



## **MINUTES**

# **Ordinary Meeting**

**TUESDAY, 23 MAY 2023**

**7.00PM**

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



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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, 23 MAY 2023**

**HOUR:** 6.00 pm - 6.01 pm  
7.00 pm - 7.20 pm

**TIME OCCUPIED:** 21 minutes

**PRESENT:** Acting Mayor G Simpson, Cr T Aitken, Cr K Dorsey, Cr J Grave, Cr A Keygan, Cr S Kons, Cr C Lynch, Cr D Pease

**Officers in Attendance:**

General Manager (S Overland), Director Corporate (B Lynch), Acting Director Works and Services (D Aherne), Executive Manager Development Services (S Pearce), Executive Manager Compliance Services (M Peisker), Executive Manager Corporate Governance (M Neasey), and Media and Communications Officer (K Kong)

**APOLOGIES:** Apologies had been received and accepted from Mayor T Brumby.

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**‘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
AC044-23 COUNCILLORS DECLARATIONS OF INTEREST	15(2)(g)
AC045-23 CONFIRMATION OF MINUTES OF THE 'CLOSED SESSION' MEETING OF COUNCIL HELD ON 26 APRIL 2023	15(2)(g)
AC046-23 APPLICATIONS FOR LEAVE OF ABSENCE	15(2)(h)
AC047-23 BURNIE AIRPORT CORPORATION - QUARTERLY REPORT MARCH 2023	15(2)(g)
AC048-23 GENERAL MANAGER'S REPORT - CLOSED SESSION	15(2)(i)
AC049-23 WEST PARK - UNIVERSITY OF TASMANIA - RESTATEMENT OF DEVELOPMENT DEED	15(2)(f)
AC050-23 NON AGENDA ITEMS	15(2)(g)
AC051-23 MATTERS CONSIDERED IN CLOSED SESSION	15(2)(g)
AC052-23 AUTHORISATION TO DISCLOSE CONFIDENTIAL INFORMATION	15(2)(g)
AC053-23 COMPLETION OF CLOSED SESSION / MEETING ADJOURNMENT	15(2)(g)

**RECOMMENDATION**

***“THAT the meeting be closed to the public to enable Council to consider agenda items AC044-23 to AC053-23 which are confidential matters as prescribed in Clause 15 of the Local Government (Meeting Procedures) Regulations 2015”***

**COUNCIL RESOLUTION**

**Resolution number: MO088-23**

**MOVED: Cr A Keygan**

**SECONDED: Cr S Kons**

***“THAT the meeting be closed to the public to enable Council to consider agenda items AC044-23 to AC053-23 which are confidential matters as prescribed in Clause 15 of the Local Government (Meeting Procedures) Regulations 2015”***

**For:** Cr G Simpson, Cr T Aitken, Cr K Dorsey, Cr J Grave, Cr A Keygan, Cr S Kons, Cr C Lynch, Cr D Pease.

**Against:**

***CARRIED UNANIMOUSLY***

<b>Reg</b>	<b>Confidential Reason</b>
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:

<b>Agenda Item</b>	<b>Title</b>	<b>Brief Description</b>
AC044-23	Councillor Declarations of Interest	A report to consider any declarations of interest by Councillors in any matter in the Agenda
AC045-23	Confirmation of Minutes of the Closed Session Meeting of Council held on 26 April 2023	A motion to confirm the Minutes of the previous meeting
AC046-23	Applications for Leave of Absence	A report to consider any requests for leave of absence by a Councillor
AC047-23	Burnie Airport Corporation Pty Ltd – Quarterly Report	A report to receive the quarterly report from Burnie Airport Corporation, of which Council is a shareholder
AC048-23	General Manager's Report – Closed Session	A report that considers various operational updates of a confidential nature
AC049-23	West Park – University of Tasmania - Restatement of Development Deed	A report to consider the Restatement of Development Deed – West Park – University of Tasmania
AC050-23	Non Agenda Items	A report to consider dealing with any matter that is not on the Council Agenda
AC051-23	Matters Considered in Closed Session	A report containing a brief description of all reports considered by Council in the Closed Session
AC052-23	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
AC053-23	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.

***Burnie City Council acknowledges that every part of Australia is, always was and always will be, Aboriginal land. Burnie City Council pays respect to the pakana / palawa – original owners and cultural custodians – of all the lands and waters across trouwunna / lutruwita / Tasmania upon which pataway / Burnie is situated and where our Council meets.***

## 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 Pastor Jeff Weston from Combined Churches of Burnie.

## AO075-23 COUNCILLORS DECLARATIONS OF INTEREST

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

There were no declarations of interest.



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**AO076-23 CONFIRMATION OF MINUTES OF THE 'OPEN SESSION' MEETING  
OF COUNCIL HELD ON 26 APRIL 2023****RECOMMENDATION:**

***“THAT the minutes of the ‘Open Session’ of the Burnie City Council, held at the City Office on 26 April 2023, be confirmed as true and correct.”***

**COUNCIL RESOLUTION**

Resolution number: MO089-23

**MOVED:** Cr S Kons

**SECONDED:** Cr T Aitken

***“THAT the minutes of the ‘Open Session’ of the Burnie City Council, held at the City Office on 26 April 2023, be confirmed as true and correct.”***

For: Cr G Simpson, Cr T Aitken, Cr K Dorsey, Cr J Grave, Cr A Keygan, Cr S Kons, Cr C Lynch, Cr D Pease.

Against:

**CARRIED UNANIMOUSLY**

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**PUBLIC QUESTION TIME****AO077-23 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

Lyndal Thorne of Burnie:

***1) I am resubmitting this question from last month because the answer provided did not mention the Public Art Register at all. Council is embarking on key projects which are likely to involve substantial new public artworks for the city. When the Public Art Advisory Committee was still operational, a register of Public Art works was commenced, but not completed. A significant amount of work had been done. Such registers are a critical document in terms of asset management, understanding provenance, and establishing value. How is council approaching the completion of this task?***

The Mayor provided the following response:

There is a Public Art Register within the Council that has been compiled over many years. The Register details the assets that have been procured by, or gifted to, the Council as well as other works that are prominent around the City, but which may not have been at the bequest of the Council. Examples of the assets captured include the Aboriginal story located in the Civic Plaza and the Paper Trail.

The Public Arts Policy will be reviewed shortly by the Council and as part of that process officers will recommend incorporating information from the Public Art Register into the City's Collections Register. This will ensure important information can be retained for the future, and that there is one source of information for our City Collection holistically within the Council's corporate system (Mosaic).

***2) The Upper Burnie Lookout is a great attraction, with its landscaping, interpretation panels and pathways. By my limited and anecdotal research, many long-term Burnie residents do not know the area has had a makeover, yet the council website shows that the redevelopment was completed in December 2021 (at a cost of \$107 000). I'm curious - who managed the project and was there a public opening?***

The Mayor provided the following response:

Thanks for your question, I agree the Upper Burnie Lookout is a great location for visitors and locals to see fabulous views over the city and port.

The redevelopment was managed by Council's Engineering Services and completed as part of our capital works program in the 2021-22 financial year. There was no official public opening of these works, but as Council does with all completed capital works we endeavour to keep the community informed through our website and social media platforms.

**QUESTIONS WITHOUT NOTICE****AO078-23 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).

There were no Questions Without Notice

***COUNCIL MEETING AS A PLANNING AUTHORITY***

The Mayor advised that for items AO079-23 Council is acting as a Planning Authority under the provisions of the *Land Use Planning and Approvals Act 1993*.

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

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

**PLANNING AUTHORITY****AO079-23 COUNCIL DELEGATIONS - LAND USE PLANNING AND APPROVALS ACT 1993**

FILE NO: 15/2/5; 22/13882  
PREVIOUS MIN: AO083-22

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**1.0 RECOMMENDATION:**

***“THAT Council as a Planning Authority, revoke its delegation to Patrick John Earle, under the Land Use Planning and Approvals Act 1993, dated 25 May 2022, as set out in Item AO083-22.”***

**2.0 EXECUTIVE SUMMARY****Purpose and Background**

This report provides for Council to end the former delegation to Mr Patrick Earle, under the *Land Use Planning and Approvals Act 1993*, following his retirement from Council in March 2023.

**Key Issues**

Council adopted new delegations at the Council meeting of 24 May 2022 following a review of all delegations. Council subsequently issued the above delegation on 25 May 2022.

Similar delegations were made to Ms Sally Pearce, Executive Manager Development Services, Mr Simon Overland, General Manager, and Ms Belinda Lynch while Acting General Manager, on the same date, all of which remain in force.

**3.0 SUPPORTING INFORMATION****Strategic Alignment**

This report relates to the Council Plan Enabler, Our People, ensuring people are equipped to undertake their roles effectively with correct and valid delegations.

**Legal**

The delegation was made under section 6 of the *Land Use Planning and Approvals Act 1993* and may be revoked by Council at any time.

**Finance**

There are no financial impacts resulting from this report.

**Relation to Council Policy**

There are no Council policies relating to this report.

**Discussion**

Mr Earle held the role of Director Land and Environmental Services and retired from Council in March 2023. It is appropriate the delegation now be revoked as the role is no longer being performed.

**Health and Safety**

There are no health and safety impacts resulting from this report.

**Risk**

There are no identified risks that require consideration in relation to this report.

**Environmental Sustainability**

There are no environmental sustainability impacts to be considered in this report.

**Consultation**

Relevant Council Officers have been consulted in the preparation of this report.

**Conflict Of Interest**

No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a material or general conflict of interest in relation to the matter of the report.

