



dorset
C O U N C I L

Agenda

Special Council Meeting

6 December 2022

it's in the making

Qualified Persons Advice

The *Local Government Act 1993*, Section 65, provides (in part) as follows: -

- A general manager must ensure that any advice, information or recommendation given to the Council is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.
- A council is not to decide on any matter which requires the advice of a qualified person without considering such advice unless the general manager certifies in writing that such advice was obtained and taken into account in providing general advice to the Council and a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the Council with the general managers certification.

I therefore certify that with respect to all advice, information or recommendation provided to the Council in or with this agenda:

- a. the advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and
- b. where any advice is directly given by a person who does not have the required qualifications or experience that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person.

Notification of Council Meeting

NOTICE is given that a Special Meeting of the Dorset Council will be held on Tuesday, 6 December 2022 at the **Council Chambers, 3 Ellenor Street, Scottsdale** commencing at 3:15 pm.

Business of the Meeting:

1. Budget Estimates 2022/23 Variation – Flood Damage
2. Appointment of General Manager (Closed Session – Councillors Only)



JOHN MARIK
Acting General Manager

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Special Council Meeting
Agenda
6 December 2022

Meeting Opened:

Present:

Apologies:

Item 201/22 Declaration of an Interest of a Councillor or Close Associate

In accordance with Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015* and Council's adopted Code of Conduct, the Mayor requests Councillors to indicate whether they have, or are likely to have a pecuniary interest (any pecuniary interest or pecuniary detriment) or conflict of interest in any item on the Agenda.

INTEREST DECLARED

Purpose

The purpose of this report is to give Council a status update on the recent significant rain event which caused significant damage to Council assets across the municipality. The report will also request a further budget variation for expenditure required within the Blue Derby mountain bike trail network to repair damaged trails caused by this same weather event.

Background

On 13 October 2022, a significant rainfall event took place across Tasmania which caused flooding across the municipality. The following essential infrastructure has been impacted:

- Bridge at Valentines Road - estimated full replacement cost \$300,000;
- Culvert on Waterhouse Road - estimated replacement cost \$60,000; and
- General road repairs from water running over roads estimated at \$150,000.

The significant rain event triggered a landslide at the Blue Derby mountain bike rails. Three trails were impacted including Air-Ya-Garn (lower), Axehead and a new green flow trail - known as Hazy Dayz, which had been commenced but not yet completed. The Blue Derby trails flood damage has been costed at \$405,227, excluding all stabilisation works on the landslide site. A geotechnical engineer has been engaged by Council and made an initial visit to the landslide site. An additional visit will be required by the engineer after which a report will be delivered to Council. This report will specify the options available to Council, including the feasibility to remediate the landslide site. Stabilisation works may double or triple the initial costing of \$405,227, however Council Officers cannot give any indication as to landslide remediation expenditure requirements.

The State Government has natural disaster financial assistance programs in place that can be accessed by local government. These programs provide funding for eligible essential infrastructure impacted by natural disasters such as roads, culverts, stormwater and bridges. Local government essential infrastructure funding is available under the Tasmanian Relief and Recovery Arrangements (TRRA), namely the Natural Disaster Relief to Local Government Policy.

Recreational and community assets like trails, parks and sporting facilities are not considered essential infrastructure. Therefore the damage to the Blue Derby mountain bike trail network from the recent weather event is not covered under the TRRA. The Tasmanian Government is preparing a proposal for the Federal Government Community Recovery Fund on behalf of Dorset's Blue Derby mountain bike trails. This Federal funding mechanism may include funds to reconstruct damaged recreational and community assets. Dorset Council has submitted all the required information to the State Government to allow them to lodge the proposal to the Federal Government. The approval of a Community Recovery Fund is not guaranteed, and depends on support from the Prime Minister. If the proposal is successful, included projects will be eligible for inclusion in the local government's TRRA claims. All TRRA provisions, including requirements for evidence, auditing and assurance, reporting and rates of reimbursement will apply. Under the TRRA funding mechanism, the Blue Derby mountain bike trail damage would be 75% funded by the Federal Government and 25% would have to be funded by Council.

Planning, Environment & Statutory Requirements

Section 82(4) and (5) (Budget Estimates) of the *Local Government Act 1993*.

