	2	32 hrs
State Skills Workshop	3	25.5 hrs
Multicultural Awareness Training	4	12 hrs
Family Impact Seminar	2	2 hrs

Exercises

Unit

- General Rescue Skills Training

Community

Community Activities

Our unit has assisted at a total of 17 community events during this year, including community awareness presentations, school visits, local shows, and expos, with the breakdown as follows:

	Volunteer Hours
1) Burnie 10	66
2) Burnie Scouts visit	25
3) Bunnings BBQ	100
4) One Night Stand – St Helens	225
5) Fairy Godmothers Market	12
6) Somerset Christmas Parade	18

7) Burnie Christmas Parade	86
8) Go-Kart Racing x 2	69
9) Visit to Somerset Fire Brigade Juniors	6
10) Targa Tasmania	40
11) Devonport Triathlon	61.5
12) Driver Reviver – Fossey River	33
13) Burnie Challenge	36
14) ANZAC Day	33
15) Ronald McDonald House fundraiser	30
16) Kids in the Park	33
17) Leighland Christian School Fair	12
18) Somerset Community Shed project	54
19) Burnie Carols by Candlelight	99
20) WOW day	7.5
21) Spraoi Childcare visit	1.5

Occupational Health, Safety & Welfare

Accident Reports

- Anthony Flannery – Sore finger – wedding ring caught on ladder
- Maegen Lange – sore ankle – from walking on unstable ground

Hazard Reports

- Unit evacuated due to mains power shorting out – TasNetworks attended

Immunisation

- Flu Vaccination was available to Burnie Unit Members through DPFEM
- Hep B vaccination was available to Burnie Unit Members through DPFEM



Unit Manager



Regional Manager

AO353-19 COMMUNICATIONS JOURNAL - NORTHWEST TASMANIAN VETERAN WELFARE BOARD - BOARD POSITION INVITATION

FILE NO: 2/17/3; 940033

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 endorse Cr Amina Keygan as its nominee as board member of the Northwest Tasmanian Veteran Welfare Board, with Deputy Mayor Giovanna Simpson as proxy.”

2.0 SUMMARY

The Mayor has received correspondence from the Northwest Tasmanian Veteran Welfare Board inviting Council to be represented on their board.

3.0 GENERAL MANAGER’S COMMENTS

In response to this request the Mayor, via the General Manager called for expression of interest from Councillors.

Cr Keygan and Cr Simpson expressed an interest and it is proposed that Cr Keygan be the Council representative with Deputy Mayor, Cr Simpson a proxy.

It is the General Manager’s understanding that the Northwest Tasmanian Veteran Welfare Board is currently in its infancy with members working closely with the Member for Braddon, Gavin Pearce MP to establish a support service for veterans in this region.

While the letters suggest that Council may be able to provide in-kind support, including access to a building, no commitments have been made in this regard at this stage.

ATTACHMENTS

1. [Correspondence received from Northwest Tasmania Veteran Welfare Board - Board membership invitation](#)

COUNCIL RESOLUTION

Resolution number: MO396-19

MOVED: *Cr C Lynch*

SECONDED: *Cr G Simpson*

“THAT Council endorse Cr Amina Keygan as its nominee as board member of the Northwest Tasmanian Veteran Welfare Board, with Deputy Mayor Giovanna Simpson as proxy.”

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

Subject: Northwest Tasmania Veteran Welfare Board

From: Andrew Clarke ·
Sent: Monday, 25 November 2019 2:15 PM
To: steven.kons
Subject: Northwest Tasmania Veteran Welfare Board

Dear Mayor Steve Kons

The Members of the Northwest regional would formally like to offer the Burnie City Council a position on the board. The board meets the last Thursday every month at 6pm (1800hrs) at the board room in the Burnie RSL. The next meeting is this Thursday 28 November 2019 at 6pm.

Currently the board has elected position, in the elements of gaining incorporated status and looking to build a veteran network and support facility in the area. We have been grateful for your support in the past in this venture and would very much like to have yourself or your delegate to move this valuable project forward.

We anticipate that council could be in position to provide business premises that are surplus to council needs, and trouble shooting advice for practical for supporting veterans in the local community.

I would be grateful for your earliest reply.

I look forward to your continued support of this valuable enterprise as a way for the community to say thank you to the veteran community for their service.

Kind regards

Dr Andrew Clarke
President
Northwest Tasmanian Veteran Welfare Board

MINUTES AND REPORTS OF COMMITTEES**AO354-19 BURNIE SPORTS CENTRE SPECIAL COMMITTEE UNCONFIRMED
MINUTES OF MEETING HELD ON 14 NOVEMBER 2019**FILE NO: 2/5/12

RECOMMENDATION:

“THAT the Unconfirmed Minutes of meeting of the Burnie Sports Centre Special Committee held on 14 November 2019, be received for discussion.”