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**ATTACHMENTS**

1 [!\[\]\(3d8c13c92b853674f749aac6fa869926\_img.jpg\)](#) 22/13882 - Delegation to Patrick Earle - 25 May 2022

**COUNCIL RESOLUTION**

**Resolution number: MO090-23**

***MOVED: Cr S Kons***

***SECONDED: Cr C Lynch***

***“THAT Council as a Planning Authority, revoke its delegation to Patrick John Earle, under the Land Use Planning and Approvals Act 1993, dated 25 May 2022, as set out in Item AO083-22.”***

**For:** Cr G Simpson, Cr T Aitken, Cr K Dorsey, Cr J Grave, Cr A Keygan, Cr S Kons, Cr C Lynch, Cr D Pease.

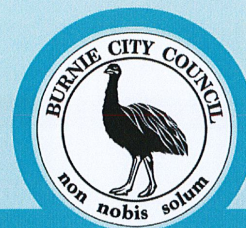
**Against:**

***CARRIED UNANIMOUSLY***



# Delegations and Authorisations

Burnie City Council



## Land Use Planning and Approvals Act 1993

Instrument of: Delegation

To: Patrick John Earle

## Authority

The authority to delegate, authorise or appoint these powers is pursuant to:

Council Resolution Item AO083-22, dated 24 May 2022; and

Section 6 of the *Land Use Planning and Approvals Act 1993*

## Powers and Functions

Provision	Function or Power	Condition or Restriction
s12	Authority to determine the status of an existing use or development	Nil
<b>Part 2A – Tasmanian Planning Policies (TPPs)</b>		
<i>General</i>	<p>In accordance with any decision of the planning authority to –</p> <ul style="list-style-type: none"> <li>a) provide its views and opinions in response to a consultation by the Minister under s12C(2) relating to preparation of a draft of the TPPs or a draft amendment to the TPPs; and</li> <li>b) make a representation in accordance with s12E(1) in relation to the draft TPPs or a draft amendment of the TPPs which has been notified under s12D</li> </ul> <p>authority to undertake processes and tasks required to carry out the decision of the planning authority, including –</p> <ul style="list-style-type: none"> <li>a) submit a statement of the views and opinions of the planning authority relating to a s12C(2) consultation on the preparation of a draft of the TPPs or a draft amendment to the TPPs;</li> <li>b) submit a representation under 12E(1) relating to a draft TPPs or a draft amendment to the TPPs; and</li> </ul>	Nil

Provision	Function or Power	Condition or Restriction
	<p>c) represent the planning authority and to give evidence and make submissions before any hearing conducted by the Tasmanian Planning Commission in accordance with s12F(1)(c) relating to the representation of the planning authority on the draft TPPs or a draft amendment to the TPP's;</p> <p>d) appoint a person to represent the planning authority and make submissions or to give evidence before any hearing conducted by the Tasmanian Planning Commission in accordance with s212F(1)(c) relating to the representation of the planning authority on the draft TPPs or a draft amendment to the TPPs.</p>	
<b>Part 3 - State Planning Provisions (SPPs)</b>		
General	<p>In accordance with a decision of the planning authority to -</p> <p>a) provide its views and opinions in response to a consultation by the Minister under s18(2) or s30D in relation to preparation the SPPs or an amendment to the SPPs; or</p> <p>b) make a representation in accordance with s23 in relation to the draft SPPs which has been notified under s22; or</p> <p>c) make a representation in accordance with 30L in relation to a draft amendment to the SPPs which has been notified under s30K;</p> <p>d) request the Minister under s30C(4) to consider preparing terms of reference in relation to a proposed draft amendment to the SPPs</p> <p><b>authority to</b> undertake the processes and tasks required to carry out the responsibilities of a planning authority, including to –</p> <p>a) submit a statement of the views and opinions of the planning authority in relation to a s18 or s30D consultation for preparation of the SPPs or an amendment to the SPPs;</p> <p>b) submit a representation under s23 or s30L in relation to a draft SPPs or a draft amendment to the SPPs; and</p> <p>c) submit a request under s30C to the Minister to initiate preparation of a draft amendment to the SPPs</p>	Nil
s24 and s30M	<p>Authority to –</p> <p>a) represent the planning authority and to give evidence and make submissions before any hearing or panel, including any hearing conducted by the Tasmanian Planning Commission in accordance with s24 or s30M, in relation to the views, opinions and representations of the planning authority on the draft SPPs or a draft amendment to the SPPs;</p>	In relation to the DLES - except in relation to a matter on which the planning authority makes a decision which is contrary to the written advice or recommendation of the Director

Provision	Function or Power	Condition or Restriction
	b) appoint a person to represent the planning authority and make submissions or to give evidence before any hearing or panel, including any hearing conducted by the Tasmanian Planning Commission in accordance with s24 or s30M, in relation to the views, opinions and representations of the planning authority on the draft SPPs or a draft amendment to the SPPs	
<b>Part 3A - Local Planning Schedule (LPS)</b>		
General	<p>In accordance with a decision of the planning authority to -</p> <ul style="list-style-type: none"> <li>a) prepare a draft LPS under s35;</li> <li>b) indicate its views and opinions in relation to each representation received on a draft LPS;</li> <li>c) indicate its satisfaction that a draft LPS meets the criteria in s34;</li> <li>d) make recommendations in relation to how a draft LPS should be determined in accordance with s35F; and</li> <li>e) conduct and respond on a review of the LPS</li> </ul> <p><b>authority to</b> undertake the processes and tasks required to carry out the responsibilities of a planning authority, including to -</p> <ul style="list-style-type: none"> <li>a) prepare the required documentation for a draft LPS;</li> <li>b) submit the draft LPS to the Tasmanian Planning Commission (TPC) under s35(1);</li> <li>c) make any modifications to the draft LPS which may be instructed by the TPC under s35(5)(b);</li> <li>d) give notice under s35C of the exhibition of a draft LPS, including for any instruction issued by the TPC under s35B;</li> <li>e) undertake exhibition of the draft LPS in accordance with s35D;</li> <li>f) provide a report to the TPC in accordance with s35F in relation to the planning authority's - <ul style="list-style-type: none"> <li>i. views and opinions on each representation received during the exhibition period;</li> <li>ii. compliance to s34; and</li> <li>iii. recommendations on how the draft LPS should be determined;</li> </ul> </li> <li>g) prepare and submit any modifications required by the TPC to a draft LPS in accordance with s35K;</li> </ul>	Nil

Provision	Function or Power	Condition or Restriction
	<ul style="list-style-type: none"> <li>h) give notice in accordance with s35M(2) of the approval of the LPS;</li> <li>i) provide a report to the TPC on the outcomes of a review of the LPS conducted by the planning authority in accordance with s35O</li> </ul>	
s35H	<p>Authority to –</p> <ul style="list-style-type: none"> <li>a) represent the planning authority and to give evidence and make submissions before any hearing conducted by the Tasmanian Planning Commission;</li> <li>b) agree to minor modifications to clarify purpose or operation of a LPS or to correct draft errors; and</li> <li>c) appoint a person to represent the planning authority and make submissions or to give evidence before any hearing conducted by the Tasmanian Planning Commission</li> </ul>	<u>In relation to the DLES</u> - except in relation to a matter on which the planning authority makes a decision which is contrary to the written advice or recommendation of the Director
<b>Part 3B - Amendment of the Local Planning Schedule (LPS)</b>		
General	<p>In accordance with a decision of the planning authority in relation to –</p> <ul style="list-style-type: none"> <li>a) preparation of a draft amendment to the LPS under s38 or 40D;</li> <li>b) preparation of a draft amendment under s38 and a draft permit under s40Y; and</li> <li>c) its views and opinions in relation to each representation received on a draft LPS and on any draft permit;</li> <li>d) its satisfaction that the draft LPS meets the criteria in s34; and</li> <li>e) recommendations in relation to how the draft LPS should be determined in accordance with s35F;</li> </ul> <p><b>authority to</b> undertake the processes and tasks required to carry out the responsibilities of a planning authority, including to –</p> <ul style="list-style-type: none"> <li>a) give notice in accordance with s38(3) of a decision in relation to a request to initiate a draft amendment to the LPS;</li> <li>b) give notice in accordance with s40W of a decision under 40Y in relation to a request to consider a permit in combination with a request to initiate a draft amendment to the LPS;</li> <li>c) request additional information under s40 and s40U;</li> <li>d) provide any material requested by the TPC in accordance with s40A, 40B, or 40V;</li> <li>e) prepare the draft LPS amendment documents;</li> </ul>	Nil

Provision	Function or Power	Condition or Restriction
	<ul style="list-style-type: none"> <li>f) certify a draft amendment to the LPS in accordance with s40F;</li> <li>g) give notice in accordance with s40G of the exhibition of a draft amendment to the LPS, and including any exhibition of a permit application under s40Z;</li> <li>h) undertake exhibition of the draft amendment to the LPS in accordance with s40H, and including any permit application approved under 40Y;</li> <li>i) provide a report to the TPC in accordance with s40K and s42 if there are no representations making objection on the draft amendment to the LPS and to any permit application requested under 40T;</li> <li>j) provide a report to the TPC in accordance with s40K and s42 in relation to the planning authority's – <ul style="list-style-type: none"> <li>i. views and opinions on each representation received during the exhibition period;</li> <li>ii. compliance to s34; and</li> <li>iii. its recommendations on how the draft LPS or the permit application under 40T should be determined;</li> </ul> </li> <li>k) make modifications to a draft LPS amendment if instructed by the TPC in accordance with s40O or 40P;</li> <li>l) re-exhibit a modified draft amendment to the LPS under s40G and 40H if instructed by TPC in accordance with s40P;</li> <li>m) give notice of an approved amendment to the LPS in accordance with s40S;</li> <li>n) grant an extension of time under s42C for a permit granted under s42B;</li> <li>o) correct a mistake under s42D in a permit granted under s42B; and</li> <li>p) make minor amendments in accordance with s43 to a permit granted under s42B</li> </ul>	
s40L	<p>Authority to –</p> <ul style="list-style-type: none"> <li>a) represent the planning authority and to give evidence and make submissions before any hearing conducted by the Tasmanian Planning Commission;</li> <li>b) agree to minor modifications to clarify purpose or operation of a LPS amendment or to correct draft errors; and</li> </ul>	In relation to the DLES - except in relation to a matter on which the planning authority makes a decision which is contrary to the written advice or recommendation of the Director

Provision	Function or Power	Condition or Restriction
	c) appoint a person to represent the planning authority and make submissions or to give evidence before any hearing conducted by the Tasmanian Planning Commission	
<b>Part 4 - Enforcement of Planning Controls</b>		
General	<p>Authority to undertake the processes and tasks required to carry out the responsibilities of a planning authority, including to –</p> <ul style="list-style-type: none"> <li>a) take all reasonable measures under s48, s48AA, s51 and s63A to enforce compliance to a requirement to obtain a permit prior to the commencement or carrying out of a use or development of land;</li> <li>b) under s48, s51 and 63A to take all reasonable measures to enforce compliance to any condition or restriction imposed on a permit to use or develop land;</li> <li>c) under s48A to require the removal of a sign;</li> <li>d) give such advice, consultation, referral or notification required under this Part;</li> <li>e) initiate, or instruct legal representation to initiate, proceedings in relation to any use or development or to any breach of the planning scheme or of a planning process, including for any action which – <ul style="list-style-type: none"> <li>i. is contrary to the requirements of a State Policy or a planning scheme;</li> <li>ii. is an obstruction of a planning scheme or planning process;</li> <li>iii. seeks to obtain a permit by wilfully making or causing to be made a false representation or declaration; or</li> <li>iv. is a breach of a condition or restriction on a permit</li> </ul> </li> <li>f) to serve notices and other documents in accordance with s84</li> </ul>	Nil
	<p>Authority to –</p> <ul style="list-style-type: none"> <li>a) represent the planning authority and to give evidence and make submissions before the Tasmanian Civil Administration Tribunal (TASCAT) on any matter in which the planning authority is a party to an appeal under section 61.</li> <li>b) to engage in mediation conducted by the TASCAT and to sign any consent agreement resulting from mediation which is within the power of a planning authority and which will achieve a lawful resolution of an appeal;</li> </ul>	In relation to the DLES - except in relation to a matter on which the planning authority makes a decision which is contrary to the written advice or recommendation of the Director



