



MINUTES

Ordinary Meeting

TUESDAY, 31 JANUARY 2023

7.00PM

CITY OFFICES, 80 WILSON STREET, BURNIE

ORDER OF BUSINESS

OPEN SESSION

Min No.	Business	Page No
AO001-23	COUNCILLORS DECLARATIONS OF INTEREST	9
AO002-23	CONFIRMATION OF MINUTES OF THE 'OPEN SESSION' MEETING OF COUNCIL HELD ON 13 DECEMBER 2022	10
QUESTIONS ON NOTICE		
AO003-23	QUESTION ON NOTICE - CASH BALANCE AND OUTSTANDING RATES	11
AO004-23	QUESTION ON NOTICE - COMMUNITY AND SPORTING GROUPS FACILITY IMPROVEMENTS	13
AO005-23	QUESTION ON NOTICE - FINANCIAL POSITION, REEVE STREET TOILETS, VANDALISM AND GRAFFITI	15
MOTIONS ON NOTICE		
AO006-23	MOTION ON NOTICE - HORSESHOE BEND REPAIR OR REPLACEMENT	17
AO007-23	MOTION ON NOTICE - RECOGNITION OF CORPORAL CAMERON BAIRD DRIVE	27
AO008-23	MOTION ON NOTICE - WORKING GROUP FOR PUBLIC EVENTS	29
PUBLIC QUESTION TIME		
AO009-23	PUBLIC QUESTION TIME	31
QUESTIONS WITHOUT NOTICE		
AO010-23	QUESTIONS WITHOUT NOTICE	36
PLANNING AUTHORITY		
AO011-23	COUNCIL DELEGATIONS - LAND USE PLANNING (ACTING GENERAL MANAGER)	38
AO012-23	TASMANIAN PLANNING SCHEME PERMIT APPLICATION DA 2022/129 35 VIEW ROAD, MONTELLO ESTABLISH A RESIDENTIAL USE AND PROPOSED SINGLE DWELLING	64
OFFICERS' REPORTS		

ORDER OF BUSINESS

OPEN SESSION

Min No.	Business	Page No
<i>WORKS AND SERVICES</i>		
AO013-23	TENDER - CONSULTANT SERVICES BRIEF 210 - BURNIE GATEWAY PROJECT	142
AO014-23	TENDER - CONSULTANT SERVICES BRIEF 211 - CITY CENTRE URBAN PLAN	145
AO015-23	TENDER - CONTRACT 2694 BURNIE ARTS AND FUNCTION CENTRE REDEVELOPMENT, BURNIE CULTURAL PRECINCT	148
<i>CORPORATE AND COMMERCIAL SERVICES</i>		
AO016-23	BUDGET ESTIMATES REVIEW 2022-23	151
<i>GENERAL MANAGER</i>		
AO017-23	GENERAL MANAGER'S REPORT - OPEN SESSION	161
AO018-23	GENERAL MANAGER'S QUARTERLY INFORMATION REPORT FOR WORKS AND SERVICES - DECEMBER 2022	201
AO019-23	GENERAL MANAGER'S QUARTERLY INFORMATION REPORT FOR LAND AND ENVIRONMENTAL SERVICES - DECEMBER 2022	210
AO020-23	GENERAL MANAGER'S QUARTERLY INFORMATION REPORT FOR CORPORATE AND COMMERCIAL SERVICES - DECEMBER 2022	222
AO021-23	APPOINTMENT OF ACTING GENERAL MANAGER - 2023	241
AO022-23	ANNUAL PLAN 2022-23 PROGRESS REPORT TO 31 DEC 2022	244
<i>MINUTES AND REPORTS OF COMMITTEES</i>		
AO023-23	BURNIE CITY COUNCIL AUDIT PANEL - UNCONFIRMED MINUTES OF MEETING HELD ON 7 DECEMBER 2022	251
AO024-23	BURNIE AUSTRALIA DAY SPECIAL COMMITTEE CONFIRMED MINUTES OF MEETING HELD ON 10 OCTOBER 2022	307
<i>NON AGENDA ITEMS</i>		
AO025-23	NON AGENDA ITEMS	311

**MINUTES OF THE OPEN SESSION ORDINARY MEETING
OF THE BURNIE CITY COUNCIL
HELD AT THE CITY OFFICES ON TUESDAY, 31 JANUARY 2023**

HOUR: 5.59pm – 6.00pm
7.06pm – 8.37pm

TIME OCCUPIED: 1 hour 32 minutes

PRESENT: Mayor T Brumby, 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),
Director Works and Services (D White), Executive Manager
Development Services (S Pearce), Executive Manager Compliance
Services (M Peisker), Chief Financial Officer (B Pilgrim), Executive
Manager Corporate Governance (M Neasey), Governance Officer
(N French) and Media and Communications Officer (K Kong)

APOLOGIES: Deputy Mayor G Simpson was previously granted a leave of
absence at the meeting held on 13 December 2022.

‘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
AC001-23 COUNCILLORS DECLARATIONS OF INTEREST	15(2)(g)
AC002-23 CONFIRMATION OF MINUTES OF THE 'CLOSED SESSION' MEETING OF COUNCIL HELD ON 13 DECEMBER 2022	15(2)(g)
AC003-23 APPLICATIONS FOR LEAVE OF ABSENCE	15(2)(h)
AC004-23 GENERAL MANAGER'S REPORT - CLOSED SESSION	15(2)(i)
AC005-23 PERSONNEL QUARTERLY REPORT - DECEMBER 2022	15(2)(a)
AC006-23 TENDER - CONSULTANT SERVICES BRIEF 210 - BURNIE GATEWAY PROJECT	15(2)(d)
AC007-23 TENDER - CONSULTANT SERVICES BRIEF 211 - CITY CENTRE URBAN PLAN	15(2)(d)
AC008-23 TENDER - CONTRACT 2694 BURNIE ARTS AND FUNCTION CENTRE REDEVELOPMENT, BURNIE CULTURAL PRECINCT	15(2)(d)
AC009-23 OUTSTANDING DEBTORS QUARTERLY REPORT - DECEMBER 2022	15(2)(j)
AC010-23 TAS COMMUNICATION SERVICES	15(2)(c)
AC011-23 NON AGENDA ITEMS	15(2)(g)
AC012-23 MATTERS CONSIDERED IN CLOSED SESSION	15(2)(g)
AC013-23 AUTHORISATION TO DISCLOSE CONFIDENTIAL INFORMATION	15(2)(g)
AC014-23 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 AC001-23 to AC014-23 which are confidential matters as prescribed in Clause 15 of the Local Government (Meeting Procedures) Regulations 2015”

COUNCIL RESOLUTION

Resolution number: MO011-23

MOVED: Cr C Lynch

SECONDED: Cr D Pease

“THAT the meeting be closed to the public to enable Council to consider agenda items AC001-23 to AC014-23 which are confidential matters as prescribed in Clause 15 of the Local Government (Meeting Procedures) Regulations 2015”

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

Against:

CARRIED UNANIMOUSLY

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

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:

Agenda Item	Title	Brief Description
AC001-23	Councillor Declarations of Interest	A report to consider any declarations of interest by Councillors in any matter in the Agenda
AC002-23	Confirmation of Minutes of the Closed Session Meeting of Council held on 13 December 2022	A motion to confirm the Minutes of the previous meeting
AC003-23	Applications for Leave of Absence	A report to consider any requests for leave of absence by a Councillor
AC004-23	General Manager's Report – Closed Session	A report that considers various operational updates of a confidential nature
AC005-23	Personnel Quarterly Report – December 2022	A report to consider key indicators in personnel management
AC006-23	Tender – Consultant Services Brief 210 – Burnie Gateway Project	A report to consider Tender – Consultant Services Brief 210 - Burnie Gateway Project
AC007-23	Tender – Consultant Services Brief 211 – City Centre Urban Plan	A report to consider Tender – Consultant Services Brief 211 – City Centre Urban Plan
AC008-23	Tender – Contract 2694 Burnie Arts and Function Centre Redevelopment, Burnie Cultural Precinct	A report to consider Tender – Contract 2694 Burnie Arts and Function Centre Redevelopment, Burnie Cultural Precinct
AC009-23	Outstanding Debtors Quarterly Report – December 2022	A report to review current outstanding debtors to Council
AC010-23	Tas Communications Services	A report to review services provided by Tas Communications
AC011-23	Non Agenda Items	A report to consider dealing with any matter that is not on the Council Agenda
AC-012-23	Matters Considered in Closed Session	A report containing a brief description of all reports considered by Council in the Closed Session
AC013-23	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
AC014-23	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 Burnie City Chaplain, Steve Arnol.

AO001-23 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.

**AO002-23 CONFIRMATION OF MINUTES OF THE 'OPEN SESSION' MEETING
OF COUNCIL HELD ON 13 DECEMBER 2022****RECOMMENDATION:**

“THAT the minutes of the ‘Open Session’ of the Burnie City Council, held at the City Office on 13 December 2022, be confirmed as true and correct.”

COUNCIL RESOLUTION

Resolution number: MO012-23

MOVED: *Cr S Kons*

SECONDED: *Cr D Pease*

“THAT the minutes of the ‘Open Session’ of the Burnie City Council, held at the City Office on 13 December 2022, be confirmed as true and correct.”

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

Against:

CARRIED UNANIMOUSLY

QUESTIONS ON NOTICE**AO003-23 QUESTION ON NOTICE - CASH BALANCE AND OUTSTANDING RATES**

FILE NO: 15/5/5, 23/401
PREVIOUS MIN:

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

- 1) *What is Councils current cash balance?***
- 2) *What are the outstanding rates due for the rest of the financial year including arrears?***

COUNCILLOR'S COMMENTS

No comments provided.

GENERAL MANAGER'S COMMENTS

At December 2022 the Council's cash balance was \$7,770,143 which included the 'at call' account and cash on hand. Cash and cash equivalents was \$27,270,143 inclusive.

As stated previously the largest proportion of this is committed cash which is set aside for pre-approved and committed capital works, including a \$2 million investment in the new Cultural Centre.

The outstanding rates for the same period was \$6,621,744.

RECOMMENDATION:

"THAT the information be noted."

COUNCIL RESOLUTION**Resolution number: MO013-23*****MOVED:*** *Cr S Kons****SECONDED:*** *Cr K Dorsey****“THAT the information be noted.”***

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

Against:

CARRIED UNANIMOUSLY

QUESTIONS ON NOTICE**AO004-23 QUESTION ON NOTICE - COMMUNITY AND SPORTING GROUPS
FACILITY IMPROVEMENTS****FILE NO:** 15/5/5, 23/406**PREVIOUS MIN:**

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

Could the GM outline the process for community and sporting groups to undertake to ensure that their desired upgrades/renovations/facility improvements are included for consideration in Council's upcoming budget deliberations.

COUNCILLOR'S COMMENTS

No comments provided.

GENERAL MANAGER'S COMMENTS

The primary opportunity by which community groups can ensure facility improvements can be included in Council's budget deliberations is through the Council's Community Grants program which launches for 2023-24 on 30 January. There is a specific grant category for Maintenance and Improvement Grants which provide funding up to \$10,000 for projects that improve a building or place used for community, artistic, cultural or sporting purposes. All community groups are encouraged to apply – applications close at midnight on 26 February 2023.

The advantage of this process is that it allows Council to capture all the demand for Council facility upgrades and to prioritise these within its budget process each year.

There are also facility and other user groups, for example the West Park Users Group, which meet on a semi-regular basis around the use and management of particular Council assets and these groups can also feed advice to Council officers for inclusion into budget deliberations.

Council has introduced a process where the draft budget is submitted for public exhibition each year. This provides the community with an additional opportunity to provide feedback and comment on the proposed Council expenditure for community assets.

RECOMMENDATION:

“THAT the information be noted.”

COUNCIL RESOLUTION

Resolution number: MO014-23

MOVED: *Cr A Keygan*

SECONDED: *Cr S Kons*

“THAT the information be noted.”

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

Against:

CARRIED UNANIMOUSLY

QUESTIONS ON NOTICE**AO005-23 QUESTION ON NOTICE - FINANCIAL POSITION, REEVE STREET
TOILETS, VANDALISM AND GRAFFITI****FILE NO:** 15/5/5, 23/1825**PREVIOUS MIN:**

THE GENERAL MANAGER referred to Councillor Trent Aitken's Questions on Notice which asked:

- 1) *There appears to be confusion in the community with regards to the councils financial position at the time of the election just gone in October, some councillors stated there were no need for rate rises whilst other councillors stated there was. Can the council please advise, at the time of the election did BCC owe anyone any money and what was the amount please?*
- 2) *The toilets on the Bass Highway known as the Reeve street toilets would have to be by far the worse toilets in Australia, They are situated above a sewerage tank, they stink, the smell is life changing for some people, they are vandalised on a regular basis, they cost the council a fortune in maintenance and cleaning and they are constantly putting Burnie in a bad light on social media. Now that these toilets have been duplicated 100 meters down the road, with more parking, better access and long vehicle parking still available on the highway. Can we please consider closing these toilets immediately?*
- 3) *Can council please advise approximately how vandalism and graffiti clean up has cost the council in the last financial year?*

COUNCILLOR'S COMMENTS

No comments provided

GENERAL MANAGER'S COMMENTS

- 1) Council's Financial Position

At 30 September 2022 in the midst of the local government election, there were a number of loans that remained outstanding as detailed below. The table outlines the current budgetary implications and those that are non-current that are payable in future years:

Loan Description	Start	Finish	Current vs Non Current	Budgetary impact
Fernglade Bridge \$1m - 4.63% interest (fixed)	30/6/2014	30/6/2024	Current Non-current	\$116,367 \$121,817
			Total loan owing	\$238,183
COVID-19 Concessional Loan \$10.4m – 1.83% interest (fixed)	26/6/2020	26/6/2030	Current Non-current	\$992,187 \$7,475,251
			Total loan owing	\$8,705,622

2) Reeve Street Toilets

Due to the timeframe in which the question was received and the preparation of the Council Meeting Agenda, there was not enough time to inspect and provide a response to this question before the finalisation of the Agenda. The General Manager will provide a written response to this question.

3) The total cost to Council of vandalism and graffiti clean-up for the 2021/2022 financial year was \$40,964.

RECOMMENDATION:

“THAT the information be noted.”

COUNCIL RESOLUTION

Resolution number: MO015-23

MOVED: Cr T Aitken

SECONDED: Cr K Dorsey

“THAT the information be noted.”

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

Against:

CARRIED UNANIMOUSLY

MOTIONS ON NOTICE**AO006-23 MOTION ON NOTICE - HORSESHOE BEND REPAIR OR REPLACEMENT****FILE NO: 15/5/2, 23/401****PREVIOUS MIN:**

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

“THAT Council:

- 1) As a matter of urgency Council determine at this meeting to alter the Budget estimates and allocate funds to commence the design process for the repair or replacement of the road known as Horseshoe bend.***
- 2) That Council allow to the end of February for the full design process to be completed.***
- 3) That the construction of the road be tendered for in early March with work to commence by the start of April.”***

COUNCILLOR’S COMMENTS**REASONS FOR THE URGENT MOTION**

This road we are now aware needs urgent attention, and the repair, reconstruction or renewal needs to happen before the bad weather sets in again during the 2023 year.

The residents of the area and other users need to be made comfortable that Council is treating their amenity with serious concern and that the work needs to be done to ensure the safety of the road users.

GENERAL MANAGER’S COMMENTS

A great deal of work has been completed since the weather event in October 2022.

Other than opening one lane of Upper Natone Road (Horseshoe bend) to allow the passage of vehicles up to a five tonne weight limit, Engineers have been gathering and evaluating data through a range of monitoring and measuring techniques.

Information received to date indicates that the slip plane extends under Upper Natone Road to a depth ranging between 1m to 4m. Monitoring holes have been drilled to a depth of 10.4m without encountering bed rock. The ground has moved 1.5m vertically along the western bank of Paton Creek.

A number of remediation options for Upper Natone Road (Horseshoe bend) are currently being evaluated as well as options for moving a portion of Upper Natone Road to an entirely new location.

A great deal of drainage work will be required to direct water from any future weather event away from the current road. The required drainage work will require consent from current landowners for access to their property and permission to install permanent drains on their property.

Rebuilding the road in its current location will require major civil construction work, including extensive batter work on current easements (again requiring landowner consent) the placement of gabion baskets and the installation of concrete piers.

Given that the area is in an active slip area, future land movement cannot be ruled out, completion of the work suggested could significantly reduce the impact of any future damage to the road in that area.

There are currently three other routes being evaluated based on community feedback and engineering investigation.

Route 1 – follow the existing power line easement

Potential advantages

- Can follow an existing track route.

Potential disadvantages

- This route is impacted by two mapped landslide areas by MRT, meaning similar issues experienced on Upper Natone Road can be expected.
- Road will be in shade for long periods causing potential ice hazards.
- Southern crossing over Paton Creek will be subject to a study from the conservation of freshwater ecosystem values (CFEV) program.
- Will require land acquisitions for a new road reserve.

Route 2 – follow the existing Telstra easement

Potential advantages

- Is on the eastern side of the hill providing longest exposure to sunlight.
- No known landslip issues have been mapped by MRT.

Potential disadvantages

- Watercourse issues and crossings.
- Slope stability will need to be tested by geotechnical works to confirm route won't experience similar issues on Upper Natone Road.

- Final southern section slope is around 200m long and has a grade of 50% or a 1m vertical step for every 2m across. The steepest road in Burnie is around 25%.
- Southern crossing over Paton Creek will be subject to a study from the conservation of freshwater ecosystem values (CFEV) program.
- Will require land acquisitions for a new road reserve.

Route 3 – potential new route

Potential advantages

- Could avoid all mapped landslip areas.
- Upgrade of an existing road for sections.

Potential disadvantages

- Impacts many peoples' land.
- This route is impacted by two mapped landslide areas by MRT, meaning similar issues experienced on Upper Natone Road can be expected if current road reserve is followed.
- Long build period.
- Will require land acquisitions for a new road reserve.
- Full bypass of the current problem area approximate length 4.0km.

None of the potential remedial actions have as yet been fully cost evaluated.

The option to repair the existing road would, we believe, attract state funding under the current emergency recovery provisions.

None of the other potential options can be funded under the current emergency recovery funding provisions and separate funding from either State or Federal agencies would have to be applied for.

Council officers are very aware of the impact the landslip event is having on the local community. Officers gave priority to getting one lane open for light traffic. Officers appreciate that this still inconveniences the community, however it is still not safe to fully open the road and allow resumption of full use.

The preferred option for resolution of this landslip event to allow for normal traffic movements is neither simple nor at this point in time, clear.

I recommend that Council officers continue to work with our expert Consultants to determine the best option for remediation of the landslip, which will be brought back to Council as soon as practicable.

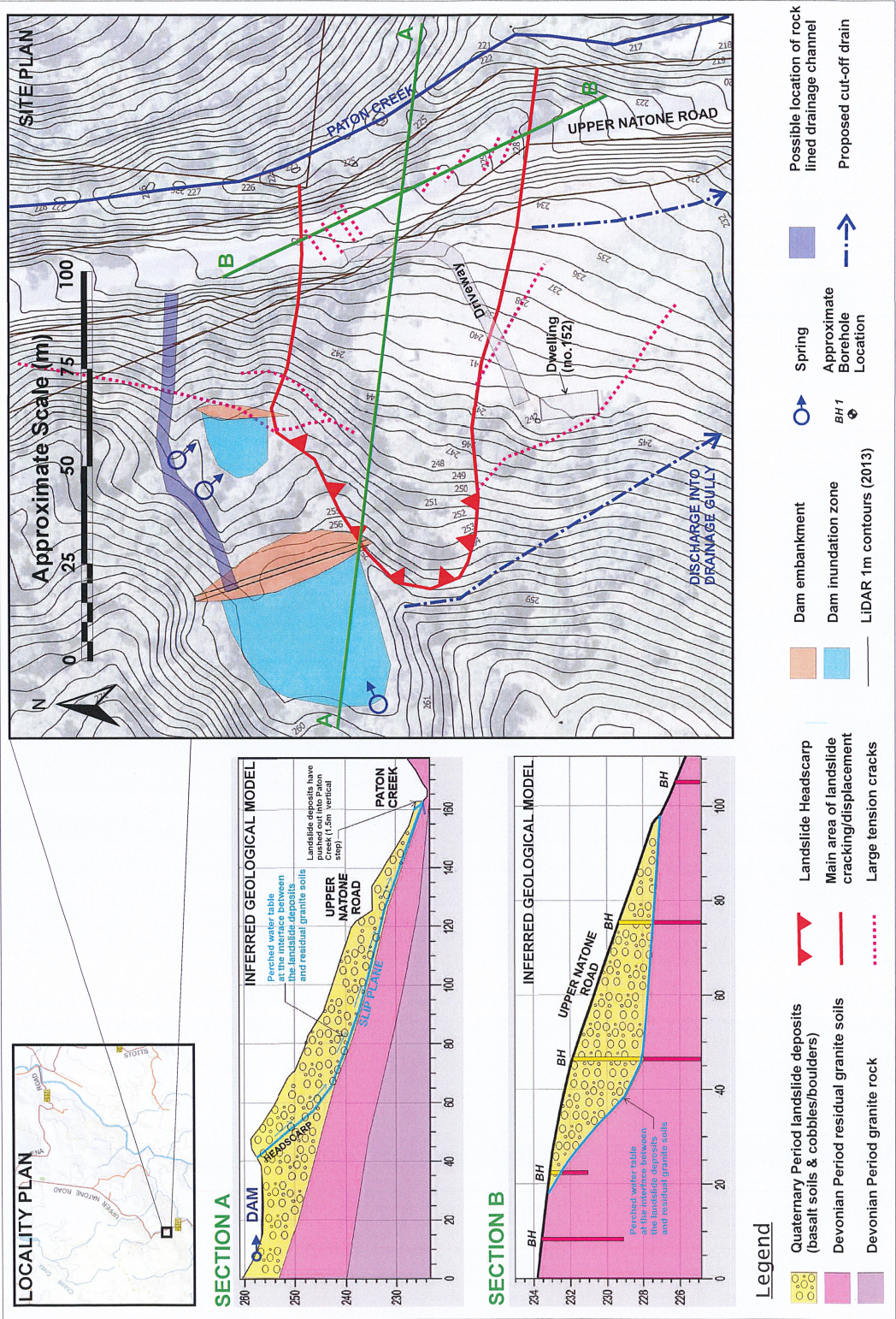
ATTACHMENTS

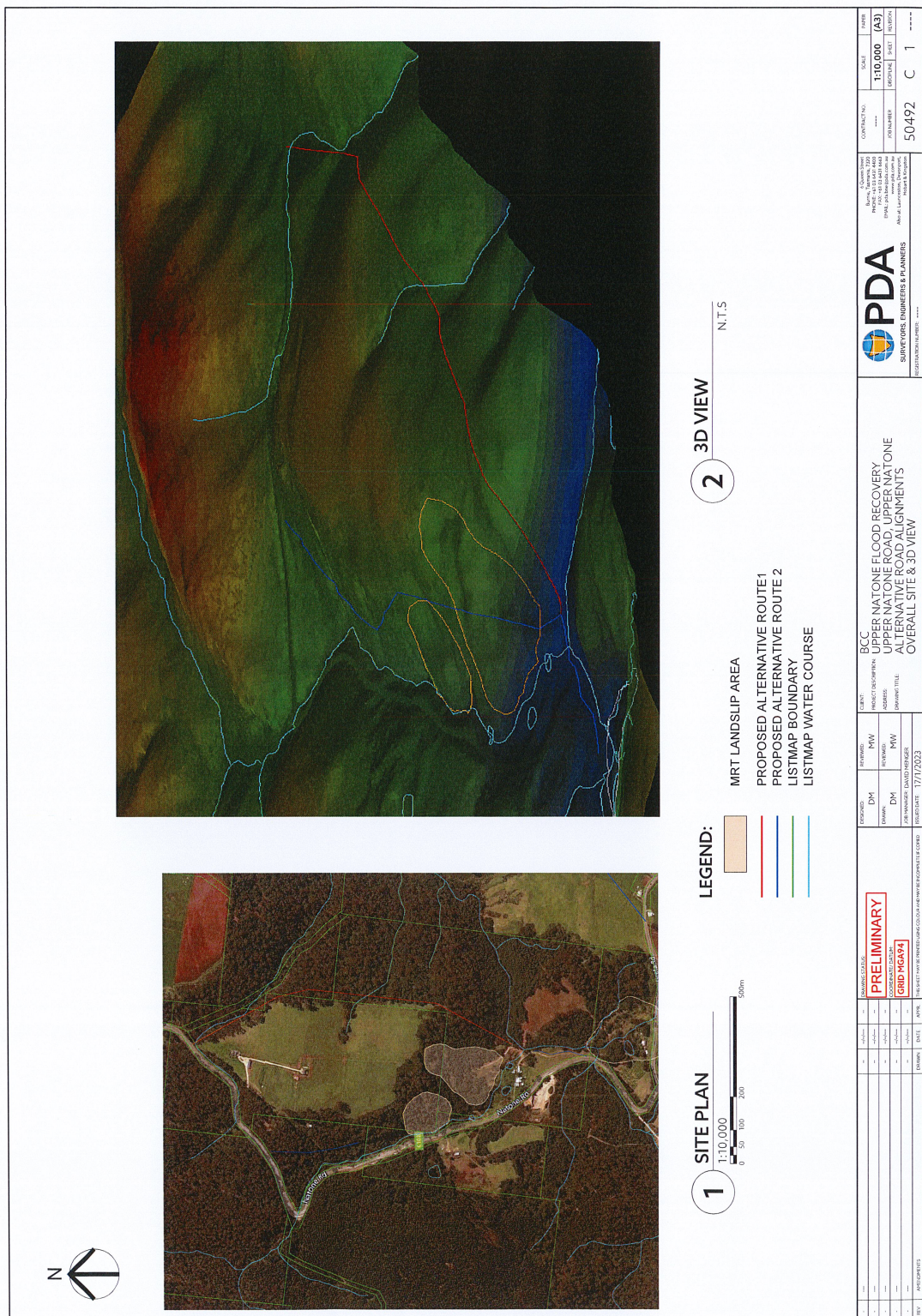
1 [!\[\]\(4f6bf54ae7e4144a72d78316053e412d_img.jpg\)](#). Site Plans

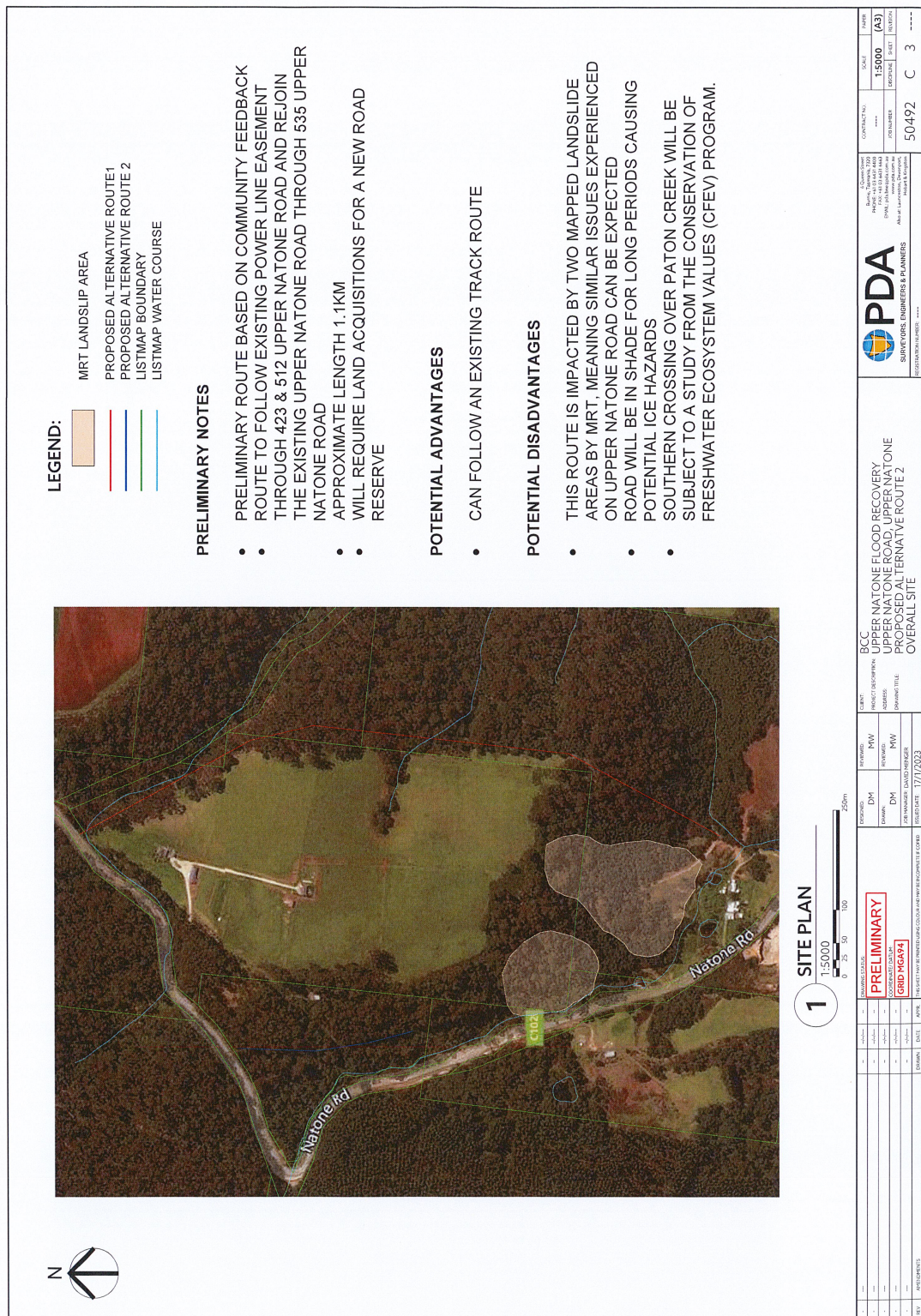
COUNCIL RESOLUTION**Resolution number: MO016-23****MOVED:** Cr S Kons**SECONDED:** Cr K Dorsey***“THAT Council:***

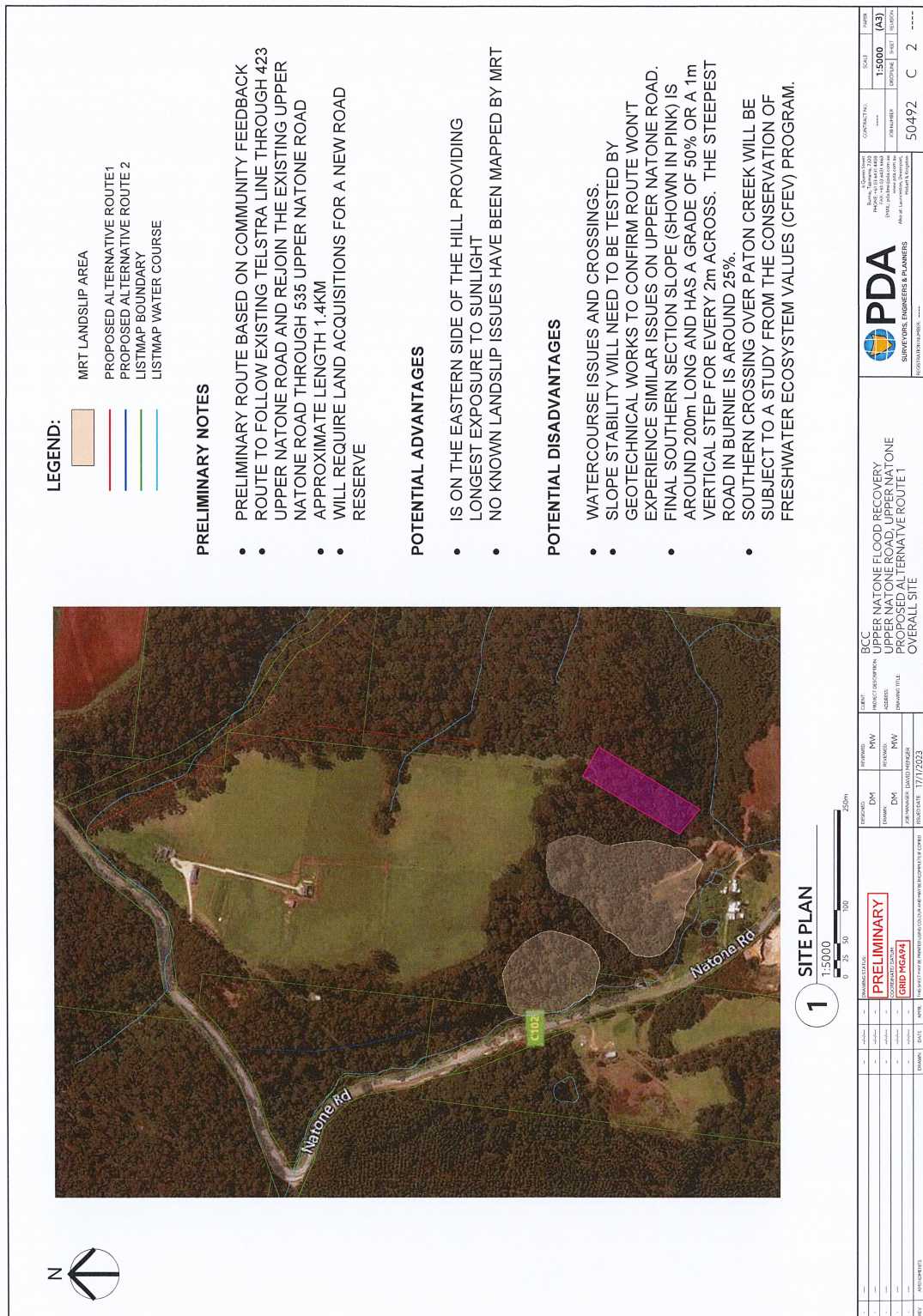
- 1) As a matter of urgency Council determine at this meeting to alter the Budget estimates and allocate funds to commence the design process for the repair or replacement of the road known as Horseshoe bend.***
- 2) That Council allow to the end of February for the full design process to be completed.***
- 3) That the construction of the road be tendered for in early March with work to commence by the start of April.”***

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

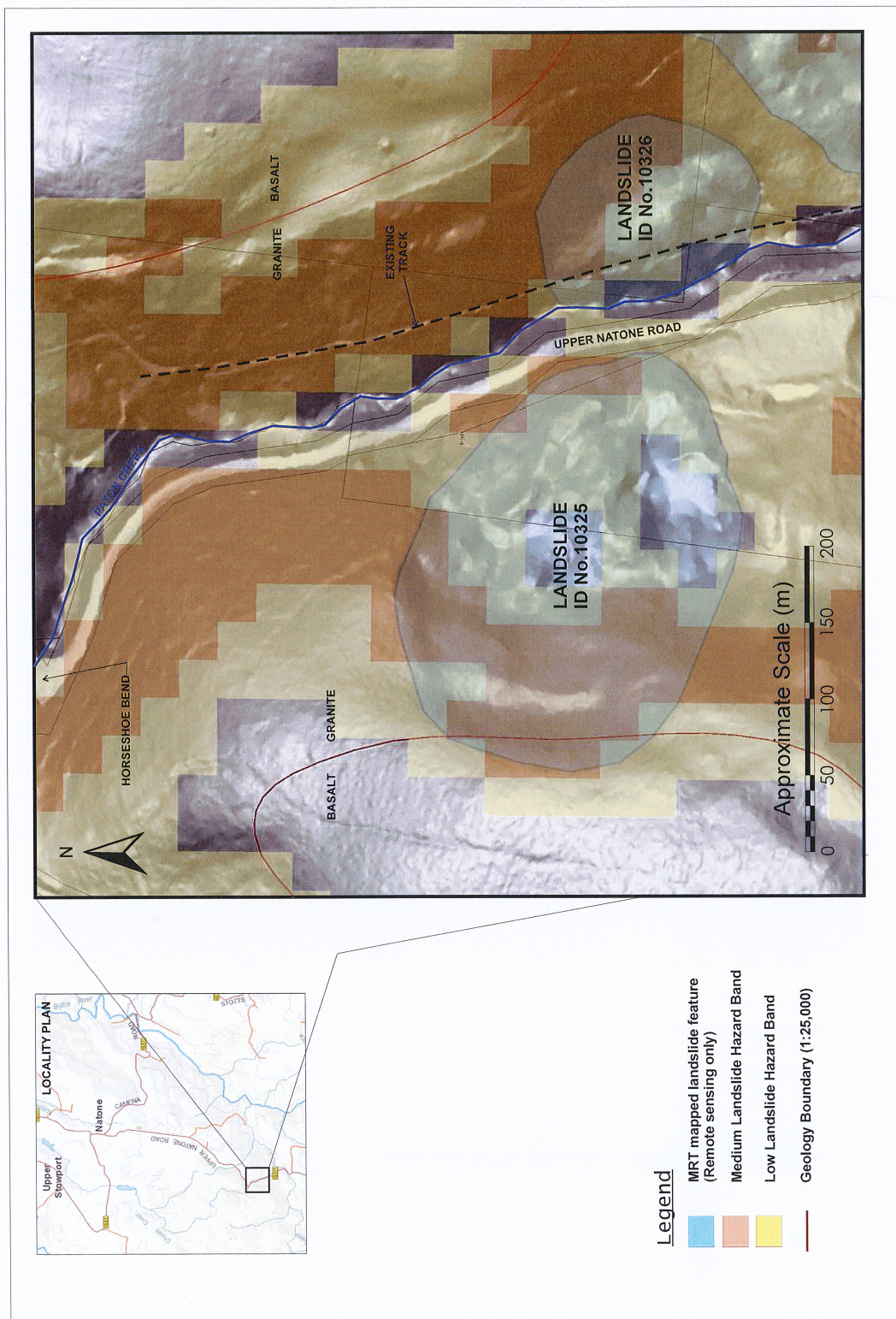












MOTIONS ON NOTICE**AO007-23 MOTION ON NOTICE - RECOGNITION OF CORPORAL CAMERON BAIRD DRIVE**

FILE NO: 15/5/2, 23/410

PREVIOUS MIN:

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

“THAT Council apply to the Nomenclature Board for the naming of the internal drive at the Burnie Park to be named:

***CORPORAL CAMERON BAIRD DRIVE or
CAMERON BAIRD DRIVE***

to Honour our fallen local Hero and Victoria Cross recipient Corporate Cameron Stewart Baird VC, MG.”

COUNCILLOR’S COMMENTS

Council should recognise this local war hero who lost his life in pursuit of our freedom and peace around the world in service to our country.

Cameron Stewart Baird, VC, MG was born in Burnie, a soldier in the Australian Army who was posthumously awarded the Victoria Cross for Australia, the highest award in the Australian honours system. Baird was the fourth person to receive the Victoria Cross for Australia during Operation Slipper.

To Honour a locally born war Hero.

GENERAL MANAGER’S COMMENTS

Council officers can progress an application to the Nomenclature Board if Council so resolves.

COUNCIL RESOLUTION**Resolution number: MO017-23****MOVED:** *Cr J Grave***SECONDED:** *Cr T Aitken****“THAT Council apply to the Nomenclature Board for the naming of the internal drive at the Burnie Park to be named:******CORPORAL CAMERON BAIRD DRIVE or
CAMERON BAIRD DRIVE******to Honour our fallen local Hero and Victoria Cross recipient Corporate Cameron Stewart Baird VC, MG.”*****For:** Cr T Brumby, Cr T Aitken, Cr K Dorsey, Cr J Grave, Cr A Keygan, Cr S Kons, Cr C Lynch, Cr D Pease.**Against:*****CARRIED UNANIMOUSLY***

MOTIONS ON NOTICE**AO008-23 MOTION ON NOTICE - WORKING GROUP FOR PUBLIC EVENTS****FILE NO: 15/5/2, 23/483****PREVIOUS MIN:**

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

“THAT Council resolves to create a working group to examine and improve, how the council supports public events.”

COUNCILLOR’S COMMENTS

The current situation is not working. Despite there being community groups and individuals willing to curate public events and Council having funds available few, if any, events have eventuated. The working group’s role will be to examine why this is, with a view to ensuring that all efforts are being made to empower groups and individuals who wish to create outdoor events in our area. I propose that it consists of 3 councillors and 3 community members and relay any recommendations or suggestions to the General Manager. The working group should be given 12 months to do this work, with an extension to be negotiated if there is still more to do.

GENERAL MANAGER’S COMMENTS

Council resolved to move to an ‘outsourcing’ model for conducting public events in May 2021 as part of its decision to change the way some services are delivered. This new approach which now sees Council as a ‘funder’ and ‘enabler’ of events in partnership with event organisers, has been in full operation for about 12 months. During this time many successful events have been conducted such as the Burnie 10; 3,2,1 GO; and the recent SeaFM Christmas Parade. Council officers are continuing to refine the approach, but accepts there remains scope for improvement. Council encourages and welcomes feedback to aid improvements and to assist in reviewing the approach.

Having a working group involving community members and councillors may be a useful means of facilitating feedback from the community, provided the feedback is broad and representative of ‘community’ views, not segmented or captured by single or special interest groups. Being time limited is also important, because working groups tend to start with a clear focus and purpose but continue on past a useful life.

The proposal to review the working group model after 12 months is strongly supported and if there is not a clear justification for the working group continuing that it be ceased.

COUNCIL RESOLUTION**Resolution number: MO018-23****MOVED:** *Cr C Lynch***SECONDED:** *Cr D Pease****“THAT Council resolves to create a working group to examine and improve, how the council supports public events.”***

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

Against:

CARRIED UNANIMOUSLY

PUBLIC QUESTION TIME**AO009-23 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.

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 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

Neville Charles of Burnie:

- 1) *When will council commence repairs of Greta Road? Months have gone by and nil work undertaken. Not even close to good enough.***

The Mayor provided the following response:

This appears to have been caused by a washout from an overflowing drain and culvert, during a major storm event late last year.

The washout would more than likely have caused the road damage downhill from the culvert.

Repair work on Greta Road will commence in the next two weeks and will include:

- Repairing washed out drain and installing a geofabric or like to prevent future washouts.
- Upgrading and installing better catch pits/headwalls in V Drain.
- Upgrading road crossing culvert size and installing new head walls.

- Dig out and reinstate road to its current alignment.
- Patch seal.
- Clean up any batter slips.

While damaged, the road has remained open and useable throughout this time. Council resources have been heavily committed to resolving other more significant disruptions to our road network.

2) *Do council realise they are public servants and answerable to the public? - not the other way around. Not even close to good enough - deflate the egos and do what you were elected to do.*

The Mayor provided the following response:

In Regulation 31 of the Local Government (Meeting Procedures) Regulation, I am ruling this question out of order, as it is an inflammatory statement of opinion dressed up to be a question.

George Cuzner of Burnie:

1) *To the mayor of B.C.C.*

As stated from the councils own webpage.

"Rather than deliver events directly the Council is now a funder and enabler of events. This means that we want to partner with community groups and organisations so that we can provide funding and assistance, while our partner organisation takes charge on the arrangements."

With the cut off date for these events was 23 September 2022, has there been any communicated correspondence to the rate payers of our community about what events have been approved for the remainder of 2022 and 2023 ie: New Years Eve community event? If so when and where is this information displayed for public viewing?

And also if no one has appeared to have applied to do this event, then inform the community of Burnie that there is no NYE festivities/event (Nite on the Terrace) planned for Burnie.

As outlined below from council's Webpage.

*"EXPRESSIONS OF INTEREST
FOR MAJOR EVENTS*

Contact us Check out a few events we want to create this year

- *Regular Movie Club at the Cultural Centre*
- *A Big Day Out in Shorewell*
- *A family Christmas Parade*

- A New Years Eve community event
- A regular Friday Night bEATs Market
- An Australia Day community event
- International Women's Day event
- Easter Fun at Burnie Park

In return we can offer:

- Funding towards the event
- Assistance to help you create your event
- Where needed, mentoring in how to navigate any Council processes
- Promotion and advertising of your event to a wide audience

Please get in touch with us if you are interested in delivering any of these events - or you have your own ideas. Submit your Expression of Interest to events@burnie.tas.gov.au by Friday 23 September."

Looking for to your reply....

Thanks

The Mayor provided the following response:

Council resolved to move to an 'outsourcing' model for conducting public events in May 2021 as part of its decision to change the way some services are delivered. This new approach which now sees Council as a 'funder' and 'enabler' of events in partnership with event organisers, has been in full operation for about 12 months.

During this time many successful events have been conducted such as the Burnie 10; 3,2,1 GO; Easter Fun at Burnie Park and the recent SeaFM Christmas Parade. These events are advertised through Burnie City Council communication channels, like our website and social media platforms and by relevant community groups.

The expression of interest process you referred to in your question, will be conducted much earlier this year to provide longer-lead times for organisations to tender and organise events. This will also allow Council more time to look for alternative options in the situation where desired events are not tendered for. Again, Council will communicate the schedule of planned events as will organisations responsible for the running of them.

Burnie 10 is a good example of how this model can work with the Burnie Athletics Club and Epic Event Management partnering. The 2022 race was also the national 10km road race and attracted a high quality field of athletes from across Australia. Council wants to see this event continue to grow and is very confident in the organisations now running it.

Council understands there are some concerns and frustrations about some events that did not run last year, particularly around New Year's Eve and we will ensure, we will ensure, improvement. Council thanks you for your question as we encourage and welcome, particularly to the new group that Cr Lynch has instigated, feedback to aid improvements and to assist in reviewing the approach.

Ian Jones of Burnie:

1) *Can the Council provide an update on the status of repairs to roads damaged in recent floods? Specifically Oonah Road and Horseshoe Bend.*

The General Manager provided the following response:

Oonah Road West

Monitoring survey of this open section (one lane) have shown no movement.

It appears that the failure across these two sites have been caused by improper fill/compaction on the downhill lane.

Repair work to Oonah Road West will commence in the next few weeks and will include:

- Dig out and rebuild of the downhill lane to achieve suitable compaction in the fill.
- Excavate suitable V Drain on top side of road.
- Excavate and consolidate current drain to culvert.
- Reseal road.

Oonah Road East

Oonah Road East is a different story. It has sustained significant land movement and is still an active slip.

Investigation work in this area is still continuing to identify the best sustainable solution.

Potential options being considered:

- Retaining wall to hold the slip.
- Realign road uphill into the less impacted area.

Land acquisitions may be required, depending on solution.

We are still some way off identifying the most suitable solution for this part of Oonah Road and subsequently Oonah Road will be closed in to the near foreseeable future. In terms of long term upgrading of the road, that hasn't been considered. There would be some question about that, I think, given the damage to the road and amount of work it is going to take to restore it if possible.

Nathan Langley of Burnie:

- 1) Every local council has one in Tasmania, except Burnie. Motorcycles pass through Burnie to get to the west coast and what would be ideal and encourage that part of tourism to come to the Burnie CBD is on street motorcycle parking. Every council has made it work. In one section of on street motorcycle parking you can park 5 bikes and take up only the room of a car park. They are not registered or licenced the same as a car but we get scoffed at for taking up car parks by car owners. The council has a very easy solution, follow in line with literally the rest of the state and provide on street motorcycle parking. My question is: why doesn't the council go in line with the rest of the state and provide this type of parking??**

The Mayor provided the following response:

The issue of CBD parking for motor cycles was subject to substantial deliberations by Council in 2019. The outcome of those deliberations was to provide dedicated motor cycle parking spaces within the Multi-Storey Car Park, along with several identified for motorbike parking along the foreshore, and this continues to be the situation. Council has no current plan to review this arrangement.

Brian Armstrong of Burnie:

- 1) Fernglade, once the pride of Burnie, now needs a good clean. Area in general needs good tidy up for visitors. Dam wall spillway has more damage after recent floods. This was raised some time back. If there is a failure of wall, this will impact on this area. (Clean up of city suburbs in general is needed).**

The General Manager provided the following response:

The way the question was submitted was more of a statement than a question. We are happy to take on board your feedback and look at issues you have raised.

- 2) Cruise Ships. Does the city receive any plaques from visiting vessels. If so would it not be a thing people of Burnie might like to look at. Put on display so people can see what vessels have visited, eg amounts of visits and times, and maybe some stats on vessels. (Alwyn Boyd – should we approach Alwyn and make him an ambassador for greeting ships?)**

The Mayor provided the following response:

Thank you for your question. Burnie City Council is presented with a plaque from each cruise ship on its maiden visit to Burnie. The plaques are on display in the area immediately outside the Council Chamber so you can look at them as you leave here tonight. In fact I recently attended, only a couple of weeks ago, a maiden voyage for one of the cruise ships and we exchanged those plaques. And you might note Alwyn Boyd is one of our ambassadors down there working as a volunteer for the cruise ships.

QUESTIONS WITHOUT NOTICE**AO010-23 QUESTIONS WITHOUT NOTICE****FILE NO: 15/5/5**

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 AO011-23 and AO012-23 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**AO011-23 COUNCIL DELEGATIONS - LAND USE PLANNING (ACTING GENERAL MANAGER)**

FILE NO: 15/2/5

PREVIOUS MIN:

1.0 RECOMMENDATION:

“THAT Council as a Planning Authority, in accordance with Section 6 of the Land Use Planning and Approvals Act 1993, delegate the following powers and functions with conditions and restrictions as shown to Belinda Lynch (while ever Acting in the position of General Manager up to 31 January 2024, in accordance with Council resolution AO021-23 dated 31 January 2023.”

Provision	Function or Power	Condition or Restriction
s12	Authority to determine the status of an existing use or development	Nil
Part 2A – Tasmanian Planning Policies (TPPs)		
General	<p>In accordance with any decision of the planning authority to –</p> <ul style="list-style-type: none"> 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 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 <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"> 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; b) submit a representation under 12E(1) relating to a draft TPPs or a draft amendment to the TPPs; and c) represent the planning authority and to give evidence and make submissions 	Nil

	<p>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>	
Part 3 - State Planning Provisions (SPPs)		
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>authority to 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> <ul style="list-style-type: none"> 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; 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 	<p><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</p>
Part 3A - Local Planning Schedule (LPS)		
General	<p>In accordance with a decision of the planning authority to -</p> <ul style="list-style-type: none"> a) prepare a draft LPS under s35; b) indicate its views and opinions in relation to each representation received on a draft LPS; c) indicate its satisfaction that a draft LPS meets the criteria in s34; d) make recommendations in relation to how a draft LPS should be determined in accordance with s35F; and e) conduct and respond on a review of the LPS <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"> a) prepare the required documentation for a draft LPS; b) submit the draft LPS to the Tasmanian Planning Commission (TPC) under s35(1); c) make any modifications to the draft LPS which may be instructed by the TPC under s35(5)(b); d) give notice under s35C of the exhibition of a 	Nil

	<p>draft LPS, including for any instruction issued by the TPC under s35B;</p> <p>e) undertake exhibition of the draft LPS in accordance with s35D;</p> <p>f) provide a report to the TPC in accordance with s35F in relation to the planning authority's –</p> <p>i. views and opinions on each representation received during the exhibition period;</p> <p>ii. compliance to s34; and</p> <p>iii. recommendations on how the draft LPS should be determined;</p> <p>g) prepare and submit any modifications required by the TPC to a draft LPS in accordance with s35K;</p> <p>h) give notice in accordance with s35M(2) of the approval of the LPS;</p> <p>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</p>	
s35H	<p>Authority to –</p> <p>a) represent the planning authority and to give evidence and make submissions before any hearing conducted by the Tasmanian Planning Commission;</p> <p>b) agree to minor modifications to clarify purpose or operation of a LPS or to correct draft errors; and</p> <p>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</p>	<p><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</p>
Part 3B - Amendment of the Local Planning Schedule (LPS)		
General	<p>In accordance with a decision of the planning authority in relation to –</p> <p>a) preparation of a draft amendment to the LPS under s38 or 40D;</p> <p>b) preparation of a draft amendment under s38 and a draft permit under s40Y; and</p>	Nil

	<p>c) its views and opinions in relation to each representation received on a draft LPS and on any draft permit;</p> <p>d) its satisfaction that the draft LPS meets the criteria in s34; and</p> <p>e) recommendations in relation to how the draft LPS should be determined in accordance with s35F;</p> <p>authority to undertake the processes and tasks required to carry out the responsibilities of a planning authority, including to –</p> <p>a) give notice in accordance with s38(3) of a decision in relation to a request to initiate a draft amendment to the LPS;</p> <p>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;</p> <p>c) request additional information under s40 and s40U;</p> <p>d) provide any material requested by the TPC in accordance with s40A, 40B, or 40V;</p> <p>e) prepare the draft LPS amendment documents;</p> <p>f) certify a draft amendment to the LPS in accordance with s40F;</p> <p>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;</p> <p>h) undertake exhibition of the draft amendment to the LPS in accordance with s40H, and including any permit application approved under 40Y;</p> <p>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;</p>	
--	--	--

	<ul style="list-style-type: none"> 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"> i. views and opinions on each representation received during the exhibition period; ii. compliance to s34; and iii. its recommendations on how the draft LPS or the permit application under 40T should be determined; k) make modifications to a draft LPS amendment if instructed by the TPC in accordance with s40O or 40P; l) re-exhibit a modified draft amendment to the LPS under s40G and 40H if instructed by TPC in accordance with s40P; m) give notice of an approved amendment to the LPS in accordance with s40S; n) grant an extension of time under s42C for a permit granted under s42B; o) correct a mistake under s42D in a permit granted under s42B; and p) make minor amendments in accordance with s43 to a permit granted under s42B 	
s40L	<p>Authority to –</p> <ul style="list-style-type: none"> a) represent the planning authority and to give evidence and make submissions before any hearing conducted by the Tasmanian Planning Commission; b) agree to minor modifications to clarify purpose or operation of a LPS amendment or to correct draft errors; and 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 	<p><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</p>
Part 4 - Enforcement of Planning Controls		

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"> 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; 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; c) under s48A to require the removal of a sign; d) give such advice, consultation, referral or notification required under this Part; 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"> i. is contrary to the requirements of a State Policy or a planning scheme; ii. is an obstruction of a planning scheme or planning process; iii. seeks to obtain a permit by wilfully making or causing to be made a false representation or declaration; or iv. is a breach of a condition or restriction on a permit f) to serve notices and other documents in accordance with s84 	Nil
	<p>Authority to –</p> <ul style="list-style-type: none"> 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. b) to engage in mediation conducted by the TASCAT and to sign any consent agreement resulting from mediation which is within the 	<p><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</p>

	power of a planning authority and which will achieve a lawful resolution of an appeal; 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	<p>If -</p> <ul style="list-style-type: none"> a) the proposed use or development complies with all applicable provisions of the planning scheme and other regulation; and 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	<p>If</p> <ul style="list-style-type: none"> 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	<p>If –</p> <ul style="list-style-type: none"> 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

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
s60ZJ(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	Nil

	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	
S60ZZC(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
Transitional Arrangements		
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</i>	In accordance with the qualifications which apply under this instrument of delegation for the equivalent provision within

	<p><i>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 –</p> <ul style="list-style-type: none"> 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> 	<p>LUPAA after the commencement the <i>Land Use Planning and Approvals (Tasmanian Planning Scheme) Act 2015</i></p>
--	---	---

2.0 EXECUTIVE SUMMARY

Purpose and Background

This report provides for the relevant General Manager delegation under the *Land Use Planning and Approvals Act 1993* (LUPAA), to match the next appointment of an Acting General Manager for the coming year, 1 February 2023 to 31 January 2024.

Key Issues

A separate report in this agenda addresses the appointment of an Acting General Manager for the coming year period. This separate report is required because LUPAA delegations must be to a person, and the delegation recommendation is very specific. Both reports ensure that the Acting General Manager will have continuity of powers and functions while acting in the role.

3.0 SUPPORTING INFORMATION

Strategic Alignment

This report relates to the Council Plan Enabler, Our People by ensuring the valid delegation of LUPAA powers and functions to a person while acting in the role of General Manager, in order to support to the effective continuity of day to day functions.

Legal

Powers and functions under LUPAA are vested directly in Council as a Planning Authority. Section 6 of the Act provides that the Planning Authority may delegate its powers to a person employed by the council directly.

Delegations issued in writing are a legal instrument and may be required as judicial evidence, to demonstrate the validity of a person's power to take a particular action.

The *Local Government Act 1993* requires a register of delegations to be kept and be available for inspection. The General Manager's Delegations are published on Council's website.

Finance

There are no financial impacts resulting from this report.

Relation to Council Policy

There are no Council policies relating to this report.

Discussion

Council undertook a detailed review of its delegations under LUPAA in May 2023. This report provides the same delegation to the person proposed as the Acting General Manager for the coming one year period.

The delegation only applies while acting in the role, and matches the later report in this Agenda to appoint an Acting General Manager for the period 1 February 2023 to 31 January 2024.

Health and Safety

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

Risk

There can be a significant risk to Council if delegations are not valid and maintained effectively. The risk is primarily around the exercise of powers through statutory decisions or actions which may be rendered invalid if it is not supported by a correct and current delegation. This is most important in matters such as Land Use Planning, Building Act permits or decisions, and matters which may have a judicial review element.

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.

COUNCIL RESOLUTION

Resolution number: MO019-23

MOVED: Cr C Lynch**SECONDED:** Cr A Keygan

“THAT Council as a Planning Authority, in accordance with Section 6 of the Land Use Planning and Approvals Act 1993, delegate the following powers and functions with conditions and restrictions as shown to Belinda Lynch (while ever Acting in the position of General Manager up to 31 January 2024, in accordance with Council resolution AO021-23 dated 31 January 2023.”