SUMMARY

The Committee was advised of adoption of junior fees effective from 1 November 2019 and the reduction in hall hiring increases to CPI from 2020/21 financial year.

User Groups passed on thanks to Burnie City Council for reducing fees and also for the condition of the Recreation Ground.

The Burnie Sports Centre will be closed for annual maintenance from 20 December 2019 until 20 January 2020.

ATTACHMENTS

- 1 [↓](#). Burnie Sports Centre Special Committee Unconfirmed Minutes of Meeting 14 November 2019

COUNCIL RESOLUTION

Resolution number: MO397-19

MOVED: *Cr D Pease*

SECONDED: *Cr A Keygan*

“THAT the Unconfirmed Minutes of meeting of the Burnie Sports Centre Special Committee held on 14 November 2019, be received for discussion.”

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

Meeting Notes

<p>still like this followed up as he doesn't think that the lighting is still suitable and safe</p> <ul style="list-style-type: none"> • Rugby toilets: The toilets are not to be utilised as the area under Hall 2 was only to be used as storage, access has been provided to the toilets change rooms in the complex for the rugby. • Pedestrian Crossing sign : The area that the pedestrians are crossing is not a designated Pedestrian crossing, a speed hump was installed to slow traffic down, a sign could be placed to indicate a speed hump but no pedestrian crossing has been created <ul style="list-style-type: none"> ○ Rugby would like to follow up pedestrian crossing to be set up for safety – as a designated crossing area • Venue signage : Burnie City Council is working towards having some signage installed to identify the Reserves at this stage no consideration has been made to the inclusion of complex signage to identify buildings within the reserves, but this will be followed up. • Helen Oakman's resignation: Burnie City Council can arrange for flowers as a thank you gift. <ul style="list-style-type: none"> ○ Andrea will order flowers and drop off to Brett and he will deliver to Helen 	<p>park lighting</p> <p>Andrea to follow up a solution for access to toilets for the Touch Football Club.</p> <p>Andrea to follow up the possibility of a pedestrian crossing.</p> <p>Andrea will follow up</p>
<p>General Business :</p> <p>Court surface being slippery: Basketball - complaining about the dust making the floor surface slippery, they queried if this can be done while the Centre is closed for annual maintenance. Basketball will be happy to wait provided this is done during the closure.</p> <p>Upper Burnie Rec ground: Brett wanted to pass on his thanks to BCC for the condition of the ground and especially the prompt response after the tree came down during the week.</p> <p>Lux level of the ground lights: Brett said that someone will complain about the lux level not being high enough, they are concerned about possible injuries. Any concerns should be noted on the Risk Assessment form.</p> <p>Ground fence: the fence is currently in poor condition, the mesh either needs to be removed or fixed, and Rugby has raised several concerns in relation to its safety.</p>	<p>Andrea to follow up with the cleaners if the ceiling can be dusted during the closure for annual maintenance.</p> <p>The electronic Risk Assessment form has been emailed to Brett.</p> <p>Andrea to follow up to see if the fence can be repaired.</p>
<p>Maintenance issues: Closure for annual maintenance : 20th of December until 20th of January 2020</p>	
<p>Any other business: No other business – Meeting closed at 5.31pm</p>	
<p>Next Meeting: Thursday 13th of February 2020</p>	

MINUTES AND REPORTS OF COMMITTEES**AO355-19 BURNIE INDOOR SPORTS STADIUM WORKING GROUP
UNCONFIRMED MINUTES OF MEETING HELD ON 25 SEPTEMBER
2019**FILE NO: 5/19/6

RECOMMENDATION:

“THAT the Unconfirmed Minutes of meeting of the Burnie Indoor Sports Stadium Working Group Meeting held on 25 September 2019, be received for discussion.”

SUMMARY

Cr David Pease was appointed Chair and Cr Amina Keygan was appointed Deputy Chair of the Working Group.

Terms of Reference for the Working Group were discussed.

Members requested to provide a list of requirements for their club in a new Sports Centre to Council by Monday 14 October in preparation for next meeting.

ATTACHMENTS

1. [Minutes of Burnie Indoor Sports Stadium Working Group Meeting 25 September 2019 Confirmed](#)

COUNCIL RESOLUTION

Resolution number: MO398-19

MOVED: *Cr D Pease*

SECONDED: *Cr A Keygan*

“THAT the Unconfirmed Minutes of meeting of the Burnie Indoor Sports Stadium Working Group Meeting held on 25 September 2019, be received for discussion.”