Risk Management

N/A

Financial & Asset Management Implications

In the November 2022 Council Meeting, Councillors adopted a budget variation for \$167,500 (total cost of the damaged assets; \$520,000) for Council's out of pocket expenditure to fully replace flood damaged essential infrastructure and undertake a geotechnical assessment of the damaged mountain bike trails. This agenda requests a further \$62,961 (total cost of the damaged assets; \$80,811) for flood damaged mountain bike trails in Derby that require urgent remediation works.

Community Considerations

The economic impact assessment submitted by Dorset Council to the State Government for the Federal Government Community Recovery Fund proposal, noted the direct spend in Derby and surrounds from interstate and intrastate mountain bike visitation accounts for \$20 million in direct spend per annum based on current estimates. This direct spend translates to a municipal multiplier impact of up to \$50 million. The economic impacts of mountain bike tourism are material to the municipality and it is therefore a Council priority to expedite funding to ensure assets are rebuilt as soon as possible.

Officer's Comments

Dorset municipal essential infrastructure impacted by the natural disaster is eligible under the TRRA and thus the Natural Disaster Relief to Local Government Policy. This Policy has been activated by the State Government and Local Government is able to claim financial assistance for essential infrastructure under this natural disaster funding stream for the next 24 months.

In regards to essential infrastructure, Council has already attained a budget variation in the November Council Meeting for \$157,500 which is Council's outlay of the required \$510,000.

The Blue Derby mountain bike trails flood damage amounts to \$405,227, excluding stabilisation works. Council attained a budget variation in the November Council Meeting for \$10,000 for a geotechnical engineer report which will outline the options available to Council, including the feasibility to remediate the landslide site. Much of the \$405,227 includes the re-build of trails which will require stabilisation works. Council Officers request a budget variation for the mountain bike trails that can be remediated without any stabilisation works. The following trails require urgent remediation and are included in the order of importance to rider satisfaction:

- Refurbishment of Air-Ya-Garn (upper) - \$14,850.
- Re-route and adjust Air-Ya-Garn (lower) and Hazy Dayz. In regards to the lower portion of Air-Ya-Garn, the re-routing would allow the trail to finish near Cascade Dam Road and open this portion as a standalone trail. The Hazy Dayz re-routing would open up two thirds of the initial build. The Hazy Dayz trail was funded by a grant from Austrade and the re-routing will be included as part of this funding. Austrade have extended the grant deadline from 30 November 2022 until Christmas

December 2022. Visit Northern Tasmania and the Department of State Growth secured the extension for Council. The total costing for both re-routing works amounts to \$35,700 with \$17,850 Hazy Dayz component funded by Austrade.

- The assessment and realignment of the Axehead green trail is of paramount importance to the entire trail network as it is utilised as an entry point to the network. The ability to rebuild Axehead, however is conditional on the geotechnical engineers report.
- The recap and repair of the Valley Ponds trail, which is the trail from Branxholm to Derby - \$45,111.

The trail maintenance crew have been given authority to commence the refurbishment of Air-Ya-Garn (upper) (\$14,850) via the General Manager discretionary fund. Kumba Gutza was voted Enduro World Series Trail of the Year in 2019 and links onto Air-Ya-Garn (upper), with Air-Ya-Garn the most popular trail in the network and a partial opening of a section of the trail will help with rider satisfaction.

Council Officers request a budget variation for the re-routing and adjusting of lower Air-Ya-Garn and Hazy Days for \$35,700, with \$17,850 funded through the Hazy Dayz Austrade grant funding. A budget variation is also requested for the recap and repair of the Valley Ponds trail for \$45,111, which may, at best, be funded up to 75% by the Federal Government Community Recovery Fund, or if this funding is unsuccessful Council will be required to fund 100%.

Recommendation

That Council approve a variation to the 2022/23 Budget Estimates of \$62,961 (total cost of the damaged assets; \$80,811) for flood damaged mountain bike trails in Derby that require urgent remediation works.

Recommendation

That the Meeting be closed to the public pursuant to Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015, and that members of the public be required to leave the meeting room.

Time Meeting Closed to the Public:

CLOSED SESSION AGENDA ITEM

Purpose

The purpose of this agenda item is to appoint a General Manager for Dorset Council.

This item is considered in closed session in accordance with Regulation 15 (2)(a) of the Local Government (Meeting Procedures) Regulations 2015

*“15 (2)(a):
personnel matters.....”*

Time Meeting Closed: