



## **MINUTES**

# **Ordinary Meeting**

**TUESDAY, 27 SEPTEMBER 2022**

**7.00PM**

**CITY OFFICES, 80 WILSON STREET, BURNIE**



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## OPEN SESSION

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# ORDER OF BUSINESS

## OPEN SESSION

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**MINUTES OF THE OPEN SESSION ORDINARY MEETING  
OF THE BURNIE CITY COUNCIL  
HELD AT THE CITY OFFICES ON TUESDAY, 27 SEPTEMBER 2022**

**HOUR:** 5.56pm – 5.67pm  
7.00pm – 7.59pm

**TIME OCCUPIED:** 1 hour

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

**Officers in Attendance:**

General Manager (S Overland), Director Works and Services (D White), Director Corporate (B Lynch), Executive Manager Development Services (S Pearce), Executive Manager Compliance Services (M Peisker), Chief Financial Officer (B Pilgrim), Executive Manager Corporate Governance (M Neasey), and Governance Officer (N French).

**APOLOGIES:** There were no apologies tendered.

**‘CLOSED SESSION’: COUNCIL**

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

	Meeting Regulations Reference
AC086-22 COUNCILLOR DECLARATIONS OF INTEREST	15(2)(g)
AC087-22 CONFIRMATION OF MINUTES OF THE 'CLOSED SESSION' MEETING OF COUNCIL HELD ON 23 AUGUST 2022	15(2)(g)
AC088-22 APPLICATIONS FOR LEAVE OF ABSENCE	15(2)(h)
AC089-22 BURNIE AIRPORT CORPORATION PTY LTD - QUARTERLY REPORT	15(2)(g)
AC090-22 GENERAL MANAGER'S REPORT - CLOSED SESSION	15(2)(i)
AC091-22 GENERAL MANAGER PERFORMANCE REVIEW SPECIAL COMMITTEE MINUTES OF MEETING OF 23 AUGUST 2022	15(2)(a)
AC092-22 NON AGENDA ITEMS	15(2)(f)
AC096-22 NAMING OF VIEW ROAD RESERVE PUMP TRACK	15(2)(g)
AC093-22 MATTERS CONSIDERED IN CLOSED SESSION	15(2)(f)
AC094-22 AUTHORISATION TO DISCLOSE CONFIDENTIAL INFORMATION	15(2)(f)
AC095-22 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 AC086-22 to AC095-22 which are confidential matters as prescribed in Clause 15 of the Local Government (Meeting Procedures) Regulations 2015”***

**COUNCIL RESOLUTION****Resolution number: MO178-22****MOVED:** Cr C Lynch**SECONDED:** Cr D Pease

***“THAT the meeting be closed to the public to enable Council to consider agenda items AC086-22 to AC095-22 which are confidential matters as prescribed in Clause 15 of the Local Government (Meeting Procedures) Regulations 2015”***

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

**Against:**

***CARRIED UNANIMOUSLY***

**Confidential Reason****Reg**

- 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

In accordance with Regulation 34(1)(b) of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that the following matters were considered in Closed Session:

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Agenda Item	Title	Brief Description
AC086-22	Councillor Declarations of Interest	A report to consider any declarations of interest by Councillors in any matter in the Agenda
AC087-22	Confirmation of Minutes of the Closed Session Meeting of Council held on 23 August 2022	A motion to confirm the Minutes of the previous meeting
AC088-22	Applications for Leave of Absence	A report to consider any requests for leave of absence by a Councillor
AC089-22	Burnie Airport Corporation Pty Ltd – Quarterly Report	A report to receive the quarterly report from Burnie Airport Corporation, of which Council is a shareholder
AC090-22	General Manager's Report – Closed Session	A report that considers various operational updates of a confidential nature
AC091-22	General Manager Performance Review Special Committee Minutes of Meeting of 23 August 2022	A report to confirm the General Manager Performance Review Special Committee Minutes of Meeting
AC092-22	Non Agenda Items	A report to consider dealing with any matter that is not on the Council Agenda
AC096-22	Naming of View Road Reserve Pump Track	A report to consider naming the View Road Reserve Pump Track
AC093-22	Matters Considered in Closed Session	A report containing a brief description of all reports considered by Council in the Closed Session
AC094-22	Authorisation to Disclose Confidential Information	A report that authorises the Mayor and General Manager to disclose information if required during the course of implementing the decisions of Council
AC095-22	Completion of Closed Session/Meeting Adjournment	This report confirms the completion of the Closed Session



## RESUMPTION

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

## ACKNOWLEDGEMENT OF COUNTRY

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

*I begin today by acknowledging the Palawa people, traditional owners of the land Palawa Burnie on which we meet.*

## VIDEO RECORDING AND LIVE STREAMING

It is noted that the open session of the meeting will be video recorded and live streamed. The live stream is accessible from <https://webcast.burnie.tas.gov.au/>

The video 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 Jared Emery of Romaine Park Christian Centre.

## ACKNOWLEDGEMENT OF QUEEN ELIZABETH II

The Mayor called for a minute's silence to pay tribute to Her Majesty, Queen Elizabeth II.

**AO163-22 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.

Mayor S Kons declared an interest in Item AO170-22 Motion on Notice – Mayoral Allowance

Deputy Mayor G Simpson declared an interest in Item AO175-22 Community Grant – Burnie City Youth Council – Drive In Cinema Event and Item AO176-22 Community Grant – Emusicians 2022 Tour

Cr T Brumby declared an interest in Item AO170-22 Motion on Notice – Mayoral Allowance

Cr K Dorsey declared an interest in Item AO170-22 Motion on Notice – Mayoral Allowance

Cr A Keygan declared an interest in Item AO170-22 Motion on Notice – Mayoral Allowance and Item AO176-22 Community Grant – Emusicians 2022 Tour

Cr C Lynch declared an interest in Item AO170-22 Motion on Notice – Mayoral Allowance

Cr D Pease declared an interest in Item AO170-22 Motion on Notice – Mayoral Allowance

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**AO164-22 CONFIRMATION OF MINUTES OF THE OPEN SESSION MEETING OF COUNCIL HELD ON 23 AUGUST 2022****RECOMMENDATION:**

***“THAT the minutes of the ‘Open Session’ of the Burnie City Council, held at the City Office on 23 August 2022, be confirmed as true and correct.”***

**COUNCIL RESOLUTION**

**Resolution number: MO179-22**

**MOVED:**            *Cr G Simpson*

**SECONDED:**      *Cr D Pease*

***“THAT the minutes of the ‘Open Session’ of the Burnie City Council, held at the City Office on 23 August 2022, be confirmed as true and correct.”***

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

**Against:**

***CARRIED UNANIMOUSLY***

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**QUESTIONS ON NOTICE****AO165-22 QUESTION ON NOTICE - MAYOR S KONS  
FINANCIAL MATTERS**

FILE NO: 15/5/5, 22/26096

PREVIOUS MIN:

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**THE GENERAL MANAGER** referred to Mayor Steve Kons's Questions on Notice which asked:

1. *What is Councils current cash balance?*
2. *What is the amount owing to the State Government on the cheap interest loan obtained during covid?*
3. *What are the outstanding rates due for the rest of the financial year including arrears?*
4. *What is the estimated amount of the financial assistance grant which the Commonwealth Government has been paying prior to the end of the financial year for the following financial year?*
5. *What is the amount Council budgets in the financial management plan to keep as free cash?*
6. *What are the other income streams budgeted for for (sic) the financial year i.e. fees, charges, grants etc.*

**COUNCILLOR'S COMMENTS**

To ascertain current liquidity.

**GENERAL MANAGER'S COMMENTS**

1. *What is Councils current cash balance?*

As at 31 August 2022, the cash balance was \$30,823,287.34, made up as per table below. Investments have occurred in September in line with Council strategy to invest surplus funds post receipt of rates payments. Some further investments will be placed in late September.

Trading Account	\$21,427,907
At Call Account	\$1,883,080.34
Investments (Term deposits)	\$7,512,300
Total	\$30,823,287.34

2. *What is the amount owing to the State Government on the cheap interest loan obtained during covid?*

The current balance owing of the COVID-19 concessional loan is \$8,467,438.27. The next payment is due in December 2022 for \$571,311.49. The original loan of \$10.398m was acquired to enable Council to undertake strategic projects. To date these funds have offset prior year deficits with a remaining balance of approximately \$3.598 million which can be allocated towards future strategic projects.

Of this \$2 million has been allocated to the Cultural Centre project.

3. *What are the outstanding rates due for the rest of the financial year including arrears?*

The balance outstanding including arrears as at 19 September 2022 is \$9,620,197.83 (arrears were \$1,196,171.44).

4. *What is the estimated amount of the financial assistance grant which the Commonwealth Government has been paying prior to the end of the financial year for the following financial year?*

The total grant for Burnie City Council for 2022-23 is \$2,971,149 consisting of a base grant of \$1,542,661 and a road grant of \$1,428,488. Council received \$2,219,476 of this amount in advance during 2021-22 financial year. The balance to be received for 2022-23 is \$751,673. It is unknown at this time as to whether a payment in advance for 2023-24 funding will be made at the end of the current financial year and if so the quantum that this might be.

5. *What is the amount Council budgets in the financial management plan to keep as free cash?*

Council target a cash buffer (based on the cash expense cover ratio) as outlined in the Financial Management Strategy of 3 to 6 months cash for operational purposes. The Tasmanian Audit Office consider this an acceptable ratio of cash to sustain operational needs. This constitutes a target is \$6.5m - \$14m in operational funds, excluding cash required for capital works. These funds are held between trading, at call accounts and investment accounts during the year to ensure a return can be generated while maintaining access to funds as required to support operations. Council's cash and investment balance is much higher at the beginning of the financial year, due to rates receipts, and decreases across the year as cash is used to fund Council's operations.

Additionally with regard to capital works it is important to note that Council will need to leverage its own funds to construct major assets during the 2022-23 and 2023-24 financial years (as external funds will be received in arrears on a cash basis). The cash position in these years is supported by borrowed funds, effectively underpinned by the Covid-19 concessional loan.

6. *What are the other income streams budgeted for for (sic) the financial year i.e. fees, charges, grants etc.*

As outlined in the Annual Plan and Budget Estimates 2022-23, the income streams are as follows:

Investment income	828,000
Operational Grants	2,984,219
Other income	747,916
Rates and charges	26,084,655
Reimbursements	350,951
Statutory fees and fines	910,162
User Fees	3,484,244

**RECOMMENDATION:**

***“THAT the information be noted.”***

**COUNCIL RESOLUTION**

**Resolution number: MO180-22**

***MOVED: Cr S Kons***

***SECONDED: Cr G Simpson***

***“THAT the information be noted.”***

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

Against:

***CARRIED UNANIMOUSLY***

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**QUESTIONS ON NOTICE****AO166-22 QUESTION ON NOTICE - CR A KEYGAN  
COASTAL PATHWAY  
CBD RECYCLING**

**FILE NO:** 15/5/5, 22/26156  
**PREVIOUS MIN:**

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

- 1. *Could the General Manager please provide an update on the progress on the Coastal Pathway from Burnie to Wynyard, including a timeline, if known.***
- 2. *Could the General Manager, or officer, please outline the disposal process for the recycling bins in the CBD? Is it possible that land fill and recycling are collected into the same truck bound for landfill?***

**COUNCILLOR'S COMMENTS**

No comments provided.

**GENERAL MANAGER'S COMMENTS**

1. Regular monthly meetings have commenced with Wynyard Waratah Council representatives and the principal consultant.

The Environmental Assessment is complete.

A time line with key dependencies is being developed.

A review of the original budget will be conducted.

A joint communication plan between Burnie and Wynyard councils is being developed with links to each council web page. Once established the web page will be regularly updated keeping the community informed of progress and key project milestones.

2. In relation to recycling bins these are provided by the contractor responsible for collection, Veolia. These bins are barcoded with a sticker/etched and serial number etched on bin. Our waste team will not pick up any of these labelled bins.

As for general waste bins whilst we do recommend green with red lids the members of public are using a variety of bin colours including green with yellow lids which do look the same as the recycle bins.

There has been three (3) times in the last four (4) years where the waste team have collected a recycle bin. In these instances it has been due to contamination. When this occurs Veolia will sticker the bin as contaminated and contact the waste team leader so we can collect the bin.

**RECOMMENDATION:**

***“THAT the information be noted.”***

**COUNCIL RESOLUTION**

**Resolution number: MO181-22**

***MOVED: Cr A Keygan***

***SECONDED: Cr G Simpson***

***“THAT the information be noted.”***

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

**Against:**

***CARRIED UNANIMOUSLY***



***MOTIONS ON NOTICE***

**AO167-22 MOTION ON NOTICE - ACKNOWLEDGEMENT OF COUNTRY**

**FILE NO:** 15/5/2, 22/26255  
**PREVIOUS MIN:**

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The Mayor advised that Item AO167-22 was withdrawn by Cr K Dorsey.

***MOTIONS ON NOTICE***

**AO168-22 MOTION ON NOTICE - ABORIGINAL FLAG**

FILE NO: 15/5/2, 22/26255  
PREVIOUS MIN:

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The Mayor advised that Item AO168-22 was withdrawn by Cr K Dorsey.

***MOTIONS ON NOTICE***

**AO169-22 MOTION ON NOTICE - ONE MINUTE SILENCE - QUEEN ELIZABETH II**

**FILE NO: 15/5/2, 22/26256**

**PREVIOUS MIN:**

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The Mayor advised that Item AO169-22 was withdrawn by Cr K Dorsey.

Mayor S Kons vacated the chair and Deputy Mayor G Simpson took the chair, the time being 7.23pm.

Mayor S Kons, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan and Cr D Pease all left the meeting having declared an interest in item AO170-22, the time being 7.23pm.

### **MOTIONS ON NOTICE**

#### **AO170-22 MOTION ON NOTICE - MAYORAL ALLOWANCE**

**FILE NO:** 15/5/2, 22/26255, 22/26301  
**PREVIOUS MIN:**

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

***“THAT Council put forward a motion to LGAT that the Mayoral salary be reduced to be commensurate with duties.”***

#### **COUNCILLOR’S COMMENTS**

The Mayors currently receive 2.5 X a Councillor allowance plus the Councillor allowance. Burnie for example, pays the Mayor the Councillor allowance of \$23,358 plus the Mayoral allowance of \$58,396 to arrive at a sun total of \$81,754. The real question are the Mayoral duties substantially greater than those of a hardworking Councillor?

The upcoming election has highlighted the fallacy of the Mayoral role. With regards to the Council setting a direction or specific task to complete, each Councillor has the ability to set an agenda item or put forward ideas for consideration. Mayoral candidates have declared a new direction and ideas for progressing the city; however, the opportunity to do so has always been available to them.

As Mayor, they will have no further influence than they currently enjoy – 1 vote and no restriction on ideas.

I appreciate that a Mayor has greater responsibility in chairing meetings, being a figurehead (which perpetuates the role), is the Council spokesperson for Council decisions (it must be noted that the Mayor is not dissimilar to a Councillor – they have their own opinion and are free to express their opinion).

All Councillors must also promote good governance, liaise with the general manager on council matters, participate in the general manager’s appointment and monitor the general manager’s performance. Therefore, does the similarity in roles constitute the 250% increase over that of a Councillor?

This is a motion for consideration to be progressed at LGAT. The information gleaned highlights the cost to the rate payers of Tasmania of 29 Councils and the savings that can be derived by reducing the number of Councils. The savings to Burnie alone by reducing the Mayoral allowance to a realistic rate would save Burnie more than the current budget surplus.

## **Legislation**

### **Councillors**

*Councillors have responsibilities as individuals and collectively as part of a council. There are several key elements to the role of a councillor, including:*

- *representing and acting in the interests of the community; and*
- *developing and monitoring the implementation of strategic plans, budgets, policies and programs.*

*Councillors are not authorised to direct the employees of a council, or to perform the function of a mayor without the approval of the mayor.*

### **Mayors and deputy mayors**

*Mayors and deputy mayors are directly elected by residents and ratepayers. They must also be separately elected as councillors and perform the role and functions of a councillor.*

*In addition to the functions they perform as councillors a mayor is the figurehead of the council. He or she represents the council in civic duties and acts as the council's spokesperson. The mayor must also promote good governance, chair council meetings, liaise with the general manager on council matters, lead and participate in the general manager's appointment and monitor the general manager's performance.*

*A deputy mayor may act in the mayor's role when the mayor is absent, or by approval of the mayor."*

*Information sourced from [Department of Premier and Cabinet \(dpac.tas.gov.au\)](http://dpac.tas.gov.au)*

## **GENERAL MANAGER'S COMMENTS**

The basis on which the motion is being put forward appears to misunderstand the nature and responsibilities of the Mayoral role, equating it with that of councillor. That is simply not the case.

Councillors can choose how actively they might wish to discharge the functions of that office. The better argument is for an increase in councillors' allowance, given the requirements for the proper discharge of that role and the time and energy most councillors invest in their councillor duties.

The Mayor necessarily has a range of responsibilities that cannot be avoided and require daily attention. This extends well beyond simply chairing Council meetings, and includes regular liaison with the General Manager and other senior Council staff on media issues,

public concerns and complaints, stakeholder meetings, attention to incoming and outgoing correspondence, ceremonial responsibilities and attendance at a range of community and civic functions to represent Council.

Effective Mayors act as a sounding board for the General Manager and wise source of advice on matters that extend into Council's domain. While General Managers are available to all councillors, the most regular, frequent and numerous contact is with the Mayor.

The timing of this motion may also be questioned, given this matter could have been raised at any time in the past four years, but is now being raised in the shadow of the forthcoming Council election. It might be perceived by some in the community as rank political opportunism and attention seeking.

It is recommended that this motion not be supported.

#### ATTACHMENTS

1 [↓](#). Councillor and Mayoral Allowance Worksheet

<b>RECOMMENDATION:</b>
<i><b>"THAT Council put forward a motion to LGAT that the Mayoral salary be reduced to be commensurate with duties."</b></i>
<i><b>Motion lapsed due to the mover and a quorum not being present</b></i>

Mayor S Kons, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan and Cr D Pease returned to the meeting, the time being 7.24pm.

Deputy Mayor G Simpson vacated the chair and Mayor S Kons resumed the chair, the time being 7.24pm.

Municipality	Councillor Allowance	Deputy Mayor Allowance	Mayoral Allowance	Total Allowance Mayor	Number of Councillors	Councillor Total cost to Municipality	Mayor and Deputy Total cost to Municipality	Total cost	new calc Dep X 1.4	new calc mayor X 2.5	Total cost	Saving per municipality
Hobart City	\$ 38,099	\$ 24,605	\$ 95,248	\$ 133,347	12	\$ 457,188	\$ 196,051	\$ 653,239	\$ 53,339	\$ 95,248	\$ 148,586	\$ 47,465
Launceston City	\$ 38,099	\$ 24,605	\$ 95,248	\$ 133,347	12	\$ 457,188	\$ 196,051	\$ 653,239	\$ 53,339	\$ 95,248	\$ 148,586	\$ 47,465
Clarence City	\$ 30,844	\$ 21,432	\$ 77,106	\$ 107,950	12	\$ 370,128	\$ 160,226	\$ 530,354	\$ 43,182	\$ 77,110	\$ 120,292	\$ 39,934
Glenorchy City	\$ 30,844	\$ 21,432	\$ 77,106	\$ 107,950	12	\$ 370,128	\$ 160,226	\$ 530,354	\$ 43,182	\$ 77,110	\$ 120,292	\$ 39,934
Kingborough	\$ 30,844	\$ 21,432	\$ 77,106	\$ 107,950	10	\$ 308,440	\$ 160,226	\$ 468,666	\$ 43,182	\$ 77,110	\$ 120,292	\$ 39,934
<b>Burnie City</b>	<b>\$ 23,358</b>	<b>\$ 18,256</b>	<b>\$ 58,396</b>	<b>\$ 81,754</b>	<b>9</b>	<b>\$ 210,222</b>	<b>\$ 123,368</b>	<b>\$ 333,590</b>	<b>\$ 32,701</b>	<b>\$ 58,395</b>	<b>\$ 91,096</b>	<b>\$ 32,272</b>
Central Coast	\$ 23,358	\$ 18,256	\$ 58,396	\$ 81,754	9	\$ 210,222	\$ 123,368	\$ 333,590	\$ 32,701	\$ 58,395	\$ 91,096	\$ 32,272
Devonport City	\$ 23,358	\$ 18,256	\$ 58,396	\$ 81,754	9	\$ 210,222	\$ 123,368	\$ 333,590	\$ 32,701	\$ 58,395	\$ 91,096	\$ 32,272
West Tamar	\$ 23,358	\$ 18,256	\$ 58,396	\$ 81,754	9	\$ 210,222	\$ 123,368	\$ 333,590	\$ 32,701	\$ 58,395	\$ 91,096	\$ 32,272
Brighton	\$ 15,876	\$ 15,080	\$ 39,686	\$ 55,562	9	\$ 142,884	\$ 86,518	\$ 229,402	\$ 22,226	\$ 39,690	\$ 61,916	\$ 24,602
Huon Valley	\$ 15,876	\$ 15,080	\$ 39,686	\$ 55,562	9	\$ 142,884	\$ 86,518	\$ 229,402	\$ 22,226	\$ 39,690	\$ 61,916	\$ 24,602
Meander Valley	\$ 15,876	\$ 15,080	\$ 39,686	\$ 55,562	9	\$ 142,884	\$ 86,518	\$ 229,402	\$ 22,226	\$ 39,690	\$ 61,916	\$ 24,602
Northern Midlands	\$ 15,876	\$ 15,080	\$ 39,686	\$ 55,562	9	\$ 142,884	\$ 86,518	\$ 229,402	\$ 22,226	\$ 39,690	\$ 61,916	\$ 24,602
Sorell	\$ 15,876	\$ 15,080	\$ 39,686	\$ 55,562	9	\$ 142,884	\$ 86,518	\$ 229,402	\$ 22,226	\$ 39,690	\$ 61,916	\$ 24,602
Waratah-Wynyard	\$ 15,876	\$ 15,080	\$ 39,686	\$ 55,562	9	\$ 142,884	\$ 86,518	\$ 229,402	\$ 22,226	\$ 39,690	\$ 61,916	\$ 24,602
Break O'Day	\$ 13,268	\$ 12,700	\$ 33,172	\$ 46,440	9	\$ 119,412	\$ 72,408	\$ 191,820	\$ 18,575	\$ 33,170	\$ 51,745	\$ 20,663
Circular Head	\$ 13,268	\$ 12,700	\$ 33,172	\$ 46,440	9	\$ 119,412	\$ 72,408	\$ 191,820	\$ 18,575	\$ 33,170	\$ 51,745	\$ 20,663
Derwent Valley	\$ 13,268	\$ 12,700	\$ 33,172	\$ 46,440	9	\$ 119,412	\$ 72,408	\$ 191,820	\$ 18,575	\$ 33,170	\$ 51,745	\$ 20,663
Dorset	\$ 13,268	\$ 12,700	\$ 33,172	\$ 46,440	9	\$ 119,412	\$ 72,408	\$ 191,820	\$ 18,575	\$ 33,170	\$ 51,745	\$ 20,663
George Town	\$ 13,268	\$ 12,700	\$ 33,172	\$ 46,440	9	\$ 119,412	\$ 72,408	\$ 191,820	\$ 18,575	\$ 33,170	\$ 51,745	\$ 20,663
Latrobe	\$ 13,268	\$ 12,700	\$ 33,172	\$ 46,440	9	\$ 119,412	\$ 72,408	\$ 191,820	\$ 18,575	\$ 33,170	\$ 51,745	\$ 20,663
Glamorgan-Spring Bay	\$ 11,174	\$ 11,113	\$ 27,934	\$ 39,108	8	\$ 89,392	\$ 61,395	\$ 150,787	\$ 15,644	\$ 27,935	\$ 43,579	\$ 17,816
Kentish	\$ 11,174	\$ 11,113	\$ 27,934	\$ 39,108	8	\$ 100,566	\$ 61,395	\$ 161,961	\$ 15,644	\$ 27,935	\$ 43,579	\$ 17,816
Southern Midlands	\$ 11,174	\$ 11,113	\$ 27,934	\$ 39,108	7	\$ 78,218	\$ 61,395	\$ 139,613	\$ 15,644	\$ 27,935	\$ 43,579	\$ 17,816
West Coast	\$ 11,174	\$ 11,113	\$ 27,934	\$ 39,108	9	\$ 100,566	\$ 61,395	\$ 161,961	\$ 15,644	\$ 27,935	\$ 43,579	\$ 17,816
Central Highlands	\$ 9,777	\$ 10,319	\$ 24,441	\$ 34,218	9	\$ 87,993	\$ 54,314	\$ 142,307	\$ 13,688	\$ 24,443	\$ 38,130	\$ 16,184
Flinders	\$ 9,777	\$ 10,319	\$ 24,441	\$ 34,218	7	\$ 68,439	\$ 54,314	\$ 122,753	\$ 13,688	\$ 24,443	\$ 38,130	\$ 16,184
King Island	\$ 9,777	\$ 10,319	\$ 24,441	\$ 34,218	9	\$ 87,993	\$ 54,314	\$ 142,307	\$ 13,688	\$ 24,443	\$ 38,130	\$ 16,184
Tasman	\$ 9,777	\$ 10,319	\$ 24,441	\$ 34,218	7	\$ 68,439	\$ 54,314	\$ 122,753	\$ 13,688	\$ 24,443	\$ 38,130	\$ 16,184
<b>Total</b>	<b>\$ 520,830</b>	<b>\$ 438,938</b>	<b>\$ 1,302,046</b>	<b>\$ 1,822,876</b>		<b>\$ 5,059,342</b>	<b>\$ 2,782,644</b>	<b>\$ 7,841,986</b>	<b>\$ 729,162</b>	<b>\$ 1,302,075</b>	<b>\$ 2,031,237</b>	<b>\$ 751,407</b>

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**PUBLIC QUESTION TIME****AO171-22 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.

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**Our Process for Public Questions**

All public questions are required to be submitted by 5pm the Friday before the Council Meeting. You can submit your question online at [www.burnie.tas.gov.au](http://www.burnie.tas.gov.au) or obtain a form from Customer Services. There is a limit of two questions per person.

Please note:

- You do not need to be present at the meeting to ask your question
- If you are in attendance at the meeting, you will be invited by the Mayor to read out your question. Please use the microphone as directed
- If it is not possible to answer the question at the meeting, the General Manager will provide a written answer within 10 days
- All questions must be in writing and the question and answer cannot be debated
- The Mayor may refuse to accept a question
- Parliamentary Privilege does not apply at Council Meetings
- Council Meetings are recorded

Ian Jones of Burnie:

- 1) *Will Council consider a trial of extending the free parking offered at the MSCP to include Saturdays in an effort to attract more customers to the CBD?***

The Mayor provided the following response:

Thank you for this suggestion. While I think it is an idea worth pursuing, given the forthcoming Council elections it should be considered by the new Council post-election. Council would forego \$2,500-\$3,000 parking revenue per week, if it were to pursue a trial of this nature. Council would need to be persuaded that the benefit outweighed this loss of revenue.

I am advised that Council officers are currently pursuing an arrangement whereby we would have access to open source data that will enable Council to track movements into, around and out of our CBD. This data will enable a meaningful and objective analysis of any change in behaviour as a consequence of such a trial.

A written response will be provided.



- 2) ***Will Council consider a trial of removing the outdoor seating charge of \$6 per seat on cafes and restaurants over the cruise ship season with a view to removing it completely if it is a successful trial?***

The Mayor provided the following response:

Thanks for your question Ian. My advice is similar to the previous advice I have given you. This is an idea worth pursuing, but a decision should be made by the next Council after Council is elected. I have asked Council officers to ensure this issue is brought back to the next Council when it is elected next time around rather a political decision before a Council election.

Justin McErlain of Wynyard:

- 1) ***According to the General Manager's Communication Report on 15 September there was a meeting with State Growth on Burnie's Road Network Operation. Can the GM advise of the specific outcomes of that meeting including if there were discussions on AO165-21 MOTION ON NOTICE - TRAFFIC SIGNALS CBD in regard to lengthening traffic signal intervals for the four major intersections in the CBD, and consideration of installing 'remaining time to walk' mechanisms; including if necessary making an application for funding from the Road Safety Levy.***

The Mayor provided the following response:

I am advised by the General Manager that the meeting was at the request of the Department of State Growth to engage in a network operations planning process for the Burnie CBD and key links into and out of this area. The aim of this work is to develop an understanding of the purpose of each link within the study area and to ensure that key safety and mobility outcomes are achieved, both through the delivery of an efficient traffic signals plan, as well as identifying potential projects and other remediations for both road owners in supporting these objectives.

Further, the Department are currently reviewing the Intelligent Transport Systems (ITS) infrastructure within the project area with a view to upgrading and commissioning increased levels of service to help enable the efficient movement of people around these key links.

I am advised that the workshop specifically examined the matters subject of the motion you have referred to and Burnie City Council is awaiting for further advice back from the Department. It is understood that advice will be provided within the next month and the purpose of the motion implemented shortly thereafter.

Council officers also advise me that the workshop was very productive and beneficial for both parties.

- 2) ***Reading from the ANNUAL PLAN REPORT 2021-22 - FINAL it is expected that the final Digital Transformation Strategy will be delivered at the end of August 2022, Has that***

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***been completed and are you able to advise details of the objectives of the plan and will it be available for study by the public?***

The Mayor provided the following response:

A draft Digital Transformation Strategy has been received from the Council's partner on this project, 2PM Consultants. The Strategy has been developed taking into account of extensive consultation undertaken with the community regarding how the Council might better serve them using technology, and also with significant input of our Council staff.

The Council's Executive will consider the draft in the coming weeks before undertaking a two week consultation process with our staff. Following the election of the new Council, the Strategy will be presented to the Council for endorsement at which point the Strategy will become a public document.

The Strategy has a ten year view, with an initial focus on the first five years of that horizon. Fundamentally the first horizon will be on building our technology capability and capacity to serve our community and staff in a more effective and efficient manner, with the second horizon looking more broadly at true transformative practices such as Smart City initiatives.

The Digital Transformation Strategy will take effect from 1 July 2023.

Jacob van Es of Burnie:

- 1) *Why do we not have any proper bicycle path lanes around Burnie for the cyclist safety and proper use of bike lanes to be able to tranverse from one place to another without having to commit our safety on public roads.***

The Mayor provided the following response:

Burnie City Council provides a high level of amenity to the city through provision of a wide range of infrastructure, including roads and footpaths. Burnie City Council, in partnership with the State Government and Waratah-Wynyard Council, is currently delivering the coastal pathway between Burnie and Wynyard that will provide for off road cycling between those two locations.

Broader provision of dedicated bike lanes on roadways or bike paths throughout Burnie has not been identified as a priority issue to date. Burnie City Council is about to develop its new 10 year+ strategic plan and this issue that can be further explored through that process. If the Burnie community sees this as a priority in the future then development of bike paths can be planned for and funded in future Council budgets.

- 2) *Why are there no proper bicycle parking facilities in Burnie CBD, upper Burnie, South Burnie and Wivenhoe.***

The Mayor provided the following response:

As per my previous answer, Burnie City Council is prepared to look at this issue in the context of our strategic planning and we will definitely look at this.

Mary Ritchie of Burnie:

- 1) *There is a rapidly deteriorating building in our street (9A Deacon Street Upper Burnie) due to wilful vandalism which diminishes the feeling of being safe in your neighbourhood. Not only is it an eyesore I also believe it is detracting from the appeal of our street and depreciating the value of our properties. Is there any way council can intervene and require the owner/owners to secure the building and repair the broken windows & doors to restore it to a reasonable state?***

The Mayor provided the following response:

There are powers under the *Building Act 2016* to deal with dilapidated buildings. Under section 4 of the Act, a dilapidated building is a building which has an unsightly appearance due to neglect, disrepair, defacement or damage, particularly compared to its surroundings.

It is not possible to have all encompassing criteria that can apply to dilapidated buildings in all situations. However, some examples of specific conditions that may cause a building to be considered dilapidated include:

- broken windows, or major damage to window screens/external window frames significant damage to roofs, roof coverings or guttering
- significant damage to exterior building surfaces (for example peeling paint)
- broken exterior doors or major damage to exterior door frames
- partially completed or partially demolished buildings or
- excessive graffiti.

In exercising these powers regard must be had to a range of factors to ensure they are exercised appropriately and lawfully. This will depend to a degree on the facts of each case.

It is not appropriate for me to make detailed comment about the particular property identified in your question. The exercise of the statutory powers I have referred to are matters for the General Manager and councillors are not able to become involved. Suffice to say the Council officers are aware of the property and will respond directly to the people who have asked the questions tonight about this particular situation.

- 2) *If there isn't provision for council to act in its current guidelines/legislation/rules or regulations to maintain a pleasant and safe environment for ratepayers to live, can they look to implementing a plan to do so?. Even if it requires council to attend to the initial task and recover the debt at a later time ie compulsory sale, as they are able to do with unpaid rates.***

The Mayor provided the following response:

There are various powers available to Council's officers under the *Building Act 2016*, including to undertake works and charge the land owner, however there is a lengthy process specified in the legislation that is required to be followed.

Council Officers are aware of the situation and everyone who has written in will get a response.

The Mayor noted that a number of further questions were received, all relating to the above property, for which the above response applies, and all will receive a response from Council.

**QUESTIONS WITHOUT NOTICE****AO172-22 QUESTIONS WITHOUT NOTICE****FILE NO: 15/5/5**

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**Questions without Notice**

Questions without Notice may be asked by councillors, in accordance with Regulation 29 of the *Local Government (Meeting Procedures) Regulations 2015*.

The Regulation provides that a councillor may ask a question of the chairperson, another councillor, or the general manager – Reg 29(1).

In putting a question without notice at a meeting, a councillor must not offer an argument or opinion, or draw any inference or make any imputations, except so far as may be necessary to explain the question – Reg 29(2).

The Chairperson must not permit any debate of a question without notice, or its answer – Reg 29(3).

The Chairperson, councillor or general manager who is asked a question without notice at a meeting may decline to answer the question – Reg 29(4).

The Chairperson may refuse to accept a question without notice if it does not relate to the activities of the Council – Reg 29(5).

The Chairperson may require a councillor to put a question without notice in writing – Reg 29(7).

The Mayor facilitated responses to Questions Without Notice as raised by Councillors.