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

Meeting Minutes



Meeting: **BURNIE INDOOR SPORTS STADIUM WORKING GROUP**
 Held on: 4:00 pm; Wednesday 25 September 2019
 Venue: Council Chambers
 File No(s): 5/19/6

The meeting opened at 4.05pm.

		Action
	<p>Present Cr David Pease, Cr Amina Keygan, Cr Ken Dorsey, Rodney Greene, Gary Neil, Adrian Evans, Mark Radford, Scott Knight, Alan Hudson, Trevor Rawlings, Jasmine Gaul, Ben Jones, Bev Robotham, Michael Rowlands, Leon Saltmarsh, Allison Daley (Minutes)</p>	
	<p>Apologies Brett Kershaw, Mitchell Oliver, Tim Waller</p>	
1	<p>Introductions Rodney Greene welcomed everyone to the meeting and introductions were made.</p>	
2	<p>Appointment of Chair Person and Deputy Chair After some discussion, David Pease was nominated by Cr Ken Dorsey and accepted the role of Chair Person; Cr Amina Keygan was nominated by Cr David Pease and accepted the role of Deputy Chair.</p>	
3	<p>Terms of Reference</p> <ul style="list-style-type: none"> - Needs analysis for a multi-use indoor sports stadium in the Burnie region. - Determine location options – existing site or new site. - Work on options for multi-use indoor sports stadium - How often meetings should be held. Decided meetings will be held monthly at 7 am. - Subject to Council accepting recommendations, the working group will then start to work on concept designs, budget and capital. - Package to State Government next year for 2021 funding. - Will seek a matching contribution from the Federal Government. 	

		Action
4	<p>Overview of the Investment Management Standard planning process</p> <p>Discussion was held by the group. Rodney requested the group advise what they are looking for in a new sports stadium:</p> <ul style="list-style-type: none"> - The capacity to hold National Championships - Keep the outside of building basic, don't waste money (not functional). - How much can we fit into available space? - Catering – industrial kitchen - Ability to hold conferences - Multiple change rooms - Dorms to hold camps on site - Other businesses ie. Physio, gym, sports store will ensure constant foot traffic - Cater for indoor sports ie, volleyball, basketball, badminton, netball, soccer, athletics, football, futsal soccer, roller derby, indoor archery - Need timber floor for badminton - Should we keep the old stadium? – would need new flooring but is it best to spend money on new stadium. - Clubs are restrained by a lack of facilities and coaches. - Seating is an issue, need to cater for small and large crowds, have permanent seating on one side and partitioned seating for big events (at least 1,200 people) - Meet the needs of numerous community groups - Location should consider parking and foot traffic 	
5	<p>General Business</p> <p>David suggested that members write down what their club needs or the community needs in a new sports centre and send through to council by Monday 14 October ready for next meeting.</p>	
13	<p>Next Meeting</p> <p>The next meeting will be held on Wednesday 23 October at 7am at the Burnie City Council offices.</p>	

Signed and dated (upon confirmation at next meeting):	
_____	_____
Cr David Pease Chairperson	Date

MINUTES AND REPORTS OF COMMITTEES**AO356-19 BURNIE INDOOR SPORTS STADIUM WORKING GROUP
UNCONFIRMED MINUTES OF MEETING HELD ON 23 OCTOBER
2019**FILE NO: 5/19/6

RECOMMENDATION:

“THAT the Unconfirmed Minutes of meeting of the Burnie Indoor Sports Stadium Working Group held on 23 October 2019, be received for discussion.”

SUMMARY

A collated list of sports clubs needs in a new sporting facility was circulated at the meeting.

It was agreed that Council would develop a Concept Brief for review at the next Working Group meeting.

ATTACHMENTS

1. [Burnie Indoor Sports Stadium Working Group Minutes of Meeting 23 October 2019 Unconfirmed](#)

COUNCIL RESOLUTION**Resolution number: MO399-19****MOVED: Cr D Pease****SECONDED: Cr K Dorsey**

“THAT the Unconfirmed Minutes of meeting of the Burnie Indoor Sports Stadium Working Group held on 23 October 2019, be received for discussion.”

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

Meeting Minutes - Unconfirmed



Meeting: **BURNIE INDOOR SPORTS STADIUM WORKING GROUP**
 Held on: 7:00 am; Wednesday 23 October 2019
 Venue: Council Chambers
 File No(s): 5/19/6

The meeting opened at 7.05am.

	Action
<p>Present Cr David Pease, Cr Amina Keygan, Cr Ken Dorsey, Rodney Greene, Gary Neil, Mark Radford, Scott Knight, Alan Hudson, Jasmine Gaul, Ben Jones, Bev Robotham, Michael Rowlands, Leon Saltmarsh, Tim Waller, Allison Daley (Minutes)</p>	
<p>Apologies Nil</p>	
<p>1 Introductions Cr David Pease welcomed everyone to the meeting and introductions were made.</p>	
<p>2 Review of Sporting Club's Needs A collated listing of sporting clubs needs in a new sporting facility was circulated to the Working Group a week prior to the meeting.</p> <p><u>Number of Courts</u></p> <ul style="list-style-type: none"> - Basketball and Netball require six (6) courts - Badminton requires three (3) basketball courts – four (4) badminton courts per one basketball court. Would need ample space between basketball courts - Court Configuration to minimize costs - Need to know what the budget is and then see what we can fit - Definitely six courts needed – four playing courts and two warm up courts. - Needs to have one court as a 'Show Court' area <ul style="list-style-type: none"> o With fixed seating o Limited lines on Show Court – currently too many lines on court <p><u>Types of Surfaces Required</u></p> <ul style="list-style-type: none"> - Preferred timber sprung floors - Suggested four (4) timber sprung and two (2) timber floors <p>Mark Radford</p> <ul style="list-style-type: none"> - Need to know how much money is available - The facility should be structured to hold major National Championships for all sports - Ballarat's set up has one tournament court with seating for 3,000 people, then seats go back to reveal three more courts. 	

	Action
<p>Bev Robotham</p> <ul style="list-style-type: none"> - Currently have eight (8) courts for Championships (four courts per basketball court). - Currently use the Burnie Sports Centre Wednesday nights and for 1.5 hours each Tuesday. - There is limited expansion opportunities due to a lack of access to centre other nights of the week. - We have potential for growth – we currently have a waiting list of people wanting to play. - We have small clubrooms at the centre, shared access to the meeting room, two small storage areas for poles and nets. <p><u>General Comments</u></p> <p>Memorabilia</p> <ul style="list-style-type: none"> - We are used to not having any space. - Clubs are digitizing their memorabilia and showcasing on TV in clubrooms. - Would still like a space for each club to have their memorabilia – so they feel they have a presence – segregated area. - Each club to have their own area with dividers that then open up into a large area to cater for around 200 people. <p>Kitchen</p> <ul style="list-style-type: none"> - Industrial kitchen fully equipped. <p>Bar Space</p> <ul style="list-style-type: none"> - Commercial enterprise - Run by an outside person - Need to be able to hold a function with over 200 people - Need to be able to view Show Court from bar area <p>Seating</p> <ul style="list-style-type: none"> - Fixed seating around Show Court - Electronic seating – allows for other functions - Flexibility for multi-purpose use – use other than sport - Suggest to see what has been recently built around Australia, Peter Eddy from Ballarat Basketball – ask his opinion. <p>Change Rooms</p> <ul style="list-style-type: none"> - Basketball rated on standards. - 4-5 showers – National Quality Code Standards - Seating - Whiteboard - Showers - Toilets - Access to courts from change rooms – Knox is a good example, they have a prep room with seats with access to each court. <p>Toilet Amenities</p> <ul style="list-style-type: none"> - Player amenities are separate from public amenities <p>Kiosk/Canteen</p> <ul style="list-style-type: none"> - Must be a decent facility - Needs to have a facility manager - Location is vital, not in a thoroughfare - All in one area – Ballarat is good for this. - Bar needs to be separate to kiosk/canteen <p>Location</p> <ul style="list-style-type: none"> - Les Clark Oval – some issues with location - Very few areas in Burnie to take this facility - Needs to have easy access to Centre - Need to tie the new Sports Stadium into park areas or other sporting 	

3

		Action
3	<p>Next Meeting The next meeting will be held on Wednesday 11 December at 7am at the Burnie City Council offices. Meeting closed 8.05am.</p>	

Signed and dated (upon confirmation at next meeting):	
_____	_____
Cr David Pease Chairperson	Date

Unconfirmed

MINUTES AND REPORTS OF COMMITTEES**AO357-19 BURNIE REGIONAL ART GALLERY SPECIAL ADVISORY COMMITTEE
UNCONFIRMED MINUTES OF MEETING HELD ON 18 NOVEMBER
2019**FILE NO: 29/3/9-03

RECOMMENDATION:

“THAT the Unconfirmed Minutes of meeting of the Burnie Regional Art Gallery Special Advisory Committee Meeting held on 18 November 2019, be received for discussion.”

SUMMARY

The Committee has requested Executive Manager – Corporate Governance, be invited to the next meeting to clarify the Delegation of Authority and Rules of Operation document.

However, it is recommended that this matter be first discussed by Councillors to arrive at a considered position, and that this then be communicated to all Special Committees.