Provision	Function or Power	Condition or Restriction
s12	Authority to determine the status of an existing use or development	Nil
Part 2A – Tasmanian Planning Policies (TPPs)		
General	<p>In accordance with any decision of the planning authority to –</p> <ul style="list-style-type: none"> 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 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 <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"> 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; b) submit a representation under 12E(1) relating to a draft TPPs or a draft amendment to the TPPs; and 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 	Nil

	<p>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>	
Part 3 - State Planning Provisions (SPPs)		
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>authority to 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</p>	<p><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</p>

	<p>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> <p>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</p>	<p>written advice or recommendation of the Director</p>	
Part 3A - Local Planning Schedule (LPS)			
General	<p>In accordance with a decision of the planning authority to -</p> <p>a) prepare a draft LPS under s35;</p> <p>b) indicate its views and opinions in relation to each representation received on a draft LPS;</p> <p>c) indicate its satisfaction that a draft LPS meets the criteria in s34;</p> <p>d) make recommendations in relation to how a draft LPS should be determined in accordance with s35F; and</p> <p>e) conduct and respond on a review of the LPS</p> <p>authority to undertake the processes and tasks required to carry out the responsibilities of a planning authority, including to –</p> <p>a) prepare the required documentation for a draft LPS;</p> <p>b) submit the draft LPS to the Tasmanian Planning Commission (TPC) under s35(1);</p> <p>c) make any modifications to the draft LPS which may be instructed by the TPC under s35(5)(b);</p> <p>d) give notice under s35C of the exhibition of a draft LPS, including for any instruction issued by the TPC under s35B;</p> <p>e) undertake exhibition of the draft LPS in</p>	<p>Nil</p>	

		<p>accordance with s35D;</p> <p>f) provide a report to the TPC in accordance with s35F in relation to the planning authority's –</p> <p>i. views and opinions on each representation received during the exhibition period;</p> <p>ii. compliance to s34; and</p> <p>iii. recommendations on how the draft LPS should be determined;</p> <p>g) prepare and submit any modifications required by the TPC to a draft LPS in accordance with s35K;</p> <p>h) give notice in accordance with s35M(2) of the approval of the LPS;</p> <p>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</p>		
	s35H	<p>Authority to –</p> <p>a) represent the planning authority and to give evidence and make submissions before any hearing conducted by the Tasmanian Planning Commission;</p> <p>b) agree to minor modifications to clarify purpose or operation of a LPS or to correct draft errors; and</p> <p>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</p>	<p><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</p>	
Part 3B - Amendment of the Local Planning Schedule (LPS)				
	General	<p>In accordance with a decision of the planning authority in relation to –</p> <p>a) preparation of a draft amendment to the LPS under s38 or 40D;</p> <p>b) preparation of a draft amendment under s38 and a draft permit under s40Y; and</p> <p>c) its views and opinions in relation to each representation received on a draft LPS</p>	Nil	

		<p>and on any draft permit;</p> <p>d) its satisfaction that the draft LPS meets the criteria in s34; and</p> <p>e) recommendations in relation to how the draft LPS should be determined in accordance with s35F;</p> <p>authority to undertake the processes and tasks required to carry out the responsibilities of a planning authority, including to –</p> <p>a) give notice in accordance with s38(3) of a decision in relation to a request to initiate a draft amendment to the LPS;</p> <p>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;</p> <p>c) request additional information under s40 and s40U;</p> <p>d) provide any material requested by the TPC in accordance with s40A, 40B, or 40V;</p> <p>e) prepare the draft LPS amendment documents;</p> <p>f) certify a draft amendment to the LPS in accordance with s40F;</p> <p>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;</p> <p>h) undertake exhibition of the draft amendment to the LPS in accordance with s40H, and including any permit application approved under 40Y;</p> <p>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;</p> <p>j) provide a report to the TPC in accordance with s40K and s42 in relation to the</p>		
--	--	--	--	--

		<p>planning authority's –</p> <ul style="list-style-type: none"> i. views and opinions on each representation received during the exhibition period; ii. compliance to s34; and iii. its recommendations on how the draft LPS or the permit application under 40T should be determined; <ul style="list-style-type: none"> k) make modifications to a draft LPS amendment if instructed by the TPC in accordance with s40O or 40P; l) re-exhibit a modified draft amendment to the LPS under s40G and 40H if instructed by TPC in accordance with s40P; m) give notice of an approved amendment to the LPS in accordance with s40S; n) grant an extension of time under s42C for a permit granted under s42B; o) correct a mistake under s42D in a permit granted under s42B; and p) make minor amendments in accordance with s43 to a permit granted under s42B 		
	s40L	<p>Authority to –</p> <ul style="list-style-type: none"> a) represent the planning authority and to give evidence and make submissions before any hearing conducted by the Tasmanian Planning Commission; b) agree to minor modifications to clarify purpose or operation of a LPS amendment or to correct draft errors; and 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 	<p><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</p>	
	Part 4 - Enforcement of Planning Controls			
	General	Authority to undertake the processes and tasks required to carry out the responsibilities of a	Nil	

		<p>planning authority, including to –</p> <ul style="list-style-type: none"> 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; 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; c) under s48A to require the removal of a sign; d) give such advice, consultation, referral or notification required under this Part; 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"> i. is contrary to the requirements of a State Policy or a planning scheme; ii. is an obstruction of a planning scheme or planning process; iii. seeks to obtain a permit by wilfully making or causing to be made a false representation or declaration; or iv. is a breach of a condition or restriction on a permit f) to serve notices and other documents in accordance with s84 		
		<p>Authority to –</p> <ul style="list-style-type: none"> 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. 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; 	<p><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</p>	

	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 -

			<ul style="list-style-type: none"> a) the proposed use or development complies with all applicable provisions of the planning scheme and other regulation; and 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		<p>If</p> <ul style="list-style-type: none"> 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		<p>If –</p> <ul style="list-style-type: none"> 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 	
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	Nil

	made a representation or been called by the TPC to appear	
S60ZZC(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
Transitional Arrangements		
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	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</i>

		<p>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 –</p> <ul style="list-style-type: none"> 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> 	<i>Approvals (Tasmanian Planning Scheme) Act 2015</i>	
--	--	---	---	--

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

Against:

CARRIED UNANIMOUSLY

PLANNING AUTHORITY**AO012-23 TASMANIAN PLANNING SCHEME
PERMIT APPLICATION DA 2022/129
35 VIEW ROAD, MONTELLO
ESTABLISH A RESIDENTIAL USE AND PROPOSED SINGLE
DWELLING**

FILE NO: DD001.2022.00000129.001
PREVIOUS MIN:

1.0 RECOMMENDATION:

“THAT Council in its role as a planning authority under the Land Use Planning and Approvals Act 1993 and in accordance with section 57 of the Act and Tasmanian Planning Scheme – State Planning Provision 6.8.1 determine to REFUSE grant of a permit to establish a residential use through the development of a single dwelling on land described on CT 72684/8 and located at 35 View Road, Montello for the reasons that –

- a) The application fails to achieve the performance criteria in relation to clause 8.4.2, P3 as the siting and scale of the dwelling will cause an unreasonable loss of amenity to an adjoining property due to the visual impacts caused by the apparent scale, bulk and proportions of the dwelling when viewed from an adjoining property; and*
- b) The application fails to achieve the performance criteria in relation to clause 8.4.6, P1 for the ground floor deck and first floor deck as there is no screening or design to minimise overlooking of a dwelling on an adjoining property or its private open space.”*

2.0 EXECUTIVE SUMMARY**Purpose and Background**

Application is made seeking grant of a permit under the *Land Use Planning and Approvals Act 1993* to establish a residential use through the development of a single dwelling on land described in CT 72684/8 and known as 35 View Road, Montello.

This report provides an assessment of the proposed development against the relevant requirements of the Tasmanian Planning Scheme, taking into consideration the matters contained in two representations received during the period the application was on exhibition under section 57 of the Act.

Key Issues

The application relies on performance criteria relating to portions of the dwelling outside of the building envelope, provision of private open space and privacy considerations between 33 and 35 View Road relating to the proposed ground floor and first floor decks.

3.0 SUPPORTING INFORMATION**Strategic Alignment**

This report relates to the Council Plan Enabler, Our People by ensuring Council remains compliant with all its statutory and regulatory obligations and contributes to the regulatory environment which affects our community.

Legal

There are no direct legal implications or legislative requirements for Council arising from the recommendation in this report.

Finance

There are no specific financial impacts associated with assessment and determination of a permit application.

There is likelihood if a decision on a permit application is appealed, that the planning authority will be responsible for the costs of representation and appearances before the Tasmanian Civil and Administrative Tribunal.

Relation to Council Policy

There are no Council policies relating to this report.

Discussion

The application contains detailed drawings, supporting information and a statement of justification. Refer to Attachments for further information.

Health and Safety

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

Risk

There is risk –

- a) The decision of a planning authority may be appealed if the applicant, or any person who has made a relevant representation during the exhibition period, is dissatisfied with the decision;

- b) The applicant or a third party may allege breach of procedural fairness in relation to the execution of one or more of the statutory processes applicable to assessment and determination of a permit application;
- c) The applicant will bring an action before the Tasmanian Administrative Appeals Tribunal (TASCAT) if the planning authority fails to make a decision within the relevant statutory timeframe, in which event the planning authority will be liable for the costs of all parties;
- d) A person may allege the planning authority has failed to exercise, or improperly exercised, a statutory power relating to assessment and determination of a permit application; or
- e) A person may allege a planning authority, or a person appointed or employed by a planning authority has engaged in improper conduct relating to assessment and determination of a permit application

A planning authority may minimise risk by –

- a) Determining a permit application by reference only to the information provided with the permit application or in any representation received during the exhibition period;
- b) Determining compliance by reference only to the regulatory provisions and processes which are relevant to the use or development described in the permit application;
- c) By remaining impartial, observe all relevant processes, and not indicating any position on the application until the matter is presented for decision;
- d) Not accept or invite any inducement relating to a decision on a permit application

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.

4.0 DETAIL

The land on CT 72684/8, known as 35 View Road, has an area of 919m² and is vacant land. All adjoining properties are developed with single dwellings.

The permit application proposes to establish a residential use, which is a No Permit Required use within the General Residential zone and develop a single dwelling.

The Tasmanian Planning Scheme – Burnie is the planning scheme in effect within the Burnie municipal area.

The State Planning Provisions (SPPs) are relevant for assessment and determination of the permit application.

The purpose of the General Residential zone is to provide for residential use or development for a range of dwelling types on land to which full infrastructure services are available.

A discretionary permit is required as the development relies on performance criteria in relation to three development standards.

There are no other scheme provisions which create need for a discretionary permit or which would prohibit the proposed use or development.

8.4 – Development Standards for Dwellings

The applicable General Residential zone development standards are –

8.4.2	Setbacks and building envelope for all dwellings
A1	Separation from a frontage is applicable; and is satisfied as the proposed dwelling is setback greater than 4.5m to View Road.
A2	Separation from a frontage for the attached garage is applicable; and is satisfied as the garage is setback greater than 5.5m to View Road.
P3	The acceptable solution requires containment of a dwelling within a building envelope as shown in the diagram below, and compliance to specific separation distances of a building from a side or rear boundary.

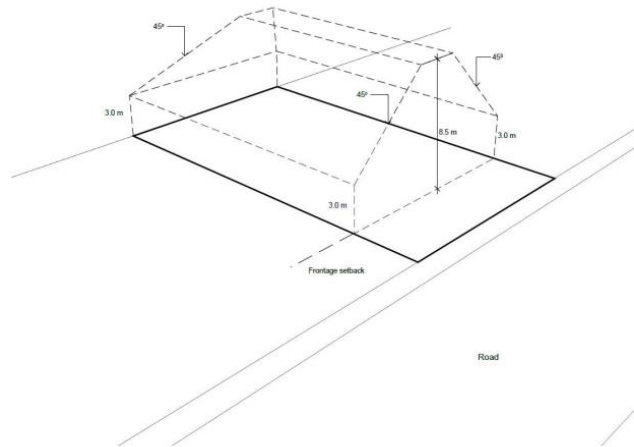


Figure 8.1 Building envelope as required by clause 8.4.2 A3(a) and clause 8.5.1 A2(a)

The proposed dwelling cannot comply with the requirements in 8.4.2 A3(a) as there are portions of the dwelling outside of the building envelope.

The application relies on the performance criteria in 8.4.2 P3.

P3 provides –

“The siting and scale of a dwelling must:

- a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:

 - i. reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;*
 - ii. overshadowing the private open space of a dwelling on an adjoining property;*
 - iii. overshadowing of an adjoining vacant property; or*
 - iv. visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property; and**
- b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and*
- c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on –

 - i. an adjoining property; or*
 - ii. another dwelling on the same site.”**

“Siting” refers to where a dwelling is located within land; and *“scale”* refers to the relative size or extent of a dwelling.

8.4.2 P3(a) and (b) are each relevant.

	<p>8.4.2 P3(c) is not relevant because there is no evidence of any existing solar energy installation on land adjoining or in the locality.</p> <p>The planning authority must consider whether the siting and scale of the proposed dwelling will <i>“cause an unreasonable loss of amenity to adjoining properties”</i> having regard to each of the considerations in P3(a)(i) to (iv).</p> <p>The SPPs defines <i>‘adjoining’</i> to mean <i>‘next to or having a common boundary with’</i>. The relevant land for purposes of the assessment is at 33 and 37 View Road and 20, 22 and 24 Morse Street.</p> <p><i>“Amenity”</i> is defined by the planning scheme to mean <i>“in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place or building harmonious, pleasant or enjoyable”</i>.</p> <p>The qualities, conditions and factors which make or contribute to the amenity of properties within this section of View Road and Morse Street may collectively be described as a location within a fully serviced and established low density residential area where lot size is similar, as is the form, scale and spacing of single dwelling development, albeit dwellings vary in age, design, form and material. There is no intrusion of non-residential use, and the nature of activity is domestic. Properties have reasonable proximity to education at Montello Primary and Burnie Primary Schools and Parklands High School and to shopping facilities within the Burnie CBD, and to public transport bus routes.</p> <p>Properties adjoining 35 View Road may be said to have a level of existing amenity consistent with and indistinguishable from that which prevails in the locality.</p> <p>It is unrealistic to expect that new and changed development within suburban areas may not be perceived to have some degree of adverse impact on the amenity of adjoining land.</p> <p>The term <i>‘unreasonable’</i> must be given its common usage meaning as an action or outcome not guided by or based on reason, good sense or sound judgement. An unreasonable loss may be identified as one that is contrary, irrational or perverse to the general purpose of the land use planning process and to the particular objectives for 8.4.2. Any <i>‘loss’</i> of amenity from damage, forfeiture, harm, hurt, or injury to a specified amenity factor must be <i>‘unreasonable’</i> as opposed to unwelcome.</p> <p>Whether the siting and scale of the proposed development on land at 35 View Road will result in -</p> <p>(a) An unreasonable loss of amenity must be determined by having regard to the following considerations.</p>
--	--

	<p>i. <u>Will there be a “reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property”?</u></p> <p>The overshadowing plans provided at 9:00am, 11:00am, 1:00pm and 3:00pm evidence that there is no reduction in sunlight to a habitable room of a dwelling on any adjoining property.</p> <p>June 21 is generally used to assess impact of shadow as it is the day on which the sun is at the lowest angle to the horizon, therefore the shadow will be most extensive for all times of the day.</p> <p>ii. <u>Will there be any increase in the extent or duration for “overshadowing the private open space of a dwelling on an adjoining property”?</u></p> <p>The overshadowing plans provided show some increase to overshadowing of the private open space to dwellings at 20, 22 and 24 Morse Street but the shadow is not sustained or unreasonable onto any of these properties.</p> <p>iii. <u>Will there be overshadowing of an adjoining vacant property?</u></p> <p>Not applicable, as all adjoining properties are developed with single dwellings.</p> <p>iv. <u>What are the “visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property”?</u></p> <p>The planning authority must considered whether the apparent or outward appearance or visual impact of the dwelling when viewed from adjoining properties will result in an unreasonable loss of amenity.</p> <p>The relevant adjoining properties are 33 and 37 View Road and 20, 22 and 24 Morse Street.</p> <ul style="list-style-type: none"> • <i>Scale</i> <p>In architecture, ‘scale’ refers to the size of something compared to a reference standard or to the size of something else.</p> <p>There is a mixture of both single and double storey dwellings in the locality, however directly adjoining properties at 33 and 37 View Road are both double storey with predominately single storey dwellings on properties adjoining with frontage onto Morse Street.</p> <p>The dwelling will be most apparent from land at 33 View Road to the north of the site and situated down slope.</p> <p>The length is consistent with the existing dwellings in the area, but the height of the proposed dwelling is not consistent with the existing</p>
--	--

	<p> dwellings in the area (excepting 33 View Road).</p> <p>The scale of the building is dominant, when viewed from land at 33 View Road and is substantially larger than the existing scale of the dwelling at 37 View Road and other adjoining properties, and is not consistent with the scale of other adjoining properties.</p> <ul style="list-style-type: none">• <i>Bulk</i> <p>In architecture, '<i>bulk</i>' commonly refers to the total amount of three-dimensional space occupied by a building.</p> <p>The length is 15.35m and variable height from 5.9m, 7.785m on the north-eastern corner and through to approximately 9.2m on the north-western corner due to the sloping nature of the site.</p> <p>The volume of the building, when viewed from land at 33 View Road is substantially larger than the existing bulk of the dwelling at 37 View Road and other adjoining properties, and is not consistent with the bulk of other adjoining properties.</p> <ul style="list-style-type: none">• <i>Proportion</i> <p>'<i>Proportion</i>' refers to the proper and harmonious relation of one part of a building to another part of that building or to the whole.</p> <p>The combination of the elevation of the site (due to the slope) and the height of the proposed dwelling, is such that when viewed from 33 View Road the proportion is not consistent with adjoining properties.</p> <p>The impact on the amenity or enjoyment of an adjoining property must be negative, measurable, and substantial in order to warrant refusal of a permit.</p> <p>The below images are supplied by the applicant to show the potential visual impacts when viewed from 33 View Road. These images are projections and are not actual images taken of 33 View Road.</p>
--	---

Appendix A – View Looking West from Living Area (33 View Road, Montello)



Figure 1

Appendix B – View Looking North-West from Living Area (33 View Road, Montello)



Figure 2

Appendix C – View from Existing Balcony Looking West



Figure 3

Council officers have attended the site and provide the following site photos –



Figure 4 – taken approximately 1m in from shared side boundary at 35 View Road looking north into 33 View Road's property



Figure 5 – slope at 35 View Road taken from access easement

The combination of the elevation of the site (due to slope) and the height of the proposed dwelling, is such that it will be visually dominant when viewed from 33 View Road.

The siting and scale of the dwelling will cause unreasonable loss of amenity to 33 View Road, through visual impacts caused by the apparent scale, bulk and proportions when viewed from the adjoining property at 33 View Road and must be refused.

The site and scale of the dwelling must:

(b) Provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area;

The proposed separation between adjoining dwellings is consistent with the existing established properties in the area, as there are a number of dwellings established up to side boundaries or within close proximity, including 33, 39 and 41 View Road and 16, 18, 22 and 24 Morse Street.

8.4.3	Site coverage and private open space for all dwellings
A1	Provision of sufficient area for outdoor recreation, opportunity for gardens and private open space; and is satisfied as the proposed site coverage is less than 50%.
P2	Provision of private open space to serve the dwelling. The proposed private open space cannot meet the acceptable solution as either deck does not meet the minimum horizontal dimensions and the external grounds cannot meet the gradient of not steeper than 1:10.

	<p>The application relies on the performance criteria in 8.4.3 P2.</p> <p>P2 provides –</p> <p><i>A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:</i></p> <p>(a) <i>conveniently located in relation to a living area of the dwelling; and</i> (b) <i>orientated to take advantage of sunlight.</i></p> <p>The application provides three separate areas of private open space, with the first floor deck, providing for an extension of the dwelling from a living area; the ground floor deck and the external grounds all provide for outdoor relaxation, entertaining and children's play. All private open space areas are north facing.</p>
--	--

8.4.4	Sunlight to private open space of multiple dwellings
A1	Not applicable, as the permit application is for a single dwelling.

8.4.5	Width of openings for garages and carports for all dwellings
A1	Not applicable, as the garage is setback greater than 12m from View Road.

8.4.6	Privacy for all dwellings
P1	<p>Provision of reasonable opportunity for privacy for dwellings. The proposed dwelling has two deck's with finished floor levels of greater than 1m and are within 3m to a side boundary.</p> <p>The application relies on the performance criteria in 8.4.6 P1.</p> <p>P1 provides –</p> <p><i>A balcony, deck, roof terrace, parking space or carport for a dwelling (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1 m above existing ground level, <u>must be screened, or otherwise designed</u>, to minimise overlooking of:</i></p> <p>(a) <i>a dwelling on an adjoining property or its private open space; or</i> (b) <i>another dwelling on the same site or its private open space.</i></p> <p>The application has detailed that -</p> <p><i>"The current position of the proposed dwelling has been situated to maximise the existing views and solar gain into the main living space. Due to the constraints of the topography and narrow width of the property it is extremely difficult to situate a dwelling that will not create overlooking to an adjoining property. As reflected</i></p>

	<p><i>on the attached site plan the adjoining area that will be impacted by the reduction in setback of the proposed deck and windows is a driveway ramp located at 33 View Road, Montello. It should also be noted that the existing room closest to the proposed dwelling is a carport, not a habitable room."</i></p> <p>The application fails to provide any screening or design mitigation to minimise overlooking. This is a mandatory component of the performance criteria. The application must be refused.</p>
A2	<p>Provision of reasonable opportunity for privacy for dwellings. There are number of windows and glazed doors to habitable rooms (on the northern elevation) on the ground floor and first floor that have a finished floor level of greater than 1m and are setback less than 3m to the side boundary. However the standard is satisfied as these windows and glazed doors are offset in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling.</p>

8.4.7	Frontage fences for all dwellings
P1	Not applicable, as the permit application does not include frontage fences.

8.4.8	Waste storage for multiple dwellings
A1	Not applicable, as the permit application is for a single dwelling.

CODES

The only applicable Code is C2.0 which is applicable to all use and development.

The development complies with the requirement in C2.5.1 A1 for provision of two parking space for a single dwelling (Residential use).

REPRESENTATION

SPP 6.10.1 requires a decision on a permit application must take into consideration all applicable standards and requirements in the planning scheme, and any representation made during the exhibition period which is relevant to the discretion to be exercised.

There were two representations received during the exhibition period from adjoining properties at 33 View Road and 24 Morse Street, Montello.

A copy of the representations are attached.

1. Janet Pickering – 24 Morse Street

Concerns raised –

- Replacement of boundary fence – fence height to remain the same timber overlap – shared cost as agreed with owner;

- Landscaping in the future – please can I ask that there is consideration of any plant's height along the boundary fence in the NW direction; and
- Ensuite window on first floor – window plan details the ensuite windows as “CLR” – can you please consider opaque for privacy.

Comments

The matters raised regarding replacement of boundary fencing and landscaping are not matters that the Tasmanian Planning Scheme manages. These are matters outside of the planning authority's control and would need to be managed between both property owners.

An ensuite is a non-habitable room and does not trigger any privacy considerations under the Tasmanian Planning Scheme. This is a matter outside of the planning authority's control and would need to be managed between both property owners.

2. Greg Doherty – 33 View Road

Concerns raised –

- The building is outside of the allowable building envelope and does not comply with the relevant performance criteria 8.4.2;
- Privacy concerns as the verandas on the first and second floor utilise clear glass balustrading and there is no attempt to provide screening on the northern face to mitigate overlooking and privacy issues;
- Geotechnical risk created by construction, and construction above a retaining wall structure and natural hazards exacerbated by development;
- The application fails to meet 6.1.3(b) with regard to natural hazards and proposed roads and driveways; and
- The application fails to accurately describe access to the property across the easement and management of the hydrology/surface water runoff.

Comments

The matters raised regarding the dwelling being outside of the building envelope and privacy are valid concerns. The assessment by Council officers against both clause 8.4.2, P3 and 8.4.6, P1 in the body of this report have concluded that the permit application does not achieve the performance criteria for both 8.4.2, P3 and 8.4.6, P1 and that the application must be refused on these grounds.

Almost the entirety of the site is identified as low landslip hazard, however the development is exempt from the Code in accordance with clause C15.4.1 (d) of C15.0 Landslip Hazard Code. In this instance any geotechnical matters are controlled and managed under the *Building Act 2016* with the assessment and issuance of plumbing and building approvals.

The statement that the application fails to meet clause 6.1.3 (b) is not correct. Clause 6.1.3 guides the planning authority on matters that may be requested as further or additional information in order to enable it to consider an application.

The use and maintenance of a right of way for vehicular access is not a matter that the Tasmanian Planning Scheme manages. This is a matter outside of the planning authority's control and would need to be managed between the relevant property owners.

ATTACHMENTS

1. Complete Permit Application
2. Representation - J Pickering
3. Representation - G Doherty
4. Extension of time

COUNCIL RESOLUTION

Resolution number: MO020-23

MOVED: Cr A Keygan

SECONDED: Cr K Dorsey

"THAT Council in its role as a planning authority under the Land Use Planning and Approvals Act 1993 and in accordance with section 57 of the Act and Tasmanian Planning Scheme – State Planning Provision 6.8.1 determine to REFUSE grant of a permit to establish a residential use through the development of a single dwelling on land described on CT 72684/8 and located at 35 View Road, Montello for the reasons that –

- a) The application fails to achieve the performance criteria in relation to clause 8.4.2, P3 as the siting and scale of the dwelling will cause an unreasonable loss of amenity to an adjoining property due to the visual impacts caused by the apparent scale, bulk and proportions of the dwelling when viewed from an adjoining property; and***
- b) The application fails to achieve the performance criteria in relation to clause 8.4.6, P1 for the ground floor deck and first floor deck as there is no screening or design to minimise overlooking of a dwelling on an adjoining property or its private open space."***

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

Against:

CARRIED UNANIMOUSLY

BURNIE CITY COUNCIL
PO Box 973, BURNIE, TASMANIA 7320.
Ph : (03) 6430 5700
Email : burnie@burnie.net

**Land Use Planning and Approvals Act 1993****Tasmanian Planning Scheme****PERMIT APPLICATION****Office use only**

Application No _____

Date Received _____

Permit Pathway - Permitted/Discretionary

Use or Development Site:

Street Address

35 VIEW ROAD, MONTELLO

Certificate of
Title Reference

PID6153649, TITLE REF 72684/8

Applicant

First Name

Nicholas

Second

Name

Surname

Brandsema

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

Craig Smith & Lisa Smith

Second
Name

Surname

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

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

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

Clause 6.2 Tasmanian Planning Scheme provides the use classes by which all use or development must be described. Development must be categorised by reference to the use class it is to serve.

b) *Required Information*

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

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

Section 51(1AC) *Land Use Planning and Approvals Act 1993* provides that a permit application is not valid unless it includes all of the information required by a planning scheme. Clause 6.1 Tasmanian Planning Scheme prescribes the minimum information that is necessary in order to complete a valid permit application.

Section 54 *Land Use Planning and Approvals Act 1993* provides that the planning authority may require the applicant to supply further information before it considers a permit application. If the planning authority requires further information to more particularly address one or more of the applicable requirements of the Tasmanian Planning Scheme, the statutory period for determination of a permit application does not run until that information is answered to the satisfaction of the planning authority

c) *Applicable Provisions and Standards*

The permit application must be assessed against the applicable provisions and standards of the Tasmanian Planning Scheme. The application is to identify by reference the clauses it relies upon to demonstrate compliance. (eg clause 8.4.3 (A1 – A4, and P5)

d) *Discretionary Permits*

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

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

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

e) *If the applicant is not the landowner*

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

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

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

f) *Applicant declaration*

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

g) *Payment of Fees*

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

Permit Information	(NB If insufficient space, please attach separate document)
Proposed Use:	General Residential
Use Class	
Documents included with the permit application to describe the Use	Architectural Plans Geotech Report
Proposed Development	
Use class to which the development applies	General Residential
Documents included with the permit application to describe the Development	Residential Dwelling
Provisions and Standards relied upon for grant of a Permit	

Notification of Landowner/s**If land is not in applicant's ownership**

I, **Nicholas Brandsema**, declare that the owner/each of the owners of the land has been notified of the intention to make this permit application.

Signature of Applicant



Date 21/10/2022

If the permit application involves land owned or administered by the BURNIE CITY COUNCIL

Burnie City Council consents to the making of this permit application.

General Manager (Signature)

Date

If the permit application involves land owned or administered by the CROWN

I, the Minister responsible for the land, consent to the making of this permit application.

Minister (Signature)

Date

Applicant Declaration

I, **Nicholas John Brandsema**
declare that the information I have given in this permit application to be true and correct to the best of my knowledge.

Signature of Applicant



Date 21/10/2022

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980**SEARCH OF TORRENS TITLE**

VOLUME 72684	FOLIO 8
EDITION 4	DATE OF ISSUE 08-Jul-2022

SEARCH DATE : 27-Oct-2022

SEARCH TIME : 09.29 AM

DESCRIPTION OF LAND

City of BURNIE

Lot 8 on Diagram 72684 (formerly being 151-16D)

Derivation : Part of 50,000 Acres Gtd. to the V.D.L. Co.

Prior CT 2274/2

SCHEDULE 1

M962395 TRANSFER to CRAIG STEPHEN SMITH and LISA AILEEN SMITH
Registered 08-Jul-2022 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

BENEFITING EASEMENT: Right of Carriageway over the Right of

Way passing through Lots 9 & 10 on Diagram No. 70623

BURDENING EASEMENT: Right of Carriageway [appurtenant to Lot 7

on Diagram No. 72684) over the Right of Way passing

through Lot 8 on Diagram No. 70623

113737 BOUNDARY FENCES CONDITION in Transfer

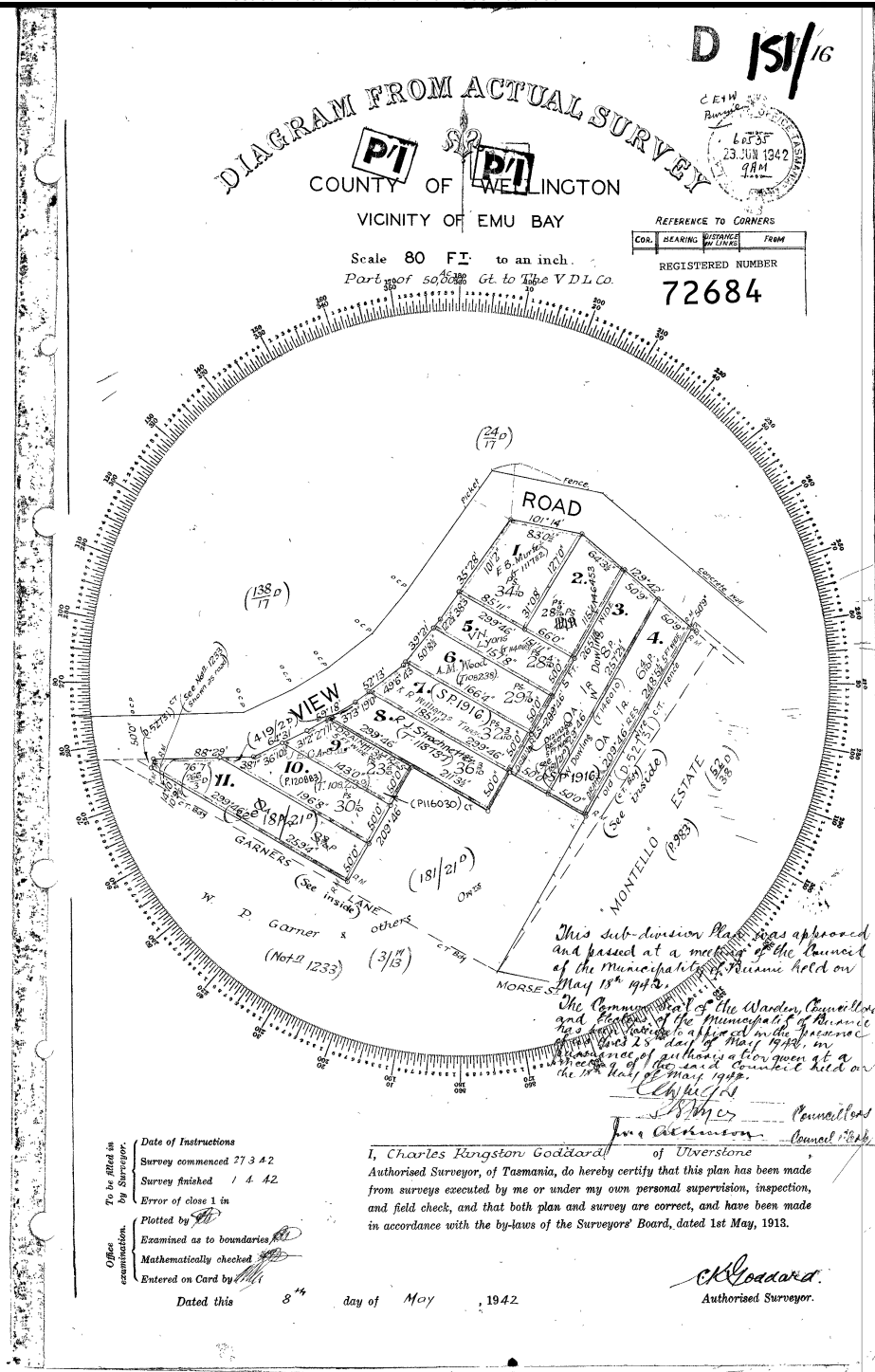
UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

FOLIO PLAN

RECORDED OF TITLES

Issued Pursuant to the Land Titles Act 1980



n+b

nplusb design pty ltd
8 Brandsema Street
Turners Beach, Tasmania
7315

ABN 94 622 221 916

RE: Burnie Council – Further Information Request

18th November 2022

Please see below for the responses in relation to planning application DA2022-129.

8.4.2 – P3 Setbacks and Building Envelope for all Dwellings

As reflected on the provided shadow diagrams, the property's affected by overshadowing are the existing dwellings at the following address's: 20 Morse Street, Montello, 22 Morse Street, Montello & 24 Morse Street, Montello. Due to the large existing backyards of these property's listed above, it is not believed that the proposed dwelling will cause unreasonable loss of amenity to adjoining private open space. As the shadow extents don't reach the existing dwellings, there will be no impact of overshadowing an existing habitable room. It should also be noted that the southern side of the building is contained within the building envelope.

Regarding apparent bulk scale, due to the existing topography the existing property's to the south of the proposed dwelling (20, 22 & 24 Morse Street & 37 View Road) will only see a portion of the first floor, factoring in the existing fence, and is not believed to have any negative impact due to apparent bulk scale when viewed from these neighbouring properties. Refer to Appendix D, E, F & G for evidence of this. Regarding the existing property at 33 View Road, factoring in the existing driveway/ramp, it is believed that there is adequate separation to attenuate any apparent bulk scale between the proposed dwelling and existing living area of 33 View Road. The proposed dwelling has been positioned on the lot to try and minimise apparent bulk scale, when viewed from the existing living area of 33 View Road (Refer Appendix A, B & C). It should also be noted that the proposed dwelling façade has been clad in multiple types of cladding on the ground and first floor to also assist in attenuating any apparent bulk scale.

8.4.3 – P2 Site Coverage and Private Open Space for all Dwellings

Due to the constraints of the existing site topography the private open space for the dwelling has been located on the first floor on the western side of the dwelling. Though the entire first floor of the dwelling is required to be 1.8m above ground level to meet the acceptable solution, there is only a small portion of the first floor that is less than 1.8m above ground level. This is located on the SE corner of the proposed dwelling where the floor level height of 1.6m quickly tapers off in each direction achieving the min 1.8m required. Based on this we believe that it is not unreasonable to have the Private Open Space located on the First Floor of the dwelling.

8.4.6 – P1 & P2 Privacy for all Dwellings

The current position of the proposed dwelling has been situated to maximise the existing views and solar gain into the main living space. Due to the constraints of the topography and narrow width of the property it is extremely difficult to situate a dwelling that will not create overlooking to an adjoining property. As reflected on the attached site plan the adjoining area that will be impacted by the reduction in setback of the proposed deck and windows is a driveway ramp located at 33 View Road, Montello. It should also be noted that the existing room closest to the proposed dwelling is a carport, not a habitable room.

If there are any further questions or queries on the above, please don't hesitate to contact me directly.

Yours Sincerely



Nick Brandsema – Director

n+b

nplusb design pty ltd
8 Brandsema Street
Turners Beach, Tasmania
7315

ABN 94 622 221 916

Appendix A – View Looking West from Living Area (33 View Road, Montello)



Appendix B – View Looking North-West from Living Area (33 View Road, Montello)



n+b

nplusb design pty ltd
8 Brandsema Street
Turners Beach, Tasmania
7315

ABN 94 622 221 916

Appendix C – View from Existing Balcony Looking West



Appendix D – View from Existing Dwelling (22 Morse Street, Montello)

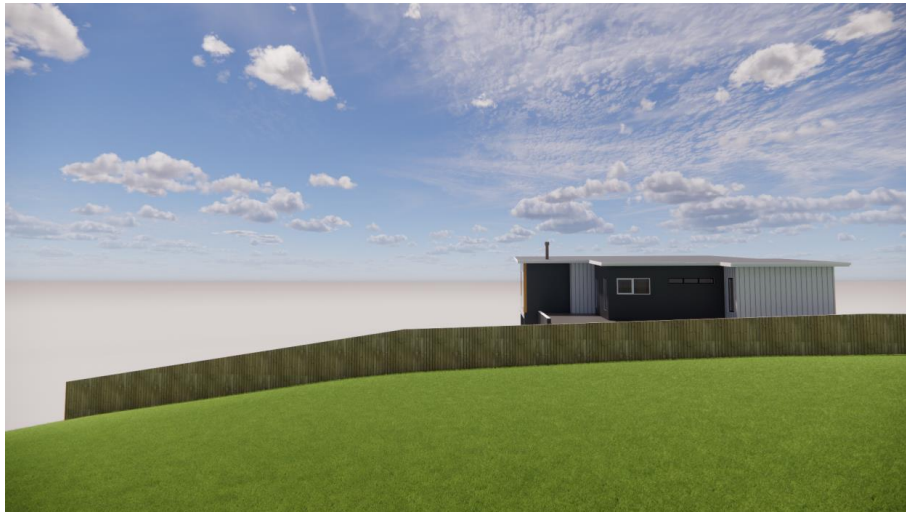


n+b

nplusb design pty ltd
8 Brandsema Street
Turners Beach, Tasmania
7315

ABN 94 622 221 916

Appendix E – View from Existing Dwelling (24 Morse Street, Montello)



Appendix F – View from Existing Dwelling (37 View Road, Montello)

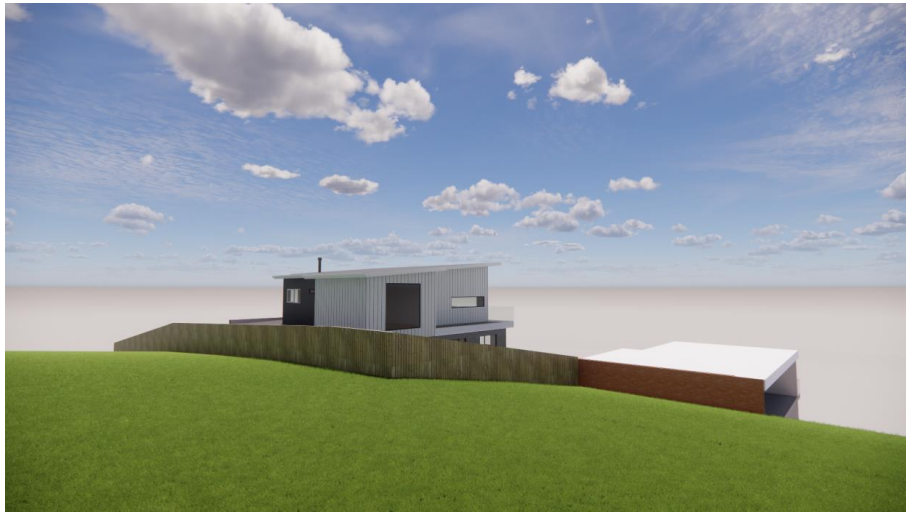


n+b

nplusb design pty ltd
8 Brandsema Street
Turners Beach, Tasmania
7315

ABN 94 622 221 916

Appendix G – View from Existing Dwelling (20 Morse Street, Montello)



GEOTON Pty Ltd
Geotechnical Consultants

Geoton Pty Ltd ABN 81 129 764 629
PO Box 522 Prospect TAS 7250
Unit 24, 16-18 Goodman Court
Invermay TAS 7248
Tel (+61) (3) 6326 5001
www.geoton.com.au

20 September 2022

Reference No. GL22525Ab

Mr Craig & Ms Lisa Smith
[REDACTED]
[REDACTED]

Dear Sir and Madam

**RE: Geotechnical Investigation and Landslide Risk Assessment
35 View Road, Montello**

We have pleasure in submitting herein our report detailing the results of the geotechnical investigation conducted at the above site.

Should you require clarification of any aspect of this report, please contact Anne Foster or the undersigned on 03 6326 5001.

For and on behalf of Geoton Pty Ltd



Tony Barriera

Director – Principal Geotechnical Engineer

Geotechnical Investigation and Landslide Risk Assessment

1 INTRODUCTION

A limited scope investigation has been conducted for Mr Craig & Ms Lisa Smith at the site of a proposed residential development at 35 View Road, Montello.

A review of the Land Information System Tasmania (LIST) website indicates that the site is mapped within medium and low landslide hazard bands, i.e., an area of doubtful stability. As such, a landslide risk assessment is required to determine if there is a tolerable level of risk for the proposed development.

The investigation has been conducted to provide the following:

- A landslide risk assessment;
- An assessment of the general subsurface conditions at the site and consequently assign a Site Classification in accordance with AS 2870 – 2011 “Residential Slabs and Footings”; and
- A review of the topographical setting and provide a Wind Classification in accordance with AS 4055 – 2021 “Wind Loads for Housing”.

No site plan was provided; however, we understand that a dwelling is proposed within the upslope south-eastern portion of the site.

2 BACKGROUND

2.1 Geology

The Mineral Resources Tasmania (MRT) Tasmanian Landslide Map Series, Burnie Geology Map, 1:25,000 Scale, indicates that the site is underlain by Cretaceous-Neogene Period predominantly deeply weathered basalt, with this being generally confirmed by the field data.

2.2 Landslide Hazards

Examination of the LIST Landslide Planning Map indicates that the majority of the site is within a mapped low landslide hazard band. A small area within the front northwest portion of the site is within a mapped medium landslide hazard band.

Examination of the MRT Tasmanian Landslide Map Series, Burnie – Geomorphology Map, 1:25,000 scale, indicates that the site is located on slopes of between 7° and 35°, being steeper downslope to the north and northeast. An extract of the Geomorphology Map is provided as Figure 1

Examination of the MRT Tasmanian Landslide Map Series, Burnie – Shallow Slide and Flow Susceptibility Map, indicates that the site is within a low to moderate susceptibility source area for shallow landslides. An extract of the Shallow Slide and Flow Susceptibility Map is provided as Figure 2.

Examination of the MRT Tasmanian Landslide Map Series, Burnie – Deep-Seated Landslide Susceptibility Map, indicates that the steeper downslope northern portion of the site is within a source area for first time deep-seated failures, i.e., an area of hillside with the potential to form a slope failure, identified largely on the basis of slope angle

Geotechnical Investigation and Landslide Risk Assessment

and geology. The southern portion of the site is within a regression area, i.e., an area up-slope of a source area that could fail following a deep-seated landslide movement (a.k.a retrogression or set-back area). An extract of the Deep-Seated Landslide Susceptibility Map is provided as Figure 3.

Examination of the MRT Tasmanian Landslide Map Series, Burnie – Landslide Inventory Map, 1:25,000 scale, indicates that the northwestern front boundary is within a mapped possible landslide, activity not specified (Landslide ID number 409). The edge of a discrete landslide with activity unknown (Landslide ID number 2953) is located about 15m east of the eastern rear boundary. The landslide features are shown on Figure 3.

3 FIELD INVESTIGATION

The field investigation was conducted on 07 September 2022 and involved the drilling of 3 boreholes by 4WD mounted auger rig to the auger refusal or investigated depths of 4.6m to 6.0m.

Insitu vane shear strength and pocket penetrometer tests were conducted in the clay layers encountered in the investigation, with samples of these soils being obtained for subsequent laboratory testing.

The results of the field and laboratory tests are shown on the borehole logs.

The logs of the boreholes are included in Appendix A with their locations shown on Figure 4 attached.

4 SITE CONDITIONS

4.1 Site Description

The site is currently undeveloped and is located within the top third section of a north to east facing hill slope with approximate slopes of between 9° and 17°, being steeper in the downslope northwest portion of the site. A two-metre-high narrow concrete retaining wall is located along the north-eastern downslope side boundary of the site. The retaining wall appears to be in a fair condition with no obvious signs of cracking or displacement. Some rock and low timber wall is also located along the front boundary of the site. Vegetation across the site comprises a cover of low to moderate grass and weeds, with shrubs along the northern site boundary.

The dwellings on neighbouring properties are generally in good condition, with no obvious signs of damage or movement. The slopes within the site and surrounds are typically smooth and convex with only very minor subdued undulations. The slopes within and adjacent to the site do not show any distinct sign of any recent landslide activity. Furthermore, no springs or seeps were identified on the site or surrounds.

Photographs of the site are attached as Plates 1 and 2.

Geotechnical Investigation and Landslide Risk Assessment

4.2 Subsurface Conditions

The investigation indicated that the subsurface conditions are relatively uniform across the site. Borehole BH1 encountered clayey silt topsoil to a depth of 0.2m, underlain by very stiff low to high plasticity clayey silt to the auger refusal depth of 4.6m on an inferred boulder. Boreholes BH2 and BH3 encountered clayey silt topsoil to depths of 0.2m, overlying stiff to very stiff low to high plasticity clayey silt to depths of 4.3m to 4.8m, underlain by stiff to very stiff extremely weathered basalt (rock fabric with soil properties) to the investigated depths of 6.0m.

The boreholes did not reveal any signs of seepage over the investigated depths.

Full details of soil conditions encountered are presented on the borehole logs.

An assessment of the plasticity characteristics of the materials encountered indicates that the clayey silt soils at this site possess a high shrink/swell potential.

5 GEOLOGICAL MODEL

From a review of available reports, geological maps and information collected during the investigation a general geological model of the site has been inferred. Generally, the site is located within the upper third section of a hill comprising residual soils underlain by basalt rock at depth.

The site did not display any distinct landslide features.

Groundwater was not encountered in the investigation. Furthermore, no springs/seeps were identified within the site.

A geological model is presented as Figure 5.

6 LANDSLIDE RISK ASSESSMENT

Based on the geological and geomorphological settings of the site, the following possible landslide scenarios are identified for the site.

- Deep-seated/large-scale landslide occurs within Cretaceous-Neogene Period basalt and/or residual soils affecting the proposed development; and
- Shallow/small-scale landslide occurs within Cretaceous-Neogene Period residual soils affecting the proposed development.

The qualitative likelihood, consequence and risk terms used in this report for risk to property are given in Appendix B. The risk terms are defined by a matrix that brings together different combinations of likelihood and consequence. Risk matrices help to communicate the results of risk assessment, rank risks, set priorities and develop transparent approaches to decision making. The notes attached to the tables and terms and the comments on response to risk in Appendix B are intended to help explain the risk assessment and management process.

In light of the findings of this investigation (topography, slope angles, stiff/very stiff soils and no seepages), the likelihood of small-scale failures occurring on the site affecting a

Geotechnical Investigation and Landslide Risk Assessment

proposed residential development at this site is considered UNLIKELY, whilst a larger scale failure occurring is considered RARE.

Accordingly, the likelihoods estimated for the possible landslide scenarios are summarised in Table 1 as follows.

Table 1: Summary of Estimated Pre-existing Landslide Hazard

Possible Landslide Scenarios	Indicative Annual Probability (pa)	Indicative Recurrence Interval (yrs)	Descriptor (AGS 2007c)
Deep-seated/large-scale landslide occurs within Cretaceous-Neogene Period basalt and/or residual soils affecting the proposed development	10 ⁻⁵	100,000	Rare
Shallow/small-scale landslide occurs within Cretaceous-Neogene Period residual soils affecting the proposed development	10 ⁻⁴	10,000	Unlikely

6.1 Incremental Landslide Hazards

The alterations to the site as a result of the proposed development can generally be classified into two categories:

- Disturbance to the site due to the proposed development; and
- Introduction of additional water into the ground affecting the groundwater regime.

It is considered that a proposed residential development should not adversely impact on the site and immediate surrounds nor significantly increase the pre-existing landslide hazard, provided that the development adheres to the principles of good hillside practice and the recommendations provided below.

The site is within a fully serviced suburb and as such, no additional water will be introduced into the ground on the site.

6.2 Landslide Consequences

The proposed development is the element at risk for this assessment. The landslide consequences for different scenarios are summarised in Table 2 as follows.

Geotechnical Investigation and Landslide Risk Assessment

Table 2: Summary of Consequences for Different Landslide Scenarios

Possible Landslide Scenarios	Assessed Landslide Consequences	Descriptor (AGS 2007c)
Deep-seated/large-scale landslide occurs within Cretaceous-Neogene Period basalt and/or residual soils affecting the proposed development	The landslide may significantly displace the footing system of the proposed development causing major damage	Major
Shallow/small-scale landslide occurs within Cretaceous-Neogene Period residual soils affecting the proposed development	The landslide may displace the footing system of the proposed development causing medium damage	Medium

6.3 Landslide Risk to Property

Based on the outcomes of the landslide hazard and landslide consequence assessments detailed above, the assessed landslide risks to property are summarised in Table 3 as follows.

Table 3: Summary of Assessed Landslide Risks to Property (AGS 2007c)

Possible Landslide Scenarios	Assessed Landslide Hazards	Assessed Landslide Consequences	Qualitative Landslide Risk to Property
Deep-seated/large-scale landslide occurs within Cretaceous-Neogene Period basalt and/or residual soils affecting the proposed development	Rare	Major	Low
Shallow/small-scale landslide occurs within Cretaceous-Neogene Period residual soils affecting the proposed development	Unlikely	Medium	Low

The **acceptable** qualitative risk to property criteria suggested by AGS is **LOW**, given that the element at risk is a proposed low-rise residential development.

6.4 Landslide Risk to Life

The person most at risk is considered to be a resident living in the proposed development.

Geotechnical Investigation and Landslide Risk Assessment

The landslide risk to life for the identified person most at risk is calculated in Table 4 as follows.

Table 4: Landslide Risk to Life for Person Most at Risk

Possible Landslide Scenarios	Adopted Annual Landslide Probability y P(H)	Spatial Probability of Landslide Impacting Buildings at Risk, P(S:H)	Temporal Spatial Probability of Person Most at Risk at Buildings at Risk, P(T:S)	Vulnerability of Person Most at Risk, V(D:T)	Risk to Life, R(LoL)
Deep-seated/large-scale landslide occurs within Cretaceous-Neogene Period basalt and/or residual soils affecting the proposed development	10 ⁻⁵	1.0 (Spatial Probability has been considered in the landslide hazards)	0.67 (16hrs/day)	0.5 (Building suffers major damage but is unlikely to collapse; may cause injury but death is unlikely)	3.4 x 10 ⁻⁶
Shallow/small-scale landslide occurs within Cretaceous-Neogene Period residual soils affecting the proposed development	10 ⁻⁴			0.05 (Building suffers medium damage but is highly unlikely to collapse; may cause injury but death is highly unlikely)	3.4 x 10 ⁻⁶
Total: 6.7 x 10 ⁻⁶					

The tolerable risk to life criteria for the person most at risk suggested by AGS is 10^{-5} , given that the development is a new development located on a previously constructed slope. Acceptable risks are usually considered to be one order of magnitude lower than the tolerable risks, which in this case is 10^{-6} .

Therefore, subject to compliance with the recommendations within Section 7 of this report, the corresponding quantitative risk posed by landslide to life by the proposed development is assessed as TOLERABLE.

Geotechnical Investigation and Landslide Risk Assessment

7 DISCUSSION AND RECOMMENDATIONS

The outcomes of the assessments for landslide risk to property (Section 6.3) and landslide risk to life (Section 6.4) only apply if the principles of good hillside practice and the recommendations provided herein are adhered to.

An information sheet entitled "Some Guidelines for Hillside Construction" adapted from the Journal of the Australian Geomechanics Society, volume 42, Number 1, dated March 2007, is presented in Appendix C.

Therefore, provided the development of the site is in accordance with the recommendations within our report, we consider that a tolerable level of risk can be achieved for the proposed residential development of the site.

We recommend that:

- Buildings of flexible and lightweight construction are preferred. However, masonry or brick veneer construction may be tolerated provided that they are well articulated and supported on stiffened footing systems;
- Cuts and fills where less than 1.0m in height may be battered at slope angles no steeper than 1 vertical to 3 horizontal (1V:3H) or alternatively these should be retained;
- Proposed cuts and fills greater than 1.0m in height should be reviewed by a qualified geotechnical engineer;
- All retaining walls greater than 1m in height shall be designed by a suitably qualified structural engineer;
- Adequate subsurface and surface drainage should be provided behind all retaining walls; and
- Collected stormwater drainage should be piped to the council stormwater or street drainage system.

8 SITE CLASSIFICATION

After allowing due consideration of the site geology, drainage and soil conditions and the location of the proposed development within a low landslide hazard band, the site has been classified as follows:

CLASS P (AS 2870)

However, if footings are founded uniformly on the natural clayey silt soils, footings may be proportioned to a **CLASS H1**.

Foundation designs in accordance with this classification are to be subject to the overriding conditions of the Foundations section below.

This Classification is applicable only for ground conditions encountered at the time of this investigation. If cut or fill earthworks are carried out, then the Site Classification will need to be re-assessed, and possibly changed.

Geotechnical Investigation and Landslide Risk Assessment

9 FOUNDATIONS

Particular attention should be paid to the design of footings as required by AS 2870 – 2011.

In addition to normal founding requirements arising from the above classification, particular conditions at this site dictate that the founding medium for all footings would be as follows:

**Clayey SILT (MH) – high plasticity, red/brown
encountered below 0.2m from the existing ground surface**

An allowable bearing pressure of **100kPa** is available for edge beams, strips, pads and bored piers founded as above.

Footings for buildings within 3m of the retaining wall shall be a minimum of 2m deep to minimise loading the wall.

The site classification presented assumes that the current natural drainage and infiltration conditions at the site will not be markedly affected by the proposed site development work. Care should therefore be taken to ensure that surface water is not permitted to collect adjacent to the structure and that significant changes to seasonal soil moisture equilibria do not develop as a result of service trench construction or tree root action.

Attention is drawn to Appendix B of AS 2870 and CSIRO Building Technical File BTF18 "Foundation Maintenance and Footing Performance: A Homeowner's Guide" as a guide to maintenance requirements for the proposed structure.

Although the borehole data provides an indication of subsurface conditions at the site, variations in soil conditions may occur in areas of the site not specifically covered by the field investigation. The base of all footing or beam excavations should therefore be inspected to ensure that the founding medium meets the requirements referenced herein with respect to type and strength of founding material.

The boreholes were backfilled shortly after being drilled, not allowing time for groundwater seepage flows to develop. Groundwater seepages or higher groundwater levels can occur during and/or after a prolonged period of wet weather or a heavy rainfall event.

10 WIND CLASSIFICATION

After allowing due consideration of the region, terrain, shielding and topography, the site has been classified as follows:

WIND CLASSIFICATION N2 (AS 4055)

REGION	TERRAIN CATEGORY	SHIELDING	TOPOGRAPHY
A	TC3	NS	T2

Geotechnical Investigation and Landslide Risk Assessment

11 ADDITIONAL WORK

As the site is partially within a medium landslide hazard band, Council may require that the plans of the proposed development be reviewed by a qualified geotechnical practitioner to ensure that the proposed plans are in keeping with the general recommendations of the report. In addition, it may be a requirement of the building permit that Geoton carry out site inspections during the earthworks and foundations excavation; and at the end of construction to provide a final geotechnical certificate.

References:

Australian Geomechanics Society (2007) – Practice note guidelines for landslide risk management 2007, Australian Geomechanics Journal, Vol 42, No. 1

AS 1726 - 2017 Geotechnical Site Investigation

AS 2870 - 2011 Residential Slabs and Footings

AS 4055 - 2021 Wind Loads for Housing

ELVIS - Elevation and Depth - Foundation Spatial Data (Version 0.3.2).

<http://elevation.fsdf.org.au/>

Attachments:

Limitations of report

Figure 1: Geomorphology

Figure 2: Shallow Slide and Flow Susceptibility

Figure 3: Deep-Seated Landslide Susceptibility

Figure 4: Site Plan

Figure 5: Geological Model

Site Photographs

Appendix A – Borehole Logs & Explanation Sheets

Appendix B – Qualitative Terminology for Use in Assessing Risk to Property

Appendix C – Some Guidelines for Hillside Construction

Appendix D – Certificate Forms



Geotechnical Consultants - Limitations of report

These notes have been prepared to assist in the interpretation and understanding of the limitations of this report.

Project specific criteria

The report has been developed on the basis of unique project specific requirements as understood by Geoton and applies only to the site investigated. Project criteria are typically identified in the Client brief and the associated proposal prepared by Geoton and may include risk factors arising from limitations on scope imposed by the Client. The report should not be used without further consultation if significant changes to the project occur. No responsibility for problems that might occur due to changed factors will be accepted without consultation.

Subsurface variations with time

Because a report is based on conditions which existed at the time of subsurface exploration, decisions should not be based on a report whose adequacy may have been affected by time. For example, water levels can vary with time, fill may be placed on a site and pollutants may migrate with time. In the event of significant delays in the commencement of a project, further advice should be sought.

Interpretation of factual data

Site assessment identifies actual subsurface conditions only at those points where samples are taken and at the time they are taken. All available data is interpreted by professionals to provide an opinion about overall site conditions, their likely impact on the proposed development and recommended actions. Actual conditions may differ from those inferred to exist, as it is virtually impossible to provide a definitive subsurface profile which includes all the possible variabilities inherent in soil and rock masses.

Report Recommendations

The report is based on the assumption that the site conditions as revealed through selective point sampling are indicative of actual conditions throughout an area. This assumption cannot be substantiated until earthworks and/or foundation construction is almost complete and therefore the report recommendations can only be regarded as preliminary. Where variations in conditions are encountered, further advice should be sought.

Specific purposes

This report should not be applied to any project other than that originally specified at the time the report was issued.