<i>Provision</i>	<i>Function or Power</i>	<i>Condition or Restriction</i>
	c) appoint a person to represent the planning authority and make submissions or to give evidence before the Tasmanian Civil Administration Tribunal (TASCAT)	
s51	Authority to receive a permit application	Nil
s51(1AC)	Authority to determine a permit application is not valid	Nil
s51(2)	Authority to determine a permit application	
s51(3A)	Authority to apply conditions on a permit granted under s57	If a decision to grant a permit on an application under s57 is made under delegation
s51(4)	Authority to apply conditions on a permit granted under s58	If a decision to grant a permit on an application under s58 is made under delegation
s51A(2)	Authority to demand payment of any permit application fee	Nil
s53(5A)	Authority to grant an extension of time for the period within which the use or development described on a permit must be substantially commenced	Nil
s53(5B)	Authority to grant a further extension of the period during which a use or development must be substantially commenced	Nil
s54(1)	Authority to request additional information	Nil
s54(3)	Authority to -  a) determine when an additional information request has been satisfied; and  b) notify the applicant when a request for additional information has not been satisfied	Nil
s55	Authority to correct a mistake on a permit	Nil
s56	Authority to make minor amendments to a permit	Nil
s55AA	Authority to demand payment of any permit amendment fee	Nil
s57(3)	Authority to notify a permit application and to undertake exhibition of the application	Nil
s57(5)	Authority to grant extension of time in which to make a representation	Nil
s57(6)	Authority to grant a permit	If -  a) the proposed use or development complies with all applicable provisions of the planning scheme and other regulation; and

Provision	Function or Power	Condition or Restriction
		b) there are no representations; or c) there are representations which do not object to the grant of a permit; or d) there are representations which are not in relation to a matter applicable to the determination of the application
s57(2) and (6)	Authority to refuse grant of a permit	If a) the proposed use or development is prohibited by the planning scheme; or b) the propose use or development does not satisfy an acceptable solution in an applicable standard in the planning scheme and there is no corresponding performance criteria
s57(6)(i) and (ii) and 57(6A)	Authority to negotiate an extension of the period within which the planning authority is required to determine a permit application	Nil
s57(7) and 58(3)	Authority to serve notice of the decision on a permit application	
s57A	Authority to participate in pre-determination mediation	If – a) the mediation is requested by the applicant or by a person who has made a representation; and b) the mediation is conducted by an independent and accredited third party; and c) the outcome of a mediation does not constrain or limit the decision of the planning authority



<i>Provision</i>	<i>Function or Power</i>	<i>Condition or Restriction</i>
s58	Authority to grant a permit	If the proposed use or development complies with all applicable requirements of the planning scheme and other regulation
s58(2) and 58(2A)	Authority to negotiate an extension of the period within which the planning authority is required to determine a permit application	Nil
s58A	Authority to require an agreement	If a decision to grant a permit is made under delegation
s59	Authority to issue notices	Nil
s59(7)	Authority to determine an application after the statutory period has expired	Subject to the same qualifications as apply for grant or refusal of a s57 or s58 permit
s60(2), (3), (4), (9), and (10)	Authority to determine compliance to permit conditions	Nil
s60C(1) and 60E	Authority to advise Minister of a decision by the planning authority to propose that a project be declared a major project and to require the proponent provide a copy of the proposal to the Minister	Nil
s60C(5)	Authority to advise Minister of a decision by the planning authority to withdraw a proposal that a project be declared a major project	Nil
s60H(1)	Authority to provide Minister with requested information in the possession of Council	Nil
s60I(3)	Authority to advise the Minister of an opinion and reasons that the project is not eligible as a major project	Nil
s60ZI(2)	Authority to provide comments on draft assessment criteria for determination of an proposed major project on land within municipal area or within the Cradle Coast regional area	Nil
s60ZL	Authority to make representations to TPC on exhibited draft assessment criteria	Nil
s60ZZB(6)	Authority to make available at the Council offices copies of the documents relating to a proposed major project which the Major Project Panel has required to be exhibited	Nil
s60ZZD(1)	Authority to make a representation on a proposed major project during the relevant exhibition period	Nil
s60ZZE	Authority to represent the planning authority at any hearing conducted by the TPC relating to a major project on which the planning authority has made a representation or been called by the TPC to appear	Nil

Provision	Function or Power	Condition or Restriction
s60ZZZC(1)	Authority to respond on consultation by TPC on any amendment required to the planning scheme to incorporate effect of a major projects permit	Nil
s63B(3)	Authority to give notice in response to a person making an allegation of a contravention or likely contravention of a planning scheme or permit of the authorised person's decision on whether or not to initiate an action	Nil
s64	Authority to – a) represent the planning authority as a respondent to civil proceedings; and b) appoint a person to represent the planning authority and make submissions or to give evidence in civil proceedings	In relation to the DLES - except in relation to a matter on which the planning authority makes a decision which is contrary to the written advice or recommendation of the Director
s65G	Authority to cancel a permit	Nil
s71	Authority to require an agreement	If a decision to grant a permit is made under delegation
s74(3)	Authority to end an agreement	If the reasons for the agreement are no longer applicable
s75	Authority to amend an agreement	If the reasons for the agreement are no longer applicable
s78	Authority to require an agreement under Part 5 be registered with the Recorder on the title of the land	
s80N	Authority to request the TPC for an authorised copy of the planning scheme	Nil
s85	Authority to collect or recover fees	Nil
<b>Transitional Arrangements</b>		
Schedule 5	Authority to continue and complete any process lawfully initiated under LUPAA prior to commencement of the <i>Land Use Planning and Approvals (Tasmanian Planning Scheme) Act 2015</i> in relation to a dispensation or a permit for which a dispensation applies.	Nil
Schedule 6	In accordance with any decision which may be made under a transitional power of the planning authority after commencement of the <i>Land Use Planning and Approvals (Tasmanian Planning Scheme) Act 2015</i> and until such time as the Tasmanian Planning Scheme is made and a LPS is approved for the Burnie municipal area, authority to undertake the processes and tasks required to carry out the responsibilities of a planning authority in relation to –	In accordance with the qualifications which apply under this instrument of delegation for the equivalent provision within LUPAA after the commencement the <i>Land Use Planning and Approvals (Tasmanian Planning Scheme) Act 2015</i>

Provision	Function or Power	Condition or Restriction
	a) a draft planning directive made after the commencement of the <i>Land Use Planning and Approvals (Tasmanian Planning Scheme) Act 2015</i> ;	
	b) enforcing compliance to the Burnie Interim Planning Scheme 2013 (BIPS);	
	c) an urgent amendment of the BIPS if initiated by the TPC after the commencement of the <i>Land Use Planning and Approvals (Tasmanian Planning Scheme) Act 2015</i> ;	
	d) a draft amendment to the BIPS made prior to commencement of the <i>Land Use Planning and Approvals (Tasmanian Planning Scheme) Act 2015</i> ;	
	e) a draft amendment to the BIPS made after the commencement of the <i>Land Use Planning and Approvals (Tasmanian Planning Scheme) Act 2015</i> ;	
	f) a permit application made prior to commencement of the <i>Land Use Planning and Approvals (Tasmanian Planning Scheme) Act 2015</i> ;	
	g) a permit application made after the commencement of the <i>Land Use Planning and Approvals (Tasmanian Planning Scheme) Act 2015</i> ;	
	h) an appeal made prior to commencement of the <i>Land Use Planning and Approvals (Tasmanian Planning Scheme) Act 2015</i> ; or	
	i) an appeal made after the commencement of the <i>Land Use Planning and Approvals (Tasmanian Planning Scheme) Act 2015</i>	

#### Parameters

The above powers and functions are subject to:

1. The provisions of the Act, Regulation or By-law from which the power or function is sourced;
2. Any subordinate regulation in relation to how the power or function is to be observed, exercised or performed;
3. Any policy, guideline or direction of the State in relation to use of the power or function;
4. Any policy, guideline or direction of the Council in relation to the use of the power or function; and
5. Any constraint or limit placed on the person appointed, authorised or delegated to exercise a power or to perform a function.

#### Time Limits

This instrument is open-ended and remains in force until revoked.

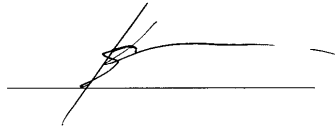
Document Succession

Replaces: Previous instrument to Patrick Earle, Doc 826009, dated 22 June 2016 (revoked by Council on 25 May 2022, Council Resolution AO083-22).

Authorisation

I, Steven Kons, Mayor, issue the above authorisations, delegations and/or appointments as set out to the above-named position, being subject to the conditions, restrictions and parameters shown above.

Signature:

A handwritten signature in black ink, appearing to be 'Steven Kons', is written over a horizontal line.

Date: 25 May 2022

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**CORPORATE AND COMMERCIAL SERVICES****AO080-23 DRAFT ANNUAL PLAN AND BUDGET ESTIMATES 2023-24**

FILE NO: 13/5/19  
PREVIOUS MIN:

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**1.0 RECOMMENDATION:**

***“THAT Council endorse the Draft Annual Plan and Budget Estimates 2023-24, as attached, in-principle and approve its release for community consultation.”***

**2.0 EXECUTIVE SUMMARY****Purpose and Background**

To consider the draft Annual Plan and Budget Estimates 2023-24 (APBE) in-principle to enable it to be submitted to the community for public consultation.

**Key Issues**

- The Draft APBE meets the objectives of the Council’s FMS 2022-32, and the draft FMS that is currently under development which will be considered at the June 2023 meeting.
- The budget forecasts an operating surplus of \$322,000 and an underlying surplus position of \$12,000.
- The Council should be commended for their work in making substantive change to the delivery of services over the past 18 months in an effort to achieve what is now a balanced underlying surplus as the first step in repairing the Council’s budget position and providing a pathway to financial sustainability.
- More work needs to be done however to make additional strategic structural changes to Council’s financial position to enable the Council to now start to accumulate cash and invariably provide a platform to enabling strategic infrastructure and service decisions for the future.
- To this end, in the past several months councillors have committed to finding an additional \$450,000 in strategic savings in the long-term Financial Management Strategy in order to ensure that the cost burden to our ratepayer through rates and charges is minimised to the lowest extent possible over the life of the Strategy. These savings will not largely start to be realised until the 2024-25 financial year and beyond.

### 3.0 SUPPORTING INFORMATION

#### Strategic Alignment

The Annual Plan and Budget Estimates align with the enablers *Financial Management* and *Community Consultation*, under the Council Plan 2022 – 2025. The key enablers are critical to ensuring Council can pursue its objectives under the Plan.