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**WORKS AND SERVICES****AO173-22 CRADLE COAST WASTE MANAGEMENT GROUP  
STRATEGIC PLAN 2023-2028****FILE NO: 2/5/37****PREVIOUS MIN:**

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MAKING BURNIE 2030 – CORPORATE PLAN REFERENCE:

Direction	5	A NATURAL AND BUILT ENVIRONMENT THAT IS RESPECTED AND CARED FOR
Objective	5.4	A region that is energy, water and waste efficient.
Strategy	5.4.3	Support the State and regional strategies in waste reduction.

**1.0 RECOMMENDATION:**

***“THAT Council notes the Cradle Coast Waste Management Group – Strategic Plan 2023-2028 as attached to this report.”***

**2.0 SUMMARY**

The Cradle Coast Waste Management Group (CCWMG) was formed to provide a regional focus on waste management activities conducted by North West Councils and to develop and implement initiatives to reduce waste, to adopt re-use activities and to increase the amount of waste diverted from landfill.

The **attached** Cradle Coast Waste Management Group – Strategic Plan 2023-2028 has been prepared to guide waste management activities of the region for the next five years. The Plan provides a direction for the CCWMG to implement its Annual Plan and Budget programs each year.

The CCWMG strategic focus is across four (4) key target areas by 2028:

- Regionally consistent waste management practices.
- 60% MSW recovery.
- Recycling bin contamination rates.
- Phase out single use plastics.

Other items of importance are:

- National Waste Policy Framework drivers.
- State introduction of container refund scheme.

**ATTACHMENTS**

1 [↓](#). Cradle Coast Waste Management Group Strategic Plan 2023-2028

**COUNCIL RESOLUTION**

**Resolution number: MO182-22**

***MOVED: Cr D Pease***

***SECONDED: Cr A Boyd***

***“THAT Council notes the Cradle Coast Waste Management Group – Strategic Plan 2023-2028 as attached to this report.”***

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

**Against:**

***CARRIED UNANIMOUSLY***



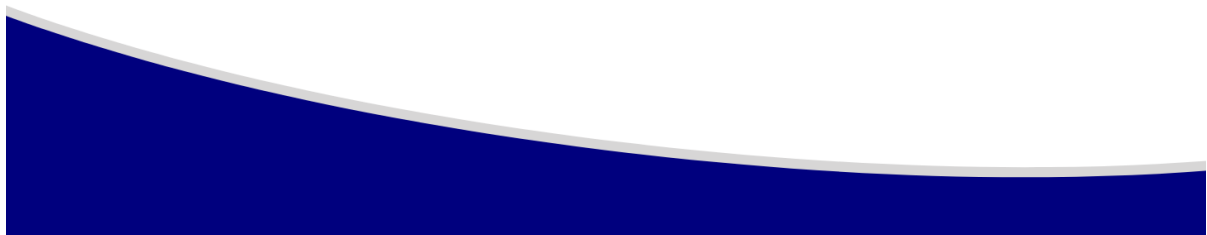
Final

# **Cradle Coast WMG Strategic Plan 2023-2028**

12 JULY 2022

PREPARED FOR

**Cradle Coast Waste Management Group**







Report title	Cradle Coast WMG Strategic Plan 2023-2028
Prepared for	Cradle Coast Waste Management Group
Status	Final
Author(s)	Georgia Caggiati-Shortell
Reviewer(s)	Christine Wardle
Project number	P1253
Report date	12 July 2022
Contract date	13 April 2021
Information current to	6 June 2022
Copyright	Cradle Coast Waste Management Group/Blue Environment Pty Ltd

#### Disclaimer

This report has been prepared for Cradle Coast Waste Management Group in accordance with the terms and conditions of appointment dated 13 April 2021, and is based on the assumptions and exclusions set out in our scope of work. Information in this document is current as of 6 June 2022. While all professional care has been undertaken in preparing this report, Blue Environment Pty Ltd cannot accept any responsibility for any use of or reliance on the contents of this report by any third party.

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**Abbreviations and glossary**

BCC	Burnie City Council
CCC	Central Coast Council
CCWMG	Cradle Coast Waste Management Group
CHC	Circular Head Council
CRS	container refund scheme
C&D	construction and demolition
C&I	commercial and industrial
DCC	Devonport City Council
DTF	Department of Treasury and Finance (Tasmania)
DWM	Dulverton Waste Management
EPA	Environment Protection Authority
FOGO	food organics and garden organics
KC	Kentish Council
LCC	Latrobe City Council
LGAT	Local Government Association of Tasmania
MSW	municipal solid waste
MRF	materials recovery facility
WRRB	Waste and Resource Recovery Board
WTS	waste transfer station
WWC	Waratah-Wynyard Council



## Summary

### Introduction

The Cradle Coast Waste Management Group (CCWMG) represents seven local government authorities in north west Tasmania participating in a voluntary waste levy arrangement. The WMG is comprised on representatives from each participating council, viz. Burnie City, Central Coast, Circular Head, Devonport City, Kentish, Latrobe and Waratah-Wynyard. The vision for CCWMG is to deliver a sustainable community in the Cradle Coast region of Tasmania by implementing strategies which minimise waste through increases in diversion and recovery.

### Where we are now

In 2020-21, the total waste and recycling materials generated within Cradle Coast councils was approximately 136,785 tonnes. This included around 45,386 tonnes of municipal solid waste to landfill, 34,352 tonnes of other wastes such as commercial and industrial waste and construction and demolition waste landfilled, 13,343 tonnes of a combination of kerbside recycling, cardboard recycling and other recycling, 30,058 tonnes of composted waste and 13,645 tonnes of organic waste (composed of food organics and garden organics, or FOGO, from CCC and green waste collected elsewhere). The overall recovery rate for the region was measured at 42%. Achievements against the 2017-2022 targets are summarised in Table S1 below.

*Table S1 Parameters and achievements of 2017-2022 targets*

Parameter	Target	Achievement
Municipal solid waste diversion	50%	42%
Pass results for residential recycling bin assessments	90%	85%
Reduction in illegal dumping hotspots	25%	Incomplete data due to technical issues associated with new database
Collect and report a standardised set of data in relation to waste and resource recovery activities	All councils	Waste data collection portal established

### The challenges ahead

As part of the development of the 2023-2028 strategic plan, representatives from member councils provided input on challenges and opportunities. This feedback guided the development of this strategy and identified the following challenges:

- limited education opportunities leading to apathy in community regarding waste programs
- regional inconsistency on pricing, contracts, transparency and education
- lack of local, viable market for diverted material
- contamination of divertible material
- uncoordinated FOGO collection and implementation
- contending perspectives of state and local government during a period of transition
- limited infrastructure.



This strategic plan aims to address these challenges to meet the waste management vision of the region for the benefit of councils, residents, industry and protect the local environment while minimising carbon emissions from the region, improving environmental health outcomes and strengthening the regional economy.

### Objectives for the future

CCWMG has set measurable and achievable goals in the form of key performance indicators which will allow the group and member councils to track their progress over the 5-year plan:

1. By 2028, establish regionally consistent practices for waste management in all member council areas for consistent waste contracts, services and best practice principles
2. By 2028, target 60% MSW resource recovery
3. By 2028, target <10% contamination rate in kerbside recycling bins (based on annual kerbside recycling auditing)
4. By 2028, phase out priority single-use plastics.

Progress against these indicators will be measured using data provided by member councils, or collected during specific project work, and reported to the group on a regular basis.

### How do we achieve this?

The goals will be achieved through 30 actions developed over a range of sectors within the region's four key strategic focus areas described in Table S2.

Actions have been developed, assessed and prioritised based on their potential net community benefit according to environmental, social and economic outcomes. Those with higher net community benefit are prioritised.

Notable outcomes expected to be achieved include the following:

- Community education will contribute to behavioural change, reducing materials consumption and minimising the amount of waste generated. Reductions to the amount of waste requiring disposal can deliver cost savings to councils and ratepayers, and reduce detrimental environmental impacts.
- Diversion of food and garden organic waste from landfill will reduce the generation of methane, a greenhouse gas with high global warming potential. Processing of organic waste into value-added products such as soil conditioners and composts can generate income from a waste product and is useful in contributing to soil health and enhanced agricultural and horticultural production.
- Increased recovery and availability of materials can support the development of reprocessing and remanufacturing industries in the region, enhancing regional economic and employment opportunities, as well as investment in the Cradle Coast region.
- Waste avoidance and enhanced management (including rollout of systems such as the container refund scheme) can reduce litter, avoiding impacts on local ecosystems and the green credentials of Tasmania's tourist and agricultural industry. It also rewards the community for good recycling practices, reinforcing behavioural change opportunities.



Table S2 Key strategic focus areas and action sectors

Strategic focus area	Sector
Regional management and planning	Work with the Tasmanian Government Waste and Resource Recovery Board Regional governance arrangements Regional consistency Data collection and reporting
Waste diversion	Container refund scheme (CRS) Kerbside recycling Construction and demolition waste Commercial and industrial waste Controlled waste Food organics and garden organics Illegal dumping Single-use plastic elimination
Partnerships	Collaborating with other regions Working with industry
Community engagement	Community education Public events School group engagement



## 1. Introduction

The Cradle Coast Waste Management Plan provides direction for delivering effective and sustainable waste management for the Cradle Coast Waste Management Group over the next five years (2023-2028).

The Cradle Coast Waste Management Group (CCWMG) represents seven local government authorities in north west Tasmania historically participating in a voluntary waste levy arrangement. The participating councils are:

- Burnie City Council (BCC)
- Central Coast Council (CCC)
- Circular Head Council (CHC)
- Devonport City Council (DCC)
- Kentish Council (KC)
- Latrobe Council (LC)
- Waratah-Wynyard Council (WWC).

The WMG is comprised of the general manager from each council and is governed by the CCWMG Terms of Reference. This document sets out the expectations of group members, Councils and the managing company Dulverton Waste Management (DWM).

The CCWMG has a strategic focus on four key areas:

- **Regional planning and contract management:** Provide regional planning and coordination of waste infrastructure and services to provide improved resource recovery, delivering efficiencies and reducing costs of services/waste infrastructure with the Waste and Resource Recovery Board (WRRB) as funding partner.
- **Waste diversion:** Diversion of materials from landfill to increase resource recovery, extend the life of existing landfills and reduce greenhouse gas emissions from waste.
- **Partnerships:** Maintain partnerships with government, planning authorities and the three waste regions to shape waste management policies and regulation to influence future regulatory requirements and to identify programs and infrastructure best delivered with a state-wide approach.
- **Community engagement:** Work with the community and industry, through education and feedback, to take ownership of waste avoidance and reuse to improve the use of existing and future services.

The vision of the CCWMG is to deliver a sustainable community in the Cradle Coast region of Tasmania by implementing strategies which minimise waste through increases in waste diversion and recovery. In line with the region's strategic focus areas, the 2028 goal is to provide regional planning and coordination of waste infrastructure and services with the Tasmanian Government Waste and Resource Recovery Board (WRRB), increase waste diversion from landfill, maintain and develop partnerships between local councils, regional groups and to engage with the community to ensure sustainable waste management becomes a normal, embedded behaviour.



## 2. Context

The CCWMG operates within the context of national and state-based waste policies and regulations, as well as the needs and priorities of its member councils.

The waste management hierarchy is the key principle of Australian waste policy and legislation. The hierarchy sets out the way in which waste should be managed, placing avoidance as the most preferred option and disposal to landfill as least preferred. The circular economy is becoming increasingly important in Australian waste policy. Tied to product stewardship, the key principles are extending the value of resources entering the economy and cycling resources back into productive use.

### 2.1 Waste policy framework

#### Commonwealth Government

The *National Waste Policy: Less waste more resources 2018* provides a framework for national efforts in reducing waste where possible and making productive use of waste where waste generation cannot be avoided. The policy employs circular economy and waste minimisation principles. The accompanying *National Waste Policy Action Plan 2019* sets out the following targets:

- ban on the export of:
  - glass (January 2021)
  - mixed plastics (July 2021)
  - tyres (December 2021)
  - single resin or polymer plastics (July 2022)
  - mixed and unsorted paper and cardboard (July 2024)
- reduce total waste generated in Australia by 10% per person by 2030
- 80% average resource recovery rate from all waste streams following the waste hierarchy by 2030
- significantly increase the use of recycled content by governments and industry
- phase out problematic and unnecessary plastics
- halve the amount of organic waste sent to landfill by 2030
- make comprehensive, economy-wide and timely data publicly available to support better consumer, investment and policy decisions.

The bans on exporting recyclable materials will impact the Cradle Coast area and the need for minimal contamination of recyclable materials will increase as will a need for new markets. A key outcome of this policy is the Recycling Modernisation Fund which will drive a billion-dollar transformation of Australia's waste and recycling capacity.

The *Recycling and Waste Reduction Act 2020* was developed by the Commonwealth Government in 2020 and addresses the waste export ban, compliance and audits, and places increased expectation and responsibility on manufacturers to consider the entire life cycle of products through increased product stewardship which employs principles of the circular economy.

The 2021 National Plastics Plan lays national targets for 100% reusable, recyclable or compostable packaging, 70% of plastic packaging being recycled or composted, 50% of average recycled content included in packaging and the phase out of problematic and unnecessary single-use plastics packaging by 2025. This will impact the Cradle Coast area with increased quantities of plastics to be recycled and changing contamination risk.





### Tasmanian Government

The *Draft Waste Action Plan 2019* sets out a framework for waste management and resource recovery in Tasmania in line with national frameworks. The Action Plan targets:

- introduction of a waste levy by 2021 to fund waste management and resource recovery activities
- introduction of a container refund scheme (CRS)
- transition to 100% reusable, recyclable or compostable packaging by 2025
- reduction of waste generated in Tasmania by 5% per person by 2025 and 10% by 2030
- a 40% average recovery rate from all waste streams by 2025 and 80% by 2030
- lowest incidence of littering in the country by 2023
- work at the national level and with local government and businesses in Tasmania to phase out problematic and unnecessary plastics by 2030
- reduce the volume of organic waste sent to landfill by 25% by 2025 and 50% by 2030.

The *Waste and Resource Recovery Act 2022* establishes a Waste and Resource Recovery Board (WRRB) to provide strategic oversight and drive a circular economy agenda. The board will be responsible for developing and implementing a state-wide waste strategy and managing the funds derived from the new state-wide levy.

Landfill facilities receiving more than 100 tonnes of waste per year are required to pay a levy and submit a monthly waste levy return; those receiving less than 100 tonnes/year, or receiving only excluded waste, are not required to pay a levy or report. Resource recovery facilities receiving more than 10,000 tonnes/year of waste are required to submit a monthly resource recovery return and an annual report of material received, stored and recovered from 1 July 2022. Resource recovery facilities receiving more than 1,000 tonnes/year are required to report from 30 June 2024; those receiving less than 1,000 tonnes/year are exempt from reporting.

For each tonne of waste deposited to landfill, operators must pay a levy of 12 fee units (or \$20 where each fee unit is approximately \$1.65), increasing to 24 fee units (or \$40) and 36 fee units (or \$60) at two-yearly intervals. Certain materials are excluded from the levy including asbestos, biosecurity risk waste, organic waste used for soil improvement in agriculture, and some mining materials. Waste may be excluded by the Minister in emergency situations such as bushfire or flood, and assistance programs may be implemented for cleaning up illegal dumping, charities or resource recovery businesses.

While regional levies are replaced, regional arrangements will remain. Funding is consistent across the state and no regional waste management group is left worse off than under the previous voluntary levy arrangements. A role for local government regional waste management groups will be incorporated into the initial waste strategy and all regional groups may apply for a disbursement to fund that role from the collected levies account. Isolated municipalities are allowed to apply for additional funding.

The CRS to be implemented in early 2023 aims to reduce litter and boost recycling by offering a refund per container to incentivise the collection of and appropriate recycling of recyclable containers. The costs for the CRS are covered by the beverage industry with 10 cents refunded for each eligible container deposited.

### Other

The *LGAT Waste and Resource Management Strategy 2017* outlined the needs of the three Tasmanian local government regions. The strategy focused on policies around the introduction of the landfill levy, pursuit of a circular economy and container deposit scheme, and recovery of organic material. It further



examined the need for cohesive regional and state-wide governance, improved transparency and improved data collection at landfill and resource recovery sites.

The *LGAT Feasibility study into a State-wide Waste Arrangement* was compiled in response to the performance gap between Tasmania and other states and territories of Australia in the pursuit of a state-wide waste management arrangement.

There are two other waste regions in Tasmania, viz. the Northern Tasmanian Waste Management Group and the Southern Tasmanian Waste Management Group. As in the past, the CCWMG will collaborate with other regional groups where there is commonality of strategic opportunities.

## 2.2 Stakeholder consultation

A workshop was held with member council representatives in Burnie on 17 February 2022 to discuss and identify existing and future challenges and opportunities for the CCWMG. Key themes discussed at the workshop are detailed in Appendix A and are summarised in Table 1. These themes were used to inform development of the strategic plan.

*Table 1 Stakeholder consultation: challenges and opportunities*

Challenges	Opportunities
<ul style="list-style-type: none"> <li>Limited education opportunities leading to apathy in community regarding waste programs</li> <li>Regional inconsistency on pricing, contracts, transparency and education</li> <li>Lack of local, viable market for diverted material</li> <li>Contamination of divertible material</li> <li>Uncoordinated FOGO collection and implementation</li> <li>Contending perspectives of state and local government during period of transition</li> <li>Limited infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Improved regional consistency in governance arrangements, information sharing and contracts</li> <li>Expansion of regional processing involving other groups and local employment</li> <li>Further integration of regional systems</li> <li>Increasing community commitment to best waste practice through community buy-in</li> <li>Targeted solutions for key materials</li> <li>Further support for Rethink Waste</li> <li>Improved structure of key performance indicators</li> <li>Regional leadership on procurement opportunities</li> </ul>



### 3. Information review

This chapter reviews the current status of waste management in the Cradle Coast region. A full analysis of waste data is provided in Appendix B.

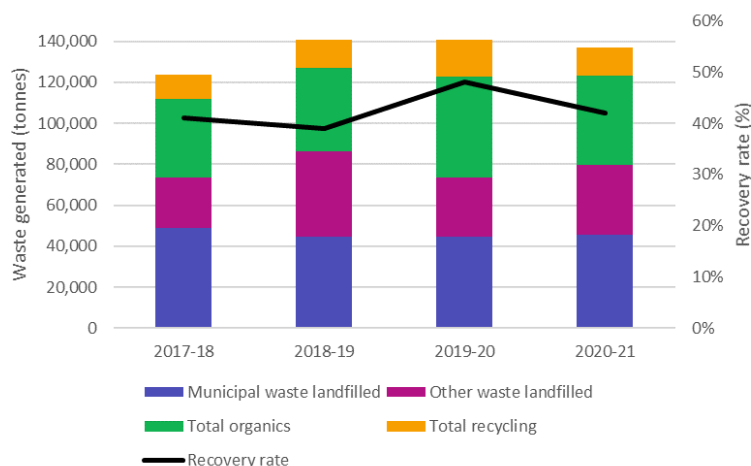
#### 3.1 Waste management and collection systems

CCWMG member councils run several transfer stations, landfills and recovery centres that assist in waste management in north west Tasmania. There are eleven transfer stations (at Castra, Preston, South Riana, White Hills, Spreyton, Sheffield, Wilmot, Port Sorell, Wynyard and Waratah), a recycling facility (at Mooreville), three landfill sites (at Dulverton, Port Latta and Ulverstone) and an organics compost facility (at Dulverton).

#### 3.2 Material generation and recovery

In 2020-21, the total waste and recycling materials generated within the Cradle Coast councils was approximately 136,785 tonnes. This included around 45,386 tonnes of municipal solid waste (MSW) to landfill, 34,352 tonnes of other wastes such as commercial and industrial (C&I) waste and construction and demolition (C&D) waste landfilled, 13,343 tonnes of a combination of kerbside recycling, cardboard recycling and other recycling, 30,058 tonnes of composted waste and 13,645 tonnes of organic waste (composed of food organics and garden organics, or FOGO, from CCC and green waste collected elsewhere). The overall recovery rate for the region was measured at 42%. This is illustrated in Figure 1 below.

Figure 1 Waste generation and recovery rate in the Cradle Coast region 2017-2021 (tonnes)



In 2020-21, 6,795 tonnes of kerbside recycling were collected (approximately 0.73 tonnes per household). Additionally, 478 tonnes of cardboard and 6,070 tonnes of 'other recyclables' including e-waste and mattresses were collected. The rate of cardboard recycling has decreased slightly and may be attributed to changed C&I recycling habits (possibly a response to the COVID pandemic).



Combined organic waste and green waste has been received at transfer stations and FOGO collection was introduced in CCC in 2019. Around 10,933 tonnes of green waste were collected from all councils and 2,712 tonnes of FOGO were collected in CCC in 2020-2021 (Figure B8 in Appendix B).

### 3.3 Projections

The Cradle Coast region is projected to experience a mild contraction (-1.3%) in population by 2035. Of each member council, Latrobe has the highest projected growth 19.9% and each of Circular Head, Burnie and Waratah-Wynyard will experience a population contraction of approximately -7% (Figure B3 in Appendix B).

In contrast, the quantity of waste produced in the region is projected to increase (Figure B2 in Appendix B) especially green waste with the introduction of FOGO and recycling.

### 3.4 Council and regional contractual arrangements

CCWMG has a regional contract with Veolia Environmental Services for recycling, which is taken to their Spreyton materials recovery facility (MRF). Each member council has independent collection systems; other opportunities to recycle at waste transfer stations (WTS) or elsewhere in the area are detailed in Table 2.

*Table 2 Other recycling opportunities available in the Cradle Coast region*

Waste stream	Recycling service at WTS/council	Other sites and opportunities
Bread tags	Some council offices	Small collection services
Batteries - household	All council WTS and some council offices – regional contract in place	
Batteries – cars	Most WTS	Regional contract opportunity
Bric-a-brac and furniture	Most WTS have a reuse shop	Not for-profit second-hand retailers
Cardboard	Most WTS – regional contract in place	
Cement and builders' rubble	Most WTS	Regional contract opportunity
Compact discs, DVDs	Some council offices	Some retailers (e.g., Officeworks) Regional contract opportunity
Cooking oil	Most WTS	Regional contract opportunity
Chemical containers	Most WTS - ChemClear and drumMuster services	Regional contract opportunity
Coffee pods		Some retailers
Contact lenses, cases and blister packs	Some council offices	Optometrists, retailers
Cosmetics and hair care products (selected brands)		Some retailers
Clothing and textiles	Reuse shops at all WTS	Not-for-profit second-hand retailers
E-waste – TVs, music players, computers, accessories	Most WTS – regional contract in place	
Gas bottles	Most WTS	Regional contract opportunity
Green waste	Most WTS – regional contract in place	
Controlled waste	Regular events	



Waste stream	Recycling service at WTS/council	Other sites and opportunities
Light globes and fluorescent tubes	Most WTS – regional contract in place	
Metal and steel	Most WTS	Regional contract opportunity
Mobile phones and accessories	Most WTS	Retailers through Mobile Muster
Motor oil	Most WTS	Regional contract opportunity
Paint	All WTS – regional contract in place	
Plaster		Regional contract opportunity once composting facility upgrade completed
Printer cartridges	Most WTS	Some retailers through PlanetArk
Polystyrene (expanded form)		Regional contract opportunity
Soft plastics – household		Through Redcycle at retailers - regional contract opportunity
Soft and hard plastics (industrial)		Regional contract opportunity
Sport shoes		Some retailers and not-for-profit shops
Timber	Most WTS	Regional contract opportunity
Toothbrushes (including electric), toothpaste tubes		Some dentists and retailers
Tyres	Most WTS – regional contract in place	
Writing markers		Some retailers
X-rays		Regional contract opportunity



## 4. Performance to date

This section details the progress on targets and actions set out in the *CCWMG Strategic Plan 2017-2022*.

### 4.1 Strategic plan 2017-2022

The strategic direction of the CCWMG over the past five years was established in the Cradle Coast Waste Management Strategic Plan 2017-2022 (CCWMG 2017) which was a subsequent report to the CCWMG Strategic Plan 2012-2017. The 2017-2022 Strategic Plan benchmarked past performance and incorporated a detailed action plan to guide activities and opportunities undertaken by the CCWMG. Programs and actions were benchmarked against the four priority areas of the WMG:

- increase waste diversion
- provide regional planning and coordination of waste infrastructure and services
- maintain and develop partnerships between local councils
- regional groups and the Tasmanian Government
- engage with the community to ensure sustainable waste management becomes a normal and embedded behaviour.

To measure performance against these priority areas, four measurable targets were set:

1. by 2022, divert 50% of all MSW from local government landfill facilities across the region.
2. by 2022, increase the proportion of recycling bins receiving a pass mark as part of recycling bin assessments to 90% across the region (based on the 2015-16 assessment pass rate of 81%).
3. by 2022, reduce incidents of illegal dumping at hotspot sites by 25% across the region (subsequent to establishing baseline data from council reports).
4. by 2022, all member councils to collect and report a standardised set of data in relation to waste and resource recovery activities (in terms of material types, units, etc.).

Performance against these targets is summarised in Table 3.

*Table 3 Performance against priority areas 2017-2022*

Parameter	Target	Achievement
Municipal solid waste diversion	50%	42%
Pass results for residential recycling bin assessments	90%	85%
Reduction in illegal dumping hotspots	25%	Incomplete data due to technical issues associated with new database
Collect and report a standardised set of data in relation to waste and resource recovery activities	All councils	Waste data collection portal established

Performance data from 2020-21 indicates a recovery rate of 42% for all waste generated, indicated in the *CCWMG Data Collection Portal 2021-2022 Q2* and *Annual Waste Management Report 2020-21*. This is an increase from the previous years which is attributed to better data input from member councils in the data portal, an increase in wastes under the 'Other diverted waste category' and the introduction of FOGO in CCC.



The annual report states that the recycling bin pass mark was 85% (CCWMG 2020). This has remained constant since 2017-18. One in every five bins assessed was contaminated; soft plastics was one of the major contaminants in kerbside recycling bins. The assessment further indicated that this contamination was due to the community's well-meaning intention to recycle as much as possible, however not having complete knowledge of what can be recycled and where it can be recycled. The CCWMG aims to include this in future education programs by highlighting soft plastics recycling programs at relevant supermarkets.

Baseline data for illegal dumping was established through the creation of a regional illegal dumping website in 2014. BCC, CCC, DCC and KC councils applied for and received either partial or full funding to address illegal dumping. This was used for signage, surveillance cameras, transfer station vouchers and funding assistance for clean ups. Data on the percentage of reduced incidents is not yet available.

The 42% recovery rate from MSW achieved above is indicated to be a result of councils using the data portal to input waste data in a uniform category. This has resulted in better data collection and more accurate analysis of waste trends, issues and opportunities.



## 5. Opportunities and priorities

This section indicates priority areas where action can be taken to improve waste management practices in the Cradle Coast region and increase the rate of resource recovery. The chapter identifies specific actions to achieve the goals of the Strategic Plan 2023-28. The themes are consistent with the priority outcomes discussed at the strategic workshop.

### 5.1 Regional management and planning

#### Working with the Tasmanian Government WRRB

The new legislation indicates CCWMG can expect to see more involvement in waste management and resource recovery from the Tasmanian Government in future. The recent separation of responsibilities between NRE and EPA is likely to see both organisations liaising with CCWMG, with possible further collaboration with the WRRB.

CCWMG should maintain dialogue with all government organisations to ensure future state-wide strategies consider all issues relevant to CCWMG. CCWMG representatives currently attend industry consultations and assist government decision-making in relevant areas of waste management and resource recovery. The framework for cooperation and collaboration between state government, waste management groups and local councils should be maintained.

The following opportunity relates to working with the Tasmanian Government WRRB:

No.	Action
1	Maintain framework for cooperation and collaboration between state government, waste management groups and local councils to influence policy and strategy documents, highlight current issues impacting on waste management in the region and contribute to and support government policy on emerging waste issues.

#### Regional governance arrangements

The introduction of the Waste and Resource Recovery Act 2022, and particularly the waste levy, is likely to see increased emphasis on CCWMG governance arrangements (as well as other regional waste groups). Government protocols regarding management of public funds are likely to require increased oversight of CCWMG's receipt and spending of levy monies; this may include regular, transparent reporting by CCWMG to the proposed WRRB. Following investigation and implementation of the 2018 Cradle Coast Waste Governance Project, this is not expected to be a major issue to CCWMG, however it may be prudent to ensure management reporting systems are appropriate to future requirements.

There is also some potential for increased council membership and/or involvement in CCWMG programs and contracts, for example by West Coast Council and King Island Council. Financial arrangements, including the payment of a voluntary levy, affected their participation to date. With the state-wide implementation of the waste levy, and the potential funding available via regional programs, these councils may reconsider their position.





The following opportunities relate to regional governance arrangements:

No.	Action
2	Review 2018 governance report recommendations and where relevant align contract dates for future implementation of regional contracts. Implement regional contracts for waste services where considered beneficial.
3	Ensure supporting structure is provided within regional contracts to support member councils' future ambitions, including a potential regional call centre, infrastructure and waste management procedures.
4	Ensure management reporting systems allow for potential increased oversight by Tasmanian Government, as well as changed composition of member councils involved in CCWMG in response to state-wide levy.
5	Consider possibilities and issues regarding increased council membership of CCWMG and/or increased regional participation in CCWMG programs and contracts.

### Regional consistency

The introduction of waste levies in other Australian states has seen increased collaboration and consistency within regional waste groups, often driven by enhanced best practice standards introduced at a state-wide level. The focus of regional outcomes has differed according to local circumstances, but interstate examples include:

- price parity in gate fees charged at similar facilities within the same region
- joint procurement contracts for a range of goods and services (including regional applications for relevant exemptions from the Australian Competition and Consumer Commission)
- council infrastructure funding applications facilitated by the regional waste management group (to capitalise on regional staff skills and ensure infrastructure designs meet best practice standards)
- devolvement of council education responsibilities to regional education officers, who implement state-wide waste education strategies and use common education materials.

The appetite for CCWMG member councils for consistency across the region is likely to differ according to each issue and may be driven by the strategic direction of NRE and the WRRB. Where considered relevant, CCWMG should explore the potential for regional efficiencies (including cost and service efficiencies) from collaborative action among member councils.

Key areas for collaborative action facilitated by CCWMG include infrastructure management issues, such as:

- the development of best practice guidelines for reuse shops in the region
- funding applications and regional support for upgrades to WTS to meet transfer station best practice guidelines.

Consideration should be given to other opportunities to establish regional procurement contracts for:

- garbage collection
- recycling collection and processing
- FOGO collection
- commercial FOGO collection
- public place waste collection
- C&D contracts (including concrete, plastics and timber)
- collections for scrap metal, batteries and oil
- green waste



- approach to CRS implementation
- reuse shop diversion (especially for safety and systems consistency)
- transfer of waste assets and management to DWM through governance arrangements.

*Table 4 Existing and target practices to be reviewed for regional consistency*

Current practice	2028 outcome
Each member council has its own contract with waste collection operators	All member councils are involved in a collection contract coordinated by CCWMG
C&D contracts are unmonitored	
Household hazardous waste collections are conducted annually by CCWMG	Household hazardous waste collections are conducted biannually
n/a	CRS points are available in all council areas
Reuse shops operate under individual practices	Reuse shop operations are guided by regional best practice principles
WTS operate with outdated, inconsistent infrastructure.	WTS have improved infrastructure and operate under best practice principles.

The following opportunities relate to regional consistency:

No.	Action
6	CCWMG should explore regional procurement opportunities where beneficial, including development of regional contracts for WTS recycling and waste management services.
7	CCWMG should develop regional best practice guidelines for reuse shops and assist councils to implement upgrades to meet transfer station best practice guidelines.
8	CCWMG to deliver support systems which assist councils in the delivery of services.

#### Data collection and reporting

New waste and levy reporting requirements have been introduced by the Waste and Resource Recovery Act 2022; data will need to be reported using the Australian standard for waste and resource recovery data and reporting (DAWE 2021) and measured in accordance with this national standard. The Act specifies data recording via weighbridge at large facilities; at smaller facilities an estimation method approved by NRE can be used.

Where required, CCWMG may facilitate member council applications for levy funding from the WRRB to establish weighbridges, develop appropriate data recording and reporting systems, and train staff in their use (as well as other levy implementation projects).

CCWMG should ensure that the existing CCWMG data portal is complementary to levy reporting requirements, and issues that have arisen in current use (as noted in Appendix B) are appropriately identified and addressed (e.g. through software refinement, staff training, etc.).



The following opportunities relate to data collection:

No.	Action
9	Consider opportunities for levy funding for member councils to establish relevant infrastructure, systems and training for new data reporting requirements for the waste levy. CCWMG should assist applications where necessary.
10	Replace data portal with regional software system which enables consistent data reporting.

## 5.2 Waste diversion

### Container refund scheme (CRS)

The introduction of the CRS in Tasmania in early 2023 presents the opportunity for an alternative avenue of recovery in the Cradle Coast region. Cradle Coast councils could expect to see some reduction of beverage containers collected in kerbside systems, with enhanced return rates experienced across the state from a variety of sources.

It is important that the Cradle Coast region is adequately serviced under the CRS, with opportunities for both regional and remote communities to return eligible containers. Where relevant, CCWMG should liaise with member councils, charities and community groups interested in establishing a collection point to facilitate adequate coverage across the region.

The following opportunities relate to the CRS:

No.	Action
11	Where relevant, support local Councils, charities and community groups to establish CRS collection points to ensure the region is adequately serviced.

### Kerbside recycling

The Cradle Coast region has maintained a relatively constant rate of kerbside recycling since 2017 and contamination is an ongoing issue that has plateaued with only incremental year-on-year improvements. The most recently recorded pass rate for the region was 86.7% recorded between August and October 2021, a slight increase from 85.9% recorded in 2018. There was a slight decrease to 7.1% of bins with 5-10% contamination and a slight increase in bins with more than 10% contamination to 6.2% (DWM, 2021). The national average is less than 15% although anecdotal data suggests ranges between 3% and 30% contamination around Australia (Kaufman et al. 2020).

Dulverton Waste Management's 2021-22 *Recycling Bin Education & Assessments Report* found contamination comprised of:

- soft plastics – 32.4%
- recycling packed in bags or boxes – 22.3%
- garbage – 16.4%
- FOGO – 10.4%
- polystyrene – 9.6%
- clothing – 3.8%
- metal – 3.2%
- e-waste 1.0%



Some of these contaminants could be attributed to a community overeager to recycle and may be improved with ongoing education programs. Further promotion of the availability of soft plastics recycling options at national supermarket chains may assist. Campaigns such as 'if in doubt, leave it out' could also play a role in improving contamination rates.