Interpretation by others

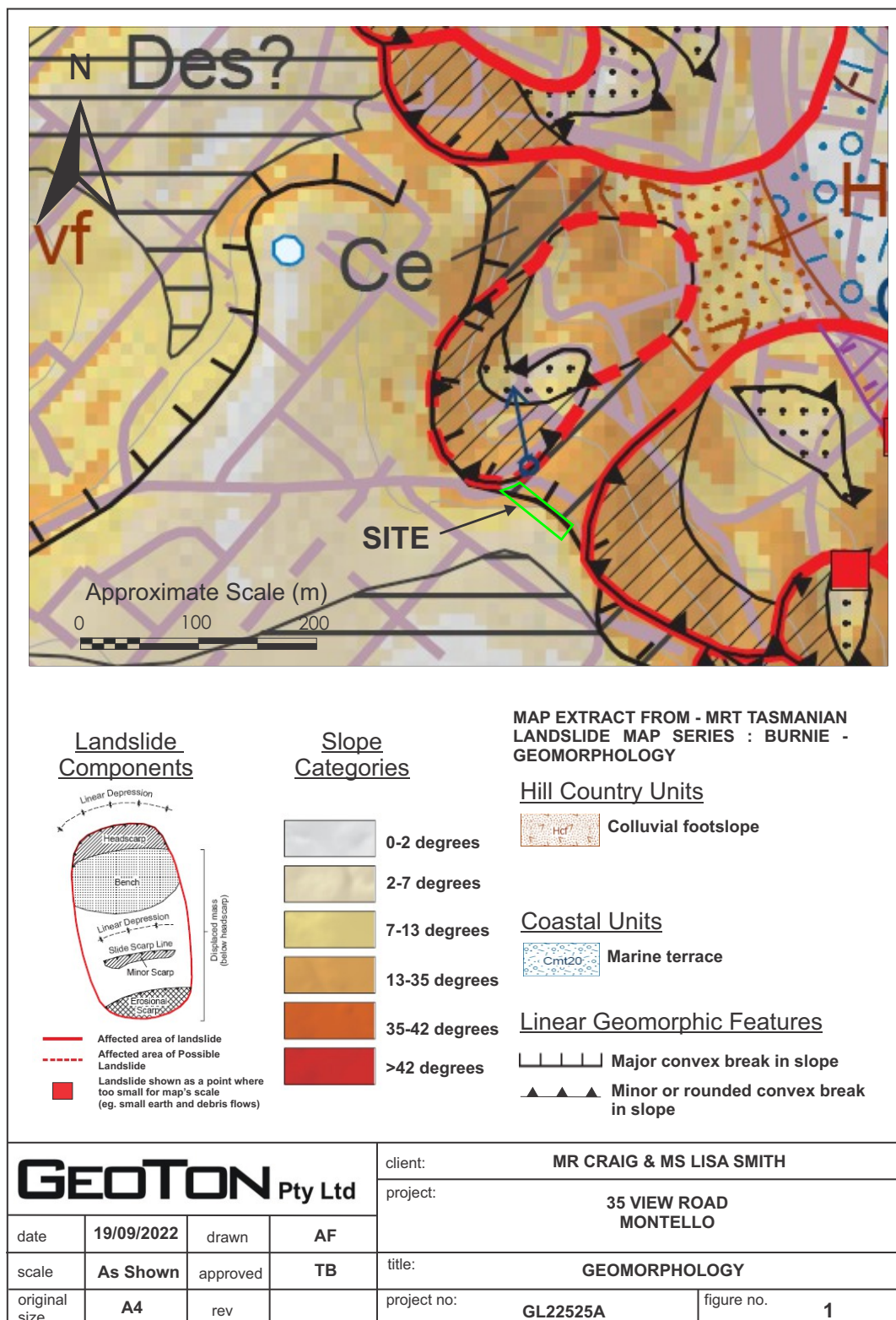
Geoton will not be responsible for interpretations of site data or the report findings by others involved in the design and construction process. Where any confusion exists, clarification should be sought from Geoton.

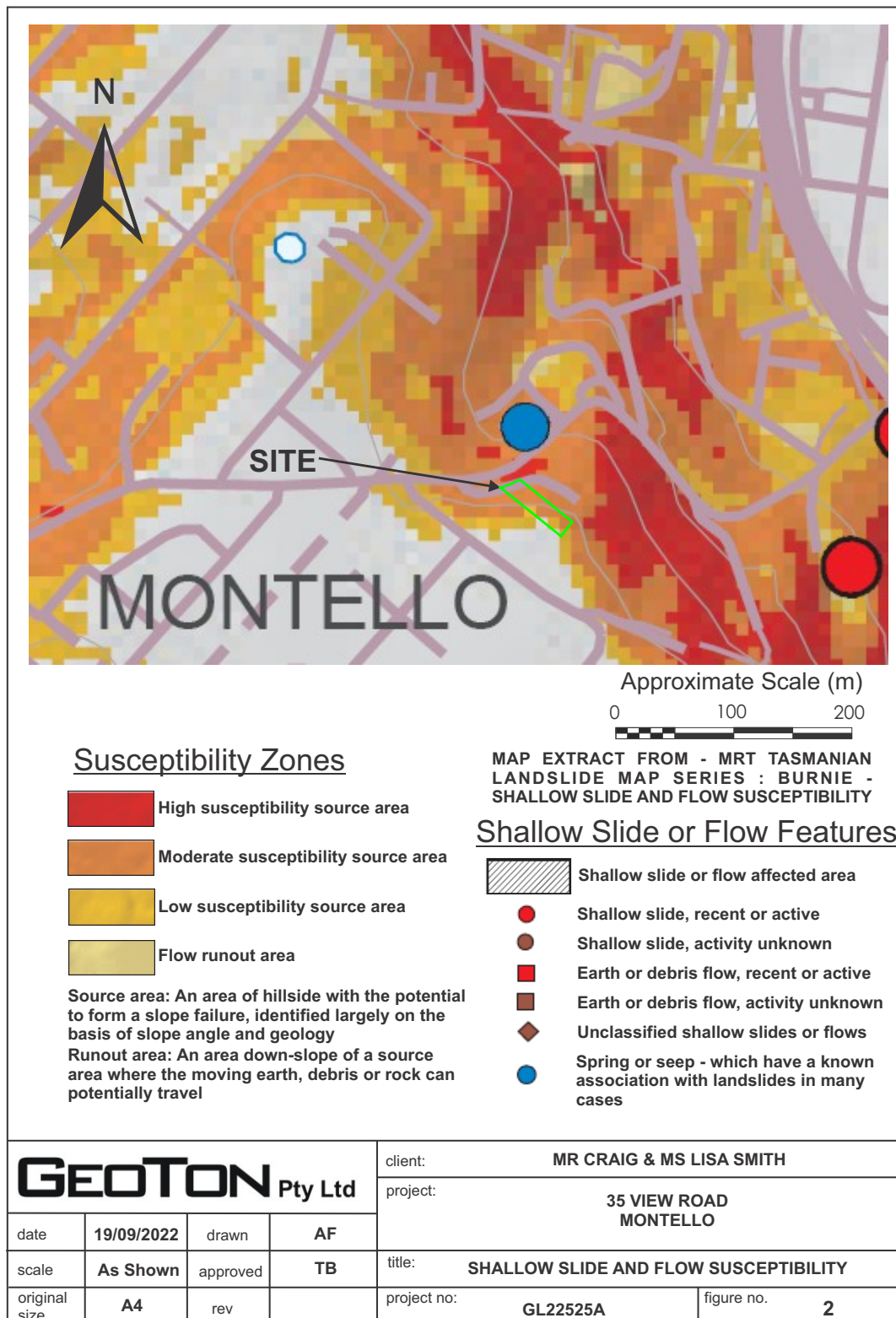
Report integrity

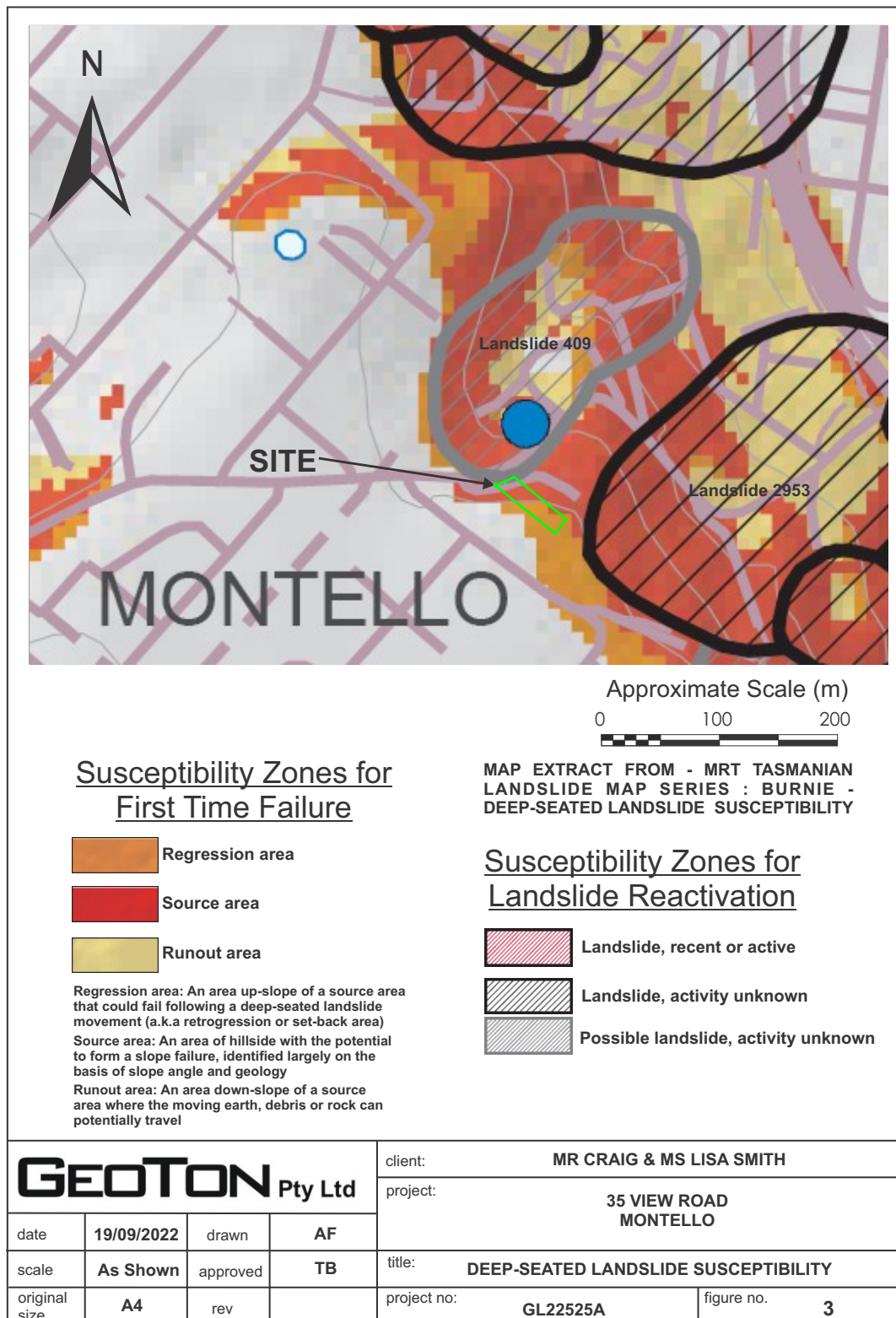
The report as a whole presents the findings of the site assessment and the report should not be copied in part or altered in any way.

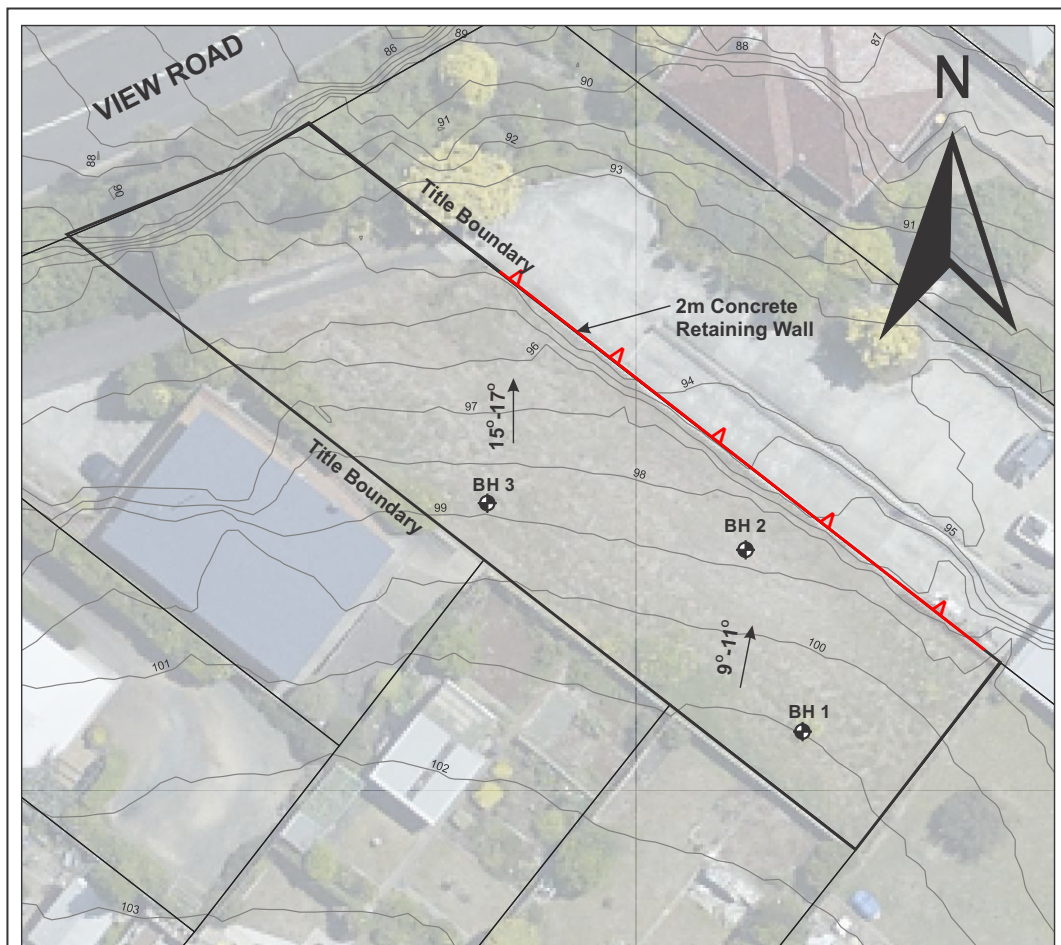
Geoenvironmental issues

This report does not cover issues of site contamination unless specifically required to do so by the client. In the absence of such a request, Geoton take no responsibility for such issues.












Legend

BH 1
 Approximate Borehole Location
 5° Approximate Slope Angle

Approximate Scale

0 5 10 15 20 m


GEOTON Pty Ltd				client: MR CRAIG & MS LISA SMITH		
				project: 35 VIEW ROAD MONTELLO		
date	20/09/2022	drawn	AF			
scale	As Shown	approved	TB	title: SITE PLAN		
original size	A4	rev		project no: GL22525A		figure no. 4

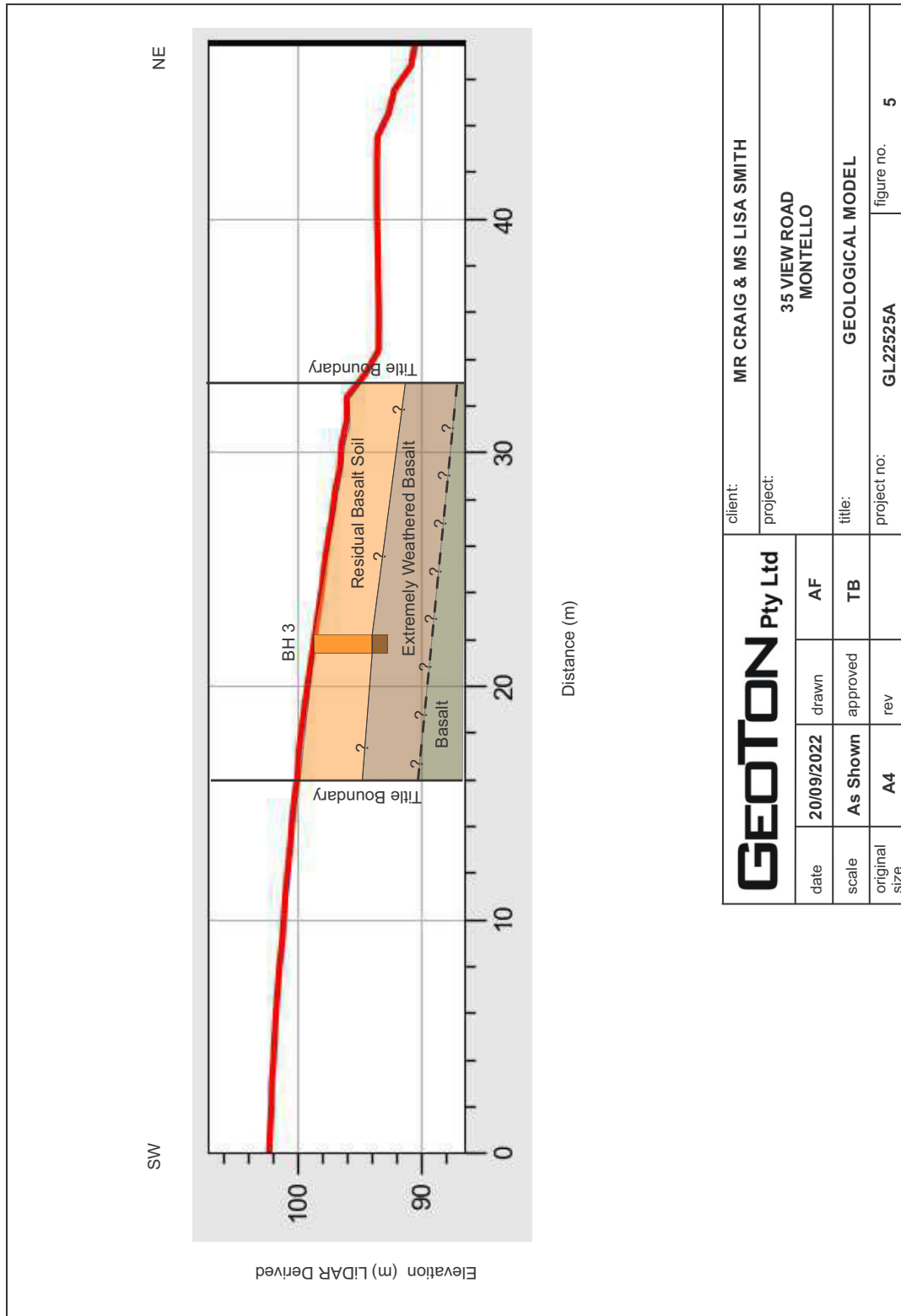




PLATE 1 - View of the site looking to the southeast



PLATE 2 - View of the retaining wall along the north-eastern site boundary

GEOTON Pty Ltd				client: MR CRAIG & MS LISA SMITH	
				project: 35 VIEW ROAD MONTELLO	
title: PHOTOGRAPH					
date:	07/09/2022	original size	A4	project no: GL22525A	figure no. PLATES 1 & 2

Appendix A

Borehole Logs

Borehole no. BH1
Sheet no. 1 of 1
Job no. GL22525A

Date : 07/09/2022
Logged By : AF

RL Surface :
Datum :

Page 108

GEOTON Pty Ltd
Geotechnical ConsultantsPO Box 522 Prospect TAS 7250
Unit 24, 16-18 Goodman Court, Invermay TAS
T (03) 6326 5001**ENGINEERING
BOREHOLE LOG**Borehole no. BH2
Sheet no. 1 of 1
Job no. GL22525A

Client :		Mr Craig & Ms Lisa Smith				Date : 07/09/2022	
Project :		Geotechnical Investigation and Landslide Risk Assessment				Logged By : AF	
Location :		35 View Road, Montello					
Drill model :		Drilltech		Easting: 407 525mE		Slope: -90°	
Hole diameter :		150mm		Northing: 5454 571mN		Bearing: -	
						RL Surface : Datum :	

Method	Support	Penetration	Water	Notes Samples Tests	Depth (m)	Graphic log Classification Symbol	Material Description	Moisture condition	Consistency density index	Structure, additional observations
ADV	N					ML	TOPSOIL - Clayey SILT, low plasticity, brown, root fibres	M	St	
					0.50	MH	Clayey SILT - high plasticity, red/brown, with fine to medium subangular gravel	M	VSt	w<PL
						ML	Clayey SILT - low plasticity, red/brown, trace fine subangular to angular gravel	M	St	V=106 kPa w=PL
					1.00					V=92 kPa
					1.50					
					2.00				VSt	Slightly harder drilling Increasing moisture content
					2.50					
					3.00					
						U ₆₃ MC=48%				PP>500 kPa
					3.50					
					4.00					
					4.50					
5.00										
	U ₆₃									
5.50										
6.00										

Decreasing gravel content

EXTREMELY WEATHERED BASALT - remoulded clayey SILT properties, low plasticity, red/brown mottled white, trace fine subangular to angular gravel, trace cobbles

w<PL
Weak rock fabric
PP=180 kPa

Borehole BH2 terminated @ 6.0m

Borehole no. BH3
Sheet no. 1 of 1
Job no. GL22525A

Client :	Mr Craig & Ms Lisa Smith
Project :	Geotechnical Investigation and Landslide Risk Assessment
Location :	35 View Road, Montello

Drill model :	Drilltech	Easting:	407 512mE	Slope:	-90 ^o	RL Surface :
Hole diameter :	150mm	Northing:	5454 574mN	Bearing:	-	Datum :

Method	Support	Penetration	Water	Notes Samples Tests	Depth (m)	Graphic log Classification Symbol	Material Description	Moisture condition	Consistency density - index	Structure, additional observations	
ADV	N					ML	TOPSOIL - Clayey SILT , low plasticity, dark brown, trace fine to medium angular gravel, root fibres	M	St	w=PL V=100 kPa V=100 kPa V=98 kPa	
					0.50	MH	Clayey SILT - high plasticity, red/brown	M	VSt/ St		
					1.00						
					1.50						
					2.00						
					2.50						
					3.00						
						ML	Clayey SILT - low plasticity, red/brown, trace coarse grained sand	M	VSt/ St	w=PL Weak rock fabric PP>500 kPa	
					3.50						
					4.00						
4.50		EXTREMELY WEATHERED BASALT - remoulded clayey SILT properties, low plasticity, brown mottled pale brown and black, trace cobbles	M	VSt							
5.00											
	U _{ES}										
5.50											
6.00		Borehole BH3 terminated @ 6.0m									

GEOTON Pty Ltd**Investigation Log** Explanation Sheet**METHOD – BOREHOLE**

TERM	Description
AS	Auger Screwing*
AD	Auger Drilling*
RR	Roller / Tricone
W	Washbore
CT	Cable Tool
HA	Hand Auger
DT	Diatube
B	Blank Bit
V	V Bit
T	TC Bit

* Bit shown by suffix e.g. ADT

METHOD – EXCAVATION

TERM	Description
N	Natural exposure
X	Existing excavation
H	Backhoe bucket
B	Bulldozer blade
R	Ripper
E	Excavator




SUPPORT

TERM	Description
M	Mud
N	Nil
C	Casing
S	Shoring

PENETRATION

1	2	3	4	
				No resistance ranging to Refusal

WATER

Symbol	Description
	Water inflow
	Water outflow
	17/3/08 water on date shown

NOTES, SAMPLES, TESTS

TERM	Description
U ₅₀	Undisturbed sample 50 mm diameter
U ₆₃	Undisturbed sample 63 mm diameter
D	Disturbed sample
N	Standard Penetration Test (SPT)
N*	SPT – sample recovered
N _c	SPT with solid cone
V	Vane Shear
PP	Pocket Penetrometer
P	Pressumeter
B _s	Bulk sample
E	Environmental Sample
R	Refusal
DCP	Dynamic Cone Penetrometer (blows/100mm)
PL	Plastic Limit
LL	Liquid Limit
LS	Linear Shrinkage

CLASSIFICATION SYMBOLS AND SOIL DESCRIPTION

Based on AS 1726:2017

MOISTURE

TERM	Description
D	Dry
M	Moist
W	Wet

CONSISTENCY/DENSITY INDEX

TERM	Description
VS	very soft
S	soft
F	firm
St	stiff
VSt	very stiff
H	hard
Fr	friable
VL	very loose
L	loose
MD	medium dense
D	dense
VD	Very dense



Soil Description Explanation Sheet (1 of 2)

DEFINITION

In engineering terms, soil includes every type of uncemented or partially cemented inorganic or organic material found in the ground. In practice, if the material can be remoulded or disintegrated by hand in its field condition or in water it is described as a soil. Other materials are described using rock description terms.

CLASSIFICATION SYMBOL AND SOIL NAME

Soils are described in accordance with the AS 1726: 2017 as shown in the table on Sheet 2.

PARTICLE SIZE DEFINITIONS

NAME	SUBDIVISION	SIZE (mm)
BOULDERS		>200
COBBLES		63 to 200
GRAVEL	Coarse	19 to 63
	Medium	6.7 to 19
	Fine	2.36 to 6.7
SAND	Coarse	0.6 to 2.36
	Medium	0.21 to 0.6
	Fine	0.075 to 0.21
SILT		0.002 to 0.075
CLAY		<0.002

MOISTURE CONDITION

Coarse Grained Soils

Dry Non-cohesive and free running.

Moist Soil feels cool, darkened in colour.
Soil tends to stick together.

Wet As for moist but with free water forming when handling.

Fine Grained Soils

Moist, dry of Plastic Limit – $w < PL$

Hard and friable or powdery.

Moist, near Plastic Limit – $w \approx PL$

Soils can be moulded at a moisture content approximately equal to the plastic limit.

Moist, wet of Plastic Limit – $w > PL$

Soils usually weakened and free water forms on hands when handling.

Wet, near Liquid Limit – $w \approx LL$

Wet, wet of Liquid Limit – $w > LL$

CONSISTENCY TERMS FOR COHESIVE SOILS

TERM	UNDRAINED STRENGTH s_u (kPa)	FIELD GUIDE
Very Soft	≤ 12	Exudes between the fingers when squeezed in hand
Soft	12 to 25	Can be moulded by light finger pressure
Firm	25 to 50	Can be moulded by strong finger pressure
Stiff	50 to 100	Cannot be moulded by fingers
Very Stiff	100 to 200	Can be indented by thumb nail
Hard	>200	Can be indented with difficulty by thumb nail
Friable	–	Can be easily crumbled or broken into small pieces by hand

RELATIVE DENSITY OF NON-COHESIVE SOILS

TERM	DENSITY INDEX (%)
Very Loose	≤ 15
Loose	15 to 35
Medium Dense	35 to 65
Dense	65 to 85
Very Dense	> 85

DESCRIPTIVE TERMS FOR ACCESSORY SOIL COMPONENTS

DESIGNATION OF COMPONENT	IN COARSE GRAINED SOILS		IN FINE GRAINED SOILS	TERM
	% Fines	% Accessory coarse fraction	% Sand/ gravel	
Minor	≤ 5	≤ 15	≤ 15	Trace
	>5, ≤ 12	>15, ≤ 30	>15, ≤ 30	With
Secondary	>12	>30	>30	Prefix

SOIL STRUCTURE

ZONING		CEMENTING	
Layer	Continuous across the exposure or sample.	Weakly cemented	Easily disaggregated by hand in air or water.
Lens	Discontinuous layer of different material, with lenticular shape.	Moderately cemented	Effort is required to disaggregate the soil by hand in air or water.
Pocket	An irregular inclusion of different material.		

GEOLOGICAL ORIGIN

WEATHERED IN PLACE SOILS

Extremely Weathered material	Material is weathered to such an extent that it has soil properties. Structure and/or fabric of parent rock material retained and visible.
Residual soil	Structure and/or fabric of parent rock material not retained and visible.

TRANSPORTED SOILS

Aeolian soil	Carried and deposited by wind.
Alluvial soil	Deposited by streams and rivers.
Colluvial soil	Soil and rock debris transported downslope by gravity.
Estuarine soil	Deposited in coastal estuaries, and including sediments carried by inflowing rivers and streams, and tidal currents.
Fill	Man-made deposit. Fill may be significantly more variable between tested locations than naturally occurring soils.
Lacustrine soil	Deposited in freshwater lakes.
Marine soil	Deposited in a marine environment.



Soil Description Explanation Sheet (2 of 2)

SOIL CLASSIFICATION INCLUDING IDENTIFICATION AND DESCRIPTION

FIELD IDENTIFICATION PROCEDURES (Excluding particles larger than 63 mm and basing fractions on estimated mass)					GROUP SYMBOL	PRIMARY NAME		
COARSE GRAINED SOIL More than 65% of soil excluding oversize fraction is larger than 0.075 mm	(A 0.075 mm particle is about the smallest particle visible to naked eyes)	GRAVEL More than half of coarse fraction is larger than 2.36 mm	CLEAN GRAVEL (Little or no fines)	Wide range in grain size and substantial amounts of all intermediate particle sizes	GW	GRAVEL		
				Predominantly one size or a range of sizes with some intermediate sizes missing	GP	GRAVEL		
		GRAVEL WITH FINES (Appreciable amount of fines)	Non-plastic fines (for identification procedures see ML and MH below)	GM	Silty GRAVEL			
			Plastic fines (for identification procedures see CL, CI and CH below)	GC	Clayey GRAVEL			
		CLEAN SAND (Little or no fines)	Wide range in grain size and substantial amounts of all intermediate sizes	SW	SAND			
			Predominantly one size or a range of sizes with some intermediate sizes missing	SP	SAND			
FINE GRAINED SOIL More than 35% of soil excluding oversize fraction is smaller than 0.075 mm		(A 0.075 mm particle is about the smallest particle visible to naked eyes)	SAND WITH FINES (Appreciable amount of fines)	Non-plastic fines (for identification procedures see ML and MH below)	SM	Silty SAND		
				Plastic fines (for identification procedures see CL, CI and CH below)	SC	Clayey SAND		
				IDENTIFICATION PROCEDURES ON FRACTIONS <0.075 mm				
				DRY STRENGTH	DILATANCY	TOUGHNESS		
			SILT & CLAY (low to medium plasticity, LL ≤ 50)	None to Low	Slow to Rapid	Low	ML	SILT
				Medium to High	None to Slow	Medium	CL, CI	CLAY
Low to Medium	Slow			Low	OL	ORGANIC SILT		
SILT & CLAY (high plasticity, LL > 50)	Low to Medium		None to Slow	Low to Medium	MH	SILT		
	High to Very High		None	High	CH	CLAY		
	Medium to High		None to Very Slow	Low to Medium	OH	ORGANIC CLAY		
Highly Organic Soil	Readily identified by colour, odour, spongy feel and frequently by fibrous texture.			Pt	PEAT			
● LL – Liquid Limit.								

• LL – Liquid Limit.

COMMON DEFECTS IN SOILS

TERM	DEFINITION	DIAGRAM	TERM	DEFINITION	DIAGRAM
PARTING	A surface or crack across which the soil has little or no tensile strength. Parallel or sub parallel to layering (e.g. bedding). May be open or closed.		SOFTENED ZONE	A zone in clayey soil, usually adjacent to a defect in which the soil has a higher moisture content than elsewhere.	
FISSURE	A surface or crack across which the soil has little or no tensile strength, but which is not parallel or sub parallel to layering. May be open or closed. May include desiccation cracks.		TUBE	Tubular cavity. May occur singly or as one of a large number of separate or inter-connected tubes. Walls often coated with clay or strengthened by denser packing of grains. May contain organic matter.	
SHEARED SEAM	Zone in clayey soil with roughly parallel near planar, curved or undulating boundaries containing closely spaced, smooth or slickensided, curved intersecting fissures which divide the mass into lenticular or wedge-shaped blocks.		TUBE CAST	An infilled tube. The infill may be uncemented or weakly cemented soil or have rock properties.	
SHEARED SURFACE	A near planar curved or undulating, smooth, polished or slickensided surface in clayey soil. The polished or slickensided surface indicates that movement (in many cases very little) has occurred along the defect.		INFILLED SEAM	Sheet or wall like body of soil substance or mass with roughly planar to irregular near parallel boundaries which cuts through a soil mass. Formed by infilling of open defects.	

Appendix B

Qualitative Terminology for Use in Assessing Risk to Property

QUALITATIVE TERMINOLOGY FOR USE IN ASSESSING RISK TO PROPERTY

QUALITATIVE MEASURES OF LIKELIHOOD

Approximate Annual Probability Indicative Value	Notional Boundary	Implied Indicative Landslide Recurrence Interval		Description	Descriptor	Level
		10 years	20 years			
10 ⁻¹	5x10 ⁻²	100 years	200 years	The event is expected to occur over the design life.	ALMOST CERTAIN	A
10 ⁻²	5x10 ⁻³	1000 years	2000 years	The event will probably occur under adverse conditions over the design life.	LIKELY	B
10 ⁻³	5x10 ⁻⁴	10,000 years	20,000 years	The event could occur under adverse conditions over the design life.	POSSIBLE	C
10 ⁻⁴	5x10 ⁻⁵	100,000 years	200,000 years	The event might occur under very adverse circumstances over the design life.	UNLIKELY	D
10 ⁻⁵	5x10 ⁻⁶	1,000,000 years		The event is conceivable but only under exceptional circumstances over the design life.	RARE	E
10 ⁻⁶				The event is inconceivable or fanciful over the design life.	BARELY CREDIBLE	F

Note: (1) The table should be used from left to right; use Approximate Annual Probability or Description to assign Descriptor, not vice versa.

QUALITATIVE MEASURES OF CONSEQUENCES TO PROPERTY

Approximate Cost of Damage Indicative Value	Notional Boundary	Description	Descriptor	Level
200%	100%	Structure(s) completely destroyed and/or large scale damage requiring major engineering works for stabilisation. Could cause at least one adjacent property major consequence damage.	CATASTROPHIC	1
60%	40%	Extensive damage to most of structure, and/or extending beyond site boundaries requiring significant stabilisation works. Could cause at least one adjacent property medium consequence damage.	MAJOR	2
20%	10%	Moderate damage to some of structure, and/or significant part of site requiring large stabilisation works. Could cause at least one adjacent property minor consequence damage.	MEDIUM	3
5%	1%	Limited damage to part of structure, and/or part of site requiring some reinstatement stabilisation works.	MINOR	4
0.5%		Little damage. (Note for high probability event (Almost Certain), this category may be subdivided at a notional boundary of 0.1%. See Risk Matrix.)	INSIGNIFICANT	5

- Notes:
- (2) The Approximate Cost of Damage is expressed as a percentage of market value, being the cost of the improved value of the unaffected property which includes the land plus the unaffected structures.
 - (3) The Approximate Cost is to be an estimate of the direct cost of the damage, such as the cost of reinstatement of the damaged portion of the property (land plus structures), stabilization works required to render the site to tolerable risk level for the landslide which has occurred and professional design fees, and consequential costs such as legal fees, temporary accommodation. It does not include additional stabilisation works to address other landslides which may affect the property.
 - (4) The table should be used from left to right; use Approximate Cost of Damage or Description to assign Descriptor, not vice versa

Geoton Pty Ltd (adapted from Australian Geomechanics Vol 42 No 1 March 2007)

QUALITATIVE TERMINOLOGY FOR USE IN ASSESSING RISK TO PROPERTY (CONTINUED)

QUALITATIVE RISK ANALYSIS MATRIX – LEVEL OF RISK TO PROPERTY

LIKELIHOOD		CONSEQUENCES TO PROPERTY (With Indicative Approximate Cost of Damage)				
	Indicative Value of Approximate Annual Probability	1: CATASTROPHIC 200%	2: MAJOR 60%	3: MEDIUM 20%	4: MINOR 5%	5: INSIGNIFICANT 0.5%
A – ALMOST CERTAIN	10 ⁻¹	VH	VH	VH	H	M or L (5)
B - LIKELY	10 ⁻²	VH	VH	H	M	L
C - POSSIBLE	10 ⁻³	VH	H	M	M	VL
D - UNLIKELY	10 ⁻⁴	H	M	L	L	VL
E - RARE	10 ⁻⁵	M	L	L	VL	VL
F - BARELY CREDIBLE	10 ⁻⁶	L	VL	VL	VL	VL

Notes: (5) For Cell A5, may be subdivided such that a consequence of less than 0.1% is Low Risk.
(6) When considering a risk assessment it must be clearly stated whether it is for existing conditions or with risk control measures which may not be implemented at the current time.

RISK LEVEL IMPLICATIONS

Risk Level		Example Implications (7)
VH	VERY HIGH RISK	Unacceptable without treatment. Extensive detailed investigation and research, planning and implementation of treatment options essential to reduce risk to Low; may be too expensive and not practical. Work likely to cost more than value of the property.
H	HIGH RISK	Unacceptable without treatment. Detailed investigation, planning and implementation of treatment options required to reduce risk to Low. Work would cost a substantial sum in relation to the value of the property.
M	MODERATE RISK	May be tolerated in certain circumstances (subject to regulator's approval) but requires investigation, planning and implementation of treatment options to reduce the risk to Low. Treatment options to reduce to Low risk should be implemented as soon as practicable.
L	LOW RISK	Usually acceptable to regulators. Where treatment has been required to reduce the risk to this level, ongoing maintenance is required.
VL	VERY LOW RISK	Acceptable. Manage by normal slope maintenance procedures.

Note: (7) The implications for a particular situation are to be determined by all parties to the risk assessment and may depend on the nature of the property at risk; these are only given as a general guide

Appendix C

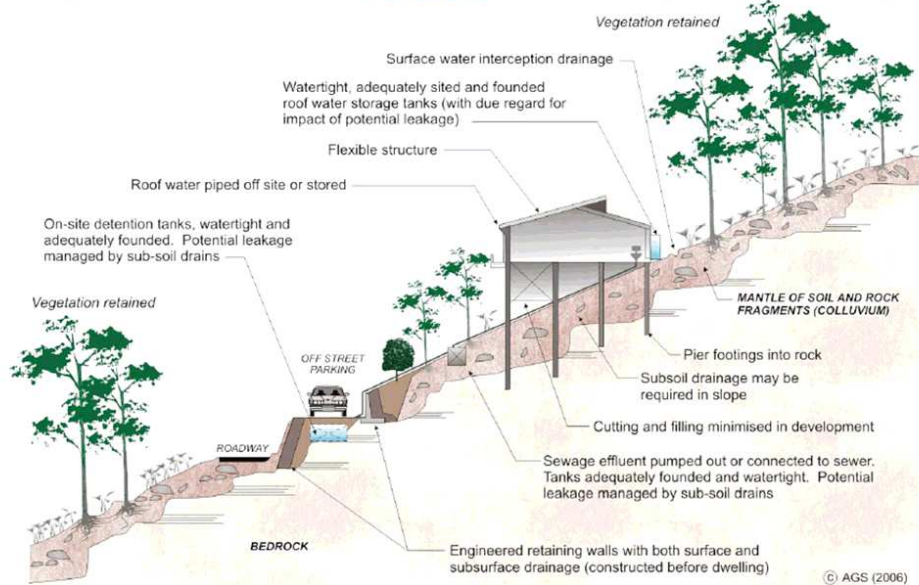
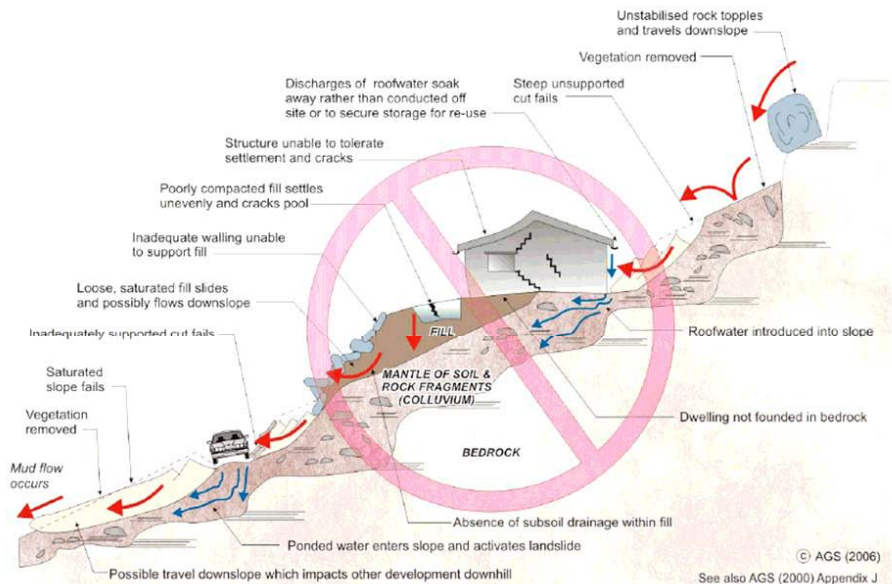
Some Guidelines for Hillside Construction

PRACTICE NOTE GUIDELINES FOR LANDSLIDE RISK MANAGEMENT 2007

APPENDIX - SOME GUIDELINES FOR HILLSIDE CONSTRUCTION

ADVICE		GOOD ENGINEERING PRACTICE	POOR ENGINEERING PRACTICE
GEOTECHNICAL ASSESSMENT		Obtain advice from a qualified, experienced geotechnical practitioner at early stage of planning and before site works.	Prepare detailed plan and start site works before geotechnical advice.
PLANNING			
SITE PLANNING		Having obtained geotechnical advice, plan the development with the risk arising from the identified hazards and consequences in mind.	Plan development without regard for the Risk.
DESIGN AND CONSTRUCTION			
HOUSE DESIGN		Use flexible structures which incorporate properly designed brickwork, timber or steel frames, timber or panel cladding. Consider use of split levels. Use decks for recreational areas where appropriate.	Floor plans which require extensive cutting and filling. Movement intolerant structures.
SITE CLEARING		Retain natural vegetation wherever practicable.	Indiscriminately clear the site.
EARTHWORKS		Retain natural contours wherever possible.	Indiscriminatory bulk earthworks.
CUTS		Minimise depth. Support with engineered retaining walls or batter to appropriate slope. Provide drainage measures and erosion control.	Large scale cuts and benching. Unsupported cuts. Ignore drainage requirements
FILLS		Minimise height. Strip vegetation and topsoil and key into natural slopes prior to filling. Use clean fill materials and compact to engineering standards. Batter to appropriate slope or support with engineered retaining wall. Provide surface drainage and appropriate subsurface drainage.	Loose or poorly compacted fill, which if it fails, may flow a considerable distance including onto property below. Block natural drainage lines. Fill over existing vegetation and topsoil. Include stumps, trees, vegetation, topsoil, boulders, building rubble etc in fill.
ROCK OUTCROPS & BOULDERS		Remove or stabilise boulders which may have unacceptable risk. Support rock faces where necessary.	Disturb or undercut detached blocks or boulders.
RETAINING WALLS		Found on rock where practicable. Provide subsurface drainage within wall backfill and surface drainage on slope above. Construct wall as soon as possible after cut/fill operation.	Construct a structurally inadequate wall such as sandstone flagging, brick or unreinforced blockwork. Lack of subsurface drains and weepholes.
FOOTINGS		Found within rock where practicable. Use rows of piers or strip footings oriented up and down slope. Design for lateral creep pressures if necessary. Backfill footing excavations to exclude ingress of surface water.	Found on topsoil, loose fill, detached boulders or undercut cliffs.
SWIMMING POOLS		Engineer designed. Support on piers to rock where practicable. Provide with under-drainage and gravity drain outlet where practicable. Design for high soil pressures which may develop on uphill side whilst there may be little or no lateral support on downhill side.	
DRAINAGE		Provide at tops of cut and fill slopes. Discharge to street drainage or natural water courses. Provide general falls to prevent blockage by siltation and incorporate silt traps. Line to minimise infiltration and make flexible where possible. Special structures to dissipate energy at changes of slope and/or direction.	Discharge at top of fills and cuts. Allow water to pond on bench areas.
SURFACE		Provide filter around subsurface drain. Provide drain behind retaining walls. Use flexible pipelines with access for maintenance. Prevent inflow of surface water.	Discharge roof runoff into absorption trenches.
SUBSURFACE			
SEPTIC & SULLAGE		Usually requires pump-out or mains sewer systems; absorption trenches may be possible in some areas if risk is acceptable. Storage tanks should be water-tight and adequately founded.	Discharge sullage directly onto and into slopes. Use absorption trenches without consideration of landslide risk.
EROSION CONTROL & LANDSCAPING		Control erosion as this may lead to instability. Revegetate cleared area.	Failure to observe earthworks and drainage recommendations when landscaping.
DRAWINGS AND SITE VISITS DURING CONSTRUCTION			
DRAWINGS		Building Application drawings should be viewed by geotechnical consultant.	
SITE VISITS		Site Visits by consultant may be appropriate during construction/	
INSPECTION AND MAINTENANCE BY OWNER			
OWNER'S RESPONSIBILITY		Clean drainage systems; repair broken joints in drains and leaks in supply pipes. Where structural distress is evident see advice. If seepage observed, determine causes or seek advice on consequences.	

PRACTICE NOTE GUIDELINES FOR LANDSLIDE RISK MANAGEMENT 2007

EXAMPLES OF **GOOD** HILLSIDE PRACTICEEXAMPLES OF **POOR** HILLSIDE PRACTICE

Australian Geomechanics Vol 42 No 1 March 2007

Appendix D

Certificate Forms



Engineering Certificate

To:	Mr Craig & Ms Lisa Smith	Owner /Agent	
	38 Richardson Crescent	Address	
	Park Grove Tas	7320	Suburb/postcode

Certifier details:

From:	Geoton Pty Ltd		
Address:	PO Box 522	Phone No:	(03) 6326 5001
	Prospect	7250	Fax No:
Accreditation No: <i>(if applicable)</i>		Email address:	tbarriera@geoton.com.au
Or qualifications and Insurance details:	Tony Barriera - Chartered Professional Engineer NPER3 - Civil, Geotechnical Lloyds of London		<i>(description from Column 4 of the Director of Building Control's determination)</i>
Speciality area of expertise:	Geotechnical Engineering Landslide Risk Assessments		<i>(description from Column 5 of the Director of Building Control's determination)</i>

Details of work:

Address:	35 View Road	Lot No:	8
	Montello Tas	7320	Certificate of title No:
The work related to this certificate:	Landslide Risk Assessment <i>(description of the work or part work being certified)</i>		

Certificate details:

Certificate type:	Geotechnical	<i>(description from Column 2 of the Director of Building Control's determination)</i>
-------------------	--------------	--

In issuing this certificate the following matters are relevant –

Documents:	Geoton Pty Ltd, Report Reference No. GL22525Ab, dated 20/09/2022.
Relevant calculations:	Refer to report
References:	Australian Geomechanics Society – Practice Note Guidelines for Landslide Risk Management, 2007

*Substance of Certificate:*

Findings and recommendations of report (Report Reference No. GL22525Ab).

The landslide risk assessment was conducted in accordance with Australian Geomechanics Society (AGS) – Practice Note Guidelines for Landslide Risk Management, 2007. Our report concluded that the qualitative landslide risk for the site is at worst a LOW risk provided the development of the site. In our experience, regulating authorities allow developments to proceed with VERY LOW to LOW risk.


The development is to be within a Low Landslide Hazard Band. The findings of our investigation indicate that the development will involve an insufficient increase in risk to warrant any specific hazard reduction or protection measures. This is an acceptable solution under C15.6.1 of the Hazard Management Code of the Tasmanian Planning Scheme.

Scope or Limitations

The report provides a qualitative landslide risk assessment which identifies the landslide risks at the site and provides recommendations to maintain, improve and possibly reduce the risk of landslides so as not cause or contribute to the risk of landslides on the site and lands in the locality.

The recommendations for the design of the proposed works are in accordance with prevailing geological conditions described in the report for the site, assessed landslide risks and recommended good hillside practices.

I certify the matters described in this certificate.

	<i>Signed:</i>	<i>Date:</i>	<i>Certificate No.</i>
Certifier:		20/09/2022	GL22525Ab

**CERTIFICATE OF QUALIFIED PERSON – ASSESSABLE
ITEM****Section 321**

To: Owner /Agent
 Address
 Suburb/postcode

Form **55****Qualified person details:**

Qualified person:
 Address: Phone No:
 Fax No:
 Licence No: Email address:

Qualifications and Insurance details: (description from Column 3 of the Director's
Determination - Certificates by Qualified Persons
for Assessable Items)

Speciality area of expertise: (description from Column 4 of the Director's
Determination - Certificates by Qualified Persons
for Assessable Items)

Details of work:

Address: Lot No:
 Certificate of title No:
 The assessable item related to this certificate: (description of the assessable item being certified)
 Assessable item includes –
 - a material;
 - a design
 - a form of construction
 - a document
 - testing of a component, building system or plumbing system
 - an inspection, or assessment, performed

Certificate details:

Certificate type: (description from Column 1 of Schedule 1 of the
Director's Determination - Certificates by Qualified
Persons for Assessable Items n)

This certificate is in relation to the above assessable item, at any stage, as part of - (tick one)

building work, plumbing work or plumbing installation or demolition work: ☐

or

a building, temporary structure or plumbing installation: ☒

In issuing this certificate the following matters are relevant –

Documents:	Geoton Pty Ltd, Report Reference No. GL22525Ab, dated 20/09/2022
Relevant calculations:	Refer to report
References:	AS 2870 – 2011 Residential Slabs and Footings Construction AS 4055 – 2021 Wind Loads for Housing CSIRO Building Technical File 18


Substance of Certificate: (what it is that is being certified)

Site Classification in accordance to AS2870 - 2011
Wind Loading in accordance to AS 4055 - 2021
Findings and recommendations of report

Scope and/or Limitations

The classification applies to the site as investigated at the time and does not account for any future alteration to foundation conditions resulting from earthworks, drainage condition changes or site maintenance variations.

I certify the matters described in this certificate.


	<i>Signed:</i>	<i>Certificate No:</i>	<i>Date:</i>
Qualified person:		GL22525Ab	20/09/2022

PRACTICE NOTE GUIDELINES FOR LANDSLIDE RISK MANAGEMENT 2007

FORM	A	Geotechnical Declaration and Verification Development Application		Page 1 of 2
	Office Use Only			Regulator: Burnie City Council
<p>To be submitted with a development application. If this form is not submitted with the geotechnical report the report will be refused.</p> <p>This form is essential to verify that the geotechnical report has been prepared in accordance with <Regulator's geotechnical DCP> and that the author of the geotechnical report is a geotechnical engineer or engineering geologist as defined by <Regulator's geotechnical DCP>. Alternatively, where a geotechnical report has been prepared for subdivision or is greater than two years old or by a professional person not recognised by <Regulator's geotechnical DCP>, then this form may be used as technical verification of the geotechnical report if signed by a geotechnical engineer or engineering geologist as defined by <Regulator's geotechnical DCP>.</p>				
Section 1 Related Application				
Reference		What is the Council development application number?		
DA Site Address		35 View Road, Montello TAS 7320		
DA Applicant		Mr Craig & Ms Lisa Smith		
Section 2 Geotechnical Report				
Details		Title: Geotechnical Investigation and Landslide Risk Assessment Author's Company/ Organisation Name: Geoton Pty Ltd Report Reference No: GL22525Ab Author: Tony Barriera Dated: 20 / 09 / 2022		
Section 3 Checklist				
Geotechnical Requirements (Tick as appropriate, either Yes or No)		<p>The following checklist covers the minimum requirements to be addressed in a geotechnical report. This checklist is to accompany the report. Each item is to be cross-referenced to the section or page of the geotechnical report which addresses that item.</p>		
Yes	No	A review of readily available history of slope instability in the site or related land An assessment of the risk posed by all reasonably identifiable geotechnical hazards Plans and sections of the site and related land. No section provided. Presentation of a geological model Photographs and/or drawings of the site A conclusion as to whether the site is suitable for the development proposed to be carried out either conditionally or unconditionally If any items above are ticked No, an explanation is to be included in the report to justify why. N/A		
Yes	No	Subject to recommendations and conditions relevant to: selection and construction of footing systems, earthworks, surface and sub surface drainage, recommendations for the selection of structural systems consistent with the geotechnical assessment of the risk, any conditions that may be required for the ongoing mitigation and maintenance of the site and the proposal, from a geotechnical viewpoint, highlighting and detailing the inspection regime to provide the <PCA> and builder with adequate notification for all necessary inspections. State Design life adopted: 50 Years		

Note: <Add reference>: Add in the relevant section or page number of the listed geotechnical report which addresses each item.

PRACTICE NOTE GUIDELINES FOR LANDSLIDE RISK MANAGEMENT 2007

FORM	A	Page 2 of 2				
		Geotechnical Declaration and Verification Development Application				
Section 4		List of Drawings referenced in Geotechnical Report				
Design Documents		Description	Plan or Document No.	Revision or Version No.	Date	Author
Section 5		Declaration				
Declaration (Tick all that apply) Yes		I am a geotechnical engineer or engineering geologist as defined by the <Regulator's geotechnical DCP> and on behalf of the company below, I:				
<input checked="" type="checkbox"/> No <input type="checkbox"/>		am aware that the geotechnical report I have either prepared or am technically verifying (referenced above) is to be submitted in a support of a development application for the proposed development site (referenced above) and its findings will be relied upon by Burnie City Council in determining the development application.				
<input checked="" type="checkbox"/> N/A <input type="checkbox"/>		prepared the geotechnical report referenced above in accordance with the AGS (2007c) as amended and the Tasmanian Planning Scheme - Burnie.				
<input checked="" type="checkbox"/> N/A <input type="checkbox"/>		am willing to technically verify that the Geotechnical Report referenced above has been prepared in accordance with the AGS (2007c) as amended and the Tasmanian Planning Scheme - Burnie.				
<input checked="" type="checkbox"/> No <input type="checkbox"/>		am willing to technically verify that the geotechnical report prepared for the development application for the site confirms the land will achieve the level of <tolerable risk> of slope instability as a result of the considerations described the Tasmanian Planning Scheme – Burnie taking into account the total development and site disturbances proposed.				
<input checked="" type="checkbox"/> No <input type="checkbox"/>		am willing to technically verify that the geotechnical report prepared for the site and related land being greater than two years old confirms the land will achieve the level of <tolerable risk> of slope instability as a result of the considerations described in the Tasmanian Planning Scheme - Burnie taking into account the total development and site disturbances proposed.				
<input checked="" type="checkbox"/> No <input type="checkbox"/>		have professional indemnity insurance in accordance with the Tasmanian Planning Scheme – Burnie of not less than \$5 million, being in force for the year in which the report is dated, with retroactive cover under this insurance policy extending back to the engineer's first submission to Burnie City Council.				
Section 6		Geotechnical Engineer or Engineering Geologist Details				
Company/ Organisation Name		Geoton Pty Ltd				
Name (Company Representative)		Surname: Barriera			Mr /Mrs /Other: Mr	
		Given Names: Antonio Jose				
		Chartered Professional Status: CPEng, NER			Registration No: 471929	
					Dated: 20 / 09 / 2022	

Reference: AGS (2007c) "Practice Note Guidelines for Landslide Risk Management". Australian Geomechanics Society, Australian Geomechanics, V42, N1, March 2007.

Note: N/A = Not Applicable.