The Committee also discussed the weekend closure of the Gallery and will write to Council seeking a review of this decision. This will need to be discussed as part of the 2020/21 budget preparations noting that if the Gallery remains open, there will be an expectation that the Museum will also remain open. Management is planning to undertake a survey of visitors to both facilities in 2020.

ATTACHMENTS

1 [↓](#). BRAG SAC Minutes of Meeting Unconfirmed 18 November 2019

COUNCIL RESOLUTION

Resolution number: MO400-19

MOVED: *Cr G Simpson*

SECONDED: *Cr T Brumby*

“THAT the Unconfirmed Minutes of meeting of the Burnie Regional Art Gallery Special Advisory Committee Meeting held on 18 November 2019, be received for discussion.”

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

Meeting Minutes



Meeting: **BURNIE REGIONAL ART GALLERY SPECIAL ADVISORY COMMITTEE MEETING - UNCONFIRMED**
 Held on: Monday 18 November 2019
 Venue: Burnie Regional Art Gallery
 File No(s): 29/3/9 - 03

The meeting opened at 10.00am.

		Action
1	<p>Present Mayor Steve Kons (Chairman), Dawn Oelrich (Gallery Director), Neil Thorne, Sonia Guizzo, Eleanor Austin, Joan Kelly, Michael Muruste and Mary Reilly (Minutes)</p>	
2	<p>Apologies Patricia Parke</p>	
3	<p>Confirmation of Previous Minutes <i>It was moved that the minutes of the meeting held on Monday, 9 September, 2019 be accepted as a true and accurate record. (Moved Eleanor Austin, seconded Michael Muruste. Carried</i></p>	
4	<p>Declaration of Interests No Declaration of Interests</p>	
5	<p>Chairman's Communications None</p>	
6	<p>Business Arising from the Minutes <u>Computer for Visitor Use</u> It is planned to have a computer available in the gallery early in the new year for visitors to use to research works in the collection. The obstacle has been the cost of the software to operate the database. <u>Delegation of Authority and Rules of Operation</u> Regarding the clarification of 8.1 (p) in the Delegation of Authority and Rules of Operation Document, the Director had talks with Burnie City Council Executive Manager – Corporate Governance, Michelle Neasey, however, there are still a few grey areas that need explaining with regards to lobbying either as an individual or together as a Committee. Information divulged in the meeting is confidential; can this be discussed once public knowledge? The preferred method to request change or for a budget increase, is to recommend the Committee's thoughts to Councillors as a group through the minutes. Following much discussion about this topic, the Committee decided to invite Michelle to the next meeting to explain the rules to members. RECOMMENDATION 1 <i>The Committee requests Executive Manager – Corporate Governance, Michelle Neasey, be invited to the next meeting to clarify the Delegation of Authority and Rules of Operation Document.</i></p>	