Significant government funding into the development of local recycling facilities is expected to see enhanced opportunities for Tasmanian recycling for a range of materials. Three new plastic recycling facilities were announced in 2021 to be opened in Tasmania supported by the Recycling Modernisation Fund; it is estimated that the projects will recover 15,000 tonnes of plastic every year. Local tyre recycling options have also increased. The promotion of local opportunities may see greater community 'ownership' and participation in recycling.

The following opportunities relate to kerbside recycling:

No.	Action
12	Work with member councils to promote opportunities for recycling, including soft plastics recycling at national supermarket chains and local services where applicable.
13	Review opportunities for a regional contract for soft plastic recycling at WTS.

### Construction and demolition waste

The C&D sector generates significant amounts of waste, and simultaneously presents opportunities for reuse and recovery. International supply chain interruptions experienced during the COVID pandemic have had significant impacts on the construction industry, limiting the availability of many materials, increasing costs and delaying construction programs; this situation is expected to continue for at least the next two years and possibly longer.

Recovery opportunities for C&D waste in the Cradle Coast region are therefore increasingly important. Materials that are particularly recoverable and/or reusable include clean timber, plasterboard, plastic packaging, bricks, tiles, concrete and rubble. The costs associated with installation of infrastructure and equipment to assist in C&D recycling were assessed as too high in the 2012-2017 strategic plan, however with changing industry dynamics and the introduction of the waste levy, the feasibility of C&D recycling has changed and should be reassessed.

The Tasmania EPA reports that approximately one third of total waste streams in Tasmania originate from the C&D sector, with 2018 studies suggesting only 1% of waste in the industry is recovered for reuse or recycling. This is the lowest rate in Australia, falling 63% below the national average. In other parts of Australia (e.g. NSW, WA) state-wide standards have been developed for waste reduction in the C&D sector. CCWMG has the opportunity to advocate for Tasmanian standards to improve C&D waste practices to be developed by the EPA.

The following opportunities relate to C&D resource recovery:

No.	Action
14	Develop a regional contract for concrete crushing at WTS to provide a reliable output for material collected.
15	Develop a regional contract for plaster recovery and recycling at WTS.
16	Advocate for development of Tasmanian standards for C&D recycling.
17	Support WRRB C&D resource recovery initiatives.



### Commercial and industrial waste

The introduction of the waste levy provides a financial incentive for sorting and recovery of the waste stream. Due to the large waste flows in the C&I sector, the levy is likely to be a significant driver of change in business waste management practices; as the levy increases over time, the impetus for C&I recovery is expected to grow even further.

As with the C&D sector, cost structures which may have previously inhibited recovery and recycling of C&I waste will change with the introduction of the levy. There is potential for CCWMG to re-visit past assessments of C&I waste generation in the Cradle Coast region, and consider opportunities for intervention in key areas (e.g. by sector or by material) which are deemed most feasible.

The consultation workshop (refer Appendix A) identified some potential opportunities which may be 'piggy-backed' onto existing council services, especially the diversion of C&I food waste (e.g. from hospitals, aged care facilities, restaurants, etc.) to regional organics processing. The level of interest among relevant businesses in the region to participate in food organics recycling could be explored as part of a detailed feasibility assessment.

In the longer term, as the levy increases and C&I waste diversion becomes more accepted, further diversion opportunities could be assessed. This could include support for development in the region of a 'dirty MRF' for separation and recovery of C&I waste (the MRF may also accept C&D waste). Levy funding may be available in future to assist in development of such infrastructure, either by local government or a private proponent, and CCWMG should consider assessing the viability of development towards the latter end of the 2023-2028 strategic planning period.

The following opportunities relate to resource recovery in C&I:

No.	Action
18	Re-visit past assessments of C&I waste generation and consider opportunities for intervention in key areas.
19	Conduct a feasibility study into diversion of C&I food organics to existing regional organics processing facility.
20	Consider development of additional C&I waste recycling infrastructure in the long term.

### Controlled waste

Controlled waste (or hazardous waste) provides potential risks to the environment and human health, and needs to be safely managed in accordance with Tasmanian regulations. In recent years, product stewardship arrangements have been put in place for some potentially hazardous materials (such as batteries, paint and e-waste), which has seen local collection points established and funded by industry.

CCWMG has in the past (in conjunction with other Tasmanian regional waste groups) held collection events for household hazardous waste. These have proven popular with the community and should continue where possible, however these programs are expensive to run and regional coverage can be limited by available funding. It is noted that in other states with a levy in place (e.g. SA, Vic), household hazardous waste collection programs are operated and funded by relevant state government authorities (Green Industries SA, Sustainability Victoria). With the introduction of a levy in Tasmania, CCWMG could advocate for a similar state-wide program to be managed and financed by NRE.

The generation and appropriate management of hazardous waste in Tasmania is inhibited by the lack of implementation of a state-wide tracking system; these are in place in most other Australian states.



CCWMG should continue to advocate for the current tracking framework to be fully implemented by EPA in the short term.

The following opportunities relate to hazardous waste:

No.	Action
21	Continue holding collection events for household hazardous waste where possible.
22	Advocate for expanded state-wide household hazardous waste collection program to be managed and financed by NRE.
23	Advocate for implementation of state-wide hazardous waste tracking system by EPA.

### Food organics and garden organics

The immediate priority in addressing FOGO in the Cradle Coast region is to finalise the regional FOGO contract (scheduled for 2021/22 financial year). A 2018 audit of kerbside garbage bins in Cradle Coast found that 51% of material in bins bound for landfill was suitable for composting. Introducing FOGO will allow the Cradle Coast region to significantly reduce waste going to landfill, and meet state and national diversion targets. Kerbside FOGO collection services operate successfully in a range of LGAs in Tasmania and mainland Australia. Analysis of FOGO services in 34 councils in NSW found that the best performing councils were achieving food organic capture rates as high as 78% (Moffat, 2020); most councils also report very low contamination rates, averaging 2.2%.

Region-wide FOGO services will have a significant impact on MSW recovery rates. Using trend data and the proportion of FOGO collected per tenement and per capita in CCC in 2019 and 2020 it is predicted that the MSW recovery rate will rise to approximately 60% by 2028 if regional FOGO collection is successfully introduced to approximately 80% of the region. Table B1 and Table B2 (in Appendix B) describe the projected recovery scenarios.

As many member councils have regional constituents there is likely to already be diversion from landfill occurring through home composting practices, worm farms and as animal feed. Where necessary, councils could support these ratepayers through advisory services and educational material (e.g. through on-site inspections and 'how to compost' fact sheets). This support could also assist in regional or remote areas where kerbside FOGO collection services are not viable and home composting methods are preferred.

Through the waste hierarchy, 'avoidance' is the most preferred practice. Further education around avoiding food waste may also assist in diverting FOGO from landfill. There are existing Australian resources that could be leveraged for use in the region, including at national level (e.g. the Fight Food Waste Cooperative Research Centre, <https://fightfoodwastecrc.com.au/>) and from interstate authorities (such as Green Industries SA and Sustainability Victoria). Tasmanian Government responses to the 2021 *Tasmanian Organics Strategy* are also likely to see additional local resources made available in future.



The following opportunities relate to FOGO and support planned areas of focus included in CCWMG's 2022-23 annual plan:

No.	Action
24	Finalise arrangements for FOGO rollout and work in partnership with contractor and councils to implement information materials, bin rollout and performance monitoring of collection services for recovered organics.
25	Encourage home composting in areas where FOGO kerbside collection is unviable. Provide councils with education and resource materials for use in home composting support services.
26	Consider use of existing and future education resources to support food waste minimisation initiatives in the region.

### Illegal dumping

Illegal dumping was set as a major target in the 2017-22 strategic plan. While action has been taken to deter illegal dumpers through the installation of signage, cameras and better information resources, the success of the measures is difficult to quantify. The transfer of tracking systems between online hosts with the dumping database managed by CCWMG being out of use for twelve months and difficult to access, and a state-wide database run by the EPA working in parallel, has made tracking changes in illegal dumping activity difficult. For these reasons a definitive understanding of the status against the 2017 target of reducing illegal dumping by 25% across the region is not available. The CCWMG 2020-21 annual report noted anecdotal evidence from member councils suggesting initiatives are having a beneficial impact on rates of illegal dumping but more data is required to draw accurate conclusions.

There has been some concern expressed that the introduction of the state-wide levy may increase illegal dumping activity. The experience in other states on the introduction of levies resulted in a mostly small, temporary increase in dumping, and was generally managed by a targeted focus on enforcement. CCWMG could support Cradle Coast councils to implement a short-term enforcement program, e.g. through regional dissemination of media releases on enforcement outcomes to dissuade illegal dumping in the first 3-6 months after the introduction of the levy.

The following action relates to illegal dumping:

No.	Action
27	Continue to support efforts to reduce illegal dumping through signage, surveillance of dumping hot spots and support for clean-up efforts. Consider short-term enforcement program focused on introduction of the levy.
28	Advocate for new state-wide illegal dumping initiatives and support Tasmanian Government endeavours.

### Single-use plastic bans

Currently over 41% of all litter in Tasmania is beverage and food takeaway packaging (Clean Up Australia 2022a), predominantly plastic. Tasmania has introduced a ban on single-use plastic bags, but is lagging behind the rest of Australia on bans on other single-use plastics (such as straws, stirrers, cutlery, food containers, coffee cups/lids, cotton buds, balloons, etc.). Most other Australian states have either implemented or announced future bans on these types of plastics. While Tasmania originally led Australia's plastic ban initiatives (banning plastic bags in Coles Bay in 2003), further local initiatives now rely solely on the cities of Hobart (with a ban on plastic food containers) and Launceston (a ban on various single-use plastics at council events and locations).



CCWMG could support reduction of single-use plastics in the Cradle Coast region. As well as a waste reduction initiative, it would align with the 'green' credentials and branding of various local industries and the Tasmanian tourism sector. Subject to levels of interest among member councils and the local business community, this could take the form of:

- supporting member councils to introduce localised plastic bans (e.g. implemented by local laws at local government level across selected/all townships in the municipality)
- developing a regional single-use plastic elimination strategy or facilitating local strategies for implementation by member councils
- providing support to member councils to reduce single-use plastics at council/community events
- advocating with Tasmanian Government for introduction of widespread single-use plastic bans across the state.

CCWMG could examine opportunities for reduction of single-use plastics in the region through a study of what single-use plastic wastes are being produced and where. CCWMG could then work with and support member councils to implement reduction and/or elimination of single-use plastics where considered feasible.

The following opportunities relate to single-use plastic bans:

No.	Action
29	Support member councils to introduce local plastic bans.
30	Develop a regional single-use plastic elimination strategy.
31	Advocate with Tasmanian Government for introduction of state-wide single-use plastic bans.
32	Implement single use plastic bans for council supported events.
33	Provide support to event decision makers to develop sustainable waste management plans and reduce event waste sent to landfill.

### 5.3 Partnerships

#### Collaborating with other regions

CCWMG has historically collaborated with other regional waste management groups (particularly the Northern Tasmanian Waste Management Group) on a range of government advocacy, education, infrastructure, audit and communication programs. With the recent establishment of the Southern Tasmanian Waste Management Group (and given new legislation, likely greater longevity than its precedent organisations), there is an opportunity for greater collaboration between all Tasmanian groups.

There may also be a role for increased collaboration among the three groups in holding the WRRB accountable for transparency and information dissemination with respect to funding disbursement and resource recovery improvement outcomes.

The following opportunity relates to collaborating with other regions:

No.	Action
34	Maintain transparent communication and collaboration with other regional waste management groups on relevant issues and programs.





### Working with industry

Industry is a key player in provision of services, facilities, end-markets and opportunities for innovation in the waste and resource recovery industry. Both as waste generators, recyclers and re-manufacturers, commercial businesses and industry organisations play an important role in establishing local initiatives within a circular economy.

CCWMG should maintain ongoing relationships with local businesses and industry associations to encourage participation in a circular economy and promote innovation in resource recovery. This should include encouraging the use of recovered materials in local re-manufacturing endeavours, as well as the purchase of products manufactured with recycled content.

The following opportunities relate to working with industry:

No.	Action
35	Maintain ongoing relationships with local businesses and industry associations to promote innovation in resource recovery and participation in a circular economy.
36	Encourage procurement opportunities that use products manufactured with recycled content.

## 5.4 Community engagement

### Community education

A local government survey in 2019 indicates that the Cradle Coast region is leading the state in community satisfaction with waste recycling services and that residents of the north-west Tasmania value their garbage collection service more than the rest of the state (LGAT 2019). However high contamination rates show that further work on community behaviours is needed.

Opportunities to engage with the public are crucial for making impactful change on waste streams. Consistent messaging and educational resources across the region are of key importance in behaviour change programs; the role of the Rethink Waste online website in facilitating this is well recognised. Rethink Waste has provided a successful, informative and interactive platform for communities in the Cradle Coast region as well as wider Tasmania. The resource library, events, school workshops and active social media presence is a valuable resource for the area. Over the next five years the continued support for Rethink Waste will be a valuable investment as an established source of accurate information for ratepayers.

The following opportunities relate to community education:

No.	Action
37	Conduct a review of the existing education program, identifying outcomes, challenges and reach.
38	Continue to support and expand Rethink Waste platform to supply community education resources, events and engagement programs.

### Public events

High levels of community engagement with CCWMG at public events has been noted over the past five years. The role of CCWMG in the 'Repair café' at Ecofest has been very successful and roles like these should continue to be pursued and engaged.



The following opportunities relate to public events:

No.	Action
39	Conduct a review of past community events, identifying outcomes, challenges and reach.
40	Continue to support public events including Repair Café at Ecofest to reinforce community behaviours and maintain an informed community.
41	Develop relationships with event planners and support the use of event waste management plans and waste reduction in event settings.

#### School group engagement

Opportunities for education in school-based programs through Rethink Waste initiative have been strongly engaged with by councils, with interactive programs running as COVID-safe internal incursions through 2019-2021. Although opportunities in 2021 were slowed due to schools focussing on catching up on curriculum following COVID there will be renewed opportunities moving forward.

The following opportunities relate to school group engagement:

No.	Action
42	Continue to support and expand school-based programs to schools in the region.
43	Develop FOGO education opportunity for school groups.



## 6. Sustainability assessment

This chapter summarises the potential opportunities identified in Section 5 and assesses their sustainability.

The net community benefit, based on positive (✓), negative (✗), or neutral (=) impacts on environmental, social and financial factors, is provided for each opportunity. Note where actions require additional expenditure by CCWMG, the financial assessment identifies this as negative, however this does not necessarily outweigh all other factors. In the absence of a detailed economic analysis, wider economic benefits (such as increased regional employment opportunities) have been considered as a social benefit. The outcomes of all environmental, social and financial factors have been considered and prioritised (as high, medium or low priority) according to the total net community benefit.

No.	Action	Environmental	Social	Financial	Priority
Working with the Tasmanian Government WRRB					
1	Maintain framework for cooperation and collaboration between state government, waste management groups and local councils to influence policy and strategy documents, highlight current issues impacting on waste management in the region and contribute to and support government policy on emerging waste issues.	=	✓	✓	H
Regional governance arrangements					
2	Review 2018 governance report recommendations and where relevant align contract dates for future implementation of regional contracts. Implement regional contracts for waste services where considered beneficial.	=	✓	✓	H
3	Ensure supporting structure is provided within contracts to support member councils' future ambitions, including a potential regional call centre, infrastructure and waste management procedures.	=	✓	✓	H
4	Ensure management reporting systems allow for potential increased oversight by Tasmanian Government, as well as changed composition of member councils involved in CCWMG in response to state-wide levy.	=	✓	✓	H
5	Consider possibilities and issues regarding increased council membership of CCWMG and/or increased regional participation in CCWMG programs and contracts.	=	✓	✓	L
Regional consistency					
6	CCWMG should explore regional procurement opportunities where beneficial, including development of regional contracts for WTS recycling and waste management services.	=	✓	✓	H



No.	Action	Environmental	Social	Financial	Priority
7	CCWMG should develop regional best practice guidelines for reuse shops and assist councils to implement upgrades to meet transfer station best practice guidelines.	=	✓	✓	H
8	CCWMG to deliver support systems which assist councils in the delivery of services.	=	✓	✓	H
Data collection and reporting					
9	Consider opportunities for levy funding for member councils to establish relevant infrastructure, systems and training for new data reporting requirements for the waste levy. CCWMG should assist applications where necessary.	=	✓	✓	H
10	Replace data portal with regional software system which enables consistent data reporting.	=	✓	✓	H
Container refund scheme					
11	Where relevant, support local Councils, charities and community groups to establish CRS collection points to ensure the region is adequately serviced.	✓	✓	✓	M
Kerbside recycling					
12	Work with member councils to promote opportunities for recycling, including soft plastics recycling at national supermarket chains and local services where applicable.	✓	✓	✓	H
13	Review opportunities for a regional contract for soft plastic recycling at WTS.	✓	✓	✓	M
Construction and demolition waste					
14	Develop a regional contract for concrete crushing at WTS to provide a reliable output for material collected.	✓	✓	✓	H
15	Develop a regional contract for plaster recovery and recycling at WTS.	✓	✓	✓	H
16	Advocate for development of Tasmanian standards for C&D recycling.	=	✓	✓	L
17	Support WRRB C&D resource recovery initiatives.	=	✓	✓	M
Commercial and industrial waste					
18	Re-visit past assessments of C&I waste generation and consider opportunities for intervention in key areas.	=	✓	✓	M
19	Conduct a feasibility study into diversion of C&I food organics to existing regional organics processing facility.	✓	✓	✓	M



No.	Action	Environmental	Social	Financial	Priority
20	Consider development of additional C&I waste recycling infrastructure in the long term.	=	✓	X	M
Controlled waste					
21	Continue holding collection events for household hazardous waste where possible.	✓	✓	X	H
22	Advocate for expanded state-wide household hazardous waste collection program to be managed and financed by NRE.	✓	✓	✓	L
23	Advocate for implementation of state-wide hazardous waste tracking system by EPA.	✓	✓	✓	L
FOGO					
24	Finalise arrangements for FOGO rollout and work in partnership with contractor and councils to implement information materials, bin rollout and performance monitoring of collection services for recovered organics.	✓	=	X	H
25	Encourage home composting for areas where FOGO kerbside collection is unviable. Provide councils with education and resource materials for use in home composting support services.	✓	✓	X	M
26	Consider use of existing and future education resources to support food waste minimisation initiatives in the region.	✓	✓	✓	H
Illegal dumping					
27	Continue to support efforts to reduce illegal dumping through signage, surveillance of dumping hot spots and support for clean-up efforts. Consider short-term enforcement program focused on introduction of the levy.	✓	✓	✓	H
28	Advocate for new state-based illegal dumping initiatives and support Tasmanian Government endeavours.	✓	✓	✓	M
Single-use plastic bans					
29	Support member councils to introduce local plastic bans.	✓	✓	✓	M
30	Develop a regional single-use plastic elimination strategy.	✓	✓	=	M
31	Advocate with Tasmanian Government for introduction of state-wide single-use plastic bans.	✓	✓	✓	M
32	Implement single-use plastic bans for council supported events.	✓	✓	✓	M
33	Provide support to event decision makers to develop sustainable waste management plans and reduce event waste sent to landfill.	✓	✓	=	M



No.	Action	Environmental	Social	Financial	Priority
Collaborating with other regions					
34	Maintain transparent communication and collaboration with other regional waste management groups on relevant issues and programs.	=	✓	✓	H
Working with industry					
35	Maintain ongoing relationships with local businesses and industry associations to promote innovation in resource recovery and participation in a circular economy.	✓	✓	✓	H
36	Encourage procurement opportunities that use products manufactured with recycled content.	✓	✓	✓	H
Community engagement					
37	Conduct a review of the existing education program, identifying outcomes, challenges and reach.	=	✓	✓	M
38	Continue to support and expand Rethink Waste platform to supply community education resources, events and engagement programs.	✓	✓	✓	M
Public events					
39	Conduct a review of past community events, identifying outcomes, challenges and reach.	=	✓	✓	M
40	Continue to support public events including Repair Café at Ecofest to reinforce community behaviours and maintain an informed community.	✓	✓	✓	M
41	Develop relationships with event planners and support the use of event waste management plans and waste reduction in event settings.	✓	✓	✓	M
School group engagement					
42	Continue to support and expand school-based programs to schools in the region.	✓	✓	✓	M
43	Develop FOGO education opportunity for school groups.	✓	✓	✓	M



## 7. Strategic plan 2023-2028

The strategic plan 2023-2028 aims to deliver sustainable waste management and build on the trajectory of achievement set out in previous strategic plans to minimise waste through diversion and recovery and reduce carbon emissions from waste management. The introduction of the Waste and Resource Recovery Act 2022 and CRS will have constructive impacts on resource recovery activity in the Cradle Coast region. The collaboration and participation of local communities and businesses aligns with the Tasmanian Government's commitment to implementation of a circular economy.

This strategic plan has been developed in line with the four key strategic focus areas of the CCWMG – waste diversion, regional planning and efficiencies, partnerships, and community engagement. Notable outcomes expected to be achieved include the following:

- Community education will contribute to behavioural change, reducing materials consumption and minimising the amount of waste generated. Reductions to the amount of waste requiring disposal can deliver cost savings to councils and ratepayers, and reduce detrimental environmental impacts.
- Diversion of food and garden organic waste from landfill will reduce the generation of methane, a greenhouse gas with high global warming potential. Processing of organic waste into value-added products such as soil conditioners and composts can generate income from a waste product and is useful in contributing to soil health and enhanced agricultural and horticultural production.
- Increased recovery and availability of materials can support the development of reprocessing and remanufacturing industries in the region, enhancing regional economic and employment opportunities, as well as investment in the Cradle Coast region.
- Waste avoidance and enhanced management (including rollout of systems such as the container refund scheme) can reduce litter, avoiding impacts on local ecosystems and the green credentials of Tasmania's tourist and agricultural industry. It also rewards the community for good recycling practices, reinforcing behavioural change opportunities.

In order to measure performance of the plan's actions, the following targets have been set and will be measured and reviewed throughout the life of the plan:

- By 2028, establish consistent practices for waste management in all member council areas for consistent waste contracts, services and best practice principles.
- By 2028, target 60% MSW resource recovery.
- By 2028, target <10% contamination rate in kerbside recycling bins (based on annual kerbside recycling auditing).
- By 2028, phase out priority single-use plastics.



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**Appendix A   Workshop notes**



The following challenges and opportunities were raised during the consultation workshop conducted with CCWMG member council representatives on 17 February 2022 in Burnie.

Challenges
<ul style="list-style-type: none"> <li>• lack of market for recyclable products (regional variation)/north-west coast economy of scale</li> <li>• consumerism – production of non-recoverable waste/attitudes to consumption and waste</li> <li>• local/state political will – delivery and resourcing to achieve aspirational targets</li> <li>• perceived ‘willingness to pay’ issues of the community for big waste industry improvements</li> <li>• overlap and duplication of reporting</li> <li>• community expectation in response to the cost of waste/ value for money</li> <li>• customer and industry behaviour in response to sorting and waste generation.</li> </ul>
<ul style="list-style-type: none"> <li>• regional consistency in policy</li> <li>• regional education</li> <li>• school program</li> <li>• regional recycling contact centre</li> <li>• food contaminated plastic</li> <li>• commercial food collection</li> <li>• KPI is critically affected by business growth</li> <li>• workload on single operator WTS</li> <li>• compliance for unmanned sites</li> <li>• training.</li> </ul>
<ul style="list-style-type: none"> <li>• attitude and ability               <ul style="list-style-type: none"> <li>– WTS manager/employees</li> <li>– lack of understanding of reasoning for change including changed workloads and more upset customers.</li> </ul> </li> <li>• IT access</li> <li>• interpretation and consistency in waste classification</li> <li>• increasing costs (WTS and kerbside)</li> <li>• treatment of all waste to landfill as equal eg. intent waste getting some levy</li> <li>• may lead to increased illegal dumping</li> <li>• regional consistency including charges</li> <li>• what the state will do with “our” money</li> <li>• FOGO rollout north-west coast.</li> </ul>
<ul style="list-style-type: none"> <li>• customer perception for pricing/explanation of cost streams</li> <li>• downstream for recycling</li> <li>• infrastructure change for site meeting new compliance</li> <li>• education for staff/reasons for levy-sorting-load types and why</li> <li>• contractor costs and availability for downstream activities eg. concrete and green waste</li> <li>• volume increase for domestic and FOGO implementation solution</li> <li>• increased usage by contractors, builders etc.</li> <li>• passing costs onto consumers and education for consumers.</li> </ul>
<ul style="list-style-type: none"> <li>• FOGO collection and service implementation</li> <li>• waste levy hypothecation to region</li> </ul>



#### Challenges

- waste governance regionally
  - recycling of bulky plastics and plastic lined containers
  - CRS implementation – role for council
  - improved C&I and C&D recovery
  - state of education for community on levy – to use the levy funds.
- site reconfiguration costs
  - classification of unsorted loads
  - encouragement of commercial waste
  - layout of site to encourage recycling
  - computer system set up of waste management section
  - strong assessment of load types
  - effective weighing mechanism of waste
  - general ledger setup of waste management section
  - ability to implement FOGO
  - apathy in community to allow for effective waste diversion
  - truck sharing and contamination of loads for different types
  - encouraging the “undesirable” but still divertible loads
  - federal government intervention over packaging.
- tyre cost
  - poor recycling
  - cardboard waste
  - reuse shop and what they offer to the community
  - bin quality/waste/recycling
  - illegal dumping.
- rethinking extent of community education
  - access to schools/groups
  - structured education programs and resourcing
  - clear consistent messaging for the state
  - interest/understanding of elected members across region as people who need to sell/explain process/ costs and rationale
  - consistent approach by all councils in the region to pricing, transparency, education and FOGO.

#### Opportunities

- education
  - for consumers on correct practices
  - on levy and its purpose
  - cost to dispose of waste.
- transfer station layouts that assist disposal of non-landfill waste
- development of downstream recycling streams that promote end usage
- more state government support
- state-wide policies and processes
- regional or state processing of:



#### Opportunities

- tyres
  - silage wrap
  - polystyrene
  - regional consistency in:
    - education programs
    - fees and charges
    - regional contract
  - governance – regional waste management activity
  - rethink waste
  - reduce waste products in general so diversion is not required
  - community education
  - FOGO products – find an economic way to make it more viable
  - improve and protect wording around 'compostable' and 'recyclable'
  - seamless process for producer so they don't feel burdened
  - federal and state government legislation around single-use plastics
  - levy to feed community to find solutions first before private/commercial/'for profit'
  - bulk contract management.
- separation of organics and other recyclables from landfill products for hospitals, nursing homes and corporates
  - formal and engrained education programs from department of education, schools, primary, secondary and tertiary levels
  - community based, solution-focused action groups
  - full life cycle awareness – procurement, op shops
  - supply chains – silage wrap.
- regional contracts/collection
  - regional call centre
  - regional education
  - regional policy
  - KPI within the groups control
  - measurable KPIs that public can contribute to
  - clear communication about waste issues and solutions
  - investment/subsidy new recycling markets
  - tie Tasmanians' waste performance to green image/branding
  - commit to an integrated, empowered regional approach
  - education (internal external, business, mums & dads. etc.)
  - get it rolling sooner rather than later using existing groups
  - consistency in WTS layouts and operations and charges
  - what do we see as it being in 10 years' time (e.g. regional body) and jump to it now, as complexity and expectation will only increase.



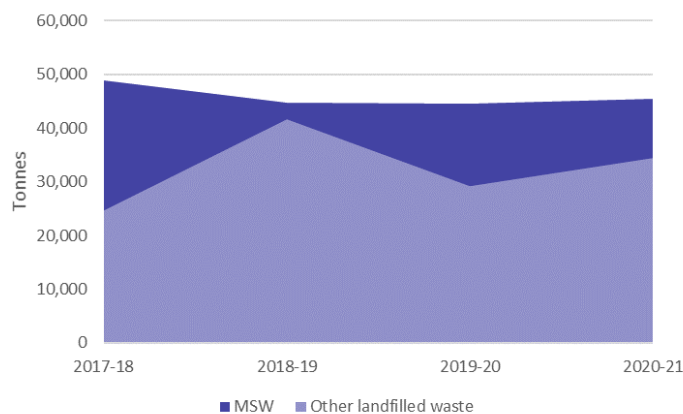
**Appendix B    Waste and recycling data**



### Waste generation

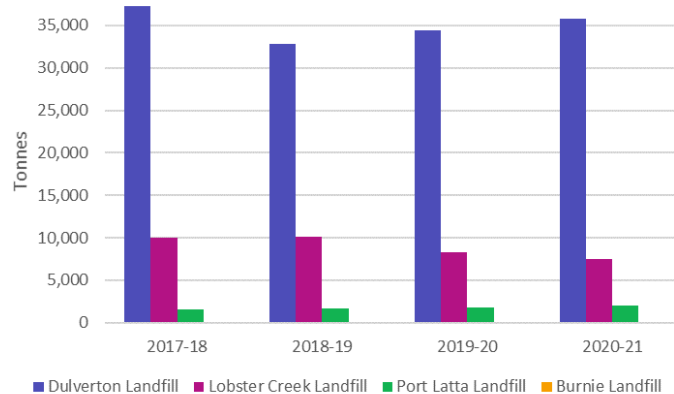
Figure B1 shows that total waste landfilled from 2017 to 2021 has been generally constant peaking in 2018-19 with 86,281 tonnes and most recently recorded with 79,738 tonnes in 2020-21. This was close to the 2016-18 quantities generated, indicating a constant generation of waste in the region. The category for other waste landfilled is considered unreliable (particularly in 2018-19) and was only recorded as annual totals for the region.

*Figure B1 Total waste landfilled from 2017-21 in Cradle Coast (tonnes)*



Data for individual landfill sites are not available for C&I and C&D waste, however data on MSW sent to each landfill site is available and is shown in Figure B2. Dulverton landfill received the largest portion of MSW in all years, followed by Port Latta Landfill and Lobster Creek Landfill. Dulverton received ~79% of MSW, while Port Latta received ~17% and Lobster Creek received ~5%.

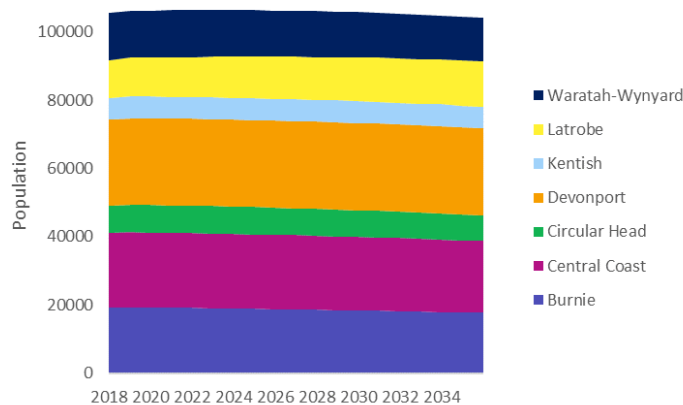
*Figure B2 MSW landfilled in Cradle Coast by site 2017-21 (tonnes)*





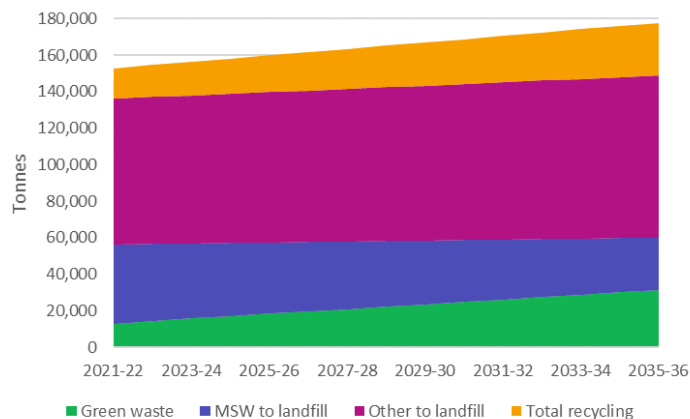
The quantity of materials generated in the future is likely to be impacted by the population. DTF (2019) have projected the overall population of the Cradle Coast region to contract by 1.3% by 2035. Figure B3 presents the estimated population growth for individual councils over the same period. The largest population growth is expected to be in Latrobe (19.9%). DTF predicts that some of the councils will experience a contraction, most significantly Circular Head (-7.6%), Burnie (-7.9%) and Waratah-Wynyard (-7.9%).

Figure B3 Population projection (medium projection) for Cradle Coast by LGA 2017-37 (tonnes)



Waste generation over the medium to long term is expected to remain at a similar average. Total waste generation is projected to reach around 97,301 tonnes in 2041-42. Figure B4 presents total waste generation projections under a business-as-usual scenario. These projections are based on the population projections provided in Figure B3 and do not take into account any strategic actions which may affect the amount of waste generated or diverted from landfill.

Figure B4 Waste generation projection in Cradle Coast region 2022-36 (tonnes)





## Recovery

In 2021, 44,082 properties were provided with kerbside recycling services in the region. Figure B5 shows the amount of kerbside recycling collected between 2017 and 2021 decreased steadily from 6,874 to 6,671 tonnes/year but has risen slightly in 2021 to 6,795 tonnes/year. Devonport and Central Coast Councils contributed the largest share of kerbside recyclables being collected at around 25% and 24% respectively each year.

Figure B5 Kerbside recycling collection from 2017-21 (tonnes)

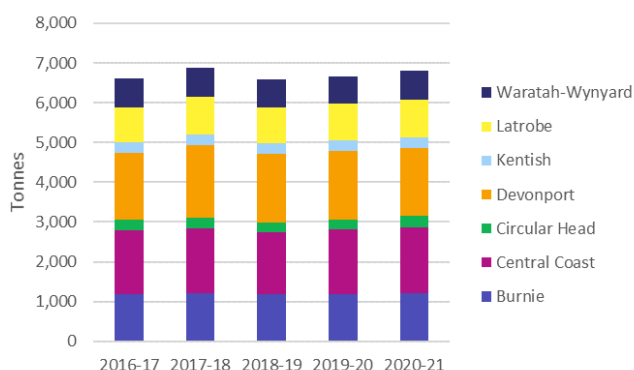
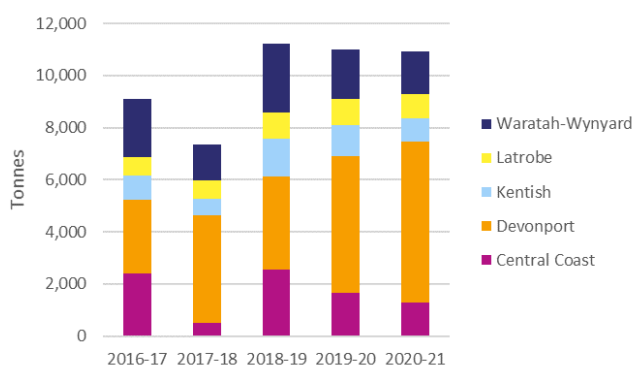


Figure B6 shows the estimated recycling performance per household for each council in the Cradle Coast region. In 2020-21, the regional average was 151 kg/household/year. Central Coast had the highest performance for kerbside recycling at 186 kg/household/year, followed by Latrobe at 169 kg/household/year. Circular Head had the lowest estimated performance at 130 kg/household/year.

Figure B6 Kerbside recycling per household by council of Cradle Coast 2017-21 (kilograms)



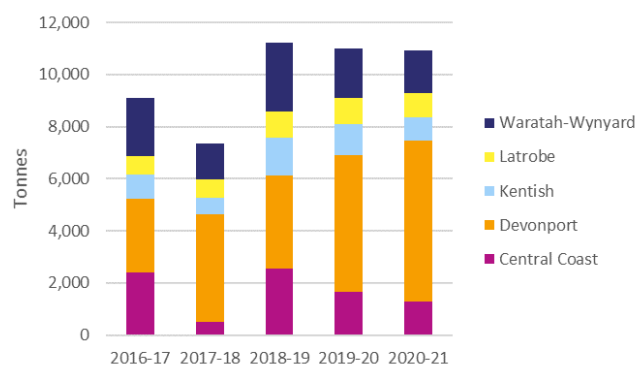
In 2020, a new contract was implemented between Central Coast Council, Circular Head Council, Devonport City Council, Latrobe Council, Kentish Council, Waratah Wynyard Council and Fieldwicks Crushing and Screening (FC&S). FC&S were also the previous contractors for green waste in the region. Burnie Council was not included and Circular Head has not yet used the service through the contract. Unless councils have a specific use for mulched green waste, it is transported to the Dulverton Organics Recycling Facility (DORF) for composting. Figure B7 shows the tonnes of green waste collected from 2017





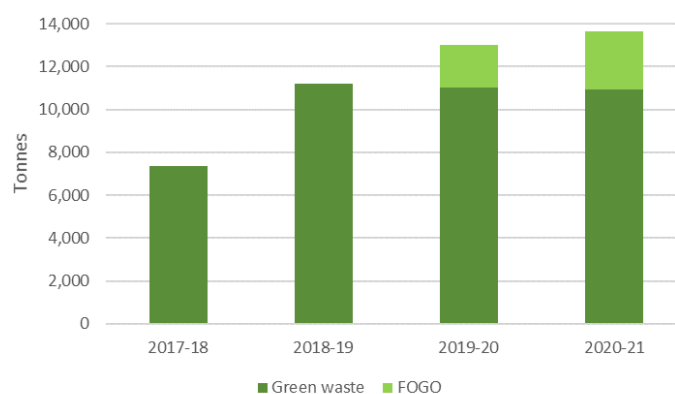
to 2021 from councils in the region. The total amount of green waste mulched has slightly declined since 2018, which may be attributed to a lower collection in CCC where FOGO has been implemented since 2019. In 2020-2021, 10,933 tonnes of green waste were mulched. Of this, Devonport Council is the largest contributor producing 57%, followed by Waratah-Wynyard with 15%.

*Figure B7 Green waste mulched under contract 2017-21 (tonnes)*



Central Coast introduced a FOGO bin in 2019-20 and collected 2,015 tonnes of FOGO in that year. This contributed to an increase in the total organic waste diverted from landfill (as shown in Figure B8). Currently the processing of this waste takes place at Launceston.

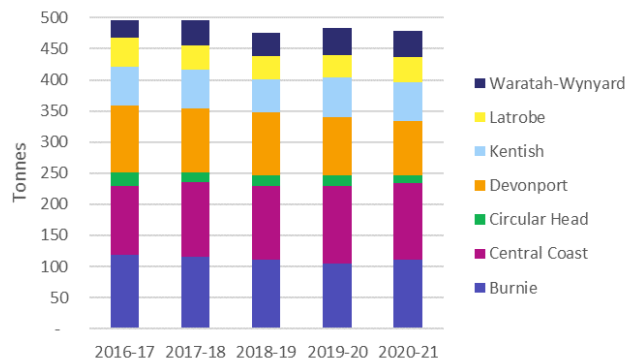
*Figure B8 Total organic waste collected in Cradle Coast 2017-21 (tonnes)*



Regional cardboard collection has been undertaken since 2015. The estimated tonnes from cardboard recycling per council is shown in Figure B9. In 2020-21, around 478 tonnes were collected from all councils. Central Coast and Burnie Council contributed the most amount of cardboard recycling, with each contributing 26% and 23% respectively of the total collection.

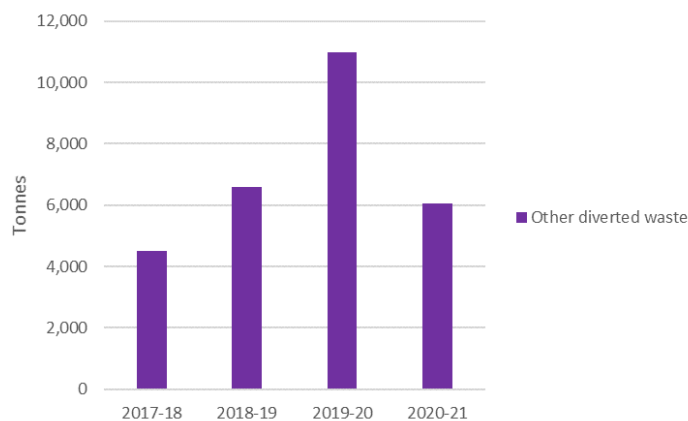


Figure B9 Cardboard recycling in Cradle Coast 2017-21 (tonnes)



Other recyclable materials collected at regional facilities is shown in Figure B10; this was the largest portion of recycling material in 2019-20 and second largest in 2020-21. The spike in 2019-20 may be partly attributed to regional household hazardous waste programs. Around 6,070 tonnes of 'other diverted wastes' were collected in 2020-21. Individual council information was not available.

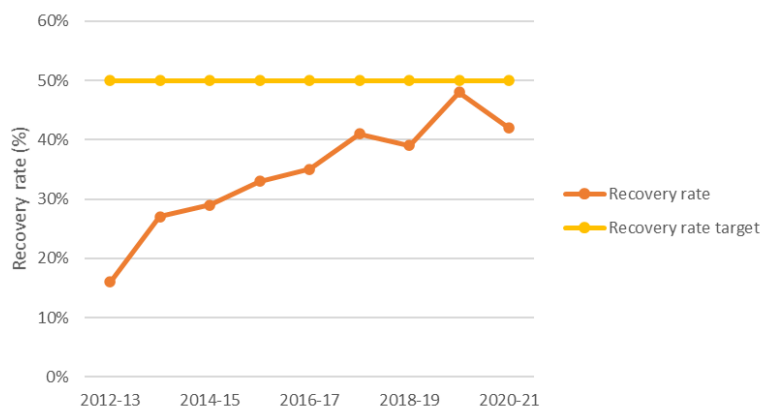
Figure B10 Other diverted waste in Cradle Coast 2017-21 (tonnes)



The overall recovery rate improved between 2017-18 and 2019-20 but declined slightly in 2020-21. It particularly increased between 2018-19 and 2019-20 and was close to meeting the recovery goal at 48% recovery rate in 2019-20. Figure B11 shows the estimated recovery rate as well as the recovery rate analysed in the last plan against the recovery rate goal of 50%.



Figure B11 Overall recovery rates in Cradle Coast region 2012-21



#### Recovery rate projections with region-wide FOGO

Further analysis was undertaken to understand the impact of expanding FOGO collection services to all councils in the region. The FOGO projections provided in Table B1 (overleaf) are based on the proportion of FOGO generated in Central Coast Council in 2020-2021 by tenement and also per capita. The number of tenements with access to kerbside services was projected to the focus year of this plan (2028) using trend analysis of 2015-2021 figures and the proportion per tenement forecast for projected tenements in 2028. The per capita scenario figures were applied to 2028 ABS population projections for the whole region.

The difference of FOGO collected in 2020 and 2028 was removed from the 2028 MSW landfill stream for both scenarios. The recovery rate projections are further divided between recovery of MSW including composted waste and MSW excluding composted waste. This is because the source stream proportions of composted waste in the region (while not recorded) is known to include both MSW and C&I waste.

The projection suggests that expansion of FOGO services will bring the region in line with the 60% MSW recovery rate goal outlined in the plan. Excluding composted waste gives a conservative estimate of MSW recovery. The recovery rate would be approximately 64% if calculated by tenement, or 57% if calculated by population.



Table B1 Recovery rate projections for 100% regional access to FOGO

Generation summary	FOGO projection by tenement		FOGO projection by population	
	2020-21	2028 (projection)	2020-21	2028 (projection)
MSW to landfill	45,386	24,153	45,386	28,926
Other waste to landfill	34,352	84,226	34,352	84,226
Commingle recycling	6,795	6,588	6,795	6,588
Cardboard recycling	478	442	478	442
Green waste	10,933	22,332	10,933	22,332
FOGO	2,712	14,512	2,712	9,739
Composted	30,058	35,185	30,058	35,185
Other recycling	6,070	15,678	6,070	15,678
Total waste generated	136,785	203,116	136,785	203,116
Overall recovery rate (%)	42%	47%	42%	44%
<b>MSW + composted</b>	<b>53%</b>	<b>77%</b>	<b>53%</b>	<b>72%</b>
<b>MSW - composted</b>	<b>41%</b>	<b>64%</b>	<b>41%</b>	<b>57%</b>

Financial and service constraints may mean that some populations in remote areas may not have access to FOGO services. Table B2 illustrates recovery rate projections if 80% of the population have access to FOGO services.

Table B2 Recovery rate projections for 80% regional access to FOGO

Generation summary	FOGO projection by tenement		FOGO projection by population	
	2020-21	2028	2020-21	2028
MSW to landfill	45,386	27,056	45,386	30,874
Other waste to landfill	34,352	84,226	34,352	84,226
Commingle recycling	6,795	6,588	6,795	6,588
Cardboard recycling	478	442	478	442
Green waste	10,933	22,332	10,933	22,332
FOGO	2,712	11,609	2,712	7,791
Composted	30,058	35,185	30,058	35,185
Other recycling	6,070	15,678	6,070	15,678
Total waste generated	136,785	203,116	136,785	203,116
Overall recovery rate (%)	42%	45%	42%	43%
<b>MSW + composted</b>	<b>53%</b>	<b>74%</b>	<b>53%</b>	<b>70%</b>
<b>MSW - composted</b>	<b>41%</b>	<b>60%</b>	<b>41%</b>	<b>55%</b>

Parameter	2028 objectives	Action No	Actions	2028 Outcome
<b>Objective 1</b> <b>By 2028, establish regionally consistent practices for waste management in all member council areas for consistent waste contracts, services and best practice principles</b>	Consistent contracts and best practice principles	2	Review 2018 governance report recommendations and where relevant align contract dates for future implementation of regional contracts. Implement regional contracts for waste services where considered beneficial.	-All member councils are involved in a collection contract coordinated by CCWWMG.
		3	Ensure supporting structure is provided within regional contracts to support member councils' future ambitions, including a potential regional call centre, infrastructure and waste management procedures	-WTS have improved infrastructure and operate under best practice principles. -CRS points are available in all council areas.
		6	CCWWMG should explore regional procurement opportunities where beneficial, including development of regional contracts for WTS recycling and waste management services.	-All member councils are involved in a collection contract coordinated by CCWWMG. -Household hazardous waste collections are conducted biannually. -CRS points are available in all council areas
		7	CCWWMG should develop regional best practice guidelines for reuse shops and assist councils to implement upgrades to meet transfer station best practice guidelines.	-WTS have improved infrastructure and operate under best practice principles.
		8	CCWWMG to deliver support systems which assist councils in the delivery of services.	-All member councils are involved in a collection contract coordinated by CCWWMG. -Household hazardous waste collections are conducted biannually.

Parameter	2028 objectives	Action No	Actions	2028 Outcome
				-CRS points are available in all council areas
		14	Develop a regional contract for concrete crushing at WTS to provide a reliable output for material collected.	Contributes objective 1
		15	Develop a regional contract for plaster recovery and recycling at WTS.	Contributes to objectives 1, 2
<b>Work towards the new legislation</b>		28	Advocate for new state-wide illegal dumping initiatives and support Tasmanian Government endeavours.	Advocacy – indirectly contributes to objective 1
		5	Consider possibilities and issues regarding increased council membership of CCWMG and/or increased regional participation in CCWMG programs and contracts.	Contributes to improved regional governance
		4	Ensure management reporting systems allow for potential increased oversight by Tasmanian Government, as well as changed composition of member councils involved in CCWMG in response to state-wide levy.	Contributes to improved regional governance
<b>Objective 2 By 2028, target 60% MSW resource recovery</b>	60%	11	Where relevant, support local Councils, charities and community groups to establish CRS collection points to ensure the region is adequately serviced.	Minor contribution to diversion

Parameter	2028 objectives	Action No	Actions	2028 Outcome
		12	Work with member councils to promote opportunities for recycling, including soft plastics recycling at national supermarket chains and local services where applicable.	Contributes to diversion objective 2, 3
		15	Develop a regional contract for plaster recovery and recycling at WTS.	Contributes to objectives 1, 2
		22	Advocate for expanded state-wide household hazardous waste collection program to be managed and financed by NRE.	Advocacy – indirectly contributes to objective 2
		24	Finalise arrangements for FOGO rollout and work in partnership with contractor and councils to implement information materials, bin rollout and performance monitoring of collection services for recovered organics.	Contributes to diversion objective 2
		25	Encourage home composting in areas where FOGO kerbside collection is unviable. Provide councils with education and resource materials for use in home composting support services.	Contributes to diversion Objective 2
		26	Consider use of existing and future education resources to support food waste minimisation initiatives in the region.	Contributes to diversion Objective 2
		42	Continue to support and expand school-based programs to schools in the region.	Contributes to Objectives 2, 3, 4
		43	Develop FOGO education opportunity for school groups.	Contributes to Objectives 2, 3, 4

Parameter	2028 objectives	Action No	Actions	2028 Outcome
<b>Objective 3</b> By 2028, target <10% contamination rate in kerbside recycling bins (based on annual kerbside recycling auditing)	<10%	12	Work with member councils to promote opportunities for recycling, including soft plastics recycling at national supermarket chains and local services where applicable.	Indirectly contributes to Objective 3
		13	Review opportunities for a regional contract for soft plastic recycling at WTS.	Indirectly contributes to Objective 3
		37	Conduct a review of the existing education program, identifying outcomes, challenges and reach.	Indirectly contributes to Objective 3
		38	Continue to support and expand Rethink Waste platform to supply community education resources, events and engagement programs.	Indirectly contributes to Objective 3
<b>Objective 4</b> By 2028, phase out priority single-use plastics	No priority single use plastic	29	Support member councils to introduce local plastic bans.	Contributes to Objective 4
		30	Develop a regional single-use plastic elimination strategy.	Contributes to Objective 4
		31	Advocate with Tasmanian Government for introduction of state-wide single-use plastic bans.	Advocacy indirectly contributes to achieving target
		32	Implement single use plastic bans for council supported events.	Contributes to Objective 4
		33	Provide support to event decision makers to develop sustainable waste	Could support ban of single use plastics



Parameter	2028 objectives	Action No	Actions	2028 Outcome
			management plans and reduce event waste sent to landfill.	
		41	Develop relationships with event planners and support the use of event waste management plans and waste reduction in event settings.	Could support ban of single use plastics
<b>Actions which indirectly support strategy objectives</b>				
<b>Construction and Demolition</b>		16	Advocate for development of Tasmanian standards for C&D recycling.	Advocacy-doesn't directly contribute
		17	Support WRRB C&D resource recovery initiatives.	Advocacy-doesn't directly contribute
<b>Work towards the new legislation</b>		1	Maintain framework for cooperation and collaboration between state government, waste management groups and local councils to influence policy and strategy documents, highlight current issues impacting on waste management in the region and contribute to and support government policy on emerging waste issues.	Supports some actions but no objective directly
		9	Consider opportunities for levy funding for member councils to establish relevant infrastructure, systems and training for new data reporting requirements for the waste levy. CCVMG should assist applications where necessary.	Supports some actions but no objective directly

Parameter	2028 objectives	Action No	Actions	2028 Outcome
		10	Replace data portal with regional software system which enables consistent data reporting.	Supports some actions but no objective directly
<b>Working with industry</b>		36	Encourage procurement opportunities that use products manufactured with recycled content.	Doesn't support, or contribute to, any objective
<b>Actions below don't support any of the strategy objectives</b>				
<b>Working with industry</b>		18	Re-visit past assessments of C&I waste generation and consider opportunities for intervention in key areas.	May contribute to longer-term goals. Doesn't support, or contribute to, any objective
		19	Conduct a feasibility study into diversion of C&I food organics to existing regional organics processing facility.	May contribute to longer-term goals. Doesn't support, or contribute to, any objective
		35	Maintain ongoing relationships with local businesses and industry associations to promote innovation in resource recovery and participation in a circular economy.	May contribute to longer-term goals. Doesn't support, or contribute to, any objective
<b>Hazardous</b>		23	Advocate for implementation of state-wide hazardous waste tracking system by EPA.	Doesn't support, or contribute to, any objective
<b>Illegal dumping</b>		27	Continue to support efforts to reduce illegal dumping through signage, surveillance of dumping hot spots and support for clean-up efforts. Consider	Doesn't support, or contribute to, any objective

Parameter	2028 objectives	Action No	Actions	2028 Outcome
<b>Collaboration</b>			short-term enforcement program focused on introduction of the levy.	
		34	Maintain transparent communication and collaboration with other regional waste management groups on relevant issues and programs.	May contribute to longer-term goals. Doesn't support, or contribute to, any objective
		39	Conduct a review of past community events, identifying outcomes, challenges and reach.	May contribute to longer-term goals. Doesn't support, or contribute to, any objective
		40	Continue to support public events including Repair Café at Ecofest to reinforce community behaviours and maintain an informed community.	May contribute to longer-term goals. Doesn't support, or contribute to, any objective

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**WORKS AND SERVICES****AO174-22 COUNCIL MAP**

**FILE NO: 31/21/1**  
**PREVIOUS MIN: AO171-21**

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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	7.5.1	Strategies and plans are well-developed and guide the future allocation of resources.

**1.0 RECOMMENDATION:**

***“THAT Council endorse the amended sheets of the Council Map:***

***Urban:***

- ***Sheet B2 – Mills Road and Janet Drive extended.***
- ***Sheet C3 – Deavan Drive, Larkin Court, Blake Boulevard added. These streets replaced Loongana Avenue North and Woniora Road North.***
- ***Sheet E3 – Neil Court added.***

***Rural:***

- ***Map 11 – Devonshire Drive extended and Charlton Close added.***

***as presented.”***

**2.0 SUMMARY**

This report recommends that Council endorse the amended sheets of the Council Map, as presented.

Three road segments have been extended and five roads added to the Council Map, as noted in the discussion section of this report.

There is no legislative requirement for Council endorsement of the Council Map. However, in doing so, it provides an opportunity to put in place a process for ongoing review of the Council Map and ensures that Council is aware of the content of the Council Map.

Should Council endorse the amended Council Map sheet as presented, the community will have access to the maps free of charge as per Section 208 of the *Local Government Act 1993*

and an ongoing opportunity for interested parties to make a submission to Council in respect to the Council Map under Section 209 of the Local Government Act 1993.

### 3.0 BACKGROUND

The General Manager is required, under *Section 208 of the Local Government Act 1993* to prepare and maintain a Council Map. This requirement is currently addressed through the specified information being identified in Council's Asset and GIS Systems.

The Council Map was previously reviewed in September 2021 and amendments presented to Council at the meeting held on 28 September 2021 for endorsement.

This report discusses the outcome of a recent review of the Council Map and presents revised Council Map sheets for Council endorsement.

### 4.0 LEGISLATIVE REQUIREMENTS

*Section 208 of the Local Government Act 1993* (reproduced below) requires that the General Manager to prepare a Council Map.

**208. Council map**

- (1) *The general manager is to keep up to date a map of its municipal area showing the following:*
  - (a) *all local highways maintainable by the council;*
  - (b) *all other highways, other than State highways, made, formed, paved or otherwise made good;*
  - (c) *all roads that an owner is liable to maintain;*
  - (d) *all streets that the council has resolved to construct under Part V of the Local Government (Highways) Act 1982;*
  - (e) *all roads leased under section 63 (2) of the Local Government (Highways) Act 1982;*
  - (f) *all lands not wholly subject to a highway;*
  - (g) *all declared landslip areas.*
- (2) *One combined map may be used for the purposes of this section and section 12 of the Urban Drainage Act 2013.*
- (3) *A map –*
  - (a) *may be on one sheet or several sheets and different information may be shown on different sheets of the same area; and*
  - (ab) *may be in an electronic form; and*
  - (b) *may be inspected, free of charge, by any person; and*
  - (c) *is evidence of the matters mentioned in subsection (1)(a), (b) and (c).*
- (4) *Subsection (3) does not operate to fix accurately –*
  - (a) *the boundary of a highway unless it is indicated on the map that the relevant information was obtained by a registered surveyor or from a plan prepared by a registered surveyor; or*
  - (b) *a boundary other than the boundary of a highway.*

A Map compliant with the requirements of the Act has been in place for many years, in a variety of formats.

The Act provides a mechanism for the community to seek corrections to the Council Map.

**209. Corrections of map**

- (1) *An owner who is aggrieved by any matter included in the map under section 208(1) (a), (b) or (c) may, by notice in writing, request the council to correct the map.*
- (2) *A notice is to –*
  - (a) *state the grounds for the request for correction; and*
  - (b) *be lodged with the general manager.*
- (3) *If the council does not correct the map as requested within 120 days after the owner has lodged a notice, the owner may apply to the Magistrates Court (Administrative Appeals Division) for a review of the decision.*
- (4) *If the council does not make a decision on whether or not to correct the map within 120 days after the owner has lodged a notice, the council is taken to have made a decision refusing to correct the map on the last day of that period.*

## **5.0 POLICY CONSIDERATIONS**

This report presents no policy considerations to Council in that it seeks Council endorsement of current Council practices in respect to the development and management of the Council Map.

## **6.0 FINANCIAL IMPACT**

This report presents no financial implications for Council.

## **7.0 DISCUSSION**

As noted in the Background section of this report, Council is required to prepare a Council Map.

The purpose of the Council Map is to clarify Council's responsibilities for:

- Local Highways management.
- Stormwater drainage management.

The Council Map aids in the administration of a range of legislation related to local highways, stormwater drainage and landslip management.

An example of using the Council Map would be to answer queries as to whether Council maintained a particular section of a road.

It is noted that maintenance responsibility does not imply ownership of the lands upon which the local highway or stormwater drain is constructed.

The current Council Map is in electronic format, has developed over time and from a road and drainage perspective, reflects the infrastructure currently maintained by Council. It is

supported by data contained in the Asset Management System and Service Level Documents. The Council Map is administered by Works and Services.

A process of correlation between the Council local highways data and the data held by the State Government (The List) has occurred over recent years and good correlation now exists between the two data sets.

Given the importance of the Council Map in respect to administering relevant legislation, it is beneficial, from an administrative process perspective that the Council Map be endorsed by Council and that an annual review of the Council Map occurs.

Officers have undertaken a review of relevant information held by Council. In undertaking the review, Officers have regard to:

- New infrastructure taken on by Council as a result of subdivisional development: Council is aware of the new assets as part of the development approvals process.
- Requests to Council to construct a new local highway or drain: Considered by Council either during a budget process or via a formal report seeking a Council determination.
- Resident upgrades a road and Council has determined to accept responsibility for maintaining the section of upgraded road.
- Council determines to cease maintaining a road.
- Errors or omissions identified.

Proposed amendments to the Council Map are noted below:

### ***Local Highways***

A number of sections of road have been added to the Council Map:

#### **Urban:**

- Sheet B2 – Mills Road and Janet Drive extended.
- Sheet C3 – Deavan Drive, Larkin Court, Blake Boulevard added. These streets replaced Loongana Avenue North and Woniora Road North.
- Sheet E3 – Neil Court added.

#### **Rural:**

- Map 11 – Devonshire Drive extended and Charlton Close added.

Drainage systems associated with the new road and subdivision infrastructure are noted also.

The amended Council Map sheets are ***attached***.

## **8.0 RISK**

Council Officers maintain a Council Map in accordance with the requirement of the *Local Government Act 1993*.

While there is no statutory requirement for Council to endorse the Council Map, such a process though provides for transparency in respect to future amendments to the Council Map.

## **9.0 CONSULTATION**

The preparation of the Council Map is an administrative process for Council and draws upon relevant information held by Council.

Section 208 of the *Local Government Act 1993* requires that the Council Map be available to the public for inspection free of charge.

Section 209 of the *Local Government Act 1993* provides an ongoing opportunity for interested parties to make a submission to Council in respect to the Council Map.

## **ATTACHMENTS**

- 1 [!\[\]\(32b3140000635d85b5fcc7ce37a1b40f\_img.jpg\) Sheet B2 - Mills Road and Janet Drive Extended](#)
- 2 [!\[\]\(a2709e896f70a15af1b75ddfa7236315\_img.jpg\) Sheet C3 - New Streets Added - Deavan Drive, Larkin Court and Blake Boulevard](#)
- 3 [!\[\]\(6a35e7fc1cc98abd5e41a848bc25419c\_img.jpg\) Sheet E3 - Neil Court Added](#)
- 4 [!\[\]\(e0126de17aa398db1485154954d0ead9\_img.jpg\) Map 11 - Devonshire Drive Extended and Charlton Close Added](#)



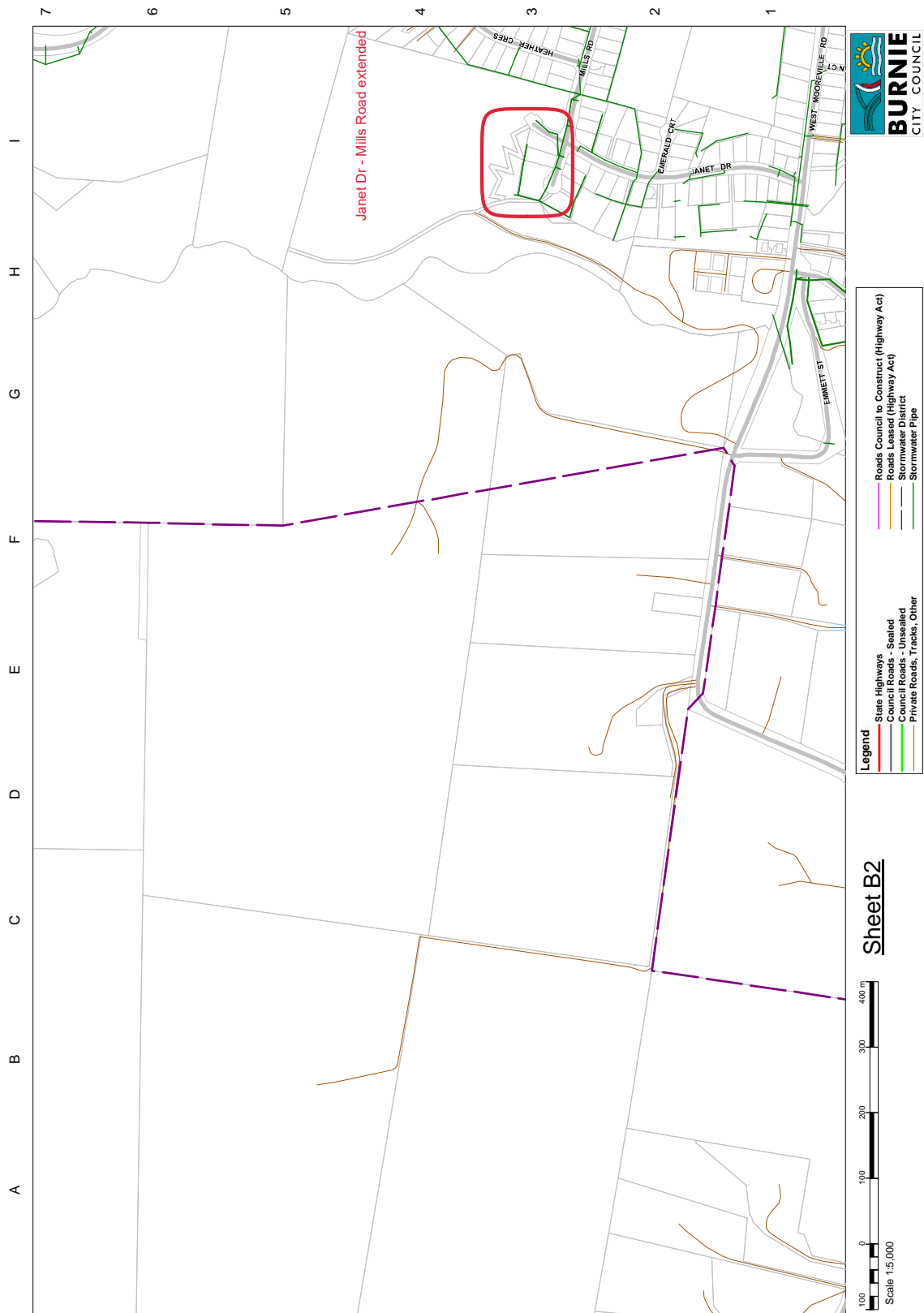
**COUNCIL RESOLUTION****Resolution number: MO183-22****MOVED:**            *Cr A Keygan***SECONDED:**      *Cr D Pease****“THAT Council endorse the amended sheets of the Council Map:******Urban:***

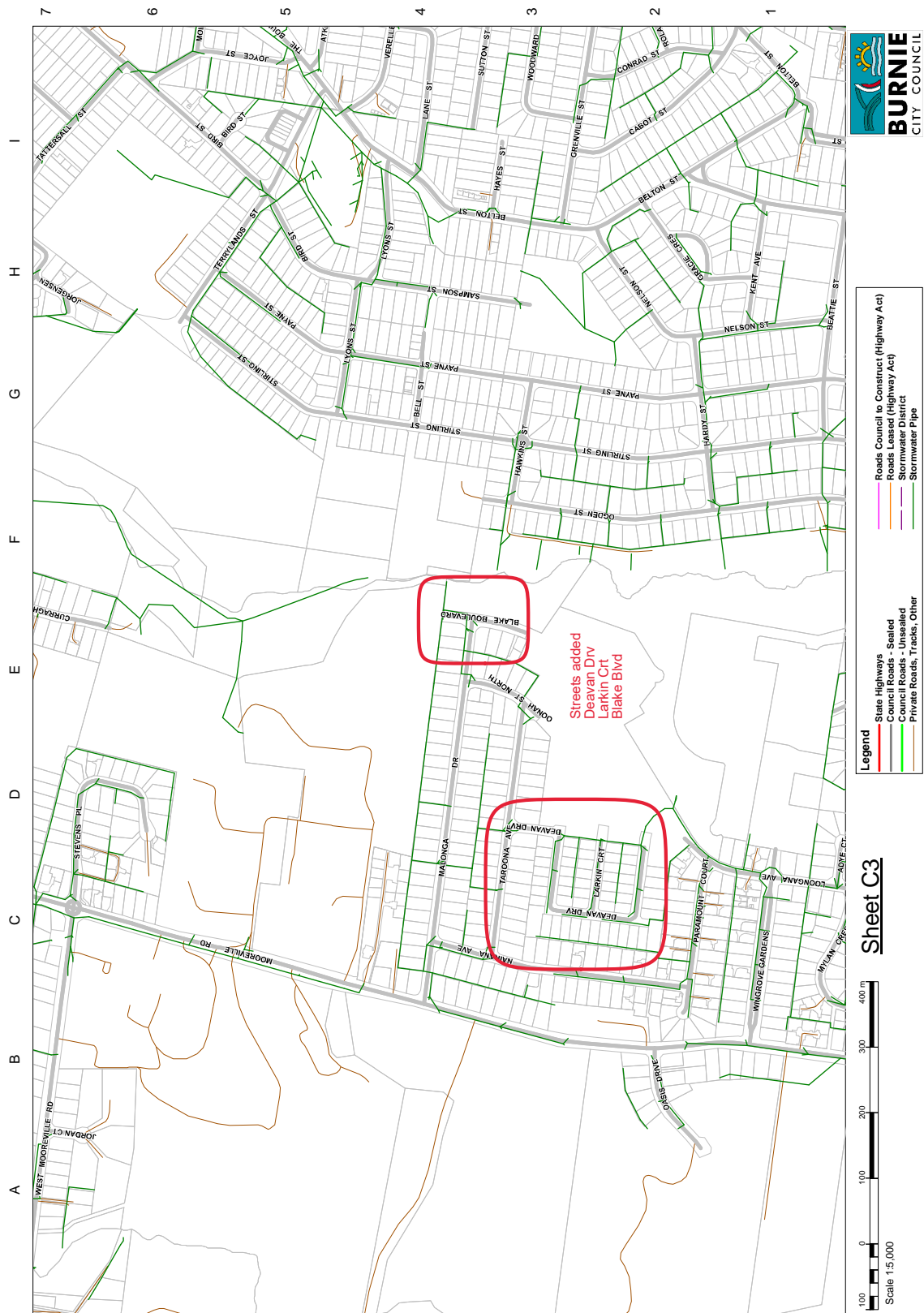
- *Sheet B2 – Mills Road and Janet Drive extended.*
- *Sheet C3 – Deavan Drive, Larkin Court, Blake Boulevard added. These streets replaced Loongana Avenue North and Woniora Road North.*
- *Sheet E3 – Neil Court added.*

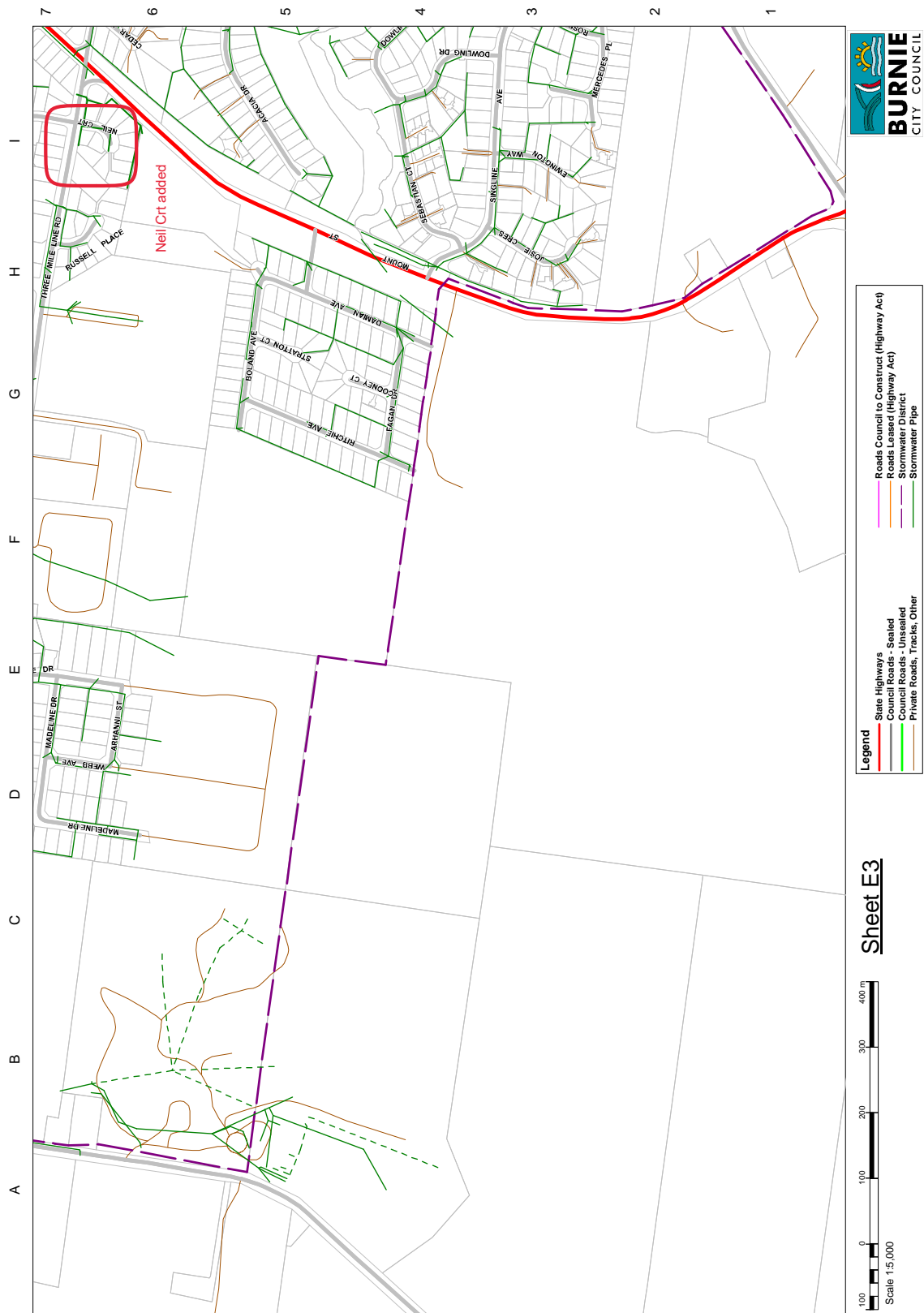
***Rural:***

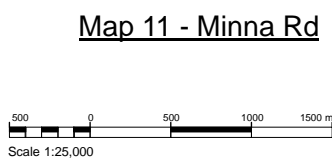
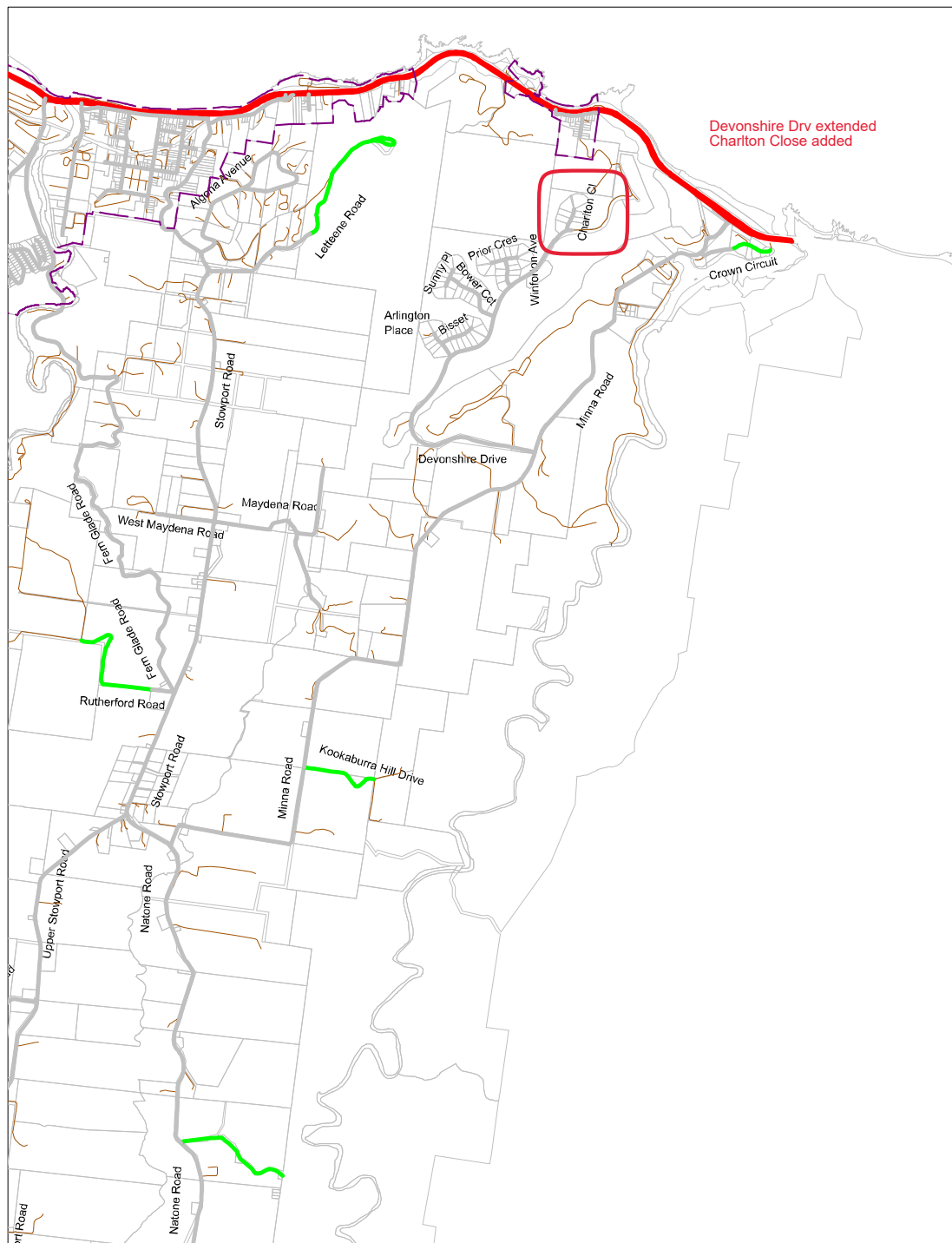
- *Map 11 – Devonshire Drive extended and Charlton Close added.*

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









## Legend

- State Highways
- Council Roads - Sealed
- Council Roads - Unsealed
- Private Roads, Tracks, Other
- Roads Council to Construct (Highway Act)
- Roads Leased (Highway Act)
- Stormwater District
- Stormwater Pipe



Deputy Mayor G Simpson left the meeting having declared an interest in Item AO175-22, the time being 7.45pm.

## **CORPORATE AND COMMERCIAL SERVICES**

### **AO175-22 COMMUNITY GRANT - BURNIE CITY YOUTH COUNCIL - DRIVE IN CINEMA EVENT**

**FILE NO:** 17/4/3

**PREVIOUS MIN:**

MAKING BURNIE 2030 – CORPORATE PLAN REFERENCE:

Direction	2~AN INCLUSIVE AND HEALTHY COMMUNITY
Objective	2.2~The importance of physical and emotional wellbeing is valued and actively adopted by the community.
Strategy	2.2.1~Facilitate a suite of family-focused activities that promote well-being and healthy lifestyles.

#### **1.0 RECOMMENDATION:**

***“THAT Council:***

- 1) Approve a contribution of \$10,000 from the Community Grants and Programs budget for 2022-23, to the Youth Council to conduct a Drive in Cinema event;***
- 2) Include a \$5,000 contribution into future Council budgets specifically for the Youth Council to conduct a youth focused event for community participation.”***

#### **2.0 SUMMARY**

The purpose of this report is to seek Council’s consideration of a community event proposed by the Burnie City Youth Council.

#### **3.0 BACKGROUND**

Commencing in the 2022-23 financial year, the Council changed the arrangements around the application and determination of Community Grants, including those to support community events.

The new program provides an annual opportunity for community groups and organisations to apply for assistance towards their events and programs for the upcoming financial year.

The opportunity for 2022-23 grants opened in November 2021 and closed in mid-January 2022 to enable consideration of these through the budgeting cycle. The Community Grants supported for the financial year were endorsed as part of the Council’s Annual Plan and Budget Estimates 2022-23 at the Council meeting of 28 June 2022.

The intent of the new grants process is to ensure that grants are open to all potential applicants, to enable a more balanced assessment of applications, and to ensure equality and transparency with our community in the distribution of funds.

Eligibility for Community Grants are outlined in the Guidelines **attached**.

#### **4.0 LEGISLATIVE REQUIREMENTS**

There are no legislative considerations that arise from this report.

#### **5.0 POLICY CONSIDERATIONS**

The Council's Community Grants Guidelines apply to the consideration of this report.

#### **6.0 FINANCIAL IMPACT**

The Council have \$13,930 remaining in the Community Grants and Programs budget for the remainder of the 2022-23 financial year. Should the Council support the recommendation contained in this report it will require an investment of \$10,000 from these funds, leaving a balance of \$3,930. The Council has the ability to reduce the quantum of the grant should this be preferred.

#### **7.0 DISCUSSION**

As part of their monthly meetings, the Burnie Youth Council have been discussing their desire to conduct an event for the younger demographic of Burnie. They have considered many options and have concluded that their preference is to hold a Drive in Cinema event at Wivenhoe. This is outlined in the attached correspondence which has been provided to Councillors from the Burnie City Youth Mayor, Abbey Granger.

The request seeks an amount of \$10,000 to conduct the event, and it is noted that they propose to outsource the event management to a third party, while still retaining involvement in the creation of the event. Should the Council be supportive of this, the funding would be provided from the Community Grants and Programs budget.

Setting aside this specific request, it is acknowledged that the timing that the Council conducts its Community Grants application process, typically crossing the end of the calendar year, and the commencement of the new, does not allow the Youth Council to make application through the annual grants process.

To that end it is suggested that in future budgets there be \$5,000 included specifically for the Youth Council to conduct an event or undertake a community activity for the young people of Burnie.

**8.0 RISK**

The following table identifies relevant risks and how they may need to be addressed to either eliminate or reduce the risks.

Risk Category	Risk identified	Ways to eliminate or reduce the risk
Public Safety	Event management	Ensure that any event organizer is aware of their obligations for the event, and the need for them to gain appropriate approvals from Council and other organisations as required.

**9.0 CONSULTATION**

This matter has been discussed with the General Manager.

**ATTACHMENTS**

1. [Request for Funding from Youth Mayor Abbey Granger](#)
2. [Community Grant Guidelines](#)

**COUNCIL RESOLUTION**

**Resolution number: MO184-22**

**MOVED:** *Cr D Pease*

**SECONDED:** *Cr T Brumby*

**“THAT Council:**

- 1) Approve a contribution up to \$10,000 from the Community Grants and Programs budget for 2022-23, to the Youth Council to conduct a Drive in Cinema event;**
- 2) Include a \$5,000 contribution into future Council budgets specifically for the Youth Council to conduct a youth focused event for community participation.”**

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

**Against:**

**CARRIED UNANIMOUSLY**



Abbey Granger



1 September 2021

Simon Overland  
General Manager  
Burnie City Council

Dear Mr Overland,

**BURNIE CITY YOUTH COUNCIL: DRIVE IN CINEMA PROPOSAL**

Burnie City Youth Council has been working throughout the year to identify and develop ideas we believe would benefit young people in our community.

We have considered as part of this work, the types of events we would like to see in Burnie.

We believe a Drive in Cinema would provide a safe, unique, and family friendly activity for our community. The development of the event would provide families and young people with a unique experience they could enjoy together.

We are seeking a commitment from Burnie City Council to develop the proposal and provide funding and support to an organisation to run a Drive in Cinema event at the Wivenhoe Show Grounds for up to 1000 community members.

Burnie City Youth Council would provide input into the design of the event. We hope a Drive in Cinema can become a regular event for youth in the Burnie Community.

We look forward to your consideration and response to the above proposal.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Abbey Granger', is written over a light blue rectangular background.

Abbey Granger  
YOUTH MAYOR  
Burnie City Youth Council

CC: Mayor Steve Kons  
Deputy Mayor Giovanna Simpson  
Councillors



## APPLICATION GUIDELINES





*Before you apply for a Community Grant, please read through the information below and Council's Community Grants Assistance Policy. It will give you the best chance of being successful.*

## Objectives of the community grants program

Community Grants are to support projects and events that:

1. Are in line with Council plans and priorities
2. Promote a sense of community and inclusion across Burnie
3. Help residents to be healthy, active or engaged in community life
4. Encourage the development of locally-led and delivered projects and activities, and
5. Support and enable local community groups and organisations to deliver events and services to the Burnie community

## Eligibility

### Who can apply for this grant?

To apply for this grant, your group must:

1. Preferably be a registered (incorporated) not-for-profit club or community group or have the support of one (an auspice); or
2. Be a non-incorporated association able to satisfy Council that the applicant can receive, manage and acquit the grant in an appropriately accountable manner
3. Be based in Burnie or the activity will take place in Burnie
4. Have public liability insurance of \$20 million, or be eligible for community liability insurance under Council's Community Liability Policy
5. Be able to demonstrate support in the community for your organisation or proposal

6. Develop a plan detailing the benefits of what you are proposing
7. Create an itemised budget, detailing how you will spend the funds
8. Submit your application and documentation online and if successful transact and acquit your grant online

### Who cannot apply for this grant?

You cannot apply for this grant if:

- It is for purely commercial purposes
- You are a political party or group, or
- You are a Government agency

### What can be funded?

Community Grants funding is available in two grant streams:

- Minor Grants – up to \$5,000
- Two Major Grants – up to \$15,000

Examples of what you could use this funding for:

- Community, arts or cultural events based in Burnie
- Community, arts or cultural programs to assist Burnie residents or that encourage residents to be social, active or healthy, or
- Equipment that is an essential part of the group's purpose

### What cannot be funded?

We will not accept applications for:

- Funding of events or programs outside of Burnie
- Multiple grants from the one group in a financial year
- Maintenance and improvements of Council assets (but see Maintenance and Improvement Grants program)
- Programs that only advocate religion or faith



- Activities that are due to happen (or have happened) before a decision on a grant application is made, or
- Activities that occur outside of the financial year's funding period

## Grant approvals

### How successful grants are decided?

Your application will be assessed on how well it meets the following criteria:

1. Alignment with Council strategy and priorities
2. Delivery of benefit to the community or part of the community resident in the Burnie municipal area
3. Strength of community support
4. The ability of the group to deliver the project
5. Supplementary funding obtained through other sources to support the project
6. Equitable allocation of grant funds across the community, including to new initiatives and groups or to groups that have not received grant funding support in the previous three years

### If your application is successful

- We will notify you by email
- We will include a funding deed that will set out the purpose and conditions of the grant that you will need to accept, sign and return before the grant is paid to your nominated bank account
- If you have any outstanding payments owed to Council, you will need to clear these before a grant payment is made

### If your application is unsuccessful

- An email will be sent to you explaining why the application was not successful, and
- You are encouraged to reapply in future, provided you meet eligibility requirements.

### Variations to grant applications

If you are successful in obtaining a grant and for some reason wish to change the purpose or scope of the grant, you must first obtain the written approval from Council, completing an application variation request.

Your application to vary will be assessed with reference to the original purpose, the reason for the requested variation and the impact on outcomes and cost. You will be advised in writing if your request is successful and will need to sign a new funding deed.

Change of purpose or scope without the prior written agreement of Council may result in immediate cancellation of the grant and a requirement to repay all grant money.

### Auspice organisations

An auspice organisation must know of and consent to act as such before a grant application is submitted and it is the auspice organisation that will be required to sign the funding deed, ensure compliance with its terms and acquit the grant. An auspice organisation need not be based or have a presence in Burnie, but the service, program or event must be delivered in Burnie.

### Events

If you are successful in your grant application, this is approval of funding only. You will still need to confirm facility/venue bookings with the relevant staff and to obtain all other approvals necessary for the event to proceed. Council officers may assist to identify any relevant approval, authorisation or permit, and how to make an application. However, Council officers will not assist in the preparation of any necessary application.



The management and operation of the event is also the responsibility of the grant holder. This includes attending to public health requirements and any other statutory or regulatory obligations.

Requests for community discounts on the hire of Council facilities will need to be made and considered outside of this policy and consistent with Council's relevant charging policy.

## Acquitting your grant

### Tell us how the grant was used

After you have completed the purpose for which the grant was made, you must tell us how you spent the money and what you achieved. This is known as an acquittal process and you must complete it within 60 days of your event or by 1 August after the close of the financial year if you have been funded for a financial year or years. If your grant is for multiple years you must provide an acquittal by 1 August after the end of each financial year of the grant.

You must keep sufficient records and documentation to fully acquit expenditure of the grant for the approved purpose. Spot audits will be undertaken of some grants and a failure to either properly acquit a grant may result in future grant applications being refused, or if warranted, by referral to Tasmania Police for investigation.

## Funding conditions

### Additional funding conditions

There are no general additional funding conditions, in excess of those provided in Council's Grant Policy. Specific conditions may be included in funding deeds with individual grant

recipients at the absolute discretion of Council.

Additional conditions may also be required as a condition of grant variation approval, again at the discretion of Council.

## How do I apply for and manage my grant

### How do I apply for my grant?

Applications must be submitted online at <https://burnie.smartygrants.com.au>

### How do I manage my grant?

All management of the grant is done online at <https://burnie.smartygrants.com.au>.

You must also provide appropriate bank details into which grant money will be paid.

### Contact us

Please contact our Community Grants Team for any enquiries about a grant application or your grant.

Ph: 03 6430 5866

Email: [grants@burnie.net](mailto:grants@burnie.net)

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Cover photo by [Brenna Huff](#) on [Unsplash](#)



Deputy Mayor G Simpson remained out of the room and A Keygan left the meeting, having declared their interest in Item AO176-22 the time being 7.47pm.

## **CORPORATE AND COMMERCIAL SERVICES**

### **AO176-22 COMMUNITY GRANT - EMUSICIANS 2022 TOUR**

**FILE NO:** 17/4/3

**PREVIOUS MIN:**

MAKING BURNIE 2030 – CORPORATE PLAN REFERENCE:

Direction	2~AN INCLUSIVE AND HEALTHY COMMUNITY
Objective	2.2~The importance of physical and emotional wellbeing is valued and actively adopted by the community.
Strategy	2.2.2~Encourage community-driven initiatives that focus on developing healthier lifestyles and improved emotional wellbeing.

#### **1.0 RECOMMENDATION:**

***“THAT Council:***

- 1) Approve a contribution of \$2,000 towards the EMUicians 2022 Tour;***
- 2) Advise the EMUicians Club that for future events, funding must be made through the formal annual Community Grants process; and***
- 3) The grant be subject to a late application being made and administered through the Community Grants portal.”***

#### **2.0 SUMMARY**

The purpose of this report is to seek Council’s consideration for a contribution towards the EMUicians 2022 tour being conducted in the 2022-23 financial year.

#### **3.0 BACKGROUND**

Commencing in the 2022-23 financial year, the Council changed the arrangements around the application and determination of Community Grants.

The new program provides an annual opportunity for community groups and organisations to apply for assistance towards their events and programs for the upcoming financial year.

The opportunity for 2022-23 grants opened in November 2021 and closed in mid-January 2022 to enable consideration of these through the budgeting cycle. The Community Grants supported for the financial year were endorsed as part of the Council’s Annual Plan and Budget Estimates 2022-23 at the Council meeting of 28 June 2022.

The intent of the new grants process is to ensure that grants are open to all potential applicants, to enable a more balanced assessment of applications, and to ensure equality and transparency with our community in the distribution of funds.

Eligibility for Community Grants are outlined in the Guidelines **attached** to the previous agenda item.

This request is considered a late application on the basis that it has not been included in the formal process. The Council acknowledged however that in changing the Community Grants process that in the transition year there would need to be a flexible approach applied to consider ad hoc request presented during the 2022-23 financial year.

#### **4.0 LEGISLATIVE REQUIREMENTS**

There are no legislative considerations that arise from this report.

#### **5.0 POLICY CONSIDERATIONS**

The Council's Community Grants Guidelines apply to the consideration of this report.

#### **6.0 FINANCIAL IMPACT**

If the Council resolved to approve the previous recommendation to provide funding to the Youth Council for the proposed Drive in Cinema event, the Council would now have \$3,930 remaining in the Community Grants and Programs account for the 2022-23 financial year.

Should the Council support the recommendation contained in this report, it will require an investment of \$2,000 from these funds, leaving a balance of \$1,930 available for the remainder of the financial year.

#### **7.0 DISCUSSION**

An approach has been made from the EMusician's seeking Council support for funding towards two buses which are imperative to the conduct of the upcoming EMusician's 2022 tour. The Club have cited significant cost increases related to the use of the buses from previous years, advising that for this event, the cost of the buses alone is \$6,600.

While the Club is not seeking Council to cover the full amount, they have requested the Council give consideration to a contribution that they can use to supplement other income such as from their recent music marathon fundraiser.

The tour will be conducted across the region more broadly, however there are approximately 63 children who will take part in the three day tour, all from local schools within Burnie. The attachments provided outline the skills and experience those students will gain from participating in the tour, and an overview of the program to be undertaken.

The event in question meets the criteria outlined in the Community Grant Guidelines.

**8.0 RISK**

There are no significant risks that arise from this report.

**9.0 CONSULTATION**

This matter has been discussed with the General Manager.

**ATTACHMENTS**

- 1. [Program - EMUsicians Tour 2022](#)
- 2. [Benefits for participants](#)

**COUNCIL RESOLUTION**

**Resolution number: MO185-22**

**MOVED:** *Cr A Boyd*

**SECONDED:** *Cr T Bulle*

***“THAT Council:***

- 1) Approve a contribution of \$2,000 towards the EMUsicians 2022 Tour;***
- 2) Advise the EMUsicians Club that for future events, funding must be made through the formal annual Community Grants process; and***
- 3) The grant be subject to a late application being made and administered through the Community Grants portal.”***

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

Against:

***CARRIED UNANIMOUSLY***

Deputy Mayor G Simpson and Cr A Keygan returned to the meeting, the time being 7.48pm.



**EMusicians TOUR TO RIVERBEND****2022****WEDNESDAY, 26th October**

8:00am Arrive Cooe Memorial Hall  
 8:30am Bus leaves for Boat Harbour Primary  
 9:15am Set up for Concert & rehearse with BHPS band  
 10:30am Recess  
**11:00am CONCERT No. 1 at Boat Harbour Primary**  
 12pm Pack up and load gear back into bus  
 Lunch at BHPS(own packed lunch)  
 1:15pm Travel to Riverbend  
 2:30pm Arrive at Riverbend, set up cabins  
 3pm Afternoon tea  
 3:30pm Activities at camp  
 5:30pm Tea and Evening activities at Camp

**THURSDAY, 27th October**

7:00am Breakfast & pack lunch  
 8:00am Tidy Rooms  
 8:30am Leave for Smithton Primary School  
 10:30am **CONCERT No. 2 at Smithton Primary**  
 11:30am Pack up and head to Forest Primary School  
 11:45am Set up for concert 3 and lunch Bus 2 to go pick up Stanley students  
 1:15pm **CONCERT 3 at Forest Primary**  
 2:15pm Pack up & load gear on Bus 1 Bus 2 to take Stanley students back  
 3pm Head back to Riverbend  
 3:30pm Camp activities & free time to sort out items for EMUs Got Talent  
 5:30pm Tea  
**7pm "EMUs GOT TALENT!"**



Have you thought of an act for the talent show?  
 Maybe by yourself, with a friend or in a group?  
 Remember to bring anything you need.

**FRIDAY, 26th October**

7:00am Breakfast & pack Lunch  
 8am Pack up cabins/personal gear.  
 8:30am Head to Trowutta Arch  
 11am Head to Table Cape Primary School  
 Set up for concert 4  
 12pm Lunch at Table Cape Primary  
 1:30pm **CONCERT 4 at Table Cape Primary**  
 2:30pm Pack up and head home  
 3pm Arrive home at Cooe and unload all gear  
 3:15pm Collection of EMUs to go home



**EMusicians Tour**

**Benefits for the students (approx. 63 in total)**

- Performing in front of others
- Building confidence as a player
- Friendship
- Social skills
- Music Skills
- Using skills to last a lifetime
- Teamwork
- Organisational skills
- Students learn to listen and communicate with each other to create music
- Performance etiquette in a group
- Sharing the love of music within the group as well to an audience
- Sharing knowledge
- Creating long life memories
- Collaborating skills

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**GENERAL MANAGER****AO177-22 GENERAL MANAGER'S REPORT - OPEN SESSION****FILE NO: 4/18/2****PREVIOUS MIN:**

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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 Mayor’s Communications
- 2.2 General Manager’s Communications
- 2.3 Notification of Council Workshops
- 2.4 Correspondence for Noting
- 2.5 Council Meeting Action List

**2.1 MAYOR’S COMMUNICATIONS**

The Mayor advises that the following meetings, events or appointments were attended since the last Council Meeting report:

- UTAS - 2022 Scholarship Thank You Afternoon Tea
- Business North West - General Meeting
- Friends of the Burnie Regional Museum AGM
- WxNW Community Meeting – Cruise Ships
- Tasmanian Road Safety Forum 2022
- NWRH Burnie Auxiliary - Annual Meeting
- Out of the Shadows - Suicide Awareness / Prevention Walk

The Mayor advises that the following meetings, events or appointments were attended on his behalf since the last Council Meeting report:

- Welcome dinner with the Stronger Places, Stronger People National Leadership Group, attended by Deputy Mayor Giovanna Simpson

- 2022 Darwin Football Association – Annual Best and Fairest Awards and Annual Dinner, attended by Deputy Mayor Giovanna Simpson
- RACT Stakeholder Event – Celebrating the expansion of the Burnie Branch, attended by Deputy Mayor Giovanna Simpson

## 2.2 GENERAL MANAGER'S COMMUNICATIONS

The General Manager advises that the following meetings, events or appointments were attended since the last Council Meeting report:

Date	Meeting / Function
17 August	Future of Local Government Review Meeting
	Business North West General Meeting
18 August	Meeting with Sam Marshall, nbn
	Tasmanian Jobs and Skills Roundtable Session
24 August	Meeting with Malcolm Purcell
	Renewable Energy Zone Engagement Meeting
25 August	Meeting with David Midson and Sheree Vertigan – Regional Development
26 August	Meeting with State Growth
	Local Government Learning and Development Framework - Working Group Meeting
	BCC / UTAS Fortnightly Meeting
29 August	WxNW Community Meeting – Cruise Ships
30 August	Tasmanian Road Safety Forum 2022
31 August	PSC Meeting - BAFC Redevelopment
	RACT Stakeholder Event – Celebrating the expansion of the Burnie Branch
6 September	Future of Local Government - Stage 2 Council Session
7 September	Meeting with City of Burnie Brass Band Representatives
8 September	Meeting with David Midson and Sheree Vertigan – Economic Development
9 September	BCC / UTAS Fortnightly Meeting
13 September	Tasmanian Housing Strategy Information Session (Online)
14 September	PSC Meeting - BAFC Redevelopment
15 September	Meeting with State Growth - Burnie's Road Network Operation
16 September	LGAT General Meeting
	Meeting with David Midson and Sheree Vertigan – Economic Development

**2.3 NOTIFICATION OF COUNCIL WORKSHOPS**

<b>Workshop</b>	<b>6 September 2022</b>
Councillors in attendance	Mayor Steve Kons, Deputy Mayor Simpson, Cr Boyd, Cr Brumby, Cr Bulle, Cr Lynch, Cr Pease
Apologies	Cr Dorsey, Cr Keygan
Items Discussed	Burnie Airport Corporation Update by BAC Board and CEO – at Burnie Airport

<b>Workshop</b>	<b>13 September 2022</b>
Councillors in attendance	Deputy Mayor Simpson, Cr Boyd, Cr Brumby, Cr Bulle, Cr Dorsey, Cr Keygan, Cr Lynch, Cr Pease
Apologies	Mayor Steve Kons
Items Discussed	Out of Session Workshop Briefing Papers
	Burnie Airport Corporation – Post Meeting Discussion
	Digital Strategy
	Local Government Elections
	General Manager's Update

**2.4 CORRESPONDENCE FOR NOTING**

Local Government Code of Conduct Panel – Code of Conduct Determination Report – 9 September 2020.

At 4.50pm on Tuesday 20 September 2022, I received correspondence from a lawyer acting for the councillor whose behaviour was the subject of the above complaint that stated as follows:

“My instructions are to also state that my client continues to pursue his avenues of appeal while proceedings in the Magistrates Court (Administrative Appeals Division) are not fully concluded. Consequently public debate about the matter is very much objected to by my client.”

**2.5 COUNCIL MEETING ACTION LIST**

The action lists from Council Meetings in Open Session are **attached** at the end of this report.

**ATTACHMENTS**

1. [Code of Conduct Panel - Determination Report](#)

2. Open Session - All Actions - 23 August 2022

3. Open Session - Outstanding Actions Nov 2020 to Jul 2022

### COUNCIL RESOLUTION

**Resolution number: MO186-22**

**MOVED:** *Cr T Brumby*

**SECONDED:** *Cr A Boyd*

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

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

**Against:**

***CARRIED UNANIMOUSLY***

*Local Government Act 1993*  
**BURNIE CITY COUNCIL CODE OF CONDUCT DETERMINATION REPORT\***  
**RELATING TO THE CONDUCT OF COUNCILLORS**  
**Complaint by Alderman Teeny Brumby against Alderman Steve Kons**  
Reference : 155113

**Determination made on 9 September 2020**

**Code of Conduct Panel:**

Jill Taylor (Chairperson), Richard Grueber (Legal Member) and Rob Winter (Member)

**I. Summary of the complaint**

The complaint made by Alderman (Ald) Brumby on 31 July 2018 was previously investigated and determined by a Code of Conduct Panel. That determination was appealed by Ald Kons and on 24 February 2020, the Supreme Court set aside the previous determination by way of consent orders. However, the orders did not finally dispose of the complaint and the Solicitor-General advised that the complaint was still active and needed to be resolved.

In accordance with Section 28L (2) of the *Local Government Act 1993* (the Act) Ms Jill Taylor was appointed Chairperson to undertake an initial assessment of the Ald Brumby's complaint dated 31 July 2018. Mr Andrew Wardlaw, General Manager of the Burnie City Council, confirmed that the complaint met the requirements of Section 28V (3) of the Act as it existed at that time.

The Chairperson undertook an initial assessment and determined that part of the complaint should be further investigated. Ald Brumby, Ald Kons and the General Manager were advised of this decision on 1 April 2020. Ald Kons was provided with a copy of the complaint and requested to provide a response within 14 days.

Ald Brumby alleged that Ald Kons had breached Part 7.1 (a), (b) and (c) of the Burnie City Council's Aldermen's Code of Conduct, Version 4 which was approved on 17 May 2016. Ald Brumby's complaint was accompanied by Attachments labelled "A" to "S". The Chairperson determined that only evidence dating from 1 February 2018 (i.e. 6 months prior to the date of the lodgement of the complaint) would be investigated.

Part 7 of Version 4 of Burnie City Council's Aldermen's Code of Conduct approved on 17 May 2016 stated:

**PART 7 - Relationships with community, councillors and Council employees**

*1) A councillor –*

- a) must treat all persons with courtesy, fairness, dignity and respect; and*
- b) must not cause any reasonable person offence or embarrassment; and*
- c) must not bully or harass any person.*

\* Section 28ZK (7) of the *Local Government Act 1993* requires that any person who receives a determination report must keep the determination report confidential until the report is included within an item on the agenda for a meeting of the relevant council. Failure to do so may result in a fine of up to 50 penalty units.

Specifically, Ald Brumby alleged that Ald Kons had breached the Code by circulating offensive and inappropriate emails to other aldermen on the Burnie City Council, and by posting derogatory comments about the then Mayor on the Advocate newspaper's Facebook site.

The Chairperson accepted the following attachments to Ald Brumby's complaint which fell within the statutory period of six months prior to the complaint: -

- Attachment A - A motion to Council dated 17 July 2018
- Attachment B – an email dated 14 July 2018 from Ald Kons with attachment "picture of rat bait" to accompany the notice of motion
- Attachment C – an email dated 14 July 2018 from Ald Kons to T Brumby which contained comments including "don't let kids draft policy for you" and "zero out of two"
- Attachment D - Ald Kons post on the Advocate newspaper Facebook dated 9 July 2018 referring to Alywn Boyd
- Attachment E – an email dated 14 February 2018 from Ald Kons to Sandra French which included a rating of councillors' performance
- Attachment F – an email dated 14 February 2018 from Ald Kons to aldermen reference to "only a few contributors"
- Attachment S – An email dated 20 April 2018 from Ald Kons to aldermen with photo of "New Mayoral Vehicle"

A Code of Conduct Panel was formed to investigate the complaint. Ald Kons was advised of the Chairperson's initial assessment on 1 April 2020 and invited to provide a response.