#### Legal

The Council's Draft APBE 2023-24 has been prepared in accordance with the provisions of the *Local Government Act 1993*. Section 82 of the Act which outlines the responsibility the Council has in preparing the statements:

##### 82. Estimates

- (1) *The General Manager must prepare estimates of the council's revenue and expenditure for each financial year.*
- (2) *Estimates are to contain details of the following:*
  - (a) *the estimated revenue of the council;*
  - (b) *the estimated expenditure of the council;*
  - (c) *the estimated borrowings by the council;*
  - (d) *the estimated capital works of the council;*
  - (e) *any other detail required by the Minister.*
- (3) *Estimates for a financial year must –*
  - (a) *be adopted by the council, with or without alteration, by absolute majority; and*
  - (b) *be adopted before 31 August in that financial year; and*
  - (c) *not be adopted more than one month before the start of that financial year.*
- (4) *A council may alter by absolute majority any estimate referred to in subsection (2) during the financial year.*
- (5) *A council may make adjustments to individual items within any estimate referred to in subsection (2) by a simple majority so long as the total amount of the estimate is not altered.*
- (6) *A council, by absolute majority, may authorise the General Manager to make minor adjustments up to specified amounts to individual items within any estimate referred to in subsection (2) so long as the total amount of the estimate is not altered.*
- (7) *The General Manager is to report any adjustment and an explanation of the adjustment at the first ordinary meeting of the council following the adjustment.*

#### Finance

The Draft APBE accords with the parameters of the FMS 2022-32 in that it:

- ✓ meets cash flow requirements to ensure there is sufficient liquidity to meet future liabilities and service provision.
- ✓ delivers the Council's aspirations for a surplus budget position as it continues to repair its budget and strive for financial sustainability for its community.

- ✓ enables a significant capital works program of \$39.69 million to be delivered, \$12.7 million of this from its own source funding.

In addition to these shorter term objectives, the Draft APBE delivers on the two long term financial metrics outlined in the FMS, namely:

- ✓ an operating margin of 1.00

The Draft APBE forecasts an operating margin of 1.01 which indicates that the Council is predicting to deliver an underlying surplus for the year.

- ✓ maintaining a current ratio above 1.10

That is, that the Draft APBE maintains the current ratio at a level of 1.62% (well above the target of 1.10), meaning the Council is able to meet its debt and financial obligations as they fall due over the long term.

### **Relation to Council Policy**

There are no policy implications that arise from this report.

### **Discussion**

The Draft Financial Management Strategy (FMS) 2022-2032 adopted by the Council at its meeting of 22 March 2022, provides many of the overarching principles for the development of the Draft APBE 2023-24. Additionally Council have recently considered at a number of Council Workshops, the new revised FMS, the components of which are discussed in more detail below. This updated FMS will be tabled to the June 2023 Council meeting for adoption along with the final iteration of the APBE once it has been the subject of community consultation.

These overarching principles in both the current, and the revised draft FMS, remain consistent and the APBE subsequently predicts a \$322,000 operating surplus (one year financial performance) and \$12,000 underlying surplus (measure of sustainability) budget position in 2023-24.

The most significant factors that have resulted in this achievement to date are:

- the Council's decision in 2021-22 to change the way it delivers some services to the community based upon the need to reduce costs;
- a number of operational savings strategies which have been instituted by the Executive Management Team;
- recent decisions by the Council to make a series of strategic savings over the next two year period which provides ongoing structural cost reductions; and
- the uplift in revenue generated through rate increases and property growth.

### Fees and Charges

The majority of Council's Fees and Charges are proposed to increase by 4.5%, with a number of exceptions, such as services provided by third parties; for example the Aquatic Centre fees which are determined in conjunction with the operator. Additionally any fees which are comprised under the *Fee Units Act 1997* and *Penalty Units and Other Penalties Act 1987* are prescribed under legislation and therefore are set annually by the State Government.

An analysis of the cost recovery associated with the Waste Transfer Station has identified that Council are not sufficiently recovering the expenses incurred to run this service and as such an increase of 25% for gate fees is recommended. It should be noted that this increase still falls well short of full cost recovery of waste from the Waste Transfer Station, and will be the subject of further work in the 2023-24 to consider this matter in more detail prior to the next financial year budget being adopted.

### Rates and Charges

The Rates and Charges Policy of the Council in its long-term FMS is to pass on CPI increases each year to its community as a means of keeping pace with the cost increases the Council bears in delivering services and providing infrastructure for its community.

For a number of years in the short-term, the rate increases passed on to the Burnie community will be CPI plus a percentage. This is required for a number of years while the Council continues its mission to repair its budget position, and carve a pathway to financial sustainability.

The Draft APBE is based upon Model 1 discussed with councillors, and will be the subject of context and transparent information in the APBE document that is distributed to the community in order to enable feedback on the proposed rates and charges increase.

It should be noted also that the Council have recently conducted an analysis of those properties that are not paying the respective waste collection costs, despite being in a waste collection area. This will be corrected in the 2023-24 financial year, and those ratepayers who will receive this charge, despite not having done so previously, will receive communication from the Council of this, prior to the end of the financial year so that they are aware of this liability in advance.

### Position Establishment

The Establishment of the organisation represents the number of staff that we have employed to provide services to our community. One FTE represents one employee working at full time hours, a percentage of an FTE represents those that work a portion of full time hours. The total Establishment is 129.08 FTE across operational service delivery and capital works. This is a reduction of 1.39 FTE from the Establishment in 2022-23 of 130.47 FTE.



### Employee Benefits

Wages have increased by ~\$400k from the 2022-23 revised budget to be \$11.72 million in the Draft APBE 2023-24. This is largely reflective of the point at which Council are at in its Enterprise Agreement bargaining negotiations with its employees, resulting in the cost increases needing to be reflected in the new budget. The trade-offs however that are necessary in order to provide some cost savings to offset against these increases are still the subject of active negotiations.

It is expected that by the time the Draft APBE is submitted in its final form to the Council in June, that agreement will have been reached on many of these matters and subsequently some cost savings will be able to then be realised with a greater level of certainty.

### Community Grants Program

The Community Grants Program indicative approvals for grant applications supported by the Council have been included in the Draft APBE which has been the subject of previous discussion with councillors. The Draft APBE that is distributed for community consultation will be transparent with regard to those applications the Council is seeking to support in this round of applications, and those it is not.

This will enable the community to provide their feedback to the Council on the proposed successful and unsuccessful grant applications, as part of the community consultation process.

### Capital Works Program

The proposed capital works program is **attached**. This year sees another significant capital works program proposed which includes a number of exciting large scale strategic projects occurring within the City concurrently, namely:

- The completion of the refurbishment of the Cultural Centre – a \$20 million project;
- The completion of the Coastal Pathway – a \$13.78 million project;
- The replacement of a number of key roads damaged as part of the October 2022 flood event – a \$7.5 million investment;
- The City Gateway Project - \$1.25 million project; and
- The Urban Design Project and initial works to kick off what will be a multi-year project - \$400k.

The Council remains focussed on repairing its asset sustainability ratio, which for many years was the lowest in the State. Over the past 12 months much work and effort has gone into improving this which has made a noticeable difference to our asset sustainability ratio in a short period of time. The ultimate desire of the Council is to increase this level to between 70% and 80% sustainability in the short term, as an equivalent benchmark to other similar Councils.

Longer term the aspirations are to consistently achieve 100% in line with the Tasmanian Audit Office recommendation. The progress that has been achieved to date has been bought

about for a number of reasons but includes the Council being more conscious about spending their annual renewal money on the improvement of existing assets, rather than on building new assets. This provides benefit to the community in two ways, by reducing the additional depreciation costs that arise when new assets are constructed, and mitigating a resulting increase in operational costs to run or maintain a brand new asset.

It is important to note that with the exception of the strategic infrastructure projects outlined above, there are no other strategic infrastructure projects included in the long-term FMS, or Budget. This is because the Council is not able to fund the operational costs associated with building new assets at this time, until the results of its current budget repair process are realised – which in reality may take some years to achieve.

The asset sustainability ratio based on the Draft Capital Program presented (excluding overheads) is 289% against a target ratio of 100% in the FMS. This is a considerable amount higher than would ordinarily be the case, because the refurbishment of the Arts and Function Centre is largely renewal money and funded by the Australian Government. This estimate overall will reduce throughout the financial year depending upon Council's capacity to physically deliver the intended capital works program.

### Health and Safety

There are no health and safety impacts resulting from this report.

### 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
Financial	There is no contingency in the budget for any Council decisions that have not been made to date.	All decisions of the Council will need careful consideration of the budgetary and long term financial impacts before being passed to ensure the integrity of the Financial Management Strategy is maintained.
Financial	Inflationary rates may be higher than predicted in the FMS and Budget Estimates.	This will require regular and careful management by the Executive Management Team to identify issues early and put measures in place to address any concerns.
Financial	Capitalisation rates remain a risk, if Council does not fully deliver the Capital Works program for the year.	Early design of capital works projects and careful management to ensure that the delivery of the program is realized in its entirety.
Political	The impact of the rates increases required to keep pace with inflationary pressures.	The Council continues to maintain a Financial Hardship policy that can assist those that are experiencing serious financial hardship.

Risk Category	Risk identified	Ways to eliminate or reduce the risk
Political	Significant concerns raised by the community in respect to the draft Budget.	The Budget is only draft at this time. If there was a threshold issue the Council wanted to investigate following public consultation, there is sufficient time to do this prior to the adoption of the Budget Estimates formally in June 2023.

### Environmental Sustainability

There are no environmental sustainability impacts to be considered in this report.

### Consultation

The preparation of the FMS and then the Draft APBE has been the subject of a number of workshops conducted with councillors over the past several months.

Additionally the matter has been discussed internally with the Council's Executive Management Team on various occasions in arriving at the recommended Draft APBE.

The Audit Panel considered the Draft FMS at their meeting of 3 May 2023 and suggested no change to the current approach.

Should the Council endorse the Draft APBE presented, the summary document which explains what is to be achieved by the Council in the 2023-24 financial year will be finalised and released in order to seek community feedback. A focus of this document will be explaining the reasons around the rate increase recommended for this year, the context of why this is required, and the benefit that has been realised from the five year rating decrease vs rating levels now by comparison. A copy of this material will be provided to councillors out of session, prior to disseminating this information to the community.

The feedback period will run until the end at midnight on Sunday 11 June 2023 allowing sufficient time for consideration of the feedback provided during the consultation period, before concluding the process for the June meeting. A range of options will be made available to support community consultation, namely:

- Pop up drop in community sessions, to present the budget and enable questions to inform feedback;
- An online survey;
- Online forums;
- Receipt of written responses.

### Conflict Of Interest

No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a material or general conflict of interest in relation to the matter of the report.