CRAIG SMITH

PROPOSED RESIDENCE

35 VIEW ROAD, MONTELO

Drawing Schedule

SHEET	DESCRIPTION	REV	ISSUE DATE
A100	COVER PAGE	A	09/01/20
A101	SITE PLAN	A	09/01/20
A102	ELEVATIONS 1 OF 2	A	09/01/20
A103	ELEVATIONS 2 OF 2	A	09/01/20
A104	GROUND FLOOR PLAN	A	09/01/20
A105	FIRST FLOOR PLAN	A	09/01/20
A106	DRAINAGE PLAN	A	09/01/20
A107	WALL FRAMING PLAN	A	09/01/20
A108	ELECTRICAL PLAN	A	09/01/20
A109	REFLECTED CEILING PLAN	A	09/01/20
A110	ROOF FRAMING PLAN	A	09/01/20
A111	ROOF PLAN	A	09/01/20
A112	SECTION A-A	A	09/01/20
A113	DETAILS 1 OF 2	A	09/01/20
A114	DETAILS 2 OF 2	A	09/01/20
A115	WALL TYPES	A	09/01/20
A116	WATERPROOFING 1 OF 2	A	09/01/20
A117	WATERPROOFING 2 OF 2	A	09/01/20
A118	WINDOW & DOOR SCHEDULE	A	09/01/20
A120	LIGHTING CALCULATOR	A	09/01/20
A121	CONSTRUCTION NOTES 1 OF 2	A	09/01/20
A122	CONSTRUCTION NOTES 2 OF 2	A	09/01/20
A123	BAL 12.5 CONSTRUCTION NOTES	A	09/01/20
A124	SHADOW DIAGRAMS	A	09/01/20

GENERAL INFORMATION

ACCREDITED DESIGNER:
NICHOLAS BRANDSEMMA
ACCREDITATION NUMBER:
PD6153449, TITLE REF 72484/8
LAND TITLE REFERENCE NUMBER:
TBA
ENERGY ASSESSMENT:
GENERAL RESIDENTIAL
COUNCIL ZONE:
BURNIE COUNCIL

FLOOR AREAS
GROUND FLOOR AREA:
167m² (18 SQUARES)
FIRST FLOOR AREA:
113m² (12 SQUARES)
TOTAL FLOOR AREA:
280m² (30 SQUARES)

SITE INFORMATION
SITE AREA:
917m²
SITE TYPE:
TBA
DESIGN WIND SPEED:
TBA
SOIL CLASSIFICATION:
N/A
ALPINE AREA:
N/A
CORROSION ENVIRONMENT:
TBA
BUSHFIRE ATTACK LEVEL:
7
CLIMATE ZONE:

n+b

22 Fieldings Way
Ulverston, Tasmania
Australia 7250
Phone: 0417 134 345 • 0454363231
Email: info@n+b.com.au
Licence No. 04733855 AIN 406 222 370 10

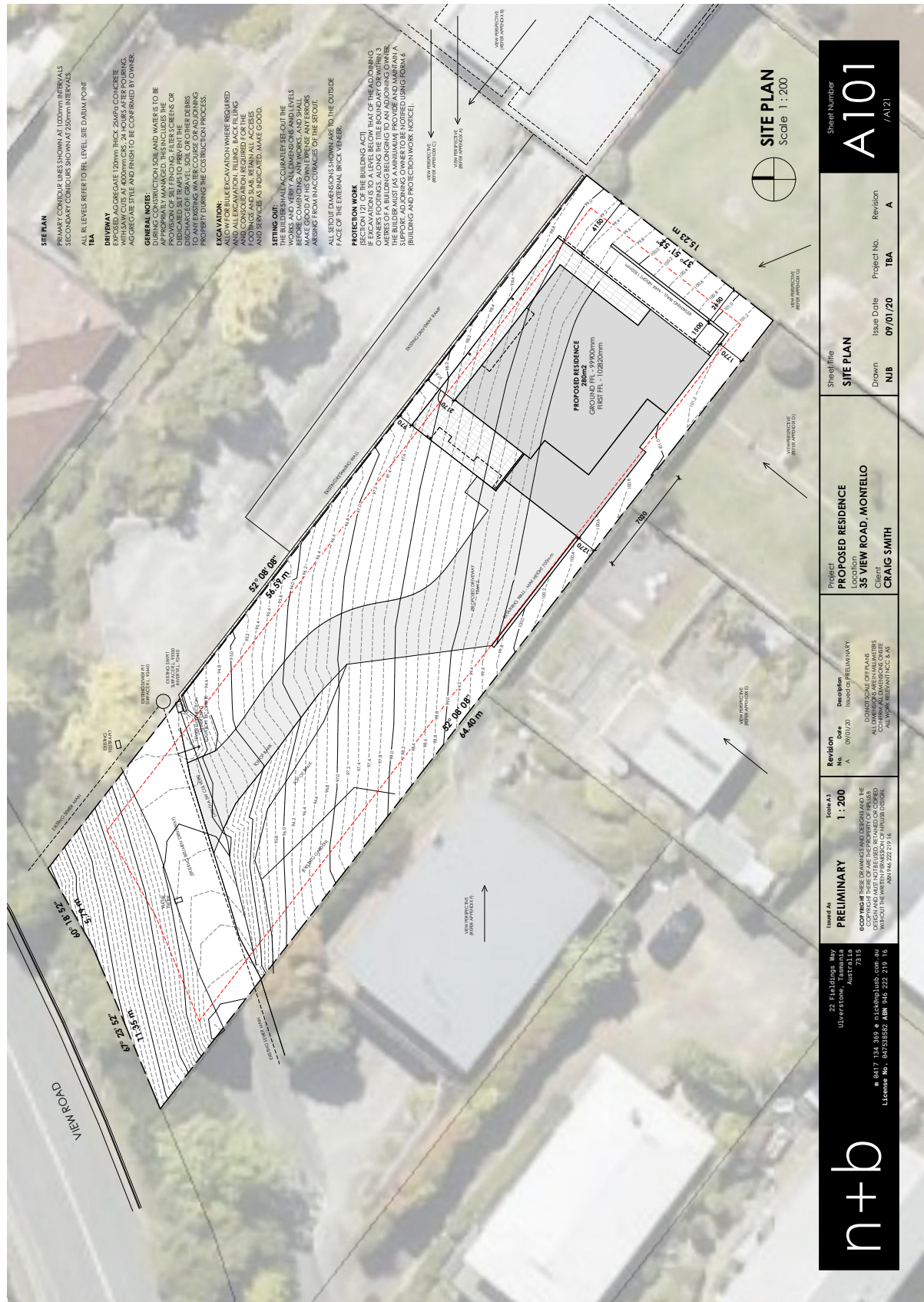
Issued As:
PRELIMINARY
Scale A3
© COPYRIGHT THESE DRAWINGS AND DESIGN ARE THE PROPERTY OF N+B. NO PART OF THESE DRAWINGS OR DESIGN MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS WITHOUT THE WRITTEN PERMISSION OF N+B DESIGN.
A301164-222-279-14

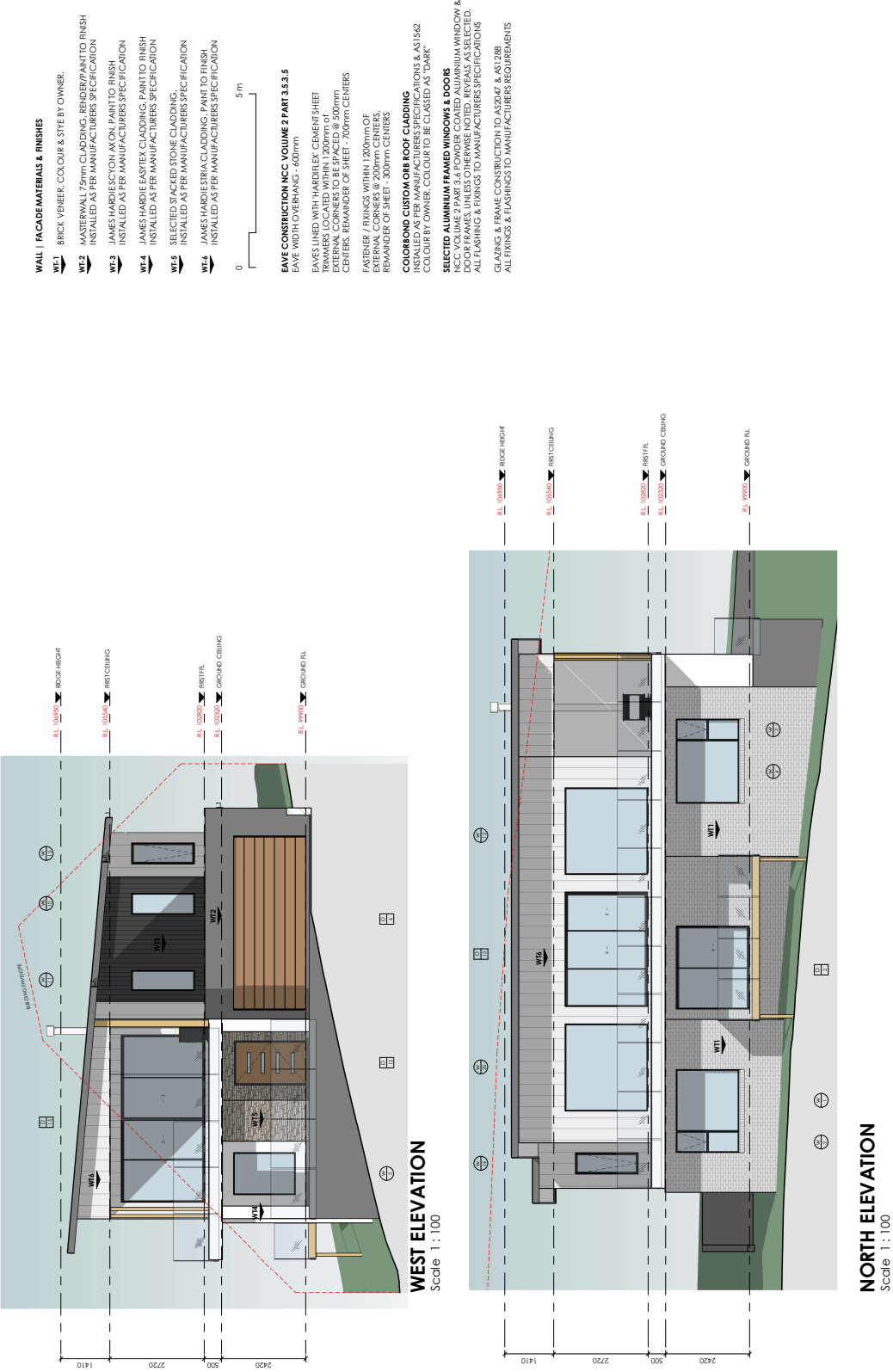
Revision
A
Description
Issued for PRELIMINARY
DO NOT SCALE OFF PLANS
FOR CONSTRUCTION. ALL DIMENSIONS MUST BE CONFIRMED BY THE CLIENT. ALL DIMENSIONS ON THE DRAWINGS ARE TO FACE UNLESS OTHERWISE NOTED.
ALL WORK RELEVANT TO F.C.C. & A.I.

Project
PROPOSED RESIDENCE
Location
35 VIEW ROAD, MONTELO
Client
CRAIG SMITH

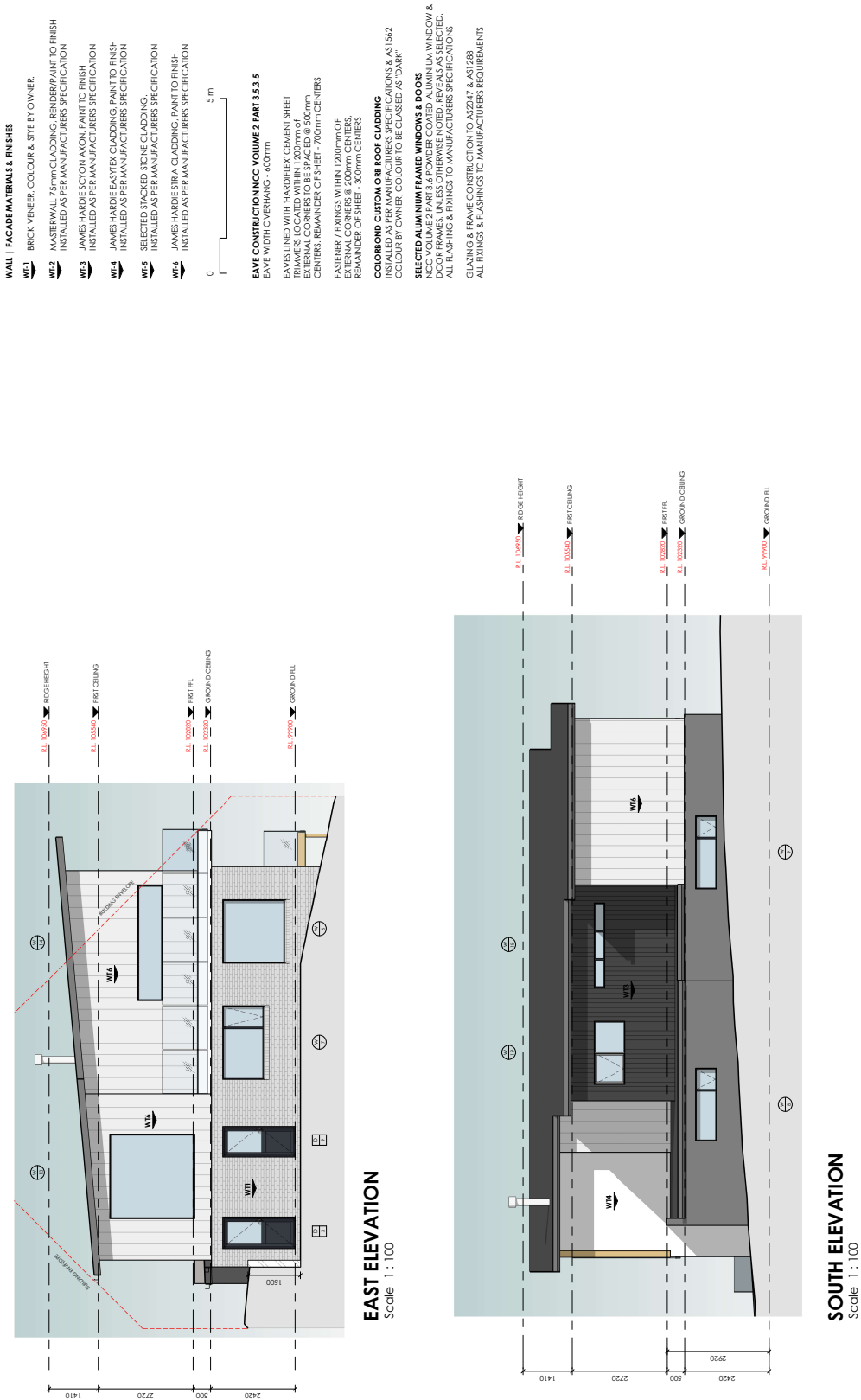
Steel Title
COVER PAGE
Drawn
NJB
Issue Date
09/01/20
Project No.
TBA
Revision
A

Steel Number
A100
/A121

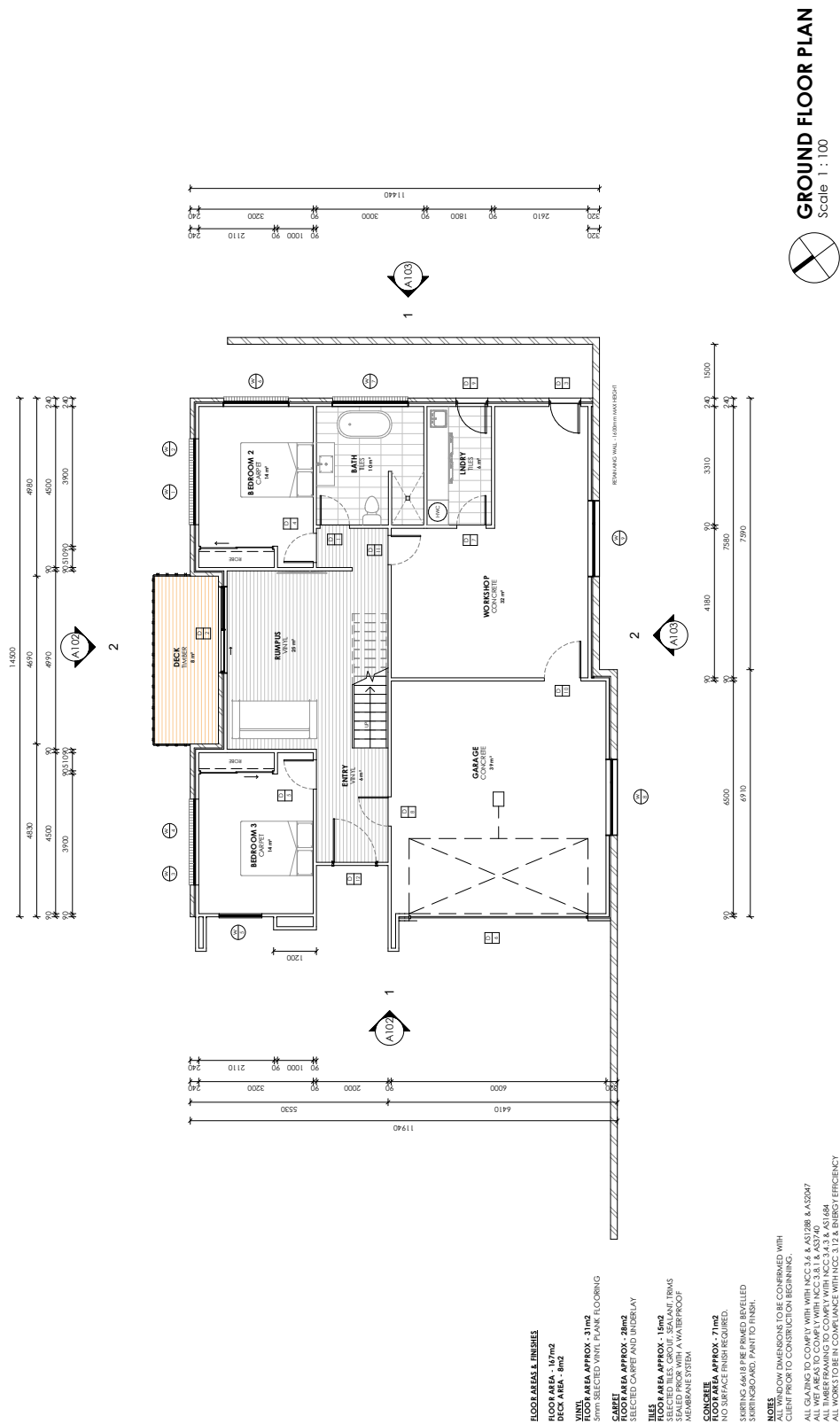




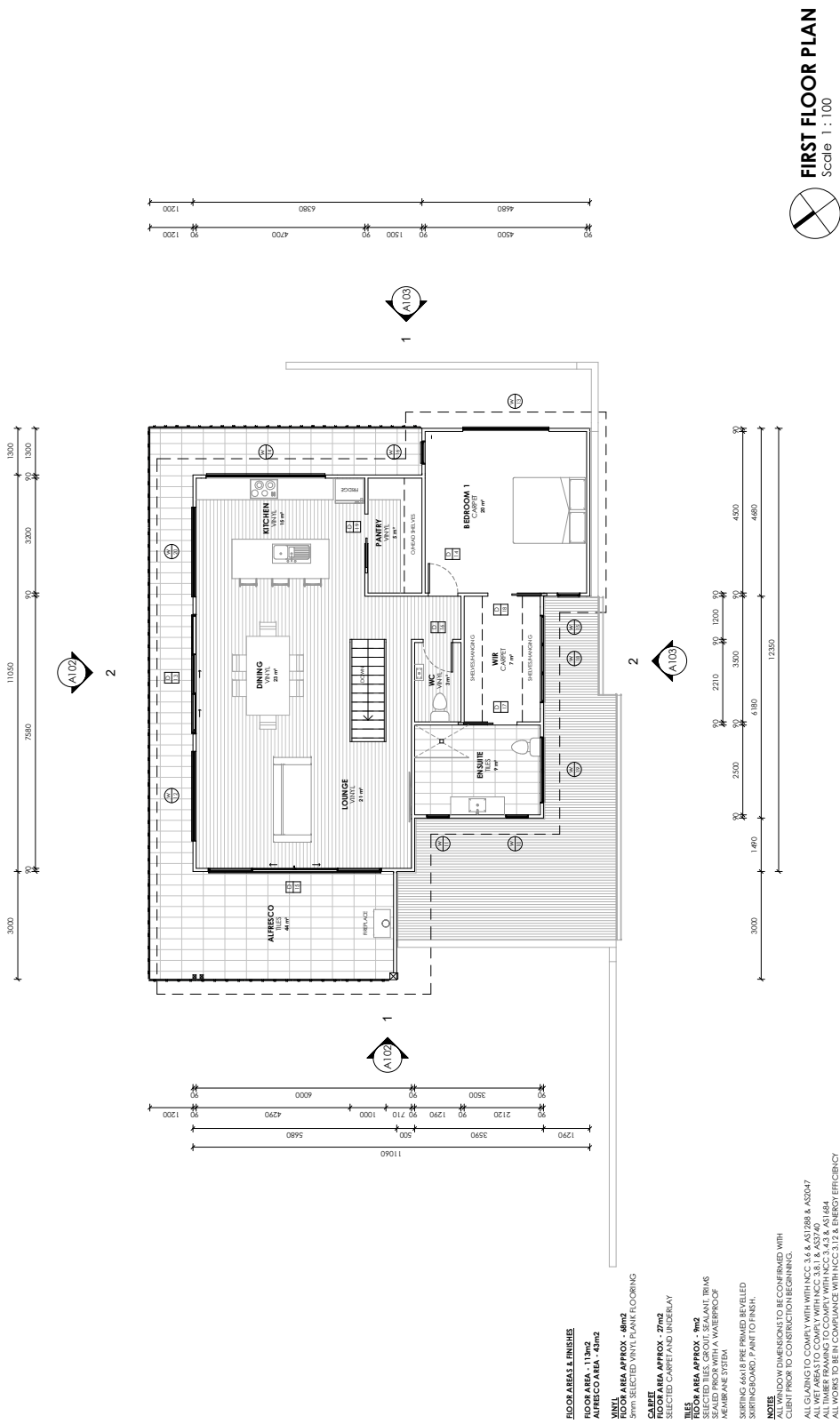
n+b 22 Fieldings Way Ulverston, Tasmania Australia 7315 e 0417 134 309 e n.b@nplusb.com.au License No. 64753852 ADR 946 222 219 16	Issued As PRELIMINARY Scale A3 1 : 100 © COPYRIGHT THESE DRAWINGS AND DESIGN AND THE DESIGN AND ARTIST NOT BE REPRODUCED, RETAINED OR COPIED WITHOUT THE WRITTEN PERMISSION OF N+B ARCH 946 222 219 16	Revision No. A Date 09/01/20 Description ISSUED AS PRELIMINARY DO NOT SCALE OFFRANS ALL DIMENSIONS ARE IN METRES ALL WORK RELEVANT NCC & AT	Project PROPOSED RESIDENCE Location 35 VIEW ROAD, MONTELO Client CRAIG SMITH	Sheet Title ELEVATIONS 1 OF 2	Sheet Number A102 /A121
				Drawn NJB	Issue Date 09/01/20



n+b 22 Eldridge Way Ulverston, Tasmania Australia 7315 p 0417 134 309 e n.b@nplusb.com.au License No. 84753852 ADR 946 222 219 16	Issued As PRELIMINARY Scale A3 1 : 100 © COPYRIGHT THESE DRAWINGS AND DESIGN AND THE DESIGN AND ARTIST NOT BE REPRODUCED, RETAINED OR COPIED WITHOUT THE WRITTEN PERMISSION OF N+B ARCHITECTS 222 219 16	Revision No. A Date 09/01/20 Description ISSUED AS PRELIMINARY DO NOT SCALE OFF FRAMES ALL DIMENSIONS ARE IN METRES ALL WORK RELEVANT NCC & AT	Project PROPOSED RESIDENCE Location 35 VIEW ROAD, MONTELO Client CRAIG SMITH	Sheet Title ELEVATIONS 2 OF 2	Sheet Number A103 /A121	
					Drawn NJB	Issue Date 09/01/20
					Project No. TBA	Revision A



n+b	22 Findings Way Uverston, Australia ☎ 8477 134 369 • f1@n+b.com.au License No.: 84738582 A/N 946 222 219 16	Used As: PRELIMINARY	Scale A3 1 : 100	Revision No. Description A 09/01/20 Issued for PRELIMINARY	Project Location PROPOSED RESIDENCE 35 VIEW ROAD, MONTELO Client CRAIG SMITH	Sheet Title GROUND FLOOR PLAN	Sheet Number A104 /A121

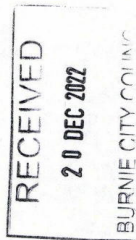


Issued At		22 Eldridge Way Ulverston, Tasmania 7315	Scale A3	1 : 100	Revision	No.	A	Date	09/01/20	Description	ISSUED FOR PRELIMINARY DO NOT SCALE OFF PLANS ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE SPECIFIED ALL WORK RELEVANT NCC 3.1	Project	PROPOSED RESIDENCE Location 35 VIEW ROAD, MONTELO Client CRAIG SMITH	Sheet Title	FIRST FLOOR PLAN	Drawn	NJB	Issue Date	09/01/20	Project No.	TBA	Revision	A	Sheet Number	A105 /A121
-----------	--	--	----------	---------	----------	-----	---	------	----------	-------------	---	---------	--	-------------	------------------	-------	-----	------------	----------	-------------	-----	----------	---	--------------	---------------



GENERAL MANAGER
Burnie City Council
DA 2022/129 35 View Road (Craig & Lisa Smith)

Representation;
24 Morse Street Burnie



Firstly, I would like to advise that I did not receive the Council letter in the post until 15 Dec 2022. But we did view the plans with Sally at the Council Chambers prior to this.

I have reviewed the proposed development plan for 35 View Road with my daughter Liz. I have included a photo of my current view and where we think the new building will sit in relation to this. I understand that my view will be obscured to the NE and my remaining view to the sea will be through the NW. I spend most of my time each day at home and maintaining my garden.

Can you please take into consideration the following when progressing with the decision to proceed?

Replacement of Boundary Fence

Fence height to remain same with Timber overlap - shared cost as agreed with Craig

Landscaping in the Future

Please can I ask that there is consideration of any plant's height along the boundary fence in the NW direction.

○ Ensuite Windows FIRST FFL

Window Plan details the ensuite windows as "CLR" – can you please consider opaque for privacy

Regards,
Janet Pickering
J. Pickering



24 MORSE STREET – view from Sunroom

19 December 2022

Greg Doherty
33 View Road
Montello, 7320

General Manager
Burnie City Council
PO Box 973, Burnie 7320
Via email: burnie@burnie.tas.gov.au

Re: DA 2022/129, 35 View Road Montello CT 72684/8

As owner and resident at 33 View Road I would like the Burnie City Council to reconsider and refuse the application for the intended building at 35 View Road because the planned building does not comply with relevant performance criteria and does not meet application requirements.

I would also like to stress that I am not opposed to building on the site, simply I would like the building to comply or exceed the relevant guidelines for planning to enhance the locality. I regret any inconvenience or delay in the approvals for development of the site.

The reasons for my objection to the development application are;

1. The building fails to meet performance criteria of 8.4.2

The building is outside of the allowable building envelope and does not comply with relevant performance criteria.

The building is demonstrated on the east and west elevation on Plan A102 and A103 to extend outside of the allowable building envelope.

Please note that in Plan A102 there is an unlabelled dashed red line on the north elevation that is similar to the building envelope presented in the east and west elevations. If this unlabelled line is not a building envelope then it is potentially misleading relative to the east and west elevations that clearly show the top story of the northern face of the building to be outside of the design envelope.

The dimensions and location of the building create an inherently imposing structure upon the existing living spaces of 33 View Road.

The western side of 33 View Road is the primary living space and maximises solar benefit. Addition of privacy screening on the western side of 33 View Road would result in significant and unacceptable reduction in solar benefit to the occupants.

From the ground floor of 33 View Road the building would be 13.5m high above a level concrete area that is used for entertaining and recreation. This is the only flat large outdoor recreation space on the property and is used for basketball, cricket and entertaining.

From the first floor of 33 View Rd the building has a height of 10.45m within 1m of the property boundary.

There is no natural break or separation of the properties other than the existing vertical 2m high concrete wall and elevation. No vegetation or fence line is proposed to mitigate this impact, no privacy modifications to veranda balustrades are proposed.

The area nearest the property is a flat undercover area used for outdoor entertaining and is subject to current plans to be converted at some point in the future to a habitable area of the residence.

Due to the limited standoff from the northern property boundary the geotechnical risks are also exacerbated and explained in a subsequent section.

2. The building fails to meet performance criteria of 8.4.6

Response to the query of condition 8.4.2 P3 by N+B design are erroneous and misleading. The view of the intended property from the windows of 33 View Rd (Figure Appendix A) is misleading as it is taken from a fabricated/assumed position at the greatest distance from the building inside 33 View Road. The image should be presented from a true observation point from a person standing or seated at the window as the room is used. This very western side of the house is the main living area of 33 View Road and used as a private space to maximise the natural solar gain in the afternoons, the occupants seated at the window enjoying the sun.

All verandas on the first and second floor of the proposed development utilise clear glass balustrading and there is no attempt to provide screening on the northern face to mitigate privacy upon the overlooked areas of 33 View Road as a mitigation.

In addition to the matters related to the discretionary use under 8.4.2 and 8.4.6 I would like to raise the following matters where I believe the application fails to meet the minimum requirements related to elements of 6.1.3.

1 Failure to meet 6.1.3 B Xii - natural hazards – a geotechnical risk created by construction above a retaining wall structure up to 5m high on low strength materials.

The geotechnical report scope is limited to landslide risk, soil classification and wind rating.

No assessment of the suitability of building in proximity to proposed development upon a significant height retaining wall has been completed.

The report clearly states that no site plan was provided and therefore the suitability to undertake construction works within close proximity to the structure has not been completed.

The risk is exacerbated by the failure to meet 8.4.2 and provide a suitable offset from the structure.

The retaining wall structure is up to 5m high on the eastern end and the vehicle ramp is an integral part of the structure. The complete ramp structure from an elevation of ~98.45m effectively performs as a retaining wall for the entire site of 35 View Road. The only component considered in the design by the architect is the upper 2m high wall above the ramp located on the property boundary. Building on 35 view Road cannot be contingent on

the existence of this structure. The proposed development should be fundamentally stable without the aid of structures on 33 View Road.

Geotechnical boreholes indicate depth to in situ weathered rock to be 4.3 to 4.6m depth. The higher strength weathered basalt is the elevation of the ground floor foundations of 33 View Road and toe of the driveway ramp. Borehole testing also indicates the first 2m of materials from surface are moist stiff clays, and have a lower strength of <100kpa to approximately 2 m depth. This low strength material is contained behind the upper 2m high concrete wall. These materials are within a landslide risk zone and are demonstrated to be susceptible to movement or have potential to be unstable over time due to their low shear strength. Part failure or failure of the retaining wall on 33 View Road could result in catastrophic impacts upon both 33 and 35 View Road.

Without suitable engineering advice a setoff of <1:1 (2m) from a retaining wall crest of unknown construction and on low shear strength materials may not be geotechnically appropriate for a long term structure.

There is also no hydrological plan presented in the documents. It is assumed that drainage from the east and the rear of the property will be preferentially routed downhill towards the concrete wall. Diversion of water away from the wall is important for its long term stability. There is no indication of how surface water or groundwater will be drained and removed from the rear of the concrete wall to avoid saturation or flows into 33 View Road.

- 2 Failure to meet 6.1.3 B xii- natural hazards - 2m vertical drop on the northern property boundary onto 33 View Road

The application fails to describe and mitigate natural fall hazards associated with a 2m vertical face created by the concrete retaining wall on the northern boundary of the property. No information is provided how the top of the 2m wall will be treated to mitigate people, equipment or materials falling from 35 View Road onto 33 View Road. Previous maintenance activities and strong winds have led to shedding of stormwater runoff, vegetation matter and dirt (piles of grass, weeds and gravel) onto the below driveway of 33 View Road.

- 3 Failure to meet 6.1.3 B xii- natural hazards - steep 5m drop onto View Road from the easement

There is a significant natural hazard created by an approximately 5m high embankment falling steeply away to View Road on the western side of the easement. This hazard is substantially mitigated on other parts of the easement due to increased width, robust road surface and rails. There is no indication of planned works to the easement that would mitigate risk associated with this hazard.

- 4 Failure to meet 6.1.3 B xiii – proposed roads and driveways – no plans for the easement used to access the property are provided

The application fails to accurately describe access to the property across the easement and management of the hydrology/surface water runoff. The easement is an integral part of the proposed development. Plan A101 incorrectly identifies the easement as a bitumen driveway. The access is a combination of bitumen and gravel. Extensive damage to the road surface has occurred over the years due to attempts to access 35 View Road for


maintenance or the ongoing sale processes and when combined with inadequate drain maintenance this has lead to saturation and washout of the road surface.

The proposed access to the property does not allow for vehicle turn around off the right of way. As such vehicle turnaround will be unnecessarily completed on the right of way increasing road surface wear and temporarily limiting access to 33 View Road. An ongoing consequence of this lack of turn space means that turning to access the property is more often done by accessing 33 View Road, where level turning areas exist, and as a consequence of this practice 33 View Road has suffered repeated damage and increased maintenance requirements.

In summary I respectfully request that any proposal be kept to comply with relevant performance criteria and also meet all application requirements to address the natural hazards associated with the site.

Yours sincerely

Greg Doherty
33 View Road Burnie



AGREEMENT FOR AN EXTENSION OF TIME

Pursuant to Clause 57(6A) of the *Land Use Planning and Approvals Act 1993*

I, Nicholas Brandsema, as the Applicant of the permit application, agree to an extension of time until Friday 3 February 2023 for DA 2022/129 at 35 View Road MONTELO.

Signed 

Date: 20/12/2022

WORKS AND SERVICES**AO013-23 TENDER - CONSULTANT SERVICES BRIEF 210 - BURNIE GATEWAY PROJECT**

FILE NO: 31/1/822

PREVIOUS MIN:

1.0 RECOMMENDATION:

“THAT Council accepts the recommendation of the tender review panel and endorse GHD as the successful tender for design and implementation of the state funded Consultant Services Brief 210 – Burnie Gateway Project.”

2.0 EXECUTIVE SUMMARY**Purpose and Background**

The information relating to this tender and the selection process has been reported in Council’s closed session, as the item is considered confidential, due to it containing information pertaining to contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal, in accordance with Clause 15(2) of the Local Government (Meeting Procedures) Regulations 2015 (d).

This Report recommends that Council accepts the tender submission from GHD for the works described in Consultant Services Brief 210 - Burnie Gateway Project.

Key Issues

Tenders for Consultant Services Brief 210 - Burnie Gateway Project were advertised on Saturday, 26 November 2022 and tenders closed on Monday, 19 December 2022.

A mandatory Tender Briefing was held at the City Offices on Friday, 2 December 2022. 16 people from 11 different architectural companies attended the briefing, with three (3) people attending the office in person and the other 13 attending via video conferencing (Zoom).

At close of submissions on Monday, 19 December 2022 at 2pm, five (5) submissions were received.

A tender evaluation panel was convened on Thursday, 12 January 2023 to review the submissions and select the preferred company. Council’s Director of Works and Services facilitated the evaluation process and the other evaluation panel members consisted of Council’s General Manager and five (5) local businesses owners, local town and municipal planning expertise and first nation’s representation.

This report advises as to the assessment of the submissions and makes a recommendation on award to the General Manager.

3.0 SUPPORTING INFORMATION

Strategic Alignment

To achieve a **Vibrant Town Centre** the Council is committed to delivering a town centre that is clean, well maintained and attractive; ensuring that recreational and public space is activated and that entertainment and leisure events are facilitated with key partners, and that the town centre is multi-functional, well connected and lived in..

Legal

The requirements of the Councils Code for Tenders has been complied with in this tender.

Finance

The Gateway Project is fully funded by the State Government.

Relation to Council Policy

There are no Council policies relating to this report.

Discussion

All five (5) tenders were evaluated against Council evaluation criteria and scored accordingly the result of the evaluation.

The evaluation process takes in to consideration a number of factors as part of the selection criteria and the evaluation panel determined that GHD would provide the best outcome for Burnie City and its residents.

It is recommended that Consultant Services Brief 210 – Burnie Gateway Project be awarded to GHD.

Health and Safety

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

Risk

The tender evaluation panel concluded that GHD would present the least risk to the delivery of the Burnie Gateway Project, given that the tender was fully costed with no exclusions and GHD are proven performers having completed work for Council in the past.

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.

COUNCIL RESOLUTION

Resolution number: MO021-23

MOVED: Cr D Pease

SECONDED: Cr J Grave

“THAT Council accepts the recommendation of the tender review panel and endorse GHD as the successful tender for design and implementation of the state funded Consultant Services Brief 210 – Burnie Gateway Project.”

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

Against:

CARRIED UNANIMOUSLY

WORKS AND SERVICES**AO014-23 TENDER - CONSULTANT SERVICES BRIEF 211 - CITY CENTRE
URBAN PLAN**

FILE NO: 4/13/13

PREVIOUS MIN:

1.0 RECOMMENDATION:

“THAT Council accepts the tender submission from GHD for the works described in Consultant Services Brief 211 – City Centre Urban Plan.”

2.0 EXECUTIVE SUMMARY**Purpose and Background**

The information relating to this tender and the selection process has been reported in Council’s closed session, as the item is considered confidential, due to it containing information pertaining to contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal, in accordance with Clause 15(2) of the Local Government (Meeting Procedures) Regulations 2015 (d).

This Report recommends that Council accepts the tender submission from GHD for the works described in Consultant Services Brief 211 – City Centre Urban Plan.

Key Issues

Burnie City Council allocated \$225,000.00 in the 2022-23 budget for design and implementation of work related to the CBD Master Plan and waterfront rail corridor.

Tenders for Consultant Services Brief 211 - City Center Urban Plan were advertised on Saturday, 26 November 2022 and tenders closed on Monday, 19 December 2022.

A mandatory Tender Briefing was held at the City Offices on Friday, 2 December 2022. 14 people from 10 different architectural companies attended the briefing, with three (3) people attending the office in person and the other 11 attending via video conferencing (Zoom).

At close of submissions on 19 December 2022 at 2pm, four (4) submissions were received.

A tender evaluation panel was convened on Thursday, 12 January 2023 to review the submissions and select the preferred company. Council’s Director of Works and Services facilitated the evaluation process and the other evaluation panel members consisted of Council’s General Manager, five (5) local businesses owners, local town and municipal planning expertise and first nation’s representation.

The tender evaluation panel advises as to the assessment of the submissions and makes a recommendation on award to the General Manager.

3.0 SUPPORTING INFORMATION

Strategic Alignment

To achieve a **Vibrant Town Centre** the Council is committed to delivering a town centre that is clean, well maintained and attractive; ensuring that recreational and public space is activated and that entertainment and leisure events are facilitated with key partners, and that the town centre is multi-functional, well connected and lived in..

Legal

The requirements of the Councils Code for Tenders has been complied with in this tender.

Finance

The City Centre Urban Plan is funded in the Burnie City Council 2022-23 budget by combining the funds allocated to the City Master Plan \$150,000.00 and the Rail Corridor Plan \$75,000.00.

Relation to Council Policy

There are no Council policies relating to this report.

Discussion

All four (4) tenders were evaluated against Council evaluation criteria and scored accordingly the result of the evaluation.

The evaluation process takes in to consideration a number of factors as part of the selection criteria and the evaluation panel determined that GHD would provide the best outcome for Burnie City and its residents.

The tender panel also felt that awarding both tenders to the one locally represented company may also bring about a potential reduction of overall cost given that there may be economies of scale. It was concluded that if the Council endorse GHD for both projects, Council Officers can approach GHD with the intention of determining potential overall cost reduction.

The Evaluation Panel recommends that Council endorse the GHD tender submission for the work described in Consultant Services Brief 211 - City Centre Urban Plan. This recommendation is contained within the open session report.

Health and Safety

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

Risk

The tender evaluation panel concluded that GHD would present the least risk to the delivery of the Gateway Project given that the tender was fully costed with no exclusions and GHD are proven performers having completed work for Council in the past.

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.

COUNCIL RESOLUTION

Resolution number: MO022-23

MOVED: Cr A Keygan

SECONDED: Cr T Aitken

“THAT Council accepts the tender submission from GHD for the works described in Consultant Services Brief 211 – City Centre Urban Plan.”

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

Against:

CARRIED UNANIMOUSLY

WORKS AND SERVICES**AO015-23 TENDER - CONTRACT 2694
BURNIE ARTS AND FUNCTION CENTRE REDEVELOPMENT,
BURNIE CULTURAL PRECINCT**

FILE NO: 5/6/164; 3459239
PREVIOUS MIN:

1.0 RECOMMENDATION:

“THAT Council accept the tender from Vos Construction and Joinery Pty Ltd and thereby acknowledge Vos Construction and Joinery Pty Ltd as the preferred builder for Contract 2694 – Burnie Arts and Function Centre Redevelopment, Burnie Cultural Precinct.”

2.0 EXECUTIVE SUMMARY**Purpose and Background**

The information relating to this tender and the selection process has been reported in Council’s closed session, as the item is considered confidential, due to it containing information pertaining to contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal, in accordance with Clause 15(2) of the Local Government (Meeting Procedures) Regulations 2015 (d).

This report recommends that Council accept the tender from Vos Construction and Joinery Pty Ltd and thereby acknowledge Vos Construction and Joinery Pty Ltd as the preferred builder for Contract 2694 – Burnie Arts and Function Centre Redevelopment, Burnie Cultural Precinct.

Key Issues

Due to the unpredictability of the construction industry, the many challenges affecting the industry and documentation delays, it was determined to tender for a “Preferred Builder” for the project. This provides certainty for the contractor, allowing them to schedule labour and sub-contractors for the project.

Importantly, it delivers greater certainty for Council and Council’s ability to commence construction early April 2023. There are also other tangible benefits for this process.

Tenders for preferred builder status were called on Saturday, 26 November 2022 and closed on Tuesday, 20 December 2022.

The tender submission received from Vos Construction and Joinery Pty Ltd was competitive and met all the criteria for the project.

3.0 SUPPORTING INFORMATION

Strategic Alignment

To achieve a **Vibrant Town Centre** - the Council is committed to delivering a town centre that is clean, well maintained and attractive; ensuring that recreational and public space is activated and that entertainment and leisure events are facilitated with key partners, and that the town centre is multi-functional, well connected and lived in.

For our **Community Facilities to Support Liveability** - the Council is committed to ensuring that the building and maintenance of Council facilities aligns with Council's strategic priorities and community needs and that facilities are maximized for community benefit, are well managed and are used safely.

Legal

The tender was conducted in accordance with Council's Code for Tenders and Contracts.

Finance

The Federal Government will contribute \$5 million for the first stage of this project with the remainder allocated in the 2022-23 capital budget.

A further election commitment of \$13 million is pending.

Relation to Council Policy

There are no Council policies relating to this report.

Discussion

The tender received from Vos Construction and Joinery Pty Ltd demonstrated their professionalism and their enthusiasm for the project.

Their submission was extremely competitive and showed they have already have a sound understanding of the project.

Vos Construction and Joinery Pty Ltd bring an experienced project manager and supervisor team to this project which is critical for a project such as this.

Vos Construction and Joinery Pty Ltd are a professional and respected contractor, consistently delivering complex and high end projects throughout Tasmania.

Health and Safety

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

Risk

The early selection of a preferred builder provides surety to Council and eliminates or reduces many of the risks that are inherent in the construction industry in the present environment. These include experienced managers and supervisors, materials supply, and unavailability of suitable sub-contractors.

Vos Construction and Joinery Pty Ltd identified in their tender that there are constructability issues with the footing design in the proposed atrium. This information from a builder early in the process is invaluable.

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.

COUNCIL RESOLUTION

Resolution number: MO023-23

MOVED: Cr T Aitken

SECONDED: Cr C Lynch

“THAT Council accept the tender from Vos Construction and Joinery Pty Ltd and thereby acknowledge Vos Construction and Joinery Pty Ltd as the preferred builder for Contract 2694 – Burnie Arts and Function Centre Redevelopment, Burnie Cultural Precinct.”

For: Cr T Brumby, Cr T Aitken, Cr J Grave, Cr A Keygan, Cr C Lynch, Cr D Pease.

Against: Cr K Dorsey, Cr S Kons.

CARRIED

CORPORATE AND COMMERCIAL SERVICES**AO016-23 BUDGET ESTIMATES REVIEW 2022-23**

FILE NO: 13/5/19
PREVIOUS MIN:

1.0 RECOMMENDATION:

“THAT Council, by absolute majority,:

- 1) Adopt the revised operational budget for the 2022-23 financial year; and***
- 2) Adopt the revised capital works budget for the 2022-23 financial year.”***

2.0 EXECUTIVE SUMMARY**Purpose and Background**

This report seeks the Council’s endorsement for changes to the budget originally adopted on 28 June 2022, as part of the 2022-23 financial year budget review process.

Key Issues***Operating Budget***

The total proposed revised operational budget for the 2022-23 financial is for a small surplus of \$19,499.

The revised budget reflects a whole of organisation review of revenue and expenditure based on year to date actual data and the expected revenue and expenditure for the remainder of the financial year.

The current forecast result for the 2022-23 financial year is for a deficit of \$531,841 (refer to the Quarterly Report for the Corporate and Commercial Services Department attached to this agenda). This indicates there remains material financial risk that Council must monitor and manage in order to meet the recommended revised budget.

Should the inflationary implications and other risks transpire, Council will need to find significant savings before 30 June 2023 in order to achieve the recommended budget outcome. An additional forecast and budget review will be conducted in April (for the March quarter) to enable an updated evaluation of the financial risks for the Council at that time.

One of the major drivers for the pressure on the budget is the ongoing inflationary impacts. This is evidenced by the annual CPI for Hobart which was 8.6% at September 2022 compared to the budgeted estimate of 3% set as part of the budget estimates process. This risk was

identified in the Risk Register for the Budget Estimates and was estimated to potentially have an impact of an additional \$540,000.

Costs are increasing across a number of key areas including operating contracts, fuel, electricity, gas and materials used in service delivery. In addition Council has incurred costs associated with significant weather events and cruise ship visits that were not budgeted. It remains possible that some of the costs associated with the storm damage in October 2022 may be recoverable through disaster recovery funding recently made available.

Capital Budget

The total proposed revised capital budget for the 2022-23 financial year is \$15,244,410. This is a reduction of the program of \$7,616,044. This is mainly due to delays in the design and construction of the Coastal Pathway and the associated erosion revetment works. Additional factors that have resulted in this decrease in the program relate to the delayed start of the Cultural Centre construction and the removal of excess overheads.

The revised capital budget has been updated to reflect whether the projects will be delivered or deferred and takes account of expected variations in costs of construction. Please refer to the attached for explanations of the most significant changes.

Due to the revision of the capital works budget and the associated deferment of some works there will be an improvement in the year end cash balance. It is important to note that these funds remain committed and will be carried forward to enable the completion of the projects in the next financial year.

3.0 SUPPORTING INFORMATION

Strategic Alignment

This report aligns with a key enabler of the Council Plan 2022-2025, *Financial Sustainability*.

Legal

An absolute majority is required to amend the current Budget Estimates in line with section 82(4) of the *Local Government Act 1993*.

Finance

The financial impacts of this report are specified in the key issues section of this report.

Relation to Council Policy

The Council's Financial Management Strategy 2022-2032 is relative to this matter.

Health and Safety

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

Risk

The recommended revised budget indicates that at this time the Council is on track to deliver a small surplus in 2022-23 as originally intended.

The Quarterly Report for the Corporate and Commercial Services Department however highlights that with the current influences and drivers impacting the Council's budget, there is a significant financial risk to Council achieving the budget. It is likely that Council's Executive Management Team will need to take corrective action during the remainder of the financial year to achieve the recommended budget result.

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.

4.0 DETAIL

The recommended revised Budget Estimates are included in the **attached**, in addition to:

- Statement of Comprehensive Income
- Statement of Financial Position
- Statement of Cash Flows
- Revised capital works program

The attachment also addresses the main reasons for the changes in the revised Budget Estimates.

ATTACHMENTS

- 1 [↓](#). Revised Budget Estimates and Financial Statements

COUNCIL RESOLUTION**Resolution number: MO024-23*****MOVED: Cr D Pease******SECONDED: Cr A Keygan******“THAT Council, by absolute majority,:***

- 1) Adopt the revised operational budget for the 2022-23 financial year; and***
- 2) Adopt the revised capital works budget for the 2022-23 financial year.”***

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

Against: Cr S Kons.

CARRIED

REVISED BUDGET ESTIMATES AND CAPITAL WORKS PROGRAM

1.0 PROPOSED REVISED FINANCIAL STATEMENTS

Statement of Comprehensive Income

Comprehensive Income Statement								
		YTD Budget	YTD Actual	YTD Variance to Budget	Annual Budget 2023	Annual Forecast 2023	Revised Budget 2023	Revised Budget Variation
	Note	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Recurrent Income								
Rates and charges	1	26,016	26,198	182	26,085	26,264	26,264	179
Statutory fees and fines	2	473	714	241	910	1,169	1,201	291
User fees	3	1,771	2,064	293	3,556	3,966	3,833	277
Grants	4	770	456	(314)	2,917	2,428	2,428	(490)
Reimbursements	5	192	188	(4)	351	475	472	121
Other income	6	462	727	265	742	1,192	1,192	450
Investment income		414	414	0	828	828	828	-
Total recurrent income		30,098	30,761	663	35,390	36,321	36,218	828
Recurrent Expenses								
Employee benefits	7	5,543	5,728	186	11,104	11,197	11,039	(65)
Materials and services	8	6,344	6,320	(24)	11,635	12,456	11,954	319
Impairment of receivables		-	-	-	-	-	-	-
Depreciation and amortisation	9	4,372	4,565	193	8,744	9,251	9,251	507
Finance costs		80	83	3	160	160	160	-
Other expenses		2,110	1,898	(212)	3,723	3,789	3,794	71
Total recurrent expenses		18,448	18,594	146	35,365	36,853	36,198	833
Operating surplus/(deficit)		11,650	12,167	517	24	(532)	19	(5)
Capital Items								
Capital grants	10	5,813	5	(5,808)	11,627	1,931	1,931	(9,696)
Contributions - non-monetary assets		-	-	-	-	-	-	-
Net gain/(loss) on disposal of assets		-	-	-	(345)	(392)	(345)	-
		5,813	5	(5,808)	11,282	1,538	1,585	(9,696)
Surplus/(deficit)		17,463	12,172	(5,291)	11,306	1,007	1,605	(9,701)
Operating Margin		1.63	1.65		1.00	0.99	1.00	0.99

1. Rate Income

This increase is reflective of additional rated properties added after the preparation of the original Budget Estimates.

2. Statutory Fees & Fines

Increase in Statutory Fees is due to a one off permit application fee of \$192,000 and a higher demand for permit and application fees.

3. User Fees

The revised budget has been updated to include improved revenue expectations for use of council services and the retention of commercial technology customers (formerly TasCom) for longer than originally budgeted.

4. Operational Grants

The revised budget has been updated to reflect 75% of the 2022-23 financial year grant being received already in 2021-22 financial year and an anticipated 50% advance payment to be received this year but applicable to the 2023-24 financial year.

5. Reimbursements

The revised budget takes account of one insurance claim revenue and contractual reimbursements.

6. Other Income

The revised budget accounts for the improved expected return on our investment portfolio due to rising interest rates on invested income.

7. Employee Benefits

The revised budget recognises additional wages savings that are required.

8. Materials and Services

The revised budget reflects additional expenditure required to offset inflationary pressures in some areas. There is some residual risks that over the course of the next six months this may need to be addressed by saving strategies.

9. Depreciation & Amortisation

The revised budget reflects increases in depreciation expenditure due to the movements in the indexation of assets at year end 30 June 2022 and additional depreciation of assets constructed and completed year to date.

10. Capital Grants

The decrease in capital grants received is due to a reforecast of the capital works program and reassessment of what externally funded works will be completed (and subsequent revenue recognised in the 2022-23 financial year). Council is not expected to reach the milestones for receiving the grant funding for the Burnie Arts and Function Centre redevelopment or the Coastal Pathway program until 2023-24 and 2024-25 financial years.

Statement of Financial Position

	Actual 2023 \$'000	Budget 2023 \$'000	Forecast 2023 \$'000	Revised Budget 2023 \$'000	Revised Budget Variation \$'000
Assets					
Current assets					
Cash and cash equivalents	27,270	7,134	12,302	12,854	5,720
Trade and other receivables	8,189	2,898	2,898	2,898	-
Inventories	66	154	154	154	-
Other assets	506	127	127	127	-
Contract assets	137	5,629	137	137	(5,492)
Total current assets	36,168	15,942	15,618	16,170	228
Non-current assets					
Investment in water corporation	64,551	62,888	64,551	64,551	1,663
Investments in subsidiaries	-	-	-	-	-
Investment in joint venture	3,210	3,740	3,341	3,341	(399)
Property, infrastructure, plant and equipment	388,940	368,155	398,551	398,598	30,443
Total non-current assets	456,700	434,783	466,442	466,489	31,706
Total assets	492,869	450,725	482,061	482,659	31,934
Liabilities					
Current liabilities					
Trade and other payables	2,700	2,935	2,935	2,935	-
Trust funds and deposits	132	142	142	142	-
Interest-bearing loans and borrowings	1,109	1,132	1,132	1,132	-
Employee provisions	2,238	2,811	2,811	2,811	-
Contract liabilities	1,631	-	1,631	1,631	1,631
Total current liabilities	7,810	7,020	8,651	8,651	1,631
Non-current liabilities					
Interest-bearing loans and borrowings	7,046	6,465	6,465	6,465	-
Employee provisions	110	206	206	206	-
Total non-current liabilities	7,156	6,671	6,671	6,671	-
Total liabilities	14,965	13,691	15,322	15,322	1,631
Net Assets	477,903	437,034	466,739	467,337	30,303
Equity					
Accumulated surplus	282,937	277,329	282,937	282,937	5,608
Surplus/(deficit)	12,172	11,306	1,007	1,605	(9,701)
Reserves	182,795	148,399	182,795	182,795	34,396
Total Equity	477,903	437,034	466,738	467,337	30,303
CURRENT RATIO	4.63	2.27	1.81	1.87	

The revision of the capital works program and the revaluation of assets during the end of financial year statement production process has led to the above changes in the statement of financial position.

Burnie City Council
Statement of Cash Flows

	Actual 2023 \$'000	Budget 2023 \$'000	Forecast 2023 \$'000	Revised Budget 2023 \$'000
Cash flows from operating activities				
Rates and charges	21,090	25,987	26,801	26,801
Statutory fees and fines	714	910	1,169	1,201
User fees	1,956	3,484	3,966	3,833
Grants	1,101	2,984	3,073	3,073
Reimbursements	188	351	475	472
Other income	727	688	1,192	1,192
Payments to suppliers	(6,656)	(11,557)	(12,733)	(12,232)
Payments to employees	(5,757)	(11,037)	(10,556)	(10,398)
Other payments	(1,898)	(3,723)	(3,789)	(3,794)
Net cash provided by (used in) operating activities	11,465	8,087	9,596	10,148
Cash flows from investing activities				
Payments for property, infrastructure, plant and equip	(2,429)	(20,806)	(17,233)	(17,233)
Dividends and distributions	414	888	828	828
Capital grants	363	6,248	2,289	2,289
Net cash provided by (used in) investing activities	(1,652)	(13,670)	(14,117)	(14,117)
Cash flows from financing activities				
Finance costs	(83)	(160)	(160)	(160)
Trust funds & deposits	7,512	-	7,512	7,512
New borrowings	-	-	-	-
Repayment of interest bearing loans and borrowings	(552)	(1,109)	(1,109)	(1,109)
Net cash provided by (used in) financing activities	6,877	(1,269)	6,243	6,243
Net increase (decrease) in cash and cash equivalents	16,690	(6,853)	1,722	2,274
Cash and cash equivalents at the beginning of the financial year	10,580	13,986	10,580	10,580
Cash and cash equivalents at the end of the period	27,270	7,133	12,302	12,854

The revised budget cash position as at 30 June 2023 is \$12.854 million.

Capital Works

The revised capital works program budget is presented below at asset class and program level. Material changes in project budgets include:

- The delayed start of construction works on the Cultural Centre (Buildings – Burnie Arts and Function Centre) resulting in lower budget requirement by \$500,000 for this financial year.
- Work on the Wivenhoe showgrounds building compliance (Buildings – Wivenhoe Showgrounds – South) has been delayed due to work required on amalgamation of titles before further work can be progressed. Works are expected to commence in the 2023-24 financial year. The revised budget has therefore been reduced by \$80,000.
- The Coastal Pathway and erosion revetment projects have been rescheduled to allow time to renegotiate contractual milestones and funding to match the

construction and delivery schedule. The revised budget has been reduced by \$6,320,343.

- In the original budget the works and depot overhead was duplicated in error. This has now been corrected as part of the budget review.

Other non-material changes have been made to reflect updated expected cost estimates.

Class and Program Area	Original Budget inc Carry Forward	YTD Actual	Revised Budget 2023	Revised Budget Variation
2022/23	22,860,454	2,428,833	15,244,410	(7,616,044)
Buildings	5,308,617	636,035	4,725,528	(583,090)
Burnie Arts & Function Centre	4,019,102	423,781	3,519,102	(500,000)
City Office	122,137	8,725	134,051	11,914
Depot	19,058	45	19,058	-
Multi Storey Car Park	94,624	5,169	56,583	(38,041)
Other Buildings	395,057	131,109	403,146	8,088
Public Amenities Buildings	24,810	-	24,810	-
Sporting Grounds and Facilities	539,388	65,626	554,337	14,949
Wivenhoe Showground (South)	94,441	1,580	14,441	(80,000)
Parks and Reserves	8,602,802	597,930	2,375,174	(6,227,628)
Parks and Reserves	8,377,546	449,688	2,106,897	(6,270,649)
Bridges	86,600	129,621	129,621	43,021
Cemeteries	4,000	1,236	4,000	-
Sporting Grounds and Facilities	134,656	17,385	134,656	-
Stormwater	289,315	44,784	289,315	-
Annual Program	250,604	42,418	250,604	-
Stormwater Renewal	22,710	2,043	22,710	-
Stormwater Upgrade	16,000	323	16,000	-
Transport	5,712,356	558,631	5,687,201	(25,155)
Bridges	144,919	-	144,919	-
Rural - Major Patching and Resealing	354,840	2,901	354,840	-
Rural - Resealing	473,004	-	473,004	-
Rural - Road Upgrade	1,001,525	422,402	976,157	(25,368)
Urban - Car Parking	19,058	376	19,058	-
Urban - Footpaths Kerb & Channel	99,141	28,386	99,141	-
Urban - CBD and Commercial	81,788	712	81,788	-
Urban - Other Infrastructure	148,873	64,916	149,085	212
Urban - Reconstruction and Upgrades	1,209,860	17,014	1,209,860	-
Urban - Resealing	1,474,658	6,805	1,474,658	-
Urban - Retaining Walls	704,692	15,119	704,692	-
Waste	197,290	33,598	197,290	-
Garbage & Recycling	101,025	22,484	101,025	-
Waste Management Centre	96,264	11,114	96,264	-
Plant and Equipment	1,911,074	557,855	1,969,903	58,829
Computer Equipment	752,800	265,366	726,221	(26,579)
Other	65,700	71,123	102,691	36,991
Parking Equipment	17,100	62,027	62,027	44,927
Plant	1,075,474	159,339	1,078,964	3,490
Works and Depot Overhead	839,000	-	-	(839,000)
Other	839,000	-	-	(839,000)
Grand Total	22,860,454	2,428,833	15,244,410	(7,616,044)

Asset Sustainability Ratio

This ratio is an approximation of the extent to which assets are managed by a council are replaced as these reach the end of their useful lives.

Council has been focussed on increasing its Asset Sustainability Ratio on the basis that for a number of years now, Burnie City Council's ratio has been far less than other Council's in the State. The Council's Financial Management Strategy aims for a ratio of between 90-100%.

With the decrease of the Capital Works program recommended, it is calculated that if the Council achieves a 100% completion rate of the revised program, that the Asset Sustainability Ratio will be 117%. If the Council achieves a completion rate of 75% of the proposed program, the Asset Sustainability Ratio will be 88% - just under the target set.