Ald Kons responded to the notification of the complaint with several emails querying reasons as to why the complaint was being re-determined and raising other procedural matters. The Panel responded to Ald Kons' emails on 14 April 2020 and 22 April 2020, with copies provided to Ald Brumby.

On 21 May 2020 Ald Kons sent a further email stating that he had been denied natural justice and raising other procedural matters. As a result of Ald Kons' numerous emails and to provide both him and Ald Brumby with information about the complaint process and investigation, the Panel decided to hold a directions hearing. The directions hearing was held on 17 June 2020. Both Ald Brumby and Ald Kons attended by telephone. Ald Kons advised that he had his legal representative, Mr Glynn Williams, present with him. Ald Brumby was asked if she had any objections to this and she replied, no. Following the directions hearing, the Chairperson wrote to both parties confirming agreed actions and advised that the matter would proceed to a hearing.

Subsequently, Ald Brumby submitted to the Panel a letter dated 24 June 2020 and a statutory declaration dated 25 June 2020, together with an article from the Advocate newspaper dated 2 March 2020 which related to Ald Kons' comment in relation to the findings of the Supreme Court.

Ald Kons submitted his formal response to the complaint in a statutory declaration dated 22 May 2020.



On 29 June 2020 Ald Kons sent two emails, again raising issues about process and requesting that the Chairperson recuse herself from the Panel. The Chairperson responded to Ald Kons on 6 July 2020 advising that the procedural matters had been addressed at the directions hearing and as Ald Kons had not provided any substantial reasons to recuse herself, she would not do so.

## 2. Investigation

The hearing took place on 3 August 2020 at the Burnie City Council Chambers. Ald Brumby attended with her brother, Mr Trent Austin, as a support person. Ald Kons attended with his lawyer, Mr Glynn Williams, as his support person. The Chairperson made it clear that as Mr Williams is a legal practitioner, he would not be able to make any comment or provide advice to Ald Kons during the hearing. Ald Brumby objected to Mr Williams being present claiming that she was disadvantaged and that she would leave the hearing if Mr Williams remained. The hearing was adjourned briefly for the Panel to consider Ald Brumby's objection.

When the hearing re-commenced, the Chairperson advised Ald Brumby and Ald Kons that there was nothing to prevent Mr Williams attending the hearing as Ald Kons support person, but he could clearly not as legal representative. The Panel determined that Ald Brumby would not be disadvantaged by Mr Williams attendance as a support person. Furthermore, given this complaint was now over two years old, the Panel had an obligation to bring it to a conclusion as soon as practicable. On this basis, the Panel would proceed with the hearing. Ald Brumby was advised that she could leave the hearing if she wished and the Panel would consider the written evidence she had provided. Ald Brumby chose to remain at the hearing.

The Chairperson advised the parties how the proceedings would be conducted, and the options available to the Panel in relation to sanctions, should part or the whole complaint be upheld.

The following documents were before the Panel as evidence: -

- Ald Brumby's complaint dated 31 July 2018 and a 3-page attachment entitled "Tuesday 31 July 2018". Also attached are documents labelled "A through to S". Only Attachments A,B,C,D,E and S were accepted as evidence
- Statutory declaration signed by Ald Brumby on 5 April 2020
- An email dated 6 April 2020 from Ald Kons
- A response dated 14 April 2020 from the Chairperson to Ald Kons' email of 6 April 2020
- An email dated 16 April 2020 from Ald Kons
- A response dated 22 April 2020 from Chairperson to Ald Kons' email of 16 April 2020
- An email dated 21 May 2020 (9.26am) from Ald Kons
- An email dated 21 May 2020 (10.15am) from Ald Kons
- Statutory declaration signed by Ald Kons on 22 May 2020
- An email dated 17 June 2017 from Ald Kons
- A letter dated 18 June 2020 to Ald Brumby and Ald Kons following directions hearing held on 17 June 2020
- An email response dated 25 June 2020 from Executive Officer to Ald Kons
- Letter dated 24 June 2020 from Ald Brumby

- Statutory declaration dated 25 June 2020 from Ald Brumby with attached Advocate newspaper article dated 4 March 2020
- An email dated 29 June 2020 (5.32pm) from Ald Kons
- An email dated 29 June 2020 (7.44 pm) from Ald Kons
- Response from the Chairperson dated 6 July 2020 to Ald Kons re his emails of 29 June 2020

Both Ald Brumby and Ald Kons took an oath before giving their evidence.

Ald Kons asked the Panel which law the complaint was proceeding under i.e. whether the current legislation or the legislation that existed when the complaint was lodged would be applied. It is well established that rights are determined as at the time that legal proceedings are instituted.<sup>1</sup> It is also well established that unless an amendment to legislation is clearly intended to act retrospectively, or that it is purely procedural in character, it will only act prospectively.<sup>2</sup> The presumptive rule of construction is that unless an amendment appears with reasonable certainty to be intended to be retrospective it will not affect rights or liabilities existing prior to the amendment.<sup>3</sup> The complaint therefore falls to be determined according to the Code of Conduct and the Act in force at the time of the alleged breaches. There were procedural changes made to s28V (3) of the *Local Government Act*<sup>4</sup> which commenced in December 2018, between the making of the initial complaint and the hearing. These amendments imposed further requirements on the maker of a complaint at the time of lodgement. The additional requirements are to verify the complaint by statutory declaration and to include in the complaint details of efforts to resolve the complaint. A failure to comply with these requirements should result in the general manager, on undertaking an assessment of the complaint returning it to the complainant<sup>5</sup> rather than referring the complaint to the Code of Conduct Panel<sup>6</sup>. It cannot have been Parliament's intention that a complaint validly on foot and referred to the Panel prior to the amendments would be retrospectively required to comply with the amendments or rendered invalid.

Ald Brumby commenced her evidence by drawing the Panel's attention to a four-page submission dated 24 June 2020 (submitted to the Panel on 25 June 2020) which she said held all the information she wished to convey to the Panel in support of her complaint. Ald Brumby said that she had provided other evidence outside of the six-month period because she felt it portrayed a pattern of behaviour exhibited by Ald Kons. However, she said she would accept the Panel's decision in relation to evidence outside of the statutory period.

Ald Brumby refuted the allegation by Ald Kons that her complaint was politically motivated. She said she "was not wired that way" and her motivation was her concern about the tone of Ald Kons' emails. Ald Brumby told the Panel that in 2017 she had met with Ald Kons about the tone of his emails and reported that their chat was friendly. Following their discussion, she

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<sup>1</sup> E.g. see *MMI General Insurance Ltd v Donnelly* [No 2] [2000] TASSC 163 par 7; *In re Keystone Knitting Mills' Trade Mark* [1929] 1 Ch 92 at 105

<sup>2</sup> *Maxwell v Murphy* [1957] HCA 7

<sup>3</sup> *Kraljević v Lake View & Star Limited* [1945] HCA 29 per Dixon J

<sup>4</sup> By s6 of the *Local Government Amendment (Miscellaneous) Act 2018* inserting s28V(3)(fa) and (fb)

<sup>5</sup> See s28Y

<sup>6</sup> Pursuant to s28Z

noticed a change in the tone of Ald Kons email exchanges. However, she said this did not last and he started again sending what she considered were inappropriate communications

Given her concern about Ald Kons' behaviour, Ald Brumby spoke to a member of the Local Government Division at a LGAT conference. She was advised that one incident alone would probably not be sufficient to lodge a complaint but if other instances occurred then she could consider lodging a complaint. Based on this advice Ald Brumby originally appended a long list of incidents to her complaint.

Ald Brumby told the Panel that Ald Kons' behaviour would not be tolerated by a manager or leader in a corporate workplace and it should not be tolerated in local government. Ald Brumby said it was clear Ald Kons was not remorseful. She drew this conclusion based on an article in the Advocate newspaper dated 4 March 2020 following the Supreme Court decision, which quoted Ald Kons.

The Panel asked Ald Brumby to align her evidence with the relevant part of the Code she alleged Ald Kons had breached. She provided the following response:

- Attachment A & B – breaches Part 7.1 (a), (b) and (c)
- Attachment C - breaches Part 7.1 (a) and (b)
- Attachment D –breaches Part 7.1 (a), (b) and (c)
- Attachment E - breaches Part 7.1 (a), (b) and (c)
- Attachment F – breaches Part 7.1 (a), (b) and (c)
- Attachment S – breaches Part 7.1 (a), (b) and (c)

Ald Brumby said that she found the language used by Ald Kons in some of these exhibits as “disgusting” and she did not think she had been treated fairly and courteously.

The Panel confirmed with Ald Brumby that her written evidence was her complaint of 31 July 2018 with Attachments A,B,C,D,E,F and S, and her letter of 24 June 2020.

Ald Kons was given the opportunity to question Ald Brumby and he asked her if she thought she was being subjective about his comments and if she believed she had higher standards than him. Ald Brumby replied that she expected the same standard of behaviour as her fellow councillors who were listed in her complaint.

Ald Kons then asked Ald Brumby if she was aware that the statements made today were under oath, to which she replied “yes”. Ald Kons went on to say that he has copies of all Ald Brumby's emails (in relation to the first complaint investigation) and that she was not correct in saying her complaint was not political. Ald Brumby said she presumed those emails related to her seeking advice about dealing with the media. If this were the case, Ald Brumby stated categorically that she did not approach the media it was the media who approached her. She contacted certain individuals, seeking advice about what she “could and couldn't say”.

Ald Kons was then invited to respond to the complaint.

Ald Kons said this had been a harrowing experience for him and his family as it had “dragged on for over 2 years”. He believed that initially the Code of Conduct was seriously flawed as it was very subjective, and this was borne out by the Government making changes to the Code and the legislation.

In presenting his response, Ald Kons read from a statement which he said covered 35 reasons why the complaint should be set aside. Several reasons outlined by Ald Kons had been addressed by the Chairperson in responding to Ald Kons' emails during the period from 1 April 2020 until the present time.

The following summarises Ald Kons' presentation to the Panel which had not been previously dealt with in email exchanges:

Ald Kons commenced his statement by drawing attention to the changes to the legislation and the Code from the date of the complaint (which he claimed was not dated) and the present time. As detailed later in this determination, the Panel had regard to the relevant changes.

Ald Kons alleged that Ald Brumby's complaint was politically motivated, and she was assisted through the original investigation. The Panel did not view any documentation relating to the previous investigation except for Ald Brumby's complaint. Therefore, comments relating to the previous investigation were not within the ambit of the current investigation.

Ald Kons contended that Ald Brumby's complaint had already been the subject of an investigation and formal determination. He said evidence of this was that he had been suspended for a period (one day) and his mayoral allowance withheld. Ald Kons said that effectively this complaint had been "done and dusted". However, the Panel disagreed with this proposition as no disposition order was issued by the Supreme Court. Subsequently, the Solicitor-General advised that the complaint remained unresolved and a new Panel should be established to investigate Ald Brumby's complaint.

Ald Kons said that he has a good relationship with his colleagues and none of them had raised concerns about his behaviour with him. Ald Kons agreed with Ald Brumby that they enjoyed a good working relationship, but Ald Brumby had a "low level of tolerance" that was not automatically shared with other councillors. He described her views as "subjective". Ald Kons added that he feels passionate about issues and that can only be "characterised as robust communication."

Ald Kons alleged that Ald Brumby had been advised by the Panel on "what she should put in her complaint" referring to a letter Ald Brumby wrote to the Panel "post the directions hearing". This assertion is rejected by the Panel. On 18 June 2020, the Chairperson wrote the same letter to Ald Brumby and Ald Kons providing an outline for proceedings for resolution of the complaint and advice that both parties should provide any final evidence within 14 days.

Ald Kons inaccurately states that the Chairperson stated in a letter dated 1 April 2020 that a "hearing will occur". The letter in question was a standard letter sent to respondents advising that the complaint had been accepted following initial assessment for further investigation. At this point it was not evident whether or not a hearing would be required.

When asked by the Panel how he would describe his actions in relation to the Attachments to Ald Brumby's complaint Ald Kons responded as follows:

- Attachment A – This was a motion to Council and no basis for complaint
- Attachment B – This is simply political banter using a common term of "political rat"
- Attachment C – Again, political banter and a demonstration of Ald Brumby's low level of tolerance

- Attachment D – He was expressing disappointment that the former Mayor had disclosed confidential information
- Attachment E – This was an email to Sandra French providing his subjective view on councillors' performance. Ald Kons claimed that the language in the email was no different to what can be seen on television
- Attachment F – This was an email to all councillors commenting on the lack of commitment by some councillors. Ald Kons stated that there "was nothing wrong with that"
- Attachment S – The photograph of Disaster Master van parked outside the Council building was sent in jest. Ald Kons saw it as a "funny picture" and sent it to councillors. It was not more widely distributed.

At the conclusion of his presentation Ald Kons requested that the Panel dismiss the complaint and that the Panel, through the Local Government Division be directed to pay his legal costs. The Panel does not have the power to make any recommendations on cost to either parties involved in a Code of Conduct complaint process.

In summary, Ald Brumby said that she had no "intention to hurt Ald Kons" but had been waiting for him to "draw the line in the sand" and behave more appropriately. Ald Brumby said that she wanted a "culture shift" within Council. She was hopeful that the complaint could be dealt with expeditiously to bring the matter to finality. This was her motivation for making the comment that it should be "resolved before the election" and it was not politically motivated as suggested by Ald Kons.

Ald Brumby said that she had no idea a meeting took place between the Mayor, Deputy Mayor and Ald Kons regarding the "rat bait" email. The Panel were of the opinion that, if the meeting had included Ald Brumby, then mediation could have occurred.

Ald Brumby added that she was not aware that the lodgement of a complaint was confidential as she discussed her intention with a number of her colleagues before deciding to go ahead. Ald Brumby said that she had written to some politicians and the Director of Local Government but was only seeking advice on the complaint process.

Ald Kons summarised by saying that Ald Brumby could have brought witnesses to the hearing and her comment about Mrs Boyd was hearsay. He added that he had approached the complainant about withdrawing the complaint, but she refused.

There was no dispute about the facts of Ald Brumby's complaint. Ald Kons did not deny that he initiated the emails and Advocate newspaper's Facebook post. However, he stated in evidence, that he did not initiate these communiques out of malice and that the point of dispute was that Ald Brumby has a "low threshold of tolerance" and is subjective. Ald Brumby asserted Ald Kons emails and Facebook post were "appalling and totally unacceptable" and caused embarrassment to others. Ald Brumby said that ordinarily she appreciated Ald Kons' sense of humour but on the occasions, identified in her complaint, he had "stepped over the line". Ald Kons on the other hand, rejected Ald Brumby's assessment saying it was a matter of perception.

In undertaking an investigation, the Panel is not limited to considering only breaches of the Code identified by the complainant. The Code of Conduct was introduced as a means of guiding behaviour of elected members and providing a formal process for individuals to access if they considered the Code had been breached by an elected member.

Although the complainant is required to state in the complaint the provisions of the Code alleged to have been breached<sup>7</sup> the Panel is required to conduct an investigation of the complaint *"in relation to the contravention by the councillor of the relevant council's code of conduct"*<sup>8</sup> and is not limited to consideration of the provisions identified by a Complainant.

In this instance, the Panel identified the public Facebook post made by Ald Kons on the Advocate's Facebook page as behaviour that did not meet the intent of the Code. To use statements like *"this boke makes Judas look like an angel"*, *"I cannot fathom the depths he will go to to see this City fall over"* and *"The building will use Tasmanian wood as an integral material which will match his thoughts and character which are rotten to the core"* in relation to former Mayor Boyd breached the Code. Specifically, the Panel identified Part 3.1 of the Code which states; *"The actions of a councillor must not bring the Council or the office of councillor into disrepute"*, as the breach of the Code.

Whilst Ald Kons stated this post was made in his private capacity, the Panel did not accept this proposition. Ald Kons is well known in the Burnie community as a public servant both in State and local government and a reasonable person would not have distinguished him in a public or private role. Therefore, in the Panel's view he has brought the Council and office of councillor into disrepute.

### 3. Determination

In making its determination, the Panel noted that the version of the Burnie City Council's Aldermen's Code of Conduct applicable at the time of the complaint was that approved on 17 May 2016. The current version of that Code was approved on 19 February 2019. The Panel determined that in considering Ald Brumby's complaint it was required to have regard to the Code that existed at the time of the complaint. However, in considering sanctions, the Panel considered it appropriate to have regard to whether the breach would have occurred under the revised Code approved in February 2019. The relevant versions of Part 7 of each is outlined below:

Version approved on 17 May 2016

- 1) *A councillor –*
  - a) *must treat all persons with courtesy, fairness, dignity and respect; and*
  - b) *must not cause any reasonable person offence or embarrassment; and*
  - c) *must not bully or harass any person.*

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<sup>7</sup> Section 28V(3)(d)

<sup>8</sup> Section 28V(1)

Version approved on 19 February 2019

- 1) A councillor –
  - a) *must treat all persons fairly; and*
  - b) *must not cause any reasonable person offence or embarrassment; and*
  - c) *must not bully or harass any person.*

#### **Alleged breach of Part 7.1(a)**

In her evidence, Ald Brumby contended that Ald Kons' emails and posting on the Advocate newspaper Facebook page was "disrespectful" and as such did not treat his fellow aldermen with dignity and respect. The Panel determined that the contents of Attachments 'A', 'B' and 'D' demonstrated Ald Kons did not treat his fellow aldermen with dignity and respect. However, in the current approved version Part 7.1 (a) the words "courtesy, dignity and respect" have been removed. Part 7.1 (a) now only has the requirement for elected members to treat all persons "fairly". Fairly implies equity and justice. The Panel was not presented with any evidence that any of Ald Kons' colleagues were treated unfairly by him.

Therefore, and although the Panel upholds a breach of Part 7.1(a) of the previous version of the Code it considers it would not be appropriate to apply a sanction given that his conduct would not amount to a breach under the current Code.

#### **Alleged breach of Part 7.1(b)**

Ald Brumby submitted that the evidence contained in the Attachments to her complaint was evidence that Ald Kons had embarrassed and offended her and their aldermen colleagues. The Panel concluded that apart from the Advocate's Facebook post, all other comments were circulated to one or more aldermen. In Ald Kons' words he was simply liaising with his colleagues and said that whilst Ald Brumby "set a low level of tolerance" he believed that others did not share her view. This left the issue of the Facebook post for the Panel to consider. The Panel was not presented with evidence that the subject of the post, Ald Boyd was embarrassed or offended by it.

The Panel dismisses this part of the complaint

#### **Alleged breach of Part 7.1(c)**

It is the Panel's view that bullying results in harm or intimidation being caused to a person or group of people. To harass an individual or group of people, they need to be subject to unwarranted and unwanted behaviour, again over an extended period. Whilst it appears Ald Kons regularly sent emails to his fellow aldermen it is the Panel's view that none of those emails presented evidence that he was bullying or harassing his colleagues.

The Panel dismisses this part of the complaint

#### **Breach of Part 3.1**

Ald Brumby only cited breaches against Part 7.1(a), (b) and (c) of the Code. However the Panel, during its investigation, identified that Ald Kons may have breached Part 3.1 -particularly in regard to his public commentary about former Mayor Alwyn Boyd on the Advocate newspaper's Facebook page.

The Panel is required to observe the rules of natural justice<sup>9</sup> and wrote to Ald Kons on 14 August 2020 in terms which included the following:

*However, in undertaking an investigation, the Panel is not limited to considering breaches of the Code identified by the complainant. In this instance, the Panel has determined that the evidence supports a finding that you have breached Part 3.1 – Use of Office of the Code of Conduct in force at the date of the alleged breach as follows:*

- 1) The actions of a councillor must not bring the Council or the office of councillor into disrepute.*

*Specifically, that you have brought the Council and office of councillor into disrepute because of your post on the Advocate newspaper's Facebook page on 9 July 2018. This is a public forum and you have denigrated Ald Boyd by stating "This bloke makes Judas look like an Angel", "I cannot fathom the depths he will go to to see this City fall over" and "The building will use Tasmanian wood as an integral material which will match his thoughts and character which are rotten to the core".*

*The Panel does not accept your evidence that you did this as a "private citizen".*

*Given that breach of that provision was not expressly put to you at the hearing, you are invited to provide submissions as to:*

- 1. why the Panel should not find a breach of Part 3.1 of the Burnie Aldermen's Code of Conduct as outlined above; and*
- 2. what, if any, sanction the Panel ought apply on finding a breach of Part 3.1 of the Code of Conduct.*

Ald Kons responded through his solicitor. Ald Kons is not entitled to representation by a lawyer at a hearing. Given that Ald Kons is entitled to obtain legal advice and given that the submissions were ones that Ald Kons could have adopted and presented himself the Panel is, in this case, willing to accept them as submissions by Ald Kons, without making any determination as to whether this course will be appropriate in every case. Rather than take up the invitation to make submissions as to why the Panel should not find a breach of Part 3.1 on the facts, the response was confined to contending that the potential breach identified as being open on the facts amounted to a new complaint. The Panel does not accept that the consideration of whether the facts alleged and found within the complaint constitute a breach of the Code of Conduct amounts to a new complaint.

The Panel did not accept Ald Kons' evidence that this Facebook post was done in his capacity as a private citizen.

Ald Kons is a well-known high-profile member of the Council who would be expected by the public to well understand the issues within the Council and to be privy to information not disclosed to the public. The comments publicly posted on Facebook by Ald Kons, as outlined above, asserting that the then Mayor was attempting to sabotage the City and was rotten to the core, were not couched in terms that were apparently hyperbolic or ironic, but were on their face apparently intended to be taken as assertions of fact. These assertions, by a person

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<sup>9</sup> Section 28ZE(1)(c)



who is in a position to know, would tend to lower the reputation of the Council and councillors in the eyes of ordinary members of the public to a significant extent and so bring them into disrepute.<sup>10</sup>

The Panel did not consider any evidence that was not before it, but rather, based on the evidence before it, concluded that the Code has been breached in relation to Ald Kons' post on the Advocate newspaper's Facebook, and identified the relevant Part of the Code.

The Panel determined that Ald Kons brought the Council and the role of councillor into disrepute.

The Panel determines that Ald Kons has breached Part 3.1 of the Code.

#### 4. Sanction

On 14 August 2020, the Panel wrote to Ald Kons advising him that it had determined that he had breached Part 7.1(a) of the Code, and dismissed the alleged breaches of Parts 7.1.(b) and (c) of the Code. Whilst it upheld part of the complaint, the Panel further advised that owing to a change in the Code from the time of the complaint until the present time, the Panel exercised its powers not to impose a sanction on this occasion.

The advice to Ald Kons also advised that during the investigation of this complaint, the Panel determined that evidence supported Ald Kons had breached of Part 3.1.

As noted above, the Panel wrote to Ald Kons inviting him to make submissions on sanction. Mr Kons' solicitor submitted that no sanction be imposed, and a more appropriate response should be dismissal of the complaint. He argued that in acknowledging the changes to Part 7.1(a) of the Code between the time of the complaint and currently, the Panel was attempting to "pick and choose." However, the Panel was simply stating that its obligation was to apply the law at the time of the complaint but in acknowledgement of the changes made, it exercised its option not to apply a sanction.

In considering whether a sanction should be applied in relation to the breach of Part 3.1 of the Code, the Panel noted that this was the first occasion that a complaint had been made against Ald Kons and that the drawn out nature of the complaint had caused some anguish to both the complainant and Ald Kons.

In this instance, the Panel determined that Ald Kons should be cautioned in relation to this breach of Part 3.1 of the Code.

#### 5. Delay in determining complaint

Section 28ZD (1)(a) of the Act requires the determination to be made within 90 days after the initial determination by the Chairperson to investigate and determine the complaint or reasons be provided as to why this requirement could not be met. In this instance the 90 day period concluded on 30 June 2020.

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<sup>10</sup> Eg. see *Darcy v Australian Olympic Committee* (2008) 3(1) ANZSportsLawJl 119 at 69

The delay in determining this complaint was caused by an unusual number of email exchanges regarding procedural matters, the need to hold a direction hearing and time taken to organise a mutually convenient time for the hearing.

#### 6 Right to Review

A person aggrieved by the determination of the Code of Conduct Panel is entitled under section 28ZP of the Act to apply to the Magistrates Court (Administrative Appeals Division) for a review of that determination on the grounds that the Code of Conduct Panel has failed to comply with the rules of natural justice.



Jill Taylor  
Chairperson



Richard Grueber  
Legal Member



Rob Winter  
Member

Council Meeting Action Report				
All Actions for Open Session of 23 August 2022				
<b>Key:</b> RES = Action arising from Resolution; ACT = Action required in addition; QON = Question on Notice; NOTE = Progress Note				
			Date From: 23/08/2022 Date To: 23/08/2022 Printed: Monday, 19 September 2022	
Item Number	Report Title	Action	Department	Completed
AO149-22	MOTION ON NOTICE - REMOVAL OF GRAFFITI	<b>24 Aug 2022</b> RES: Negotiate a trial period of service level agreements with organisations and bring proposal forward to the 2022/23 planning and budget process, as per Council Resolution AO149-22	Office of the General Manager	
Council 23/08/2022				
AO150-22	MOTION ON NOTICE - PUBLIC QUESTION TIME	<b>24 Aug 2022</b> ACT: Update Public Question Time information on website, forms and Agenda/Minutes, as per Council Resolution AO150-22  <b>30 Aug 2022</b> Action completed. Public Question Time information has been updated on website, form, notice for atrium and Council Agenda templates	Corporate and Commercial Services	30/08/2022
Council 23/08/2022				
AO150-22	MOTION ON NOTICE - PUBLIC QUESTION TIME	<b>24 Aug 2022</b> ACT: Draft Public Question Policy	Corporate and Commercial Services	
Council 23/08/2022				
AO151-22	PUBLIC QUESTION TIME	<b>24 Aug 2022</b> ACT: Provide written response to Public Questions who were not in attendance at the meeting to ask their questions  <b>30 Aug 2022</b> Action completed. DOC ID 22/24163	Office of the General Manager	30/08/2022
Council 23/08/2022				
AO152-22	EMERGENCY MANAGEMENT ACT - NOMINATION FOR MUNICIPAL EMERGENCY MANAGEMENT COORDINATOR	<b>24 Aug 2022</b> RES: Submit Council's nomination for Municipal Emergency Management Coordinator for Ministerial appointment, per Council Resolution AO152-22  <b>30 Aug 2022</b> Action completed. Nomination letter forwarded to SES 25 August 2022	Corporate and Commercial Services	30/08/2022
Council 23/08/2022				
AO153-22	COMMUNITY GRANTS - BURNIE DISC GOLF CHAMPIONSHIP AND STRONGMAN COMPETITION	<b>24 Aug 2022</b> RES: Provide response to Burnie Disc Golf Club under the Community Grants and Programs as per Council Resolution AO153-22  <b>30 Aug 2022</b> Action completed. DOC ID 22/24275	Corporate and Commercial Services	30/08/2022
Council 23/08/2022				
AO153-22	COMMUNITY GRANTS - BURNIE DISC GOLF CHAMPIONSHIP AND STRONGMAN COMPETITION	<b>24 Aug 2022</b> RES: Provide response to Coastal Carnage under the Community Grants and Programs as per Council Resolution AO153-22	Corporate and Commercial Services	
Council 23/08/2022				
AO154-22	COMMUNITY GRANT - TEN DAYS ON THE ISLAND FESTIVAL 2023	<b>24 Aug 2022</b> RES: Provide response to TDOTI under the Community Grants and Programs as per Council Resolution AO154-22  <b>30 Aug 2022</b> Action completed. Response sent - Refer DOC ID 22/24320	Corporate and Commercial Services	30/08/2022
Council 23/08/2022				

<b>Council Meeting Action Report</b> <b>All Actions for Open Session of 23 August 2022</b>				
<b>Key:</b> RES = Action arising from Resolution; ACT = Action required in addition; QON = Question on Notice; NOTE = Progress Note			<b>Date From:</b> 23/08/2022 <b>Date To:</b> 23/08/2022 <b>Printed:</b> Monday, 19 September 2022	
Item Number	Report Title	Action	Department	Completed
AO155-22	BUSINESS NORTH WEST PARTNERSHIP - 2022-23	<b>24 Aug 2022</b> RES: Provide response to Business North West and invite to provide update, as per Council Resolution AO155-22  <b>25 Aug 2022</b> NOTE: Meeting scheduled to discuss this matter with Business North West on 13 September  Council 23/08/2022	Corporate and Commercial Services	
AO156-22	POLICY REVIEW - PERSONAL INFORMATION PROTECTION POLICY CP-CCS-CG-008	<b>24 Aug 2022</b> RES: Finalise the Personal information Protection Policy in the corporate document framework and publish, per Council resolution AO156-22  <b>31 Aug 2022</b> Action completed. Finalised and published  Council 23/08/2022	Corporate and Commercial Services	31/08/2022
AO157-22	POLICY REVIEW - ELECTION CARETAKER PERIOD POLICY (DRAFT)	<b>24 Aug 2022</b> RES: Finalise the Election Caretaker Policy in the corporate document framework and publish, per Council resolution AO157-22  <b>31 Aug 2022</b> Action completed. Finalised and published  Council 23/08/2022	Corporate and Commercial Services	31/08/2022
AO158-22	BURNIE CULTURAL CENTRE - ARCHITECTURAL PLANS FOR PUBLIC CONSULTATION	<b>24 Aug 2022</b> RES: Proceed to a public exhibition period following completion of the architectural Plans as per Council Resolution AO158-22  <b>25 Aug 2022</b> NOTE: Awaiting 100% plans from Xsquared before proceeding to public exhibition in September. Expecting plans to be provided on 31 August  Council 23/08/2022	Corporate and Commercial Services	
AO158-22	BURNIE CULTURAL CENTRE - ARCHITECTURAL PLANS FOR PUBLIC CONSULTATION	<b>24 Aug 2022</b> RES: Advise of endorsed preliminary architectural plans for Burnie Cultural Centre as per Council Resolution AO158-22  Council 23/08/2022	Corporate and Commercial Services	

<b>Council Meeting Action Report</b> <b>Outstanding Actions for Open Sessions Nov 2020 – Jul 2022</b>				
<b>Key:</b> RES = Action arising from Resolution; ACT = Action required in addition; QON = Question on Notice; NOTE = Progress Note			<b>Date From:</b> 17/11/2020 <b>Date To:</b> 31/07/2022 <b>Printed:</b> Monday, 19 September 2022	
Item Number	Report Title	Action	Department	Completed
AO265-20	MOTION ON NOTICE - DUAL NAMING POLICY	<p><b>18 Nov 2020</b> RES: Undertake community consultation (both Aboriginal and non-Aboriginal), and progress to develop a dual naming policy for Burnie, in accordance with the report and resolution of Council AO265-20.</p> <p><b>14 Apr 2021</b> NOTE: Written to TAC seeking to engage in discussion as a starting point, 21/26471.</p> <p><b>11 Oct 2021</b> NOTE: 7/8 - follow up email sent, no response to date.</p> <p><b>10 May 2022</b> NOTE: Several attempts to engage have not provided a successful outcome. An alternative contact is being sourced through UTAS.</p>	Office of the General Manager	
Council 17/11/2020				
AO099-21	MOTION ON NOTICE - REMOVAL OF TREES IN CBD	<p><b>24 Jun 2021</b> RES: Investigate works and costings for removal of silver birch trees in CBD and proposal for replacement trees, for Council Workshop as per Council resolution AO099-21.</p> <p><b>21 Sep 2021</b> NOTE: Investigation has progress on project. Report in preparation for a workshop</p> <p><b>14 Apr 2022</b> NOTE: Landscaping and greening plan under development. Include this action in the broader CBD project planning</p>	Works and Services	
Council 22/06/2021				
AO166-21	MOTION ON NOTICE - CITIZENSHIP CEREMONIES	<p><b>29 Sep 2021</b> RES: Engage with relevant indigenous groups to extend an invitation for Welcome to Country at Citizenship ceremonies, in accordance with the resolution of CouncilAO166-21.</p> <p><b>01 Oct 2021</b> NOTE: Sent correspondence 1/10/2021seeking meeting with TAC to discuss the best methods of engaging with local Aboriginal communities</p> <p><b>14 Jan 2022</b> NOTE: Several attempts to engage have not provided a successful outcome. An alternative contact is being sourced from Burnie Works and UTAS in an attempt to engage.</p> <p><b>25 Aug 2022</b> NOTE: Meeting with a local Aboriginal storyteller in September to consider engagement methods.</p>	Corporate and Commercial Services	
Council 28/09/2021				

<b>Council Meeting Action Report</b> <b>Outstanding Actions for Open Sessions Nov 2020 – Jul 2022</b>				
<b>Key:</b> RES = Action arising from Resolution; ACT = Action required in addition; QON = Question on Notice; NOTE = Progress Note			<b>Date From:</b> 17/11/2020 <b>Date To:</b> 31/07/2022 <b>Printed:</b> Monday, 19 September 2022	
Item Number	Report Title	Action	Department	Completed
AO165-21	MOTION ON NOTICE - TRAFFIC SIGNALS CBD	<b>29 Sep 2021</b> RES: Engage with DSG to lengthen traffic signal intervals for the four major intersections in the CBD, and request consideration of installing 'remaining time to walk' mechanisms; including if necessary making an application for funding from the Road Safety Levy - per resolution of Council AO165-21. <b>03 Dec 2021</b> NOTE: Consultation has commenced with DSG on this request <b>14 Jan 2022</b> NOTE: Awaiting formal comment from DSG <b>14 Apr 2022</b> NOTE: Still awaiting feedback from DSG  Council 28/09/2021	Works and Services	
AO186-21	MOTION ON NOTICE - CBD PLANTING OF RHODODENDRONS	<b>28 Oct 2021</b> RES: Review the cost considerations between constantly changing flowers in CBD or replacing them with midsize Rhododendrons, as per the resolution of Council AO186-21. <b>14 Jan 2022</b> NOTE: Being considered as part of Cities Gateway project and CBD greening paper  Council 26/10/2021	Works and Services	
AO042-22	LAND DISPOSAL - PROPOSAL TO DISPOSE OF PUBLIC LAND TO SUPPORTED AFFORDABLE ACCOMMODATION TRUST LOT 2, 1 MUSSEN CLOSE, SHOREWELL PARK BEING PART OF CT VOLUME 159534, FOLIO 1	<b>23 Mar 2022</b> RES: Progress the potential disposal of land at Lot 2, 1 Mussen Close, to the Supported Affordable Accommodation Trust, in accordance with the authorisation of Council to dispose as public land, resolution AO042-22 <b>29 Jul 2022</b> NOTE: General Manager working with PDA and MMT on plan of subdivision and contract of sale  Council 22/03/2022	Office of the General Manager	
AO058-22	MOTION ON NOTICE - COMMUNITY ACTION PLAN	<b>28 Apr 2022</b> ACT: Investigate potential to adopt a Community Action Plan with aid of Relationships Australia and in conjunction with Burnie Works, aimed at suicide prevention and support in Burnie. <b>12 May 2022</b> NOTE: Reached out to Relationships Australia (RA) to commence the process. Awaiting details from RA.  Council 26/04/2022	Corporate and Commercial Services	
AO106-22	BY-LAW - INTENTION TO MAKE A NEW BY-LAW - DRAFT PUBLIC PLACES BY-LAW	<b>05 Jul 2022</b> RES: Request the preparation of a Regulatory Impact Statement for the draft Public Places By-law and then progress the required Director's certification and public consultation process, before returning a report to Council, per AO106-22. <b>06 Jul 2022</b> NOTE: Preparation of RIS requested from legal practitioner on 6.7.22, doc 22/19343.  Council 28/06/2022	Corporate and Commercial Services	

**Council Meeting Action Report****Outstanding Actions for Open Sessions Nov 2020 – Jul 2022**

**Date From:** 17/11/2020  
**Date To:** 31/07/2022  
**Printed:** Monday, 19 September 2022

**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
AO101-22	MOTION ON NOTICE - RELOCATION OF BURNIE FARMER'S MARKET	<b>05 Jul 2022</b> RES: Open negotiations with organiser and stallholders of BFM, on a suggested relocation of the market into the city, per Council resolution AO101-22 <b>09 Sep 2022</b> NOTE: Meeting sought with organisers	Office of the General Manager	

Council 28/06/2022

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**MINUTES AND REPORTS OF COMMITTEES****AO178-22 BURNIE CITY COUNCIL AUDIT PANEL - UNCONFIRMED MINUTES  
OF MEETING HELD ON 9 AUGUST 2022**FILE NO: 13/2/2

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**RECOMMENDATION:*****“THAT Council:***

- 1) Note the unconfirmed minutes of the Audit Panel meeting held on the 9 August 2022; and**
- 2) Acknowledge receipt of the letter dated 19 August 2022 from the Chairperson of the Burnie City Council Audit Panel.”**

**SUMMARY**



Council’s Audit Panel met on 9 August 2022. The unconfirmed minutes and a report from the Chairperson are **attached** for the information of Councillors.