7	Director's Report	Action																		
	<p>Exhibitions/ Attendance:</p> <table border="1"> <thead> <tr> <th data-bbox="386 398 686 430">October/November</th> <th data-bbox="692 398 1104 456">Total visitors/average visitors per day</th> </tr> </thead> <tbody> <tr> <td data-bbox="386 465 686 542">TAS ART 27 September – 19 October</td> <td data-bbox="692 465 1104 645">125 to opening event (tickets \$25 per person) Official opening 27 September By limiting the number to 80 works in the exhibition (130 entries) the exhibition looked better this year although their sales numbers were down.</td> </tr> <tr> <td data-bbox="386 654 686 730">BURNIE SHINES FEATURED ARTISTS 1 Oct – 27 Oct</td> <td data-bbox="692 654 1104 913">Combined launch of the festival with the opening of the exhibition – worked very well and was a lovely evening 200-250 at event Some issues with ticketing and people confused The exhibition was very well attended hampered only by having to climb over TAS ART people on the weekend they finished.</td> </tr> <tr> <td data-bbox="386 922 686 999">Unpacked: artworks from the Collection (Foyer) 4 Sep – 5 November</td> <td data-bbox="692 922 1104 999">Michael Muruste – selected works</td> </tr> <tr> <td data-bbox="386 1008 686 1084">Jane Giblin: I Shed My Skin, A Furneaux Islands Story 25 Oct – 1 Dec</td> <td data-bbox="692 1008 1104 1084">Opening Friday 25 October 50 to opening event (combined exhs) 38 to Saturday Floor Talk (combined)</td> </tr> <tr> <td data-bbox="386 1093 686 1169">Katrin Terton: Beyond Sight 25 Oct to 1 Dec</td> <td data-bbox="692 1093 1104 1169">Volunteer Work shop: 10 Art in the Dark: 8</td> </tr> <tr> <td data-bbox="386 1178 686 1254">Unpacked: artworks from the Collection (Foyer) 5 Nov 2019 – 17 Jan 2020</td> <td data-bbox="692 1178 1104 1254">Cars and Trucks – works from the collection</td> </tr> <tr> <td data-bbox="386 1263 686 1339">Youth Art Challenge (organized by Dave Fregon) 5 – 21 November</td> <td data-bbox="692 1263 1104 1339">Learning Space Gallery only</td> </tr> <tr> <td data-bbox="386 1348 686 1424">16 Days of Activism 25 November – 10 December</td> <td data-bbox="692 1348 1104 1736">This exhibition is about stopping family violence (Changing the Story) and is a collaboration with Safe Choices/Project O and other organisations. It will include an afternoon tea on 25 November and culminating with a 1000 Hearts workshop on the 10th They will be holding a series of workshops in B&F (booked through BAFC) during the first week of the exhibition. Art therapist Kerri Lamb will conduct painting sessions to develop a mandala that will be completed by 10 December.</td> </tr> </tbody> </table>	October/November	Total visitors/average visitors per day	TAS ART 27 September – 19 October	125 to opening event (tickets \$25 per person) Official opening 27 September By limiting the number to 80 works in the exhibition (130 entries) the exhibition looked better this year although their sales numbers were down.	BURNIE SHINES FEATURED ARTISTS 1 Oct – 27 Oct	Combined launch of the festival with the opening of the exhibition – worked very well and was a lovely evening 200-250 at event Some issues with ticketing and people confused The exhibition was very well attended hampered only by having to climb over TAS ART people on the weekend they finished.	Unpacked: artworks from the Collection (Foyer) 4 Sep – 5 November	Michael Muruste – selected works	Jane Giblin: I Shed My Skin, A Furneaux Islands Story 25 Oct – 1 Dec	Opening Friday 25 October 50 to opening event (combined exhs) 38 to Saturday Floor Talk (combined)	Katrin Terton: Beyond Sight 25 Oct to 1 Dec	Volunteer Work shop: 10 Art in the Dark: 8	Unpacked: artworks from the Collection (Foyer) 5 Nov 2019 – 17 Jan 2020	Cars and Trucks – works from the collection	Youth Art Challenge (organized by Dave Fregon) 5 – 21 November	Learning Space Gallery only	16 Days of Activism 25 November – 10 December	This exhibition is about stopping family violence (Changing the Story) and is a collaboration with Safe Choices/Project O and other organisations. It will include an afternoon tea on 25 November and culminating with a 1000 Hearts workshop on the 10 th They will be holding a series of workshops in B&F (booked through BAFC) during the first week of the exhibition. Art therapist Kerri Lamb will conduct painting sessions to develop a mandala that will be completed by 10 December.	
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<p>Other Programs and Projects</p> <ol style="list-style-type: none"> Beyond Sight Volunteers - Workshop/Training with Geoff Munck and Katrin Terton was held on Thursday 24 October . Visitors/school groups have the option of using low vision glasses to go through the exhibition with a volunteer. Art in the Dark Workshop – again with Katrin and Geoff – mainly for people who work with blind or disabled people @ \$40pp and included some artists and project workers and also included one blind woman and her husband who loved the interaction and came back not only for the opening but also for the Saturday floor talk. Floor talk on Saturday 26 – both Jane and Katrin had floor talks that were very well attended. The Miners Trail – this is a production of DoMaur Theatre Group and supported by the MMG funding that BRAG/BAFC gets each year. Each of the five productions was unique, although a core of about 50% was the same in each venue but then local musicians, poets and story tellers added to the repertoire (including Neil Thorne) . <table border="1" data-bbox="459 913 1053 1131"> <thead> <tr> <th>Venue</th> <th>Date</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td>Gaiety Theatre, Zeehan (approx. 50 people attended)</td> <td>Sat 9 Nov</td> <td>7.30pm</td> </tr> <tr> <td>Athenaeum, Waratah (approx. 30 people attended)</td> <td>Sun 10 Nov</td> <td>2.30pm</td> </tr> <tr> <td>St Joseph’s School, Rosebery</td> <td>Fri 15 Nov</td> <td>7.30pm</td> </tr> <tr> <td>Paragon Theatre, Queenstown</td> <td>Sat 16 Nov</td> <td>7.30pm</td> </tr> <tr> <td>Burnie Regional Art Gallery</td> <td>Sun 17 Nov</td> <td>2.30 pm</td> </tr> </tbody> </table> Cruise ship volunteers – Mary is now able to have an online form for volunteers during cruise ship season. Friends Fund Raising – with the bar and also by selling old motorsport photos (by photographer Bruce Smart) in the BigBoysToys exhibition. Chas Kelly and SeaRoad supporting BigBoysToys – value about \$14k by loaning us a 20’ shipping container and transporting to and from Melbourne. We will pay for uplifts at either end. Bruce Gowans opening. Defibrillator – the BAFC Defib is kept in a locked room on the first floor. While this is “okay” during normal business hours, this is probably not supportable during weekends and after hours. This may be a fund-raising program in conjunction with Gallery Friends. Defibrillators vary in price but are approximately \$2500 - \$3000. <p>Workshops in the gallery/outreach:</p> <ul style="list-style-type: none"> AMaGA TAS Cultrual Competence workshops have been postponed until April 2020 Curious Kids (Early Years Program) – Tuesdays 9 – 10 @ BRAG x 4 starting 5 Nov and running to 26 Nov – these mostly booked out. Curious Kids at Rosebery (x1) and in Zeehan (X1) – in 2020 rather than sending Janine out west, we are hoping to employ and work with a contractor/tutor in Queenstown – Mary Morris. TBC but this 	Venue	Date	Time	Gaiety Theatre, Zeehan (approx. 50 people attended)	Sat 9 Nov	7.30pm	Athenaeum, Waratah (approx. 30 people attended)	Sun 10 Nov	2.30pm	St Joseph’s School, Rosebery	Fri 15 Nov	7.30pm	Paragon Theatre, Queenstown	Sat 16 Nov	7.30pm	Burnie Regional Art Gallery	Sun 17 Nov	2.30 pm	
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		Action
	<p>would save Janine from those very long drives.</p> <ul style="list-style-type: none"> • Burnie Library is collaborating with the Early Years program in 2020 and will send storytellers and books for the last ½ hour of the program. This successful program is also supported by the Friends of BRAG. • 1000 Hearts ongoing at the Museum and Gallery (monthly) Tuesdays once per month + extra workshops during Burnie Shines • Map-making at BRM – Janine facilitated but unfortunately nobody came. Janine has since gone to show David how to update Facebook – to discuss. • BRAG-Art (28 October) – Simon Spain and the Artelier project was very popular. Final networking event of the year. • Simon Spain and the Artelier workshop in the Learning Space Gallery on Monday 29 October. This is an interesting project that he is hoping to partner with BRAG next year. See information https://allthatweare.org.au/artelier/ • Dave Fregon – Street Art Event 11 Jan 2020 (Cruise Ship Day) TBC <p>New initiatives:</p> <ul style="list-style-type: none"> • Upgrading the data-base system. TAS Com will assist with migrating existing information across. • Request purchase of stand alone PC for use in Gallery to display collection. This will require some volunteers to get in place. • MMG/Arts Unearthed is allowing us to have 3 iPads for children and youth projects. • ARC Linkage with QUT – national study on the importance and impact of arts programs in regional and remote communities. Three year study that in 2020 will focus on <i>paper on skin</i> and Burnie Shines 2020. 	
8	Business Arising from the Director's Report	
9	<p>Friends of BRAG Report</p> <p><u>Tyro Card</u> Eleanor Austin, President of the Friends, reported that they are going ahead with the purchase of a Tyro Card in the next few weeks. This will enable payment for Friends' membership renewals, tickets to functions etc to be made at the Gallery with a credit card. Currently members can only pay by cash or cheque at the gallery.</p> <p><u>Derby Day</u> The Derby Day fundraiser was a huge success. The President advised that the venue, Wellers Inn, was donated at no charge. A beautiful dinner was served, there was a fashion parade held in conjunction with local fashion business, Styler (Yeltour) and just under \$4000 was raised.</p> <p><u>Christmas Festive Lunch</u> The Friends will be holding a Christmas Festive Lunch on Sunday, 1 December, 2019 in the gallery courtyard. This will be the last social gathering</p>	