GENERAL MANAGER**AO017-23 GENERAL MANAGER'S REPORT - OPEN SESSION**

FILE NO: 4/18/2

PREVIOUS MIN:

1.0 RECOMMENDATION:

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

2.0 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:

- LGAT Mayor’s Workshop
- LGAT General Meeting and Annual Conference
- Tour of the Glebe Hill Village, Howrah
- Cruise Ship Welcome – Regatta
- Christmas Twilight Festival and Burnie Concert Band End of Year Concert
- South Burnie Bowls Club 70th Anniversary Dinner
- Cruise Ship Welcome – Queen Elizabeth
- Annual Combined Christian Churches Christmas Service
- Interview with ABC Radio
- Probus Club of Burnie - Christmas Luncheon
- Leighland Christian School – Presentation Assembly
- Cruise Ship Welcome – Noordam
- Citizenship Ceremony
- Meeting with Professor Rufus Black

-
- University of Tasmania Town and Gown Procession and Graduation Ceremony
 - Cooee Primary School Presentation Assembly
 - Meeting with Andrew Hillier and Drew Gormlie
 - Premier's Cocktail Function
 - Meeting with Matthew Fraser, Fueled Combat and Fueled Fighting Fitness
 - Meeting with Minister Guy Barnett
 - Guest Speaker at Romaine Primary School Grade 6 Dinner
 - Natone Primary School Presentation Assembly
 - Meeting with Cooee Primary School
 - Burnie Christmas Parade
 - Carols by Candlelight
 - Christmas CBD Lunchtime Walkarounds
 - Havenview Primary School Presentation Assembly
 - Montello Primary School - Grade 6 Graduation and Presentation Dinner
 - Parklands High School End of Year Assembly
 - Burnie Primary School Presentation Assembly
 - Meeting with Mayor Cheryl Fuller, Central Coast Council
 - Meeting with Stephen Brown and Tim Holder, City Mission
 - Romaine Park Primary School – Whole of School Final Assembly
 - Business North West General Meeting
 - Meeting with Cameron Dakson, Coles Supermarket Burnie
 - Cruise Ship Welcome – Norwegian Spirit
 - Meeting with Mayor Cheryl Fuller, Central Coast Council and Mayor Alison Jarman, Devonport City Council
 - Official Opening of the Burnie Liliu Show
 - Meeting regarding Slim Challenge
 - Interview with ABC Radio
 - Visit to Libbie and Peter Bennett for 60th Wedding Anniversary
 - Meeting with Craig Brakey and Alan Bradford, Advance West North West
 - Meeting with LivEAT
 - Meeting with Sarah Henley and Belinda Clarke, Centacare Evolve Housing
 - Meeting with Matthew Atkins, Devonport City Council
 - Business North West General Meeting
 - Interview with ABC Radio
 - Cruise Ship Welcome – Coral Princess
 - Meeting with Grant Parke, Europa – Outdoor Dining
 - Meeting with Cat Bygraves, Mabel and George – Outdoor Dining
 - Cruise Ship Welcome – Star Breeze
 - Meeting with Burnie Athletic Club Executive
 - Meeting with Not Just Books
 - Meeting with Senior Sergeant Stewart Williams, Tasmania Police
 - Meeting with Grant Parke, Europa
 - Meeting with Cradle Coast Authority - Sid Sidebottom and Sheree Vertigan

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

- Indie School – Burnie Presentation Assembly, attended by Cr Steve Kons
- Ridgley Primary School Presentation Assembly, attended by Cr Chris Lynch
- Romaine Park Primary School Presentation Assembly, attended by Cr Chris Lynch
- Burnie High School Presentation Evening, attended by Deputy Mayor Giovanna Simpson
- Cruise Ship Welcome – Regatta, attended by Deputy Mayor Giovanna Simpson
- Cruise Ship Welcome – Norwegian Spirit, attended by Deputy Mayor Giovanna Simpson

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
6 December	Stakeholder Meeting - Cruise Ships 2022-23
	PSC Meeting - BAFC Redevelopment
12 December	Local Government and Royal Commission Child Safe Recommendations - Information/Consultation Session
13 December	Citizenship Ceremony
14 December	Meeting with Professor Rufus Black
	Stakeholder Meeting - Cruise Ships 2022-23
15 December	Meeting with Matthew Fraser, Fueled Combat and Fueled Fighting Fitness
	Meeting with Minister Guy Barnett MP
16 December	Meeting with Ant Dry and Geoff Wood, Emu Valley Rhododendron Garden
	Meeting with Anita Dow MP
	BCC and UTAS Fortnightly Meeting
19 December	Meeting with Lynda Maitland, Federal Circuit and Family Court of Australia
20 December	Stakeholder Meeting - Cruise Ships 2022-23
21 December	PSC Meeting - BAFC Redevelopment
	Meeting with Stephen Brown and Tim Holder, City Mission
12 January	Meeting with SGS Economics and Planning
	Meeting with Ian Jones, Business North West
16 January	Burnie Veterans Hub Visit - Minister for Veterans' Affairs
	Meeting with Craig Brakey and Alan Bradford, Advance West North West
17 January	Meeting with Sarah Henley and Belinda Clarke, Centacare Evolve Housing
	Meeting with Ian Jones, Business North West
18 January	Meeting with Matthew Atkins, Devonport City Council
	Business North West General Meeting
20 January	Meeting with George Austin (Burnie Rotary Club) and Ricky Charles (Burnie

Date	Meeting / Function
	West Rotary Club)
23 January	Meeting with Burnie Athletic Club Executive
	Meeting with Ian Jones, Business North West

Notification of Council Workshops

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

Workshop	17 January 2023
Councillors in attendance	Mayor Brumby, Deputy Mayor Simpson, Cr Aitken, Cr Dorsey, Cr Grave, Cr Keygan, Cr Lynch, Cr Pease
Apologies	Cr Kons
Items Discussed	Out of Session Workshop Briefing Papers
	Event Management
	Horseshoe Bend Update and Discussion
	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:

7 December 2022	Audit Committee Meeting
16 January 2023	Burnie Australia Day Special Committee Meeting
17 January 2023	View Road Reserve Working Group Meeting

Correspondence for Noting

- Cradle Coast Waste Management Group Annual Report 2021/22

Council Meeting Action List

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

ATTACHMENTS

1. [Cradle Coast Waste Management Group Annual Report 2021/22](#)
2. [Open Session - All Actions - 13 December 2022](#)

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

COUNCIL RESOLUTION

Resolution number: MO025-23

MOVED: ***Cr A Keygan***

SECONDED: ***Cr C Lynch***

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

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

Against:

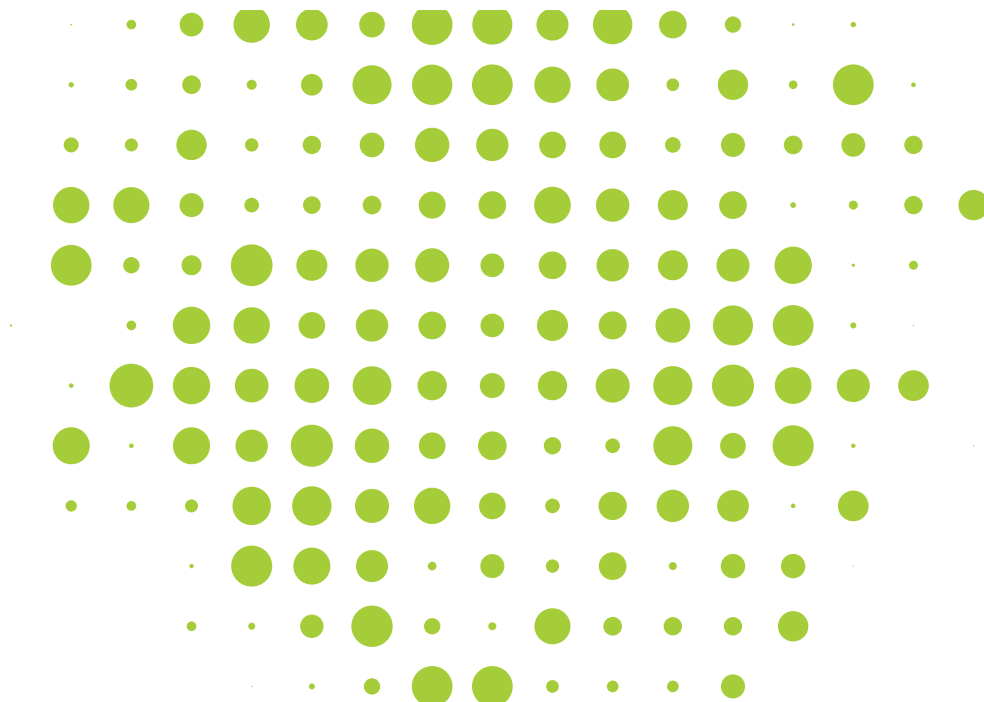
CARRIED UNANIMOUSLY



Annual Report

2021-2022

Cradle Coast Waste Management Group



This report was prepared by:

Cradle Coast Waste Services
Level 1/17 Fenton Way
Devonport TAS 7310
Email: admin@dulverton.com.au
Web: www.dulverton.com.au

ABN: 11 784 477 180

For: Cradle Coast Waste Management Group

© Cradle Coast Waste Management Group/Cradle Coast Waste Services 2022

DOCUMENT RECORD

Version	Type	MFID	Authorised for Issue By	Issued to	Approval Date
29.09.22	DRAFT	1589608	V SCHILLING	CCWMG GM	NA
29.09.22	FINAL	1591056	V SCHILLING	CCWMG GM	30.11.2022
30.11.22	FINAL	1591661	CCWMG GM	PUBLISHED	

CONTENTS

DOCUMENT RECORD	2
GLOSSARY OF ABBREVIATIONS	4
<hr/>	
1 INTRODUCTION	5
1.1 Who We Are	5
1.2 Our Principles, Goals and Targets	6
<hr/>	
2 CHAIRPERSONS REPORT	7
<hr/>	
3 KEY PERFORMANCE INDICATOR ACHIEVEMENTS	8
3.1 Achieve 50% Diversion of Municipal Solid Waste by 2022	8
3.2 Achieve 90% Pass Results for Residential Recycling Bin Assessments by 2022	10
3.3 Reduce 25% of Illegal Dumping Instances in Hotspots by 2022	11
3.4 Collect and Report an a Standardised Set of Waste and Resource Recovery Data	11
<hr/>	
4 REGIONAL WASTE TRENDS	12
<hr/>	
5 ACTIVITIES UNDERTAKEN FOR YEAR	14
5.1 Regional Contracts	14
5.1.1 Mulching of Green Waste Contract	14
5.1.2 Regional Kerbside Recycling Contract	15
5.1.3 Regional Cardboard Collection and Recycling Contract	17
5.2 Key Projects	17
5.2.1 CCWMG Strategic Plan 2023-2028	18
5.2.2 Education & Promotion	19
5.2.3 Schools Program	21
5.2.4 Landfill Waste Composition Audit	22
5.2.5 Waste Transfer Station Best Practice	23
5.2.6 Household Hazardous Waste Events	23
<hr/>	
6 ACHIEVEMENTS AGAINST THE 5 YEAR STRATEGY	25
<hr/>	
7 FINANCIAL STATEMENTS	29
<hr/>	
8 SUMMARY	30



GLOSSARY OF ABBREVIATIONS

BCC	Burnie City Council
CCA	Cradle Coast Authority
CCC	Central Coast Council
CHC	Circular Head Council
CCWMG	Cradle Coast Waste Management Group
CCWS	Cradle Coast Waste Services
DCC	Devonport City Council
DWM	Dulverton Regional Waste Management Authority
EPA	Environment Protection Authority
FOGO	Food Organics Garden Organics
GM	General Manager
KC	Kentish Council
KPI	Key Performance Indicator
LC	Latrobe Council
LGAT	Local Government Association of Tasmania
MOU	Memorandum of Understanding
MRF	Materials Recycling Facility
MSW	Municipal Solid Waste
NRE	Department of Natural Resources and Environment
NTWMG	Northern Tasmania Waste Management Group
STWMG	Southern Tasmania Waste Management Group
TOR	Terms of Reference
WTS	Waste Transfer Station
WWC	Waratah Wynyard Council

1 INTRODUCTION

1.1 WHO WE ARE

The Cradle Coast Waste Management Group (CCWMG) was formed in 2007 and represents seven North-West Tasmanian Councils who initiated a levy on the local landfills to supply funds to support waste diversion activities. The Councils are represented by each General Manager and management of programs and projects are implemented by staff of Dulverton Waste Management (DWM) under the trading name Cradle Coast Waste Services (CCWS).

CCWMG's vision is to deliver a sustainable community in the Cradle Coast region of Tasmania. This is achieved through:

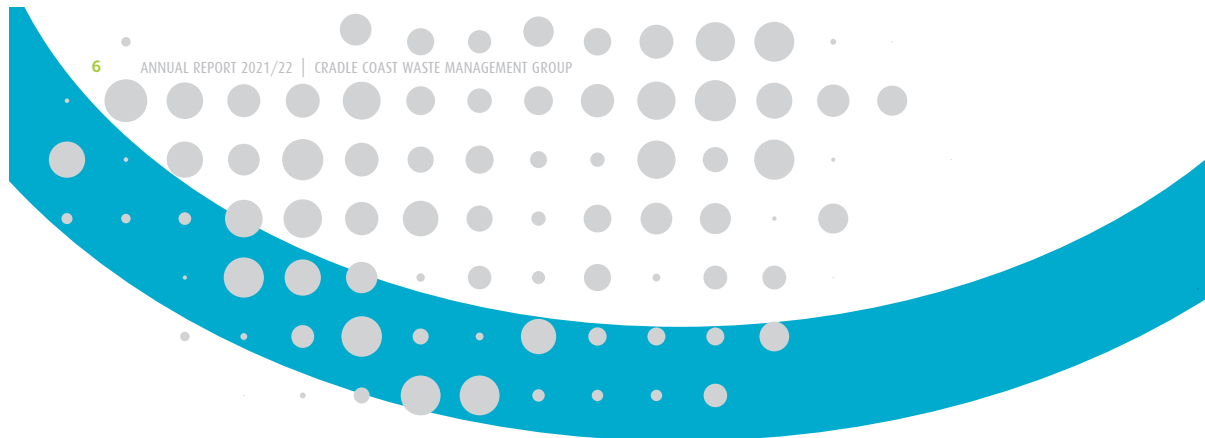
- the provision of regional waste diversion contracts which enable reduced costs to Councils and improve circular economy outcomes
- supporting Councils in delivering best practice waste management sites and services
- researching waste trends, community habits and industry infrastructure needs
- supporting these efforts through regional and Statewide communications campaigns.

The current CCWMG representatives are:

- **Simon Overland**, BCC
- **Sandra Ayton**, CCC
- **Vanessa Adams**, CHC
- **Matthew Atkins**, DCC
- **Shane Crawford**, WWC
- **Gerald Monson**, LC, KC

Cradle Coast Waste Services (CCWS), a subsidiary of the Dulverton Regional Waste Management Authority (DWM), provides project management support and waste expertise to the CCWMG and is represented by:

- **Mat Greskie**, CEO
- **Miriam Beswick**, Business Manager (BM).



1.2 OUR PRINCIPLES, GOALS AND TARGETS

The CCWMG's 5 Year Strategy 2017 – 2022 was adopted in June 2017.
The Strategy's four goals are:

- 1. Waste diversion:** Diversion of materials from landfill to increase resource recovery, extend the life of existing landfills and reduce greenhouse gas emissions from waste.
- 2. Regional planning and efficiencies:** Provide regional planning and coordination of waste infrastructure and services to provide improved resource recovery, delivering efficiencies and reducing costs of services/ waste infrastructure.
- 3. Partnerships:** Maintain partnerships with government, planning authorities and the 3 waste regions to shape waste management policies and regulation to influence future regulatory requirements and to identify programs and infrastructure best delivered with a state-wide approach.
- 4. Community engagement:** Work with the community and industry, through education and feedback, to take ownership of waste avoidance and reuse to improve the use of existing and future services.

The CCWMG have also set measurable and achievable objectives in the Strategy which will allow the CCWMG and participating councils to track their progress over the 5-year plan. The objectives take the form of Key Performance Indicators (KPIs):

- By 2022, divert 50% of all Municipal Solid Waste (MSW) from local government landfill facilities across the region.
- By 2022, increase the proportion of recycling bins receiving a pass mark as part of the recycling bin assessments to 90% across the region (based on the 2015-16 assessment pass rate of 81%).
- By 2022, reduce incidents of illegal dumping at hotspot sites by 25% across the region (upon first establishing baseline data from Council reports).
- By 2022, member Councils to be collecting and reporting a standardised set of data in relation to waste and resource recovery activities.

Achievements against these objectives, is discussed in Section 3.

THE STRATEGY'S FOUR GOALS ARE:

Waste diversion, Regional planning and efficiencies, Partnerships, and Community engagement



2 CHAIRPERSON'S REPORT

I have the pleasure in presenting the Cradle Coast Waste Management Group's Annual Report on behalf of the Group to member Councils. The report provides an overview of the Group's activities throughout the 2021-2022 financial year, to deliver on the objectives and actions of the 5 Year Strategic Plan for our region. The Group have actioned many projects this last year and I implore you to read through the full Annual Report to understand the activities that have been undertaken. These activities are funded via a voluntary levy on waste deposited to landfill which was set at \$5.50 per tonne.

Our four key focus areas as highlighted in the Strategic Plan for 2017-2022:

- waste diversion;
- regional planning and efficiencies;
- partnerships; and
- community engagement.

The report provides information to enable us to strategically prepare for the future, both within our region and at an individual council level. Tonnes of municipal waste landfilled, green waste mulched, kerbside recycling and cardboard recycling provide targets and trends should be at the forefront of our thinking, particularly as our Strategic Plan is centred around a major waste diversion target.

Diversion from landfill was a key strategy for the group who had a KPI of 50% diversion of waste from landfill by 2022. While we have made some headway in

reducing waste, our goal was hampered by delays in FOGO availability and rollout. The implementation of a state-wide waste levy and FOGO composting capability at Dulverton Waste Management (DWM) will incentivise increased diversion over the coming two to three years. Education, particularly of our youth, is an area where we have focused, with CCWMG contractors working with our schools and discussing waste issues with our students to enable a deeper understanding of the waste issues we currently face and to work with us to help minimise waste. We have also continued supporting the 'Rethink Waste Tasmania' website which has expanded to cover all 29 council areas along with the use of increased social media.

The next year will see the implementation of the first year of our new Strategic Plan and also the Statewide Waste Levy and the Container Refund Scheme (CRS). The levy and the CRS will help us in making an impact on reducing waste to landfill. This will be to the benefit of all Tasmanians and I am pleased to be able to say that we are having been working towards making the transition as seamless as possible.

I would like to sincerely thank the Cradle Coast Waste Management Group for their energy and focus in this important area, and also DWM for their expertise and dedication of skills to help us to move in the right direction for our communities.

I commend this report to you.

Sanda Ayton,
Chair

3 KEY PERFORMANCE INDICATOR ACHIEVEMENTS

3.1 ACHIEVE 50% DIVERSION OF MUNICIPAL SOLID WASTE BY 2022

Municipal Solid Waste refers to waste produced by households or collected by, or on behalf of, a municipal Council. Included waste is from:

- Kerbside collection – private and commercial
- Street sweeping
- Litter and dumping clean-ups
- Aquatic litter traps
- Municipal parks and gardens
- Street tree pruning
- Collected through Council operated waste transfer stations (includes commercial and industrial waste).

The MSW diversion target of 50% was founded on the expectation that a kerbside Food Organic Garden Organic (FOGO) collection service would be implemented across the region by 2022, which would divert up to 20,000 tonnes of waste from landfill into composting.

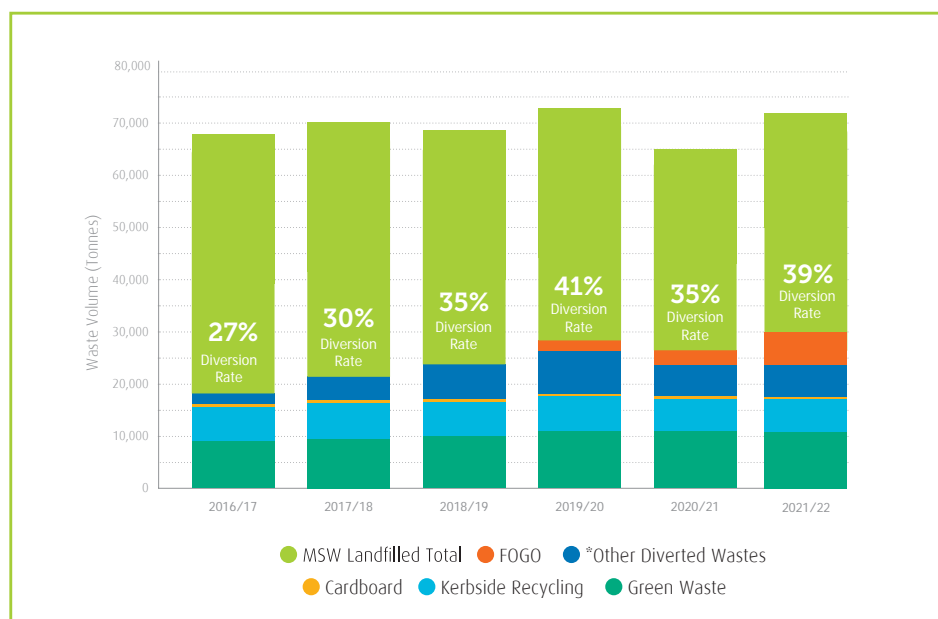
In October of 2019, Central Coast Council (CCC) implemented a FOGO collection which has been well received and made a significant contribution to the diversion of MSW landfill. In the 2021/22 year 2,930 tonnes of FOGO was collected from the CCC municipality. CCC FOGO collection represents 9.1% of diverted waste in the region. With an average of 5,316 bins collection each fortnight, each CCC household diverted over 550KG of waste over the year.

CCWMG and participating Councils support the diversion of a variety of products through collections areas at Waste Transfer Stations (WTS) and at Council chambers and similar access points.

Chart 1 displays the total tonnes of MSW landfilled by the region compared with the tonnes of waste diverted.



**Chart 1 — Tonnes of Regional Municipal Waste,
Landfill vs Diverted**



* Other diverted wastes include the smaller scale recycling initiatives carried out by the regional transfer stations, including the recycling of steel, e-waste, tyres, fluoro tubes/globes, paint batteries, concrete, and oil.

It is exciting to see an increase in diversion from 2020/21 to 2021/22 of approximately four percent. Programs available have not had significant changes in this period and it is likely this increase is due to better data capture and resident understanding of availability. CCWMG Data collection over the 2021/22 FY was the most reliable and most consistent seen and will have great value in creating a reliable base line for future efforts.



3.2 ACHIEVE 90% PASS RESULTS FOR RESIDENTIAL RECYCLING BIN ASSESSMENTS BY 2022

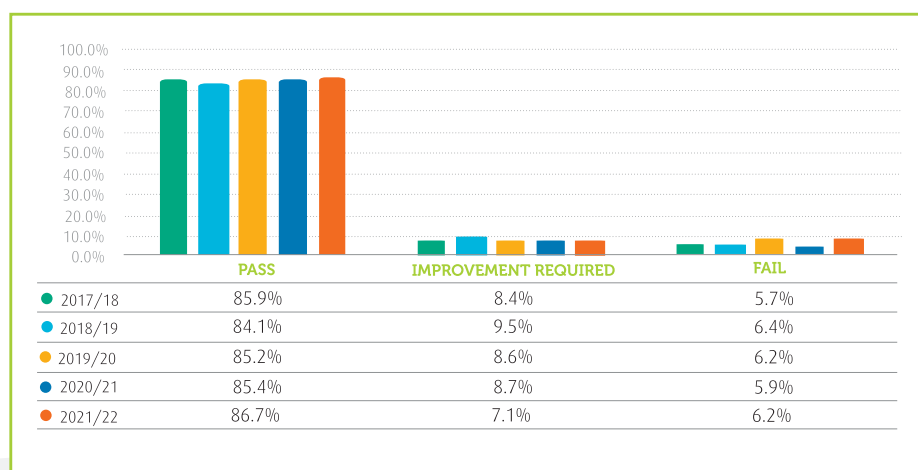
Recycling Bin Assessments Program has been an ongoing CCWMG project since 2012. The data collected provides CCWMG with insight into trends in pass and fail rates, presence of contamination and contamination types, municipal variations, bin contamination volume, performance of re-visited suburbs across multiple years, and effectiveness of communication campaigns.

In the 2021/22 program, the decision was made to remove multiple round assessments to enable providing feedback to the largest number of households possible within budgeting constraints. Several new areas for assessment were added and a schedule which balanced collections in rural and urban areas and from each municipality was achieved.

A total of 30 suburbs/areas were included in the assessment schedule with 4 from BCC, 5 from CCC, 2 from CHC, 7 from DCC, 2 from KC, 4 from LC and 6 from WWC. Across areas, a total of 6,981 properties were visited and 5,820 inspections performed (including units). This represents 4,418 fewer inspections compared to the previous financial year period. Due to budget constraints, the 2021/22 assessment period was only six weeks.

Chart 2 displays the regional results of the residential Recycling Bin Assessments over the last five years. This shows the region has consistently reached over 85%, however no significant improvements towards the 90% can be seen over the five year period. CCWMG are excited to see results which display the consistent value residents place on this service. It is hoped the results from these assessments, will continue to assist with communications planning and inform long-term behaviour change.

**Chart 2 – Kerbside Recycling Bin Assessment
Pass Rates by year**



The 2021/22 Recycling Bin Education and Assessment Report recommendations included:

- Consider focussed education campaigns in areas which have received the lowest Pass rate and highest Fail results. This education should include a range of communications including; Multiple RBAP assessments, online, print and other face to face communications options.
- Consider conducting a review into the effect of fortnightly bin collections on recycling contamination and research opportunities to improve garbage collection for residents, such as; ability for residents to apply for an extra garbage bin or larger bin.
- Develop smaller KPI's to enable the program to be tailored to improve behaviour changes. For example: Areas with Fail rates of more than 10% to reduce to 5% within 3 years.
- Over 2022/23 year, CCWMG will consider how these recommendations can be incorporated into the program to improve the education focus.

3.3 REDUCE 25% OF ILLEGAL DUMPING INSTANCES IN HOTSPOTS BY 2022

The CCWMG Strategic Plan 2017-2022 highlights illegal dumping as one of four key focus areas, with the objective to reduce incidents at illegal dumping hotspot sites by 25% by 2022.

Unfortunately, a clear definition of a 'Hot Spot' was not detailed in the 2017-2022 Strategic Plan and a confirmation of how many existed in each municipality was not documented to create a base for data collection. It was anticipated that these would become evident in the data collection over time.

Although lacking in definition and measurement capability, the five Actions identified in the 2017-22 Strategic Plan have been effective in maintaining the regional focus on reduction of illegal dumping and assisted in working towards the overall goal of reducing illegal dumping in the region. Requests for CCWMG assistance through the illegal dumping grants project have reduced over time and strategies implemented have had a direct result on the areas affected.

Further details of the effectiveness of this program is detailed in the Illegal Dumping Report 2022.

3.4 COLLECT AND REPORT ON A STANDARDISED SET OF WASTE AND RESOURCE RECOVERY DATA

CCWMG developed a waste data collection portal to capture information for different waste streams collected at Council WTS and through CCWMG projects. Data captured in this portal has improved over the past few years with the 2021/22 data clearly indicating consistency of input from reporting entities. The improvement in data capture has indicated an increase in diversion activity.



4 REGIONAL WASTE TRENDS

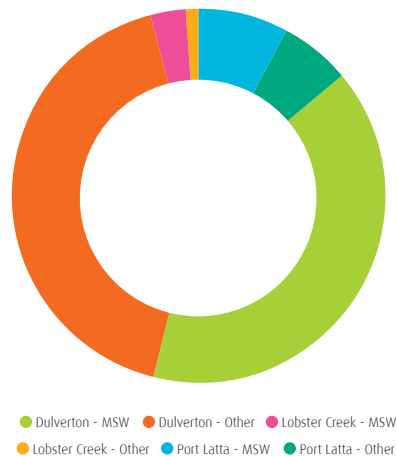
All waste disposed in the Dulverton, Lobster Creek and Port Latta Landfills was charged the voluntary waste levy. Funds received via this voluntary levy funds CCWMG initiatives. In 2021/22 the levy was charged at \$5.50 per tonne.

Chart 3 – Budgeted waste volumes vs actual landfill tonnages received



The total volume of landfill waste received by all three facilities for the 2021/22 Financial Year was 90,060 tonnes. This was a significant increase on projected estimates and mainly due to an increase in Construction and Demolition (C&D) disposals linked to increased developments in the State and in anticipation of the increased costs of disposal due to the State Levy introduced on July 1, 2022.

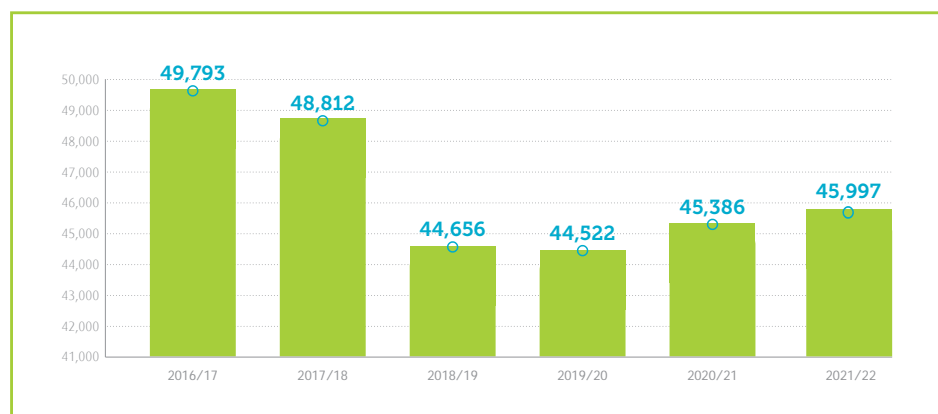
The proportion of total waste received by each landfill facility is displayed in Chart 5.

Chart 4 – Proportion of waste type by Landfill Facility

The total volume of Other Landfilled Waste received for 2021/22 was 44,063 tonnes, which is an increase of 28% from the previous year.

“Other” waste comes from commercial sources and has significant fluctuations from year to year. In the 2021/22 year, Dulverton received above projected disposals for controlled soils and other construction waste due to an increase of activity in this sector. Some of these disposals were also due to some projects being brought forward to reduce the financial impact from State levy introduction as of 2022/23 FY.

When planning CCWMG projects, the impact of unexpected special projects are difficult to project. As a result, CCWMG are able to bring forward projects from time to time or invest larger sums as the need arises.

Chart 5 – Total MSW tonnages to landfill by year

5 ACTIVITIES UNDERTAKEN FOR YEAR

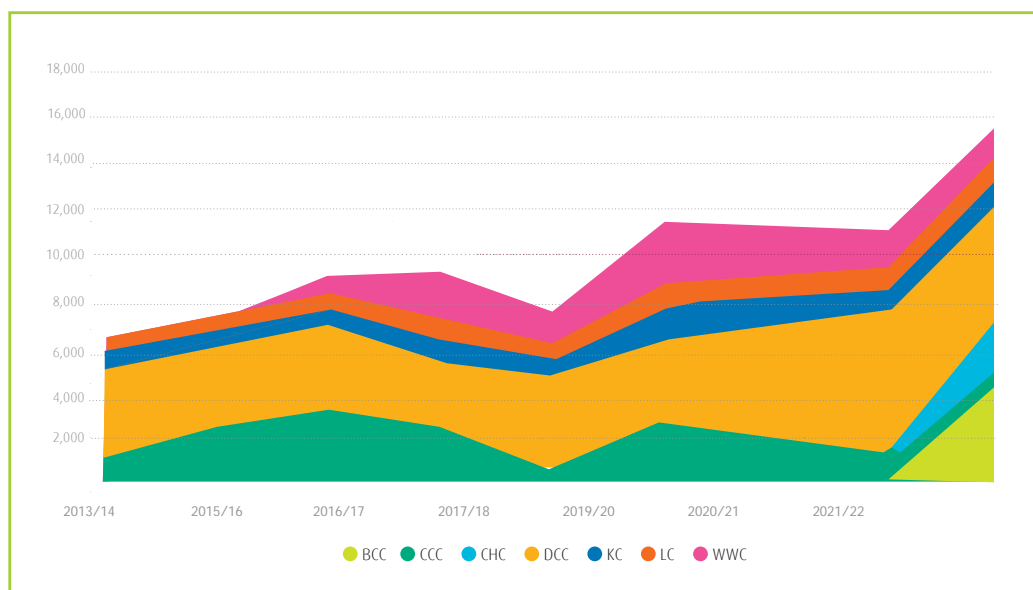
5.1 REGIONAL CONTRACTS

5.1.1 Mulching of Green Waste Contract

Residents and businesses are able to dispose of green waste at regional WTS, where it is stockpiled and then shredded into mulch under a CCWMG contract. The shredded mulch is transported to the DWM Organics Recycling Facility (DORF) for composting unless Councils have determined other uses for this product. This contract contributes 23% to the overall diversion to the region.

Note: The timing of when Green Waste is mulched can affect the quantities recorded in any given period.

Chart 6 – Tonnes of Green Waste received by Council, from 2016 - 2021



5.1.2 Regional Kerbside Recycling Contract

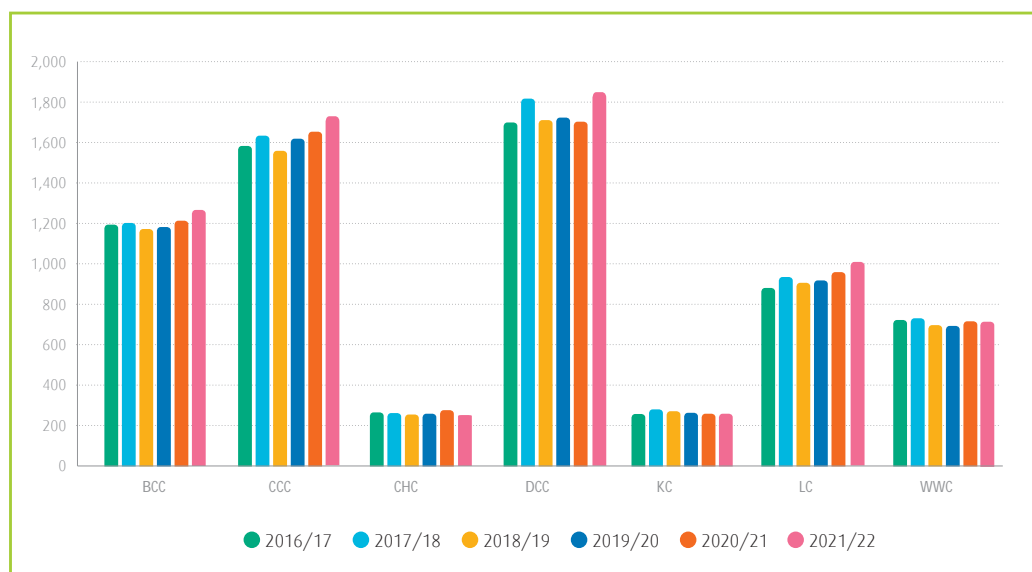
CCWMG manages the residential Kerbside Recycling Contract for the region. This service provides municipal residents with fortnightly mixed recycling collections.

These products are taken to a Material Recovery Facility (MRF) in Spreyton, sorted to remove unsuitable and contaminated products, and then sold to national and international processing facilities. Unsuitable products are redirected to landfill.

In 2021/22, a total of 6,933 tonnes of recyclable products were collected and put to better use. This is an increase on 2020/21 by 2.0%, which is an increase in diversion when compared to the landfill increase of 1%.

The total tonnage of kerbside recyclables by municipal area is detailed below.

Chart 7 – Total tonnages of Kerbside Recyclables collected by Municipal area





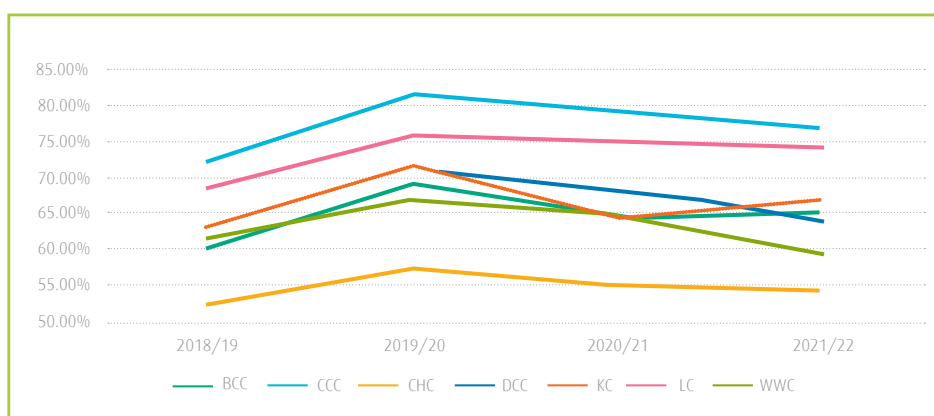
Recycling is collected from a total of 44,369 tenements. The average presentation rate (proportion of bins set out for collection) for the region in 2021/22 was 75% which is a significant increase on the 2020/21 average of 69%.

Table 1 – Break down of tenements, bin pickups and presentation rate by council area

Council	Total Number of Tenements Eligible for Collection	Average Bin Pickups per Month	Bin Presentation Rate
Burnie City Council	8,427	11,953	65%
Central Coast Council	9,000	15,468	77%
Circular Head Council	2,146	2,579	54%
Devonport City Council	12,080	17,735	64%
Kentish Council	1,808	2,603	67%
Latrobe Council	5,768	9,539	74%
Waratah-Wynyard Council	5,140	7,087	59%
TOTAL ALL COUNCILS	44,082	65,547	75%

Every month the quantity of tenements within the kerbside recycling collection service zone increases as new properties are built and subdivisions are developed. The total number of tenements is the number of properties recorded by Veolia as having access to a Kerbside Recycling Bin at the very last collection of the financial year.

Chart 8 – Average bin presentation rates by municipal area over time



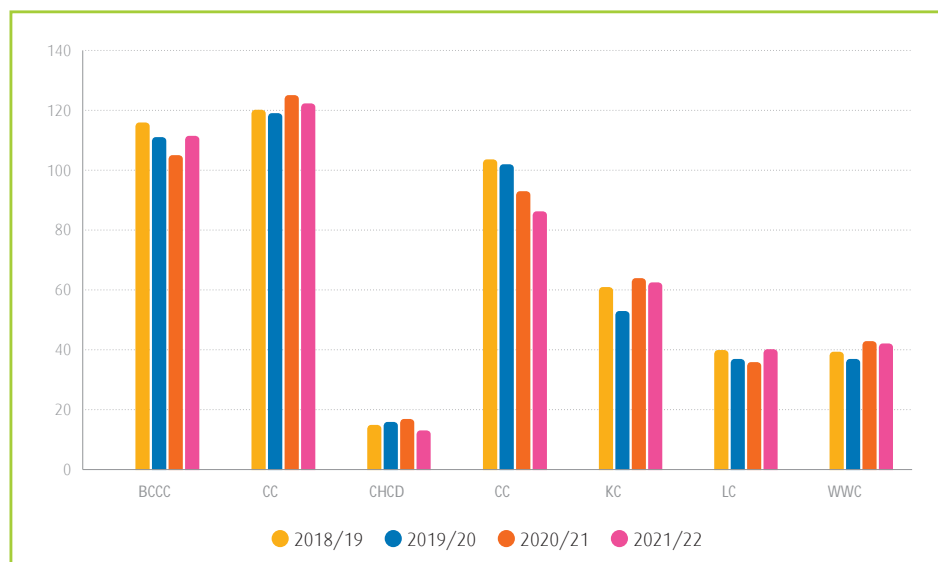
5.1.2 Regional Cardboard Collection and Recycling Contract

The Regional Cardboard Collection and Recycling Contract was established in 2015, with collection bins at participating Council WTS. The cardboard collected is sold as an important commodity throughout the world, and the average commodity price forms a discount from the cost of this service.

Over the last few years, cardboard collection has remained stable, fluctuating at close to 500 tonnes per annum.

The volume of cardboard collected from each municipal area over the last four years is shown below.

Chart 9 – Total Cardboard Tonnages Collected by Municipal area



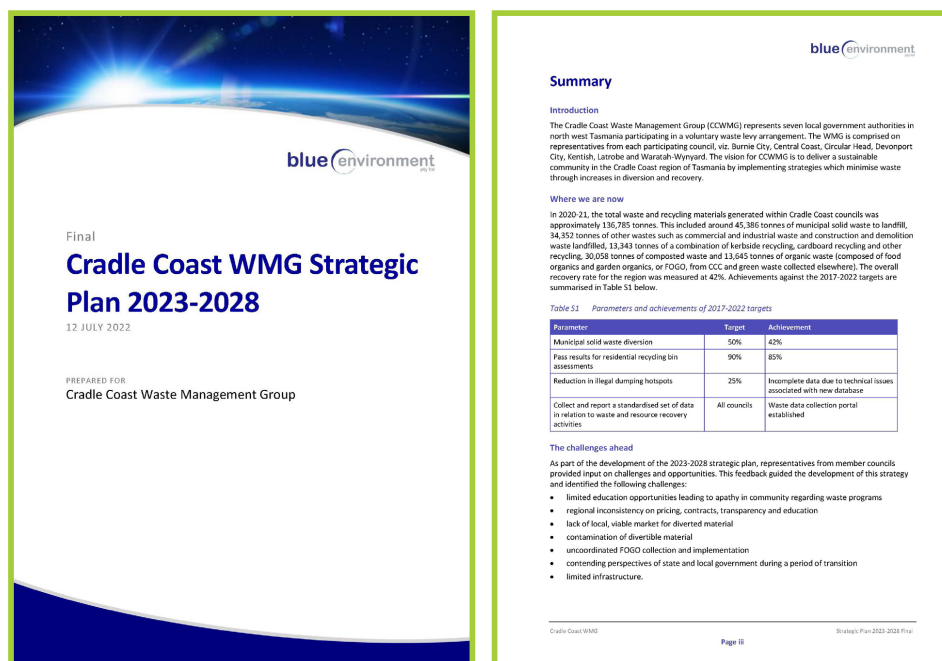
5.2 KEY PROJECTS

Over the 2021/22 year, CCWMG successfully completed some excellent projects to forward the waste diversion agenda in the region.

Some of these key projects are discussed in the following subsections:

- 5.2.1 CCWMG Strategic Plan 2023-2028
- 5.2.2 Education and Promotion
- 5.2.3 Schools Program
- 5.2.4 Landfill Waste Composition Audit
- 5.2.5 Waste Transfer Station Best Practice
- 5.2.6 Household Hazardous Waste Events

A full list of all projects undertaken by the CCWMG in 2021/22 is detailed in Section 9.



5.2.1 CCWMG Strategic Plan 2023-2028

Development of the new CCWMG Strategic Plan was completed over the 2021/22 year.

Officers from each Council assisted with developing priorities and considering opportunities for the future. The group was united on the effectiveness of regional contract management and service provision and have called on CCWMG to increase in the regional focus.

The Strategic Plan sets out four measurable and achievable goals in the form of key performance indicators which will allow the group and member councils to track their progress over the 5-year plan:

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

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

5.2.2 Education & Promotion

CCWMG continues to support Rethink Waste Tasmania, the Tasmanian Waste Management Communications brand. This program is run as a joint service between the three regional waste groups; CCWMG, Northern Tasmania Waste Management Group (NTWMG) and Southern Tasmania Waste Management Group (STWMG).

Due to financial assistance provided by the State Government through a Grant initiative, Rethink Waste Tasmania was able to make a larger impact than in previous years.

KEY ACHIEVEMENTS

- Increase in number of waste hierarchy statewide campaigns from 1 to 3.
- Editorial coverage in 26 publications or broadcast outlets (up from 5 in the year prior).
- 2,347 active users of the Rethink Waste Tasmania website in an average month.
- Additional 4,222 content downloads from Rethink Waste Tasmania website compared to 2020/21.
- Unique page views on the Rethink Waste Tasmania website grew by 7.59% from 48,803 views in 2020/21 to 52,506 in 2021/22.
- Average monthly reach on social media grew from 12,948 to 27,579 people with average engagement growing from 2,528 to 3,342 over the project plan period. Additional 1,137 followers added bringing the total to 5,430 at end June 2022.
- Responsiveness score of 90%+ maintained on Facebook messenger for the plan period.
- Growth in number of Youtube channel videos from 14 to 33.
- Rethink Waste Tasmania website content expansion to cover all 29 council areas.



20 ANNUAL REPORT 2021/22 | CRADLE COAST WASTE MANAGEMENT GROUP

RECYCLING RESPONSIBILITIES

Federal Government Waste Policy Action Plan and State Government Waste Action Plan influence packaging, waste laws and funding programs.



5.2.3 SCHOOLS PROGRAM

CCWMG established a schools program in 2019. The Schools Program provides interactive workshops educating Primary School aged students on environmental impact and circular economy principles. The goal of the program is to visit each School on the region every two years, delivering age appropriate and engaging workshops with regional - specific waste and recycling information.

Over the past year, education officers have visited 18 schools, delivered 102 workshops and assisted with one waste audit.

Term 3, 2021 – 6 schools, 37 workshops, 1 waste audit

Term 4, 2021 – 1 school, 5 workshops

Term 1, 2022 – 2 schools, 7 workshops

Term 2, 2022 – 9 schools, 53 workshops

This program is very well received by the school community, with students extremely interested in the content and the presentation appropriate for the classroom.

Over the next few months, the education delivery team will be working to develop suitable content for Secondary students, enabling a deeper understanding of waste to be developed in the next generation.



5.2.4 LANDFILL WASTE COMPOSITION AUDIT

A Landfill Waste Composition Audit, including Bin composition was completed in January 2022. This involves assessment of loads to each landfill in the region to identify what materials are being disposed to landfill and how much has the potential for recycle or reuse.

The report identified 42.3% of waste disposed to landfill was potentially recoverable. This includes 10.1% Garden organics, 8.0% food organics, 4.0% paper and 3.6% cardboard.

Some key recommendations for CCWMG were:

- Focus on correct source separation in regional communications
- Conduct a cost benefit analysis on implementing a standardised bin system (colour and sizes) across the region
- Investigate methods to improve C&I recycling rates.

CCWMG will work to include these recommendations as actions to the new strategic plan are rolled out.



5.2.5 WASTE TRANSFER STATION BEST PRACTICE

CCWMG engaged MRA Consulting (MRA) to prepare an updated Transfer Station Best Practice Guidelines and to undertake site assessments of CCWMG WTS and RRC.

The Best Practice Guidelines set out practical recommendations for WTS site design, management, and planning. The guideline establishes best practice protocols and recommendations based on legislative requirements and case study comparisons. These elements can be reviewed for future or existing sites.

Best practice represents the current 'state of the art' and aims to produce sustainable outcomes consistent with the community's expectations. By aiming towards best practice principles, facility owners and operators can expect benefits such as:

- Improved environmental, financial, and operational performance
- Higher resource recovery efficiency and sustainable outcomes
- Improved occupational health and safety and environmental risk mitigation
- Higher levels of community acceptance and engagement with recycling practices; and
- Guidance on long-term business development.

MRA completed a complimentary report which assessed sites against the recommended guidelines. Several services for improvement were identified through this process, including training for WTS staff, site safety improvements and data recording consistency. CCWMG propose to use funds allocated in the budget over the next few years to assist Councils in actioning these concerns efficiently.



24 ANNUAL REPORT 2021/22 | CRADLE COAST WASTE MANAGEMENT GROUP



5.2.6 HOUSEHOLD HAZARDOUS WASTE EVENTS

Many hazardous chemicals are generally unable to be collected at WTS on a day-to-day basis due to safety requirements for storing the waste. A strategy for assisting residents in disposing of these wastes safely is to arrange for specialty collection events at pre-arranged times.

In 2020/21, CCWS arranged a Household Hazardous Waste weekend collection event with at four WTS locations across the region, with a total chemical collection of 1,332kg. Following this success, CCWMG included a further budget to deliver a second round of events in the 2021/22 year.

After discussions with the collection partner, a combination of weekday and weekend event times were selected, with each municipality visited at least once. These were arranged into clustered events for marketing efficiencies. Chemical amounts collected are detailed below:

Table 2 – Amount collected per municipality

Municipality	Collected 1 st Event	Collected 2 nd Event	Total Collected
BCC	386	250	636
CCC	231	251	482
CHC	296	276	572
DCC	110	121	231
KC		62	62
LC		83	83
WWC	748	111	859
TOTAL	1,771	1,154	2,925

The 2021/22 Household Hazardous Waste collections were very successful, more than doubling the 2020/21 amount collected totalling 2,925kg of chemicals diverted from landfill and backyard storage. Significant amounts of chemicals have been collected from retired primary producers in the region.

Resident feedback was positive and requests have been received that an on-going service would be beneficial. CCWMG have allocated annual funding for this project and are discussing options for permanent collection facilities with collection partners and how this could safely be achieved.

6 ACHIEVEMENTS AGAINST THE 5 YEAR STRATEGY

 Action Not Started
  Action on Hold
  Action in Progress
  Action Completed/Ongoing

NO.	ACTIONS	COMMENTS	
FOOD AND GARDEN ORGANICS			
1	Establish which member councils intend to participate in FOGO tender and appoint contractor where applicable.	FOGO has been implemented in CCC since 2019. Tender for whole of region FOGO collection was completed in 2021/22 for commencement in 2023/24.	
2	Where applicable, work in partnership with successful FOGO tenderer and member councils to implement communications materials, bin rollout and collection services to best practice standards for recovered organics.	Best practice standards were included in the Tender assessment. Communications program will be designed in the 2022/23 year.	
3	Develop and secure markets for reprocessed organics products in the agricultural or land rehabilitation sectors. Facilitate trials where necessary and utilise results in market development activities.	Currently DWM compost demand exceeds supply. DWM have identified additional markets for future supply should output increase.	
4	Support the development of a Tasmanian organics strategy.	CCWMG representatives attend industry consultation and assist Government decision making in relevant areas of waste management.	
ILLEGAL DUMPING AND LITTER			
5	Facilitate liaison between member councils, the regional group and relevant Tasmanian Government departments responsible for managing illegal dumping incidents by establishing an illegal dumping working group.	The EPA have created an Illegal dumping database and CCWMG support initiatives in this area.	
6	Using data obtained from the Illegal Dumping Web Database, produce an annual report to be disseminated amongst member councils in order to provide a measurable evidence base to group members.	A report on the regional illegal dumping database is provided to the CCWMG annually.	
7	Call for annual applications from member councils for funding of projects to address illegal dumping (e.g. clean-up of hotspots, installation of signage/CCTV). Establish process for determination of successful applications, distribution of funding, reporting requirements and measurement of outcomes.	Illegal dumping grants have been offered to CCWMG councils each year.	
8	Use the Keep Australia Beautiful (2016) Litter Toolkit to build a litter reduction campaign to be rolled out across the region.	Keep Australia Beautiful Litter Toolkit is included in the Tasmanian Waste Education Strategy.	
9	Provide evidence-based input to any further discussions regarding the introduction of container deposit legislation in Tasmania.	The Container Refund Scheme legislation was passed in March 2022. This program is in the process of supplier selection.	
INFRASTRUCTURE			
10	Continue work to establish a standardised set of data collection parameters and ensure all councils are reporting data to the waste data collection portal according to the standard (including material categories, units and frequency of reporting). Monitor and audit data inputs into the centralised waste data collection portal.	The regional data collection portal was implemented in 2017/18 and quarterly reporting to the CCWMG is ongoing.	

NO.	ACTIONS	COMMENTS	
11	Conduct a recycling activity survey in order to establish the size of the recycling and reprocessor network, measure the quantity of materials managed throughout the network, establish the flow of materials between member councils and other regions and identify opportunities for network expansion or rationalisation. This could be conducted in conjunction with other regional groups in order to build a picture of the resource recovery network in Tasmania.	In 2018 a Recycling Activity Survey was complete and a master spreadsheet developed housing the collected information.	◆
12	Conduct an assessment of the region's tip-shop network. Develop standardised guidelines for tip-shops which define material diversion, stock and inventory control, material storage requirements, etc.	No action completed on this. The new strategic plan has not identified this as a priority for the group.	●
13	Internally review progress of actions recommended by the resource recovery centre/transfer station assessment (conducted in 2014) in order to bring facilities up to best practice standards. Subject to member council agreement, provide funds to member councils for facility upgrades.	Best practice grants have been offered to councils each year to assist in improving WTS. A review of the standard and audit of WTS was completed in 2021/22 with clear actions for CCWMG to continue this work.	◆
14	Investigate options for accepting additional materials at council resource recovery centres/transfer stations, including requirements for collection infrastructure, potential on-site reprocessing opportunities and material markets.	CCWMG regularly review opportunities for new waste diversion streams. This has resulted in the implementation of Fluoro globe, batteries, paint, e-waste and cardboard collections at WTS and Council offices.	◆
15	Explore community-based recycling initiatives with local community groups in order to identify feasible materials for collection and diversion. Where feasible, consider funding assistance to community groups to implement services (e.g. transport vehicles, temporary storage facilities, compactors, communications).	In 2019, community groups were given the opportunity to apply for funding to implement waste collection and diversion initiatives. Funding was awarded to 4 community groups across the region. As Federal stewardship schemes have taken the lead in this area and community organisations have more assistance with initiatives.	◆
SERVICES			
16	Continue to undertake annual residential recycling bin assessments and contamination education across the region.	Bin assessments have shown increased conformity to bin acceptance requirements. A refresh of this service is in process.	◆
17	In conjunction with NTWMG, continue to conduct landfill and kerbside waste composition audits.	2018 – A landfill audit was conducted for CCWMG 2019 – A WTS audit was conducted for CCWMG 2022 ± A landfill composition audit was conducted across the region.	◆
HAZARDOUS WASTE			
18	Provide for collection and management of household batteries across the region (including advertising, bins, collection services, transport and disposal). Measure and evaluate the collection's performance.	Household batteries are collected at Councils and WTS. These are being utilised consistently by residents. The data is given to CCWMG members on a quarterly basis.	◆
19	Hold a household hazardous waste collection event. Event actions will include advertising, establishing a waste management contractor (via tender process), determining program and location(s), measurement and reporting framework.	Several collection events were held over 2021 and 2022. An annual service will be provided ongoing.	◆
20	Continue to monitor member council e-waste schemes and opportunities to provide an economical service in the region.	E-Waste collections are available in all WTS.	◆
21	Work with EPA Tasmania as required to implement the hazardous waste tracking system.	CCWMG representatives attend industry consultation and assist Government decision making in relevant areas of waste management.	◆
22	Liaise with EPA/other regions on investigations into hazardous waste stockpiles and disposal points in the CCWMG region.	CCWMG hold regular hazardous waste collections throughout the region. Government set detailed waste reporting guidelines with the roll out of the landfill levy at July 2022.	◆
TYRES			
23	Support the development of a tyre recycling site at Longford.	Longford tyre collection has been discontinued. CCWMG support councils through a tyre recycling subsidy and collection.	◆
24	Work with EPA and other regional groups to investigate end users for end-of-life tyres.	The 2022 Tasmanian Government Budget includes \$3M towards building a tyre recycling facility in Tasmania.	◆
25	Disseminate and support the state-wide tyre management strategy when released by EPA.	CCWMG representatives attend industry consultation and support Government decision making in relevant areas of waste management. CCWMG works as a communications conduit between Councils and Government.	◆

NO. ACTIONS		COMMENTS	
C&D AND C&I RECOVERY			
26	Work with the EPA to develop and align strategies to divert C&D and C&I materials from landfill. Investigate funding opportunities as they arise.	CCWMG support the Tasmanian Waste Education group who have joined the Master Builders Association. A building waste audit was conducted in 2021/22, which identifies several areas for improvement. Continuation of this work is planned for in future CCWMG budgets and in the new strategic plan.	◆
27	Conduct a review of C&I waste in the region to build on previous reviews conducted for C&D waste. Include consultation with key industries and identification of synergies with C&D waste processing and disposal.		◆
28	In conjunction with member councils, investigate the options for expanding residential recycling collections to cover C&I customers.		◆
REGIONAL GOVERNANCE ARRANGEMENTS			
29	Develop and document a governance framework which stipulates the roles, responsibilities and expectations of CCWMG member councils.	An independent consultant was appointed to work with the CCWMG and member Councils to determine the most appropriate governance model. The CCWMG is now governed by member Councils General Managers and project management is undertaken by CCWS.	▲
30	Create a role within CCWMG to manage stakeholder group member engagement. The role should be part-time for a minimum of one year and be at an experienced/senior level.		●
COLLABORATIVE ARRANGEMENTS BETWEEN COUNCILS			
31	Continue to identify opportunities for collaborative resourcing by investigating current contractual arrangements in each council.	The changes in CCWMG governance has improved communications between member councils, CCWS staff and WTS staff. CCWMG councils are given the opportunity to raise concerns at CCWMG meetings.	◆
32	Investigate and facilitate human resource sharing between member councils.		◆
33	Establish a platform for councils to share information with regards to their current projects and outcomes of previous projects (e.g. as an agenda item at CCWMG meetings).		◆
BUILDING REGIONAL CONSISTENCY			
34	Review member council landfill and resource recovery centre/transfer station charges and services offered and investigate barriers to implementing total cost recovery pricing.	Report on resource recovery centre/transfer station charges was completed in June 2022. The State Government is developing recommendations for long-term local government changes. CCWMG will not pursue further action until this review is complete.	●
WORKING WITH THE TASMANIAN GOVERNMENT			
35	Establish a framework for cooperation and collaboration between state government, waste management groups and local councils to influence policy and strategy documents, highlight current issues impacting on waste management in the region and contribute to and support government policy on emerging waste issues.	CCWMG has a well established cooperative relationship with relevant State department and key personnel. The new state landfill levy has caused increased collaborations between state departments and waste management groups.	◆
36	Maintain key dialogue and build contacts with state government agencies. Encourage EPA to attend CCWMG meetings.		◆
37	Highlight current waste management issues to state government on an as needed basis as raised by member councils.		◆
38	Provide assistance and advice to state government on emerging waste issues.		◆
39	Identify funding options from various Tasmanian Government departments, not just those responsible for waste or environment issues.	CCWMG assist Councils in accessing funding opportunities as they are made available. For example: Councils accessed funding for compliance and reporting systems in relation to the landfill levy in 2022.	◆
WORKING WITH INDUSTRY			
40	Establish a framework for cooperation and collaboration between state government, waste management groups and industry to facilitate improvements to C&I and C&D waste management and resource recovery.	CCWMG has a well established cooperative relationship with relevant State department and key personnel. The new state landfill levy has caused increased collaborations between state departments and waste management groups	◆
41	Facilitate a regional industry workshop/forum to encourage innovation and sharing of waste and resource management practices.	The new CCWMG strategic plan was developed with input from representatives of the member Councils. CCWMG has developed relationships with local waste management suppliers and attends regular networking events.	◆

NO. ACTIONS		COMMENTS	
42	Maintain key dialogue and build contacts with industry sectors.	CCWMG has developed relationships with local waste management suppliers and attends regular networking events including Master Builders Association.	◆
43	Support the development of a Tasmanian recycling market development strategy.	CCWMG has a well established cooperative relationship with relevant State department and key personnel. The new state landfill levy has caused increased collaborations between state departments and waste management groups.	◆
COLLABORATING WITH OTHER REGIONS			
44	Pending state government regional group coordination, establish a direct link between other regional groups (which may involve quarterly/six monthly meetings, etc.) to continue collaboration.	Key Project Officers from each of the waste groups regularly meet to discuss waste communications and other upcoming projects as necessary. CCWMG has a well established cooperative relationship with relevant State department and key personnel. The new state landfill levy has caused increased collaborations between state departments and waste management groups.	◆
45	Conduct a mid-term strategy review to consider linkages between regional strategies and funding requirements.	The new state landfill levy has caused increased collaborations between state departments and waste management groups.	◆
COMMUNITY EDUCATION			
46	Develop a regional or cross regional communications and education plan with input from member councils, including for FOGO service, other kerbside services, illegal dumping, e-waste recycling and other waste initiatives as appropriate.	Rethink Waste is funded by the three Waste Groups in an ongoing arrangement. Due to the quality of the service, additional financial support was received from the State Government for the 2021/22 year. A new Strategic Plan is to be developed in the 2022/23 FY.	◆
47	Develop communication materials that promote CCWMG, the Rethink Waste website and brand and correct waste and recycling practices using media releases, TV, radio and newspaper advertising, promotional materials (e.g. bags, pens, caps), fact sheets and social media (e.g. YouTube, Facebook, Twitter). Where possible, activities to be jointly undertaken with the NTWMG.		◆
48	Continue to support the Rethink Waste Schools Program. Establish a program for visits to schools in the region to conduct waste education programs.	A schools education plan was established in 2019. This is ongoing.	◆
49	Coordinate with member councils and other regions to provide consistent updates to the Rethinkwaste.com.au website.	This is included in the Tasmanian Waste Communication Strategy.	◆
RAISING AWARENESS			
50	Provide regular briefings to Cradle Coast Authority member councils (to be disseminated throughout each), in order to build group awareness. This could be done through scheduled group meetings.	CCWMG meeting minutes are disseminated to member councils. The new governance structure enables CCWMG GM's to transfer knowledge to Councillors and staff.	◆
PUBLIC EVENTS			
51	Research and maintain a calendar of public events (such as local shows, market days, etc.) which would be appropriate to host an education session/stall/booth. Attend two public events per year.	A Public Events service provider was established in 2019. This service continues to evolve to deliver best value and educational reach.	◆
52	Conduct community consultation forums when introducing new programs or services (as appropriate).	Community consultation occurs on an as needed basis.	◆

7 FINANCIAL STATEMENTS

Table 3 – Cash Flow Summary

Table 3 details the CCWMG Waste Levy Account opening and closing balance as at 30/06/2022.