In addition to the Panel’s standing agenda items, the meeting had a special focus on the following matters:-

- Annual Plan Report 2021-22 - Final
- Timeline For Draft Financial Statements 2021-22
- Gifts And Benefits Register
- Insurance Renewal Report 2022-23

There were no formal recommendations that require consideration by the Council arising from the meeting of the 9 August 2022.

**ATTACHMENTS**

- 1  Audit Panel Minutes of Meeting - 9 August
- 2  Chairperson Report Audit Panel - 19 August



**COUNCIL RESOLUTION****Resolution number: MO187-22*****MOVED: Cr T Brumby******SECONDED: Cr A Boyd******“THAT Council:***

- 1) Note the unconfirmed minutes of the Audit Panel meeting held on the 9 August 2022; and***
- 2) Acknowledge receipt of the letter dated 19 August 2022 from the Chairperson of the Burnie City Council Audit Panel.”***

**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***



**Burnie City Council Audit Panel**

# Unconfirmed Minutes

**Meeting held on TUESDAY, 9 AUGUST 2022**

**At the Burnie City Council, 80 Wilson Street, Burnie**

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# ORDER OF BUSINESS

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AUD045-22	COMMUNICATION WITH COUNCIL	7
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AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

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**MINUTES OF THE AUDIT PANEL MEETING  
HELD AT THE CITY OFFICES ON TUESDAY, 9 AUGUST 2022**

**HOUR:** 1.00 pm - 2.47 pm

**TIME OCCUPIED:** 1 hour 47 minutes

**PRESENT:**

**Members**  
Ken Clarke (Chairperson), Lisa Dixon (Panel Member), Bill Hutcheson (Panel Member)

**Councillors**  
Cr A Boyd (Panel Member)

**Officers**  
General Manager (S Overland), Director Corporate and Commercial Services (B Lynch), Finance Systems Officer (M Knight)

**Invited Guests**  
Nil

**APOLOGIES:** Cr C Lynch (Panel Member)

AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

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**AUDIT PRELIMINARIES**

**AUD042-22          ADOPTION OF AGENDA**

**FILE NO:**                13/2/2  
**PREVIOUS MIN:**

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The Chairperson requested Members to adopt the Agenda as presented and called for any additional items.

The Agenda was confirmed as presented.

AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

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**AUDIT PRELIMINARIES**

**AUD043-22          AUDIT PANEL DECLARATIONS OF INTEREST**

**FILE NO:**                13/2/2  
**PREVIOUS MIN:**

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The Chairperson requested Members 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.

AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

**AUDIT PRELIMINARIES****AUD044-22 CONFIRMATION OF MINUTES**

FILE NO: 13/2/2  
PREVIOUS MIN:

**RECOMMENDATION:**

***“THAT the minutes of the Audit Panel meeting held at the City Offices on Wednesday, 8 June 2022, be confirmed as true and correct.”***

**SUMMARY**

The Audit Panel met on Wednesday, 8 June 2022. A copy of the unconfirmed minutes has been provided under separate cover.

**AUDIT PANEL RESOLUTION**

**MOVED:** Panel Member B Hutcheson

**SECONDED:** Panel Member L Dixon

***“THAT the minutes of the Audit Panel meeting held at the City Offices on Wednesday, 8 June 2022, be confirmed as true and correct.”***

For: Chairperson K Clarke, Panel Member B Hutcheson, Panel Member L Dixon, Panel Member A Boyd.

Against:

**CARRIED UNANIMOUSLY**

AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

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**AUDIT PRELIMINARIES****AUD045-22                      COMMUNICATION WITH COUNCIL**

FILE NO:                      13/2/2  
PREVIOUS MIN:

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**RECOMMENDATION:**

***"THAT the Audit Panel note, as attached:***

- 1) the Chairperson's Report to Council dated 29 June 2022, and***
- 2) the Council's response to the Chairperson dated 29 July 2022."***

**SUMMARY****Correspondence with Council**

The Audit Panel last met on Wednesday, 8 June 2022.

Following this meeting, the Chairperson provided the attached report to Council which was considered at the Council meeting of 26 July 2022.

A copy of Council's response from the Mayor is attached.

**Matters referred by Council**

There are no new matters referred to the Audit Panel by the Council.

**ATTACHMENTS**

1. Chairperson Report to Council - 29 June 2022
2. Council's Response to Chairperson - 29 July 2022



## AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

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## AUDIT PANEL RESOLUTION

**MOVED:** *Panel Member L Dixon***SECONDED:** *Panel Member B Hutcheson****"THAT the Audit Panel note, as attached:***

- 1) the Chairperson's Report to Council dated 29 June 2022, and***
- 2) the Council's response to the Chairperson dated 29 July 2022."***

**For:** Chairperson K Clarke, Panel Member B Hutcheson, Panel Member L Dixon, Panel Member A Boyd.

**Against:**

***CARRIED UNANIMOUSLY***

AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

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**PRELIMINARIES****AUD046-22                      RECOMMENDATIONS AND ACTIONS**

FILE NO:                      13/2/2  
PREVIOUS MIN:

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**RECOMMENDATION:**

*“THAT the Audit Panel note, as attached:*

- 1) all actions from the last Audit Panel meeting, and*
- 2) outstanding actions prior to the meeting of 8 June 2022.”*

**SUMMARY****Schedule of Recommendations**

There is currently no outstanding formal recommendations made to Council by the Audit Panel.

**Action Reports**

Action Reports refer to informal actions to be completed, resulting from discussions at the Audit Panel meetings.

The attached Action Reports show:

- All actions from last meeting (including those since completed)
- Any outstanding actions prior to the meeting of 8 June 2022

**ATTACHMENTS**

1. All Actions for Audit Panel Meeting - 8 June 2022
2. Outstanding Actions Prior to Meeting - 8 June 2022

## AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

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## AUDIT PANEL RESOLUTION

**MOVED:** Chairperson K Clarke**SECONDED:** Panel Member L Dixon***"THAT the Audit Panel note, as attached:***

- 1) all actions from the last Audit Panel meeting, and***
- 2) outstanding actions prior to the meeting of 8 June 2022."***

**For:** Chairperson K Clarke, Panel Member B Hutcheson, Panel Member L Dixon, Panel Member A Boyd.

**Against:**

***CARRIED UNANIMOUSLY***

AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

**SPECIAL FOCUS MATTERS****AUD047-22 ANNUAL PLAN REPORT 2021-22 - FINAL**

FILE NO: 13/2/2

PREVIOUS MIN:

**RECOMMENDATION:**

***“THAT the Audit Panel receive and note the information contained in the Annual Plan 2021-22 final report.”***

**Report Author:** Bel Lynch, Director Corporate and Commercial Services

**1.0 SUMMARY**

The purpose of this report is to provide a final summary on the Council’s achievement of the Annual Plan objectives for 2022-21.

**2.0 BACKGROUND**

The Annual Plan and Budget Estimates is developed by the Council each year setting out the key deliverables to be undertaken, together with the budgeted resources required to achieve them. The Council adopted the Annual Plan and Budget Estimates 2021-22 at its meeting held on 27 July 2021. The plan can be viewed at [www.burnie.tas.gov.au](http://www.burnie.tas.gov.au)

The **attached** report outlines the progress made against each of the financial year’s Annual Plan actions for 2021-22, and forms the final report for the year.

**3.0 LEGISLATIVE REQUIREMENTS**

The Annual Plan is prepared as part of the Annual Plan and Budget Estimate process, and is required under the *Local Government Act 1993*.

**4.0 POLICY CONSIDERATIONS**

There are no direct policy implications associated with this report.

**5.0 FINANCIAL IMPACT**

Budgets for the actions included in the Annual Plan 2021-22 were all provided in the respective Budget Estimates. Therefore there are no budgetary implications that arise from this report.

## AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

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**6.0 DISCUSSION**

There were eight key deliverables contained in the Annual Report 2021-22. Two of these actions are completed. The remaining six are at varying stages of completion.

Both the Waste Management and FOGO investigations are completed but have yet to be tabled to the Council. The first of these is due to be tabled in the next month which will evaluate options associated with Council's waste services.

The FOGO investigation, while complete will be tabled to the November meeting, once the new Council is elected in October, in order for any decision taken to be budgeted within the 2023-24 financial years Budget Estimates.

The Coastal Pathway design is nearing completion and is only awaiting the finalisation of the planning permit and erosion control advice. Therefore this objective is estimated at 90% completion.

Two projects are larger more complex projects and will take some additional time. The first being the refurbishment of the Arts and Function Centre. While the architectural plans will soon go out to the community for public exhibition, it is not likely that the tender for these works will be issued until November, with a commencement of works expected to occur in approximately March at this time.

The second is the Digital Transformation Strategy development for which the first two phases are complete. It is expected that the final Digital Transformation Strategy will be delivered at the end of August 2022, and will outline the digital objectives of the Council over the next ten year period.

Finally the Community Engagement Framework has legitimately been delayed due to staffing constraints but also to take account of new data available from the recent Census that assists us in profiling our changing community and demographic. This Framework will be tabled to the Council in the next several months after which consultation with the community will occur with regard to the intent of the Framework.

The outstanding six objectives will continue to be monitored by the Executive Management Team until complete, along with the new tranche of objectives contained in the Annual Plan 2022-23.

**7.0 RISK**

There are no strategic or serious risks that arise from this report.

**8.0 CONSULTATION**

The Council's Executive Management Team have been consulted on this matter. Additionally the matter was reported to the Council at the meeting of 26 July 2022.

## AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

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## ATTACHMENTS

1. Final Report - Annual Plan 2021-22

## AUDIT PANEL RESOLUTION

**MOVED:** *Panel Member B Hutcheson***SECONDED:** *Panel Member L Dixon****"THAT the Audit Panel:***

- 1) receive and note the information contained in the Annual Plan 2021-22 final report, and***
- 2) suggest that the outstanding projects from 2021-22 be captured and updated as part of the Annual Plan 2022-23 reporting to the Council"***

**For:** Chairperson K Clarke, Panel Member B Hutcheson, Panel Member L Dixon, Panel Member A Boyd.

**Against:**

***CARRIED UNANIMOUSLY***

AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

**SPECIAL FOCUS MATTERS****AUD048-22                      TIMELINE FOR DRAFT FINANCIAL STATEMENTS 2021-22****FILE NO:**                      13/2/2**PREVIOUS MIN:****RECOMMENDATION:*****"THAT the Audit Panel note the timeline for the production of the financial statements and audit as per the agreed Audit Strategy"*****Report Author:** Brad Pilgrim, Chief Financial Officer**1.0            SUMMARY**

The purpose of this report is to advise Audit Panel members of the timeline to deliver the financial statements for 2021-22. A summary of the timeframes from the Audit Strategy are presented below:

<b>Deliverable</b>	<b>Responsibility</b>	<b>Agreed date</b>
Draft financial report provided to Tasmanian Audit Office	Council management	14 August 2022
Finalised trial balance provided to Tasmanian Audit Office	Council management	1 September 2022
Final audit commences	Tasmanian Audit Office	5 September 2022
Report to those charged with governance issued	Tasmanian Audit Office	19 September 2022
Management Representation letter signed	General Manager	23 September 2022
Financial report certified by accountable authority	General Manager	23 September 2022
Audit report issued	Tasmanian Audit Office	26 September 2022
Memorandum of audit findings issued	Tasmanian Audit Office	10 October 2022

## AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

For the 2021-22 financial statements the last accepted date for submission is Monday 15 August (as 14 August is a weekend).

The financial statements are currently being prepared and it is expected they will be lodged on time.

Due to the timing of the Audit Panel meeting, there will not be time for the Audit Panel to review the financial statements prior to their submission. Therefore it is proposed to submit the financial statements and then circulate these to members out of session as soon as possible afterward.

Any queries or concerns that Audit Panel members may have can then be tabled out of session and responded to – with the questions and responses tabled formally to the next Audit Panel meeting.

## AUDIT PANEL RESOLUTION

**MOVED:** Chairperson K Clarke

**SECONDED:** Panel Member B Hutcheson

***“THAT the Audit Panel:***

- 1) note the timeline for the production of the financial statements and audit as per the agreed Audit Strategy,***
- 2) seek guidance on the implications of drafting a letter to the appropriate Minister requesting that the deadline for lodgement of draft annual financial statements for local government, be moved to 31 August, and***
- 3) request that the meeting scheduled in the Work Plan for August 2023, be amended to occur in September 2023 and moving forward. ”***

**For:** Chairperson K Clarke, Panel Member B Hutcheson, Panel Member L Dixon, Panel Member A Boyd.

**Against:**

***CARRIED UNANIMOUSLY***



AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

**SPECIAL FOCUS MATTERS****AUD049-22 GIFTS AND BENEFITS REGISTER**

FILE NO: 13/2/2

PREVIOUS MIN:

**RECOMMENDATION:**

***“THAT the Audit Panel note the Gifts and Benefits Register for the period 1 July 2021 to 30 June 2022.”***

**Report Author:** Emma Cumming, Acting Executive Manager Corporate Governance

**1.0 SUMMARY**

Council has a Receipt of Gifts, Benefits and Inducements Policy which applies to Councillors and employees and volunteers, it was last revised in February 2022. The policy is next due for review in February 2025.

This report presents a regular update and disclosure to members of the Audit Panel.

**2.0 DISCUSSION***Declarations Made*

The Policy requires a copy of the Councillors' Register of Gifts and Benefits to be published on the Council website for public transparency. This is updated at least monthly and is available at <https://www.burnie.tas.gov.au/Council/About-Council/Elected-Officials>

The Policy requires that a copy of the staff register of Gifts and Benefits be tabled to the Audit Panel on an annual basis for review and transparency.

An extract of both registers showing entries since 1 July 2021 is attached. The following table summarises the entries for the 12-month period to 30 June 2022:

	Number of gifts received	Number of gifts approved to be kept	Number of gifts not approved to be kept
Councillors	2	2	0
Employees	0	0	0

The Director of Local Government requires that the Councillors' register is published

## AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

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and up to date, on the basis that random audits are undertaken for compliance purposes.

The Burnie City Council's practice is to update the register immediately following every entry as it is received. For clarity to the public, the register is also amended each month to show that it has been reviewed and is current.

The employee and councillors registers are available for inspection as well as sighting of any declaration forms during the Audit Panel meeting, if requested.

*Awareness*

The Council's Compliance Register contains several tasks for employees to sign off as a means of ensuring processes are in place in relation to operationalising the policy. A copy of the 2021-22 compliance audit is attached, confirming the measures and checks that were undertaken throughout the past year.

Council arranged for the Integrity Commission to deliver a session for its Leadership Development Team on 6 February 2020. The session was Practical Ethics for Managers and included reinforcement around gifts and benefits. The reach of the session was for all team leaders, supervisors, coordinators, and managers with responsibility for managing staff.

A reminder of the obligation to report gifts was made to both councillors and staff during the last 12 months at appropriate times:

- Councillors – reminder included in the weekly newsletter approaching Christmas
- Employee Intranet – reminder article posted approaching Christmas time
- Councillors - Out of Session Workshop Briefing Paper
- Employee Intranet – Revised Gifts, Benefits and Inducements Policy news article
- Councillor Portal – Gifts and benefits information page
- Staff Intranet – Gifts and benefits information page

*Policy Review*

The policy was reviewed and approved at the February 2022 Council Meeting, a copy is attached. Aside from administrative changes including clarification that the scope extends to other workers who partner with council as well as volunteers, contractors and members of committees including the Audit Panel, there were no substantial changes to the policy given that there have been no relevant changes to the Act since it was last reviewed.

**ATTACHMENTS**

1. Gifts and Benefits Policy and Supporting Documents

## AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

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## AUDIT PANEL RESOLUTION

**MOVED:**            *Chairperson K Clarke***SECONDED:**      *Panel Member L Dixon****“THAT the Audit Panel note the Gifts and Benefits Register for the period 1 July 2021 to 30 June 2022.”*****For:**            Chairperson K Clarke, Panel Member B Hutcheson, Panel Member L Dixon, Panel Member A Boyd.**Against:*****CARRIED UNANIMOUSLY***

AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

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**SPECIAL FOCUS MATTERS****AUD050-22            INSURANCE RENEWAL REPORT 2022-23****FILE NO:**                38/2/11  
**PREVIOUS MIN:**

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**RECOMMENDATION:*****“THAT the Audit Panel note the Insurance Renewal Report for 2022-23 as attached.”*****Report Author:** Michelle Neasey, Executive Manager Corporate Governance**1.0        SUMMARY**

This report provides a review of Council’s insurance portfolio following the 2022-23 renewal process.

**2.0        BACKGROUND**

Council has engaged JLT Public Sector as its broker. Marsh and JLT were two of the major broking firms in the industry. In 2019 the Marsh Group recently acquired JLT and has retained the government insurance division as a specialist service, JLT Public Sector.

**3.0        LEGISLATIVE REQUIREMENTS**

There are no relevant legislative requirements impacting this report.

**4.0        POLICY CONSIDERATIONS**

There are no relevant policy considerations impacting this report.

**5.0        FINANCIAL IMPACT**

Total insurance costs for 2022-23 are in the order of \$755,000 (inclusive of GST) and is under what has been budgeted for the year.

The attached report provides financial breakdown by policy, and trends in premium costs.

The current broker fee is approximately \$10,000 per year.

## AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

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**6.0 DISCUSSION**

The largest policies in terms of cost are Workers' Compensation, Public Liability and Property, each of which are presently performing reasonably well in terms of claims management.

The policy areas under the most pressure in terms of risk in the sector are Councillors and Officers and Employment Practices (combined policy), and Cyber Liability.

The attached report provides brief commentary on each policy area.

**7.0 RISK**

Insurance is a form of risk management by transferring the risk of loss to a third party, in cases where risks are insurable.

Council relies on the expertise of its broker, JLT Public Sector, to provide advice on policy coverage. JLT's broad experience in the local government sector, across Australia, ensures that the advice received is relevant and providing best practice for Council moving forward.

**8.0 CONSULTATION**

The preparation of insurance renewals has been undertaken in consultation with relevant officers of Council, and Council's appointed broker, JLT Public Sector.

**AUDIT PANEL DISCUSSION**

The Panel reviewed the content and suggested that officers seek a review of the impact of higher excesses for the 2023-24 insurance period as a means of reducing premiums.

It was suggested that information be obtained from the broker around the likely claims that would arise from the current Crime Insurance policy.

It was discussed that perhaps as there has been no claims made in the past ten years, that this be considered for self-insurance next year, depending upon the advice from the broker about potential liability issues.

**ATTACHMENTS**

1. Insurance Review 2022-23

## AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

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## AUDIT PANEL RESOLUTION

**MOVED:** *Panel Member B Hutcheson***SECONDED:** *Panel Member L Dixon****“THAT the Audit Panel:***

- 1) note the Insurance Renewal Report for 2022-23 as attached,***
- 2) seek a review of the impact of higher excesses for the 2023-24 insurance period as a means of reducing premiums; and***
- 3) seek information regarding the types of claims that are possible under the Crime Insurance Policy;***
- 4) request that self-insurance be considered in the 2023-24 insurance period for the Crime Insurance policy on the basis of an excellent claims history, subject to advice from the Council’s insurance broker about potential liability issues.”***

**For:** Chairperson K Clarke, Panel Member B Hutcheson, Panel Member L Dixon, Panel Member A Boyd.**Against:*****CARRIED UNANIMOUSLY***

AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

**STANDING AGENDA ITEMS****AUD051-22            GENERAL MANAGER'S CERTIFICATION**FILE NO:                13/2/2  
PREVIOUS MIN:**RECOMMENDATION:*****"THAT the Audit Panel note the General Manager's Certification contained in this report."*****SUMMARY**

Attached is the General Manager's certification for the period ending 30 June 2022.

**ATTACHMENTS**

1. GM Certification 9 August 2022

**AUDIT PANEL RESOLUTION****MOVED:**                *Chairperson K Clarke***SECONDED:**          *Panel Member L Dixon****"THAT the Audit Panel***

- 1) note the General Manager's Certification contained in this report, and***
- 2) request that the Cooee Point Truck Wash property insurance claim from October 2021, be reviewed and closed, if appropriate."***

For:                      Chairperson K Clarke, Panel Member B Hutcheson, Panel Member L Dixon, Panel Member A Boyd.

Against:

**CARRIED UNANIMOUSLY**

AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

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**STANDING AGENDA ITEMS****AUD052-22            GENERAL MANAGER'S QUARTERLY INFORMATION  
REPORT - CORPORATE AND COMMERCIAL SERVICES****FILE NO:**                13/2/2  
**PREVIOUS MIN:**

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**RECOMMENDATION:**

***"THAT the Audit Panel note the General Manager's Quarterly Information Report for Corporate and Commercial Services, as attached."***

**SUMMARY**

A copy of the General Manager's Quarterly Information Report for Corporate and Commercial Services for the June 2022 quarter, as tabled to Council on 26 July 2022, is attached.

**AUDIT PANEL DISCUSSION**

The Panel reviewed the content and discussed various aspects of the report. In particular there was discussion around maturing investments on the basis that a two year investment is now maturing and the Panel were interested as to who had the ability to make these longer term investment decisions.

The Director Corporate and Commercial Services advised that the most recent update to Council's Treasury Policy now includes the need for Council to sign off on any investment decision that is for longer than a 12 month maturity. She advised that following completion of the draft financial statements, the CFO would be working on development of the Investment Strategy for 2022-23.

**ATTACHMENTS**

1. General Managers Quarterly Report - Corporate and Commercial Services



## AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

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## AUDIT PANEL RESOLUTION

**MOVED:** Chairperson K Clarke**SECONDED:** Panel Member B Hutcheson***“THAT the Audit Panel:***

- 1) note the General Manager’s Quarterly Information Report for Corporate and Commercial Services, as attached,***
- 2) request to view the Investment Strategy for 2022-23 once developed.”***

**For:** Chairperson K Clarke, Panel Member B Hutcheson, Panel Member L Dixon, Panel Member A Boyd.

**Against:**

**CARRIED UNANIMOUSLY**

AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

**STANDING AGENDA ITEMS****AUD053-22            OUTSTANDING DEBTORS REPORT**FILE NO:                13/2/2  
PREVIOUS MIN:**RECOMMENDATION:*****"THAT the Audit Panel note the Outstanding Debtors Quarterly Report as attached."*****SUMMARY**

A copy of the Outstanding Debtors Report as at 30 June 2022, from the minutes of the closed session of the Council meeting of 26 July 2022, is attached.

**ATTACHMENTS**

1. Outstanding Debtors Quarterly Report - June 2022

**AUDIT PANEL RESOLUTION****MOVED:**            *Panel Member L Dixon***SECONDED:**      *Chairperson K Clarke****"THAT the Audit Panel note the Outstanding Debtors Quarterly Report as attached."***

For:            Chairperson K Clarke, Panel Member B Hutcheson, Panel Member L Dixon, Panel Member A Boyd.

Against:

**CARRIED UNANIMOUSLY**

AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

**STANDING AGENDA ITEMS****AUD054-22 PERSONNEL QUARTERLY REPORT**FILE NO: 13/2/2  
PREVIOUS MIN:**RECOMMENDATION:*****"THAT the Audit Panel note the Personnel Report, as attached."*****SUMMARY**

A copy of the Personnel Report for the June 2022 quarter, from the minutes of the closed session of the Council meeting on 26 July 2022, is attached.

**AUDIT PANEL DISCUSSION**

The Panel reviewed the content and discussed staff turnover and the range of factors that has led to a number of vacancies recently within the workforce.

**ATTACHMENTS**

1. Personnel Quarterly Report - June 2022

**AUDIT PANEL RESOLUTION****MOVED:** Chairperson K Clarke**SECONDED:** Panel Member L Dixon***"THAT the Audit Panel note the Personnel Report, as attached."***

For: Chairperson K Clarke, Panel Member B Hutcheson, Panel Member L Dixon, Panel Member A Boyd.

Against:

**CARRIED UNANIMOUSLY**

AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

**STANDING AGENDA ITEMS****AUD055-22            GENERAL MANAGER'S PURCHASE CARD STATEMENT****FILE NO:**                13/2/2  
**PREVIOUS MIN:****RECOMMENDATION:**

***"THAT the Audit Panel note the General Manager's Purchase Card Statement for the period 28 April 2022 to 24 June 2022."***

**SUMMARY**

A copy of the General Manager's Purchase Card Statements for the period 28 April 2022 to 24 June 2022 are attached for review.

In line with the Audit Panel's recommendation, this report no longer provides the tax invoice/receipt for each transaction. The Mayor as part of their approval, ensures there is appropriate evidentiary material to support the transactions.

**ATTACHMENTS**

1. Purchase Card Statement 28 Apr - 25 May 2022
2. Purchase Card Statement 26 May - 24 Jun 2022

**AUDIT PANEL RESOLUTION****MOVED:**                ***Panel Member L Dixon*****SECONDED:**           ***Panel Member B Hutcheson***

***"THAT the Audit Panel note the General Manager's Purchase Card Statement for the period 28 April 2022 to 24 June 2022."***

**For:**                    Chairperson K Clarke, Panel Member B Hutcheson, Panel Member L Dixon, Panel Member A Boyd.

**Against:**

***CARRIED UNANIMOUSLY***

AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

**STANDING AGENDA ITEMS****AUD056-22            WORK PLAN 2022-23****FILE NO:**                13/2/2  
**PREVIOUS MIN:****RECOMMENDATION:*****"THAT the Audit Panel note the Work Plan for 2022-23, as attached."*****SUMMARY**

The next meeting of the Audit Panel is planned for Wednesday, 7 December 2022 at 1:00pm, to be held at the City Offices.

Attached is the Audit Plan and Work Program for reference.

**ATTACHMENTS**

1. Audit Plan and Work Program 2022-23

**AUDIT PANEL RESOLUTION****MOVED:**                *Panel Member A Boyd***SECONDED:**          *Chairperson K Clarke****"THAT the Audit Panel note the Work Plan for 2022-23, as attached."***

**For:**                    Chairperson K Clarke, Panel Member B Hutcheson, Panel Member L Dixon, Panel Member A Boyd.

**Against:**

**CARRIED UNANIMOUSLY**

AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

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**GENERAL BUSINESS**

**AUD057-22            NON-AGENDA ITEMS**

**FILE NO:**            13/2/2  
**PREVIOUS MIN:**

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**AUDIT PANEL DISCUSSION**

The Panel requested, and officers provided, an update on the following matters:

- 1) the current impacts of Covid-19 on resourcing;
- 2) the progress of the Asset Management Improvement Scope; and
- 3) Local Government Reform.

AUDIT PANEL MEETING

MINUTES - TUESDAY, 9 AUGUST 2022

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***GENERAL BUSINESS***

**AUD058-22                      CONFIDENTIAL SESSION**

**FILE NO:                      13/2/2**  
**PREVIOUS MIN:**

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The Audit Panel may determine to hold a confidential session as appropriate.

A Confidential Session was not required.

**COMPLETION OF AUDIT PANEL MEETING**

There being no further business the Chairperson declared the meeting closed at 2:47 pm.



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**Kenneth Clarke** B.Com (Tas) MBA (London)CHARTERED ACCOUNTANT

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19<sup>th</sup> August 2022

The Mayor  
Burnie City Council  
PO Box 973  
BURNIE TAS 7320

Dear Sir

Summary of Key Outcomes from the Audit Panel Meeting held on 9<sup>th</sup> August

The Audit Panel had a constructive meeting with candid discussion between Council staff and Audit Panel members.

There were no formal recommendations to Council from this meeting.

Special focus matters for this meeting were: -

**Annual Plan Report 2021-22 – Final**

- The Panel received and noted the information contained in the Annual Plan 2021-22 Final Report; the matter in the report was presented to Council at the July meeting. The Annual Report 2021-22 contained eight key deliverables. Two of these actions have been successfully completed; the remaining six are at varying stages of completion.
- A summary of the Actions and their current status is as below –

Vibrant Town Centre	Architectural plans for refurbishment of Arts and Culture centre to go out to the community for public exhibition; tender for works to be issued late 2022, with a commencement of works expected to occur in approximately first half of 2023.
Coastal Pathway	Coastal Pathway design nearing completion, awaiting finalisation of planning permit and erosion control advice. Objective is estimated at 90% completion.
Digital Transformation	First two phases are complete; final Digital Transformation Strategy to be delivered in first quarter 2022-23; and will outline the digital objectives of the Council over the next ten-year period.
Urban Infrastructure Renewal	Completed.

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Waste Management	Waste Management investigation and strategy completed; Report to be tabled to Council first quarter 2022-23.
FOGO	FOGO investigation and strategy completed; Report to be tabled to new Council in second quarter 2022-23, for decision and financial implications to be included in next year Budget estimates.
Community Engagement	Delayed, partly because of staffing constraints but also to take account of new information available from the recent Census that will assist in profiling changing community and demographic data.
Strategic Planning	Completed.

- The Panel requested that the outstanding projects from 2021-22 be captured and updated as part of the Annual Plan 2022-23 and reported to the Council.

#### **Timeline for Draft Financial Statements 2021-22**

- The Audit Panel were presented with a report outlining the timeline for the delivery of the Financial Statements for 2021-22.
- The deadline for the submission of the Financial Statements to the Tasmanian Audit Office (TAO) was Monday 15<sup>th</sup> August. Council staff had intended to present a Draft version of the Statements to the Audit Panel for comment and review, prior to submission to the TAO, however the Statements were still being prepared at the time of the Audit Panel meeting. The Panel therefore agreed to Council submitting the financial statements and circulating a copy to members out of session as soon as possible afterward. Any queries or concerns of Audit Panel members would be tabled out of session and responded to – with the questions and responses tabled formally to the next Audit Panel meeting.
- The Audit Panel acknowledged Council's noble ambition to have a draft of the Financial Statements presented to the Panel at a meeting before submission to the TAO. The Panel suggested that given the amount of effort required by Council staff and the extremely tight deadlines for preparation and submission of the Financial Statements, it is unrealistic to schedule an Audit Panel meeting in the first two weeks of August for the purpose of providing draft Statements to the Panel; and proposed a September meeting in future would suffice.
- As Chair of this Audit Panel, I will seek guidance on the implications of drafting a letter to the appropriate Minister requesting that the deadline for lodgement of draft annual financial statements for local government be moved to 31 August.

#### **Gifts and Benefits Register**

- Council has a Receipt of Gifts, Benefits and Inducements Policy which applies to Councillors and employees and volunteers. The Policy requires that a copy of the staff register of Gifts and Benefits be tabled to the Audit Panel on an annual basis for review and transparency.
- The Audit Panel noted the Gifts and Benefits register for the period 1 July 2021 to 30 June 2022.

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**Insurance Renewal Report 2022-23**

- The Director Corporate and Commercial Services provided a report outlining Council's suite of insurance renewals for 2022-2023. The preparation of insurance renewals was undertaken in consultation with relevant officers of Council, and Council's appointed broker, JLT Public Sector. Premium costs are below the Budgeted cost for the year.
- The Panel reviewed the content and suggested that officers seek a review of the impact of higher excesses for the 2023-24 insurance period as a means of reducing premiums.
- The Panel also suggested that information be obtained from the broker around potential claims that may arise from the current Crime Insurance policy; given that there have been no claims made by Council in the past ten years, it may be beneficial to "self-insure", depending upon the advice from the broker about potential liability issues.
- Council staff assured the Audit Panel that there were no policies recommended by the Broker that were declined to be purchased; nor were there any known significant gaps in their insurance portfolio where Council had made the conscious decision to self-insure.

The Panel considered several other Standing Agenda Items. The following matters were noted :-

**Council Investments**

The General Manager's Quarterly Information Report showed that Council had a combined \$5.0 million in term deposits maturing in the first quarter of 2022-23 that had been invested for 2-year terms. The Director Corporate and Commercial Services advised that the most recent update to Council's Treasury Policy now includes the need for Council to sign off on any investment decision that is for longer than a 12-month maturity. The Director advised that following completion of the draft financial statements, the CFO would develop the Investment Strategy for 2022-23. The Audit Panel have asked that the Investment Strategy be tabled for the Panel to review.