	Action
<p>for the year. <u>Big Boys Toys</u> The Friends will operate a cash bar at the opening for the next exhibition, <i>Big Boys Toys</i>, to be held on Friday, 6 December. <u>Membership</u> There are currently 75 members of the Friends, including some new people</p>	
<p>10 General Business <u>Gallery Winter Hours</u> Discussion took place on the gallery winter hours. Although it is planned to close the gallery over the weekend during June, July and August for the next two years, it was agreed that the Director should write to Councillors requesting a review of the decision in light of public opinion. It was remarked that the status of the city and the perception of Burnie is diminished. <u>Facebook</u> It was suggested that the closing date for exhibitions be updated on the Facebook page weekly, in order to let patrons know how long the exhibitions still have to run. <u>Updated BRM/BRAG Calendar</u> The Jan/June 2020 Museum/Gallery six monthly calendar is due out soon. <u>Statistics</u> The Director thanked Mr Ray Crawshaw for keeping attendance statistics for the Museum & Art Gallery. <u>DoMaur Productions</u> In relation to the cooperation between the Gallery and DoMaur Productions on presenting <i>The Miners Trail</i> in west coast towns, thanks were given to Peter Winskill & Douglass Doherty for their encouragement in developing young talent, especially through first time Director, Connor French.</p>	
<p>11 Next Meeting The next meeting will be held on Monday, 10 February, 2020</p>	