2021/22 CASH FLOW SUMMARY Regional Waste Management Levy	
Opening Balance 30/06/2021	\$399,003
Levy funds received 01/07/2021 to 30/06/2022	\$451,154
Expense Recovery Income	\$40,934
Interest	\$693
Rethink Waste Grant Payments	\$95,000
GST Balancing	(2,567)
Total Cash Inflow During 2021/22	\$984,217
Annual Plan & Budget Project Expenditure	\$663,225
Total Cash Outflow During 2021/22	\$663,225
Closing CCWMG Waste Levy Account balance 30/06/2022	\$320,992

Table 4 – 2021/22 Profit and Loss

Table 4 details the CCWMG profit and loss for 2021/22.

2021/22 PROFIT AND LOSS Regional Waste Management Levy	
Waste Levy Income for period 01/07/2021 to 30/06/2022	\$508,581
Expense Recovery Income	\$101,370
Interest	\$569
Total Income for 2021/22	\$610,519
2019/20 Annual Plan & Budget Project Expenditure	-\$573,965
Total Expenditure for 2021/22	-\$573,965
Net Profit (Loss) as at 30/06/2022	36,554

8 SUMMARY

Financial Year 2021/22 was the final year for CCWMG to meet the goals of the 2017-2022 Strategic Plan. Of the four goals, CCWMG was successful in developing data collection system, which continue to be improved.

The goal of 50% diversion was hampered by delays in FOGO availability and roll out, however, the region continues to improve in diversion activities, increasing recycling volumes and options over time. CCWMG continues to pursue diversion increases through regional efficiencies and this remains a focus in the new Strategic Plan with targets of 60% recovery and planned phase outs of single-use plastics by 2028.

The regional recycling bin assessments goal of a 90% pass rate remains in the 2028 Strategic Plan and the 2022 report highlighted some additional activities which can be used to improve behaviour change in this area.

Illegal dumping collaboration with State officials in the region does not remain a priority however, will continue to be monitored

Achievements to the 2021/22 Actions

Ref #	Project Name	Action Summary	Achievements
ONGOING PROJECTS			
2.1	Illegal Dumping Database	Manage and annually report on the regional illegal dumping database	Annual report produced.
2.2	Illegal Dumping Funding	Conduct one round of illegal dumping funding.	Reduced requests for funding received and reduced repeat offenses
2.3	Recycling Bin Assessments	Undertake kerbside recycling bin assessments and contamination education across the region.	26.7% pass rate for 2021/22 assessment round
2.4	FOGO Education & Marketing	Undertake regional FOGO education and promotion as required.	Not proceeded with in 2021/22
2.5	Rethink Waste Website	Maintain and improve the Rethink Waste Website.	New website developed.
2.6	Education & Promotion – Year 5	Implement year 5 of the Tasmanian Waste Management Communications Plan.	State Government funding enabled significant extra reach for the 2021/22 period
2.7	Schools Program	Visit schools to provide waste education / presentations.	Visited 18 schools and delivered 102 workshops
2.8	Public Events	Host an education stall at 2 public events and/or hold a free Repair Café event.	Attended Ecofest and visited Men's sheds
2.9	Sponsorship	Funding allocation for sponsorship of local community groups, individuals or events.	No sponsorship requests were received
2.10	Household Battery Recycling	Fund a free household battery recycling program.	3.37 tonnes of batteries collected
2.11	Fluoro Tube & Globe Recycling	Fund a free fluoro tube and globe recycling program.	86kg of globes and tubes collected
2.12	E-waste Recycling	Fund a free e-waste recycling program.	75.76 tonnes of E-waste collected
2.13	Paint Recycling	Participate in the Paintback funded paint recycling program.	45.96 tonnes of paint collected
2.14	Tyre Subsidy	Provide a \$2/tyre subsidy for tyre recycling (up to 500 tyres per Council).	2,500 tonnes of tyres collected

ONE-OFF PROJECTS

3.1	Regional Transfer Station & Resource Recovery Centre Improvements	Assist in bringing WTS facilities up to best practice standards and/or prepare for the introduction of the state-wide waste levy.	Annual report produced.
3.2	Household Hazardous Waste Event	Conduct household hazardous waste collection event(s) for the region.	Reduced requests for funding received and reduced repeat offenses
3.3	Landfill Waste Composition Audit	Undertake waste composition audits at Council owned landfills (or WTS) to determine target	26.7% pass rate for 2021/22 assessment round
3.4	Public Place Recycling Bin Subsidy	Provide a subsidy to CCWMG Councils to install public place waste and recycling bins.	Not proceeded with in 2021/22
3.5	Kerbside Recycling Contract	Tender for the regional co-mingled kerbside recycling collection and processing contract.	New website developed.
3.6	Strategic Plan Development	Develop a new five year Strategic Plan.	State Government funding enabled significant extra reach for the 2021/22 period

NEW UNPLANNED PROJECTS

FOGO MSW Projection Research and Reporting	Support Council decision making on FOGO through projections of tonnages	Utilising data from the Landfill Composition report, FOGO projections were delivered to Councils.
Waste Services Cost Review	Compare Waste charges across Councils	Report delivered to Councils detailing rates and Waste Transfer Pricing across the region.
Waste Transfer Station Guidelines and Actions review	Update the Waste Transfer station Best Practice Guidelines and Assessments	New WTS/ RRC guidelines were developed and assessments completed.





cradle coast 
waste services
Operated by Dulverton Waste Management

Level 1/17 Fenton Way
Devonport TAS 7310
admin@dulverton.com.au
www.dulverton.com.au

Council Meeting Action Report**All Actions for Open Session of 13 Dec 2022**

Date From: 13/12/2022
 Date To: 13/12/2022
 Printed: Tuesday, 24 January 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
AO211-22	PUBLIC QUESTION TIME	15 Dec 2022 QON: Provide a copy of the responses to public questions for those who were not present at the Meeting: Ms Suzanne Simpson and Ms Lynda Sherriff, per Item AO211-22. 23 Jan 2023 Completed. Letters sent - DOC ID's 23/1499 and 23/1500.	Office of the General Manager	23/01/2023
Council 13/12/2022				
AO213-22	TENDER - ARCHITECT SERVICES - BRIEF 207 - BURNIE SPORTS CENTRE COMPLEX	15 Dec 2022 RES: Award Tender for Architect Services Brief 207 Burnie Sports Centre Complex to the successful tenderer, as per Council resolution AO213-22,	Works and Services	
Council 13/12/2022				
AO215-22	CULTURAL CENTRE ARCHITECTURAL PLANS	15 Dec 2022 RES: Advise the Architects, project steering committee and relevant stakeholders of Council's approval of the revised architectural plans for the new Burnie Cultural Centre, per Council resolution AO215-22.	Corporate and Commercial Services	
Council 13/12/2022				
AO216-22	COUNCILLOR APPOINTMENTS TO SPECIAL COMMITTEES, REGIONAL BODIES AND WORKING GROUPS	15 Dec 2022 ACT: Send letters of appointment together with Terms of Reference, as required for new appointments of Councillors made under Item AO216-22.	Corporate and Commercial Services	
Council 13/12/2022				
AO216-22	COUNCILLOR APPOINTMENTS TO SPECIAL COMMITTEES, REGIONAL BODIES AND WORKING GROUPS	15 Dec 2022 ACT: Update the Register of Councillor Appointments with new appointments made under Council Resolution AO216-22, and update relevant web pages with appointments. 22 Dec 2022 Completed. Register and web pages updated.	Corporate and Commercial Services	22/12/2022
Council 13/12/2022				
AO217-22	MARINE TERRACE CAR PARK - PARKING INCENTIVES DURING DECEMBER AND JANUARY	15 Dec 2022 ACT: Undertake a review of Dec-Jan MTCP parking incentive with Council and consider a similar incentive for free Saturday parking during June and July, as per Council resolution AO217-22.	Office of the General Manager	
Council 13/12/2022				
AO217-22	MARINE TERRACE CAR PARK - PARKING INCENTIVES DURING DECEMBER AND JANUARY	15 Dec 2022 RES: Implement free parking on Saturdays at MTCP between 17 December 2022 and 28 January 2023, per Council resolution AO217-22. 17 Jan 2023 Completed. Saturday free parking at MTCP implemented on 10.12.22 for remaining Saturdays in 2022 and January 2023.	Land and Environmental Services	17/01/2023
Council 13/12/2022				
AO218-22	GENERAL MANAGER'S REPORT - OPEN SESSION	15 Dec 2022 RES: Update the Acknowledgement of Country in Council Agenda, website, intranet, and meeting rooms, per Council resolution AO218-22. 19 Jan 2023 Completed. New Acknowledgement of Country updated on web, intranet, meeting rooms and agenda/minutes documents.	Corporate and Commercial Services	19/01/2023
Council 13/12/2022				

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

Date From: 17/11/2020
 Date To: 30/11/2022
 Printed: Tuesday, 24 January 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
AO265-20	MOTION ON NOTICE - DUAL NAMING POLICY	<p>18 Nov 2020 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>14 Apr 2021 NOTE: Written to TAC seeking to engage in discussion as a starting point, 21/26471.</p> <p>11 Oct 2021 NOTE: 7/8 - follow up email sent, no response to date.</p> <p>10 May 2022 NOTE: Several attempts to engage have not provided a successful outcome. An alternative contact is being sourced through UTAS.</p>	Office of the General Manager	
Council 17/11/2020				
AO166-21	MOTION ON NOTICE - CITIZENSHIP CEREMONIES	<p>29 Sep 2021 RES: Engage with relevant indigenous groups to extend an invitation for Welcome to Country at Citizenship ceremonies, in accordance with the resolution of Council AO166-21.</p> <p>01 Oct 2021 NOTE: Sent correspondence 1/10/2021 seeking meeting with TAC to discuss the best methods of engaging with local Aboriginal communities</p> <p>14 Jan 2022 NOTE: Several attempts to engage have not provided a successful outcome. An alternative contact is being sourced from Burnie Works and UTAS in an attempt to engage.</p> <p>25 Aug 2022 NOTE: Meeting with a local Aboriginal storyteller in September to consider engagement methods.</p>	Corporate and Commercial Services	
Council 28/09/2021				
AO186-21	MOTION ON NOTICE - CBD PLANTING OF RHODODENDRONS	<p>28 Oct 2021 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>14 Jan 2022 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>23 Mar 2022 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>29 Jul 2022 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 – Nov 2022**

Date From: 17/11/2020
Date To: 30/11/2022
Printed: Tuesday, 24 January 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
AO101-22	MOTION ON NOTICE - RELOCATION OF BURNIE FARMER'S MARKET	<p>05 Jul 2022 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>09 Sep 2022 NOTE: Meeting sought with organisers.</p> <p>07 Oct 2022 NOTE: Meeting organised for 11/10/2022.</p>	Office of the General Manager	
Council 28/06/2022				
AO106-22	BY-LAW - INTENTION TO MAKE A NEW BY-LAW - DRAFT PUBLIC PLACES BY-LAW	<p>05 Jul 2022 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>06 Jul 2022 NOTE: Preparation of RIS requested from legal practitioner on 6.7.22, doc 22/19343.</p> <p>17 Nov 2022 NOTE: RIS received and being reviewed.</p> <p>11 Jan 2023 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>	Corporate and Commercial Services	
Council 28/06/2022				
AO149-22	MOTION ON NOTICE - REMOVAL OF GRAFFITI	<p>24 Aug 2022 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				
AO150-22	MOTION ON NOTICE - PUBLIC QUESTION TIME	<p>24 Aug 2022 ACT: Draft Public Question Policy</p>	Corporate and Commercial Services	
Council 23/08/2022				

GENERAL MANAGER**AO018-23 GENERAL MANAGER'S QUARTERLY INFORMATION REPORT FOR
WORKS AND SERVICES - DECEMBER 2022**

FILE NO: 4/18/2

PREVIOUS MIN:

1.0 RECOMMENDATION:

“THAT the General Manager’s Quarterly Information Report for Works and Services for the December 2022 quarter be noted.”

2.0 SUMMARY

The report includes the following items:

- 3.0 Capital Works
 - 3.1 Projects by Contractor
 - 3.1.1 Tenders, Request for Quotations, Briefs and Expressions of Interest
 - 3.1.2 Contract Extensions
 - 3.1.3 Project Updates
 - 3.2 Projects by Works Unit
 - 3.2.1 Civil Construction and Stormwater
 - 3.2.2 Buildings
 - 3.2.3 Parks, Reserves, Sporting Grounds and Cemeteries
 - 3.2.4 Waste Management
- 4.0 Operations and Maintenance
 - 4.1 Civil Construction and Stormwater
 - 4.2 Buildings
 - 4.3 Parks, Reserves, Sporting Grounds and Cemeteries
 - 4.4 Waste Management
- 5.0 Vandalism and Reported Incidents
- 6.0 Burnie Emergency Management Committees – Activity Reports

3 CAPITAL WORKS**3.1 Projects by Contractor****3.1.1 Tenders, Request for Quotations, Briefs and Expressions of Interest**

The information is provided in the table below:

Procurement Method	Contract/Project Number	Contract/Project	Date Advertised/Published	Closing Date	Status e.g. Advertised Tenderlink Under Review Awarded Deferred	Successful Contractor
Quotation	212	Upper Burnie Sports Centre Lighting (Hall 1)	20/12/2022	3/2/2023		TBA
Tender	2694	Burnie Cultural Precinct BAFC Redevelopment (Preferred Builder Status)	26/11/2022	20/12/2022	Under Review	TBA
Brief	211	Consultant Services City Centre Urban Plan	26/11/2022	19/12/2022	Under Review	TBA
Brief	210	Consultant Services Burnie Gateway Project	26/11/2022	19/12/2022	Under Review	TBA
Brief	208	Consultant Services Branding and Marketing for Burnie Cultural Centre (BAFC Redevelopment)	8/11/2022	23/11/2022	Awarded	Megan Perkins
Brief	207	Architect Services Burnie Sports Centre Complex	22/10/2022	14/11/2022	Awarded	DWP Australia
Service Contract	2692	Supply of Natural Gas Burnie Aquatic Centre	8/10/2022	26/10/2022	Awarded	Tas Gas Retail
Tender	2691	Bitumen Surfacing Services 2022-2023	3/8/2022	26/8/2022	Awarded	Hardings Hotmix

3.1.2 Contract Extensions

Contract/Project Number	Contract/Project	Extension	Expiry	Contractor
2507B	Operation of Waste Transfer & Resource Recovery Facility	5 months	30/04/2023 (with an option for a further two month extension to 30/6/2023)	Cleanaway

3.1.3 Project Updates**a) Quotation – Upper Burnie Sports Centre – Hall 1 and 2 Works**

The flooring works in Hall 1 are scheduled to commence in February 2023. The installation of new backboards in Hall 2 have been completed and works to increase the water capacity in change room areas is also complete.

b) Contract 2660 – View Road Reserve Pump Track, MTB Trails and Cycle Path

The project is substantially complete, with the launch of the pump track occurring on the 4 October 2022. A further opening of the MTB trails and other infrastructure will be held this summer.

The two new shelters donated by the Emu Bay Lions Club will be erected in February 2023 (weather permitting).

Progressively, Council will plant out areas of the pump track and MTB trails with native shrub/plant species to enhance amenity, mitigate erosion and reduce grass mowing maintenance.

c) Contract 2691 Bitumen Surfacing Services 2022-2023

The contract has been awarded to Hardings Hotmix. Works will commence mid-January 2023.

d) Upper Stowport Road Widening

The Upper Stowport Road upgrade is in the final stages prior to sealing. The majority of the works including batter, drainage, and sub-base were completed prior to Christmas. The final top layer of road pavement was 90% installed. The project was scheduled to be sealed before Christmas, however conflicts with Contractor scheduling has pushed this out until mid to late January 2023.

e) Flood Recovery Projects***Oonah Road West***

Works have been completed by Civilscape to reopen the road to one lane to provide connectivity between the east and west. Geoton is working with PDA Consulting to provide a design for rehabilitation work to be completed early in the 2023 year.

Oonah Road East

Road remains closed from CH1030 to CH2770 as Geoton finalise investigation works. Landslide has been deemed a significant deep seated landslide. PDA will be working on a design to complete works on the corner at CH1090 where the embankment has fretted away.

Upper Natone Road – Horseshoe Bend

Works have been completed by Civilscape to reopen one lane of traffic with a load limit of 5 tonne applied. Monitoring and preliminary investigation works have determined the slide has slowed significantly. Works by a combination of locals, Council and Civilscape have emptied the dam located within the headspace of the landslide. Geoton continuing investigation works.

Greta Road

Road has remained opened. Geoton have conducted preliminary investigation works and repair and rehabilitation work is due to be complete early in the New Year.

Fernglade Road

Geoton have completed an initial assessment of embankment and have passed finding to PDA for review and design options.

f) Coastal Pathway

The development application for the Coastal Pathway was lodged with both Wynyard-Waratah Council and Burnie City Council in mid-December 2022. A project schedule and preliminary project budget update will be released in February 2023.

3.2 Projects by Works Unit

Capital projects currently underway by the Works Unit staff during 2022/23 across the various asset classes, are included in the following tables:

3.2.1 Civil Construction and Stormwater

Project	Progress
Gravel Road Re-sheeting	Complete
Traffic Island Safety Improvements	In Progress
Gully Pit Improvement Program	In Progress
Kerb Outfall Replacement Program	Complete
Stormwater Manholes/Mains Replacement Program	In Progress
Upper Stowport Road Widening	In Progress
Walkway – Grandview Avenue to Elizabeth Street	Complete
Ocean Outfall Improvement Program – Massy-Greene Drive	In Progress
Driveways, Crossover and Kerb Inserts – above 100% due to coming under budget. 5 driveways were planned for year. Currently 6 completed and 1 more to complete.	Complete
Footpath Program	In Progress

3.2.2 Buildings

Project	Progress
Penguin Complex Storage Extension	Complete
Senior Citizens Roof Replacement	Complete
Romaine Reserve – Bridge Replacement	Complete
Depot Workshop Underpinning	In Progress
CBD Bin Replacement Program	In Progress
Street Furniture Replacement – Bollard Replacement	In Progress
South Burnie Beach – Existing Sea Wall Repairs	Complete

3.2.3 Parks, Reserves, Sporting Grounds and Cemeteries

Capital Works have commenced or have been completed in the last quarter on various projects in Council's parks, reserves, sports grounds and cemeteries as follows:

Project	Progress
Playground Equipment Program	In Progress
Parks Furniture Replacement	In Progress

3.2.4 Waste Management

Project	Progress
Sewer Pump Station Upgrade	Complete

4 OPERATIONS AND MAINTENANCE

4.1 Civil Construction and Stormwater

Planned and reactive maintenance and minor works have been carried out on Council's transport and stormwater assets in accordance with the Service Level Document, operational budget provisions and subsequent maintenance programs.

The following works are ongoing in the 2022/23 financial year:

- Urban and rural roadside spraying and slashing.
- Rural, Urban and Commercial road maintenance and repairs.
- Traffic island maintenance.
- Road signage repairs and replacements.
- Footpath and kerb and channel maintenance and repairs.
- Retaining wall maintenance.
- Rural road grading and shoulder program.
- Rural culvert cleaning program and stormwater system maintenance.
- General asset condition and safety inspections.
- Street sweeping and gully pit cleaning.
- A range of minor works generated from Customer Requests (CRM).

4.2 Buildings

Planned and reactive maintenance and minor works have been carried out on Council's facilities and amenities in accordance with the Service Level Document, operational budget provisions and subsequent maintenance programs.

The following works are ongoing in the 2022/23 financial year:

- Burnie Aquatic Centre – annual maintenance and servicing.
- Penguin management – signage installation, fences and gate maintenance.
- Penguin Centre minor works.

- Annual building inspections.
- Linemarking.
- General internal and external building repairs and maintenance.
- Gutter cleaning.
- Solar panel cleaning.
- Regulatory plumbing inspections and maintenance, including TMV plumbing inspections and backflow device testing.
- General building maintenance and condition inspections.
- A range of minor works/inspections generated from Customer Requests (CRM).

4.3 Parks, Reserves, Sporting Grounds and Cemeteries

Planned and reactive maintenance and minor works have been carried out on Council's parks, reserves, sporting grounds and cemeteries in accordance with the Service Level Document, operational budget provisions and subsequent maintenance programs.

The following works are ongoing in the 2022/23 financial year:

- Sports grounds – sports season changeover.
- West Beach sand sifting.
- Grass mowing and maintenance.
- Sports grounds preparation and maintenance.
- Street tree management and maintenance.
- Street plants and gardens maintenance.
- Parks and reserves maintenance.
- Lawn Cemetery maintenance and interment preparations.
- Walking track maintenance.
- Playground maintenance and compliance.
- Urban slashing and vegetation control.
- Weed control – flat weed spraying.
- General condition and safety inspections.
- A range of minor works/inspections generated from Customer Requests (CRM).

4.4 Waste Management

Management of the Burnie Waste Management Centre (BWMC) and coordination of waste collection services in accordance with the Service Level Document, operational budget provisions and subsequent maintenance programs.

The following works are ongoing in the 2022/23 financial year:

- BWMC operation and site maintenance.
- Kerbside garbage collection.
- Commercial garbage collection.
- CBD and outer business districts street cleaning and litter control.
- BWMC Wetlands maintenance.

- Audits and special waste strategy actions and programs.
- Landfill reduction and recycling programs.
- Illegal dumping monitoring and periodic clean-up.
- A range of minor works/inspections generated from Customer Requests (CRM).

The following table shows the waste to landfill, recyclables collected kerbside and recovered products at the BWMC for this quarter:

MUNICIPAL WASTE DIVERSION FROM LANDFILL (tonnes)														
	2021/22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	2022/23
Waste Transported to Landfill	13,285	988	1,109	1,041	1,137	1,228	1,163	-	-	-	-	-	-	6,666
BCC Recovery	5,030	341	230	298	270	396	409	-	-	-	-	-	-	1,944
Cleanaway Recovery	2,203	119	115	119	122	136	53	-	-	-	-	-	-	665
Recyclables Collected Kerbside	1,325	93	89	88	92	115	120	-	-	-	-	-	-	597
Total Municipal Waste	21,843	1,541	1,543	1,547	1,621	1,876	1,745	-	-	-	-	-	-	9,873
% diverted from Landfill	39%	36%	28%	33%	30%	35%	33%	-	-	-	-	-	-	32%
Notes: Figures are displayed to nearest whole number														

Note: Figures are displayed to nearest whole number.

5 VANDALISM AND REPORTED INCIDENTS

The following information depicts the amount of funds that Council has spent on rectifying vandalism for this quarter.

The total for this quarter is \$11,300. This reflects an increase of \$4,450 against the last quarter which was \$6,850, an increase of approximately 65% against the previous quarter.

The areas where vandalism is impacting our assets is:

- Graffiti: \$1,900.
- Public toilet damage: \$6,100.
- Outside furniture damage: \$150.
- Broken glass/windows: \$1,850.
- Miscellaneous: \$1,300.

6 BURNIE EMERGENCY MANAGEMENT COMMITTEES – ACTIVITY REPORTS

a) North Western Regional Emergency Management Committee (NWREMC)

Meetings are held quarterly and include representatives from various agencies, utilities and Councils from the North West region. Social Recovery Coordinators also attend these meetings in addition to meetings held outside this forum.

The last meeting was a face to face meeting held on 9 November 2022 and the next meeting is scheduled for 8 February 2023 with the date still to be confirmed.

Agencies represented provided an overview of current activities. There has been significant work undertaken in the social recovery space, following a number of recent significant incidents.

Presentations on the pre-Bushfire Season Briefing 2022/23 (TasFire Service) and Foot and Mouth Disease (Biosecurity Tasmania) were given.

b) Western Emergency Management Committee (WEMC)

This is a combined Committee that meets quarterly with representatives from Burnie, Waratah-Wynyard and Circular Head Councils, emergency service agencies and key stakeholders. The key function of this Committee is to develop and manage an Emergency Management Plan and shared risk register and coordinate identified actions from those plans.

The last meeting was held on 17 November 2022 and the next meeting is scheduled for February 2023, date to be finalised.

A review of the Western Emergency Management Plan is due by September 2022. A new format is being developed with SES.

Burnie Council Emergency Management Actions in Progress:

- Management of fire hazards through the Annual Fire Hazard Reduction Program.
- Ensuring evacuation centre planning and preparations are ongoing.
- Flood modelling – Aim to update Cooe Creek 2022/23 and do modelling for Messenger Creek in 2023/24.
- Roundhill Bushfire Management Plans – BCC to meet with TasFire to finalise BMP.
- NDRG program – Council was successful in securing funding to progress a study for the design of a flood warning system for the lower reaches of the Emu River. Council has received a fee proposal from a Consultant to investigate and recommend a flood warning system. The report has been received and is currently being reviewed by Council.
- Bushfire information sessions – supporting TasFire, as required.

c) Western Fire Management Area Committee (FMAC)

The FMAC meet prior to the start of the fire season, to discuss coordination of agencies fire management activities.

Council supports the strategic intent of the FMAC through the fire hazard management activities it carries out.

BCC meeting with TasFire to discuss the fuel reduction program within the Burnie Municipality.

The most recent meeting occurred 12 December 2022 with the next meeting date still to be confirmed.

COUNCIL RESOLUTION**Resolution number: MO026-23****MOVED:** *Cr A Keygan***SECONDED:** *Cr C Lynch****“THAT the General Manager’s Quarterly Information Report for Works and Services for the December 2022 quarter be noted.”***

For: Cr T Brumby, 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

**AO019-23 GENERAL MANAGER'S QUARTERLY INFORMATION REPORT FOR
LAND AND ENVIRONMENTAL SERVICES - DECEMBER 2022**

FILE NO: 4/18/2

PREVIOUS MIN:

1.0 RECOMMENDATION:

“THAT the General Manager’s Quarterly Information Report for Land and Environmental Services for the December 2022 quarter be noted.”

2.0 SUMMARY

The report includes the following items:-

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

2.1 HEALTH**2.1.1 Environmental Enquiries / Investigations**

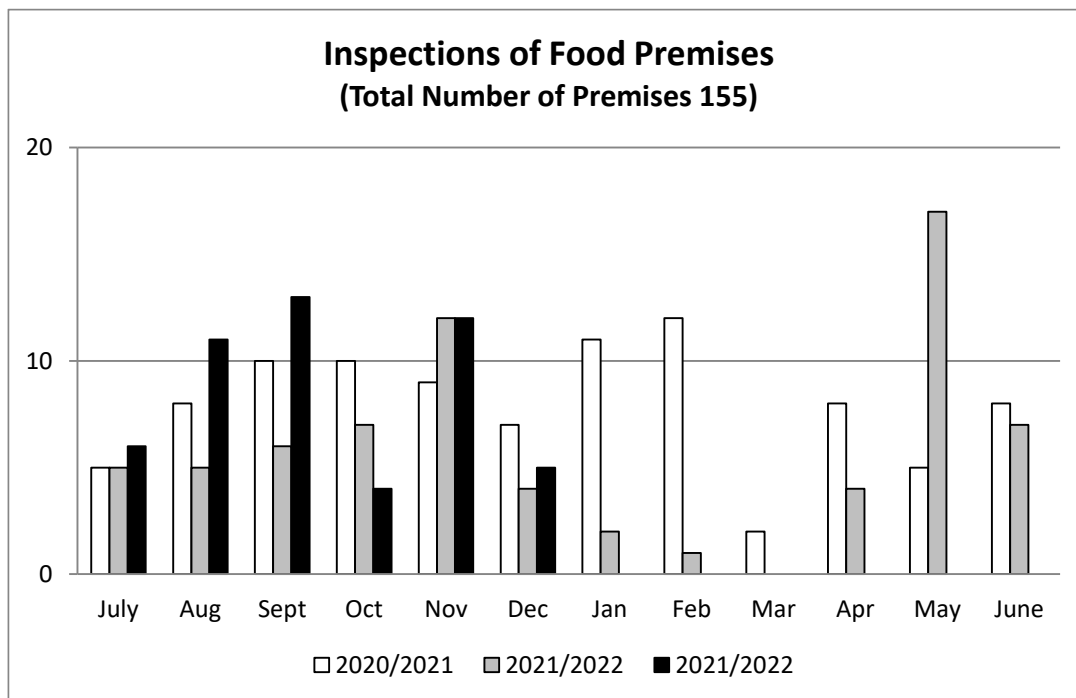
Type	Number of Enquiries / Investigations			
	Oct	Nov	Dec	YTD Total
Air	1	2	3	17
Water	2	0	1	8
Noise	3	2	4	36
Solid Waste	1	0	0	3
Other	2	2	3	19

YTD is measured from 1 July each year.

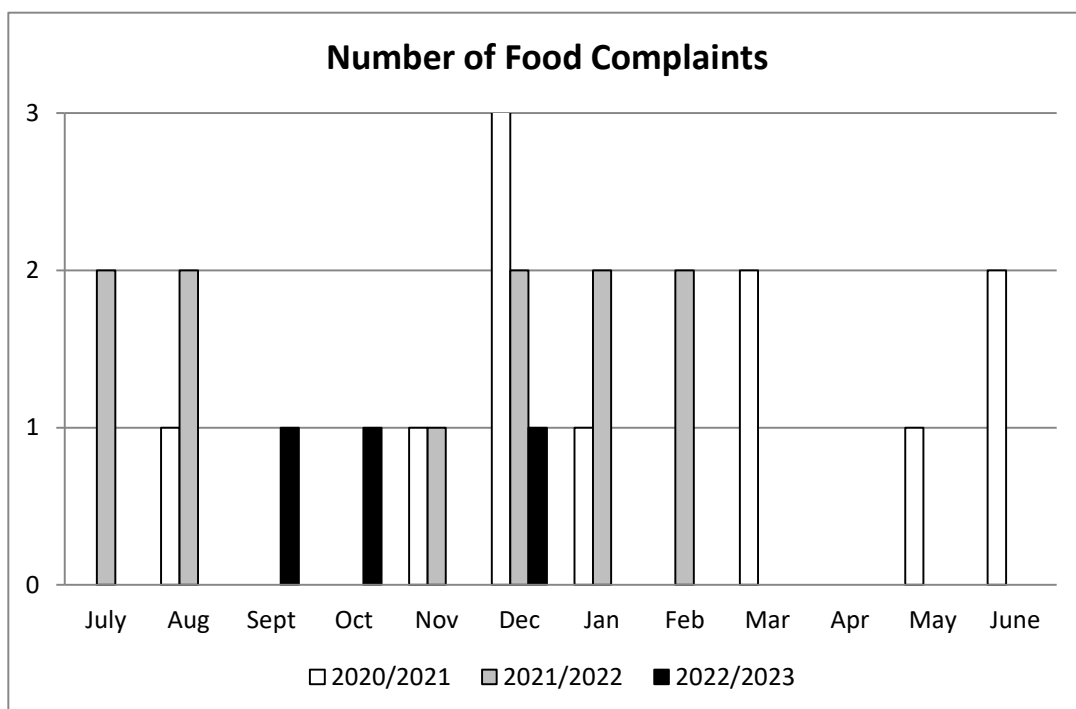
2.1.2 Environmental Sampling

Type	Number of Samples Taken			
	Oct	Nov	Dec	YTD Total
Beach Water Samples (summer months only)	0	14	10	54
Public Swimming Pool samples	5	5	5	64

YTD is measured from 1 July each year.

2.1.3 Food

Zero food premises inspections for March 2022.



Nil food complaints in July, September, October and November 2020. Nil food complaints in February, April, September and October 2021. Nil food complaints in March, April, May, June, July, August and November 2022.

2.2 BUILDING APPLICATIONS

Permit Authority Applications – 2021												
Month	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Notifiable Plumbing	10	8	10	11	13	13	5	7	9	7	9	23
Notifiable Building	11	8	11	19	11	15	7	19	16	11	12	13
Permit Plumbing	4	3	6	5	3	3	1	3	2	0	2	1
Permit Building	9	6	9	8	5	4	2	3	3	3	1	0
Substantial Compliance	1	0	0	0	0	1	1	0	1	0	1	0
Notifiable Demolition	0	0	0	0	0	0	0	0	0	0	0	0
Permit Demolition	0	0	0	0	0	0	1	0	0	0	0	0
Permit Refused	0	0	0	0	0	0	0	0	0	0	0	0
Application Value \$	6,236,400	2,469,688	12,042,230	6,750,843	5,422,031	10,940,070	1,944,068	2,547,724	8,662,357	2,200,628	1,822,533	2,736,530
Cumulative Total \$	6,236,400	8,706,088	20,748,318	27,499,161	32,921,192	43,861,262	45,805,330	48,353,054	57,015,411	59,216,039	61,038,572	63,775,102

Permit Authority Applications – 2022												
Month	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Notifiable Plumbing	5	7	7	8	12	16	0	12	6	10	5	4
Notifiable Building	8	13	18	21	16	15	12	9	18	18	13	8
Permit Plumbing	0	0	0	0	4	2	3	2	3	5	7	2
Permit Building	1	2	3	1	3	1	4	2	3	3	3	1
Substantial Compliance	0	0	0	0	0	0	0	1	0	1	0	0
Notifiable Demolition	0	0	0	0	0	0	0	0	0	0	1	0
Permit Demolition	0	0	0	0	0	0	1	0	0	0	0	0
Permit Refused	0	0	0	0	0	0	0	0	0	0	0	0
Application Value \$	2,093,700	5,037,148	10,130,516	4,871,299	5,527,665	4,225,931	28,866,468	1,796,645	36,950,132	8,235,542	3,232,480	3,205,184
Cumulative Total \$	2,093,700	7,130,848	17,261,364	22,132,663	27,660,328	31,886,259	60,752,727	62,549,372	99,499,504	107,734,746	110,967,226	114,172,410

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

LAND USE AND DEVELOPMENT APPLICATIONS	Jul 21	Aug 21	Sep 21	Oct 21	Nov 21	Dec 21	Jan 22	Feb 22	Mar 22	Apr 22	May 22	Jun 22	Jul 22	Aug 22	Sep 22	Oct 22	Nov 22	Dec 22
Permitted Use & Development	4	2	2	3	5	4	4	4	3	4	6	4	1	7	3	5	4	6
Discretionary Use & Development	10	11	8	14	9	12	4	7	15	6	6	12	10	8	12	8	14	14
Subdivisions	0	4	2	1	1	2	1	1	0	0	0	0	0	1	1	1	1	0
TOTAL APPLICATIONS	14	17	12	18	15	18	9	12	18	10	12	16	11	16	16	14	19	20
Determined by Delegation	17	7	12	12	5	23	8	8	12	10	6	11	9	12	14	12	11	13
Determined by Council	1	0	0	0	1	0	1	1	1	1	1	1	0	0	0	0	0	0
Withdrawn	1	0	1	1	2	1	1	2	3	0	0	2	0	1	1	3	2	4
Applications Cancelled by Planning Authority	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Consent Decisions	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0
Application Approved by Tasmanian Planning Commission	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Applications Appealed and Approved by Tasmanian Civil and Administrative Tribunal	0	1	2	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
PLANNING SCHEME AMENDMENTS																		
Amendment requests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Amendment finally approved	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Amendment Refused by Tasmanian Planning Commission	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Applications Appealed and Refused by Tasmanian Civil and Administrative Tribunal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

2.3.2 Land Use Permit Applications

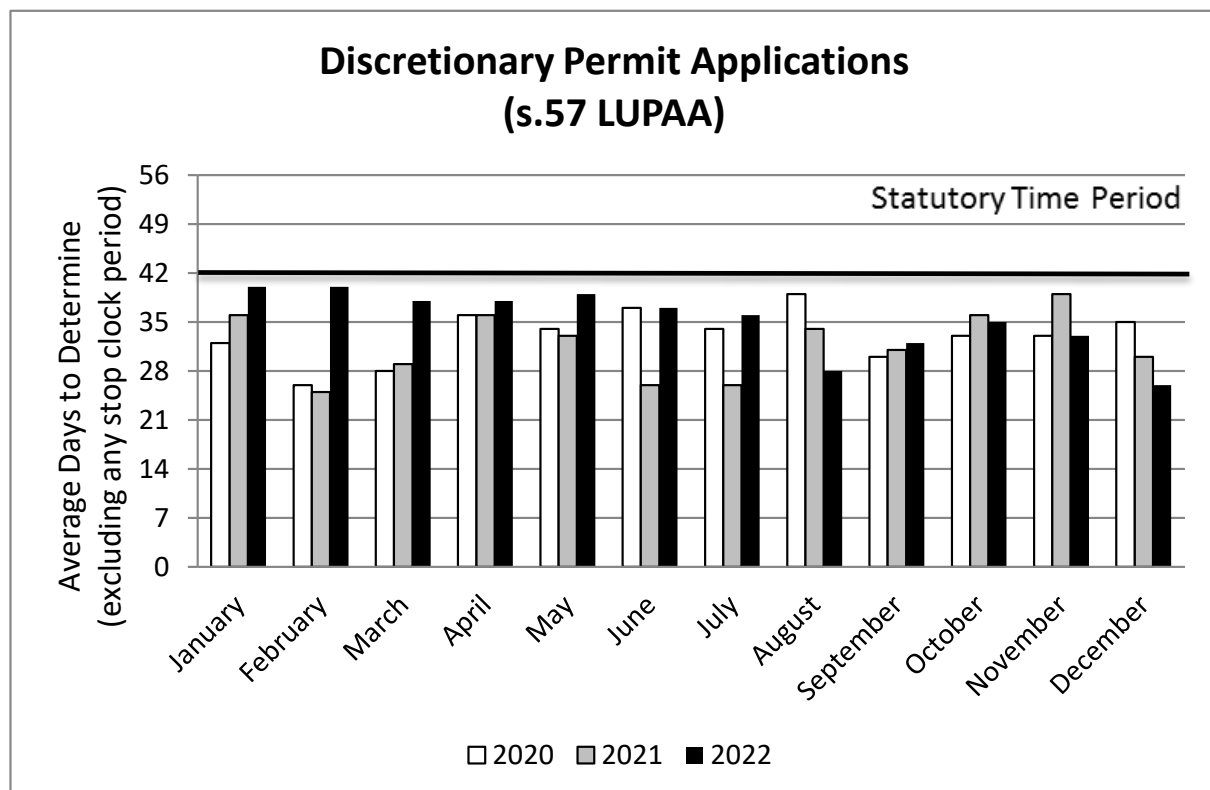
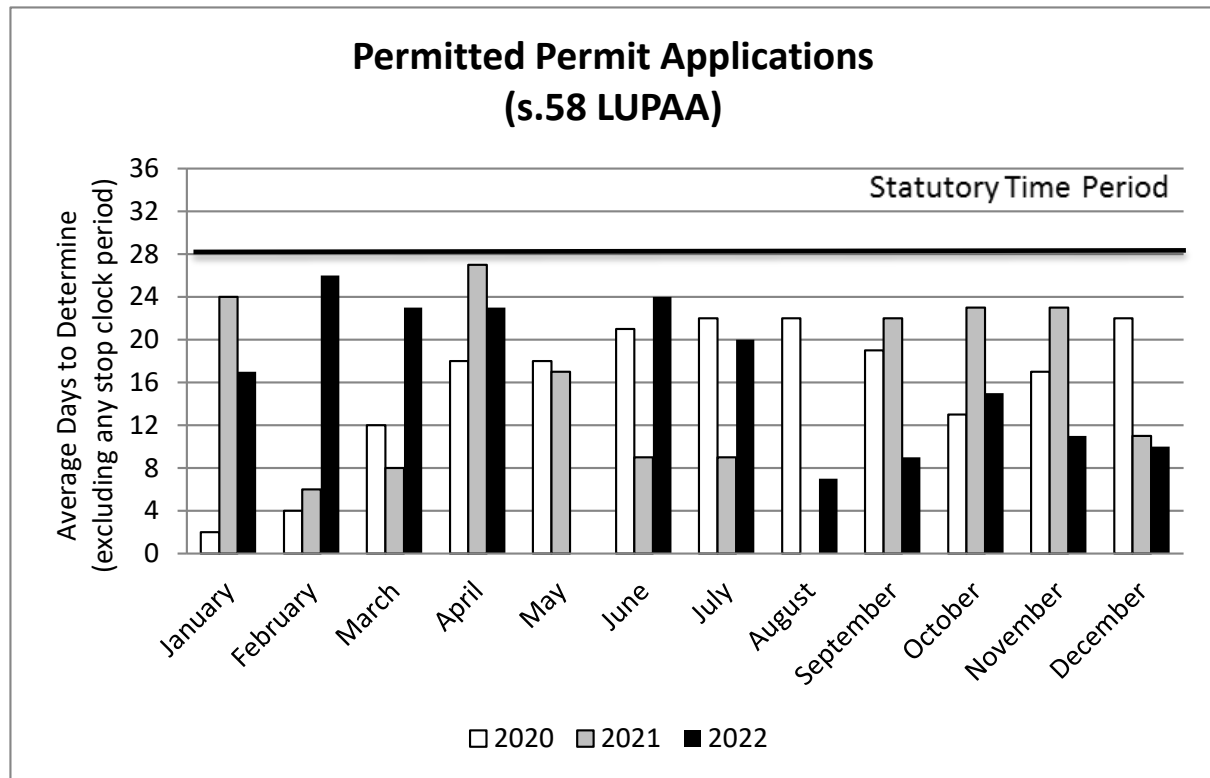
DATE	PERMIT NO.	LOCATION	TYPE OF DEVELOPMENT	PUBLIC NOTIFY DATE	EXPIRY DATE	DECISION / DATE
07/03/2022	2022/23	Anglesea Street, Wivenhoe	Establish a multiple use site with Service Industry use and Storage use with integral and subservient offices, develop associated building, onsite parking and signage - Reliant on performance criteria for grant of permit - Clause 19.4.2 (P1)	16/07/2022	01/08/2022	Approved 22/11/2022
20/04/2022	2022/45	38 Wellington Street, South Burnie	Storage Shed and associated works - Reliant on performance criteria for grant of permit - Clause 17.4.2 (P1) and Clause 17.4.6 (P1)	24/09/2022	11/10/2022	Approved 25/10/2022
21/06/2022	2022/69	47 Cunningham Street, South Burnie	Secondary Residence - Reliant on performance criteria for grant of permit - Clause C3.6.1 (P1)	28/09/2022	13/10/2022	Approved 24/10/2022
12/07/2022	2022/79	38 Queen Street, Burnie	Alterations and Additions to existing Motel (Visitor Accommodation use) - Reliant on performance criteria for grant of permit - Clauses 8.5.1 (P1 & P2) - C2.6.2 (P1) - C2.6.3 (P1) - C3.5.1 (P1) - C15.5.1 (P1.1, P1.2 & P4) and C15.6.1 (P1.1, P1.2 & P1.3)	10/09/2022	26/09/2022	Approved 10/10/2022
22/07/2022	2022/83	Hutchinson Street, Shorewell Park	Multiple Dwellings x 6 Discretionary Matters: Reliant on performance criteria for grant of permit - Clause 8.4.2 (P1 & P3) - Clause 8.4.8 (P1) - Clause C2.6.2 (P1) and Clause C2.6.5 (P1)	24/09/2022	11/10/2022	Approved 20/10/2022
26/07/2022	2022/85	11 Devon Street, South Burnie	Establish a Business and Professional use and develop an Administration Building (Offices) and associated parking - Reliant on performance criteria for grant of permit - Clause 17.3.2 (P1) - Clause 17.4.2 (P1) and Clause C12.6.1 (P1.1 & P1.2)	14/09/2022	29/09/2022	Approved 12/10/2022
03/08/2022	2022/90	2 Morris Street, Cooe	Change of use from Residential to Visitor Accommodation	N/A	N/A	Approved 10/10/2022
04/08/2022	2022/92	2-4 Swanston Street, Brooklyn	Two Lot Subdivision and Development of a Single Dwelling - reliant on performance criteria for grant of permit - Clause 8.4.2 (P3) - Clause 8.4.3 (P2) - Clause 8.6.1 (P1) and Clause C15.7.1 (P1)	05/10/2022	19/10/2022	Approved 28/11/2022
09/08/2022	2022/94	12 Chloe Court, Upper Burnie	Multiple Dwellings x 2 - Reliant on performance criteria for grant of permit - Clause 8.4.2 (P3) and Clause C2.6.2 (P1)	15/10/2022	31/10/2022	Approved 15/11/2022
05/09/2022	2022/103	West Mooreville Road, Park Grove	Single Dwelling - Reliant on performance criteria for grant of permit - Clause 8.4.2 (P1) & (P3)	05/10/2022	19/10/2022	Approved 04/11/2022
08/09/2022	2022/106	37 River Road, Wivenhoe	Wall Sign - Reliant on performance criteria for grant of permit - Clause C1.6.1 (P1.1)	28/09/2022	14/10/2022	Approved 24/10/2022
08/09/2022	2022/107	30 Singline Avenue, Romaine	Carport - Reliant on performance criteria for grant of permit - Clause 8.4.2 (P3)	24/09/2022	11/10/2022	Approved 20/10/2022
12/09/2022	2022/108	17 Strahan Street, South Burnie	Change of use to establish a Business and Professional Services use (Consulting Rooms) - Reliant on performance criteria for grant of permit - Clause 17.3.2 (P1) - Clause	12/10/2022	26/10/2022	Approved 08/11/2022

DATE	PERMIT NO.	LOCATION	TYPE OF DEVELOPMENT	PUBLIC NOTIFY DATE	EXPIRY DATE	DECISION / DATE
			C2.5.1 (P1.1)			
13/09/2022	2022/109	15 Stammers Place, Shorewell Park	Demolition of Multiple Dwellings (x2)	N/A	N/A	Approved 10/10/2022
14/09/2022	2022/111	10 Smith Street, Wivenhoe	Extension to existing building for Sports & Recreation use - Reliant on performance criteria for grant of permit - Clause C2.5.1 (P1.1) - Clause C2.6.1 (P1) - C2.6.2 (P1) and C2.6.5 (P1)	22/10/2022	08/11/2022	Approved 06/12/2022
14/09/2022	2022/113	32 Grant Street North, Havenview	Single Dwelling - Reliant on performance criteria for grant of permit - Clause 8.4.2 (P3) & 8.4.3 (P2)	05/11/2022	22/11/2022	Approved 30/11/2022
19/09/2022	2022/114	1094 West Mooreville Road, Ridgley	Dwelling Extension and Alterations - Reliant on performance criteria for grant of permit - Clause 21.4.2 (P2)	12/10/2022	26/10/2022	Approved 09/11/2022
26/09/2022	2022/115	2-10 Massy-Greene Drive, South Burnie	Establish a Storage use within an existing building	N/A	N/A	Approved 06/10/2022
27/09/2022	2022/116	60 Manuka Drive, Romaine	Outbuildings x 2 - Reliant on performance criteria for grant of permit - Clause 8.4.2 (P3)	12/11/2022	28/11/2022	Approved 06/12/2022
28/09/2022	2022/117	55 Breffny Road, Romaine	Storage Shed	19/10/2022	02/11/2022	Approved 16/11/2022
03/10/2022	2022/118	TS Emu, Bass Highway Wivenhoe (Crown Land)	Coastal revetment work including new barrier wall - Reliant on performance criteria for grant of a permit - Clause 23.4.1(P1), 23.4.4 (P1), C7.6.1 (P1.1, P2.1, P2.2 & P5), C11.6.2 (P1) and C12.6.1 (P1.1 & P1.2)	16/11/2022	30/11/2022	Approved 06/12/2022
06/10/2022	2022/122	858 Ridgley Highway, Ridgley	Outbuilding - Reliant on performance criteria for grant of permit - Clause 12.4.3 (P2)	03/12/2022	19/12/2022	Approved 20/12/2022
10/10/2022	2022/123	179 Ridgley Highway, Romaine	Micro-distillery (Home-Based Business)	N/A	N/A	Approved 27/10/2022
11/10/2022	2022/124	6 Mooreville Road, Park Grove	Single Dwelling Discretionary Matters: Reliant on performance criteria for grant of a permit - Clause 8.4.2 (P3)	26/10/2022	10/11/2022	Approved 21/11/2022
13/10/2022	2022/125	77 View Road, Montello	Outbuilding - Reliant on performance criteria for grant of permit - Clause 8.4.2 (P3)	26/11/2022	12/12/2022	Approved 20/12/2022
25/10/2022	2022/128	313a Bass Highway, Ocean Vista	Change of Use to Visitor Accommodation use	N/A	N/A	Approved 09/11/2022
01/11/2022	2022/132	4 Old Surrey Road, Emu Heights	Change of use to Visitor Accommodation	N/A	N/A	Approved 12/12/2022
08/11/2022	2022/134	15 Argyle Street, Upper Burnie	Dwelling Extension and Alterations - Reliant on performance criteria for grant of permit - Clause 8.4.2 (P3)	19/11/2022	05/12/2022	Approved 16/12/2022

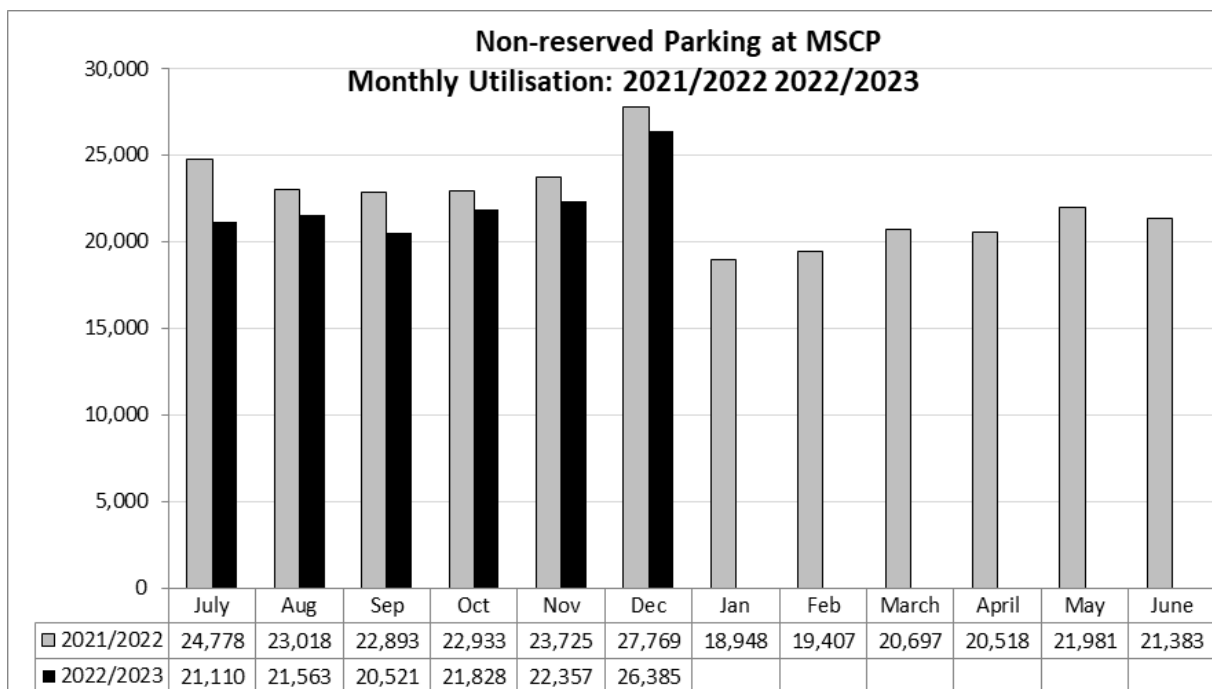
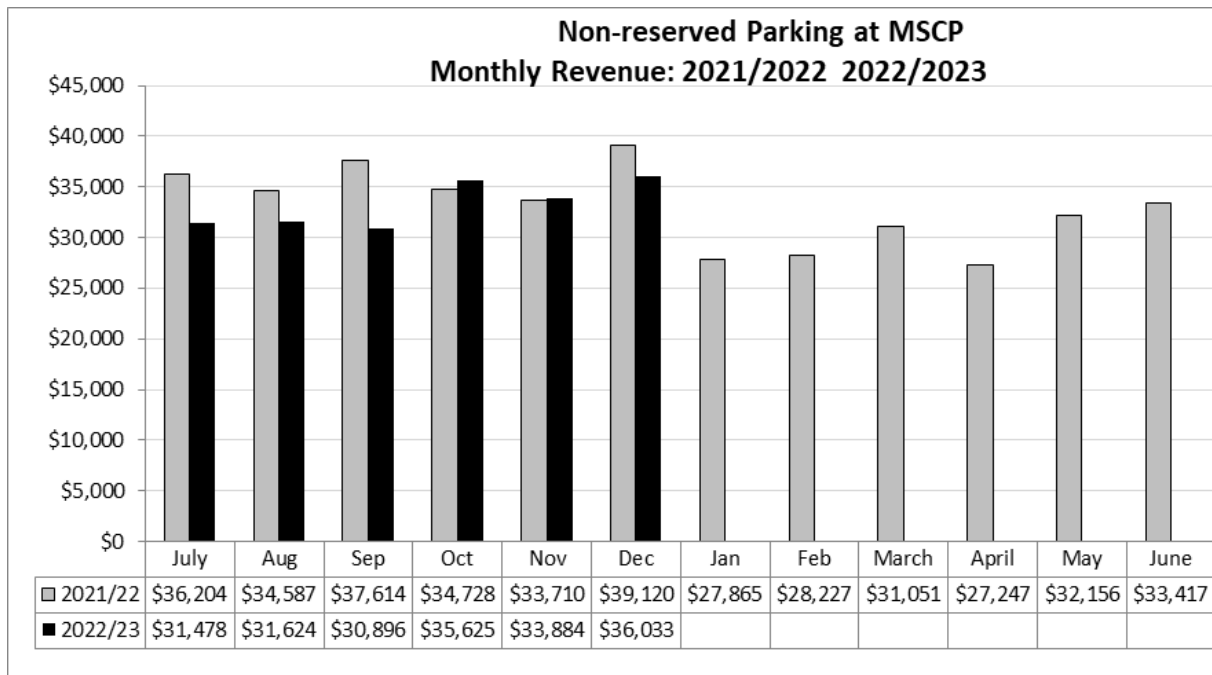
DATE	PERMIT NO.	LOCATION	TYPE OF DEVELOPMENT	PUBLIC NOTIFY DATE	EXPIRY DATE	DECISION / DATE
09/11/2022	2022/136	Unit 2 174 Old Surrey Road, Havenview	Carport associated with existing Multiple Dwelling	N/A	N/A	Approved 23/11/2022
10/11/2022	2022/138	31 Janet Drive, Park Grove	Multiple Dwellings x 2 - Grant of permit reliant on Clause 2.6.2 (P1)	05/12/2022	21/12/2022	Approved 23/12/2022
22/11/2022	2022/144	904 Ridgley Highway, Ridgley	Storage Shed - Reliant on performance criteria for grant of permit - Clause 12.4.3 (P2)	03/12/2022	19/12/2022	Approved 21/12/2022
01/12/2022	2022/149	35 Grenville Street, Acton	Demolition of existing Single Dwelling	N/A	N/A	Approved 19/12/2022
09/12/2022	2022/158	7 Griffith Street, Acton	Dwelling Extension (Covered Deck)	N/A	N/A	Approved 16/12/2022
09/12/2022	2022/160	36 Thorne Street, Acton	Shade Structures x 2	N/A	N/A	Approved 21/12/2022

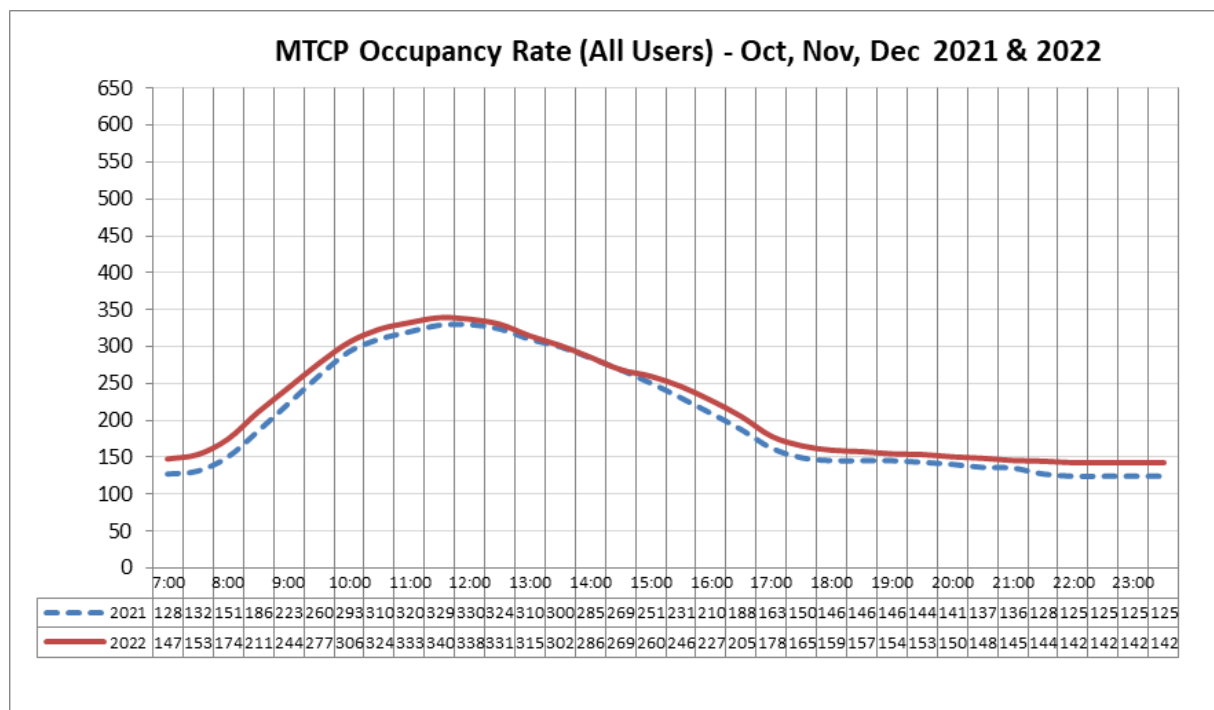
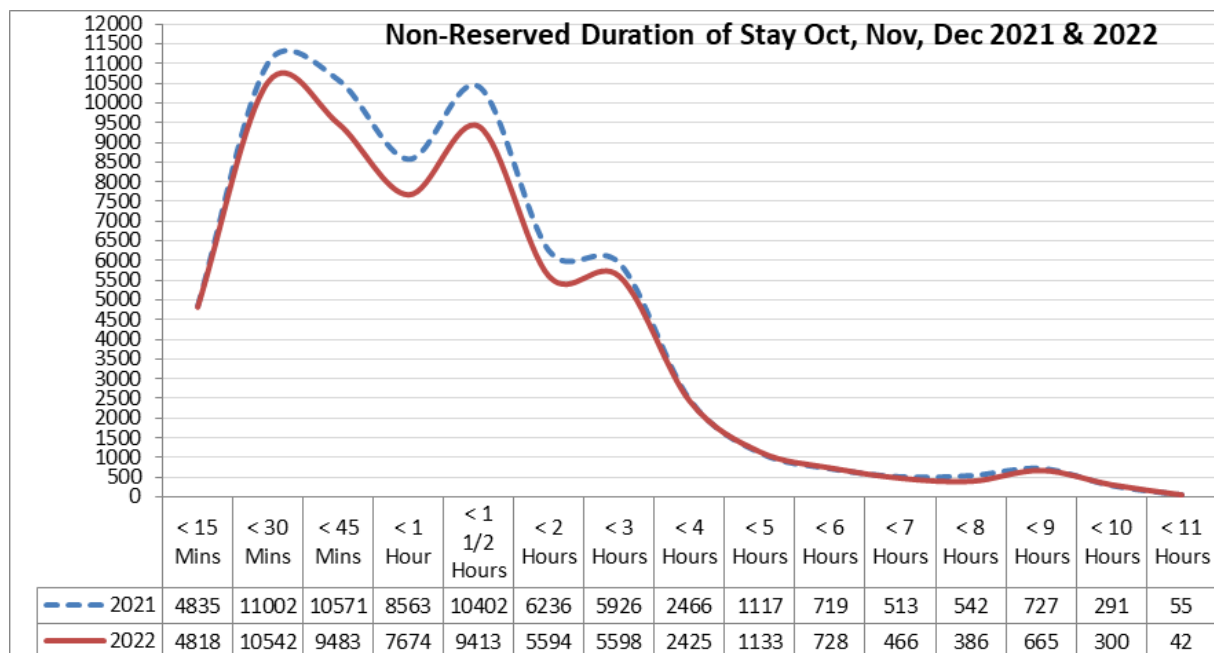
2.3.3 Subdivision Applications

DATE	PERMIT NO.	LOCATION	TYPE OF DEVELOPMENT	PUBLIC NOTIFY DATE	EXPIRY DATE	DECISION / DATE
25/08/2022	2022/133 4	1 Mussen Close, Shorewell Park	Subdivision to create two (2) lots – Reliant on performance criteria for grant of permit – Clause C7.7.2 (P1.1 & P1.2)	21/09/2022	07/10/2022	Approved 11/10/2022
20/09/2022	2022/133 5	Massy-Greene Drive, South Burnie (known as Grant Street North)	Subdivision to create thirty (30) lots – Reliant on performance criteria for grant of permit - Clause 8.6.1 (P2 & P4) - Clause 8.6.2 (P1) and Clause C15.7.1 (P1)	03/12/2022	19/12/2022	Approved 20/12/2022



Average time for determination of permit applications under delegation decided by month.

2.4 PARKING



Calculated on remaining spaces—Average 116 Reserved spaces Oct/Nov/Dec 2021, 134 Reserved spaces Oct/Nov/Dec, 2022.

2.5 CEMETERY STATISTICS

Burials	Oct	Nov	Dec	YTD Total
Lawn Cemetery	8	5	6	86
Wivenhoe / Ridgley	0	0	0	0
Other	0	0	0	0
Total	8	5	6	86

YTD is measured from 1 July each year.

Ashes Interred	Oct	Nov	Dec	YTD Total
Lawn Cemetery	3	2	2	36
Wivenhoe / Ridgley	0	0	0	0
Total	3	2	2	36

YTD is measured from 1 July each year.

COUNCIL RESOLUTION

Resolution number: MO027-23

MOVED: *Cr D Pease*

SECONDED: *Cr S Kons*

“THAT the General Manager’s Quarterly Information Report for Land and Environmental Services for the December 2022 quarter be noted.”

For: Cr T Brumby, 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**AO020-23 GENERAL MANAGER'S QUARTERLY INFORMATION REPORT FOR
CORPORATE AND COMMERCIAL SERVICES - DECEMBER 2022**

FILE NO: 4/18/2

PREVIOUS MIN:

1.0 RECOMMENDATION:

“THAT the General Manager’s Quarterly Information Report for Corporate and Commercial Services for the December 2022 quarter be noted.”

2.0 SUMMARY

The report includes the following standard items:

Corporate and Commercial Services

- 2.1 Summary Financial Statements and Financial Risk Register
- 2.2 Schedule of Investments
- 2.3 Operational Report by Directorate/Department
- 2.4 Receivables Analysis
- 2.5 Rates Analysis
- 2.6 Capital Expenditure Report
- 2.7 Budget Estimate Variances under Delegation
- 2.8 Contracts Awarded
- 2.9 Consultants Engaged
- 2.10 Governance – use of Council Seal
- 2.11 Communications – web and social media activity

2.1 SUMMARY FINANCIAL STATEMENTS

YTD Comprehensive Income Statement							
		YTD Budget	YTD Actual	YTD Variance to Budget	Annual Budget 2023	Annual Forecast 2023	Forecast Variance to Budget
	Note	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Recurrent Income							
Rates and charges	1	26,016	26,198	182	26,085	26,264	179 F
Statutory fees and fines	2	473	714	241	910	1,169	259 F
User fees	3	1,771	2,064	293	3,556	3,966	409 F
Grants	4	770	456	(314)	2,917	2,428	(490) U
Reimbursements		192	188	(4)	351	475	124 F
Other income	5	462	727	265	742	1,192	450 F
Investment income		414	414	0	828	828	0 F
Total recurrent income		30,098	30,761	663	35,390	36,321	932 F
Recurrent Expenses							
Employee benefits	6	5,543	5,728	186	11,104	11,197	94 U
Materials and services	7	6,344	6,320	(24)	11,635	12,456	821 U
Impairment of receivables		-	-	-	-	-	- F
Depreciation and amortisation	8	4,372	4,565	193	8,744	9,251	507 U
Finance costs		80	83	3	160	160	- F
Other expenses		2,110	1,898	(212)	3,723	3,789	66 U
Total recurrent expenses		18,448	18,594	146	35,365	36,853	1,488 U
Operating surplus/(deficit)		11,650	12,167	517	24	(532)	(556) U
Capital Items							
Capital grants	9	5,813	5	(5,808)	11,627	1,931	(9,696) F
Contributions - non-monetary assets		-	-	-	-	-	- F
Net gain/(loss) on disposal of assets		-	-	-	(345)	(392)	(47) U
		5,813	5	(5,808)	11,282	1,538	(9,743) U
Surplus/(deficit)		17,463	12,172	(5,291)	11,306	1,007	(10,299) U
Operating Margin		1.63	1.65		1.00	0.99	
Consolidated underlying surplus/(deficit) related to performance							
Net result Year To Date		17,463	12,172		11,306	1,007	
Less: Non operating income							
Capital Grants		(5,813)	(5)		(11,627)	(1,931)	
Contributions		-	-		-	-	
Add: Non operating expenditure							
De-recognition of assets							
Capital works completed on assets not owned by Council							
Adjustment to timing of Financial Assistance Grants			2,219			734	
Consolidated underlying surplus/(deficit)		11,650	14,386		(321)	(190)	

Council is forecasting an operational (underlying) deficit of \$532,000 for the 2022-23 financial year, a result of \$556,000 lower than budget. It is important for context to understand that this is not what the Council aspires its financial performance to be at year end, but simply forecasts that taking account of current drivers and influences being experience, the Council's risk should those factors continue for the remaining six months of the year.

The Council's Executive Management Team are closely monitoring the Council's financial position given the risks associated with the forecast position, and will undertake an additional forecast and budget review process following the March quarter (April Council meeting), in order to where necessary institute cost savings measures.

The rationale behind the forecast variations against the budget are;

Note 1 – Higher than estimated income is forecast due to increased rates revenue which reflects additional properties added after the preparation of the budget estimates.

Note 2 – An increase in income for Statutory Fees is forecast as a result of higher permit fee applications including a one off permit application fee of \$192,000 which was unbudgeted.

Note 3 – This forecast increase reflects increased revenue from delays in commercial technology customers under the former TasCom model, seeking alternate providers, and a general increase in the use of council user services.

Note 4 – Financial Assistance Grants are forecast to decrease as Council is forecasting a 50% advance payment for 2023-24 to be received this year, down from the 75% advance payment received last financial year. There is a risk that the advance payment amount will vary from 0% to 75%, however 50% is the most likely outcome.

Note 5 – A higher return on investment income is forecast due to an increase in interest rates, combined with a higher than budgeted late payment penalty interest charged.

Note 6 – Employee benefits expenditure is forecast to be higher than expected. This is on account of the lower than anticipated capitalisation of wages that has occurred in the first half of the year associated with capital works, which has a contrary impact on operational employee benefits.

Note 7 – The forecast increase in materials and services is driven by inflationary pressures across contracts, gas, electricity, materials and other costs. Unfortunately many of these expenses are overheads where council has little control. Inflation remains a significant risk to the Council's final budget position in 2022-23.

Note 8 - Depreciation expenses are forecast to increase from movements in depreciation due to asset indexations that occurred at year end 2021-22, along with assets constructed and completed year to date.

Note 9 - Capital grant income is recognised once work is completed or performance obligations are met. Council is not expected to meet any income recognition milestones for the Coastal Pathways or Cultural Centre grants this financial year. Both projects are expected to be multi-year projects.

Other major forecast assumptions include:

- Non-monetary contributions from developers are recognised when they are received and are not included in the forecast.

- Impairment of receivables is recognised as part of the end of financial year statement process and is not included in the forecast.
- Depreciation costs are likely to increase as assets are purchased or constructed in accordance with the capital works program. These expected increases cannot be estimated until the asset is commissioned.
- The forecast includes an estimate of operating costs that are capitalised as part of the construction of assets. Changes in what is capitalised can impact the forecast operating result positively or negatively.

Statement of Financial Position

	Actual 2023 \$'000	Budget 2023 \$'000	Forecast 2023 \$'000
Assets			
Current assets			
Cash and cash equivalents	27,270	7,134	12,302
Trade and other receivables	8,189	2,898	2,898
Inventories	66	154	154
Other assets	506	127	127
Contract assets	137	5,629	137
Total current assets	36,168	15,942	15,618
Non-current assets			
Investment in water corporation	64,551	62,888	64,551
Investments in subsidiaries	-	-	-
Investment in joint venture	3,210	3,740	3,341
Property, infrastructure, plant and equipment	388,940	368,155	398,551
Total non-current assets	456,700	434,783	466,442
Total assets	492,869	450,725	482,061
Liabilities			
Current liabilities			
Trade and other payables	2,700	2,935	2,935
Trust funds and deposits	132	142	142
Interest-bearing loans and borrowings	1,109	1,132	1,132
Employee provisions	2,238	2,811	2,811
Contract liabilities	1,631	-	1,631
Total current liabilities	7,810	7,020	8,651
Non-current liabilities			
Interest-bearing loans and borrowings	7,046	6,465	6,465
Employee provisions	110	206	206
Total non-current liabilities	7,156	6,671	6,671
Total liabilities	14,965	13,691	15,322
Net Assets	477,903	437,034	466,739
Equity			
Accumulated surplus	282,937	277,329	282,937
Surplus/(deficit)	12,172	11,306	1,007
Reserves	182,795	148,399	182,795
Total Equity	477,903	437,034	466,738
CURRENT RATIO	4.63	2.27	1.81

Burnie City Council
Statement of Cash Flows

	Actual 2023 \$'000	Budget 2023 \$'000	Forecast 2023 \$'000
Cash flows from operating activities			
Rates and charges	21,090	25,987	26,801
Statutory fees and fines	714	910	1,169
User fees	1,956	3,484	3,966
Grants	1,101	2,984	3,073
Reimbursements	188	351	475
Other income	727	688	1,192
Payments to suppliers	(6,656)	(11,557)	(12,733)
Payments to employees	(5,757)	(11,037)	(10,556)
Other payments	(1,898)	(3,723)	(3,789)
Net cash provided by (used in) operating activities	11,465	8,087	9,596
Cash flows from investing activities			
Payments for property, infrastructure, plant and equip	(2,429)	(20,806)	(17,233)
Dividends and distributions	414	888	828
Capital grants	363	6,248	2,289
Net cash provided by (used in) investing activities	(1,652)	(13,670)	(14,117)
Cash flows from financing activities			
Finance costs	(83)	(160)	(160)
Trust funds & deposits	7,512	-	7,512
New borrowings	-	-	-
Repayment of interest bearing loans and borrowings	(552)	(1,109)	(1,109)
Net cash provided by (used in) financing activities	6,877	(1,269)	6,243
Net increase (decrease) in cash and cash equivalents	16,690	(6,853)	1,722
Cash and cash equivalents at the beginning of the financial year	10,580	13,986	10,580
Cash and cash equivalents at the end of the period	27,270	7,133	12,302

The forecast cash balance for 30 June 2023 is \$12.302 million. The Tasmanian Audit Office says an “adequate” level of cash in the bank would cover 3 to 6 months of operating costs. For the Burnie City Council this is between \$6.5 million and \$14 million as an approximate benchmark. This working capital requirement is currently supported by funds borrowed in June 2020.

Financial Risk Register

The financial risk register monitors financial items that have higher variability or uncertainty and reflects how this may impact the forecast financial result. The total financial risk to manage is \$1,072,820. The current forecast result is a deficit of \$531,841. Council officers have mitigated \$540,980 in financial risks on account of the forecast result. Council's Executive Management Team will continue to carefully monitor the financial performance of the Council and to potentially institute savings to negate a deficit position, if required.

Title	Description and Calculation	2022-23 Budget	2022-23 Forecast	Full Year Variance to Budget	Management Strategies
TASWATER Special Dividend	TASWATER Corporate Plan includes potential for a special dividend to offset shortfall in dividend due to COVID-19. \$4m Special Dividend (subject to TASWATER performance) to be distributed on BCC share of 4.14% of dividend (ownership share is lower as State Government share increases, but dividend share does not change). The amount, if provided, is expected to be \$165,600.	(828,000)	(828,000)	-	Not applicable, controlled by an external party
Commonwealth Financial Assistance Grant	Financial Assistance Grants are lower than budget by \$542,000. 75% of the 2022-23 grant was received and recognised in 2021-22 financial year in accordance with accounting standards. We have budgeted to receive the remaining 25% and a return to 50% advance payments in the forecast. There is a risk that this amount will vary from 0% to 75%, with 50% being the most likely amount paid.	(2,758,194)	(2,216,188)	(542,007)	If there is a loss of revenue this will impact the operational bottom line. The Council does not have the capacity to offset a potential revenue reduction of this magnitude within a 1 year horizon.
Operational Grants	Current revenue includes operational grants. The FMS includes 2 grants - NRM Weed management (2 further years funding) and Arts Tasmania Funding (1 year funding amount). Both grants have been secured for the 2022-23 financial year, so there will be no funding risk.	(102,675)	(102,675)	-	Not a risk this financial year. Arts Tasmania and NRM funding is confirmed.
Interest Income	Term Deposit Interest Rates. The budget is based on WAIR of 0.50% in 2022-23. The current WAIR is 1.77% as at 31 December based on the current investment portfolio. Interest rates available in the term deposit market reflect future expectations regarding interest rate increases.	(60,000)	(499,007)	437,007	Interest rates are externally set. Treasury Management processes are in place to ensure best rate is selected based on funds to be invested and their timing.

Title	Description and Calculation	2022-23 Budget	2022-23 Forecast	Full Year Variance to Budget	Management Strategies
Rental Income	Lease Income. Opportunities are being explored to reorganise space within the city building with a view to achieving a commercial lease return. This needs to be balanced against potential loss of income if existing tenants were to terminate (potential Cradle Coast Authority, DPAC). Not able to estimate amount currently.	(592,687)	(597,907)	5,220	Council will seek new tenants where required. Notice periods in leases allow time to search for new tenants to minimise vacancy periods.
Supplementary Rates Income	Supplementary Rates Income may vary from the \$137,000 provisioned in the FMS. This is subject to a number of external factors including the economic context, and building and subdivision activity. The risk / opportunity is not quantifiable at this stage.	(137,000)	(137,000)	-	Monitor YTD actuals and forecast against budget. Take necessary corrective action.
Reimbursement Income	Interest reimbursement from \$10.4 Covid-19 concessional loan will cease on 30/6/2023.	(150,435)	(151,230)	795	There is no risk in 2022-23 financial year.
Planning related Income streams	Planning income may vary from budget due to changes in economic context e.g. interest rates, property valuation and building activity. The risk / opportunity is not quantifiable at this stage.	(88,825)	(366,503)	277,678	Monitor YTD actuals and forecast against budget. Take necessary corrective action.
s132 and s337 certificate income	Certificates income (s132, s337) may vary from budget due to variations in property sales. Current estimates are based on current 5 year average in existing FMS plus indexation. The variation cannot be quantified at this stage.	(142,326)	(142,326)	-	Monitor YTD actuals and forecast against budget. Take necessary corrective action.
Cultural Precinct Income	Uncertainty around Cultural Precinct Activity (Income and Variable Expenses). Estimated revenue for 2022-23 is \$712K. This compares to historical average pre covid-19 of \$850K. The impact of expected closures and work arounds during refurbishment cannot be estimated. If sales reduce or increase, for relevant activities, Cost Of Goods Sold (COGS) will also move on a ratio of 45-50% (Gross margin of 50-55%)	(671,778)	(712,303)	40,525	Monitor YTD actuals and forecast against budget. Take necessary corrective action. This risk is currently being managed.

Title	Description and Calculation	2022-23 Budget	2022-23 Forecast	Full Year Variance to Budget	Management Strategies
Cultural Precinct Expenses	Cultural Precinct expenses will vary depending on activity. Variable expense changes from uncertain cultural precinct activity e.g. COGS, purchases, casuals, additional part time hours and overtime. Monitor total expense budget against revenue generated.	2,555,339	2,731,860	(176,521)	Monitor YTD actuals and forecast against budget. Take necessary corrective action. This risk is currently being managed.
TASCOM Integration	Post TAS Communication integration within BCC, there has been a loss of commercial customers, particularly TASWATER, in the 2021-22 financial year (\$230,000). This risk relates to the further potential loss of commercial customers or future decisions around continuing commercial offering. Latrobe and Waratah / Wynyard have indicated they will cease their respective contracts, but the timing is uncertain at this stage. Budget assumed they would not be customers from 1 July 2022. Forecast now assumes they will continue this financial year.	(285,892)	(365,173)	79,281	Monitor YTD actuals and forecast against budget. Take necessary corrective action. This risk is currently being managed.
Depreciation variability	Depreciation Estimates may vary. This may be due to capital program delivery changes, useful life changes etc. Estimates are difficult to plan for currently due to system and process issues.	8,743,710	9,250,660	(506,950)	Monitor YTD actuals and forecast against budget. Take necessary corrective action. It is expected that depreciation costs will increase as capital projects are delivered over the course of the year.
Capitalisation Risk	Capital Transfer Risk. The 2022-23 Budget allows for total capital transfers of \$1.5m, made up of \$250K Technical Services OH Transfer (includes direct transfer of capital wages) \$400K Depot OH Transfer \$850K Direct Wages from Depot. If transfers vary this will impact the OPEX bottom line.	(1,457,360)	(1,457,360)	-	Monitor YTD actuals and forecast against budget. Take necessary corrective action. It is expected that capitalisation rate will be as budgeted for 22-23 financial year at as at 31 December 2022.
Cruise Ships	Cruise Ship income and expenses. Prior to COVID-19 the Net expense (after revenue) for cruise ships was between \$50K and \$100K. There is no allowance for Cruise Ships within the Budget or Forecast currently.	-	47,144	47,144	Arrangements for current cruise ship season are still being finalised. Currently staff are attempting to incur expenses within current operational budgets.

Title	Description and Calculation	2022-23 Budget	2022-23 Forecast	Full Year Variance to Budget	Management Strategies
Inflation	Inflation has increased with expectations to increase further in the very short term. In general 3% inflation was applied to relevant expense codes in 2022-23 budget. Actual inflation is expected to peak between 7% and 9%.	-	540,000	(540,000)	Monitor YTD actuals and forecast against budget. Take necessary corrective action. This risk is currently able to be managed through savings generated in other areas.
Employee Turnover Vacancy periods	The 2022-23 budget had scheduled savings (i.e. already included in the budget) from normal staff turnover (vacancy periods until successful recruitment) of \$340,000. If employee benefits is balanced budget or better there is no adverse cost risk here.	11,104,110	11,210,415	(106,305)	Monitor YTD actuals and forecast against budget. Take necessary corrective action. This risk is being managed currently.
Insurance	Insurance costs within the FMS were expected to index at 8% p.a. based on recent history. Council has managed to mitigate most of this risk.	692,384	701,959	(9,575)	This risk has been mitigated within the insurance portfolio for this year.
Council Decisions	The 2022-23 budget does not take into account Council decisions that will be made during the year and have a budgetary impact.	-	-	-	The impact of council decisions will be managed within any budget savings that have been generated (if there is capacity). This will be monitored and reported on.
Disposals	Disposals (profit / loss) uncertainty for any given financial year	345,050	392,050	(47,000)	Monitor YTD actuals and forecast against budget. Take necessary corrective action. This item is below the line and does not affect the underlying operating result.

2.2 SCHEDULE OF INVESTMENTS

A schedule of Council's investments is provided as at 31 December 2022:

Investments Schedule as at 31/12/2022						
<u>Institution</u>	<u>Term</u> <u>(days)</u>	<u>Annual</u> <u>Interest Rate</u>	<u>S&P Rating</u>	<u>Lodgement Date</u>	<u>Maturity</u>	<u>Amount</u>
ANZ	At Call	2.30%	A1+			3,426,311
Suncorp	210	4.30%	A1	31/10/2022	29/05/2023	2,000,000
CBA	At Call	0.20%	A1+	7/11/2022		1,506,997
Bank of Queensland	180	4.15%	A2	9/12/2022	7/06/2023	1,000,000
MyState Financial	180	4.40%	A2	9/12/2022	7/06/2023	2,000,000
CBA	150	3.42%	A1+	10/09/2022	7/02/2023	2,500,000
MyState Financial	180	3.70%	A2	11/09/2022	10/03/2023	3,000,000
CBA	210	3.74%	A1+	12/09/2022	10/04/2023	4,000,000
CBA	120	3.72%	A1+	27/09/2022	25/01/2023	5,000,000
						24,433,308

Investment Allocation by Credit Rating				
<u>Credit Rating</u>	<u>Policy Max We</u>	<u>Investment %</u>	<u>Investment</u> <u>Amount</u>	<u>WAIR</u>
A1+	100%	67%	\$16,433,308	1.08%
A1	80%	8%	\$2,000,000	0.20%
A2	50%	25%	\$6,000,000	0.49%
		100%	\$24,433,308	1.77%

Investment Allocation by Bank					
<u>Bank</u>	<u>Credit Rating</u>	<u>Policy Max We</u>	<u>Investment %</u>	<u>Investment</u> <u>Amount</u>	<u>WAIR</u>
Bank of Queensland	A2	20%	4%	\$1,000,000	0.08%
Suncorp	A1	50%	8%	\$2,000,000	0.20%
ANZ	A1+	100%	14%	\$3,426,311	0.32%
MyState Financial	A2	20%	20%	\$5,000,000	0.40%
IMB	A2	20%	0%	\$0	0.00%
NAB	A1+	100%	0%	\$0	0.00%
Bendigo	A2	20%	0%	\$0	0.00%
Westpac	A1+	100%	0%	\$0	0.00%
ME Bank	A2	20%	0%	\$0	0.00%
CBA	A1+	100%	53%	\$13,006,997	0.76%
		100%	\$24,433,308	1.77%	

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

Funds are invested in a manner that allows Council to earn interest on community funds for as long as possible while retaining flexibility in accessing those funds for Council operations.

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

2.3 OPERATIONAL REPORT BY DEPARTMENT

Department	YTD Actual 31/12/2022	YTD Budget 31/12/2022	YTD Variance to Budget	Annual Budget	Variance %	
Corporate & Commercial Services						
Burnie Arts & Function Centre	810,687	902,814	(92,127)	1,608,784	-10.2%	Favourable
Burnie Regional Art Gallery	73,437	27,714	45,723	109,831	165.0%	Unfavourable
Burnie Regional Museum	140,977	69,076	71,901	162,884	104.1%	Unfavourable
Corporate Services Management	215,721	323,843	(108,122)	505,953	-33.4%	Favourable
Customer Services	113,545	108,730	4,815	215,872	4.4%	Unfavourable
Information Management	116,931	157,868	(40,937)	314,532	-25.9%	Favourable
Information Technology Services	558,753	677,933	(119,180)	1,495,507	-17.6%	Favourable
Office of the Chief Financial Officer	(24,567,891)	(30,120,542)	5,552,651	(33,937,266)	-18.4%	Unfavourable
People & Safety	280,737	264,286	16,451	474,276	6.2%	Unfavourable
Strategic & Governance	122,284	567,745	(445,461)	(316,487)	-78.5%	Favourable
Corporate & Commercial Services Total	(22,134,819)	(27,020,533)	4,885,714	(29,366,114)	-18.1%	Unfavourable
Employee Oncost Recovery						
Oncosts	313,292	(78)	313,370	-	0.0%	Unfavourable
Employee Oncost Recovery Total	313,292	(78)	313,370	-	0.0%	Unfavourable
Land & Environmental Services						
Compliance Support	(320,143)	(266,127)	(54,016)	(576,588)	20.3%	Favourable
Development Services	(49,472)	335,723	(385,195)	650,626	-114.7%	Favourable
LES Management	13,993	123,494	(109,501)	246,210	-88.7%	Favourable
Land & Environmental Services Total	(355,622)	193,090	(548,712)	320,248	-284.2%	Favourable
Office of the General Manager						
OGM Management	248,910	158,804	90,106	315,315	56.7%	Unfavourable
Office of the General Manager Total	248,910	158,804	90,106	315,315	56.7%	Unfavourable
Works & Services						
Cemetery Services	117,722	126,618	(8,896)	251,655	-7.0%	Favourable
Facilities Management	1,325,635	1,237,806	87,829	2,482,315	7.1%	Unfavourable
Management WS	1,252,895	999,851	253,044	1,752,601	25.3%	Unfavourable
Parks & Reserves	920,269	953,104	(32,835)	1,898,819	-3.4%	Favourable
Sporting Grounds	670,045	685,786	(15,741)	1,371,409	-2.3%	Favourable
Stormwater Services	504,404	500,465	3,939	991,102	0.8%	Unfavourable
Transport Services	2,929,107	2,656,720	272,387	4,612,589	10.3%	Unfavourable
Waste Management	2,036,519	2,045,544	(9,025)	4,064,176	-0.4%	Favourable
Works & Services Total	9,756,596	9,205,894	550,702	17,424,666	6.0%	Unfavourable
Total	(12,171,643)	(17,462,823)	5,291,180	(11,305,885)	-30%	Unfavourable

2.4 RECEIVABLES ANALYSIS

The receivables analysis summarises all current amounts owed to the Council as at the end of the reporting period.

Receivables Analysis as at 31 December 2022

	<u>Total</u>	<u>Current - 30 Days</u>	<u>60 Days</u>	<u>90 Days</u>	<u>120+ Days</u>
Trade Debtors					
Sundry Debtors	164,714	152,164	318	288	11,944
Reserved Parking Spaces	8,479	5,769	406	252	2,053
Burnie Venues & Catering	29,627	26,209	2,647	-	771
Lease Debtors	47,969	45,672	-	-	2,298
ICT Debtors	62,561	61,575	-	-	986
Waste Debtors	89,803	87,350	325	325	1,804
Total Trade Debtors	403,153	378,738	3,696	864	19,855
Goods & Services Tax	143,778				
Infringements & Parking	1,254,235				
Other Receivables	303,070				
Rates & Charges	6,691,510				
Allowance for Impaired Debts	(867,122)				
Total Receivables	7,928,624				

Infringements & parking

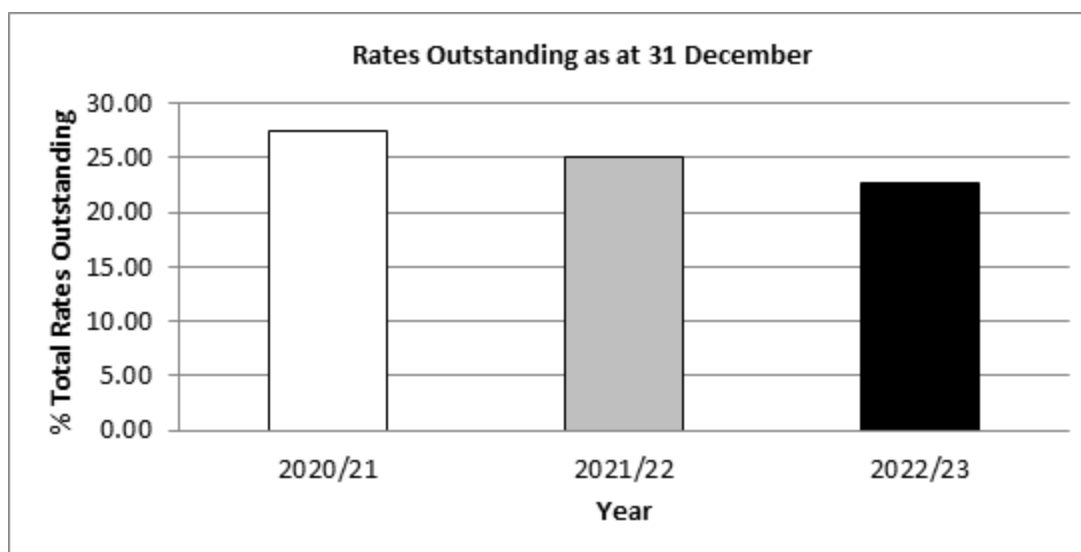
	Dec-22		Dec-21		Movement	
	Count	Balance	Count	Balance	Count	Balance
Issued 2023	1,369	81,728				
Issued 2022	1,310	110,339	1,746	101,791	(436)	8,548
Issued 2021	777	58,561	1,032	83,364	(255)	(24,803)
Issued 2020	762	66,440	938	86,655	(176)	(20,215)
Issued 2019	647	52,495	781	66,794	(134)	(14,299)
Issued 2018	659	33,792	734	41,543	(75)	(7,751)
Issued 2017	1,570	31,152	1,582	35,714	(12)	(4,562)
Issued 2016	886	23,540	912	26,891	(26)	(3,351)
Issued 2015	454	25,550	498	28,874	(44)	(3,324)
Issued 2014	452	28,258	461	28,924	(9)	(666)
Issued 2013	565	32,880	571	33,268	(6)	(388)
Issued 2012	449	26,420	462	27,740	(13)	(1,320)
Issued 2011	450	26,177	464	27,094	(14)	(917)
Issued 2010	574	19,649	590	20,204	(16)	(555)
Issued Pre-2009	13,886	640,492	13,931	647,935	(45)	(7,442)
	24,810	1,257,473	22,956	1,154,999	(825)	(89,593)

2.5 RATES ANALYSIS

The rates analysis contains a summary of rating transaction movements for 2022-23 including the total levied, the total paid and the total unpaid at the end of the reporting period. Rates are levied in July each year. Outstanding rates as a percentage is lower than the same time last year.

Rates Outstanding as at 31/12/2022

	This Financial Year 31 Dec 2022		Last Financial Year 31 Dec 2021		Change
		\$		\$	\$
Arrears Brought Forward as at July 1	7.12%	1,939,953	6.09%	1,476,485	463,468
Credit Brought Forward	-3.52%	(958,203)	-3.91%	(946,074)	(12,129)
Legal Fees Carried Forward	0.01%	1,687	0.01%	1,687	-
Add Current Rates & Charges Levied	95.88%	26,127,374	97.54%	23,629,737	2,497,637
Penalty	0.24%	66,670	0.01%	3,383	63,286
Supplementary Rates	0.26%	71,797	0.25%	61,191	10,606
Gross Rates and Charges Demanded	100.00%	27,249,278	100.00%	24,226,410	3,022,868
Less: Rates & Charges Collected	73.41%	20,002,705	70.49%	17,076,779	2,925,926
Pension Remission	2.87%	781,163	3.07%	743,902	37,261
Residential Waste Remission	0.07%	20,052	0.08%	19,373	680
Hardship Interest Remission	0.00%	-	0.00%	-	-
Private Conservation	0.00%	665	0.00%	665	-
Misc Remissions	0.00%	-	0.00%	-	-
Services Remissions	0.00%	-	0.00%	-	-
Stormwater Remission	0.03%	8,372	0.04%	8,731	(359)
General Rate Remission	0.00%	-	0.00%	-	-
- Legal Fees	0.00%	-	0.00%	-	-
- Discounts	1.01%	275,064	1.32%	320,646	(45,583)
- Roundings/Adjustments	0.01%	1,923	0.01%	1,671	251
Sub Total	77.40%	21,089,944	75.01%	18,171,769	2,918,176
Unpaid Rates & Charges as at 31/12	22.60%	6,159,333	24.99%	6,054,641	104,692



2.6 CAPITAL EXPENDITURE REPORT

The Capital Expenditure for 2022/23 has been reforecast to estimate actual expenditure by year end. Three projects are identified as being the major change in the forecast and are not expected to be completed by year end:

- Burnie Arts & Function Centre redevelopment. The project has recently gone to public consultation on the architectural design and out for construction tender.
- The Coastal Pathway is delayed due to continuing discussions with the State Government.
- The Mount Street / Three Mile Line intersection has been delayed awaiting the outcome of the approvals process.

	Original Budget	YTD Actual	Forecast	Forecast Variance
Buildings	5,308,617	636,035	4,725,528	(316,870)
Burnie Arts & Function Centre	4,019,102	423,781	3,519,102	(500,000)
City Office	122,137	8,725	134,051	11,914
Depot	19,058	45	19,058	-
Multi Storey Car Park	94,624	5,169	56,583	(36,041)
Other Buildings	395,057	131,109	403,146	122,308
Public Amenities Buildings	24,810	-	24,810	-
Sporting Grounds and Facilities	539,388	65,626	554,337	164,949
Wivenhoe Showground (South)	94,441	1,580	14,441	(80,000)
Parks and Reserves	8,602,802	597,930	2,375,174	(6,037,628)
Parks and Reserves	8,377,546	449,688	2,106,897	(6,187,649)
Bridges	86,600	129,621	129,621	128,021
Cemeteries	4,000	1,236	4,000	4,000
Sporting Grounds and Facilities	134,656	17,385	134,656	18,000
Stormwater	289,315	44,784	289,315	17,100
Annual Program	250,604	42,418	250,604	-
Stormwater Renewal	22,710	2,043	22,710	2,100
Stormwater Upgrade	16,000	323	16,000	15,000
Transport	5,712,356	558,631	5,687,201	210,645
Bridges	144,919	-	144,919	-
Rural - Major Patching and Resealing	354,840	2,901	354,840	-
Rural - Resealing	473,004	-	473,004	-
Rural - Road Upgrade	1,001,525	422,402	976,157	(25,368)
Urban - Car Parking	19,058	376	19,058	-
Urban - Footpaths Kerb & Channel	99,141	28,386	99,141	800
Urban - CBD and Commercial	81,788	712	81,788	-
Urban - Other Infrastructure	148,873	64,916	149,085	92,212
Urban - Reconstruction and Upgrades	1,209,860	17,014	1,209,860	-
Urban - Resealing	1,474,658	6,805	1,474,658	-
Urban - Retaining Walls	704,692	15,119	704,692	143,000
Waste	197,290	33,598	197,290	48,000
Garbage & Recycling	101,025	22,484	101,025	43,500
Waste Management Centre	96,264	11,114	96,264	4,500
Plant and Equipment	1,953,359	557,855	1,969,903	430,153
Computer Equipment	752,800	265,366	726,221	223,421
Other	65,700	71,123	102,691	36,991
Parking Equipment	59,385	62,027	62,027	44,927
Plant	1,075,474	159,339	1,078,964	124,814
Works and Depot Overhead	839,000	-	-	(839,000)
Other	839,000	-	-	(839,000)
Grand Total	22,902,739	2,428,833	15,244,410	(6,487,600)

2.7 BUDGET ESTIMATE VARIANCES UNDER DELEGATION

The General Manager has a delegation to make minor adjustments up to \$350,000 to any individual estimate item (including capital works) as deemed necessary during the financial year, provided that the total of the Estimates remains unaltered. Any change made under this delegation must be reported to the Council.

The General Manager has not used this delegation in the period October to December 2022. All prior budget variations reported to date have been updated as part of the December budget review process (attached to this agenda).

2.8 CONTRACTS AWARDED

The following table shows contracts awarded over \$100,000 (full contract value) during the December 2022 quarter.

Contract/ Project Number	Contract/Project	Successful Contractor Registered Business Name and Address	Awarded Date	Initial Term/ Duration	Value of Contract (Ex GST)
207	Architect Services Brief 207 Burnie Sports Centre Complex	DWP Australia Pty Ltd 16 Telford Street Newcastle NSW 2300	16/12/2022	5 months	\$118,950.00
2692	Supply of Natural Gas Burnie Aquatic Centre	Tas Gas Retail Pty Ltd 5 Kiln Court St Leonards TAS 7250	28/10/2022	24 months	Variable Rate
2691	Bitumen Surfacing Services 2022-2023 (Parts A, C and D only)	Hardings Hotmix Pty Ltd 30 Industrial Drive Ulverstone TAS 7315	28/10/2022	12 months	Schedule of Rates

2.9 CONSULTANTS ENGAGED

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

Reasons that consultants may be engaged:

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

Project	Consultant	Description	Committed \$	Actual \$ LTD	Reason	Funded from	Complete
Digital Transformation Strategy	2PM Consultancy	Phase 3 and 4 – Research and Design	48,000	51,635	B	ICT Operational Budget	Yes
Council Strategic Plan	SGS Economics and Planning	Support development of Council's Strategy as per s66 LGA	53,702	37,465	B	Operational Budget	No

Project	Consultant	Description	Committed \$	Actual \$ LTD	Reason	Funded from	Complete
Emu River Flood Warning Implementation Study	Entura	Research and workshop to develop flood mitigation plan for Emu River	50,632	50,632	B	Operational Budget	No
Upper Natone Road/Horseshoe Bend – Oonah Road Recovery	PDA	Engineering Services required to determine best recovery options	30,000	0	A, B	Cap Ex/State Emergency Recovery Fund	No

2.10 GOVERNANCE – USE OF COUNCIL SEAL

12 October 2022	Final Survey Plan and Schedule of Easements – SD 2020/1314 – 463 Stowport Road, Stowport
12 October 2022	Final Survey Plan and Schedule of Easements – SD 2021/1330 – 1500 Ridgley Highway and Ridgley Highway, Highclere
28 October 2022	Grant Deed – Department of State Growth - North West City Gateway Upgrade
10 November 2022	Final Survey Plan and Schedule of Easements – SD 2022/1332 – 3 Upper Natone Road and 24 Morris Road, Natone
10 November 2022	Final Survey Plan and Schedule of Easements – SD 2020/1308 – Churchill Avenue, Upper Burnie
11 November 2022	Final Survey Plan and Schedule of Easements – DA 2020/169 – 121, 123 and 125 Woniora Road, Shorewell Park
18 November 2022	Final Survey Plan and Schedule of Easements – DA 2020/148 – 46 and 48 Barnard Crescent, Shorewell Park
2 December 2022	Final Survey Plan and Schedule of Easements – DA 2022/49 – 12 and 14 Gray Street, Upper Burnie
2 December 2022	Final Survey Plan and Schedule of Easements – SD 2021/1329 – Bass Highway, Heybridge
2 December 2022	Final Survey Plan and Schedule of Easements – SD 2021/1317 – 27, 29 and 31 Bathurst Street, Upper Burnie
6 December 2022	Final Survey Plan and Schedule of Easements – SD 2004/973 – Loongana Avenue, Shorewell Park
12 December 2022	Final Survey Plan and Schedule of Easements – SD 2021/1331 – 339 Upper Natone Road and Keetanah Road, Natone
12 December 2022	Deed of Variation of Lease - Cradle Coast Authority - extension of lease
13 December 2022	Contract 2691 – Provision of Bitumen Surfacing Services 2022-2023

2.11 COMMUNICATIONS – WEB AND SOCIAL MEDIA ACTIVITY

Attached is a quarterly report showing current website activity. Social Media activity report will be deferred to next quarter due to the current personnel vacancy.

ATTACHMENTS

1. [Social Media Activity Report - October to December 2022](#)

COUNCIL RESOLUTION

Resolution number: MO028-23

MOVED: Cr A Keygan

SECONDED: Cr K Dorsey

“THAT the General Manager’s Quarterly Information Report for Corporate and Commercial Services for the December 2022 quarter be noted.”

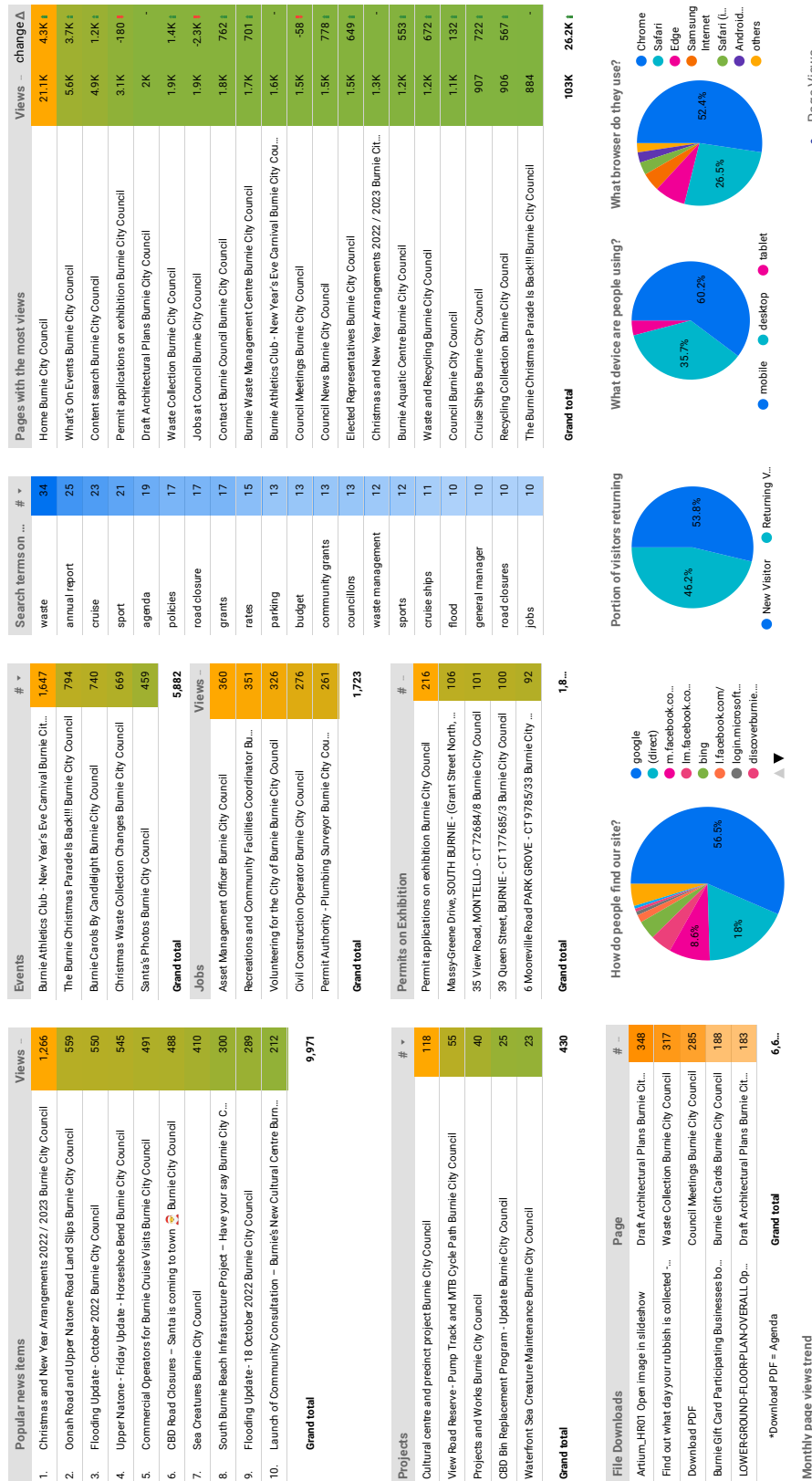
For: Cr T Brumby, Cr T Aitken, Cr K Dorsey, Cr J Grave, Cr A Keygan, Cr S Kons, Cr C Lynch, Cr D Pease.

Against:

CARRIED UNANIMOUSLY

Burnie.tas.gov.au Website Trends

1 Oct 2022 - 31 Dec 2022



GENERAL MANAGER**AO021-23 APPOINTMENT OF ACTING GENERAL MANAGER - 2023**

FILE NO: 15/2/5
PREVIOUS MIN: AO013-22

1.0 RECOMMENDATION:

“THAT Council in accordance with the provisions of the Local Government Act 1993 under section 61B, appoint Belinda Lynch, Director Corporate and Commercial Services, as the Acting General Manager during any absence of the General Manager Simon Overland for the period 1 February 2023 until 31 January 2024.”

2.0 EXECUTIVE SUMMARY**Purpose and Background**

This report recommends appointment of an Acting General Manager for the next twelve months commencing 1 February 2022, to take effect during times of absence of the General Manager.

Key Issues

It is recommended that Bel Lynch be appointed for the coming year.

This recommendation covers all current delegated powers to the position of General Manager with exception of delegations under the *Land Use Planning and Approvals Act 1993* which must be made to the person rather than position.

A separate report under the Planning Authority section of the Agenda provides for the delegations under *Land Use Planning and Approvals Act 1993*.

3.0 SUPPORTING INFORMATION**Strategic Alignment**

This report relates to the Enabler: *Our People* by ensuring processes are in place to support the continuity of general manager powers and functions during daily operations.

Legal

Section 61B of the *Local Government Act 1993* provides rules for the appointment of Acting General Managers. This report is in accordance with those rules.

Finance

There are no financial impacts resulting from this report.

Relation to Council Policy

There are no Council policies relating to this report.

Discussion

A council may make such an appointment at any time, and as frequently as it likes. The term of the appointment may not exceed five years.

Since January 2018 Council has undertaken the practice of appointing an Acting General Manager for the term of one year commencing 1 February, and that this appointment be reviewed at the January Council Meeting every year. Such a decision continues to be at the discretion of Council.

It is recommended that Bel Lynch be appointed for the coming year 2023.

The changeover date is 1 February each year, rather than 1 January which is in the middle of the holiday period when various events and holidays are held.

The Council may revoke its appointment of an Acting General Manager at any time, and make a new appointment, for any term it sees fit.

The Acting General Manager may only exercise the powers of General Manager during the absence of the General Manager, as defined under the *Act* in section 61B(1).

Health and Safety

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

Risk

Absences can generally include annual leave, sick leave, long service leave, emergency leave or incapacitation. Correct procedures for the appointment of Acting General Manager are important due to the broad range of duties and powers that must be executed under the position of General Manager. In order for those powers and duties to be executed lawfully, the appointment must be in accordance with the prescribed procedures under the *Act*.

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.

COUNCIL RESOLUTION

Resolution number: MO029-23

MOVED: *Cr C Lynch*

SECONDED: *Cr A Keygan*

“THAT Council in accordance with the provisions of the Local Government Act 1993 under section 61B, appoint Belinda Lynch, Director Corporate and Commercial Services, as the Acting General Manager during any absence of the General Manager Simon Overland for the period 1 February 2023 until 31 January 2024.”

For: Cr T Brumby, Cr T Aitken, Cr J Grave, Cr A Keygan, Cr S Kons, Cr C Lynch, Cr D Pease.

Against: Cr K Dorsey.

CARRIED

GENERAL MANAGER**AO022-23 ANNUAL PLAN 2022-23 PROGRESS REPORT TO 31 DEC 2022**

FILE NO: 4/13/5

PREVIOUS MIN:

1.0 RECOMMENDATION:

“THAT Council note the 2022-23 Annual Plan progress report to 31 December 2022.”

2.0 EXECUTIVE SUMMARY**Purpose and Background**

The Annual Plan and Budget Estimates is developed by the Council each year setting out the key deliverables to be undertaken, together with the budgeted resources required to achieve them.

Key Issues

The Council adopted the Annual Plan and Budget Estimates 2022-23 at its meeting held on 28 June 2022. The plan can be viewed at www.burnie.tas.gov.au

The **attached** report outlines the progress made against each of the financial year’s Annual Plan actions to date, and includes updates on those actions still in progress from the previous year.

3.0 SUPPORTING INFORMATION**Strategic Alignment**

The current year Annual Plan prioritises key actions toward achieving the three strategic goals of the Council Plan 2022-2025:

- Vibrant Town Centre
- Community Facilities to Support Liveability
- Environmentally Responsible

Actions are also aimed at investing in the key Enablers under the Council Plan, being Financial Management, Our People, Community Consultation, Data, Digital Transformation, and Agility; which are necessary to achieve the above strategic goals.

Legal

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

Finance

Actions in the Annual Plan are funded in the corresponding Annual Plan and Budget Estimates.

Relation to Council Policy

There are no Council policies relating to this report.

Discussion

The attached report provides the most recent quarterly progress update.

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.

ATTACHMENTS

1 [!\[\]\(c15650232aa6660c9deb34f3b82dcb72_img.jpg\) Annual Plan Progress Report - Q2](#)





COUNCIL RESOLUTION**Resolution number: MO030-23*****MOVED: Cr A Keygan******SECONDED: Cr D Pease******“THAT Council note the 2022-23 Annual Plan progress report to 31 December 2022.”***

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





Against:

CARRIED UNANIMOUSLY




Annual Plan 2022-23 Progress Report – Q2

2022-23 Annual Plan Actions	Link to Council Plan	Progress Update	Status
 <p>Commence redevelopment of the new Burnie Cultural Centre</p>	<p>Vibrant town centre (Goal 1)</p>	<p>The Council adopted the final architectural plans that take account of community feedback, at the meeting of 13 December 2022. Tender contract #2694 for the redevelopment works was issued in November. Discussions are continuing with the new Commonwealth Government about the timing of the provision of the \$13M commitment to this project made during the last Federal election.</p>	In Progress
 <p>Develop a feasibility assessment for the increase in capacity of the Upper Burnie Sports Centre</p>	<p>Community facilities to support liveability (Goal 2)</p>	<p>The architect brief was released for tender on 20 October 2022. Five tenders were received and the successful tender was approved by the Council in the December meeting. The tender was awarded to DWT architects. Concept design work is due to be completed and presented to Council at the end of March 2023.</p>	In Progress
 <p>Commence procurement of environmentally responsible vehicles and plant</p>	<p>Environmentally responsible (Goal 3)</p>	<p>Council has commenced to transition its commuter fleet, purchasing one electric car and one plug in hybrid. A further two hybrids will be purchased in this financial year.</p>	In progress
 <p>Develop an Asset Management Planning - Improvement Strategy to underpin long term financial forecasting</p>	<p>Financial management (Enabler)</p>	<p>The Council have engaged the services of an asset management consultant to commence development of the Strategy in January 2023.</p>	In progress
 <p>Conduct a cultural survey</p>	<p>Our people (Enabler)</p>	<p>This initiative is scheduled to be undertake in the first part of 2023.</p>	Not yet commenced



Annual Plan 2022-23 Progress Report – Q2

2022-23 Annual Plan Actions	Link to Council Plan	Progress Update	Status
 Develop a new 10 year Strategic Plan	Community consultation (Enabler)	The development to the Strategic Plan is yet to occur. Important data needs to be developed first (refer Data action below) to inform the context of the Strategic Plan.	Not yet commenced
 Develop a Building Our Best Future Report	Data (Enabler)	SGS Economics have been commissioned to undertake a Background Paper on the strategic context that will impact Burnie over the next 20 years to underpin the development of the Strategic Plan. Additionally place intelligence data is being developed so that Council can form insights into asset utilisation in Burnie in order to inform future decision making and to evaluate future projects.	In Progress
 Commence implementing the five year Digital Transformation Strategy	Digital transformation (Enabler)	<p>The Council's Digital Transformation Strategy was adopted by the Council at its meeting of 13 December 2022 which now provides the framework of the effort and investment required.</p> <p>A number of key projects are now underway - the largest of these is the development of a contemporary Active Directory system which is nearing completion.</p>	Completed
 Develop Council's Community Recovery Function	Agility (Enabler)	This initiative is yet to be commenced.	Not yet commenced

Annual Plan 2022-23 Progress Report – Q2

Actions from 2021-22 still in progress	Progress Update	Status
<p>Coastal Pathway</p>  <p>Complete the design and tender process for the Coose to Wynyard Coastal Pathway Project and commence construction.</p>	<p>Community drop in sessions were held in Burnie and Wynyard respectively in October 2022. All conceptual design for the pathway and revetment works have been completed and Development Applications were lodged by both WWC and BCC on 15 December 2022.</p>	In Progress
<p>Digital Transformation</p>  <p>Commence a Digital Transformation Strategy to enable Council to deliver services more effectively to the community.</p>	<p>The Digital Transformation Strategy was adopted by the Council at its meeting of 13 December 2022.</p>	Completed
<p>Waste Management</p>  <p>Review our service delivery model for Burnie Waste Management Centre in preparation for 2022-23 services.</p>	<p>Information has been collated to enable the evaluation of options associated with the delivery of all of Council's waste services, in particular the waste disposal and transfer arrangements at the Burnie Waste Management Centre.</p> <p>Officers propose to present a position paper to Councillors for information in early 2023 with the prospect of a decision from council towards the end of the third quarter of the 22/23 financial year.</p>	In Progress

Annual Plan 2022-23 Progress Report – Q2

Actions from 2021-22 still in progress		Progress Update	Status
<div><div>FOGO</div><div><p>Investigate the feasibility of a Food Organic and Green Organic service for 2022-23.</p></div></div>		Council has considered ongoing investigations into the provision of a regional FOGO collection and processing service over the last five years. Council will produce a position paper and a recommendation for the February council meeting.	In Progress
<div><div>Community Engagement</div><div><p>Prepare and implement a Community Consultation Framework to guide future engagement with the community of Burnie.</p></div></div>		A draft Community Engagement Framework will be available for public consultation in early 2023.	In Progress

MINUTES AND REPORTS OF COMMITTEES**AO023-23 BURNIE CITY COUNCIL AUDIT PANEL - UNCONFIRMED MINUTES
OF MEETING HELD ON 7 DECEMBER 2022**FILE NO: 13/2/2

RECOMMENDATION:***“THAT Council:***

- 1) Note the unconfirmed minutes of the Audit Panel meeting held on the 7 December 2022; and***
- 2) Acknowledge receipt of the letter dated 30 December 2022 from the Chairperson of the Burnie City Council Audit Panel.”***

SUMMARY

Council’s Audit Panel met on 7 December 2022. The unconfirmed minutes and a report from the Chairperson are **attached** for the information of Councillors.

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

- Consolidated Financial Statements for the Year Ending 30 June 2022
- Financial Statements 2021-22 Review
- Status of Previous Tasmanian Audit Office Findings
- Annual Report 2021-22
- Draft Financial Reporting Framework
- Investment Strategy 2022-23
- Asset Management Improvement Plan

There were no formal recommendations that require consideration by the Council arising from the meeting of the 7 December 2022.

ATTACHMENTS

1. [Audit Panel Minutes of Meeting - 7 December 2022](#)
2. [Chairperson Report Audit Panel - 30 December 2022](#)

COUNCIL RESOLUTION**Resolution number: MO031-23*****MOVED: Cr S Kons******SECONDED: Cr K Dorsey******“THAT Council:***

- 1) Note the unconfirmed minutes of the Audit Panel meeting held on the 7 December 2022; and***
- 2) Acknowledge receipt of the letter dated 30 December 2022 from the Chairperson of the Burnie City Council Audit Panel.”***

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

Against:

CARRIED UNANIMOUSLY



Burnie City Council Audit Panel

Unconfirmed Confidential Minutes

Meeting held on WEDNESDAY, 7 DECEMBER 2022

At the Burnie City Council, 80 Wilson Street, Burnie

ORDER OF BUSINESS

Min No.	Business	Page No
<i>PRELIMINARIES</i>		
AUD059-22	AUDIT PANEL DECLARATIONS OF INTEREST	5
AUD060-22	ADOPTION OF AGENDA	6
AUD061-22	CONFIRMATION OF MINUTES	7
AUD062-22	COMMUNICATION WITH COUNCIL	8
AUD063-22	RECOMMENDATIONS AND ACTIONS	10
<i>SPECIAL FOCUS MATTERS</i>		
AUD064-22	CONSOLIDATED FINANCIAL STATEMENTS FOR THE YEAR ENDING 30 JUNE 2022	12
AUD065-22	FINANCIAL STATEMENTS 2021-22 REVIEW	15
AUD066-22	STATUS OF PREVIOUS TASMANIAN AUDIT OFFICE FINDINGS	24
AUD067-22	ANNUAL REPORT 2021-22	29
AUD068-22	DRAFT FINANCIAL REPORTING FRAMEWORK	32
AUD069-22	INVESTMENT STRATEGY 2022-23	35
AUD070-22	ASSET MANAGEMENT IMPROVEMENT PLAN	38
<i>STANDING AGENDA ITEMS</i>		
AUD071-22	GENERAL MANAGER'S CERTIFICATION - SEPTEMBER 2022	41
AUD072-22	OUTSTANDING DEBTORS QUARTERLY REPORT - SEPTEMBER 2022	42
AUD073-22	GENERAL MANAGER'S QUARTERLY INFORMATION REPORT - CORPORATE AND COMMERCIAL SERVICES - SEPTEMBER 2022	43
AUD074-22	PERSONNEL QUARTERLY REPORT - SEPTEMBER 2022	44
AUD075-22	GENERAL MANAGER'S PURCHASE CARD STATEMENT	45
AUD076-22	AUDIT PLAN AND WORK PROGRAM 2023	47
<i>GENERAL BUSINESS</i>		

ORDER OF BUSINESS

Min No.	Business	Page No
AUD077-22	NON-AGENDA ITEMS	49
AUD078-22	CONFIDENTIAL SESSION	50

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

**MINUTES OF THE AUDIT PANEL MEETING
HELD AT THE CITY OFFICES ON WEDNESDAY, 7 DECEMBER 2022**

HOURL: 2.33 pm - 5.07 pm

TIME OCCUPIED: 2 hour 34 minutes

PRESENT:

Members

Ken Clarke (Chairperson), Bill Hutcheson (Panel Member)

Councillors

Deputy Mayor G Simpson (Proxy)

Officers

Acting General Manager (B Lynch), Acting Director Corporate and Commercial Services (B Pilgrim), Finance Systems Officer (M Knight)

Invited Guests

Nil

APOLOGIES:

Lisa Dixon (Panel Member) and Cr C Lynch

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

PRELIMINARIES

AUD059-22 AUDIT PANEL DECLARATIONS OF INTEREST

FILE NO: 13/2/2
PREVIOUS MIN:

The Chairperson requested Members to declare any interest that they or a close associate may have in respect of any matter appearing on the Agenda.

There were no declarations of interest.

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

PRELIMINARIES

AUD060-22 ADOPTION OF AGENDA

FILE NO: 13/2/2
PREVIOUS MIN:

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

The following report was provided under separate cover:

- Tasmanian Audit Office - Memorandum of Audit Findings

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

PRELIMINARIES**AUD061-22 CONFIRMATION OF MINUTES****FILE NO:** 13/2/2
PREVIOUS MIN:**RECOMMENDATION:**

"THAT the minutes of the Audit Panel meeting held at the City Offices on Wednesday, 9 August 2022, be confirmed as true and correct."

SUMMARY

The Audit Panel met on Wednesday, 9 August 2022. A copy of the unconfirmed minutes has been provided under separate cover.

AUDIT PANEL RESOLUTION**MOVED:** *Panel Member B Hutcheson***SECONDED:** *Chairperson K Clarke*

"THAT the minutes of the Audit Panel meeting held at the City Offices on Wednesday, 9 August 2022, be confirmed as true and correct."

For: Chairperson K Clarke, Panel Member B Hutcheson, Proxy Panel Member G Simpson.

Against:

CARRIED UNANIMOUSLY

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

PRELIMINARIES**AUD062-22 COMMUNICATION WITH COUNCIL**

FILE NO: 13/2/2
PREVIOUS MIN:

RECOMMENDATION:

“THAT the Audit Panel note, as attached:

- 1) The Chairperson’s Report to Council dated 19 August 2022, and*
- 2) The Council’s response to the Chairperson dated 6 October 2022.”*

SUMMARY**Correspondence with Council**

The Audit Panel last met on Tuesday, 9 August 2022.

Following this meeting, the Chairperson provided the attached report (Attachment 1) to Council which was considered at the Council meeting of 27 September 2022.

A copy of Council’s response from the Mayor is attached (Attachment 2).

Matters referred by Council

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

ATTACHMENTS

1. Chairperson Report to Council - 19 August 2022
2. Council's Response to Chairperson Report - 6 October 2022

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

AUDIT PANEL RESOLUTION

MOVED: *Panel Member B Hutcheson***SECONDED:** *Proxy Panel Member G Simpson****“THAT the Audit Panel note, as attached:***

- 1) The Chairperson’s Report to Council dated 19 August 2022, and***
- 2) The Council’s response to the Chairperson dated 6 October 2022.”***

For: Chairperson K Clarke, Panel Member B Hutcheson, Proxy Panel Member G Simpson.**Against:*****CARRIED UNANIMOUSLY***

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

PRELIMINARIES**AUD063-22 RECOMMENDATIONS AND ACTIONS****FILE NO:** 13/2/2
PREVIOUS MIN:

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

- 1) All actions from the last Audit Panel meeting, and***
- 2) Those actions still outstanding from prior to the last meeting."***

SUMMARY**Schedule of Recommendations**

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

Action Reports

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

The attached Action Reports show:

- All actions from last meeting (including those since completed)
- Any actions which are still outstanding from prior meetings (infocouncil report since June 2022 and previous report from before infocouncil software)

ATTACHMENTS

1. Audit Panel - All Actions 9 August 2022
2. Audit Panel - Outstanding Actions prior to last meeting
3. Audit Panel - Remaining items from prior action list

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

AUDIT PANEL RESOLUTION

MOVED: *Proxy Panel Member G Simpson***SECONDED:** *Panel Member B Hutcheson****“THAT the Audit Panel note, as attached:***

- 1) All actions from the last Audit Panel meeting, and***
- 2) Those actions still outstanding from prior to the last meeting.”***

For: Chairperson K Clarke, Panel Member B Hutcheson, Proxy Panel Member G Simpson.**Against:*****CARRIED UNANIMOUSLY***

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

SPECIAL FOCUS MATTERS**AUD064-22 CONSOLIDATED FINANCIAL STATEMENTS FOR THE YEAR
ENDING 30 JUNE 2022**FILE NO: 13/2/2
PREVIOUS MIN:**RECOMMENDATION:*****"THAT the Audit Panel:***

- 1) Receive the audited Consolidated Financial Statements in accordance with the Local Government Act 1993 for the year ending 30 June 2022; and***
- 2) Note the Independent Auditor's Report received by the Tasmanian Audit Office for the year ending 30 June 2022."***

Report Author: Brad Pilgrim, Chief Financial Officer**1.0 SUMMARY****Purpose and Background**

This report includes the final consolidated financial statements of the Council for the 2021-22 financial year together with the audit opinion issued by the Tasmanian Audit Office (TAO). Both of these documents are attached.

Key Issues

Council turned around its operating financial performance by \$2.052m from 2020-21 financial year, achieving a small operating (underlying) surplus of \$131,000 for the 2021-22 financial year.

Council improved its cash position, being its ability to meet its financial obligations in the short and long term and improved its delivery of its capital program with an improved focus on the renewal of existing assets. The TAO is yet to issue the Memorandum of Audit Findings. This will be tabled to the Council and Audit Panel when made available.

2.0 SUPPORTING INFORMATION**Strategic Alignment**

This report aligns with the Council Plan Key Enabler – *Financial Management*.

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

Legal

Council must prepare financial statements and have them audited in accordance with section 84 of the *Local Government Act 1993*. Council has met these requirements.

Finance

There are no financial implications related to the 2022-23 Annual Plan and Budget Estimates that arise from this report.

Relation to Council Policy

The financial metrics in which the Council evaluate its performance within its Long Term Financial Management Strategy are outlined in the financial statements, assessed against the performance achieved.

Discussion

Further information is provided as attachments to this report.

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.

3.0 DETAIL

A paper with further analysis covering the following aspects is attached to this report:

- Performance against key performance indicators;
- High level financial statement analysis including:

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

- material movements against budget for the statement of comprehensive income;
- asset movements;
- borrowing portfolio and maturity profile;
- cash management and position.

AUDIT PANEL DISCUSSION

The panel reviewed the content and discussed various aspects of the report which included a number of suggestions and questions that were taken on notice. Answers will be provided out of session.

ATTACHMENTS

1. Financial Statement Analysis
2. Financial Statements 2021-22
3. Independent Audit Opinion

AUDIT PANEL RESOLUTION

MOVED: Chairperson K Clarke

SECONDED: Proxy Panel Member G Simpson

“THAT the Audit Panel:

- 1) Receive the audited Consolidated Financial Statements in accordance with the Local Government Act 1993 for the year ending 30 June 2022; and***
- 2) Note the Independent Auditor’s Report received by the Tasmanian Audit Office for the year ending 30 June 2022.”***

For: Chairperson K Clarke, Panel Member B Hutcheson, Proxy Panel Member G Simpson.

Against:

CARRIED UNANIMOUSLY

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

SPECIAL FOCUS MATTERS**AUD065-22 FINANCIAL STATEMENTS 2021-22 REVIEW****FILE NO:** 13/2/2**PREVIOUS MIN:**

RECOMMENDATION:

“THAT the Audit Panel note the review of the financial statement preparation process for the 2021-22 financial year.”

Report Author: Brad Pilgrim, Chief Financial Officer

1.0 SUMMARY

There were a number of challenges during the production of the financial statements for the 2021-22 financial year. Issues encountered and the learnings are documented below.

While there were challenges the financial statements were prepared and submitted on time, addressed all previous audit findings and received a clean audit opinion. I would like to acknowledge the efforts of all staff and particularly the finance team in contributing towards this success.

The review was conducted with the following principles in mind:

- Planning activities so they are coordinated and contribute towards financial statements being completed prior to 31 July for future years
- Ensuring there is more time for management and Audit Panel review of financial statements, with time to make changes if required, prior to submission
- Completing as many processes prior to 30 June as possible, allowing more time for work that must be completed in July and August prior to submission
- Ensuring that staff outside of the accounting team understand their part in the production of the financial statements and submit their information on time

Recommendations from the review are:

Planning

1. TAO hold their EOFY client presentation earlier in the year, prior to interim audit to inform the preparation of position papers.
2. Council will draft an EOFY accounting position paper prior to interim audit for future financial years. The Audit Panel will be provided the opportunity to have input into and review the position paper.

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

3. Council's EOFY internal memo to be released in May with follow-up communication reminders until year end close.
4. Electronic purchase orders are re-implemented.
5. An organisational wide contracts register is maintained.
6. That a review of the financial statement preparation process is systematically undertaken every year.

Resourcing

7. By 31 March 2023, assess whether the drafting of the financial statements will be outsourced for the 2022-23 financial statements.
8. Ensure that skeletal statements are prepared in time so TAO can provide feedback.

Control Framework Review

9. Update Council's control framework and financial statement risk assessment processes to comply with TAO requirements as per Memorandum of Audit Findings

Assets

10. Investigate the potential to move the close off for asset additions to 31 May 2023, rather than third week in July. This is ambitious and may need to be an iterative improvement.
11. Setup a report on useful life changes for existing assets.
12. Setup a process to document Works and Services technical review of existing assets as part of year end close process.
13. Investigate potential to separate each project by asset class during the planning phase for 2023-24 budgets. If feasible, setup automatic capitalisation in the system.
14. Update WIP by asset class in spreadsheet at each asset take-up.
15. Streamline employee benefits and employee provision disclosures prior to 2022-23 financial statements process.
16. Update the suite of asset forms including, take up sheet, acquisition and disposals forms to reflect key fields and certifications.
17. Continue to partner with the Works and Services Department to improve their processes, especially in relation to planning and budgeting decisions.

Overhead Modelling

18. Improve overhead modelling methodology ready for the 2022-23 financial statements and 2023-24 budget process.

Account Reconciliations

19. Re-establish general ledger reconciliation schedule with accountability for all accounts assigned to individual staff.

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

2.0 BACKGROUND

This is the first time a review of the financial statement preparation process has occurred at Council.

3.0 LEGISLATIVE REQUIREMENTS

There are no legislative requirements applicable to the review.

4.0 POLICY CONSIDERATIONS

There are not policy considerations for the review.

5.0 FINANCIAL IMPACT

There is no financial impact from this review, though there may be subsequent financial impacts from the implementation of actions.

6.0 DISCUSSION

A review of the preparation of the financial statements was undertaken with the key findings listed below by thematic area.

6.1 Planning**6.1.1 TAO EOFY Presentation**

TAO did not hold their client information session for Local Government until 17 May 2022. This leaves insufficient time to consider and implement any desired changes prior to end of the financial year. This was raised with TAO in the feedback session on 8 November 2022. The presentation is better timed prior to interim audit so that changes have the opportunity to be implemented prior to the end of financial year.

6.1.2 Accounting position papers

During the client information session TAO recommended the use of accounting position papers as part of the financial statement preparation process. Recommended topics to cover include:

- New standards, their application and impact
- Changes in Council's accounting policies
- Judgements and estimates to be used
- Assessment of useful lives of existing assets
- Expert reports and how they will be used (including where the expert is internal)
- Impairment and expected credit losses
- Any other matters of significance affecting accounting or disclosure in the financial statements

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

TAO and the Audit Panel are two excellent sources of information for the preparation and the review of the EOFY accounting position paper.

Burnie City Council does not currently produce accounting position papers, but will prepare them in advance of the 2022-23 financial year process.

6.1.3 Interim Audit

The previous Financial Accountant led the interim audit process, while the CFO managed the budget process. As such, a review was not able to be conducted in relation to interim audit process.

Having said that, our focus in the future is to work with TAO and cover all key contextual issues, judgements, estimates and methodologies as part of interim audit as well as their sample testing so there is clarity leading into the production of the financial statements with time to focus on the preparation process. This will be done through the accounting position paper.

6.1.4 Final Audit

Final audit was delayed by 3 weeks by TAO due to the resourcing issues due to COVID-19. This meant that Council deadlines for first quarter financial reporting and funding acquittals clashed with audit. The timetable in the TAO audit strategy was subsequently not able to be met.

6.1.5 EOFY communication process

Each year a memo is prepared for all staff detailing key actions and dates relating to the financial statements and year end close.

This memo (see attached) was circulated later than usual (22 June 2022) though it was more comprehensive than previous years, with all information requirements documented and templates attached to complete (rather than waiting to ask for the information as part of drafting the working paper and disclosure). Generally, the timing of tasks was based on previous years. Some items were brought forward to achieve some improvements in workflow of the production of the statements. In future years, the memo will be released earlier with follow up reminders leading into the year-end close.

6.1.6 End of Year Close Process

Overall the close process went as planned. An area of improvement relates to collection of commitment information (predominantly contracts and purchase orders). Purchase orders are currently kept in paper form (not electronic) which makes it time consuming to collate. There is a contracts register which covers Works and Services.

It is recommended that electronic purchase orders are re-implemented to streamline purchasing processes. It is also recommended that an organisational wide contracts

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

registered is maintained. If implemented, the amount of time required to produce the commitments disclosure would be significantly reduced.

6.1.7 Financial Statement Review Process

This is the first time Council has conducted a review of the financial statement preparation process. This process enables us to plan effectively for the 2022-23 process while undertaking necessary improvement work.

6.2 Resourcing**6.2.1 Staffing**

The Financial Accountant provided 4 weeks' notice of her departure at the start of July 2022. This reduced the resources normally available to complete the financial statements. The financial statements were still submitted on time, being Monday 15 August 2022. A new Financial Accountant was successfully recruited and commenced on 26 September 2022.

6.2.2 Subcontracting Arrangement

This was the first year Council subcontracted the drafting of the financial statements to an external accountant, Newton and Henry. Council prepared the accounts to reconciled trial balance stage and did all note disclosures, while Newton and Henry produced the skeletal financial statements, incorporating all changes and updated the format of our accounts to comply with the TAO model accounts, before they are mandated. The cost of the engagement was \$8,000. This included setup time as it was a first time engagement.

Unfortunately, Council missed the timeframe for submission of skeletal accounts to the Tasmanian Audit Office (TAO) and when finally received TAO were not able to provide feedback due to workload. This did not impact the final outcome.

Council will assess whether we continue to outsource the preparation of the statements, with the current identified advantages and disadvantages below

Advantages	Disadvantages
Access to independent and specialised expertise with local government experience	Requires external liaison to make changes and Council are subject to their resource constraints and timing requirements
Avoids key person dependencies with access to resources within the contracted firm	This is an additional cost to the Council
Leverages their accounting software avoiding the need to setup manual excel spreadsheets, flowing manual changes through the statements, notes and cross referenced disclosures and reduces risks of errors. The software is cost prohibitive to obtain directly.	
Frees up Council resources to undertake other	

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

work, such as funding acquittals, projects and systems improvements at this time of year	
--	--

6.3 Control Framework Review

During the client information session TAO indicated it was going to place more reliance on Council's control framework within the audit. Further, in accordance with *ASA 315 Identifying and Assessing the Risks of Material Misstatement*, it was also looking for evidence that Council undertook a risk assessment process of the key assertions (completeness, accuracy, existence, valuation, presentation and disclosure) of the financial statements.

Both of these items are improvement projects and part of the Memorandum of Audit Findings. TAO emphasised the focus on continuous improvement in relation to these audit findings and that almost all councils would need to undertake significant work over time to make the necessary changes. Council will review what work is required to implement these changes and the time and resources needed.

6.4 Assets**6.4.1 Asset close off**

The current EOFY process does not close asset additions until the third week of July. There is the opportunity to bring this forward to 31 May. Council will discuss with TAO as part of interim audit. This would take a significant amount of work from July to June. This recommendation relies on the ability of the Works and Services Department to deliver the majority of its capital program and required asset take up information prior to 31 May. This is ambitious in the current asset management climate and may need to be an improvement project over multiple years with iterative changes.

6.4.2 Assessment of asset useful lives

During audit, TAO sought documented evidence of the assessment of useful lives for existing assets. Currently this documentation is not readily available. While some asset useful lives are reviewed as part of asset take-up process this is not a systematic process across all existing assets.

6.4.3 Revaluation planning

There were no scheduled revaluations for 2021-22 financial year. The Assistant Accountant will work with the Works and Services Department to ensure that scheduled revaluations (Stormwater) due in the 2022-23 financial year are conducted within agreed timeframes.

6.4.4 Accounting system and process improvements

The following issues have been identified:

- The asset hierarchy in Civica Authority determines where the specific asset sits organisationally (function, activity, sub activity) and what the disclosed asset class is

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

(type). This combination then determines what asset control accounts are used. It was identified at year end that some of the control accounts are not accurate. The way Council currently uses the system involves a number of manual journal entries to ensure that assets are disclosed accurately. The system is designed to establish the asset upfront during the planning and budgeting process. A work order is then linked to the asset and transactions can be capitalised automatically. This would require a change in our capital planning processes where the physical assets to be constructed by asset class per project would be required to be known in advance, rather than at take-up in order to make best use of the system and save time.

- Council had difficulty in disclosing WIP by asset class in Note 6.1 as required in the TAO model statements. This was due to time required to establish how much of the opening balance from prior year transactions relates to specific asset classes. As an interim measure an excel spreadsheet has been setup to capture this information over the course of the year.
- Civica Authority does not produce sufficient employee leave balance reports which requires significant manual calculations currently and extends the time required to calculate and produce employee benefits and provision disclosures. Council will work on an excel model that systemises requirements this financial year.
- The asset take-up sheet will be updated to include more key fields and necessary certifications from project managers. There were several instances of closed and capitalised projects that had further transactions that resulted in double handling. Until other systems are improved e.g. electronic purchase orders, this is likely to continue.
- The acquisition and disposal forms will be updated to address identified gaps.

6.4.5 Other Asset improvements

There are a number of improvements required within the asset space including:

- Works and Services are increasing forward design works and consistent scheduled capital works while removing the artificial barrier of the financial year in the planning process. This will improve workflow and minimise the risks of non-delivery of the program and ensure that work in progress levels are appropriate.
- Ensuring that scoping and feasibility studies also have a commitment to construct so they are capitalised and do not impact the profit and loss statement unexpectedly after being budgeted in the capital stream.
- The Assistant Accountant will work as a business partner with Works and Services to provide advice, monitor progress, close and take-up of projects, ensuring appropriate capitalisation and depreciation.
- Further education for staff outside of Works and Services who purchase assets on processes. It would be ideal if these projects were included and managed in the same framework as Works and Services projects.

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

6.5 Overhead modelling

During the 2021-22 and 2022-23 budget processes the budgeting of overheads was paused to enable time to review. For the financial statements an overhead methodology was created to allow completion of *Note 1.4 Functions and Activities* and *Note 10.4 Significant Business Activities* and subsequent funding acquittals. During the 2022-23 financial year the overhead methodology will be improved ready for the 2022-23 financial statements and 2023-24 budget process.

6.6 Account reconciliation process

A number of accounts had not been reconciled during the year and this had to be completed in July. The general ledger reconciliation schedule will be revised with reconciliation work being distributed across accounting staff and the financial year.

6.7 Other matters

There was a minor issue with the inability of Council to disclose ageing of debtors for financial instruments note 9.8 (c) and (d) – credit risk. This was due to lack of retrospective receivables trial balance available within Civica Authority. This has since been rectified with the purchase of a reporting suite from Pacesetters.

7.0 RISK

There are no risks associated with this review, though this review is a part of our continuous improvement process and will assist in mitigating any risks of non delivery or critical errors within the financial statement process.

8.0 CONSULTATION

This report has been tabled at the audit panel meeting so that members can discuss and provide feedback on the review and the proposed recommendations.

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

AUDIT PANEL RESOLUTION

MOVED: *Panel Member B Hutcheson***SECONDED:** *Proxy Panel Member G Simpson****“THAT the Audit Panel note the review of the financial statement preparation process for the 2021-22 financial year.”*****For:** Chairperson K Clarke, Panel Member B Hutcheson, Proxy Panel Member G Simpson.**Against:*****CARRIED UNANIMOUSLY*****Move to AUD077-22**

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

SPECIAL FOCUS MATTERS**AUD066-22 STATUS OF PREVIOUS TASMANIAN AUDIT OFFICE FINDINGS****FILE NO:** 13/2/2
PREVIOUS MIN:**RECOMMENDATION:*****"THAT the Audit Panel receive and note the information provided."*****Report Author:** Bel Lynch, Director Corporate and Commercial Services**1.0 SUMMARY**

This report is provided to enable the Audit Panel to review the status of actions outstanding that have arisen from the Tasmanian Audit Office (TAO) financial audits.

2.0 BACKGROUND

The TAO provided their latest Memorandum of Findings for the 30 June 2021 financial year, on 18 October 2021. In summary the report indicates that there were:

- Two matters found during the 2016-17 audit that required addressing but were unresolved at the time the report was developed; and
- Three matters that arose from the audit conducted in 2020-21 that remained outstanding at the time the report was developed. All three recommendations were categorised low risk.

This report provides a summary to the Audit Panel for their assessment and assurance that the matters are being actively progressed ahead of the 2021-22 financial audit.

3.0 LEGISLATIVE REQUIREMENTS

Division 4 of the Act provides the functions of the Audit Panel as follows:

85A. Functions of audit panels

- (1) An audit panel established under section 85 is to review the council's performance in relation to –
- (a) the council's financial system, financial governance arrangements and financial management; and
 - (b) all plans of the council under Part 7 ; and

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

- (c) all policies, systems and controls the council has in place to safeguard its long-term financial position; and
 - (d) any other matters specified in an order under section 85B as matters that an audit panel is to consider in such a review.
- (2) A council, audit panel or person is to comply with the requirements, specified in an order under section 85B that apply in relation to the council, audit panel or person.

4.0 POLICY CONSIDERATIONS

Additionally the Audit Panel's Terms of Reference GL-CCS-SG-102, outlines the Panel's role in monitoring management's implementation of the commitments made in relation to audit findings:

9.2.3 External Audit

- a) Provide input and feedback on the performance audit coverage proposed by external auditor and provide feedback on the audit services provided;
- b) Provide feedback on the financial statements and the management representation letter;
- c) Review all external plans and reports in respect of planned or completed audits and monitor management's implementation of audit recommendations; and
- d) Provide advice to Council on action taken on significant issues raised in relevant external audit reports and better practice guides.

5.0 FINANCIAL IMPACT

There are no direct financial implications that arise from this report.

6.0 DISCUSSION

The last report on this matter to the Audit Panel was at the meeting of 8 June 2022. At that time it was noted that there are a total of five recommendations of the Tasmanian Audit Office that remain outstanding for completion. Three of these arose from the most recent audit in 2021-22 while the remaining two relate to prior audits conducted. That report provided an overview of the status of each action.

Since that time, the Tasmanian Audit Office have conducted their financial audit and officers have been able to demonstrate achievement for all items to the satisfaction of the Tasmanian Audit Office. To this end they have advised that all five items are considered completed and will be reflected in the Memorandum of Audit Findings accordingly. While Council has seen a draft of this document (and in that draft all five items are reflected as completed), the final version has not yet been received.

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

Report ID	Findings	Recommendation	Management Response	Status
1.1 (Low Risk)	Miscellaneous and other assets not revalued	It is recommended that management review the relevant sub-classes in 2021-22 to ensure they reflect their fair value.	Management agrees with the recommendation. Management will undertake to review the nominated sub classes to ensure they reflect fair value. Timeline: This matter will be completed before the end of the 2021-22 financial year.	This work was completed and during the financial audit the TAO advised this action will be marked as completed .
1.2 (Low Risk)	Bridge valuation	It is recommended that management consider whether the residual value, as provided by AusSpan, should be used when Bridge assets are next revalued.	Management agrees with the recommendation and will use AusSpan residual values when Bridge assets are next revalued. Timeline: As part of the next formal Bridges revaluation due in 2025- 26 (5 yearly).	During the financial audit staff were able to demonstrate to the TAO that this action has been scheduled in the compliance system. Therefore the TAO have advised that this action will be marked as completed .
1.3 (Low Risk)	Parks valuation	It is recommended that management: <ul style="list-style-type: none"> review the methodology applied in the calculation of accumulated depreciation for Parks assets to ensure it accurately reflects the expired service potential of the assets review the methodology and documentation of changes to useful lives and remaining lives to enable financial staff to determine the impact of any changes to lives. Management agrees with the	Management agrees with the recommendation. Timeline: During the 2021-22 financial year.	The action was completed in 2021-22 and the TAO have confirmed they concur it is completed .

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

Report ID	Findings	Recommendation	Management Response	Status
		recommendation.		
2.1 (Low Risk) 2016-17 audit	Asset usage and monitoring	It is recommended that Council: • develops and implements a policy and procedures for the management of portable and attractive items • establishes guidelines relating to the provision and usage of Council owned mobile phones, tablets, tools and similar items with the view that private usage should be kept to a minimum.	The Portable and Attractive Assets Policy has been approved by the Council at its meeting of 24 August 2021, following review of the policy by the Audit Panel. Work will now begin on operationalising the policy. This may take some time as there are no existing process in place, nor any business system to support this, at this time. Timeline: During the 2021-22 financial year.	The action was completed in 2021-22 and the TAO have confirmed they concur it is completed .
2.2 (Moderate Risk) 2016-17 audit	General computer controls	It is recommended Council consider the finalisation of the development and implementation of the IT security management policy.	The Cyber Vulnerability Audit is the first step in this process to determine the current state, risks and potential treatments and controls. The report commissioned has been received and is being reviewed by officers, before being discussed with the Executive Management Team and tabled to the next Audit Panel meeting. The information will lead to the development of an IT security management policy. Timeline: The above timeframe of 31 December 2021 remains appropriate.	The action was completed in 2021-22 and the TAO have confirmed they concur it is completed .

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

7.0 RISK

There are no significant risks that arise from this report.

8.0 CONSULTATION

Consultation with the Tasmanian Audit Office has occurred for all of the items addressed within this report.

AUDIT PANEL RESOLUTION

MOVED: *Chairperson K Clarke*

SECONDED: *Panel Member B Hutcheson*

“THAT the Audit Panel receive and note the information provided.”

For: Chairperson K Clarke, Panel Member B Hutcheson, Proxy Panel Member G Simpson.

Against:

CARRIED UNANIMOUSLY

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

SPECIAL FOCUS MATTERS**AUD067-22 ANNUAL REPORT 2021-22****FILE NO:** 13/2/2**PREVIOUS MIN:****RECOMMENDATION:*****“THAT the Audit Panel note the Council’s Annual Report 2021-22, as attached.”*****Report Author:** Bel Lynch, Director Corporate and Commercial Services**1.0 SUMMARY**

The purpose of this report is for the Audit Panel to consider the Annual Report 2021-22.

2.0 BACKGROUND

The Council have prepared its Annual Report 2021-22 which outlines the performance and achievements of the financial year.

The report has not been attached to the Agenda due to size but is available for download at <https://www.burnie.tas.gov.au/Council/Governance-Information/Annual-Reports>

3.0 LEGISLATIVE REQUIREMENTS

Section 72 of the *Local Government Act 1993* requires that:

(1) A council must prepare an annual report containing all of the following:

- (a) a summary of the annual plan for the preceding financial year;
- (ab) a statement of its goals and objectives in relation to public health for the preceding financial year;
- (b) a statement of the council's activities and its performance in respect of goals and objectives set for the preceding financial year;
- (ba) a statement of the number of code of conduct complaints that were received and the number that were upheld either wholly or in part during the preceding financial year;
- (bb) the total costs met by the council during the preceding financial year in respect of all code of conduct complaints dealt with under [Division 3A](#) of [Part 3](#) during the preceding financial year;
- (c) the financial statements for the preceding financial year;
- (caa) a statement of the operating, capital and competitive neutrality costs in respect of each significant business activity undertaken by the council during the preceding financial year together with a statement of the revenue associated with that activity;
- (ca) a statement of the activities and performance of the council in relation to any activity undertaken pursuant to [section 21](#) as compared with its objectives for the preceding financial year;

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

- (cb) a statement of the total allowances and expenses paid to the mayor, deputy mayor and councillors;
 - (cc) a statement detailing the attendance of each councillor at meetings of the council or any council committee during the preceding financial year;
 - (cd) a statement in accordance with [subsection \(4\)](#) relating to the total annual remuneration paid to employees of the council who are key management personnel, within the meaning of the Compiled Accounting Standard AASB 124, as amended or substituted from time to time, issued by the Australian Accounting Standards Board under the [Australian Securities and Investments Commission Act 2001](#) of the Commonwealth;
 - (d) a copy of the audit opinion for the preceding financial year;
 - (da) a statement specifying details of any land donated by the council under [section 177](#), including the name of the recipient, the reasons for the donation and the value of the land;
 - (e) any other prescribed matter.
- (1A) A statement under [subsection \(1\)\(ab\)](#) is to –
- (a) state the extent to which the council has carried out its functions under the [Public Health Act 1997](#) and the [Food Act 2003](#); and
 - (b) state the resources allocated to public health; and
 - (c) state the extent to which its goals, objectives, policies and programs in relation to public health met the needs of persons within its municipal area; and
 - (d) include details of the completion of any strategies.
- (4) A statement under [subsection \(1\)\(cd\)](#) is to list the number of employees in groups according to the total annual remuneration as specified in [subsection \(5\)](#) where each group has a maximum of \$20 000 between the highest and lowest total annual remuneration.
- (5) The total annual remuneration of an employee means the total of the following for the financial year:
- (a) the salary payable to the employee;
 - (b) the amount of employer contribution to the employee's superannuation;
 - (c) the value of the use of any motor vehicle provided to the employee;
 - (d) the value of any other allowances or benefits paid or payable to, or provided for the benefit of, the employee.

4.0 POLICY CONSIDERATIONS

There are no specific policy considerations that arise from this report.

5.0 FINANCIAL IMPACT

There are no financial implications that arise from this report.

6.0 DISCUSSION

The Council is obligated to advertise in a daily circulating newspaper in the municipal area, the availability of the Annual Report together with an invitation to electors to lodge submissions on the Annual Report with the Council for discussion at the Annual General Meeting. This process is underway currently.

The Council will then present the Annual Report to the Annual General Meeting of the Council which will occur on 13 December 2022.

This report provides the Audit Panel with an opportunity to consider and provide feedback on the Annual Report 2021-22 prior to this occurring.

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

7.0 RISK

The most significant risk that arises from this report is that the Annual Report does not conform to its legislative obligation under the Act. The Council has a robust set of procedures in place to ensure that all aspects of legislation are sufficiently met in the development of the Annual Report.

8.0 CONSULTATION

This matter has been considered by the Council's Executive Management Team.

AUDIT PANEL RESOLUTION

MOVED: Panel Member B Hutcheson

SECONDED: Proxy Panel Member G Simpson

"THAT the Audit Panel note the Council's Annual Report 2021-22, as attached."

For: Chairperson K Clarke, Panel Member B Hutcheson, Proxy Panel Member G Simpson.

Against:

CARRIED UNANIMOUSLY

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

SPECIAL FOCUS MATTERS**AUD068-22 DRAFT FINANCIAL REPORTING FRAMEWORK****FILE NO:** 13/2/2**PREVIOUS MIN:****RECOMMENDATION:**

“THAT the Audit Panel review the draft reporting framework and provide feedback to enable further development and refinement.”

Report Author: Brad Pilgrim, Chief Financial Officer

1.0 SUMMARY

A drafted financial reporting framework is attached. While it is still in development, it is timely to present it to the Audit Panel for feedback on the concept and get guidance on a number of specific questions that are contained with the draft framework.

Council has reviewed a number of integrated reporting and performance frameworks from other state and council jurisdictions and literature regarding not for profit board reporting and decision making to inform the development of the framework.

A central consideration within the reporting framework is the consideration of the target audience(s) and their financial literacy levels. Please consider this as part of your review and feedback.

2.0 BACKGROUND

A briefing paper of the review of the financial reporting framework was completed on 31 August 2021 (see attached for reference).

There has been significant delays to this review due to workload and staffing constraints associated with a number of key personnel terminations.

3.0 LEGISLATIVE REQUIREMENTS

The draft framework references relevant legislation.

4.0 POLICY CONSIDERATIONS

A key question is where the financial reporting framework will sit within Council's policy framework i.e. at a Council Policy or Workplace Policy level. This will be discussed at the Audit Panel meeting.

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

5.0 FINANCIAL IMPACT

There are no financial impacts.

6.0 DISCUSSION

All Audit Panel members are requested to:

- Review the original financial reporting framework review briefing paper that sets out the way the review is proposed to be conducted
- Review the draft financial reporting framework, specifically:
 - That the purpose is clear and relevant
 - That all legislation is referenced
 - Review the identified user list and the types of questions those users would ask
 - Review the suggested principles and provide feedback
 - Note that the reporting elements section will determine what fields are available for inclusion in reports
 - Note the definitions will be finalised after the framework is substantially drafted
 - Note the responsibilities will be finalised after the framework is substantially drafted
 - Suggest reports based on your professional opinion and experience that can be included in the framework

7.0 RISK

There is no material risk associated with the draft reporting framework. It is important that broad feedback is obtained and considered so the resulting framework is robust and delivers as intended to a wide range of audiences.

8.0 CONSULTATION

This paper is part of the consultation process for the financial reporting framework.

ATTACHMENTS

1. Financial Reporting Framework Review (project brief)
2. Draft Financial Reporting Framework

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

AUDIT PANEL RESOLUTION

MOVED: Chairperson K Clarke**SECONDED:** Proxy Panel Member G Simpson

“THAT the Audit Panel request that officer present a draft financial reporting template to the Audit Panel once developed, for further consideration and comment.”

For: Chairperson K Clarke, Panel Member B Hutcheson, Proxy Panel Member G Simpson.

Against:

CARRIED UNANIMOUSLY

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

SPECIAL FOCUS MATTERS**AUD069-22 INVESTMENT STRATEGY 2022-23****FILE NO:** 13/2/2**PREVIOUS MIN:****RECOMMENDATION:**

“THAT the Audit Panel note Council’s Investment Strategy for the 2022-23 financial year.”

Report Author: Brad Pilgrim, Chief Financial Officer

1.0 SUMMARY

The budgeted range of working capital, based on the cash expenses cover ratio, is between \$6.5m (3 months) and \$13.5m (6 months). These are the funds required to operate the organisation (without capital) for 3 to 6 months without any revenue. It gives Council the capacity to respond to unanticipated events, such as when COVID-19 first occurred.

In the Investment Strategy council aims to:

- Have \$3m - \$5m readily available in the trading or at call accounts. This provides capacity to cover short term needs (less than 2 months). Available working capital above this is invested to generate a higher return.
- Identifies what funds are already invested and when they mature. Maturity of term deposits are timed to meet planned cash requirements in any month.
- Identifies the balance available to invest in term deposits at any month during the year.
- Identifies the parameters for individual term deposits including the amount and duration.

There are currently some material key uncertainties with cash flow forecasting and the Investment Strategy. These are:

- The timing of when rates will be received is uncertain. Investments are not planned until after the discount period has closed (end of August with investing early September). While this can be modelled historically, with the discount reduction this year (now 2% from 2.5%) and the current economic circumstances including high inflation we cannot pre-empt investments until rates funds are received.
- The timing of cash outflows to deliver the capital program is highly uncertain. The Works and Services Department are currently reviewing their planning and

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

scheduling systems to provide more certainty. This will take time to implement and provide reliable information for forecasting. Capital cash outflows have a material impact on the cash balance.

- The timing of capital grants (inflows) is also impacted by the above factors, as delays in capital delivery affects claiming of milestone payments.

Council will reassess its financial statement and cash flow forecasts as part of the December budget review incorporating a revision of the investment strategy at the same time.

2.0 BACKGROUND

This is the first year Council has had a documented investment strategy.

3.0 LEGISLATIVE REQUIREMENTS

Section 75 of the *Local Government Act 1993* allows Council to invest in any manner a trustee at law may and in any investment the Treasurer (State Government Minister) approves.

4.0 POLICY CONSIDERATIONS

Council invests in accordance with its Treasury Management Policy. The policy provides a number of parameters that are relevant to investments including:

- Council will target a cash buffer to the equivalent of 3 – 6 months, based on the cash expenses cover ratio in line with the Tasmanian Audit Office benchmark for adequate cash cover.
- The maximum duration for term deposits, without Council approval, is 12 months.
- All investment require at least 3 quotes.
- The investment portfolio by fund type, weighted percentage of portfolio and percentage with any individual institution is specified in the policy (we have updated our quotation process to incorporate this check as part of each investment).

Reports on the investment portfolio are tabled at Council meetings quarterly.

5.0 FINANCIAL IMPACT

There are no direct financial impacts from this report.

6.0 DISCUSSION

No further discussion is required.

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

7.0 RISK

A risk management plan is included in the Treasury Policy and embedded in Council's processes. Practical uncertainties affecting cash management are discussed above in the summary.

8.0 CONSULTATION

This matter has been consulted with the Director Corporate and Commercial Services.

ATTACHMENTS

1. Investment Strategy 2022-23
2. Investment Quotes 20220907
3. Investment Quotes 20220927
4. Investment Quotes 20221031

AUDIT PANEL RESOLUTION

MOVED: *Panel Member B Hutcheson*

SECONDED: *Chairperson K Clarke*

"THAT the Audit Panel:

- 1) note Council's Investment Strategy for the 2022-23 financial year and,***
- 2) request that the Treasury Policy be updated to accord with the Investment Strategy."***

For: Chairperson K Clarke, Panel Member B Hutcheson, Proxy Panel Member G Simpson.

Against:

CARRIED UNANIMOUSLY

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

SPECIAL FOCUS MATTERS**AUD070-22 ASSET MANAGEMENT IMPROVEMENT PLAN**

FILE NO: 13/2/2

PREVIOUS MIN:

RECOMMENDATION:***"THAT the Audit Panel receive and note the information provided."*****Report Author:** Bel Lynch, Director Corporate and Commercial Services**1.0 SUMMARY**

This report is provided to give the Audit Panel an update on the status of the Asset Management Improvement Plan.

2.0 BACKGROUND

For some time now, the Audit Panel in conjunction with senior officers have been discussing the need for Council to focus on improvements to the asset management framework.

This includes the Council's legislative compliance by having a Long Term Financial Management Plan, and Strategy as required under the Act – currently the Council has one document encompassing both aspects of our requirements.

This is not ideal as one should be a 10-15 year forward looking plan, while the second is a for a shorter period aligning more with the Council Plan (4-5 years projections), which then also align with a councillor term.

Additionally there are improvements that need to be made to data collection, accuracy, reporting and associated processes.

Discussions with the Audit Panel have concluded that an Asset Improvement Plan would be developed in order to ascertain the work required to enhance our asset management framework. To this end, the Council has engaged John Howard to assist in undertaking the initial works required to develop the Asset Management Improvement Plan.

3.0 LEGISLATIVE REQUIREMENTS**70B. Long-term strategic asset management plans**

- (1) A council is to prepare a long-term strategic asset management plan for the municipal area.
- (2) A long-term strategic asset management plan is to relate to all assets that are within a class of assets specified in an order under [section 70F\(3\)](#) to be major assets.

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

- (3) A long-term strategic asset management plan is to be in respect of at least a 10 year period.
- (4) A long-term strategic asset management plan for a municipal area is to –
 - (a) be consistent with the strategic plan for the municipal area; and
 - (b) refer to the long-term financial management plan for the municipal area; and
 - (c) contain at least the matters that are specified in an order made under [section 70F](#) as required to be included in a long-term strategic asset management plan.

70C. Asset management policies

- (1) A council is to prepare an asset management policy for the municipal area.
- (2) An asset management policy for a municipal area is to –
 - (a) be consistent with the strategic plan for the municipal area; and
 - (b) guide the development of the long-term strategic asset management plan for the municipal area; and
 - (c) guide the development of the long-term financial management plan for the municipal area; and
 - (d) contain at least the matters that are specified in an order made under [section 70F](#) as required to be included in an asset management policy.

70D. Asset management strategies

- (1) A council is to prepare an asset management strategy for the municipal area.
- (2) An asset management strategy for a municipal area is to –
 - (a) be consistent with the strategic plan for the municipal area; and
 - (b) contain at least the matters that are specified in an order made under [section 70F](#) as required to be included in an asset management strategy.

4.0 POLICY CONSIDERATIONS

Council's Long Term Financial Management Plan and Strategic Asset Management Plan are both relative to this matter.

5.0 FINANCIAL IMPACT

The cost of engaging John Howard to undertake the initial scope of works is approximately \$5,000 and will be expended from the internal audit budget within the Corporate and Commercial Services Departmental budget.

6.0 DISCUSSION

The scope of this project is fundamentally to develop the Asset Management Improvement Plan, as a means of then setting the work program required to underpin significant improvement in the Council's asset management systems into the future.

The scope of the project is:

- To facilitate the completion of the IPWEA NAMS+ Asset Management Maturity Assessment (attached) with Council stakeholders;
- To use the maturity assessment data to inform the development of an Asset Management Improvement Plan; and

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

- Compile the scope of works to inform the data capture update project that will commence in the new year.

All three elements of the project are expected to be completed by January 2023.

7.0 RISK

There are no significant risks that arise from this report.

8.0 CONSULTATION

Consultation on this matter has occurred with the General Manager and with the Director Works and Services.

ATTACHMENTS

1. IPWEA Asset Management Maturity Assessment Outline

AUDIT PANEL RESOLUTION

MOVED: *Proxy Panel Member G Simpson*

SECONDED: *Chairperson K Clarke*

"THAT the Audit Panel receive and note the information provided."

For: Chairperson K Clarke, Panel Member B Hutcheson, Proxy Panel Member G Simpson.

Against:

CARRIED UNANIMOUSLY

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

STANDING AGENDA ITEMS**AUD071-22 GENERAL MANAGER'S CERTIFICATION - SEPTEMBER 2022**FILE NO: 13/2/2
PREVIOUS MIN:**RECOMMENDATION:**

"THAT the Audit Panel note the General Manager's Certification for the period September 2022, as attached to this report."

SUMMARY

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

ATTACHMENTS

1. General Manager's Certification for period ending September 2022

AUDIT PANEL RESOLUTION**MOVED:** *Panel Member B Hutcheson***SECONDED:** *Proxy Panel Member G Simpson*

"THAT the Audit Panel note the General Manager's Certification for the period September 2022, as attached to this report."

For: Chairperson K Clarke, Panel Member B Hutcheson, Proxy Panel Member G Simpson.

Against:

CARRIED UNANIMOUSLY

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

STANDING AGENDA ITEMS**AUD072-22 OUTSTANDING DEBTORS QUARTERLY REPORT -
SEPTEMBER 2022****FILE NO:** 13/2/2
PREVIOUS MIN:**RECOMMENDATION:**

"THAT the Audit Panel note the Outstanding Debtors Quarterly Report to September 2022, as attached."

SUMMARY

A copy of the Outstanding Debtors Report as at 30 September 2022, from the minutes of the closed session of the Council meeting of 18 October 2022, is attached.

ATTACHMENTS

1. Outstanding Debtors Quarterly Report - September 2022

AUDIT PANEL RESOLUTION**MOVED:** *Chairperson K Clarke***SECONDED:** *Panel Member B Hutcheson*

"THAT the Audit Panel note the Outstanding Debtors Quarterly Report to September 2022, as attached."

For: Chairperson K Clarke, Panel Member B Hutcheson, Proxy Panel Member G Simpson.

Against:

CARRIED UNANIMOUSLY

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

STANDING AGENDA ITEMS**AUD073-22 GENERAL MANAGER'S QUARTERLY INFORMATION
REPORT - CORPORATE AND COMMERCIAL SERVICES -
SEPTEMBER 2022****FILE NO:** 13/2/2
PREVIOUS MIN:**RECOMMENDATION:**

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

SUMMARY

A copy of the General Manager's Quarterly Information Report for Corporate and Commercial Services for the September 2022 quarter, as tabled to Council on 18 October 2022, is attached.

ATTACHMENTS

1. General Manager's Quarterly Information Report - September 2022

AUDIT PANEL RESOLUTION**MOVED:** *Proxy Panel Member G Simpson***SECONDED:** *Chairperson K Clarke*

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

For: Chairperson K Clarke, Panel Member B Hutcheson, Proxy Panel Member G Simpson.

Against:

CARRIED UNANIMOUSLY

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

STANDING AGENDA ITEMS**AUD074-22 PERSONNEL QUARTERLY REPORT - SEPTEMBER 2022**FILE NO: 13/2/2
PREVIOUS MIN:**RECOMMENDATION:***"THAT the Audit Panel note the Personnel Report for September 2022, as attached."***SUMMARY**

A copy of the Personnel Report for the September 2022 quarter, from the minutes of the closed session of the Council meeting on 18 October 2022, is attached.

ATTACHMENTS

1. Personnel Quarterly Report - September 2022

AUDIT PANEL RESOLUTION**MOVED:** Proxy Panel Member G Simpson**SECONDED:** Panel Member B Hutcheson*"THAT the Audit Panel note the Personnel Report for September 2022, as attached."*

For: Chairperson K Clarke, Panel Member B Hutcheson, Proxy Panel Member G Simpson.

Against:

CARRIED UNANIMOUSLY

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

STANDING AGENDA ITEMS**AUD075-22 GENERAL MANAGER'S PURCHASE CARD STATEMENT****FILE NO:** 13/2/2
PREVIOUS MIN:

RECOMMENDATION:

"THAT the Audit Panel note the General Manager's Purchase Card Statement for the period 25 June to 26 October 2022."

SUMMARY

A copy of the General Manager's Purchase Card Statements for the period 25 June 2022 to 26 October 2022 are attached for review.

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

ATTACHMENTS

1. Purchase Card Statement 25 Jun - 26 Jul 2022
2. Purchase Card Statement 27 Jul - 24 Aug 2022
3. Purchase Card Statement 25 Aug - 26 Sep 2022
4. Purchase Card Statement 27 Sep - 26 Oct 2022

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

AUDIT PANEL RESOLUTION

MOVED: *Panel Member B Hutcheson***SECONDED:** *Proxy Panel Member G Simpson****“THAT the Audit Panel note the General Manager’s Purchase Card Statement for the period 25 June to 26 October 2022.”*****For:** Chairperson K Clarke, Panel Member B Hutcheson, Proxy Panel Member G Simpson.**Against:*****CARRIED UNANIMOUSLY***

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

STANDING AGENDA ITEMS**AUD076-22 AUDIT PLAN AND WORK PROGRAM 2023****FILE NO:** 13/2/2
PREVIOUS MIN:

RECOMMENDATION:***"THAT the Audit Panel:***

- 1) Note the current work plan attached;***
- 2) Note that an updated work plan will be tabled in February for adoption; and***
- 3) Accept the proposed meeting dates."***

SUMMARY

It is proposed that the Audit Panel meet four times through 2023 on the following dates:

Wednesday, 8 February 2023
Wednesday, 3 May 2023
Wednesday, 6 September 2023
Wednesday, 6 December 2023

Attached is the current Audit Plan and Work Program for reference.

The Audit Plan and Work Program will be updated after discussions at this meeting, and tabled for endorsement by the Audit Panel at the first meeting in the new year.

ATTACHMENTS

1. Audit Plan and Work Program

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

AUDIT PANEL RESOLUTION

MOVED: Chairperson K Clarke**SECONDED:** Proxy Panel Member G Simpson***“THAT the Audit Panel:***

- 1) Note the current work plan attached;***
- 2) Note that an updated work plan will be tabled in February for adoption;***
- 3) Accept the proposed meeting dates; and***
- 4) Suggest that the February meeting be held at The Point West Park.”***

For: Chairperson K Clarke, Panel Member B Hutcheson, Proxy Panel Member G Simpson.

Against:

CARRIED UNANIMOUSLY

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

GENERAL BUSINESS**AUD077-22 NON-AGENDA ITEMS****FILE NO:** 13/2/2
PREVIOUS MIN:**RECOMMENDATION:*****"THAT the Audit Panel receive and note the TAO Memorandum of Audit Findings."*****SUMMARY**

The Tasmania Audit Office Memorandum of Audit Findings for the 2021-22 financial year was provided under separate cover due to the memorandum being received post agenda distribution.

AUDIT PANEL RESOLUTION**MOVED:** Chairperson K Clarke**SECONDED:** Panel Member B Hutcheson***"THAT the Audit Panel receive and note the TAO Memorandum of Audit Findings."*****For:** Chairperson K Clarke, Panel Member B Hutcheson, Proxy Panel Member G Simpson.**Against:****CARRIED UNANIMOUSLY****Move to item AUD066-22****AUDIT PANEL DISCUSSION**

The Panel requested, and officers provided, an update on the recent Local Government Elections for the Burnie municipality.

AUDIT PANEL MEETING

MINUTES - WEDNESDAY, 7 DECEMBER 2022

GENERAL BUSINESS

AUD078-22 CONFIDENTIAL SESSION

FILE NO: 13/2/2
PREVIOUS MIN:

A Confidential Session was not required.

COMPLETION OF AUDIT PANEL MEETING

There being no further business the Chairperson declared the meeting closed at 5.07 pm.

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

30th December 2022The Mayor
Burnie City Council
PO Box 973
BURNIE TAS 7320

Dear Mayor

Summary of Key Outcomes from the Audit Panel Meeting held on 7th December

The Audit Panel had a congenial meeting with collaborative discussion between Audit Panel members and with Council staff.

There were no formal recommendations to Council from this meeting.

Special focus matters for this meeting were: -

- **Consolidated Financial Statements for the Year Ending 30 June 2022**
 - The Panel received and noted the information contained in the Consolidated Financial Statements for the last financial year, together with the audit opinion issued by the Tasmanian Audit Office.
 - The Panel noted that Council had achieved a small operating (underlying) surplus of \$131k for the year, an improvement of more than \$2 million on the prior year. Council also improved its cash position and improved the delivery of its capital program.
 - Council's CFO also provided the Panel with informative summary reports highlighting Council's performance against Key Performance Indicators and explanations of material line item variances. These reports were greatly appreciated by the Panel and provided greater transparency of Council's financial performance. The Panel understand that the CFO is providing ongoing, regular and systematic reporting that will assist Councillors in their governance role and will enable them to make informed decisions tied to Council's stated strategies. The Panel provided some feedback to the CFO on minor enhancements.
- **Financial Statements 2021-22 Review**
 - The Audit Panel received and noted a report from the CFO outlining issues, key learnings and opportunities for process improvement in the production of future Financial Statements. This is the first time that a review of the financial statement process has occurred at Council and the staff are to be congratulated for undertaking such a review.
 - The Review noted a number of areas that both Council and Tasmanian Audit Office (TAO) staff will aim to improve, and the Audit Panel were fully supportive of all recommendations outlined in the review.

13 Eugene Street, DEVONPORT, Tas 7310

Mob 0438 818 821

clarke42@gmail.com

Status of Previous Tasmanian Audit Office Findings

- The Director Corporate and Commercial Services presented a report to the Audit Panel concerning the five matters that were identified as outstanding from the Tasmanian Audit Office (TAO) previous report "Memorandum of Audit Findings for the 30 June 2021 financial year" in October 2021. All five matters have been successfully actioned to the satisfaction of the TAO and the matters closed.

Annual Report 2021-22

- The Panel received and noted the information contained in the Annual Plan 2021-22 Final Report; the matter in the report was presented to Council at the July meeting.
- The Panel commended Council and Council staff on the content and presentation of this Report.

Draft Financial Reporting Framework

- The Panel received a report from the CFO outlining a draft Financial Reporting Framework. Work started on this Reporting Framework some 12 months ago. The draft report outlines a comprehensive model that attempts to establish a clear financial charter or framework that shows relevant users what financial information that can expect to receive, when they will receive it, and how the information can be applied.
- The Framework has been broken down into Stages with relevant milestones and will be progressively implemented as resources are available.
- The CFO led the Panel through some high-level discussion of the Framework; the Panel viewed the Framework very positively and provided feedback to the CFO on this ambitious project.

Investment Strategy 2022-23

- The Audit Panel received and noted Council's Investment Strategy for the 2022-23 financial year. The Panel noted that this is the first year that Council has a documented investment strategy.
- The Panel suggested that Council's Treasury policy may need reviewing to ensure that both policies are aligned, and this was acknowledged by staff; a further suggestion was that Council consider investing some funds in Green Deposits (if returns are deemed adequate).

Asset Management Improvement Plan

- The Director Corporate and Commercial Services presented a report updating the Panel on progress toward improving Council's overall Asset Management performance. For some period of time, senior staff have been discussing the need for Council to improve its Asset Management ratios and performance. To this end Council have engaged an experienced consultant to develop a detailed Asset Management Improvement Plan. This initial Project is forecast to be delivered in the first quarter of calendar 2023.
- The Local Government Act and relevant Ministerial Orders are very prescriptive as to the requirements of local Council's management of their Capital Assets, and Burnie City's Council's performance has quite poor relative to other Tasmanian Councils, and the Audit Panel is thus pleased that this issue is being resourced and progressed.

The Panel considered several other Standing Agenda Items, as noted in the Minutes.

The meeting concluded with a round table discussion of Council's Election Caretaker Policy, formally adopted at Council's August meeting. The Panel noted that Burnie City Council had adopted the template provided by the Department of Premier and Cabinet.

Yours faithfully

Kenneth Clarke

MINUTES AND REPORTS OF COMMITTEES**AO024-23 BURNIE AUSTRALIA DAY SPECIAL COMMITTEE CONFIRMED
MINUTES OF MEETING HELD ON 10 OCTOBER 2022**FILE NO: 29/1/8

RECOMMENDATION:

“THAT the Minutes of meeting of The Burnie Australia Day Special Committee held on 10 October 2022, be received for discussion.”

SUMMARY

At its meeting on 10 October 2022 the members of the Burnie Australia Day Special Committee met to continue discussions for the 2023 Australia Day Ceremony.

At this meeting the committee discussed:-

- Guest Speaker confirmation
- Entertainment arrangements
- Nomination Forms and Process
- Advertising
- Catering
- Meeting Timing

ATTACHMENTS

1 [!\[\]\(4b7a79268f6ba26c1471d4232fffa85a_img.jpg\)](#). Burnie Australia Day Special Committee Meeting Minutes - 10 October 2022

COUNCIL RESOLUTION**Resolution number: MO032-23*****MOVED:*** *Cr J Grave****SECONDED:*** *Cr T Aitken****“THAT the Minutes of meeting of The Burnie Australia Day Special Committee held on 10 October 2022, be received for discussion.”***

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

Against:

CARRIED UNANIMOUSLY

Minutes



Meeting: **Australia Day Special Committee Meeting**
 Date & Time: **Monday, 10 October 2022 at 3.30pm**
 Venue: **Second Floor Councillors Conference Room**
 File No(s):

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

Discussion Item and Notes	Action / Responsible
1. Attendance and Apologies <ul style="list-style-type: none"> Declarations of Interest NIL 	Chair
2. Confirmation of Minutes <ul style="list-style-type: none"> Confirmation of minutes of the meeting held on 12 September 2022. <i>"That the minutes of the Burnie Australia Day Special Committee Meeting held on Monday, 12 September 2022 be confirmed as true and correct."</i> Moved: Marg Leeson Seconded: Elizabeth Singleton Result: Carried unanimously 	Chair
3. Outstanding Actions <ul style="list-style-type: none"> Guest Speaker - Contact DPAC to request suggested ambassador and review the Australia Day Ambassador Listing as back-up. Entertainment - R Bentley to follow-up with [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]. Discussed approaching [REDACTED] [REDACTED] as back-up. W Richards to discuss [REDACTED] [REDACTED] [REDACTED] [REDACTED] 	Chair Complete Underway

<ul style="list-style-type: none"> • Invitations - Send Save the Date invitations to Local Politicians to ensure early acceptance for Burnie Ceremony. Start time 10.30am. • Flag Ceremony - Contact local youth organisations (Scouts, Guides, Surf Lifesaving Club and Youth Council) to confirm involvement with the flag ceremony – K Kelly/G Simpson • Nomination Forms - On-line form to be created for Council's website. • Advertising - to be undertaken through The Advocate, Community Radio, Southern Cross (Community) – K Kelly • Catering <ul style="list-style-type: none"> - Burnie Arts and Function Centre catering to be ordered as previous ceremonies – K Kelly - BBQ options to be progressed with Burnie Rotary – W Richards (George Austin, Secretary – payment / reimbursement) 	<p><i>Complete</i></p> <p><i>Complete</i></p>
<p>4. Committee Correspondence</p> <ul style="list-style-type: none"> • Ambassador confirmation email from Department of Premier and Cabinet. • Email from R Bentley re timing of meetings. 	<p>Chair</p>
<p>5. Budget Nil to date.</p>	<p>K Kelly</p>
<p>6. Australia Day Ceremony 2023</p> <ul style="list-style-type: none"> • Invite [REDACTED] to meeting to confirm photography arrangements. 	<p>Chair</p>
<p>7. Other Business</p> <ul style="list-style-type: none"> • Nomination status discussed. 	<p>Chair</p>
<p>8. Next Meeting</p> <p>Monday, 12 December 2022 at 3.30pm.</p>	<p>Chair</p>

2

AO025-23 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*.

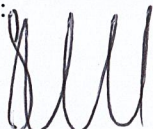
There were no non agenda items.

There being no further business the Mayor declared the Meeting closed at 8.37pm.

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 31 January 2023.

Confirmed:

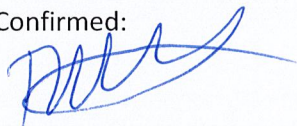


Simon Overland
GENERAL MANAGER

Date:

28/02/23

Confirmed:



Teeny Brumby
MAYOR

Date:

28.2.23