**ATTACHMENTS**

- 1 [↓](#). Draft Annual Plan 2023-24
- 2 [↓](#). Draft Estimated Financial Statements 2023-24
- 3 [↓](#). Draft Capital Works Program 2023-24

**COUNCIL RESOLUTION**

**Resolution number: MO091-23**

***MOVED: Cr A Keygan***

***SECONDED: Cr T Aitken***

***“THAT Council endorse the Draft Annual Plan and Budget Estimates 2023-24, as attached, in-principle and approve its release for community consultation.”***

**For:** Cr G Simpson, Cr T Aitken, Cr K Dorsey, Cr J Grave, Cr A Keygan, Cr C Lynch, Cr D Pease.




**Against:** Cr S Kons.

***CARRIED***

## DRAFT Annual Plan 2023-24

2023-24 Annual Plan Actions	Link to Council Plan	Description of Action
 <p>Complete the redevelopment of the new Burnie Cultural Centre</p>	<p><b>Vibrant town centre</b> (Goal 1)</p>	Create an integrated asset that delivers on the vision of establishing a cultural, artistic and creative hub for the Burnie community
 <p>Asset Management Planning</p>	<p><b>Community facilities to support liveability</b> (Goal 2)</p>	We will update our Asset Management Strategy and Plan so that we can make better informed decisions about our financial investments into our community facilities including our open spaces
 <p>Flood Mitigation</p>	<p><b>Environmentally responsible</b> (Goal 3)</p>	Commence implementing recommendations from the Emu River Flood Warning Study
 <p>Refresh the Council's financial planning</p>	<p><b>Financial management</b> (Enabler)</p>	Develop a robust Long Term Financial Management Plan
 <p>Conduct an engagement survey</p>	<p><b>Our people</b> (Enabler)</p>	To benchmark our improvement on the prior survey and look for areas of focus over the next two years
 <p>Satisfaction survey</p>	<p><b>Community consultation</b> (Enabler)</p>	Undertake a satisfaction survey of the Burnie community about Council's performance so that we can improve where needed

DRAFT Annual Plan 2023-24

2023-24 Annual Plan Actions	Link to Council Plan	Description of Action
 Update core information for decision making	<b>Data</b> (Enabler)	Review our asset condition data and asset usage data to better inform decision making
 Disaster Recovery	<b>Digital transformation</b> (Enabler)	Refresh the Council's Business Continuity Planning
 Emergency Recovery Plan	<b>Agility</b> (Enabler)	Review the Emergency Recovery Plan for the City of Burnie

**Burnie City Council**  
**Estimated Statement of Comprehensive Income**

	Revised Budget 2023 \$'000	Annual Budget 2024 \$'000
<b>Recurrent Income</b>		
Rates and charges	26,281	28,581
Statutory fees and fines	1,100	912
User fees	3,879	3,600
Operational Grants	2,443	3,067
Interest	678	279
Other income	736	8,225
Investment income	828	828
Reimbursements	505	217
Share of Profit of Joint Venture	64	194
<b>Total recurrent income</b>	<b>36,514</b>	<b>45,905</b>
<b>Recurrent Expenses</b>		
Employee benefits	11,324	11,724
Materials and services	12,296	19,763
Depreciation and amortisation	9,284	10,061
Impairment losses on receivables	-	40
Finance costs	160	136
Other expenses	3,763	3,858
<b>Total recurrent expenses</b>	<b>36,828</b>	<b>45,583</b>
<b>Operating surplus/(deficit) before capital items</b>	<b>(313)</b>	<b>322</b>
<b>Capital Items</b>		
Capital grants	1,931	28,245
Contributions - non-monetary assets	3,496	-
Profit/(Loss) on disposal of assets	(392)	539
	<b>5,034</b>	<b>28,785</b>
<b>Result from continuing operations Surplus/(Deficit)</b>	<b>4,721</b>	<b>29,106</b>
<b>Other Comprehensive Income</b>		
Net asset revaluation increment/(decrement)	32,900	19,101
<b>Total Other Comprehensive Income</b>	<b>32,900</b>	<b>19,101</b>
<b>Total Comprehensive Result</b>	<b>37,621</b>	<b>48,208</b>
<b>Operating Margin</b>	<b>0.99</b>	<b>1.01</b>
<b>Underlying surplus or deficit</b>		
<b>Recurrent Income</b>		
<b>Total income from continuing operations</b>	41,549	74,689
<b>Less non operating income</b>		
Capital grants	(1,931)	(28,245)
Contributions - non-monetary assets	(3,496)	-
Revenue from Constructed Assets	-	(7,484)
Disposal of Land	-	(900)
Adjustments to timing of Financial Assistance Grants	755	51
<b>Recurrent Income</b>	<b>36,877</b>	<b>38,111</b>
<b>Recurrent Expenditure</b>	<b>36,828</b>	<b>45,583</b>
<b>Less non-operational expenditure</b>		
Capital works completed on assets not owned by Council	-	(7,484)
<b>Recurrent Expenditure</b>	<b>36,828</b>	<b>38,099</b>
<b>Adjusted Underlying surplus or (deficit)</b>	<b>50</b>	<b>12</b>

**Burnie City Council**  
**Estimated Statement of Financial Position**

	Revised Budget	Annual Budget
	2023 \$'000	2024 \$'000
<b>Assets</b>		
<b>Current assets</b>		
Cash and cash equivalents	15,116	6,368
Trade and other receivables	3,414	3,895
Investments	-	-
Prepayments	535	559
Inventories	72	75
Contract Assets	121	6,645
<b>Total current assets</b>	<b>19,258</b>	<b>17,541</b>
<b>Non-current assets</b>		
Investment in water corporation	64,551	64,551
Investment in joint venture	3,341	3,341
Investment in subsidiaries	-	-
Property, infrastructure, plant and equipment	433,996	482,517
<b>Total non-current assets</b>	<b>501,888</b>	<b>550,409</b>
<b>Total assets</b>	<b>521,146</b>	<b>567,950</b>
<b>Liabilities</b>		
<b>Current liabilities</b>		
Trade and other payables	3,716	3,951
Trust funds and deposits	132	132
Contract liabilities	4,040	3,290
Provisions	2,305	2,420
Interest-bearing loans and borrowings	1,010	1,029
<b>Total current liabilities</b>	<b>11,204</b>	<b>10,822</b>
<b>Non-current liabilities</b>		
Provisions - NC	125	131
Interest-bearing loans and borrowings - NC	6,465	5,436
<b>Total non-current liabilities</b>	<b>6,590</b>	<b>5,567</b>
<b>Total liabilities</b>	<b>17,793</b>	<b>16,389</b>
<b>Net Assets</b>	<b>503,353</b>	<b>551,560</b>
<b>Equity</b>		
Reserves	215,695	234,796
Surplus / (deficit)	4,721	29,106
Accumulated surplus / (deficit)	282,937	287,658
<b>Total Equity</b>	<b>503,352</b>	<b>551,560</b>
<b>CURRENT RATIO</b>	<b>1.72</b>	<b>1.62</b>



**Burnie City Council**  
**Estimated Statement of Cash Flows**

	Revised Budget	Annual Budget
	2023 \$'000	2024 \$'000
<b>Cash flows from operating activities</b>		
Rates	26,182	28,467
Statutory fees and fines	1,094	905
User fees (inclusive of GST)	4,195	3,865
Operational Grants (inclusive of GST)	2,490	3,067
Reimbursements (inclusive of GST)	555	238
Rents (inclusive of GST)	657	660
Other receipts (inclusive of GST)	152	8,387
Interest	675	276
Investment revenue from Water Corporation	828	828
Distributions from Joint Venture	326	-
Payments to employees	(11,265)	(11,593)
Payments to suppliers	(13,457)	(21,648)
Finance Costs paid	(160)	(136)
Other payments	(4,105)	(4,243)
Net GST refund / (payment)	1,091	1,158
<b>Net cash provided by (used in) operating activities</b>	<b>9,259</b>	<b>10,231</b>
<b>Cash flows from investing activities</b>		
Payments for property, infrastructure, plant and equipment	(16,316)	(40,941)
Proceeds from sale of property, plant, infrastructure and equ	-	2,000
Capital grants	5,312	20,972
Receipts from maturity of short term investments	7,512	-
Funds deposited as short term investments	-	-
<b>Net cash provided by (used in) investing activities</b>	<b>(3,492)</b>	<b>(17,969)</b>
<b>Cash flows from financing activities</b>		
Proceeds from trust funds and deposits	-	-
Repayment of interest bearing loans and borrowings	(1,230)	(1,010)
<b>Net cash provided by (used in) financing activities</b>	<b>(1,230)</b>	<b>(1,010)</b>
Net increase (decrease) in cash and cash equivalents	4,536	(8,749)
Cash and cash equivalents at the beginning of the financial year	10,580	15,116
<b>Cash and cash equivalents at the end of the period</b>	<b>15,116</b>	<b>6,368</b>

Manager		(All)						
Row Labels		Sum of Carry	Sum of New	Sum of Upgrade	Sum of Renewal	Sum of Project Total	Sum of BCC Funding	Sum of Grant Funding
23/24		\$ 3,753,000	\$ 8,020,798	\$ 1,792,750	\$ 29,877,286	\$ 39,690,834	\$ 12,695,500	\$ 26,995,334
Maintain Asset Base		\$ 330,000	\$ 560,000	\$ 650,000	\$ 6,709,686	\$ 7,919,686	\$ 7,435,500	\$ 484,186
Buildings		\$	\$ 110,000	\$ 12,000	\$ 550,000	\$ 672,000	\$	\$ 672,000
Annual Program								
Minor Upgrades and Renewals								
Multi Storey Car Park - Building Program								
Plant & Equipment Renewals								
Switchboard Upgrades & Compliance								
Aquatic Centre								
Aquatic Centre - Replint 50m pool								
Aquatic Centre - Replacement of filter Medium 50m pool filter								
City Office								
City Offices - Replace Atrium Gutters								
Depot								
Depot - Eastern Boundry Fence Replacement								
Depot - Main Entry - Access Controls								
Depot Admin Building - Replace Roofing Iron								
Public Halls								
Coote Memorial Hall - Install suspended ceiling and new lighting								
Coote Memorial hall - replace lintels and repair brickwork								
Sporting Grounds and Facilities								
Burnie Harness Club - Replace existing sliding door								
Stowport Recreation Ground - Away changeroom replace roofing iron, fascia and Eaves								
The Point - Replace existing oval window flashing								
Wivenhoe Showground - Grandstand Timber Seat and Cladding Replacement								
Ridgley Sportsman's Club - Upgrade showers and toilets in changerooms								
Wivenhoe Showgrounds - Away Changeroom - Upgrade changeroom facilities, new showers etc.								
Parks and Reserves								
Annual Program								
GP&R Bin Upgrade Program								
Parks Furniture Replacement Program								
Playground Equipment Program								
Walking Tracks Upgrade Program								
Burnie Park								
Oldaker Falls Area Redevelopment								
Cemeteries								
Lawn Cemetery - Connect to Tas Water reticulated main								
Lawn Cemetery - Create additional Family Plots								
Lawn Cemetery Stage 1 & 2 Retaining Wall Remediation( Niche wall)								
Parks and Reserves								
Beach Access Step Replacement								
New Cam River Bridge Integration Landscaping								
Shorewell Park - North - Replace Shelters								
Waterfront West Beach - East End Extend Stair and Remove Rock								
Fern Glade Reserve - Replace post and rail fence between Northern and Southern nodes								
Sporting Grounds and Facilities								
Montello Soccer Ground - Ground Lighting and replace lighters and lamps								
West Park Oval - Storage Bays								
Upper Burnie Recreation Ground - Replace Fence								
Wivenhoe Showground - Seal grassed area inside Northern gate								
Wivenhoe Showground - Smith Street - Seal verge from Main Road to showground entry								
West Park								
West Park - Northern boundary fence between kiosk and Point								
Property, Plant and Equipment								
Computer Equipment/Systems								
Computer equipment / Systems - annual provision								
		\$	\$ 30,000	\$ 95,000	\$ -	\$ 1,467,000	\$ 1,562,000	\$ 1,562,000