Signed and dated (upon confirmation at next meeting):	
_____	_____
Chairperson	Date

MINUTES AND REPORTS OF COMMITTEES**AO358-19 BURNIE AUSTRALIA DAY SPECIAL COMMITTEE MINUTES OF MEETING HELD ON 7 OCTOBER 2019**FILE NO: 29/1/8

RECEPTION FOR DISCUSSION**RECOMMENDATION:**

“THAT the Minutes of Meeting of the Burnie Australia Day Special Committee held on 7 October 2019 be received for discussion.”

SUMMARY

At its meeting on 7 October 2019, the Burnie Australia Day Special Committee discussed ongoing arrangements for the 2020 Australia Day Ceremony including:-

- Entertainment
- Catering
- Advertising
- Program
- Australia Day Grants Application
- Award nominations

It is recommended that the minutes be received for discussion.

ATTACHMENTS

1. [Burnie Australia Day Special Committee - Minutes of Meeting held on 7 October 2019](#)

COUNCIL RESOLUTION

Resolution number: MO401-19

MOVED: *Cr K Dorsey*

SECONDED: *Cr C Lynch*

“THAT the Minutes of Meeting of the Burnie Australia Day Special Committee held on 7 October 2019 be received for discussion.”

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

 BURNIE CITY COUNCIL	 Australia Day	MINUTES BURNIE AUSTRALIA DAY SPECIAL COMMITTEE Meeting held in Councillor's Meeting Room, City Offices Monday, 7 October 2019
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TIME	2.00pm
PRESENT	Councillor K Dorsey (Chairman), M Leeson, E Singleton, J Duncan, C White Burnie City Council Staff: K Kelly
APOLOGIES	Councillor A Keygan, M Harris, R Bentley

CONFIRMATION OF MINUTES

Confirmation of Minutes of the meeting held on **22 July 2019**

Moved: E Singleton
 Seconded: C White
 Minutes accepted by the Committee

BUSINESS ARISING**1. REVIEW OF OUTSTANDING ACTIONS**

- Details of Australia Day Guest Speakers to be added to the *Record of Australia Day Award Recipients – Burnie* spreadsheet for future reference **(K Kelly)**
- Relocation of the Honour Boards to the Chamber foyer to be finalised following the 2020 Australia Day ceremony.
- Cr Dorsey to discuss musical options with R Bentley **(Cr Dorsey)**
- Discussed inclusion of Waltzing Matilda
- Cr Dorsey to approach Service Clubs for BBQ options **(In Progress)**
- Rotary are interested in being involved
- Cr Dorsey to approach Shane Howard (Goanna) to determine availability and cost of performing **(In Progress)**
- Nomination Forms to be updated to include Senior Citizen of the Year **(Complete)**
- Email and updated Nomination Form to be sent to Community Organisations seeking nominations **(Complete)**

2. CHAIRMAN'S COMMUNICATION

- Unable to secure involvement from the Navy Band
 - Investigate availability of Navy Band for 2021 ceremony.
 - Army Band availability to be investigated for 2020 ceremony.
- Unable to secure / confirm Indigenous involvement at this stage.
 - Discussions ongoing.

3. AUSTRALIA DAY 2020 – DISCUSSION

- Australia Day Grants Applications
 - Discussed application process and funding.
 - Application to be submitted.
- Indigenous involvement
 - Welcome to Country to be undertaken by Australia Day Committee Chairman at commencement of ceremony. Not required by Mayor.
- Entertainment – to be discussed further with R Bentley.
 - Discussed option of Tarkine Strings playing in foyer.
- Following discussion, decision made to not announce nominees prior to announcing award winners.
- Time limits on speeches discussed.

4. OTHER BUSINESS

- Catering
 - Sausage Sizzle outside
 - Reduced morning tea catering in foyer (lamingtons etc)
- Advertising
 - Include ceremony details in the Community Newspaper section
 - Investigate Southern Cross Community TV option for advertising (**Cr Dorsey / KK**)

NEXT MEETING

Monday, 2 December 2019 at 2.00pm

E Singleton an apology for this meeting.

Printed copies of Australia Day Award Nomination will be left at Revenue Services for collection.

MEETING CLOSED at 3.05pm

AO359-19 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 9.17pm.

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 10 December 2019.

Confirmed:



Andrew Wardlaw, GENERAL MANAGER

Confirmed:



Steven Kons, MAYOR