**Staff Turnover**

The most recent Personnel Report showed a number of current vacant positions at Council, and the Panel asked the General Manager for comment. The General Manager outlined a range of factors that had contributed to the current vacancies and provided context for employee movements through the past few months. Panel members appreciated the open and candid discussion.

The Audit Panel also requested updates from the General Manager and/or the Director Corporate and Commercial Services on the following non-Agenda matters –

- The current impact of Covid-19 on resourcing and actions that Council is undertaking to minimise and mitigate these impacts;
- Progress on Asset Management improvement initiatives; and
- Local Government Reform

The Panel were briefed on each of the above items, and noted the ongoing high standards and measures still being pursued by Council and staff to mitigate Covid-19 transmission.

Yours faithfully

*Kenneth Clarke*

13 Eugene Street, DEVONPORT, Tas 7310

Mob 0438 818 821

clarke42@gmail.com

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**MINUTES AND REPORTS OF COMMITTEES****AO179-22 BURNIE AUSTRALIA DAY SPECIAL COMMITTEE - CONFIRMED  
MINUTES OF MEETING HELD ON 15 AUGUST 2022**FILE NO: 29/1/8

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**RECOMMENDATION:**

***“THAT Council receive the Confirmed Minutes of Meeting of the Burnie Australia Day Special Committee held on 15 August 2022 for noting.”***

**SUMMARY**

At its meeting on 15 August 2022 the members of the Burnie Australia Day Special Committee met to commence discussions for the 2023 Australia Day Ceremony.

This was the first meeting of the new committee and discussions included future meeting times and preliminary ideas for the 2023 ceremony.

**ATTACHMENTS**

1 [↓](#) Burnie Australia Day Special Committee - Confirmed Minutes - 15 August 2022

**COUNCIL RESOLUTION****Resolution number: MO188-22****MOVED:** Cr G Simpson**SECONDED:** Cr A Keygan

***“THAT Council receive the Confirmed Minutes of Meeting of the Burnie Australia Day Special Committee held on 15 August 2022 for noting.”***

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

Against:

**CARRIED UNANIMOUSLY**

# Minutes



Meeting: **Australia Day Special Committee Meeting**  
 Date & Time: Monday, 15 August 2022 at 4.00pm  
 Venue: Second Floor Councillors Conference Room  
 File No(s):

Chairperson:	Deputy Mayor Giovanna Simpson
Present:	Marg Leeson, Elizabeth Singleton (by phone), Abbey Granger, Wayne Richards (by phone), Cr Teeny Brumby. Burnie City Council – Karen Kelly
Apologies:	Robert Bentley

Discussion Item and Notes	Action / Responsible
<b>1. Attendance and Apologies</b>	Chair
<b>2. Induction – Australia Day Committee</b> Including Declaration of Interest	Karen Kelly
<b>3. Meeting Timing</b> Meetings to be held monthly on the second Monday of each month at 3.30pm.	Chair
<b>4. Australia Day Ceremony 2023</b> – Preliminary Ideas for Consideration <ul style="list-style-type: none"> <li><u>Guest Speaker</u> M Leeson suggested Australia Day Ambassador, [REDACTED] as the 2023 Guest Speaker. Committee reviewed bio and agreed on suggestion. <b>K Kelly to contact DPAC to request ambassador.</b></li> <li><u>Entertainment</u> Committee discussed options and agreed to progress with [REDACTED] [REDACTED] [REDACTED]</li> </ul>	Chair
<b>5. Budget</b>  <b>K Kelly to confirm budget for 2023 remains at \$12k.</b>	Karen Kelly
<b>6. Other Business</b> <ul style="list-style-type: none"> <li>Committee to write a letter of thanks to Cr Dorsey for his work on the committee.</li> <li>Format to remain as for previous ceremonies.</li> </ul>	Chair

Meeting Notes

<ul style="list-style-type: none"><li>• Chair to MC ceremony.</li><li>• Youth Mayor to lead in flag ceremony with a combination of youth representatives.</li><li>• Catering – BAFC and BBQ (Service Club)</li><li>• Photographs – Contact Tara-lee Palmer for photography at the ceremony and citizenship ceremony.</li></ul>	
<b>7. Next Meeting</b>  Monday, 12 September 2022 at 3.30pm	Chair

Meeting Closed: 4.34pm

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**MINUTES AND REPORTS OF COMMITTEES****AO180-22 BURNIE CITY YOUTH COUNCIL SPECIAL COMMITTEE  
UNCONFIRMED MINUTES OF MEETING HELD ON 25 AUGUST 2022****FILE NO: 2/5/34**

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**RECOMMENDATION:**

***“THAT Council receive and note the Unconfirmed Minutes of meeting of the Burnie City Youth Council Special Committee held on 25 August 2022.”***

**SUMMARY**

Eloise Knuckey, Student Mental Health Tasmania Board Member, attended the meeting and talked about Mental Health First Aid Training for university students, how the Mental Health Tasmanian Board can help promote events in schools, and the Sunflower Project Proposal.

Hannah Sadler, Cradle Coast Natural Resource Management, attended the meeting and gave the Youth Councillors a presentation on the role of Cradle Coast NRM, tips on how to look after our environment, and identifying weeds and other environmental concerns.

Shandel Pile, Burnie Works, also attended the meeting and talked about The MORE for Children Framework research project being conducted by the Australian National University.

Planning is underway for the two live, drug and alcohol free, youth concerts to be held on 29 September 2022 and December 2022 by the Local Drug and Alcohol Team and Youth Family and Connections.

Youth Councillors brainstormed ideas for their end of year excursion.

**ATTACHMENTS**

1 [!\[\]\(274fd520e03b61c1b9ffc861754cacdc\_img.jpg\)](#) Burnie City Youth Council Special Committee Minutes of Meeting - 25 August 2022

**COUNCIL RESOLUTION****Resolution number: MO189-22*****MOVED: Cr G Simpson******SECONDED: Cr A Keygan******“THAT Council receive and note the Unconfirmed Minutes of meeting of the Burnie City Youth Council Special Committee held on 25 August 2022.”*****For:** Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.**Against:*****CARRIED UNANIMOUSLY***



## Meeting Minutes



Meeting: **BURNIE YOUTH COUNCIL**  
 Held on: Monday 25 August 2022  
 Venue: Burnie City Council Chambers  
 File No(s): 2/5/34



The meeting opened at 9.28am

1.	<b>Welcome, Acknowledgement to Country</b> Youth Mayor Abbey Granger (PHS) welcomed the Burnie Youth Council and provided the Acknowledgement to Country.
2.	<b>Present:</b> (PHS) – Abbey Granger, Taleah Smith, Kaleb Birchall (BHS) – Talan Evans (LCS) – Alexia Rowe (CPS) – Jasper Long, Alec de Bomford (MPS) – Tilly Hay (RPPS) – Jacob Singh, Ava Foster (SMPS) – Georgia Cumming, Lucas Weinert (RPS) – Lilly Singline, Vincent Sturzaker (BPS) – Jem Stretton  <b>Apologies:</b> (MRC) – Ava Radford, Charlotte Loring, Alistair Brett (PHS) – Maddie Lamprey (BHS) – Jed Pennington, Bailey McLaren, Millie Ferguson (BPS) – Ellie Rayner (LCS) – Ruby French (HPS) – Zeppelin Barnard, Emily McKenzie (MPS) – Taya Wells  <b>Ex-officio Officers in attendance:</b> Deputy Mayor Giovanna Simpson Project Officer - Olivia Lucas Burnie Works - Allison Daley

3.	<p><b>Minutes and Correspondence</b></p> <p><b>Motion:</b>  <i>That the minutes of 28 July 2022 are accepted as a true and accurate record.</i></p> <p><i>Moved: Ava Foster      Second: Jacob Singh      <b>CARRIED</b></i></p> <p>Correspondence</p> <ul style="list-style-type: none"> <li>- Tasmanian Youth Advisory Summit – all Youth Councillors are invited to attend on Friday 18 November, 2022.</li> <li>- Tasmanian Youth Story – YNOT is seeking young Tasmanians 18-25 to participate in one on one conversations to create the Tasmanian Youth Story. Interviews will be held in August and September at a time and place convenient to you. Participants will be paid a \$100 e-gift voucher once the interview is completed.</li> </ul>
4.	<p><b>Guest Speaker: Eloise Knuckey, student Mental Health Tasmania Board Member</b>  <b>Sunflower Project Proposal – Mental Health Week 8-16 October</b></p> <ul style="list-style-type: none"> <li>- Plant a seed for Mental Health, it shines a light on acknowledging mental health.</li> <li>- Mental Health First Aid training to university students</li> <li>- Schools can source funding and participate either individually or as a collective – have a chat to Community Resources at UTAS for further information.</li> <li>- The Mental Health Tasmanian Board can help promote events in schools.</li> <li>- Fundraising options: <ul style="list-style-type: none"> <li>o Burnie Council offers financial assistance grants</li> <li>o Seek support from Bunnings.</li> <li>o Theme Dress Ups at schools and donate funds to mental health.</li> </ul> </li> <li>- Youth Councillors requested a brief for them to take back to their schools about planting Sunflowers and running an activity for Mental Health week.</li> <li>- Gratitude: think of one positive thing that happens each day, practice positivity every day.</li> <li>- Bullying is linked to Mental Health: get depressed, suicidal. Bystanders can help prevent bullying by speaking out where possible or distract the conversation to stop bullying.</li> </ul>
5.	<p><b>Guest Speaker: Hannah Sadler, Cradle Coast NRM</b>  <b>Natural Resource Management</b></p> <ul style="list-style-type: none"> <li>- Our role is to protect, sustainably manage and improve natural resources for the shared environmental, cultural, social and economic benefit of the community.</li> <li>- Receive support from the Federal and State Governments.</li> <li>- Giant fresh water Crayfish are only found in rivers in Northern and West Coast. They can grow 1m long and up to six kilos in weight.</li> <li>- We work with local farmers to protect the rivers by: <ul style="list-style-type: none"> <li>o Removing trees like Willows which clog up rivers and are a danger to wildlife.</li> <li>o Fencing to stop cattle</li> <li>o To stop spraying pesticides near waterways</li> <li>o Encourage soil bio-diversity – enriches soil for growing food.</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>- We all have a role in looking after the environment:             <ul style="list-style-type: none"> <li>o Need to understand the impact we make.</li> <li>o Use designated pathways which are there to protect wildlife.</li> <li>o Keep your dog on a lead</li> <li>o Plant native plants/trees that encourage bird life, bees, and native animals.</li> </ul> </li> <li>- We provide information on             <ul style="list-style-type: none"> <li>o Identifying environmental weeds – smother native plants and stresses the environment.</li> <li>o Orchids – a guide on where to find in the environment.</li> <li>o Cats – they impact the environment significantly; they hunt at night and kill native species.                 <ul style="list-style-type: none"> <li>▪ A cat eradication trial is running on Three Hummock Island using robots that can identify the shape of a cat. Once identified poison is squirted onto the cat which eventually is ingested during grooming.</li> </ul> </li> <li>o Sea Spurge – an invasive weed native to Europe and each plant can produce up to 5,000 seeds that can survive for several years on ocean currents.</li> <li>o Marine debris washes up on beaches.</li> </ul> </li> <li>- There are many projects and activities underway trying to improve the environment including Landcare etc. There are a number of ways people can contribute, more hands on deck the better.</li> <li>- The Cradle Coast Authority Newsletter provides information about what projects are underway.</li> </ul>
7.	<p><b>Guest Speaker: Shandel Pile, Burnie Works</b> <b>The MORE For Children Framework</b></p> <ul style="list-style-type: none"> <li>- A research project being conducted by the Australian National University (ANU) seeking opinions of young people, all participants receive a gift voucher.</li> <li>- The Burnie Community House was a test site and held a number of activities: Ages 6-12yrs drawing and map making; 13-16yrs activity based, fun and interactive.             <ul style="list-style-type: none"> <li>o A few tweaks were made to methods</li> <li>o Relationships are key</li> <li>o Material things not ranked high</li> </ul> </li> <li>- Feedback received will help government and service providers to make decisions.</li> <li>- MORE for Children flyers were handed out to Youth Councillors.</li> </ul>
8.	<p><b>Discussion and Next Steps</b></p> <p>Youth Concerts</p> <ul style="list-style-type: none"> <li>- The Local Drug and Alcohol Team (LDAT) were successful in their grant application for the Youth Family and Connections (YFCC) to run two, drug and alcohol free youth concerts in 2022.</li> <li>- The first concert will be held at the Burnie Arts and Function Centre on Thursday 29 September. The second concert will be held during December at the Sound Shell at the Burnie Park.</li> <li>- If anyone wants to be involved in either the planning of the event or with sound setup let Olivia know.</li> </ul> <p>End of Year Excursion Ideas</p> <ul style="list-style-type: none"> <li>- Geocaching</li> <li>- Laser Tas – now has Escape rooms</li> <li>- Lunch at Beach hotel, Fish Frenzy, Communion</li> </ul>

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	Other topics of interest <ul style="list-style-type: none"><li>- Forestry, what do they do, how is it managed?</li><li>- Penguin group</li></ul>
5.	<b>Next Meeting</b> The next meeting will be held on Thursday 22 September at 9.15am – 11.30am at the Burnie City Council Chambers.

**Closed: 11.19am**

Signed and dated (upon confirmation at next meeting):

\_\_\_\_\_  
Chairperson\_\_\_\_\_  
Date

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**MINUTES AND REPORTS OF COMMITTEES****AO181-22 UPPER NATONE RESERVE SPECIAL COMMITTEE  
CONFIRMED MINUTES OF ANNUAL GENERAL MEETING HELD ON  
23 AUGUST 2021****FILE NO: 2/5/16; 3383617**

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**RECEPTION FOR DISCUSSION****RECOMMENDATION:**

***“THAT the Confirmed Minutes of the Annual General Meeting of Upper Natone Reserve Special Committee held on 23 August 2021, be received for discussion.”***

The 2022 Annual General Meeting was held on Monday, 22 August 2022.

The AGM confirmed the proceedings of the 2021 Annual General Meeting of the Upper Natone Reserve Special Committee. A copy of the confirmed 2021 minutes is **attached**.

There are no specific matters to report.

**ATTACHMENTS**

1. [Upper Natone Reserve Special Committee AGM Minutes - 23 August 2021](#)

**COUNCIL RESOLUTION****Resolution number: MO190-22****MOVED: Cr C Lynch****SECONDED: Cr A Boyd**

***“THAT the Confirmed Minutes of the Annual General Meeting of Upper Natone Reserve Special Committee held on 23 August 2021, be received for discussion.”***

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

**Against:**

***CARRIED UNANIMOUSLY***

***Minutes of Upper Natone Reserve Special Committee AGM*****23<sup>rd</sup> August 2021**

Meeting opened 7:30pm (Natone School)

***Attendance***

Present: Fiona Tustian (President), Phil Tustian (Secretary) Ivan Caston, Dianne Cripps, Garry Watts, Jessica Reynolds, Gary Neil (Burnie City Council), Richard Franks, Lachlan Girschik & Malcolm Bailey.

**Apologies:** Heather Ross & Ken Dorsey.**Declaration of Interest:** Nil

Minutes of AGM held on 24<sup>th</sup> August 2020 were read to the Meeting. Moved Garry Watts & seconded Dianne Cripps the Minutes be accepted as read **Carried**.

**President's Report:** The Presidents's Report for the year 2020/2021 was presented & read to the Meeting. Moved Fiona Tustian and seconded Ivan Caston the report be accepted as read **Carried**.

**Financial Report:** Presented by Gary Neil detailing expenditure of \$813-10 for the 2020/2021 year. A Budget of \$2000 has been allocated for the 2021/2022 year.

**Correspondence** (In) Gary Neil – Financial Report  
(Out) Notice of AGM

***Election of Office bearers:***

Fiona Tustian declared Office Holders positions vacant, & Gary Neil took the chair and called for nominations for the position of President & Secretary.

Jessica Reynolds nominated Fiona Tustian as President, seconded by Garry Watts.

Jessica Reynolds nominated Phil Tustian as Secretary/Treasurer, seconded by Garry Watts.

There were no other nominations.

Both nominees accepted the nomination, and were declared elected.

No other matters were discussed.

**AGM declared Closed at 7:44pm**

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**MINUTES AND REPORTS OF COMMITTEES****AO182-22 UPPER NATONE RESERVE SPECIAL COMMITTEE UNCONFIRMED  
MINUTES OF MEETING HELD ON 22 AUGUST 2022****FILE NO: 2/5/16; 3383617**

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**RECOMMENDATION:**

***“THAT the Unconfirmed Minutes of the Upper Natone Reserve Special Committee meeting held on 22 August 2022, be received for discussion.”***

**SUMMARY**

The Minutes report on a meeting of the Upper Natone Reserve Special Committee and are attached for your reference.

Council provided the Upper Natone Reserve Special Committee with safety equipment for use when members are utilising chainsaws in the reserve.

**ATTACHMENTS**

1. [Unconfirmed minutes of the Upper Natone Reserve Special Committee meeting held on 22 August 2022](#)

**COUNCIL RESOLUTION****Resolution number: MO191-22****MOVED: Cr A Keygan****SECONDED: Cr D Pease**

***“THAT the Unconfirmed Minutes of the Upper Natone Reserve Special Committee meeting held on 22 August 2022, be received for discussion.”***

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

**Against:**

***CARRIED UNANIMOUSLY***

1

**Upper Natone Reserve Special Committee**

Minutes of meeting held at the Natone Primary School

22 August 2022

Meeting opened at 7.55 pm (following the AGM)

**Present:** Ivan Caston (Chairperson), Heather Ross (Secretary), Diane Cripps, Ken Dorsey, Brielle Gray, Richard Franks, Doug White**Apologies:** Jeremy Schmidt, Lachlan Girschik**Declaration of interest:** Nil**Minutes of previous meeting:** Read to meeting. Moved by Diane Cripps, Seconded by Brielle Gray. Minutes Accepted.**Business arising from previous minutes:**

1. Interim field visit and safety inspection by council staff was conducted 3/8/22 and a report has been provided to the committee
2. Facebook Page is complete and now public – Heather Ross Admin & Brielle Gray Editor

**Correspondence (in/out)**

- (out) Minutes of meeting held 17/7/22 emailed or provided to all members and council
- (in) Interim field visit and safety inspection report from council dated 3/8/22 (email received 16/8/22) containing 3 questions generated from the field visit requiring a response. Frequency of risk assessments required, Licences and PPE volunteer committee members using chainsaws have and availability of first aid kits at working bees
- (out) Chairpersons email reply to council regarding the 3 questions sent 16/8/22.
- (out) Reminder email for AGM sent 17/8/22

**General Business:**

- Richard Franks suggested the gate near the bridge be moved to the road near the picnic shelter, with the large rocks being used to prevent cars and 4 wheelers from accessing that part of the reserve; making this a day use only area as has been previously discussed. Those present agreed this should be discussed at the next working bee because it is easier to visualise and discuss options onsite.
- Heather Ross moved a certificate of appreciation is generated for past long serving and founding members/office bearers, Fiona Tustian, Philip Tustian and Garry Watts. A letter will to be sent when certificates are finalised inviting all three to a meeting or working bee to receive their certificates. For those unable to attend, a letter and the certificates will be posted to the past member. Seconded Ken Dorsey
- A general discussion was held about items arising from the interim safety inspection. Three members present confirmed they have first aid kits in their vehicles when present at working bees
- Discussions were held about what volunteers can and can't do, phone reception, emergency assembly area and use and availability of PPE etc. Discussion led to the induction process for existing committee members and any volunteers who occasionally help with working



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bees. The meeting agreed the current induction paperwork provided by council did not entirely reflect the activities and the activity site of working bees. Brielle Gray moved and agreed to put together an induction form to be forwarded to Council for consideration and amendment. Seconded Heather Ross

- Ken Dorsey moved that a list of any perceived items still held by the previous committee members Fiona and Philip Tustian be provided to him/Council and he will arrange to pick them up from the above. Items include key to gate, keys to locker, timber, linseed oil, a BBQ plate, and bricks. Seconded Ivan Caston
- Heather Ross raised concerns to the council members present about the recent safety inspection not including the walking tracks when it was conducted. More trees and branches have fallen since the storm, the tracks are waterlogged, and more trees are likely to fall due to the conditions. Whilst the committee and council has done major work since the storm to the main public areas, the tracks are still in need of work to make them as safe as possible. Heather suggested the council should consider walking the two tracks which may need to be closed until they can be made safe. Council agreed and will take this request to the group who provided the inspection for the main area of the reserve. Signs can be provided by the council to close the tracks if necessary for maintenance.
- Next working bee scheduled for Sunday 11<sup>th</sup> September at 10am.

Meeting closed at 9.00 pm

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**MINUTES AND REPORTS OF COMMITTEES****AO183-22 WESTERN EMERGENCY MANAGEMENT COMMITTEE  
UNCONFIRMED MINUTES OF MEETING HELD ON 18 AUGUST 2022****FILE NO: 2/5/39**

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**RECOMMENDATION:**

***“THAT the Unconfirmed Minutes of Meeting of the Western Emergency Management Committee held on 18 August 2022 be received.”***

**SUMMARY**

The Minutes report on the discussions which occurred at the 18 August 2022 Western Emergency Management Committee meeting.

Matters for noting include:

- The Department of Health has advised that Social Recovery will now sit in DPAC. A Local Government Forum is to be held on the 19th October when more details will be made available. Recommend that Council representatives attend this.
- Details on the Tasmanian new flood warning system discussed.
- A revamped Tas Alert web page to be the focus of emergency information rather than individual agency sites.
- The Natural Disaster Risk Reduction Grant Program is opening soon. Guidelines and Application forms be released early September. Details on the SES web site. Potential for small projects to be funded.
- Vacancies at all three Councils require them to liaise prior to the next WEMC meeting to ensure the functions of the Executive Officer are undertaken. To date this role has been shared between Councils. The EO doesn't necessarily need to be a Coordinator.

**ATTACHMENTS**

1. [Western Emergency Management Committee Unconfirmed Meeting Minutes from 18 August 2022](#)

**COUNCIL RESOLUTION****Resolution number: MO192-22*****MOVED: Cr C Lynch******SECONDED: Cr A Boyd******“THAT the Unconfirmed Minutes of Meeting of the Western Emergency Management Committee held on 18 August 2022 be received.”***

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

**Against:**

***CARRIED UNANIMOUSLY***



## Meeting Minutes

**Meeting Held:** Thursday, 18 August 2022 10.00am  
**Venue:** Waratah Wynyard Council  
**Chairperson:** Cr Celisa Edwards

- 1 Introduction & Welcome** Cr Celisa Edwards
 

**Present**

Cr Celisa Edwards (Chair)	Councillor Waratah-Wynyard Council – WEMC Chair
Colin Smith	NW SES Regional Manager
Tony Wood	Tasmanian Fire Services
Sgt Craig Harvey	Tasmania Police - Burnie
Daniel Eiszele	Tas Ports
Cr Themba Bulle	Councillor - Burnie City Council
Richard Muir Wilson	MEMC - WWC
Matthew Jamieson	DMEMC - WWC
Bel Lynch	Social Recovery Coordinator - BCC
Julie Bernhagen	SES – Emergency Planner NW
Kevin Maguire	MEMC - CHC
Deb Mainwaring	Social Recovery Coordinator - CHC
- 2 Apologies/Absent**

Stewart Williams	Tasmania Police
Commander Debbie Williams	Commander Tasmania Police & Regional Controller NWREMC
Inspector Adrian Shadbolt	Tasmania Police
Damien Ahearne	MEMC Burnie City Council
Lisa Allison	Tasmania Health Service
Mike McDermott	Ambulance Tasmania.
Kyle Squibb	Tasmanian Fire Services
- 3 Minutes of the Previous Meeting**

The committee resolved to accept the minutes of the previous meeting held on Thursday, 19 May 2022.
- 4 Matters Arising from the Previous Minutes**
  - 4.1**
    - Western EMP Exercise

Bel reported that the Launceston City Council are interested in a similar exercise based on a Cyber Security incident and could combine with the WEMC. Potential opportunity to undertake this collaboratively in the new year.
  - 4.2**
    - Appointment of Executive Officer

Subject to appointment of MEMC's at Waratah Wynyard, Burnie and Circular Head.  
Positions are vacant due to retirements and resignations.

Julie suggested that in the interim each Council could nominate a contact for the purposes of receiving emergency management information from her and the SES. They would be included in all mailouts and receive support from her.

- 4.3
  - Western FMAC

**5 Correspondence**

**5.1 Inward**

- 

**5.2 Outward**

- Invitation to Michael Wells from the Burnie Airport Corporation.

**6 Standing Agenda Items**

**6.1 Regional Emergency Coordination Centre (RECC)-**

- Julie Bernhagen reported that it was still open, but a decision was made to keep it open due to an increasing level of Covid at the time.

**6.2 NW Regional Emergency Management Committee (NWREMC) Update**

- Julie reported on yesterday's meeting. The Department of Health has advised that Social Recovery will now sit in DPAC. A Local Government Forum is to be held on the 19<sup>th</sup> October when more details will be made available. Recommend that Council representatives attend this.
- Details on the Tasmanian new flood warning system discussed.
- A revamped Tas Alert web page to be the focus of emergency information rather than individual agency sites.

**6.3 Regional Social Recovery Update**

- No Report.

**6.4 Western FMAC**

- No Report.

**7 Municipal Emergency Management Coordinator Reports**

**7.1 Burnie City Council**

**7.2 Circular Head Council**

- Recent heavy rain has resulted in localised road flooding and landslides.

**7.3 Waratah-Wynyard Council**

- The June windstorm was our last incident requiring a concerted response from SES, Council staff and other Agencies.
- Councils Executive Management team is meeting today to work through the appointment of staff to the Social Recovery and MEMC positions based on the natural fit between Community & Engagement and the Infrastructure & Development Departments.

**8 Municipal Social Recovery Coordinator Reports****8.1 Burnie City Council**

- No report

**8.2 Circular Head Council**

- Covid vaccination clinics have been held in Smithton and Stanley

**8.3 Waratah-Wynyard Council**

- No report

**9 Agency Reports****9.1 State Emergency Services**

- NW Regional Manager Colin Richards reported that in Circular Head – 15 road crash rescues total 85 hours 3 storm jobs 22 hours; Burnie City Council – SES Unit 8 miscellaneous jobs total 50 hours, 20 jobs storm damage 106 hours, many of these were assisting in Circular Head during the June LWE storm; Waratah Wynyard 2 miscellaneous jobs 24 hours, 16 road crash rescues 64 hours, 200 hours re storm damage equating to 24 jobs, over the June LWE.

**9.2 Tasmania Police**

- No matters to report.

**9.3 Tasmania Fire Service****9.4 Ambulance Tasmania**

- 

**9.5 Tasmania Health Service North West**

- No report

**9.6 DPIPW – Parks and Wildlife Service**

- No report.

**9.7 Tas Ports**

- Daniel Eiszele reported that the Salvage operation is near completion at the Devonport wharf, both tugs have been retrieved. Extra support from EPA to assist with oil spillage. Containment of all contaminated water was not possible due to the sheer volume of it.
- Expansion of the berths for the new Spirits will see the operational tugs return to berths on the western shore.
- Important to maintain contact with other agencies as no one can have all the equipment they need standing by for emergencies like the sinking of two tugboats. People now know who everybody else is through the response to this incident.

**10 COMMITTEE PLANS AND ASSOCIATED DOCUMENTS****10.1 Municipal Emergency Management Plan – September 2022 review date**

- This is due for review by September 2022. The plans are being standardised around the State. Julie is waiting on information on how Recovery will look in the future. Look at the appendices, update what you can. Plans can then get underway.

**10.2 WEMC Risk Register**

- Julie reported that Tasmanian Emergency Risk Assessment Guidelines (TERAG) was used to develop the register. Burnie holds the most recent register. Suggested that coordinators meet so that they become familiar with its content. Non natural disaster risks are included, are they relevant still? Disruptive incidents such as road closures or bio security breaches to be considered.
- Bel flagged the return of cruise ships and the influx of visitors and their impact on local services. Some businesses have struggled with finding enough staff and providing business continuity.

**11 Emergency Management Programs**

- 11.1**
- Julie reported that The Natural Disaster Risk Reduction Grant Program is opening soon. Guidelines and Application forms be released early September. Details on the SES web site. Potential for small projects to be funded.

**12 Presentations**

**12.1 Cyber Security – Burnie City Council – Bel Lynch**

- To be postponed until a future meeting.

**13 General Business**

**13.1 Appointment of EO**

- Vacancies at all Councils require all 3 Councils to liaise prior to the next WEMC meeting to ensure the functions of the EO are undertaken. To date this role has been shared between Councils. The EO doesn't necessarily need to be a Coordinator.

**13.2 Security at Burnie Airport**

- Dr. Themba Bulle raised a concern regarding security at the Burnie Airport given the recent incident at Canberra Airport and the use of drones to track offenders. He queried whether this could result in the abuse of people's human rights.
- Sgt. Craig Harvey responded that TasPol work under stringent guidelines when flying drones and using them as evidence gathering tools. The use of drones by TasPol has been a considered exercise and one covered by legislation and policy providing enough safeguards.

**13.2 Suggestions for Future Presentations**

- Michael Wells – Airport Corporation to hold a presentation at a time to be confirmed.
- Drone presentation, TasPol are agreeable to undertaking a presentation in February.
- Fire Season presentation to be held in November.
- Julie is attending the AIDR conference in Adelaide next week. She's happy to provide a presentation at a future meeting of the WEMC.

**13.3 MEMP Exercise – Scenario Development**

- Cyber Security – Bel to assist by crafting a scenario and provide an overview.

**14 Meeting Closed: 10:59 am**

**Next Meeting:** 17 November 2022 at Circular Head Council

**Forward Meeting Dates – Held quarterly on third Thursday**

16 February 2023 Burnie City Council

## Open Actions

No.	Description	Owner	Date Assigned	Status	Date Closed
5	Letter to be forwarded to appropriate agency regarding ABC radio interference	Julie Bernhagen	24/11/16	Completed 13.02.17 – acknowledgements received. 18.05.17: Ongoing matter – Minister considering further information from Commander. 17.08.17: Circular Head Council continuing to follow up matter. 16.08.18: In discussions with Gary Baxter (ABC) re Lileah station. 15.11.18 Letter received from ABC advising of changes to Lileah broadcast. To review during summer conditions. 21.02.19 Julie Bernhagen & Wayne Richards to liaise to address this issue. 15.08.19 CHC now liaising with LGAT.	2019
20	EM Coordinators to develop combined Risk Register to bring to WEMC	EM Coordinators	17/08/17	17.08.07 EM Coordinators/Deputies present met following WEMC meeting. BCC & WWC to format current registers to new style and forward to Julie Bernhagen to collate. Julie forwarded CHC register and blank register to BCC & WWC. 16.11.17 Michael Foster to collate registers. MEMCs to meet and finalise register which will be brought to next meeting. 12.08.18 Met to combine risk registers – further analysis required. 15.11.18 Ongoing. Coordinators to meet to continue development. 29/10/20 Risk Register to be added to WEMC documents on WebEOC.	Combined register exists



No.	Description	Owner	Date Assigned	Status	Date Closed
23	Determine if there is appetite for TasRail to attend WEMC meetings.	??????	16/11/17	Julie Bernhagen contacted Shannon Cox who was to attend meetings. Advised 08.08.18 he has left organisation. 15.08.19 TasRail advised will have a representative for future meetings.	15/08/19
24	Determine if there is a TasPorts representative in the north west who may be able to attend WEMC meetings.	Julie Bernhagen	16/11/17	15.11.18 Anna Flower from TasPorts advised a person has been appointed to work in Emergency Coordinator role and should attend meetings commencing 2019.	Revised Tas Port rep.
28	Work plan on Risk Register to become an Agenda item.	Committee	21/02/19	Work plan issued to MEMC for review	Standing agenda item
32	WEMC Executive Officer to write to West Coast Council with an invitation to join the WEMC	Gary Neil	29/10/20	Invitation sent. To attend next meeting via Zoom	Complete. Invitation extended each meeting
33	Municipal Emergency Management Guidelines review work – work plan for the committee	Gary Neil	29/10/2020		
34	EO to write to Burnie Airport Corporation to invite a representative to attend meeting	Gary Neil	20/05/2021	Invitation extended by email. Awaiting a response	Email invitation and acknowledgment
35	Mike Lollback – resilience presentation	Gary Neil	20/05/2021		
36	Future desk top exercise (recovery focus )	Gary Neil	20/05/2021	BCC to be a focus. On hold until a recovery coordinator appointed. Note other agencies have progressed exercises which Councils have participated	

No.	Description	Owner	Date Assigned	Status	Date Closed
37	Smithton Airport – status of operations	Gary Neil	May 2021	Correspondence discuss at September 2021 meeting. Airport status understood. Action complete	Discussed at September 2021 meeting.
38	Risk register – review of actions to address priority 1 risks and register update.	Gary Neil	May 2021	Information provided by each Council	Sep 2021
39	Review of risk register	Coordinators	Sep 2021	Awaiting TADRA release	
40	BAC – presentation by M Wells	Gary Neil	Sep 2021	To be scheduled	
41	EO Role - 2022. Rotation of duties	Coordinators	Sep 2021	New EO to be appointed at 19 May Meeting	
42	Fire Season briefing – Tony Woods - TFS	Gary Neil	Sep 2021	Scheduled for Jan 2022 meeting	Presentation to 20 Jan 2022 meeting
43	WWC – flood project East Wynyard	Gary Neil	Sep 2021	Jamie Warr – WWC to provide a presentation	Presentation to 20 Jan 2022 meeting
44	Municipal Plan Review	Coordinators	20 Jan 2022	Meeting with SES Regional Planner to occur.	
45	MEMP exercise to be organised	Coordinators	20 Jan 2022	Proposed to exercise a cyber incident at August meeting	

**AO184-22 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*.

**ACKNOWLEDGEMENT TO CR THEMBA BULLE**


The Mayor thanked Cr Themba Bulle for his dedication and commitment to this community during his time of Councillor at Burnie City Council.

There being no further business the Mayor declared the Meeting closed at 7.59pm.

## CERTIFICATION OF MINUTES AS A TRUE RECORD

These minutes are confirmed as an accurate record of the Open Session of the Ordinary Meeting of Burnie City Council held on 27 September 2022.

Confirmed:



**Simon Overland**  
**GENERAL MANAGER**

Date:

18/10/22

Confirmed:



**Steven Kons**  
**MAYOR**

Date:

18/10/22