Manager		(All)						
Row Labels		Sum of Carry	Sum of New	Sum of Upgrade	Sum of Renewal	Sum of Project Total	Sum of BCC Funding	Sum of Grant Funding
Parking Equipment - System Upgrade								
Switch replacement - core servers								
Switch replacement - site offices								
Router replacements								
UPS replacements								
CCTV switching infrastructure								
Other								
Aerial Photography								
Asset Failure Contingency - (*)								
Forward Design Works (7400-9362-990) - (*)								
Plant								
Plant - Works Fleet								
Plant - Corporate Fleet								
Plant - Major Plant								
Plant - Minor Plant								
Plant - SES Plant and Equipment								
GPS Tracking System								
Stormwater			\$ 100,000	\$ 210,000	\$ 275,000	\$ 585,000	\$ 585,000	
Annual Program								
Manholes/ Mains Replacement & Property SW								
Ocean Outfall Improvement Program								
Subsurface Drainage Program								
Gully Pit Improvement Program								
Kerb Outfall Replacement Program								
Stormwater Upgrades								
Alma Place Reserve - Mains Upgrade								
Transport		\$ 300,000	\$ 145,000	\$ 335,000	\$ 2,953,686	\$ 3,433,686	\$ 2,949,500	\$ 484,186
Annual Program								
Asphalt Footpath Replacement Program								
Bridge Approach Upgrade Program								
Bridge Inspection Report Works								
Gravel Resheeting								
Kerb Ramp Upgrade Program								
Rural Road Culvert Upgrade Program								
Traffic Islands & Safety Improvements								
Retaining Walls Safety/ Compliance Improvement Program								
Guard Rail Upgrade Program								
Footpath Kerb and Channel Replacements Program								
Rural - Major Patching and Resealing								
West Mooreville Road - West of Three Mile Line Rd Intersection								
Rural - Resealing								
Talunah Rd - Ridgley Hwy to St Josephs River								
Rural - Road Upgrade								
Camena Rd widening Stage 2 Kelare Rd to Blythe River								
Camena Road widening Stage 1 - Natone to Kelare Road								
Urban - Car Parking								
Car Parks - Disability Parking Compliance								
Urban - CBD and Commercial								
CBD Paver Replacement								
Urban - Other Infrastructure								
River Road Surface Restoration								
View Rd Reserve Intersection								
Urban - Reconstruction and Upgrades								
Colegrave Rd reconstruction - near Mount St								
Speed St								
Urban - Resealing								
Alma Pl - Kennedy St - Bernard Pl								
Bird St - Joyce St to Terrylands St								

Manager		(All)						
Row Labels		Sum of Carry	Sum of New	Sum of Upgrade	Sum of Renewal	Sum of Project Total	Sum of BCC Funding	Sum of Grant Funding
Boland Ave - Damian Ave to Ritchie Ave								
Brickport Road - Bass Highway to Hospital Access								
George St - Ridgley - Parker Crt to Queen St								
Grandview Ave Reseal - From View Road for 235m								
Ladbroke - Mount St to Wilson St								
Ocean View Lane								
Pearl St - Main Rd to Ready St								
Reeves St Reseal								
Roslyn Ave - Mount St to Quamby Place								
Urban - Retaining Walls								
Retaining Walls - Brickport Rd NWRH South								
Retaining Wall - Joshua Place								
Retaining Wall - Hodgman Street								
Waste			\$ 70,000	\$ -	\$ 100,000	\$ 170,000	\$ 170,000	
Garbage & Recycling								
CBD Bin Pairs Upgrade Program								
Waste Management Centre								
BWMC - Sludge Management Infrastructure								
Works and Depot Overhead			\$ -	\$ -	\$ 835,000	\$ 835,000	\$ 835,000	
Other								
Works and Depot Overhead								

Manager		(All)									
Row Labels		Sum of Carry	Sum of New	Sum of Upgrade	Sum of Renewal	Sum of Project Total	Sum of BCC Funding	Sum of Grant Funding			
<b>Strategic</b>		\$ 3,423,000	\$ 7,460,798	\$ 1,142,750	\$ 23,167,600	\$ 31,771,148	\$ 5,260,000	\$ 26,511,148			
<b>Buildings</b>		\$ 3,307,000	\$ 794,650	\$ -	\$ 15,098,350	\$ 15,893,000	\$ 1,793,000	\$ 14,100,000			
Burnie Arts & Function Centre											
BATC Redevelopment											
Parks and Reserves			\$ 6,586,148	\$ -	\$ -	\$ 6,586,148	\$ 300,000	\$ 6,286,148			
Parks and Reserves											
Enu River Flood Warning Infrastructure - Level 2											
Coastal Pathway - Erosion Control Revetment Works											
Coastal Pathway - Red Rock to Cam River											
View Rd Reserve - reserve BBQ under shelter and Dog park lighting											
Property, Plant and Equipment			\$ 30,000	\$ -	\$ 50,000	\$ 80,000	\$ 80,000				
Computer Equipment/Systems											
Body Worn Camera technology											
Decommissioning of TasCom and make good											
Transport		\$ 116,000	\$ 50,000	\$ 902,750	\$ 8,019,250	\$ 8,972,000	\$ 2,847,000	\$ 6,125,000			
Urban - CBD and Commercial											
Urban Renewal											
Urban - Other Infrastructure											
Metro Bus All Access Upgrades											
Urban - Reconstruction and Upgrades											
Mount St / Three Mile Line Road Intersection Upgrade											
Ironmine Road											
Rural - Flood Damage Repairs											
Upper Natone Road - Horseshoe Bend											
Oonah Road											
Fennglade Road											
Waste			\$ -	\$ 240,000	\$ -	\$ 240,000	\$ 240,000				
Waste Management Centre											
BWMC - Weighbridge and Site Improvements		\$ 3,753,000	\$ 8,020,798	\$ 1,792,750	\$ 29,877,286	\$ 39,690,834	\$ 12,695,500	\$ 26,995,334			
<b>Grand Total</b>		\$ 3,753,000	\$ 8,020,798	\$ 1,792,750	\$ 29,877,286	\$ 39,690,834	\$ 12,695,500	\$ 26,995,334			

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**GENERAL MANAGER****AO081-23 EMERGENCY MANAGEMENT ACT - NOMINATION FOR MUNICIPAL  
EMERGENCY MANAGEMENT COORDINATOR AND DEPUTY**

FILE NO: 30/7/2; 15/2/5  
PREVIOUS MIN: AO087-22; AO152-22

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**1.0 RECOMMENDATION:**

***“THAT Council nominate to the Minister for Police, Fire and Emergency Management through the SES Director:***

- 1) Mr Damien Aherne (Acting Director Works and Services) as its appointee to the role of Municipal Emergency Management Coordinator; and***
- 2) Mr Raymond Mee (Acting Works Manager) as its appointee to the role of Deputy Municipal Emergency Management Coordinator.”***

**2.0 EXECUTIVE SUMMARY****Purpose and Background**

To update the ministerial appointments of Municipal Emergency Management Coordinator (MEMC) and Deputy, for Burnie, due to staff changes.

**Key Issues**

The *Emergency Management Act 2006* requires that each local government area appoint a MEMC and Deputy MEMC. The term of an appointment is four years as determined by the Minister.

Due to the resignation of the Director Works and Services, these appointments need to be updated.

**3.0 SUPPORTING INFORMATION****Strategic Alignment**

This report aligns with the Council Plan 2022 – 2025 Enablers *Our People*, by ensuring current and valid appointments are in place, and *Agility*, to respond to emergencies.

**Legal**

Council has statutory duties under the *Emergency Management Act 2006* to nominate suitable persons for the roles of MEMC and Deputy MEMC.

**Finance**

A person appointed as the MEMC or Deputy does not receive any additional remuneration.

There may be costs associated with providing appropriate training to the person appointed to the role, however this would be provided through existing budget allocations.

**Relation to Council Policy**

There are no Council policies relating to this report. The nomination of the Director Works and Services and Manager Works to fill the roles of MEMC and Deputy, is consistent with Council's past practice.

**Discussion**

Section 23 (8) of the *Emergency Management Act 2006* states:

*"A council may only nominate a person for the position of Municipal Emergency Management Coordinator or Deputy Municipal Emergency Management Coordinator if the person, once appointed to the position, would have the authority and ability to make decisions relating to the coordination of emergency management in the municipal area during an emergency without first seeking the approval of council."*

This clause, in interpreting the nature of emergency conditions, identifies that decisions must be made quickly and appropriately, which will commit Council funds, personnel and plant to response and recovery operations without the normal consultation or reference to others. It follows then, that a person must hold a position of authority with appropriate experience and adequate delegations from the General Manager to carry out the role.

The role of Council is to nominate a person with appropriate authority to be appointed by the Minister. Should Council fail to nominate a person to the role within a reasonable time, the Minister may appoint a person to the role.

The current appointments are:

- Municipal Emergency Management Coordinator – Mr Doug White (former Director Works and Services)
- Deputy Municipal Emergency Management Coordinator - Mr Damien Aherne (substantive Manager Works, but current Acting Director Works and Services)

A nomination for the MEMC role is required due to the resignation of Mr White. It is recommended that Mr Aherne be nominated to the Minister for appointment as the MEMC, and Mr Raymond Mee as the Deputy MEMC.

Mr Aherne has held management positions in the health sector both within Tasmania and New South Wales, with responsibilities for business continuity and emergency response management.

Mr Mee has had 25 years of experience working in the electrical industry with Tas Networks across the North West Coast. This includes fault management and major/minor projects.

The positions of Director Works and Services, and Manager Works each have suitable delegations and authority to discharge the duties of the MEMC and Deputy roles, in liaison with the General Manager and senior officers as required.

As part of the nomination process, the Minister will be advised of Mr White's resignation which will cease the current appointment as MEMC.

### **Health and Safety**

There are no health and safety impacts resulting from this report.

### **Risk**

The MEMC holds significant power in the event of an emergency, in that the person can commit Council funds and resources unilaterally. Therefore the incumbents must be in a position of authority and understand the governance structure of Council and the implications associated with committing Council resources and funds.

### **Environmental Sustainability**

There are no environmental sustainability impacts to be considered in this report.

### **Consultation**

SES Regional Management have been notified of the proposed appointment for awareness, and consultation has occurred with Council officers in the preparation of this report.

### **Conflict Of Interest**

No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a material or general conflict of interest in relation to the matter of the report.



**COUNCIL RESOLUTION****Resolution number: MO092-23****MOVED:**            *Cr K Dorsey***SECONDED:**      *Cr J Grave****“THAT Council nominate to the Minister for Police, Fire and Emergency Management through the SES Director:***

- 1) Mr Damien Aherne (Acting Director Works and Services) as its appointee to the role of Municipal Emergency Management Coordinator; and***
- 2) Mr Raymond Mee (Acting Works Manager) as its appointee to the role of Deputy Municipal Emergency Management Coordinator.”***

**For:**            Cr G Simpson, Cr T Aitken, Cr K Dorsey, Cr J Grave, Cr A Keygan, Cr S Kons, Cr C Lynch, Cr D Pease.**Against:*****CARRIED UNANIMOUSLY***

**GENERAL MANAGER****AO082-23 GENERAL MANAGER'S REPORT - OPEN SESSION**

FILE NO: 4/18/2  
PREVIOUS MIN:

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**1.0 RECOMMENDATION:**

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

**EXECUTIVE SUMMARY**

The purpose of this report is to advise on the following items:

Mayor’s Communications  
General Manager’s Communications  
Notification of Council Workshops  
Notification of Special Committee Meetings  
Correspondence for Noting  
Council Meeting Action List

**3.0 DETAILS****Mayor’s Communications**

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

- Radio Interview with Kim Napier, ABC
- Radio Interview with Leigh Kenworthy, 7BU
- Riverbend Youth Centre – Holiday Camp
- Meeting with Business North West and David Wedd, TasGuide
- Business North West – General Meeting
- CBD Reference Group Meeting
- Community Engagement Session GHD Artists for Gateway Design
- Mini Van Diemans Band – Lunch Box Concert
- City Chaplain Steve Arnol
- Rhododendron Garden Autumn Spectacular
- ANZAC Service – OneCare, Umina Park
- Commander Wilkinson and Inspector Shadbolt
- ANZAC Day Civic Service
- North-West Flood Recovery Advisory Group

- Doug Baird OAM
- Andrew Boyd
- Jobs expo event COTA and WNWW
- Mayor Marcus Blackie, King Island
- Opening for Chapters Café – Burnie Library
- Senator Anne Urquhart
- Radio Interview with Coast FM
- Susan McArthur – Milliner
- Year 7, Marist Regional College – View Road Reserve
- Mayor Cheryl Fuller and Mayor Alison Jarman
- LGAT President Candidates Online Forum
- Local Government Reform Update
- Joyce Donnelly's 105th Birthday Celebration - OneCare, Umina Park
- Steve Goodwin and Helen Jenkins
- Motherload – Burnie Arts
- Burnie Surf Life Saving Club – Annual Dinner and Award Presentations
- Safe Space Burnie
- Laura Gerlach
- Andrea Downing, Karen Pettit, Wendy Webster, Kylie Spratling – Upper Burnie Memorial Hall
- Friends of the Burnie Regional Museum – Thank You Morning Tea for Volunteers
- Tour of HMAS Sydney
- Radio Interview with Kim Napier, ABC – Navy Ships
- Carman Guard – Hope in a Suitcase
- Leighland Christian School SRC
- Rotary Club of Somerset
- Realty Development Photo Shoot

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

- TFS/SES North West Regional Medal Presentation, attended by Cr Justin Grave

### 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 April	Burnie Highland Pipe Band
18 April	Meeting with David Morgan – Burnie Central Townhouse
19 April	Meeting with Katie Cooper
	Business North West – General Meeting
20 April	Meeting with Ali Lai
	Meeting with Ian Jones

Date	Meeting / Function
21 April	Meeting with Michael Cherry and Cr David Pease
24 April	Meeting with Peter Rathjen
	Meeting with Commander Wilkinson
25 April	ANZAC Day Civic Service

The General Manager advises that the following meetings, events or appointments were attended by the Acting General Manager as follows:

Date	Meeting / Function
26 April	Meeting with SeaFM
28 April	Local Government Client Information Session - Virtual (TAC)
02 May	Meeting with Jacob Van Es
03 May	Audit Panel Meeting
11 May	Meeting with SeaFM

### Notification of Council Workshops

The General Manager advises that the following Workshops were held since the last Council Meeting report:

Workshop	18 April 2023
Councillors in attendance	Mayor Brumby, Deputy Mayor Simpson, Cr Aitken, Cr Dorsey, Cr Grave, Cr Keygan, Cr Kons, Cr Lynch, Cr Pease
Apologies	
Items Discussed	Out of Session Workshop Briefing Papers
	Financial Management Strategy
	Council Strategy
	Mayor and General Manager's Update

Workshop	2 May 2023
Councillors in attendance	Mayor Brumby, Deputy Mayor Simpson, Cr Aitken, Cr Dorsey, Cr Grave, Cr Keygan, Cr Kons, Cr Lynch, Cr Pease
Apologies	
Items Discussed	Out of Session Workshop Briefing Papers
	Business North West
	Draft Budget and CAPEX
	Mayor and Acting General Manager's Update

<b>Workshop</b>	<b>9 May 2023</b>
Councillors in attendance	Mayor Brumby, Deputy Mayor Simpson, Cr Aitken, Cr Dorsey, Cr Grave, Cr Keygan, Cr Kons, Cr Lynch, Cr Pease
Apologies	
Items Discussed	Out of Session Workshop Briefing Papers
	Forico Briefing
	TasWater Briefing
	Upper Burnie Sports Centre
	Draft capital Expenditure Budget
	Mayor and Acting General Manager's Update

### Notification of Committee Meetings

The General Manager advises that the following Committee Meetings were held since the last Council Meeting report:

19 April	CBD Reference Group Meeting
27 April	Burnie City Council Youth Council
2 May	View Road Reserve Working Group Meeting
3 May	Audit Panel Meeting

### Correspondence for Noting

No correspondence for noting

### Council Meeting Action List

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

**ATTACHMENTS**

- 1 [↓](#). Open Session - All Actions - 26 April 2023
- 2 [↓](#). Open Session - Outstanding Actions Nov 2020 to Mar 2023

**COUNCIL RESOLUTION****Resolution number: MO093-23*****MOVED: Cr A Keygan******SECONDED: Cr T Aitken******“THAT Council note the information provided in the General Manager’s Report.”***

For: Cr G Simpson, Cr T Aitken, Cr K Dorsey, Cr J Grave, Cr A Keygan, Cr S Kons, Cr C Lynch, Cr D Pease.

Against:

***CARRIED UNANIMOUSLY***

<b>Council Meeting Action Report</b> <b>All Actions for Open Session of 26 April 2023</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> 26/04/2023 <b>Date To:</b> 26/04/2023 <b>Printed:</b> Wednesday, 10 May 2023	
Item Number	Report Title	Action	Department	Completed
AO058-23	PUBLIC QUESTION TIME	<b>27 Apr 2023</b> QON: Provide a response to the public questions from Lyndal Thorne (not present) relating to 1) BAFC/BRAG refurbishment update and 2) register of public artworks, per Report AO057-23. <b>01 May 2023</b> Completed - Letter of response sent 1.5.2023 23/10820  Council 26/04/2023	Office of the General Manager	1/05/2023
AO058-23	PUBLIC QUESTION TIME	<b>27 Apr 2023</b> QON: Provide a response to the public question from Neville Aitken (not present) relating to street sweeping, per Report AO057-23. <b>01 May 2023</b> Completed - Letter of response sent 1.5.2023 23/10827  Council 26/04/2023	Office of the General Manager	1/05/2023
AO058-23	PUBLIC QUESTION TIME	<b>27 Apr 2023</b> QON: Provide a response to the public questions from Shane Andrews (not present) relating to 1) motor cycle parking and 2) traffic controllers during cruise ships, per Report AO057-23. <b>01 May 2023</b> Completed - Letter of response sent 1.5.2023 23/10826  Council 26/04/2023	Office of the General Manager	1/05/2023
AO058-23	PUBLIC QUESTION TIME	<b>27 Apr 2023</b> QON: Provide a response to the public question from Nathan Langley (not present) relating to adventure parks for kids, per Report AO057-23. <b>01 May 2023</b> Completed - Letter of response sent 1.5.2023 23/10823  Council 26/04/2023	Office of the General Manager	1/05/2023
AO060-23	NEW POLICIES - INFORMATION SECURITY MANAGEMENT SYSTEM	<b>27 Apr 2023</b> ACT: Finalise the two new information management security policies in the Corporate Document Framework and publish, per Council Resolution AO060-23. <b>10 May 2023</b> Completed - Policies finalised and published.  Council 26/04/2023	Office of the General Manager	10/05/2023
AO061-23	POLICY REVIEW - CUSTOMER SERVICE CHARTER	<b>27 Apr 2023</b> ACT: Finalise the revised Customer Service Charter in the Corporate Document Framework and publish, per Council Resolution AO061-23. <b>10 May 2023</b> Completed - Customer Service Charter updated and employees advised.  Council 26/04/2023	Corporate and Commercial Services	10/05/2023
AO062-23	BUDGET ESTIMATES REVIEW 2022-23 - MARCH 2023 QUARTER	<b>27 Apr 2023</b> RES: Update the approved revised budget in Council's accounting system, per Council resolution AO062-23.  Council 26/04/2023	Corporate and Commercial Services	

**Council Meeting Action Report**

All Actions for Open Session of 26 April 2023

Date From: 26/04/2023  
 Date To: 26/04/2023  
 Printed: Wednesday, 10 May 2023

**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
AO068-23	BURNIE AUSTRALIA DAY SPECIAL COMMITTEE	<b>27 Apr 2023</b> ACT: Implement steps to wind up the Burnie Australia Day Special Committee, in accordance with Council resolution AO068-23. <b>10 May 2023</b> Completed - Registers and public information updated.	Office of the General Manager	10/05/2023
Council 26/04/2023				
AO068-23	BURNIE AUSTRALIA DAY SPECIAL COMMITTEE	<b>27 Apr 2023</b> ACT: Prepare acknowledgement letters from the Mayor to the members of the Australia Day Committee, following the decision of Council to wind up the committee, per Council resolution AO068-23. <b>10 May 2023</b> Completed - Letters finalised and sent. 23/11037	Office of the General Manager	10/05/2023
Council 26/04/2023				
AO069-23	LAND DISPOSAL - PROPOSAL TO DISPOSE OF PUBLIC LAND - CAMDALE, CT VOLUME 65830 FOLIO 1, CT VOLUME 65830 FOLIO 2 AND CT VOLUME 65830 FOLIO 3	<b>27 Apr 2023</b> RES: Implement steps to commence the public land disposal process for land at Camdale, per Council Resolution AO069-23 and bring a further report to Council. <b>10 May 2023</b> NOTE: Consultation period commencing with advertising from Sat 13 May. Further report to be brought back to Council.	Office of the General Manager	
Council 26/04/2023				



<b>Council Meeting Action Report</b> <b>Outstanding Actions for Open Sessions Nov 2020 – Mar 2023</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> 31/03/2023 <b>Printed:</b> Wednesday, 10 May 2023	
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> <p><b>15 Mar 2023</b> NOTE: Meeting scheduled with TAC for Tuesday, 21 March 2023</p> <p><b>12 Apr 2023</b> NOTE: Meeting took place 21/3. Agreement TAC will provide details of the geographical feature in Burnie municipality it would like to have dual named – mainly rivers and mountains. Also discussed TAC Language Program and Burning Country – Pakana Rangers.</p>	Office of the General Manager	
Council 17/11/2020				
AO186-21	MOTION ON NOTICE - CBD PLANTING OF RHODODENDRONS	<p><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.</p> <p><b>14 Jan 2022</b> NOTE: Being considered as part of Cities Gateway project and CBD greening paper</p>	Works and Services	
Council 26/10/2021				
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	<p><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.</p> <p><b>29 Jul 2022</b> NOTE: General Manager working with PDA and MMT on plan of subdivision and contract of sale</p>	Office of the General Manager	
Council 22/03/2022				

Council Meeting Action Report				
Outstanding Actions for Open Sessions Nov 2020 – Mar 2023				
<b>Key:</b>		<b>RES</b> = Action arising from Resolution; <b>ACT</b> = Action required in addition; <b>QON</b> = Question on Notice; <b>NOTE</b> = Progress Note		
		<b>Date From:</b> 17/11/2020 <b>Date To:</b> 31/03/2023 <b>Printed:</b> Wednesday, 10 May 2023		
Item Number	Report Title	Action	Department	Completed
AO106-22	BY-LAW - INTENTION TO MAKE A NEW BY-LAW - DRAFT PUBLIC PLACES BY-LAW	<p><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.</p> <p><b>06 Jul 2022</b> NOTE: Preparation of RIS requested from legal practitioner on 6.7.22, doc 22/19343.</p> <p><b>17 Nov 2022</b> NOTE: RIS received and being reviewed.</p> <p><b>11 Jan 2023</b> NOTE: RIS finalised and sent to Director Local Government on 10.1.22 with draft by-law, seeking certification, prior to final stage of community consultation.</p> <p><b>13 Apr 2023</b> NOTE: Public consultation information prepared, awaiting Certificate from Director Local Government.</p>	Office of the General Manager	
Council 28/06/2022				
AO101-22	MOTION ON NOTICE - RELOCATION OF BURNIE FARMER'S MARKET	<p><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</p> <p><b>09 Sep 2022</b> NOTE: Meeting sought with organisers</p> <p><b>07 Oct 2022</b> NOTE: Meeting organised for 11/10/2022</p> <p><b>15 Mar 2023</b> NOTE: Re-contacted 10/3/2023. Additional information to be provided to Council</p>	Office of the General Manager	
Council 28/06/2022				
AO149-22	MOTION ON NOTICE - REMOVAL OF GRAFFITI	<p><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</p>	Office of the General Manager	
Council 23/08/2022				
AO007-23	MOTION ON NOTICE - RECOGNITION OF CORPORAL CAMERON BAIRD DRIVE	<p><b>02 Feb 2023</b> RES: In consultation with the Baird family, write to the Nomenclature Board to request naming of internal drive at Burnie Park to be named in recognition of Cpl Baird VC MG, per Council Resolution AO007-23.</p> <p><b>16 Feb 2023</b> NOTE: Correspondence sent to the Baird Family - DOC ID 23/3310</p> <p><b>12 Apr 2023</b> NOTE: Confirmation received from Baird Family and correspondence sent to the Nomenclature Office (DOC ID 23/8858)</p> <p><b>24 Apr 2023</b> NOTE: Request sent to Place Name Advisory Board - referring Council's request to the Place Names Advisory Panel for consideration as an exemption to the Guidelines (DOC ID 23/10170)</p>	Office of the General Manager	
Council 31/01/2023				

**MINUTES AND REPORTS OF COMMITTEES****AO083-23 BURNIE CITY YOUTH COUNCIL - UNCONFIRMED MINUTES OF MEETING HELD ON 27 APRIL 2023**FILE NO: 2/5/34

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

- 1) Receive the Minutes of the meeting of the Burnie City Youth Council held on 27 April 2023, for discussion; and***
- 2) Note the Youth Council Report provided by Burnie Works for the year 2022.”***



**SUMMARY**

The meeting of the Burnie City Youth Council was held on 27 April 2023 where the Youth Council’s 2023 Hopes and Objectives were accepted and discussions around opportunities for connecting and communicating were conducted.

A copy of the meeting notes are **attached**.

Additionally the Youth Council are to provide a report annually to the Council on the year in review. Burnie Works have now provided this report as **attached**.

**ATTACHMENTS**

- 1  Minutes - Burnie City Youth Council - 27 April 2023
- 2  Report - Youth Council 2022 - Burnie Works

**COUNCIL RESOLUTION****Resolution number: MO094-23****MOVED:** *Cr T Aitken***SECONDED:** *Cr K Dorsey****“THAT Council:***

- 1) Receive the Minutes of the meeting of the Burnie City Youth Council held on 27 April 2023, for discussion; and***
- 2) Note the Youth Council Report provided by Burnie Works for the year 2022.”***

**For:** Cr G Simpson, Cr T Aitken, Cr K Dorsey, Cr J Grave, Cr A Keygan, Cr S Kons, Cr C Lynch, Cr D Pease.

**Against:**

***CARRIED UNANIMOUSLY***

## Meeting Minutes



Meeting: **BURNIE YOUTH COUNCIL**  
 Held on: Thursday 27 April 2023  
 Venue: Burnie City Council Chambers  
 File No(s): 2/5/34



The meeting opened at 9.20am

1.	<p><b>Present:</b></p> <p>(BHS) – Lottee Rolls          (BHS) – Ellie Sushames          (BHS) – Saxon Long          (BHS) – Imogen Lloyd          (PHS) – Izzy Riley          (PHS) – Danika Johnston          (PHS) – Gi’Annie Kingdon          (PHS) – Teleeka Campbell          (MRC) – Harry Poke          (MRC) – Jonty Brumby          (MRC) – Bronte van der Ploeg          (MRC) – Oceania Eustace          (HPS) – Jagger Barnard          (HPS) – Madeline French          (RPS) – Kolby Hampson          (RPS) – Eila Argent          (RPPS) – Zoish Contractor          (BPS) – Sari Armstrong          (BPS) – Hudson Bain          (SMPS) – Charlie Brown          (SMPS) – Azra Khan          (LCS) – Kiana Gibson          (LCS) – Tiabella Bester          (CPS) – Jonte Schumann          (CPS) – Archer Collins          (MPS) – Kaha Taiaroa          (MPS) – Asha Taiaroa</p> <p><b>Apologies:</b></p> <p>(RPPS) – Kyson Riley (moved interstate)</p> <p><b>Ex-officio Officers in attendance:</b></p> <p>Deputy Mayor Giovanna Simpson          Burnie Works – Fiona Loughran          Burnie Works – Allison Daley</p>
2.	<p><b>Acknowledgement of Country by Youth Mayor Gi’Annie Kingdon</b></p>

[illegible]

3

	<b>Motion:</b> <i>"That the Burnie Youth Council begin developing a connection and communications strategy at the next meeting".</i>  <i>Moved: Hudson Bain</i> <i>Second: Asha Taiaroa</i> <b>CARRIED</b>
6.	<b>Next Meeting</b> Thursday 25 May

Closed: 11.27am

Unconfirmed



## BURNIE CITY YOUTH COUNCIL 2022

- 9 meetings were held.
- 28 Youth Councillors were appointed, 27 Youth Councillors served the whole year.
- 12 schools were represented.
- 21 Youth Councillors and young people participated in leadership training with JCP Youth.

### WHAT DID YOUTH COUNCIL DO?

- Youth Councillors visited Interspace and Burnie Library.
- Heard from guest speakers including Councillor Steve Kons (Mayor in 2022), Eloise Knuckey (Student Mental Health Tasmania Board), Jonathon Cowen (Youth Family and Community Connections), Hannah Sadler (Cradle Coast NRM), Shandel Pile (Burnie Works/ More for Children), Bel Lynch and Mark Viner (Burnie City Council), Scott Campbell (Intersection Art Space), Michael Muruste and Loretta Brazendale (Libraries Tasmania)
- Visited Burnie Library and Intersection Art Space.
- Met with Her Excellency the Honourable Governor Barbara Baker, Governor of Tasmania and wrote to her about what it is like to be a young person in Burnie.
- Developed a proposal for Burnie City Council to hold / fund Family Drive in Movie Night
- Developed and released a message about what they wanted the community to know about being a young person in Burnie (**attached**).
- Provided input into 2 youth concerts developed and run in Burnie by the Local Drug Action Team.
- Provided input on the need for youth pride events, a catalyst for an IDAHOBIT Day event held in Burnie.
- Participated in choosing the name for the Burnie Pump Track 'Send it, Case it'.
- Provided feedback on the Cultural Precinct Proposal.

### FEEDBACK FROM YOUTH COUNCILLORS

- Youth Councillors said they learnt how to listen to everybody's idea, about government and local government, Burnie as a community, plan community events, conduct meetings, social skills, confidence and public speaking skills.





- Youth Councillors said their experience was fun, helped them develop new friendships and skills, allowed them to express their ideas and be heard and was an opportunity to learn.
- Changes Youth Councillors suggested for Youth Council included more meetings, more excursions and opportunities to learn about the Burnie community and more opportunities to get involved in community events they can contribute too.
- Youth Councillor's advice for the 2023 Youth Council was to step out of your comfort zone and take on the opportunity, try your hardest, to be yourself, take advantage of the opportunity to share your ideas and beliefs, always give your opinion and contribute, make friends and use the opportunity to make change wisely.

**AO084-23 NON AGENDA ITEMS**

In accordance with the requirements of Regulation 8(5) of the *Local Government (Meeting Procedures) Regulations 2015* a matter may only be discussed at a meeting if it is specifically listed on the agenda of that meeting.

Council by absolute majority may decide at an ordinary meeting to deal with a matter that is not on the agenda if the General Manager has reported:

- (a) the reason it was not possible to include the matter on the agenda; and
- (b) the matter is urgent; and
- (c) that advice has been provided under section 65 of the *Act*.

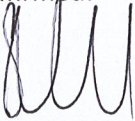
There were no non agenda items.

There being no further business the Mayor declared the Meeting closed at 7.20 pm.

## 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 23 May 2023.

Confirmed:



**Simon Overland**  
**GENERAL MANAGER**

Date:

27 June 2023

Confirmed:



**Teeny Brumby**  
**MAYOR**

Date:

27.6.23